



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 12 December 2022
commencing at 7:00pm

The Meeting is open to the Public

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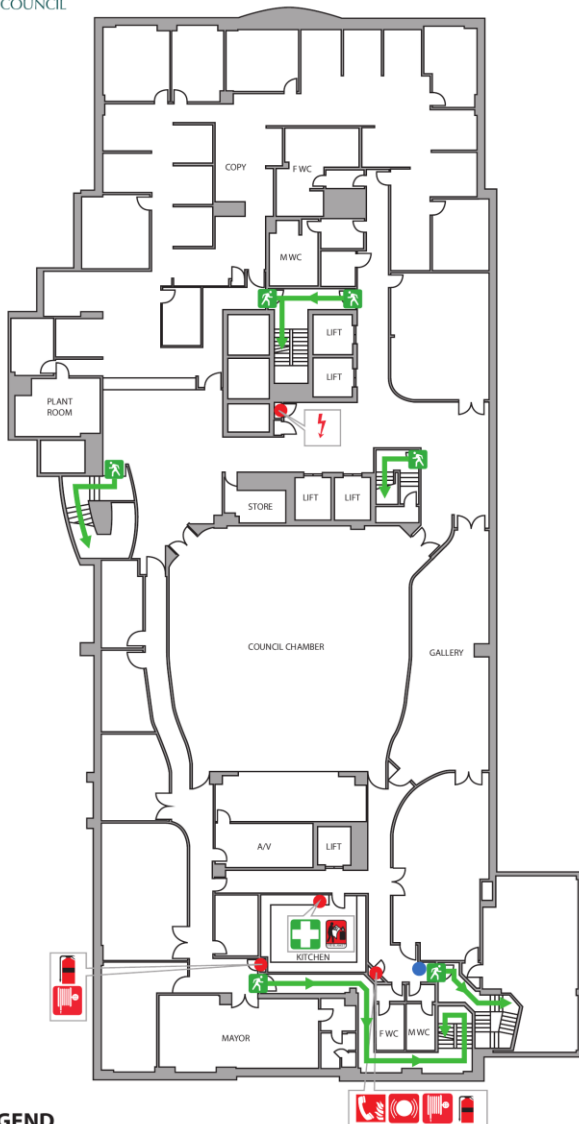
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WILLOUGHBY CITY COUNCIL

Level 6 Floor Plan



EVACUATION DIAGRAM COUNCIL CHAMBERS



Dial 000 for all emergency services
 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

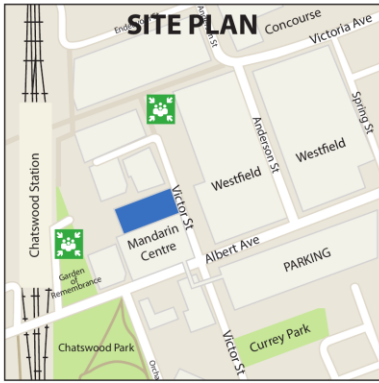
ALERT BEEEP..BEEEP..BEEEP.
 If you hear this sound you must be prepared to evacuate. Listen carefully to any instructions provided by Wardens and Staff.

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



COUNCIL CHAMBERS

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

Clr G Roussac	N A R E M B U R N	M I D D L E H A R B O U R	Clr R Samuel	Council Staff
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 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 BY COUNCILLORS

5 CONFIRMATION OF MINUTES

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

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 16/2022 – SUPPORT AND ACCELERATION OF ENERGY SHARING COMMUNITIES WITHIN THE WILLOUGHBY LOCAL GOVERNMENT AREA**MEETING DATE: 12 DECEMBER 2022****1. PURPOSE OF REPORT**

To confirm Council's support of the installation of community batteries in the Willoughby local government area.

2. DISCUSSION

In October 2019, Willoughby City Council joined a growing number of councils across Australia and the world by declaring a climate emergency. We are committed to playing our part in limiting global temperature increases worldwide.

Fossil fuels are not only bad for the environment, the global demand for coal, gas and oil is due to reach its peak in the mid 2020's.

Community batteries offer energy sharing in local neighbourhoods allowing households and the wider community access to the benefits that batteries provide, such as:

- cleaner energy supply
- increased storage capacity in the energy system (reducing peak demand and placing downward pressure on energy prices)
- equitable access to energy storage, giving everyone the ability to save on electricity costs.

It is important for households and businesses to not only transition to renewable energy, but for that renewable energy to be stored through community batteries.

Willoughby City Council Batteries

Council has battery storage systems at the Dougherty Community Centre and the Gibbes Street Depot. The 68kW battery at community centre is charged by a 133kW solar PV array located on the adjacent Westfield car park. The 66kW battery at the depot is charged by a 177kW solar PV array located on the roof. This battery will provide power to the depot in event of a grid failure so that Council can continue core services during an emergency.

Community Interest and Benefits of Community Batteries

Several members of our community have come forward in support of the installation of neighbourhood batteries in their local area. 3330 households (18% of dwellings) in Willoughby have installed rooftop solar panels, however very few have a battery, as it's still too expensive. This means that households are not receiving the full benefits of the rooftop solar they have installed (especially in the evenings), which in turn puts pressure on the electricity grid.

In addition, local households who may not be able to install solar, such as renters (38% of our community), and those living in apartments (47% of our community), would also benefit from community batteries, drawing from the excess energy stored in a battery located in the neighbourhood, rather than relying on electricity from the grid.

Several trials of community batteries are currently being run across Sydney through Ausgrid. These are located in Cameron Park, Beacon Hill and Bankstown. Trials commenced in 2021 and will end in 2023. Should further trials be undertaken, there are several neighbourhoods in the Willoughby local government area that would be interested in participating.

Support from Government

We acknowledge that under Powering Australia, the major renewable energy plan, the Federal government has pledged \$102.2 million towards Community Solar Banks.

We also acknowledge the important work Kylea Tink, the Member for North Sydney is doing in preparing to make the Federal electorate of North Sydney one of the first Net Zero Urban Energy Zones in Australia, through transitioning to a fully electrified community.

We also acknowledge the recent work that Tim James, Member for Willoughby has been undertaking in the electrification of the bus fleet in Willoughby.

Conclusion

It is important that Council supports our community in their desire for cleaner, more efficient, and affordable energy. It is also important for Council to advise the Federal and State Governments, through the work that Council has undertaken already in the provision of batteries for Council operations, and as emergency backups for the Willoughby community, of our propensity for any future trials of community batteries.

3. MOTION

That Council:

- 1. Write to the relevant Federal and State government Ministers and local members to advocate for Willoughby to be a priority area for energy sharing; and**
 - 2. Provides information on the WCC website on how households and businesses can register their interest in being part of a community battery scheme.**
-

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

CHIEF EXECUTIVE'S OFFICE

12.1 PUBLIC EXHIBITION OF DRAFT COMMUNITY ENGAGEMENT POLICY AND STRATEGY

ATTACHMENTS:	1. IMPLICATIONS 2. DRAFT COMMUNITY ENGAGEMENT POLICY 3. DRAFT COMMUNITY ENGAGEMENT STRATEGY 4. DIFFERENCES BETWEEN CURRENT AND PROPOSED FUTURE COMMUNITY ENGAGEMENT FRAMEWORK 5. RESULTS OF COMMUNITY RESEARCH TO INFORM STRATEGY DEVELOPMENT 6. INDICATIVE STRATEGY IMPLEMENTATION ROADMAP
RESPONSIBLE OFFICER:	DEBRA JUST – CHIEF EXECUTIVE OFFICER
AUTHOR:	MARK SKELSEY – ACTING MEDIA AND COMMUNICATIONS LEAD
CITY STRATEGY OUTCOME:	5.5 – MAKE IT EASY FOR CITIZENS TO PARTICIPATE IN DECISION MAKING
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

To seek Council's approval to place a revised *Community Engagement Policy* (the Policy) and new *Community Engagement Strategy* (the Strategy) on public exhibition.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Endorse the public exhibition of the revised Community Engagement Policy and new draft Community Engagement Strategy for a period of 28 days commencing in February 2023.**
- 2. Receive a further report on the outcomes of the public exhibition.**
- 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 Engagement Strategy.**

3. BACKGROUND

Since May 2022, the Council has been reviewing its existing Community Engagement Policy and Community Engagement Framework, to ensure this framework meets contemporary community needs and desires.

Matters considered in the review include:

- Council's 2020 Community Perception Research
- A survey of 97 community members
- The 2021 Census results
- Staff, consultant and Councillor feedback and input
- Lessons learned from recent engagement activities

In addition, the review considered the fact that, on 26 April 2022 the Council resolved to receive a report on *"the development of 'Your Say' stalls directly in neighbourhoods on key issues impacting the community."*

As a result of this work, a revised Community Engagement Policy, and a new Community Engagement Strategy, have been developed for public exhibition and forms the subject of this report. Councillors were briefed on the draft strategy on 5 September 2022.

4. DISCUSSION

Existing Community Engagement Policy and Community Engagement Framework

On 10 October 2016, the Council endorsed a Community Engagement Policy, which defines Council's over-arching approach to community engagement, including engagement principles and staff roles and responsibilities.

This Policy also defined the Council's Community Engagement Framework, which included the Policy and the following two documents:

- Community Engagement Process and Matrix (this document outlines the process and methods for community engagement activity)
- Community Engagement Resources (this document is an engagement toolkit to be used by Council staff).

On 11 November 2019, the Council endorsed the Community Engagement Framework being expanded to include the Council's Community Participation Plan (which defines how the Council undertakes engagement on matters covered by the Environmental Planning and Assessment Act and was adopted 19 November 2019).

On 9 December 2019, the Council endorsed the Community Engagement Framework being further amended to include the Council's Advisory Committee and Reference Groups Policy.

The existing Community Engagement Framework is available at

www.willoughby.nsw.gov.au/Community/Planning-for-our-Future/Community-Engagement

Strategy preparation and content

A revised Community Engagement Policy (at **Attachment 2**) and new Community Engagement Strategy (at **Attachment 3**) have been developed, as part of an updated Community Engagement Framework.

Minor changes have been made to the Policy, including to:

- Update the Policy's engagement principles so they align with the draft Strategy
- Add additional definitions of terms used in the Policy
- Better link the Policy to our existing privacy framework
- Note that the Advisory Committees Policy is a "Related Policy", rather than being part of the Community Engagement Framework

The draft Strategy outlines how the Council should undertake community engagement and, compared to the current framework, will include a greater focus on:

- Planning for engagement at the start of a project's internal development, including ensuring sufficient resourcing and timeframes are available for engagement
- Conducting early engagement on more complex projects, to understand community views so that these views can be incorporated into the design of these projects
- Considering how engagement should take place with Willoughby's unique community, including our proportionally high numbers of non-English speakers, time-poor working families, renters and people living in high density dwellings
- Harnessing the insights of Willoughby's volunteers and special interest groups including Progress Associations
- Improving the visibility of the Council's community engagement effort, including through introducing street engagement stalls
- Ensuring that the community is engaged and informed across the full lifecycle of projects
- Standardising and where possible strengthening the reporting of engagement outcomes
- Monitoring and evaluating the success or otherwise of individual engagement projects, and our overall engagement function.

The draft Strategy will replace the Community Engagement Process and Community Engagement Matrix and Resources documents.

A detailed explanation of the differences between the previous and proposed Community Engagement Framework is available at **Attachment 4**.

It is proposed to place the revised Policy and new Strategy on public exhibition in February-March 2023, utilising Council's 'Have Your Say' webpage. A 28 day consultation period will be provided to allow interested parties to comment on the draft Policy.

Engagement activities are proposed to include:

- Creation of Have Your Say portal page, including online survey
- 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 advertising
- Community workshops in up to four local centres

Community member survey

Between 28 September and 27 October 2022, a survey of 97 community members was conducted online and by intercepting passers-by at Chatswood and Northbridge. The majority of community members surveyed (80%) said they would like to make a greater contribution to Council's decisions.

Community members stated they were most interested in being consulted on traffic and parking, planning and development, bushland management and sustainability initiatives. The survey also found the community would like to participate early and often throughout the development of Council projects, programs and policies.

The draft Strategy has responded to this feedback. A report on the outcomes of the community research is available at **Attachment 5**.

Implementation

The draft Strategy is expected to lead to increased Council resources and time being devoted to community engagement, including the need for:

- Staff training and capability building
- Improved tools, templates and protocols
- Panels of consultants and service providers to be established

This increased resources and effort should be considered as an upfront investment which will be re-paid over the lifetime of the relevant project, policy or program, by ensuring the relevant initiative is responsive to community sentiment.

Council will need some time to transition to this environment, particularly given that there are expected to be ongoing labour shortages for skilled staff to plan and implement projects. To support this an indicative implementation roadmap has been prepared at **Attachment 6**.

This roadmap notes that some elements of the draft Strategy are already in place, and that it will be progressively implemented by July 2024.

The exact cost of draft Strategy 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 2023/24 and 2024/25 financial years.

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 Section 402A of the LG Act, councils must prepare a Community Engagement Strategy “for engagement with the local community when developing its plans, policies and programs and for the purpose of determining its activities (other than routine administrative matters)”. The draft Strategy responds to these requirements.

It was originally planned that the draft Strategy would incorporate an updated and reviewed Community Participation Plan for planning matters, in line with Section 2.23(4) the *Environmental Planning and Assessment Act* (EP&A Act).

However, it is now proposed that the Council separately reviews its Community Participation Plan in 2023 and continues the current practice of publishing this Plan as a standalone document. This will allow for greater community input and focus on this specific project, which is justifiable given the high interest in engagement on planning and development issues, and also recognises the existing vacant positions in the development assessment team which is limiting the ability of this team to effectively take part in the review process.

5. CONCLUSION

It is recommended that the revised Community Engagement Policy and new Community Engagement Strategy be placed on public exhibition for a period of 28 days commencing in February 2023 and a further report detailing the outcome of the consultation process is presented for Council’s consideration.

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	The preparation of the draft Policy was undertaken utilising two internal staff members and the support of a consultant (JOC Consulting).
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 Policy was prepared with consideration of Section 402A of the Local Government Act.
Budget/Financial	The Strategy was prepared using \$100,000 in funding allocated to a review of the community engagement framework in 2022/23. Budget allocations to support the Strategy will be considered as part of the 2023/24 and 2024/25 budget cycles.

CUSTOMER & CORPORATE DIRECTORATE

12.2 INVESTMENT REPORT FOR MONTH OF NOVEMBER 2022

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:	12 DECEMBER 2022

1. PURPOSE OF REPORT

To provide a report setting out Council's bank balances and investment portfolio performance as at 30 November 2022 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 November 2022.

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 November 2022 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 November 2022 include:

Combined Bank Balance	\$11.8M
Investment Holdings	\$192.0M
Total Cash and Investments	\$203.8M
Return on Investments	1.88%, (1.19% under benchmark of 3.07%) (Refer to Attachment 2 – Figures 3 and 4).
Actual Interest Return (Month)	\$309K (\$72K better than \$237K budget) (Refer to Attachment 2 – Figure 5).
Actual Interest Return (Year to Date)	Actual Year to Date Interest of \$1.197K is \$108K favourable to Year to Date budget of \$1.089K.

Restricted versus Unrestricted Cash and Investments

Total cash and investments as at 30 November 2022 was \$203.8m. Of this amount, \$180.8m, or 89% is restricted to be spent on specific purposes. This leaves \$23.0m or 11% of unrestricted cash and investments for working capital purposes to ensure Council can meet its financial obligations as they fall due.

Figure 1 shows the breakdown of cash and investments.

Figure 1 – Restricted versus unrestricted cash and investments as at 30 November 2022

Restriction Category	Total cash and investments as at 30 November 2022 (\$'m)	Percentage of Total Portfolio %
Internally Restricted	\$62.9M	31
Externally Restricted	\$117.9M	58
Unrestricted	\$23.0M	11
Total	\$203.8M	100

5. CONCLUSION

Council's investment holdings at 30 November 2022 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.

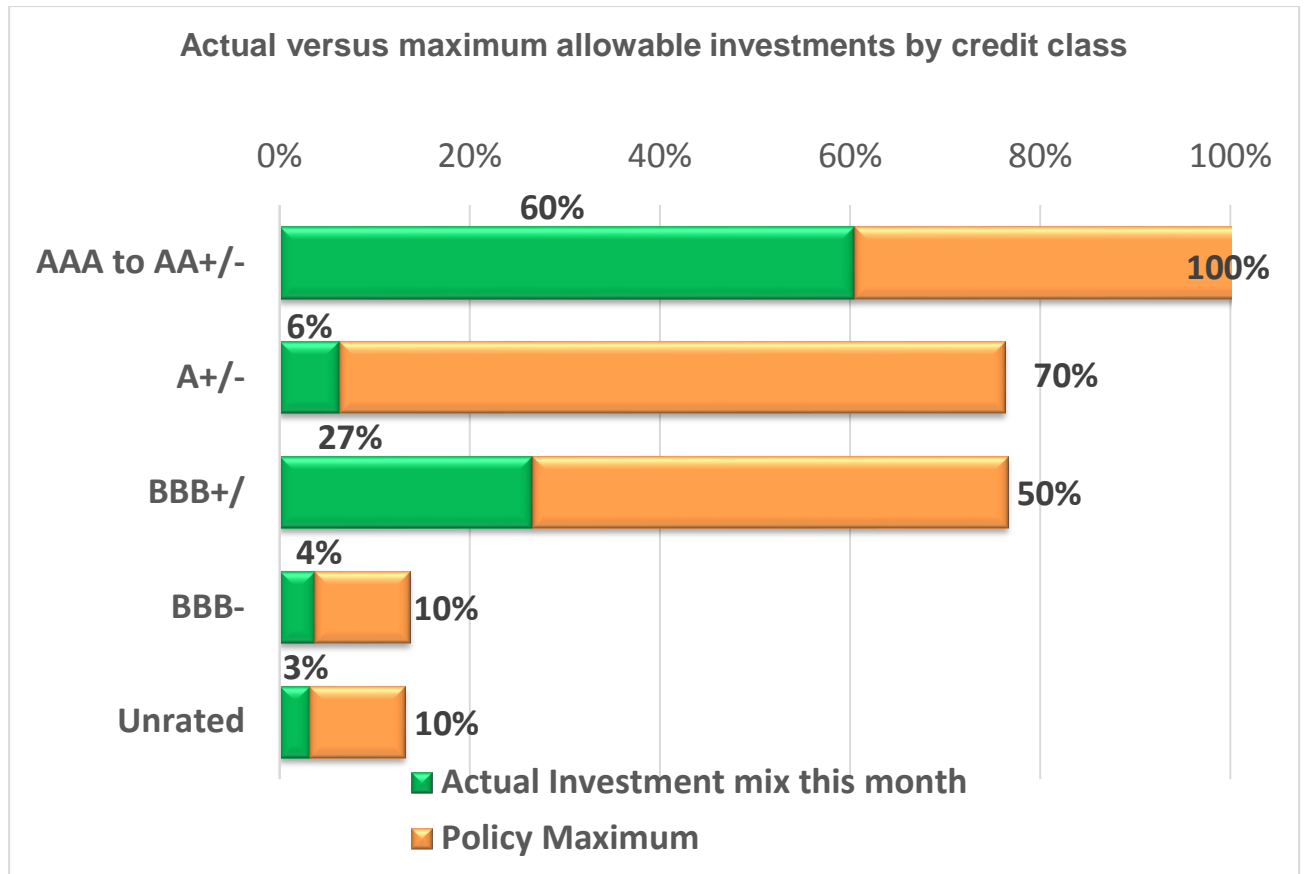
ATTACHMENT 1

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	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.
	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> .
Budget/ Financial	The monthly investment report details the interest income for the month and any other relevant information required by Council.
	Council's Cash and Investments holdings at 30 November 2022 were \$203.8M and Interest returns are on track to exceed the annual budget of \$2.8M.

ATTACHMENT 2

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

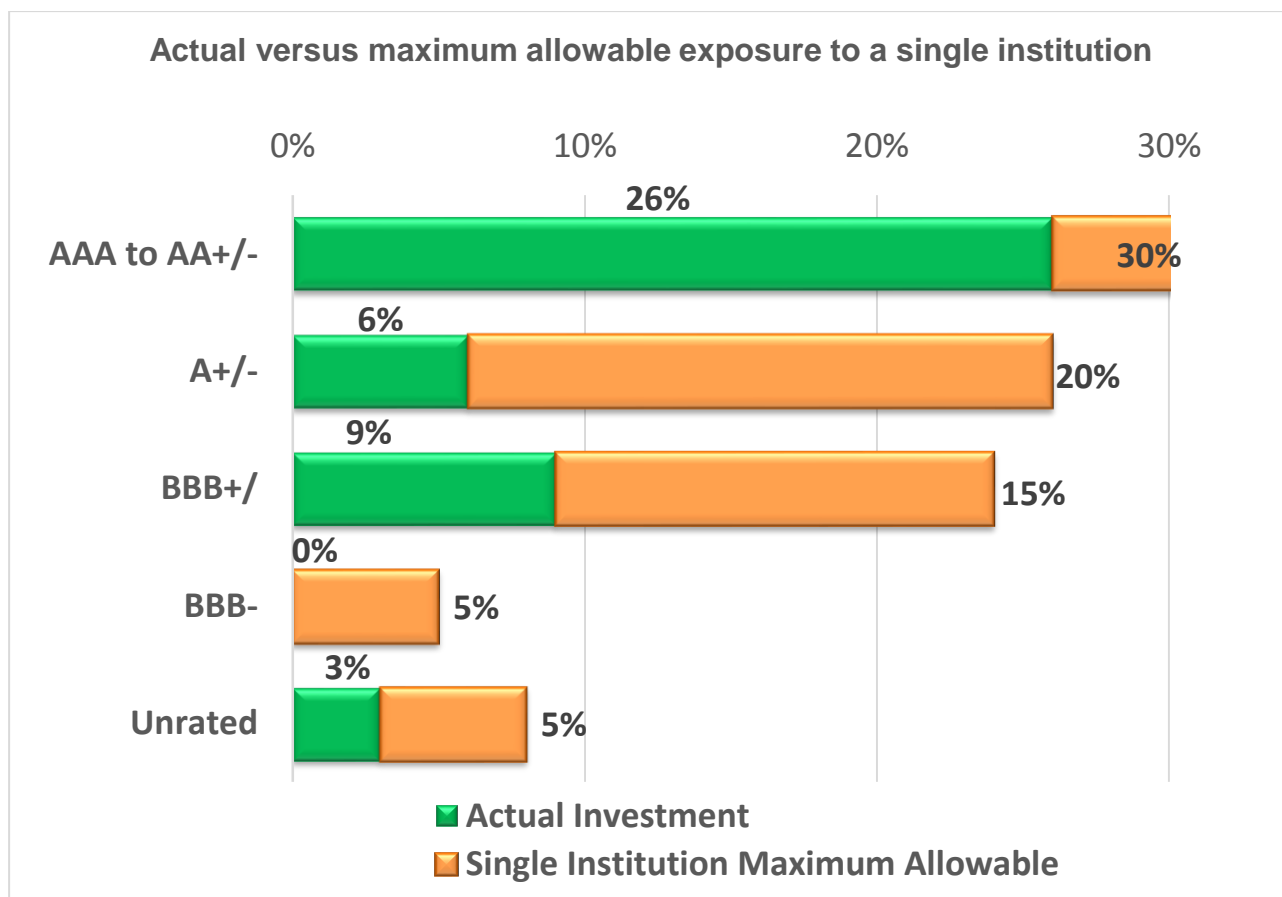
Figure 1 – Actual versus maximum allowable investments by credit class



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 30 November 2022

<u>Description</u>	<u>Average Interest Rate</u>
Council Portfolio	<u>1.88%</u>
Benchmark – Bloomberg AUSBond Bank Bill Index (1 Month)	<u>3.07%</u>
Over (Under) Benchmark Return	<u>(1.19%)</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 underperformed that benchmark by 1.19%. This is because the Reserve Bank has raised the Cash Rate by 2.85% over the past seven months, moving the one month Bloomberg

AUSBond Bank Bill Index to 3.07%. This volatile monthly rate is not a good comparison to Council’s portfolio return, as Council’s securities have maturities of up to 2 years.

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>1.12%</u>
Benchmark – Bloomberg AUSBond Bank Bill Index (12 Month Average)	<u>1.04%</u>
Over (Under) Benchmark Return	<u>0.08%</u>

Figure 5 – Investment Return for 30 November 2022

<u>Description</u>	<u>Interest Achieved (\$000’s)</u>
Council Actual Interest Return	<u>\$309K</u>
Budgeted Return	<u>\$237K</u>
Over Budgeted Return	<u>\$72K</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 \$72K better than budget.

Investment Report for November 2022

Council Holdings and Counterparty Analysis ATTACHMENT 3

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: Westpac								
Bank (9548482)	A1+	TD	2,000,000	0.57%	62	4/11/2021	3/11/2022	Matured
Westpac Bank (9270249)	A1+	TD	1,000,000	0.58%	32	25/11/2021	3/11/2022	Matured
National Australia Bank (23-276-0180)	AA-	TD	2,000,000	0.66%	325	12/11/2020	10/11/2022	Matured
Defence Bank (49553)	BBB+	TD	2,000,000	0.62%	620	19/11/2020	17/11/2022	Matured
Defence Bank (49658)	BBB+	TD	1,000,000	0.63%	436	26/11/2020	24/11/2022	Matured
AMP Bank (184594166)	A2	TD	1,000,000	1.00%	630	18/11/2021	24/11/2022	Matured
Current Investments:								
National Australia Bank (88-739-6754)	AA-	TD	4,000,000	0.65%	2,137	3/12/2020	8/12/2022	0-3 mths
Australian Military Bank (49893)	BBB+	TD	2,000,000	0.60%	986	10/12/2020	8/12/2022	0-3 mths
National Australia Bank (23-546-4715)	AA-	TD	3,000,000	0.63%	1,553	10/12/2020	15/12/2022	0-3 mths
The Mutual Bank (55512)	Jnrated	TD	2,000,000	1.05%	1,726	2/12/2021	22/12/2022	0-3 mths
The Mutual Bank (55632)	Jnrated	TD	2,000,000	1.10%	1,808	9/12/2021	12/01/2023	0-3 mths
National Australia Bank (232686136)	A1+	TD	3,000,000	0.75%	1,849	15/12/2021	12/01/2023	0-3 mths
National Australia Bank (10-738-485)	AA-	TD	3,000,000	0.62%	1,529	21/01/2021	19/01/2023	0-3 mths
Westpac Bank (9687420)	A1+	TD	1,000,000	0.80%	658	20/01/2022	19/01/2023	0-3 mths
Bank of QLD (471426)	A2	TD	2,000,000	0.92%	1,512	17/02/2022	9/02/2023	0-3 mths
Bank of QLD (418014)	BBB+	TD	2,000,000	0.53%	871	26/08/2021	16/02/2023	0-3 mths
Commonwealth Bank (2038)	AA-	TD	2,000,000	0.55%	904	25/02/2021	23/02/2023	0-3 mths
Bank of QLD (418016)	BBB+	TD	2,000,000	0.53%	871	26/08/2021	23/02/2023	0-3 mths
National Australia Bank (27-185-3216)	A1+	TD	2,000,000	0.95%	1,562	3/03/2022	2/03/2023	4 mths
National Australia Bank (92-511-3146)	AA-	TD	2,000,000	0.64%	1,052	4/03/2021	9/03/2023	4 mths
Commonwealth Bank (2042)	AA-	TD	3,000,000	0.51%	1,258	11/03/2021	16/03/2023	4 mths
ING Bank (57155)	A+	TD	1,000,000	1.20%	986	17/03/2022	16/03/2023	4 mths
Defence Bank (51389)	BBB+	TD	2,000,000	0.55%	904	18/03/2021	23/03/2023	4 mths
Bank of QLD (486126)	A2	TD	2,000,000	1.86%	3,058	7/04/2022	13/04/2023	5 mths
Westpac Bank (9536477)	A1+	TD	3,000,000	1.94%	4,784	14/04/2022	20/04/2023	5 mths
Commonwealth Bank (2096)	A1+	TD	2,000,000	2.20%	3,616	21/04/2022	20/04/2023	5 mths
Commonwealth Bank (2046)	AA-	TD	2,000,000	0.51%	838	22/04/2021	27/04/2023	5 mths
Commonwealth Bank (2099)	A1+	TD	2,000,000	3.08%	5,063	5/05/2022	4/05/2023	6 mths
Bank of QLD (382470)	A2	TD	3,000,000	0.50%	1,233	13/05/2021	18/05/2023	6 mths
ING BANK (945435)	A+	TD	2,000,000	3.10%	5,096	12/05/2022	25/05/2023	6 mths
Bank of QLD (499685)	A2	TD	2,000,000	3.21%	5,277	26/05/2022	25/05/2023	6 mths
ING Bank (811179)	A+	TD	2,000,000	0.55%	904	3/06/2021	8/06/2023	7 mths
National Australia Bank (44-972-0470)	AA-	TD	2,000,000	0.60%	986	10/06/2021	15/06/2023	7 mths
National Australia Bank (90-000-7996)	AA-	TD	1,000,000	0.60%	493	17/06/2021	22/06/2023	7 mths
Commonwealth Bank (2102)	A1+	TD	2,000,000	4.16%	6,838	16/06/2022	22/06/2023	7 mths
ING Bank (958397)	A+	TD	1,000,000	4.05%	3,329	29/06/2022	29/06/2023	8 mths
The Mutual Bank (56415)	Jnrated	TD	2,000,000	1.20%	1,973	3/02/2022	6/07/2023	8 mths
National Australia Bank (928770977)	AA-	TD	2,000,000	0.65%	1,068	15/07/2021	13/07/2023	8 mths
Auswide Bank (56416)	BBB+	TD	2,000,000	1.15%	1,890	3/02/2022	13/07/2023	8 mths
Westpac Bank (9588489)	A1+	TD	2,000,000	1.00%	1,644	25/11/2021	20/07/2023	8 mths
Bank of QLD (413036)	BBB+	TD	2,000,000	0.60%	986	12/08/2021	10/08/2023	9 mths
AMP Bank (110822)	A2	TD	3,000,000	4.00%	9,863	11/08/2022	10/08/2023	9 mths
National Australia Bank (18-018-2816)	AA-	TD	2,000,000	0.62%	1,019	19/08/2021	17/08/2023	9 mths
AMP Bank (342693355)	A2	TD	2,000,000	4.20%	6,904	11/08/2022	17/08/2023	9 mths
Commwealth Bank (2063)	AA-	TD	2,000,000	0.60%	986	26/08/2021	24/08/2023	9 mths
Bank of QLD (570898)	A2	TD	3,000,000	4.15%	10,233	31/08/2022	24/08/2023	9 mths
Commonwealth Bank (2065)	AA-	TD	3,000,000	0.60%	1,479	2/09/2021	7/09/2023	10 mths
Commonwealth Bank (2070)	AA-	TD	2,000,000	0.57%	937	9/09/2021	14/09/2023	10 mths
Auswide Bank (54182)	BBB+	TD	2,000,000	0.60%	986	16/09/2021	21/09/2023	10 mths
Commonwealth Bank (2111)	A1+	TD	3,000,000	4.18%	10,307	1/09/2022	21/09/2023	10 mths
MyState Bank (80922)	A2	TD	4,000,000	4.15%	13,644	8/09/2022	21/09/2023	10 mths
Commonwealth Bank (2115)	A1+	TD	4,000,000	4.32%	14,203	21/09/2022	21/09/2023	10 mths
Westpac Bank (9462962)	AA-	TD	2,000,000	0.55%	904	23/09/2021	28/09/2023	11 mths
Westpac Bank (9499897)	AA-	TD	3,000,000	0.73%	1,800	14/10/2021	5/10/2023	11 mths
MyState Bank (54656)	BBB+	TD	2,000,000	0.75%	1,233	14/10/2021	12/10/2023	11 mths
Westpac Bank (9499818)	AA-	TD	3,000,000	0.73%	1,800	14/10/2021	19/10/2023	11 mths
AMP Bank (921019576)	A2	TD	2,000,000	4.55%	7,479	13/10/2022	19/10/2023	11 mths
Westpac Bank (9514107)	AA-	TD	2,000,000	0.90%	1,479	21/10/2021	26/10/2023	11 mths
Commonwealth Bank (2120)	A1+	TD	3,000,000	4.52%	11,145	27/10/2022	26/10/2023	11 mths
Westpac Bank (9528796)	AA-	TD	1,000,000	1.13%	929	28/10/2021	2/11/2023	12 mths
Westpac Bank (9548463)	AA-	TD	3,000,000	1.16%	2,860	4/11/2021	9/11/2023	12 mths
Westpac Bank (9562251)	AA-	TD	3,000,000	1.22%	3,008	11/11/2021	9/11/2023	12 mths
Westpac Bank (9562241)	AA-	TD	2,000,000	1.22%	2,005	11/11/2021	16/11/2023	12 mths
Westpac Bank (9415227)	AA-	TD	2,000,000	0.61%	1,003	26/08/2021	23/11/2023	12 mths
Westpac Bank (9427345)	AA-	TD	3,000,000	0.60%	1,479	2/09/2021	7/12/2023	>12 mths
Westpac Bank (9619113)	AA-	TD	2,000,000	1.21%	1,989	9/12/2021	14/12/2023	>12 mths
Westpac Bank (9298720)	AA-	TD	2,000,000	0.65%	1,068	17/06/2021	14/12/2023	>12 mths
Westpac Bank (9575658)	AA-	TD	4,000,000	1.20%	3,945	18/11/2021	21/12/2023	>12 mths
MyState Bank (55631)	BBB+	TD	2,000,000	1.20%	1,973	9/12/2021	4/01/2024	>12 mths
Westpac Bank (9588504)	AA-	TD	2,000,000	1.34%	2,203	25/11/2021	11/01/2024	>12 mths
Westpac Bank (9678135)	AA-	TD	1,000,000	1.31%	1,077	14/01/2022	18/01/2024	>12 mths
Westpac Bank (9711243)	AA-	TD	2,000,000	1.43%	2,351	3/02/2022	8/02/2024	>12 mths
ING Bank (170222)	A+	TD	1,000,000	2.00%	1,644	17/02/2022	15/02/2024	>12 mths
National Australia Bank (70-562-1720)	AA-	TD	2,000,000	1.81%	2,975	17/02/2022	22/02/2024	>12 mths
Westpac Bank - Green Tailored Deposit (7553241)	AA-	TD	1,000,000	4.11%	2,977	28/02/2019	1/03/2024	>12 mths
Police Nurse Bank (57025)	BBB-	TD	2,000,000	2.00%	3,288	10/03/2022	7/03/2024	>12 mths
Westpac Bank (9782801)	AA-	TD	2,000,000	1.91%	3,140	10/03/2022	14/03/2024	>12 mths
ING Bank (57154)	A+	TD	1,000,000	2.02%	1,660	17/03/2022	21/03/2024	>12 mths
Police Nurse Bank (57153)	BBB-	TD	2,000,000	2.05%	3,370	17/03/2022	21/03/2024	>12 mths
National Australia Bank (955038589)	AA-	TD	4,000,000	2.85%	9,370	14/04/2022	18/04/2024	>12 mths
Commonwealth Bank (2100)	AA-	TD	1,000,000	3.70%	3,041	5/05/2022	16/05/2024	>12 mths
ING BANK (949745)	A-	TD	1,000,000	3.76%	3,090	26/05/2022	30/05/2024	>12 mths
National Australia Bank (30-862-1903)	AA-	TD	1,000,000	0.80%	658	8/07/2021	4/07/2024	>12 mths
National Australia Bank (29-130-3289)	AA-	TD	2,000,000	0.78%	1,282	12/08/2021	15/08/2024	>12 mths
Australian Military Bank (220824)	BBB+	TD	3,000,000	4.45%	10,973	31/08/2022	22/08/2024	>12 mths

