



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 23 October 2023
commencing at 7:00pm

The Meeting is open to the Public

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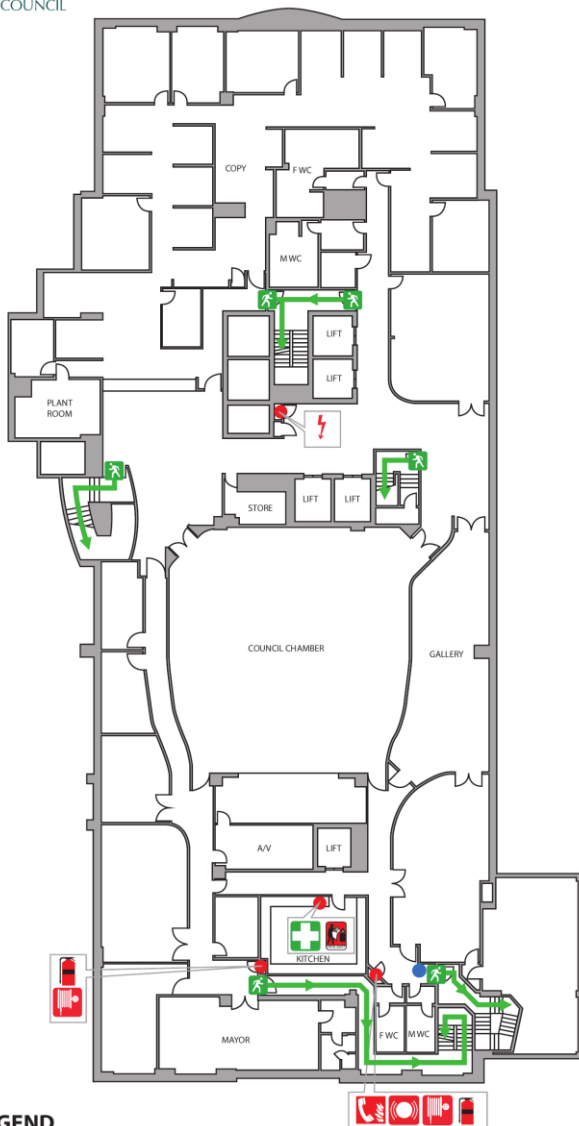
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WILLOUGHBY CITY COUNCIL

Level 6 Floor Plan



EVACUATION DIAGRAM | COUNCIL CHAMBERS



Dial 000 for all emergency services
000 EMERGENCY
 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

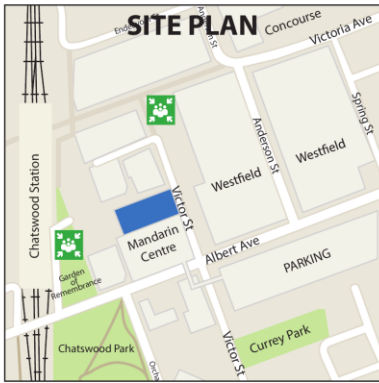
ALERT BEEEP..BEEEP..BEEEP.
 If you hear this sound you must be prepared to evacuate. Listen carefully to any instructions provided by Wardens and Staff.

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

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



COUNCIL CHAMBERS

CUSTOMER AND CORPORATE DIRECTOR M Kenyon	MAYOR Clr T Taylor	CHIEF EXECUTIVE OFFICER D Just
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Clr G Roussac	N A R E M B U R N	M I D D L E H A R B O U R	Clr R Samuel
Clr N Wright			Clr A Rozos
Clr A Greco			Clr S Mouradian
Clr H Eriksson	S A I L O R S	W E S T	Clr C Campbell
Clr J Moratelli			Clr B Zhu Deputy Mayor
Clr R McCullagh			Clr J Xia
	B A Y		

Council Staff



Council Chamber Protocol

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

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

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

Statement of Ethical Obligations

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

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

1 OPEN MEETING

2 ACKNOWLEDGEMENT OF COUNTRY

Willoughby City Council acknowledges the Traditional Owners of the lands on which we meet today, the Gamaragal People, and their connections to land, waters, and community. We pay our respects to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander people, including those who may be in attendance today.

3 REFLECTION OR PRAYER

4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO VISUAL LINK BY COUNCILLORS

5 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 25 September 2023, copies of which have been circulated to each member of Council, be confirmed.

6 DISCLOSURES OF INTERESTS

In accordance with Part 16 of the Code of Meeting Practice, all Councillors must disclose and manage any conflicts of interest they may have in matters being considered at the meeting.

7 PETITIONS

7.1 PETITION FOR NOTING - SUPPORT OF MR & MRS DU OF CASTLECRAG POST OFFICE

RESPONSIBLE OFFICER: SAMANTHA CONNOR – ACTING CUSTOMER & CORPORATE DIRECTOR

AUTHOR: NATALIE TAYLOR – COUNCIL & CORPORATE SUPPORT OFFICER

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

MEETING DATE: 23 OCTOBER 2023

1. PURPOSE OF REPORT

To note a petition received showing resident support of the owners of Castlecrag Post Office.

2. OFFICER'S RECOMMENDATION

That Council

1. Note the petition received in support of the owners of Castlecrag Post Office.
2. Refer the matter to the Economic Development Officer.

3. BACKGROUND

Council's *Petition Policy* requires petitions received to be presented to the next available Council meeting. This report formalises the receipt of the petition and recommends to refer it to the relevant officer for consideration.

4. DISCUSSION

A petition of 193 signatories has been submitted to Council in support of the owners of the Castlecrag Post Office and drawing Council's attention to continuing provision of services to the Castlecrag community.

"We the undersigned wish to draw to your attention a matter of concern regarding continuing provision of services to the Castlecrag community.

The Castlecrag Post Office has always formed a vital part of the community, but unfortunately in the light of development changes, is now not secure in its future. This means that the community might find itself for some lengthy period without postal, news, banking and other vital services.

We understand that good faith negotiations between developers of the Quadrangle site and Jason and Leanne Du who own the Castlecrag Post Office licence are at a crucial stage with no sign of an early conclusion. Running a Post Office entails provision of such add-ons as Postal Boxes safely accessible to the leaseholders, as well as the normal retail outlet, and

street-side PO collection boxes for Australia Post. As such, we understand that any relocation whether temporary or permanent is not simple.

We wish to support Mr & Mrs Du in their efforts to find a transition solution that is practical, affordable and provides continuity of service, while respecting the right of the developer to meet reasonable commercial objectives. We call on our community organisations and local government representatives to use their good offices to resolve this impasse as soon as possible for the good of the Castlecrag community.

The petition has been distributed to Councillors.

5. CONCLUSION

The petition is presented for noting by Council and for referral to the relevant officer.

8 OPEN AND PUBLIC FORUM

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

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

9 MAYORAL MINUTE

9.1 MAYORAL MINUTE 10/2023 - RECOGNITION OF SERVICE OF COUNCILLORS ERIKSSON, ROZOS AND WRIGHT

MEETING DATE: 23 OCTOBER 2023

1. PURPOSE OF REPORT

To recognise the long-standing contribution of Councillor Hugh Eriksson, Councillor Angelo Rozos and Councillor Nic Wright to the City of Willoughby and to local government in NSW.

2. DISCUSSION

On behalf of Council, I would like to acknowledge Councillors Eriksson, Rozos and Wright, who have each contributed over 10 years of service to the City of Willoughby and to local government in general.

Councillors Eriksson, Rozos and Wright were elected to Council on 17 September 2012, and have contributed significantly to the Wards they have represented during that period.

Civic service is a calling that demands passion, patience, and an unwavering commitment to the needs of our community. In recognising these long-serving Councillors, we acknowledge the dedication they have given to their role, selflessly giving their time, energy, and expertise to address the needs of our community.

As we recognise the commitment to public service of these long-standing Councillors, it is also important to recognise the support of their family and loved ones during their tenure, and we extend our gratitude to them as well.

I call on Councillors to join with me in congratulating Councillors Eriksson, Rozos and Wright, through the presentation of a certificate from Local Government NSW to each Councillor, which recognises 10 years of service as an elected member.

3. MOTION

That Council acknowledge and thank Councillor Eriksson, Councillor Rozos and Councillor Wright for their contribution to the City of Willoughby and local government in NSW for over 10 years.

10 CHIEF EXECUTIVE OFFICER'S LATE REPORT

11 MATTERS BY EXCEPTION

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

12 REPORTS TO COUNCIL

CUSTOMER & CORPORATE DIRECTORATE

12.1 INVESTMENT REPORT FOR MONTH OF SEPTEMBER 2023

ATTACHMENTS:	1. IMPLICATIONS 2. ACTUAL PERFORMANCE AGAINST INVESTMENT POLICY (2020) 3. COUNCIL HOLDINGS AND COUNTERPARTY ANALYSIS
RESPONSIBLE OFFICER:	MAXINE KENYON – 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:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To provide a report setting out Council's bank balances and investment portfolio performance as at 30 September 2023 under section 625 of the *Local Government Act 1993*.

2. OFFICER'S RECOMMENDATION

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

3. BACKGROUND

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

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

4. DISCUSSION

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

A summary of Council's holdings as at 30 September 2023 is included in **Attachment 1** (Financial Implications). Actual performance against policy settings and budget are included in **Attachment 2**.

Details of holdings and counterparty analysis is included in **Attachment 3**.

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

The key financial indicators for Council's investment holdings at 30 September 2023 include:

Combined Bank Balance	\$ 14.0M
Investment Holdings	\$204.0M
Total Cash and Investments	\$218.0M
Return on Investments	4.42%, (0.24% over benchmark of 4.18%) (Refer to Attachment 2 – Figures 3 and 4).
Actual Interest Return (Month)	\$759K (\$70K better than \$689K budget) (Refer to Attachment 2 – Figure 5).
Actual Interest Return (Year to Date)	Actual Year to Date Interest of \$2,150K is \$280K favourable to Year to Date budget of \$1,870K.

Restricted versus Unrestricted Cash and Investments

Total cash and investments as at 30 September 2023 was \$218.0M. Of this amount, \$191.4m, or 88% is restricted to be spent on specific purposes. This leaves \$26.6m or 12% of unrestricted cash and investments for working capital purposes to ensure Council can meet its financial obligations as they fall due.

Figure 1 shows the breakdown of cash and investments.

Figure 1 – Restricted versus unrestricted cash and investments as at 30 September 2023

Restriction Category	Total cash and investments as at 30 September 2023 (\$'m)	Percentage of Total Portfolio %
Internally Restricted	\$ 65.2M	30
Externally Restricted	\$126.2M	58
Unrestricted	\$ 26.6M	12
Total	\$218.0M	100

5. CONCLUSION

Council's investment holdings at 30 September 2023 have been made in accordance with the *Local Government Act 1993*, *Local Government (General) Regulation 2021*, the *Investment Policy* adopted by Council on 14 December 2020, *Ministerial Investment Order* issued February 2011 and Division of Local Government (as it was then known) *Investment Policy Guidelines* published in May 2010.

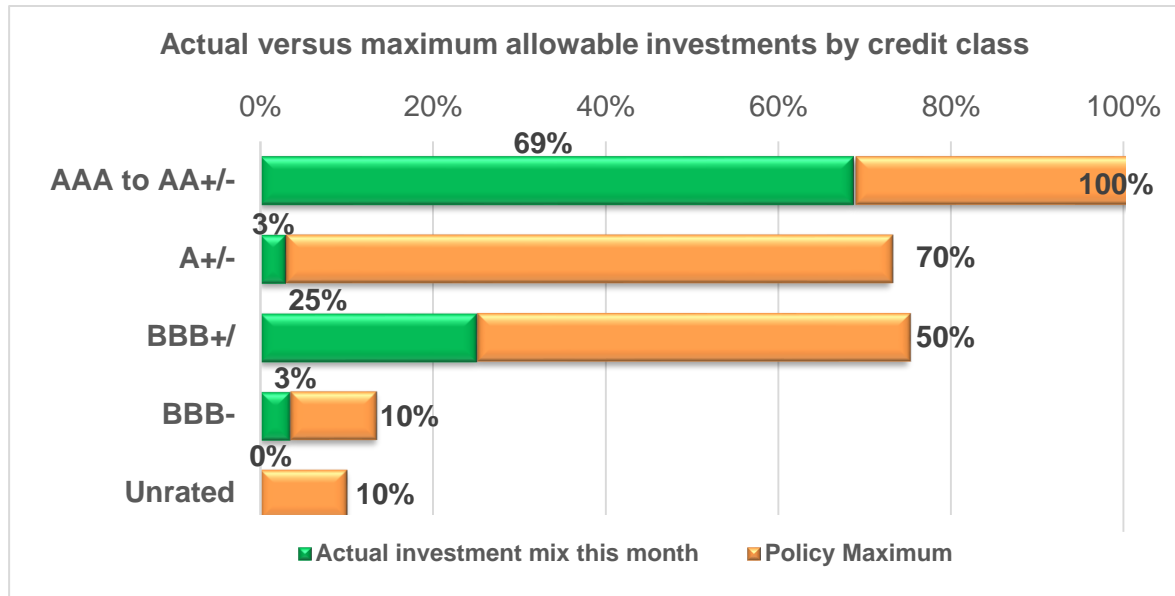
ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes/ Services	Maximise interest rate returns and comply with all relevant legislation.
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	There are no legal considerations applicable to this report
Legislation	<p>Under <i>Section 625</i> of the <i>Local Government Act 1993</i> the Responsible Accounting Officer must provide Council with a monthly report setting out details of all money that the Council has invested.</p> <p>In accordance with Clause 212 of <i>Local Government (General) Regulation 2021</i>, this report must include Certification as to whether or not the Investments have been made in accordance with the Act, the Regulations and Council's <i>Investment Policy</i>.</p>
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 30 September 2023 were \$218M and Interest returns are on track to exceed the annual budget of \$7.3M.</p>

ATTACHMENT 2

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

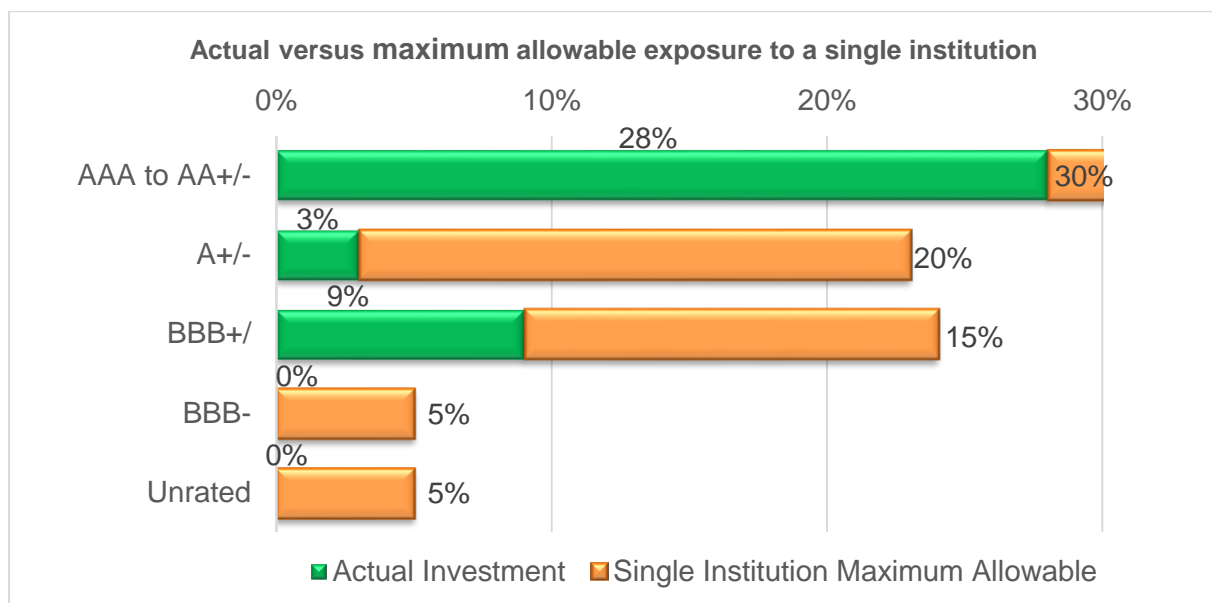
Figure 1 – Actual versus maximum allowable investments by credit class



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

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

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



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

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

Figure 3 – Interest Rate Comparison for 30th September 2023

<u>Description</u>	<u>Average Interest Rate</u>
Council Portfolio	<u>4.42%</u>
Benchmark – Bloomberg AUSBond Bank Bill Index (1 Month)	<u>4.18%</u>
Over Benchmark Return	<u>0.24%</u>

Figure 3 shows the monthly interest rate achieved by Council on its investment portfolio compared with the one month Bloomberg AUSBond Bank Bill Index. Council's return has over performed that benchmark by 0.24%.

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

Figure 4 – Interest Rate Comparison – 12 Month Average

<u>Description</u>	<u>Average Interest Rate</u>
Council Portfolio – 12 month Average	<u>3.13%</u>
Benchmark – Bloomberg AUS Bond Bank Bill Index (12 Month Average)	<u>3.40%</u>
Under (over) Benchmark Return	<u>0.27%</u>

Figure 5 – Investment Return for 30 September 2023

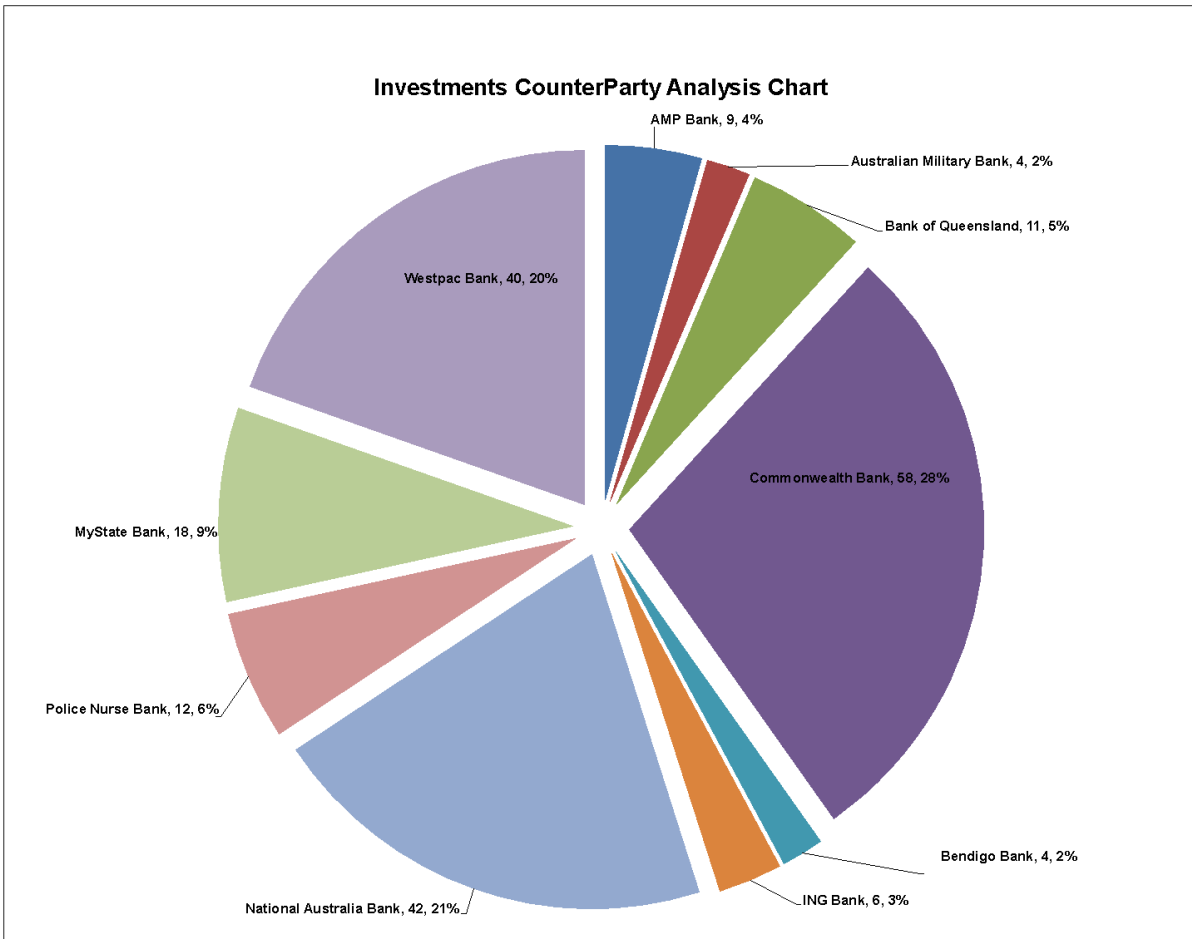
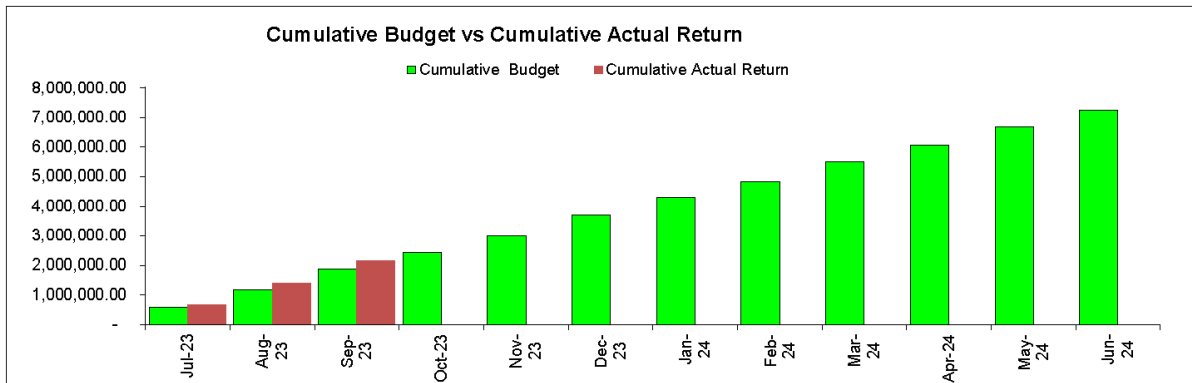
<u>Description</u>	<u>Interest Achieved (\$000's)</u>
Council Actual Interest Return	<u>\$759K</u>
Budgeted Return	<u>\$689K</u>
Over (under) Budgeted Return	<u>\$70K</u>

Figure 5 provides a comparison of the actual interest return on investments for the month with the budget and shows that the monthly return is \$70K better than budget.

LIST OF INVESTMENTS	Credit Rating	FRN /TD	Investment Amount \$	Return % p.a.	Monthly Income \$	Investment Date	Mature & Reset Date	Period/ Matur. Date
Investments that matured during the month:								
Commonwealth Bank (2111)	A1+	TD	3,000,000	4.18%	6,871	1/09/2022	21/09/2023	Matured
MyState Bank (80922)	A2	TD	4,000,000	4.15%	9,096	8/09/2022	21/09/2023	Matured
Commonwealth Bank (2115)	A1+	TD	4,000,000	4.32%	9,468	21/09/2022	21/09/2023	Matured
Westpac Bank (9462962)	AA-	TD	2,000,000	0.55%	814	23/09/2021	28/09/2023	Matured
Current Investments:								
Westpac Bank (949897)	AA-	TD	3,000,000	0.73%	1,800	14/10/2021	5/10/2023	0-3 mths
MyState Bank (54856)	BBB+	TD	2,000,000	0.75%	1,233	14/10/2021	12/10/2023	0-3 mths
AMP Bank (921019576)	A2	TD	2,000,000	4.55%	7,479	13/10/2022	19/10/2023	0-3 mths
Westpac Bank (9514107)	AA-	TD	2,000,000	0.90%	1,479	21/10/2021	26/10/2023	0-3 mths
Commonwealth Bank (2120)	A1+	TD	3,000,000	4.52%	11,145	27/10/2022	26/10/2023	0-3 mths
Westpac Bank (9528796)	AA-	TD	1,000,000	1.13%	929	28/10/2021	2/11/2023	0-3 mths
Westpac Bank (9562241)	AA-	TD	2,000,000	1.22%	2,005	11/11/2021	16/11/2023	0-3 mths
Westpac Bank (9415227)	AA-	TD	2,000,000	0.61%	1,003	26/08/2021	23/11/2023	0-3 mths
AMP Bank (706198561)	A2	TD	1,000,000	4.60%	3,781	24/11/2022	23/11/2023	0-3 mths
Westpac Bank (10060651)	A1+	TD	3,000,000	4.35%	10,726	23/11/2022	23/11/2023	0-3 mths
Westpac Bank (10060645)	A1+	TD	3,000,000	4.35%	10,726	23/11/2022	23/11/2023	0-3 mths
Westpac Bank (9619113)	AA-	TD	2,000,000	1.21%	1,989	9/12/2021	14/12/2023	0-3 mths
Westpac Bank (9298720)	AA-	TD	2,000,000	0.65%	1,068	17/06/2021	14/12/2023	0-3 mths
Commonwealth Bank (2123)	A1+	TD	5,000,000	4.69%	19,274	20/12/2022	21/12/2023	0-3 mths
MyState Bank (55631)	BBB+	TD	2,000,000	1.20%	1,973	9/12/2021	4/01/2024	4 mths
Commonwealth Bank (2124)	A1+	TD	5,000,000	4.69%	19,274	20/12/2022	1/01/2024	4 mths
Bank of QLD (664520)	A2	TD	7,000,000	4.55%	26,178	12/01/2023	12/01/2024	4 mths
Commonwealth Bank (2132)	A1+	TD	12,000,000	4.74%	46,751	12/01/2023	12/01/2024	4 mths
Westpac Bank (9678135)	AA-	TD	1,000,000	1.31%	1,077	14/01/2022	18/01/2024	4 mths
Commonwealth Bank (2133)	A1+	TD	5,000,000	4.71%	19,356	16/01/2023	18/01/2024	4 mths
Westpac Bank (10509567)	A1+	TD	3,000,000	4.60%	11,342	16/01/2023	18/01/2024	4 mths
Westpac Bank (10512363)	A1+	TD	4,000,000	4.60%	15,123	17/01/2023	25/01/2024	4 mths
Westpac Bank (10509535)	A1+	TD	6,000,000	4.60%	22,685	16/01/2023	1/02/2024	5 mths
Commonwealth Bank (2134)	A1+	TD	6,000,000	4.71%	23,227	16/01/2023	8/02/2024	5 mths
ING Bank (170222)	A+	TD	1,000,000	2.00%	1,644	17/02/2022	15/02/2024	5 mths
Westpac Bank (10509521)	A1+	TD	5,000,000	4.60%	18,904	16/01/2023	15/02/2024	5 mths
National Australia Bank (70-562-1720)	AA-	TD	2,000,000	1.81%	2,975	17/02/2022	22/02/2024	5 mths
National Australia Bank (928293939)	A1+	TD	7,000,000	5.00%	28,767	23/02/2023	22/02/2024	5 mths
National Australia Bank (928489202)	A1+	TD	5,000,000	5.00%	20,548	23/02/2023	22/02/2024	5 mths
Westpac Bank - Green Tailored Deposit (7553241)	AA-	TD	1,000,000	5.13%	4,216	28/02/2019	1/03/2024	6 mths
Police Nurse Bank (57025)	BBB-	TD	2,000,000	2.00%	3,288	10/03/2022	7/03/2024	6 mths
ING Bank (57154)	A+	TD	1,000,000	2.02%	1,660	17/03/2022	21/03/2024	6 mths
Police Nurse Bank (57153)	BBB-	TD	2,000,000	2.05%	3,370	17/03/2022	21/03/2024	6 mths
Mystate Bank (30281468)	A2	TD	4,000,000	4.60%	15,123	23/03/2023	21/03/2024	6 mths
Mystate Bank (30281472)	A2	TD	4,000,000	4.60%	15,123	23/03/2023	28/03/2024	6 mths
National Australia Bank (955038589)	AA-	TD	4,000,000	2.85%	9,370	14/04/2022	18/04/2024	7 mths
Police & Nurses Bank (180424)	A2	TD	3,000,000	4.75%	11,712	23/04/2023	18/04/2024	7 mths
Police & Nurses Bank (020524)	A2	TD	2,000,000	4.75%	7,808	27/04/2023	2/05/2024	8 mths
Commonwealth Bank (2100)	AA-	TD	1,000,000	3.70%	3,041	5/05/2022	16/05/2024	8 mths
Australian Military Bank (23052024)	A2	TD	1,000,000	5.06%	4,159	24/05/2023	23/05/2024	8 mths
ING BANK (949745)	A-	TD	1,000,000	3.76%	3,090	26/05/2022	30/05/2024	9 mths
Mystate Bank (30271360)	A2	TD	3,000,000	5.70%	14,055	27/06/2023	27/06/2024	10 mths
National Australia Bank (30-862-1903)	AA-	TD	1,000,000	0.80%	658	8/07/2021	4/07/2024	10 mths
Mystate Bank (30271364)	A2	TD	3,000,000	5.70%	14,055	27/06/2023	4/07/2024	10 mths
AMP Bank (270723)	A2	TD	4,000,000	5.55%	18,247	27/07/2023	25/07/2024	10 mths
Commonwealth Bank (2154)	A1+	TD	5,000,000	5.54%	22,767	10/08/2023	8/08/2024	11 mths
Bendigo Bank (4452208)	A2	TD	4,000,000	5.50%	18,082	27/07/2023	8/08/2024	11 mths
Commonwealth Bank (2155)	A1+	TD	6,000,000	5.57%	27,468	16/08/2023	15/08/2024	11 mths
National Australia Bank (29-130-3289)	AA-	TD	2,000,000	0.78%	1,282	12/08/2021	15/08/2024	11 mths
Commonwealth Bank (2156)	A1+	TD	3,000,000	5.44%	13,414	24/08/2023	22/08/2024	11 mths
Australian Military Bank (220824)	BBB+	TD	3,000,000	4.45%	10,973	31/08/2022	22/08/2024	11 mths
National Australia Bank (10858418)	A1+	TD	7,000,000	5.21%	29,975	24/08/2023	29/08/2024	12 mths
Police & Nurses Bank (060235)	BBB-	TD	3,000,000	4.40%	10,849	8/09/2022	19/09/2024	12 mths
AMP Bank (342225216)	BBB+	TD	2,000,000	4.70%	7,726	13/10/2022	17/10/2024	>12 mths
ING Bank (1015290)	A+	TD	3,000,000	4.90%	12,082	27/10/2022	24/10/2024	>12 mths
Bank of QLD (628601)	BBB+	TD	4,000,000	4.61%	15,156	23/11/2022	21/11/2024	>12 mths
Current Investments - "New and Rollover" made during the month:								
Commonwealth Bank (2162)	A1+	TD	7,000,000	5.36%	10,279	21/09/2023	19/09/2024	12 mths
National Australia Bank (10862995)	A1+	TD	7,000,000	5.35%	10,260	21/09/2023	26/09/2024	12 mths
National Australia Bank (10862996)	A1+	TD	7,000,000	5.35%	10,260	21/09/2023	26/09/2024	12 mths
Total Current Investments, Monthly Interest and Weighted Return		Inv	204,000,000	4.42%	690,263			
Other Cash and Monthly Interest (11am STMM)		Cash	13,944,753		68,563			
Total Cash & Investments			217,944,753		758,826			
Benchmark: Bloomberg AUSBond Bank Bill Index				4.18%				
Investments Margin above Benchmark				0.24%				

Investments Maturity Period	0-3 Months	4-12 Months	> 12 Months	Total \$	chk s/be 0
Amount	33,000,000	162,000,000	9,000,000	204,000,000	0
% of Total	16.2%	79.4%	4.4%	100%	

Cash & Investments Return:	Budget \$	Actual \$	Var. \$
Current Month	688,626	758,826	70,201
Year to Date	1,870,186	2,150,627	280,441



Investment return for 2022- 2023		
Month	Ausbond bank Bill Index Return % p.a	WCC Actual Returns from
Sep-22	1.79%	1.52%
Oct-22	2.89%	1.68%
Nov-22	3.07%	1.88%
Dec-22	2.98%	2.13%
Jan-23	3.18%	3.16%
Feb-23	3.18%	3.37%
Mar-23	3.39%	3.56%
May-23	3.53%	3.73%
Jun-23	3.72%	3.85%
Jul-23	4.48%	3.96%
Aug-23	4.39%	4.30%
Sep-23	4.18%	4.42%
Annualised return	3.40%	3.13%

12.2 LEGAL MATTERS REPORT - OCTOBER 2023

ATTACHMENTS:	1. IMPLICATIONS 2. LEGAL MATTERS REPORT 3. CONFIDENTIAL – LEGAL MATTERS REPORT (ATTACHMENT 3 INCLUDED IN CLOSED AGENDA)
RESPONSIBLE OFFICER:	SAMANTHA CONNOR – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	PAUL BROWN – ACTING GOVERNANCE, RISK & COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

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

2. OFFICER'S RECOMMENDATION

That Council note the legal matters report for July – September 2023.

3. BACKGROUND

At its meeting on 27 February 2023, Council resolved:

That Council:

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

This report presents the legal matters report (**Attachment 2** open and **Attachment 3** confidential) for Council's consideration, which is current at the time of publication.

Attachment 3 to this report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) and (g)) of the *Local Government Act 1993*, as information contained relates to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

4. DISCUSSION

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

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

Attachment 3 to this report provides information that assists Councillors to understand the status of current legal matters. The release of this information would provide person(s) with whom Council conducts business or parties subject to legal proceedings, details of Council's legal strategy, intentions and expenditure. On balance, it is not in the public interest to release information, which, if disclosed, would compromise Council's legal prospects. Should Councillors wish to discuss any specific information included in the confidential Attachment, it may be required they resolve into closed session of Council in accordance with Section 10A(2)(c) and (g) of the *Local Government Act 2009*.

5. CONCLUSION

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

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

ATTACHMENT 2

Legal Matters Report

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

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

Court / Matter No or Ref	Counter Party	Type of Matter	Status Update	Law firm / counsel engaged	Insurer
NSW District Court 2019/96207	John Hooper	Defamation Proceedings	<p>UPDATED</p> <p><i>The matter was listed for hearing for two weeks from 4 September 2023 but was adjourned when Mr Hooper became unwell while giving evidence on the first day of the hearing.</i></p> <p><i>There will be a directions hearing on 5 October 2023 when Mr Hooper will need to provide medical evidence about his ability to continue with the hearing.</i></p> <p><i>If he is able to continue, new dates for the hearing are expected to be set for the first quarter of 2024.</i></p> <p>Council's insurers have tried to settle the matter but, to date, Mr Hooper has not agreed to any settlement.</p>	RGS Lawyers appointed by Council's insurers.	State Wide Mutual

Court / Matter No or Ref	Counter Party	Type of Matter	Status Update	Law firm / counsel engaged	Insurer
Federal Court NSD215/2019	Lead Plaintiffs The Owners – Strata Plan No 87231 v 3A Composites GmbH & Halifax Vogel Group Pty Ltd, Federal Court of Australia, Proceeding number NSD215/2019 (“Alucobond Combustible Cladding Class Action”)	Council is participating as a Funded Group Member in the Alucobond Combustible Cladding Class Action in relation to Alucobond installed at The Concourse.	NO CHANGE Following a mediation on 29 and 30 March 2023, a further mediation was ordered by the Court for 15 February 2024. The matter has also been listed for hearing in the Federal Court for 8 weeks commencing on 26 August 2024.	William Roberts Lawyers instructed by litigation funders Omni Bridgeway (Previously IMF Bentham).	N/A
N/A	2 Buddha Pty Ltd	Lease dispute with Tenant	UPDATED The Lease has been terminated. <i>Council has received legal advice. Recovery proceedings to begin shortly.</i>	Pikes Verekers	N/A
Land & Environment Court 2021/169065	Blanc Black Projects Pty Ltd	Class 4 appeal against deemed refusal of DA for residential flat development at 58-60 Eastern Valley Way, Northbridge.	NO CHANGE The Court of Appeal found in favour of Council and remitted the hearing back to the Land & Environment Court to be re-considered. No date has been set for the reconsideration.	Maddocks	N/A

3. Compliance actions and prosecutions

There are no current cases.

