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 24 July 2017

commencing at 7:00pm

The Meeting is open to the Public

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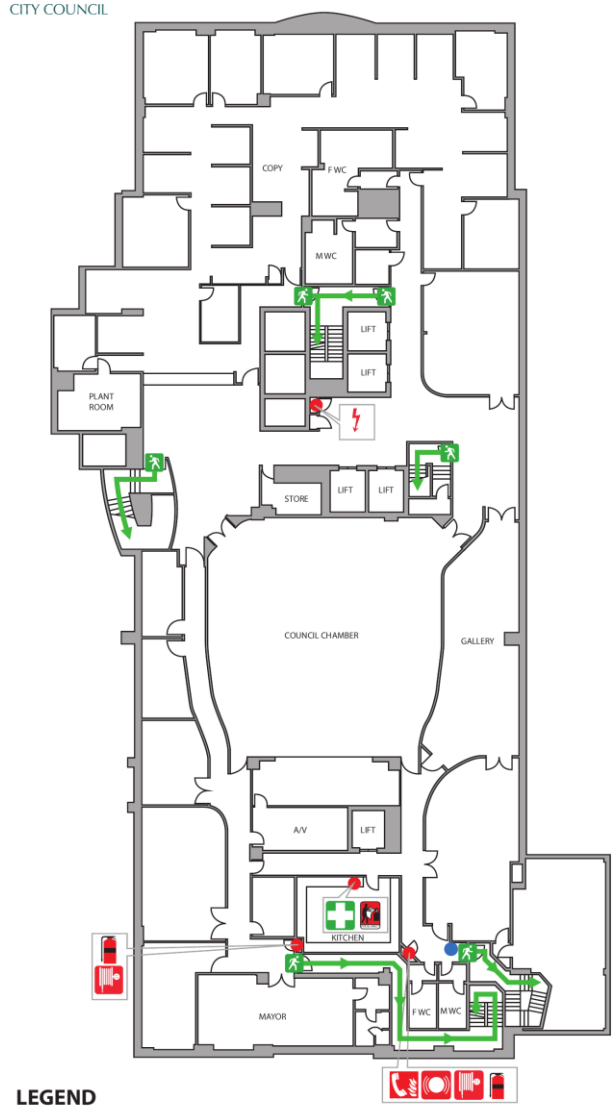
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WILLOUGHBY CITY COUNCIL

Level 6 Floor Plan

WILLOUGHBY CITY COUNCIL

EVACUATION DIAGRAM | COUNCIL CHAMBERS



LEGEND

	FIRE EXIT		EMERGENCY ASSEMBLY POINT
	STAIRS		EMERGENCY EXIT ROUTE
	YOU ARE HERE		FIRST AID KIT
	ELECTRICAL DISTRIBUTION BOARD		FIRE BLANKET
FH	FIRE HYDRANT	FIP	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 Rememberance

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

IN THE EVENT OF AN EMERGENCY

Remove any person from danger
Alert staff and others
Confine smoke/fire and close doors
Extinguish fire, if safe to do so -
If not, assist others and move to the Emergency Assembly Area.

EVACUATION PROCEDURES

ALERT BEEEP..BEEEP..BEEEP.

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

EVACUATE WOOOP..WOOOP..WOOOP.

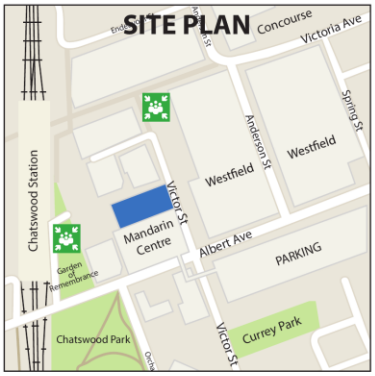
When you hear this sound you MUST evacuate using the nearest Fire Exit. Do not run and do not use any Lifts. If you need assistance to evacuate advise the nearest Staff member.

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

SITE PLAN



www.beawaresolutions.com.au
Ph 1300 71 81 31

Date of Issue: 12-2014
Date of Review: 12-2017

NOT DRAWN TO SCALE

COUNCIL CHAMBERS

MINUTE SECRETARY	ACTING GOVERNANCE MANAGER	**MAYOR**	GENERAL MANAGER
P Sheldrake	A Patterson	**CLR G GILES-GIDNEY**	D Just

Clr R Hill	SAILORS BAY	MIDDLE HARBOUR	Clr J Rutherford
Clr J Hooper			Clr A Rozos
Clr H Eriksson			Clr W Norton
Clr N Wright	NARAMBURN	WEST	Clr M Stevens
Clr M Sloane			Clr L Saville
Clr S Coppock Deputy Mayor			Clr T Mustaca

Council

Staff

No additional materials will be distributed to the meeting after 5.00pm.

After Mayoral Minutes in the Order of Business, the Mayor will invite persons in the Gallery to nominate items listed on the Agenda that they wish to be considered by Council and those items will be dealt with immediately, in the order so nominated, for the convenience of those present.

Council Chamber Protocol

Ordinary Council Meetings are held on the second and fourth Mondays 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.
- If you have an interest in a matter on the agenda you can have that matter discussed early in the Council meeting, after Open Forum, by taking a numbered ticket (located immediately outside the Council Chamber). When your number is called by the Mayor, you should inform the Mayor of the matter you are interested in. 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. Nor can people who have been to an Inspection Committee or Ward Inspection address Open Forum.

      Requests to speak at Open Forum can be made by contacting email@willoughby.nsw.gov.au before noon on the day of the meeting.
    - **Agenda Items** – people wishing to address Council in relation to a specific matter on the agenda (this includes applicants and objectors) must put their request in writing to email@willoughby.nsw.gov.au before noon on the day of the meeting. The decision as to whether or not the person will be heard rests with the Council. Objectors will not be heard unless the applicant is given the right of reply. It should be noted that people who have previously addressed the Inspection Committee generally cannot address Council again.
- You may approach any Councillor before or after a Council meeting, or in the foyer during a meeting if the Councillor leaves the Chamber. You are not permitted to approach Councillors in the Council Chamber while a Council meeting is in progress.
- You are able to distribute additional papers to Councillors prior to a Council meeting. To assist you to do this, Council's staff will arrange the distribution of the papers if they are addressed to the Governance Unit and delivered 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 General Manager and the Mayor.
- Please ensure that all mobile phones are turned **off** whilst you are in the Council Chamber.
- **Guidelines for Speakers –** When addressing the Council, please remember to be courteous. Comments made by participants in any Council or Committee 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 or Committee 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*.

1 PRESENT

2 DISCLOSURES OF INTEREST - COUNCILLORS

3 CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 10 July 2017, copies of which have been circulated to each member of Council, be confirmed.

4 APOLOGIES AND LEAVE OF ABSENCE

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5 PETITIONS

5.1 PETITION - OPPOSITION TO SAME SEX MARRIAGE

RESPONSIBLE OFFICER:	**ANDREW PATTERSON – ACTING GOVERNANCE MANAGER**
AUTHOR:	**PATRICIA SHELDRAKE – MINUTES SECRETARY**
CITY STRATEGY LINK:	**1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

A petition, containing 443 signatures, has been sent to Council in opposition to Same Sex Marriage Legislation being debated by Council.

A copy of the petition has been distributed to Councillors electronically. Members of the public may inspect a copy of the petition at Council offices or at the Council Meeting.

OFFICER'S RECOMMENDATION

That Council receive and note the petition from residents opposed to Same Sex Marriage legislation being debated by Council.

6 OPEN 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 either on the Agenda or already subject to address by applicant and/or correspondent). A maximum period of 30 minutes will be set aside.

7 MAYORAL MINUTE

8 GENERAL MANAGER'S LATE REPORT

9 MATTERS FOR DEFERRAL, REFERRAL TO INSPECTION AND/OR PROCEDURAL PRIORITY

10 MATTERS NOT REQUIRING ELABORATION OR DEBATE

At this stage, the Mayor will invite members of the public to nominate the items they wish Council to deal with immediately, and these matters will then be dealt with in the order so nominated.

11 MATTERS BROUGHT FORWARD BY THE PUBLIC

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12 REPORTS FROM COMMITTEES

12.1 SAILORS BAY WARD COUNCILLORS INSPECTION MEETING - 147-151 SAILORS BAY ROAD, NORTHBRIDGE - DA2014/419/B

ATTACHMENTS:	**1. MINUTES OF WARD MEETING HELD 7 JULY 2017** **2. WARD INSPECTION COMMITTEE REPORT DATED 10 APRIL 2017**
RESPONSIBLE OFFICER:	**IAN ARNOTT - PLANNING MANAGER**
AUTHOR:	**IAN ARNOTT – PLANNING MANAGER**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To seek Council determination in respect to Section 96 Modification application 2014/419/B seeking to increase the overall height of the building by 1.08 metres with provision of lift access to the roof top communal open space and modification mechanical plant.

Background/Discussion

Development Application 2014/419 for demolition of existing structures at 147- 151 Sailors Bay Road, Northbridge, and construction of a 5 storey, 23 unit mixed use residential/commercial building, car parking, strata subdivision and associated works was approved by the Sailors Bay Ward Councillor Committee on 20 July 2015.

An application to modify the consent was approved by the Sailors Bay Ward Councillor Committee on 20 April 2016 but did not approve a component of the application which sought to increase the height of the lift shaft and plant room.

The current Section 96 application was considered by the Sailors Bay Ward Councillor Committee on 7 July, 2017. The Minutes of the Ward Council meeting are attached (Attachment 1). As the Ward Councillors were not unanimous the application is referred to Full Council for determination.

A copy of the Ward Councillor Committee report is attached for Council consideration (Attachment 2).

OFFICER'S RECOMMENDATION

That Council:

1. Receive the Minutes of the Sailors Bay Ward Councillors Inspection Committee Meeting held on 7 July 2017, relating to DA2014/419/B for S96 – Modify lift overrun and mechanical duct heights.

2. Note the Motions proposed, but not seconded by the Committee being:

Motion: Councillor Eriksson

That the application be approved in accordance with the Officer's recommendation.

Motion: Councillor Hooper

That the application be refused.

3. Determine the application.

ATTACHMENT 1

REPORT OF THE PROCEEDINGS OF THE MEETING OF THE SAILORS BAY WARD COUNCILLORS INSPECTION COMMITTEE OF WILLOUGHBY CITY COUNCIL HELD ON FRIDAY, 7 JULY 2017, COMMENCING AT 12:00 PM.

Present Councillors Hooper and Eriksson
(Chairperson – Councillor Hooper)

Apology: Councillor Hill

Officer Present: Candice Pon – Development Assessment Officer
Ian Arnott – Planning Manager

The Committee considered the matter referred to it.

1. Disclosures of Interest - Members and Staff

   Councillor Eriksson – Non-pecuniary/ less than significant.
   (Previously resided in adjoining building and parents own a unit in adjoining building but not impacted by development).

2. **Property: 147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 DA-2014/419/B**
   Description: S96 - Modify lift overrun and mechanical duct heights.

   Applicant: Castlenorth Pty Limited

   Correspondents: Mr R C Stewart and Mrs M D Stewart
   Mr C J Komor
   Mr G N Sheldon and Mrs S M Sheldon
   Northbridge Progress Association

   The applicant's representative, Mr T. Byrnes and correspondents, Mrs M Stewart, Mr R Coote and Mr G Sheldon, addressed the Committee and answered questions of the Councillors.

   RESOLVED UNDER DELEGATED AUTHORITY:

   Motion: Councillor Eriksson

   That the application be approved in accordance with the Officer's recommendation.

   Motion: Councillor Hooper

   That the application be refused.

The meeting closed at 12.30pm

As the Councillors were not unanimous the application is referred to Council for determination.

ATTACHMENT 2

WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Ward: Sailors Bay Road)

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063

DA NO: **DA-2014/419/B**

ATTACHMENTS:
1. **NOTIFICATION MAP**
2. **ARCHITECUTRAL PLANS**
3. **SECTION SHOWING THE HEIGHT INCREASE**
4. **ASSESSMENT OF THE HEIGHT NON-COMPLIANCE**
5. **SECTION 96 CONSIDERATIONS**

DATE: **10-APR-2017**

RECOMMENDATION:	APPROVAL
LOCATION:	147-151 SAILORS BAY ROAD, NORTHBRIDGE NSW 2063
APPLICANT:	CASTLENORTH PTY LIMITED
OWNER:	CASTLENORTH PTY LIMITED
APPROVED DEVELOPMENT:	DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A 5 STOREY, 23 UNITS MIXED USE RESIDENTIAL/COMMERCIAL BUILDING, CARPARKING, STRATA SUBDIVISION AND ASSOCIATED WORKS
PROPOSAL:	S96 - MODIFY LIFT OVERRUN AND MECHANICAL DUCT HEIGHTS.
DATE OF LODGEMENT:	10-FEB-2017
REPORTING OFFICER:	CANDICE PON (DEVELOPMENT PLANNER)
RESPONSIBLE OFFICER:	ARTHUR TSEMBIS (ACTING DEVELOPMENT PLANNING TEAM LEADER)

DESCRIPTION OF PROPOSAL

Section 96 modification application seeks Council's consent to modify the approved plans of the development. The modifications include external changes to the design and height of the building.

The proposed modifications include:

- Removal of the chair lift that provided access to the common area on the rooftop.
- Providing lift access to the rooftop common area by increasing the height of the lift overrun by 1.08m above the approved height to comply with the Building Code of Australia Part D3.1.
- Increase the height of the plant rooms by 0.78m

Delegations

The height of the original proposal exceeded 10%; therefore, the application was referred to and determined at a Ward Councillor Committee meeting.

It is noted that the previous Section 96 DA-2014/419/A proposed a number of modifications including an increase in the height of 0.88m. The proposal to increase the height was to accommodate an increase in the lift shaft to provide equitable access to the common area on the rooftop. However, the determination by the Sailors Bay Ward Councillors did not approve the increase in the height.

The subject application is referred to the Sailors Bay Ward Council Inspection Committee for determination in accordance with Council's policies and procedures as notification of the application attracted more than three (3) submissions. In addition the modifications will result in a further non-compliance with the Height Control as outlined below (refer to **Attachment 3** for the section showing the height increase):

WLEP 2012	Approved	Standard	Subject S96B	Extent of Non-Compliance	
				Approved	Proposed
Height	16.2-18.5m (lift overrun) RL 108.07	14m	19.58m RL 109.15	2.2-4.5m (lift overrun) 32.14%	5.58m (lift overrun) 39.85%

Neighbour Notification

The application was notified for 14 days in accordance with B.4 of the WDCP from 21 February to 7 March 2017. The notification of the application attracted four (4) submissions from:

- the Northbridge Progress Association;
- 23 Baring Road;
- 15 Noonbinna Crescent; and
- 6 Bellambi Street.

The issues of concern raised in the submissions primarily related to the increase in the height and the inconsistency of the proposed development with respect to the Northbridge Masterplan, traffic control and adherence to work hours. These issues are further discussed under the Notification Issues section of this report.

WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Cont.) (Ward: Sailors Bay)



Figure 1. Existing site demolition has been completed

Relevant History

- DA-2014/419 for demolition of existing structures and construction of a 5 storey, 23 units mixed use residential/commercial building, carparking, strata subdivision and associated works was approved by the Sailors Bay Ward Councillor Committee on 20 July 2015.

- DA-2014/419/A to modify the original proposal to include internal and external changes was approved by the Sailors Bay Ward Councillor Committee on 20 April 2016. It is noted that the proposed height increase of 0.88m for the lift shaft and plant rooms were not approved as part of the consent for DA-2014/419/A.

- The existing building has been demolished and construction of the approved development has commenced.

- The subject application DA-2014/419/B is seeking Council consent for the increase in height of 1.08m to increase lift access and plant by 0.78m. The applicant has advised that an additional 0.2m to the previously requested 0.88m in DA-2014/419/A is required as a result of structural requirements for the lift overrun and the minimum lift manufacturer for the lift system and mechanics. The increase in the lift overrun is to accommodate equitable access to all common areas to comply with the Building Code of Australia Part D3.1.

WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Cont.) (Ward: Sailors Bay)

ASSESSMENT

Controls an d Classification	
Zoning	B2 – Local Centre
Conservation area	No
Heritage Item	No
Bushfire Prone Area	No
Foreshore Protection Area	No
Flood related planning control	No
Applicable DCP	WDCP
Applicable SEPPs	SEPP(65), SEPP(BASIX) SEPP(Infrastructure), SEPP (Sydney Harbour Catchment)
Other relevant policies	Northbridge Masterplan
Developer's Contribution Plans:	S94A/s94: No - no additional cost

Referrals	
Building Services	No objection and no additional conditions.

Development Statistics
The approved development statistics remain unchanged with the exception of height. In this regard the proposed overall height of the building is 19.58m and is non-compliant with the height control of 14m.

The subject modification application is consistent with S96 of the *Environmental Planning and Assessment Act 1979*. The considerations of the application under the relevant provisions of S96 (2) of the Act are provided in **Attachment 5** of this report.

Matters for Consideration Under S.79C EP&A Act

Satisfactory ✓ Unsatisfactory ✖ Not Relevant N/A

(a)(i)	The provisions of any environmental planning instrument (EPI)	
	• State Environmental Planning Policies (SEPP)	✓
	• Regional Environmental Plans (REP)	✓
	• Local Environmental Plans (LEP)	✓
	WLEP 2012 The original proposal was assessed against the relevant objectives of the B2 Local Centre Zone and Clause 4.3 (Height) and Clause 4.6 of the WLEP 2012.	
	The proposal further increases the non-compliance beyond the approved Height development standards. The proposed further increase in the non-compliance is supported by the assessing officer. Please refer to the **Attachment 4** of this report for further discussion.	
	SEPP 65 (Design Quality of Residential flat development) The proposed development is a 'residential flat building' as defined by Clause 3 of SEPP 65, and is required to meet the Design Quality Principles and the Residential Flat Design Code (RFDC) of the SEPP. In accordance with the ten design quality principles in SEPP 65, the proposal is considered to be satisfactory as the proposal consists of minor modifications to the approved development which remain mostly unaltered with the exception of the height increase.	
(a)(ii)	The provision of any draft environmental planning instrument (EPI)	
	• Draft State Environmental Planning Policies (SEPP)	✓

WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Cont.) (Ward: Sailors Bay)

Matters for Consideration Under S.79C EP&A Act

Satisfactory ✓ Unsatisfactory ✖ Not Relevant N/A

	• Draft Regional Environmental Plans (REP)	✓
	• Draft Local Environmental Plans (LEP)	✓
	Comment: The proposal is not considered to contravene any of the Draft SEPPs, DWLEP 2012 Housekeeping, reclassification and other amendments.	
(a)(iii)	Any development control plans	
	• Development control plans (DCPs)	✓
	Comment: The proposed modification does not alter any WDCP controls.	
(a)(iv)	Any matters prescribed by the regulations	
	• Clause 92 EP&A Regulation-Demolition	✓
	• Clause 93 EP&A Regulation-Fire Safety Considerations	✓
	• Clause 94 EP&A Regulation-Fire Upgrade of Existing Buildings	**N/A**
(b)	The likely impacts of the development	
	• Context & setting	✓
	• Access, transport & traffic, parking	✓
	• Servicing, loading/unloading	**N/A**
	• Public domain	✓
	• Utilities	✓
	• Heritage	✓
	• Privacy	✓
	• Views	✓
	• Solar Access	✓
	• Water and draining	**N/A**
	• Soils	**N/A**
	• Air & microclimate	**N/A**
	• Flora & fauna	**N/A**
	• Waste	**N/A**
	• Energy	**N/A**
	• Noise & vibration	**N/A**
	• Natural hazards	**N/A**
	• Safety, security crime prevention	**N/A**
	• Social impact in the locality	**N/A**
	• Economic impact in the locality	**N/A**
	• Site design and internal design	✓
	• Construction	✓
	• Cumulative impacts	✓
	Comment: The proposed height increase does not contribute to any unreasonable impacts on the adjoining and surrounding properties.	
(c)	The suitability of the site for the development	
	• Does the proposal fit in the locality?	✓
	• Are the site attributes conducive to this development?	✓

WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Cont.) (Ward: Sailors Bay)

Matters for Consideration Under S.79C EP&A Act

Satisfactory ✓ Unsatisfactory ✖ Not Relevant N/A

	Comment: The modification application does not alter the mixed use residential and commercial character of the locality.	
(d)	Any submissions made in accordance with this Act or the regulations	
	• Public submissions	✓
	• Submissions from public authorities	**N/A**
	Comment: The application was notified in accordance with B.4 of the WDCP and Council received four (4) submissions. The application did not require any referral to any public authorities.	
(e)	The public interest	
	• Federal, State and Local Government interests and Community interests	✓
	Comment: The additional height of the building from the increase in the height of the lift overrun and plant rooms will not compromise the commercial character of the locality and therefore approval of the modification is in the public interest.	

Neighbour Notification Issues:

The issues raised in the submissions received in response to the notification of the application are discussed below:

Height

The main concerns relate to the proposed increase in the height. The submissions include the following comments:

- *The proposed maximum height has again been increased.*
- *The practice of incrementally increasing height again creates a new height benchmark for this and future neighbouring developments.*
- *The development cannot be considered in isolation from its adjoining buildings and their potential for redevelopment as that is poor town planning leading to poor community outcomes.*

Comment:

The approved built form remains mostly unchanged with an overall increase of 1.08m, primarily resulting from the chairlift being removed and the lift overrun being increased to provide equitable access to all the communal recreational facilities to comply with the Building Code of Australia Part D3.1. It is noted that the area and volume of the plant rooms and lift overrun have been reduced resulting in a minor increase in the setbacks and no change to the location. The plant rooms and lift overrun remain in the previously approved location which is central to the common rooftop area. The increase in the height of the lift overrun and plant rooms are not considered to result in unreasonable external impacts on adjoining and surrounding properties.

Traffic Control and Hours of Operation
Adherence to traffic control and Council's permissible work hours is essential to be maintained at all times.

Comment:
It is noted that the subject application does not propose any alteration to the existing conditions that refer to the Traffic Management Plan (Condition 18) and Hours of Work (Condition 39).

CONCLUSION

Whilst the proposed modifications will increase the development's non-compliance with the Height of Building development standards contained in the WLEP 2012, the additional breach is not considered to cause additional impacts to the environment or adjoining and surrounding properties. The proposed increase of building height by 1.08m is limited to the lift overrun and plant rooms that are centrally located within the approved building footprint. The development as modified is substantially the same as the originally approved development with the additional height not being considered to change the bulk and scale of the development or cause additional external impacts.