ORDINARY COUNCIL MEETING

12 DECEMBER 2022

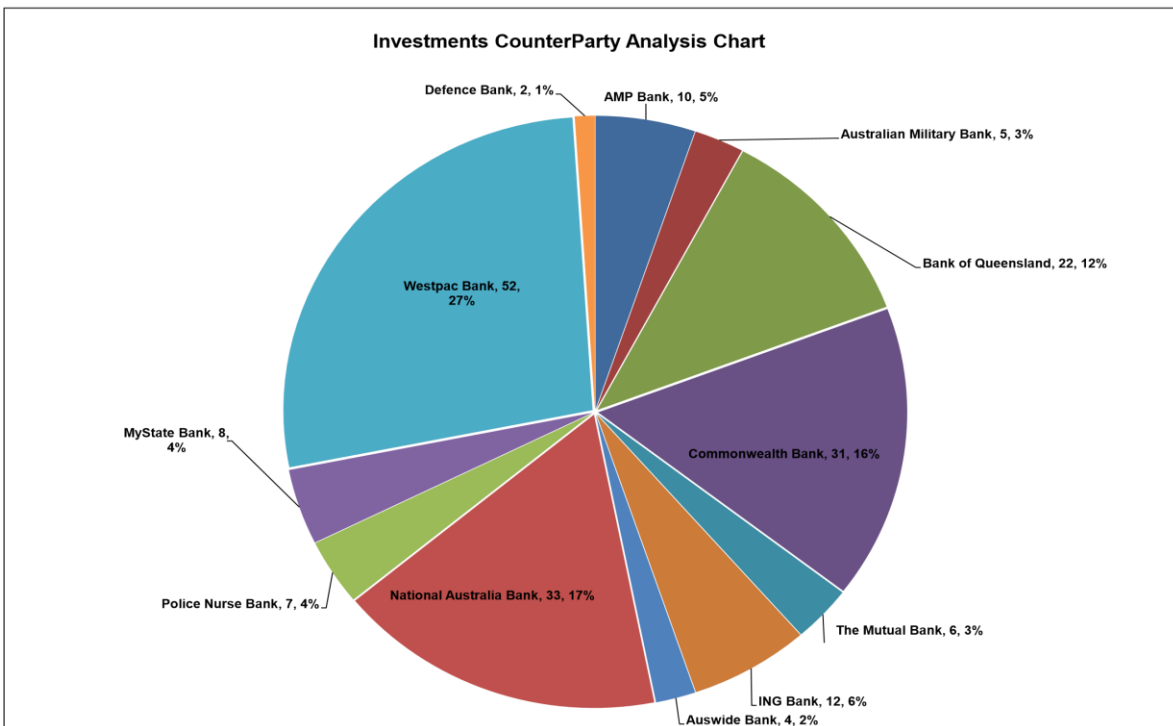
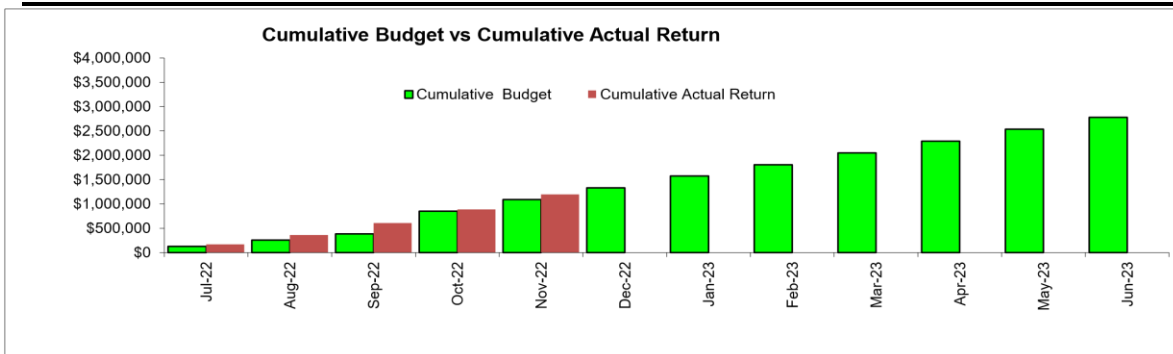
Police & Nurses Bank (060235)	BBB-	TD	3,000,000	4.40%	10,849	8/09/2022	19/09/2024	>12 mths
AMP Bank (342225216)	BBB+	TD	2,000,000	4.70%	7,726	13/10/2022	17/10/2024	>12 mths
ING Bank (1015290)	A+	TD	3,000,000	4.90%	12,082	27/10/2022	24/10/2024	>12 mths
Current Investments - "New and Rollover" made during the month:								
AMP Bank (939200)	A2	TD	1,000,000	4.60%	882	24/11/2022	23/11/2023	12 months
Bank of QLD (628601)	BBB+	TD	4,000,000	4.61%	4,042	23/11/2022	21/11/2024	24 months
Westpac Bank (10060651)	A1+	TD	3,000,000	4.35%	2,860	23/11/2022	23/11/2023	12 months
Westpac Bank (10060645)	A1+	TD	3,000,000	4.35%	2,860	23/11/2022	23/11/2023	12 months
Total Current Investments, Monthly Interest and Weighted Return		Inv	192,000,000	1.88%	284,412			
Other Cash and Monthly Interest (11am STMM)		Cash	11,795,157		25,034			
Total Cash & Investments			203,795,157		309,447			
Benchmark: Bloomberg AUSBond Bank Bill Index				3.07%				
Investments Margin above Benchmark				-1.19%				

Investment Report for November 2022

Council Holdings and Counterparty Analysis ATTACHMENT 3

Investments Maturity Period	0-3 Months	4-12 Months	> 12 Months	Total \$	chk s/be 0
Amount	35,000,000	104,000,000	53,000,000	192,000,000	0
% of Total	18.2%	54.2%	27.6%	100%	

Cash & Investments Return:	Budget \$	Actual \$	Var. \$
Current Month	237,606		71,841
Year to Date	1,089,205	1,197,130	107,925



Investment return for 2022-2023		
Month	Ausbond bank Bill Index Return % p.a	WCC Actual Returns from
Dec-21	0.04%	0.77%
Jan-22	0.06%	0.77%
Feb-22	0.07%	0.79%
Mar-22	0.04%	0.82%
Apr-22	0.19%	0.90%
May-22	0.41%	1.00%
Jun-22	0.62%	1.07%
Jul-22	1.46%	1.09%
Aug-22	1.84%	1.19%
Sep-22	1.79%	1.52%
Oct-22	2.89%	1.68%
Nov-22	3.07%	1.88%
Annualised return	1.04%	1.12%

12.3 PUBLIC EXHIBITION - CUSTOMER EXPERIENCE STRATEGY 2023-2025

ATTACHMENTS:	1. IMPLICATIONS 2. DRAFT CUSTOMER EXPERIENCE STRATEGY 2023-2025
RESPONSIBLE OFFICER:	MAXINE KENYON – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	JO JEWITT – CUSTOMER EXPERIENCE MANAGER
CITY STRATEGY OUTCOME:	5.7 – DELIVER EXCELLENT CUSTOMER SERVICE
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

To seek Council's endorsement of the draft *Customer Experience Strategy 2023 – 2025* (CX Strategy) for public exhibition.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Endorse the draft *Customer Experience Strategy 2023–2025* for public exhibition.**
- 2. Delegate authority to the Chief Executive Officer to make minor amendments to the draft *Customer Experience Strategy 2023-2025* that does not alter the intent.**

3. BACKGROUND

Our Future Willoughby 2032 sets out the community's long-term vision and priorities for the future of the City as its 10-year Community Strategic Plan (CSP). The CSP identifies the aspirations and priorities of the community for the future of the local government area. Outcome 5 contains a community priority to "5.7 Deliver excellent customer service".

In response to this priority, Council identified in the Operational Plan the need for change to improve the experience for our customers. Council wants to put the customer at the heart of everything we do and provide excellence in customer experience.

This report presents the draft CX Strategy (**Attachment 2**) for Council's endorsement for community consultation. The document will be graphically designed prior to publication and distribution for public consultation.

4. DISCUSSION

Aligned to the strategic priorities to improve our customer service and experience, Council has been working on a range of initiatives in recent years to improve our customer service and experience, including:

- Created Customer Insights training module for all staff
- Trained staff in customer journey mapping to truly understand the experience customers have with us
- Created more online services
- Built the new and more accessible customer contact centre
- Committed to the roll out of a new system which will provide a single view of the customer
- Improved the complaints process
- Re designed the website information relating to complaints
- Changed the process of raising Government Information Public Access (GIPA) requests to make the process more streamlined
- Referral cards for our front line teams
- Review and simplification of Service Level Agreements
- Restructured the customer service team; created positions that will assist in data analysis, proactive management of customer issues and building the capability of staff across the organisation.

We have built the foundation for growth and improvement by gaining alignment, buy-in and creating a vision and strategy for what a future state could look and feel like. We have the basics right and are continuing to focus on this stage of our maturity through the development of the CX Strategy.

The CX Strategy creates a framework and approach to how Council will further deliver improvements for our customers to move us to delivering on our promise. The attached draft CX Strategy has been prepared to assist Council to commence transformational change in delivering quality customer experience.

In developing the draft CX Strategy, our commitment, customer principles, outcomes and initiatives have been developed to clearly respond to customer needs, changing expectations and improve Council’s ability to provide a better customer experience.

In summary, the draft CX Strategy is built on the following, with initiatives that will deliver an improved customer experience.

CX Commitment	CX Outcomes	CX Framework
The goal of our customer experience is to make life easier for the customers through consistent and responsive services that build trust in us	<ul style="list-style-type: none"> • Easier – Make it easy for me • Consistent – Be consistent for me • Responsiveness – Respond to me • Engaging – Make me feel heard 	<ul style="list-style-type: none"> • Building a customer centric culture • Optimise process’s, information & services • Improve technology and systems • Listen to the voice of the customer

The draft CX Strategy only has a two year time frame to align to the roll out of the new Customer Request Management system (due February 2024) which will make considerable changes to our processes, data and usability. Providing one year to embed the new system and identify other improvements will then allow Council to develop an updated CX Strategy for 2025 and beyond. This revised CX Strategy will assist Council progress in maturity to stages where we can continue to deliver on our promise, differentiate our experience to others and move to being best practice in customer experience.

The Plan will be reviewed annually to take into account the progress made and any changes in customer concerns and needs.

Consultation and exhibition

The draft CX Strategy was developed through research, data analysis, benchmarking, interviews with customers and staff and workshops with staff.

It is proposed to place the draft CX Strategy on public exhibition from February 2023. It will include at minimum:

- Draft CX Strategy and frequently asked questions document placed on Council's Have Your Say website
- An interactive response opportunity through Council's 'Have Your Say' platform and online survey
- Social media posts raising awareness of the draft Strategy
- Media release to local papers and radio station
- Notification will be to existing users of our services, Have Your Say e-newsletter, Progress Associations, Chambers of Commerce and other stakeholders
- Promotion at key Council sites
- Up to four workshops, including specific workshop for businesses and another for workers and visitors.

Given the Community Engagement Strategy will also be on exhibition at this time it is envisaged that there will be opportunity to combine efforts and activities to minimise consultation overload and engage a range of stakeholders in the consultation process.

Following exhibition, a briefing and report will be presented to Council summarising the outcomes of the exhibition process.

5. CONCLUSION

The draft CX Strategy provides a framework and a series of initiatives to improve customer experience in the next two years. Implementation of the actions will help transform the customer experience provided across all areas of Council.

The draft has been developed in consultation with customers and this public exhibition process will provide a further opportunity to engage our community and customers in improving our customer experience.

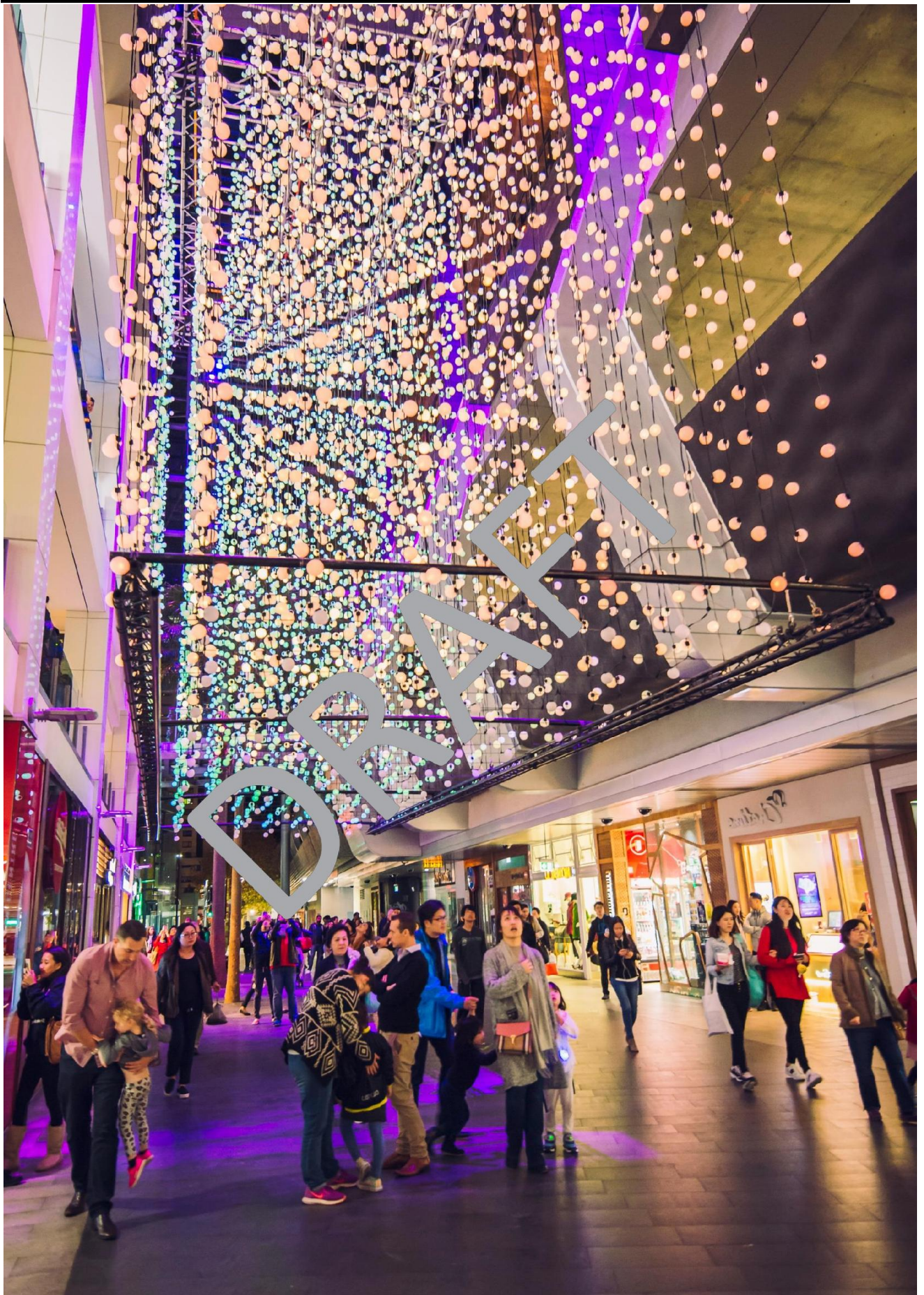
ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.7 – Deliver excellent customer service
Business Plan Objectives, Outcomes / Services	Once adopted, the Customer Service Strategy will inform business planning for all units within Council.
Policy	The draft <i>Customer Experience Strategy 2023-2025</i> aligns to Council's Customer Service Charter.
Consultation	Key internal staff and external stakeholders have been consulted throughout the development of the draft Strategy. Councillor Briefings were held on 1 August and 7 November 2022.
Resource	The draft CX Strategy was developed using existing staff resources and consultants, Proto Partners. Implementation will utilise existing staff resources and require budget which will be submitted through the annual budget process.
Risk	The initiatives identified in the draft CX Strategy are to implement the outcomes in the CSP to ensure the city is effective and liveable by delivering excellent customer experience. There is reputational risk and financial risk by not meeting these outcomes.
Legal	There are no implications applicable to this report.
Legislation	There are no implications applicable to this report.
Budget/Financial	The actions in the draft CX Strategy will be funded through operational resources however some initiatives will require some funding including: Voice of the customer program; customer journey mapping; channel preference strategy; and, CX training for staff. Detailed project bids will be developed for each of the initiatives for consideration through the annual Operational Plan and budget processes.



2023 - 2025 Customer Experience Strategy

MONTH 2023



Willoughby City Council Customer Experience commitment

To make life easier for customers through **consistent** and **responsive** services that build **trust** in us.

DRAFT

Contents – TO BE INSERTED ONCE DESIGNED

DRAFT

Acknowledgement of Country

Willoughby City Council acknowledges the Traditional Owners of the lands on which we stand, the Gamaragal people. We pay our respects to their Elders past and present.

3

Overview

Our ambition is to put our customer at the heart of everything we do and provide excellence in customer experience. The goal of our customer experience is to make life easier for customers through consistent and responsive services that build trust in us.

We have continued to make changes and improvements to the way we do things to improve the customer experience, including significant investment in new technology, which upon completion (early 2024) will provide us with a single view of the customer.

We recognise that we are still in the early phase of our customer experience improvement journey and this Strategy is an interim step in our process. A process, which will create a firm foundation and lead to greater transformational change in the future.

The Strategy includes a roadmap of practical customer commitments and initiatives that will be undertaken.

Upon the delivery of this strategy, a five-year strategy will be developed after our technology is in place to further drive continued improvements of our customer experience into the future.

The Customer Experience Strategy is a key project, which delivers upon the Community Strategic Plan 2032, responding to,

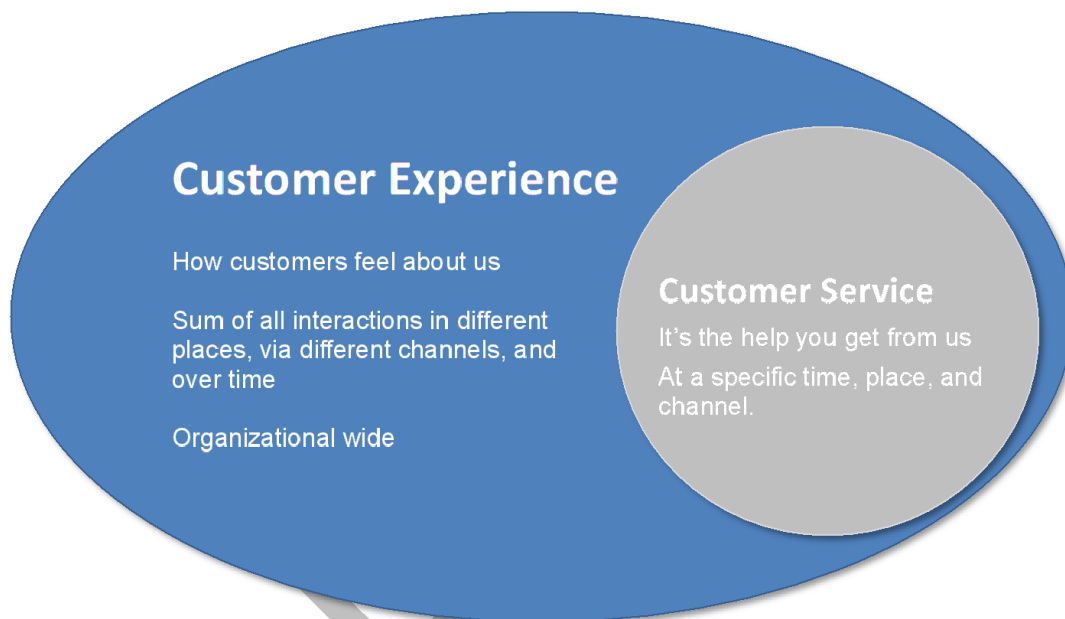
Outcome 5 City that is effective and accountable:

5.7 Deliver excellent customer service

What is customer experience

Our customer experience is the sum of all interactions our customers have with us via different channels and over time. It is the feelings, emotions and perceptions the customers experience when they are having those interactions.

The customer service we provide is only one element of this customer experience.



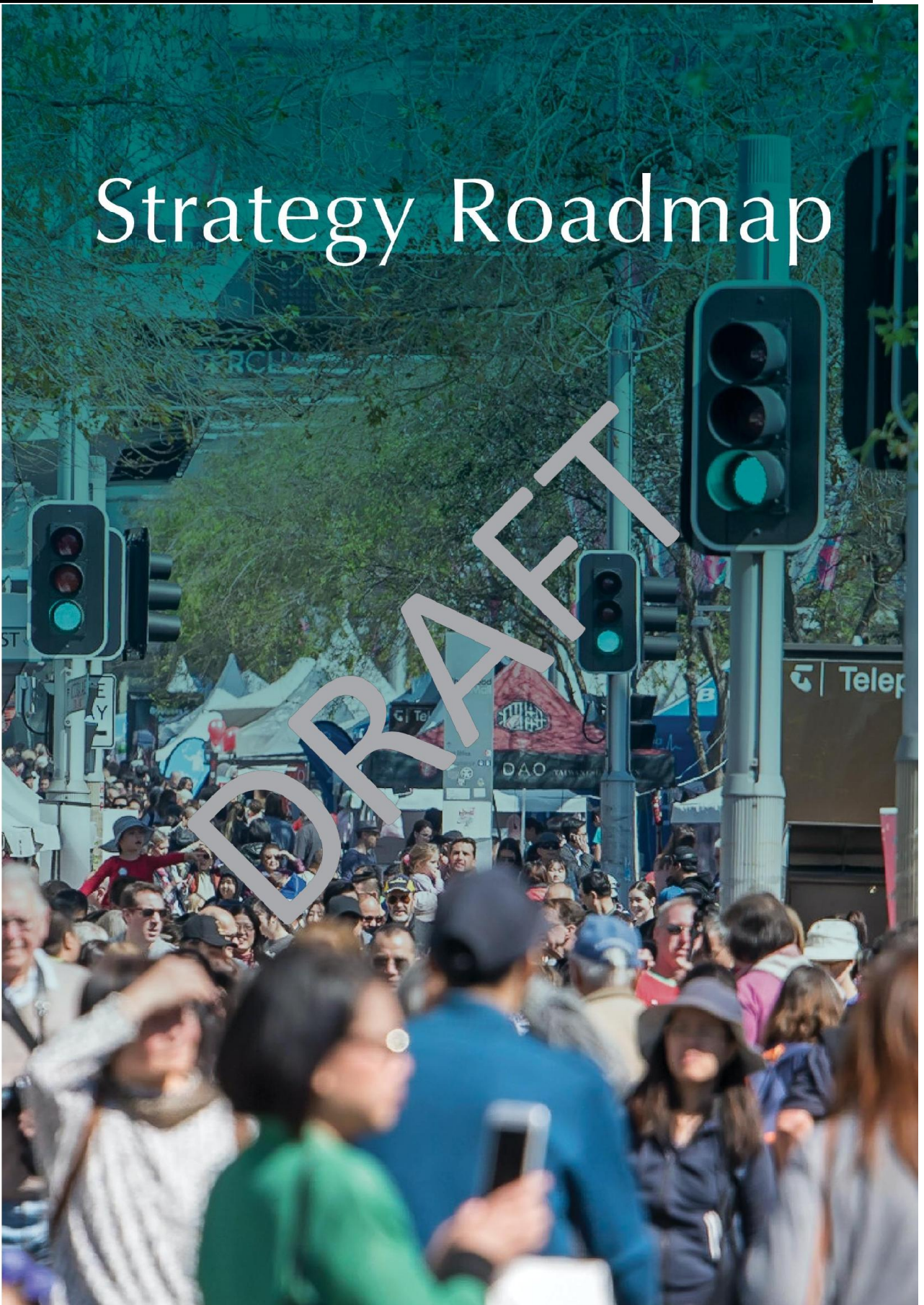
Quality customer experience will deliver the following for our customers and for us;

Customers

- Greater sense of trust
- Feeling valued and supported
- Simpler systems and process
- A consistent experience
- Fast resolution of enquiries
- Greater connection and engagement

Council

- Greater customer focus
- Increased synergy and internal alignment
- Better connections between departments
- Greater efficiency and productivity
- Streamlined organisational process



Strategy Roadmap

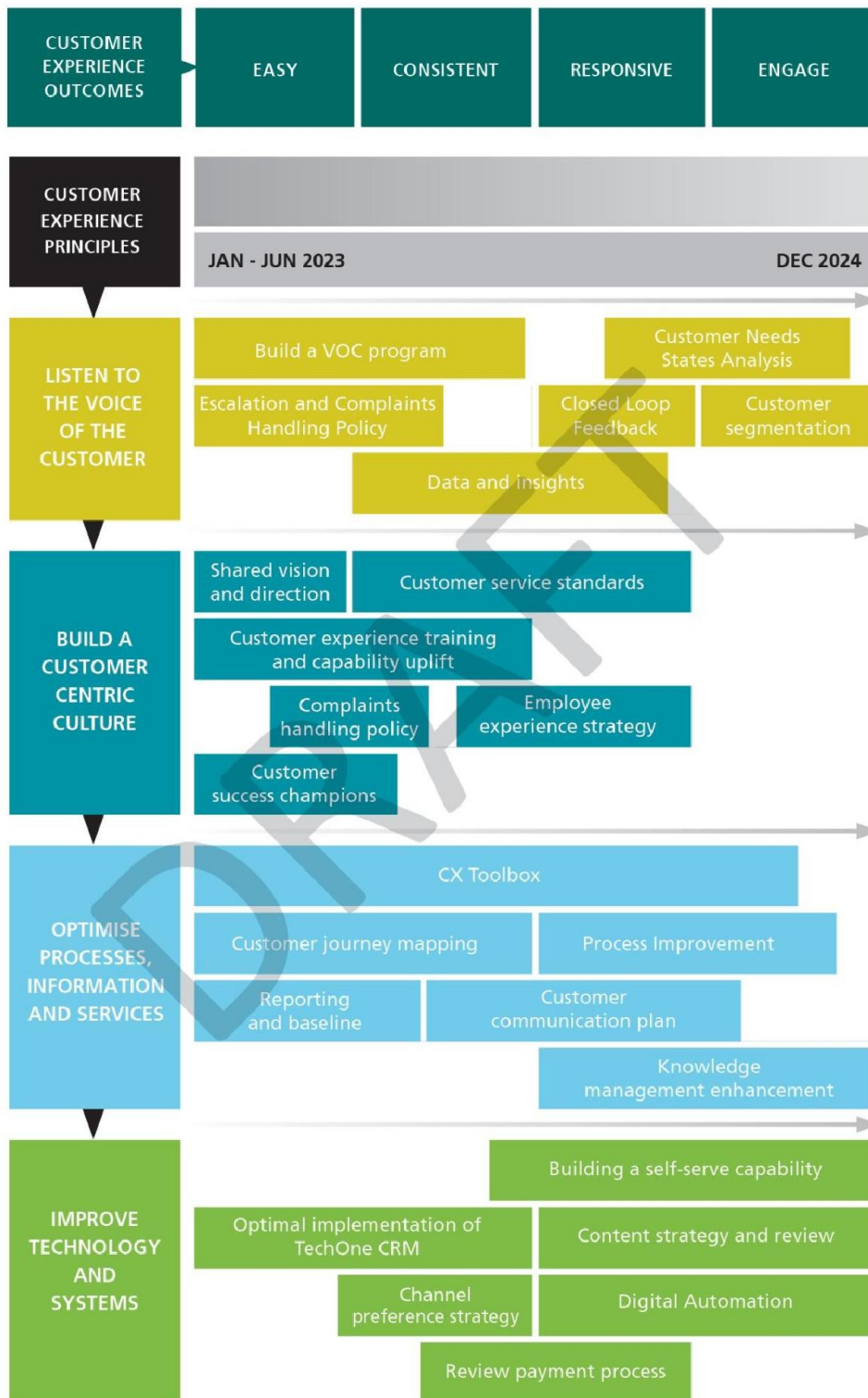
The Customer Experience Roadmap is a visual plan outlining our Customer Experience Framework and the associated initiatives that we will implement to elevate our customer experience, expected outcomes for our customers and the expected timeline for this process.

Reading the Roadmap

Across the top of the Roadmap are our Customer Experience Outcomes – these are the outcomes expected at the end of the time line after successful implementation of our Customer Experience Framework.

Down the left hand side of our Roadmap are the 4 elements of our Customer Experience Framework; Listen to the Voice of the Customer, Build a Customer Centric Culture, Optimise Processes, Information and Services & Improve Technology and Systems. Each element will guide us on our journey and inform our decision making.

Located to the right of each element of the Customer Experience Framework are a number of related initiatives. These initiatives form the specific steps that will be taken to deliver on our commitment.



Our Customers

We have a diverse range of customers sometimes with different expectations of service. We reviewed the common expectations from all our customers.

Customer types

Residents, property owners, tenants, licence and permit holders, animal owners, business owners, investors, solicitors, developers and builders, private certifiers, planners, plumbers, students, seniors, volunteers, community groups, families, visitors, service requesters, regulators.

We have:

- 82,000 residents - median age 39, 58% are couples with children, birthplaces include Australia 49.4%, China 10.6%, UK 4.2%, Hong Kong 3.3% and South Korea 3%
- 12,800 businesses
- 1 million visits to our services in a year
- 9 million visitors
- 36,000 rate payers

Our Services

Council's services are vast and provide a certain level of complexity when providing customer experience delivery. Council has 70 services, which deliver across multiple channels, contributing to delivering on our customer experience commitments.

These include:

Direct Services

The Concourse and Zenith Theatre, art spaces and festivals
Libraries and library services
Chatswood Youth Centre
Community centres, including Dougherty community centre
Community development projects
Seniors & disability support
Environment protection, waste management and environmental education
Leisure centre, sports grounds and open spaces
Planning & Development
Neighbourhood Management, Safe City and compliance

Enabling Services

Asset Management
Financial Services
Organisation Services
Corporate Planning
Human Resources
Information Services
Governance

Our Customer Experience Outcomes



We have identified four customer outcomes, which reflect our customer's needs and how customers would like to experience working with us.