4. Planning Appeals

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court 2021/168727 and 2021/168747	Lin Yu and Jay Jay Xu	Class 1 appeal against refusal of the Building Information Certificate and a Class 4 action against a compliance order issued for 16 Johnson Street, Chatswood regarding the unauthorised conversion of a garage for habitable purposes.	UPDATED Owners have not complied with Court Order. <i>Council is seeking to conduct a reinspection of the premises in October 2023.</i> <i>Awaiting outcome from reinspection.</i>	HWL Ebsworth

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2021/292505	Victor Lahoud	Class 4 Appeal Lahoud v Willoughby City Council relating to DA 2020/238 for adaptive reuse of and existing commercial building to shop top housing at 131 Sailors Bay Rd, Northbridge.	<p>NO CHANGE</p> <p>The Applicant applied to join the Willoughby Local Planning Panel as a party to the proceedings. WLPP granted the consent which is being challenged in the proceedings.</p> <p>The Court accepted Council's/Panel's submission that the Panel should not be joined to the proceedings, and concluded that the application should be refused. The decision of the orders was dated 21 October 2022.</p> <p>It was heard in the Land & Environment Court on 1 & 2 November 2022 and judgement has been reserved.</p> <p>Awaiting judgment.</p>	Lindsay Taylor Lawyers
Land & Environment Court LEC 2022/ 00273498	Metro Donnelly Road Pty Ltd	Class 1 Appeal - Refusal of DA 2021/340 for Mixed use development comprising the demolition of existing school building, additions to St Leonards Church comprising parish hall and presbytery, construction of multi dwelling housing, conversion of existing presbytery to a dwelling and construction of a dwelling house at 43 Donnelly Rd, Naremburn.	<p>NO CHANGE</p> <p>Matters on hold while the Interim Heritage Order appeal is finalized.</p>	HWL Ebsworth (Peter Wells)

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2022/00386077	Metro NSWSPV 26	Class 1 Appeal – Deemed Refusal of DA 2022/228 - Torrens Title Subdivision in to five (5) separate lots and new access driveway and service to all new lots and associated works. (Tresillian Family Care Centre)	NO CHANGE Given both DA-2022/228 & DA-2022/229 are interrelated, the proceedings will be consolidated. S34 conciliation conference terminated with no agreement. Hearing listed for early December 2023.	Maddock (Patrick Williams)
Land & Environment Court LEC 2022/00386101	Metro NSWSPV 26	Class 1 Appeal – Deemed Refusal of Demolition of existing auxiliary buildings Unit A, C and D, partial demolition of Unit B and alterations and addition to heritage dwelling, new swimming pool, garage, courtyard, landscaping, tree removal and associated works. (Tresillian Family Care Centre)	NO CHANGE Given both DA-2022/228 & DA-2022/229 are interrelated, the proceedings will be consolidated. S34 conciliation conference terminated with no agreement. Hearing listed for early December 2023.	Maddocks (Patrick Williams)

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

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2023/00042161	Mark Camuglia	Deemed Refusal - Development application DA 2022/367 for Alterations and additions to existing Heritage building and change of use to a single dwelling house and construction of a new tennis court, swimming pool and associated works at 97 Ashley Street, Roseville	NO CHANGE Without prejudice discussions being held on 29/03/2023. Agreement reached prior to the S34. Notice of Orders Made on 16 June 2023, however, Commissioner's judgement is yet to be published.	Lindsay Taylor Lawyers (Akshay Bishnoi)
Land & Environment Court LEC 2023/00080448	Sam & Lena Koura	Deemed Refusal - Development application DA-2022/231 for demolition of existing dwelling and swimming pool and construction of a new dwelling, basement garage with storage, swimming pool, tree removal, landscaping and associated works at 10 Willis Road, Castle Cove.	NO CHANGE Agreement reached. Awaiting final orders and court issued consent.	Lindsay Taylor Lawyers (Patrick Williams)
Land & Environment Court LEC 2023/00092319	Garifalia Georgarkis	Deemed Refusal - Development application DA-2022.306 for Demolition of existing dwelling and structures and construction of new two storey dwelling, basement car parking with storage, stairs and lift, front fence, swimming pool, landscaping, new separate driveway and associated works at 47 Upper Cliff Ave, Northbridge.	UPDATED Without prejudice discussions being held on 14/07/2023. S34 Conciliation Conference listed 5 September 2023. <i>Settled – Approved Date of judgement: 19 September 2023.</i> <i>Now Closed.</i>	Lindsay Taylor Lawyers (Eric Kim)

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2023/152289	Mackenzie Architects International Pty Ltd	Class 1 Appeal - Refusal of DA 2021/190 for demolition of the existing dwelling and structures and construction of multi dwelling housing development consisting of four (4) dwellings, basement car parking, landscaping and associated works at 15 Talus Street, Naremburn.	NO CHANGES Awaiting dates for a without prejudice meeting for planning and engineering.	HWL Ebsworth (Patrick Williams)
Land & Environment Court LEC 2023/127538	Blanc Black Projects Pty Limited	Deemed Refusal – Modification application DA-2021/90/A Modify original proposal to include internal and external alteration works to unit 3.02, delete condition 3(a), removal of car stacker, changes to car parking, basement, level three roof and associated works.	UPDATED Notice of Motion filed 6 July 2023 is granted to rely upon amended plans. Council to serve its amended statement of facts and contentions by 4 August 2023. The Applicant to serve its statement of facts and contentions in reply by 11 August 2023. <i>Hearing date set for 26 and 27 March 2024</i>	Maddocks (Peter Wells)
Land & Environment Court LEC 2023/00208085	Simon Ochudzawa (Legal Representative: Conomos Legal)	Deemed refusal DA-2023/75 - Dwelling house 31 Willis Road, Castle Cove.	UPDATED <i>Joint Report due 13 November 2023.</i> <i>Matter is listed for S34AA and hearing on 5 and 6th February 2024</i>	Maddocks (Tony Blue)
Land & Environment Court LEC 2023/00115353	Katherine Fleur McKenna (Legal Representative - Graham Neil McKee)	Deemed refusal of Modification application DA-2022/314/A – proposed garage: deletion of consent conditions at 26 Narooma Road, Northbridge.	NO CHANGE S34 conciliation conference and potential Hearing, 23 October 2023.	Maddocks (Tony Blue)

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2023/00215797	Jasmine Isabelle Stefanovic (Legal Rep. Maysaa Parrino)	Deemed Refusal of Development application DA 2023/78 for Demolition of the existing dwelling and construction of a new dwelling house with basement car parking and associated works, at 44 Sunnyside Crescent, Castlecrag.	UPDATED Mediation undertaken 4 September 2023. Sec34aa and hearing on 15 and 16 February 2024.	LT Lawyers (Eric Kim)
Land & Environment Court LEC 2023/219724	Aplus Architecture Pty Ltd (Legal Rep. Ryan John Bennett, Pike & Verekers Lawyers)	Deemed Refusal of Modification Application for Development Application DA-2022/2 as approved by the Land and Environment Court in LEC proceedings 2022/00142105 (please refer to attached Class 1 application form). The address for this appeal is 284 Victoria Avenue, Chatswood.	UPDATED Statement of Facts and Contentions were due on 1 September 2023. S34A Conciliation Conference set for 19 February 2024.	HWL Ebsworth (Peter Wells)
Land & Environment Court LEC 2023/219735	Aplus Architecture Pty Ltd (Legal Rep. Ryan John Bennett, Pike & Verekers Lawyers)	Deemed Refusal of Modification Application for Development Application DA-2022/95 as approved by the Land and Environment Court in LEC proceedings 2022/00142088 (please refer to attached Class 1 application form). The address for this appeal is 282 Victoria Avenue, Chatswood.	UPDATED Statement of Facts and Contentions were due on 1 September 2023. S34A Conciliation Conference set for 19 February 2024.	HWL Ebsworth (Peter Wells)
Land & Environment Court LEC 2023/240260	<i>The Trustee for the Wu & Kuo Family Trust</i>	<i>2 Terssa Street, Chatswood</i>	NEW ITEM <i>Statement of Facts and Contentions filed on 29 August, listed for conciliation 14 March 2024.</i>	HWL Ebsworth (Akshay Bishnoi)

<i>Land & Environment Court LEC 2023/242544 & 2023/242545</i>	<i>Northcote Development Company Pty Ltd</i>	<i>2-6 Northcote Street, Naremburn</i>	<i>NEW ITEM Section 34 hearing set down for 7 November 2023.</i>	<i>Lindsay Taylor Lawyers (Patrick Williams)</i>
<i>Land & Environment Court LEC 2023/304529</i>	<i>Chung Kei Ng</i>	<i>6 View Street, Chatswood</i>	<i>NEW ITEM First directions hearing scheduled for 24 October 2023.</i>	

12.3 PETITIONS BI-ANNUAL REPORT

ATTACHMENTS:	1. IMPLICATIONS 2. LIST OF PETITIONS
RESPONSIBLE OFFICER:	SAMANTHA CONNOR – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	PAUL BROWN – ACTING GOVERNANCE, RISK & COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To present to Council the bi-annual report regarding the status of petitions presented to Council for the period April – September 2023.

2. OFFICER'S RECOMMENDATION

That Council receive and note the report regarding the status of petitions presented for the period April – September 2023.

3. BACKGROUND

Petitions are presented to Council in accordance with the *Petitions Policy*, which requires the presentation of a report biannually regarding the status of any actions required.

4. DISCUSSION

Petitions allow the community to bring matters of concern to Council's attention and once reported to Council they are allocated to the relevant officer for actioning. A list of the petitions tabled for the period April – September 2023 and their status is contained in the table below.

Table 1 – Petitions – April – September 2023

Date	Subject of Petition	Petitioned Council to	Referred to / Resolution	Status
26 April 2023	<p>Opposition to DA 2023/59 for a New café (A petition of 16 signatories objecting to DA 2023/59 in their area)</p>	<p><i>“We, the undersigned members of the community, are writing to express our strong opposition to development application (DA) 2023/59 for a new café in our neighbourhood. We respectfully request that Willoughby City Council reject this application.”</i></p>	<p>That Council note the petition titled “Opposition to DA Application 2023/59 for a New café” and refer the matter to the Planning and Infrastructure Director.</p>	<p>The petition was considered during the assessment and a public meeting was held to determine the application. Approval was granted on 12 September 2023 by the Willoughby Local Planning Panel. The determination and statement of reasons are available of council’s DA tracker. Now closed</p>
26 June 2023	<p>Blue Gum Park Reserve, Chatswood (A petition of 10 signatories to clear the land adjoining their properties)</p>	<p><i>“Council to thoroughly clear the land in Blue Gum Park Reserve which adjoins our properties of the undergrowth. The prolific growth of this undergrowth presents several risks to the properties that adjoin the land such as fire risk, vermin and weeds.”</i></p>	<p>That Council note the petition on Blue Gum park Reserve and refer the matter to the Planning and Infrastructure Director.</p>	<p>The area of Blue Gum Reserve identified in the petition has been inspected by council staff and in addition to the previously scheduled maintenance work, additional weed control work has been planned. Now closed</p>

Date	Subject of Petition	Petitioned Council to	Referred to / Resolution	Status
28 August 2023	<p>128 Beaconsfield Road, Chatswood West (A petition of 80 signatories was submitted at the August Council meeting with regards to a development at the above address)</p>	<p><i>“As residents of West Ward, we petition Willoughby Council to act fairly, ethically and without bias in the interest of the West Ward local community by:</i></p> <p><i>Directing the applicant (Watermark Chatswood Pty Ltd) for Development Consent No. 2020/117 granted for works at 128 Beaconsfield Road, Chatswood to comply immediately with all consent conditions particular, Consent Conditions 84, 85 & 87 (see attached) and other consent conditions imposed In subsequent Development Consents granted.</i></p> <p><i>Excessive noise and dust caused by the uncontrolled stockpiling and crushing of excavated sandstone on golf course land located adjacent to our residential properties is adversely affecting our amenity, wellbeing and daily activities.”</i></p>	<p>That Council note the petition on 128 Beaconsfield Road, Chatswood West and refer the matter to the Community, Culture & Leisure Director.</p>	<p>The site is under the control of a Private Certifier (PC) and Council has referred all complaints to the PC as they are responsible for ensuring compliance with the Development Consent under the EP&A Act. We have requested that they work to resolve the issues raised. In addition Council has continued to monitor the area and issued a Penalty Notice for alleged non-compliances with conditions of Development Consent pertaining to:</p> <ul style="list-style-type: none"> • Tree Protection • Building Site Fencing • Erosion and Sediment Control • Dust Control • Stockpiling enforcement <p>Finally, Council has served a Prevention Notice under section 96 of the Protection of the Environment Operations Act 1997. This is a remedy action and requires the builder to undertake activities at Golf Course development site:</p> <ul style="list-style-type: none"> • in an environmentally satisfactory manner and • ensure that activities do not cause dust to be emitted beyond the boundaries of the premises • to engage a suitably qualified expert to provide a Dust Mitigation and Control Report within 30 days, and • to implement the recommendations of that report upon receiving Council's written approval to do so

5. CONCLUSION

This report informs Council of the current status of the petitions which have been presented to Council during the period April – September 2023.

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 maintains information to update Council on the status of petitions.
Policy	This matter relates to Council's <i>Petitions Policy</i> adopted by Council on 8 May 2017.
Consultation	Consultation is determined by the relevant officer following consideration of the issues raised in the petition.
Resource	This can be met with existing resources.
Risk	There is no risk associated with this report.
Legal	There are no legal implications associated with this report.
Legislation	<i>Local Government Act 1993.</i>
Budget/Financial	This report has no budget or financial implications.

12.4 DISCLOSURES OF COUNCILLORS & DESIGNATED PERSON ANNUAL RETURNS - 2022-23

ATTACHMENTS:	1. IMPLICATIONS 2. PECUNIARY INTEREST RETURNS 2022/2023 (TABLED SEPERATELY)
RESPONSIBLE OFFICER:	SAMANTHA CONNOR – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	PAUL BROWN – ACTING GOVERNANCE, RISK & COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To table Councillor and designated persons Disclosures of Pecuniary Interests and Other Matters returns (returns) as required by clause 4.25 of the *Model Code of Conduct for Local Councils in NSW 2020 (the Model Code)* for the period 1 July 2022 to 30 June 2023.

2. OFFICER'S RECOMMENDATION

That Council note the tabling of Disclosures of Pecuniary Interest and Other Matters Returns by Councillors and designated persons for the 12 months ending 30 June 2023.

3. BACKGROUND

Councillors and designated persons must make and lodge with the Chief Executive Officer a return in the form set out in Schedule 2 to the Model Code. The Model Code requires that returns be tabled annually at the first Council meeting after the last day returns were required to be lodged (being 30 September 2023).

4. DISCUSSION

Councillors and designated persons are required by clause 4.21 of the Model Code to complete a return for the purpose of disclosing their interests. The declaration process provides transparency regarding pecuniary interests held by Councillors and designated persons. All the Councillors have submitted their forms, whilst there is one outstanding disclosure due to a member of staff on leave. Governance officers will follow up the outstanding designated person as soon as they return to work. Designated persons include:

- Chief Executive Officer
- Senior staff of Council
- Any other member of staff of the Council who holds a position that involves the exercise of a function that could give rise to a conflict of interest.

The form is prescribed by the Model Code and requires the declaration of interests regarding:

- Ownership and sale of property
- Gifts received over the value of \$500
- Contributions received from third parties to meet costs associated with travel
- Interests and positions held in organisations
- Interests as a property developer or a close associate of a property developer
- Positions in trade unions and professional or business associations
- Sources of income
- The name and address of each person to whom the person was liable to pay any debts.

5. CONCLUSION

Returns required for the period ending 30 June 2023 have been submitted by all Councillors and designated persons. As required by the Model Code, returns will be formally tabled at the Council meeting and redacted copies will be published on Council's website.

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 Unit facilitates the completion of returns by Councillors and designated persons.
Policy	<i>Model Code of Conduct for Local Councils in NSW 2020</i>
Consultation	There are no consultation requirements applicable to this report.
Resource	There are no additional resource implications applicable to this report. The facilitation of the completion of returns is an annual activity resourced by the Governance Unit.
Risk	The making and tabling of returns by Councillors and designated persons provides transparency of potential interests that could give rise to a conflict and ensures public oversight.
Legal	<p>A councillor or designated person must make and lodge with the Chief Executive Officer a return in the form set out in Schedule 2 to the Model Code, disclosing the Councillor's or designated person's interests as specified in Schedule 1 to the Model Code within 3 months after:</p> <ul style="list-style-type: none"> (a) becoming a Councillor or designated person, and (b) 30 June of each year; and (c) the Councillor or designated person becoming aware of an interest they are required to disclose under Schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b). <p>Source: Clause 4.21 of the Model Code.</p>
Legislation	<i>Local Government Act 1993</i>
Budget/Financial	There are no budget or financial implications applicable to this report.

12.5 COUNCIL MEETING SCHEDULE 2024

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	SAMANTHA CONNOR – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	NATALIE TAYLOR – COUNCIL & CORPORATE SUPPORT OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

This report seeks to adopt the 2024 Ordinary Council meeting pre-election schedule in accordance with the *Local Government Act 1993* (the Act).

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Adopt the following schedule for Council meetings during 2024, prior to the local government elections, to be held in Council Chambers or virtually (online) or a combination of both, commencing at 7:00pm on the following dates:**

**Monday 26 February
Monday 25 March
Monday 22 April
Monday 27 May
Monday 24 June
Monday 26 August**

- 2. Note the Council will be in recess from 1 July to 26 July 2024 for the Winter School Holidays.**
- 3. Note that the Chief Executive Officer is responsible for arranging Councillor briefing sessions, in accordance with the *Code of Meeting Practice 2022*, and that Councillor briefing sessions will be held on Mondays as advised by the Chief Executive, except when Council is in recess.**

3. BACKGROUND

The Willoughby City Council *Code of Meeting Practice* (the Code) adopted by Council at its meeting held on the 27 June 2022, incorporates the mandatory provisions of the Model Meeting Code provided for all NSW councils and currently provides inter alia:

“Ordinary meetings of the Council will be held in the Council Chambers or virtually (online) or a combination of both, on the fourth Monday of the month at 7:00 pm”.

Section 365 of the Act requires Council to meet at least 10 times a year, each time in a different month.

Councillor briefings, presided by the Chief Executive Officer, are provided to brief Councillors on business to be considered at Council meetings or any other matter.

4. DISCUSSION

2024 Council Meeting Schedule

The 2024 Council meeting pre-election schedule is presented to Council for consideration and sets out the dates for ordinary Council meetings as per clause 3.1 of *Code of Meeting Practice*. The schedule allows for a recess period during July. In anticipation of the local government elections proceeding in September, we have pencilled in an August meeting, which will be within the expected caretaker period. This August meeting date is subject to change and can be amended at a later date, if required.

The meetings schedule recommended seeks to:

- be particularly pertinent for end of month financial reporting to allow staff time to review and analyse data at month end
- provide financial reports within the month end
- provide a resolution within the month end to minimise operational delays
- provide additional briefing opportunities prior to a Council meeting.

Under the *Code of Meeting Practice 2022* and *s393B of the Local Government Regulation*, Council meetings can be held during the caretaker period, albeit with reduced decision making capabilities. The main restrictions are

- entering a contract or undertaking equal or greater than 1% of council's rate revenue which is around 733K
- determining a controversial development application
- appointment, reappointment or removal of a GM/CEO

Delegations to the Mayor and Chief Executive Officer are used in periods when meetings are not held. These delegations ensure urgent matters can be attended to during the break.

The recommended 2024 Council meeting pre-election schedule is as follows:

Date	Day	Time	Location
26 February	Monday	7:00pm	Council Chambers or virtual, Victor Street, Chatswood
25 March	Monday	7:00pm	Council Chambers or virtual, Victor Street, Chatswood
22 April	Monday	7:00pm	Council Chambers or virtual, Victor Street, Chatswood
27 May	Monday	7:00pm	Council Chambers or virtual, Victor Street, Chatswood
24 June	Monday	7:00pm	Council Chambers or virtual, Victor Street, Chatswood
26 August (within caretaker period)	Monday	7:00pm	Council Chambers or virtual, Victor Street, Chatswood

5. CONCLUSION

It is recommended that Council endorse the 2024 Council meeting pre-election schedule. Council is required to hold a minimum of 10 meetings per year. This schedule, aligned with our *Code of Meeting Practice*, provides for 7 of those.

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 supports the preparation of Council Meetings.
Policy	Section 3.1 of the <i>Code of Meeting Practice</i> states that meetings shall be held on the fourth Monday of each month.
Consultation	There are no consultation requirements applicable to this report.
Resource	No additional resourcing will be required as the recommended schedule does not provide for additional meetings than that previously adopted by Council.
Risk	There are no risk implications associated with this report. Delegations with clear parameters issued to the Mayor and Chief Executive Officer enable urgent Council business to be attended to during recess.
Legal	<i>Local Government Act 1993</i> <i>Local Government (General) Regulation 2005</i>
Legislation	Section 365 of the <i>Local Government Act 1993</i> specifies that Council is required to meet at least 10 times each year, each time in a different month.
Budget/Financial	This report has no budget or financial implications.

12.6 APPOINT OFFICER REPRESENTATIVE TO THE DOUGHERTY APARTMENTS BOARD

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	SAMANTHA CONNOR – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	PAUL BROWN – ACTING GOVERNANCE, RISK AND COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	5.2 – DEMONSTRATE LEADERSHIP AND ADVOCACY FOR LOCAL PRIORITIES
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To seek Council's endorsement to appoint the Community Culture and Leisure Director to the Dougherty Apartments Board.

2. OFFICER'S RECOMMENDATION

That Council endorse the appointment of the Council's Community, Culture and Leisure Director to the Dougherty Apartments Board for the duration of the current Council term.

3. BACKGROUND

The Dougherty Apartments Retirement Housing Project Ltd is a Company limited by guarantee, constituted as a joint venture between Willoughby City Council and the NSW Department of Housing.

The Directors of the Company (Board) consist of two directors each from Willoughby City Council and the NSW Department of Housing as well as five independent directors.

Council, at its meetings held on 3 March 2022 and 26 April 2022, appointed Cr Craig Campbell and Council's Community, Life Manager Michael Cashin as its representatives on the Dougherty Apartments Board for the duration of the current term of Council.

Following the resignation of the Community Life Manager, a vacancy now exists on the Board. This report recommends an officer with experience in aged care and retirement living sector.

4. DISCUSSION

The Dougherty Apartments Board has traditionally had two representatives: a Councillor and an officer from the Community, Culture, and Leisure Directorate.

Due to the resignation of the Community Life Manager, Council needs to select someone to fill this vacant position.

Linda Perrine, Council's Community, Culture, and Leisure Director, possesses extensive experience in delivering services in the Aged Care and Not-for-Profit sectors. She also has experience with bringing together disparate aged care state peak bodies, corporate governance, and a deep understanding of funding for aged care and retirement living. This background makes her a suitable candidate for the role.

The composition of the Dougherty Apartments board has recently increased from six to nine directors. Ms. Perrine's appointment to the Board, along with Cr Campbell, will ensure that the Council's interest is suitably represented, given her familiarity and involvement with the sector, as well as her executive oversight of the Dougherty Community Centre, which is located in the same building as Dougherty Apartments.

5. CONCLUSION

In order to ensure Council's interest in the Dougherty Apartments is suitably represented, it is recommended that Council's Community, Culture and Leisure Director, Linda Perrine, be appointed to the Board for the term of this Council.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.2 – Demonstrate leadership and advocacy for local priorities
Business Plan Objectives, Outcomes / Services	The information contained in this report is consistent with the Business Plan objectives of the Community Life Business Unit.
Policy	Not applicable.
Consultation	Consultation has been undertaken with the Chair of the Dougherty Apartments Board, Virginia Howard.
Resource	Council’s response to this issue uses existing staff resources and there is no additional resourcing required as a result of the report.
Risk	In order to minimise risk, consistency of appointment is recommended.
Legal	There are no legal ramifications for Council applicable to this report.
Legislation	There are no legislative ramifications for Council associated with this report.
Budget/Financial	There are no budget or financial implications associated with this report.

12.7 RISK MANAGEMENT REPORT

ATTACHMENTS:	1. IMPLICATIONS 2. RISK MANAGEMENT POLICY 2023 3. RISK APPETITE STATEMENTS 2023 4. RISK MANAGEMENT POLICY 2023 TRACKED CHANGES
RESPONSIBLE OFFICER:	SAMANTHA CONNOR – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	CELINE CHIU – GOVERNANCE, RISK & COMPLIANCE RISK SPECIALIST
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To provide Council with an overview of recent *Risk Management Framework 2023* and risk management activities, and present the *Risk Management Policy 2023* and *Risk Appetite Statements 2023* for adoption by Council.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Adopt the updated *Risk Management Policy 2023* at Attachment 2.**
- 2. Note the updated *Risk Management Policy 2023* replaces the previous version of that policy.**
- 3. Adopt the *Risk Appetite Statements 2023* at Attachment 3.**

3. BACKGROUND

Council's *Risk Management Policy* was last adopted by Council on 24 June 2019 and the *Risk Appetite Statements* were last endorsed by the Audit, Risk and Improvement Committee (ARIC) in December 2021.

Officers recently reviewed Council's *Risk Management Framework 2023*, which includes a *Risk Management Policy 2023* and *Risk Appetite Statements 2023*. As part of the review, the Policy and Statements were updated to align with industry standard *ISO 31000:2018 Risk management – Guidelines* and the draft *Risk Management and Internal Audit for Local Government in NSW Guidelines* published by the Office of Local Government.

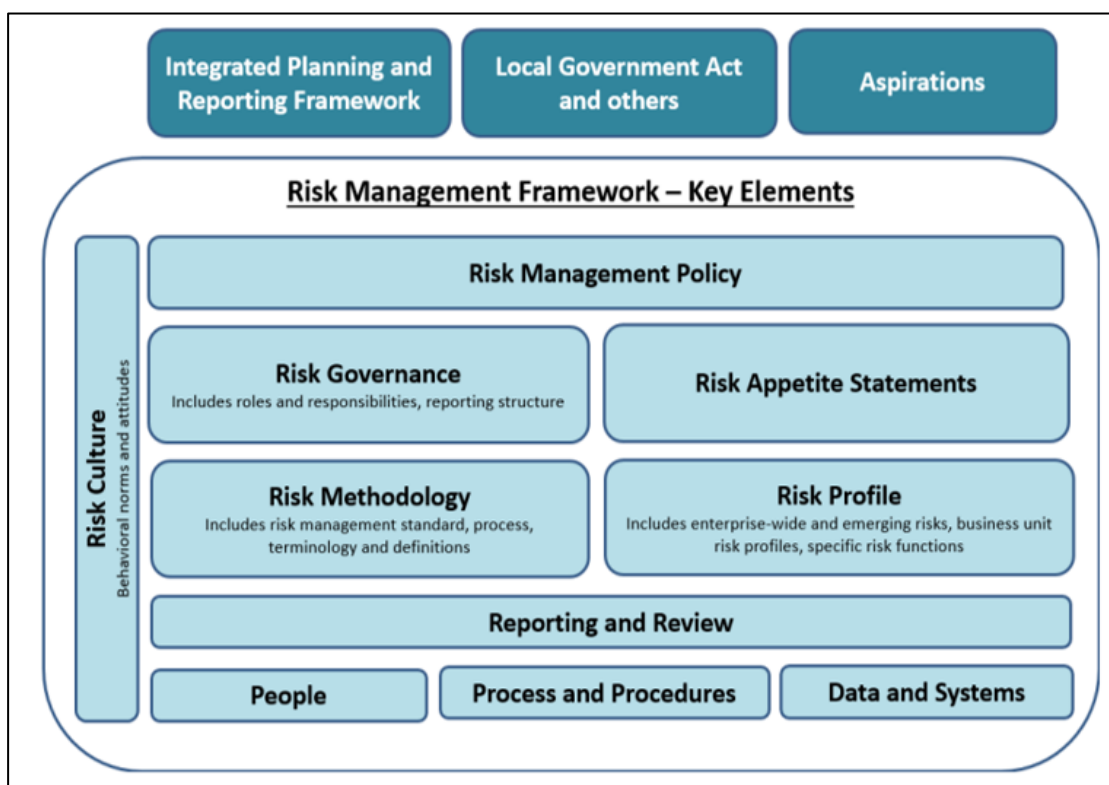
The updated *Risk Management Policy 2023* and *Risk Appetite Statements 2023* were approved by the Chief Executive Officer in consultation with the Executive Leadership Team and endorsed by the Audit, Risk and Improvement Committee (ARIC) in May 2023. The update Policy and Statements were presented to Councillors at a Councillor Briefing on 9 October 2023.

This report seeks Council’s adoption of the *Risk Management Policy 2023* and *Risk Appetite Statements 2023*.

4. DISCUSSION

Council maintains a *Risk Management Framework 2023* comprising key components necessary to implement risk management within Council processes, including a *Risk Management Policy 2023*, *Risk Appetite Statements 2023*, methodology, definitions and tools consistent with the principles set out in ISO 31000. The *Risk Management Framework 2023* is depicted in **Figure 1** below.

Figure 1: Risk Management Framework 2023



Risk Management Policy 2023

Within our framework, the *Risk Management Policy 2023* serves as an overarching policy covering all risk management activities within Council. It expresses Council’s commitment to a positive risk culture and implementing organisation-wide risk management objectives, principles, responsibilities, systems and processes.

No significant changes were identified in our review. The updated *Risk Management Policy 2023* aligns to Council’s *Risk Management Framework*, references the *Risk Appetite Statements 2023* and includes other minor updates. It was endorsed by ARIC in May 2023 and is provided in **Attachment 2**. Tracked changes to the *Risk Management Policy 2023* is provided in **Attachment 4**.

Risk Appetite Statements 2023

The *Risk Appetite Statements 2023* are qualitative statements that broadly convey the type and level of risks Council is prepared to accept in line with its organisational objectives.

The *Risk Appetite Statements* were last endorsed by ARIC in 2021. As part of this year's review, risk workshops were held with the Executive Leadership Team and the updated *Statements* were endorsed by ARIC in May 2023. This year, we are seeking adoption from Council to meet the anticipated requirements in the draft *Risk Management and Internal Audit for Local Government in NSW Guidelines*. Refer **Attachment 3**.

Risk Management Activities

Other risk management activities undertaken by Council include:

- Completed Council's first audit review as part of insurance arrangements with Civic Risk Mutual and received the second highest rating of 'Proficient', demonstrating Council's commitment to continue to progress and increase maturity in risk management practices
- Commenced review of Council's arrangements to align with the draft *Risk Management and Internal Audit for Local Government in NSW Guidelines* published by the Office of Local Government by June 2024
- Commenced risk program to review business unit risk registers, Council's Policy Framework, emergency response, crisis management and business continuity arrangements, implementation of Council's Public Interest Disclosure Policy and Procedure and related activities by June 2024
- Collaborated with Work Health and Safety team and Project Management Office to align relevant practices and processes with the *Risk Management Framework 2023*
- Provided ARIC with updates on risk management activities at each meeting

5. CONCLUSION

The *Risk Management Policy 2023* and *Risk Appetite Statements 2023* are key elements of Council's *Risk Management Framework 2023* and demonstrates our ongoing commitment to a positive risk culture and being transparent and accountable in implementing risk management within Council processes and are ready to be adopted by Council.

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, Risk and Compliance team supports the implementation of Council's <i>Risk Management Framework 2023</i> , policies and processes
Policy	The updated <i>Risk Management Policy 2023</i> replaces the previous version.
Consultation	The <i>Risk Management Policy 2023</i> and <i>Risk Appetite Statements 2023</i> were reviewed in consultation with the Executive Leadership Team, approved by the Chief Executive Officer and endorsed by ARIC in May 2023.
Resource	There are no resourcing implications applicable to this report. Implementation will be facilitated by the Governance, Risk and Compliance Risk Specialist.
Risk	The <i>Risk Management Policy 2023</i> and <i>Risk Appetite Statements 2023</i> are key elements of Council's <i>Risk Management Framework 2023</i> . Delay in implementation may impact on the effectiveness of Council's risk management activities.
Legal	Not applicable.
Legislation	The Local Government Act 1993 requires Council to have sound policies and processes for risk management practices, and to manage risks to the local community and to Council effectively and proactively.
Budget/Financial	There are no budget/financial implications applicable to this report.

ATTACHMENT 2



Risk Management Policy

Date endorsed by CEO:	4 May 2023
Next Review Date:	May 2024
Version:	2
Responsible Officer:	Governance, Risk and Compliance Manager
ECM Doc ID:	5497272

1. Purpose

The purpose of the Risk Management Policy (the Policy) is to create a positive risk management culture, to protect value and optimise Council's ability to achieve its objectives.

This policy expresses Council's commitment to implementing organisation-wide risk management principles, systems and processes that ensure consistent, efficient and effective assessment of risk in all Council planning, decision-making and operational processes.

2. City Strategy Outcome:

5.1 – Be honest, transparent and accountable in all that we do

3. Application

- This policy applies to all Councillors, Council staff, contractors and volunteers
- This policy applies to all Council functions and activities and to all categories of risk

4. Policy Principles

Consistent with the risk management standard, *ISO 31000:2018 Risk Management - Guidelines* ('ISO 31000'), these principles guide risk management practices in Council. We will:

- integrate risk management practices into all Council activities, including planning, decision making, operational and project management processes;
- design and maintain a risk management framework that is structured, fit-for-purpose and dynamic;
- consult with stakeholders and incorporate their perceptions, knowledge and views;
- make decisions about risk using the best available information, including historical and current data, experience, forecasts and future expectations;
- consider human and cultural factors; and
- continually improve the risk management framework, through learning and experience.

5. Policy Statement

5.1 Risk

Council acknowledges that uncertainty exists and may impact on Council's ability to achieve objectives.

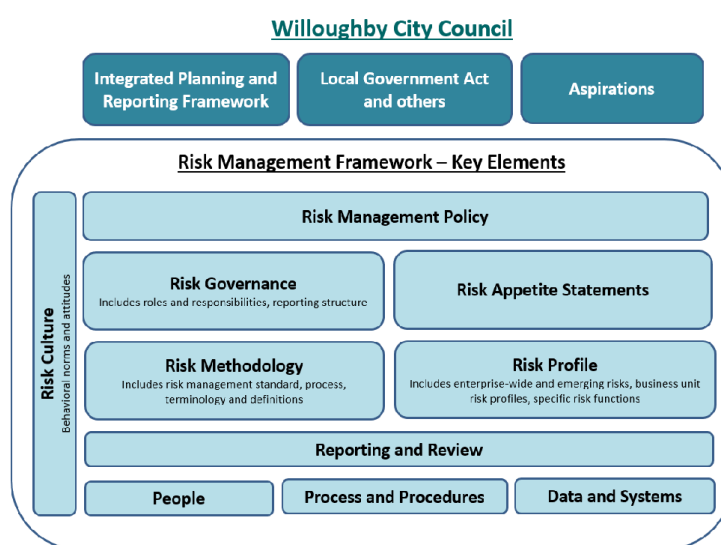
Council fosters a risk-aware culture, promoting the conscious consideration of risk (both threat and opportunity), and how it may impact the delivery of Council services and functions. Through effective risk management, measures will be implemented to minimise uncertainties and negative impacts and optimise Council's ability to achieve its objectives.

5.2 Risk Management Framework

Risk management is an integral part of the Council’s governance arrangements. Council is committed to integrating risk management practices into day-to-day business operations, at a project, operational and enterprise level of the organisation.

To guide effective risk management, Council maintains a Risk Management Framework comprising key components necessary to implement risk management within Council processes, including Risk Appetite Statements, risk management methodology, definitions and tools consistent with *ISO31000*. A diagram depicting key elements of the Risk Management Framework is provided in Figure 1.

Figure 1: Risk Management Framework



5.3 Risk Management Practices

Risk management is incorporated into Council processes, systems and projects. Council maintains polices and processes to guide risk management practices, ensuring sound financial and asset management, effective service delivery, good governance and achievement of its strategic objectives.

Council is committed to resourcing a risk management function and providing staff advice, training and assistance in implementing risk management practices.

Council will apply risk management processes to all aspects of Council functions, duties and decision making, to effectively and proactively manage risks to the local community, local government area and the Council, in line with the designated responsibilities in **Appendix A**.

6. Responsible Officer

The Governance, Risk and Compliance Manager is the Responsible Officer for this Policy.

7. Policy Management

7.1 Administration

This Policy is administered by the Governance, Risk and Compliance Risk Specialist.

7.2 Review

This Policy is reviewed at least annually to ensure it continues to meet relevant risk management standards and Council requirements. Changes to the Policy are to be approved by the Chief Executive Officer.

8. Supporting information

Related governing laws, standards and external references	<ul style="list-style-type: none"> • ISO 31000:2018 Risk Management - Guidelines • Local Government Act 1993 • Local Government (General) Regulation 2021
Related internal references	<ul style="list-style-type: none"> • Code of Conduct (ECM Doc ID 6063452) • Risk Management Methodology (ECM Doc ID 4226349)
Document history	<ul style="list-style-type: none"> • 2019 Review: approved 24 June 2019 • 2023 Review: endorsed by Chief Executive Officer 4 May 2023

Appendix A: Risk Management Responsibilities

Council will:

- observe the *Risk Management Policy*
- govern in accordance with the policy and principles of the *Local Government Act 1993*, including in relation to proactively and effectively managing risks to the local community or area and the Council to ensure that strategic, risk and governance objectives are met

Audit, Risk and Improvement Committee (ARIC) will:

- review and oversee Council's overall risk management framework and practices in accordance with the ARIC Charter

Chief Executive Officer (on advice from Executive Leadership Team) will:

- endorse the *Risk Management Policy*
- promote a risk-aware culture throughout Council
- ensure the establishment and implementation of a Risk Management Framework

Directors will:

- ensure the Risk Management Framework is applied effectively in all business units
- provide adequate resources to effectively manage risks

Managers will:

- ensure the risks of the business units are managed, monitored and reported effectively in accordance with Council policy and procedure

All staff will:

- apply a risk management mindset to all Council functions, services, decisions, projects, processes and planning as part of business as usual practice
- implement the risk management process in everyday practice by identifying, assessing, evaluating, treating and communicating risks and opportunities, in accordance with Council policies and procedures
- communicate/escalate risk to the appropriate level of management in accordance with Council policies and procedures
- record risks, controls and risk treatment decisions in accordance with Council policies and procedures
- ensure contractors and volunteers comply with risk management practices in accordance with Council policies and procedures

Risk Specialist will:

- facilitate the development, implementation, maintenance and review of the Risk Management Framework and associated components, to ensure it is consistent with relevant risk management standards and Local Government requirements, and to continuously improving the framework by tailoring it to Council's needs. The position does not, however, conduct risk management on behalf of business units or assume ownership or responsibility for those risks
- provide support to business units to integrate risk management practices into Council processes
- drive risk-based programs and initiatives to strengthen risk management practices across Council systems and processes
- provide advice and information resources to staff to carry out risk management practices
- report to ARIC annually or as required to fulfil its accountabilities under the ARIC Charter
- ensure a quality program of training for staff is in place

Internal Audit function will:

- undertake risk-based internal audit program endorsed by ARIC

Appendix B: Risk Terminology and Definitions

Risk	The effect of uncertainty on objectives
Risk management policy	Statement of the overall intentions and direction of an organisation related to risk management
Risk management standard	ISO 31000:2018 Risk Management – Guidelines
Risk management	Coordinated activities to direct and control Council with regard to risk
Risk management framework	The set of components that provide the foundations for risk management throughout Council, including policies, procedures, business rules and risk management tools
Risk management process	Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, identifying, analysing, evaluating, treating, monitoring and reviewing risk
Risk owner	Person or position with the accountability and authority to manage a risk
Risk appetite	The levels and types of risks an organisation is willing to accept in pursuit of its objectives
Enterprise risks	Objectives can be applied at different levels. Enterprise risks are risks that potentially impact on the ability to achieve Council's strategic or enterprise-wide objectives
Operational risks	Risks that potentially impact on the day-to-day operations of Council, in terms of service delivery and business functions
Risk likelihood	Chance of something happening
Risk consequence	Outcome of an event affecting objectives
Control	Measure that is modifying risk. Includes process, policy, device, practice or other actions

Risk Appetite Statements

Category	Risk Appetite Statements	Primary Contact
1. Environment and Climate Change	<p>Council has a low risk appetite for decisions that result in exacerbating climate change impact:</p> <ul style="list-style-type: none"> • minor environmental damage that is unplanned or uncontrolled; or • minor long term detrimental impacts on a receiving environment; or • minor breach of environmental legislation <p>Council acknowledges that from time to time, minor* departures may occur from legislated environmental requirements, or Council's sustainable development, resource conservation, and climate change adaptation strategies. We will manage these events to minimise impacts on the environment and community, and to meet all reporting requirements.</p> <p><i>*Minor = unintended non-conformance that has no or negligible impact on the receiving environment and is unlikely to trigger enforcement action eg. unplanned equipment failure to which our people respond swiftly and competently.</i></p>	<ul style="list-style-type: none"> ▪ Planning & Infrastructure Director
2. Health & Safety	<p>Council has no risk appetite for unsafe work environments and behaviours that are likely to lead to fatalities, permanent disability or serious illness for our workers (staff, contractors and volunteers).</p> <p>Council has a low risk appetite for risks that result in minor impact on public safety and aims to minimise these risks.</p>	<ul style="list-style-type: none"> ▪ Customer & Corporate Director
3. Human resources	<p>During periods of change, Council has a medium risk appetite for industrial action and elevated levels of staff turnover due to uncertainty caused by periods of change.</p> <p>Outside of periods of change, Council has a low appetite for risks resulting in minor impact on staff engagement.</p>	<ul style="list-style-type: none"> ▪ Customer & Corporate Director
4. Assets & Infrastructure	<p>Council has no appetite for life-threatening events in its buildings, including structural, flood and fire that endanger human life under any reasonably foreseeable circumstance</p> <p>Council has an overall low risk appetite for asset failure that would:</p> <ul style="list-style-type: none"> • create a minor reportable environmental impact • result in minor damage to assets or infrastructure <p>Council acknowledges non-critical assets will fail occasionally, and has a medium appetite for these risks. Council will:</p> <ul style="list-style-type: none"> • systematically monitor assets to the extent possible with its finite resources and competing priorities • respond to asset failures to minimise impacts on our community and customers. 	<ul style="list-style-type: none"> ▪ Planning & Infrastructure Director ▪ Community Culture and Leisure Director

Category	Risk Appetite Statements	Primary Contact
5. Legal, compliance and governance	<p>Council has a low risk appetite for non-compliance with legislative requirements.</p> <p>Council acknowledges there may be minor deviations from legislative requirements from time to time and aims to minimise and learn from these deviations. <i>Minor – unintended noncompliance that is unlikely to result in enforcement action</i></p>	<ul style="list-style-type: none"> ▪ Customer & Corporate Director
6. Service and programme Delivery	<p>Council has a low risk appetite for minor interruptions to critical service or business functions associated with works, information technology, property maintenance, customer and community services, waste services etc.</p> <p>Council understands incidents will impact customers at times, but business continuity management planning processes will be in place to minimise these impacts and return to business-as-usual as soon as practicable.</p>	<ul style="list-style-type: none"> ▪ Planning & Infrastructure Director ▪ Customer & Corporate Director ▪ Community Culture and Leisure Director
7. Innovation	<p>Council has a high risk appetite for research and exploration of new and innovative ideas that progress our strategic objectives.</p> <p>Council understands introduction of new or emerging technology may impact on the availability of services and systems from time to time, despite the best efforts of our people to maintain availability. However, Council has a low risk appetite for foreseeable business as usual type risks related to research or exploration of ideas/activities.</p>	<ul style="list-style-type: none"> ▪ Chief Executive Officer ▪ Planning & Infrastructure Director ▪ Customer & Corporate Director ▪ Community Culture and Leisure Director
8. Technology	<p>Council has a medium risk appetite for exploring endorsed technological development, which could increase the likelihood of changes to its business model, aligned to our strategic objectives.</p>	<ul style="list-style-type: none"> ▪ Customer & Corporate Director
9. Financial and commercial	<p>Council must demonstrate transparency and diligence with the use and prioritisation of public funds and resources.</p> <ul style="list-style-type: none"> • Council has no tolerance for staff engaging in acts of fraud or corruption • Council has a low appetite for management errors adversely impacting on financial sustainability • Council has a low risk appetite for investment losses and actively balances its portfolio of investments to limit financial risk accordingly. 	<ul style="list-style-type: none"> ▪ Customer & Corporate Director
10. Social and political	<p>Council is willing to take risks that will drive strong community engagement and build positive relationships with our stakeholders.</p> <ul style="list-style-type: none"> • Council has a high risk appetite to contribute to government policy discussions and regional local government strategies. • Council has a low risk appetite for risks that would harm its relationships with the community. 	<ul style="list-style-type: none"> ▪ Community, Culture and Leisure Director



Risk Management Policy

Date Adopted/ Approved:	24 June 2019 <u>May 2023</u>
Review Date:	June 2023 <u>May 2024</u>
Version:	<u>3</u>
Responsible Position:	Governance, Risk and Corporate Planning <u>Compliance</u> Manager
ECM Doc ID:	5497272

1. Purpose

The purpose of the Risk Management Policy (the Policy) is to create a positive risk management culture, to protect value and optimise Council's ability to achieve its objectives.