OFFICER'S RECOMMENDATION

That Council:

(1) Approve the Variation to the development standard contained in Clause 4.3 of WLEP 20212 – Height, for the following reasons:

- **The approved built form remains mostly unchanged with the overall height increase of 1.08m resulting from increase the lift overrun to achieve equitable access to all common areas.**
- **The increase in the height is resulting from the lift overrun and plant rooms which are centrally located on the rooftop common area and are not considered to contribute to any unreasonable impacts on the streetscape.**
- **The additional height will not result in any unreasonable amenity impacts including solar access, visual bulk and privacy of the adjoining and nearby properties.**

(2) Approved the Section 96 Modification Application for DA-2014/419/B to modify the lift overrun and mechanical duct heights at 147-151 Sailors Bay Road, Northbridge.

(3) Grant delegated authority to the General Manager to issue the consent subject to the attached modified conditions.

SCHEDULE

Conditions of Consent: (including reasons for such conditions)

DA-2014/419 is modified as follows:

A. Condition 1 is modified to read as follows:

1. Approved Plan/Details

The development must be in accordance with the following plans:

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Date Received by Council	Prepared by
Architectural	DA100_10	03	29.10.15	19 November 2015	Daniel Younan + Associates
	DA100_00	02	29.10.15		
	DA300_00	02	29.10.15		
	DA300_01	02	29.10.15		
	DA100_20	04	29.10.15		
	DA100_30	04	29.10.15		
	DA100_40	04	29.10.15		
	DA100_50	04	29.10.15		
	DA100_60	03	29.10.15		
	DA100_70	03	29.10.15		
	DA200_00	04	29.10.15		
	DA200_01	04	29.10.15		
	DA300_02	04	29.10.15		
Stormwater	H-DA-00	C	15.04.15	No date stamps	Itm deign P/L
	H-DA-03				
	H-DA-01	A	15.09.14		
	H-DA-02				

WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Cont.) (Ward: Sailors Bay)

Landscape	LPDA 15-72/1	C	19/12/14	Stamped received 23 Jan 2015	Conzept Landscape Architect
	LPDA 15-72/2				
	LPDA 15-72/3				

As modified by DA-2014/419/B:

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Date Received by Council	Prepared by
Architectural	DA_100_80	00	08.02.17	10 Feb 2017	Daniel Younan + Associates
Architectural	DA_200_00	05	08.02.17	10 Feb 2017	Daniel Younan + Associates
Architectural	DA_200_01	05	08.02.17	10 Feb 2017	Daniel Younan + Associates
Architectural	DA_300_00	02	08.02.17	10 Feb 2017	Daniel Younan + Associates
Architectural	DA_300_01	03	08.02.17	10 Feb 2017	Daniel Younan + Associates
Architectural	DA_300_02	05	08.02.17	10 Feb 2017	Daniel Younan + Associates

the application form and any other supporting documentation submitted as part of the application, except for:

a) any modifications which are "Exempt Development" as defined under S76(2) of the Environmental Planning and Assessment Act 1979;

b) otherwise provided by the conditions of this consent.
(Reason: Information and ensure compliance)

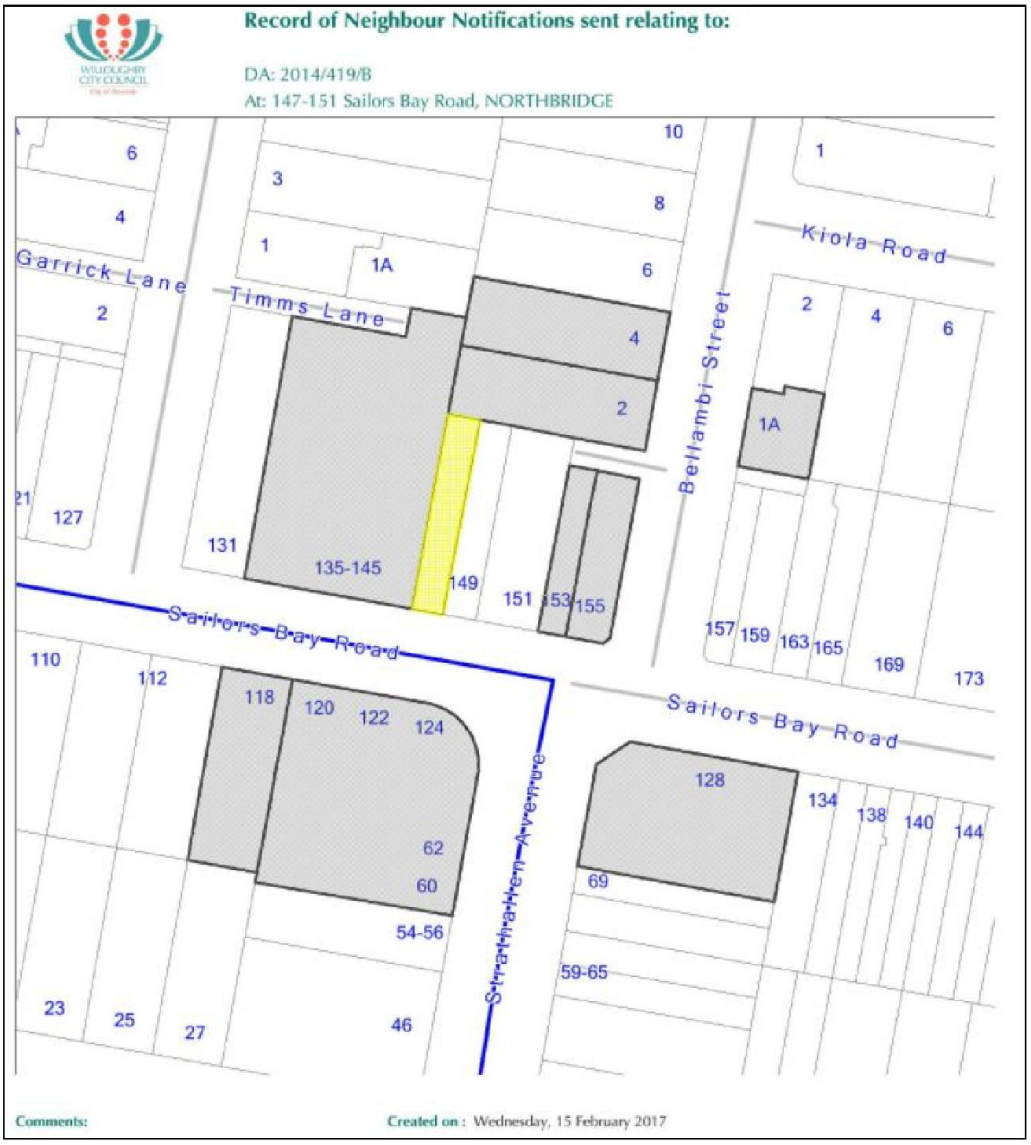
B. Condition 27B is deleted.

C. Compliance with all other non-modified conditions of consent.

WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Cont.) (Ward: Sailors Bay)

ATTACHMENT 1 – NOTIFICATION MAP



WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Cont.) (Ward: Sailors Bay)

ATTACHMENT 2 – ARCHITECTURAL PLANS

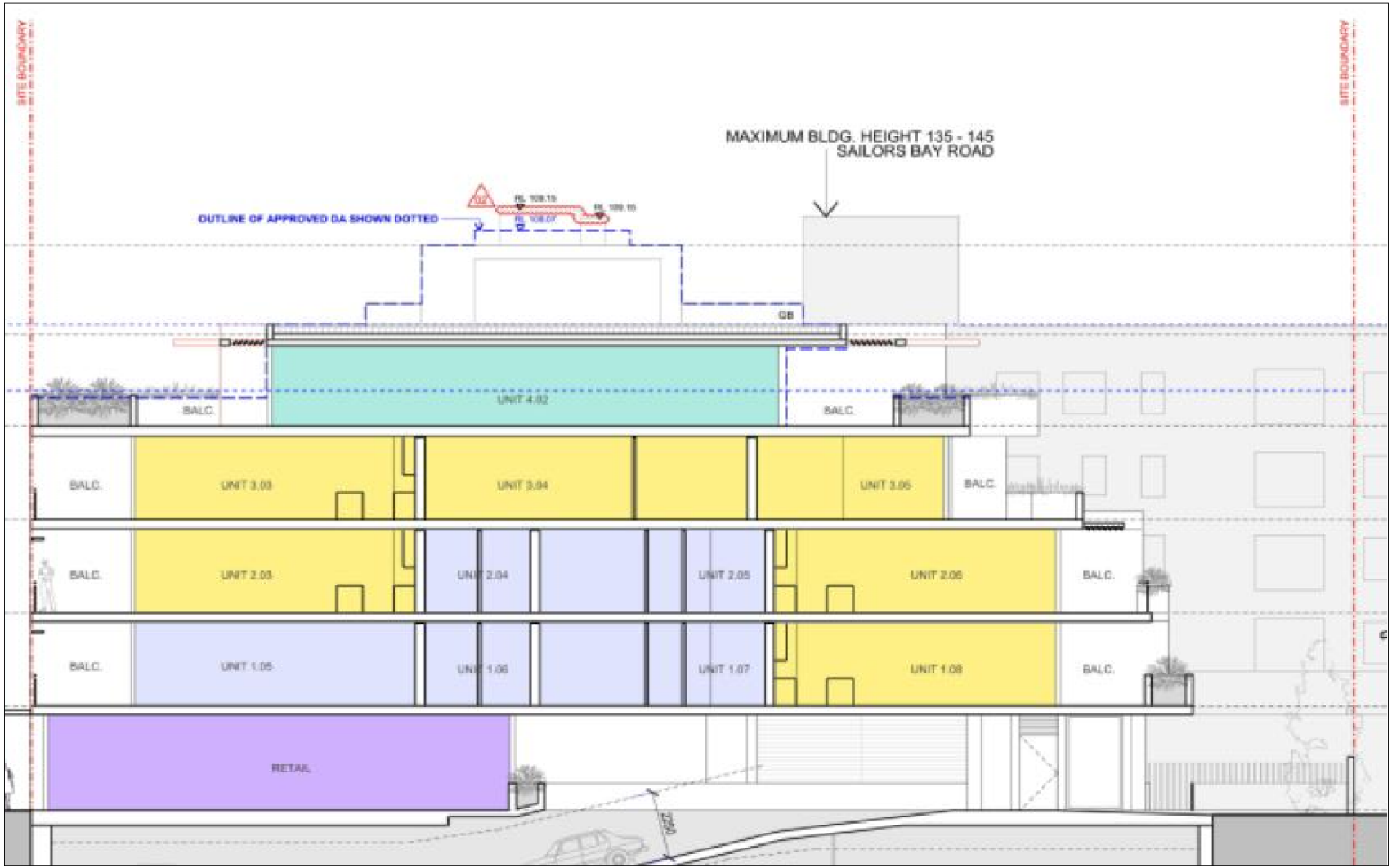
Plans and Elevations of the application including the supporting documents can be viewed online via Council's website – Application Tracking using the application number DA-2014/419/B or 147-151 Sailors Bay Road Northbridge.

https://eplanning.willoughby.nsw.gov.au/Common/Common/terms.aspx

WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Cont.) (Ward: Sailors Bay)

ATTACHMENT 3 SECTION SHOWING THE HEIGHT INCREASE



WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Cont.) (Ward: Sailors Bay)

ATTACHMENT 4 WLEP 2012 ASSESSMENT OF HEIGHT NON-COMPLIANCE
WLEP 2012

WLEP 2012	Approved	Standard	Proposed	Extent of Non-Compliance	
				Approved	Proposed
Height	16.2-18.5m (lift overrun) RL 108.07	14m	19.58m RL 109.15	2.2-4.5m (lift overrun) 32.14%	5.58m (lift overrun) 39.85%

Applicant's reasons in support of the variation

- *The locations of the two essential topmost structures remain central within the building floor plan. The reduction in areas has meant that the two profiles of the kitchen exhaust and lift/ventilation protrusion are disabled access, relative to the perimeter parapet line, set back more centrally within the general area of the surrounding roof.*
- *There is no concern for precedent raised by the height extension being applied for. The question of extension beyond the designated building height control has already been addressed and satisfied under the current approval. The variation to be considered under this application for amendment is only a matter of degree.*
- *Viewed from the southerly direction there may or may not be glimpse of the uppermost portion of only the lift overrun from the far distance. Otherwise the subject structures are completely obscured from sight in any other three directions. Consequently there is no impact on adjoining neighbours or the public domain of adjacent streets. In that sense, the issues remain unaltered from when previously recommended for approval.*
- *The visual consequences remain insignificant. The degree of change to overall height originally approved was a minor extent of the building's height and roofline profile and the new changes sought remain similarly minor in nature.*
- *The benign changes to the topmost element of the building's height profile are to be weighed against the need to achieve such changes. Designed as they are to satisfy building regulation compliance for the intended disabled access: accepted and approved by Council originally.*
- *Compliance with the BCA Standards, as required under Council's approval, dictates a necessity disabled access for the topmost floor to be via the lift directly to that floor and hence the changes as proposed. (See Part D3. Access to Communal Areas). Together with reductions in other protrusions above the approved roof profile means that the resulting volumes of modified structures is virtually the same as those collective volumes originally approved.*
- *In summary, the environmental consequences are considered to be negligible and virtually no different from the levels of consequence already approved and there are no issues of principle raised by this application. Weighted against essential provision for disabled access to the topmost floor facilities the consequent environmental effects are on balance readily acceptable and favours the changes now sough under this subsequent S9691A) Application.*

Considerations of the variation to the standard

The relevant objectives of the standard are considered to be met by the proposed development as outlined below:

Despite the proposed non-compliance with the height control, the proposed development is considered consistent with the objectives of the B2 Local Centre and height control. The proposed development is considered to meet the objectives of the standard, being to achieve development which is in harmony with the bulk and scale of the surroundings buildings and streetscape and minimise amenity impacts on adjoining and nearby properties.

The submitted information to justify a variation to Clause 4.3 – Height development standard is supported by the assessing officer and, there are sufficient environmental planning grounds to vary the standard as outlined below.

- The approved built form remains mostly unchanged with the overall height increase of 1.08m resulting from increase the lift overrun to achieve equitable access to all common areas.
- The increase in the height is resulting from the lift overrun and plant rooms which are centrally located on the rooftop common area and are not considered to contribute to any unreasonable impacts on the streetscape.
- The additional height will not result in any unreasonable amenity impacts including solar access, visual bulk and privacy of the adjoining and nearby properties.

It is considered that the proposed variation to the development standard is acceptable based on the particular circumstances of the proposed development. It is also considered that approval of the modification application will not compromise the interest of the public. The variation is not considered to raise any matter of regional and state significance, and concurrence of the Minister in approving this variation can be assumed by Council.

WARD INSPECTION COMMITTEE

147-151 Sailors Bay Road, NORTHBRIDGE NSW 2063 (Cont.) (Ward: Sailors Bay)

ATTACHMENT 5 – CONSIDERATIONS UNDER S96(2) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Considerations Under S.96(2) EP&A Act
-Other modifications

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

Satisfactory ✓ Unsatisfactory × Not Relevant N/A

(a)	it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and	✓
	Comments: The application is considered to be substantially the same as the development for which the consent was originally granted as the application is for modification to allow the increase in the height of the approved shoptop housing development.	
(b)	it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and	N/A
	Comment: The application did not require referral to any Ministers, public authorities or approval bodies.	
(c)	it has notified the application in accordance with: the regulations, if the regulations so require, or a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and	✓
	Comments: The application was notified in accordance with Part B.4 of the WDCP.	
(d)	it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be.	✓
	Comments: Council received four (4) any submissions. Please refer to the 'Neighbour Notification' section for further discussion on the issues raised.	

12.2 MINUTES AND PLANS - NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE MINUTES - 1 JUNE 2017

ATTACHMENTS:	**1. MINUTES - NATURAL HERITAGE AND BUSHLAND ADVISORY COMMITTEE – 1 JUNE 2017** **2. FERNDALE PARK DRAFT RESERVE ACTION PLAN** **3. PUBLIC EXHIBITION REPORT – FERNDALE PARK – DRAFT RESERVE ACTION PLAN**
RESPONSIBLE OFFICER:	**GREG MCDONALD – INTERIM PLANNING AND INFRASTRUCTURE DIRECTOR**
AUTHOR:	**ALFRED BERNHARD – BUSHLAND TEAM LEADER**
CITY STRATEGY LINK:	**2.1.1 CONSERVE AND MAINTAIN WILLOUGHBY'S NATURAL ECOSYSTEMS**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To present to Council the Minutes of the Natural Heritage and Bushland Advisory Committee meeting held on 1 June 2017.

Background

The purpose of the Committee is to advise Council on all matters pertaining to the management and sustainability of natural heritage in the City of Willoughby, including the implementation of the Urban Bushland Plan of Management 2014. The Committee considers reports and plans from Council Officers and also makes recommendations to Council. The deliberations of the Committee are recorded in the minutes – Refer Attachment 1

Discussion

Natural Heritage and Bushland Advisory Committee Meeting
Key elements covered in the Minutes of the Committee Meeting held on 1 June 2017, include:

Ferndale Park Draft Reserve Action Plan
Ferndale Park is a long and narrow 9.8 hectare remnant bushland reserve that is surrounded by residential properties, located within the Lane Cove River catchment, Chatswood. It plays an important role linking a number of small bushland spaces to larger significant bushland reserves like Mowbray Park, Blue Gum Park and the Lane Cove National Park. – Refer Attachment 2

Key Actions of the Draft Reserve Action Plan 2017-2022:

- Continuation of weed management and revegetation programs by bushland regeneration contractors and Council teams,
- Continue to provide assistance to the Bushcare volunteer groups working in and around the Park,
- Improve interpretive signage and create a smartphone self-guided walking App titled 'Willoughby Walks'.

Community consultation commenced on 12 April and concluded on 9 May 2017. – Refer Attachment 3.

Comments were in favour of the draft plan and no amendments were required to management actions. Minor amendments will be made to the Habitat Significance section to more accurately detail species present and their requirements.

Financial Implications

There are no additional costs to the recurrent budget or e.restore levy for these work plans.

Policy Implications

In line with Urban Bushland Plan of Management 2014.

Community Notification

The Ferndale Park Draft Reserve Action Plan had four weeks of community consultation as part of Council's Community Engagement Framework to seek resident comments:

- **Ferndale Park Draft Reserve Action Plan** – Have Your Say – 12 April to 9 May 2017.

OFFICER'S RECOMMENDATION

That Council note the Minutes and adopt the Recommendations of the Natural Heritage and Bushland Advisory Committee from the meeting held on 1 June 2017.

ATTACHMENT 1

WILLOUGHBY CITY COUNCIL

MINUTES OF MEETING

MEETING NAME:	**Natural Heritage and Bushland Advisory Committee**
LOCATION HELD:	**WCC Depot, 25-27 Gibbes St, Chatswood**
MEETING CHAIR:	**Councillor Lynne Saville**
DATE OF MEETING:	**Thursday, 1 June 2017, 6.00 pm.**

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1. ACKNOWLEDGEMENT OF COUNTRY

2. PRESENT:

Councillor Lynne Saville (Chair), Councillor Wendy Norton, Kevin Mathers, Ed Coates, Pam Organ, Ross Wellings.

3. APOLOGIES:

Mayor Councillor Gail Giles-Gidney, Lorraine Cairnes, Gay Spies.

4. OFFICERS IN ATTENDANCE:

Alfred Bernhard – Bushland Team Leader, Stuart Hall – Natural Assets Officer.

5. DECLARATIONS OF INTEREST:

There were no declarations of interest.

6. ACCEPTANCE OF THE PREVIOUS MINUTES:

Minutes of 6 April 2017 were accepted.

Recommendation:

6.1 That the minutes dated 6 April 2017 be endorsed.

7. BUSINESS ARISING FROM THE MINUTES:

7.1 Ferndale Park Draft Reserve Action Plan

Ferndale Park is a long and narrow 9.8 hectare remnant bushland reserve that is surrounded by residential properties, located within the Lane Cove River catchment, Chatswood. It plays an important role linking a number of small bushland spaces to

larger significant bushland reserves like Mowbray Park, Blue Gum Park and the Lane Cove National Park.

A Draft Reserve Action Plan was developed through a process of site inspections by Council staff and the Natural Heritage and Bushland Advisory Committee and was created in March 2017. The proposed Reserve Action Plan covers the period 2017 to 2022.

Key Actions for the Draft Reserve Action Plan 2017-2022:

- Continuation of weed management and revegetation programs by bushland regeneration contractors and Council teams,
- Continue to provide assistance to the Bushcare volunteer groups working in and around the Park,
- Improve interpretive signage and create a smartphone self-guided walking App titled 'Willoughby Walks'.

Community consultation started on 12 April and finished on 9 May 2017. It consisted of notification letters delivered to all properties adjacent to the reserve, temporary notification signs erected at reserve entrances and an online comments page created on Have Your Say Willoughby. Eighteen (18) comments were received during the community consultation period. All comments were collated and are attached in the Public Exhibition Summary Report (Ferndale Park). Comments were in favour of the draft plan and no amendments were required to management actions. Minor amendments will be made to the Habitat Significance section to more accurately detail species present and their requirements.

Recommendation:

7.1 That the Ferndale Park Draft Reserve Action Plan be adopted by Council.

7.2 Beverley Blacklock Reserve Draft Reserve Action Plan

A Draft Reserve Action Plan for Beverley Blacklock Reserve has been created and is now available to view and comment online at Have Your Say Willoughby. Community consultation started 15 May 2017 and concludes 9 June 2017. Notification letters were delivered to all properties adjacent to the reserve, the Castlecrag Conservation Society, Castlecrag Progress Association, the Walter Burley Griffin Society and the Willoughby Environment Protection Association, temporary notification signs erected at reserve entrances and an online comments page created on Have Your Say.

Beverley Blacklock Reserve is a long, narrow bushland reserve that hugs the southeast corner of the Castlecrag peninsula set on the shores of Middle Harbour. The reserve is named after Beverley Blacklock, a past Castlecrag local who was one of the early bush regenerators within Sydney. The reserve plays an important role in maintaining the natural landscape character of Castlecrag and provides continuous connectivity of habitats for native wildlife.

Key Actions for the Draft Reserve Action Plan 2017-2022:

- Continuation of weed management and revegetation programs by bushland regeneration contractors,
- Maintain access points to the reserve for visitors.

Current issues regarding encroachments into the reserve and past stabilisation work of the rock platform to the water's edge were discussed.
All comments from the community consultation process will be distributed to the Committee at the conclusion.

Recommendation:

7.2.1 That the information be noted.

7.3 James White Path and Memorial Plaque

The James White Path and Memorial Plaque was officially opened on Friday 26 May at Castle Cove Park by Mayor Giles-Gidney, Councillors Norton and Saville, Council staff and family members. The path is in recognition of service to the local environment and community by James White, a former member of the Committee who passed away November 2016.

It was noted that there has been a large amount of positive reaction and high use of the path since it was installed in 2016. The Committee thanked the Bushland Team Leader for his work to install the plaque and prepare the site.

A seat was requested to be installed along the path. The Bushland Team Leader stated a seat will be installed in the future adjacent to the path north of the plaque.