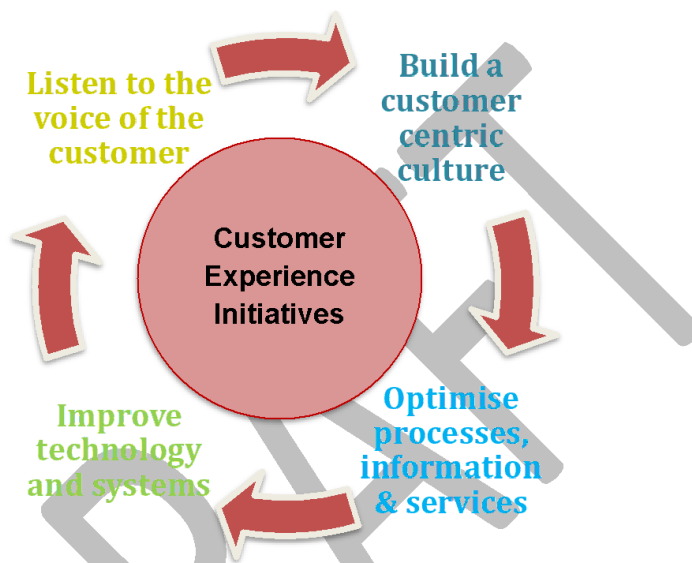
These outcomes have informed the initiatives we will deliver and are the basis for our Commitment: To make life easier for customers through **consistent** and **responsive** services that build **trust** in us

Prioritised customer outcomes

- **Easy** – Make it easy for me
- **Consistent** – Be consistent for me
- **Responsive** – Respond to me
- **Engage** – Make me feel heard

Customer Experience Framework

Our customer experience framework guides the development of our customer initiatives, which will deliver customer experience outcomes that aim to make life easier for our customers through consistent and responsive services that build trust in us.



Listen to the voice of the customer

Increase customer understanding and use it to design services that improve our customers' lives

Building a customer centric culture

Build a customer centric culture that encourages empathy and understanding, with values and behaviours that focus employees on delivering great customer experiences

Optimise processes, information & services

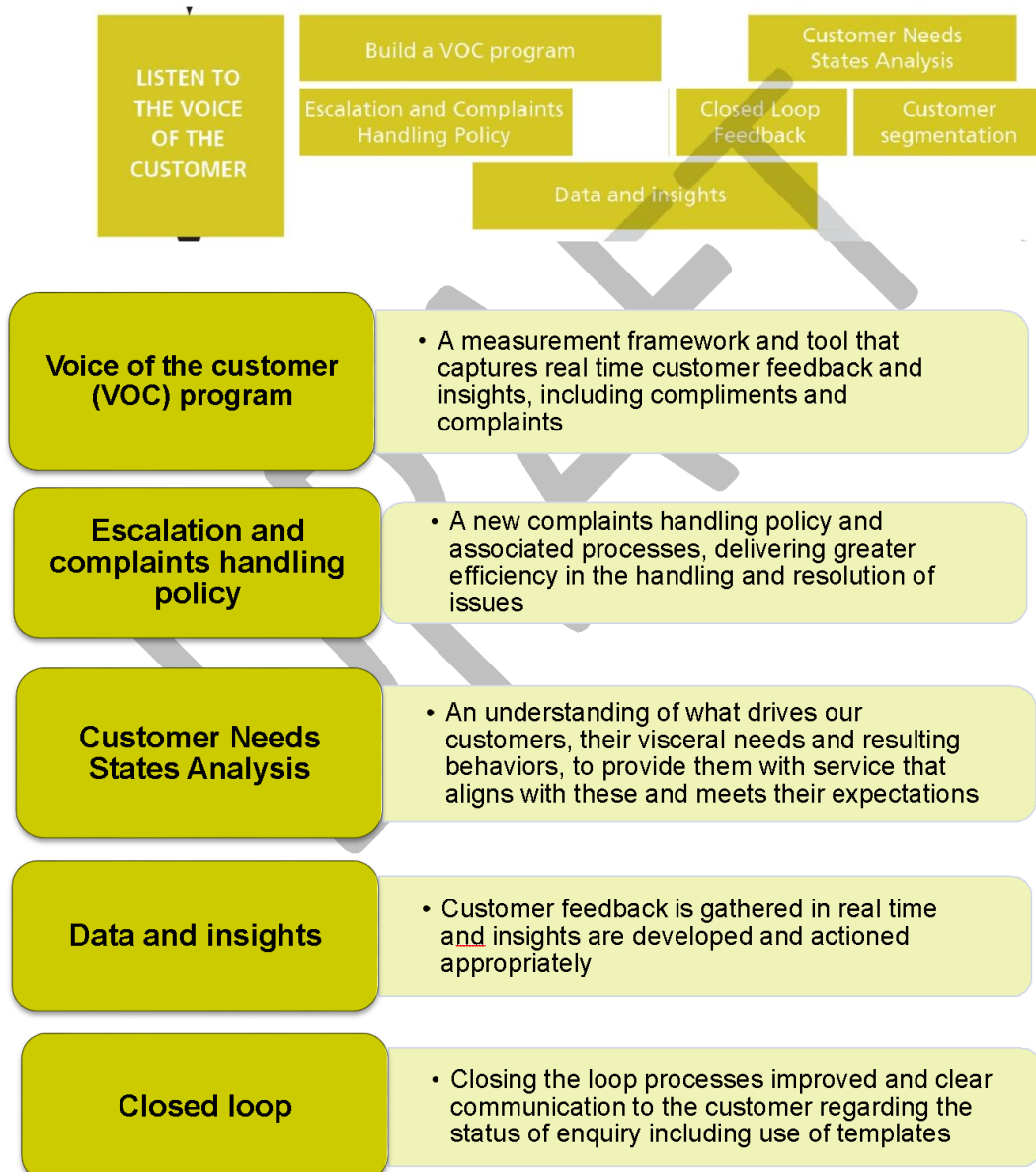
Ensure our processes, procedures and roles have the right capability in place to manage expectations and deliver what we promise

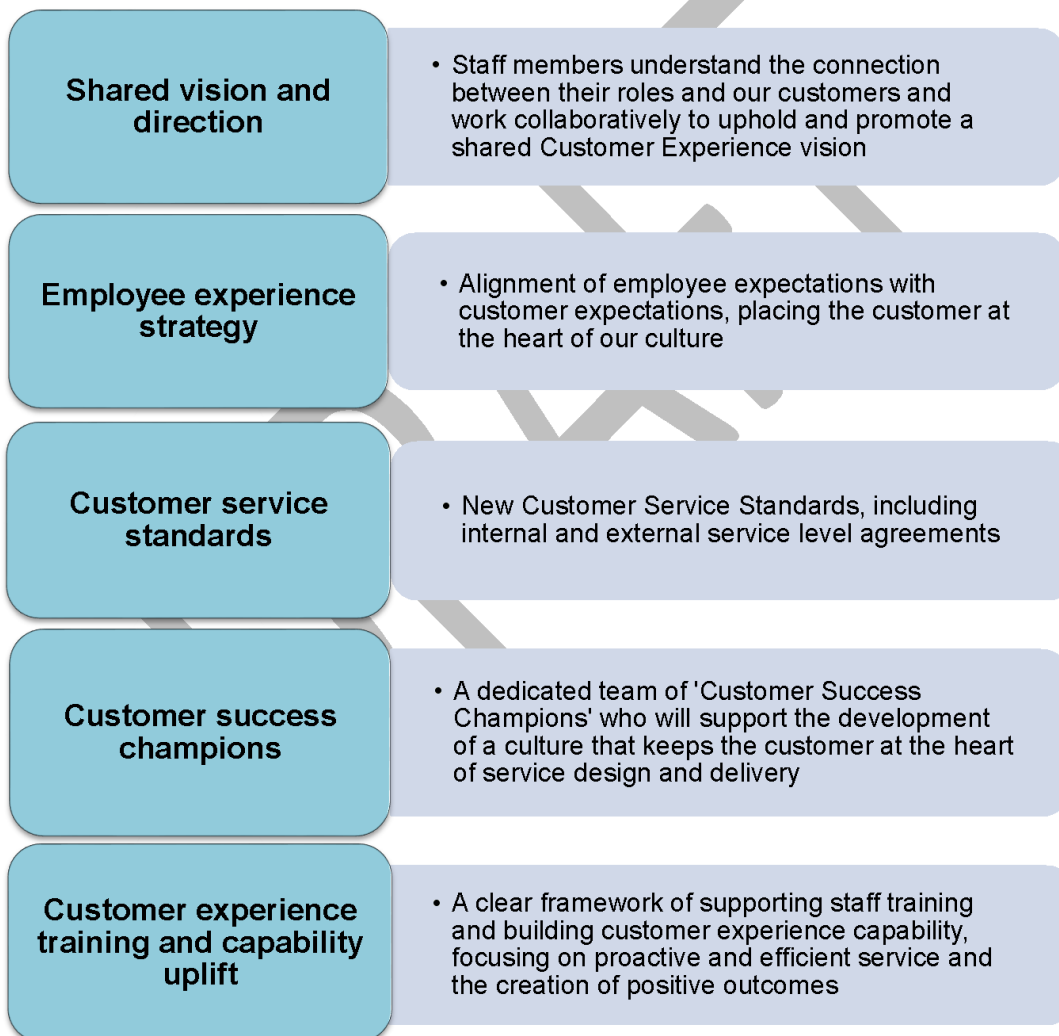
Improve technology and systems

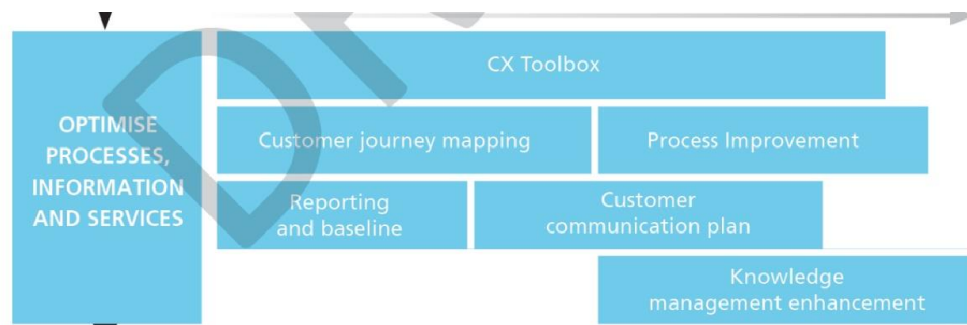
Use technology to share knowledge and to design interactions that are seamless and easy for customers and staff

Initiatives

Our initiatives are, informed by the Customer Outcomes and Customer Experience Framework. Many of the initiatives in this strategy are elevating what we are doing well, and others are about trying new ways of delivering customer experience. The initiatives identified will be developed with our customer's in a co-creation process and continuously reviewed once implemented to ensure they continue to meet customer needs.







- CX Toolbox**

 - A 'Customer Experience Toolbox' to guide our internal teams, providing them with the information and tools needed to best support our customers throughout their journeys and interactions with us
- Process improvement**

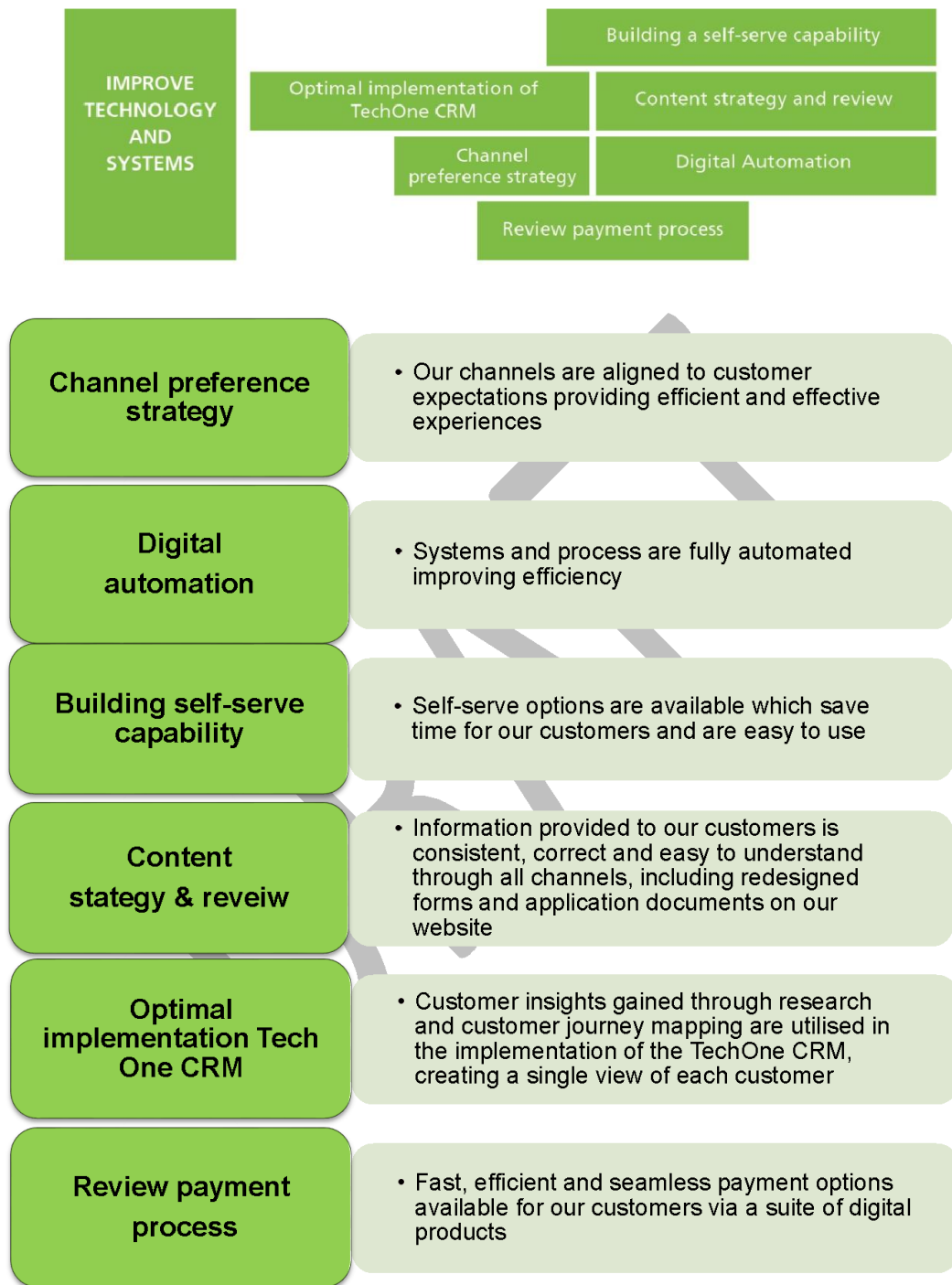
 - Simplified and streamlined processes in preparation for TechOne, our new enterprise wide CRM tool, providing improved customer experience
- Customer journey mapping**

 - A comprehensive picture of all customer interactions organisation wide - a clear understanding of where we meet, exceed or fail to satisfy our customers expectations in order to improve our services and offerings
- Knowledge management enhancement**

 - Centralisation of stored information for greater ease of access by all departments, reducing duplication and retention of information
- Customer communication plan**

 - A communication plan that is consistent, accessible and responsive to our diverse customers
- Reporting and baseline**

 - Customer reporting insights framework to help inform the business of real time customer experience opportunities to improve knowledge and responsiveness



Measuring success

In implementing our customer experience strategy, it is important we ensure that the initiatives we undertake are effective in improving customer experience. We will ensure we measure our success and performance using the following indicators and metrics. We will continue to use existing measures in year one of this strategy, followed by a benchmarking process to help form a better understanding of future targets and measures.

How we will measure prior to benchmarking

Measurement Tools	Customer perception survey Customer surveys, compliments and complaints Council customer journey, analytics and customer insight data Internal staff surveys
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Measures

Voice of the customer	Customer centric culture	Optimise processes, information & services	Technology and systems
Net promotor score	Employee engagement	Customer satisfaction	Ability to Self-Serve
Customer satisfaction	Customer satisfaction	First contact resolution	
		Customer effort score	

Managing delivery

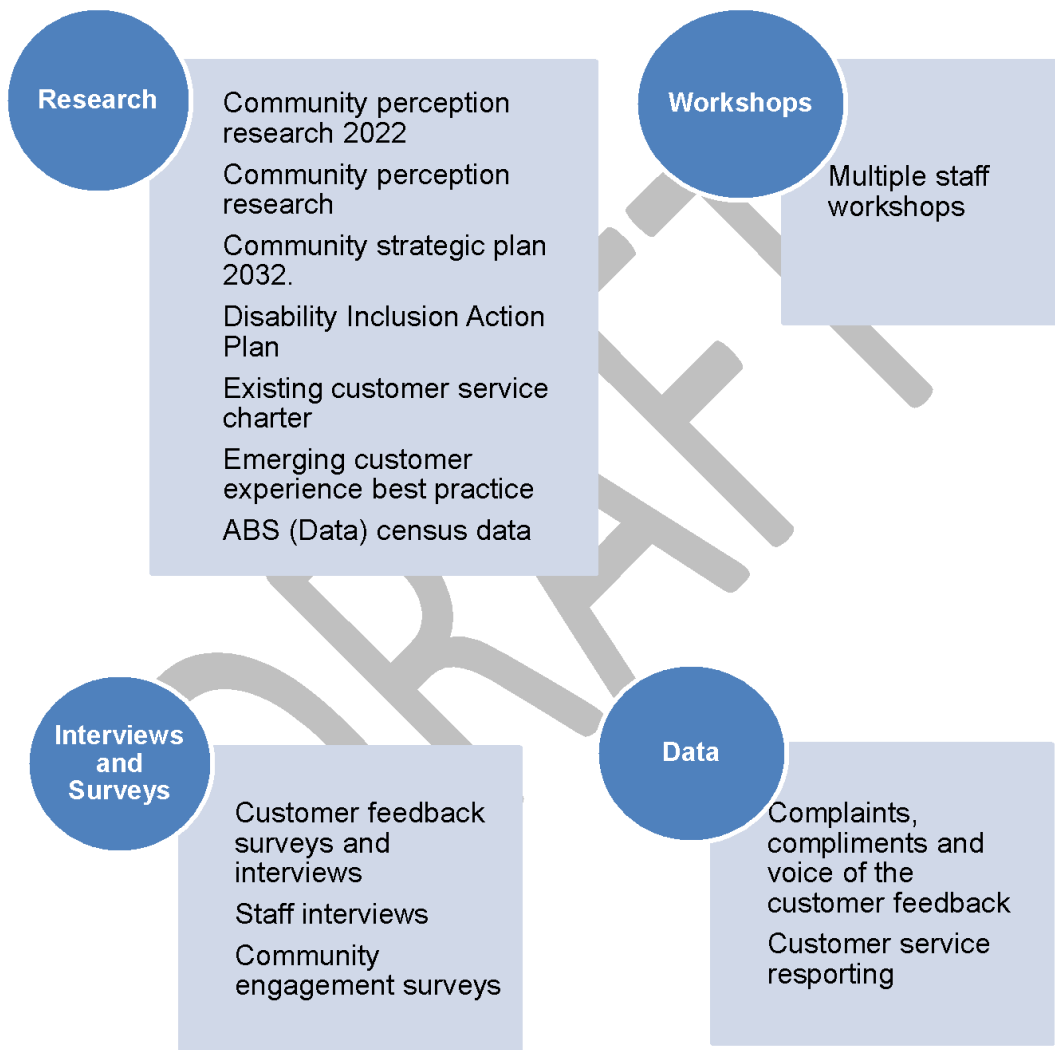
Council will receive an annual review of this Strategy to show progress of initiatives.

A full review of the impact of this strategy will occur toward the end of the second year of the Strategy to understand the success of the program and to inform the development of the Customer Experience Strategy 2026 – 2031.

Appendix 1 –

Methodology

In developing our strategy, we have completed the following actions to inform the customer experience outcomes, framework and initiatives.



12.4 CUSTOMER SERVICE REPORT

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MAXINE KENYON – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	JO JEWITT – CUSTOMER EXPERIENCE MANAGER
CITY STRATEGY OUTCOME:	5.7 – DELIVER EXCELLENT CUSTOMER SERVICE
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

To provide a response to the various customer service queries resolved by Council earlier this year.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Note that a draft Customer Experience Strategy has been prepared which will provide a roadmap for customer improvements to increase Council's responsiveness to ratepayers (included as a separate Item in these business papers).**
- 2. Note the following:**
 - (a) A review of the Customer Service Charter will be undertaken as part of the CX Strategy in April 2023.**
 - (b) A review of Council's complaint function has been undertaken and improvements made, with a more fulsome review to be undertaken as part of the CX Strategy in June 2023.**
 - (c) It is not recommended to provide a shared Customer Service Ombudsman with NSROC councils at this time.**
 - (d) Continued improvements are being made to the Council website to improve information around maintenance schedules and project updates, and this will further improve with the implementation of Technology One system.**
 - (e) Have Your Say stalls have been procured and utilised to enhance community engagement activities.**
 - (f) The wording regarding anonymous complaints and requests was removed from the Customer Service Charter on 02 May 2022.**

3. BACKGROUND

On 26 April 2022 Council resolved the following:

1. *Receives a report on what actions could be, implemented to make the council more responsive to the ratepayers.*
2. *This report includes at a minimum the following:*
 - a. *A timeline for reviewing the Customer Service Charter*
 - b. *A review of Council's complaints function*
 - c. *A proposal that could be taken to NSROC for a jointly funded independent Customer Service Ombudsman that could investigate issues such as, but not limited to:*
 - i. *Procedure fairness in Council administration processes*
 - ii. *Council's lack of attention to matters, or review of Council's complaint handling procedures.*
 - d. *A review of new technologies' to improve transparency around maintenance schedules so residents can know when and where maintenance is due to occur in their neighbourhood.*
 - e. *The development of "Your Say" stalls directly in the neighbourhood on key issues impacting the community.*
 - f. *The establishment of a resident service point in every library to bring Council administration directly to ratepayers.*
3. *The paragraph regarding anonymous complaints and requests be immediately removed from the Customer Service Charter, noting that is inconsistent with previously approved Council policy.*

This report provides a response to this resolution.

4. DISCUSSION

Since early 2022, Council staff have been working through customer service improvements and the development of a Customer Experience Strategy (CX Strategy), also included in this business paper.

The work that has occurred and is incorporated into the draft CX Strategy, will address some of these matters identified in the resolution and also provides a framework for how Council will continuously improve our customers experience in all of their interactions with Council.

Responses to each element are outlined below.

1. Receives a report on what actions could be implemented to make the Council more responsive to the ratepayers.

The draft CX Strategy is on this business paper for Council's consideration and outlines Council's commitment and approach to how we can be more responsive to our ratepayers, customers and community.

2a. A timeline for reviewing the Customer Service Charter

The Customer Service Charter will be reviewed and informed by the draft CX Strategy and is expected to be reviewed by April 2023. This timing allows for continued improvements to capture and analyse data, make improvements to our current systems and work with all staff across the organisation to build their understanding and capability around how we interact with our customers.

2b. A review of Council's complaints function

An initial review of the complaints function has occurred, including bench marking the service against other councils. Council's current complaints process is consistent with other Sydney metro councils including Randwick, Georges River and Northern Beaches.

Improvements have already been made, including:

- Completed a customer experience journey map to inform staff of customer pain points leading to improved processes such as the lodging of complaints verses the request for work
- Changed the website form and website instructions when raising a complaint to make it simpler and ensure the complaint is directed appropriately and in a timely manner
- Changes to the tracking and reporting process of complaints to allow staff to proactively manage the process, provide accurate data and also utilise the data to inform future improvements.

A more comprehensive review will occur as a part the draft CX Strategy and is due to be completed by June 2023.

2c. A proposal that could be taken to NSROC for a jointly funded independent Customer Service Ombudsman that could investigate issues such as, but not limited to:

- i. **Procedure fairness in Council administration processes**
- ii. **Council's lack of attention to matters, or review of Council's complaint handling procedures.**

Some of the Northern Sydney Regional Organisation of Councils (NSROC) member councils, Hornsby, Ryde and Lane Cove, responded to Council requests indicating that there was no interest in having a shared Customer Service Ombudsman at this time. Some councils either already had an Internal Ombudsman function or were comfortable with their approach to managing customer complaints. Feedback included: they are happy with the current process; it is not the right time to review the system; and, some concerns were raised about resourcing and prioritisation across a shared service. This was informal feedback also received from an existing shared service.

Our complaints process follows an escalation model where the Public Offer receives complaints and coordinates investigation and response with the relevant officer. Investigations generally take up to five days and a response is provided to the customer within ten days. Serious complaints are copied to the Chief Executive Officer immediately. The complaints process along with links to relevant external groups for reporting very serious complaints, is publically available on Council's website.

Given the current processes and the lack of interest from NSROC councils, it is not recommended to proceed with further investigation or establishment of this role.

The recent improvements made to the process on the website and for staff, provide greater opportunity to proactively manage complaints and in fact pre-empt them through customer improvements identified within the draft CX Strategy. This work will continue with the roll out of the CX Strategy.

2d. A review of new technologies to improve transparency around maintenance schedules, so residents can know when and where maintenance is due to occur in their neighbourhood.

Maintenance schedules functionality is available to go on the Council's website however; a process is being developed to ensure the schedules are kept up to date and maintained by staff. In addition, we are exploring mapping engagement activities through a new engagement platform, which is currently at scoping stage. These actions support the transparency of information on our schedules or progress of key projects.

The draft CX Strategy includes improving the information our website has for the customer to pre-empt requests and provide increased transparency around schedules and status of projects. It is also envisaged that through the implementation of CONNECT, the enterprise wide technology system, there will be opportunities to create further improvements in this area. Staff will continue to make improvements as opportunities emerge.

2e. The development of "Your Say" stalls directly in the neighbourhood on key issues impacting the community.

We now have newly branded Have Your Say stalls which were used, for the first time on the 03 Dec 2022 for the Naremburn local streetscape upgrade and they will be used for further engagements and will be further developed as part of the Community Engagement Strategy (also included on the agenda).

2f. The establishment of a resident service point in every library to bring Council administration directly to ratepayers.

Council has seven libraries, with varying opening hours, ranging from 9am to 8pm. Although libraries have significant visitors across the service (302,000 in 2021/2022), some libraries do not have high visitation and the cost would likely outweigh the benefit. In addition, other challenges in providing this service include:

- Based on the Community Perception Survey from 2020, customers have told us their preferred way to interact with us is via telephone and written communication (email)
- A lot of Council services and information is provided online or through our customer contact centre and this seems to be the preferred channel
- To get the most value from this model, the Council officers at the library sites would need to provide the full suite of services which poses some challenges:
 - Customer service officer's knowledge needs to span the organisation and is developed by a customer service officer over a minimum of a six month period.
 - Due to the current complexity and range of process and enquiries, library staff do not have this capacity, experience, nor in a lot of cases may not have the interest in taking on this role. This would require additional customer service officers to be located at the site and a roster to allow full service over the day.
 - This training is very different to the training of a librarian and would require either additional resourcing or a detailed process of negotiation to amend existing position descriptions and roles.
 - Clear first contact resolution processes are not documented for all staff and therefore rework would occur when addressing customer service requests. This will be addressed through the implementation of the CONNECT project.
- Without additional resourcing there would be impact on the core library activities particularly at the busier libraries
- Staff have reviewed other councils who have or had explored this model of service and in most cases it is not recommended and experience highlights that if satellite sites don't have full service it often creates more frustration as the customer needs to go to two places
- Specific customer service systems are not currently available at all sites

Given the current channels preferred by our customers, staff implications, and the considerable investment required to deliver service points in every library the establishment of resident service points in libraries is not recommended.

Although not recommended at this time, the draft CX Strategy includes the development of a channel strategy to better understand customer expectations around which channels (e.g.: telephone, email, website and face to face) they utilise and how they would prefer to interact with these services. In addition, the CX Strategy will be looking at improving the type of information and self-service options that can be provided to our customers at the various Council sites.

3. The paragraph regarding anonymous complaints and requests be immediately removed from the Customer Service Charter, noting that is inconsistent with previously approved Council policy.

The wording regarding anonymous complaints and requests was removed from the Customer Service Charter on 02 May 2022.

5. CONCLUSION

The draft CX Strategy identifies a large number of improvements that will assist in delivering improved outcomes for the community and our customers, including some of those identified in the Council resolution referred to in this report. These improvements will only increase once Council has implemented the new Customer Request Management system (due in Feb 2024) and through the implementation of the first iteration of the CX Strategy.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.7 – Deliver excellent customer service
Business Plan Objectives, Outcomes / Services	Customer Service improvements impact all business units across Council and will improve our customer experience.
Policy	This matter relates to Council's <i>Customer Service Charter</i> and the proposed draft <i>Customer Experience Strategy 2023-2025</i> .
Consultation	Staff consulted with various business units and other councils in the preparation of this report.
Resource	This report and improvements have been developed using existing staff resources.
Risk	There are no implications applicable to this report.
Legal	There are no implications applicable to this report.
Legislation	There are no implications applicable to this report.
Budget/Financial	Further actions will fall under the implementation of the <i>Customer Experience Strategy 2023-2025</i> which is subject to normal budgetary process.

12.5 OUTCOME OF PUBLIC EXHIBITION AND ADOPTION OF POLICY AND TERMS OF REFERENCE FOR ADVISORY COMMITTEES

ATTACHMENTS:	1. IMPLICATIONS 2. ADVISORY COMMITTEES POLICY 2022 3. TERMS OF REFERENCE 4. ENGAGEMENT OUTCOMES REPORT FOR ADVISORY COMMITTEE FRAMEWORK 5. RESPONSE TO COMMENTS
RESPONSIBLE OFFICER:	MAXINE KENYON – CUSTOMER & CORPORATE DIRECTOR
AUTHOR	SAMANTHA CONNOR – ACTING GOVERNANCE, RISK & COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	5.5 – MAKE IT EASY FOR CITIZENS TO PARTICIPATE IN DECISION MAKING
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

To report on the submissions received in response to the public exhibition and to seek Council's adoption of the *Advisory Committees Policy 2022* and Terms of Reference for each Advisory Committee.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Note the community engagement outcomes as outlined in the report and Attachment 4.**
- 2. Adopt the amended *Advisory Committees Policy 2022*.**
- 3. Adopt the amended Terms of Reference for each of the four Advisory Committees; namely Sustainability and Environment, Community Culture and Heritage, Access and Inclusion and Active and Integrated Transport.**
- 4. Advise all community engagement respondents of Council's decision.**
- 5. Delegate authority to the Chief Executive Officer to make minor amendments to the *Advisory Committees Policy 2022* and Terms of Reference which do not alter the intent.**
- 6. Note the Expression of Interest process outlined in this report and that a future report will be provided to Council with recommendations on membership.**
- 7. Undertake a minor review, twelve months after the commencement of the *Advisory Committees*.**

3. BACKGROUND

At its 9 December 2019 meeting of Council, Council resolved to adopt the *Advisory Committee and Reference Groups Policy*. As part of this Policy, the term of the Advisory Committees ended prior to the commencement of the caretaker period associated with the Local Government Election. This was enacted.

Council discussed the future of Advisory Committees in its induction process on 13 February 2022, followed by Councillor Briefings and discussions on 14 June, 8 August and 5 September 2022.

At its 22 August 2022 meeting of Council, Council received a report on Advisory Committees. A number of speakers presented views during the Public Forum on this matter. Council resolved to defer this report until the September 2022 meeting.

Subsequently, Council received the report on options for the number and scope of Advisory Committees and the process for their commencement at its September Meeting. At this meeting, Council resolved to endorse the *Advisory Committees Policy 2022* (the Policy) and the Terms of Reference for the following four committees, for consultation through public exhibition for 28 days, with a further report to Council at the December 2022 meeting:

1. Sustainability and Environment
2. Community, Culture and Heritage
3. Access and Inclusion
4. Active and Integrated Transport.

The role of the proposed Advisory Committees was elevated to focus on:

- Providing advice on strategic issues and policy development
- Providing assistance to support the development and implementation of key projects and initiatives
- Working with stakeholders to raise awareness and promote behaviour change within the community.

This model was developed drawing on the significant engagement within Council and with the community that has taken place since 2015, in reconsidering the number of committees, their purpose and the value they can add as one of a range of Council's engagement options. The proposed Committees align advisory committees more succinctly with our *Community Strategic Plan: Our Future Willoughby 2032* (CSP). Council consulted on the CSP this year and incorporated the community's feedback in its new Community Strategic Plan in June 2022 and we are seeking to better align to these community priorities.

The proposed framework also encourages those with expertise or lived experience in specific areas relating to our CSP to join our Advisory Committees and provide advice to Council. Reinvigorating the Committees is sought through recognising both existing experience as well as encouraging new members who may have been unaware of Council's Advisory Committees in the past but have value to add.