This Policy expresses Council's commitment to implementing organisation-wide risk management principles. To embed risk management practices in all Council systems and processes that ensure consistent, efficient and effective assessment of risks in all Council planning, systems, decision making and operational processes, in order to create and protect value, and optimise Council's ability to achieve its objectives.

2. City Strategy Outcome

5.1 – Be honest, transparent and accountable in all that we do

3. Application

- This policy applies to all Councillors, Council staff, ~~and~~ contractors and volunteers
- This policy applies to all Council functions and activities and to all categories of risk

4. Policy Principles

Consistent with the risk management standard, Australian Standards, International Standards Organisation ISO 31000:2018, Risk Management – Guidelines (~~AS ISO 31000:2018~~), these principles guide risk management practices in Council. We will:

- integrate risk management practices into all Council activities, including planning, decision making and project management processes;
- design and maintain a risk management framework that is structured, fit-for-purpose and dynamic;
- consult with stakeholders and incorporate their perceptions, knowledge and views;
- make decisions about risk using the best available information, including historical and current data, experience, forecasts and future expectations;
- consider human and cultural factors; and
- continually improve the risk management framework, through learning and experience.

5. Policy Statement

5.1 Risk

Council acknowledges that uncertainty exists in many contexts and may impact on Council's ability to achieve objectives.

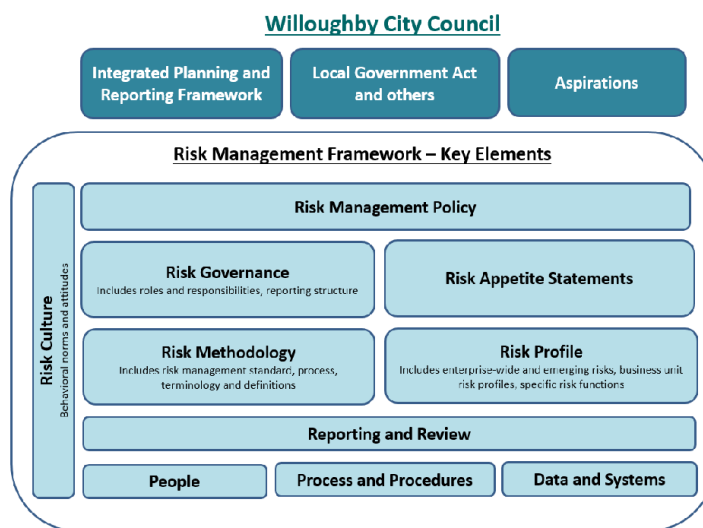
Council fosters a risk-aware culture, promoting the conscious consideration of risk (both threat and opportunity), and how it may impact the delivery of Council services and functions. Through effective risk management, measures will be implemented to minimise negative impacts and optimise Council's ability to achieve its objectives.

5.2 Risk Management Framework

Risk management is an integral part of the Council's governance arrangements. Council is committed to integrating risk management practices into day-to-day business operations, at a project, operational and enterprise level of the organisation.

To guide effective risk management, Council maintains a *Risk Management Framework*, comprising key components necessary to implement risk management within Council processes, including Risk Appetite Statements, risk management methodology, definitions and tools consistent with AS-ISO 31000:2018, Risk Management – Guidelines. A diagram depicting key elements of the Risk Management Framework is provided in Figure 1.

Figure 1: Risk Management Framework



5.3 Risk Management Practices

~~Council's Risk Management Framework comprises all components necessary to implement risk management within Council processes, including procedures, business rules, checklists and other risk assessment tools.~~

~~Council is committed to resourcing a risk management function and providing staff training and assistance in implementing risk management practices.~~

~~Council reviews the Risk Management Framework as required, (for example, due to changes to the Risk Management Standard or legislation), and at least annually with a view to continuous improvement.~~

Risk Management Plan

~~Risk management in Council is implemented under a Risk Management Plan, reviewed as needed, and at least annually.~~

~~Risk management is incorporated into the planning function of Council processes, systems and projects at a business unit or project level, including in asset management plans and project plans.~~

Risk management is incorporated into Council processes, systems and projects. Council maintains policies and processes to guide risk management practices, ensuring sound financial and asset management, effective service delivery, good governance and achievement of its strategic objectives.

Council is committed to resourcing a risk management function and providing staff advice, training and assistance in implementing risk management practices.

Council ~~staff and Councillors~~ will apply Council's risk management process to all aspects of Council functions, duties and decision making, to effectively and proactively manage risks to the local community, local government area and the Council, in line with the designated responsibilities in **Appendix BA**.

~~5.6 ARIC review and oversight of risk management framework~~

~~The Risk Management Framework is reported annually to Council's Audit, Risk and Improvement Committee (ARIC) for review under the ARIC Charter.~~

~~Council's internal audit program also plays a role in reviewing Council's risk management practices and processes, in accordance with the Internal Audit Plan, endorsed by ARIC.~~

6. Responsible Officer

The Governance, Risk and ~~Corporate Planning Compliance~~ Manager is the ~~r~~Responsible ~~e~~Officer for this policy.

7. Policy Management

7.1 Administration

~~This Policy is administered by the Governance, Risk and Compliance Risk Specialist.~~

7.2 Review

~~This Policy is reviewed at least annually to ensure it continues to meet relevant risk management standards and Council requirements. Changes to the Policy are to be approved by the Chief Executive Officer.~~

Monitoring and Review – Policy

~~Compliance with the Risk Management Policy is monitored by the Executive and line Managers through usual managerial supervision.~~

~~The Risk and Audit Coordinator monitors the policy to ensure it is tailored to Council's needs and best practice~~

~~The Risk and Audit Coordinator reviews the Risk Management Policy as needed, in response to learned improvements, recommendations, or at least every four years, and refers the policy to Council for adoption.~~

8. Supporting information

Related governing laws, standards and external references	<ul style="list-style-type: none"> • ISO 31000:2018 Risk Management - Guidelines • Local Government Act 1993 • Local Government (General) Regulation 2021
Related internal references	<ul style="list-style-type: none"> • Code of Conduct (ECM Doc ID 6063452) • Risk Management Methodology (ECM Doc ID 4226349) • Work Health and Safety Policy • Office of Local Government – Internal Audit Guidelines 2010 • International Standard for the Professional Practice of Internal Auditing 2017
Document history	<ul style="list-style-type: none"> • 26 April 2016: adopted by Council • 24 June 2019: adopted by Council • 4 May 2023: approved by Chief Executive Officer • 17 May 2023: endorsed by ARIC

Appendix **AB**: Risk Management Responsibilities

Council will:

- ~~adopt~~observe Council's *Risk Management Policy*
- govern in accordance with the policy and the principles of the *Local Government Act 1993*, including in relation to proactively and effectively managing risks to the local community or area, and the Council to ensure that strategic, risk and governance objectives are met

Audit, Risk and Improvement Committee will:

- review and oversee Council's overall risk management framework and practices in accordance with the ARIC Charter

Chief Executive Officer (on advice from Executive Leadership Team) will:

- ~~endorse the Risk Management Policy, risk criteria and tolerance settings~~
- promote a risk-aware culture throughout Council
- ensure the establishment and implementation of a ~~n-effective~~ Risk Management Framework
- ~~endorse the Risk Management Policy, risk criteria and tolerance settings~~
- ~~monitor risks and the management of those risks by risk owners~~
- ~~provide adequate resources to effectively manage risk~~

Managers and Directors will:

- ensure the Risk Management Framework is applied effectively in all unit functions
- ~~monitor the risks of the business unit, and the effective management of those risks~~provide adequate resources to effectively manage risk

Managers will:

- ensure the risks of the business units are managed, monitored and reported effectively in accordance with Council policies and procedures

All staff will:

- ~~bring~~apply a risk management mindset to all Council functions, services, decisions, projects, processes and planning as part of business as usual practice
- implement the risk management process in everyday practice by identifying, assessing, evaluating, treating and communicating risks and opportunities, in accordance with Council policies and procedures
- communicate/escalate risk to the appropriate level of management in accordance with Council policies and procedures
- record risks, controls and risk treatment decisions in accordance with Council policies and procedures
- ensure contractors and ~~volunteers consultants~~ comply with risk management practices in accordance with Council policies and procedures
- ~~implement the risk management process in everyday practice by identifying, assessing, evaluating, treating and communicating risks and opportunities, in accordance with Council policy and procedure~~
- ~~communicate / escalate risk to the appropriate level of management in accordance with Council policy and procedure~~
- ~~record risks, controls and risk treatment decisions in accordance with Council policy, procedure and Council's Information Management Policy~~

Risk Specialist and Audit Coordinator will:

- facilitate the development, implementation, maintain/maintenance and regularly review of the Council's Risk Management Framework and associated components, to ensure it is consistent

~~with relevant risk management standards and Local Government requirements, and with a view to continuously improving the framework and tailoring it to Council's needs. The position, does not, however, conduct risk management on behalf of business units or assume ownership or responsibility for those risks~~

- ~~• provide support to business units to integrate risk management practices into Council processes~~
- ~~• drive risk-based programs and initiatives to strengthen risk management practices across Council systems and processes~~
- ~~• provide advice and information resources to staff to carry out risk management practices~~
- ~~• report to ARIC annually or as required to fulfil its accountabilities under the ARIC Charter~~

~~• ensure a quality program of training for staff is in place~~

~~develop, implement and monitor Council's Enterprise Risk Management Plan~~

~~ensure risk management practices are integrated into all Council processes, including the Council's corporate planning and policy frameworks~~

~~develop and maintain business rules and processes to support the integration of risk management practices across all Council systems and processes~~

~~develop information resources to support staff to carry out risk management practices~~

~~provide secretarial services to Council's Audit, Risk and Improvement Committee (ARIC)~~

~~manage Council's internal audit function in accordance with the ARIC Charter and Council policies and procedures~~

~~Internal Audit function will:~~

- ~~• undertake risk-based internal audit program endorsed by ARIC~~

~~•~~

~~People and Culture Manager will:~~

- ~~• develop and continuously review Council's WHS Management Framework, including the~~
- ~~• Work Health and Safety Policy and safety reporting systems for safety risks~~

Appendix AB: Risk Terminology and Definitions

Risk	The effect of uncertainty on objectives
Risk management policy	Statement of the overall intentions and direction of an organisation related to risk management
Risk management standard	ISO 31000:2018 Risk Management – Guidelines
Risk management	Coordinated activities to direct and control Council with regard to risk
Risk management framework	The set of components that provide the foundations for risk management throughout Council, including policies, procedures, business rules and risk management tools
Risk management process	Systematic application of management policies, procedures and practices to the activities of communicating, consulting, establishing the context, identifying, analysing, evaluating, treating, monitoring and reviewing risk
Risk owner	Person or position with the accountability and authority to manage a risk
Risk appetite	The levels and types of risks an organisation is willing to accept in pursuit of its objectives
Enterprise risks	Objectives can be applied at different levels. Enterprise risks are risks that potentially impact on the ability to achieve Council's strategic or enterprise-wide objectives
Operational risks	Risks that potentially impact on the day-to-day operations of Council, in terms of service delivery and business functions
Risk likelihood	Chance of something happening
Risk consequence	Outcome of an event affecting objectives
Control	Measure that is modifying risk. Includes process, policy, device, practice or other actions

-

12.8 AUDIT, RISK & IMPROVEMENT COMMITTEE - INDEPENDENT EXTERNAL MEMBER TENURE

ATTACHMENTS:	1. IMPLICATIONS 2. AUDIT, RISK & IMPROVEMENT COMMITTEE CHARTER
RESPONSIBLE OFFICER:	SAMANTHA CONNOR – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	ADAM BOOTH – COUNCIL & CORPORATE SUPPORT OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To seek extension of the appointment of the independent external members of the Audit, Risk & Improvement Committee to 30 March 2025.

2. OFFICER'S RECOMMENDATION

That Council extend the appointments of the following independent external members of the Audit, Risk and Improvement Committee to 30 March 2025:

1. **Elizabeth Gavey (Chair);**
2. **Christopher Davies (Member); and**
3. **Robert Lagaida (Member).**

3. BACKGROUND

Council's three independent external members of the Audit, Risk & Improvement Committee (ARIC) were appointed by Council resolution on 9 November 2020 for a period of three years, after an expression of interest process. The first meeting attended by the independent external members was 16 December 2020. Accordingly, the members' tenure is due to expire on 15 December 2023.

The ARIC Charter (**Attachment 2**) contemplates Council extending member appointments. Clause 2.3 states:

"Members may be eligible for extension of appointments or re-appointment by the Council."

This report seeks to extend the excellent services of the current independent external ARIC members to provide for continuity into the next electoral cycle. It does not apply to the two Councillor members of ARIC (Councillor Samuel and Councillor Xia). The Councillor members were appointed by Council resolution "*for the term of this Council*" (2 March 2022, Ordinary Council Meeting).

4. DISCUSSION

An extension of the current independent external members' tenure is sought for the following reasons:

Staggering tenures

In anticipation of amendments expected to be made to the *Local Government (General Regulation) 2021*, the Office of Local Government has released *Draft Guidelines for Risk Management and Internal Audit for Local Government in NSW* (Draft Guidelines). See [Guidelines for Risk Management and Internal Audit for Local Government in NSW](#).

The *Draft Guidelines* require care to be taken “to ensure that membership renewal dates are staggered so knowledge of the council’s operations, financial reporting structure and other important aspects are not lost to the [ARIC] when members change ... Ideally, no more than one member should leave the committee because of rotation in any one year.”

A new ARIC Charter (or Terms of Reference) is anticipated to be prepared in accordance with the *Draft Guidelines* by 30 June 2024. Extending current independent external members' tenures to overlap with the period of implementation of a new ARIC Charter (or Terms of Reference) will afford Council an opportunity to establish a suitable rotation of tenure expiries.

2024 Local Government Elections

Local Government elections will be held in September 2024. Retaining the current independent external ARIC membership until 30 March 2025 retains corporate knowledge of key areas including finance, risk, governance, compliance, audit and business improvement while the newly elected Council establishes.

The current ARIC Charter does not limit terms of extension. However, the incoming *Draft Guidelines* require “the total period of continuous membership on the committee [not] exceed eight years”. The proposed extension to 30 March 2025 is within this time limit – being a tenure of four years and four months (including the initial three-year appointment).

5. CONCLUSION

Extending the tenure of ARIC's independent external members to 30 March 2025 affords time for Council to establish staggered term rotations under an anticipated new ARIC Charter (or Terms of Reference) and assists Council through the 2024 Local Government election cycle.

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 Audit, Risk and Improvement Committee is a statutory committee, which provides assurance in the areas of internal and external audit, risk management, business improvement and governance. This promotes effective performance in pursuit of the priorities outlined in the <i>Our Future Willoughby 2032 Community Strategic Plan</i> .
Policy	<i>Audit, Risk and Improvement Committee Charter</i>
Consultation	Officers and the Committee discussed the proposed extension to 30 March 2025 as an item of general business at the Committee's meeting on 20 September 2023.
Resource	Action proposed in this report is covered by existing resources.
Risk	The intention of this report is to address the legislative risk of maintaining an appropriately constituted Audit, Risk and Improvement Committee under current and forthcoming regulatory requirements.
Legal	There are no legal implications applicable to this report.
Legislation	The current <i>Audit, Risk and Improvement Committee Charter</i> is compliant with the Office of Local Government's Internal Audit Guidelines 2010 (made under s23A of the <i>Local Government Act 1993</i>) and will be reviewed when the <i>Draft Guidelines for Risk Management and Internal Audit for Local Government in NSW</i> become final.
Budget/Financial	The existing budget provides for remuneration of independent external members.



AUDIT, RISK and IMPROVEMENT COMMITTEE CHARTER

Ver. 1.0

September 2017

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1. Role and Authority

1.1 Role

The primary role of the Audit, Risk and Improvement Committee of the Willoughby City Council (referred to in this Charter as the "Committee" or the "ARIC") is to advise Council on Audit, Governance, Risk Management, and Business Improvement related matters, policy and strategies, within the Committee's capabilities and working to an Audit Plan which encourages good Governance, Internal and External Audit and attention to Business Improvement, also providing independent, objective assurance about the effectiveness of Council's risk mitigation controls.

This Committee is an advisory committee only and it has no authority to expend Council funds or make decisions that are binding on the Council (refer Section 4 Responsibilities of the Audit, Risk and Improvement Committee).

The Committee will fulfil its role by:

- Providing a forum for communication between all stakeholders i.e. the Council, General Manager, Senior Management, Internal and External Audit and contracted agents.
- Ensuring and supporting the independence of the Internal Audit function.
- Monitoring the resources allocated to the Internal Audit function and to make recommendations to the General Manager where required, to ensure that sufficient and appropriate resources are made available.
- Reviewing and endorsing or improving the plans and programmes of annual and longer term risk based Audits, as developed by the Internal Auditor.
- Contributing where possible and appropriate, to the following objectives of the Council, as defined in the Local Government Act S 428A and as amended by the Local Government Amendment (Governance and Planning) Act 2016 No 38 :
 - (a) compliance,
 - (b) risk management,
 - (c) fraud control,
 - (d) financial management,
 - (e) governance,
 - (f) implementation of the strategic plan, delivery program and strategies,
 - (g) service reviews,
 - (h) collection of performance measurement data by the council,
 - (i) any other matters prescribed by the regulations.
- providing where possible and appropriate information to the Council for the purpose of improving the Council's performance of its functions.
- Endorsing, reviewing and monitoring the outcomes of the 5 Year Strategic Internal Audit Plan, the Annual Internal Audit plan and the Internal Audit function.
- Encouraging and assisting Council to meet compliance requests from the Office of the Auditor General.
- Facilitating and promoting use of thorough and reasonable governance procedures throughout the Willoughby City Council.

- Assisting the Internal Audit function to provide independent assurance and assistance to Council, in the effective discharge of its responsibilities in relation to:
 - Risk Management
 - Internal Control
 - Governance
 - External Accountability Responsibilities
 - Financial reporting
 - Compliance with laws and regulations,

Responsibilities of the Committee are further discussed in section four of this Charter.

1.2 Authority

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- a) Obtain any information it needs from any employee or external party (subject to their legal obligations to protect information).
- b) Discuss any matters with the External Auditor, or other external parties (subject to confidentiality considerations).
- c) Request the attendance of any Council employee or Councillor to ARIC meetings.
- d) Request external legal or other professional advice, if considered necessary by ARIC, to meet ARIC responsibilities.

1.3 Reporting relationships

The NSW Auditor General is the statutory auditor for the Council and provides reports to the Council.

Within the Council, the Audit, Risk and Improvement Committee is one of a number of Council Committees that report to the elected Council. The Audit Risk and Improvement Committee report to Council in accordance with this Charter.

Council's Internal Auditor is appointed by the General Manager and reports functionally reports to the Audit Risk and Improvement Committee. Council's Internal Auditor reports administratively to the General Manager.

2. Membership, Chairperson and Voting

2.1 The membership of the Audit, Risk and Improvement Committee will be as follows:

2.1.1 Voting Members, five (5) persons:

- (i) two Willoughby City Councillors; and
- (ii) three independent external members, at least one of whom has financial management expertise and one of whom shall be the Chair.

Current Office of Local Government guidelines discourage the membership of the Mayor.

2.1.2 Non-voting advisors (these persons will ordinarily attend all or relevant parts of the meetings)

- a) General Manager

- b) Chief Financial Officer
- c) Internal Auditor (Committee Facilitator)

2.1.3 Representative(s) of the Auditor General, a non-voting position.

2.1.4 Other persons

The Audit, Risk and Improvement Committee may request the following persons to attend all or part of the meetings, to present relevant information as required:

- a) Other Council officers.
- b) Representative of the External Auditor.
- c) Other external parties.
- d) Other Councillors may attend as observers, at the discretion of the Chair.

Voting Membership of the Committee can be withdrawn only by resolution of the Council. Council staff will be appointed and removed as required, by the General Manager.

2.1.5 Alternates

The two Councillor members of the Audit, Risk and Improvement Committee shall have an alternate, nominated by resolution of Council. The alternate can only attend meetings in place of the member, where that member is unable to attend the meeting and has registered an apology.

2.1.6 Casual Vacancies.

A casual vacancy caused by the resignation or death of an independent Member, will be filled by undertaking the following process:

- (i) Where a casual vacancy occurs, the Internal Auditor / Committee Facilitator will report this matter to the next Committee meeting and record it appropriately in the Minutes, and highlight it in the report to the next available Council Meeting.
- (ii) The Internal Auditor / Committee Facilitator will provide a report to the next available Council Meeting regarding the proposed replacement. This report will give consideration to the following options:
 - (a) The Committee Facilitator will review the original expressions of interest received and will confirm if any of those individuals who previously nominated, are suitable and still prepared to be considered as a member of the Committee. A recommendation may be made, for an appointment by Council resolution.
 - (b) Where no previous nominations are still appropriate or current, expressions of interest will be called to fill the vacancy, for an appropriate recommendation and appointment by resolution of the Council.
 - (c) Where a vacancy occurs within 9 months preceding the conclusion of the Term of the current Council, the vacancy will not be filled until after the impending Council election.
- (iii) Once endorsed by the Council, a new Member filling a casual vacancy will hold office for the remainder of the term of the Member whom he/she has replaced.

2.2 Chairperson

The Audit, Risk and Improvement Committee will be chaired by one of the Independent, External members, appointed as Chair by the Council. The Chairperson is to have precedence at the meeting and shall determine the order of

proceedings, generally as set by the agenda. All comments by members of the Committee and others present, shall be made through the Chairperson. In the absence of the Chairperson, another independent member elected by the Committee, shall chair the meeting.

Council's Code of Meeting Practice shall be used as the reference guide, for any matters pertaining to the Committee meetings, which are not otherwise outlined in this Charter.

2.3 Tenure

The independent, external members will be appointed for a term of three years, with one member in the first term of the Committee being appointed for an initial two years period, so that the triennial spilling and changeover of memberships will allow for continuity and transfer of corporate knowledge, with one member being replaced or reappointed on a different three year cycle to the other two. Members may be eligible for extension of appointments or re-appointment by the Council.

Further to the above provisions, independent membership of the Committee will expire at the end of the financial year in which a Local Government General election takes place. This is to allow the new Council to review the membership and provide for transition to a new membership.

2.4 Assessment of Committee performance

The Chairperson of the Committee will initiate a review of the performance of the Committee every twelve months. This review will consider the performance of individual members of the Committee as well as overall performance. The review will be conducted on the following basis:

- Self-assessment by the Committee
- An assessment by stakeholders with input sought from the Council, the General Manager, the Service Unit Manager Risk and Audit, the Internal Auditor and the External Auditor.

The assessment will be conducted utilising a standardised evaluation format.

The assessment of the performance of the Audit, Risk and Improvement Committee will be presented to Council for its review. Any action proposed that arises from this review can only be taken as a result of a decision of Council.

Further formal reviews of the Audit function will be conducted as required by relevant Standards.

2.5 Competencies.

At least one independent member of the Committee shall have accounting or related financial management experience with understanding of accounting and auditing standards in a public sector environment.

2.6 Induction and Training.

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

2.7 Administrative Support.

The Audit, Risk and Improvement Committee will be provided with administrative support, by the Office of the General Manager.

2.8 Responsibilities of Members

Members of the Committee are expected to:

- a) Understand the relevant legislative and regulatory environment of Audit and Risk Management in NSW Local Government and any particular requirements appropriate to Willoughby City Council.
- b) Contribute the time needed to study and understand any documentation or papers provided.
- c) Apply high level analytical skills, objectivity and good judgment.
- d) Express opinions frankly, ask questions that go to the fundamental core of issues and pursue independent lines of enquiry.
- e) Abide by the Willoughby City Council's Code of Conduct.

2.9 Committee Facilitator.

The Committee facilitator is currently the Internal Auditor appointed by the General Manager. The facilitator is responsible for co-coordinating the preparation of agendas, invitations and minutes of the Committee, as well as any presentations from guest speakers.

2.10 Voting.

No formal voting rules apply to ARIC meetings. As the Committee has an advisory role, its decisions or recommendations are made by consensus and no decision or recommendation is deemed to be a decision of the Council, unless the matter is referred to Council for determination. If Committee consensus is not achieved and if required, the matter shall be referred to the Council for determination.

2.11 Proxy.

Voting by proxy is not permitted. Only members in attendance at the meeting, either in person or via live telephone or video conferencing methods, shall be entitled to participate in the decision making process of the Committee. (See also CI 3.6).

If a member is unable to attend the meeting, but wishes to be in attendance for discussion of a particular matter, he / she can notify the Chairperson prior to the meeting, to request deferral of the item to a subsequent meeting, or to request that the Chairperson formally indicate the member's view to the Committee, during the discussion on the matter.

The Committee shall decide if a matter is to be deferred to a subsequent meeting, based on the representations made to the Chairperson by the absent member.

2.12 Attendance at meetings.

The attendance by members, at meetings of the Audit, Risk and Improvement Committee shall be recorded. Where a member does not attend and does not provide an apology for 2 consecutive meetings, this will be reported to Council and a determination will be made by Council as to that member's ongoing tenure on the Committee. The record of attendance at meetings by all members, will be presented in Council's Annual report.

3. Meetings

3.1 Scheduling of meetings.

The Audit, Risk and Improvement Committee will meet four (4) times per year, with one of these meetings to include review of the annual audited financial reports and external audit opinion. Another of these meetings will specifically consider the Annual and Long-Term Strategic Internal Audit plans.

3.2 Additional meetings.

The Chairperson of the Audit, Risk and Improvement Committee may convene additional meetings if required. Other Committee members may submit requests to the Chairperson for additional meetings.

3.3 Forward meeting plan.

A forward meeting plan, including meeting dates and significant agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Audit, Risk and Improvement Committee Charter.

3.4 Distribution of agendas and working papers.

The agenda & meeting papers of scheduled meetings of the ARIC shall be circulated to members at least 5 working days prior to a scheduled meeting. Each meeting shall be properly recorded by the taking of minutes.

3.5 Conflicts of Interest.

Committee members must verbally declare to the meeting any conflicts of interest or pecuniary interests at the start of each meeting, or before any discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted and the Chairperson should confirm with the Committee facilitator, that such a record has been made.

Where any members or invitees at Committee meetings have declared a conflict of interests, or are deemed by the Chairperson to have any real or perceived conflict of interests, it may be appropriate that they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision will be the Chairperson of the Committee.

The *Local Government Amendment (Governance and Planning) Act 2016*, in Section 440 - Codes of conduct, provides that:

(2) The Local Government Regulations may provide that the provisions of the model code relating to the disclosure of pecuniary interests are also to apply to the following persons:

- (a) a member of a committee of a council (including the Audit, Risk and Improvement Committee),
- (b) an adviser to a council.

Further, the *Local Government Amendment (Governance and Planning) Act 2016* S439AA(4) provides as follows:

Other exclusions: "A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation

to the matter or if the interest is of a kind specified in a code of conduct as not being required to be disclosed.”

3.6 Quorum.

A minimum of three (3) voting members of the Audit, Risk and Improvement Committee will need to be in attendance to constitute a quorum. Meetings can be held in person or by attendance via telephone or video-conference. (See also CI 2.11)

3.7 Public Participation.

Due to the often confidential nature of the items presented at the meetings, all meetings of the Committee will be closed to the public.

3.8 Record keeping.

The agendas and minutes of the Committee shall be stored as a permanent record of Council, as determined by the General Manager. Any questions by members regarding the minutes are to be referred immediately to the Committee Facilitator and if any error in the minutes is confirmed, the Committee Facilitator shall arrange to make the appropriate changes. Minutes will be completed within 2 weeks of the Committee meeting.

4. Responsibilities of the Audit, Risk and Improvement Committee

The ARIC has no executive powers except those expressly provided by the Council. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council, rests with the Council and the General Manager as defined by the *Local Government Act 1993*.

In addition to the role outlined under section 1.1 above, the Committee's responsibilities include an oversight function in the following specific areas, including further responsibilities as defined in the *Local Government Amendment (Governance and Planning) Act 2016 - S 428A*:

4.1 Risk Management – review whether or not:

- a) Management has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of business and financial risks, including fraud. These risks must be taken into account when formulating Internal Audit planning.
- b) A sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings.
- c) The impact of the risk management framework on its control environment and the use of insurance arrangements as part of the control environment.
- d) A sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been periodically tested and test results reported.

4.2 Control Framework – review whether or not:

- a) Management has adequate, appropriate internal controls in place.
- b) Management has in place relevant policies and procedures and these are periodically reviewed and updated.

- c) Appropriate governance processes are in place to assess and document levels of compliance with policies and procedures.
- d) Appropriate policies and procedures are in place for the review, management and exercise of delegations.
- e) Management is taking effective steps to embed a culture, which is committed to good governance, lawful and where possible ethical behaviour.

4.3 External Accountability:

- a) Review Auditor General advices, all financial statements and External Audit opinions, including whether appropriate action has been taken in response to audit recommendations and recommended adjustments.
- b) Consider contentious financial reporting matters, in conjunction with Council's management and External Auditors.
- c) Periodically review External Audit plans and reports in respect of planned or completed External Audits, and monitor the implementation of audit recommendations by management.
- d) Consider significant issues raised in relevant Auditor General communications, External Audit reports and any Office of Local Government Better Practice guides and ensure appropriate action is taken.
- e) Meet "in camera" with Audit Office and/or Contract Auditor management, without the presence of management, at least annually.

4.4 Legislative Compliance:

- a) Determine whether management has used its best endeavours, in appropriately considering legal and compliance risks, as part of risk assessment and management arrangements as recommended in any guidelines provided by the Office of Local Government
- b) Review the effectiveness of systems for monitoring compliance with relevant laws, regulations and associated government policies.

4.5 General Compliance and Business Improvement (S428A Local Government Act 1993 and Local Government Amendment (Governance and Planning) Act 2016 No 38) - review:

- a) Implementation of the strategic plan, delivery program and strategies,
- b) Service reviews,
- c) Collection of performance measurement data by the Council,
- d) Any other matters prescribed by law.
- e) provision of general information to the Council, for the purpose of improving the Council's performance of its functions.

4.6 Internal Audit

- a) Act as a forum for communication between the Council, General Manager, senior management, Internal and External Audit.
- b) At the meeting held prior to the commencement of the ensuing financial year, review the Internal Audit coverage, the annual Internal Audit Plan and the revised

Strategic Internal Audit Plan, ensure the plans have considered the Risk Management Framework and Council's adopted Risk Appetite and endorse the plan.

c) Consider the adequacy of Internal Audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan and actioning of the projects identified in that plan.

d) Review audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.

e) Monitor the implementation of Internal Audit project recommendations, by management.

f) Review the Internal Audit Charter once every 2 years, ensuring appropriate organisational structures, authority, access and reporting arrangements are in place.

g) Periodically review the performance of Internal Audit, as required by the Standards.

h) Meet "in camera" with the Internal Auditor without the presence of management, at least annually.

5. Communications & Reporting

5.1 Reporting

The Committee shall report back to Council within a six (6) months period following each meeting. Summary reports may be presented to the Council. The report shall provide Council with the following as appropriate and applicable:

- Minutes of each meeting
- All significant issues which can be reported without prejudice to the audit function.

This provision is to permit the implementation of Committee recommendations in a reasonable window of confidentiality, to optimise the effectiveness of Committee actions.

The Committee through the Chairperson, shall also submit and present on an annual basis, a formal report to Council outlining the Committee's major achievements, issues identified and other relevant matters, to a closed session of a Council meeting.

5.2 Other reports.

The Committee can also elect to report to Council at other times. Examples of where this may be required, include proposed significant changes to scheduled Audit tasks included in the endorsed Internal Audit plan.

5.3 Information requirements of the Audit, Risk and Improvement Committee

The Audit, Risk and Improvement Committee will be presented with the following standing information for each meeting.

- Progress against the adopted, Annual Internal Audit Plan.
- Suggested amendments to the Annual Internal Audit Plan.
- Status of completed Internal Audit reports .

- Status of actions required in previous Minutes of the Committee
- A report outlining any relevant correspondence received from regulatory authorities such as the NSW Auditor General, Independent Commission Against Corruption (ICAC), the NSW Ombudsman's Office, Office of Local Government.

6. Code of Conduct and other Council Policies

6.1 Code of Conduct

Each Committee member who is not otherwise a Councillor or Council staff member, shall be provided with a copy of Council's adopted Code of Conduct and other related policies that may be applicable to the operation of the Committee.

The conduct of each Committee member is expected to be consistent with the principles outlined in these Council publications.

Members of the Committee are not permitted to speak to the media as representatives of the Committee, unless authorised and approved by Council.

Charter Approved by Council:
Review due date:

12.9 DRAFT MINUTES - AUDIT, RISK AND IMPROVEMENT COMMITTEE - MEETING HELD 20 SEPTEMBER 2023

ATTACHMENTS:	1. IMPLICATIONS 2. DRAFT MINUTES ARIC MEETING 20 SEPTEMBER 2023
RESPONSIBLE OFFICER:	SAMANTHA CONNOR – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	ADAM BOOTH – COUNCIL & CORPORATE SUPPORT OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To present Council with the draft minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held on 20 September 2023.

2. OFFICER'S RECOMMENDATION

That Council note the draft minutes of the Audit, Risk and Improvement Committee meeting held on 20 September 2023.

3. BACKGROUND

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

4. DISCUSSION

The ARIC met on 17 May 2023 and discussed, amongst other things, the following:

- The Preliminary Draft Financial Statements for the Year Ended 30 June 2023.
- The Special Rate Variation proposal for consultation.
- Council's July 2023 Investment Report, Quarterly Budget Review 2022-23 March Quarter, Submission to IPART's review of the Rate Peg Methodology, Operation Plan 2023/24 and Long Term Financial Plan 2023-2033.
- A Declared Business report regarding the Willoughby Leisure Centre.
- Risk management reports pertaining to procurement, Council's major projects and Council's Risk Management Framework.
- An update from the Chief Executive Officer regarding staff resourcing.

The minutes of the meeting have been reviewed by the ARIC Chair and ARIC members and are contained in **Attachment 2**. The draft minutes are scheduled for adoption at the next ARIC meeting planned for 16 October 2023.

5. CONCLUSION

It is recommended that Council note the draft minutes of the ARIC meeting held on 20 September 2023.

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 Audit, Risk and Improvement Committee (ARIC) is a statutory committee, which provides assurance in the areas of internal and external audit, risk management, business improvement and governance. This promotes effective performance in pursuit of the priorities outlined in the <i>Our Future Willoughby 2032 Community Strategic Plan</i> .
Policy	<i>Audit, Risk and Improvement Committee Charter.</i>
Consultation	The minutes have been reviewed by the ARIC Chair and ARIC members. They will be presented to the 16 October 2023 meeting of ARIC for final endorsement.
Resource	Administrative support is provided to this Committee by the Governance, Risk & Compliance team.
Risk	There are no risks associated with this report.
Legal	There are no legal implications associated with the report.
Legislation	There are no legislative implications associated with the report.
Budget/Financial	There are no budgetary or financial implications applicable to this report.

ATTACHMENT 2



Willoughby City Council

**AUDIT, RISK & IMPROVEMENT
COMMITTEE MEETING**

HELD ON 20 SEPTEMBER 2023

DRAFT MINUTES

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1 OPENING AND INTRODUCTIONS**1.1 ACKNOWLEDGEMENT OF COUNTRY**

At 8:31 am, the Chair, Ms E Gavey, opened the meeting, welcomed those present and delivered the following acknowledgement of country:

Willoughby City Council acknowledges the Traditional Owners of the lands on which we meet today, the Gamaragal People, and their connections to land, waters, and community. We pay our respects to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander people, including those who may be in attendance today.

2 ATTENDANCE AND APOLOGIES**Committee Members:**

Ms E Gavey (Chair)
Mr C Davies
Mr R Lagaida
Cr R Samuel

Council Officers:

Ms D Just (Chief Executive Officer)
Ms M Kenyon (Customer & Corporate Director)
Ms Linda Perrine (Community Culture & Leisure Director) *(for item 7.1)*
Mr S Naven (Chief Financial Officer) *(for items 4.1, 5.1, 5.2 and 6.1)*
Ms Samantha Connor (Governance, Risk and Compliance Manager) *(for items 10.1, 11.1 and 12.1)*
Ms Angela Casey (Culture & Leisure Manager) *(for item 7.1)*
Mr Jason Racchi (Acting Chief Information Officer) *(for confidential item 8.1)*
Ms Shiromi Mohamed (Financial Accounting Lead) *(for items for items 4.1, 5.1, 5.2 and 6.1)*
Ms Celine Chiu (Risk Specialist) *(for item 10.2)*
Mr B Herring (Chief Information Officer) *(for item 10.3)*
Mr G Drinan (Project Management Team Leader) *(for items 10.4 and 10.5)*
Ms B Yparraguirre (Internal Auditor) *(for items 9.1 and 9.2)*
Mr A Booth (Council & Corporate Support Officer) *(minute taker)*

External Attendees:

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

Apologies:

Mr H Phemister (Planning & Infrastructure Director)
Cr J Xia

Observer:

Cr A Greco

3 DISCLOSURES OF INTEREST**Standing Declarations:**

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

- Chair/Independent Member - Camden Council Audit, Risk and Improvement Committee
- Chair/Independent Member - Penrith City Council Audit, Risk and Improvement Committee
- Chair/Independent Member - Waverley Council Audit, Risk and Improvement Committee
- Audit and Risk Committee Member - Electoral Commission of NSW highlighted (re gov update)
- Audit and Risk Committee Member - Office of Independent Review
- Audit and Risk Committee Member - Audit Office of NSW
- Audit and Risk Committee Member - Local Government NSW
- Chair/Director - Primary and Community Care Services Limited

Ms Gavey also declared:

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

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

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

Mr Lagaida declared he is an Independent Member of the Wollongong City Council Audit, Risk and Improvement Committee and an Independent Member of the Northern Beaches Council Audit, Risk and Improvement Committee.

Mr Davies declared he is now employed by Turner & Townsend, working on the Sydney Metro West Project.

Ms Debra Just, Chief Executive Officer, declared she is a Director of Civic Risk Mutual Limited, of which Council is an Affiliate Member.

4 EXTERNAL GUESTS**4.1 PRELIMINARY DRAFT FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2023 – LATE REPORT****DISCUSSION**

Mr J Winter, of Grant Thornton Australia Limited, as agent for the Audit Office of New South Wales, provided the Committee with an update regarding Council's preliminary draft financial accounts for the year ended 30 June 2023. There were no specific matters to bring to the attention of the Committee, with the audit process receiving the cooperation of the management and no expectation of deviation from the current timeline.

The Committee thanked Management for providing out-of-session responses to members' questions prior to the meeting. The Committee had no further questions arising from those matters.

Mr S Naven, Chief Financial Officer, introduced Ms Shiromi Mohamed, Financial Accounting Lead, and thanked her for her assistance in preparing the preliminary financial accounts.

Mr Naven discussed the IT complexity with loading Council's asset valuations into the system, confirming the team will work with Council's external auditors to keep in line with the timetable and thanked the external auditors for accommodating the difficulties encountered. Mr Naven discussed the complexities with the Committee, clarifying that asset valuation system loading will be conducted on a monthly basis now that resourcing constraints had been addressed. The difficulties are not anticipated in the current financial year.

The Committee noted a very clean set of preliminary draft accounts and clarified the timeline for completion of the audit process, scheduling to meet on Monday 16 October 2023 to review the draft accounts and receive the Audit Office of New South Wales Engagement Closing Report.

COMMITTEE RESOLUTION

That, noting the updates provided by the Audit Office of New South Wales and Management, the Audit, Risk and Improvement Committee reviewed the pre-audit preliminary draft Financial Statements for the 2022/23 financial year.