Recommendation:

7.3 That the information be noted.

8. GENERAL BUSINESS:

8.1 Draft Reserve Action Plan Updates

Draft Reserve Action Plans are currently being prepared for Warners Park and a combined plan for Forsyth Park, Killingsworth Reserve and Broomham Park. Draft plans will be available during the 3rd quarter of 2017. Following these, draft plans will be created for Mowbray Park and O.H. Reid Reserve.

All reserves will be inspected by the Committee prior to the creation of a draft.

Recommendation:

8.1 That the information be noted.

8.2 Griffin Reserves Advisory Group

The Bushland Team Leader delivered a report to the Committee regarding the Griffin Reserves Advisory Group meeting on 20 May 2017. Issues raised include, requests for improvements to pedestrian access, amenity and signage in the Griffin network. All requests will be considered by the Bushland Team Leader and the Community Projects Officer with recommendations for endorsement by Council referred to the Natural Heritage and Bushland Advisory Committee.

The Bushland Team Leader noted that the Natural Heritage and Bushland Advisory Committee could transition from a Committee to an Advisory Group similar to the Griffin Reserves Advisory Group. In this format members would continue to provide expert local information and comments to Council. The Committee indicated that it would prefer to continue in its current state. Given the number of sites to be inspected for upcoming Reserve Action Plans, it was suggested that two monthly site visits be scheduled between office meetings on a trial basis.

Recommendation:

8.2 That the information be noted.

8.3 Young Landcare Leaders

Councillor Saville reported on opportunities available to young people to participate in Landcare/Bushcare. The Bushland Team Leader outlined the current interpretive and Bushcare projects being delivered to primary and secondary schools in Willoughby. Future opportunities with Intrepid Landcare were discussed.

Recommendation:

8.3 That the information be noted.

8 OTHER BUSINESS:

9.1 Contractor Work in Ferndale Park

A member of the Committee reported that grass mown by Council Contractor teams is not being collected after being cut at the Dalrymple Avenue entrance to the Park. It's also reported that grass seed and clippings are being directed into bushland. The Bushland Team Leader indicated that reports and photographs regarding Contractor work should be forwarded to Council's Open Space team.

Recommendation:

9.1 That the information be noted.

9.2 Artarmon Bowling Club Site Open Day

The Bushland Team Leader reported that there was a community open day on 21 May at the former Artarmon Bowling Club site to identify potential future uses for the site. The former bowling club is now under the ownership, care and control of Council. Support for a community garden was expressed.

Recommendation:

9.2 That the information be noted.

9 Next Site Visit

Date	*Location*	*Time*	*Meet*
6 July	Site Visit – Broomham Park, Northbridge	10am-12pm	Byora Crescent, Northbridge
3 August	Site Visit – Mowbray Park, Lane Cove North	10am-12pm	End of Avro Rd, Lane Cove North
7 September	Willoughby City Council Depot – 25-27 Gibbes St, Chatswood	6-7pm	

ATTACHMENT 2



Ferndale Park Actions

1. Park Avenue Parkcare group to continue to work in accordance with Bushcare Action Plan.
2. Bushland Regeneration Contractor to target herbaceous weeds in Fullers Road Reserve and replace with indigenous plantings to improve local biodiversity. Also monitor the channel in this section and stabilise if required.
3. Bushland Regeneration Contractor to remove woody and herbaceous weeds targeting Ochna, Trad, Fishbone Fern, Asparagus Fern and Peruvian Lily.
4. Bushland Regeneration Contractor to complete maintenance work in previously worked area targeting the removal of herbaceous and woody weeds working in a westerly direction.
5. Bushland Regeneration Contractor to remove woody weeds in and around creek line targeting Trad and Fishbone fern. Track upgrade work is also required here in some sections.
6. Bushland Regeneration Contractor to complete annual maintenance sweep in previously worked and now stable area, ensuring no woody weeds establish. This area is impacted by water flows.
7. Continue to liaise with Chatswood Golf Course to improve the link to O.H. Reid Reserve and manage weeds.
8. Bushland Regeneration Contractor to complete primary weed removal targeting woody weeds around stormwater line.
9. Bushland Regeneration Contractor to remove woody weeds targeting Ochna, Lantana and Fishbone Fern north of track.
10. Willoughby City Council (WCC) Bushland Team to maintain area previously burnt in 2012.
11. Ferndale Street Bushcare group to continue to work in accordance with Bushcare Action Plan.
12. Bushland Regeneration Contractor and nearby Bushcare groups to monitor stormwater lines for weed outbreaks. Also monitor for erosion, siltation and litter and remove where possible.
13. Bushland Regeneration Contractor to complete follow-up weed treatment of woody weeds and ground layer in area north of the creek.
14. Investigate options to install additional seating along track for interpretive activities.
15. Bushland Regeneration Contractor to target the removal of mid-storey woody weeds and canopy weeds in area south of the creek. Aim to reduce mid-storey weeds by 50-75% and canopy by 30-50%. Continue working in a mosaic pattern where native plant resilience is high.
16. Bushland Regeneration Contractor to complete maintenance weed removal sweeps in area previously burnt.
17. Bushland Regeneration Contractor to control weeds in easement behind houses targeting Madeira Vine and Trad.
18. Continue to liaise with Chatswood High School regarding the management of critically endangered Blue Gum High Forest vegetation in school grounds. Council to continue coordinating bush regeneration contractors while reminding the School of its responsibilities for managing native vegetation in school grounds.
19. Ferndale Park Bushcare group to continue to work in accordance with Bushcare Action Plan.
20. Bushland Regeneration Contractor and WCC Bushland Support Team to complete flame weeding in fern area next to grassed area to reduce Trad.
21. Remove excess logs next to grass area and redistribute for edging. Also investigate options to use logs to create new bush furniture or sculptures.
22. Investigate options to install interpretive signage and informal children's bush play elements in grassed areas.
23. Willoughby City Council Bushland Support Team to monitor and maintain all tracks and remove rubbish from creek where possible.
24. Bushland Regeneration Contractor to target the removal of Creeping Ruellia and Mist Weed along the entire creek line.
25. Council to continue to complete regular chemical and biological testing of Swaines Creek through its Water Quality Monitoring program.
26. Investigate options to install welcome signs at reserve entrances where required and interpretive signage along walking track in conjunction with updated walking track brochure and new smartphone guided walking tour App.
27. Install signs at entry points informing visitors that dogs must be on a leash at all times when in the park. Installation to coincide with Council Rangers patrolling tracks to enforce regulations.
28. Liaise with local residents about keeping wildlife friendly backyards including weed removal, planting native plants and habitat creation.

Draft Ferndale Park Reserve Action Plan

Reserve Profile

Ferndale Park is a long and narrow 9.8 hectare remnant bushland reserve that is surrounded by residential properties, located within the Lane Cove River catchment, Chatswood.

It plays an important role linking a number of small bushland spaces to larger significant bushland reserves like Mowbray Park, Blue Gum Park and the Lane Cove National Park.

Swaines Creek runs through the centre of the park with many stormwater drains from nearby roads and properties feeding into it. A major sewer line runs parallel with the creek with a series of sewer overflow points found along the creek line. Water from the creek flows into the adjacent Chatswood Golf Course before draining into the Lane Cove River.

There are sign-posted walking tracks in the reserve and the Ferndale Walking Track is part of the larger Rail to River walk.

PLANT COMMUNITY: The Park is predominately comprised of Coastal Enriched Sandstone Moist Forest (S_WSF02) with dominant tree species Smooth-barked Apple (*Angophora costata*), Turpentine (*Syncarpia glomulifera*), and Blackbutt (*Eucalyptus pilularis*). Vegetation along the creekline is classified as Coastal Sandstone Gallery Rainforest (S_RF02) with low diversity of species. It is dominated by Coachwood (*Ceratopetalum apetalum*), Lilly Pilly (*Acmena smithii*), Black Wattle (*Callicoma serratifolia*) and Tree Ferns (Cyathea sp.) In elevated areas of the Park on the edge there are small remnant pockets of Blue Gum High Forest (S_WSF01) with Sydney Blue Gum (*Eucalyptus saligna*), Blackbutt (*Eucalyptus pilularis*) and Turpentine (*Syncarpia glomulifera*). This vegetation community is listed as a critically endangered ecological community within the Sydney Basin Bioregion.

HABITAT: There are a range of hollow bearing and stag trees providing habitat for micro bats, parrots, and owls. Riparian areas contain rocky ledges and sandstone boulders providing refuge for frogs, reptiles and invertebrates. While rock outcrops and bush rock structures are habitat for reptiles, invertebrates and micro bats.

The park is designated as a Wildlife Protection Area under the *Companion Animals Act 1998* with no cats permitted and dogs required on a leash at all times.

Statement of Significance

Ferndale Park is classified as bushland as defined in State Environmental Planning Policy No 19 (*Vol 1, 1.4), and is protected under State and Commonwealth Legislation (*Vol 1, 1.5.2). It is zoned E2 Environmental Conservation in the Willoughby Local Environment Plan (WLEP) 2012.

ABORIGINAL CULTURAL SIGNIFICANCE: The Cammeraygal people were the original inhabitants of Willoughby and they had a strong connection to the land and the Lane Cove River. There is evidence of an Aboriginal site within the reserve and its location will be kept confidential to ensure its protection.

HISTORIC CULTURAL SIGNIFICANCE: During early settlement, timber-getting was an important industry in the region. Hardwood timbers such as Blue Gum, needed for the building of houses in Sydney, were felled and carried down the Lane Cove River by boat and raft. As trees were felled, the patches of cleared land were used as small farms and orchards. Later these farms and orchards gave way to urban development when the increase in population required that more residential properties were built in the Chatswood area, particularly after 1890 when the North Shore Railway Line was opened. Today, only the narrow gullies like Ferndale Park which were too rugged to be logged or farmed remain as bushland.

HABITAT SIGNIFICANCE: The value of Ferndale Park as avian habitat is reflected in the high diversity of forest and woodland birds that are found there. Commonly heard and/or seen species include the Australian King-parrot, Crimson Rosella, Rainbow Lorikeet, Sulphur-crested Cockatoo and Australian Brush-turkey. In lesser numbers the Australian Owlet-nightjar has been recorded and the vulnerably listed Powerful Owl has also been known to roost within the park. Four species of microbats inhabit the park and also Antechinus have been observed. There is low diversity of native mammal species in the park and this could be mainly due to its narrowness and proximity to urban impacts. Further surveying of mammal species is required.

Reserve Impacts

A significant sewer line and stormwater network runs through the park, following the creek for its entire length. The associated outlets, sewer chambers and drains greatly impact water quality in the park. During heavy rain sewer overflows can pollute creek water and banks. High velocity flows also cause erosion along creek banks. Excess moisture and nutrients facilitate weed spread particularly in stormwater lines.

Gas pipe and overhead power lines dissect the park, particularly between Greville St North and Greville St South.

Most of the park is bordered by private property. This magnifies the impact of urbanisation, including invasion by garden escapes, minor encroachments, dumping of refuse and fill, light pollution, stormwater run-off and roaming domestic pets in the bush. The western end of the park adjoins Chatswood Golf Course. There are no buffers between the bush and the turfed area so this boundary is a source of nutrients and weeds.

ENCROACHMENTS: There are no recorded encroachments.

Wildlife Habitat Issues

Ferndale Park is a vital wildlife corridor linking small suburban pockets of bushland to larger reserves within the Lane Cove River catchment. It links smaller reserves Campbell Park, Lowanna Park, Fullers Road Reserve, Coolaroo Reserve and OH Reid Reserve to the larger bushland reserves of Blue Gum Park, Mowbray Park and the Lane Cove National Park all of which support diverse and large numbers of native wildlife. Without Ferndale as a link these smaller reserves would be isolated. Connectivity should continue to be strengthened to O.H. Reid Reserve and further to Mowbray Park. It is also close to the Pacific Highway and is integral in connecting bushland in Willoughby's west to bushland in the east via habitat corridors.

There are hollow bearing trees in the park but not in great abundance. Habitat creation and improvement projects should be considered for local populations of gliders and parrots by installing nest boxes.

Water quality in Swaines Creek is poor. Surveying for amphibian species is recommended to understand the impact on populations. Habitat creation work is required along the creek.

There is evidence of fox activity in the park but due to regulations the park is too narrow to be included in the fox baiting program. Other options to control feral animals will be investigated.

Controlled burning in Ferndale Park has reduced fuel loads, increased plant diversity and improved habitat quality.

Achievements

Great work has been completed to improve the connection of Ferndale Park to the adjacent OH Reid Reserve through improvements to the walking track and vegetation management.

Track work has also been completed in other areas with stonework, replacement of steps and the installation of a bridge to improve visitor access.

Old interpretive signs have been removed throughout the park.

A successful controlled burn was completed between Greville Street and Ferndale Street with good regeneration of native plants occurring. Another controlled burn was completed behind properties at Beaconsfield Road.

Weed distribution has been incrementally reduced through weed management programs conducted by Council staff, contractors and two active and dedicated Bushcare volunteer groups.

Bushland Management Goals – Ferndale Park

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

4.2c: Provide a high level of planning, support, training and supervision of existing and future community volunteers;
5.3b: Create and/or maintain conditions in which creek and drainage lines are protected from increased erosion and/or sedimentation due to urban impacts;
6.2f: Preserve and increase ecological links across the LGA and regionally to assist the movement of fauna;
6.2g: Maintain natural habitat formations and supplement with manufactured structures where natural habitat is depleted.
6.3b: Implement weed control programs which are based on regeneration and restoration principles and which increase the bushland resilience to further weed infestation.

Bushland Management – General Principles and Actions

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

Draft Native Plant List for Ferndale Park

FORK FERNS	*Cryptostylis reniformis*	*Allocasuarina distyla*	MYRTACEAE
PSILOTACEAE	*Dendrobium sp.*	*Allocasuarina littoralis*	*Acmena smithii*
Psilotum nudum	*Dipodium punctatum*	*Allocasuarina littoralis x distyla*	*Angophora costata*
CONIFERS	*Pterostylis longifolia*	*Allocasuarina torulosa*	*Backhousia myrtifolia*
PODOCARPACEAE	*Pterostylis nutans*	*Casuarina glauca*	*Callistemon linearis*
Podocarpus spinulosus	PHILESIACEAE	CELASTRACEAE	*Eucalyptus gummifera*
FERNS	*Eustrephus latifolius*	*Maytenus silvestris*	*Eucalyptus haemastoma*
ADIANTACEAE	POACEAE	CHENOPODIACEAE	*Eucalyptus pilularis*
Adiantum aethiopicum	*Anisopogon avenaceus*	*Atriplex australasica*	*Eucalyptus piperita*
Adiantum hispidulum	*Aristida vagans*	*Sarcocornia quinqueflora*	*Eucalyptus racemosa*
ASPLENIACEAE	*Austrodanthonia tenuior*	CONVOLVULACEAE	*Eucalyptus resinifera*
Asplenium australasicum	*Austrostipa sp.*	*Calystegia marginata*	*Eucalyptus saligna*
Asplenium flabellifolium	*Cymbopogon refractus*	*Dichondra repens*	*Kunzea ambigua*
BLECHNACEAE	*Dichelachne sp.*	*Polymeria calycina*	*Leptospermum trinervium*
Blechnum ambiguum	*Echinopogon caespitosus*	CRASSULACEAE	*Rhodamnia rubescens*
Blechnum cartilagineum	*Entolasia marginata*	*Crassula sieberiana*	*Syncarpia glomulifera*
Doodia aurita	*Entolasia stricta*	CUNONIACEAE	*Tristaniopsis laurina*
Doodia media	*Imperata cylindrica*	*Callicoma serratifolia*	CLEACEAE
CYATHEACEAE	*Lachnagrostis filiformis*	*Ceratopetalum apetalum*	*Notelaea longifolia*
Cyathea australis	*Microlaena stipoides*	*Ceratopetalum gummiferum*	*Notelaea ovata*
Cyathea cooperi	*Oplismenus aemulus*	*Schizomeria ovata*	OXALIDACEAE
DENNSTAEDTIACEAE	*Oplismenus imbecillis*	DILLENIACEAE	*Oxalis corniculata*
Histiopteris incisa	*Panicum simile*	*Hibbertia dentata*	PITTOSPORACEAE
Pteridium esculentum	*Paspalidium criniforme*	*Hibbertia empetrifolia*	*Billardiera scandens*
DICKSONIACEAE	*Paspalidium distans*	*Hibbertia linearis*	*Pittosporum revolutum*
Calochlaena dubia	*Phragmites australis*	*Hibbertia obtusifolia*	*Pittosporum undulatum*
GLEICHENIACEAE	*Poa affinis*	*Hibbertia scandens*	POLYGONACEAE
Gleichenia dicarpa	*Sporobolus creber*	DROSERACEAE	*Persicaria decipiens*
HYMENOPHYLLACEAE	*Sporobolus elongatus*	*Drosera auriculata*	PROTEACEAE
Hymenophyllum cupressiforme	*Themeda australis*	ELAEOCARPACEAE	*Banksia ericifolia*
LINDSAEACEAE	SMILACACEAE	*Elaeocarpus reticulatus*	*Banksia integrifolia*
Lindsaea linearis	*Smilax australis*	EPACRIDACEAE	*Banksia serrata*
Lindsaea microphylla	*Smilax glyciphylla*	*Astroloma humifusum*	*Banksia spinulosa*
POLYPODIACEAE	TYPHACEAE	*Epacris pulchella*	*Grevillea buxifolia*
Platycerium bifurcatum	*Typha sp.*	*Leucopogon ericoides*	*Grevillea linearifolia*
Pyrrosia rupestris	XANTHORRHOEACEAE	*Leucopogon juniperinus*	*Grevillea sericea*
SCHIZAEACEAE	*Xanthorrhoea arborea*	*Leucopogon lanceolatus*	*Hakea sericea*
Schizaea bifida	*Xanthorrhoea media*	*Monotoca scoparia*	*Lambertia formosa*
THELYPTERIDACEAE	**DICOTS**	*Trochocarpa laurina*	*Lomatia silaifolia*
Christella dentata	ACANTHACEAE	EUPHORBIACEAE	*Leucopogon setiger*
MONOCOTS	*Pseuderanthemum variabile*	*Breynia oblongifolia*	*Persoonia laurina*
ARACEAE	AMARANTHACEAE	*Glochidion ferdinandi*	*Persoonia levis*
Gymnostachys anceps	*Alternathera denticulata*	*Micrantheum ericoides*	*Persoonia linearis*
COMMELINACEAE	APIACEAE	*Omalanthus populifolius*	*Persoonia pinifolia*
Commelina cyanea	*Actinotus helianthi*	*Phyllanthus hirtellus*	*Xylomelum pyriforme*
CYPERACEAE	*Actinotus minor*	EUPOMATIACEAE	RANUNCULACEAE
Gahnia clarkei	*Centella asiatica*	*Eupomatia laurina*	*Clematis aristata*
Gahnia radula	*Hydrocotyle peduncularis*	FABACEAE- FABOIDEAE	RHAMNACEAE
Isolepis nodosus	*Platysace lanceolata*	*Bossiaea heterophylla*	*Pomaderris intermedia*
Lepidosperma gunnii	*Platysace linearifolia*	*Bossiaea obcordata*	*Pomaderris spp.*
Lepidosperma laterale	*Platysace stephensonii* 3RC	*Dillwynia retorta*	ROSACEAE
Schoenus apogon	*Xanthosia pilosa*	*Glycine clandestina*	*Rubus parvifolius*
Schoenus melanostachys	*Xanthosia tridentata*	*Gompholobium latifolium*	*Rubus sp.*
Tetraria capillaris	APOCYNACEAE	*Hardenbergia violacea*	RUBIACEAE
IRIDACEAE	*Parsonsia straminea*	*Hovea linearis*	*Opercularia aspera*
Patersonia sericea	ARALIACEAE	*Kennedia rubicunda*	*Pomax umbellata*
JUNCACEAE	*Astrotricha floccosa*	*Platylobium formosum*	*Correa reflexa (white)*
Juncus continuus	*Astrotricha latifolia*	*Pultenea flexilis*	*Correa reflexa (red)*
Juncus planifolius	*Astrotricha longifolia*	FABACEAE- MIMOSOIDEAE	*Zieria pilosa*
Juncus usitatus	*Polyscias sambucifolia*	*Acacia binervia*	*Zieria smithii*
LEMNACEAE	ASCLEPIADACEAE	*Acacia elata*	SAPINDACEAE
Spirodela polyrhiza	*Marsdenia suaveolens*	*Acacia floribunda*	*Dodonaea multijuga*
LILIACEAE	*Tylophora barbata*	*Acacia linifolia*	*Dodonaea triquetra*
Caesia parviflora	ASTERACEAE	*Acacia longifolia var. longifolia*	SCROPHULARIACEAE
Dianella caerulea	*Cassinia aculeata*	*Acacia longissima*	*Veronica plebeia*
Dianella longifolia	*Cassinia denticulata*	*Acacia suaveolens*	SOLANACEAE
Dianella revoluta	*Cotula australis*	*Acacia ulicifolia*	*Solanum aviculare*
Schelhammera undulata	*Helichrysum elatum*	CERANIACEAE	*Solanum prinophyllum*
Tricoryne simplex	*Lagenifera stipitata*	*Geranium homeanum*	STACKHOUSIACEAE
COMMELINACEAE	*Olearia microphylla*	*Geranium solanderi*	*Stackhousia monogyna*
Lomandra brevis	*Ozothamnus diosmifolia*	GOODENIACEAE	*Stackhousia viminea*
Lomandra cylindrica	*Senecio hispidula*	*Goodenia heterophylla*	STERCULIACEAE
Lomandra filiformis ssp.	*Siginetackia orientalis*	HALORAGACEAE	*Brachychiton acerifolius*
Lomandra filiformis	BALERIACEAE	*Gonocarpus tricrocides*	*Lasiopetalum ferrugineum*
Lomandra fluviatilis	*Baueria rubioides*	LAMIACEAE	*Syringina arborescens*
Lomandra glauca	*Baueria rubioides ssp.*	*Plectranthus parviflorus*	STYLIDIACEAE
Lomandra gracilis	BIGNONIACEAE	LAURACEAE	*Stylidium graminifolium*
Lomandra longifolia	*Pandorea pandorana*	*Cryptocarya glaucescens*	*Stylidium productum*
Lomandra multiflora	CAMPANULACEAE	LINACEAE	THYMELAEOCEAE
Lomandra obliqua	*Wahlenbergia communis*	*Linum marginale*	*Pimelea linifolia*
ORCHIDACEAE	*Wahlenbergia gracilis*	LOBELIACEAE	TREMANDRACEAE
Acianthus fornicatus	*Wahlenbergia stricta*	*Lobelia dentata*	*Tetratheca ericifolia*
Caladenia alba	CASSYTHACEAE	*Pratia purpurascens*	VIOLACEAE
Caladenia carnea	*Cassytha glabella*	MORACEAE	*Viola hederacea*
Calochilus campestris	*Cassytha paniculata*	*Ficus rubiginosa*	VITACEAE
Corybas aconitiflorus	*Cassytha pubescens*	MYRSINACEAE	*Cayratia clematidea*
Cryptostylis erecta	CASUARINACEAE	*Rapanea variabilis*	*Cissus hypoglauca*

ATTACHMENT 3

Ferndale Park
Draft Reserve Action Plan

Chatswood

Public Exhibition Summary Report
May 2017

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Ferndale Park - Background

Ferndale Park is a long and narrow 9.8 hectare remnant bushland reserve that is surrounded by residential properties, located within the Lane Cove River catchment, Chatswood. It plays an important role linking a number of small bushland spaces to larger significant bushland reserves like Mowbray Park, Blue Gum Park and the Lane Cove National Park.