This report presents the feedback received from the public exhibition period and provides an amended *Advisory Committees Policy 2022* (**Attachment 2**) and Terms of Reference for each Advisory Committee (**Attachment 3**) for Council's adoption. It also outlines the Expression of Interest process for Committee membership.

4. DISCUSSION

Advisory Committees play a role in advancing the key aspirations of the community through advising on how to achieve Council's priorities and monitoring their implementation. These priorities are established by the community in the CSP and related documents. They can contribute to Council's strategic objectives through the provision of advice based upon local knowledge and technical expertise.

The *Advisory Committees Policy 2022* guides the operation of Advisory Committees and reflects the focus of this Council aligned to the CSP. The Terms of Reference set out the role, responsibilities and structure of each Advisory Committee.

The *Draft Advisory Committees Policy 2022* and associated Terms of Reference were developed following comprehensive consultation with Councillors at their induction workshop and a series of Councillor Briefings. In developing the Framework, Councillors considered strategic focus areas, selection and number of members, meeting frequency and the role of Councillors, staff and working groups in relation to committees.

Public Exhibition

The public exhibition period for the *Advisory Committees Policy 2022* and associated Terms of Reference was held from 10 October to 14 November 2022. The engagement process was designed to gather feedback from participants via free text comment on the proposed Framework or by uploading or emailing submissions to Council.

As part of the engagement approach, Council:

- Established a project *Have Your Say* web page, which included an online free text survey, frequently asked questions, the *Draft Advisory Committees Policy 2022*, *draft Terms of Reference for each Advisory Committee* and the Council report and resolution of the 9 September Council meeting
- Added to the *Have Your Say* project web page, correspondence to the Federation of Willoughby Progress Association
- Promoted the consultation in the October and November *Have Your Say* e-newsletter to 6512 and 6514 subscribers respectively
- Published a newspaper notice in the North Shore Times on 13 October 2022
- Advised Progress Associations, former Advisory Committee members and people who spoke at the August and September Council meetings, of the consultation via direct email.

The engagement outcome report in **Attachment 4** provides a detailed analysis of the community engagement method and results. A detailed summary of responses to comments is provided in **Attachment 5**. A summary of the results and a response to the comments is provided below.

Feedback Received

In total, there were 31 respondents including:

- 16 residents of Willoughby
- 10 self-identified former Advisory Committee members
- 1 other
- Four other interested stakeholders including Progress Associations of Castlecrag, Naremburn, Willoughby South and the Federation of Willoughby Progress Associations.

Of the 31 respondents, there were 24 free text comments via the *Have Your Say* portal and 12 formal submissions. Some respondents submitted free text comments and a formal submission.

Overall Sentiment

Across all respondents, 22 made comments or submissions which opposed the framework and six respondents either fully or partially supported the framework. The remaining respondents made comments that neither supported nor opposed the framework.

Key comments supporting the Framework

Six respondents generally supported or partially supported the proposed framework in that it is comprehensive, straight forward and provides an opportunity for new members representing the changing face of Willoughby. Respondents commented that further clarity is needed to better define working group membership, give clearer criteria for member appointment and requested more information about the expression of interest process.

Key comments opposing the Framework

Ten respondents commented that the former Advisory Committee structure should be reinstated. Of these ten, six are former Advisory Committee members.

In addition, of the total 31 respondents, six stated the proposed framework should be rejected and six said the proposed committee structure would be unworkable.

Two respondents suggested a seven committee structure including:

- Bushland and Natural Heritage / Bushland, waterways and foreshore
- Sustainability
- Built and Cultural Heritage / Built and natural heritage
- Access and Inclusion
- Active and Integrated Transport
- Cultural and Creative Arts
- Bicentennial Reserve and Flat Rock Gully

Responses to comments

All comments raised were reviewed and considered. Where comments provide a statement or limited detail, the comment has been noted. Where comments provide a detailed suggestion, a more detailed response is given, including notice of any change made to the Policy or Terms of Reference. Comments and responses are presented in **Attachment 5**.

The key issues are summarised and responses are outlined below:

- Points of clarification. Minor amendments have been provided in the Policy and Terms of Reference consistent with the original intent. These have been amended to ensure clarity is provided, see **Attachment 2** for the tracked changes.
- Councillors should be members of committees (nine respondents). The Terms of Reference make provision for Councillors to attend meetings as observers. This allows Councillors to vary their attendance to where their interest lies and it minimises potential conflict when items are returned to Council for consideration. Participating as observers was the preference indicated by Councillors in the development of the Framework.
- Limit to the number of members is not appropriate (four respondents). The number of members stated in the Terms of Reference has been amended to six to 12 members. This is considered an appropriate size group for comprehensive and robust discussion. Committees can have additional membership support through the establishment of a working group, under section 18 of the *Advisory Committees Policy 2022* and Terms of Reference.

- Number of committee meetings per year, suggesting a higher number of meetings at the discretion of the committees (seven respondents). A minimum (2) and maximum (4) number of meetings is set in the *Advisory Committees Policy 2022*. Committees can decide on the number of meetings within these parameters. Where committees require additional meetings to work through specific issues, this can be accommodated through the establishment of a working group, under section 18 of the *Advisory Committees Policy 2022* and Terms of Reference. There are limits to the capacity of staff to resource the requirements of the committees.
- Reinstate the previous model of 13 Advisory Committees (10 respondents). Many briefings with Councillors have led to the development of the proposed model. This model aligns the Advisory Committees to Council's highest planning document, the CSP (updated in June 2022) and reaffirms their core role of providing advice and assisting in the achievement of Council's strategic priorities. We are seeking to better align to these community priorities. The focus of the previous 13 Advisory Committees was more operational and required significantly more resourcing. This proposal, if adopted, would also require additional resourcing and reprioritisation of business as usual activities or initiatives identified within the Operational Plan. The Terms of Reference would also need to be reviewed.
- Reinstate previous members. The intent of the current and proposed policy is to have members for no longer than two terms with qualifications, interests and experience that will support the focus of these Committees. Reinvigorating the committees is sought through recognising both existing experience as well as encouraging new members who may have been unaware of Council's advisory committees in the past but have value to add.
- Expand the model to include seven Advisory Committees (two respondents). The four Committees consultation proposal was proposed to cover off the additional elements identified in the proposed seven (excepting the Bicentennial & Flat Rock Committee which is site specific and duplicates operational functions and other consultation processes). This proposal will require additional resourcing and reprioritisation of business as usual activities or initiatives identified within the Operational Plan.
- Model is too broad to add value. This model aligns the Advisory Committees to Council's highest planning document, the CSP and reaffirms their core role of providing advice and assisting in the achievement of Council's strategic priorities. Advisory Committees will be encouraged to identify key areas they will focus upon for their term; much like Council does when it finalises its Delivery Program for its term. The new committee structure will provide the opportunity to reconcile points of difference and potential conflict in advice to Council on the whole outcome rather than focus on a singular issue or a particular focus of a working party, or indeed other outcomes being sought in other Advisory Committees. All decisions made by Council require consideration and balancing of many factors and the advice of the Committees can assist this.

The creation of specific working parties for the Committees provides a way of more deeply considering their areas of focus and enlisting more community expertise in addition to the Committee's members.

In addition, opportunities for information sharing or engagement with Council are provided through other avenues, including: the use of open and public forums at Council meetings; engaging with local Councillors; social media; community forums and focus groups; community publications and online tools such as Have Your Say provide increased opportunities to share information, capture community input and address issues of inclusiveness.

This is consistent with Council's Community Engagement Framework which supports a flexible, tailored approach when involving our communities in decision making. It is based on the potential impact of the decision, the appropriate level of community participation and the needs of our communities. A revised Community Engagement Strategy is on this agenda with a recommendation to go on public exhibition.

- Out of scope elements are not appropriate. Operational matters are out of scope as they would duplicate existing activities and the Local Government Act identifies these as administrative matters for staff. Management of specific facilities or sites including management committees, would duplicate staff functions and alternative consultation processes are undertaken by Council on these matters. Revisiting projects or decisions of Council in the recent past i.e. not re-prosecuting arguments and matters that have already been considered and resolved by the current Council, are also considered out of scope.

Review of the proposed Framework

An interim review at 12 months is suggested to be undertaken to address possible improvements to the Terms of Reference and ensure the continued success of the Advisory Committees.

In review of the feedback received and the intention of the Advisory Committees and available resourcing, it is recommended that Council adopt the amended *Advisory Committees Policy 2022*, the four Advisory Committee model and their associated Terms of Reference as attached for the following reasons:

- The *Advisory Committee Policy 2022* has been amended to reflect changes from feedback during public consultation
- Councillors have workshopped and discussed the future of Advisory Committees and the best way forward to add value and advance the key aspirations of the community, captured in the Community Strategic Plan (CSP) and better alignment to its priorities since February 2022
- The proposed four committees' structure responds to analysis of the previous model, enables Council to focus on and progress a smaller number of key strategic initiatives in the term of Council and adequately represents all previous committees and reference groups of Council and there is enough flexibility through the working group model to look at more detailed issues
- An interim review at 12 months is also recommended to be undertaken to ensure further refinements can be made and to ensure continued success of the Committee
- The proposed model is aligned with current resourcing capacity of Council
- There are other opportunities for information sharing and engagement with Council on particular issues.

If Council resolves to adopt the amended *Advisory Committees Policy 2022* and the Terms of Reference for each Advisory Committee, using the four committee framework, officers will progress the Expression of Interest process outlined below, from January 2023.

Expression of Interest Process

The EOI process will focus on gaining representative membership groups with:

- Qualifications or demonstrated experience in one or more of the areas relevant for each committee.
- Ability to create, or have existing connections with community groups, organisations or stakeholders within the Willoughby local government area; noting that this is not a representation model and that any conflicts will need to be managed.

Applicants will be required to submit their Expression of Interest in writing via the Have Your Say portal, including a cover letter stating the Advisory Committee for which they are expressing an interest, their suitability and experience and attaching any qualifications or other material to support their application.

EOI applications for membership of Advisory Committees will be assessed via a subcommittee including: Mayor; Deputy Mayor; Customer and Corporate Director; and, a staff subject matter expert(s). The assessment will be reported to Council at a subsequent meeting for determination.

The EOI will be promoted as follows:

- Direct email to former advisory committee members, progress associations, people who previously spoke at Council meetings
- Direct email to 25 participants of the Advisory Committee Framework public consultation, who agreed to be notified when the EOI process is open
- Promoted in the Council News e-newsletter in January and February 2023
- Promoted on social media
- Publish a newspaper notification in the North Shore Times in January and February 2023
- Distributed through Council's networks and services

A Council report to adopt the new members of Advisory Committees will be provided at the April 2023 Council meeting.

Alternate Models

Should Council resolve an alternate model for Advisory Committees, consideration should be given to the following actions, timelines and resourcing:

- The development of a new policy or amendment of the draft policy
- The adoption of Terms of Reference by Council: If new Terms of Reference are to be developed, or prior versions amended, Council is required to adopt them by resolution. It is recommended that this occur prior to any call for membership to ensure potential members understand the scope and criteria of the Committee.
- The intended process for membership, reinstatement of previous members and / or via expression of interest for new members.
- Consultation or adoption without further consultation: If significant changes are proposed to what has been exhibited, Council has in the past undertaken an additional public exhibition process to ensure the community has the opportunity to provide feedback on the alternate proposal, not previously advertised.
- The proposed timeline for implementation of an alternate model commensurate with the resources available and the impending Christmas/New Year break.
- The resourcing implications and how additional Advisory Committees will be resourced, further detail outlined below.

As detailed in previous reports, Council has limited capacity to support more than 12 Advisory Committee meetings per year. This impacts on both Governance staff as administration support, and also staff who are subject matter experts providing technical information to these Committees.

The two positions in Governance give priority to fulfilling statutory requirements, such as preparation of business papers (agendas and minutes) for Council and Committees of Council (such as Audit, Risk and Improvement Committee) and compliance with the *Government Information (Public Access) Act 2009* requests. Secondary to those statutory requirements, these staff also provide Councillor support and service, as well as legal matters, delegations, and other governance functions to support the organisation. Advisory Committees would be prioritised within this second group of functions with allowance for servicing up to 12 meetings per year.

Subject matter experts are also required to support Advisory Committees. If additional support is required, the impact on the delivery of services, projects identified within the current Operational Plan will need to be considered.

It is not possible to add additional workload without impacting existing Council and service priorities. Additional resourcing is a challenge felt by many councils in a tight labour market and in securing the financial sustainability of Council into the future. Any additional financial commitments would need to be considered through the normal quarter review process.

It is estimated to take 17.5 hours for one Governance officer and one subject matter expert attendance at a two-hour meeting. However, this does not include allocation for: more than one subject matter expert involvement; senior management oversight or contribution; or distribution of information or engagement with the Committee beyond the formal meetings. The preparation of materials for the Committees can be significant and will require monitoring and management, as the time commitment could be higher than estimated.

5. CONCLUSION

The draft *Advisory Committees Policy 2022* and Terms of Reference for each Advisory Committee was publicly exhibited, with considerations given to all submissions received.

Although there is some support for the proposed model, it is recognised that a number of respondents wished to see more Advisory Committees with increased membership and meeting opportunities. The Community Engagement Strategy provides opportunities to participate in Council decision making and engagement processes. The four Advisory Committees model will focus on delivering strategic outcomes from the CSP and operate within current resourcing constraints. Therefore, The *Advisory Committee Policy 2022*, four Advisory Committee model and associated Terms of Reference is recommended for Council's adoption.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.5 – Make it easy for citizens to participate in decision making
Business Plan Objectives, Outcomes / Services	Advisory Committees can inform a number of strategic issues and provide an opportunity to improve community engagement, along with other consultation mechanisms.
Policy	This matter relates to <i>Advisory Committees Policy 2022</i> (as attached). If adopted, this Policy will supersede the Advisory Committee and Reference Group Policy 2019.
Consultation	<p>Councillor Briefings have been held in February, June, August, September, November and December 2022 on Advisory Committees.</p> <p>The draft Advisory Committees Policy 2022 and associated Terms of Reference were publically exhibited from 10 October to 14 November 2022 and feedback has been considered.</p>
Resource	Council staff have the capacity (at full complement of staff) to provide resourcing to four strategic Advisory Committees with a maximum of 12 meetings a year.
Risk	There are no risks applicable to this report.
Legal	There are no legal implications applicable to this report.
Legislation	<p>This recommendation aligns to the <i>Local Government Act 1993</i> guiding principles for councils, section 8A (3) Community Participation.</p> <p>Advisory Committee members will be required to manage and declare conflicts of interest in accord with Willoughby's <i>Code of Conduct 2020</i>.</p>
Budget/Financial	Resourcing of four strategic Advisory Committees with a maximum of 12 meetings can be met within existing staffing and financial resources. If additional Committees were formed, this would require additional resources and/or refocused priorities and may require inclusion in the Quarter 2 Budget Review.

12.6 COUNCIL DELEGATED AUTHORITY DURING CHRISTMAS/NEW YEAR RECESS

ATTACHMENTS:	1. IMPLICATIONS
RESPONSIBLE OFFICER:	MAXINE KENYON – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	SAMANTHA CONNOR – ACTING GOVERNANCE, RISK & COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

To seek Council's delegation of authority to the Mayor and Chief Executive Officer during the Christmas / New Year recess period to ensure that urgent matters can be responded to in a timely manner.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Note the Council will be in recess from 13 December 2022 to 5 February 2023.**
- 2. Delegate authority to the Mayor and Chief Executive Officer from 13 December 2022 to 5 February 2023 to deal with matters during the break, subject to:**
 - compliance with relevant legislation**
 - the limitations to delegations under section 377 of the *Local Government Act 1993***
 - matters that are considered urgent in nature or would cause undue delays to stakeholders**
 - consultation with Ward Councillors for decisions involving planning proposals**
 - decisions being deferred where Council policy provides no clear guidelines.**
- 3. Note that a report outlining how the authority was exercised will be provided to Council at its meeting of 27 February 2023.**

3. BACKGROUND

To ensure that the Mayor and Chief Executive Officer have the authority to respond to urgent matters during the recess period, a report is presented annually to seek delegation of authority from the Council.

4. DISCUSSION

The annual recess period will commence on 13 December 2022 and conclude on 5 February 2023. During this period, the authority delegated by Council to the Mayor and Chief Executive Officer ensures that urgent matters can be responded to in a timely manner. This has been a standard practice for many years.

This authority is subject to:

- compliance with relevant legislation
- the limitations to delegations under section 377 of the *Local Government Act 1993*
- matters that are considered urgent in nature or would cause undue delays to stakeholders
- consultation with Ward Councillors for decisions involving planning proposals
- decisions being deferred where Council policy provides no clear guidelines.

A report outlining how the delegated authority was exercised during the recess period will be provided to the Council meeting of 27 February 2023.

5. CONCLUSION

It is recommended that Council delegate authority to the Mayor and Chief Executive Officer for the period 13 December 2022 to 5 February 2023, to ensure that urgent matters can be responded to in a timely manner.

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 Council meetings.
Policy	Section 3.1 of the <i>Code of Meeting Practice 2022</i> states that meetings shall be held on the fourth Monday of each month, except when Council is in recess, or as otherwise resolved by Council.
Consultation	Community notifications will be placed on Council's website.
Resource	Resourcing will be as per day to day activities. Decisions requiring Council approval will be referred to a future meeting.
Risk	Delegations with clear parameters issued to the Mayor and Chief Executive Officer enable urgent Council business to be attended to during the recess period.
Legal	The authority delegated to the Mayor and Chief Executive Officer during the recess period is subject to limitations as stipulated in section 377 of the <i>Local Government Act 1993</i> and clause 393B of the <i>Local Government (General) Regulation 2021</i> .
Legislation	<i>Local Government Act 1993</i> <i>Local Government (General) Regulation 2021</i>
Budget/Financial	Decisions made during this period must be in accordance with an approved budget.

12.7 CHIEF EXECUTIVE OFFICER INSTRUMENT OF DELEGATION

ATTACHMENTS:	1. IMPLICATIONS 2. CHIEF EXECUTIVE OFFICER'S INSTRUMENT OF DELEGATION
RESPONSIBLE OFFICER:	MAXINE KENYON – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	SAMANTHA CONNOR – ACTING GOVERNANCE, RISK AND COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

To review the delegations by Council to the Chief Executive Officer (CEO) in accordance with Section 380 of the *Local Government Act 1993* (The Act).

2. OFFICER'S RECOMMENDATION

That Council retain the delegations of authority to the role of Chief Executive Officer (as statutory general manager) at Attachment 2 in order to fulfil its obligations under section 380 of the *Local Government Act, 1993* in an efficient and effective manner.

3. BACKGROUND

Under section 380 of the Act, councils must review their delegations during the first 12 months of each term of office.

Council last reviewed its delegations to the CEO on 25 March 2019, adopting the approach contemplated in section 377 of the Act, delegation by exception. This is a contemporary and best practice approach for granting delegations to the CEO that enables clarity about the CEO's delegated power.

The delegations conferred on 25 March 2019 remain in effect until they are changed by Council.

This report outlines the review of the delegations and recommends retaining the current delegations from Council to Chief Executive Officer (as statutory general manager) at **Attachment 2**.

4. DISCUSSION

The Act contemplates councils delegating functions and decision making to general managers in order that they can conduct the day to day management of councils.

Section 377 of the Act enables councils to delegate to their general managers, or any other person or body, functions of the council except those functions specified in sections 377(1)(a) – (u) listed below.

Section 377 of the Act states:

*A council may, by resolution, delegate to the general manager or any other person or body (not including another employee of the council) any of the functions of the council under this or any other Act, **other than the following**:*

- a) *the appointment of a general manager,*
- b) *the making of a rate,*
- c) *a determination under section 549 as to the levying of a rate,*
- d) *the making of a charge,*
- e) *the fixing of a fee,*
- f) *the borrowing of money,*
- g) *the voting of money for expenditure on its works, services or operations,*
- h) *the compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment),*
- i) *the acceptance of tenders to provide services currently provided by members of staff of the council,*
- j) *the adoption of an operational plan under section 405,*
- k) *the adoption of a financial statement included in an annual financial report,*
- l) *a decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6,*
- m) *the fixing of an amount or rate for the carrying out by the council of work on private land,*
- n) *the decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work,*
- o) *the review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the Environmental Planning and Assessment Act 1979,*
- p) *the power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194,*
- q) *a decision under section 356 to contribute money or otherwise grant financial assistance to persons,*
- r) *a decision under section 234 to grant leave of absence to the holder of a civic office,*
- s) *the making of an application, or the giving of a notice, to the Governor or Minister,*
- t) *this power of delegation,*
- u) *any function under this or any other Act that is expressly required to be exercised by resolution of the council.*

A general manager can only exercise, and sub delegate to staff, the powers and functions they have:

- either in their own right (given by legislation); or
- that have been delegated by Council (through either an instrument of delegation or a resolution of Council).

The power to delegate to the CEO allows Council to retain functions it believes appropriate while the CEO can be assured of a sound legal footing for the day-to-day and administrative functions of the Council at the same time as being clear about the functions that Council has retained.

As specified in the current Instrument of Delegations (**Attachment 2**) Council has specifically added the following exemptions from the CEO's delegations:

1. the functions which are required by or under the Local Government Act 1993 or by or under any other Act or instrument to be performed by the governing body of the Council;
2. delegations issued by the Council to the Mayor and to Committees;
3. the making of Council policy, releasing Council policy for public consultation or exhibition, and the adoption of a Council policy (where the term policy covers LEP, DCP, Plans of Management, Voluntary Planning Agreement, Annual budget and operational plan, Delivery Program, Community Strategic Plan, strategies, policies and action plans that relate to the Willoughby LGA, elected Council and Councillors);
4. variation of contract sum over budget for amounts greater than \$5,000 or 10 per cent of the contract sum (whichever is greater);
5. writing off bad debts, including outstanding rates and charges, for amounts above \$5,000 (including GST);
6. the granting of land owner's consent for applications relating to significant Council property, excluding internal refurbishments on all Council property; and
7. leases of Council land and property under market value or for a term of more than 5 years (excluding residential tenancies).

Council's current delegations to the CEO have been reviewed as required by s380 of the Act and it is considered that the delegations remain fit for purpose.

These delegations are consistent with Instruments of Delegations currently in place at numerous other Sydney metropolitan and regional councils noting that a large number of councils give full delegation without exception as anticipated under the Act.

5. CONCLUSION

Council's Instrument of Delegation to the CEO is a fundamental element of its governance framework. The current delegations have been utilised since 25 March 2019 without issue from Council and it is not recommended to change them.

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 CEO's instrument of delegation contains the functions of the Council that have been delegated to this role under the <i>Local Government Act 1993</i> and any other Act. This enables the CEO to facilitate the business of the Council.
Policy	There are no policies applicable to this report.
Consultation	5 December 2022 – Councillor Briefing: Delegations to the CEO
Resource	This report can be accommodated within existing resources.
Risk	Delegations to the Chief Executive Officer minimise risk by providing governance clarity and ensuring appropriate and efficient use of Council resources and administrative and operational processes.
Legal	There are no legal implications associated with the recommendation of this report.
Legislation	<i>Local Government Act 1993 section 377.</i>
Budget/Financial	There are no direct budgetary or financial implications applicable to this report.

ATTACHMENT 2

**Instrument of Delegation
Delegations to the General Manager****Willoughby City Council:**

- A. Recognises that certain functions are conferred on the General Manager by the Local Government Act 1993; and pursuant to Section 377 of the Local Government Act 1993

- B. Delegates to the person holding the position of General Manager its functions under the Local Government Act 1993 and any other legislation conferring functions on the Council, except –
 1. the functions which are required by or under the Local Government Act 1993 or by or under any other Act or instrument to be performed by the governing body of the Council;

 2. delegations issued by the Council to the Mayor and to Committees;

 3. the making of Council policy, releasing Council policy for public consultation or exhibition, and the adoption of a Council policy (where the term policy covers LEP, DCP, Plans of Management, Voluntary Planning Agreement, Annual budget and operational plan, Delivery Program, Community Strategic Plan, strategies, policies and actions plans that relate to the Willoughby LGA, elected Council and Councillors);

 4. variation of contract sum over budget for amounts greater than \$5,000 or 10 per cent of the contract sum (whichever is greater);

 5. writing off bad debts, including outstanding rates and charges, for amounts above \$5,000 (including GST);

 6. the granting of land owner's consent for applications relating to significant Council property, excluding internal refurbishments on all Council property; and

 7. leases of Council land and property under market value or for a term of more than 5 years (excluding residential tenancies).

Dated 12 December 2022.

12.8 ELECTION OF THE DEPUTY MAYOR

ATTACHMENTS:	1. IMPLICATIONS 2. OFFICE OF LOCAL GOVERNMENT FACT SHEET – ELECTION OF MAYOR AND DEPUTY MAYOR BY COUNCILLORS 3. DEPUTY MAYOR – NOMINATION FORM
RESPONSIBLE OFFICER:	MAXINE KENYON – CUSTOMER & CORPORATE DIRECTOR
AUTHOR:	SAMANTHA CONNOR – ACTING GOVERNANCE, RISK & COMPLIANCE MANAGER
CITY STRATEGY OUTCOME:	5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

To elect a Councillor to the position of Deputy Mayor for the period December 2022 to November 2023.

2. OFFICER'S RECOMMENDATION

That Council elect Councillor [Insert Name] to the position of Deputy Mayor, for a period of 11 months from 12 December 2022 to 27 November 2023, and that the method of voting be by Open vote.

3. BACKGROUND

On 31 January 2022, Council elected Councillor Zhu to the position of Deputy Mayor. Council determined that the term for this position was to end in December 2022, giving three equal terms of 11 months for the duration of the current Term of Council.

Section 231 of the *Local Government Act 1993* provides inter alia, that:

- (1) *The Councillors may elect a person from among their number to be the Deputy Mayor.*
- (2) *The person may be elected for the Mayoral term or a shorter term*
- (3) *The Deputy Mayor may exercise any function of the Mayor at the request of the Mayor or if the Mayor is prevented by illness, absence, or otherwise, from exercising the function or if there is a casual vacancy in the office of Mayor.*

Council's Public Officer (Governance Lead) has been appointed as the Returning Officer by the Chief Executive Officer.

4. DISCUSSION

The process for the election of Deputy Mayor is regulated by clause 394 and Schedule 7 of the *Local Government (General) Regulation 2005*, and *Local Government Act 1993*. The Office of Local Government (OLG) has produced a fact sheet "*Election of Mayor and Deputy Mayor by Councillors*" which outlines the procedures to be observed, a copy is contained in **Attachment 2**.

A nomination for the office of Deputy Mayor (refer **Attachment 3**) is to be made in writing to the Returning Officer and endorsed by two or more Councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

Nominations, in writing are to be sent or delivered to the Returning Officer prior to the commencement of the meeting. However, there will be a call for additional nominations at the meeting.

The Returning Officer is to conduct the ballot and will announce the names of the nominees at the Council meeting at which the election is to be held. If only one Councillor is nominated, that Councillor is elected. If more than one Councillor is nominated, the Council is to resolve whether the election is to proceed by:

1. open voting - conducted by a show of hands
2. ordinary ballot - a secret ballot will occur
3. preferential ballot - a secret ballot will occur.

Secret ballots are not able to be conducted by remote audio-visual methods. In the event some Councillors are granted approval by the Council to participate in the Council meeting by remote audio-visual link, the election can only be held by open ballot.

Ordinary and preferential ballots are secret ballots. All Councillors must attend the meeting in person if the election is to be by either of these methods.

5. CONCLUSION

Councillors may elect a person from among their number to the position of Deputy Mayor. Council must resolve the manner of election, noting if Councillors will attend the meeting via audio visual links, Council will need to resolve that the election be held by open ballot.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	5.1 – Be honest, transparent and accountable in all that we do
Business Plan Objectives, Outcomes / Services	The Governance team provides support to the Mayor and Councillors and provides the arrangements needed to elect a Deputy Mayor every year.
Policy	Council's <i>Payment of Expenses and the Provision of Facilities for the Mayor and Councillors</i> policy provides for access to certain facilities for when the Deputy Mayor is acting in the position of Mayor due to the absence of the Mayor.
Consultation	There are no consultation requirements applicable to this report.
Resource	This report's recommendation was developed and can be implemented using existing allocations of resources.
Risk	The election of a Councillor to the position of Deputy Mayor mitigates risk by ensuring continuity of leadership of the Council, should the Mayor be prevented from performing a function of her role, or in the event of a causal vacancy. In these circumstances, the Deputy Mayor is able to exercise the functions of the Mayor.
Legal	There are no legal implications arising from this report's recommendation.
Legislation	The process for the election of the Deputy Mayor is stipulated in <i>Schedule 7 of the Local Government (General) Regulation 2005</i> . The Schedule has been included in Attachment 3 .
Budget/Financial	There are no cost implications for this recommendation.

Fact Sheet

ELECTION OF MAYOR AND DEPUTY
MAYOR BY COUNCILLORS

Summary

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

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

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

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

How can councils use this document?

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

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

Election of a mayor after an ordinary election of councillors

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

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

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

Mid-term election of a mayor

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

Procedures

Prior to the meeting

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

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

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

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

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

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

At the meeting

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

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

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

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

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

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

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

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

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

Open voting (show of hands)

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

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

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

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

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

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

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

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

The minute taker records the vote of each councillor.

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

Two candidates

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

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

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

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

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

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

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

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

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

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

Three or more candidates

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

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

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

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

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

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

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

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

I declare that [name of candidate] is excluded.

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

Ordinary ballot – (secret ballot)

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

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

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

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

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

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

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

The returning officer announces the results.

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

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

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

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

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

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

I declare that [name of candidate] is excluded.

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

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

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

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

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

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

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

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

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

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

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

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

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

Preferential ballot

The returning officer explains the process.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Schedule 7 - Election of Mayor by Councillors

Part 1 Preliminary

1 Returning officer

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

2 Nomination

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

3 Election

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

Part 2 Ordinary ballot or open voting

4 Application of Part

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

5 Marking of ballot-papers

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

6 Count—2 candidates

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

7 Count—3 or more candidates

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

Part 3 Preferential ballot**8 Application of Part**

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

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

10 Count

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

11 Tied candidates

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

Part 4 General**12 Choosing by lot**

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

13 Result

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

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



ELECTION OF DEPUTY MAYOR - MONDAY, 12 DECEMBER 2022

NOMINATION OF CANDIDATE

In accordance with Clause 2(2) of Schedule 7 of the *Local Government (General) Regulation 2005*, two or more councillors may nominate a councillor (one of whom may be the nominee) for the position of Deputy Mayor. Nominations must be in writing and the nominee must consent to their nomination in writing.

We, the undersigned, do hereby nominate Councillor _____ for the position of Deputy Mayor.

Nominated by:

Councillor _____ Signature _____

Councillor _____ Signature _____

Date : _____ December 2022

Acknowledgment of Nomination

I consent to the above nomination for the position of Deputy Mayor.

Councillor _____ Signature _____

Date : _____ December 2022

12.9 LEGAL MATTERS REPORT - DECEMBER 2022

ATTACHMENTS:	1. IMPLICATIONS 2. LEGAL MATTERS REPORT 3. CONFIDENTIAL – LEGAL MATTERS REPORT (ATTACHMENT 3 INCLUDED IN CLOSED AGENDA)
RESPONSIBLE OFFICER:	MAXINE KENYON – 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:	12 DECEMBER 2022

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.

3. BACKGROUND

At its meeting on 9 March 2020, Council resolved:

That Council receive a report each Council Meeting from officers that includes all outstanding or ongoing legal matters (including mediation, NCAT, litigation, etc. excluding matters concerning NSW State Revenue). A further confidential report should contain prospects and expected costs.

This report presents the legal services report (**Attachment 2** open and **Attachment 3** confidential) for Council's consideration and are 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 Councillors with information that assists them to understand the status of current legal matters. The release of this information would provide person(s) with whom Council conducts business or parties that are 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 that, 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 that they resolve into closed session of Council in accordance with Section 10A(2)(c) and (g) of the *Local Government Act 1993*.