5 EXTERNAL ACCOUNTABILITY**5.1 SPECIAL RATE VARIATION PROPOSAL FOR CONSULTATION****DISCUSSION**

The Committee noted the Council's resolution to endorse the Community Engagement Plan with respect to four Special Rate Variation options. Management provided the Committee with a detailed summary of the community consultation to be undertaken under the Community Engagement Plan. The Committee noted the volume of work required and the pressure this will place on staff.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

20 September 2023

The Committee acknowledged that the papers regarding the proposal were clear, thorough and well thought through. The Committee discussed various items with the Management, including:

- the incorporation of committed efficiencies across the four options;
- the effect of inflation;
- tangible explanations of the options in consultation material;
- work undertaken to analyse the impacts on residents and businesses; and
- an outline of the Independent Pricing and Regulatory Tribunal (IPART) process.

The Committee thanked Management for the report and discussion.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee receive and note information on Council's Special Rate Variation proposal for public consultation.

Action:

1. Provide a progress update regarding Special Rate Variation proposal consultation at the December 2023 Committee meeting.
2. Send Committee members a link to the Special Rate Variation proposal engagement materials when released by Council.

5.2 FINANCE UPDATE 20 SEPTEMBER 2023**DISCUSSION**

The Committee and Management discussed the investment classes in which Council may invest, with the Mr Stephen Naven, Chief Investment Officer, noting the 2011 Revised Ministerial Order regarding local government investments. Mr Naven will make inquiries with the Office of Local Government.

Regarding the Quarterly Budget Review, the Committee thanked management for another clear report. The Committee and Management discussed the impact of the Willoughby Leisure Centre (WLC) upgrade and development of the WLC operating model.

The Committee acknowledged a well thought through, balanced, submission to IPART's Review of the Rate Peg Methodology.

Discussing the Operation Plan 2023/24 and Long Term Financial Plan 2023-2033 (LTFP), Mr Naven acknowledged the LTFP reflects decreased revenue as a result of key services not returning to pre-COVID income and significant increased costs affected primarily by high inflation, increased depreciation and tight labour markets. Additional local government sector impacts such as an inadequate rate peg, Award wage increases and cost shifting (such as the imposition of the Emergency Services Levy) were highlighted.

The Committee further discussed integration of Council's asset management plan into the LTFP with Management and thanked Management for the high level of interaction, openness and transparency. Management thanked the Committee for the supportive and knowledgeable suggestions it brought to these discussions.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee receive and note the report and:

1. The results for investments during July 2023.
2. The Quarterly Budget Review report for Quarter 3 2022/23 and the budget adjustments and year to date performance reported.
3. Council's submission to IPART's Review of the Rate Peg Methodology.
4. The Operational Plan 2023/24 adopted by Council on 26 June 2023.
5. The Long Term Financial Plan 2023-2033 adopted by Council on 26 June 2023.

6 CHIEF EXECUTIVE OFFICER VERBAL UPDATE**6.1 CHIEF EXECUTIVE OFFICER VERBAL UPDATE****DISCUSSION**

Debra Just, Chief Executive Officer, acknowledged three subjects of particular focus – the Special Rate Variation proposal for the 2024/25 financial year; Council's preliminary draft Financial Statements for the 2022/2023 financial year; and staff resourcing. The first two topics having been discussed by the Committee and Management during the meeting, the Chief Executive Officer expanded on the latter.

Staff Resourcing

Council currently have a position vacancy rate of 8.9% - the lowest rate since 2020. For reference, in May 2022 the vacancy rate sat at 15%.

There remain areas of difficulty – the Customer & Corporate Directorate continue to recruit Business Improvement professionals to the Corporate Performance team. The Planning & Infrastructure Directorate have experienced particular challenges in Property, but have recently recruited and are working toward improvements in that business unit. The Community Culture & Leisure Directorate have been impacted by Willoughby Leisure Centre vacancies during the Centre's upgrade and turnover in childcare staffing.

In January 2023 – Council embedded a professional recruiter and administrative resource, which has been paying dividends. Initially the Talent Acquisition Specialist focussed on difficult to recruit positions and has since broadened scope as those positions are filled. Ninety nine new staff joined Council in the last financial year and twenty one have joined since 1 July 2023.

Management are delighted that Council currently has a full complement of planners of engineers and all governance roles are now filled. Challenges continue - for example, Council briefly experienced a full customer service team, then lost three staff and a fourth to secondment.

As recruitment improves, Management need to address backlogs, as Governance have done with formal and informal information requests and the Streetscapes team will need to progress with vegetation applications.

The Talent Acquisition Specialist and business unit managers have been taking the appropriate time to recruit the right staff, not simply fill roles, with new employment now outstripping staff exits. People & Culture have been improving on boarding, training and induction of new staff – which has also assisted retention.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the verbal report provided by the Chief Executive Officer.

7 DECLARED BUSINESS REPORT: WILLOUGHBY LEISURE CENTRE

7.1 DECLARED BUSINESS REPORT WILLOUGHBY LEISURE CENTRE

DISCUSSION

Ms Angela Casey (Culture & Leisure Manager) delivered a summary of the services offered by the Willoughby Leisure Centre (WLC). Ms Casey highlighted WLC risks, including:

- Water safety. Management are using the period of the WLC upgrade to examine the possible installation of water safety technology, which may assist staff.
- Child protection. A very real priority for Management, procedures and training are provided to staff, with Civic Risk Mutual providing additional training and support.
- WLC finances. WLC revenue was affected significantly by the pandemic. However, prior to the pandemic expenses had been rising through the maintenance of ageing assets. Swimming lesson revenue has been impacted during the upgrade, however, Management have developed a pool design that will enhance the provision of swimming lessons into the future, provide access for older residents and generate revenue that will cross-subsidise other aspects of the business. Additionally, the dry side facilities, such as gym and sports courts, help mitigate financial risk. A diversity of services helps.

The Committee and Management discussed safety, industrial relations, training and development of the significant casual workforce. Management are aware of the importance of including casual staff in the corporate culture of Council – for many residents, WLC staff are the face of Council.

The extent of WLC's operations regarding the Northbridge Baths were outlined. Staff do not conduct water testing and water quality recommendations are displayed at the site.

Additional matters raised by the Committee included cyber security responsibilities, opportunities for food & beverage and commercial outlets and different Centre management models. Discussion acknowledged that the WLC provides non-commercial benefits to residents, but must be run like a business. Management outlined its approach to continuous improvement – adaptable spaces, following health trends, income and expense targets and thorough service reviews.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

20 September 2023

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the Willoughby Leisure Centre Declared Business Report.

8 CONFIDENTIAL - CYBER SECURITY - HALF YEARLY UPDATE**8.1 CONFIDENTIAL - CYBER SECURITY - HALF YEARLY UPDATE****DISCUSSION**

The Committee discussed the Confidential Cyber Security Half Yearly Update in closed session with Management.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the Cyber Security – Half Yearly Update report.

9 INTERNAL AUDIT**9.1 INTERNAL AUDIT ACTION UPDATE****DISCUSSION**

The Committee stepped through the status of internal audit recommendations.

The Committee discussed how Management interrogate recommendations requiring extension and recommendations that have remained outstanding for lengthy periods. Management confirmed outstanding recommendations are monitored and, mostly, challenges have arisen from staff resourcing. The Committee gave suggestions regarding the timely completion of key elements of recommendations and for Management to be satisfied with the level of risk attaching to elements that cannot be completed on time.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the Internal Audit Actions Update.

9.2 INTERNAL AUDIT PROGRAM UPDATE (INTERNAL AUDIT PLAN)**DISCUSSION**

Management updated the Committee with the status of the four internal audit engagements identified for the 23/24 financial year and the process for assigning an engagement to the remaining Management initiated request (should no such request be made). The Committee made suggestions regarding different engagement approaches for subjects requiring specialist skill (such as Asset Management).

The Committee noted finalisation of the wages and remuneration review conducted in the 22/23 financial year, and acknowledged the report. The Committee discussed how out of scope matters that are identified as part of an engagement may be raised in the report (whilst acknowledging they are outside scope). Ms Yparraguirre provided a status update on the Governance advisory review, outlining draft findings.

The Committee provided suggestions for the draft internal audit client satisfaction survey, including questions relating to business disruption.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee:

1. Receive and note the Internal Audit Program Update.
2. Confirm proposed actions listed under Internal Audit General Update (OLG's Risk Management and Internal Audit Guideline).

10 RISK MANAGEMENT FRAMEWORK**10.1 QUARTERLY PROCUREMENT REPORT****DISCUSSION**

The Committee thanked Management for a good Quarterly Procurement Report and discussed the extenuating circumstances that caused the delay in issuing certain tenders. Management and the Committee discussed high level principles which drive good tendering practice.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the update on procurement activities.

10.2 RISK MANAGEMENT UPDATE**DISCUSSION**

The Committee were pleased with Civic Risk Mutual's audit rating of Council's risk management framework as Proficient. The Committee were also pleased to see the progress in the implementation work arising from the key risk management documents endorsed by the Committee at its May 2023 meeting.

Management informed the Committee of a working group comprised of members of the Governance, Risk and Compliance unit who are developing a policy framework review for implementation. Management acknowledged the significant work ahead and indicated further updates will be provided to the Committee at future meetings.

The Committee discussed Management's approach to operational risks, with the Risk Specialist undertaking to present high level observations at a future meeting. Further discussion occurred regarding the cadence of risk appetite decisions.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the status of Council's risk management program.

Action:

1. Risk Specialist to provide high level operational risk observations (possibly three per Directorate) to a future meeting of the Committee.

10.3 RISK MANAGEMENT - MAJOR PROJECTS - CORPORATE SYSTEMS REPLACEMENT**DISCUSSION**

The Committee discussed progress and developments in the Corporate Systems Replacement Project. Management outlined the structure of the Connect project team and the composition of its Steering Committee. Evolving risks are being examined by Management and the Steering Committee.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the Risk Management – Major Projects – Corporate Systems Replacement report.

Action:

1. Include total project budget versus actual spend in future reports to the Committee.

10.4 RISK MANAGEMENT - MAJOR PROJECTS - GORE HILL INDOOR SPORTS CENTRE**DISCUSSION**

Management and the Committee discussed the project re-scoping process and the certainty of existing grant funding. Timing of Councillor Briefings of revised business cases remains on track.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the Risk Management – Major Projects – Gore Hill Indoor Sports Centre report.

10.5 RISK MANAGEMENT - MAJOR PROJECTS - WILLOUGHBY LEISURE CENTRE UPDGRADE**DISCUSSION**

Management provided the Committee with an update of the WLC upgrade, with the project now being 'out of the ground' with piling work completed. The risk profile is yet to be significantly reduced, with risks remaining from hazardous material found on site, but as work progresses to standard construction activities the risk profile will be revised.

The Committee were informed of actions taken to manage community expectations.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the Risk Management – Major Projects – Willoughby Leisure Centre Upgrade report.

Action:

1. Include total project budget versus actual spend in future reports to the Committee.

10.6 RISK MANAGEMENT - MAJOR PROJECTS - VICTOR STREET ASSET RENEWAL AND REFURBISHMENT**DISCUSSION**

Management provided the Committee with further context for the Victor Street Asset Renewal and Refurbishment project, the need for change management and outlined the proposed timeline.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the Risk Management – Major Projects – Victor Street Asset Renewal and Refurbishment report.

11 CONTROL FRAMEWORK**11.1 GOVERNANCE UPDATE****DISCUSSION**

The Committee noted the Governance update, acknowledging the good work undertaken to reduce formal GIPAs so that they were more appropriately dealt with as informal information requests. The Committee requested further detail regarding the outcome of complaints coordinated by the Governance team (i.e. whether the complaint was upheld or not).

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the Governance Update report.

Action:

1. Report statistical outcomes of complaint management in future reports to the Committee.

12 LEGISLATIVE COMPLIANCE**12.1 EXTERNAL COMPLIANCE UPDATE****DISCUSSION**

Management confirmed that updated *Public Interest Disclosure Policy* and *Public Interest Disclosures Procedure* was being brought to the September 2023 Council meeting for endorsement, ahead of the commencement of new public interest disclosures legislation in NSW.

The Committee suggested strategies to ensure PID awareness among Council's suppliers, together with awareness on issues such as anti-modern slavery and carbon neutrality.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the External Compliance Update report.

13 GENERAL COMPLIANCE AND BUSINESS IMPROVEMENT**13.1 BI PROGRAM AND SERVICE REVIEW UPDATE****DISCUSSION**

Management introduced Ms Ervina Lay, Corporate Performance Manager, to the Committee. Ms Lay discussed Business Improvement (BI) recruitment with the Committee and confirmed an intention to have a service review framework ready for Executive Leadership Team endorsement, so new BI staff can commence a program of work at commencement.

The Committee discussed checks and balances built into the Corporate Performance unit to monitor and guide the strategic direction of the service review framework. The Committee also provided suggestions regarding objective evaluation frameworks to assist this process.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the Business Improvement and Service Review Update report.

13.2 DELIVERY PROGRAM - SIX MONTHLY PROGRESS REPORT - JANUARY-JUNE 2023**DISCUSSION**

Management provided a summary of the Delivery Program - Six Monthly Progress Report - January-June 2023 to the Committee, with the Committee providing suggestions about how execution of Council's big-ticket projects can be communicated with the public.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee receive and note the report on Council's progress against the Delivery Program 2022-2026.

14 CONFIRMATION OF MINUTES – ARIC MEETING – 17 MAY 2023**14.1 CONFIRMATION OF MINUTES - 17 MAY 2023****DISCUSSION**

The Committee noted the minutes of the Audit, Risk & Improvement Committee meeting held on 17 May 2023.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee receive and accept the minutes as a true and accurate record of the Audit, Risk and Improvement Committee meeting held on 17 May 2023.

15 ACTION LOG**15.1 ACTION LOG****DISCUSSION**

The Committee suggested the action item regarding monitoring the development of the *Draft Guidelines for Risk Management and Internal Audit for Local Government in NSW* be closed as Management move into implementation of the draft *Guidelines*.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the status report on the Action Log.

16 GENERAL BUSINESS**16.1 GENERAL BUSINESS**

- The Committee noted it will meet on Monday 16 October 2023 at 2:30 pm (via Zoom) to review Council's draft financial statements for the year ended 30 June 2023 and receive the Audit Office of New South Wales Engagement Closing Report.
- The Chair will circulate a survey to members and regular attendees for the purposes of the Audit, Risk and Improvement Committee Annual Report.
- Management proposed to seek Council approval to extend the membership of the Committee's external independent members whilst the Office of Local Government's *Draft Guidelines for Risk Management and Internal Audit for Local Government in NSW* are implemented and Councillor elections are held in 2024.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING

20 September 2023

16.2 FORWARD PLANNER**DISCUSSION**

The Committee noted the 2023 Audit, Risk & Improvement Committee Forward Planning Calendar.

COMMITTEE RESOLUTION

That the Audit, Risk and Improvement Committee note the 2023 Forward Planning Calendar.

17 CONCLUSION OF MEETING / NEXT MEETING

The next Committee meeting will be held on Monday 16 October 2023 commencing at 2:30 pm, online via Zoom.

The meeting concluded at 12:20 pm.

18 IN CAMERA SESSION

No in camera session was held.

12.10 ON-STREET PARKING REVENUE

ATTACHMENTS:	1. IMPLICATIONS 2. MAP OF HIGH-DEMAND STREETS IN CHATSWOOD CBD 3. MAP OF HIGH DEMAND STREETS IN ARTARMON AND ST LEONARDS
RESPONSIBLE OFFICER:	SAMANTHA CONNOR – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	HARRY HUANG – ASSET OFFICER – OTHER ASSETS
CITY STRATEGY OUTCOME:	2.4 – MANAGE PARKING AND REDUCE TRAFFIC CONGESTION
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

The purpose of this report is to seek Council's approval to adopt an increase in parking rates in high-demand areas, update the *Street Parking Strategy* to reflect recent planning changes, and review Council's parking rates and framework.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Adopt an increase in parking rates in high-demand paid parking areas of Artarmon and St Leonards from \$5.40 per hour to \$6.50 per hour.**
- 2. Adopt an increase in parking rates in high-demand paid parking areas of Chatswood from \$6.60 per hour to \$8.00 per hour.**
- 3. Note that funding will be sought in the 2024/2025 operational plan and budget allocation process to undertake traffic impact studies to inform the review of Council's parking rates and framework.**
- 4. Note that a review and update of the *Street Parking Strategy* will be undertaken in 2024/2025 to align it with recent planning changes.**

3. BACKGROUND

Council endorsed the current *Street Parking Strategy* in November 2016.

At a Councillor Briefing on 11 September 2023, Council considered increases in parking fees to bring them in line with fees in neighbouring Local Government Areas. The increase to parking fees requires endorsement by Council and triggers a review of the Strategy and associated framework as outlined in this report.

4. DISCUSSION

Council currently operates 152 parking meters within the City of Willoughby, covering three Railway precincts, Chatswood, Artarmon and St Leonards. Officers conducted an occupancy study in April 2023 which analysed street level metered parking areas within Council's jurisdiction which has led to officers recommending further fees increases. These increases are still within Council's adopted fee schedule but have been brought to Council for transparency in decision making.

The 2023 occupancy study identified specific streets with paid parking that experience consistently high demand. These high-demand streets are characterised by limited availability of parking spaces during peak hours and their proximity to activity-rich areas such as hospitals or train stations. Parking fee increases to high-demand areas were implemented on 1 October 2023 as outlined in Figure 1.

Figure 1 – Rates increases in high-demand areas in October 2023.

Suburb	Previous FY rates	% increase (effective October 2023)	Current rates (effective October 2023)
Artarmon and St Leonard	\$4.50/hr	20%	\$5.40/hr
Chatswood	\$5.50/hr	20%	\$6.60/hr

After comparing with neighbouring councils and surrounding privately owned car parks, it was observed that the parking rates in Willoughby were still generally lower than the industry benchmark by approximately 20% even after the increase on 1 October 2023.

A further increase of approximately 20% is now proposed from 1 February 2024.

The proposed increases outlined in Figure 2 will provide a number of benefits in line with Council's *Street Parking Strategy* and *Willoughby Integrated Transport Strategy*.

These benefits include:

- Alignment with rates with neighbouring councils and surrounding parking facilities with an increased return to Council
- Serve as a catalyst for promoting active transportation.

Figure 2 – Increase proposed from benchmarking with neighbouring councils from 1 February 2024

Suburb	Current rates	% increase	Proposed rates
Artarmon and St Leonard	\$5.40/hr	21%	\$6.50/hr
Chatswood	\$6.60/hr	22%	\$8.00/hr

The *Street Parking Strategy* was last reviewed in 2016 and requires updating to reflect recent planning changes heralding increased densities in all three Railway precincts in Willoughby LGA (Chatswood, Artarmon and St Leonards). A review of the strategy is scheduled in financial year 2024-2025.

For Chatswood in particular, the *Chatswood CBD Planning and Urban Design Strategy 2036* (CBD Strategy) accommodates significant increases in employment and residential density around public transport infrastructure and other services, and extends the area of the CBD north and south along the rail line.

The extension of paid parking zones into densely populated residential and industrial areas, can help safeguard residents' amenity by alleviating traffic congestion and optimising parking demand.

The *Willoughby Integrated Transport Strategy* supports the use of on-street parking meters as a demand management tool to mitigate traffic congestion, manage road networks, promote active transport and enhance residents' amenity.

5. CONCLUSION

The increase in parking fees outlined in this report will align Willoughby Council's metered parking rates with industry benchmarks and neighbouring councils. The additional increase is proposed to take effect from 1 February 2024.

It is also recommended that the *Street Parking Strategy* be updated to align with the increased rates and the *Willoughby Integrated Transport Strategy*.

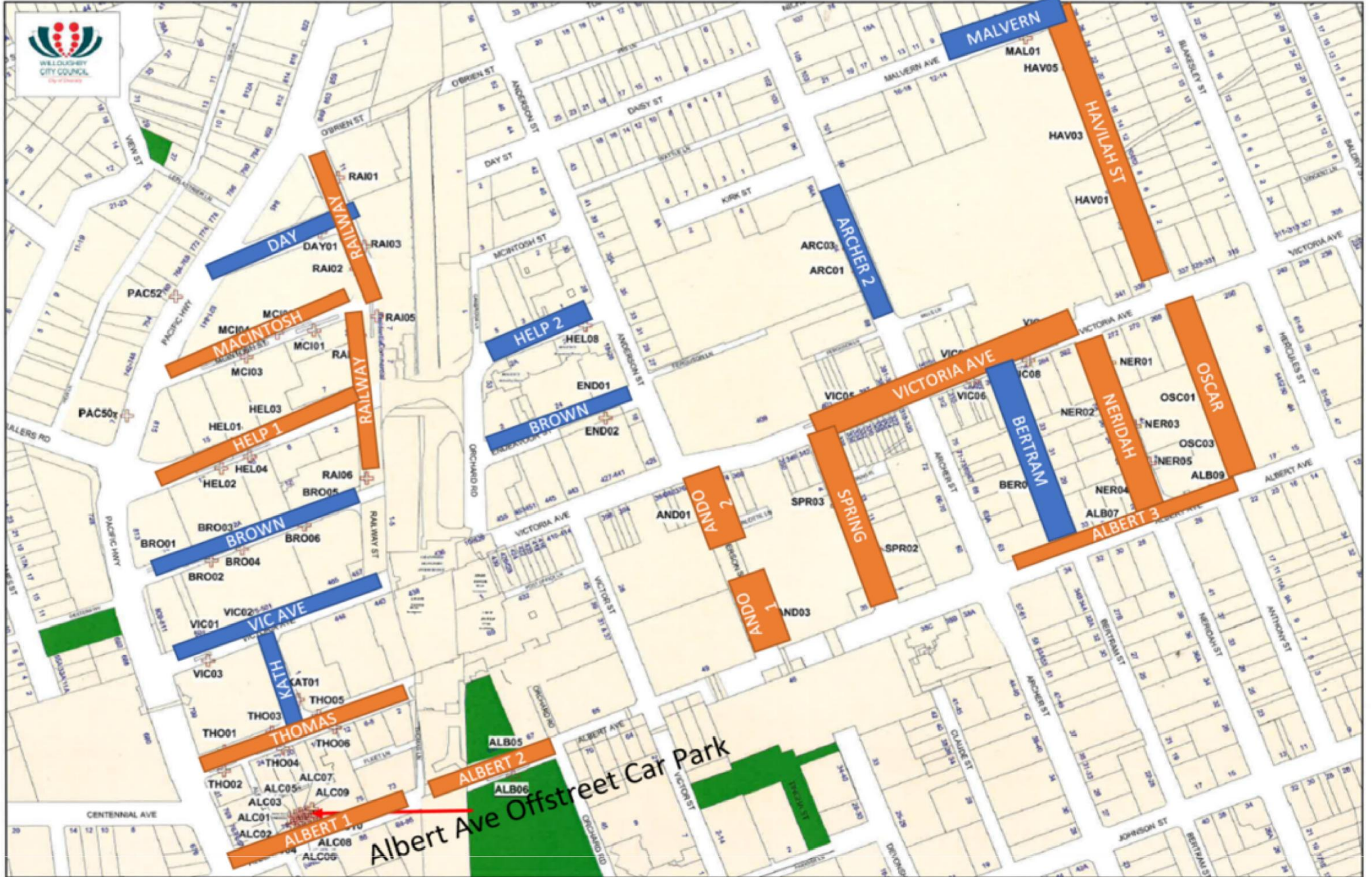
A further traffic impact study is recommended to explore expanding the coverage of paid parking zones in Willoughby and funding will be sought for this as part of the 2024/2025 operational plan and budget process.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	2.4 – Manage parking and reduce traffic congestion
Business Plan Objectives, Outcomes / Services	To ensure that <i>Street Parking Strategy</i> aligns with other Council policies and strategies.
Policy	This matter relates to Council policy <i>Street Parking Strategy</i> and <i>Willoughby Integrated Transport Strategy</i>
Consultation	Consultation was undertaken with internal staff from Traffic and Transport Team and Strategic Planning Unit. The findings were presented at the Councillor Briefing on 11 September 2023.
Resource	There should be no additional impact on existing operational resources.
Risk	No risk identified
Legal	Not Applicable
Legislation	Not Applicable
Budget/Financial	\$30,000 in funding will be sought in the 2024/2025 operational plan and budget process.

PARKING METERS IN CHATSWOOD CBD AS AT 30/04/2018

ATTACHMENT 2



PARKING METERS IN ARTARMON & ST LEONARDS AS @ 30/04/2018

ATTACHMENT 3



PLANNING & INFRASTRUCTURE DIRECTORATE

12.11 PUBLIC EXHIBITION OF DRAFT COMMUNITY PARTICIPATION PLAN

ATTACHMENTS:	1. IMPLICATIONS 2. DRAFT COMMUNITY PARTICIPATION PLAN 3. KEY DIFFERENCES BETWEEN CURRENT AND PROPOSED FUTURE COMMUNITY PARTICIPATION PLAN 4. RESULTS OF COMMUNITY FEEDBACK TO INFORM PLAN DEVELOPMENT (ATTACHMENTS 2-4 INCLUDED IN ATTACHMENT BOOKLET)
RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHORS:	MITCHELL NOBLE – HEAD OF PLANNING JACQUELINE TYRRELL – DEVELOPMENT ASSESSMENT PROJECT OFFICER
CITY STRATEGY OUTCOME:	5.5 – MAKE IT EASY FOR CITIZENS TO PARTICIPATE IN DECISION MAKING
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To seek Council's approval to place a revised Community Participation Plan (CPP) on public exhibition.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Endorse the public exhibition of the revised Community Participation Plan for at least 28 days.**
- 2. Receive a further report on the outcomes of the public exhibition at the December 2023 Council meeting if there are less than ten submissions, or the February 2024 Council meeting if there are ten or more submissions.**
- 3. Authorise the Chief Executive Officer to make any necessary amendments to the documents which do not alter the intent or result in material changes to these documents in preparation for public exhibition, including the graphic design of the draft Community Participation Plan.**

3. BACKGROUND

Community Participation Plans (CPPs) set out how planning authorities will engage with their communities about decision making concerning planning matters such as development applications and planning proposals.

CPPs were introduced as a statutory requirement for planning authorities such as Councils and NSW Government agencies with planning approval functions in 2019. Council adopted the Willoughby Community Participation Plan shortly afterwards in June 2020.

Council commenced a review of the broader Community Engagement Framework in mid-2022, which was endorsed for public exhibition at the December 2022 Council Meeting, and subsequently adopted by Council in May 2023.

In the December 2022 Council Report it was noted the review of the Community Participation Plan would be undertaken following the adoption of the Community Engagement Framework.

4. DISCUSSION

The Community Participation Plan (CPP) has been reviewed to ensure it meets statutory and regulatory requirements, and responds appropriately to community needs.

Considerations in the CPP review include:

- Matters required to be considered in the preparation of Community Participation Plans, as outlined in Section 2.23 of the Environmental Planning and Assessment (EP&A) Act
- Relevant changes to the planning regulatory environment since 2019, including for council-related development applications and development application newspaper advertising
- The IAP2 Public Participation Spectrum
- Community feedback collected during 2023 via the draft Community Engagement Strategy and a HYS survey, and informal and unsolicited community feedback
- Internal staff feedback collected in September 2023
- The Council's Community Strategic Plan, *Our Future Willoughby 2032*

In April 2023, legislative changes commenced to require Councils to manage conflicts of interest arising in relation to council-related development applications, including requiring a 28-day notification period for these applications. These legislative changes are reflected in the revised CPP.

As a result of this work, a revised and updated CPP has now been developed for public exhibition.

The CPP Plan is one of the three elements which form part of the Council's Community Engagement Framework, which includes:

Community Engagement Policy

- Defines Council's engagement principles, elements of the Council's Community Engagement Framework and internal roles and responsibilities.

Community Engagement Strategy

- Prepared in line with Section 402A of the Local Government Act.
- Defines how the Council undertakes engagement on a wide range of matters, including non-statutory strategic planning matters.
- Excludes statutory planning and development matters.

Community Participation Plan

- Defines how the Council undertakes engagement on statutory planning and development matters referred to in Division 2.6 and Schedule 1 of the *Environmental Planning and Assessment Act*, and some other planning matters such as certification and land reclassification.

Existing Community Participation Plan

On 19 November 2019, the Council endorsed the existing CPP, which defines how Council undertakes engagement on matters covered by the *Environmental Planning and Assessment Act* and the *Environmental Planning and Assessment Regulation*.

Since its endorsement in 2019, the CPP has been amended to remove the need to advertise in the North Shore Times. This change has been carried through into this current review of the CPP, as it is no longer a legislated requirement. The official legislative change came about as a result of the COVID-19 pandemic.

As noted above, the CPP was also amended in March 2023 to introduce a 28-day notification requirement for council-related development applications.

Strategy preparation and content

A revised Community Participation Plan (at **Attachment 2**) has been developed, as part of an updated Community Engagement Framework. The draft Community Participation Plan outlines how Council should undertake community engagement and notification on statutory planning matters.

Key changes made to the Community Participation Plan include:

- A revised structure to the Plan which focusses on Strategic Planning, Development Assessment and Certification resulting in a more concise, streamlined, and easier to understand document.
- The 2,000 letter limit has been removed for LGA-wide planning control changes, and replaced with a new requirement for all affected community members to be notified of the proposed change.
- Two additional notification categories for development applications, and a revised order of notification categories incorporating Categories A-F (new notification categories for high interest development and council-related development applications).
- Extended 200m radius notification zone for high interest development applications, including development over 35m in height, as defined in Category D.
- The introduction of a defined notification zone for site-specific planning proposals, including a 200m radius notification zone for site-specific planning proposals which are considered to be significant as per Table 3 in the Plan.
- Requiring Planning Agreements to be notified via Council's Have Your Say site; and to be notified at the same time as, and in the same way as, the associated Planning Proposal, where practicable.
- Improved process and privacy management.
- The Plan is updated to reflect relevant legislation, including a 28-day notification period for council-related development applications.

The new CPP will formerly replace Council's existing Community Participation Plan, endorsed in 2019. An explanation of the differences between the previous and proposed CPP's is outlined at **Attachment 3**.

The new CPP is proposed to go on public exhibition during November 2023, and into early 2024, utilising Council's Have Your Say webpage. A minimum 28-day consultation period will be provided to allow interested parties to comment on the draft Plan.

Engagement activities are proposed to include:

- Creation of Have Your Say portal page, including online survey
- The placement of the CPP on the NSW Planning Portal
- Notifying Progress Associations, Chambers of Commerce and other group stakeholders
- Promote to entire Have Your Say database and Council News newsletter
- Media release
- Social media promotion
- A community workshop

Early feedback received on the review of the CPP

In February and March 2023, as part of the Community Engagement Strategy exhibition, Council asked the community to suggest matters which should be considered in the CPP review. A total of two (2) comments were received, which are included at **Attachment 4**.

In June 2023, Council sought initial community feedback on matters which should be considered in the CPP review process via Have Your Say. A total of four (4) responses were received. The feedback received has been responded to in the review of the Plan, and is included at **Attachment 4**.

Council has also received unsolicited informal community feedback concerning the adequacy of notification of development applications in the Chatswood West area, including a child care centre and high-rise housing proposals; and on the need for greater clarity on Council's processes in relation to supplying submissions on strategic planning matters to proponents. This feedback has also been considered in this review.

Implementation

The revised CPP is expected to lead to clearer and improved notification and engagement processes.

The precise cost of implementing the revised CPP has not been quantified, but is expected to be able to be managed through the normal budget process, particularly in the preparation of budgets for the 2024/25 and 2025/26 financial years. It is anticipated there will be some additional costs associated with the additional notification process, which will be factored into Council's fees and charges document and will be recovered.

Legislative framework

Under Section 8A(3) of the *NSW Local Government Act* (LG Act), all NSW local councils are required to "actively engage with their local communities, through the use of the integrated planning and reporting framework and other measures".

In addition, under the Environmental Planning and Assessment (EP&A) Act, all councils are required to prepare a Community Participation Plan (CPP) outlining how it will conduct community engagement in relation to planning functions outlined in Division 2.6 of the EP&A Act. These functions include:

- The creation and amendment of planning instruments, which could include changes to height and floor space standards or zoning amendments
- Other strategic planning tasks, such as the exhibition of Local Strategic Planning Statements (LSPSs), Planning Agreements and Contribution Plans; and
- The assessment of Development Applications (DAs) and Environment Impact Statements (EISs)

This CPP fulfils the above legislative requirement, and, if adopted, will replace the CPP adopted in November 2019 and subsequent versions.

5. CONCLUSION

It is recommended that the revised Community Participation Plan be placed on public exhibition for a period of 28 days commencing in November 2023. A further report detailing the outcome of the consultation process will be presented for consideration in December 2023 if there are less than ten submissions, and in February 2024 if there are ten or more submissions.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.5 – Make it easy for citizens to participate in decision making
Business Plan Objectives, Outcomes / Services	The community contributes to Council decision making through effective engagement.
Policy	To oversee the Council's approach to community engagement
Consultation	Community members were surveyed to inform this Policy and Strategy. Further engagement will take place.
Resource	Internal resources were used for this project
Risk	The Strategy, if implemented, is likely to reduce the risk to Council projects, by supporting community sentiment and feedback to be considered before these projects are implemented.
Legal	Covered in Legislative Framework above
Legislation	The draft Plan was prepared with consideration of Section 2.23 of the Environmental Planning and Assessment (EP&A) Act
Budget/Financial	The exact cost of draft Plan implementation has not been quantified, but is expected to be able to be managed through the normal budget process, particularly in the preparation of budgets for the 2024/25 and 2025/26 financial years. It is anticipated there will be additional costs associated with the additional notification process, which will be factored in.

12.12 PLANNING PROPOSAL - 43 DONNELLY ROAD, NAREMBURN

ATTACHMENTS:	1. IMPLICATIONS 2. PLANNING PROPOSAL 3. INTERIM HERITAGE ORDER GAZETTED ON 26 MAY 2023 4. 43 DONNELLY ROAD NAREMBURN HERITAGEASSESSMENT, PREPARED BY VANESSA HOLTHAM HERITAGE & ARCHITECTURE (ATTACHMENTS 2-4 INCLUDED IN ATTACHMENT BOOKLET)
RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	JANE LIANG – STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	2.2 - RESPECT AND CELEBRATE OUR INDIGENOUS AND NON—INDIGENOUS HISTORY AND HERITAGE
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

The purpose of this report is to seek Council's endorsement to submit a Planning Proposal to the Minister for Planning to amend the *Willoughby Local Environmental Plan 2012* (**Willoughby LEP**) by expansion of the existing local heritage item No. 160, presently described in Schedule 5 of the Willoughby LEP as '*St Leonard's Catholic Church (including original interiors)*' at 43 Donnelly Road, Naremburn.

2. OFFICER'S RECOMMENDATION

That Council:

1. Upon consideration of a report prepared by Vanessa Holtham, heritage architect, titled '43 Donnelly Road, Naremburn Heritage Assessment', the Presbytery and School Buildings located at 43 Donnelly Road, Naremburn (Lot 1 in Deposited Plan 115889, Lot A in Deposited Plan 341975 and Lot 1 in Deposited Plan 320984) form, with the St Leonard's Catholic Church, a complex of buildings that are of local heritage significance such that the Council proceed with the Planning Proposal to list the complex of buildings as a local heritage item.
2. Council place on Schedule 5 of the *Willoughby Local Environmental Plan 2012* the complex of buildings located at 43 Donnelly Road, Naremburn (Lot 1 in Deposited Plan 115889, Lot A in Deposited Plan 341975 and Lot 1 in Deposited Plan 320984), by:
 - a. Forwarding the Planning Proposal to the Minister administering the *Environmental Planning and Assessment Act 1979* for a Gateway Determination under section 3.34 of the Act.
 - b. Endorsing the Planning Proposal for public exhibition which is to be undertaken in accordance with the requirements of any Gateway Determination from the Minister; and

- c. **Requesting that the Minister nominate Council as the local plan-making authority pursuant to section 3.31 of the Act and delegate to the Head of Planning authority to make, as required, minor amendments to the Planning Proposal which do not alter its policy intent.**
3. **Council notes a further report will be provided to Council after the public exhibition of the Planning Proposal.**

3. BACKGROUND

The Planning Proposal has been prepared to acknowledge and move on the findings of a report prepared by Vanessa Holtham, heritage architect (**Holtham Report**, see **Attachment 4**), which identified that the complex of buildings located at 43 Donnelly Road, Naremburn (**Property**) have local heritage significance.

Presently, only part of the Property — being the St Leonard's Church and its original interiors and a small area of curtilage — are itemised on Schedule 5 of the *Willoughby Local Environmental Plan 2012* (**Willoughby LEP**).

On 9 November 2021, a development application was lodged with Council for the carrying out of a mixed use development including a multi dwelling housing development, single dwellings and other uses, on the Property.

The development application sought to convert the extant St Leonard's Presbytery (**Presbytery**) to a single dwelling and demolish a series of buildings associated with the former St Leonard's Catholic School (**School Buildings**). The Presbytery and the School Buildings are not presently listed under Schedule 5 of the Willoughby LEP.

On 26 July 2022, Council refused the development application. On 13 September 2022, proceedings were commenced in Class 1 of the Land and Environment Court against Council's refusal to grant development consent. The development application proceedings are ongoing.

On 27 February 2023, Council resolved to include the Presbytery as an item of potential local significance as part of the 2023/4 Council Heritage Review. It also resolved that Council should be notified if staff become aware that the School Buildings have potential heritage value.

On 22 May 2023, after considering a Preliminary Heritage Assessment prepared by Vanessa Holtham, heritage consultant, and a report prepared by Council staff, Council resolved to make an interim heritage order (**IHO**, see **Attachment 3**) in respect of the Presbytery and School Buildings.

The IHO temporarily prevents the buildings and structures on the site from being demolished. The IHO will lapse on 22 November 2023, unless Council has resolved to place these items on Schedule 5 of the Willoughby LEP by that date, in which case it will lapse on 22 May 2024.

On 26 May 2023, the IHO was published in the *New South Wales Government Gazette* and the owners of the Property, the Trustees of the Roman Catholic Church for the Diocese of Broken Bay, were notified and provided with a copy of the IHO. The making of the IHO was notified to members of the public.

The owners of the Property commenced proceedings in Class 1 of the Court against the making of the IHO. The IHO proceedings are ongoing and are listed for hearing on 24 and 26

October 2023 (they were originally listed for hearing on 25 and 26 September 2023, with these dates being vacated at the request of the Diocese).

These proceedings do not prevent the progression by Council of the Planning Proposal. The owners of the Property and members of the public will have the opportunity to comment on the Planning Proposal when it is publicly exhibited.

This report seeks Council's endorsement to submit a Planning Proposal to the Minister in relation to expand the heritage listing of item No. 160 to acknowledge that, in addition to the St Leonard's Catholic Church, an extant presbytery and buildings associated with the former St Leonard's Catholic School are, having regard to their collective social significance and representativeness of the symbiotic operation of religious and educational functions within a precinct, of local heritage significance.

4. DISCUSSION

Heritage consultant report

Following the making of the Interim Heritage Order (and considering the Preliminary Heritage Assessment), Council engaged Vanessa Hotham (heritage architect) to carry out an assessment of the local heritage significance of built elements of the Property — the Holtham Report. "*Local heritage significance*", as defined by section 4A of the *Heritage Act 1977*, means:

[S]ignificance to an area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.

The Holtham Report establishes that, as a matter of historical record:

The St Leonard's Catholic Church was constructed in two stages — the first in 1913, comprising its central portion, half of the nave and a chapel, and the second in 1955, comprising a western extension and the visually prominent spire.

- In 1919 and 1917, respectively, the Presbytery and its adjacent garage were constructed, the Presbytery being a two-storey brick building of Gothic design. The construction of the Presbytery was said at the time to be a symbol of the "*great catholic progress of the district*".
- In 1932, the westernmost school building was constructed, "*an Inter-War building constructed in the stripped classical style with functionalist influences*". It was said that the intention of the construction of a school on the Property would be a "*practical illustration of the progress of the faith and of the impregnable position of the church in this young country; a building that, for generations, will supply tangible evidence of the faith and fervour of the Catholic of Naremburn*".
- In 1936, the easternmost school building was constructed to accommodate increasing enrolments, with the materials for this building being recycled from the site of a former school and church in Market Street.
- At some point in the early-1970s and mid-1980s, accretions to the School Buildings were constructed, linking the buildings and adding additional floorspace.

Having regard to its detailed historical findings, the Holtham Report has undertaken an assessment of the built elements of the Property — the Church, School Buildings and Presbytery — against the seven criteria for establishing heritage significance identified by the Heritage Council of New South Wales (see *Assessing Heritage Significance: Guidelines for assessing places and objects against the Heritage Council of NSW Criteria*, published by the Environment and Heritage Group, Department of Planning and Environment, May 2023).