A Draft Reserve Action Plan was developed through a process of site inspections by Council staff and the Natural Heritage & Bushland Advisory Committee with a draft plan created in March 2017. The proposed Reserve Action Plan covers the period from 2017 to 2022.

Key actions include the continuation of weed management and revegetation programs by bushland regeneration contractors and Council teams, continued assistance to the Bushcare volunteer groups working in and around the Park and improvements to interpretive signage and creation of a smartphone self-guided walking App titled 'Willoughby Walks'.

Community Consultation - Communication Methods

Ferndale Park Draft Reserve Action Plan – Community Consultation

	STAKEHOLDER	COMMUNICATION METHOD	When	Closing Date For Comment
1.	Local Residents	• Survey accessible on Council's Website at 'Have Your Say Willoughby' • Letters mailed to six hundred twenty (620) residences (refer Appendix 4 – Resident letter distribution area).	12/4/17	9/5/17
2.	Park Visitors	• Notification signs displayed in reserve	12/4/17	
3.	Natural Heritage and Bushland Advisory Committee	• Copy of draft plan given to Committee members at April meeting.	6/4/17	
4.	Councillors Cr Giles-Gidney Cr Coppock Cr Norton Cr Saville Cr Hooper	• Email Sent by Alfred Bernhard	2/17	

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Community Consultation - Respondents

- 17 people completed the online survey.
- 1 comment was received via email from a local residents.

Public Exhibition - Comments Received

(Edited from respondents own words)

Do you regularly visit Ferndale Park?	
• Yes	• Survey (13)
• No	• Survey (1)
• Sometimes	• Survey (3)
Do you have any comments regarding the Draft Reserve Action Plan?	
• Supportive of plan	• Survey (4)
• Request for sign upgrades	• Survey (4)
• Supportive of proposed weed management actions	• Survey (3)
• Request for fox control	• Survey (3)
• Request for path upgrades	• Survey (2) • Email (1)
• Supportive of interpretive guided walking App	• Survey (2)
• Request for more entry points/paths to Park	• Survey (2)
• Request for fence around dog off-leash area at Dalrymple Ave entrance	• Survey (2)
• Request for weed management actions by Golf Course adjacent to Park	• Survey (1)
• Not supportive of plan	• Survey (1)
• Request to stop fox control	• Survey (1)
• Supportive of informal bush play elements	• Survey (1)
• Not supportive of removal of informal paths	• Survey (1)
• Grass areas not mown often enough	• Survey (1)
• Dangerous trees in open areas require inspection	• Survey (1)
• Sewer smells along creek	• Survey (1)
• Supportive of past weed management actions	• Survey (1)
• Supportive of past fire management actions	• Survey (1)
• Reports of wildlife sightings	• Survey (1)
• Lack of small birds, Lyre birds and Swamp wallaby	• Survey (1)
• Observed dogs off leash within Park	• Survey (1) • Email (1)
• Request for Council to educate local residents about domestic animals and foxes in Park	• Survey (1)
• Native plants are being removed by visitors	• Email (1)
• Request for weeds to be removed along creekline	• Email (1)
• Mowing contractor spreading weed seed and clippings into bush	• Email (1)
• Dog poo bin not emptied enough in dog off leash area	• Email (1)
• Request for excess sediment to be removed from creekline.	• Email (1)
Postcode	
• Chatswood	• Survey (11) • Email (1)
• Chatswood West	• Survey (5)
• Willoughby	• Survey (1)

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	COMMENT	RECOMMENDATION
1.00 – Vegetation Management		
1.01	*The strong emphasis on bush regeneration is to be highly commended. My experience over the years has been that stop-go regeneration has always resulted in significant weed re-infestation. The bush regeneration work must be continuous or it is a waste of effort.* *I notice that the bush turkey population is dwindling so I am guessing the fox population is on the rise. The plan only comments that the park is too narrow for fox baiting so other methods are to be explored. These should be brought on as soon as possible. Spurious objections from residents with a liking for fox cubs MUST be ignored.* *The Golf club has always been a major eyesore and the surrounding bush a haven for weeds. It is a pity that the Council has so little control over this area. All possible steps should be taken to improve the public amenity of this land and control the weeds in the surrounding bushland. Seems only reasonable that the Golf club should assist with this.* *Could I suggest adding the removal of flame trees (Brachychiton Acerifolius) to the aims of the bush regenerators. There are several in the narrow strip of the park between Dalrymple Avenue and Beresford Avenue which seem to be spreading. These trees are not native of the area and block light from reaching the under story which in turn appears to favour weed growth.*	Council has been continuously working in Ferndale Reserve for over 25 years removing pest plants in a mosaic pattern and encouraging natural regeneration. Council is continuing with this commitment with bushland regeneration contractors and Council staff working in the Park. Council has recently received an increased number of fox sightings in Ferndale Park. Council is currently investigating methods to control populations humanely. Weed management activities have been completed in a mosaic pattern in bushland adjacent to and along the golf course. In 2015/16 grant funding from the Sydney Coastal Councils Group enabled the expansion of weed control work along Swaines Creek next to the golf course. Work will continue in these areas in the future. Council will continue to liaise with the golf course around its obligations to control weeds.
1.02	*The plan as presented is so vague as to be meaningless, unless further action is proposed that has not yet been made available. The attraction of this reserve is the very unchanged nature of it. As close to being in "the bush" as you will find in the metropolitan area. This has untold value and care should be taken not to "improve" the reserve away from its natural attractions.*	Council plans to continue with weed control activities and encourages the natural regeneration of bushland throughout the Park.
1.03	*Weed management figures prominently. But no mention of budget provisions. They should be significant and ongoing.* *Although the Park is now in a lower bush fire category, I am surprised there is no mention of bush fire risk. It must be the greatest ecological threat, far greater than storm water and sewerage overflows. There has already been one successful prescribed burn in the Park and more should be done.* *Let there be no thought of fox trapping or baiting. Foxes are good managers of the useless brush turkey population, a major pest to all neighbours.*	Budgets are not listed on Reserve Action Plans. Work to rehabilitate and protect bushland within Willoughby is funded via Council's environmental levy e.restore. Levy progress reports including expenditure can be viewed online at Council's website. As listed by the NSW Rural Fire Service, the bushfire risk in the Park is considered low. The tall canopy creates a moist rainforest particularly along the creek and south facing slopes make it difficult for a bushfire to start. The amount of available fuel is relatively low with no large areas

		of continuous intact bush. From an ecological values perspective the absence of fire for an extended period of time is a risk to local biodiversity. Controlled burns have been completed in a strategic mosaic pattern in the past to encourage natural regeneration. No controlled burns are planned for the next five years as too frequent burning threatens ecological values. Stormwater events are the biggest ecological impact on the Park as a large amount of water, contaminants and sediment are washed into Swaines creek after rain. These impact on local and regional wildlife populations as Swaines Creek drains into Lane Cove River which flows into Sydney Harbour. Council completes regular testing of water in Swaines Creek and the results are published on Council's website under Waterway Health Report Card. Brush turkeys are naturally occurring within the Sydney region and were recorded here prior to the Great Depression. Their numbers decreased at that time but they are now returning to the area. They are protected under the National Parks and Wildlife Act.
1.04	*My property backs onto the reserve, and I have had gardeners comment around some of the noxious trees that are popping up in the reserve, and also have had neighbours who run through the track comment on some foxes being stirred up as a result of being too close to their nests. But otherwise, agree with the suggested improvements to the reserve, especially around improving the quality of the walk/trail.*	Council will continue to have bushland regeneration contractors and Council staff working in the Park to control weed outbreaks. Council has recently received an increased number of fox sightings in Ferndale Park. Council is currently investigating methods to control populations humanely.
1.05	*Living so close to the city it is highly advantageous to have an area of bushland at the back door. The continuance of weed management is a must and has to continue in the interests of the safety of all of the local residents and other people who regularly use this amazing and beautiful area. Noting that there is currently very little maintenance that goes on in the reserve and the parks that it links up with, it is a no brainer to provide a level of maintenance in order to prevent pests and dangerous animals from infringing on the local residences.*	Council has been continuously working in Ferndale Reserve for over 25 years removing pest plants in a mosaic pattern and encouraging natural regeneration. Council is continuing with this commitment through Council's environmental levy e.restore and with bushland regeneration contractors and Council staff working in the Park.
1.06	*But I live in Willoughby and I have been to Ferndale Park and I want the weed to be managed.*	Council will continue to have bushland regeneration contractors

		and Council staff working in the Park to control weed outbreaks.
1.07	*BUSHLAND MANAGEMENT* *a) can we address the problem of removal of native plants by walkers?* *b) further address the problem of dogs off leash in the grassed area remaining off leash in the bushland?* *c) the path, while much better still requires improvements for the safety of walkers and the protection of plants* *d) can there please be focus on removal of weeds in the creek line, especially Tradescantia which so easily spreads along the creek* *MOWING CONTRACTOR; Is there some way of having clearer guidelines for changing contractors to deal with spraying of weed and seeds into the bush and also removal of mown grass especially after long periods of rain when the grass becomes very long before being cut.* *Dog poo bin is well used but often infrequently emptied.* *The material taken out of the creek near my place needs to be taken away or used on the grassed areas to fill depressions*	New interpretive signage will encourage visitors to protect native plants and bushland. Dogs off leashes has been identified as a problem in the Park and new methods to encourage owners to keep their dog on a leash are being investigated. Track improvements will be considered where necessary. Mowing contractors must keep grass clippings, seed and weeds within designated work areas as part of their contractual obligations. If a contractor is found to be working in breach of this, the issue must be reported to Council Customer Service with photographic evidence at the time of happening. Thank you for notifying Council of the other issues in the Park. They have been forwarded onto the relevant staff to follow up and investigate.
2.00 – Access and Recreation		
2.01	*It's excellent to see the detailed and considered approach to this valuable local feature.* *Very enthusiastically support the app and improved signage - both will make the park more usable. Improvement of the more dilapidated sections of the track also high priority for this reason.* *Would love to see the sculpture and informal kids play area ideas come to be. Engaging kids in a bush environment is brilliant.* *Not so keen on the removal of informal pathways. I agree with the motivation for this but there are not enough formal paths in the park. Possibly consider increasing the number of formal paths to allow people to take a short cut through the park to get from A to B, not just for use as a leisurely stroll. Will make it easier for people living on the south side to access the station, which will take pressure off roads and buses.*	Council is appreciative of your positive comments and agrees that interpretive and track improvements are required to improve visitors' experience. Informal paths for access for bushland regeneration workers will remain. There are currently thirteen (13) entry points into the Park. Properties located directly adjacent to the Park restrict the possibility of more entry points. The steep terrain, narrowness and the protection of bushland restrict the ability to have more paths through the Park.
2.02	*Improve signage is a good idea, with details and distances, arrows along the way to show you are on the right track and not in someone's backyard. Smartphone app may be good for some, though I use Optus and can get no phone coverage in my home, near Ferndale!*	Council is appreciative of your positive comments and agrees that interpretive and track improvements are required to improve visitors' experience.

		A phone network is not required to use the guided walks App 'Willoughby Walks'. The App and walk can be downloaded at home over Wi-Fi. Once downloaded onto your smartphone it is ready to use. The App is available now to download and the Ferndale walk will be available in the 2nd half of 2017.
2.03	*Ferndale Park is a beautiful bushland setting nestled among homes and the Chatswood Golf Course. I walk this track regularly and love it. The suggested actions by Council are a good start. However, I would like to add the following:* *(1) as a priority, Council must improve the physical signage for the tracks (not just an app) - visitors to this area are totally confused about where the track goes, how long the walk is, the level of fitness required, etc. The existing signs that indicate exits to Sylvia St and Harnett Place (which should be Greville St, just by the way) are useless (too small and ambiguous) and there is no signage for the exits to Centennial Ave and Dalrymple Ave. It would also be educational to add some signage about common tree/plant species in this area, since many families use the track.* *(2) some parts of the walking track are quite eroded and need remediation. There are a few spots that become quite boggy after rain where some stepping stones would help. And there is a fallen tree across the track which has been there for a couple of months that needs removal.* *(3) the grass area known as "the Common" (behind the Park Avenue entrance down the track behind several homes) requires regular mowing (it is currently in a terrible state). Past mowing cycles have been much better. There are also a couple of large trees in this Common that should be inspected; at least one looks to be dying and may require removal. The park bench in this area could also do with a coat of paint.* *(4) Occasionally, there is an offensive 'sewer' smell along the track beside the Golf course at the western end (near where the old arch bridge is). This should be investigated.*	Council is appreciative of your positive comments and agrees that interpretive and track improvements are required to improve visitors' experience. Thank you for notifying council of the other issues in the Park. They have been forwarded onto the relevant staff to follow up and investigate.
3.00 – Domestic and Feral Animals		
3.01	*I broadly agree with the matters raised in the action plan, and the following comments are limited to the area numbered '21' on the map and list of Ferndale Park Actions.* *In addition to the use of logs to create new bush furniture, I would like WCC to include and enclosed/fenced dog area as part of the design and planning for this section of the park along Dalrymple Ave.* *This part of Ferndale Park is already designated as a permitted off-leash area for dogs, however an enclosure could enhance safety given the proximity to the road. There is also the added benefit of building greater community connection for local residents.*	

	We have recently purchased a house in this area and moved away from a park where the council had erected a dog enclosure in a permitted area for dogs. I was impressed at how quickly community connections amongst residents were established during the time people spent at the dog enclosure every day. *The investment from the council included the fencing, rubbish removal and a water tap. I note that there is already a bin for rubbish at this site in Ferndale Park. The water taps that are typically installed at off-leash dog enclosures have an automatic shut-off after a short period of time so that water conservation is assisted.* *I hope that you strongly consider this idea as an improvement to a council and community asset where dogs are already permitted. It would be great to see the proposed bush furniture to be incorporated into the design for an off-leash dog enclosure area also.*	Council installs fences subject to a risk assessment. If there is an immediate risk to the public at a site, a fence would be considered. At Ferndale Park there is no direct public risk, therefore a fence is not required to protect the public. Also, Council desires to maintain an inviting open entry to the Park for visitors. Owners are reminded that dogs, under the Companion Animals Act 1998 S13/1, a dog in a 'public place' must be under the effective control of a competent person. Dogs also must be on a leash travelling to and from a dog off-leash area. There are twelve (12) other designated dog off-leash sites in Willoughby including nearby Lowanna Park located at the corner of Fullers Rd and Greville St, which is fully fenced. Dogs can enter this area from dusk until 10 am. Please note, dogs are not allowed in the children's play and barbeque areas.
3.02	*I propose that the Reserve Action Plan include measures to provide fencing around the designated off leash dog park at Ferndale Park on Dalrymple Avenue.* *This will enable residents to exercise and socialise their dogs off leash without them wandering into the adjacent bushland, or onto the road.* *This area is currently underutilised because of these risks, which unfortunately means that the vast majority of responsible dog owners in the area cannot/do not exercise their dogs off leash.* *I previously lived in an area where the off leash area was improved with fencing, and it immediately provided a benefit of greater social and neighbourly interactions in the neighbourhood.* *As this area is already a designated off leash park, this should not require any changes to zoning. There is adequate space to fence a dog park whilst leaving a footpath to/from the bushland that does not pass through it, in case walkers do not wish to interact with dogs.*	
3.03	*PEST AND DOMESTIC ANIMAL CONTROL* *I have lived on the southern side of Ferndale Park (between Greville and Ferndale Streets) for the last seven years and often walk and photograph along its tracks. I have been impressed by the care Council has taken with the Park in terms of removing weeds, replanting natives, maintaining paths, seats and bridges and monitoring native animals. In recent years, the Council burn-off has also been highly successful in returning plant biodiversity to the southern hillside.* *As the management plan notes, Ferndale Park is a vital wildlife corridor linking small suburban pockets of bushland to larger reserves within the Lane Cove River catchment. I have observed a significant population of birds and animals in the Park including Powerful Owls, microbats, large populations of birds such as parrots, toadlets, snakes, Eastern Water Dragons, bandicoots, and echidnas. I would also have expected to see a wider range of smaller birds given the cover provided; while some Pardalote and Scrub-wren remain we have far less small bird biodiversity than I would have anticipated given the different environments available within the Park. Neither are we seeing visits from Swamp Wallabies and Lyre Birds which has occurred in other*	Council is very appreciative of your positive comments and suggestions. A multi-tiered educational program to increase the awareness of the impact that domestic and feral animals have on native wildlife is important. Council is currently investigating different methods to encourage people to keep their dog on a leash while walking in Ferndale Park. Council appreciates your wildlife sightings and encourages all residents to report wildlife they see to Council's 'Wildlife Watch' webpage.

	parts of the bush in the Willoughby council area. I would suggest that hunting by domestic animals and foxes has contributed to local extinctions, declining species numbers and to the failure of other native animals to return. *From our house we have a clear view of people using the park trail. Despite the warning signs, the majority of dog owners wait until they are on the track and then release their dogs. I have observed a number of these dogs running into the bush and onto the hillside hunting, often in pairs. Dead bandicoots, possums and Eastern Water Dragons are regularly seen on local lawns near the Park entrance. We also have a number of people in our area who allow their cats to roam at night. Their incursions directly into the Park - particularly between dusk and dawn - have been picked up before by motion-activated cameras placed by Council staff.* *I would like to see Council include in its Key Actions more concerted and coordinated attempts to deal with the owners of domestic dogs and cats (leafleting homes near Parks; more focused signage about the impact of domestic animals on the park; provision of anti-hunt 'bibs' for cats; council officers issuing fines). I would also suggest that it may be time to start a public conversation about cat containment – in particular for those living within easy cat access to reserves and Parks.* *The depredations of domestic animals are exacerbated by the foxes frequenting the area. Until a few weeks ago we had a young fox regularly come to the back door seeking food. Its boldness was a clear indication that it was being fed by other people living near the Park. I would like to see council step up its campaign to educate the community about the impact of foxes. There is currently a part of the community which does not want to see local foxes eradicated because the methods used (eg 1080 in particular) are seen as too cruel. I would encourage Council to consider using a more humane method such as a PAPP-type bait eg Foxecute. This would allay some community concerns about the eradication of these pests.* *In summary, I would like to see Council prioritize the control of domestic animals and foxes in its Key Actions for Ferndale Park. If these issues are not addressed then a major rationale for the Park – to protect and maintain local biodiversity - is at risk of being lost.* *I encourage locals when I have the opportunity to contain their cats and keep their dogs on the leash. A more coordinated and concerted campaign by Council to educate and regulate pet owners and eradicate foxes would greatly aid this work.*	
3.04	*It may be appropriate to run another fox baiting program, as the reduction in fox populations has led to a significant increase in bird life diversity.*	Council has recently received an increased number of fox sightings in Ferndale Park. Council is currently investigating methods to control populations humanely.
4.00 – Positive Comments		
4.01	*I'm happy with the proposals*	

4.02	*It's excellent to see the detailed and considered approach to this valuable local feature.*	Council is appreciative of your positive comments.
4.03	*This is a beautiful slice of paradise in the middle of crazy Sydney and I feel very lucky to be able to access such a beautiful space. Vegetation and regeneration are critical and I think the volunteers do an amazing job. Please keep this space well maintained and it will be the Jewel of Chatswood.*	
5.00 – Bushcare		
5.01	*I think it's great to continue to provide assistance to bushcare and weed maintenance programs. Clearing and maintenance of the rudimentary pathways should be a priority to encourage more community use of this bush park.* *I also agree that interpretative and Way finding signage should be upgraded to encourage more community use of this bush park. An App for walkers is a great idea with way finding details included.*	Council appreciates the ongoing work that Bushcare volunteers contribute to improving bushland in the Park. Council will continue to support both groups and encourages more residents in the local area to join a group.

Appendix

Appendix 1

Website Survey

Ferndale Park Reserve Action Plan – Survey

Willoughby City Council welcomes your feedback on this newly created Draft Reserve Action Plan. Please leave your comments below in the survey section.

All community members who leave a comment will receive a response at the conclusion of the community consultation period.

Do you regularly visit Ferndale Park?

☐ Yes ☐ No ☐ Sometimes

Do you have any comments regarding the Draft Reserve Action Plan?

Appendix 2

Notification

Letter to Residents

PLANNING & INFRASTRUCTURE DEPARTMENT
Environment Unit

12 April 2017

The Resident

RE: FERNDALE PARK DRAFT RESERVE ACTION PLAN

Willoughby City Council is seeking your feedback on a newly created Draft Reserve Action Plan for bushland at Ferndale Park. The Park is a long and narrow 9.8 hectare remnant bushland reserve that plays an important role linking a number of small bushland spaces to larger significant reserves like Mowbray Park, Blue Gum Park and the Lane Cove National Park.

Key actions for the Draft Reserve Action Plan:

- Continuation of weed management and revegetation programs by bushland regeneration contractors and Council teams,
- Continue to provide assistance to the Bushcare volunteer groups working in and around the Park,
- Improve interpretive signage and create a smartphone self-guided walking App titled 'Willoughby Walks'.

We welcome your feedback on the Draft Plan and invite you to view and comment through Have Your Say at **www.haveyoursaywilloughby.com.au**
Community consultation will commence **Wednesday 12 April** and conclude at **5pm, Tuesday 9 May.** Alternatively, comments should be marked to the attention of Council's Natural Assets Officer, Stuart Hall to the address below or via email to **email@willoughby.nsw.gov.au**

Yours sincerely

Alfred Bernhard
BUSHLAND TEAM LEADER

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Appendix 3

Resident Letter Distribution Area



620 Properties

17

Appendix 4

Notification Signage – Park

WILLOUGHBY CITY COUNCIL
City of Diversity

FERNDALE PARK
DRAFT RESERVE ACTION PLAN

Council has developed a Draft Reserve Action Plan for Ferndale Park and is now seeking comments from the community.

Have Your Say about the Draft Plan by:

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

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

www.haveyoursaywilloughby.com.au

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

The submission period will close at **5pm, Tuesday 9 May 2017**.