5. CONCLUSION

The legal matters report offers an overview of current 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 monthly report is related to the work undertaken by the General Counsel and the Governance, Risk and Compliance Unit.
Policy	The report is produced pursuant to a resolution of the 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 that would constitute a breach of the <i>Privacy and Personal Information Protection Act 1998</i> or information that would compromise Council's legal prospects has not 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 25 March 2019, 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, the 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>The matter has been listed for hearing, for two weeks, from 4 September 2023.</p> <p>The hearing on whether Mr Hooper is to pay additional costs incurred by Council's previous insurer, as a result of the manner in which his case has been conducted, was to have been heard on 10 November but the judge decided that a hearing was not needed and that the application could be determined on the submissions already filed by each party.</p> <p>There is no timeframe for the judge's decision on the application.</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.	The parties have been ordered to file and service their evidence by 5 December 2022, the matter has been listed for case management on 12 December 2022 and it has been listed for a mediation on 31 March 2023.	William Roberts Lawyers instructed by litigation funders Omni Bridgeway (Previously IMF Bentham).	N/A
Supreme Court of NSW	JLT Risk Solutions (formerly known as Jardine Lloyd Thompson Pty Ltd)	Council is participating as a Funded Group Member in the Richmond Valley Council v Jardine Lloyd Thompson Pty Ltd. Class Action in relation to recovering losses and damage from being charged excessive insurance premiums and fees.	The hearing went for 5 weeks and concluded on 5 November 2021. There is still no indication when the Court will hand down its judgement.	Quinn Emanuel trial lawyers instructed by litigation funders Harbour Litigation Funding	N/A
N/A	2 Buddha Pty Ltd	Lease dispute with Tenant	The Lease has now been terminated as a result of various breaches under the Lease. We called on and have received the proceeds of the bank guarantee of \$66,000. Council is reviewing its options in relation to the recovery of the arrears balance.	Pikes Verekers	N/A

Court / Matter No or Ref	Counter Party	Type of Matter	Status Update	Law firm / counsel engaged	Insurer
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	<i>The matter was heard on 30 November 2022 and judgment has been reserved.</i>	Maddocks	N/A

3. Compliance actions and prosecutions

NIL

4. Planning Appeals

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court 2021/168727 and 2021/168747	Lin Yu and Jay Jay Xu	Class 1 appeal against refusal of the Building Information Certificate and a Class 4 action against a compliance order issued for 16 Johnson Street, Chatswood regarding the unauthorised conversion of a garage for habitable purposes.	<p>The applicant has not completed the works of a modified Development Control Order by 15 August 2022.</p> <p>Council has not received any advice from Lin YU and Jay Jay XU or their legal representative.</p> <p>Council has referred the outstanding matter to HWL Ebsworth for enforcement proceedings.</p>	HWL Ebsworth

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court 2022/142088	Aplus Architecture Pty Ltd	Class 1 Appeal - Deemed Refusal - Development application DA 2022/95 for Alterations and additions to existing building, addition of basement parking, relocation of existing above ground parking to basement, additional ground floor retail, shop top housing and associated works at 282 Victoria Avenue, Chatswood	<p>First directions hearing was held on 15 June 2022.</p> <p>The Council was required to file and serve its Statement of Facts and Contentions by 29 June 2022.</p> <p>The conciliation conference was held on 31 August 2022 and was adjourned to allow the applicant to respond to Council's contentions.</p> <p>On the 7 September 2022 the applicant provided amended sketched plans.</p> <p>Further amended plans have been submitted by the applicant.</p> <p>Court is being requested for further time to continue the conciliation process.</p>	HWL Ebsworth

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court 2022/142105	Aplus Architecture Pty Ltd	Class 1 Appeal - Deemed Refusal - Development application DA 2022/2 for Demolition of existing structures, excavation and construction of four (4) storey retail and commercial premises with five (5) levels of basement car parking, loading dock, storage and associated works at 284 Victoria Avenue, Chatswood.	<p>First directions hearing was held on 15 June 2022.</p> <p>The Council was required to file and serve its Statement of Facts and Contentions by 29 June 2022.</p> <p>The conciliation conference was held on 31 August 2022 and was adjourned to allow the applicant to respond to Council's contentions.</p> <p>On the 7 September 2022 the applicant provided amended sketched plans.</p> <p>Further amended plans have been submitted by the applicant.</p> <p>Court is being requested for further time to continue the conciliation process.</p>	HWL Ebsworth
Land & Environment Court LEC 2021/292505	Victor Lahoud	Class 4 Appeal Lahoud v Willoughby City Council relating to DA 2020/238 for adaptive reuse of and Existing commercial building to shop top housing at 131 Sailors Bay Rd, Northbridge	<p>The Applicant recently 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>	Lindsay Taylor Lawyers

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2022/002258 90	Walter Projects Pty Ltd	Class 1 Appeal Demolition of existing dwellings and construction of 5 residential flat buildings comprising a total of 164 units over basement car parking as a two staged development at 452 - 460 Willoughby Road & 1A - 27 Walter Street, Willoughby.	<i>S34 Conciliation conference occurred. The parties, by way of online communication, will update the Court on 13 December 2022 as to the status of the conciliation.</i>	HWL Ebsworth
Land & Environment Court LEC 2022/ 189031	Momentum Project Group Pty Ltd	Class 1 Appeal- DA 2021/309- Demolition of existing buildings and construction of a shop top housing development with basement car parking, landscaping and associated works at 83-87 Edinburgh Road, Castlecrag.	Appeal on conditions of approval. Momentum Group have supplied sufficient reasoning and justification to endorse the appeal in Council's opinion. At the S34 Conciliation conference on 9 September 2022, both parties agreed to reach a resolution. Awaiting further judgement.	HWL Ebsworth
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.	<i>Council filed its Statement of facts and contentions on 4 November 2022.</i> The applicant is required to file and serve any contentions by 17 November 2022. The proceedings are listed for conciliation on 6 February 2023.	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 2022/ 282647	WINIM Development Pty Ltd	Class 1 Appeal - Refusal of - DA 2021/123 for Demolition of existing dwellings and structures, amalgamation of lots, construction of residential flat building consisting of seven (7) apartments and additional three (3) storey multi-dwelling building consisting of seven (7) dwellings, car parking, landscaping and associated works at 46, 48 & 48A Eastern Valley Way, Northbridge.	<p>Statement of facts and contentions lodged with the Court on 28 October 2022.</p> <p>The conciliation conference is scheduled for 23 January 2023, commencing at 9:30am onsite and then returning to Council.</p> <p>Any amended plans or additional information proposed by the applicant, to be the subject of without prejudice discussions at the conciliation conference, are to be provided to Council on 9 January 2023.</p> <p>Council is to provide any response to the amended plans or additional information without prejudice conditions of consent, to the applicant on 16 January 2023.</p> <p>If no agreement is reached at or after the conciliation conference, the proceedings are listed for a second directions hearing on 30 January 2023</p> <p>Each party is to notify the other party in writing of the name of any expert upon which they propose to rely, the area of expertise of the expert and the issues to be addressed by the expert, by 25 January 2023, which is 2 business days prior to the second directions hearing, in the form of a draft completed information sheet or in such other form as may be agreed between the parties</p>	Maddocks

Court or Tribunal / Matter No or Ref	Counter Party	Type of Matter / Property	Status Update	Law firm / counsel engaged
Land & Environment Court LEC 2022/ 282616	Chung Kei Ng	Class 1 Appeal- Deemed Refusal – Modification application DA 2019/57/A for Modifications to Court approved Boarding housing including amendment to Condition 2 of deferred commencement and deletion of Condition 3 at 6 View Street, Chatswood.	S34 Conference is scheduled for 15 February 2023.	Lindsay Taylor Lawyers

PLANNING & INFRASTRUCTURE DIRECTORATE

12.10 PLANNING PROPOSAL 10 GORDON AVENUE AND 15-19 NELSON STREET, CHATSWOOD

ATTACHMENTS:	<ol style="list-style-type: none">1. IMPLICATIONS2. COUNCIL DETAILED ASSESSMENT3. COUNCIL ASSESSMENT OF DEPARTMENT OF PLANNING AND ENVIRONMENT'S 'LOCAL ENVIRONMENTAL PLAN MAKING GUIDELINE'4. PLANNING PROPOSAL CONCEPT PLANS5. DRAFT DEVELOPMENT CONTROL PLAN PROVISIONS6. PROPOSED AMENDMENTS TO WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 20127. PROPOSED WILLOUGHBY LOCAL ENVIRONMENTAL PLAN 2012 LAND ZONING, HEIGHT OF BUILDINGS, FLOOR SPACE RATIO, SPECIAL PROVISIONS AREA, ACTIVE STREET FRONTAGES AND LOT SIZE MAPS8. WILLOUGHBY LOCAL PLANNING PANEL RECORD OF ADVICE 29 NOVEMBER 2022
RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	CRAIG O'BRIEN – STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	3.5 – MAINTAIN QUALITY OF LIFE BY BALANCING POPULATION GROWTH WITH THE PROVISION OF ASSETS AND SERVICES 5.1 – BE HONEST, TRANSPARENT AND ACCOUNTABLE IN ALL THAT WE DO
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

The purpose of this report is to seek endorsement for the forwarding of applicant initiated Planning Proposal 2022/003 for 10 Gordon Avenue and 15-19 Nelson Street Chatswood to the Department of Planning and Environment for a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979* and proceed to public exhibition.

2. OFFICER'S RECOMMENDATION

That Council:

1. Forward the Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination under Section 3.34 of the Environmental Planning and Assessment Act 1979, to achieve the following amendments to Willoughby Local Environmental Plan 2012:
 - (a) To amend Clause 6.25 by adding to sub clause (1):
 - i. (l) SP 85403, 10 Gordon Avenue, SP 89243, 15 Nelson Street, SP 76342, 17 Nelson Street, Lot 1 DP 1237932, 19 Nelson Street.”
 - (b) To amend the Land Zoning Map (Sheet LZN_004) for 10 Gordon Avenue and 15-19 Nelson Street, Chatswood, to B4 Mixed Use.
 - (c) To amend the Height of Buildings Map (Sheet HOB_004) for 10 Gordon Avenue and 15-19 Nelson Street, Chatswood, to 90 metres.
 - (d) To amend the Floor Space Ratio Map (Sheet FSR_004) for 10 Gordon Avenue and 15-19 Nelson Street, Chatswood, to 6:1 (including affordable housing).
 - (e) To amend the Special Provisions Area Map (Sheet SPA_004) to show
 - i. 10 Gordon Avenue and 15-19 Nelson Street, Chatswood, as Area 9 and Area 12.
 - (f) To amend the Active Street Frontages Map (Sheet ASF_004) to
 - i. include for 10 Gordon Avenue and 15-19 Nelson Street, Chatswood, the Gordon Avenue, Nelson Street and Hammond Lane frontages.
 - (g) To amend the Lot Size Map (Sheet LSZ_004) to include 10 Gordon Avenue and 15-19 Nelson Street, Chatswood, with a minimum lot size of 2,500 sq metres.
2. Endorse the Planning Proposal for public exhibition with the accompanying draft site specific Development Control Plan provisions.
3. Request that the Department of Planning and Environment nominate Council as the Planning Authority to make the Planning Proposal and that the Department of Planning and Environment delegate authority to Council's Head of Planning to process and finalise the Planning Proposal documentation for the purposes of Section 3.36 of the Environmental Planning and Assessment Act, 1979.
4. Delegate authority to the Chief Executive Officer to make any minor amendments to the Planning Proposal which do not alter the policy intent.
5. A further report be provided to Council outlining the outcome of the public exhibition period.

3. BACKGROUND

The proposal for a commercial podium and residential tower development is located on a site within the extended Chatswood CBD boundary in the *Chatswood CBD Planning and Urban Design Strategy 2036* (referred to in this report as the CBD Strategy).

The CBD Strategy was endorsed by Council on 26 June 2017, supported by the Greater Sydney Commission on 18 May 2018, and endorsed by the Department of Planning and Environment (DPE) on 9 July 2020 with qualifications regarding residential land use within the B3 Commercial Core on the eastern side of the North Shore Rail line. Endorsement of the CBD Strategy was further noted by Council on 14 September 2020.

The site has been recommended to be B4 Mixed Use, with a maximum height of 90m and a Floor Space Ratio of 6:1. This is subject to the satisfaction of other CBD Strategy requirements.

4. DISCUSSION

The Planning Proposal seeks to amend *Willoughby Local Environmental Plan 2012* (WLEP 2012) at 10 Gordon Avenue and 15-19 Nelson Street, Chatswood, as follows:

- Change the land use zone from R3 Medium Density Residential to B4 Mixed Use.
- Increase the maximum height of buildings control from 12m to 90m.
- Increase the maximum Floor Space Ratio control from 0.9:1 to 6:1.
- Apply a minimum non-residential floor space requirement equating to 17% of total assessable GFA on the site

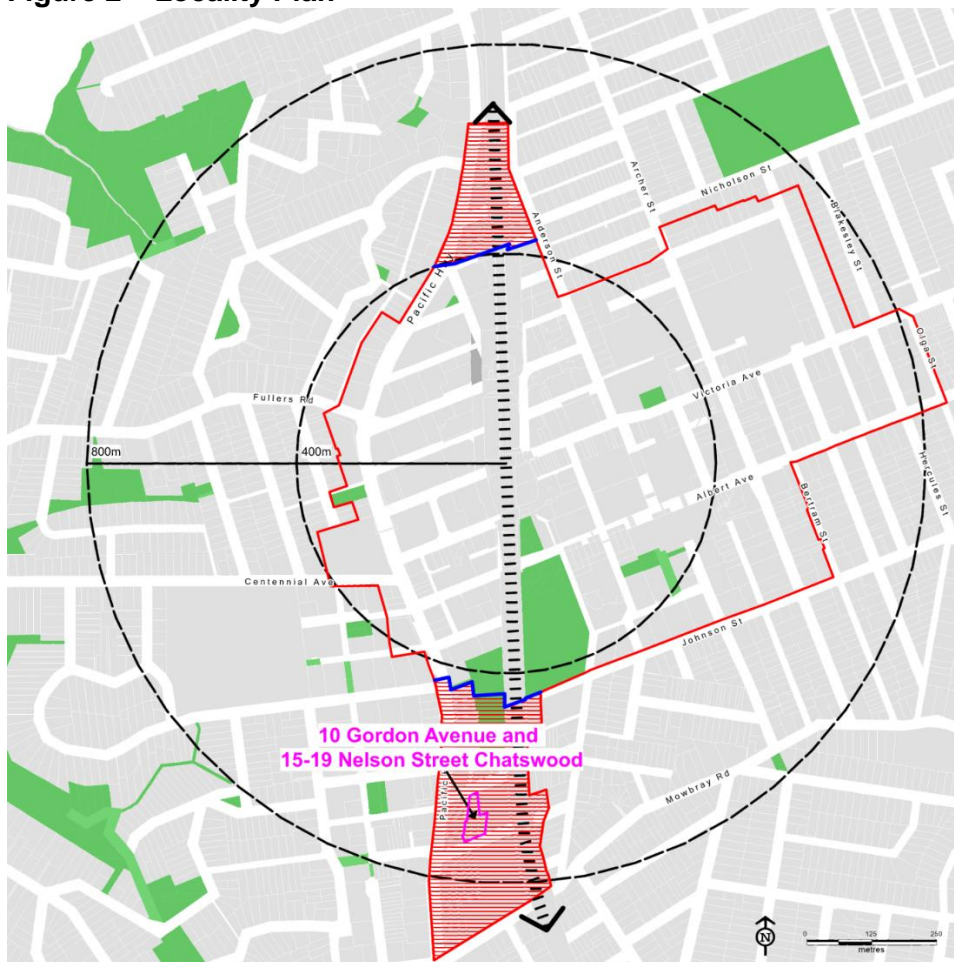
The site has a total area of 2,542.7m², bounded by Gordon Avenue to the north, Nelson Street to the south, 9-11 Nelson Street to the east and Hammond Lane to the west.

Planning Proposals consistent with the CBD Strategy have already been supported by Council and made or are in the process of being made for 613-627 Pacific Highway and 629-637 Pacific Highway to the west, and 9-11 Nelson Street to the east, of the subject site. Including the subject site, this represents the block bounded by Gordon Avenue, Pacific Highway, Nelson Street and the Frank Channon Walk.

Figure 1 – Location Plan



Figure 2 – Locality Plan



The Planning Proposal for a retail and commercial podium and residential tower development is consistent with the recommendations of the CBD Strategy as endorsed by Council.

Consistency with the CBD Strategy, as well as other issues, are discussed in the Detailed Assessment at **Attachment 2**. The Planning Proposal has also been assessed with regard to the criteria contained in the Department of Planning and Environment's *Local Environmental Plan Making Guideline*, September 2022, and is generally satisfactory (Refer **Attachment 3**).

The Council assessment considered the proponent's documentation supporting the Planning Proposal, including:

- Concept plans showing a conceptual redevelopment plan for the site (Refer **Attachment 4**).
- Site specific Draft *Development Control Plan* provisions (Refer **Attachment 5**).

The site specific draft Development Control Plan provisions are satisfactory at this stage of the process. This document will be further reviewed following exhibition. Where matters are not covered by site specific provisions, the remainder of the *Development Control Plan* will apply to the site.

For the purposes of this report and any public notification, Council Officers have prepared written and mapping amendments to *Willoughby Local Environmental Plan 2012* (Refer **Attachments 6 and 7**).

An offer to enter a planning agreement (PA) has been made, and pending the conclusion of detailed discussions, this matter will be separately reported to Council with the inclusion of a draft PA.

The Willoughby Local Planning Panel has provided advice on this matter dated 29 November 2022, where it was concluded that the Planning Proposal is worthy of being forwarded to the DPE for a Gateway consideration having demonstrated strategic and site specific merit (Refer **Attachment 8**).

5. CONCLUSION

The Planning Proposal for a mixed use development at 10 Gordon Avenue and 15-19 Nelson Street, Chatswood, in the Chatswood CBD, is consistent with the strategic objectives of the *Greater Sydney Region Plan*, the *North District Plan* and Councils' *Local Strategic Planning Statement (LSPS)*, as well as the *Chatswood CBD Planning and Urban Design Strategy 2036* (the CBD Strategy). It is considered that the relevant requirements under Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the matters identified in the Department of Planning and Environment's *Local Environmental Plan Making Guideline* are adequately addressed and that the environmental impacts are acceptable for referral to Gateway and further consideration following public exhibition.

It should be noted that following exhibition and further assessment, amendments may be required.

Based on the above, it is recommended that Council forward the Planning Proposal to the Department of Planning and Environment, seeking a Gateway Determination under Section 3.34 of the *Environmental Planning and Assessment Act 1979*. It is further recommended that Council advise the Department of Planning and Environment that Council's Head of Planning be nominated as delegate to process and finalise the Planning Proposal.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	<p>3.5 – Maintain quality of life by balancing population growth with the provision of assets and services</p> <p>5.1 – Be honest, transparent and accountable in all that we do</p>
Business Plan Objectives, Outcomes / Services	To ensure this Planning Proposal is in line with the <i>Chatswood CBD Planning and Urban Design Strategy 2036</i> to accommodate future growth needs.
Policy	This Planning Proposal is in line with the <i>Chatswood CBD Planning and Urban Design Strategy 2036</i> , endorsed by Council on 26 June 2017. The amendment in the Planning Proposal will lead to amendments to <i>Willoughby Local Environmental Plan 2012</i> and <i>Willoughby Development Control Plan</i> .
Consultation	<p>Prior to endorsement by Council, the draft <i>Chatswood CBD Planning and Urban Design Strategy 2036</i> was publicly exhibited between 4 February and 27 March 2017.</p> <p>This Planning Proposal would also be publicly exhibited following Gateway Determination.</p>
Resource	No additional operating resources used to prepare this report beyond budget.
Risk	Risk of not achieving the endorsed <i>Chatswood CBD Planning and Urban Design Strategy 2036</i> objectives and accommodating future growth requirements.
Legal	<p>The Planning Proposal should be consistent with the endorsed <i>Chatswood CBD Planning and Urban Design Strategy 2036</i>.</p> <p>Amendments are proposed to the <i>Willoughby Local Environmental Plan 2012</i>, which would provide the basis for future development application assessment.</p> <p>In addition <i>Development Control Plan</i> provisions are proposed to further guide future development application assessment.</p> <p>The Planning Proposal is accompanied by a Letter of Offer for a voluntary planning agreement to provide for demands on Council services and infrastructure – which will be separately negotiated.</p>
Legislation	Under <i>Environmental Planning and Assessment Act 1979</i> provisions.
Budget/Financial	There are no budget/financial implications applicable to this report.

12.11 POST EXHIBITION REPORT ON DRAFT COMPREHENSIVE LOCAL ENVIRONMENTAL PLAN AND DEVELOPMENT CONTROL PLAN

ATTACHMENTS:	<ol style="list-style-type: none">1. IMPLICATIONS2. GATEWAY DETERMINATION DATED 24 DECEMBER 20213. WEBINAR ATTENDANCES4. RESPONSES FROM STATE AGENCIES5. REPORT BY ENGAGE26. SUMMARY OF SUBMISSIONS AND COUNCIL RESPONSES7. PROPOSED CHANGES TO DCP PARKING RATES8. DRAFT AMENDMENTS TO WLEP 20129. DRAFT AMENDMENTS TO DEVELOPMENT CONTROL PLAN
RESPONSIBLE OFFICER:	HUGH PHEMISTER – PLANNING & INFRASTRUCTURE DIRECTOR
AUTHOR:	NORMA SHANKIE-WILLIAMS – TEAM LEADER STRATEGIC PLANNING JANE GIBSON – STRATEGIC PLANNER ARTHUR TSEMBIS – STRATEGIC PLANNER IAN SHILLINGTON – CONSULTANT STRATEGIC PLANNER
CITY STRATEGY OUTCOME:	3.7 PROMOTE HOUSING CHOICE AND AFFORDABILITY 5.4– ANTICIPATE AND RESPOND TO CHANGING COMMUNITY AND CUSTOMER NEEDS
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

This report outlines the feedback received during the exhibition of Council's draft comprehensive Local Environmental Plan and Development Control Plan, and seeks endorsement to forward the Planning Proposal to the Department of Planning and Environment for making. It also seeks Council endorsement to bring the Development Control plan into effect once the Planning Proposal has been finalised.

2. OFFICER'S RECOMMENDATION

That Council:

1. **Note the submissions and proposed responses to feedback on the exhibition of the Planning Proposal for the Comprehensive Local Environmental Plan and Draft Development Control Plan.**
2. **Endorse the draft Local Environmental Plan as amended by Attachment 8, and submit it to the Department of Planning and Environment for finalisation.**
3. **Approve the Development Control Plan as amended by Attachment 9 and bring it into effect at the time that the Planning Proposal is made.**
4. **Retain the existing controls for the Northbridge Plaza and Car Park and shopping centre, and seek a Gateway Determination for a separate Planning Proposal to implement the proposed changes to planning controls and reclassification of the land to operational to allow for further community engagement and technical investigations. Should this result in the need for changes to the planning controls that were exhibited as part of the draft comprehensive Local Environmental Plan, the matter is to be reported to Council for endorsement prior to exhibition.**
6. **Delegate authority to the Chief Executive Officer to make any minor amendments to the Planning Proposal and Development Control Plan for finalisation purposes which do not alter the intent.**

3. BACKGROUND

The preparation of the draft comprehensive Local Environmental Plan and Development Control Plan is the culmination of years of strategic planning, research, analysis, community consultation, and engagement with State government agencies.

Together, these planning instruments update and refine Council's planning controls, and provide capacity for additional homes and employment growth in well-serviced areas to meet State Government targets. By focussing growth in well-serviced areas around the CBD and local centres, Council affords further protection to the character of Willoughby's conservation areas and suburban areas. If Council does not plan for growth across the Local Government Area, it is likely to occur in a piecemeal way through applicant-initiated Planning Proposals and State Government intervention.

However, the proposed changes do much more than plan for housing and employment growth. The changes will improve the design quality of development through the introduction of a design review process, introduce new sustainability measures such as urban heat island effect considerations and requirements for electric vehicle charging facilities, increase the provision of affordable housing for key workers, and meet Council's legislative requirement to regularly review its planning controls.

At the meeting of 14 December 2020, Council resolved to forward the Planning Proposal, which contains a comprehensive review of *Willoughby Local Environmental Plan 2012* (the Draft LEP), to the Department of Planning and Environment for a Gateway Determination and exhibition. A Gateway Determination was received on 24 December 2021 (see **Attachment 2**).

At the meeting of 15 June 2021, Council endorsed the Draft *Willoughby Development Control Plan* (the Draft DCP) for exhibition along with the Draft LEP.

These draft plans had been prepared after the issue of the *North District Plan* in 2018. This required all councils in the first instance to prepare a *Local Strategic Planning Statement* (LSPS). Willoughby's LSPS was adopted by Council on 10 February 2020 and sets a 20-year vision with priorities and actions for the entire Local Government Area (LGA).

The Draft LEP and DCP comprise conclusions and recommendations from a number of existing strategies, either adopted by Council or by the State government which are referred to in the LSPS including:

- *Willoughby Local Centres Strategy*
- *Chatswood CBD and Urban Design Strategy to 2036 (Chatswood CBD Strategy)*
- *Willoughby Industrial Lands Strategy*
- *St Leonards Crows Nest 2036 Plan*
- *Willoughby Housing Strategy*
- *Integrated Transport Strategy*

In addition to the above strategy work, the Draft LEP & DCP addressed anomalies / corrections of errors (housekeeping amendments) as well as proposed efficiency and readability improvements.

A Gateway Determination was received from NSW Planning on 24 December 2021 which enabled exhibition of the Draft LEP and DCP (**Attachment 2**).

Following the exhibition of the draft LEP and DCP, submissions have been received and considered, and the next step is for Council to consider these and submit the Planning Proposal to the Department of Planning and Environment for making.

4. DISCUSSION

4.1 Summary of the exhibited Planning Proposal

The exhibition of the draft LEP and DCP brought the above mentioned pieces of work together in the form of planning controls. These planning controls are intended to respond to some of the major challenges facing the future health and prosperity of the Willoughby local government area such as climate change, providing more affordable housing, creating capacity for more housing and employment in strategic locations, and preserving local character and heritage.

The exhibited Planning Proposal included a number of amendments to the *Willoughby Local Environmental Plan 2012* (WLEP 2012) including:

- Increasing height and floor space ratios (FSRs) in Chatswood CBD, to create a vibrant and confident CBD providing capacity for commercial growth in the core of the Chatswood CBD around the transport interchange. The aim is to consolidate Chatswood's position as one of Sydney's top 10 suburban office markets, while ensuring new developments are of excellent design and incorporates green landscaping with strong sustainability credentials overall.
- Extension of the boundary of the Chatswood CBD north and south along the railway line outside the commercial core to allow for residential growth as part of mixed use high density developments capitalising on Chatswood's exceptional transport connectivity and high level of services and amenities.

- Applies the controls established in the St Leonards Crows Nest (SLCN) 2036 Plan issued by State Government for St Leonards/Crows Nest.
- Applies locally appropriate increases in building height and size in the local centres of Artarmon, North Willoughby, Naremburn, Castlecrag, Northbridge, Penshurst St and Willoughby South, to encourage new local jobs and housing diversity close to services and transport.
- Removes the opportunity to construct a second dwelling (battle axe) as a dual occupancy in the rear of an existing property to respond to the concern over tree and habitat loss, which is also critical for character and cooling in Willoughby.
- Increases affordable housing in new residential developments, from 4% of Gross Floor Area (GFA) to a maximum of 10%, in line with aspirations in the North District Plan and in recognition of the urgent need for more affordable rental housing in all parts of Sydney.
- Includes of a provision for maintaining the Affordable Housing contribution at 4% for those site specific Planning Proposals lodged before the making of this LEP.
- Increases floor space and expands the range of permissible uses in industrial areas to promote and stimulate strong economic activity and local jobs.
- Includes a clause seeking to mitigate the impacts of the Urban Heat Island effect.
- Heritage lists of the Griffin Centre in Castlecrag and the former Artarmon Bowling Club.
- Transfers soft landscaping requirements from the DCP to the LEP.
- Includes a range of housekeeping amendments.

4.2 Draft Development Control Plan as Exhibited

In line with requirements of the State Government and the Greater Sydney Commission for councils to align their Local Environmental Plans (LEPs) and Development Control Plans (DCPs) with the relevant District Plans, a complete review of the WDCP was undertaken during 2020.

The new draft DCP 2021 is the culmination of this review incorporating provisions contained in the strategy work undertaken. The new draft Plan has also been restructured to incorporate and consolidate the various components of the current DCP. It is considered the new format is a more 'user-friendly' plan that reflects contemporary controls to improve environmental outcomes for all future developments.

The new DCP is reorganised into 12 parts as follows:

- Part A – Overview of the draft DCP 2021
- Part B – Residential Development
- Part C – Development in E4 Environmental Living Zones
- Part D – Commercial Development
- Part E – Industrial Development
- Part F – Transport and Parking Management
- Part G – Vegetation Management
- Part H – Heritage and Heritage Conservation Areas
- Part I – Water Management
- Part J – Building Sustainability
- Part K – Development near Lane Cove Tunnel Ventilation Stacks
- Part L – Place Based Plans

The controls for dwellings and dual occupancies reflect those applicable for Complying Development to ensure equity and consistency. The exception to this is landscaping controls which have been strengthened by incorporation into the LEP to add statutory weight. The Draft DCP also includes Place Based Plans (Part L) for the Chatswood CBD, St Leonards CBD and Local Centres reflecting the adopted strategies. Other changes include implementing travel demand management principles (TDM) by reducing car parking rates, strengthening heritage provisions and other housekeeping improvements.

4.3 Community Consultation

The exhibition took place for 3 months from Tuesday 15 March until Tuesday 7 June 2022. This exceeded the statutory 28 days prescribed in the Gateway Determination.

Council staff explored a range of Covid safe activities to encourage community participation. The following activities took place to promote the exhibition and invite submissions:

- Letter to each ratepayer (30,000+) with QR code.
- Flyer to ratepayers 'Coming soon' flyer distributed in 2021.
- Flyers distributed in Chatswood Mall and Local Centres at peak times in the lead up to each engagement activity.
- Flyers distributed to affected businesses in all local centres and Chatswood CBD.
- Explainer Video produced with Mayor Tanya Taylor and Commissioner Dr Deborah Dearing from Greater Sydney Commission (now Greater Cities Commission).
- Have Your Say registered participant newsletter email – 6,250 subscribed.
- Email marketing to existing stakeholders from relevant business units within Council to engage hard to contact or interest groups.
- Combined databases from Electronic Distribution - 19,000 community members.
- A story and links featured in standard Council publications.
- Media release for launch (include webinar dates) and close of public exhibition period.
- Willoughby City News (1777 electronic and 41,000 hard copies delivered to all residences).
- Council News (1,100 electronic).
- Council website Diary Dates.
- Webinars (see section below).
- On-line community guide at Have Your Say, to explain the LEP / DCP development process.
- Question and answer (Q&A's) – online at Have Your Say.
- QR Code on all posters and flyers linking to Have Your Say
- Advertisement or story in Progress Association Newsletters. Progress associations were also offered the media release for their publications and an email for distribution.
- Social Media Posts - also shared with relevant stakeholder group networks e.g. Willoughby Living
- Social Media Advertising.
- Northside Radio 99.3FM

4.4 Webinars

- 12 Webinars took place over the exhibition period. Each Webinar explained the proposed changes and included customised information for a specific area.
- On site attendance in the Council chambers was offered up to a maximum of 20 persons per session.
- 690 attended these sessions via zoom and 24 attended in person. The exact numbers for each webinar can be viewed at **Attachment 3**.
- Each webinar included online Q&A with some questions put to presenters. Responses to questions not answered at each webinar were later placed on HYS.

4.5 Consultation with Public Authorities

Consultation was undertaken with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions and the Gateway Determination dated 24 December 2021. Figure 1 below provides a summary of comments received from the agencies consulted. A more detailed summary of agency responses can be viewed at **Attachment 4**.

Responses were received from all agencies contacted, apart from DPE Crown Land. At the time of writing, DPE staff are providing assistance in following up on this non-response.

Agency responses were generally supportive. Regarding neighbouring Councils, most did not comment. However, Northern Beaches provided its support for specific clauses (see **Attachment 4** for details) and Ryde Council specifically mentioned support for the proposed 10% Affordable Housing contribution.

The Civil Aviation Authority, Sydney Airport, and the Department of Infrastructure Airports Branch had no objection. Proposed heights in Chatswood CBD were based on context and up to the airspace limits (Pans Ops plane).

Generally, State Government agencies provided comments about the need for ongoing dialogue with Council to enable infrastructure provision and support.

Figure 1 – Summary of Agency comments received

Agency	Comments
Transport for NSW	No objection. Administrative comments re alignment of cadastre in relation to land reservation map.
DPE Environment, Energy and Heritage (EHG)	Planning proposals need to consider the intensity of development where land is flood affected. It was recommended that Council review the extent of flood prone land consistent with the Local Planning Direction for flooding.
Sydney Water	Supports government growth initiatives. No objection.
Department of Health	Concern about the impact of proposed building heights in St Leonards on flight path of rescue helicopters.