The Holtham Report also considered relevant historical themes and the integrity and condition of the buildings, and includes a comparative analysis against similar religious and educational precincts in Greater Sydney.

The Holtham Report concludes that the Church, School Buildings and Presbytery have local historical significance *"as a complex"*. It notes explicitly that there was a *"considered evolution"* of the complex, evinced by the links between extant built and landscape elements. It finds that, against the Heritage Council's seven criteria, the complex of buildings has historical, aesthetic, social and representative significance.

The Holtham Report identifies not only that the condition of the buildings is either *"Excellent"*, *"Good"* or *"Fair"*, but that the between them retains *"a high degree of integrity in arrangement, form and setting"*. The 1970s and 1980s accretions, while acknowledged as including *"an intrusive addition"*, are not said to detract from the visual contribution of the School Buildings to the complex.

The collection of buildings, having regard to their history, are stated by the Holtham Report to be *"representative of the symbiotic operation of religious and educational functions contained within a single precinct"*. In their broader context, the complex — particularly the School Buildings — are found by the Holtham Report to have *"a visual and physical conduit between this group and other nearby religious buildings"*.

The Holtham Report, including the description of the statement of significance, can be viewed in full at **Attachment 4**.

Planning Proposal

A Planning Proposal has been prepared by Council staff in order to amend the Willoughby LEP to expand item No. 160 to include the Presbytery and School Buildings (in addition to the existing listing of the St Leonard's Catholic Church). The *"Property description"* of the item, for the purposes of Schedule 5 to the Willoughby LEP, would be defined by reference to lot boundaries, having regard to the Holtham Report's recognition of the importance of the spatial and landscaping relationship between the buildings and its curtilage. The Planning Proposal can be viewed at **Attachment 2**.

The Planning Proposal outlines how it aligns with the strategic objectives of the Greater Sydney Commission's *"A Metropolis of Three Cities – The Greater Sydney Region Plan, March 2018"*, and *"the North District Plan 2018"*. The Planning Proposal also details its consistency with the relevant heritage-related aims contained within the *"Our Future Willoughby 2032"* as well as Council's *"Local Strategic Planning Statement 2020"*.

The Planning Proposal has been prepared in accordance with the Department of Planning & Environment's *"Local Environmental Plan Making Guideline"* and the requirements of section 3.33 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The Planning Proposal was provided to the Willoughby Local Planning Panel for advice on 10 October 2023. The Panel's advice was as follows:

The Panel advises it supports the planning proposal being forwarded to the DP&E for a Gateway consideration having considered the findings of the heritage expert Vanessa Holtham that the presbytery and school buildings have local historical significance as a complex and meets the threshold for listing as a local heritage item in the Willoughby Local Environmental Plan 2012 (WLEP 2012).

Should Council resolve to proceed with the Planning Proposal, Council staff will forward the Planning Proposal to the Department of Planning & Environment for a Gateway Determination.

5. CONCLUSION

After having assessed the buildings on the Property against the seven criteria for establishing heritage significance identified by the Heritage Council of New South Wales (see *Assessing Heritage Significance: Guidelines for assessing places and objects against the Heritage Council of NSW Criteria*, published by the Environment and Heritage Group, Department of Planning and Environment, May 2023) it is evident that St Leonard's Church, Presbytery and School Buildings and their grounds are of local heritage significance.

The Planning Proposal, which has been prepared consistently with section 3.33 of the EP&A Act, would amend the Willoughby LEP to ensure that this significance is recognised.

It is therefore recommended that Council forward the Planning Proposal to the Department of Planning and Environment, seeking a Gateway Determination under section 3.34 of the EP&A Act.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	2.2 – Respect and celebrate our history and heritage sites
Business Plan Objectives, Outcomes / Services	To identify, conserve and enhance environmental heritage.
Policy	This matter relates to Council's Local Strategic Planning Statement (LSPS) in particular Priority 5 <i>Respect and celebrate our history, heritage sites and attractions of Willoughby City</i> , and Council's Local Environmental Plan and in particular the Schedule containing all items listed as having local Heritage significance.
Consultation	Should Council decide to proceed with the Planning Proposal, community consultation would be required by the Gateway Determination, should one be issued by the Department of Planning and Environment.
Resource	Additional officer time required to prepare and coordinate necessary revisions to the Willoughby LEP. Operating resources used to prepare this report and additional consultant resources were required to undertake the Heritage Study Review.
Risk	The risk of damage to or loss of these buildings is real with a current Class 1 development appeal on foot. Without the proposed amendments to the Willoughby LEP, no long-term heritage protection is available to the School Buildings, Presbytery and other elements of the Property which are not presently itemised, increasing the likelihood of loss.
Legal	The Planning Proposal will amend the <i>Willoughby Local Environmental Plan 2012</i> .
Legislation	<i>Heritage Act 1977</i> and <i>Environmental Planning and Assessment Act 1979</i> .
Budget/Financial	This is within approved budget.

12.13 DEVELOPMENT ASSESSMENT REPORT - QUARTER 1 (1 JULY TO 30 SEPTEMBER 2023)

ATTACHMENTS:	1. IMPLICATIONS 2. VARIATIONS TO DEVELOPMENT STANDARDS – QUARTER 1 3. APPLICATIONS DETERMINED – QUARTER 1 4. CURRENT DEVELOPMENT APPLICATIONS AS AT 03 OCTOBER 2023 (ATTACHMENTS 2-4 INCLUDED IN ATTACHMENT BOOKLET)
RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	MITCHELL NOBLE – HEAD OF PLANNING
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To provide Council with details relating to development assessment for quarter 1 (1 July to 30 September 2023).

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Note the variations to development standards and development applications determined under delegated authority during quarter 1 (1 July to 30 September 2023).**
- 2. Note the current development applications list as at 03 October 2023.**

3. BACKGROUND

Quarterly reports are prepared for Council to note variations to development standards and applications determined under delegated authority (including those to be determined by the Sydney North Planning Panel) during that quarter.

This report presents Council with the results for quarter 1.

4. DISCUSSION

337 Development Applications were either lodged, under assessment or determined during quarter 1, out of which 10 were determined by either Willoughby Local Planning Panel, Sydney North Planning Panel or Land and Environment Court.

1 Development Application was withdrawn and therefore has been excluded in the total figures.

Variations to development standards

6 applications were approved with a variation to development standards, of these 4 were approved by Council staff under delegation. Details are provided in **Attachment 2**.

Development Applications determined under delegated authority

104 Development Applications were determined under delegated authority during quarter 1. **Attachment 3** provides details of these applications arranged by suburb.

A summary of Development Applications determined under delegated authority during quarter 1 is shown in Figure 1.

Figure 1: Development Application determinations under delegated authority – Q1

Area	Consent	Deferred Commencement	Refused	Rejected	Total
Artarmon	10	0	0	0	10
Castle Cove	9	0	0	0	9
Castlecrag	10	0	0	0	10
Chatswood	22	0	1	0	23
Chatswood West	2	0	1	0	3
Lane Cove North	2	0	0	0	2
Middle Cove	1	0	0	0	1
Naremburn	9	1	0	0	10
North Willoughby	3	0	0	0	3
Northbridge	10	0	1	0	11
Roseville	6	0	0	0	6
St Leonards	1	0	0	0	1
Willoughby	12	0	0	0	12
Willoughby East	3	0	0	0	3
Total	100	1	3	0	104

3 Development Applications were refused under delegated authority during quarter 1:

1. 12/28 Smith Street, Chatswood

Reasons for refusal were noted as follows:

1. The proposed development is consistent with the objectives of the zone under *WLEP 2012 / WLEP 2020*.
2. The proposed development does not meet with the relevant objectives of *WDCP*.
3. The proposed development will not have a significant impact on the existing streetscape or compromise the natural and scenic qualities of the locality.
4. The proposed development will present unreasonable impacts on the residential amenity of adjoining or nearby properties.
5. It is considered that any adverse effects to the present and likely future amenity of the locality are of such an extent as to warrant refusal of the application.

2. 64 Millwood Avenue, Chatswood West

Reasons for refusal were noted as follows:

1. The proposed development is not consistent with the objectives of the zone under *WLEP 2012*.
2. The proposed development complies with the development standards under *WLEP 2012*.
3. The proposed development does not comply with the objectives of *WDCP*.
4. The proposed development will have a significant impact on the existing streetscape and compromise the natural and scenic qualities of the locality.
5. The proposed development will have significant and unreasonable impacts on the residential amenity of adjoining or nearby properties.
6. It is considered that any adverse effects to the present and likely future amenity of the locality are of such an extent as to warrant refusal of the application.

3. 16 Coolawin Road, Northbridge

Reasons for refusal were noted as follows:

1. The proposed development is not consistent with the objectives of the zone under *WLEP 2012 / WLEP 2020*.
2. The proposed development is not considered to comply with all relevant objectives of *WDCP*.
3. The proposed development will not have a significant impact on the existing streetscape or compromise the natural and scenic qualities of the locality.
4. The proposed development will have unreasonable impacts on the residential amenity of adjoining or nearby properties.
5. It is considered that any adverse effects to the present and likely future amenity of the locality are of such an extent as to warrant refusal of the application.

Current development applications

217 development applications were under assessment as at 03 October 2023.

A summary of development applications (shown by approving authority) is shown in Figure 2.

Figure 2: Current development applications as at 03 October 2023

Development applications	
Delegation	176
Willoughby Local Planning Panel	27
Land and Environment Court	10
Sydney North Planning Panel	4
Total	217

In addition, 5 Planning Proposals Applications were either being assessed or progressed by Council, details of which are shown in **Attachment 4**.

5. CONCLUSION

The information for quarter 1 is now available for Council to note.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes / Services	<p>To ensure appropriate planning principles are applied to all new development in order to achieve a liveable, sustainable and resilient city.</p> <p>To keep Councillors and the community informed in order to ensure transparency and confidence in the organisation.</p>
Policy	There are no policy implications resulting from this report.
Consultation	Consultation is undertaken in accordance with Council's notification policy.
Resource	Assessments are undertaken within Council's resource allocation.
Risk	Each assessment considers risks of the relevant development and conditions the applications appropriately.
Legal	There are no legal implications resulting from this report.
Legislation	Applications are assessed in accordance with the <i>Environmental Planning & Assessment Act 1979</i> .
Budget/Financial	Council's costs of assessing Development Applications are within the budget allocation for 2023/24. The costs are offset in part from the income derived from application fees in accordance with Council's adopted fees and charges.

12.14 WCC PROPERTY REPORT - OCTOBER 2023

ATTACHMENTS:	1. IMPLICATIONS 2. CONFIDENTIAL - VACANCY AND LEASING REPORT 3. CONFIDENTIAL – 4 MCLACHLAN STREET, ARTARMON (ATTACHMENTS 2 & 3 INCLUDED IN CLOSED AGENDA)
RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	RUPERT GILROY – PROPERTY MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

This report provides an update of Council's property lease portfolio.

2. OFFICER'S RECOMMENDATION

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

3. BACKGROUND

This report is provided as a monthly report on Council's property lease portfolio, with public information outlined below and confidential information relating to this report is contained in **Attachments 2**.

4. DISCUSSION**REASON FOR CONFIDENTIALITY**

Attachment 2 is Confidential in accordance with *Section 10A(2)(d)(i) of the Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

This paper is confidential as disclosure of information in it could put Council at a commercial disadvantage in its future dealings with external parties and would also make public commercially confidential information pertaining to the matters.

Tenant Update

Trading conditions at the Concourse are back to normal, and the majority of tenants are paying their rent, and back rent, on time. However, risk still remains on all outstanding lease amounts being collected.

The Gibbes Street industrial properties continue to trade well, with all tenants paying their rent on time.

Rent arrears at 30 Aug 2023 are \$984,741 (30 August 2023, \$1,096,953), a decrease of \$112,211 over the last month.

Lease Expiries and New Leases

For the broader property portfolio:

- Leases Expiring - Nil this month to report on
- Active steps are being taken to lease vacant shops at The Concourse.

A summary of the expired leases and new leases is in **Confidential Attachment 2**.

Confidential Attachment 3 outlines a lease for a Council owned property.

5. CONCLUSION

The performance of The Concourse tenants continues to improve, with lease arrears reducing during the month.

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 provision of the report is to inform Council of the current status of the financial performance of Council's property lease portfolio.
Policy	This report was produced pursuant to a resolution of Council.
Consultation	Council officers' preparation of this report was informed by ongoing communication with tenants of Council's leased properties.
Resource	There are no resourcing implications associated with this report's recommendation.
Risk	This report provides an overview of the leased property portfolio. For confidentiality reasons, it does not identify any commercial information for individual tenancies. Councillors can access further information pertaining to risks associated with individual tenancies in the accompanying confidential attachment.
Legal	Council's leases provide for formal action to be initiated where parties breach the terms of a lease.
Legislation	Any actions to be taken on individual tenancies will be in accordance with the provisions of the <i>Retail Leases Act 1994</i> and the <i>NSW Retail and Other Commercial Leases (COVID-19) Regulation 2022</i> .
Budget/Financial	Council holds bank guarantees for tenants in arrears and has made provisions for potential bad debts. Consequently, Council's lease portfolio represents an acceptable level of financial risk at this time.

12.15 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF OH REID RESERVE ACTION PLAN 2023

ATTACHMENTS:	1. IMPLICATIONS 2. O.H REID RESERVE ACTION PLAN 2023 3. EXHIBITION SUMMARY REPORT – O.H REID – RESERVE ACTION PLAN – APRIL 2023
RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	NICHOLAS YU – NATURAL ASSETS OFFICER
CITY STRATEGY OUTCOME:	1.3 – ENHANCE, PROTECT AND RESPECT WATERWAYS, BUSHLAND, NATURE, WILDLIFE
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To adopt the amended *O.H Reid Reserve Action Plan 2023* after considering feedback received during the exhibition process.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Adopt the *O.H Reid Reserve Action Plan 2023* as amended and attached to this report at Attachment 2.**
- 2. Rescind the *O.H Reid Reserve Action Plan 2018*.**
- 3. Write to everyone that provided a submission to thank and notify them of the outcomes of the exhibition.**
- 4. Delegate authority to the Chief Executive Officer to make minor amendments to the *O.H Reid Reserve Action Plan 2023* which do not alter the intent.**

3. BACKGROUND

The *O.H Reid Reserve Action Plan (the Plan)* was adopted by Council in June 2018. The Plan is reviewed annually and updated every five years. Accordingly, the plan has been publicly exhibited, submissions considered and an updated draft has been prepared for Council's adoption through this report.

4. DISCUSSION

Reserve Action Plans contain the practical actions for individual bushland reserves and provide detailed site specific information including proposed management actions, maps, reserve profile, statement of significance, reserve impacts, wildlife habitat issues, achievements, and a native plant species list.

The key actions in the draft *O.H Reid Reserve Action Plan 2023* are outlined in **Attachment 2** include bush regeneration, wildlife Monitoring and habitat Creation.

The exhibition period for the draft *O.H Reid Reserve Action Plan 2023* occurred for a one-month period from 3 July 2023 to 31 July 2023. The Action Plan was exhibited on Council's Have Your Say webpage, letters were distributed to approximately 296 surrounding properties, and signage was placed at O.H Reid Reserve.

The public consultation resulted in 17 responses, 16 through Have Your Say, one via email and one via mail. Two Have Your Say submissions did not provide specific comment or feedback. A public exhibition summary report, including methods of consultation, a summary of submissions received and responses from Council Officers are outlined in **Attachment 3**.

Comments received were generally supportive of the plan, and work to date, and sought a focus on bushfire management. Following the consultation period, several amendments were made:

- Updating information in action 2 to reflect bush regeneration contractor maintenance inspections.
- Reference to a nearby development application.
- A spelling correction in Action 3.
- Grammar corrections in Action 22.

5. CONCLUSION

The draft *O.H Reid Reserve Action Plan 2023* has been publicly exhibited, with considerations given to all submissions received. The *O.H Reid Reserve Action Plan 2023* is recommended for Council's adoption.

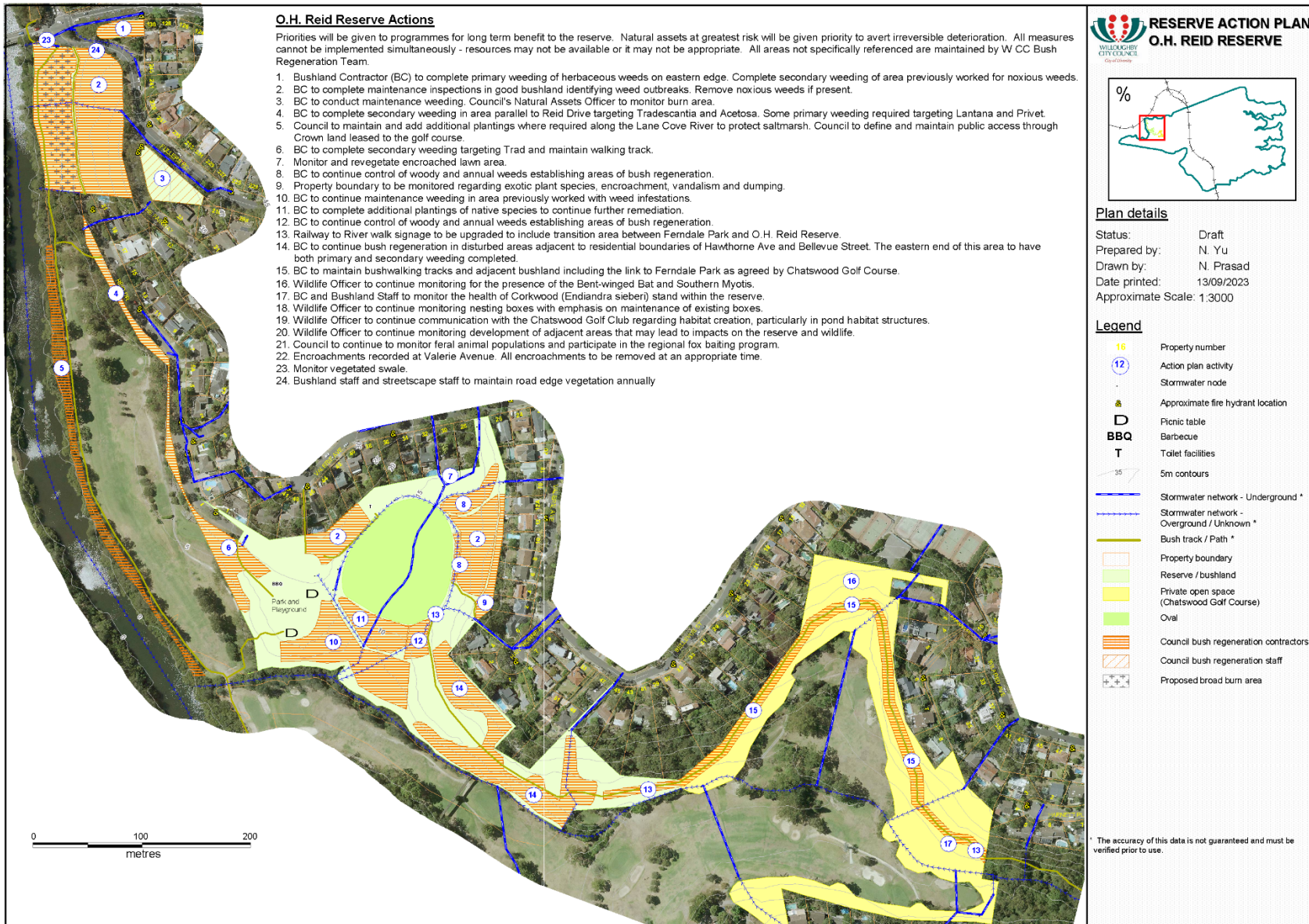
ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	1.3 – Enhance, protect and respect waterways, bushland, nature, wildlife
Business Plan Objectives, Outcomes/ Services	Assist in the implementation of the Reserve Action Plans as required by the <i>Urban Bushland Plan of Management 2023</i> .
Policy	<i>The Urban Bushland Plan of Management 2023</i> guides the future management of bushland across the Willoughby Local Government Area.
Consultation	Consultation has occurred with the community using Council’s Have Your Say webpage and by email. All comments have been responded to and letters were sent to 296 properties. Signage was erected on site.
Resource	Works can be undertaken within Council’s present staff and contract resourcing.
Risk	No specific risks are generated by the <i>O.H Reid Reserve Action Plan 2023</i> . Implementation of the plan will address identified risks.
Legal	There are no legal implications arising from the <i>O.H Reid Reserve Action Plan 2023</i> .
Legislation	Adoption of the <i>O.H Reid Reserve Action Plan 2023</i> is in accordance with all relevant legislation.
Budget/Financial	There are no additional costs to the recurrent budget or e.restore levy for this work plan.

Reserve Action Plan O.H Reid Reserve

2023





Draft O.H. Reid Reserve Action Plan

Reserve Profile

O.H. Reid Reserve is a narrow 9.3 ha, irregularly shaped and fragmented area of bushland within the Lane Cove River catchment in Chatswood West. It is a combination of recreational open space with an oval, children's playground, picnic tables, barbecues, walking tracks and bushland. Much of the northern boundary is residential properties, south is Chatswood Golf Course, east is Ferndale Park and west the Lane Cove River. The north-west edge of the Reserve links to the Lane Cove National Park at the Fullers Road Bridge.

Swaines Creek runs through the southern section of the Reserve adjacent to the golf course. It travels from Ferndale Park and there is an estuary at the mouth of the creek flowing into the Lane Cove River. Council and Crown land located along the river is part of a lease to the golf course. Land adjacent east of the Reserve is owned by the golf course and allows walkers to connect to Ferndale Park.

PLANT COMMUNITY: Coastal Sandstone Foreshores Forest (S_DSF06) is the predominant community found through most of the Reserve and consists of open forest with a moist shrub layer and a ground cover of ferns, rushes and grasses. The canopy is mostly smooth-barked apple (Angophora costata), Sydney peppermint (Eucalyptus piperita) and blackbutt (Eucalyptus ptilularis) with some coast banksia (Banksia integrifolia). A prominent layer of hardy mesic small trees and shrubs is present, including sweet pittosporum (Pittosporum undulatum), cheese tree (Glochidion fernandii) and blueberry ash (Elaeocarpus reticulatus). Along the Lane Cove River there is Estuarine Swamp Oak Forest (S_FoW08) and Estuarine Mangrove Forest (S_SW01). Estuarine Swamp Oak Forest is the area between woodland and mangroves and consists mainly of Swamp oak (Casuarina glauca) which form dense stands above a thick ground cover of salt tolerant herbs, rushes and sedges. The shrub layer is low-growing and sparse with relatively low species diversity. Estuarine Mangrove Forest is in the estuary zone of the creek connecting with the mangroves on the Lane Cove River.

Statement of Significance

O.H. Reid Reserve is classified as bushland as defined in State Environmental Planning Policy No 19 ("Vol 1, 1.4), and is protected under State and Commonwealth Legislation ("Vol 1, 1.5.2). It is zoned RE1 Public recreation and E2 Environmental Conservation

ABORIGINAL CULTURAL SIGNIFICANCE: The Cammeraygal people originally occupied areas of the Lane Cove River as it was an important resource and spiritual place. There are no recorded Aboriginal cultural sites in the Reserve however there are many nearby in Mowbray Park and the Lane Cove National Park.

NATURAL HERITAGE SIGNIFICANCE: O.H. Reid Reserve is significant due to its contrasting plant communities and species. There are large canopy trees in woodland in higher areas through to saltmarsh species and mangroves along Swaines Creek and the Lane Cove River. The Reserve acts as a link to larger bushland areas. Significant recorded wildlife species are Sugar Gliders, four species of Micro Bats including the vulnerably listed Myotis and the Satin Bowerbird. The narrow and stretched out shape of the Reserve means that wildlife habitat that is available is important. However it is more significant as a link to other large bushland areas including Ferndale Park, Mowbray Park and the Lane Cove National Park. There are some large trees with hollows and some dense stands of weed infestations particularly of Lantana, Ficus and Morning glory that provide wildlife habitat. The Reserve and the golf course should be viewed as one area that facilitates the movement of wildlife from other larger bushland in both north-south and east-west directions. The lawn and dams of the golf course also offer a moderate level of habitat for local water birds and frog species.

HISTORIC CULTURAL SIGNIFICANCE: The Reserve was part of the privately owned Peacock Estate. When the Estate was subdivided, Council acquired the land which included an area on the river frontage for recreational use. It was named after Oswald Hector Reid (1859-1947), foundation member of the Willoughby/Ku-Ring-Gai

Cricket Association. Early land use was timber getting, orchards and market gardens. These were mainly along the banks of the river and up to what is now Fullers Road.

Reserve Impacts

The oval, playground and walking tracks are important recreational features for the local community to enjoy. The oval is also a designated dog off-leash area. However these recreational activities can impact on native plant and wildlife populations. Dogs and people sometimes wander into bushland off designated tracks and can impact on vegetation and wildlife.

The upper reaches of Swaines Creek are now piped drainage systems while substantial parts of the lower reaches have been piped through the golf course. As a result of the high level of disturbance and poor water quality, the creek lacks the presence of estuarine and freshwater fish and invertebrates. The oval, golf course and park are turfed impacting on the surrounding bushland by drainage, eutrophication, and weed invasion.

Sydney Water sewer lines that run through the Reserve have on occasions released material into Swaines Creek, polluting the creek and river.

Many private properties are adjacent to the Reserve and impacts are encroachment by clearing vegetation, stormwater and drainage issues, weed invasion, roaming of domestic pets, excess nutrients and sediment.

Since 2021, Chatswood Golf Course has undergone a redesign of its course. Progress of the DA can be found by searching for DA-2021/372 on Council's Eportal page at: https://epnanning.willoughby.nsw.gov.au/pages/xc-track/searchappic/tilton.aspx

ENCROACHMENTS: Encroachments are recorded at Valerie Avenue and are extensions of gardens. All encroachments to be removed at an appropriate time. New encroachments will be forwarded to Council Compliance for swift action.

Wildlife Habitat Issues

The Reserve is important as a wildlife corridor and bush regeneration work should continue on improving connectivity to other bushland reserves.

There are hollow bearing trees including those of smaller dimensions in both live and dead trees. Nest boxes and other habitat enhancement efforts will be of benefit particularly in areas lacking in habitat richness. The Reserve contains few rocky outcrops and overhangs but is abundant in leaf litter, logs and branches on the ground.

Along the river and creeks there are valuable mangrove and saltmarsh ecosystems.

Feral bee, rabbit, black rat and fox activity is present. For the health and longevity of native wildlife populations, monitoring and control of feral animal species should continue.

Achievements

In 2019, Willoughby City Council's former Bushfire Management Team completed works involving the control of noxious weeds through secondary weeding and the use of flame weeding in small area of bushland at the corner of Fullers Road and The Fairway.

A vegetated swale and rock armoring was also installed in 2019 near Fullers Road to absorb water after rain to reduce erosion.

Bushland Management Goals – O.H. Reid Reserve

The following aims from the Urban Bushland Plan of Management 2014 are priority objectives:

- 5.3: To create and/or maintain conditions in which creek and drainage lines are protected from increased erosion and / or sedimentation due to urban impacts.
5.4: To maintain the integrity of bushland reserves through the reduction of encroachments and other boundary impacts.

6.2f: To preserve and increase ecological links across the LGA and regionally to assist the movement of fauna.

Bushland Management – General Principles and Actions

- a. Bush regeneration is a long term process that requires staged weed removal to ensure establishment of native plant communities. Work should proceed from good bush to degraded areas with techniques that encourage regeneration, including flame weeding, rather than spraying with herbicide.
b. If possible, all weed refuse and natural debris to be composted or retained on-site.
c. When natural regeneration is deemed inadequate, supplementary plantings to mimic local plant communities and landscapes will be used with local provenance species.
d. Standing dead trees and forest litter (including logs and branches) to be kept for wildlife habitat unless deemed a risk to safety.
e. Monitor, maintain and enhance vegetation connectivity for wildlife habitat within the reserve and reserve networks.
f. Phytophthora cinnamomi (a root rot pathogen) is listed as a key threatening process in NSW and has been identified as a threat to a number of species. Bushland workers are to use hygiene protocols to minimise risk.
g. Report and record all reserve encroachments. Also monitor for tree vandalism and/or removal within the reserve and report to Council Compliance for appropriate action.
h. Continue to monitor wildlife habitat requirements and supplement where necessary.
i. Monitor feral animal activity and implement appropriate management actions where necessary.
j. Encourage the community to report wildlife sightings to Council via the Wildlife Watch program to increase the understanding of native wildlife populations.
k. Monitor and protect cultural heritage sites within the reserve with Aboriginal heritage to be protected at all times. Bushland staff to notify Aboriginal Heritage Office prior to each burn to identify sites and implement protection measures and post-fire survey.
l. Bushfire management will be achieved through implementation of a strategic hazard reduction program consistent with the Bushfire Risk Management Plan.
m. Species diversity will be maintained by an ecological burn program in a mosaic pattern.
n. This reserve has a valuable role as an educational resource. Preserve natural features used for educational purposes and continue to inform the community of bushland issues through on-site educational activities and signage.
o. Formal tracks to be regularly maintained and informal tracks closed to prevent damage to habitat and to impede access of feral animals, unless used for access by bushland workers.
p. Establish photo points to monitor the progress of reserve management actions.
q. Reserve Action Plan progress to be reviewed annually and updated after five years.
r. 6.3b: To implement weed control programs which are based on regeneration and restoration principles and which increase the bushland resilience to further weed infestation.
s. 7.1g: To manage fire such that the fire regime and implementation of the burn is beneficial to flora and fauna diversity and habitat.
t. 6.2g: Maintain natural habitat formations and supplement with manufactured structures where natural habitat has been depleted.

u. 10.1b: To ensure that leases and licences for activities undertaken in, or adjoining, or impacting on, bushland areas are compatible with the sustainable management of bushland.

Animal List for O.H Reid Reserve

O.H Reid Reserve provides habitat for a number of native animals. A list of these species can be found at: https://www.willoughby.nsw.gov.au/files/attached-files/2023/willoughby-council-urban-bushland-publications-reports-master-plans-strategies-action-plans/publications-reports-master-plans-strategies-action-plans/-native-fauna-of-swains-creek.pdf

Native Plant List for O.H. Reid Reserve

Table with 3 columns: Family Name, Species Name, and another Family Name. Lists various plant species such as CONVULVACEAE, CUPRESSACEAE, CYPRESSACEAE, etc.

ATTACHMENT 3

O.H Reid
Reserve Action Plan

Chatswood West

Public Exhibition Summary Report
July 2023

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O.H Reid Reserve - Background

O.H. Reid Reserve is a narrow 9.3 ha, irregularly shaped and fragmented area of bushland within the Lane Cove River catchment in Chatswood West.

Key Actions for the Draft Reserve Action Plan:

- Bush regeneration
- Wildlife Monitoring; and
- Habitat Creation

Community Consultation - Communication Methods

O.H Reid Reserve Action Plan – Community Consultation

	STAKEHOLDER	COMMUNICATION METHOD	DATE	CLOSING DATE FOR COMMENTS
1.	Local Residents	<ul style="list-style-type: none"> • Survey accessible online at Have Your Say Willoughby • Letters mailed to approximately two hundred and ninety six (296) properties (refer Appendix – Resident letter distribution area) 	03/07/23	31/07/23
2.	Park Visitors	<ul style="list-style-type: none"> • Notification signs displayed in reserve 	03/07/23	

Community Consultation - Respondents

A total of 17 responses were received during this period, 16 via Have Your Say and one via email. Two respondents through Have Your Say did not provide any feedback to provide comment upon, and did not specify why they supported the draft Reserve Action Plan.

Comments received were generally supportive of the plan, and work to date, and sought a focus on biodiversity conservation. Following the consultation period, several amendments were made:

- Updating information in action 2 to reflect bush regeneration contractor maintenance inspections.
- Reference to a nearby development application
- A spelling correction in Action 3
- Grammar corrections in Action 22

Public Exhibition - Comments Received

How frequently do you visit O.H Reid Reserve?	
• Daily	Survey (4)
• Weekly	Survey (4)
• Monthly	Survey (3)
• A few times each year	Survey (3)
• Never	Survey (1)
What's the main reason you visit the Reserve?	
• Walking	Survey (8)
• Nature appreciation	Survey (2)
• Bushcare	Survey (0)
• Walking Dog	Survey (3)
• Other	Survey (2)
Have you viewed the Draft Reserve Action Plan?	
• Yes	Survey (13)
• No	Survey (2)
Do you support the Draft O.H Reid Reserve Action Plan?	
• Yes	Survey (9)
• Yes, with changes. Please explain in the comment box below	Survey (6)
• No, with changes. Please explain in the comment box below	Survey (0)
Summary of Comments	
• Plan Design	Three (3)
• Parking	One (1)
• Biodiversity Conservation	Four (4)
• Park Usage	One (1)
• Runoff	Three (3)
• Hazard Reduction	Three (3)
• Site Maintenance	Two (2)
• Signage	Two (2)
• Amenities	Two (2)
• Environmental Education	One (1)
• History and Culture	One (1)
• Track Maintenance	One (1)
• Dogs	One (1)
• Fencing	One (1)
• Development Application	One (1)
• Accessibility	One (1)
Suburb	
• Willoughby	Survey (1)

• Naremburn	Survey (1)
• Lane Cove North	Survey (1)
• Chatswood	Survey (4)
• Chatswood West	Survey (7)

	SUBMISSION	RESPONSE
1.	I support the draft Reserve Action Plan as it is a well-designed, well-thought out and well-used reserve that deserves good maintenance and upkeep.	Thank you for your feedback. Council will continue to with its conservation works.
2.	I support the draft Reserve Action Plan as it is logical and not contentious. As a start though, why doesn't council seek to have the boat and caravan removed that have been parked there permanently for the past 5yrs and 1yr respectively?	Thank you for your feedback. Council will continue to with its conservation works. Council's Safety City Unit has generated a customer service request and will investigate the matter.
3.	The draft reserve action plan seems sensible enough.	Thank you for your feedback. Council will continue to with its conservation works.
4.	I support the draft Reserve Action Plan as it maintains conservation and public usage.	Thank you for your feedback. Council will continue to with its conservation works.
5.	I support the draft Reserve Action Plan as any positive approach towards enhancing our understanding of the local environment will support efforts to retain and preserve it.	Thank you for your feedback. Council will continue to with its conservation works.
6.	The area outside the toilet block need to be looked at, as it's a soggy mud pit since the new 'oval upgrade'. Even after weeks with dry weather, is soggy. Looks like Sydney Water have had a look at it above the toilet block with some new piping 12 months ago, but still an issue and it's a filthy area.	The original project did not include the outskirts of the oval where the wet sections are. This is an additional project yet to be proposed. Council will aerate these areas to help drainage.
8.	The plan refers to scheduled burn for 2020 (action 2). Is this 3 years behind schedule or a new one? I don't see anything about the north western end of the oval at OH Reid which becomes boggy/unusable very easily. Can anything be done to help with drainage? The walking track on the south eastern side is badly eroded in places and needs attention. The construction work on the golf course has had very serious adverse impacts on the area within the scaffold - weeds have gone berserk, etc. Can Council require some basic ongoing maintenance so that this doesn't infiltrate the surrounding bushlands? I thoroughly endorse the action to improve signage throughout this area. It is either poor or non-existent currently.	The schedule for the burn will be updated in conjunction with Fire and Rescue NSW and incorporated in the next Reserve Action Plan. Although the Plan does not cover this area Council will aerate these areas to help drainage. Council staff will upgrade the tracks in consultation with Chatswood Golf Course for the portions on their land. Council has been liaising with the golf course staff in implementing appropriate safety measures to mitigate environmental impacts to the surrounding bushland. More specifically, Council has requested a Vegetation Management Plan to address this issue. Thank you for you feedback. Council ensure signage is upgraded.

9.	I support the draft Reserve Action Plan as the area is a vital wild life corridor and habitat. I have noticed in my garden a Bandicoot, Water Dragons, Blue Tongue Lizards, Brush Turkeys, Planigales, Red Bellied Black Snakes and there is even an Echidna nesting in my garden though it is very shy and only appears at sunset. This should give you some idea of the importance of the area.	Thank you for your feedback. Council will continue to with its current works to ensure the conservation of biodiversity in the reserve.
10.	Action 2 in the plan lists a projected burn date of 202 - 3.5yrs ago. Please update with correct burnt date. Further, I'd love if you could please negotiate with the golf course to get them to maintain the stretch of golf course in front of Reid Drive. The grass gets horrendously long and it's unusable for walkers. It becomes dangerous, with lots of snakes. When it finally gets mowed, the snakes (heaps of them, and many very dangerous!) all flee up into the housing area and inside houses. The vegetation has also been left to go wild, with many weeds (this plan should address some of that, but not the grass neglect).	Council will liaise with Fire and Rescue NSW to plan for this work. In addition to liaising with the golf course, Council will engage staff to manage the larger weeds on the upper embankment. Management of that area is the responsibility of golf course staff. Their contact details are on their webpage at https://newgreenschatswood.com.au/contact
11.	I would like to see the Action Plan recognise the opportunity this land provides as part of our local Green Grid, connecting the communities of Chatswood West and Lane Cove North with the broader regional networks of green space along the Lane Cove River. We would like to see the Action Plan include planning and design for a network of shared paths to promote walking and cycling in the area, and provide regional cycling links between Chatswood, Lane Cove and the National Park. This would include a shared path from Mooney Street to Reid Drive, and a shared path between Reid Drive and Lady Game Drive. Details of our proposed connections are mapped on our website at https://www.betterstreetsforlanecove.org/bike-network	Council supports the Green Grid and improved active transport links. This area has been investigated by Council's Bicycle Committee but due to land tenure and topography it has not been possible to implement. Council has a number of shared walking and bicycles paths that connect with a number of neighbouring suburbs, including Lane Cove. More information on these paths can be found on Council's Cycling page at https://www.willoughby.nsw.gov.au/Residents/Parking-and-transport/Cycling
12.	The goals of the plan seem appropriate. I have been concerned about the runoff from the excavations on the golf course, into Swaines creek below.	Council has been liaising with the golf course staff in implementing appropriate safety measures to mitigate environmental impacts to the surrounding bushland.
13.	This would be a great opportunity to add a small skate park to the community.	There are currently no plans for a skate park. There is a skate park at Chatswood Oval with good public transportation options.
14.	Please add a basketball court (as promised previously) to OH Reid Reserve.	This Plan specifically relates to the management of bushland.
15.	Thank you for the opportunity to provide feedback on the O. H. Reid Reserve Action Plan 2023 I endorse the Action Plan and the twenty-four actions, although point 2 (next to the map) needs to be updated as it refers to a burn scheduled for	Council will liaise with Fire and Rescue NSW to plan for this work.

<p>2020.</p> <p>Signage I would also like more educational signage throughout the Reserve so all users of the area can appreciate the wildlife such as the echidna that frequently visits the oval. This might help dog walkers to understand the need for keeping dogs on a leash when walking through the bush tracks.</p> <p>Bushland Management – General Principles and Actions n. This reserve has a valuable role as an educational resource. Preserve natural features used for educational purposes and continue to inform the community of bushland issues through on-site educational activities and signage. Maintain appropriate signage.</p> <p>This principle/action should include indigenous perspectives. I would like to see the following recommendations made, based off the OH Reid Citizens Panel Report 2019: page 24 implemented.</p> <ul style="list-style-type: none"> • Tours/ecological talks about the local ecology – including in languages other than English: • Complement with signage about the natural wildlife/Aboriginal history of the area – perhaps with QR codes for more information. • Maintain/upgrade the bushwalking trails <p>Dogs I have made numerous recommendations to Council regarding the management of off-leash dogs at the oval, the children’s playground and surrounding bushland.</p> <p>Off leash dogs running into the bushland is an on-going problem. This was raised in the OH Reid Citizens Panel Report 2019: page 22 & 26 and in subsequent letters to Council.</p>	<p>Additional signage throughout the reserve will be considered by Council’s bushland Team. Council’s Safe City Unit also monitor the reserve.</p> <p>Council runs educational bushwalks throughout all its reserves. Bushland staff have developed Willoughby Walks; a free, interactive self-guided walking tour app that brings to life a wealth of fascinating accounts of some of Willoughby’s most significant locations. Walks with the MOSAIC Centre groups have been offered on an ongoing basis.</p> <p>Bushland staff have developed Willoughby Walks; a free, interactive self-guided walking tour app that brings to life a wealth of fascinating accounts of some of Willoughby’s most significant locations.</p> <p>Council staff and contractors maintain and upgrade the tracks throughout the year on a priority basis.</p> <p>Sign replacement will be requested.</p>
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	<p>being established. The work to be undertaken by the Golf Course will clearly have a large impact on this local and regional wildlife corridor and should be more directly addressed in the RAP.</p> <p>Minor Typos</p> <ul style="list-style-type: none">• Action 3, 'natural'• Action 22: delete 'and' and correct spelling of appropriate.	<p>This action has been updated.</p> <p>This action has been updated.</p>
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Appendix

Website Survey – Have Your Say Willoughby

O.H Reid Reserve, Chatswood West– Draft Reserve Action Plan

Willoughby City Council is seeking community feedback for O.H Reid Reserve.