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12.3 SHORELINK LIBRARY NETWORK COMMITTEE MEETINGS

ATTACHMENTS:	**1. MINUTES - 170TH SHORELINK LIBRARY NETWORK COMMITTEE MEETING - 24 AUGUST 2016** **2. MINUTES - 172ND SHORELINK LIBRARY NETWORK COMMITTEE MEETING - 22 FEBRUARY 2017**
RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**ANGELA CASEY – CULTURE & LEISURE MANAGER**
CITY STRATEGY LINK:	**1.2.3 QUALITY, ACCESSIBLE PUBLIC LIBRARY AND COMMUNITY LEARNING SERVICES ARE AVAILABLE**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

1. To provide Council with the minutes of the 170th Shorelink Library Network Committee Meeting held 24 August 2016 and the 172nd Shorelink Library Network Committee Meeting held 22 February 2017.
2. To consider recommendations from the Shorelink Library Network Committee relating to the allocation of Shorelink Reserves and the extraction of data from the current Library Management System.

Background

Established practice has been that minutes of Shorelink Network Committee Meeting are only reported to Council once they have been adopted at a subsequent Shorelink Committee meeting that has a quorum.

Discussion - Committee Meetings

The last minutes of the Shorelink Library Network Committee Meeting reported to Willoughby City Council were of the 169th Shorelink Library Network Committee Meeting held 22 June 2016. Since that meeting, five Shorelink Committee meetings have been held. Only two of these have had a quorum: the 170th meeting held 24 August 2016 and the 172nd meeting held 22 February 2017. Due to the practice of other member Councils, the minutes of the 170th meeting were not adopted at the Shorelink Committee meeting held on 22 February 2017.

Table 1: Recent Shorelink Committee meetings with a quorum

Shorelink Meeting No.	Date of Meeting	Quorum
168	27 April 2016	Yes
169	22 June 2016	No
170	24 August 2016	Yes
171	9 November 2016	No
172	22 February 2017	Yes
173	26 April 2017	No
174	28 June 2017	No

There is only one further Shorelink Library Network Committee Meeting scheduled before Council leaves the consortium. Recent experience would indicate that there may not be a quorum at this meeting. Therefore it is considered appropriate that the minutes of the 170th and 172nd Shorelink Committee meetings be noted by Council, although they have not been approved by the Shorelink Committee.

Discussion - Shorelink Reserves and Extraction of Data

Under the terms of the Shorelink deed, Council is entitled to a share of Shorelink's assets and cash reserves on leaving the consortium. These funds will be used to pay for the extraction of data from the current Library Management System (LMS), for which a fee of up to $27,000 will be payable. In order to have a new LMS operational by the time Council withdraws from the Shorelink consortium in December 2017, the extraction of data must be progressed as soon as the new LMS provider is appointed. The LMS tender is the subject of another report to this Council meeting.

Council had requested that its share of Shorelink's assets be placed on the agenda of the 174th Shorelink meeting held 28 June 2017. As there was no quorum present at this meeting, it was agreed that the following recommendations would be reported to each member Council for adoption, so that a decision could be made prior to Council's deadline for beginning the process of data extraction.

The 174th Shorelink Committee Meeting recommended that:

1. *The reserves which are to be reported in the finalised statements (July 2017) may be distributed to member Councils on their request up to an amount as per the percentages recorded in the 2016/17 estimates, so as to allow member Councils to meet any commitment arising from orders raised for data extraction.*
2. *Should any member request transfer of its full share of reserves prior to withdrawal, no further claim will be made on the reserves by that Council.*
3. *Member Councils withdrawing from Shorelink pay for their own data extraction.*
4. *While the Shorelink Office will continue to offer service in facilitating the data extraction for Willoughby and Northern Beaches Councils, orders for the work are to be placed directly to Aurora Information Technology by Willoughby and Northern Beaches Councils.*

Financial Implications

Current estimates indicate Council will be entitled to $31,200 of the reserves. Confirmation of the amount will be available once the finalised statements are produced in July 2017. A fee of up to $27,000 will be payable for the extraction of data from the current LMS.

Conclusion

Council has given notice to leave the Shorelink consortium. There has been a consistent lack of quorums at Shorelink Committee meetings over the past year, which has impacted on the way that minutes have been reported to Council. It is considered that the recommendations from the 174th Committee Meeting, at which there was no quorum, are in Willoughby Council's best financial interests.

OFFICER'S RECOMMENDATION

That Council:

1. **Receive and note the minutes of the 170th Shorelink Library Network Committee Meeting held 24 August 2016 and the 172nd Shorelink Library Network Committee Meeting held 22 February 2017.**

2. **Endorse the recommendation made by Committee members at the 174th Shorelink Committee Meeting that the reserves which are to be reported in the finalised statements (July 2017) may be distributed to member Councils on their request up to an amount as per the percentages recorded in the 2016/17 estimates, so as to allow member Councils to meet any commitment arising from orders raised for data extraction.**

3. **Endorse the recommendation made by Committee members at the 174th Shorelink Committee Meeting that should any member request transfer of its full share of reserves prior to withdrawal, no further claim will be made on the reserves by that Council.**

4. **Endorse the recommendation made by Committee members at the 174th Shorelink Committee Meeting that Member Councils withdrawing from Shorelink pay for their own data extraction.**

5. **Endorse the recommendation made by Committee members at the 174th Shorelink Committee Meeting that while the Shorelink Office will continue to offer service in facilitating the data extraction for Willoughby and Northern Beaches Councils, orders for the work are to be placed directly to Aurora Information Technology by Willoughby and Northern Beaches Councils.**

ATTACHMENT 1

Shorelink Library Network

Chairperson: Cr Nic Wright
Willoughby Council

Secretary: Ms Angela Casey
Willoughby Library
409 Victoria Ave
CHATSWOOD NSW 2067
(02) 9777 7900
Angela.Casey@Willoughby.nsw.gov.au

Shorelink Office
Stanton Library
Level 2
234 Miller Street
North Sydney NSW 2060
(02) 8920 0577

MINUTES OF THE 170th MEETING OF THE SHORELINK COMMITTEE
Wednesday, 24 August 2016 at 6.30 pm
North Sydney Council Chambers

PRESENT: **Members:**

Lane Cove	Cr Karpin, Jennifer Bice
Northern Beaches (Manly)	Theo Stephens
Mosman	Cr Sherlock, Jill Cuthbert
North Sydney	Cr Marchandeau, Rebecca Aukim
Willoughby	Cr Wright, Angela Casey

In attendance:

Cath Bright (Willoughby), Coreen Tan (North Sydney), Martin Ellis (North Sydney), Garry Ross (North Sydney), Darren Goode (North Sydney)

ITEM 1: **Apologies:**

Cr Moline, Mosman; Vicky Smith, Northern Beaches (Manly)

ITEM 2: **Declarations of Interest:**

Nil

ITEM 3: **Minutes of 169th Meeting held on 22 June 2016:**

RESOLVED: 2016/2017: 1

THAT the Minutes be adopted

ITEM 4: **Matters arising from the Minutes of 22 June 2016**

Nil

ITEM 5: **Shorelink Deed and legal advice report**

Legal advice was sought from the legal representatives at Northern Beaches and the Agent Council. The advice of both is that the Shorelink Deed of Agreement can continue to operate for 2016/2017 but that the Agreement will need to be redrafted as a consequence of the proposed amalgamations.

With regard to Shorelink Committee meetings, the legal representative of the Agent Council's advice is that:
(1) If there is a quorum (1 representative from each library service and a minimum of 3 Councillors), the meetings can proceed as usual with the Committee able to resolve on recommendations.
(2) If there is no quorum, the meetings can proceed, and a report of the meeting (minutes) will be referred to each Council/Administrator for approval of recommendations.

RESOLVED: 2016/2017: 2

THAT the report be received
THAT further legal advice is to be sought addressing possible scenarios regarding the future of Shorelink in the event of amalgamation.
THAT the advice be circulated as soon as possible so that consideration can be given to call an extraordinary meeting of the Shorelink library network if necessary.

ITEM 6: **Shorelink Network Report 16/4/16 – 17/08/16**

Six new additional ADSL2+ services from TPG were ordered in May to address bandwidth issues and are now operational.

Towards the end of June, Shorelink experienced intermittent downtime over a two week period. On Friday 24 June 2016, AIT commenced migration from a dedicated server environment to a virtual server environment. However, there were connectivity problems in some of the libraries, namely Manly, Mosman and Willoughby libraries. This was resolved after some troubleshooting and was attributed to incorrect firewall settings.

Unfortunately, the firewall at the Data Centre, which was nearing end of life, also started to crash periodically. This caused sporadic loss of connection on several occasions between June 27 and June 28. Connectivity was restored once the firewall was rebooted.

AIT and Rackspace agreed that the best way forward was to revert to the dedicated server environment, but with an upgraded operating system with increased memory capacity and substantially increasing the capabilities of the server. This was done on Wednesday evening 6 July.

On 13 July, a week after the server move, the firewall at the Data Centre was replaced with the NSA3600 Sonicwall firewall, a new and more powerful version of the previous model. There have been no reports of outage since.

RESOLVED: 2016/2017: 3

THAT the report be received

ITEM 7: **Shorelink Financial Statement**

The Shorelink cost report records:

1. *eBook subscriptions*: $22,058 has been spent purchasing eResources.

2. *Software licensing:* An order has been placed for licenses required throughout 2016/17 to a total of $136,347.

3. *Hardware maintenance:* The libraries required new switches to replace the old ones. Shorelink paid for this upfront. Each library has now been invoiced and Shorelink will be reimbursed.

4. *Transfers from Reserves*: $55,320 ($50,000 for contributions; $5,320 for replacement switches & firewalls).

5. *Contributions*: All contributions from member Councils have been received including $87,332 for eBook subscriptions making a total of $613,012.

RESOLVED: 2016/2017: 4

THAT the report be received

ITEM 8: **Shorelink Annual Financial Statement 30 June 2016**

The unaudited Shorelink Financial Statements for the year ended 30 June 2016 shows the operating result was a deficit of $89,731. This compared to a budgeted deficit of $9,000 (including depreciation).
The statements will be audited in early September 2016.

RECOMMENDATION:
1. THAT the Financial Statements for the year ended 30 June 2016 be referred to audit.
2. THAT the Financial Statements for the year ended 30 June 2016 and the Auditor's Report be presented to the next meeting of the Committee.
3. THAT the Statement by Committee be signed by the Chairperson, Secretary and a Committee member.

RESOLVED: 2016/2017: 5

THAT the report be received

ITEM 9: **Draft Shorelink Annual Report 2015-16**

The draft Annual Report was tabled.

RESOLVED: 2016/2017: 6

THAT the report be received.
THAT Willoughby Library staff be thanked for drafting the report.

ITEM 10: **Correspondence**

Out:
From: Cr Nic Wright (August 2016)
To: Northern Beaches Council
To: Adele Heasman

The letter sent to Northern Beaches Council was to request that a delegate attend the next Shorelink Committee meeting. The letter to former Councillor Adele Heasman was to thank Adele for her work over many years for Shorelink on behalf of Manly Council.

RESOLVED: 2016/2017: 7

THAT the correspondence be noted.

ITEM 11: **Other Business**

Discussion: Uncertainty about the Committee's function throughout 2016/17 as a result of Council amalgamations.

RESOLVED: 2016/2017: 8

THAT the Agent Council develop a presentation demonstrating the benefits of Shorelink and write to the Northern Beaches Council requesting an opportunity to present.

Next meeting: 9 November 2016 6.30 pm, Willoughby Council

The meeting closed at 7:30 pm.

ATTACHMENT 2

Shorelink Library Network

Chairperson: Cr Nic Wright
Willoughby Council

Secretary: Ms Angela Casey
Willoughby Library
409 Victoria Ave
CHATSWOOD NSW 2067
(02) 9777 7900
Angela.Casey@Willoughby.nsw.gov.au

Shorelink Office
Stanton Library
Level 2
234 Miller Street
North Sydney NSW 2060
(02) 8920 0577

MINUTES OF THE 172nd MEETING OF THE SHORELINK COMMITTEE
Wednesday, 22 February 2017 at 6.30 pm
Lane Cove Library

PRESENT: **Members:**

Lane Cove	Cr David Karpin, Jennifer Bice
Manly	Vicki Smith
Mosman	Cr Libby Moline, Jill Cuthbert
North Sydney	Martin Ellis
Willoughby	Cr Nic Wright, Angela Casey

In attendance:

Jane Gornall (Lane Cove), Melanie Gurney (Northern Beaches), Coreen Tan (North Sydney)

ITEM 1: **Apologies:**

Cr Veronique Marchandeau (North Sydney), Rebecca Aukim (North Sydney)

ITEM 2: **Declarations of Interest:**

Nil

ITEM 3: **Minutes of 171st Meeting held on 9 November 2016:**

RESOLVED: 2016/2017: 20

THAT the Minutes be adopted

ITEM 4: **Matters arising from the Minutes of 9 November 2016**

Nil

ITEM 5: **Shorelink Network Report 1/11/16 – 7/2/17**

Lane Cove, Mosman and Stanton are now using AIT's new discovery layer, Montage, as the web interface for their catalogues. Staff using it have periodically identified areas for enhancements and have provided regular feedback to AIT. Manly and Willoughby are still working on the specifications and requirements for their version of Montage before going live.

Usage of Shorelink eResources continues to increase. The eResources group have been working on developing the collection. Shorelink currently has almost 3800 eBook titles, 1100 eAudiobook titles (on Bolinda and Overdrive) and 124 eMagazines (on Zinio). In comparison to the same period last year, Bolinda loans increased by 63 percent, Overdrive loans increased by11.7 percent, Zinio loans increased by 14 percent.

RESOLVED: 2016/2017: 21

THAT the report be received.

ITEM 6: **Shorelink Financial Report February 2017**

The Shorelink cost report records:

1. eBook subscriptions: $50,518 has been spent purchasing eResources, with a further $ 13,000 committed.

2. Software licensíng: The apparent overspend of $11,998 is due to a phased budget and will correct itself by the year's end.

3. Hardware maintenance: As with the software licensing, the apparent overspend will correct itself by the year's end.

4. The cost report reflects transfer from reserves of $55,320 towards reducing operating costs.

5. Accumulated surplus (reserves): Currently at $83,645 (as advised by Agent Council's Finance Department in November 2016).

RESOLVED: 2016/2017: 22

THAT the report be received.

ITEM 7: **Shorelink Draft Estimates July – December 2017**

The estimates are for the half year only in response to Willoughby City Council's notice of termination to take effect at the end of December 2017.

- A separate report on this agenda is provided to the Committee on Shorelink assets, which on 31 December 2016 were valued at $11,133.

- Shorelink liabilities are primarily employee's leave entitlements which at 30 June 2016 was at $87,230 which is fully provided for.

- Shorelink Surplus funds was last reported (November 2016) as $83,645.

- Correspondence on this agenda from AIT provides an estimate of costs ($38,000-$88,000) associated with data extraction in December 2017, whether for 1 or more libraries. These costs have not been included in the estimates as the specification for extraction (and therefore final costs) are not yet to hand. It is noteworthy however that should all libraries depart Shorelink and migrate to different platforms, all surplus funds will be needed to meet the costs of data extraction.

There is no proposed capital expenditure for the period.

Certain functions are funded fully by each Council according to usage, rather than the formulas in the Deed of Agreement. For example each Council meets the cost of its own internet usage (Resolution 2008/9:15). Other costs shared in this way are internet and wireless (including capital costs associated with wireless) and network maintenance.

RESOLVED: 2016/2017: 23

THAT the Draft Operating and Capital Shorelink Library Network Estimates for July-December 2017 be adopted.

THAT Committee notes the correspondence from Willoughby Council's General Manager (20 February 2017) advising that the estimates for contribution to be calculated should be based on the period 1 July 2017 to 31 December 2017.

ITEM 8: **Shorelink Network Assets Register**

In 2009, as part of the Software as a Service (SaaS) environment adopted, Shorelink no longer relied on its own servers. In 2012, following the review of the Shorelink's Communications infrastructure, internet and wireless services were decentralised, with each library site having its own set of modems, routers, switches and access points, installed locally. All costs relating to the provision of internet and wireless services for the libraries are paid for by the libraries.

With reference to the correspondence from Willoughby City Council (16 December 2016) advising of termination in December 2017, and the reference to joint property being sold, the following information is provided to guide the Committee:

Shorelink's asset register, (1992- 2016) shows assets at cost at $332,193.48, with accumulated depreciation at $321,060.48. The full register will be provided to member Councils on request.

The written down value (WDV) of Shorelink's assets as of 31 December 2016 was $11,133.00, which includes two recently purchased items at the Pacnet Data Centre, i.e. Cisco Catalyst 24 port switch, and the Sonicwall NSA 3600 firewall which was 100% subsidized by NSW.net.

The assets referred to will be required to continue operating in the Shorelink Network regardless of the departure of Willoughby City Council in December 2017.

RESOLVED: 2016/2017: 24

THAT the information and mechanism for forwarding Willoughby City Council's share of assets be reviewed closer to the termination date.

THAT the full register of assets be provided to the Library Managers.

ITEM 9: **Shorelink Digital Library**

The Shorelink Libraries were among the first libraries in NSW to introduce eResources for loan. In 2001 Shorelink introduced eBook readers purchased using *eBooks: A Novel Format for Libraries* grant funding.

Web based eBook products were introduced in 2005. A number of different products and subscriptions have been trialled, purchased and cancelled over the intervening years.

Shorelink's current Digital Library includes eBooks and eAudiobooks from Overdrive and Bolinda BorrowBox; and eMagazines (Zinio) and eComics (ComicsPlus) from Wavesound.

Willoughby City Council's decision to withdraw from Shorelink on 15 December 2017 will have some impact on existing contracts. Willoughby may need to make separate arrangements as contracts become due as contracts/subscriptions are annual.

RESOLVED: 2016/2017: 25

THAT Lane Cove Library Staff be thanked for the detailed report and for their negotiations on behalf of member Councils.

THAT The Library Managers continue to work towards resolving the issues surrounding contractual arrangements and resolving Willoughby Council's share of e-book assets

ITEM 10: **Election of Office Bearers**

Chair: Cr Libby Moline, Mosman Council
Secretary: Jill Cuthbert , Mosman Library
Minute Secretary: Agent Council (North Sydney)

RESOLVED: 2016/2017: 26

THAT the Office bearers for 2017 be noted

THAT the Office bearers for 2016 Cr Nic Wright (Chair) and Angela Casey (Secretary) be thanked for their work for the Committee over the year.

ITEM 11: **Correspondence**

- Letter from Willoughby City Council's General Manager (15 December 2016) to North Sydney Council advising termination of Shorelink Deed
- Letter from North Sydney Council's General Manager (27 January 2017) to Willoughby City Council acknowledging the Termination advice and seeking clarity on the period for the Estimates July-December 2017
- Letter from Aurora Information Technology Pty Ltd (10 January 2017) advising range of costs for data exporting that would be incurred by Libraries departing the Shorelink database.

RESOLVED: 2016/2017: 27

THAT the correspondence be noted

Next meeting: 26 April 2017: Northern Beaches Council (Manly)

The meeting closed at 7.15 pm.

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12.4 MINUTES OF WILLOUGHBY HERITAGE ADVISORY COMMITTEE MEETINGS OF 23 MAY 2017

ATTACHMENTS:	**1. MINUTES OF MEETING HELD 23 MAY 2017**
RESPONSIBLE OFFICER:	**IAN ARNOTT - PLANNING MANAGER**
AUTHOR:	**JANE GIBSON – STRATEGIC PLANNER**
CITY STRATEGY LINK:	**1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To present Council with the Minutes of the Willoughby Heritage Advisory Committee Meeting held on 23 May 2017. (**Attachment 1)**

Background

The Willoughby Heritage Advisory Committee (WHAC) meets every 3 months. Its purpose is to advise Council on policy pertaining to the heritage in the City of Willoughby.

Discussion

The draft Minutes of the 23 May 2017 meeting have been circulated to the Committee Members for comments. The attention of Councillors is drawn to the following matter which was resolved at that meeting (**Attachment 1**):

Item 7.7

- Item 7.7 of the Meeting Agenda concerned discussion on the former Chatswood Station Awning Brackets. The Committee members discussed how they would like to see the brackets re-used as part of the Chatswood Park Master Plan.
  Members put forward the following recommendation for Council to consider:
  That the former Chatswood Station Awning Brackets be re-used as part of the Chatswood Park Master Plan.

Comment

Following the Committee Meeting, it was clarified that the ex-Chatswood Railway Station awning brackets have already been incorporated in the current planning for the new Master Plan for Chatswood Park. As such, the Committee's recommendation regarding this item is already being considered. This information was passed to the Committee Members following the Committee Meeting.

OFFICER'S RECOMMENDATION

That Council note the Minutes of the Willoughby Heritage Advisory Committee Meeting held on 23 May 2017.

WILLOUGHBY CITY COUNCIL

DRAFT MINUTES OF MEETING

MEETING NAME:	**Willoughby Heritage Advisory Committee**
LOCATION HELD:	**Banksia Room, Level 6, 31 Victor Street Chatswood**
MEETING CHAIR:	**Councillor L Saville**
DATE OF MEETING:	**23 May 2017, 5.00pm**

1. PRESENT:

Clr L Saville: Deputy Chair
Clr W Norton: Deputy Chair in the absence of Councillor Saville
Mr A Alexander: Artarmon Progress Association
Mr R Wilson: Community Representative

2. APOLOGIES:

Mr B Lau: Festival and Events Team
Ms A Kabos: Walter Burley Griffin Society
Mr T Fogarty: Community Representative
Mr P Storm: Willoughby District Historical Society

3. OFFICERS IN ATTENDANCE

Mr Ian Arnott: Planning Manager
Ms S Ramrakha: Local Studies Librarian
Ms J Gibson: Strategic Planner

4. DECLARATIONS OF INTEREST

Pecuniary Nil,
Non-Pecuniary -Nil

5. ACCEPTANCE OF PREVIOUS MINUTES (28 February 2017)

Moved subject to query: Clr W Norton Seconded: Mr A Alexander

6. BUSINESS ARISING FROM THE MINUTES OF 28 February 2017

6.1 Committee Recommendations

The Committee were advised that in relation to the two Committee recommendations listed in the Minutes of 28 February 2017, the following action had been taken:

Council's submission on the "*Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*" requested that clarification should be provided regarding protection of heritage buildings on school sites.

Sydney Metro has been requested by Council to consider the establishment of an educational facility on the Chatswood Dive site following completion of the metro works, being consistent with the historical use of Mowbray House.

6.2 Vanderfield Building

An update on the State Listing of the Vanderfield Building had been requested by Clr Saville. The Heritage Office has been asked to provide an update and J Gibson will email Committee members once this is received.

6.3 Willoughby Strategic Planning consultation

Clarification on the budget status of Chatswood CBD was sought by Clr Saville

6.4 Heritage Festival

Heritage Festival events were reported by the various groups to the Committee (including information provided by email from absent members):

WCC Events Team – the Heritage Photo Competition: received 118 photos to the competition through Instagram and Facebook. The top 40 photos selected by the Mayor and Cr Saville were then displayed in the Council foyer from the 18th April to 17th May. The winning photos were circulated to Members.