Department of Education SINSW	<p>SINSW advise that future housing growth in and around the Willoughby LGA will affect the future student population across the existing primary and secondary government schools, particularly within the Chatswood City Centre. As a result, SINSW is undertaking school planning for the LGA to better understand where and when additional school provision is required and where the school population is likely to remain stable or decline so that the most appropriate school asset solutions can be identified.</p> <p>To support growth in Chatswood, SINSW and DoE are currently undertaking upgrades of Chatswood Public School and Chatswood High School and providing a new Chatswood primary school which was announced in last year's Budget.</p>
Department of Premier and Cabinet – Heritage for NSW	Notes the listing of 2 proposed heritage items of local significance. Encourages listings of local heritage. Advises that they do not have a role in the approval of local heritage listings. This rests with Council.
Civil Aviation Authority (CASA)	No objections
Sydney Airport Corporation Limited (SACL)	No objections
Department of Infrastructure Airports Branch	Council should continue to engage with Sydney Airport where there is potential for building or construction equipment intrusions into prescribed airspace.
DPE – Crown Land NSW	No response received
Ausgrid	No comments
North Sydney Council	No comments
Lane Cove council	No comments
Ku-ring-gai Council	No comments
Ryde Council	Support increase to 10% in affordable housing
Mosman Council	No comments
Northern Beaches Council	General support

Main issues arising from Agency consultation:

DPE Environment, Energy and Heritage comment on Flooding

Council staff are aware of areas which subject to overland flow. This has been taken into consideration particularly for increases in density in areas such as Artarmon and Willoughby South Local Centres. Flood constraints identified for specific development lots do not prohibit development of those sites under existing or proposed LEP / DCP controls resulting from this Planning Proposal. Proposed heights and FSRs are maximum controls that allow for design flexibility to respond to site specific constraints. Localised flood constraints will likely involve design compromise for some lots and architectural considerations will need to account for these.

Department of Health comments on Heights and Helicopter paths

The comments on height relate wholly to the St Leonards Crows Nest Strategy regarding the high density developments between St Leonards and Crows Nest Stations with specific reference to tower buildings up to 50 storeys. The comments do not relate specifically to change of heights in the comprehensive LEP.

The Department of Planning has confirmed that NSW Health were consulted with the exhibition of the St Leonards and Crows Nest Plan and the issue with helicopter flight paths was not raised. A Local Planning Direction issued by the Minister for Planning requires Council to ensure that a planning proposal is consistent with the St Leonards and Crows Nest Plan 2036, and the proposed heights for the Willoughby Council sites reflect this.

4.6 Submissions

Submissions could be made through a variety of channels:

- Two surveys were available on the Haveyoursay website
- Written submissions could be made through the Haveyoursay website
- Submissions could also be sent to the Willoughby Council's email address, and
- The NSW Planning Portal.

A total of 323 submissions were received via these channels. In addition, a petition was received after the exhibition including 638 signatures.

Engage2, a specialised community engagement organisation, provided an independent assessment of submissions and prepared a high level analysis of all submissions received (**Attachment 5**).

Given the exhibition period took place over a three-month period, it was determined not to accept late submissions, and this would also allow Engage2 to look at the submissions in entirety without having to continuously update their work as late submissions were received. Engage2's report includes submissions received as at 7 June 2022. This analysis includes all the of the survey responses.

However, submissions continued to be sent to Council even as late as August 2022 and these have been addressed in detail and commented on by staff in **Attachment 6**. Council staff also examined individual submissions with responses and included these late submissions,

For submissions, a detailed summary and Council officer responses are contained in **Attachment 6**.

All submitters have been notified by email of this Council Meeting and advised of opportunities to address Council.

4.7 Issues arising from Submissions

The following show the key themes which arose from the exhibition

1. Parking rates and traffic generation
2. Height and density in Chatswood
3. Height and density in St Leonards
4. The permissibility of serviced apartments in the Chatswood CBD
5. Concern about a perceived loophole in the heritage controls
6. Affordable housing contributions rates

7. Planning controls in the foreshore building line
8. Site specific requests, typically seeking increases in development potential

Each of these issues are discussed in more detail below and officer responses and recommendations provided. These issues were raised across the board in submissions and were included in both timely and late submissions that were received.

4.7.1 Parking and traffic generation

Many submissions raised concerns regarding parking and traffic generation resulting from increased density along with a reluctance to have parking rates reduced in Chatswood.

Parking Comment

The Draft DCP proposes to reduce parking rates in Chatswood due to the various public transport options offered in the CBD along with the future Metro options.

It is recognised that the uplift proposed under the *CBD Strategy* will have implications for traffic and transport within the CBD. Given the CBD is a constrained environment (i.e. with limited ability to increase road capacity) and its excellent accessibility by non-car modes of transport, the principles of Travel Demand Management (TDM) is being applied.

TDM is a transport planning concept that aims to minimise the growth of private vehicle travel and instead promote a 'mode shift' to more sustainable and efficient modes of transport such as walking, cycling, public and shared transport.

One of the key tools under the TDM approach is limiting the number of car parking spaces for new developments, given more car parking spaces promote car use and thus more traffic. Accordingly, Council engaged transport planning consultants Cardno to complete the *Review of Parking Rates* report, available on Council's website at:

<https://www.willoughby.nsw.gov.au/Development/Plan/Planning-Rules/Planning-Strategies#section-13>

Cardno recommended maximum car parking rates for the Chatswood (and St Leonards) CBDs in line with the TDM approach and these have been included in draft *Willoughby Development Control Plan (DCP)*. This approach of placing a limit on parking space numbers is now recognised globally as best-practice transport planning for constrained environments and is already used in other areas of Sydney including the City of Sydney and North Sydney local government areas and the Macquarie Park and Parramatta CBDs.

By applying the principles of TDM – e.g. limiting new car parking and improving active and public transport connections – Council aims to ensure that the transport network will be able to accommodate the uplift planned for the Chatswood CBD.

A number of submissions raised concerns with the maximum car parking rates proposed for the Chatswood CBD. These concerns primarily relate to the reality of public parking in the CBD being a shared resource, serving a variety of trip purposes. This is especially the case for the large car parks associated with the regional shopping centres (i.e. Westfield and Chatswood Chase). If blanket maximum car parking rates were adopted for retail without minimums, theoretically this parking could be reduced over time to a point where it may negatively affect the overall economic viability and competitive advantage of the CBD. In practice, this is unlikely to occur as large shopping centres generally provide ample parking to meet market expectations.

However, in response to this concern, Council engaged a consultant to review this control. A revised parking rate for regional shopping centres is now proposed which ensures the retention of a minimum baseline of adequate parking into the future. The proposed new rates will apply to Chatswood and St Leonards CBDs. The new rates can be viewed at **Attachment 7**.

Recommendation

It is recommended that a maximum rate of 1 parking space per 40sqm and a minimum rate of 1 space per 70sqm be applied to 'regional shopping centres', defined as development with more than 30,000sqm retail GFA. Providing a new minimum parking rate will ensure an ongoing minimum baseline of adequate parking for regional shopping centres into the future. This is further explained in **Attachment 9**, and a comparison of the existing and proposed parking rates are summarised in **Attachment 7**.

In response to submissions on parking, more requirements to provide car share spaces at residential apartments are recommended.

The draft WDCP does not require dedicated car share spaces to be provided for new developments. However, Clause 5.7 under Part F (Transport and Parking Management), provides an option for car share spaces to be provided on site.

There have been several Land and Environment Court cases that recognise the benefit of car share spaces in lieu of individual privately owned car parking spaces, particularly in areas with high density and good access to public transport.

A private car share company lodged a submission with a number of suggested changes to improve accessibility to car share vehicles. The submission includes the following comments:

- Car share vehicles should not be for the exclusive use of building occupiers; they should be accessible for the benefit of all verified and active members.
- Less on-street space is being allocated for car share spaces; open access to onsite car share spaces will help meet the growing demand for car share vehicles.
- It has been proven and accepted that generally one car share vehicle removes 10 privately owned vehicles.
- The City of Sydney and City of Ryde currently have best practice for car share requirements for developments.

It is considered that certain controls may be necessary to ensure the provision of any on-site car share spaces are readily accessible, and the car share scheme can operate effectively. The provision for car share spaces is proposed to be amended. This is further explained in **Attachment 9**.

Recommendation

It is recommended that additional requirements be added to the DCP to controls for car share spaces at residential apartments, mainly being that one car share space may be substituted for 15 car parking spaces. This will only be relevant where target rates are proposed. This amendment also prescribes that the location of car share spaces be publically accessible.

Full detail of these changes are outlined in **Attachment 9**, which lists all post-exhibition changes proposed to the DCP.

Traffic Comment

In conjunction with the planning work that was carried out for the CBD Strategy, a Future Conditions Report was carried out for the Chatswood CBD in 2020 by Arup. The study considered the likely impact of the growth scenarios on the future transport network. This can be viewed on Council's [web page](#)

Regarding traffic generally, the Future Conditions Report concluded that “...*despite mode shift towards public transport private vehicle trips will increase in the horizon years, however, results suggest the road network has capacity to accommodate the uplift..*”. The report made a variety of recommendations to manage congestion and other transport matters as part of the proposed uplift. These findings were supported by Transport for NSW

Based on the findings of the Future Conditions Report and support from Transport for NSW, it is considered that sufficient analysis has been carried out and that the planning controls for Chatswood should proceed as exhibited.

4.7.2 Heights and density in Chatswood

Many submissions raised concerns regarding the uplift of heights and Floor Space Ratio in the CBD.

Comment

The draft LEP proposes to implement the *Chatswood CBD Strategy* (the CBD Strategy), which was publicly exhibited over 3 months in early 2017, endorsed by Council on 26 June 2017, and supported by the Greater Sydney Commission on 18 May 2018.

In response to DPE feedback, heights and FSRs were reduced in sensitive locations following urban design analysis. The CBD Strategy was then endorsed by DPE on 9 July 2020, and further noted by Council at the Council Meeting of 14 September 2020. A number of site specific planning proposals which are consistent with the CBD Strategy have already been supported by Council, some of which have been made and the controls for those sites are already in place.

All controls proposed in the draft LEP are consistent with the CBD Strategy. The CBD Strategy provides for a strong commercial centre that accommodates employment and residential growth as identified in the *Sydney Region Plan* and *North District Plan*. In addition it provides for a 30 minute city where jobs, services and public spaces are within easy reach of people's homes – (another aim of the Region and North District plans).

The CBD Strategy is a well-considered plan to change zoning, and increase height and floor space within the expanded Chatswood CBD boundary to provide for the growth of Chatswood to 2036 as required by State government plans and targets. The intention is to revitalise the Chatswood CBD by increasing employment and housing in a manner that addresses and ensures desirable built form, and increased sustainability. The CBD Strategy deliberately seeks to balance increase in density with a design excellence process to ensure positive outcomes for Chatswood. It also serves to locate the majority of Willoughby's housing supply in the most highly accessible location close to Chatswood transport interchange. It further serves to protect lower density residential suburbs which are characteristic of the local government area from future development pressure.

With increases in employment and high density living, the CBD Strategy seeks to ensure such development provides healthy liveable environments for occupants and the wider community. The CBD Strategy is a well-considered and tested strategic planning document that aims to achieve:

- A reinvigorated commercial core area and economically buoyant CBD, to provide for future employment.
- A sustainable balance between commercial, retail, residential, education, cultural and other uses to ensure on-going vibrancy.
- A compact, walkable CBD.
- A city form and scale to accommodate future growth and change.
- A CBD of exceptional urban design, easy pedestrian linkages and good public domain, where local character and heritage are embraced, and the greening of the centre is achieved.

Having regard to view loss, the heights proposed are in accordance with the height permitted under the CBD Strategy. Changes to the existing heights of development and existing controls under the *Willoughby Local Environmental Plan 2012* are required to change to meet the demands of the Strategic Centre that is the Chatswood CBD and its growth to 2036. The concept of view sharing is supported where reasonable, and this will be further reviewed through the design excellence and development application process.

The CBD Strategy has been guided by traffic analysis from ARUP, which was reviewed by Transport for NSW prior to DPE endorsement. In this regard, ARUP then prepared a *Future Conditions Report, Chatswood CBD Strategic Study*, September 2020 which concluded that the growth proposed under the CBD Strategy could be accommodated.

Recommendation

Given that Council has already made a number of refinements to the proposed height and density in Chatswood CBD during the consultation process for the Chatswood CBD Planning and Urban Design Strategy, no further changes are recommended.

4.7.3 Heights and density in St Leonards

Several submissions were received objecting to proposed new heights in St Leonards CBD. The majority of which were regarding an increase in height of a site at 207 Pacific Highway and view loss to existing residential properties.

Comment

The St Leonards Plan was led by the NSW Department of Planning and Environment (DPE) and released in August 2020 following exhibitions of proposed heights and density requirements. Its aim is to facilitate the urban renewal of St Leonards and Crows Nest with the construction of a new Metro Station at Crows Nest by providing employment and residential growth as prescribed by the *North District Plan*. The strategic direction provided in the plan is to be implemented through each council's LEP review. A Local Planning Direction issued by the Minister for Planning requires Council to ensure that a planning proposal is consistent with the St Leonards and Crows Nest Plan 2036.

Proposed controls in the comprehensive LEP reflect the plan. The St Leonards plan prescribed 25 storeys for the site at 207 Pacific Highway. As Council's LEP maps require heights to be in metres, 25 storeys was interpreted to be 77m being a 3m space from floor to floor for one storey times 25. However, a submission put forward the case that 77m does not equate to 25 storeys and the height control should be higher at 104.6m to accommodate floor to floor heights of 3.8m to accommodate for Grade A office space (which is the highest quality of office space available).

Upon review, it is apparent that 77m was an underestimate as it assumes each storey will be 3m floor to floor, whereas a minimum floor to floor requirement would be 3.3m for commercial uses, to accommodate a space for services between floors. The St Leonards Strategy zones the site as commercial. The proposed height is recommended to be changed from 77m to 83m (25 stories at 3.3m floor to floor). This will adequately accommodate commercial use whilst minimising impact on neighbouring properties.

Having regard to view loss, the heights proposed are in accordance with the height permitted under the St Leonards Strategy prepared by the State Government. The concept of view sharing is supported where reasonable, and this will be further reviewed through the design excellence and development application process.

Recommendation

It is recommended that the height at 207 Pacific Highway be amended from 77m to 83m to ensure development is able to reach 25 storeys envisioned in the St Leonards and Crows Nest Plan 2036.

Council car park at 2-10 Chandos Street

A drafting error has been identified at the Council car park site at St Leonards, where the existing height of 26m was exhibited instead of the proposed height of 13 storeys (41m) as described in the St Leonards Plan. The adjoining site was exhibited at 13 storeys (41m), as proposed in the Plan. To be consistent with the Plan, which has undergone its own community consultation process, the proposed height should be amended to 41m and applied across the entire site. Retaining the current controls would create an inconsistency with the St Leonards Crows Nest 2036 Plan and would require a lengthy and expensive process to address through a separate Planning Proposal.

Recommendation

The height of building control for 2-10 Chandos Street St Leonards be amended from 26m to 41m to address a mapping anomaly and to be consistent with the controls proposed in the St Leonards Crows Nest 2036 Plan.

4.7.4 Serviced apartments

Several submissions were received from the serviced apartment owners at 10 Brown Street, Chatswood who had experienced occupancy issues during the COVID-19 pandemic. The owners requested a change of use to residential so that they could rent their properties with a longer term lease, as serviced apartments are limited to a three-month maximum time limit. However, residential uses are prohibited in the zone (both as existing and proposed) in order to protect the commercial core. Other submissions sought to retain their use and change the zoning to B4 Mixed Use or retain the use in the B3 Commercial Core zone.

Comment

Serviced apartments are proposed to be prohibited in the B3 Commercial Core zone under the draft LEP. The Chatswood B3 Commercial Core has an existing strong commercial and retail presence with a key principle of the Chatswood CBD Strategy to promote office growth.

Concern exists with the provision of serviced apartments at the expense of office land use. The removal of serviced apartments in the B3 zone was a recommendation of the Chatswood CBD Strategy. Serviced apartments continue to be a permissible use in the B4 Mixed Use zone, which surrounds the B3 Commercial Core zone, still within the Chatswood CBD boundary. Existing serviced apartments within the B3 Commercial Core zone will continue to be permitted under existing use rights.

Recommendation

For the reasons outlined above, it is not recommended to change the prohibition of serviced apartments in the B3 Commercial Core zone. Similarly, it is not recommended that Council allow residential uses specifically for existing serviced apartments in the B3 Commercial Core zone.

4.7.5 Possible heritage loophole

A number of submissions raised concerns about a perceived “loophole” in the DCP which enables justification for demolition in conservation areas. Most of the submissions referred specifically to Artarmon Conservation Area.

Comment

Demolition in conservation areas is not supported. There are instances where property owners and developers justify approval for demolition through obtaining a structural engineer’s report, based on factors relating to instability caused by the clay substrata on which dwellings are built in the Artarmon HCA and associated impacts to the dwelling. In Artarmon Conservation area there has been a small number.

It is considered that the wording of the DCP, in relation to requirements for an application for total or partial demolition of buildings in a heritage conservation area could be strengthened to ensure that it is more clearly understood that only in the most exceptional circumstances, would approval be granted for demolition of buildings in a heritage conservation area.

Recommendation

It is recommended that substantial changes to the relevant heritage provisions of Council’s DCP be made to address this issue and clarify that demolition of heritage items and contributory buildings in Heritage Conservation Areas will not be supported.

If demolition of a contributory building is being sought in a Heritage Conservation Area, a Structural Stability Report will need to be provided to Council. A requirement for a peer review of the Structural Stability Report, to be undertaken at the expense of the applicant, is also proposed to be included as a clause in the DCP.

This will ensure a more robust process is followed to ensure demolition only occurs in the most exceptional circumstances. Extended requirements are proposed to be included in the DCP to retain significant structural features at the front portion of a dwelling. This requirement would apply across all conservation areas, not only Artarmon.

In addition, the aims of the R2 Low Density Residential zone which sit within the LEP are proposed to be amended to strengthen the need to preserve properties in conservation area.

4.7.6 Affordable housing

Generally submissions from residents supported an increase in the affordable housing rate, while property developers objected stating it would have an adverse effect on feasibility of projects.

It was evident that some residential submissions did not understand what Council's affordable housing policy is. Some suggesting housing commission, others boarding houses, so for clarity it has been explained further below.

Comment

Housing is considered affordable if housing costs are less than 30% of gross household income. Affordable housing is managed by a registered Community Housing Provider and rented to essential workers who work or have a connection with Willoughby.

Council was one of the first metropolitan councils to recognise the need for more Affordable Housing. This is done by requiring the dedication to Council of complete dwellings or their cash equivalent equalling a percentage of the accountable total floor space of new multi-unit dwellings in identified zones.

The LEP currently has a flat percentage rate of 4% applying to specific mapped areas in the Special Provisions Area Map that has been in place since 1999. The draft LEP proposed to change this to a maximum of 10%. SGS Economics undertook a study on behalf of Council to test the feasibility of having a general 10% rate across the Local Government Area. Their conclusions were included in the exhibition material. Figure 2 summarises the findings which concluded the following rates of affordable housing contributions to be feasible.

Figure 2: Affordable Housing contributions

Centre	Affordable housing contribution feasible increase
Chatswood	10% (4% for planning proposal sites)
North Willoughby	10%
Northbridge	10%
Castlecrag	10%
Artarmon	7%
Remaining centres : • Naremburn • Penshurst Street • Willoughby South	4%
Existing sites identified in WLEP 2012	4%

There are planning proposals (mainly in Chatswood CBD) that have been progressed in tandem or ahead of this comprehensive LEP review. If they have been lodged before the end of the exhibition period with a 4% agreed rate, it is proposed that rate remains as is.

A provision will be added to the final version of the LEP that will clarify this decision. These Planning Proposals are specified in **Attachment 8**.

Recommendation

It is recommended that the affordable housing clause and map be amended to include 3 areas – 4%, 7% and 10% as outlined in Figure 2.

4.7.7 Foreshore Building Line

A number of submissions raised concerns regarding built structures below the Foreshore Building Line. Primarily, concerns related to negative impacts on flora and fauna as a result of built structures currently permitted in the foreshore area under the current clause including swimming pools, pergolas, retaining walls and fences.

Comment

The draft LEP did not include any amendments to the Foreshore Building Line location or controls. A separate study could be undertaken to determine whether existing controls should be amended to further restrict built structures below the Foreshore Building Line (known as the foreshore area). This could also examine the need for stronger controls around excavation below the Foreshore Building Line. Consistency with the *SEPP (Biodiversity and Conservation) 2021* will also be considered as part of the Study.

Recommendation

That Council add an internal review of the planning controls in the foreshore building line to its work plan to commence in the 2023/24 financial year and include appropriate consultation and engagement.

4.7.8 Site specific requests

A number of site specific requests were received from property owners many having engaged planning consultants to provide justification for change.

Comment

Most site specific submissions requested changes which were in conflict with the strategic planning framework captured in the various planning strategies and the Local Strategic Planning Statement (LSPS). These requests were not supported. Details of these requests can be viewed in **Attachment 6**.

Generally, Council has undertaken a number of previous exhibitions which provided an expectation of how increase in densities be focussed within centres only. This was supplemented with independent advice and guidance from urban designers, economists and traffic engineers.

Whilst some land owners have provided strong cases for uplift, this has not been supported as part of this LEP planning review. Some may have merit for future investigation, however, Council staff do not recommend these proceed as part of this process as they are not consistent with the strategic direction outlined in the adopted strategies. Furthermore, any significant changes to this LEP would trigger the need for it to be re-exhibited. The Gateway Determination final deadline for completion of this LEP is by June 2023. This includes timing after a Council resolution to be returned to the Department of Planning and be assessed by Parliamentary Counsel. A further exhibition would interfere with this timing and the requirement placed upon Council.

Recommendation

Site specific changes not be supported Council may wish to consider applicant initiated Planning Proposals for these sites.

4.8 Reclassification and rezoning of Council land at Northbridge

The Local Centres Strategy proposed rezoning and increased height and FSR for the Northbridge Plaza car park. This change also required reclassification of Council land within the car park from community land to operational land.

Submissions received from Northbridge Progress Association requested a deferral, and raised concerns about the feasibility of the proposed controls. The Northbridge Plaza owners highlighted a need for further discussion and changes to the proposed controls. Furthermore, the reclassification process is lengthy and requires substantial resources, both of which threaten Council's ability to finalise the draft comprehensive LEP in the required timeframe.

Given the importance of the site, it is appropriate to review the details of the proposal and embark on wider discussions with the community and businesses about how the plans for the Northbridge Plaza and car park site can be progressed to deliver the outcomes desired by both Council and the community to achieve the vision of the Local Centres Strategy.

Recommendation

It is recommended that Council retain the existing controls for the Northbridge Plaza and Car Park and shopping centre, and seek a Gateway Determination for a separate Planning Proposal to implement the proposed changes to planning controls and reclassification of the land to operational to allow for further community engagement and technical investigations. Should this result in the need for changes to the planning controls that were exhibited as part of the draft comprehensive Local Environmental Plan, the matter is to be reported to Council for endorsement prior to exhibition.

The remainder of the proposed changes for the Northbridge Local Centre are recommended to proceed as exhibited.

4.8 Employment zones

In tandem with the exhibition of the draft LEP, the Department of Planning and Environment exhibited a reform of employment zones. This changes the zone names of existing business and industrial zones to employment zones. It also proposes the merging of some zones (see Figure 3 below). An explanation of how these changes would be implemented was included in the comprehensive LEP exhibition.

Figure 3: Changes to zone names

Existing	Change required by DPE
Zone B1 – Neighbourhood Centre Zone B2 – Local Centre	Zone E1 – Local Centre
Zone B3 – Commercial Core	Zone E2 – Commercial Core
Zone B4. – Mixed Use	Zone MU1 – Mixed Use
Zone B5 – Business Development Zone B7 – Business Park	Zone E3 – Productivity Support
Zone IN1 – General Industrial Zone IN2 – Light Industrial	Zone E4 – General Industrial

A more detailed explanation of the proposed Employment zones and their mapping is included in **Attachment 9**.

Recommendation

That the changes to the employment zones proceed as exhibited.

4.9 Main changes from the exhibited version of the LEP

Having fully considered all the submissions received, a number of changes to the exhibited version of the LEP are recommended. These are itemised in detail in **Attachment 8** and include the following:

- Affordable housing clause and map – specific percentage rates as recommended in the Feasibility Study to be applied (Issue 1 of **Attachment 8**).
- Rewording of the affordable housing clause to provide clarity of existing practices (Issue 1 of **Attachment 8**).
- Removal of proposed changes to planning controls for the Northbridge Plaza and car park from the draft LEP so that the existing controls applying to the site will be retained. Undertake a new study for this site with revised controls to be reconsidered by Council prior to exhibition if there are any changes required (Issue 2 of **Attachment 8**).
- Update the Comprehensive LEP to reflect individual planning proposals that have taken a parallel course (Issue 3 of **Attachment 8**).
- Remove of some sites from the comprehensive LEP for planning proposals that have not been submitted to Council and not yet exhibited. (Issue 3 of **Attachment 8**)
- Amend heights at 207 Pacific Highway, St Leonards and 2A Chandos Street, St Leonards to reflect the St Leonards and Crows Nest 2036 Plan (Issues 4 and 5 of **Attachment 8**).
- Errors to be rectified (Issue 7 of **Attachment 8**).
- Word changes to clarify existing practice (Issue 8 of **Attachment 8**).

4.10 Main changes from the exhibition of the DCP

There are a number of recommended changes to the exhibited version of the draft WDCP. These are itemised at Attachment 9. Many of the recommended changes are administrative and/or procedural. However, there are several recommended changes that have come about as a result of the public exhibition, some of which have been identified in this report.

This includes, proposed changes to the car parking rates for regional shopping centres and strengthening controls around partial and total demolition of heritage items, and/or alterations and additions to contributory buildings in Heritage Conservation Areas.

There are other recommended changes that have resulted from submissions or internal review, including:

- a requirement to limit storage areas/plant rooms to 5% of the total allowable floor area for a dwelling house (Issue 4 of **Attachment 9**);
- controls to address potential noise impacts from the operation of inclinators (Issue 11 of **Attachment 9**);
- up to date controls for charging electric vehicles (Issue 13 of **Attachment 9**);
- allowing public accessibility to car share spaces on private property (Issue 14 of **Attachment 9**); and,
- a 3m setback for child restraint barriers around swimming pools for a property boundary adjoining public reserves and pathways (Item 17 of **Attachment 9**).

4.11 Sustainability measures

Responses from the exhibition included support for the sustainability measures that the LEP and DCP aim to achieve. These include:

- Focus for housing and jobs growth in our strategic centres and local centres to ensure sustainable growth outcomes in locations walkable to services, transport and community facilities.
- Retention of industrial lands to serve the urban services needs of Willoughby and surrounding areas and ensure residents can benefit from these services in the locality.
- An elevation of residential landscaping controls from the DCP to the LEP
- Inclusion of the new Urban Heat Clause
- Expansion of the Design Excellence Clause to more sites in the LGA
- Tightening of parking rates in the DCP to arrest the increase in congestion and promote active travel throughout the LGA which in turn improves environmental conditions and community health.
- Make provision for new cycling and pedestrian networks in the DCP to improve permeability and better connect areas of open space and community facilities.
- Requirement for Electric Vehicle charging facilities in new developments under the DCP.

It is anticipated that these measures will assist in delivering a higher level of health and liveability for the citizens of Willoughby and improve the local environment in the face of progressive climate change.

The measures will also improve Council's achievement of Net zero emissions in the community by 2040.

5. CONCLUSION

A suite of strategic planning studies on the future growth of Willoughby have been undertaken and exhibited for community, industry and agency feedback over the past 5 years.

The exhibition of the draft LEP and DCP brings these pieces of work together in the form of planning controls. These planning controls are intended to respond to some of the major challenges facing the future health and prosperity of the Willoughby local government area such as climate change, providing more affordable housing, creating capacity for more housing and employment in strategic locations, and preserving local character and heritage.

It is considered that the subsequent development applications will be well guided by Council's design excellence process and the draft DCP provisions to sustainably accommodate future growth.

It is recommended that Council endorse the exhibited draft Comprehensive Local Environmental Plan and Development Control Plan including the amendments recommended in this report. It is further recommended that the Comprehensive LEP be sent to the Department of Planning and Environment for finalisation.

That finalisation process is expected to take approximately 6 months which is within the Gateway Determination timeline.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	3.7 PROMOTE HOUSING CHOICE AND AFFORDABILITY 5.4– Anticipate and respond to changing community and customer needs
Business Plan Objectives, Outcomes / Services	To ensure this Planning Proposal is in line with the <i>Local Strategic Planning Statement (LSPS)</i> , the <i>Chatswood CBD Planning and Urban Design Strategy 2036, A Metropolis of Three Cities and the North District Plan</i> in that it accommodates future housing and employment growth needs.
Policy	<i>Willoughby Local Environmental Plan 2012 and Willoughby Development Control Plan 2012</i>
Consultation	Exhibited from Tuesday 15 March until Tuesday 7 June 2022.
Resource	This report is provided using staff resources.
Risk	Risk of not accommodating future growth requirements.
Legal	The Planning Proposal would amend <i>Willoughby Local Environmental Plan 2012</i> and <i>Willoughby Development Control Plan 2012</i> .
Legislation	<i>Environmental Planning & Assessment Act 1979</i>
Budget/Financial	Future development following rezoning is subject to the <i>Environmental Planning and Assessment Act 1979</i> .

12.12 PROPERTY LEASE PORTFOLIO

ATTACHMENTS:	1. IMPLICATIONS
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:	12 DECEMBER 2022

1. PURPOSE OF REPORT

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

2. OFFICER'S RECOMMENDATION

That Council note the report on Council's property lease portfolio.

3. BACKGROUND

This report normally provides an update on the leased property portfolio on a monthly basis. However, given the 12 December 2022 meeting is only two weeks since the previous Council meeting of 28 November 2022, and the end of month figures for November 2022 are not yet available at the time this report is being prepared, an update will be provided at the next Council meeting in February 2023.

4. DISCUSSION

This month, Council is requested to consider two matters to be addressed in the Confidential session of Council's Meeting, being:

- 1. EOI received for vacant property**
- 2. Two matters relating to disruptions to businesses arising from factors beyond their control.**

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 information about 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 bad debts. Consequently, Council's lease portfolio represents an acceptable level of financial risk at this time.

COMMUNITY, CULTURE & LEISURE DIRECTORATE

12.13 EVENT TRAFFIC MANAGEMENT REPORT LUNAR NEW YEAR PARADE

ATTACHMENTS:	1. IMPLICATIONS 2. EVENT TRAFFIC MANAGEMENT PLAN
RESPONSIBLE OFFICER:	LINDA PERRINE – COMMUNITY, CULTURE & LEISURE DIRECTOR
AUTHOR:	JULIET ROSSER - FESTIVAL & EVENT PRODUCER / TEAM LEADER
CITY STRATEGY OUTCOME:	4.4 – ATTRACT VISITORS AND PROMOTE LOCAL, DESTINATION-BASED TOURISM
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

To approve the event traffic management plan (draft) for the 2023 Lunar New Year Twilight Parade on Sunday, 8 February 2020, as the Traffic Committee will not meet prior to the event.

2. OFFICER'S RECOMMENDATION

That Council:

- 1. Endorse the Traffic, Transport & Pedestrian Traffic Management Plan for the 2023 Lunar New Year Twilight Parade on Sunday 5 February 2023, for consultation and approval with the Police and Transport for New South Wales Transport Management Centre;**
- 2. That the CEO be delegated authority to finalise the Traffic, Transport & Pedestrian Traffic Management Plan post consultation and approval**
- 3. Note that a copy of the Traffic Management Plan will be retrospectively provided to the Local Traffic Committee at its next meeting in February 2023.**

3. BACKGROUND

The annual Lunar New Year Festival is a highlight of the Willoughby Events Calendar. The Year of the Rabbit Festival will run from the 18 January to 12 February 2023.

The 2023 Lunar New Year Parade is on Sunday 5 February 2023 from 7.30pm – 8.30pm. It will commence in front of Chatswood Place on Victoria Avenue and walk west into the CBD and finish at the Chatswood Mall and Endeavour Street. To facilitate this, temporary road closures will be in place.

This report seeks Council's approval to consult on, and finalise the required Traffic, Transport & Pedestrian Traffic Management Plan as the Traffic Committee will not meet prior to the event on 5 February 2023.

4. DISCUSSION

The annual Lunar New Year Festival is an inclusive celebration for all people who celebrate the lunar calendar over a three week period. The Festival is a cultural celebration including the Golden Market Celebration Day; East meets West Outdoor Concert; lion dances; various community events and a Lunar New Year Twilight Parade.

A detailed Traffic, Transport & Pedestrian Management Plan and supporting traffic control plans (ETMP) have been developed to manage the traffic, transport and pedestrian impacts for the Lunar New Year Twilight Parade and minimise traffic disruptions and delays. The ETMP will address the following traffic impacts and measures:

- Identification and assessment of the impact of the proposed measures;
- Ameliorate the re-assignment of traffic and assessment of public transport services affected;
- Outline provisions for emergency vehicles, heavy vehicles, cyclists and pedestrians;
- Assessment of the effect on existing and future developments with transport implications in the vicinity of the proposed measures;
- Assessment of the effect of proposed measures on traffic movements in adjoining Council areas;
- Provision of contingency plans and Target Hardening Plan (subject to Police's advice).

A (Draft) ETMP and supporting traffic control plans have been prepared for the event. Draft ETMP and supporting traffic control plans is attached in Attachment 1. The ETMP has been developed in consultation with key stakeholders such as local Police, STA Buses/Busways, major retailers (Westfield, Mandarin Centre, Chatswood Chase and Chatswood Place and The Concourse). Letters about proposed road closures and traffic detours have been distributed to all local residents and businesses prior to Council's consideration of this report.