Please review the O.H Reid Reserve Draft Action Plan in the Document Library and leave your comments below in the survey prior to closure of the community consultation period at 5 pm, Monday 31 July 2023.

O.H. Reid Reserve is a narrow 9.3 ha, irregularly shaped and fragmented area of bushland within the Lane Cove River catchment in Chatswood West. It is a combination of recreational open space with an oval, children's playground, picnic tables, barbeques, walking tracks and bushland.

Key Actions for the Draft Reserve Action Plan:

- Bush regeneration;
- Wildlife monitoring; and
- Habitat creation

All community members who leave a comment will receive a response after the community consultation period.

How frequently do you visit O.H Reid Reserve?

- Daily Weekly Monthly A few times each year Never

What's the main reason you visit the Reserve?

- Nature Appreciation Walking Walk with dog Bushcare volunteer Other

Have you viewed the Draft Reserve Action Plan?

- Yes No

Do you support the O.H Reid Reserve Action Plan?

- Yes Yes, with changes. Please explain in the comment box below
- No. Please explain in comment box below

Notification

Letter to Residents

PLANNING & INFRASTRUCTURE
Environmental Unit

3 July 2023

Willoughby City Council
PO Box 57
CHATSWOOD NSW 2057

Dear Sir/Madam

RE: DRAFT O.H REID RESERVE ACTION PLAN

Council has updated the Bushland Reserve Action Plan for O.H Reid Reserve. The Draft Plan outlines bushland management actions to preserve and enhance local ecological values.

Key actions include bush regeneration, Wildlife monitoring and Habitat creation.

We welcome your feedback on the Draft Plan and invite you to view and comment through Have Your Say Willoughby at www.haveyoursaywilloughby.com.au by 5 pm, Monday 31 July 2023.

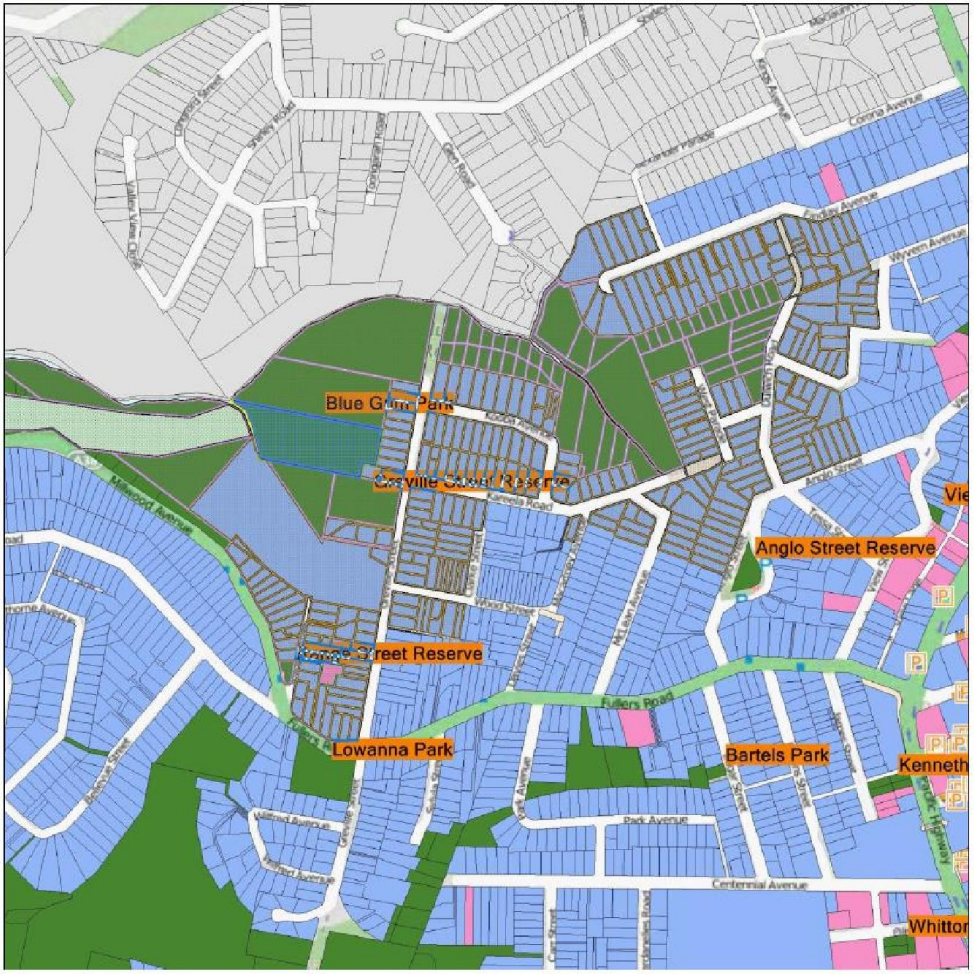
Alternatively, comments should be marked to the attention of Council's Natural Assets Officer, Nicholas Yu to the address below or via email to email@willoughby.nsw.gov.au

Yours sincerely,

Alfred Bernhard
BUSHLAND TEAM LEADER

(Computer printed copy - No signature required)

Resident Letter Distribution Area



Approximately 296 residences

Notification Signage



BLUE GUM DRAFT RESERVE ACTION PLAN

Council has created an updated Reserve Action Plan for O.H Reid Reserve and is seeking comments from the community regarding this Draft.

Have Your Say about the Draft Plan by:

- **Commenting on the Have Your Say Willoughby website**
- **Writing to Council**

To view the plan and to make comments, please go to:

www.haveyoursaywilloughby.com.au

Alternatively, send your comments marked to the attention of Council's Natural Assets Officer, Nicholas Yu to the address below or via email to email@willoughby.nsw.gov.au

The submission period will close at **5pm, Monday 31 July**.

12.16 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF BROOMHAM, FORSYTH AND KILLINGSWORTH PARKS RESERVE ACTION PLAN 2023

ATTACHMENTS:	1. IMPLICATIONS 2. BROOMHAM, FORSYTH AND KILLINGSWORTH PARKS RESERVE ACTION PLAN 2023 3. EXHIBITION SUMMARY REPORT – BROOMHAM, FORSYTH AND KILLINGSWORTH PARKS – RESERVE ACTION PLAN – MAY 2023
RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	NICHOLAS YU – NATURAL ASSETS OFFICER
CITY STRATEGY OUTCOME:	1.3 – ENHANCE, PROTECT AND RESPECT WATERWAYS, BUSHLAND, NATURE, WILDLIFE
MEETING DATE:	25 SEPTEMBER 2023

1. PURPOSE OF REPORT

To report on the submissions received in response to the public exhibition and to seek Council's adoption of the *Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2023*.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Adopt the *Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2023* as amended and attached to this report at Attachment 2.**
- 2. Rescind the *Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2018*.**
- 3. Write to everyone that provided a submission to thank and notify them of the outcomes of the exhibition.**
- 4. Delegate authority to the Chief Executive Officer to make minor amendments to the *Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2023* which do not alter the intent.**

3. BACKGROUND

The *Broomham, Forsyth and Killingsworth Parks Reserve Action Plan (the Plan)* was adopted by Council in February 2018. The Plan is reviewed annually and updated every five years. Accordingly, the plan has been publicly exhibited, submissions considered and an updated draft has been prepared for Council's adoption through this report.

4. DISCUSSION

Reserve Action Plans contain the practical actions for individual bushland reserves and provide detailed site specific information including proposed management actions, maps, reserve profile, statement of significance, reserve impacts, wildlife habitat issues, achievements, and a native plant species list.

The key actions in the draft *Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2023* are outlined in **Attachment 2** include bush regeneration, wildlife monitoring and habitat creation

The exhibition period for the draft *Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2023* occurred for a one-month period from 30 May 2023 to 28 June 2023. The Action Plan was exhibited on Council's Have Your Say webpage, letters were distributed to approximately 377 surrounding properties, and signage was placed at Broomham, Forsyth and Killingsworth Parks Reserve.

The public consultation resulted in 10 responses, nine through Have Your Say and one via email. A public exhibition summary report, including methods of consultation, a summary of submissions received and responses from Council Officers are outlined in **Attachment 3**.

Comments received were generally supportive of the plan, the works to date and sought a focus on bush regeneration.

5. CONCLUSION

The draft *Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2023* has been publicly exhibited, with considerations given to all submissions received. The *Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2023* is recommended for Council's adoption.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	1.3 – Enhance, protect and respect waterways, bushland, nature, wildlife
Business Plan Objectives, Outcomes/ Services	Assist in the implementation of the Reserve Action Plans as required by the <i>Urban Bushland Plan of Management 2023</i> .
Policy	<i>The Urban Bushland Plan of Management 2023</i> guides the future management of bushland across the Willoughby Local Government Area.
Consultation	Consultation has occurred with the community using Council's Have Your Say webpage and by email. All comments have been responded to and letters were sent to 377 properties. Signage was erected on site.
Resource	Works can be undertaken within Council's present staff and contract resourcing.
Risk	No specific risks are generated by the <i>Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2023</i> . Implementation of the plan will address identified risks.
Legal	There are no legal implications arising from the <i>Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2023</i> .
Legislation	Adoption of the <i>Broomham, Forsyth and Killingsworth Parks Reserve Action Plan 2023</i> is in accordance with all relevant legislation.
Budget/Financial	There are no additional costs to the recurrent budget or e.restore levy for this work plan.

Draft Reserve Action Plan Broomham, Killingsworth, Forsyth Parks

2023

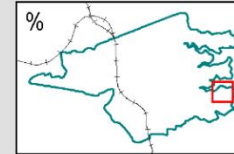


Broomham, Forsyth & Killingsworth Park Bushland Actions

Priorities will be given to programs for the long term benefit to the reserve. Natural assets at greatest risk will be given priority to avert irreversible deterioration. All measures cannot be implemented simultaneously - resources may not be available or it may not be appropriate.

1. Clive Park Bushcare group to periodically work in Broomham Park targeting the removal of woody weeds and annuals. Group to monitor perennial exotics and grasses along road edge to ensure weeds don't move into good bushland.
2. Installation of additional informal bush seatings as required.
3. Willoughby City Council (WCC) Bushland Team to inspect bush track to maintain clear access. This includes monitoring overhanging branches and any items left by children playing in the Park.
4. Bushland Contractor (BC) to maintain native plantings along path edge. Replacement plantings may be required and to consist of fast growing, hardy species like *Lomandra* sp. and *Dianella* sp. to reduce the amount of sediment run-off after rain into the stormwater line.
5. Bushcare volunteers to complete maintenance sweeps of east satellite block, targeting the removal of woody weeds.
6. WCC Bushland Support Team to target the removal of woody weeds, particularly *Asparagus* Fern along the road edge.
7. Bushland Contractor to complete maintenance sweeps targeting seasonal woody weeds.
8. BC to complete regular maintenance sweeps along road edge targeting the removal of woody weeds.
9. BC to complete regular maintenance sweeps in resilient bushland targeting the removal of flowering woody weeds and weed vines.
10. BC to target the removal of weed vines and flowering woody weeds at the end of Upper Minimbah Rd.
11. Bushland Regeneration Contractor to continue to target the removal of weed vines, *Trad* and *Ehrharta* working from resilient bushland edge towards 1A Coorabin Rd.
12. BC to complete regular maintenance sweeps in resilient bushland targeting the removal of woody weeds and weed vines.
13. BC to maintain native plantings. Replacement plantings may be required if plants die.
14. BC to complete maintenance sweeps targeting weed vines.
15. Bushland Team to continue maintaining bush picnic table close to marina.
16. BC to continue with removing woody weeds, particularly *Arundo donax* close to marina. Replacement native planting may be required.
17. Investigate options to install a bush seat and/or picnic table into lawn encroachment behind Minimbah Road.
18. Monitor and report encroachments at Minnamurra Road and Minimbah Road to Safe City Unit, including vandalism of native vegetation, for further action.

**RESERVE ACTION PLAN
BROOMHAM PARK
(THE KNOLL)**



Plan details

Status: Draft
 Prepared by: N. Yu
 Drawn by: N. Prasad
 Date printed: 27/04/2023
 Approximate Scale: 1:700

Legend

- 10 Property number
- 12 Action plan activity
- Stormwater node
- ♦ Sewer access chamber **
- ▲ Approximate fire hydrant location
- Power pole
- 5m contours
- Stormwater network - Underground *
- Stormwater network - Overground / Unknown *
- Bush track / Path *
- Sewer mains **
- Property boundary
- Reserve / bushland
- Council Bush Regeneration Contractors
- Council Staff Regeneration Site



* The accuracy of this data is not guaranteed and must be verified prior to use.
 ** Data as at 14-07-2007. Please check with Dial Before You Dig prior to any earth works.
 *** No responsibility is taken for the accuracy of this data. Please check with Energy Australia, Dial Before You Dig or any other relevant authorities prior to undertaking any work.

Draft Broomham, Forsyth & Killingsworth Park Reserve Action Plan

Reserve Profile

Broomham Park, also known as The Knoll and formerly as Pudding Hill, is a small but steep 0.5ha bushland reserve. It has panoramic views of Middle Harbour, the Spit Bridge and the Sydney City skyline and is surrounded by Byora Crescent.

Forsyth Park is 0.6ha of bushland that surrounds the Northbridge Baths, including the carpark off Widgevia Rd. The Baths is a combination of Crown and RMS land that is leased by Council. This plan is responsible for the management of bushland only and not the recreational use of the Baths.

Killingsworth Park is a long and narrow 1.55ha bushland reserve that runs between Minimbah Rd and sections of Upper Minimbah Rd, residential properties and Minnamurra Rd. Two satellite blocks (East & West) that link to Killingsworth Park are included in this plan: between 5/7 and 63/65 Minimbah Rd. These steep blocks contain large stormwater lines that take water from surrounding roads and drain into Middle Harbour.

These three bushland areas have been combined into one Reserve Action Plan as they are in close proximity to each other in Northbridge. Bushland within both Forsyth and Killingsworth soften the views of suburban housing from the waters of Middle Harbour and other shores.

PLANT COMMUNITY: Broomham Park is classified as Hornsby Enriched Sandstone Exposed Woodland (S_DSFF10) with dominant tree species *Eucalyptus haemastoma* and *Corymbia gummifera* with a healthy shrub layer. Forsyth and Killingsworth Parks are classified as Coastal Sandstone Gully Forest (S_DSFF09) with dominant tree species *Angophora costata* and *Eucalyptus piperita* with a mix of heath and shrub species.

Statement of Significance

Broomham, Forsyth & Killingsworth Parks are classified as bushland as defined in State Environmental Planning Policy No 19 ("Vol 1, 1.4), and are protected under State and Commonwealth Legislation ("Vol 1, 1.5.2). Broomham and Killingsworth Parks are zoned E2 Environmental Conservation and Forsyth Park is classified RE1 Public Recreation in the Willoughby Local Environment Plan (WLEP) 2012.

ABORIGINAL CULTURAL SIGNIFICANCE: There are no recorded Aboriginal cultural sites within the three Parks however there are middens, shelters and rock engravings recorded in close proximity, particularly along the shore of Middle Harbour. The Gamaraigal people were the original inhabitants and occupied the foreshores of Middle Harbour.

NATURAL HERITAGE SIGNIFICANCE: These three small pockets of bushland each provide important habitat for wildlife in a highly urban environment. Importantly they link with each other and to other significant, larger bushland reserves in the area like Clive Park, Watergate Reserve and across the waters of Sailors Bay to Castlegarr and over Middle Harbour. Despite limited direct connectivity of vegetation, these Parks allow wildlife particularly birds to move across their current and future ranges and also offer refuge for many types of birds, reptiles and bats.

HISTORIC CULTURAL SIGNIFICANCE: These Parks were part of land purchased in Northbridge from the Crown by James William Bligh (1810-1869) in 1856. The land surrounding was developed by the North Sydney Investment and Tramway Company Limited in the early 1920s. Each Park was named after people who represented Willoughby Council during the 1920s or 30s.

Broomham Park has a bush track through the middle with sandstone carved steps that travel over the top past the highest point. These steps appear to have been originally made during the depression. There is evidence of a bench seat having been installed in the sandstone rock outcrop at the top, but all that remains now is the drill hole in the rock.

The Northbridge Baths, originally named the Sailors Bay Baths were opened on 8 November 1924 and were Willoughby's first municipal baths on the foreshore of Middle Harbour. Extensions to increase the size of the Baths were completed in 1937 and the name change to the Northbridge Baths occurred in the late 1940s. Extensive renovations were made to the Baths and changing rooms by Council during the 1960s. The Northbridge Amateur Swimming Club

commenced shortly after the Baths opened at the beginning of 1925 and the Club continues today.

Reserve Impacts

Broomham Park has no sewer, water or electrical services running through or over it and it is entirely elevated from the road. The only weeds that enter the Park are from seeds transported by animals or humans. As birds use the site regularly there is some impact from seeds dropped in faeces. There is sporadic dumping of garden waste such as lawn clippings and branches along the Park edge, which is another weed source. Historical photographic records from the 1920s show the area including Broomham Park had been cleared. The Park is used intermittently by local children building cubby houses. At times this has been damaging, causing erosion, trampling the vegetation, killing seedlings and breaking shrubs.

Forsyth Park has sewer and stormwater lines running through it and also a major underground stormwater pipe that exits into Middle Harbour. This underground line originates on Narani Crescent collecting water from each road between here and the Baths. The sealed car park located in the middle of the Park creates run off from the hard surface and litter from visitors.

Killingsworth Park has aerial electrical and communication cables running through it adjacent to Minimbah Rd. Two electrical substations sit on the reserve. Sewer lines run through the reserve on the high side and the installation of which disturbed the soil and adds nutrients and moisture during overflows. A Sydney Water pumping station is located opposite 47 Minimbah Rd on land owned by Sydney Water. A stormwater line runs from streets above to this pumping station. There are also major stormwater lines running through the Park at both ends carrying water from nearby roads and drain into Middle Harbour. Vandalism of vegetation by herbicide and lopping has occurred historically, presumably to enhance harbour views from homes. Typically this takes place below sections of Minnamurra and Upper Minimbah Roads that have views over the Park.

Bushland in Northbridge would have evolved in the presence of fire prior to European arrival. Forsyth and Killingsworth Parks have been protected from major fires for many years. Due to the close proximity to property and difficulty of access these areas have not been burnt but would benefit from burning for ecological purposes. Broomham Park has had a number of controlled burns over the years. The last was completed in 2012.

Domestic animals/foxes are occasionally observed in each Park.

ENCROACHMENTS: Park encroachments are recorded at Minnamurra Road and Minimbah Road.

Wildlife Habitat Issues

There are limited tree hollows in Broomham Park and these could be supplemented with nest boxes. Byora Crescent can impact on terrestrial wildlife that like to move between areas.

Vandalism of vegetation reduces habitat and food sources for wildlife, and incidents have been recorded in Killingsworth Park probably by adjacent properties to enhance water views. There are limited hollow bearing trees in Killingsworth, and if smaller trees continue to be poisoned and/or cut there will be a clear lack of hollows for arboreal wildlife in the future.

All three Parks are impacted by the close proximity of residential properties, including dumping of garden waste, domestic cats and dogs, and light pollution disturbing nocturnal wildlife. There is evidence that children playing in Broomham and Killingsworth Parks are cutting and/or damaging vegetation to build cubbies and they are also leaving rubbish material behind.

Achievements

Broomham Park had a large controlled burn completed in 2012. The burn in conjunction with post fire weeding encouraged natural regeneration of native vegetation and reduced the number of weeds. Stonework to the steps at the south-west entrance has been completed to improve access. Bushland contractors and volunteers have incrementally removed exotic weeds particularly along the road edge.

Forsyth Park has had large amounts of Balloon vine and Morning glory removed from the east boundary and large amounts of Arundo,

Bamboo and Bougainvillea have been removed from the west boundary. A picnic table is maintained close to the marina.

Killingsworth Park has had ongoing contractor work targeting woody weeds, particularly Asparagus Fern. Rock armouring of the stormwater line has been completed next to the recently renovated path at the east boundary.

All three Parks have had ongoing contractor work to reduce woody weeds and maintain areas of good native vegetation.

Bushland Management Goals – Broomham, Killingsworth & Forsyth Park

The following management aims from the Urban Bushland Plan of Management 2014 are priority objectives:

- 5.3b To create and/or maintain conditions in which creek and drainage lines are protected from increased erosion and / or sedimentation due to urban impacts.
- 5.4b To maintain the integrity of bushland reserves through the reduction of encroachments and other boundary impacts.
- 5.4d To consolidate fragmented bushland by applying co-ordinated management to improve wildlife linkages.
- 6.3b To implement weed control programs which are based on regeneration and restoration principles and which increase the bushland resilience to further weed infestation.

Bushland Management – General Principles and Actions

- a. Bush regeneration is a long term process that requires staged weed removal to ensure establishment of native plant communities. Work will proceed from good bush to degraded areas with techniques that encourage regeneration.
- b. If possible, all weed refuse and natural debris to be composted or retained on-site.
- c. When natural regeneration is deemed inadequate, supplementary plantings to mimic local plant communities and landscapes will be used with local provenance species.
- d. Standing dead trees and forest litter (including logs and branches) to be kept for wildlife habitat unless deemed a risk to public safety.
- e. Monitor, maintain and enhance vegetation connectivity for wildlife habitat within the Parks and reserve networks.
- f. *Phytophthora cinnamomi* (a root rot pathogen) is listed as a key threatening process in NSW and has been identified as a threat to a number of species. Bushland workers are to use hygiene protocols to minimise risk.
- g. Continue to monitor wildlife habitat requirements and supplement where necessary.
- h. Monitor feral animal activity and implement appropriate management actions where necessary.
- i. Encourage the community to report wildlife sightings to Council via the Wildlife Watch program to increase the understanding of native wildlife populations.
- j. Bush tracks to be maintained and unnecessary tracks closed to prevent damage to habitat and to impede feral animals.
- k. Species diversity will be maintained by an ecological burn program in a mosaic pattern.
- l. Bushfire management will be achieved through implementation of a strategic hazard reduction program consistent with the Bushfire Risk Management Plan.
- m. Monitor and protect cultural heritage sites within Parks with Aboriginal heritage to be protected at all times. Bushland staff to notify Aboriginal Heritage Office prior to each burn to identify sites and implement protection measures and post-fire survey.
- n. These Parks have a role as an educational resource. Preserve natural features used for educational purposes and continue to inform the community of bushland issues through on-site educational activities and signage. Maintain appropriate signage.
- o. Report and record all reserve encroachments. Also monitor for tree vandalism and/or removal within the reserve and report to Council Compliance for appropriate action.
- p. Establish photo points to monitor the progress of reserve management actions.

q. Reserve Action Plan progress to be reviewed annually and updated after five years.

Animal List for Broomham, Forsyth & Killingsworth Park

Broomham, Forsyth & Killingsworth Park provides habitat for a number native animals. A list of these species can be found at

<https://www.willoughby.nsw.gov.au/residents/parks-and-recreation/parks-reserves-and-playgrounds/broomham-park>

Native Plant List for Broomham, Forsyth & Killingsworth Park

CONIFERS	<i>Podocarpus neriifolius</i>	<i>Grevillea speciosa</i>
CUPRESSACEAE	<i>Podocarpus flexilis</i>	<i>Halimolobos longifolia</i>
Callitris rhomboides	<i>Podocarpus stipularis</i>	<i>Halimolobos longifolia</i>
FERNS	FABACEAE-MIMOSIDAEAE	<i>Parsonsia lanceolata</i>
PTERIDACEAE	<i>Acacia biminaria</i>	<i>Parsonsia levis</i>
<i>Adiantum setaceum</i>	<i>Acacia ficata</i>	<i>Parsonsia uniflora</i>
<i>Cheilanthes sp.</i>	<i>Acacia floribunda</i>	RUBIACEAE
ASPLENIACEAE	<i>Acacia limicola</i>	<i>Primax umbellata</i>
<i>Asplenium austrasicum</i>	<i>Acacia longifolia subsp. longifolia</i>	RUTACEAE
DIENNSTADIACEAE	<i>Acacia myrtilloides</i>	<i>Citrusa smithii</i>
<i>Histiodieris vicicia</i>	<i>Acacia suaveolens</i>	<i>Zenia smithii</i>
<i>Phoridium esculentum</i>	<i>Acacia teretifolia subsp. Long. rufiloboscens</i>	SARRIACEAE
DICHLISACEAE	<i>Acacia villosifolia</i>	<i>Onopordium triglochin</i>
<i>Loxotropa dubia</i>	FRYLLANTHACEAE	MONOCOTS
GLECHENIACEAE	<i>Breyeria obtusifolia</i>	ASPADACEAE
<i>Gleichenia dicarpa</i>	<i>Glochidion ferdinandii var. ferdinandii</i>	<i>Eustrephus latifolius</i>
POLYPODIACEAE	GERANIACEAE	<i>Lomandra brevis</i>
<i>Polypodium bursatum</i>	<i>Geranium boissianum</i>	<i>Lomandra cylindrica</i>
ADICOTS	GODENIACEAE	<i>Lomandra filiformis subsp. filiformis</i>
APICACEAE	<i>Goodenia ovata</i>	<i>Lomandra glauca</i>
<i>Actinella heianthi</i>	HALIMOLOBACEAE	<i>Lomandra gracilis</i>
<i>Cenella asiatica</i>	<i>Gonolobus micranthus subsp. micranthus</i>	<i>Lomandra longifolia</i>
<i>Hydrocotyle sibthorpioides</i>	HYPERICACEAE	<i>Lomandra multiflora subsp. multiflora</i>
<i>Polygala linearifolia</i>	<i>Hypericum gramineum</i>	<i>Lomandra obliqua</i>
<i>Xanthosia pilosa</i>	LAMIACEAE	ASPHODELACEAE
<i>Xanthosia longifolia</i>	<i>Prostanthera sp.</i>	<i>Dianella caerulea</i>
APALACEAE	<i>Westringia pulchra</i>	<i>Dianella longifolia var. longifolia</i>
<i>Polyscias sambucifolia subsp. Long leaflets</i>	LAURACEAE	<i>Dianella revoluta var. revoluta</i>
ASTERACEAE	<i>Cassia pubescens</i>	<i>Xanthorrhoea arctorea</i>
<i>Ocimum iscanifolius</i>	MALVACEAE	COMBULACEAE
BIGNONIACEAE	<i>Leptopetalum ferrugineum var. ferrugineum</i>	<i>Commelina cyanea</i>
<i>Pandorea pandorana subsp. pandorana f.</i>	MORACEAE	CYPERACEAE
CASUARINACEAE	<i>Ficus macrophylla</i>	<i>Cyperus sp.</i>
<i>Allocasuarina distyla</i>	MIRIACEAE	<i>Cyperus polytachyos</i>
<i>Allocasuarina littoralis</i>	<i>Angophora costata subsp. costata</i>	<i>Lepidosperma laterale</i>
CAMPANULACEAE	<i>Angophora negundo</i>	IRIDACEAE
<i>Lobelia burpurascens</i>	<i>Callistemon sp.</i>	<i>Palenifolia sp.</i>
CONVOLVULACEAE	<i>Corymbia quinquiflora</i>	JUNCACEAE
<i>Dieroria repens</i>	<i>Eucalyptus capitata</i>	<i>Juncus concoloratus</i>
CUNILACEAE	<i>Eucalyptus globulus</i>	<i>Juncus verticillatus</i>
<i>Baueria rubicunda</i>	<i>Eucalyptus miniifera subsp. miniifera</i>	ORCHIDACEAE
<i>Callicoma serotifolia</i>	<i>Eucalyptus newsoniana</i>	<i>Cryptostylis erecta</i>
<i>Ceratopetalum apetalum</i>	<i>Eucalyptus pauciflora</i>	<i>Phenaclytis longifolia</i>
<i>Ceratopetalum quinquiflorum</i>	<i>Eucalyptus punctata</i>	<i>Phenaclytis rubens</i>
DILENIACEAE	<i>Eucalyptus resinosa</i>	POACEAE
<i>Hibbertia aspera subsp. aspera</i>	<i>Eucalyptus sieberi</i>	<i>Amisopogon vivianus</i>
<i>Hibbertia dentata</i>	<i>Funaria antipoda</i>	<i>Rhynchospora tenuis</i>
<i>Hibbertia scandens</i>	<i>Leptospermum tinneum</i>	<i>Cymbopogon refractus</i>
ELAEAGRACEAE	OLEACEAE	<i>Ochlockina mansueta</i>
<i>Elaeagnus reticulata</i>	<i>Notelaea longifolia f. longifolia</i>	<i>Chimaphila ciliatipes var. ciliatipes</i>
ERICACEAE-EDACRIDACEAE	PITTOSPORACEAE	<i>Embolisma manitoba</i>
<i>Ericora longifolia</i>	<i>Billardiera scandens</i>	<i>Embolisma stricta</i>
<i>Leucopogon crispus</i>	<i>Pittosporum undulatum</i>	<i>Imperata cylindrica</i>
<i>Woolisia pungens</i>	PROTEACEAE	<i>Microseris stipodes var. stipodes</i>
EUPHORBACEAE	<i>Banksia ericifolia subsp. ericifolia</i>	<i>Oplismenus aemulus</i>
<i>Omalanthus populifolius</i>	<i>Banksia integrifolia subsp. integrifolia</i>	<i>Oplismenus imbecillis</i>
FABACEAE-FABOIDEAE	<i>Banksia oblongifolia</i>	<i>Poa affinis</i>
<i>Grona varians</i>	<i>Banksia serrata</i>	<i>Themeda trandra</i>
<i>Grona christiana</i>	<i>Banksia spinulosa</i>	<i>Themeda triandra</i>
<i>Hedra nobyca violacea</i>	<i>Grevillea buxifolia subsp. buxifolia</i>	<i>Smilax australis</i>
<i>Kanmela rubicunda</i>	<i>Grevillea linearifolia</i>	<i>Smilax glycyphila</i>

ATTACHMENT 3

Broomham, Forsyth and Killingsworth
Parks
Reserve Action Plan

Northbridge

Public Exhibition Summary Report
May – June 2023

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Broomham, Forsyth and Killingsworth Parks - Background

Broomham Park, also known as The Knoll and formerly as Pudding Hill, is a small but steep 0.5ha bushland reserve. It has panoramic views of Middle Harbour, the Spit Bridge and the Sydney City skyline and is surrounded by Byora Crescent.

Forsyth Park is 0.6ha of bushland that surrounds the Northbridge Baths, including the carpark off Widgiewa Road. The plan is responsible for the management of bushland only.

Killingsworth Park is a long and narrow 1.55ha bushland reserve that runs between Minimbah Road and sections of Upper Minimbah Road, residential properties and Minnamurra Rd.

Key Actions for the Draft Reserve Action Plan:

- Bush regeneration;
- Wildlife monitoring; and
- Habitat creation

Community Consultation - Communication Methods

Broomham, Forsyth and Killingsworth Parks Action Plan – Community Consultation

	STAKEHOLDER	COMMUNICATION METHOD	DATE	CLOSING DATE FOR COMMENTS
1.	Local Residents	<ul style="list-style-type: none"> • Survey accessible online at Have Your Say Willoughby • Letters mailed to approximately three hundred and seventy seven (377) properties (refer Appendix – Resident letter distribution area) 	31/05/23	28/06/23
2.	Park Visitors	<ul style="list-style-type: none"> • Notification signs displayed in reserve 	31/05/23	

Community Consultation - Respondents

A total of 10 responses were received during this period, nine via Have Your Say, one via email and one via mail.

Comments received were generally supportive of the plan, the works to date and sought a focus on bush regeneration.

Public Exhibition - Comments Received

How frequently do you visit Broomham, Forsyth and Killingsworth Parks?	
• Daily	• Survey (5)
• Weekly	• Survey (1)
• Monthly	• Survey (1)
• A few times a year	• Survey (1)
• Never	• Survey (1)
What's the main reason you visit the Parks?	
• Walking	• Survey (4)
• Nature appreciation	• Survey (2)
• Bushcare	• Survey (0)
• Walking Dog	• Survey (2)
• Other	• Survey (1)
Have you viewed the Draft Reserve Action Plan?	
• Yes	• Survey (9)
• No	• Survey (0)
Do you support the Draft Broomham, Forsyth and Killingsworth Parks Action Plan?	
• Yes	• Survey (4)
• Yes, with changes. Please explain in the comment box below	• Survey (4)
• No, with changes. Please explain in the comment box below	• Survey (1)
Summary of Comments	
• Weed removal	• One (1)
• Hazard reduction burns	• One (1)
• Gross Pollutant Trap maintenance	• Two (2)
• Bushland management	• One (1)
• Access	• One (1)
• Rubbish clean up	• One (1)
• Recycling	• One (1)
• Tree health	• One (1)
Suburb	
• Northbridge	• Survey (8)
• Greenwich	• Survey (1)

SUMMARY OF SUBMISSIONS

	SUBMISSION	RESPONSE
1.	I support the draft Reserve Action Plan as it identifies minimal maintenance to keep the areas as they currently are. This seems to make sense, given the limited use of these areas.	Thank you for your feedback. Council will continue to with its current works.
2.	I support the draft Reserve Action Plan as it incorporates these three sites under the same document.	Thank you for your feedback. Council will continue us the current format for this Reserve Action Plan.
3.	I support the draft Reserve Action Plan as there are only minimal impacts relating to weed and pest management.	Thank you for your feedback. Council will continue to with its current works to ensure reserve impacts are kept to a minimum.
4.	There are introduced and invasive plants in Forsyth Park like a large variety of bird of paradise or banana plant also Monstera plants that will grow very large quickly. There is also overgrown vines along the walkway down Widgiewa Road. Also some of the trees on both sides of Widgiewa Road are overlapping causing a fire hazard and touching the electricity wire. The area going down to the marina is full of weeds and the picnic table is in a terrible state.	Ongoing contractor works to remove weeds in the park are addressed in actions 13, 14, 15, 16 and 18. Council's Creek Project Coordinator will inform contractors to focus on those specific weeds. Tree pruning of that nature will be assessed by Ausgrid / Fire and Rescue NSW.
5.	Reinstate the Drainage easement that has been blocked off between Minnamurra and Upper Minimbah Roads so that chlorine laden stormwater doesn't overflow and kill off vegetation in Killingsworth Park. Reinstating this easement will also stop stormwater from Minnamurra road draining westwards to Forsyth Park along Minimbah Road	We are following up your suggestion with Councils stormwater engineers.
6.	In relation to Killingsworth Reserve, have not seen any maintenance performed on the track or weed reduction in the last 5 years. Bushcare group used to come occasionally prior to this.	Bushland works involving contractors, Council staff and Bushcare volunteers occur in the reserve as identified in actions 4, 5, 6, 7, 8, 9, 10 and 11.
7.	I support the draft Reserve Action Plan as its good to preserve native bush and habitat for native animals	Thank you for your feedback. Council will continue to with its current works.
8.	A kerb along the south side of Minimbah Road to stop weedy vegetation from Killingsworth Park encroaching onto and narrowing the (already narrow) roadway. Where the gradient allows, and where a smaller area is cut off from the main area of Killingsworth Park by high sheer rocks faces (eg opposite 11 and 13 Minimbah Rd), more parking spaces should be provided along the south side of Minimbah Road, so trucks don't take up the residential spots.	Thank you for your feedback. This request has been sent to the appropriate Council team.
9.	The action plan is the same as the 2017-22 plan, whereby nothing was actually done and the Killingsworth reserve is now dramatically overgrown and dangerous (dead trees in danger of falling, wild animals, snakes etc). It would be great to see some timelines with actions so that we can be confident that this beautiful reserve is	In most instances there are only minor changes to reserve actions, information and work areas for reserve action plan updates. Due to document constraints, it is not possible to provide timelines for reserve action progress. Progress for reserve actions are reviewed annually and

<p>10.</p>	<p>restored and can be enjoyed by the community. In summary, I submit three requests:</p> <p>a. Confine this merged Action Plan to the two similarly zoned “Environmental Conservation” Parks at Broomham and Killingsworth, then integrate their excellent bushland value provisions into the revised Forsyth Park Plan of Management 2017 (due for revision this year 2023) because Forsyth Park is distinctly zoned “Public Recreation”, and its current and future Plan of Management involves far greater involvement of other parts of Council and the community.</p> <p>b. Improve carpark pedestrian safety near the new Baths Nature Track by creating a safety Turning Circle at the western end of the carpark area. This will repair the unauthorised encroachments of private properties over the last 70 years, better delineate the southern bushland restoration area, and investigate use of a permeable surface finish to allow rainwater absorption.</p> <p>c. Plan an extension of the popular new Baths Nature Walk from the eastern end of the proposed Carpark Turning Circle winding up to near the top junction of Coorabin/Widgiewa, to serve as a safer and more enjoyable pedestrian walkway separate from the narrow ,shared pedestrian/vehicle Widgiewa Road, as well as a firebreak and better access for bushcare and rehabilitation.</p> <p>d. Integrate the roles of operational groupings within Council so that employees and contractors integrate their roles and responsibilities, including fixing minor problems and promptly notifying major ones, because it is more effective and efficient to have a small overlap, than gap.</p>	<p>documented by Council.</p> <p>The updated Forsyth Park Plan of Management will address all issues relating to this park. The specific bushland management issues will also be referred to. At this time the grouping of the three reserves in the current Reserve Action Plan is considered important due to their proximity and related issues.</p> <p>This will be addressed in the Forsyth Park Plan of Management.</p> <p>This will be included in a future walking tracks capital works bid proposal.</p> <p>This will be addressed in the Forsyth Park Plan of Management and will also aim to integrate community participation in this process.</p>
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Appendix

Website Survey – Have Your Say Willoughby

Broomham, Forsyth and Killingsworth Parks, Northbridge – Draft Reserve Action Plan

Willoughby City Council is seeking community feedback for Broomham, Forsyth and Killingsworth Parks.

Please review the Broomham, Forsyth and Killingsworth Parks Draft Action Plan in the Document Library and leave your comments below in the survey prior to closure of the community consultation period at 5 pm, Wednesday 28 June 2023.

Broomham Park, also known as The Knoll and formerly as Pudding Hill, is a small but steep 0.5ha bushland reserve. Forsyth Park is 0.6ha of bushland that surrounds the Northbridge Baths, including the carpark off Widgiewa Road. Killingsworth Park is a long and narrow 1.55ha bushland reserve that runs between Minimbah Road and sections of Upper Minimbah Road, residential properties and Minnamurra Road.

Key Actions for the Draft Reserve Action Plan:

- Continuation of weed management programs by bushland regeneration contractors, Council staff and volunteers;
- Track maintenance; and
- Asset installation

All community members who leave a comment will receive a response after the community consultation period.

How frequently do you visit Broomham, Forsyth and Killingsworth Parks?

- Daily Weekly Monthly A few times each year Never

What's the main reason you visit the Parks?

- Nature Appreciation Walking Walk with dog Bushcare volunteer Other

Have you viewed the Draft Reserve Action Plan?

- Yes No

Do you support the Broomham, Forsyth and Killingsworth Parks Reserve Action Plan?

- Yes Yes, with changes. Please explain in the comment box below
- No. Please explain in comment box below

Notification

Letter to Residents

PLANNING & INFRASTRUCTURE
Environmental Unit

31 May 2023

Willoughby City Council
PO Box 57
CHATSWOOD NSW 2057

Dear Sir/Madam

RE: DRAFT BROOMHAM, FORSYTH AND KILLINGSWORTH PARKS ACTION PLAN

Council has updated the Bushland Reserve Action Plan for Broomham, Forsyth and Killingsworth Parks. The Draft Plan outlines bushland management actions to preserve and enhance local ecological values.

Key actions include weed removal, track maintenance and asset installation.