The guided walks organised by the Walter Burley Griffin Society were well attended.
Titled *Inspired Voices: Griffin legacy at Castlecrag* had 32 people in attendance.

The Museum exhibition for the 2017 National Trust Heritage Festival was opened by Mayor Gail Giles-Gidney on Sunday 23 April. 'Artistic Voices', curated by Terry Fogarty, explores the contribution to the cultural life of Willoughby City by some 100 individuals across a wide range of artistic and cultural fields over the years. An estimated 35 members and visitors attended the opening.

Artarmon Progress Association had a poster display at Artarmon Library on news through history – the Artarmon Gazette. The Voice of Artarmon Poster Display was circulated for members to view.

7. General Business

7.1 Blue Star Sustainability Awards

Clr Saville directed members to the Blue Star Sustainability Awards which recognises preserving and celebrating local culture and heritage. (Applications close 30 June).

http://knswb.org.au/our-programs/the-blue-stars/

Other awards / grants discussed were:

Sydney Coastal Councils:
http://www.sydneycoastalcouncils.com.au/Funding_Guide

Community Builders
https://www.communitybuilders.nsw.gov.au/funding-grants

7.2 Northern Beaches Tunnel

Concern was raised regarding how the WestConnex tunnel had resulted in the destruction of heritage areas and it was hoped that this would not be repeated in the proposed Northern Beaches Tunnel.

7.3 Guringai Festival

This year is the anniversary of the 1967 referendum, Mabo judgement and Sorry Day occurs 26th May. In light of these important events it was noted that the upcoming Guringai Festival should be supported. Council's support of this Festival includes a display in Chatswood Library of "*Bo-ra-ne Ya-goo-na Par-ry-boo-go. Yesterday, Today, Tomorrow: An Aboriginal History of Willoughby*" by Jessica Currie.

In addition, Council's website has a dedicated page for the Festival activities at:

http://www.willoughby.nsw.gov.au/whats-on/events/guringai-festival-2017/

7.4 Artarmon issues

7.4.1 Wickham Walk. it was acknowledged that Council had installed replacement signs for Wickham Walk.
7.4.2 Wine Vault Tunnel, Artarmon Industrial Area. It was questioned if a room at the Wine Vault could be used for community / function purposes. This issue is to be looked into and reported back to the Committee Members.
7.4.3 Artarmon Gazette – the past 4 issues of the Gazette has included articles explaining the origins of street names in Artarmon eg the Soldiers and Sailors streets. 70 out of 86 street origins have been investigated. Issues of the Gazette can be viewed at the Artarmon Progress Association website:

http://www.artarmonprogress.org.au/Gazette/index.html

The March edition of the Gazette also includes an article about Artarmon District Tennis Club which will be 100 years on 1 September 2017.

7.4.4 Artarmon Bowling Club. The open day regarding the future of Artarmon Bowling Club was discussed in detail including maintenance issues and disabled access. General availability of community facility buildings in Artarmon was also discussed.

7.5 Lanceley Cottage, Royal North Shore Hospital

The heritage status and demolition of Lanceley Cottage at the Royal North Shore Hospital was questioned. Further information to be obtained and reported back to Committee Members.

7.6 Willoughby Museum. There was further discussion on the Heritage Festival events at the museum including the Mosaic tour of heritage plaques which concluded at the Museum. Discussion also included social media promotion of the Museum. Willoughby Chatters will include an issue on Mashman Pottery which will also be included on the Facebook page.

7.7 Chatswood Station Awning Brackets. The re-use of the brackets as part of the Chatswood Park Master Plan was discussed and recommended.
Recommendation: That the former Chatswood Station Awning Brackets be re-used as part of the Chatswood Park Master Plan.
Recommended: L Saville
Seconded: R Wilson

8.Next Meeting

Due to the Council elections in September, it was agreed to bring forward the next Committee meeting:

Tuesday 1 August 2017
5.00pm
Banksia Room, Level 6
31-Victor Street
Chatswood

9. Meeting Closed
6.30pm

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12.5 GLOBAL FRIENDSHIP COMMITTEE MEETING HELD 22 JUNE 2017

ATTACHMENTS:	**1. MINUTES - GLOBAL FRIENDSHIP COMMITTEE MEETING - 22 JUNE 2017**
RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**MELANIE SMITH - COMMUNITY, CULTURE & LEISURE DIRECTOR**
CITY STRATEGY LINK:	**1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To present Council with the minutes of the Global Friendship Committee meeting held 22 June 2017.

OFFICER'S RECOMMENDATION

That Council receive and note the minutes of the Global Friendship Committee meeting held 22 June 2017.

WILLOUGHBY CITY COUNCIL

MINUTES

MEETING NAME: **Global Friendship Committee**

LOCATION HELD: **Banksia Room**

MEETING CHAIR: **Clr John Hooper**

DATE OF MEETING: **22 June 2017**

TIME OF MEETING: **6:00 pm**

---

1. PRESENT:
Mayor Gail Giles-Gidney, Clr John Hooper, Clr Wendy Norton, Clr Tony Mustaca, Clr Hugh Eriksson, Andrew McMichan, Rosemary Bekker & Sarkis Mouradian.

2. APOLOGIES:
Clr Angelo Rozos, Anthony Pang, Nick Separovich, Ross Wellings & Joyce Lewis.

3. OFFICERS IN ATTENDANCE:
Melanie Smith (Community, Culture & Leisure Director) & Michelle Wegener (EA).

4. DECLARATIONS OF INTEREST:
NIL

5. ACCEPTANCE OF THE PREVIOUS NOTES:

Moved:	**Rosemary Bekker**		
Seconded:	**Andrew McMichan**	**All in favour**	**Carried**

There were no amendments to the notes.

6. MAYOR'S REPORT:

- Met with Head of Administration of Nor Nork Armenia.
- Met with recently elected Mayor of Yerevan.
- Visited the genocide delegation.
- Met with the Holiness of the Catholicos.
- Met with the Minister of the Diaspora.

7. UPDATE ON WORKING GROUPS:

- ***Gwydir Shire (Bingara, NSW)***
  This year's Orange festival will be attended by Clr Hooper from Friday 30 June to Saturday 1 July 2017.

- ***Gangdong-gu (Seoul, Korea)***
  A South Korean Local Government Officers Delegation visited Willoughby City Council Friday 19 May for an anti-corruption presentation, feedback was very positive.

  Flag raising will occur in October 2017.

- ***Suginami (Tokyo,Japan)***
  18 August 2017 - Willoughby City Council will be hosting a delegation of approx. 25 students and 19 supporting staff from 11:15am to 12noon.

- ***Willoughby Friends of Ossu (WFOO)***
  ClubGRANTS 2016 funding has been expended on an Ossu teacher who travelled to Sydney and attended English tutorials. Whilst in Sydney visited local schools within WLGA and Willoughby Council. WFOO hope to receive funding this year to be able to send the English tutor to Ossu to work and teach with the teacher who came to Sydney in 2016.

  Stage 1 has begun on the ***Water for Schools/Sanitation Program -*** ($40,000) being partnered with "Water Aid" and Engineers Without Borders. WFOO will be fund raising in aid of this project and will contact Willoughby Council's Sam Connor, Media, Marketing & Events Manager for any possible ideas.

- ***Guardia Sanframondi (Italy)***
  Clr Mustaca OAM has been awarded Italian Knighthood by the President of the Republic of Italy. The Award is in recognition for service Clr Mustaca has provided to the Italian community, but especially to disadvantaged children.

  There is an opportunity for Willoughby Council to establish a friendly city relationship with internationally renowned Verona; with the committee's approval Clr Mustaca will take steps to reconnect their relationship.

  Clr Mustaca to make contact with Guardia Sanframondi to determine their desire to continue pursuing our Friendly City Agreement.

8. GENERAL BUSINESS:

- ***Council elections are being held on 9 September 2017***

9. 2017 Meeting Schedule

Thursday 21 September 2017

Thursday 16 November 2017

10. MEETING CLOSED:
Meeting declared closed at 7:00pm

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12.6 MULTICULTURAL SERVICES ADVISORY COMMITTEE MEETING HELD 28 JUNE 2017

ATTACHMENTS:	**1. MINUTES - MULTICULTURAL SERVICES ADVISORY COMMITTEE – 28 JUNE 2017** **2. REPORT – MULTICULTURAL SERVICES ADVISORY COMMITTEE APRIL TO JUNE 2017**
RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**RITA LEUNG – MULTICULTURAL SERVICES TEAM LEADER**
CITY STRATEGY LINK:	**1.1.3 CULTURAL DIVERSITY IS RESPECTED, SUPPORTED AND CELEBRATED**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To provide Council with the minutes of the Multicultural Services Advisory Committee meeting held 28 June 2017 and to seek Council's endorsement of the Advisory Committee's recommendation for the appointment of three applicants to fill current vacancies on the Multicultural Services Advisory Committee.

Background

Following recent resignations by Committee members, there are now a total of four vacancies on Council's Multicultural Services Advisory Committee. An Expression of Interest process for new Advisory Committee members was undertaken in June 2017.

The Multicultural Services Advisory Committee Terms of Reference outlines the following clauses related to membership and requirements for committee members:

- *Clause 3.1.4. a maximum of 12 and no less than 8 committee members.*
- *Clause 3.2.1. committee members are from a range of cultural backgrounds reflecting the diversity represented in the Willoughby Local Government Area (LGA).*
- *Clause 3.2.2. the majority of the Committee are individuals who reside, work or visit the Willoughby Local Government area (LGA); the remainder to include relevant community organisations that provide services for the Willoughby community.*
- *Clause 3.2.3. committee members must demonstrate a commitment to and knowledge of issues impacting on the CALD community in the Willoughby LGA.*

Discussion

An advertisement for Multicultural Services Advisory Committee members was placed in the North Shore Times on 8 June with applications due on 22 June.

Three expressions of interest were received to join Council's Multicultural Services Advisory Committee. The three applicants each have established a strong connection with the Willoughby multicultural community and demonstrated a strong understanding of the issues affecting Willoughby's Culturally and Linguistically Diverse (CALD) community. The applications were considered at the Multicultural Services Advisory Committee meeting held 28 June by the current committee members.

The Committee recommended that applications from the list below be accepted:

1. **Mr Johan Zaid Crouch**, Service Manager at New Vision Psychology at Chatswood, who have been commissioned by the Sydney North Primary Health Network (SNPHN) to provide specialist mental health services to the Chinese community in Northern Sydney.
2. **Ms Radhajayalakshmi Natarajan**, volunteer leader of the MOSAIC Sangam Indian Social Group. Ms Natarajan has been actively involved in building the capacity of the local Indian community through connecting the community individuals and with the broader community through encouraging community participation.
3. **Ms Olya Roohizadegan**, a local resident and a founding member of a local community garden. Ms Roohizadegan has been an active volunteer in a number of Council activities and programs and has good connection with people from a CALD background.

OFFICER'S RECOMMENDATION

That Council:

1. Receive and note the minutes of the Multicultural Services Advisory Committee meeting held 28 June 2017.

2. Accept the recommendation from the MOSAIC Advisory Committee for appointment of the three applicants to be members of the Multicultural Services Advisory Committee:

- **Mr Johan Zaid Crouch**
- **Ms Radhajayalakshmi Natarajan**
- **Ms Olya Roohizadegan**

ATTACHMENT 1

WILLOUGHBY CITY COUNCIL

MINUTES OF MEETING

MEETING NAME:	Multicultural Services Advisory Committee
LOCATION HELD:	12 Brown Street Chatswood
MEETING CHAIR:	Clr Wendy Norton
DATE OF MEETING:	28 June 2017
TIME OF MEETING:	3pm

1. ATTENDANCE

Present
Clr Wendy Norton (Chair), Clr Judith Rutherford AM, Ms Grace Lee, Ms Irena Husaric, Ms Joanne Vear, Mrs Kazuko Chalker, Mrs Marianna La Grassa, Mrs Marie Yan, Ms Marina Avagyan, Mr Matt Ridley, Ms Olya Roohizadegan (Observer), Ms Radhajayalakshmi Natarajan (Observer)

Apologies
Mr Johan Zaid Crouch (Observer)

Officers in attendance
Angela Casey (Culture and Leisure Manager), Sun-Hae Kim (MOSAIC Centre Supervisor), Rita Leung (Multicultural Services Team Leader) (Minutes)

2. DECLARATIONS OF INTEREST
Nil

3. CONFIRMATION OF THE PREVIOUS MINUTES
The minutes of the previous meeting held 22 March 2017 were confirmed with no amendments.

Moved by Clr Rutherford Seconded by Ms Joanne Vear Carried

4. BUSINESS ARISING

Committee Vacancies
The Committee has received a resignation from Ms Masako Lin since the last meeting. There are now four vacancies on the Multicultural Services Advisory Committee.

Action
Council's Multicultural Services Team Leader to organise a thank you letter to Ms Masako Lin for her service and contribution to the Advisory Committee.

Terms of Reference
The Multicultural Services Advisory Committee Terms of Reference was adopted by Council on 8 May 2017.

5. COMMITTEE MEMBER NOMINATIONS

Three expressions of interest were received in response to the Expression of Interest process. The three applicants each have an established connection with the Willoughby multicultural community and demonstrated a strong understanding of the issues affecting Willoughby's Culturally and Linguistically Diverse (CALD) community. The applications were considered at the Multicultural Services Advisory Committee meeting held 28 June by the current committee members.

i. Mr Johan Zaid Crouch, Service Manager at New Vision Psychology at Chatswood, who have been commissioned by the Sydney North Primary Health Network (SNPHN) to provide specialist mental health services to the Chinese community in Northern Sydney.

ii. Ms Radhajayalakshmi Natarajan, volunteer leader of the MOSAIC Sangam Indian Social Group. Ms Natarajan has been actively involved in building the capacity of the local Indian community through connecting the community individuals and with the broader community through encouraging community participation.

iii. Ms Olya Roohizadegan, a local resident and a founding member of a local community garden. Ms Roohizadegan has been an active volunteer in a number of Council activities and programs and has good connection with people from a CALD background.

The Committee made a recommendation to accept the three applicants to become members of the Advisory Committee.

Recommendation

That Council appoint the three applicants to be members of the Multicultural Services Advisory Committee.

1. ***Mr Johan Zaid Crouch***
2. ***Ms Radhajayalakshmi Natarajan***
3. ***Ms Olya Roohizadegan***

Moved by Clr Judith Rutherford Seconded by Ms Grace Lee Carried

6. REPORT ON MULTICULTURAL SERVICES PROGRAMS AND PROJECTS

Attached report dated April to June 2017 was presented.

7. DISCUSSION ON ISSUES/ CONCERNS

Multicultural Services Team Leader highlighted the changes in Willoughby CALD community profile indicated from the initial release of Census 2016. Further discussion can be undertaken at the next meeting on the implications of the changes in community profile and needs.

8. GENERAL BUSINESS AND INFORMATION SHARE

Members at the meeting shared information about various cultural activities scheduled for the next few months in Willoughby.

9. NEXT MEETING: Wednesday 27 September 2017 from 3pm-4.30pm at MOSAIC

10. MEETING CLOSE: Meeting closed at 4.30pm.

ATTACHMENT 2

MULTICULTURAL SERVICES ADVISORY COMMITTEE REPORT (April – June 2017)

English Class Student Survey for Semester 1
88 students from Level 0 to Level 4 participated in a survey in Term 2 (Semester 1). 97.73% reported that they felt more confident in using conversational English in every day scenarios. The next survey is due in November for Semester 2.

English Learning Program Enrolment Information
This enrolment information sheet includes the administrative aspect of English Learning Program and the course descriptions and timetable. The information is for assisting applicants in choosing a class that suits their level to meet their learning needs. The information has been translated in Chinese, Japanese and Korean.

StrokeSafe Talks
Stroke Foundation in partnership with the MOSAIC Centre presented a series of free Stroke Safe talks in May to raise awareness of stroke prevention and how to recognise the signs of stroke. 36 people attended the English session, Italian (30), Cantonese (31), Korean (33) and Mandarin (15). The Japanese session will be held in September.

Social Group Member Information
A member information sheet has been developed for the MOSAIC Social Group program. This will be translated in relevant languages for dissemination.

Winter School Holiday Program
Various activities are planned for the July school holiday, featuring workshops on Terrarium, Kids Yoga, Coins for Fun Maths, Happy Multicultural Toddlers, 3D Koala Card.

Family Water Safety Day - A community education event held in April for raising awareness of water safety and the 'mandatory wear of life jackets when rock fishing'. The day consisted of an expo, drowning survival skills lessons; proper wear of lifejackets and a barbeque. 250 people came through the day. The event is delivered in partnership between Multicultural Services, Willoughby Leisure Centre, the Department of Primary Industries and a number of interested entities.

NDIS (National Disability Insurance Scheme) Information Talks and Preplanning Sessions for Chinese, Korean and Japanese communities
These sessions offered in May and June provided practical guidance to people with a disability and their carers on how to prepare their first NDIS plan on outlining their goals and identifying necessary support.

Stories Behind the Chatswood CBD Heritage Plaques
Two guided tours were offered in May at the Heritage Festival. Participants listened to interesting stories of some of the Heritage Plaques in the Chatswood at the tour. A total of 27 in attendance. Mr Matt Ridley, Advisory Committee members contributed much to the design and implementation of the program.

Refugee and Migrant Voices
60 people attended the event held 22 June at Mosman in celebration of the Refugee Week. This is an initiative of the Lower North Shore Multicultural Network sponsored by Mosman Council and supported by a number of organisations including our Council. Mrs Renate Kaldor, AO Refugee Week Ambassador delivered a key-note speech, followed by short presentations by three community individuals from a refugee/ migrant background of their journey in settlement.

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12.7 ACCESS ADVISORY COMMITTEE MEETING HELD 14 JUNE 2017

ATTACHMENTS:	**1. MINUTES - ACCESS ADVISORY COMMITTEE - 14 JUNE 2017**
RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**LOUISE GEAGHAN - DOUGHERTY COMMUNITY SERVICES GROUP LEADER**
CITY STRATEGY LINK:	**1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To provide Council with the minutes of the Willoughby City Council Access Advisory Committee meeting held Wednesday 14 June 2017.

OFFICER'S RECOMMENDATION

That Council receive and note the minutes of the Willoughby City Council Access Advisory Committee meeting held Wednesday 14 June 2017.

WILLOUGHBY CITY COUNCIL

MINUTES OF MEETING

MEETING NAME: **ACCESS ADVISORY COMMITTEE**

LOCATION HELD: **DOUGHERTY COMMUNITY CENTRE, 7 VICTOR ST CHATSWOOD**

MEETING CHAIR: **Clr Wendy Norton**

DATE OF MEETING: **Wednesday 14 June 2017**

TIME OF MEETING: **4pm**

1. ATTENDANCE:

Present:

Clr Wendy Norton	Clr Middle Harbour Ward
Denise Park	Chatswood Rotary
John Mills	Community Representative
Jordana Goodman	Community Representative
Ross Warr	Community Representative
Jan Cumming	Representative of Parkinson's Support Group
Joanna Vear	Community Representative
Helen Woodman	Community Representative
Audrey Thomas	Architect
Cecilia Park	Observer – Ability Links

Apologies:

Clr Lyn Saville	Clr West Ward
Mark Tonga	Community Representative
Laurie Grundy	Community Representative
Maria La Greca	Community Representative
Susan Hartley	Community Representative

Officers in Attendance:

Louise Geaghan	Dougherty Community Services Team Leader (DCSTL)
Paul Collings	Works Manager Depot

2. DECLARATIONS OF INTEREST:

Nil

3. ACCEPTANCE OF THE MINUTES

The minutes of the previous meeting were accepted as a true record of the proceedings.

Moved: Ms Park **Seconded:** Ms Woodman Carried

4. BUSINESS ARISING FROM THE MINUTES

4.1 Bus stop seats
The new bus seat installed at Kendall Road, Castle Cove was stolen. A replacement seat will be installed after a permanent installation solution is achieved.

4.2 Willoughby Disability Inclusion Action Plan (DIAP)
The Disability Inclusion Action Plan has been approved by Council and has been forwarded to the Disability Council for approval.

4.3 National Disability Insurance Scheme (NDIS)
In early June the National Disability Insurance Agency announced suitable standards and expectations for the rollout of the NDIS had not been met and that the scheme is required to improve and adapt in the immediate future. Participants have criticised the planning process and numerous complaints have been received that disability support plans fall far short of what participants require to live independently. There are also long-standing problems with the NDIS web portal reducing access to payment for service providers and individuals.

Committee members were reminded to provide feedback regarding their NDIS experience to the NDIS Feedback and Complaints page on the NDIS website.

The Dougherty Community Services Team Leader (DCSTL) will advise the Committee members regarding any NDIS presentations scheduled in the local area.

4.4 Spring Street accessible parking
Council's Traffic Engineer has developed a number of alternative options for accessible parking spaces in Spring St Chatswood.

Two Committee members will conduct a walk through with the Traffic Engineer to provide feedback regarding the developed options.

5. CORRESPONDENCE
None received

6. ACCESS AWARDS
6.1 The Better Business Partnership will be hosting their award event on Thursday 15 June 2017 at 6pm at The Concourse, Concert Hall Foyer. Committee members have received invitations. Two committee members reported they will be attending.

7. GENERAL BUSINESS
7.1 Penshurst Street pedestrian access
A Committee member reported increased pedestrian incidents at the junction of Penshurst St and Forsyth St Willoughby. The most common incident type is passengers alighting from buses and then crossing the road. The matter will be provided to the Traffic Committee with a suggestion for increase education for pedestrians regarding the benefits of using designated crossing areas.

MEETING CLOSED: The meeting concluded at 6pm. The next meeting is scheduled for Wednesday **9 August** 2017 at 4pm at the Dougherty Community Centre.

THERE WILL BE NO JULY MEETING

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13 DEFERRED MATTERS

13.1 NOTICE OF MOTION: LOCAL GOVERNMENT ELECTIONS 2017

RESPONSIBLE OFFICER: **DEBRA JUST – GENERAL MANAGER**

AUTHOR: **DEBRA JUST – GENERAL MANAGER**

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

MEETING DATE: **24 JULY 2017**

Purpose of Report

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

Motion

That, at the forthcoming Local Government elections in September 2017, Willoughby City Council will conduct a poll of its residents to determine their preference to:

a) remain as a stand-alone council, or
b) support council amalgamation with a neighbouring council

Background

An extensive poll or referendum would provide council with accurate and comprehensive information regarding the preferences of residents that Willoughby remaining stand-alone council, or for amalgamation.

Much has occurred since council undertook resident surveys and consultation in response to Fit for the Future. A poll or referendum would enable more extensive polling of our residents to determine their views regarding stand alone or potential amalgamation.

Other councils including Lane Cove and Hunters Hill are undertaking similar polls or referenda to elicit the views of their residents on this important matter

The results would provide Council with up to date information to represent and advocate for our residents.