Temporary road closures from approximately 5.00pm to 8.00pm are proposed as follows:

- **Hercules St and Oscar St** from Chatswood Place car park entrance/exit for parade assembly area (local access only);
- **Victoria Ave** between Hercules St and Archer St
- **Bertram St and Neridah St** from Victoria Ave to Albert Ave (local access only)
- **Havilah St** between Victoria Ave and Nicholson St (local access only) road closure from approximately 6.30pm to 8.30pm during the parade:
- **Victoria Ave** between Archer St and Anderson St
- **Anderson St** from Endeavour St to Charlotte Lane
- **Mills Lane** temporary road closure from approximately 7.00pm to 8.30pm
- **Archer St** between Albert Ave and Malvern Ave

The ETMP (draft) will be provided to Police and Transport for New South Wales Transport Management Centre for consideration and approval.

The ETMP will be submitted to the Transport Management Centre as part of a Road Occupancy Licenses (ROL) application, seeking approval for the proposed road closures.

Council will be funding the implementation of the ETMP as part of the Lunar New Year Festival budget and the Multicultural NSW Grant.

5. CONCLUSION

Willoughby City Council has supported Chinese New Year celebrations for many years and is proposing to host the 2023 Lunar New Year Festival from 18 January to 12 February 2023. The 2023 Lunar New Year Twilight Parade will be held on Sunday 5 February 2023 from 7:30pm to 8:30pm.

A detailed Traffic, Transport & Pedestrian Traffic Management Plan and supporting traffic control plans have been developed to manage the traffic, transport and pedestrian impacts for the 2023 Lunar New Year Twilight Parade and minimise traffic disruptions and delays.

It is recommended that Council endorse the ETMP for consultation and approval by Police and Transport for New South Wales (Transport Management Centre). As both Council and the Traffic Committee will not meet again prior to the event on 5 February 2023 it is recommended that the CEO be delegated authority to finalise the plans.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	4.4 – Attract visitors and promote local, destination-based tourism
Business Plan Objectives, Outcomes / Services	Reach and engage our community, using best practice techniques and contemporary platforms Inform, educate, advocate, spark interest, promote, attract audiences, sell and change culture using unique campaigns, communications and content Entertain and celebrate our people, while stimulating economy through unique experiences and events
Consultation	Key stakeholders such as local Police, STA Buses/Busways, major retailers (Westfield, Mandarin Centre, Chatswood Chase and Chatswood Place and The Concourse were consulted in November. Letters about proposed road closures and traffic detours were distributed to all local residents and businesses on 11 November 2022.
Resource	The Traffic, Transport & Pedestrian Traffic Management Plan for the 2023 Lunar New Year Twilight Parade will be implemented utilising external contractors and Council's existing staff.
Risk	The ETMP has been developed with consideration to control or eliminate risks to pedestrians, bicycles, cars, service vehicles buses and emergency vehicles.
Legal	There are no legal issues identified.
Legislation	All recommendations comply with relevant legislation and Transport for New South Wales Policies and Guidelines.
Budget/Financial	Council will be funding the implementation of the ETMP as part of the Lunar New Year Festival budget and the Multicultural NSW Grant.



Events Traffic Management Plan

Willoughby City Council

Lantern Parade 2023

02/12/2022

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Revision No.	Date	Details	Author	Approved by
-	02/12/2022	Draft	M. Kong	D. Choi

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P2191r01v1_ETMP_Twilight Lantern Parade 2023, Chatswood; Draft



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Appendix C. Emergency Access Corridors
Appendix D. Bus Detour Plan
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Glossary

Acronym	Description
Council	Willoughby City Council
DCP	Development Control Plan
HRV	Heavy Rigid Vehicle (as defined by AS2890.2:2018)
LEP	Local Environmental Plan
LGA	Local Government Area
METMP	Major Events Traffic Management Plan
MRV	Medium Rigid Vehicle (as defined by AS2890.2:2018)
NHVR	National Heavy Vehicle Regulator
RMS Guide	Transport for NSW (formerly Roads and Traffic Authority), Guide to Traffic Generating Developments, 2002
SRV	Small Rigid Vehicle (as defined by AS2890.2:2018)
TfNSW	Transport for New South Wales
TA	Transport Assessment
TS	Transport Statement
Veh/hr	Vehicle movements per hour (1 vehicle in & out = 2 movements)

1 Introduction

1.1 Overview

Willoughby City Council has been hosting Chinese New Year festivities for twenty years. The Council will be hosting 2023 Chinese New Year celebrations in the Chatswood CBD area. The 2023 festival program will for the first time include a twilight parade. To assist in the planning of the twilight parade, Ason Group has been engaged by Willoughby City Council to prepare an Event Traffic Management Plan for the parade. The Event Traffic Management Plan has been prepared in conjunction with the event organisers (Willoughby City Council).

It is understood that Council will consult with Transport for New South Wales (TfNSW), public transport operators and other relevant stakeholders.

1.2 Background

Willoughby City Council has been hosting the Lantern Parade event for a number of years. The Council will be hosting the 2023 Lantern Parade event within the Chatswood CBD area. The Lantern Parade 2023 will be held on Sunday 5 February 2023 from 7.30 pm – 8.30 pm.

The Lantern Parade will start on Hercules Street and run along Victoria Ave and Anderson St, finishing at Endeavour St. To facilitate this, temporary road closures will be in place.

To assist in the planning of the event, Ason Group has been engaged by Willoughby City Council to prepare an Event Transport Management Plan.

The Event Transport Management Plan has been prepared in conjunction with the event organisers (Willoughby City Council).

It is understood that Council has consulted the local Police, Transport for New South Wales (TfNSW), traffic management centre (TMC), public transport operators (i.e., STA Bus; Forest Coach Line) and other relevant stakeholders.

1.3 Purpose of this Report

This document constitutes the Event Traffic Management Plan and summarises the event treatments within the precinct to improve the efficiency and safety of ingress and egress for pedestrians, bicycles, cars, service vehicles, buses and emergency vehicles.

The Event Transport Management Plan includes consideration of the following:

- general precinct traffic not associated with the event
- pedestrians and cyclists not associated with the event
- patrons arriving at the event by foot, by bus, by train and by private vehicle
- Emergency Vehicle Access
- surrounding land uses in the vicinity of the event.

This report has been prepared by a consultant who holds a SafeWork NSW Work Health & Safety Traffic Control Work card, accredited for the 'Prepare a Work Zone Traffic Management Plan'. Details of the accredited consultant are provided below:

- Dora Choi Ticket No. TCT0021456

1.4 References

In preparing this Event Transport Management Plan, references have been made to the following:

- NSW Government Guide to Traffic and Transport Management for Special Events, Version 3.5, 2018
- Traffic Control at Work Sites Technical Manual, RMS, February 2022 (Version 6.1)
- Australian Standard AS1742.3 - 2019 Manual of Uniform Traffic Control Devices - Part 3: Traffic control for works on roads
- ANZCTC Hostile Vehicle Guidelines for Crowded Places, 2017
- Transport Management Centre Road Occupancy Manual, Issue 14, May 2015.

2 Event Overview

2.1 Event Description

The Lantern Parade 2023 event will be held Sunday 5 February 2023. At the time of preparation of this Event Transport Management Plan, it is understood that the event will feature art, music, performance, food, and traditional cultural celebrations.

2.2 Event Overview

A summary of the event is provided in **Table 1**.

TABLE 1: EVENT OVERVIEW	
Item	Details
Event Name	2020 Lantern Parade
Organiser	Willoughby City Council
Date	Sunday 5 February 2023
Location	Chatswood CBD
Event Classification	Class 1 and 2 Event

2.3 Parade Route

The assembly point for the parade will be at the public domain area at Chatswood Place, Chatswood. The parade will start from Chatswood Place, travel west along Victoria Avenue ending in Chatswood Mall. Figure 1 shows the proposed parade route.

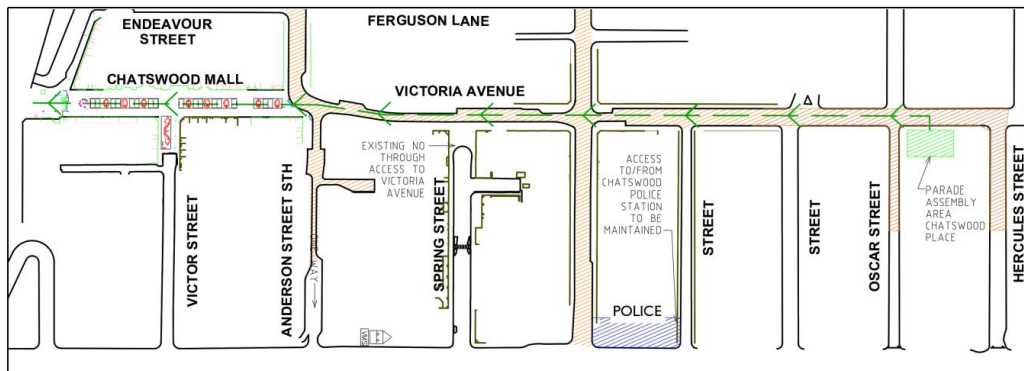


Figure 1: Proposed Parade Route

2.4 Event Contacts

An event contact register is provided below in Table 2.2. It is recommended that Willoughby City Council maintains an up-to-date contact register and distribute it to all relevant stakeholders as they change.

TABLE 2: CONTACT REGISTER

Event Owner	Description	Frequency	Operation hours / duration	Attendance	Areas occupied	Comments
Willoughby City Council	Bernard Lau	Events Tech Office	0411 403 657	Bernard.Lau@willoughby.nsw.gov.au	Willoughby City Council	Bernard Lau
Willoughby City Council	Juliet Rosser	Events Producer	0429 997 980	Juliet.Rosser@willoughby.nsw.gov.au	Willoughby City Council	Juliet Rosser
Willoughby City Council	Daniel Sui	Senior Transport Engineer	0409 785 819	Daniel.Sui@Willoughby.nsw.gov.au	Willoughby City Council	Daniel Sui
STA	Tony Moujalli	Customer Operations Manager (Western Region)	0400 782 555	tony_moujalli@sta.nsw.gov.au	STA	Tony Moujalli
STA	Egwin Herbert	Traffic and Service Manager (Northern and Western Region)	0400 185 292	Egwin_Herbert@sta.nsw.gov.au	STA	Egwin Herbert
NSW Police (North Shore Police Area Command)	Ryan Edwards	Traffic Supervisor	02 9956 3139	Edwa2rya@police.nsw.gov.au	NSW Police (North Shore Police Area Command)	Ryan Edwards
Transport for NSW	TBC	A/Network and Safety Office (Sydney – North West Precinct)	TBC	TBC	Transport for NSW	TBC
Transport Management Centre (Transport for NSW)	TBC	Senior Transport Operations Planner - Major Events	TBC	tmc_piu@tmc.transport.nsw.gov.au	Transport Management Centre (Transport for NSW)	TBC

2.5 Event Footprint

There will be a number of event installations throughout the Chatswood CBD for Lantern Parade 2023. The resultant event footprint is shown in Figure 2.

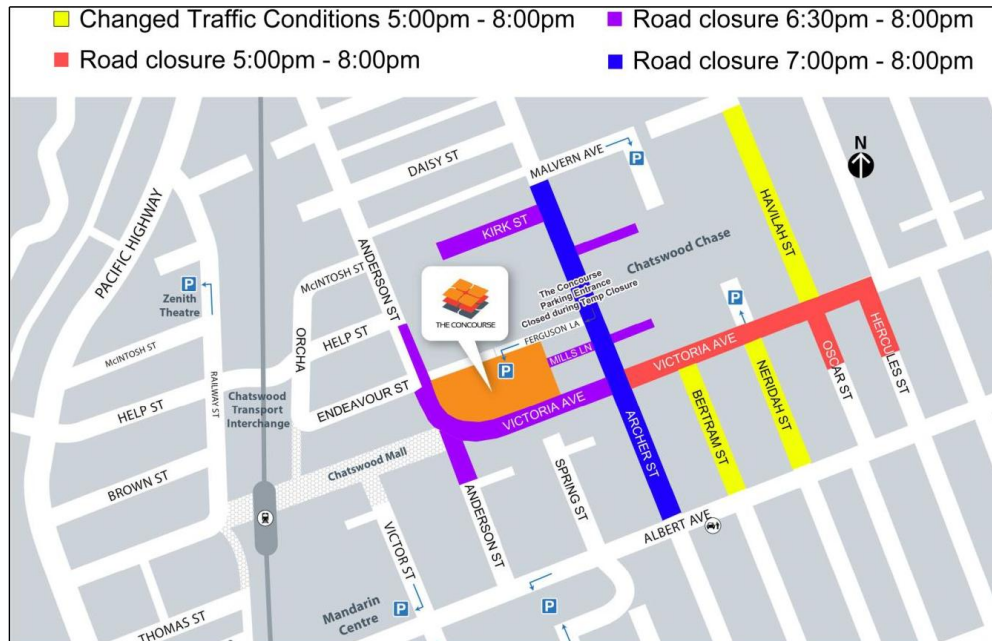


Figure 2: Event Footprint

2.6 Proposed Road Closures

Temporary road closure from approximately 5.00 pm to 8.00 pm during the parade:

- Hercules St and Oscar St from Chatswood Place car park entrance/exit
- Victoria Ave between Hercules St and Archer St
- Bertram St and Neridah St from Victoria Ave to Albert Ave (local access only)
- Havilah St between Victoria Ave and Nicholson St (local access only)

Temporary road closure from approximately 6.30 pm to 8.30 pm during the parade:

- Victoria Ave between Archer St and Anderson St
- Anderson St from Endeavour St to Charlotte Lane
- Kirk Street and Mills Lane

Temporary road closure from approximately 7.00 pm to 8.30 pm during the parade:

- Archer St between Albert Ave and Malvern Ave

2.7 Class of Special Events

The NSW Government Guide to Traffic and Transport Management for Special Events, Version 3.5, 2018 outlines the processes to identify the class of special event which are based on the level of disruption to traffic and transport systems, and disruption to the non-event community.

The Lantern Parade 2023 event is classified as a mix of Class 1 and Class 2 events, as the event will impact local traffic and transport systems and will result in low-scale disruption to the non-event community as a result of road closures within the Chatswood CBD area.

2.8 Risk Assessment & Risk Management

The Occupational Health & Safety Act 2000 requires "that risks to health and safety at a place of work are identified, assessed and eliminated or controlled." A number of Traffic Guidance Schemes have been developed to describe the use of traffic control devices as part of risk management for traffic.

While this TMP provides risk management for the traffic component of the event, an overall risk assessment should be conducted by the event organisers for the whole event.

3 Existing Conditions

3.1 Site Context

The parade will start at Chatswood Place and continue via Chatswood Transport Interchange to Chatswood Mall and Victoria Avenue, ending at Bertram Street. The immediate land uses surrounding the event precinct are largely retail, with some commercial and residential land uses. Key retail uses in the immediate vicinity of the parade are:

- The Interchange, typically open between 7 am and 10 pm on Sundays
- Mandarin Centre, typically open between 10 am and 6 pm on Sundays
- Lemon Grove, typically open between 7:30 am and 8:30 pm on Sundays
- Westfield Chatswood, typically open between 10 am and 6 pm on Sundays
- Chatswood Chase is typically open between 10 am and 5 pm on Sundays.
- Chatswood Place is typically open between 8.30 am and 8 pm on Sundays.

3.2 Surrounding Road Network

Chatswood Mall is a pedestrian link connecting Chatswood Transport Interchange with Victoria Avenue and is closed to general traffic.

Victoria Avenue functions as a local collector road through the spine of Chatswood CBD (East). Anderson Street (north of Victoria Avenue) and Archer Street run perpendicular to Victoria Avenue linking Chatswood CBD to the arterial road network. All roads along the parade route, including side streets such as Havilah Street, Kirk Street, Mills Lane, Spring Street, Bertram Street, Neridah Street, Oscar Street and Hercules Street, are local roads under the care and management of Willoughby City Council.

3.3 Public Transport

Chatswood Transport Interchange is a centralised hub for train, bus and taxi services. A map of the interchange is provided in Figure 3.

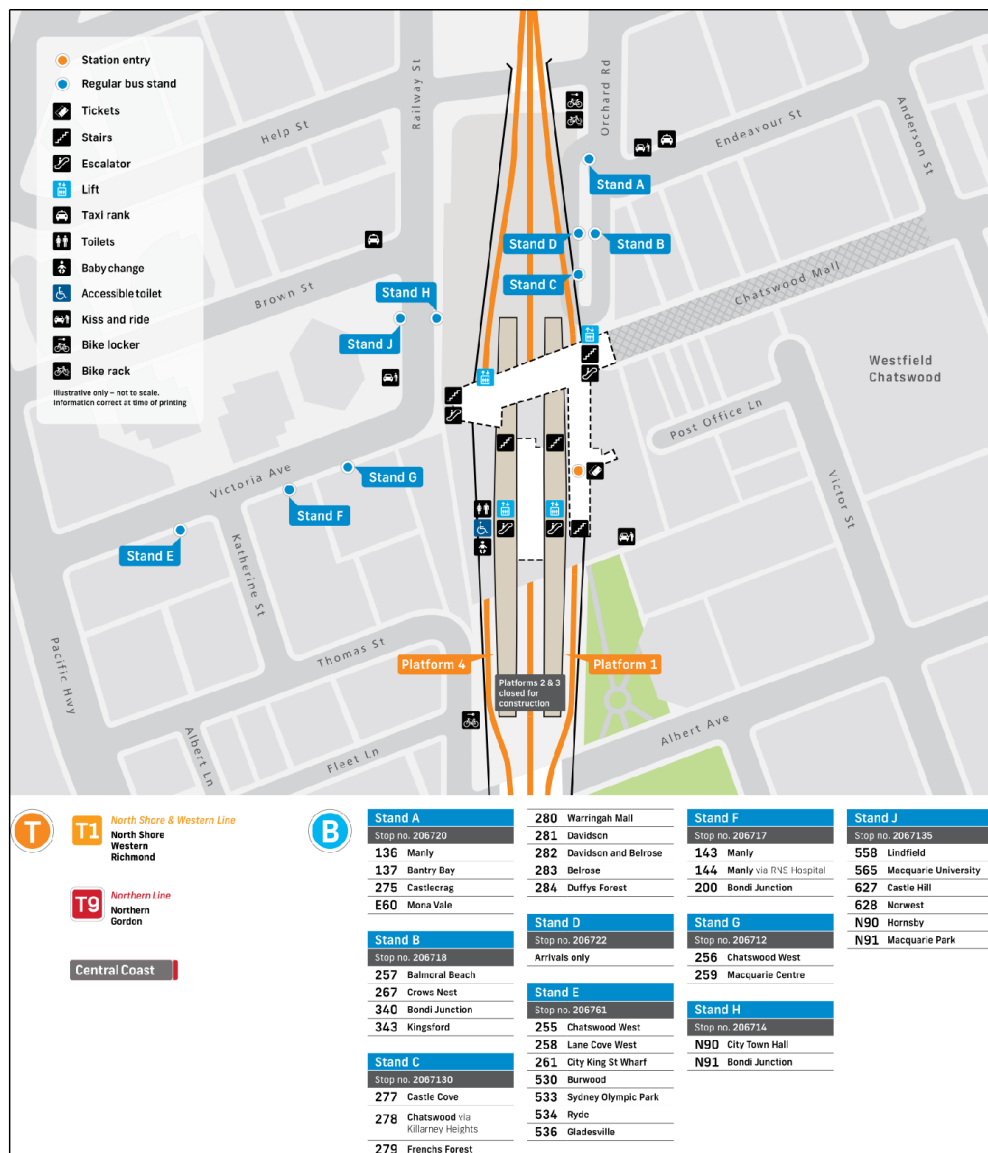


Figure 3: Chatswood Transport Interchange

3.3.1 Train Services

The T1 North Shore, Northern and Western Line and Central Coast Line services Chatswood Railway Station. In addition, the Sydney Metro Northwest is in operation and services 13 metro stations including Chatswood Station.

There will be no disruptions to train services as a result of the hosting of the event.

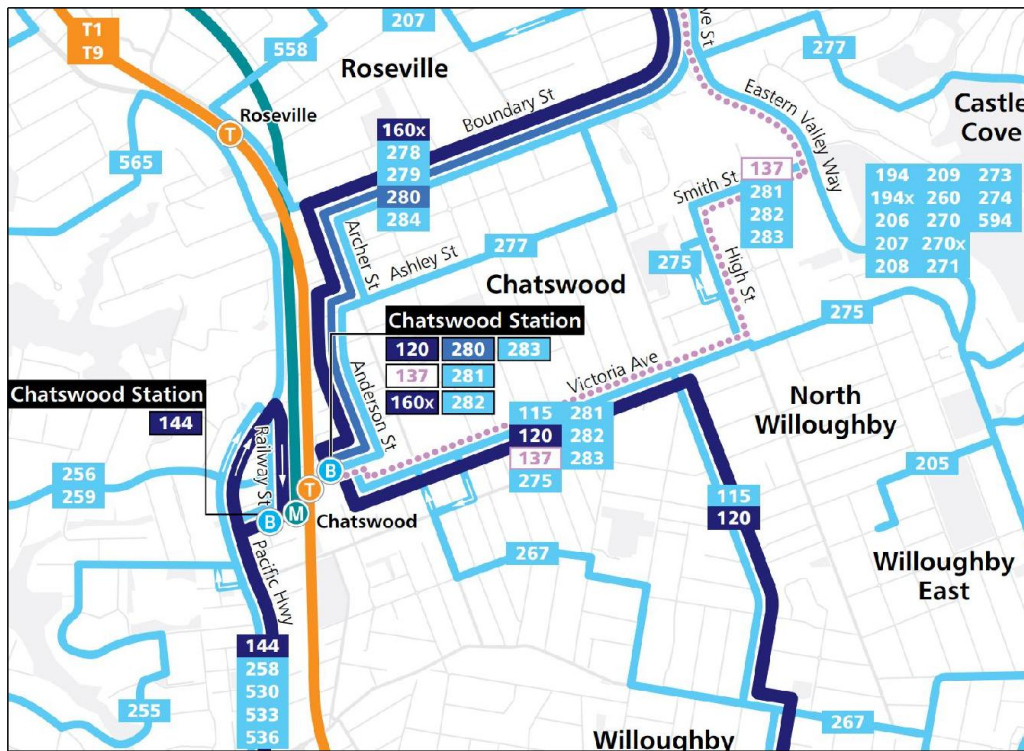
3.3.2 Bus Services

Several bus services operate from Chatswood Interchange. A summary of the bus routes in the vicinity of the site is shown in Figure 4.

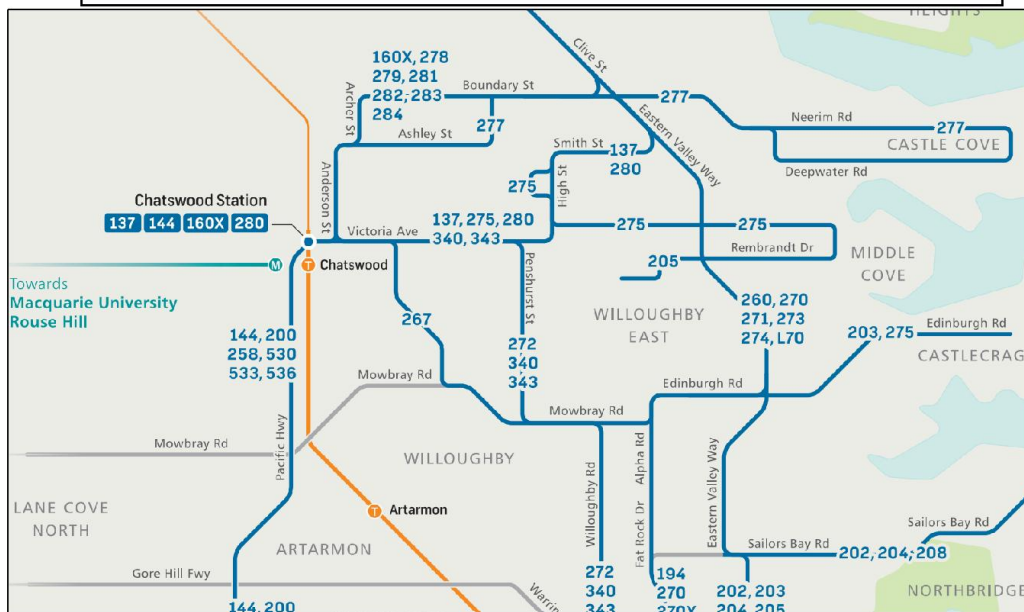
Stand A Stop no. 206720 136 Manly 137 Bantry Bay 275 Castlecrag E60 Mona Vale	280 Warringah Mall 281 Davidson 282 Davidson and Belrose 283 Belrose 284 Duffys Forest	Stand F Stop no. 206717 143 Manly 144 Manly via RNS Hospital 200 Bondi Junction	Stand J Stop no. 2067135 558 Lindfield 565 Macquarie University 627 Castle Hill 628 Norwest N90 Hornsby N91 Macquarie Park
Stand B Stop no. 206718 257 Balmoral Beach 267 Crows Nest 340 Bondi Junction 343 Kingsford	Stand D Stop no. 206722 Arrivals only	Stand G Stop no. 206712 256 Chatswood West 259 Macquarie Centre	
Stand C Stop no. 2067130 277 Castle Cove 278 Chatswood via Killarney Heights 279 Frenchs Forest	Stand E Stop no. 206761 255 Chatswood West 258 Lane Cove West 261 City King St Wharf 530 Burwood 533 Sydney Olympic Park 534 Ryde 536 Gladesville	Stand H Stop no. 206714 N90 City Town Hall N91 Bondi Junction	

Figure 4: Bus Services Operating from Chatswood Interchange

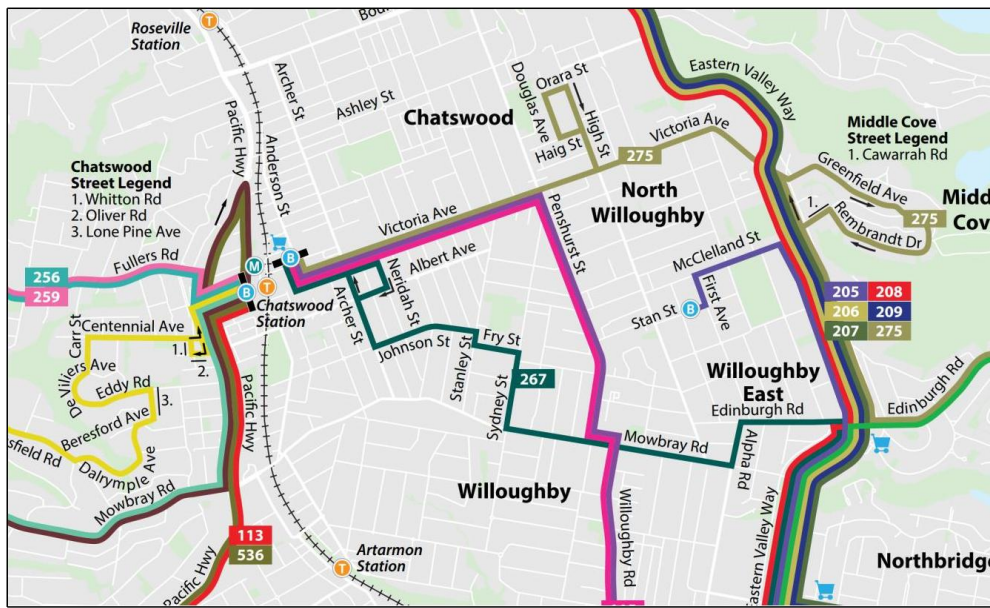
A map of the bus routes in the vicinity of the event is shown in Figure 5.



Source: https://www.kdnorthernbeaches.com.au/wp-content/uploads/2021/11/Region_8_network_map.pdf



Source: <https://transportnsw.info/document/3953/buses-around-northern-beaches.pdf>



Source: <https://transportnsw.info/document/5788/r7networkmap121222.pdf>

Figure 5: Existing Bus Routes

There will be no disruptions to bus services as a result of the hosting of the event.

3.4 Surrounding Car Parking

On-street car parking is available near the event is subject to a range of parking restrictions. Some on-street car parking surrounding the event will be temporarily removed during the road closure period.

There are several commercial car parks near the event which can be utilised for car parking, including the following which are open for the full duration of the event:

- Chatswood Place Car Park
- Westfield Chatswood Car Park
- Chatswood Chase Car Park
- The Concourse Car Park
- Mandarin Centre Car Park
- 75 Albert Avenue Car Park
- Chatswood Place Car Park
- Zenith Centre Car Park.

3.5 Parking Permit

Street Parking Permits can be provided to businesses in advance that cannot access their carparks during the road closures for this event. Please contact the Events Team on 9777 1000 or email events@willoughby.nsw.gov.au to request a permit before Friday 27th January 2023.

3.6 Customer Notification

Please ensure you advise your customers of road closures that may affect them. Please add to notice boards and social media to ensure customers are aware of the road closure changes.

3.7 Deliveries to shops

We highly recommend you organise deliveries of goods to your business a day before or after the event. For further information about Chatswood Year of the Rabbit Festival, the Twilight Lantern Parade or to become a sponsor to engage with our audience, visit www.visit chatswood.com.au/ny or email events@willoughby.nsw.gov.au

4 Traffic and Transport Management Strategy

4.1 Overview

The traffic management strategy has been developed specifically to accommodate the full closure of roads along the parade route and any partial or full closure of affected side roads. The key considerations highlighted by the Event Traffic Management Plan for the 2023 Chatswood Chinese New Year Parade are:

- Development of an overview Traffic Guidance Scheme (TGS) for the management of traffic and pedestrians during the event which requires the road closure of Victoria Avenue, and a number of other roads leading to Victoria Avenue.
- Identification and management of detour routes for relevant modes.
- Traffic impacts and measures to mitigate road closures, including provisions for emergency vehicles, heavy vehicles, cyclists and pedestrians.

4.2 Communication with Key Stakeholders

The Willoughby City Council Events Team will inform local businesses and residents of the event and any proposed road closures. The Events Team will work closely with key community groups that may participate in the parade as well as the local Chinese Cultural Centre. Communication will be provided sufficiently in advance to all key stakeholders, with the anticipated notifications as follows:

- Static signage advertising the event in conjunction with existing arrangements for the Chinese New Year festivities
- Variable Message Signage (VMS) identified in the Traffic Management Plan – 1 week
- Advanced notification: 2-3 months prior to the event (North Shore Times newspaper, website, social media, etc.)
- Additional notification to properties directly affected: 3 weeks prior to the event (letter drop)
- Final notification to properties directly affected: 1 week prior to the event (letter drop).

VMS Locations

To provide road users with advanced warning of the event road closures, VMS will be provided at the following locations in the lead-up and during the parade using temporary VMS:

- Help Street between Railway Street and Orchard Road
- Anderson Street between Tulip Street and Iris Lane
- Archer Street between Boundary Street and William Street
- Archer Street between Johnson Street and Albert Avenue
- Victoria Avenue between east of Septimus Street
- Albert Avenue between Anderson Street South and Spring Street.

All temporary VMS will be positioned in accordance with RMS guidelines (in particular, avoiding locations near decision points). The final VMS locations will be confirmed by the supplier and/ or appointed traffic management contractor and agreed upon with relevant authorities prior to installation.

The intended messages, location and positioning of the VMS during the event road closure, are illustrated in Appendix A. In the week leading up to the parade, the VMS will advise motorists of the parade and associated event road closures between 6:30 pm and 8:00 pm on Sunday 5 February 2023.

4.3 Road Closures

The following roads will be closed to general traffic between 6:30 pm and 8:00 pm on Sunday 5 February 2023:

- Victoria Avenue between Anderson Street and Neridah Street
- Anderson Street between Endeavour Street and Albert Avenue
- Archer Street between Ferguson Lane and Albert Avenue
- Bertram Street between Victoria Avenue and Albert Avenue

Local and delivery access will be retained to side roads closed along the parade corridor. Appropriate closure signage will be placed in advance of and at any road closures. Detour signage will be provided to guide vehicles around the road closures. The Overview Traffic Control Plan showing the overall proposed signage around the event is provided in Appendix A.

4.4 RMS Accredited Traffic Controllers

RMS-accredited traffic controllers will be positioned on road to control and manage traffic flow. The proposed locations are listed below:

- Help Street/ Anderson Street
- Endeavour Street/ Anderson Street
- Ferguson Lane/ Archer Street
- Archer Street/ Albert Avenue
- Bertram Street/ Albert Avenue
- Victoria Avenue/ Neridah Street.

The locations of RMS-accredited traffic controllers are shown in the Overview Traffic Control Plan shown in Appendix A.