We welcome your feedback on the Draft Plan and invite you to view and comment through Have Your Say Willoughby at www.haveyoursaywilloughby.com.au by 5pm, Wednesday 28 June 2023.

Alternatively, comments should be marked to the attention of Council's Natural Assets Officer, Nicholas Yu to the address below or via email to email@willoughby.nsw.gov.au

Yours sincerely,

Alfred Bernhard
BUSHLAND TEAM LEADER

(Computer printed copy - No signature required)

9

Resident Letter Distribution Area



Approximately 377 residences

Notification Signage



BROOMHAM, FORSYTH AND KILLINGSWORTH PARKS

Council has created an updated Reserve Action Plan for Broomham, Forsyth and Killingsworth Parks and is seeking comments from the community regarding this Draft.

Have Your Say about the Draft Plan by:

- **Commenting on the Have Your Say Willoughby website**
- **Writing to Council**

To view the plan and to make comments, please go to:

www.haveyoursaywilloughby.com.au

Alternatively, send your comments marked to the attention of Council's Natural Assets Officer, Nicholas Yu to the address below or via email to email@willoughby.nsw.gov.au

The submission period will close at **5pm, Wednesday 28 June**.

**12.17 DRAFT MINUTES - ACTIVE & INTEGRATED TRANSPORT AC - 6
SEPTEMBER 2023**

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – ACTIVE & INTEGRATED TRANSPORT ADVISORY COMMITTEE HELD 06 SEPTEMBER 2023
RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DANIEL SUI – TRAFFIC & TRANSPORT TEAM LEADER NORMA SHANKIE-WILLIAMS – STRATEGIC PLANNING TEAM LEADER BUSHRA SALAM – GOVERNANCE ADMINISTRATION OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To present to Council for noting, the minutes of the Active & Integrated Transport Advisory Committees meeting held on 6 September 2023.

2. OFFICER'S RECOMMENDATION

That Council receive and note the minutes of the meeting of the Active and Integrated Transport Advisory Committee held on 6 September 2023.

3. BACKGROUND

Advisory Committees provide independent, expert and impartial advice on the development and implementation on strategic priorities of Council. They consider reports and plans from Council officers and make recommendations to Council for consideration.

At the 27 March 2023 Council meeting, Council endorsed the members of the Active and Integrated Transport Advisory Committee (the Committee).

The Terms of Reference required the minutes of each meeting to be reported to Council at the next available Council meeting.

4. DISCUSSION

Progress on the Draft Road Safety Plan:

The Strategic Planning Team Leader, provided a briefing on progress with the draft Road Safety Plan. She advised early consultation took place before the draft was drawn up where the community was invited to complete a survey. 126 people responded in the survey. The Committee expressed the desire for reduced speeds and it was confirmed the draft Road Safety Plan covers speed reduction issues.

The Traffic and Transport Team Leader, provided a summary of feedback by the Committee. The Chair expressed appreciation to all for the extensive feedback that was provided. The Committee had general discussions with Traffic and Transport Team on topics such as project timelines; financial budgets; regional networks; impact of urban environmental changes since the 2017 Bike Plan; and community engagement. The Team Leader also suggested referencing the City of Sydney's Cycling Strategy and KPI's that are all potentially relevant to develop WCC's Cycling Strategy and Action Plan.

Other points of discussion

Travel demand management (TDM) principles guide transport planning under the ITS with people encouraged to use more active & public transport. The Victoria Avenue Movement and Place plan is an example of a project examining the need to balance movement with place in Willoughby however this is still at an early stage.

Carried: (Chair) Seek reduction of speed limits (40km/hr or 30km/hr). Depending on the locations of the streets and mostly throughout the CBD, local centres, and in school areas. Committee requested Council explore lowest speed limit possible in line with TfNSW.

The overview of the Committees meetings is recorded in the final draft minutes (**Attachment 2**). Draft minutes were circulated electronically to the Committee for comments and will be considered at the Committees next meeting.

5. CONCLUSION

These draft minutes do not bind Council to any additional resource commitment. It is recommended Council receive and note the draft minutes of the meeting of the Active and Integrated Transport Advisory Committee held on 6 September 2023.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes / Services	Advisory Committees are created for the sole purpose of providing independent, expert and impartial advice on the development and implementation of strategic priorities of Council.
Policy	<i>Advisory Committees Policy 2022</i>
Consultation	The draft minutes were circulated by email to the Active & Integrated Transport Advisory Committee on 19 September 2023 with comments closed on 29 September 2023. Comments received have been included in this draft.
Resource	There are no resourcing implications applicable to this report.
Risk	There are no risks applicable to this report.
Legal	There are no legal implications applicable to this report.
Legislation	There are no legislation implications applicable to this report.
Budget/Financial	There are no budget implications applicable to this report

Minutes



Active and Integrated Transport Advisory Committee

Wednesday, 06 September 2023
5:00pm

Location: Banksia Room, Willoughby City Council, Level 6

Chair: John Chase

Attendees: Andrew Nelson - Member
Carolyn New – Member
Mary Ann Irvin – Member
John Chase– Member
Alan Yang– Member
Nathan de Leeuw– Member [via Zoom]

Norma Shankie-Williams – Strategic Planning Team Leader
Daniel Sui – Traffic and Transport Team Leader
Adeline Sim- Senior Transport Engineer
Natalie Taylor – Council and Corporate Support Officer
Bushra Salam – Governance Administration Officer

Apologies/absent: Members: Stephanie Croft; Wendy Jannings; Grant Berthold

Guests Councillor John Moratelli
Nick Chapman (Resilience Specialist)

Agenda items

Item	Topic / Discussion	Action
1	Welcome: The meeting was opened at 5:02pm	Chair
	Acknowledgement of Country <i>Willoughby City Council acknowledges the Traditional Owners of the lands on which we meet today, the Gamaragal People, and their connections to land, waters, and community. We pay our respects to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander people, including those who may be in attendance today.</i>	Governance
	Declarations of interest There were no disclosures of interest submitted.	

<p>2 Appointment of Committee Chair</p>	
<p>Nominations for Chair of the meeting: The Committee voted the Chair of the meeting be John Chase.</p>	
<p>3 Confirmation of Minutes – 19 July 2023</p>	
<p>The minutes from the previous meeting, 19 July 2023, were circulated and approved unanimously with an amendment.</p>	<p>Chair</p>
<p>4 Strategic Activities</p>	
<p>Review of action items (refer to Attachment A)</p> <p>Action: Updates and new matters by Council officers</p> <p>Norma Shankie-Williams-Strategic Planning Team Leader, provided a briefing on progress with the draft Road Safety Plan. She advised early consultation took place before the draft was drawn up where community were invited to complete a survey. 126 people responded in the survey.</p> <p>The Committee expressed the desire for reduced speeds and it was confirmed the draft Road Safety Plan covers speed reduction issues.</p> <p>Daniel Sui-Traffic and Transport Team Leader, provided summary of Feedback by the Committee.</p> <p>The Chair expressed appreciation to all for the extensive feedback that was provided. The Committee had general discussions with Traffic and Transport Team on topics such as project timelines; financial budgets; regional networks; impact of urban environmental changes since the 2017 Bike Plan; and community engagement; Daniel also suggested to take referencing to City of Sydney’s Cycling Strategy and KPI’s that are all potentially relevant to develop WCC’s Cycling Strategy and Action Plan.</p> <p>Daniel introduced Adeline Sim as a new member of the Traffic & Transport team at the Council. Adeline shared that WCC is commencing a detailed design for the shared path along Smith Street, between High Street and Eastern Valley Way, which the concept design was approved in July 2021 Council meeting. Consultant will be engaged to work on the detailed design. The Committee looks forward for more details to be shared when the work starts.</p> <hr/> <p>Nick Chapman gave presentation on Schools Active Transport Network</p> <p>The Committee was very appreciative of the presentation from Nick and discussed the merits of behavioural change programs being led by youth. The Committee was very encouraged and saw further application across the Council.</p>	

Carried: The Committee strongly supports this work and recommends that Council extends this across all schools on a staged basis.

Moved by (Chair) John Chase and Seconded by Carolyn.

4 Other Business

- **Consider 30km/hr speed limit on Willoughby streets**

Strategic Planning Team Leader: The travel demand management (TDM) principles guide transport planning under the ITS with people encouraged to use more active & public transport.

The Victoria Avenue Movement and Place plan is an example of a project examining the need to balance movement with place in Willoughby however this is still at an early stage.

Carried: (Chair) Seek reduction of speed limits (40km/hr or 30km/hr). Depending on the locations of the streets and mostly throughout the CBD, local centres, and in school areas. Committee requested Council explore lowest speed limit possible in line with TfNSW.

Moved by Mary Ann Irvin and seconded by Andrew Nelson

Next Meeting:

25 October 2023

Agenda items:

- Review of the Willoughby Integrated Transport Strategy Action Plan
- Draft prioritization framework
- Review Google doc list of opportunities and suggestions:
 - Reviewing items in the existing Bike Plans: dividing up the areas.

Meeting closed: 6:35 pm.

Attachment A – Action items

Date added	Matter	Latest update	Person/people responsible
19/7/23	Draft brief for Bike Plan consultation to be prepared and circulated for comment	Complete	
21/6/23	Circulation of City of Sydney Bike Plan to Committee as an example	Complete	
21/6/23	Draft prioritization framework	Complete	
21/6/23	Review the existing Action Plan attached to the WCC Integrated Transport Strategy	Will be discussed	
21/6/23	Email to request Council to consider submission to North Sydney Network Review	Complete	
21/6/23	Best practice signage for cycle routes	Complete	
6/23	Information re PMD	Complete	
5/23	Set up Google sheet	Complete	
5/23	Consult with networks and add items to Google sheet	Ongoing	

**12.18 DRAFT MINUTES - BICENTENNIAL RESERVE AND FLAT ROCK GULLY
ADVISORY COMMITTEE MEETINGS HELD 17 MAY 2023 AND 20
SEPTEMBER 2023**

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – BICENTENNIAL RESERVE AND FLAT ROCK GULLY ADVISORY COMMITTEE HELD 17 MAY 2023 3. MINUTES – BICENTENNIAL RESERVE AND FLAT ROCK GULLY ADVISORY COMMITTEE HELD 20 SEPTEMBER 2023
RESPONSIBLE OFFICER:	LINDA PERRINE – COMMUNITY, CULTURE & LEISURE DIRECTOR HUGH PHEMISTER - PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	JULIE WHITFIELD – OPEN SPACE PLANNER SAMANTHA CONNOR – GOVERNANCE, RISK AND COMPLIANCE MANAGER BUSHRA SALAM – GOVERNANCE ADMINISTRATION OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To present to Council for noting, the minutes of the Bicentennial Reserve and Flat Rock Gully Advisory Committee meetings held on 17 May 2023 and 20 September 2023.

2. OFFICER'S RECOMMENDATION

That Council receive and note the minutes of the meetings of the Bicentennial Reserve and Flat Rock Gully Advisory Committee held on 17 May 2023 and 20 September 2023.

3. BACKGROUND

Advisory Committees provide independent, expert and impartial advice on the development and implementation on strategic priorities of Council. They consider reports and plans from Council officers and make recommendations to Council for consideration.

At the 27 March 2023 Council meeting, Council endorsed the members of the Bicentennial Reserve and Flat Rock Gully Advisory Committee. The Terms of Reference required the minutes of each meeting to be reported to Council at the next available Council meeting.

4. DISCUSSION

An incorrect draft of the minutes of the meeting of the Bicentennial Reserve and Flat Rock Gully Advisory Committee held on 17 May 2023 was inadvertently attached to the 28 August 2023 report to Council. The correct draft is attached to this report for noting (**Attachment 2**).

At the 20 September 2023 meeting of the Committee, governance and procedural matters included:

- Appointment of the Chair – the Committee appointed Councillor Greco Chair for the meeting, while it considered appointment of an ongoing Chair for future meetings.
- New Members and Council officers introduced themselves and provided some background of their experience and interests.

The committee was updated regarding:

- The new Plan of Management for Urban Bushland 2023 has been adopted and is available on the Council website.
- Flat Rock Gully- Reserve Action Plan 2023 - is on Have Your Say website - inviting community feedback up to 19 October 2023.
- The new public spaces & recreation strategy.

The Committee also discussed the Future Focus areas of the Committee.

The overview of the Committee's meeting is recorded in the final draft minutes (**Attachment 3**).

The draft minutes of the 17 May 2023 meeting were circulated electronically to the Committee for comments and were accepted at the Committee's 28 June 2023 meeting. The draft minutes of the 20 September 2023 meeting were circulated electronically to the Committee for comments and will be confirmed at the Committee's next meeting.

5. CONCLUSION

These draft minutes do not bind Council to any additional resource commitment. It is recommended Council receive and note the draft minutes of the meetings of the Bicentennial Reserve and Flat Rock Gully Advisory Committee held on 17 May 2023 and 20 September 2023.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes / Services	Advisory Committees are created for the sole purpose of providing independent, expert and impartial advice on the development and implementation of strategic priorities of Council.
Policy	<i>Advisory Committees Policy 2022</i>
Consultation	The draft minutes of the 17 May 2023 meeting were circulated by email to the Bicentennial Reserve and Flat Rock Gully Advisory Committee and accepted at its 28 June 2023 meeting. The draft minutes of the 20 September 2023 meeting were circulated by email to the Committee on 27 September 2023 with comments closing on 12 October 2023. No comments were received.
Resource	There are no resourcing implications applicable to this report.
Risk	There are no risks applicable to this report.
Legal	There are no legal implications applicable to this report.
Legislation	There are no legislation implications applicable to this report.
Budget/Financial	There are no budget implications applicable to this report

Minutes



ATTACHMENT 2

Bicentennial Reserve and Flat Rock Gully Advisory Committee

**Wednesday 17 May 2023
3.30-5.00pm**

Location:	Level 6, 31 Victor St Chatswood
Chair:	Councillor Anna Greco
Attendees:	Nicola Ward – Member Bob Taffel – Member Jennifer Roxburgh – Member Kristina Dodds – Member Heidi Key – Member Benita Dwyer – Member (arrived 3:45pm) Julie Whitfield – Open Space Planner Angela Casey – Culture & Leisure Manager David Roberts – Environment Manager Samantha Connor – Governance, Risk and Compliance Manager
Apologies/absent:	Nil
Guests	Nil

Agenda items

Item	Topic / Discussion	Action
1	<p>Welcome:</p> <p>The meeting was declared open at 3:00pm</p>	
	<p>Apologies</p> <p>Nil</p>	
	<p>Declarations of interest</p> <p>Disclosure of interest process was summarised by Samantha Connor.</p> <p><i>Disclosure of interest by Committee Members</i> forms were available in the meeting.</p> <p>No declarations of interest were made.</p>	

Acknowledgement of Country

Willoughby City Council acknowledges the Traditional Owners of the lands on which we meet today, the Gamaragal People, and their connections to land, waters, and community. We pay our respects to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander people, including those who may be in attendance today.

2	Introductions	
	<p>Committee member background and goals</p> <p>Members, Council officers and guests introduced themselves and provided some background of their experience and interests.</p>	
3	Committee Governance	
	<p>Appointment of Chair</p> <p>Pursuant to clause 5.4 of the Committee's Terms of Reference, the Committee unanimously appointed Councillor Greco Chair for the meeting and noted that appointment of an ongoing Chairperson be reconsidered at the next meeting of the Committee.</p>	Consider election of Chairperson at the next meeting of the Committee.
	<p>Operating Arrangements (methods of communication, meeting frequency, etc)</p> <p>The Committee unanimously resolved:</p> <ol style="list-style-type: none"> 1. To hold the formal meetings at Level 6, 31 Victor St, Chatswood, on: <ul style="list-style-type: none"> • Wednesday 28 June 2023, 3:30pm to 5:00pm; • Wednesday 26 July 2023, 3:30pm to 5:00pm; and • Wednesday 23 August 2023, 3:30pm to 5:00pm. 2. To determine dates for the remainder of 2023 and 2024 at the August meeting. 3. Notice of meetings and agendas be circulated to regular guests of Committee meetings, in accordance with the timing outlined in the Terms of Reference. 4. That email be the preferred method of communication. 	
	<p>Terms of Reference</p> <p>The Committee unanimously resolved:</p> <ol style="list-style-type: none"> 1. To accept two amendments to the Terms of Reference (Attachment 1): <ul style="list-style-type: none"> • Adding skills, knowledge and experience to section 7.2 <i>Membership</i> linking to the uses of Bicentennial reserve and 	Include Attachment 1 in the business papers for the next available meeting of Council.

consistent with the 28 March Council resolution to conduct a second Expression of Interest to recruit diverse membership including those from sporting groups.

- Including a provision in section 10.1 to allow members to seek leave of absence from meetings, so as not to impact on their attendance record.
- 2. Acknowledging that the Terms of Reference may only be amended by a resolution of Council, IT IS RECOMMENDED that Council amend the Terms of Reference in accordance with **Attachment 1**.

The Committee considered requesting that Council appoint a representative from the Naremburn, Northbridge and Willoughby South Progress Associations, and from bush care, the netball club and baseball club, so that all site stakeholders are a part of this Advisory Committee.

Officers advised that under the Terms of Reference, members are individual community members with relevant experience, rather than representatives of organisations.

In addition, Council has endorsed members following an open EOI process, including selection based on a number of criteria to meet the needs of the committee. Council also resolved to conduct a second round EOI to ensure diversity of membership and to encourage application from people involved in sporting groups. The results of the EOI will be reported to Council in August. It is anticipated that members recruited from the EOI will ensure representation from broader stakeholder groups.

4 Strategic Activities

Background and Context of Bushland Program

Julie Whitfield provided background including:

- Previous Plans of Management (PoM) have been condensed into the Urban Bushland PoM, Sports Facilities PoM and Willoughby Parks Generic PoM. Additionally, there are several individual PoMs.
- For this committee, the Urban Bushland PoM relates to Flat Rock Gully and the Bicentennial Reserve PoM relates to Bicentennial reserve.
- Both Plans of Management are on Council's website

Links to the PoMs on Council's website will be provided to the committee

Urban Bushland Plan of Management 2023

David Roberts provided an overview of the Urban Bushland Plan of Management.

The committee noted that Flat Rock Gully under this PoM is also

covered by the Bushland and Natural Heritage Advisory Committee. To prevent crossover or duplication, the two committees will need to be aligned with regard to Flat Rock Gully.

Due to this crossover the committee considered requesting Council appoint a member of the Bushland and Natural Heritage Advisory Committee to be an observer with speaking rights on the Bicentennial Reserve and Flat Rock Gully Advisory Committee. Officers advised that any member of the public can attend committee meetings as an observer and that the Chair may provide opportunity for observers to address the committee during a meeting. Therefore, Council is not required to appoint an observer to this committee.

The committee considered the notion of being a site specific advisory committee due to the unique nature of Bicentennial Reserve and Flat Rock Gully being:

- in a major water catchment that lead to Middle Harbour
- the site sits on top of a highly contaminated historical tip
- the Leisure Centre is undergoing a major rebuild, and
- the area remains under threat from the Beaches Link tunnel

<p>Reserve Action Plans</p> <p>David Roberts presented the Reserve Action Plans concept and the process for implementing the Plans' actions. The Reserve Action Plan will be reviewed in 2023/24 and the committee will have the opportunity to contribute to the review of the Plan.</p> <p>The Committee commented that they would like to give advice about future consultation projects.</p>	<p>Further detail at the next meeting of the Committee.</p>
<p>Future Focus areas of the committee</p> <p>Reserve Action Plan for Flat Rock Gully – review and advice.</p> <p>Waterways contamination</p> <p>The committee agreed to defer establishment of working groups until completion of the second round EOI, when all members can be present.</p>	
<p>5 Other Business</p> <p>The Committee commented that they would like to give advice about future consultation projects.</p> <p>The Committee would like to understand upcoming projects relevant to the site and the committee.</p> <p>Officers advised that WLC project updates can be found on Willoughby Leisure centre website.</p>	<p>Overview of projects to be presented at the June or July meeting.</p>

Next Meeting

Date

Wednesday 28 June 2023, 3:30pm to 5:00pm (in person)

Agenda Items

Briefing on the Flat Rock Gully Reserve Action Plan

Update on the EOI process

Update on the Leisure Centre upgrade

Waterways – EPA update on contamination

Meeting Closed

5:09pm

Attachment 1 – Proposed Amended terms of Reference

BICENTENNIAL RESERVE AND FLAT ROCK GULLY ADVISORY COMMITTEE

PURPOSE

2.1 Advisory Committees are created for the sole purpose of providing independent, expert and impartial advice on the development and implementation of strategic priorities of Council.

2.2 This Committee will assist Council in achieving the Plan of Management for Bicentennial Reserve & the Urban Bushland Plan of Management (Flat Rock Gully), through:

2.2.1 Providing advice on strategic issues and policy development

2.2.2 Providing advice on the implementation of key projects and initiatives

2.2.3 Providing advice on how to raise awareness and promote behaviour change within the community on key initiatives.

Subjects in Scope: Development and review of the Plan of Management for Bicentennial Reserve & Urban Bushland Plan of Management (Flat Rock Gully)

Key Strategies: Plan of Management for Bicentennial Reserve & the Urban Bushland Plan of Management (Flat Rock Gully)

Subjects out of scope: Operational matters but not so as to exclude consideration of current projects or practices to suggest improvements, in accord with the review process for that project or initiative.

The Committee will need to agree to their priority focus and work plans, aligned to the Operational Plan.

2.3 The Advisory Committees will be successful if they:

- Focus on strategic initiatives that support the delivery or review of the identified strategic priorities including increased community uptake of relevant initiatives
- Are active and productive
- Are where members collaborate
- Promote self-initiative, resilience and empowerment of both members and the broader community
- Are representative of the community and community interests.

ALIGNMENT TO THE COMMUNITY STRATEGIC PLAN

3.1 The Bicentennial Reserve and Flat Rock Gully Advisory Committee assists Council to achieve the following Community Strategic Plan objectives:

Outcome 1: A City that is green

- Priority 1.3: Enhance, protect and respect waterways, bushland, wildlife and ecological systems

Outcome 3: A City that is liveable

- Priority 3.3 Promote an active and healthy lifestyle.

ALIGNMENT TO THE DELIVERY PROGRAM

CHAIRPERSON

5.1 A community member is the Chairperson of the Bicentennial Reserve and Flat Rock Gully Advisory Committee.

5.2 The inaugural Chairperson shall be confirmed or not at the third meeting of the Committee and thereafter on an annual basis.

5.3 In the absence of the Chair, another community member selected by the Committee will perform the role of Chairperson.

5.4 The committee can request that a councillor present at the meeting be the Chairperson.

SECRETARY

6.1 Council will provide a staff member to make room bookings, send invitations, prepare and distribute the agenda and minutes and provide the report to Council.

MEMBERSHIP

7.1 A minimum of six and maximum of 12 community representatives are to be appointed to the committee. It is anticipated that the majority of Advisory Committee members will be local residents.

7.2 Community representatives are required to have skills and knowledge and/or community experience relevant to the purpose of the Advisory Committee, including:

- Qualifications or demonstrated experience in one of the following areas: environment; natural heritage; bushland management; conservation; education; sustainability; ~~-organised community sport, community recreation and leisure management; active transport~~
- Ability to create ~~te-and maintain connections with community or sporting groups, have existing connections with community groups,~~ organisations or stakeholders within the Willoughby Local Government Area

7.3 To ensure a broad representation, all members are limited to holding a maximum of two concurrent memberships to Council Advisory Committees.

7.4 Willoughby City Council Councillors can attend any Advisory Committee as observers with speaking rights.

7.5 Willoughby City Council staff are excluded from membership.

7.6 There is no payment for membership.

COUNCIL OFFICERS

8.1. In addition to the staff member mentioned at 6.1, the Chief Executive Officer will arrange for appropriate staff dealing with the subject matter on the agenda to attend meetings. The Chief Executive Officer will attempt to ensure continuity of staff attendance as much as possible.

MEETING FREQUENCY AND NOTICE

9.1 Meetings shall be held a minimum of two and maximum of six occasions per year.

9.2 All meetings will be conducted in Council owned facilities or via video conferencing.

9.3 Notice of meetings and agendas will be provided at a minimum of two weeks prior to the meeting.

9.4 At the inaugural meeting of the Advisory Committee, the Committee will determine their operating arrangements, including methods of communication, frequency of meetings, tenure and other considerations relevant to achieving their objectives. Staff will also induct them into their roles and obligations and conduct the process of selecting the Chair.

ATTENDANCE

10.1 If a member is absent for three consecutive meetings without an apology their position will be declared vacant.

QUORUM

11.1 A quorum of the committee is 50% of its ordinary membership plus one.

RESPONSIBILITY OF MEMBERS

12.1 All committee members are expected to abide by Willoughby City Council's Code of Conduct 2020.

12.2 Members are required to declare any conflicts of interest in accordance with Willoughby City Council's Code of Conduct 2020.

12.3 Members will be expected to work collaboratively with other committee members and contribute to the discussion of agenda items.

12.4 Members will be required to be inducted into their roles and obligations by staff and may be required to undertake training relevant to the purpose of the committee. Any such training will be at Council's expense.

12.5 Members do not have decision making authority, nor can they direct staff. Any recommendations from the Committee will be reported to Council for consideration.

MINUTES

13.1 Minutes of the meeting shall report on the outcome of discussions in regard to agenda items, this will include details of any action or recommendation of the committee and will be reported to Council at the next available meeting. Draft minutes shall be made available to member of the Committee within two weeks of the meeting.

PROCEDURAL MATTERS

14.1 The ruling of the Chairperson is final in regard to all procedural matters.

TERM OF MEMBERSHIP

15.1 Community representatives will be appointed by Council.

15.3 All committee members will cease at the commencement of the caretaker period associated with Local Government Elections.

VACANCIES

16.1 Members wishing to resign from the committee are requested to do so in writing.

16.2 Council will undertake an expression of interest to establish Advisory Committees; vacancies will be filled from suitable respondents to this process.

16.3 Vacancies may not be filled in the final 12 months of the Council term; they will not be filled in the final six months.

TERM OF THE COMMITTEE

17.1 All Advisory Committees will be disbanded prior to the commencement of the caretaker period preceding the Local Government Election.

17.2 Should the purpose of the committee be achieved prior to this time, the committee will be disbanded.

17.3 An end of term report outlining the work and achievements of the committee during the term, be submitted to Council, prior to the caretaker period.

WORKING PARTIES

18.1 Working parties may be established to assist the Committee in working through specific issues.

18.2 Working parties will be open to community members with a specific interest and/or expertise in the subject matter relevant to the working party.

18.3 A member of the Advisory Committee must sit on each working party.

18.4 Working parties will need to be resourced by the Committee (e.g., meeting arrangements, minutes), and will be provided a space in a Council facility or access to video conferencing to meet.

18.5 Working parties Terms of Reference need to be approved by Council prior to establishment.

TERMS OF REFERENCE

19.1 Terms of Reference of the Advisory Committee must be adopted by Council.

19.2 These Terms of Reference may only be amended by a resolution of Council.

Minutes



ATTACHMENT 3

Bicentennial Reserve and Flat Rock Gully Advisory Committee

**Wednesday 20 September 2023
3.30-5.00pm**

Location:	Banksia Room, Level 6, 31 Victor St Chatswood
Chair:	Councillor Anna Greco
Attendees:	Nicola Ward – Member Kristina Dodds – Member Benita Dwyer – Member Heidi Key– Member Andrew Stone– Member Brian Norton– Member Julie Whitfield-Open Space Planner Samantha Connor-Governance-Risk and Compliance Manager Bushra Salam- Governance Administration Officer
Apologies/absent:	Members: Bob Taffel, Jenny Roxburgh, Les Tyrpenou, Denis Fernandez Staff: Peter Lisle-Sustainability Team Leader
Guests	Councillor Anna Greco

Agenda items

Item	Topic / Discussion	Action
1	<p>Welcome:</p> <p>The meeting was declared open at 2:57pm</p>	
	<p>Acknowledgement of Country</p> <p><i>Willoughby City Council acknowledges the Traditional Owners of the lands on which we meet today, the Gamaragal People, and their connections to land, waters, and community. We pay our respects to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander people, including those who may be in attendance today.</i></p>	
2	<p>Committee Governance</p>	

Appointment of Chair

Pursuant to clause 5.4 of the Committee's Terms of Reference, the Committee unanimously appointed Councillor Anna Greco Chair for the meeting and noted that appointment of an ongoing Chairperson be reconsidered at the third meeting of the Committee.

Nominations for Chair of the meeting:

Heidi Key nominated Kristina Dodds.

Andrew Stone against.

Andrew Stone nominated Councillor Anna Greco and Kristina Dodds withdrew her nomination.

All in favour.

Unanimously carried.

Apologies

Bob Taffel, Jenny Roxburgh, Les Tyrpenou, Denis Fernandez

Declarations of interest

A link to the Disclosure of interest by Committee Members form was circulated with the Agenda.

<https://www.willoughby.nsw.gov.au/Council/Forms/Disclosure-of-interest-by-Committee-Members>

No declarations of interest were made.

Acceptance of previous minutes

Members were sent the draft minutes prior to the meeting and have reviewed and provided feedback. The committee unanimously resolved to accept the minutes of the 26 July 2023 meeting:

Moved by Kristina Dodds and Seconded by Heidi Key

Chair: The committee resolved to replace/adjust May 17 minutes with the committee approved minutes. Unanimously carried.

Moved by Kristina Dodds and Seconded by Heidi Key

Actions arising from previous minutes

a. Welcome New Members

New and existing members attended a 'meet and greet' session prior to the commencement of the meeting.

The Chair welcomed new members Andrew Stone and Brian Norton. Les Tyrpenou and Denis Fernandez were apologies.

b. Bicentennial Reserve placemaking- group discussion and site visit.

The Committee undertook a site visit on 2/9/23 and compiled a Public Spaces Evaluation Report, based the planning tool from the NSW Government. The report provides valuable observations by the Committee on the reserve's strengths, weaknesses, opportunities and threats.

Discussion about the area around/ behind the Incinerator as having potential for repair, given the length of time that the temporary fences have been in place.

Another site visit is needed as four new members have joined the committee; their comments need to be added the Public Spaces Evaluation Report.

Once all comments are collated, the Committee should consider developing an Action Plan for the Reserve based on improvements works that could be carried out quickly/ low cost.

Report to be forwarded to the 4 new Committee members.

Open Space team to provide update on current works at The Incinerator including its background, heritage status and curtilage.

New Committee members to provide feedback to the Public Spaces Evaluation Report.

Action Plan for quick/ low cost improvements for the reserve to be considered.

<p>3 Strategic Activities</p>	
<p>Update - Urban Bushland Plan of Management 2023</p> <p>The new <i>Plan of Management for Urban Bushland 2023</i> has been adopted and is available on the Council website.</p> <p>Flat Rock Gully- Reserve Action Plan 2023 - is on Have Your Say website - inviting community feedback up to 19 October 2023.</p>	<p>HYS link to the Plan of Management to be circulated to the Committee.</p> <p>Governance shared the Have Your Say link to the survey with the Committee.</p>

Update – new Public Spaces & Recreation Strategy

A new Public Spaces and Recreation Strategy is expected to go on public exhibition at the end of October 2023. The strategy has 5 Strategic opportunities to optimize the public spaces available in the City. The Committee is encouraged to consider the Strategy and provide feedback.

Committee to consider a joint submission to the Strategy exhibition.

4 Other Business

Bicentennial Reserve declared as 'Contaminated' by the NSW Environmental Protection Authority in September this year. Committee requested an update on the implications of the declaration.

Open Space team to provide update on EPA declaration for Bicentennial Reserve.

Next Meeting

4:00-5:30pm- Wednesday 29 November 2023 (on Teams and at Victor St offices.)

Agenda Items

- Bicentennial Reserve – Public Spaces Evaluation Report by the Committee. The report to be circulated by Kristina Dodds to four new members so they can add their comments and discuss at the next meeting.
- The Incinerator - update on current works for The Incinerator, including background about the building, its heritage status and curtilage.
- Flat Rock Gully Reserve Action Plan 2023 – Committee input and site observations.
- Bicentennial Reserve - EPA Contamination declaration update.

Meeting Closed

5:10 pm

12.19 DRAFT MINUTES - BUILT AND CULTURAL HERITAGE ADVISORY COMMITTEE HELD 12 SEPTEMBER 2023

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – BUILT AND CULTURAL HERITAGE ADVISORY COMMITTEE HELD 12 SEPTEMBER 2023
RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	NORMA SHANKIE-WILLIAMS – STRATEGIC PLANNING TEAM LEADER ALICE STAPLETON – HERITAGE PLANNER MITCHELL NOBLE – HEAD OF PLANNING SAMANTHA CONNOR – GOVERNANCE, RISK AND COMPLIANCE MANAGER BUSHRA SALAM – GOVERNANCE ADMINISTRATION OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To present to Council for noting, the minutes of the Built and Cultural Heritage Advisory Committee meeting held on 12 September 2023.

2. OFFICER'S RECOMMENDATION

That Council receive and note the minutes of the meeting of the Built and Cultural Heritage Advisory Committee held on 12 September 2023.

3. BACKGROUND

Advisory Committees provide independent, expert and impartial advice on the development and implementation on strategic priorities of Council. They consider reports and plans from Council officers and make recommendations to Council for consideration.

At the 27 March 2023 Council meeting, Council endorsed the members of the Built and Cultural Heritage Advisory Committee. The Terms of Reference required the minutes of each meeting to be reported to Council at the next available Council meeting.

4. DISCUSSION

At the meeting of the Committee, governance and procedural matters included:

Appointment of the Chair – the Committee appointed Nicholas Flood Chair for the meeting, while it considered appointment of an ongoing Chair for future meetings in its next meeting.

New Members and Council officers introduced themselves and provided some background of their experience and interests.

The committee were updated on the progress of the 2023 Heritage Review.

Advice of the committee was considered from the July meeting, when developing the scope for the review project:

- Nominations for potential heritage items have been received and have been compiled into a brief distributed to heritage consultants for a fee proposal.
- It's expected a consultant will be engaged and the project will commence in the second half of October 2023.

The Committee also discussed the future focus areas of the Committee.

The overview of the Committee's s meeting is recorded in the final draft minutes (**Attachment 2**). The draft minutes were circulated electronically to the Committee for comments and will be considered at the Committee's next meeting.

5. CONCLUSION

These draft minutes do not bind Council to any additional resource commitment. It is recommended Council receive and note the draft minutes of the meeting of the Built and Cultural Heritage Advisory Committee held on 12 September 2023.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes / Services	Advisory Committees are created for the sole purpose of providing independent, expert and impartial advice on the development and implementation of strategic priorities of Council.
Policy	<i>Advisory Committees Policy 2022</i>
Consultation	The draft minutes were circulated by email to the Built and Cultural Heritage Advisory Committee on 18 September 2023 with comments closed on 10 October 2023. No Comments were received.
Resource	There are no resourcing implications applicable to this report.
Risk	There are no risks applicable to this report.
Legal	There are no legal implications applicable to this report.
Legislation	There are no legislation implications applicable to this report.
Budget/Financial	There are no budget implications applicable to this report

Minutes



ATTACHMENT 2

Built and Cultural Heritage Advisory Committee

**Tuesday 12 September 2023
4.00-5.30pm**

Location:	Coachwood Room Level 6, 31 Victor St Chatswood
Chair:	Nicholas Flood
Attendees:	Members: Rena Czaplinska-Arche, Adrian Alexander, Audrey Thomas, Nicholas Flood, Paul Storm, Wayne Familo, Srishti Mahhajan, Denis Fernandes Staff: Norma Shankie-Williams (Strategic Planning Team leader), Alice Stapleton (Heritage Planner), Mitch Noble (Head of Planning), Samantha Connor (Governance Risk and Compliance Manager), Bushra Salam (Governance Admin Officer)
Apologies/absent:	Karen Somers
Guests	Councillor Anna Greco

Agenda items

Item	Topic / Discussion	Action
1	Welcome: The meeting was declared open at 4:01pm	
	Apologies Karen Somers	
	Declarations of interest NIL	
	Acknowledgement of Country <i>Willoughby City Council acknowledges the Traditional Owners of the lands on which we meet today, the Gamaragal People, and their connections to land, waters, and community. We pay our respects to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander people, including those who may be in attendance today.</i>	

3 Committee Governance

Appointment of Chair

Nominations for Chair of the meeting:

Dennis nominated Nicholas Flood.

No other nominations were received.

The Committee voted the Chair of today's meeting to be Nicholas Flood.

Carried unanimously.

The appointment of an ongoing Chairperson will be conducted at the next meeting of the Committee.

Welcome New Members

New and existing members attended a meet and greet session prior to the commencement of the meeting. The session was arranged following a Council resolution at the 28 August council meeting.

The Chair welcomed new members Srishti Mahhajan and Denis Fernandes.

4 Previous Minutes

Acceptance of Previous minutes

The Committee adopted the minutes of the meeting of the Committee held on Thursday 12 July 2023.

Carried unanimously.

Business arising from previous minutes

Mapped conservation areas:

The planning Unit provided details about a review of the mapped Conservation Areas. Key discussion points included:

- The current WCC Conservation Areas review report was developed in 1999 and has not been reviewed since
- Digitizing the WCC Conservation Areas Review report as an historical document
- Making the data publically available on Council's website

Recommendation 1

The committee recommended that Council consider making the WCC Conservation Areas review report available on Council's website with an appropriate caveat regarding the historical nature of the document to be properly worded by officers.

Moved by Audery Thomas and Seconded by Wayne Farmilo.

Carried unanimously.

Recommendation 2

The committee recommends that Council consider allocating budget through the 2024/25 Projects and Capital Works budget bid process, for a review of the WCC Conservation Areas Review report

Moved by Denis Fernandes seconded by Srishti Mahajan.

Carried unanimously.

Request for promotion:

- A heritage listed house in Castlecrag, The Duncan House, featured in a show on ABC, Restoration Australia. The Committee suggested that council share a link to the show through social media channels. This action was completed and the program was shared on Council's social media channels.

5 Strategic Activities

The Planning Team provided an update on the progress of the current Heritage Review.

Advice of the committee was considered from the July meeting, when developing the scope for the review project

- Submissions have been received and are currently being reviewed by officers
- It's expected a consultant will be engaged and the project will commence in October 2023

Future meeting dates

Possible agenda items and strategic outputs of the committee were discussed, to determine future meeting dates (see below).

5 Other Business

NIL

Next Meeting

Tuesday 14 November 4–5.30pm

Tuesday 19 March 4-5:30pm

Agenda Items:

- Exploring Terms of Reference esp. open Space strategies; Resilience Strategy (Resilient people sections); Heritage; Indigenous Strategy and Reconciliation Action Plan.
- Promotion of heritage and education/education model/piece for the community, committee can provide advice to council, Target Audience.

Zoom details and white board for the next meeting in November.

Draft Heritage Review to be circulated prior to 19 March for committee review.

Meeting Closed:

5:35 pm

COMMUNITY, CULTURE & LEISURE DIRECTORATE

12.20 PUBLIC EXHIBITION - PUBLIC SPACES & RECREATION STRATEGY

ATTACHMENTS:	1. IMPLICATIONS 2. PUBLIC SPACES & RECREATION STRATEGY 2023
RESPONSIBLE OFFICER:	LINDA PERRINE – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIE WHITFIELD – OPEN SPACE PLANNER
CITY STRATEGY OUTCOME:	3.4 – CREATE DESIRABLE PLACES TO BE AND ENJOY
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To seek Council's endorsement to exhibit for public consultation Council's new *Public Spaces and Recreation Strategy 2023*.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Endorse the public exhibition of the new *Public Spaces and Recreation Strategy 2023*.**
- 2. Receive a report in March 2024 on the outcome of the public exhibition of the new *Public Spaces and Recreation Strategy 2023*.**

3. BACKGROUND

In its 2022/23 Operational Plan, Council approved funds to undertake the review of the *Open Space and Recreation Plan 2013* and develop a new strategy.

Councillors received briefings on the development of the new strategy on 8 August 2022, 16 February 2023 and 11 September 2023.

This report details the process and engagement activities undertaken to develop Council's new *Public Spaces and Recreation Strategy*.

4. DISCUSSION

In December 2022, Council engaged Cred Consulting to undertake the development of a new *Public Spaces and Recreation Strategy 2023* (the Strategy) to guide Council over the next 10 years. This report outlines the new Strategy, including the important role that the community played in shaping its development.