General Manager's Comments

The initial deadline for Councils to submit referenda requests to the NSW Electoral Commission, for addition to the September 2017 election process, expires in the week commencing 03 July 2017. Any requests submitted after this date will incur additional late costs, on top of the extra costs outlined below, as special print runs will need to be ordered. This extra cost figure is unknown at this point.

The NSW Electoral Commission also advises that any requests received after July will be unlikely to be serviced at all.

In terms of holding a referendum, for a single question on the ballot paper, the additional cost is approximately 10% of the total election cost. For Willoughby City Council this would be $38K (excl. GST), as the total standard election cost is approximately $380K (excl. GST). Any additional referendum questions will add approximately an additional 5% per question, so $19K (excl. GST).

It should be noted that there has been no budget allocation for any costs additional to the standard election cost.

OFFICER'S RECOMMENDATION

That Councillor Saville's Notice of Motion be considered.

13.2 NOTICE OF MOTION: INVESTMENT PROVIDERS

RESPONSIBLE OFFICER:	**DEBRA JUST – GENERAL MANAGER**
AUTHOR:	**DEBRA JUST – GENERAL MANAGER**
CITY STRATEGY LINK:	**6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

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

Motion

1. That Willoughby City Council will give preference to financial institutions that do not invest in, or finance the fossil fuel industry where:

    a) the investment is compliant with Councils investment policy; and
    b) the investment rate is favourable to council relative to other similar investments that may be on offer to Council at the time of investment

2. In its regular financial reporting to council, provide information on the state of divestment from fossil fuels

3. Request that LGNSW prepare and maintain information regarding financial institutions in which councils may invest, which are committed to fossil free investments and lending

Background

Not provided.

General Manager's Comments

At the Council meeting on 2 February 2015, Councillor Saville moved the following Notice of Motion:

> *That Willoughby City Council investigates ways in which to divest a proportion of its investments with financial institutions to non-fossil aligned financial institutions, such as smaller banks and credit unions.*

That a report be provided to Council detailing:

(a) Willoughby Council's current investments in both fossil fuel aligned financial institutions and non-fossil fuel aligned financial institutions; and
(b) Ways in which Willoughby Council could divest a larger proportion of its investments to a great proportion of non-fossil fuel aligned financial institutions.

This action is consistent with WCC Sustainability policies to conserve resources, and promote energy conservation. Such a motion enables implementation of realistic strategies to further energy conservation. It aims to avoid future perceived risk from fossil fuel investments.

The General Manager provided information within the Report which identified that Council had allocated 69% of its investments at 31 December 2014 to non-fossil fuel aligned financial institutions.

The Council voted on the following Motion which was Lost.

1. That Council reports in its Monthly Financial Report on the percentage of non-fossil fuel associated industries that Council has invested in.
2. The Council Officers be thanked for their work on the report.

Council's current Investment Policy which was adopted by Council on 14 March 2016 makes no reference to the purchase or non purchase of investments with fossil fuel and or non-fossil fuel aligned financial institutions

The Investment Policy sets out the following objectives:

- To provide a framework for the investing of Council's funds at the most favourable rate of interest available to it at the time whilst having due consideration of risk and security for that investment type and ensuring that its liquidity requirements are being met.
- While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity, and the return on investment.
- Preservation of capital is the principal objective of the investment portfolio. Investments are to be placed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters.
- Investments should be allocated to ensure there is sufficient liquidity to meet all reasonably anticipated cash flow requirements, as and when they fall due, without incurring the risk of significant costs due to the unanticipated sale of an investment.

The following table provides a breakdown of Council's investments as 31 March 2017 by fossil fuel and non-fossil fuel aligned financial institutions.

Institution	Amount	Fossil Fuel Aligned (Y/N)
AMP Bank	$4,000,000	N
Australian Military Bank	$1,000,000	N
Bank of Queensland Limited	$13,260,257	N
Bendigo and Adelaide Bank	$7,000,000	N
Beyond Bank	$1,000,000	N
Commonwealth Bank	$15,000,000	Y
Credit Union Australia	$11,000,000	N
Defence Bank	$3,000,000	N
Heritage Bank	$1,000,000	N
Maitland Mutual Building Society	$4,000,000	N
ME Bank	$11,154,807	N
My State Bank	$5,000,000	N
National Australia Bank	$14,000,000	Y
Newcastle Permanent	$5,000,000	N
People's Choice Credit Union	$3,544,100	N

Police Credit Union- South Australia	$4,000,000	N
Rural Bank	$3,000,000	N
Westpac Bank	$4,000,000	Y
Total	$109,959,164	

As can be seen from the table, Council allocated 70% of its portfolio to non-fossil fuel aligned financial institutions in March 2017 which is considered a significant allocation and which importantly conforms to Council's Investment Policy.

An integral component of the Policy is the Risk Management Guidelines which determines that investments must be considered in light of the following criteria:

- Preservation of Capital – the requirement for preventing losses in an investment portfolio's total value;
- Diversification – the requirement to place investments in a broad range of products so as not to be over exposed to a particular sector of the investment market;
- Market Risk - the risk that the fair value or future cash flows of an investment will fluctuate due to changes in market prices;
- Liquidity Risk - the risk an investor is unable to redeem the investment at a fair price within a timely period;
- Maturity Risk - the risk relating to the length of time to maturity of the investment. The longer the term, the greater the length of exposure and risk to market volatility.

In addition to the above, the Investment Policy is proactive regarding the Portfolio Allocation as shown below:

Long Term Rating (Standard & Poors Equivalent)	Short Term Rating (Standard & Poors Equivalent)	Target Portfolio Structure	Maximum Exposure to an individual Financial institution
AAA to AA-	A-1+	0 – 100%	20%
A+ to A	A-1	0 – 70%	20%
to BBB-	A-2 to A-3	0 -70%	20%
Unrated	Unrated	0 -10%	5%

It is sound practice to review the Investment Policy on an annual basis with a report to be prepared prior to 30 June 2017.

OFFICER'S RECOMMENDATION

That Council consider the Notice of Motion from Councillor Saville.

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14 CORRESPONDENCE

14.1 COUNCILLORS' INFORMATION BOOKLET - 11 AND 18 JULY 2017

RESPONSIBLE OFFICER:	**BEN WICKS – ACTING CUSTOMER & CORPORATE DIRECTOR**
AUTHOR:	**RITA WOLOW – EXECUTIVE ASSISTANT**
CITY STRATEGY LINK:	**6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To list on the Council Agenda the weekly Councillors' Information Booklets, circulated to all Councillors on 11 and 18 July 2017.

OFFICER'S RECOMMENDATION

That Council receive the Councillors' Information Booklets circulated to all Councillors on 11 and 18 July 2017.

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15 REPORTS FROM OFFICERS - GENERAL MANAGER

15.1 REPLACEMENT OF SHARED AUDIT FUNCTION WITH AN IN HOUSE SERVICE

ATTACHMENTS:	**1. INTERNAL AUDIT FUNCTION AGREEMENT AT FEBRUARY 2015**
RESPONSIBLE OFFICER:	**DEBRA JUST – GENERAL MANAGER**
AUTHOR:	**DEBRA JUST – GENERAL MANAGER**
CITY STRATEGY LINK:	**6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To review how the current shared internal audit service is delivered at Willoughby City Council in light of recent and proposed changes.

Background

A shared internal audit function was established in 2010 following agreement between six Councils. The General Managers of those Councils were the signatory to the agreement. This essentially satisfied the requirements of the Internal Audit Guidelines of September 2010 provided by the Office of Local Government.

On 25 February 2015, the Internal Audit Function agreement of 26 August 2009 was amended to admit a seventh Council (Ku-ring-gai Municipal Council) to the existing group of six Councils (Hunters Hill, Lane Cove, Manly (now Northern Beaches Council), Mosman, North Sydney and Willoughby).

At a meeting held of General Managers on 13 July 2017, Northern Beaches Council, which incorporates the former Manly Council, announced its intention to withdraw; the Head of Internal Audit announced his retirement and the service agreement was considered as part of the two yearly formal review process. In addition, changes proposed by the State government were considered, including the expansion of Internal Audit Committee roles to include risk and business improvement.

This report outlines for Council's consideration, why the current change environment presents an opportunity to replace a shared service agreement with an internal audit resource dedicated to Willoughby City Council and the associated opportunity to deliver a better service tailored to Council's needs and priorities.

Discussion

With the creation of the Internal Audit Function shared service agreement, Willoughby City Council took on the role of "Employer Council" making it responsible for day to day control, administration and operation of the IAF. There are currently four staff (3.6 FTE) employed in the service; one being a permanent employee of WCC. Council hosts the IAF service and charges for associated costs.

The shared service IAF agreement calls for review of the operation of the agreement every second year (Attachment 1, clause 6.1) with the meeting of General Managers held on 13 July 2017 fulfilling that requirement. At that meeting, both Northern Beaches and Willoughby Councils indicated their intent to withdraw from the agreement and to give 12 months' notice to enable a transition and to accord with the agreement. Given the recent nature of the scheduling of the IAF General Manager's meeting, this report provides the first formal opportunity for Council to be informed of the General Manager's recommendation and the discussion at that meeting.

Withdrawal from, or termination of, the agreement is by the majority of Councils. In a cooperative spirit, the meeting noted the intention to withdraw by two Councils and through discussion reaffirmed the intent for the other five to remain; smaller Councils noting their inability to resource the function in their own right. Appreciation was expressed for the 12 months' notice period and that all parties would work cooperatively through the transition period to ensure smooth succession. The services of the retiring Head of Internal Audit are being sought to cover the recruitment period for their replacement. Willoughby will continue to host the service for the next 12 months and to receive its benefits.

The IAF has provided a useful and valued service and ensured rigour in audit processes. It has serviced Audit Committees of six councils as well as undertaking the annually agreed shared audit program.

As the service has expanded it has become more difficult for it to be fleet and responsive to changing needs and priorities of individual councils as the program is formed by shared needs. This was heightened by merger uncertainty. Due to sensitivities, the anticipated sharing of learnings has not been fully realised between councils as was envisaged in the setting up of the service.

Due to restructuring in 2015, and the on-going recycling of unrequired vacancies to key skills areas, Willoughby Council has been able to establish the internal functions (risk and business improvement) anticipated in the State Government's proposed changes to Internal Audit Committee functions. Utilising the existing audit employee role, would help further strengthen Council's performance in this area; its support to Council's Audit Committee and enable cross skilling and the creation of synergies between specialist officers.

Financial Implications

Willoughby Council budgeted $125,093 for the 2016/17 financial year service compared with Ku-ring-gai at $102,826; North Sydney, Mosman and Manly (Northern Beaches) at $73,680 and Lane Cove and Hunters Hill at $51,413.

The amount for Willoughby for 2017/18 is $126,887 netting to $114,587 after TRP contribution. If following the 12 month transition period, Council retained the services of the Auditor currently directly employed by Willoughby City Council, their costs could be covered by the budgeted amount. In addition, Council is currently recruiting for an existing Risk

Officer vacancy with the role is being expanded to consider other audit functions in accord with proposed changes from the State government.

For its annual budgeted amount, Willoughby City Council (WCC) receives 208 days internal audit. A full time officer employed by WCC could be expected to deliver 336 days of audit activities after annual leave and public holidays.

In summary, Willoughby City Council has the capacity to fund a dedicated internal auditor from its existing budget and FTE allocation and it will result in more days of internal audit activities tailored specifically to Council's needs.

Policy Implications

Council will continue to ensure compliance with internal audit requirements, including the anticipated expansion of the function to include risk and improvements given the existing roles within the organisation for the latter functions. Withdrawal from the IAF shared agreement will be undertaken in accord with the provisions within that agreement.

Community Notification

Community notification is not applicable.

Conclusion

The Internal Audit shared service agreement has previously served Council well but Council now has the maturity and funded resources to provide a tailored and increased Internal Audit function that is responsive to Council's needs; expands the number of days the service can be provided and which anticipates proposed changes by the State government to audit functions. Provisons have been made for a seamless transition.

OFFICER'S RECOMMENDATION

That Council:

1. **Formally give notice of its departure from the Internal Audit Function shared service agreement.**

2. **Commence planning for the transition process from a shared internal audit service to an internal audit service for Willoughby City Council.**

3. **Thank the Head of Internal Audit, Mr Michael Quirk, for his commitment, expertise, advice and support to Willoughby City Council, its Audit Committee and to the shared Internal Audit Function since 2009.**

AGREEMENT

INTERNAL AUDIT FUNCTION

HUNTERS HILL COUNCIL

and

LANE COVE COUNCIL

and

MANLY COUNCIL

and

MOSMAN COUNCIL

and

NORTH SYDNEY COUNCIL

and

WILLOUGHBY CITY COUNCIL

THIS AGREEMENT made the 26 th day of August 2009

AMONG:

1 **HUNTERS HILL COUNCIL (ABN 75 570 316 011)** of 22 Alexandra Street, Hunters Hill, NSW 2110.

2 **LANE COVE COUNCIL (ABN 42 062 211 626)** of 48 Longueville Road, Lane Cove, NSW 2006.

3 **MANLY COUNCIL (ABN 43 662 868 065)** of 1 Belgrave Street, Manly, NSW 2095.

4 **MOSMAN MUNICIPAL COUNCIL (ABN 94 414 022 939)** of 1 Mosman Square, Mosman, NSW 2088.

5 **NORTH SYDNEY COUNCIL (ABN 32 353 260 319)** of 200 Miller Street, North Sydney, NSW 2060.

6 **WILLOUGHBY CITY COUNCIL (ABN 47 974 826 099)** of Level 4, 31 Victor Street, Chatswood, NSW 2067.

RECITALS

A Each of the Councils is desirous of improving the effectiveness of its risk management, control and governance processes by way of establishment of an IAF but does not have sufficient resources to employ an internal auditor to fulfil such a purpose.

B The Councils have agreed to jointly establish an IAF to service and operate for the benefit of all the Councils by providing to the Councils internal audit services the management and cost of which is to be shared by all of the Councils.

C The Councils have agreed that the processes by which the IAF will be established and managed and the terms and conditions which will regulate such establishment and management are as set out in this Agreement.

OPERATIVE PART

1 **Definitions and Interpretations**

1.1 **Audit Committee** means each of the respective audit committees of the Councils which provide the Councils with independent assurance and assistance in the areas of risk control, compliance and financial reporting.

Audit Charter means each of the respective internal audit charters of the Councils setting out the mission of internal auditing and provision of independent objective assurance and consulting activities designed to add value and improve the Councils' operations.

Audit Committee Charter means each of the respective charters of the audit committees of the Councils.

Councils means the Councils the parties to this Agreement.

Employer Council means Willoughby City Council or such other Council which from time to time performs the role of Employer Council provided for in clauses 3.1, 4.1 and 4.2.

IAF is a reference to Internal Audit Function and means the provision to the Councils in accordance with this Agreement by specifically appointed internal auditors of services and activities to evaluate and improve the risk management, internal controls and governance processes of the respective Councils.

IAF Personnel means the personnel from time to time employed by the Councils to perform the IAF.

Internal Audit Guidelines means the Internal Audit Guidelines issued by the Department of Local Government which are from time to time current (the Internal Audit Guidelines current as at the date hereof are dated October 2008).

Majority means the greater part of those persons present and participating in making a decision.

Original Meeting means the meeting of authorised representatives of the Councils described in clause 1.

Review means the review of this Agreement described in clause 6.1.

1.2 Obligations imposed on the appointees or representatives of the Councils shall be obligations of the respective Councils to the intent that the Councils shall be responsible for the acts and omissions of their representatives, appointees and servants.

1.3 Unless otherwise stated in this Agreement, decisions at meetings of the Councils and/or their representatives shall be by majority.

1.4 In this Agreement, unless the context otherwise requires:

1.4.1 The singular includes the plural and vice versa.

1.4.2 A reference to an individual or person includes a corporation, partnership, joint venture, association, authority, or trust and vice versa.

1.4.3 A reference to any gender includes all genders.

1.4.4 A reference to any party includes that party's executors, administrators, substitutes, successors and permitted assigns.

1.4.5 Where in this Agreement, agreements, undertakings and covenants ("obligations") are given by more than one person, the obligations on the part of those persons contained in this Agreement take effect as joint and several obligations and take effect as references to those persons or any of them. None of those persons will be released from liability under this Agreement by reason of any other person not executing this Agreement or this Agreement ceasing to be binding on any other person and

the release of any person from this Agreement will not affect the obligations of other persons.

1.5 In this Agreement headings are for convenience of reference only and do not affect interpretation.

2 **Councils to Agree on Initial Processes**

2.1 Authorised representatives of the Councils shall meet to agree on and establish processes and arrangements necessary and appropriate for establishing and operating the IAF and for the employment by the Councils of the IAF Personnel including but not limited to:

2.1.1 job descriptions and roles of the IAF Personnel;

2.1.2 the forms and terms and conditions of employment contracts for the IAF Personnel;

2.1.3 whether it is necessary to invite expressions of interest or tenders to employ the IAF Personnel and, if so, the form of invitation.

2.2 Subject to clause 2.4, decisions at the Original Meeting shall be by majority and the decisions shall be binding.

2.3 At the Original Meeting the Councils by their authorised representatives shall also decide on:

2.3.1 the method by which the Employer Council shall charge the other Councils for the services it is to provide in accordance with clause 4;

2.3.2 if considered appropriate, the manner of calculation of rates for the charges referred to in clause 2.3.1;

2.3.3 the manner in which the charges under clause 2.3.1 are to be apportioned among and charged to the member Councils;

2.3.4 any other contributions to be made by the Councils to the costs of provision of the IAF and how they are to be apportioned among and charged to the Councils;

2.3.5 if considered appropriate, the amount and/or method of calculation of the amount to be paid by a Council which withdraws from this Agreement and how such amount is to be applied towards the costs and expenses of provision of the IAF or of the Employer Council and the other Councils.

2.4 This Agreement is subject to and conditional upon the decisions to be made pursuant to clause 2.3 being unanimous and approved by each Council. If the terms of this clause are not fulfilled, this Agreement shall be at an end and no Council shall have a claim against any other Council in respect of the subject matter of this Agreement.

2.5 Decisions made pursuant to clause 2.3 shall be deemed part of this Agreement and enforceable as if they were provisions of this Agreement.

3 **Selection of IAF Personnel**

3.1 The Employer Council shall on behalf of the Councils invite expressions of interest or tenders or otherwise advertise for IAF Personnel. Any such invitation shall include:

3.1.1 the Internal Audit Guidelines;

3.1.2 the respective Audit Charters and Audit Committee Charters of the Councils and the then current estimated time requirements of the Councils for IAF Personnel to attend the Councils and perform the IAF.

3.2 Selection of the IAF Personnel shall be made by a panel comprised of one authorised representative from each Council who shall have one vote and all decisions of the panel, including those as to selection criteria, weighting, any further terms to be negotiated and selection of personnel shall be by majority.

3.3 Future employment of IAF Personnel shall as far as practicably possible follow the procedures provided for by this clause 3.

4 **Role of Employer Council**

4.1 The Employer Council shall:

4.1.1 be responsible for the day to day control, administration and operation of the IAF and this Agreement but any decision of policy nature or which may involve expenditure of in excess of the annual established budget is to be made at a meeting of appointed representatives of the Councils at which there are no more than two absentees;

4.1.2 in administering the IAF and the IAF Personnel, use proper endeavours to ensure IAF Personnel attend the respective member Councils to perform the IAF on the number of days each month nominated by the Councils from time to time;

4.1.3 in its own capacity or through its appointed representatives and servants as appropriate comply with the obligations and functions allocated to it by this Agreement;

4.1.4 provide proper and suitable office accommodation and equipment and other associated necessities to the IAF Personnel;

4.1.5 attend to keeping of records, fulfilment of taxation requirements and payment of salaries and other allowances and remuneration of the IAF Personnel;

4.1.6 be responsible for all other human resources requirements and obligations of and pertaining to the IAF Personnel;

4.1.7 arrange meetings of appointed representatives of the Councils each quarter or such other period as is agreed or as required for the purposes of reviewing, amending and implementing this Agreement and the IAF or any other associated purpose.

4.2 The Employer Council shall accurately record the activities it performs in fulfilling its obligations under this Agreement and shall invoice the member Councils for the work so performed in accordance with the Agreements made pursuant to clause 2.3 proportionately as so agreed.

5 **Roles of Member Councils**

5.1 Each Council shall:

5.1.1 as far as practicably possible, ensure an appointee of the Council attends meetings of the Councils called for the purposes of controlling, administering or operating the IAF or this Agreement or for any associated or ancillary purpose;

5.1.2 in its own capacity or through its appointed representatives and servants as appropriate comply with the obligations and functions allocated to it by this Agreement;

5.1.3 provide appropriate office accommodation and equipment and associated necessities for IAF Personnel attending the Council;

5.1.4 ensure it gives adequate notice and briefing material to IAF Personnel prospectively attending the Council to ensure the IAF Personnel have opportunity to meet with the Council's Audit Committee, if appropriate, and are familiar with the relevant affairs of the Council, the Audit Charter and the Audit Committee Charter of the Council.

5.1.5 promptly pay invoices of the Employer Council and act promptly and reasonably to resolve disputes concerning such invoices.

5.2 Any Council may by one month's written notice to the other Councils call a meeting of appointed representatives of the Councils to consider any matter of concern to the Council giving notice provided the notice discloses the matter to be considered.

6 **Review of this Agreement**

6.1 On or about each alternative anniversary of this Agreement the Councils by their respective appointed representatives shall meet and review the operation of this Agreement.

6.2 At the Review the Councils may by majority decide to terminate this Agreement in which event they must properly conclude all business and affairs of the IAF including making satisfactory and lawful arrangements for the termination or transfer of employment of all IAF Personnel.

6.3 As part of the Review or at any other time the Councils may by majority decide to amend this Agreement with any such amendment to be in writing signed by or on behalf of all the Councils. This Agreement may not be amended in any other way.

7 **Withdrawal from this Agreement**

7.1 A Council may withdraw from this Agreement:

7.1.1 with the majority consent of the other Councils, at any time;

7.1.2 as from any anniversary of this Agreement provided not less than one year's written notice of the proposed withdrawal is given to all of the other Councils.

7.2 Unless waived by the majority of other Councils, a withdrawing Council must pay to the Employer Council on behalf of the other Councils any amount which was decided upon pursuant to clause 2.3.5 immediately upon its withdrawal.

7.3 Unless waived by the majority of other Councils or if not forming part of the amount decided upon pursuant to clause 2.3.5, a Council withdrawing pursuant to clause 7.1.1 shall be responsible for all costs incurred by the other Councils consequent upon the withdrawal including but not limited to costs of administrative rearrangements, amendment of employment contracts and records and the like. Apart from any allowance included in the amount decided upon pursuant to clause 2.3.5, such costs shall be deemed not to include future costs and expenses of the IAF subsequent to the Council's withdrawal.