4.5 Temporary No-Stopping Zones

Temporary No Stopping zones (enforced by WCC) will be installed in advance of the event at the following locations that will be timed with the road closure:

- Victoria Avenue between Anderson Street and Neridah Street
- Neridah Street between Victoria Avenue and Albert Avenue
- Albert Avenue between Archer Street and Oscar Street.

The introduction of temporary No Stopping zones along Neridah Street and Albert Avenue would improve road capacity along the detour routes, thus reducing congestion and delays.

Vehicles parked in the road closure zone will be escorted out of the zone by the RMS-accredited traffic controllers.

The location for the temporary No Stopping zone is illustrated in Appendix B.

4.6 Road Occupancy Licence

Road Occupancy Licenses (ROL) are required to be submitted to the Traffic Management Centre (TMC) for all road occupancies that are on or may impact traffic signals and/ or a classified road (State Road). As such, an ROL application along with this Event Traffic Management Plan will be submitted to the TMC by the appointed traffic management contractor to apply for road closures for the 2023 Chatswood Chinese New Year Parade.

4.7 Emergency Vehicle Access

A minimum Emergency Access Corridor of 4 metres is required to be maintained at all times to ensure that emergency vehicles can enter the parade corridor. It is assumed there would be no height restrictions along the Emergency Access Corridors.

The following roads are recommended for the Emergency Access Corridors:

- Orchard Street, Endeavor Street, Help Street
- Anderson Street
- Archer Street
- Bertram Street.

The Emergency Access Corridors are illustrated in Appendix C.

RMS-accredited traffic controllers will escort emergency vehicles through the Emergency Access Corridors and/ or parade corridor, as required.

All emergency services will be notified of the event at least 7-10 days prior to the event.

4.8 Parade Loading and Unloading

The parade assembly area is located at Chatswood Place.

It is expected that parade performers will require an area to load and unload any equipment required for the parade. It is recommended the parking spaces along the eastern side of Neridah Street west of Chatswood Place be temporarily signed as a loading zone to facilitate the safe and efficient loading and unloading of parade equipment. It is recommended that the loading zone be managed by event staff.

As such, parking along Neridah Street should be temporarily signed as a loading zone during the road closure period to facilitate the safe and efficient loading of parade equipment.

4.9 Contingency Plans

Any contingency road closures will be made by the Traffic and Events team on the night of the event. It is understood that contingency road closures may be required on the day of the event due to:

- Larger than expected crowds, whereby road closures need to be implemented earlier than the initial forecast
- Heavy traffic movement around road closure areas
- Adverse weather conditions
- Other unforeseen circumstances.

Should contingency measures be required on the day, it is recommended that Council's Traffic Engineer consult with stakeholders and implement the traffic management measures required. The TMP prepared has made allowance for larger than expected crowds and already included elements of the contingency plan.

4.10 Traffic Guidance Schemes

4.10.1 Road Closure and Detour Signage

An overview Traffic Control Plan has been prepared to show all traffic management signage for the proposed road closures and associated detours. This plan has been provided as Appendix A.

The appointed traffic management contractor would develop and install detailed Traffic Guidance Schemes in accordance with Australian Standard AS1742.3-2019 and the RMS Traffic Control at Work Sites manual.

It is recommended that traffic engineering judgment and discretion should be applied in all instances for the installation of all traffic management devices.

4.10.2 Bus Detour Routes

A Bus Detour Plan has been prepared to show the proposed bus detour routes subject to agreement with Willoughby City Council and Sydney Buses. This plan has been provided as Appendix D.

4.10.3 4 Vehicle Mitigation

A Traffic Guidance Scheme (See Appendix E) has been prepared, with reference to ANZCTC Hostile Vehicle Guidelines for Crowded Places, 2017, which shows the proposed measures involved for vehicle mitigation at vehicle access points.

5 Transport Management Strategy

5.1 Commercial Car Park Management

While it is recommended that public transport be utilised as the primary form of transport to the event, it is understood that there will be some patrons which will arrive by private vehicle. There are several commercial car parks near the parade which may be utilised by event patrons.

5.1.1 Chatswood Place

Chatswood Place is typically open from 8:30 am to 8 pm on Sundays. Chatswood Chase has a single car park access point on Oscar Street. The Chatswood Place car park is open from 6 am to 11 pm.

Due to the closure of Oscar Street south of the carpark access point, all vehicles accessing the carpark will have to arrive from and depart to Albert Avenue.

5.1.2 Chatswood Chase

Chatswood Chase is typically open from 10 am to 5 pm on Sundays. Chatswood Chase has three car park access points on Victoria Avenue, Archer Street and Malvern Avenue. The Chatswood Chase car park is open from 6 am to 12 Midnight, with the Archer Street and Malvern Avenue exits closing at 7 pm.

Due to the closure of Archer Street at Ferguson Lane, it is recommended that the Archer Street car park entrance be closed for egress given right turns from the car park are restricted. It is noted that the Malvern Avenue and Victoria Avenue car park accesses will not be affected by and road closures.

5.1.3 Westfield Chatswood

Westfield Chatswood is typically open from 9 am to 6 pm on Sundays. Westfield Chatswood has several car parks with access points from Victor Street, Albert Avenue and Anderson Street. Due to the one-way nature of Anderson Street and its closure, the Anderson Street car park access points will be closed for ingress. Vehicles within the car park would be permitted to egress from the car park under traffic control. It is noted that all other access points will not be affected by road closures.

5.1.4 The Concourse

The Concourse car park is typically open between 6 am and 1 am on Sundays. Access to the car park is via Ferguson Lane, via Archer Street. It is noted that there is a right-turn ban for vehicles over 3m in height from Archer Street into Ferguson Lane.

Access to The Concourse car park will not be affected by road closures with the Archer Street closure between Ferguson Lane and Albert Avenue.

5.2 Bus Detour Routes

Bus Routes 136, 257, 267, 275, 115 and 120 will be affected by event road closures. All affected bus routes currently utilise Victoria Avenue. Willoughby City Council has existing agreements and arrangements with Sydney Buses for rerouting of buses for road closures which will be utilised for this event. The following arrangements are listed below:

- Road closures will apply from 6 pm to 9 pm with all services affected between this period rerouted
- Bus Routes 136 and 275 will detour to the following route to/from Chatswood Station: Victoria Avenue → Penshurst Street→Ashley Street→Anderson Street→Help Street
- Bus Routes 257, 115 and 120 will detour to the following route to/from Chatswood Station: Penshurst Street→Ashley Street→Anderson Street→Help Street
- Bus Route 267 will detour to the following route and terminate at Archer Street and Johnson Street: Johnson Street→Olga Street→Albert Avenue→Archer Street.

It is recommended that an additional temporary stop be provided along Penshurst Street to service patrons affected by bus stops closed along Victoria Avenue. Notifications are recommended at the affected bus stops prior to the event to advise patrons of the temporary arrangements.

Special Event Shuttle Bus

Willoughby City Council will provide a free special event shuttle bus service during the event road closure (6 pm to 9 pm) to transport bus patrons (affected by temporary bus stop closures along Victoria Avenue) and parade spectators between Hercules Street and Penshurst Street to access bus services along Penshurst Street.

Refer to Appendix D for the proposed bus detour routes.

5.3 Cycling and Walking

The event is proposed to be pedestrian and cycle-friendly, with a number of road closures ensuring pedestrian safety.

It is recommended that a clear path is retained along the parade corridor for general pedestrian access, with at least a 3 metre wide clear path provided on each side of Chatswood Mall to accommodate parade spectators and maintain through pedestrian movement.

It is recommended that Event Marshalls be located along both sides of the parade route to monitor crowds and ensure safe pedestrian passage along both sides of the parade route.

There are several bicycle facilities available in the vicinity of the event including a number of secure bicycle lockers at Chatswood Interchange and Chatswood Chase. There is also a range of on-street bicycle parking available in the precinct.

5.4 Taxi

Existing taxi zones along Anderson Street and also outside The Concourse on Victoria Avenue will be relocated for the event. It is understood additional taxi zones will be provided around the event precinct to cater to the expected increase in visitors in the area.

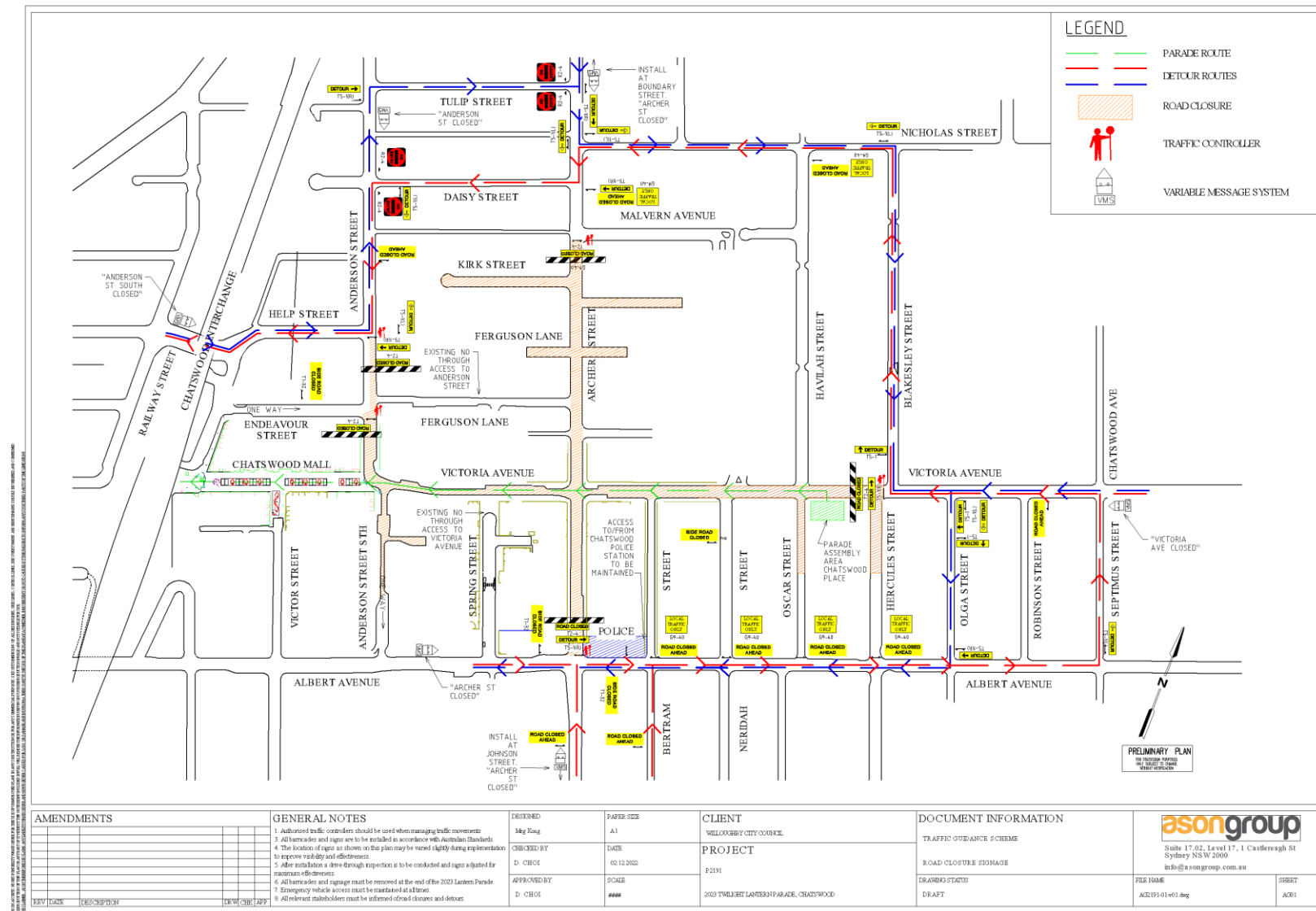
Willoughby City Council will work in conjunction with NSW Taxi to ensure the relocation of the taxi zones. NSW Taxi will be notified of road closures and detours in advance of the event.

5.5 Public Communication

Chatswood is well-served by public transport options as an alternative to private vehicle use. It is therefore recommended that these options are communicated to patrons as the primary mode of transport to the event to help minimise vehicular traffic in the precinct.

Furthermore, for those who are planning on driving, it is recommended that all traffic management arrangements such as road closures and detours are also communicated via newspaper, website, social media, etc.

Appendix A. Overview Traffic Guidance Scheme



REV	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY	APPROVED BY

GENERAL NOTES

1. All road signs and signs are to be installed in accordance with Australian Standards.
2. The location of signs as shown on this plan may be varied slightly during implementation to improve visibility and effectiveness.
3. After installation a drive-through inspection is to be conducted and signs adjusted by maximum effective views.
4. All barriers and signage must be removed at the end of the 2023 Lunar Parade.
5. Emergency vehicle access must be maintained at all times.
6. All relevant stakeholders must be informed of road closures and detours.

DESIGNED: Jig Kang
CHECKED BY: D. CHOI
APPROVED BY: D. CHOI

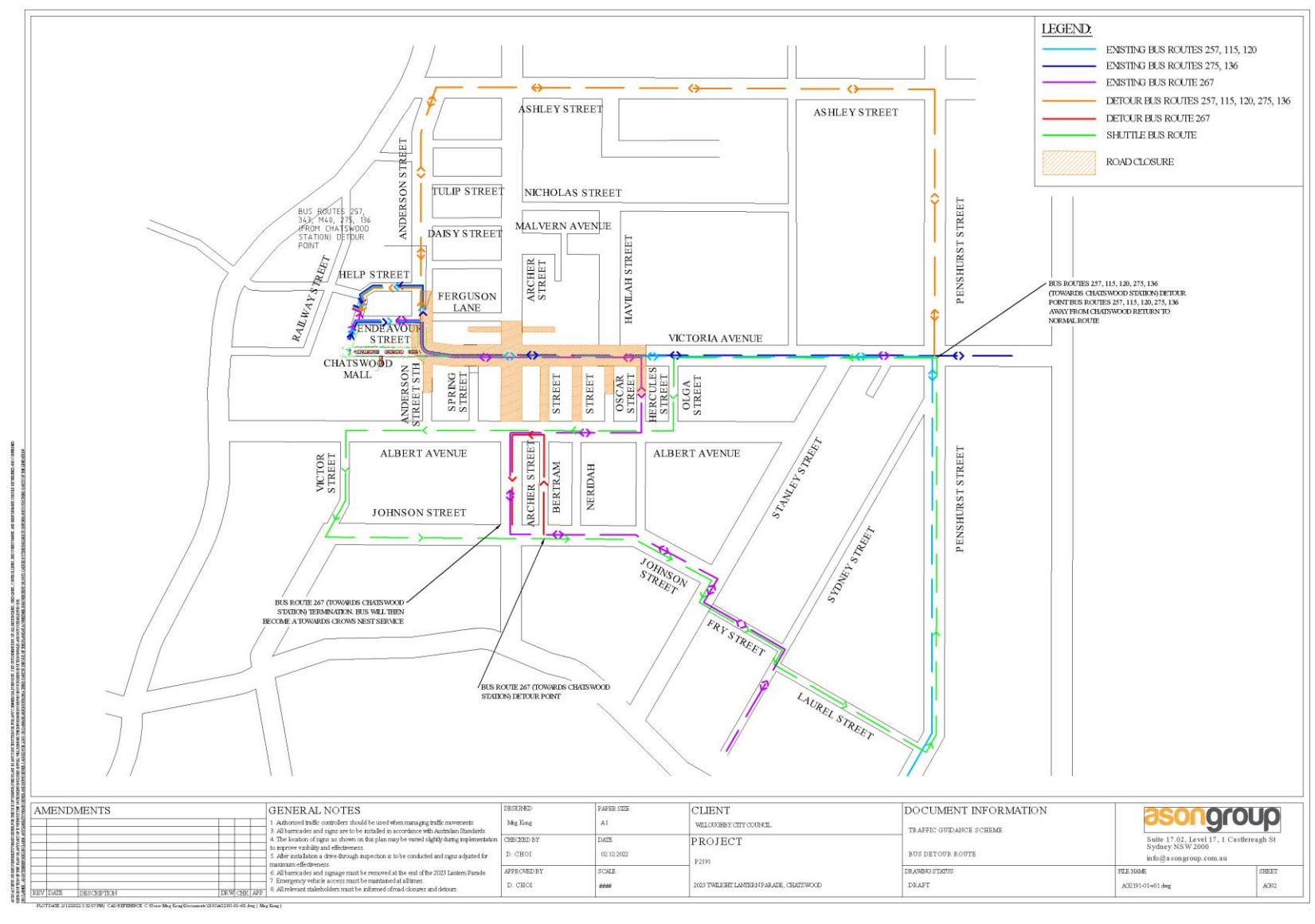
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DATE: 02.12.2022
SCALE: 1:1000

CLIENT: WILLOUGHBY CITY COUNCIL
PROJECT: P2191
 2023 TWILIGHT LANTERN PARADE, CHATSWOOD

DOCUMENT INFORMATION
 TRAFFIC GUIDANCE SCHEME
 ROAD CLOSURE SIGNAGE
 DRAWING STATUS: DRAFT

asongroup
 Suite 17.02, Level 17, 1 Castlereagh St
 Sydney NSW 2000
 info@asongroup.com.au
 FILE NAME: AC2191-01-w11.dwg
 SHEET: AC01

Appendix B. Temporary Parking Restriction Changes



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AMENDMENTS	DATE	BY

GENERAL NOTES

1. Authorized traffic controllers should be used when managing traffic movements.
2. All barricades and signs are to be installed in accordance with Australian Standards.
3. The location of signs as shown on this plan may be varied slightly during implementation to improve visibility and effectiveness.
4. After installation a drive-through inspection is to be conducted and signs adjusted for maximum effectiveness.
5. All barricades and signage must be removed at the end of the 2023 Lunar Parade.
6. Emergency vehicle access must be maintained at all times.
7. All relevant stakeholders must be advised of road closures and detours.

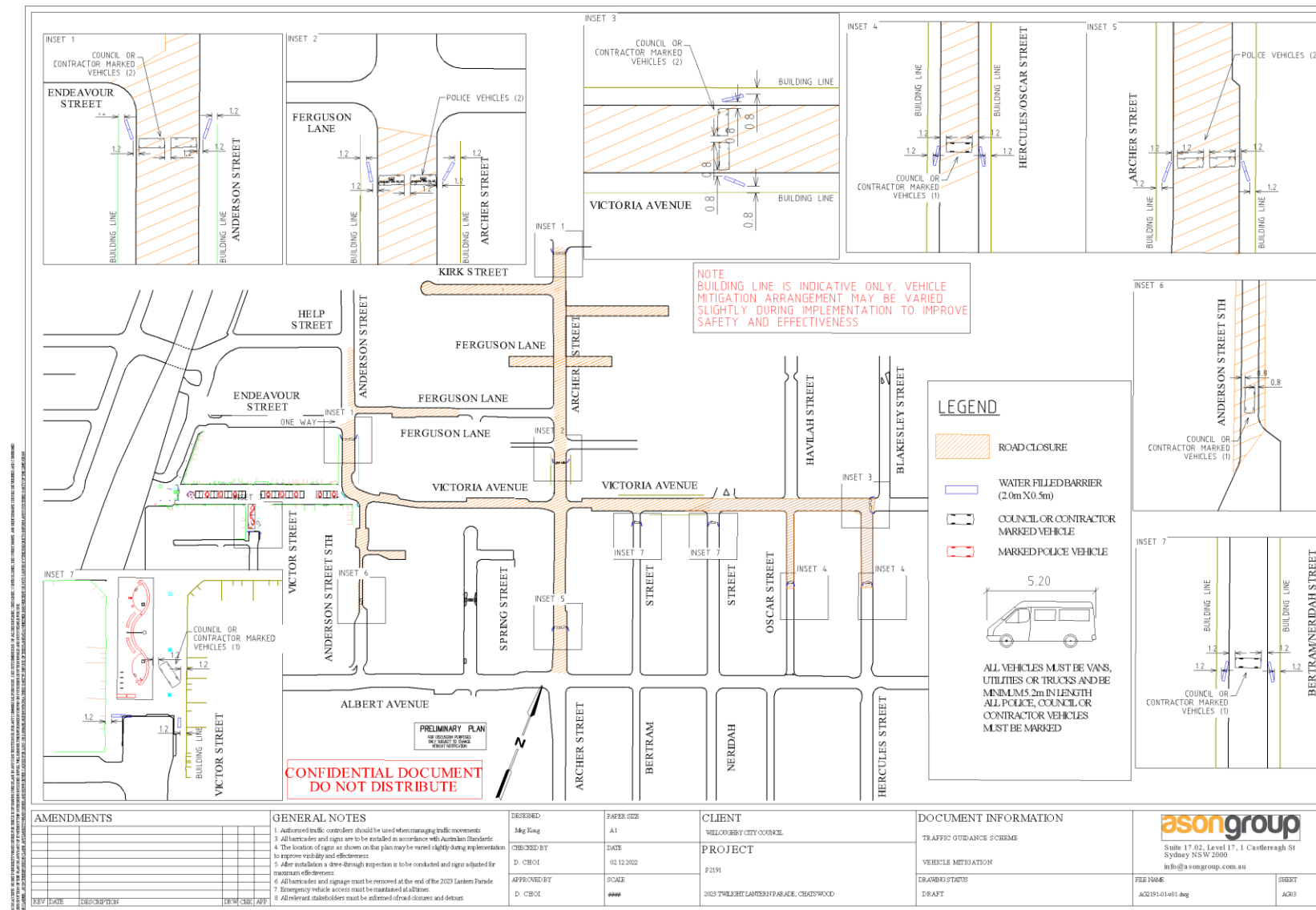
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CHECKED BY	DCE	DATE	02.12.2022
DRAWN BY	D. CHOI	SCALE	####
APPROVED BY	D. CHOI	CLIENT	WILLOCHREY CITY COUNCIL
		PROJECT	P2191
			2023 TWILIGHT LUNAR PARADE, CHATSWOOD

DOCUMENT INFORMATION
TRAFFIC GUIDANCE SCHEME
BUS DETOUR ROUTE
DRAWING STATUS
DRAFT

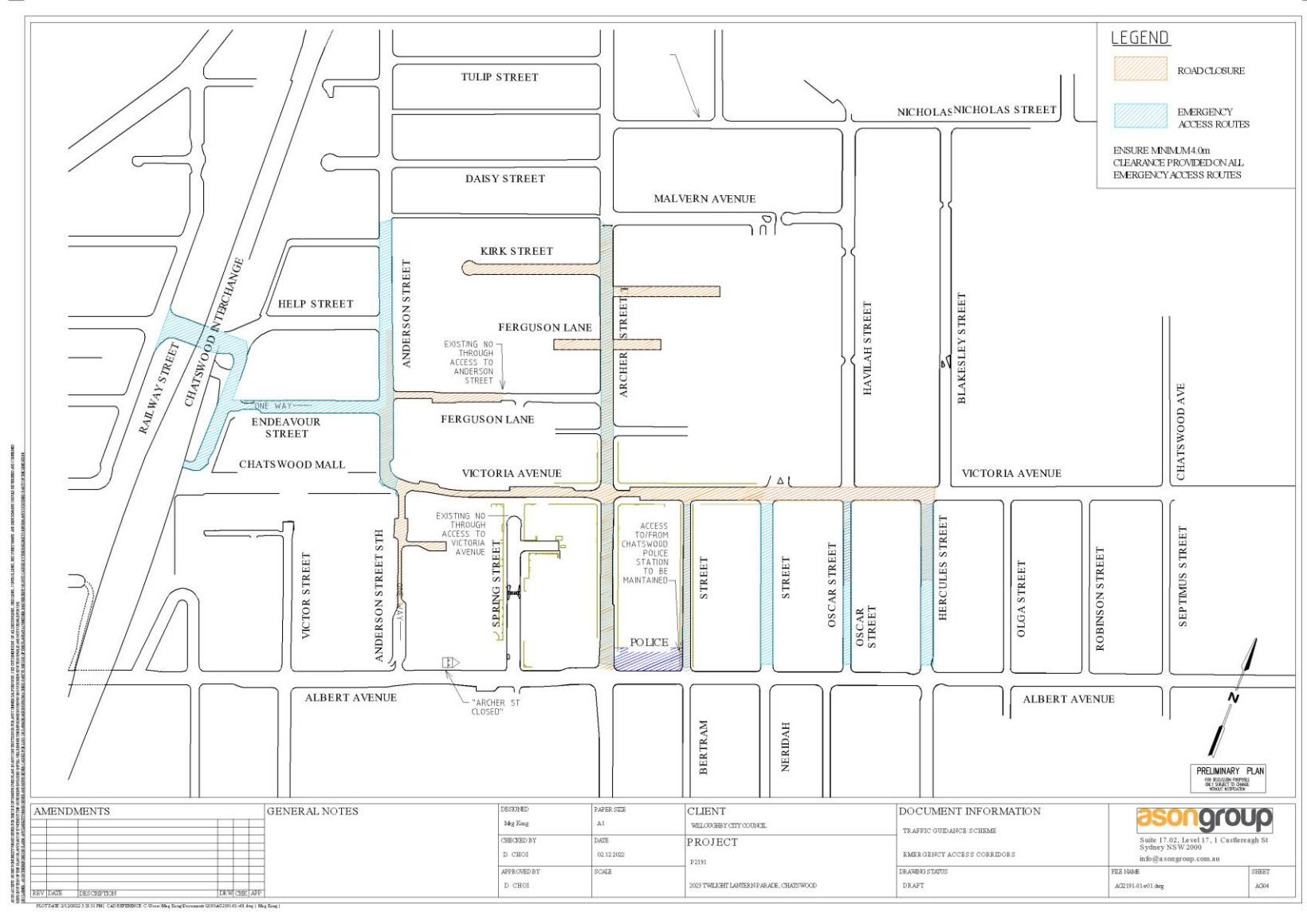
Suite 17.02, Level 17, 1 Castlereagh St
Sydney NSW 2000
info@asongroup.com.au

FILE NAME	ACE191-01-v01.dwg	SHEET	A002
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Appendix C. Emergency Access Corridors



Appendix D. Bus Detour Plan



REV	DATE	DESCRIPTION	BY	CHK	APP

GENERAL NOTES

DESIGNED
Mig Tang

CHECKED BY
D. CHOI

APPROVED BY
D. CHOI

PAPER SIZE
A1

DATE
02/12/2022

SCALE

CLIENT
WILLOUGHBY CITY COUNCIL

PROJECT
P2191
2023 TWILIGHT LANTERN PARADE, CHATSWOOD

DOCUMENT INFORMATION

TRAFFIC GUIDANCE SCHEME

EMERGENCY ACCESS CORRIDORS

DRAWING STATUS
DRAFT

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FILE NAME
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A04

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Appendix E. Vehicle Mitigation Plan

12.14 GRANTS FOR THE COMMUNITY PROGRAM 2022-2023 APPLICATIONS

ATTACHMENTS:	1. IMPLICATIONS 2. RECOMMENDED APPLICATIONS
RESPONSIBLE OFFICER:	LINDA PERRINE – COMMUNITY CULTURE AND LEISURE DIRECTOR
AUTHOR:	TRACEY WALKER – COMMUNITY PROJECTS OFFICER
CITY STRATEGY OUTCOME:	5.4 – ANTICIPATE AND RESPOND TO CHANGING COMMUNITY AND CUSTOMER NEEDS
MEETING DATE:	12 DECEMBER 2022

1. PURPOSE OF REPORT

To seek Council endorsement for the distribution of funds under the Grants for the Community Program for the 2022/23 financial year.

2. OFFICER'S RECOMMENDATION**1. Endorse the distribution of funds through the 2022/23 Grants for the Community Program - Category 1 as follows:**

- | | |
|--|----------------|
| • Federation of Willoughby Progress Associations | \$4,000 |
| • North Shore Theatre Company | \$6,000 |

2. Endorse the distribution of funds through the 2022/23 Grants for the Community Program – Category 2 - Local Performing Arts Groups Subsidy:

- | | |
|---|----------------|
| • Beating Time, Willoughby's Multicultural Senior's Choir | \$3,000 |
|---|----------------|

3. BACKGROUND

The Grants for the Community Program was adopted by Council in June 2021, and 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).

Under the Program, applications may be submitted all year round and recommended applications are tabled at Council Meetings each month (or as required) for endorsement.

This report details the recommended applicants received in November-December 2022 for Category 1 - Grants for the Community and Category 2 – Local Performing Arts Subsidies.

4. DISCUSSION

The Grants for the Community Program has an annual budget of \$169,569. Council has endorsed \$97,944 for distribution in the 2022/23 financial year, with \$71,625 of funds remaining.

4.1 – 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 LGA.

Grants for the Community criteria.

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)

Council received a total of two applications across November-December 2022.

Total Amount being sought:	\$11,500
WCC Officer Recommendation:	\$10,000

Funding is recommended for all of the applicants. The application recommendations are detailed in **Attachment 2**.

4.2 - Category 2 - Local Performing Arts Subsidies

Council provides recurrent financial support to well established performing arts organisations with an ongoing role in the development of performing arts locally and that have an ongoing schedule of events at The Concourse or Zenith Theatre and other venues by agreement. This subsidy is awarded annually and is supported by a Memorandum of Understanding with each group.

The program aims to heighten the profile of community performance groups, as well as The Concourse and Zenith Theatre as performing arts facilities.

Local Performing Arts Subsidies criteria.

Applicants must;

1. Demonstrate value to both the Willoughby community and Willoughby City Council through the provision of high quality live art, entertainment or cultural performances, civic ceremonies, conferences/tradeshows or exhibitions.
2. Involve participation and audience from local residents.
3. Include local support either financial or in kind.
4. Show evidence that the proposed activity is well planned, including a marketing plan to attract the target audience.

Preference is given when organisations/performances:

- Celebrate and encourage our diversity
- Activate local spaces in creative ways
- Respect and celebrate our history and heritage sites
- Promote accessible services for the community

This funding program provides recurrent funding for a time period to be determined, subject to a Memorandum of Understanding (MOU) between Council and the successful applicant.

The following organisation has applied for Local Performing Arts Groups Subsidies:

- Willoughby's Multicultural Senior's Choir \$3,000
- Total Amount being sought: **\$3,000**
WCC Officer Recommendation: **\$3,000**

Funding is recommended for this applicant. The recommended applicant is outlined in **Attachment 2**.

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 two Grants for the Community applications receive funding.

If endorsed, \$58,625 will remain in the Grants for the Community Program budget for the remainder of the 2022/23 financial year.

ATTACHMENT 1

IMPLICATIONS	COMMENT
City Strategy Outcome	2.7 – Promote accessible services for the community 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 2022/23 operational budget.

ATTACHMENT 2

RECOMMENDED APPLICATIONS – NOVEMBER – DECEMBER 2022
GRANTS FOR THE COMMUNITY PROGRAM

Category 1 – Grants for the Community Applicants

APPLICANT	MEETS CRITERIA	AMOUNT REQUEST	AMOUNT RECOMMEND	PROJECT OUTLINE
Federation of Willoughby Progress Associations	Yes	\$4,000	\$4,000	The Federation of Willoughby Progress Associations is the peak body for 9 Willoughby Progress Associations. They address issues that relate to the whole of Willoughby. Their stated purpose is to represent the interests of the Progress Associations of the City of Willoughby to promote good governance and transparency in local government. They have requested funding to assist with the upgrade and hosting of their website to improve communication and notification within the community. Full funding is recommended
North Shore Theatre Company	Yes	\$7,500	\$6,000	North Shore Theatre Company 2023 season of three productions, which promote inclusivity and celebrate diversity while supporting local businesses and services in creative industries, and promoting a night-time economy. Given the applicant receives Concessional venue hire already the Officer recommends partial funding. Partial funding is recommended
TOTAL		\$11,500	\$10,000	

Category 2 – Local Performing Arts Subsidies

APPLICANT	MEETS CRITERIA	AMOUNT REQUEST	AMOUNT RECOMMEND	PROJECT OUTLINE
Beating Time, Willoughby's Multicultural Seniors' Choir.	Yes	\$3,000	\$3,000	Beating Time is a local multicultural community choir accepting anyone who loves to sing, no audition necessary. Full funding is recommended
TOTAL		\$3,000	\$3,000	

13 NOTICES OF MOTION

NIL

14 QUESTIONS WITH NOTICE

NIL

15 CONFIDENTIAL MATTERS

15.1 CONFIDENTIAL - SHOP 2, THE CONCOURSE - EOI CAMPAIGN

ATTACHMENTS:	1. IMPLICATIONS 2. OFFER FROM OI GROUP – SHOP 2 3. CONCOURSE SHOP LOCATION PLAN
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:	12 DECEMBER 2022

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to the following: -

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business
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15.2 CONFIDENTIAL - CLAIMS FOR DISRUPTION TO BUSINESS

ATTACHMENTS:	1. IMPLICATIONS
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:	12 DECEMBER 2022

REASON FOR CONFIDENTIALITY

This Report 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
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CONFIDENTIAL ATTACHMENTS

12.9 LEGAL MATTERS REPORT – ATTACHMENT 3

16 CONCLUSION OF THE MEETING