Concurrently, Officers were involved in the development of the *Review of Supply and Demand for Sports Facilities in the NSROC Region*. This involvement ensured an alignment with Council's *Public Spaces and Recreation Strategy 2023*, regarding issues relating to sports facility supply and demand issues.

The current *Open Space and Recreation Plan 2013* incorporates the NSW Department of Planning, Infrastructure and Environment (DPIE) *Regional Assessment of Recreation Needs for Northern Region 2003*. The need for review was timely given changes to population over the past 10 years and to the changing recreation needs of the existing and future communities living and working in the Willoughby Local Government Area (WLGA).

Challenges for Council

By 2036, an additional 13,000 people will live in Willoughby, increasing the already high population density in areas like Chatswood. Council has limitations in its ability to increase the amount of public space due to limited land availability, constrained land ownership and the very high cost of land.

Residential real estate sales in Chatswood 2023 reveal an average rate of \$10,000 per square metre; commercial property averages \$12,000 per square metre. The purchase of property for a new local park of 1000 square metres could cost \$10M, plus demolition development costs.

In acknowledging these costs, the optimisation of the currently available public land has merit in terms of affordability and sustainability for Council.

A new placemaking approach

The new *Public Spaces and Recreation Strategy 2023* is underpinned by the 10 principles for public space in the *NSW Public Spaces Charter 2021* as Council shifts its emphasis to 'placemaking' in the established public spaces within the WLGA.

Placemaking is a practical process for transforming public spaces - both in retrofitting an existing space or in planning a new space. It also involves a willingness from Council to share responsibility for creating places that the community love to use. In essence, it is a process enabled by Council, but led by the community.

It is timely to adopt a placemaking approach to the public spaces of the Willoughby LGA (WLGA) as the population continues to grow and use the public spaces available. Placemaking will link the Council's *Community Engagement Strategy*, *Resilience Strategy* and a future *Chatswood CBD Implementation Strategy*.

Over past 20 years, Council used the process of preparing masterplans for parks to cater for population changes and recreation needs. Several of these masterplans are over ten years old, and include actions that the community may now consider a low priority, or not needed at all. As part of the briefing Councillors received on 8 August 2022, officers provided a review of the number of completed masterplan actions, and those still outstanding. There is limited value to continuing the master planning process as most parks in the WLGA have reached their development potential and now require a less plan-based approach.

The new *Public Spaces and Recreation Strategy 2023* will provide the new direction for the next decade and a placemaking planning tool for Council and the community to enhance the liveability of the WLGA.

Process and consultation

Community input has been central to the development of the *Public Spaces and Recreation Strategy 2023*. Over a four-month engagement period, community consultation gained ideas from more than 300 people from diverse ages, genders and cultural backgrounds who live, work and study in the WLGA.

The community and stakeholders provided input through:

- Interactive mapping tool
- Community pop-up stalls
- Stakeholder interviews
- Online Have Your Say survey
- Face to face workshops

These engagement opportunities were promoted via Have Your Say Willoughby, social media channels, newsletters, emails, and on-site signage

The new Public Spaces and Recreation Strategy 2023

The new Strategy builds on the community engagement and the strategic opportunities identified through the consultation process. The five strategic opportunities are:

1. Create and promote a network of public spaces via recreational links.
2. Leverage future development and underutilised assets to deliver new public spaces.
3. Activate existing public spaces for increased recreational participation.
4. Encourage shared use and multi-purpose design of sports spaces.
5. Promote collaborative and co-ordinated planning and delivery.

The Strategy, at **Attachment 2**, includes a proposed list of actions against each of these five priorities. Officers will seek further feedback on the proposed actions contained in the strategy as part of the public exhibition process.

Community consultation for the new strategy

The next stage of community engagement for the new Strategy will include:

- Pop up /drop in sessions to gather feedback on the new Strategy, with an emphasis on selecting times/ sites to catch age ranges eg young adults.
- Creation of a project page and survey on the Have Your Say portal, which will include a Fact Sheet with a summary of the essential parts of the Strategy

Officers will promote these engagement opportunities by:

- Issuing of a media release/ social media notice
- Notification letters/ emails to:
 - 318 stakeholders from the initial workshops/ interviews/ Have Your Say survey
 - 32 attendees from the two face to face workshops
 - Recreation facility and sportsground hirers, including sporting clubs and associations
 - Progress Associations, school and community groups

The consultation period will run from early November 2023 to early December 2023, to allow for reporting to the Council meeting in March 2024. An Engagement Outcomes report on the community engagement will be included in the Council report in 2024.

5. CONCLUSION

The new *Public Spaces and Recreation Strategy 2023* is ready for public exhibition and consideration by the Willoughby community. The Strategy is based on the *NSW Public Spaces Charter (DPIE 2021)* which emphasizes 'placemaking' for established public spaces.

Willoughby LGA has reached 'peak open space' due to the high cost of land and lack of available land. The Council's challenge is to improve access to and the quality of the existing public spaces resulting in an enrichment of the community experiences of these spaces. The adoption of a placemaking approach will require a shift in Council's approach to planning and managing public spaces, with a greater focus on shared responsibility with the community.

The exhibition of the new *Public Spaces and Recreation Strategy 2023* provides an opportunity for the community to provide feedback on this change to a placemaking approach.

ATTACHMENT 1

IMPLICATIONS	COMMENT
<p>City Strategy Outcome</p> <p>Business Plan Objectives, Outcomes / Services</p>	<p>3.3 – Create desirable places to be and enjoy</p> <p>Our community will have a guiding document that will provide better access to public and recreation spaces for their health and well-being.</p>
<p>Policy</p>	<p><i>Open Space and Recreation Plan 2013-</i> Willoughby City Council is the current policy document.</p> <p><i>Open Space Asset Management Plan 2022-2023</i> will continue to be applied to asset renewals as complementary to the new <i>Public Spaces and Recreation Strategy</i> and placemaking.</p>
<p>Consultation</p>	<p>Officers provided the consultant with a list of targeted stakeholders and Progress Associations. Pop up meetings within the community at Wilkes Plaza, Willoughby Park and The Concourse were held in January / February 2023. A Have Your Say (HYS) survey site was set up. A total of 318 community members and stakeholders provided responses. Two face to face community workshops on 15 & 17 August 2023 were held with 32 people who responded to an Expression of Interest on HYS. Councillors received briefings on the development of the new strategy on 8 August 2022, 16 February 2023 and 11 September 2023.</p> <p>The proposed next stage of community consultation is outlined in this report.</p>
<p>Resource</p>	<p>The consultant was supported by a working group of two Council staff. Community engagement for the public exhibition of the draft Strategy will be undertaken using existing staff resources.</p>
<p>Risk</p>	<p>The level of risk associated with this report is low, with moderate consequences under <i>Council’s Risk Management Framework</i>.</p>
<p>Legal</p>	<p>Not applicable</p>
<p>Legislation</p>	<p><i>Local Government Act 1993</i></p>
<p>Budget/Financial</p>	<p>Funds for the engagement of the consultant was available from the Council’s Operational Plan 2022/23, and was carried over to 2023/24.</p>

12.21 GRANTS FOR THE COMMUNITY PROGRAM 2023/24 APPLICATIONS - SEPTEMBER

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	LINDA PERRINE – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	MICHAEL CASHIN – COMMUNITY LIFE MANAGER
CITY STRATEGY OUTCOME:	5.4 – ANTICIPATE AND RESPOND TO CHANGING COMMUNITY AND CUSTOMER NEEDS
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To seek Council endorsement for the distribution of funds under the Grants for the Community Program for the 2023/24 financial year.

2. OFFICER'S RECOMMENDATION

That Council endorse the distribution of funds through the 2023/24 Grants for the Community Program - Category 1 as follows:

- | | |
|--|---|
| <ul style="list-style-type: none"> • Flat Rock Brew Café • Cremorne Synagogue • Be The Future | <p>\$7,500</p> <p>\$5,670</p> <p>\$4,240</p> |
|--|---|

3. BACKGROUND

The Grants for the Community Program was adopted by Council in June 2021 and provides grants of up to \$7,500.

Applications for the Program can be submitted at any time of year. Recommended applications are tabled at Council Meetings each month (or as required) for endorsement.

This report details the recommended applicants received in September 2023 for Category 1 - Grants for the Community.

4. DISCUSSION

The Grants for the Community Program has an annual budget of \$167,550. Council has endorsed \$95,822 for distribution in the 2023/24 financial year, with \$71,728 of funds remaining.

Category 1 - Grants for the Community Program

This funding provides grants of up to \$7,500 to not for profit and sporting organisations, individuals, small businesses, social enterprises and performing arts organisations operating in the Willoughby Local Government Area (LGA).

Applicants must;

1. Be a not for profit, incorporated group or group with an auspice by an incorporated body. Profit making organisations may apply within the Green or Prosperous and Vibrant grant streams.
2. Be a community sporting group or individual athlete (Liveable grant stream only)
3. Offer services to residents in the Willoughby LGA
4. Meet the grant eligibility criteria
5. Demonstrate in your application the ability to successfully deliver the project
6. Demonstrate in your application how the project aligns with at least one of Council's CSP priorities
7. Only submit one application per applicant per year
8. Have current Public Liability Insurance (\$10 million)

Applications for September 2023

Council received a total of four applications across September 2023 from:

- Flat Rock Brew Café
- Cremorne Synagogue
- Be The Future
- Olive Tree Health

These applications are submitted under Category 1 of the Grants for the Community Program. This category provides grants to not for profit and sporting organisations, individuals, small businesses, social enterprises and performing arts organisations operating in the Willoughby LGA.

Assessment of applications is details below, with full funding recommended for two applications, part funding for one application and one application not recommended to receive funding.

Assessment

Full funding is recommended for two applicants. The recommended applications are detailed in Figure 1.

Total Amount being sought:	\$13,170
Officer Recommendation:	\$13,170

Figure 1 - Category 1: Grants for the Community Recommended Applicants September 2023 – Full funding recommended

APPLICANT	MEETS CRITERIA	AMOUNT REQUEST	AMOUNT RECOMMEND	PROJECT OUTLINE	COMMENTS
Flat Rock Brew Café	Yes	\$7,500	\$7,500	Love Your Locals Naremburn. This project is a loyalty scheme designed to encourage local patronage of the Naremburn shops during the upcoming street works. The project will increase support for local business and increase community cohesion and	This application aligns with Councils CSP outcome 4: <i>A City that is prosperous and vibrant</i> and the following priorities: -4.1 Facilitate the development of all businesses. -4.6 Facilitate the viability and vibrancy of our CBD and village centres. The project will create community awareness

APPLICANT	MEETS CRITERIA	AMOUNT REQUEST	AMOUNT RECOMMEND	PROJECT OUTLINE	COMMENTS
				connection using support for local business as a 'call to arms'.	of the importance of local businesses and the need to support the local economy during the upcoming streetscape works. Officers recommend full funding.
Cremorne Synagogue	Yes	\$5,670	\$5,670	Chanukah - Festival of Lights. A captivating and enjoyable Chanukah festival is open to all local community members. The event will be held in Gore Hill Park and is open to Willoughby residents as well as the entire community, ensuring that it caters to diverse cultural backgrounds and needs.	This application aligns with Councils CSP outcome 4: <i>A City that is prosperous and vibrant</i> and the following priorities: --4.1 Facilitate the development of all businesses. -4.4 Attract visitors and promote local destination-based tourism. . -4.6 Facilitate the viability and vibrancy of our CBD and village centres. This project encourages community participation from diverse cultural and ethnic groups and individuals within Willoughby City and celebrates the diversity of people living in the local community. Officers recommend full funding.
TOTAL		\$13,170	\$13,170		

Part funding is recommended for one applicant, Be the Future.

Total Amount being sought: **\$7,500**
 Officer Recommendation: **\$4,240**

Part funding is recommended based on the following:

- The Grants for the Community Program does not cover venue hire fees or salaries of employees who will be supervising or working on the project as part of their usual duties. Willoughby City Council runs a separate Concessional Hire Program for community venue hire outlined under our *Community Facility Hire Policy*. It is suggested that Be the Future look at applying for concessional hire on the venue fees for Artarmon Kids Cottage Community Centre.

The recommended application is detailed in **Figure 2**.

Figure 2 - Category 1: Grants for the Community Recommended Applicants September – Part Funding Recommended

APPLICANT	MEETS CRITERIA	AMOUNT REQUEST	AMOUNT RECOMMEND	PROJECT OUTLINE	COMMENTS
Be The Future	Yes	\$7,500	\$4,240	Playful sustainability experiences for children 10 x 1 hour playful sustainability workshops for groups of children (accompanied by a parent/carer), developed with our playful green learning approach:	This application aligns with Councils CSP outcome 2: <i>A City that is green</i> and the following priorities: -1.2 Promote sustainable lifestyles and practices. -1.3 Enhance, protect and respect waterways, bushland, wildlife and ecological systems. This project celebrates the bushland, wildlife and waterways of the Willoughby community, and will empower children to become sustainability leaders. Officers recommend part funding.
TOTAL		\$7,500	\$4,240		

Funding is not recommended for one application from Olive Tree Health, as this does not meet the Program's eligibility criteria, as the project is out of area. The unsuccessful application is detailed in **Figure 3**. Officers will notify the unsuccessful applicant of the outcome and provide feedback on the application.

Figure 3 - Category 1: Grants for the Community Recommended Applicants September – No Funding Recommended

APPLICANT	MEETS CRITERIA	AMOUNT REQUEST	AMOUNT RECOMMEND	PROJECT OUTLINE	COMMENTS
Olive Tree Health	No	\$7,420	\$0	Olive Tree Health: Level 1 and Level 2 Exercise-based physiotherapy, neuroscience, and trauma-sensitive sessions to support women living with complex trauma due to intimate partner abuse and family violence.	This project is being held in Crows Nest, outside of the Willoughby LGA. Projects not within the Willoughby LGA are ineligible according to the Grants for the Community Program Guidelines Officers do not recommend funding.
TOTAL		\$7,420	\$0		

5. CONCLUSION

The Grants for the Community Program allows Willoughby City Council to recognise and support the vital contribution of our local community groups, performing arts groups, sporting organisations, businesses and social enterprises in developing and delivering projects that build the social, cultural, economic and environmental life of the Willoughby LGA.

The report recommends three Grants for the Community applications receive funding to the value of \$17,410.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.4 – Anticipate and respond to changing community and customer needs
Business Plan Objectives, Outcomes / Services	The recommendations of this report support the Community Life Business Plan outcome to support community organisations to improve their ability to plan and deliver appropriate and accessible services to the community.
Policy	The application meets the eligibility requirements of the <i>Grants for the Community Program</i> .
Consultation	Eligible organisations, businesses and individuals are advised of the funding round.
Resource	Managed with existing resources.
Risk	The level of risk associated with the contents of this report is low, under Council's <i>Risk Management Framework</i> .
Legal	The distribution of grants funds recommended in this report meets legal requirements under for the provision of financial assistance of the <i>Local Government Act 1993, Section 356</i> .
Legislation	<i>Local Government Act 1993, Section 356</i> .
Budget/Financial	The recommended funding amount in this report is allocated within the 2023/24 operational budget.

12.22 MINUTES - CULTURAL & CREATIVE ARTS AC - 21 AUGUST 2023

ATTACHMENTS:	1. IMPLICATIONS 2. MINUTES – CULTURAL AND CREATIVE ARTS ADVISORY COMMITTEE HELD 21 AUGUST 2023
RESPONSIBLE OFFICER:	LINDA PERRINE – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIET ROSSER - ARTS AND EVENTS MANAGER BUSHRA SALAM – GOVERNANCE ADMINISTRATION OFFICER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

To present to Council for noting, the minutes of the Cultural and Creative Arts Advisory Committees meeting held on 21 August 2023.

2. OFFICER'S RECOMMENDATION

That Council receive and note the minutes of the meeting of the Cultural and Creative Arts Advisory Committee held on 21 August 2023.

3. BACKGROUND

Advisory Committees provide independent, expert and impartial advice on the development and implementation on strategic priorities of Council. They consider reports and plans from Council officers and make recommendations to Council for consideration.

At the 27 March 2023 Council meeting, Council endorsed the members of the Cultural and Creative Arts Advisory Committee (the Committee).

The Terms of Reference required the minutes of each meeting to be reported to Council at the next available Council meeting.

4. DISCUSSION

At the meeting of the Committee, governance and procedural matters included:
Appointment of the Chair – the Committee appointed Paul McDonald as the ongoing Chair for Committee meetings.

The Committee discussed the NSW Government *A New Look at Culture Discussion Paper*. The Committee was requested to give their input to inform a Willoughby City Council submission.

Juliet Rosser, Arts and Events Manager, provided the background of the *Discussion Paper* and informed the Committee the discussion will be regarding the Willoughby Council area.

The Committee discussed the following:

- Connectivity between artist interest groups.
- Keeping in view language & availability. Address all areas to imposing barriers in access pathways.
- More career's advice, mentoring, availability of spaces. Support for young emerging artists. Job networks, connecting business advice with artists.
- More people to people connections.
- Financial support for new artists, for freelancers, Skills development, subsidised technical advice. Creating networks within LG area.
- Supportive networking environment using real language.
- Multimedia and website hubs, but not to replace face-to face mentoring.
- Some funding or subsidised available space & infrastructure for emerging young artists will be great. Networking public spaces (including the provision of artistic spaces in ground floors of newly developed commercial buildings), paid internships for local artists, funding exhibitions and programs and art prizes & awards.
- To encourage everyone, organisations, and individuals on the North Shore to make separate submissions to the discussion paper.

The overview of the Committee's meeting is recorded in the final draft minutes (**Attachment 2**). The draft minutes were circulated electronically to the Committee for comments and will be considered at the Committee's next meeting.

5. CONCLUSION

These draft minutes do not bind Council to any additional resource commitment. It is recommended Council receive and note the draft minutes of the meeting of the Cultural and Creative Arts Advisory Committee held on 21 August 2023.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes / Services	Advisory Committees are created for the sole purpose of providing independent, expert and impartial advice on the development and implementation of strategic priorities of Council.
Policy	<i>Advisory Committees Policy 2022</i>
Consultation	The draft minutes were circulated by email to the Cultural and Creative Arts Advisory Committee on 4 September 2023 with comments closing on 18 September 2023. No comments were received.
Resource	There are no resourcing implications applicable to this report.
Risk	There are no risks applicable to this report.
Legal	There are no legal implications applicable to this report.
Legislation	There are no legislation implications applicable to this report.
Budget/Financial	There are no budget implications applicable to this report

ATTACHMENT 2

Minutes



Cultural and Creative Arts

Monday 21 August 2023

Location:	Microsoft Teams
Chair:	Paul McDonald
Attendees:	Members: Steve Lockwood, Annette Brown, Debra Player, Richard Bennett, Meredith Melville-Jones; Sarah Penicka-Smith, Jing Han Staff: Juliet Rosser (Arts and Events Manager), Adam Booth (Council & Corporate Support Officer), Bushra Salam (Governance Administration Officer)
Apologies/absent:	Members: Rod Herbert
Guests	Councillor Robert Samuel

Agenda items

Item	Topic / Discussion	Action
1	<p>Welcome:</p> <p>The meeting was declared open at 4:32 pm. The meeting was held online via Teams.</p> <p>Acknowledgement of Country</p> <p>Adam Booth, Council & Corporate Support Officer, acknowledged country on behalf of Council, stating: <i>Willoughby City Council acknowledges the Traditional Owners of the lands on which we meet today, the Gamaragal People, and their connections to land, waters, and community. We pay our respects to their Elders past and present, and extend that respect to all Aboriginal and Torres Strait Islander people, including those who may be in attendance today.</i></p> <p>Apologies</p> <p>Members: Rod Herbert</p> <p>Declarations of interest</p> <p>No declarations of interest were made.</p>	
2	<p>Appointment of Chair</p> <p>Pursuant to clause 5.2 of the Committee's terms of Reference, the Committee elected Paul McDonald as the ongoing Chairperson of the Committee, with the term of service requiring confirmation in 12</p>	

months.

Jing Han nominated Paul McDonald

Paul McDonald nominated Jing Han

Election of the Chair occurred by closed ballot (by email to Adam Booth).

3 Confirmation of Minutes – 19 June 2023

Draft minutes of the meeting of the Committee held on 19 June 2023 were circulated electronically to the Committee for comments and no comments were received. The Committee confirmed and adopted the minutes.

4 Actions from Previous Meetings

The Committee unanimously resolved to note the actions of previous meetings contained in the agenda, noting 3 of the 4 in progress actions have been completed since distribution of the agenda.

The Committee requested a person be assigned at the meeting for each action in future.

5 Strategic Activities

NSW Government – A New Look at Culture Discussion Paper

Towards the State's first Arts, Culture & Creative Industries Policy

The Committee was requested to give their input to inform a Willoughby City Council submission. They discussed the following questions posed in the Discussion Paper.

1. A new look at people:

How can we create better, more inclusive pathways and support for practitioners in the arts, culture and creative industries?

Juliet Rosser, Arts and Events Manager, gave a background of the Discussion Paper and informed the Committee that this discussion will be in regards to the Willoughby Council area.

The Committee proposed the following:

- Connectivity between artist interest groups.
- Keeping in view language & availability. Address all areas to imposing barriers in access pathways.
- More career's advice, mentoring, availability of spaces. Support for young emerging artists. Job networks, connecting business advice with artists.
- More people to people connections.

- Financial support for new artists, for freelancers, Skills development, subsidised technical advice. Creating networks within LG area.
- Supportive networking environment using real language.
- Multimedia and website hubs, but not to replace face-to face mentoring.

2. A new look at infrastructure:

How can we create and improve sustainable access to spaces, programs and other support for all aspects of artistic and cultural activity?

The Committee emphasised community consultation is a priority. Some funding or subsidised available space & infrastructure for emerging young artists will be great. Networking public spaces (including the provision of artistic spaces in ground floors of newly developed commercial buildings), paid internships for local artists, funding exhibitions and programs and art prizes & awards.

3. A new look at audiences:

How can we grow local, national and international audiences for cultural experiences, for the benefit of our community and the broader economy?

The Committee discussed the importance of marketing and perceptions of how funding applications that prioritise marketing are received by funding bodies. Ideas of integration with different NSW services, such as Destination NSW, Transport for NSW and NSW Health were shared. Mechanisms to encourage philanthropy were also discussed.

4. Where should the NSW Government focus greatest effort and resources?

The Committee agreed that NSW Government is doing a good job at supporting arts in central Sydney - they can expand this work throughout NSW. There was in depth discussion regarding how to best connect artistic work with audiences, such as apps, websites and transport initiatives.

5. What barriers can the NSW Government remove to unlock the full potential of arts, culture and the creative industries?

The Committee discussed funding application bureaucracy (including unnecessary levels of content and detail) and planning laws that negatively affect the arts, or benefit everything but the arts.

6. What does NSW do well?

The Committee reinforced NSW attracts audiences to iconic places very well.

7. What can NSW do better?

The Committee suggested NSW can tap into what they do well for iconic places for all of NSW. Not just promoting beaches but the cultural richness of Sydney. Centralised information where audiences can discover what's happening. Make it more about NSW, not just about Sydney.

8. What's your big idea?

Ms Rosser briefed the Committee that Chatswood is a 'neon grid node' in the NSW Government's 24 hour economy strategy. There could be a corresponding ambition to make all neon grid nodes centres of artistic excellence. Allocating public spaces, removing state bureaucratic hurdles, reducing state level difficulties.

The Committee proposed to encourage everyone, organisations, and individuals on the North Shore to make separate submissions to the discussion paper. The more submissions by number, the more attention will be directed to a geographic area.

6 Other Business

4.3 Next Meeting

Date: 16 October from 4:30 pm 6:00 pm.

Agenda Items: To be advised.

The meeting closed: 6:00 pm

13 NOTICES OF MOTION

13.1 NOTICE OF MOTION 26/2023 - A PILOT FOR GREEN GRASS ON OUR NATURAL TURF OVALS

RESPONSIBLE OFFICER:	LINDA PERRINE – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	ANGELA CASEY – CULTURE & LEISURE MANAGER
CITY STRATEGY OUTCOME:	3.2 – CREATE RECREATION SPACES FOR ALL
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

Councillors Samuel, Rozos and Mouradian have indicated their intention to move the following Notice of Motion.

2. MOTION

That Council:

- 1. As part of the 2023/4 QBR2 review, consider allocating any identified General Funds savings from the approved 2023/24 Projects and Capital Works Program to fund a pilot project to oversow rye grass at Willoughby Oval number one, in time for the 2024 winter season.**
- 2. Should funding for a pilot in 2023/4 not be available, consider a budget bid as part of the 2024/25 Operational Plan, to fund a pilot project to oversow rye grass at Willoughby Oval number one.**
- 3. Delegate to Officers to undertake engagement with relevant stakeholders to enable a clear understanding of the proposal and impacts.**
- 4. Delegate to Officers to enter into discussions with winter season hirers of the relevant grounds to determine the feasibility of developing a cost sharing model for the oversowing of rye grass, to be applied in a fair and defensible fashion.**
- 5. Note that if the pilot project is resolved to progress in the current 2023/24 year, the action to undertake consultation with regional sporting groups as resolved by Council on 27 March 2023 will be delayed to enable stakeholder consultation to be undertaken this financial year.**

3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION

We note the significant investment to improve drainage on our natural turf grounds. We further note the sewing of couch to improve the soil retention, resulting in the surface being optimised for summer users and to some extent soccer as the bounce is true on couch.

We have been asked as Councillors by residents and sporting groups to consider ways to make the most of our turf ovals over winter by investing more heavily in greener, stronger natural turf over winter along the lines of the current deployment at Chatswood Oval. These requests are based on aesthetic, safety and comfort reasons.

We note Chatswood Oval and other grounds elsewhere in Sydney mentioned on Council's website that have couch surfaces, cross sew with rye grass in winter. We have reviewed advice from Council's consultants and other literature and note the options of cross sewing couch with rye and poisoning the rye between seasons. We understand that this would necessitate a four week ground closure.

We acknowledge that there would be the financial implications of oversowing with rye, and the ongoing maintenance of this initiative. These costs may need to be shared with the ground hirers or their sponsors, provided cost sharing is applied across other facilities in a fair and defensible fashion. We expect, based on initial discussions that such an approach would be acceptable to the winter beneficiaries of the change.

We note that during these ground closure periods needed to over seed the rye, community members would need to be directed to the number two oval at Willoughby Park.

4. OFFICER'S RECOMMENDATION

That Council considers the Notice of Motion.

5. OFFICER'S COMMENTS

Council's sporting ovals are at capacity, with heavy demands by sporting clubs and associations for training and match allocations throughout the year. The Willoughby Local Government Area has four synthetic ovals, 17 natural turf ovals and a baseball diamond.

Over the past seven years, Council has converted 14 of these sportsgrounds from kikuyu grass to couch grass varieties. Following these conversions, returfing costs at the end of each winter season have reduced from \$120k to \$20k per annum.

Couch has been chosen as it resists wear, has minimal weed invasion, and provides increased playing capacity and resilience for sporting activities compared to other turf varieties. Couch also has a high drought tolerance. In winter, couch grass varieties are alive but become dormant and the leaves turn a golden brown colour. Signage has been installed on all sportsgrounds with couch in the LGA, explaining that the golden brown turf is dormant, but still alive.

Some couch sportsgrounds, including Chatswood Oval are oversown with rye grass which grows through winter.

The advantages of seeding rye in couch are:

- A green appearance through winter
- Some protection of the couch during the cooler months, provided the rye is evenly spread and seeded, and given sufficient time to establish

The disadvantages are:

- The sportsground must be closed for four-six weeks for the rye grass to properly establish
- Financial costs of up to \$30k per oval of oversowing and establishing the rye grass
- Rye grass can grow in clumps causing uneven surfaces for play which can be a safety issue
- Summer sport user groups have provided negative feedback on the condition of the oversown playing surface at Chatswood Oval during the summer months, due to the delayed growth of the couch grass

Impacts of suggested changes to natural turf management

Oval closure for a four week period

Officers recommend closing Willoughby Park Oval number one for a four week period from late March – to late April to minimise the risk of the rye grass forming clumps, creating an unsafe playing field. This oval closures would displace winter bookings by clubs playing in local and district competitions.

Willoughby Park Oval number one (and two) are designated off leash dog areas. At Willoughby Park, dog owners could be directed, via signage, to use the lower oval (Willoughby Oval number two).

Financial impacts

It would cost approximately \$30k to carry out a pilot of oversowing rye grass at Willoughby Park Oval number one.

Due to existing commitments, Council officers do not have the capacity to oversow and then remove the rye grass at the end of season, at an additional oval. The cost of appointing a contractor to undertake this work is approximately \$27k. Perimeter fencing would be installed to close the oval for a four week period, at a cost of \$3k.

Resourcing impacts

The management of the oversowing contract would be undertaken by Council staff during the summer to winter changeover period, which is already an extremely busy time. Council staff would also be responsible for additional watering of the fields during the rye establishment period.

Officer time would also be required to consult with oval hirers, park users and community members. Additional time would be needed to negotiate a fee sharing model with sportsground hirers. These engagement activities would need to begin immediately, to feed into the budget bid process for the 2024/25 Operational Plan.

In order to accommodate these engagement activities within the current available staff resources, the planned facilitated structured dialogue with regional sporting groups regarding Council's Community Use of Sports Facilities Policy will be delayed. Undertaking this consultation with regional sporting groups was resolved by Council on 27 March 2023.

**13.2 NOTICE OF MOTION 27/2023 - LETTER TO HON. JOHN GRAHAM MLC,
MINISTER FOR JOBS AND TOURISM**

RESPONSIBLE OFFICER:	LINDA PERRINE – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIET ROSSER – ARTS AND EVENTS MANAGER
CITY STRATEGY OUTCOME:	5.2 – DEMONSTRATE LEADERSHIP AND ADVOCACY FOR LOCAL PRIORITIES
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

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

2. MOTION

That Council:

- 1. Recognise the NSW Government’s commitment for NSW to be the premier visitor economy in the Asia-Pacific Region and the role of world-class sporting events to support the hospitality industry.**
- 2. Write to the Hon. John Graham MLC, Minister for Jobs and Tourism, calling on the NSW Government to prepare a business case to host the Australian Formula E World Championship race in NSW.**

**3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE
NOTICE OF MOTION**

Last month, the NSW Government announced their 2023-24 NSW Budget with \$1.2 billion for music, arts, events and night-time economy programs. This announcement by the Hon. John Graham MLC, Minister for Jobs and Tourism, complements the Visitor Economy Strategy 2030 which “provides a roadmap to support all industries to recover from the impact of drought, bushfires and COVID-19 and to grow in the future”.

The Visitor Economy Strategy 2030 has a vision for NSW to be the premier visitor economy in the Asia-Pacific region by 2030 through the curation of an ambitious events and entertainment calendar. In particular, it sets a target for \$65 billion in total visitor expenditure by 2030 and recognises the role of world-class events to support the NSW’s hospitality industry and small businesses in the tourism sector.

Recently, NSW has successfully hosted various international sporting events including the:

- FIFA Women’s World Cup in 2023
- ICC Men’s T20 World Cup in 2022
- FIBA Women’s Basketball World Cup in 2022
- UCI Road World Championships (Cycling) in 2022
- ICC Women’s T20 World Cup in 2020

NSW will also host the following upcoming international sporting events:

- 2027 Netball World Cup
- 2027 Men's Rugby World Cup
- 2029 Women's Rugby World Cup

When Sydney hosted 11 FIFA Women's World Cup matches with 603,957 fans in attendance, this directly resulted in a \$2.98 billion increase in travel and retail spending, a boost for the NSW economy. While host nations normally struggle to sell tickets for matches or events where the host nation does not have athletes participating, the 11 Sydney matches averaged 97% capacity, courtesy of an eclectic diaspora of international and domestic patrons. When Sydney and NSW host international events, the success of our multicultural community and diverse hospitality industries ensures that all international and domestic visitors will have an unforgettable experience.

There is an opportunity for an Australian city to host the inaugural Formula E championship race in our nation with competitive interest from South Australia and NSW. Formula E is an international electric vehicle motorsport event with global host countries in Europe and America, spearheading the latest innovations, research and development in electric vehicles and battery technology. Formula E teams have previously included household brands such as Nissan and Mercedes and these developments in sustainable technology are then incorporated into consumer products and retail electric vehicles.

While Melbourne already hosts the Formula 1's Australian Grand Prix with a contractual deal until 2035, there is an opportunity to host Australia's inaugural Formula E World Championship race in NSW. This is recognised by the immediate past Chief Executive of Formula E, Jamie Reigle who states "If we have the ambition of being true to our brand in that it is a global world championship, you want Australia on that list." The AFR also states that Mr Reigle had indicated that "Adelaide and Sydney were the cities that Formula E had done the most due diligence on in the past, but the efforts had been disrupted by the pandemic."

Australians have always punched above our weight in European and American-dominated motorsport championships including: Formula 1 World Champions Jack Brabham and Alan Jones (not the broadcaster); future Formula 1 World Champion, 2021 Formula 2 Champion and 2020 Formula 3 Champion, Oscar Piastri; 8x Grand Prix winner Daniel Ricciardo; 9x Grand Prix Winner and FIA World Endurance Champion Mark Webber; and 2x IndyCar champion Will Power. Australians are consistently global fan favourites among /r/Formula1 and /r/FormulaDank enthusiasts and there is an immense list of Australian talent we can be proud of.

In 2021, Sydney-born Molly Taylor, the first and only woman to win the Australian Rally Championship, was the inaugural Extreme E champion, an electric SUV off-road international racing championship. History for Australian motorsports continues to be written and the Formula E World Championship is a prime opportunity for our consideration.

This motion will involve the writing of a letter to Hon. John Graham MLC, Minister for Jobs and Tourism, to call on the NSW Government to prepare a business case to host the Australian Formula E World Championship race in NSW.

Sources:

<https://www.afr.com/companies/sport/electric-atmosphere-attracts-formula-e-racing-to-australia-20220410-p5ach0>

<https://www.speedcafe.com/2023/03/15/shahin-a-matter-of-time-to-see-formula-e-in-australia/>

<https://www.fiaformulae.com/en/championship/cars-and-technology>

<https://www.plugandplaytechcenter.com/resources/mobility-innovations-in-formula-e-cars/>

<https://www.abc.net.au/news/2021-12-20/molly-taylor-wins-first-ever-extreme-e-championship/100714084>

<https://www.sbs.com.au/sport/article/molly-taylor-wins-inaugural-extreme-e-championship/ssih0at3q>

4. OFFICER'S RECOMMENDATION

That Council consider the Notice of Motion.

5. OFFICER'S COMMENTS

Council officers have the capacity to write a letter to Hon. John Graham MLC, Minister for Jobs and Tourism.

13.3 NOTICE OF MOTION 28/2023 - POTENTIAL CLOSURE OF AUSTRALIA POST OUTLETS

RESPONSIBLE OFFICER:	DEBRA JUST – CHIEF EXECUTIVE OFFICER
AUTHOR:	JOHN ELLIOTT – ECONOMIC DEVELOPMENT OFFICER
CITY STRATEGY OUTCOME:	4.6 – FACILITATE THE VIABILITY AND VIBRANCY OF OUR CBD AND VILLAGE CENTRES
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

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

2. MOTION

That Council write to the Federal Minister for Communications, Urban Infrastructure, Cities and the Arts expressing our concern about the pending closure of Australia Post Offices, and the uncertainty faced by the remaining Australia Post outlets in our LGA, and the concern this is causing our residents and local businesses.

3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION

Job cuts in excess of 400, branch closures, more expensive stamps and the end of daily letter deliveries are among the changes required to keep Australia Post financially viable.

Last month, the federal government launched a review of Australia Post's business model, releasing a discussion paper citing the diminishing viability of letters.

Australia Post's pre-tax profit in July-December totalled just \$23.6 million. The closure of post offices was on the agenda with an industry source revealing the existing 4310 post offices is above the 4000 required in legislation.

4. OFFICER'S RECOMMENDATION

That Council consider the motion.

13.4 NOTICE OF MOTION 29/2023 - REQUEST FOR REPORT ON USEFULNESS OF PROMOTING AWARENESS AND POSSIBLE SUBSIDISATION OF E-BIKE SUBSCRIPTION SERVICES

RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	DANIEL SUI – TRAFFIC & TRANSPORT TEAM LEAD
CITY STRATEGY OUTCOME:	1.2 – PROMOTE SUSTAINABLE LIFESTYLES AND PRACTICES
MEETING DATE:	23 OCTOBER 2023

1. PURPOSE OF REPORT

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

2. MOTION

That Council require the CEO to provide a report to Council's November meeting responding to the Active and Integrated Transport Advisory Committee's desire to increase the number of parents getting their children to Willoughby Public School by bicycle by evaluating the usefulness and practicality of:

- (a) raising awareness of suitable e-cargo bike subscription services; and
- (b) providing a subsidy to the uptake of such services

taking into account the work done by the Advisory Committee in relation to a trial of a subsidised version of the e-cargo bike subscription service offered by Lug + Carrie.

3. SUPPORTING INFORMATION PROVIDED BY THE COUNCILLOR ON THE NOTICE OF MOTION

Council has policies to encourage active transport and reduce private car usage to improve community welfare by improving health and reducing congestion.

Willoughby Public School (WPS) reached out to Council to take steps to reduce the number of children being driven to school and Council has worked with WPS to, amongst other things, develop safe cycling/walking routes to the school and mark same. Council's Active and Integrated Transport Advisory Committee has researched the e-bike subscription service offered by Lug+Carrie and asked that Council consider publicising this service in conjunction with WPS both to assist WPS with its aim of reducing the number of children being driven to school and to achieve Council's aim of encouraging more active transport. The Advisory Committee has also requested that Council give consideration to a subsidy to encourage take-up.

It is not appropriate for Council to preference a particular commercial provider and this motion asks for a report in relation to e-bike subscription services more generally which will incorporate the research done by the Advisory Committee into the service offered by Lug+Carrie.

High quality e-cargo bikes such as those on offer from Lug+Carrie, may be an attractive alternative to private car drop-offs for some parents at WPS, as they allow them to ride on the footpath to get their children to school, either when accompanying or carrying them; they require little physical effort; and they enable them to avoid the heavy congestion that currently exists at school drop-off and pick-up times.

Parents who subscribe to a service such as Lug+Carrie and find it useful have the option to purchase the bike, in which case they may use it more extensively perhaps even replacing a second car.

4. OFFICER'S RECOMMENDATION

That Council consider the motion.

14 QUESTIONS WITH NOTICE

14.1 QUESTION WITH NOTICE 17/2023 - PROVIDING ASSISTANCE TO THE REMAINING RETAILERS AT THE QUADRANGLE

RESPONSIBLE OFFICER:	DEBRA JUST – CHIEF EXECUTIVE OFFICER
AUTHOR:	JOHN ELLIOTT – ECONOMIC DEVELOPMENT OFFICER
CITY STRATEGY OUTCOME:	4.1 – FACILITATE THE DEVELOPMENT OF ALL BUSINESSES
MEETING DATE:	23 OCTOBER 2023

Submitted by: Councillor Roy McCullagh

QUESTION

What assistance can Council provide to the remaining retailers at The Quadrangle?

ANSWER

The proposed redevelopment scheme for the Quadrangle has resulted in the ending of leases by the landlord with some businesses continuing to trade. The landowner has not submitted a DA for the site, and the timeline for the proposed redevelopment is not known by Council.

Council does not have an assistance budget for private businesses but can contact the remaining businesses to ascertain what assistance they are seeking, and identify if that assistance is within the role of Council.

15 CONFIDENTIAL MATTERS**15.1 CONFIDENTIAL - CEO PERFORMANCE REVIEW**

ATTACHMENTS:	1. IMPLICATIONS 2. FACILITATORS REPORT FROM THE PERFORMANCE REVIEW PANEL 3. CEO PERFORMANCE AGREEMENT 2022/23
RESPONSIBLE OFFICER:	SAMANTHA CONNOR N – ACTING CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	MONICA LONERGAN – PEOPLE AND CULTURE MANAGER
CITY STRATEGY OUTCOME:	5.2 – DEMONSTRATE LEADERSHIP AND ADVOCACY FOR LOCAL PRIORITIES
MEETING DATE:	23 OCTOBER 2023

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A (2)(a) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following: -

- (a) personnel matters concerning particular individuals (other than councillors)

CONFIDENTIAL ATTACHMENTS

12.2	LEGAL MATTERS REPORT – ATTACHMENT 3
12.14	WCC PROPERTY REPORT – OCTOBER 2023

16 CONCLUSION OF THE MEETING