7.4 A Council withdrawing pursuant to clause 7.1.2 shall not be responsible for costs incurred by the other Councils consequent upon the withdrawal apart from any costs included in the amount decided upon pursuant to clause 2.3.5.

8 **Mediation**

8.1 The Councils agree that any dispute or claim whatsoever arising in connection with this Agreement or the IAF shall be submitted to mediation administered by the Australian Commercial Disputes Centre Limited ("ACDC"). The mediator shall be a person agreed by the parties chosen from a list suggested by ACDC and failing agreement

shall be a person nominated by the Secretary General of ACDC. All costs, charges and expenses resulting from referral to the ACDC shall be borne equally by the parties involved in the dispute. In the event that the dispute or claim has not been resolved within twenty eight (28) days (or such other period as agreed by the parties) of appointment of the mediator, the claim may be submitted to litigation.

In witness whereof the parties hereto have here and after set their hands on the day first hereinbefore written.

AMENDMENTS TO INTERNAL AUDIT FUNCTION AGREEMENT

On this 25th day of February 2015 the Internal Audit Function Agreement (the Agreement) dated 26th day of August 2009 is amended by means of this addendum in accordance with clause 6.3 of the Agreement.

Additional Parties to the Agreement

KU-RING-GAI MUNICIPAL COUNCIL (ABN 86 408 856 411) of 818 Pacific Highway, Gordon, NSW 2072 is at the date of this amendment a party to the Agreement as defined by clause 1.1 of the Agreement.

Distribution of Cost of Service

For the purposes of clause 2.3 of the Agreement, the cost of the IAF service to each Council is related to the proportion of total costs, and the nominated number of staff days of service.

At the Original Meeting the Councils agreed to equal number of days of service excepting Willoughby City Council which agreed to twice the number of days of service provided to other Councils party to the Agreement.

Funding for the initial establishment of two staff (2XEFT) was distributed on the basis of seven (7) shares divided in such a manner that Hunters Hill, Lane Cove, Mosman, Manly and North Sydney Councils each funded a one-seventh (1/7) share of total costs, with Willoughby Council funding two-sevenths (2/7) of the total cost of the function.

Subsequently, Ku-ring-gai Council has become a party to the shared Internal Audit Function. Ku-ring-gai has agreed to a service level equal to 0.8EFT and a cost distribution equal to a two-ninths (2/9) share in the total costs of 2.8EFT. Hunters Hill, Lane Cove, Mosman Manly and North Sydney have each agreed to funding a one-ninth share in the total costs of 2.8EFT, with Willoughby Council agreeing to fund two-ninth share in the total costs of the 2.8EFT

Additional Service

At the Original Meeting, the Councils agreed that the costs of any additional service levels will be met by those Councils agreeing to the additional services at a rate to be agreed by those Councils.

Subsequent to the Original Meeting an additional part-time resource (0.8EFT) was agreed, with service and costs distributed through equal shares to Manly, Mosman, North Sydney and Willoughby Councils.

Withdrawal Costs

For the purposes of clause 2.3.5, the amount to be paid by a Council that withdraws from this Agreement in accordance with clause 7.1 and clause 7.2, shall be equal to the withdrawing Council's proportion of annual total costs of nominated days of service, and shall not be less than the previous annual cost of service.

In witness whereof the parties hereto have here and after set their hands on the day of this Amendment hereinbefore written.

EXECUTED by the parties as an agreement

Signed for and on behalf of Hunters Hill Council by Barry Smith in the presence of

16 REPORTS FROM OFFICERS – CUSTOMER AND CORPORATE SUPPORT DIRECTORATE

16.1 DRAFT RELATED PARTY DISCLOSURES POLICY

ATTACHMENTS:	**1. DRAFT RELATED PARTY DISCLOSURES POLICY**
RESPONSIBLE OFFICER:	**BEN WICKS – ACTING CUSTOMER & CORPORATE DIRECTOR**
AUTHOR:	**MICHAEL DUFFY - INTERIM CHIEF FINANCIAL OFFICER**
CITY STRATEGY LINK:	**6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To present the draft Related Party Disclosures Policy to Council for consideration and endorsement.

Background

The Local Government Act, section 414(3) requires Council to prepare its General Purpose Financial Statement in compliance with Australian Accounting Standards. The relevant standard for the purpose of this Policy is AASB 124 Related Party Disclosures, July 2015 (AASB 124).

From 1 July 2016, AASB 124 Related Party Disclosures will apply to local government. This means Council must disclose related party relationships, transactions and outstanding balances, including commitments in the Annual Financial Statements. While these disclosures have been long-standing in the private sector, they are a new requirement for the public sector. Establishment of a policy to define the parameters for related party transactions and the level of disclosure and reporting required for Council is necessary to achieve compliance with AASB 124.

This report presents the draft Related Party Disclosure Policy, including Related Party Disclosure by Key Management Personnel and Privacy Collection Notices, for Council's consideration and endorsement.

What is a Related Party?

Parties are related where one can control or influence the other's financial and operating decisions. Council's related parties include Key Management Personnel (KMP) and entities that Council has control or significant influence over (for example joint ventures). The proposed determination of KMP is based on interpretation of AASB124 that defines KMP as those persons that have the responsibility to plan, direct and control the activities of Council. Accordingly Council's KMP have been identified as the Mayor, Councillors, General Manager, Directors and the Public Officer.

AASB124 also includes as related parties the close family members of each KMP and the entities that KMP or their close family members control or jointly control to the extent that close family members engage with Council. This does not include transactions conducted as "ordinary citizens" with Council on arm's length terms.

New information to be collected from Council's KMP to comply with AASB 124

To comply with AASB 124, Council needs to collect information from its KMP to identify related party relationships and transactions. The proposed policy requires all KMP to periodically provide a related party disclosure notifying any existing or potential related party transactions between Council and related parties. After transactions are verified in Council's business systems, the information will be added to a Register of Related Party Transactions.

Council's KMP are accustomed to making disclosures under various returns, however AASB124 also requires disclosure of material transactions in the financial statements in summary form. Under the policy, the Related Party Disclosures made by KMP and the Register of Related Party Transactions will not be available for inspection by the public (subject to GIPA and Privacy Legislation).

What will be disclosed?

The standard requires disclosure of material transactions with related parties. A related party transaction is a transfer of resources, services or obligations between a reporting entity and a related party, regardless of whether a price is charged. Disclosure will include:

- Remuneration information for KMP. To be reported at an aggregate level for short-term employee benefits (including non-monetary benefits); post-employment benefits; other long-term benefits, and termination benefits.
- Transactions between Council and KMP or entities owned or controlled by KMP or their close family members, and
- Transactions with Council and other related entities such as Joint Ventures and Subsidiaries.

The approach taken towards the development of the policy

The draft policy has been developed after consideration of information presented by the OLG and other councils including materials available on the internet, webinars and presentation slides.

Identification of KMP

During a webinar hosted by the OLG, it was presented that KMP are those persons that have the responsibility to plan, direct and control the activities of Council. An indicator of this responsibility is having voting power in decisions at an Executive meeting. Being present at such meetings, providing information and even making recommendations does not constitute power to plan, direct and control.

It was concluded that senior managers are not KMP of Council and this has been confirmed by the OLG who have advised that the Code of Accounting Practice will be updated to reflect this. Accordingly Council's KMP have been identified as the Mayor, Councillors, General Manager, Directors and the Public Officer.

Privacy of information collected

Related Party information recorded in Council's systems and disclosed in Council's General Purpose Financial Statements in compliance with AASB 124 will also be handled in compliance with the Privacy and Personal Information Protection Act 1998 [PPIPA] and the Government Information (Public Access) Act 2009 [GIPAA].

Potential to combine Related Party Disclosures with Disclosure of Interests Returns

Early consideration was given to combining related party and pecuniary interest disclosures however subsequent research on the purpose of the disclosures, the information captured and the audience, led to the conclusion that separate disclosures are required. This conclusion was supported by the OLG who has recommended that these disclosures be managed separately.

Risk Assessment

Non-compliance with AASB 124 will potentially lead to a qualified audit in the 2016-17 reporting period.

Financial Implications

AASB 124 requires an additional disclosure in the notes to Council's Financial Statements, titled "Related Party Transactions" for periods after July 1, 2016. It is unlikely that this will impact Council's financial result and comparatives are not required.

Any financial implications will relate to indirect costs associated with researching, collecting and recording information which are expected to be minimal.

Conclusion

Council is now required to comply with AASB 124 and give effect to this in its 2016/17 Financial Reports. Introduction of a policy is a necessary step towards achieving compliance. It is recommended that Council adopt the Related Party Disclosure Policy including attachments. The draft policy has been prepared after extensive research and is based upon examples being applied by other councils.

OFFICER'S RECOMMENDATION

That Council adopt the draft Related Party Disclosures Policy.

Draft Related Party Disclosures Policy: Councillors

Policy Statement 2017

Willoughby City Council requires that its financial statements comply with disclosure requirements under Australian Accounting Standard AASB 124 Related Party Disclosures and that key management personnel, including Councillors, are aware of their responsibilities in relation to reporting related parties and the disclosures that may be made in the annual financial statements.

CITY STRATEGY LINK: TO ENSURE TRANSPARENCY AND ETHICAL PRACTICES IN EVERYTHING THAT WE DO AS WELL AS PROVIDE STRONG FINANCIAL MANAGEMENT AND A HIGH QUALITY OF SERVICE DELIVERY

Why is this policy required?

- The Related Party Disclosures Policy is required to ensure compliance with disclosure requirements under the Australian Accounting Standards.
- To provide transparency and improve the quality of the financial reporting systems and processes by the disclosure of relevant related party information.

1 Guiding principles

1.1 That key management personnel not profit from a position of trust or place themselves in a position where duty and interest might conflict.

1.2 That key management personnel account for a profit or benefit if it was obtained when such a conflict existed or by reason of the fiduciary taking advantage of an opportunity or knowledge derived from that position.

1.3 That key management personnel are not swayed by considerations of personal interest and from actually misusing their position for personal advantage.

1.4 That responsibility for reporting and compliance by related parties is clearly expressed to them.

2 Policy and key controls

Council in complying with disclosure requirements in AASB 124, will:

2.1 Identify related party relationships, related party transactions and ordinary citizen transactions;
2.2 Identify information about the related party transactions for disclosure;
2.3 Establish systems to capture and record the related party transactions and information about those transactions;
2.4 Identify the circumstances in which disclosure of the items in subparagraphs (1) and (2) are required; and

2.5 Determine the disclosures to be made about those items in the General Purpose Financial Statements for the purpose of complying with AASB 124.

Supporting information

Definitions

Term	Definition
	Each of the following terms in bold bears the meaning shown below:
Arm's length terms	Terms between parties that are reasonable in the circumstances of the transaction that would result from: (a) Neither party bearing the other any special duty or obligation; and (b) The parties being unrelated and uninfluenced by the other; and each party having acted in its own interest.
Associate	In relation to an entity (*the first entity*), an entity over which the first entity has significant influence.
Close family members or close members of the family	In relation to a KMP, family members who may be expected to influence, or be influenced by that KMP in their dealings with Council will include: (a) That person's children and spouse or domestic partner; (b) Children of that person's spouse or domestic partner; (c) Dependents of that person or that person's spouse or domestic partner. For the purpose of AASB 124, close family members could include extended members of a family (such as, without limitation, parents, siblings, grandparents, uncles/aunts or cousins) if they could be expected to influence, or be influenced by, the KMP in their dealings with Council.
Control	Control of an entity is present when there is: (a) Power over the entity; (b) Exposure or rights to variable returns from involvement with the entity; (c) The ability to use power over the entity to affect the amount of returns received. As determined in accordance with AASB 10 Consolidated Financial Statements, Paragraphs 5 to 18, Appendices A (Defined Terms) and B (Application Guidance).
Joint control	The contractually agreed sharing of control of an arrangement, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.
Joint venture	An arrangement of which two or more parties have joint control and have right to the net assets of the arrangement.
Joint venture party	A party to a joint venture that has joint control of that joint venture.
KMP Key Management Personnel	Person(s) having authority and responsibility for planning, directing and controlling the activities of Council. Specifically, KMP of Council are the: (a) Mayor; (b) Councillors; (c) General Manager; (d) Directors; (e) Other Nominated Designated Staff; and (f) Public Officer.

Ordinary citizen transactions	Transactions that an ordinary citizen would undertake with Council, which is undertaken on arm's length terms and in the ordinary course of carrying out Council's functions and activities. Examples of ordinary citizen transactions assessed to be not material in nature are: (a) Paying rates and utility charges; and (b) Using Council's public facilities after paying the corresponding fees.
Related party	A person or entity that is related to Council pursuant to the definition contained in AASB 124, Paragraph 9. Examples of related parties of Council are: (a) Council subsidiaries; (b) KMP; (c) Close family members of KMP; and (d) Entities that are controlled or jointly controlled by KMP or their close family members.
Related party transaction	A transfer of resources, services or obligations between the Council and a related party, regardless of whether a price is charged. Examples of related party transactions are: (a) Purchases or sales of goods; (b) Purchases or sales of property and other assets; (c) Rendering or receiving of services; (d) Rendering or receiving of goods; (e) Leases; (f) Transfers under license agreements; (g) Transfers under finance arrangements (example: loans); (h) Provision of guarantees (given or received); (i) Commitments to do something whether the event occurs or not in the future; and (j) Settlement of liabilities on behalf of Council or by Council on behalf of related party.
Related party disclosure	A document entitled *Related Party Disclosure by Key Management Personnel* in the form set out in Attachment A.
Significant influence	The power to participate in the financial and operating policy decisions of another entity but is not control or joint control of those policies, as determined in accordance with Australian Accounting Standard *AASB 128 Investments in Associates and Joint Ventures, Paragraphs 3, 5 and 6.*

Governing laws and standards	• Local Government Act 1993 (NSW) • Local Government (General) Regulation 2005 (NSW) • Privacy and Personal Information Protection Act 1998 (NSW PPIPA) • Government Information (Public Access) Act 2009 [NSW GIPAA] • Australian Accounting Standards (AASB Standard 124) • Office of Local Government Webinar and Q&A's (October 2016) • Treasury Circulars TC16-12 (Dec 2016) & Frequently Asked Questions (May 2017)
Related policy products	• Personnel – Employment Conditions Policy & Manual • Code of Conduct – Councillors & Council Officers • Purchasing and Tendering Policy

Policy Owner

Directorate	Owner	Phone
Customer & Corporate	Chief Financial Officer	02 9777 1020

Approval, references, review and contacts

Date approved by ELT	Date Council approved or ratified/resolution no.	Date Council amended/resolution no.

ECM reference	Loaded on Intranet	Loaded on Internet
	Yes/No	Yes/No

Review period	Next review date
The Policy Owner will review this policy every four years or as required.	July 2018

Name	Email	Phone
Bill Lofthouse	Financial Accountant	02 9777 7511

APPENDIX:

Related Party Disclosures detailed procedures and provisions

- **Attachment A – Related Party Disclosure Form: Key Management Personnel**
- **Attachment B – Privacy Collection Notice: Key Management Personnel**

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1 OBJECTIVES

1.1 To comply with the disclosure requirements for related party transactions under the Australian Accounting Standards.

1.2 To implement processes to identify, monitor and disclose related party transactions to manage the risk of non-compliance with the related party disclosure objectives of the Australian Accounting Standards.

1.3 To provide transparency and improve the quality of the financial reporting process by the disclosure of relevant related party information.

1.4 Ensure that certain related party relationships, related party transactions and information about the transactions, necessary for users to understand the potential effects on the Financial Statements are properly identified, recorded in Council's systems, and disclosed in Council's General Purpose Financial Statements in compliance with AASB 124, the Privacy and Personal Information Protection Act 1998 [PPIPA] and the Government Information (Public Access) Act 2009 [GIPAA].

2 AASB 124 DISCLOSURE REQUIREMENTS

2.1 Disclosures

To comply with AASB 124, for annual periods beginning on or after 1 July 2016, Council will make the following disclosures in its General Purpose Financial Statements:

2.1.1 Relationships between Council and its subsidiaries, irrespective of whether there have been transactions between them.
2.1.2 Key management personnel (KMP) compensation in total and for each of the following categories:

2.1.2.1 Short-term employee benefits;
2.1.2.2 Post-employment benefits;
2.1.2.3 Other long term benefits; and
2.1.2.4 Termination benefits

2.1.3 Amounts incurred by Council for the provision of KMP services that are provided by a separate management entity.
2.1.4 The information specified in Section 2.2 for related party transactions with the following persons during the periods covered by the Financial Statement:
2.1.4.1 Council subsidiaries;
2.1.4.2 Entities who are associates of Council or of a Council subsidiary;
2.1.4.3 Joint ventures in which Council or a Council subsidiary is a joint venturer;
2.1.4.4 Council's KMP; and
2.1.4.5 Other related parties, comprising:

2.1.4.5.1 a close family member of a KMP of Council;
2.1.4.5.2 entities controlled or jointly controlled by a KMP of Council;
2.1.4.5.3 entities controlled or jointly controlled by a close family member of a KMP of Council; and
2.1.4.5.4 other entities as specified in AASB 124, paragraph 9(b)(iii), (iv), (v) and (viii).

2.2 Disclosed Information

For each category of related party transactions specified in Section 2.1.4, Council will disclose the following information in Council's General Purpose Financial Statements:

2.2.1 The nature of the related party relationship;
2.2.2 The amount of the transactions;
2.2.3 The amount of outstanding balances, including commitments:

2.2.3.1 Their terms and conditions, including whether they are secured, and the nature of the consideration to be provided in settlement; and
2.2.3.2 Details of any guarantees given or received;

2.2.4 Provisions for doubtful debts related to the amount of outstanding balances; and
2.2.5 The expense recognised during the period in respect of bad or doubtful debts due from related parties.

2.3 Disclosed in Aggregate or Separate

For each related party category specified in Section 2.1.4, Council will disclose information specified in Section 2.2 for related party transactions of a similar nature in aggregate except when separate disclosure is necessary for an understanding of the effects of related party transactions on the Financial Statements of Council, having regard to the following criteria:

2.3.1 The nature of the related party relationship;
2.3.2 The significance of the transaction (individually or collectively) in terms of size or value (including where the materiality arises due to the fact that no consideration for the transaction is given or received by Council);
2.3.3 Whether the transaction is carried out on non-arm's length terms; and

2.3.4 Whether the nature of the transaction is outside normal day-to-day business operations, based on the factors and thresholds under the direction of the Responsible Accounting Officer in consultation with Council's external auditor.

3 IDENTIFYING COUNCIL RELATED PARTY RELATIONSHIPS AND TRANSACTIONS

3.1 Identification

The Responsible Accounting Officer is responsible for identifying Council subsidiaries, associates and joint ventures (incorporated and unincorporated) from the Related Entities Register, a document which is prepared to substantiate Note 19 of the Financial Statements "Interests in Other Entities". Based on the definition of Key Management Personnel (KMP), the Chief Financial Officer has identified Council's KMP for related party declaration and inclusion in register as being the Mayor, Councillors, General Manager, Directors and the Public Officer.

3.2 Control or Joint Control

To determine whether Council has control or joint control of an entity, the Responsible Accounting Officer is responsible for applying Australian Accounting Standards AASB 10 Consolidated Financial Statements and AASB 11 Joint Arrangements.

3.3 Associate or Joint Venture

To determine whether an entity is an associate of, or in a joint venture with, Council or a Council subsidiary the Responsible Accounting Officer is responsible for applying AASB 128 investments in associates and joint ventures.

3.4 Electronic Investigation

The Responsible Accounting Officer is responsible for investigating through Council's business system whether any identified Council subsidiaries, associates or joint ventures have an existing related party transaction with Council.

3.5 Information Extraction

The Responsible Accounting Officer is responsible for identifying and extracting information specified in Section 2.2 against each existing related party transaction in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

5.6 Manual Investigation and Recording of Information

For related party transactions that are not captured by Council's business systems, the Responsible Accounting Officer is responsible for manually reviewing the transactional documentation and record the information specified in Section 2.2 for the subject transaction in the register of related party transactions.

4 IDENTIFYING RELATED PARTY TRANSACTIONS WITH KMP AND THEIR CLOSE FAMILY MEMBERS

4.1 Related Party Disclosures

KMP must provide a related party disclosure in the form set out in Attachment A, notifying any existing or potential related party transactions between Council and either themselves, their close family members or entities controlled or jointly controlled by them or any of their close

family members, subject to Section 4.5, to the Governance Manager by no later than the following periods during a financial year (*specified notification period*):

4.1.1 30 days after the commencement of the application of this Policy;
4.1.2 30 days after a KMP commences their term or employment with Council;
4.1.3 30 November each year; and
4.1.4 30 June each year.

4.2 Related Party Disclosure Form

At least 30 days before a specified notification period, the Governance Manager will provide KMP with a Related Party Disclosure Form (Attachment A) and a Privacy Collection Notice (Attachment B).

4.3 Suspected Related Party Transaction

If a KMP suspects that a transaction may constitute a related party transaction, the KMP should provide a related party disclosure to the Governance Manager for consideration and determination.

4.4 Other Notifications

The notification requirements in Section 4 are in addition to the notifications a KMP must make to comply with:

4.4.1 For the Mayor, Councillors, General Manager and other nominated KMP staff, the *Code of Conduct*.
4.4.2 The disclosure of interests in a written return pursuant to section 450A of the *Local Government Act 1993 and Local Government (General) Regulation 2005*.

4.5 Exclusions

The notification requirements in Section 5 do not apply to:

4.5.1 Related party transactions that are ordinary citizen transactions not assessed as being material as determined under Section 6.
4.5.2 The Mayor and Councillors expenses incurred and facilities provided during the financial year under Council's *Payment of Expenses and Provision of Facilities to Mayor and Councillors' Policy*, the particulars of which are contained in Council's Annual Report pursuant to the *Local Government (General) Regulation 2005*, clause 217.

4.6 Information Extraction

The Responsible Accounting Officer is responsible for identifying information specified in Section 2.2 against each notified related party transaction in Council's business systems for the purpose of recording the related party transactions and associated information in the register of related party transactions.

4.7 Other Sources of Information

To ensure all related party transactions are captured and recorded, the Responsible Accounting Officer is responsible for reviewing, if required, other sources of information held by Council including, without limitation:

4.7.1 A register of interests of a KMP and of persons related to the KMP;
4.7.2 Minutes of Council and committee meetings;

4.7.3 Council's Contracts' Register.

4.8 Manual Investigation and Recording of Information

For notified related party transactions that are not captured by Council's business systems, the Responsible Accounting Officer is responsible for manually reviewing the transactional documentation and record the information specified in Section 2.2 for the subject transaction in the register of related party transactions.

5 ORDINARY CITIZEN TRANSACTIONS

5.1 Non-material in Nature

A KMP is not required to notify in a related party disclosure and Council will not disclose in its Financial Statements, related party transactions that are ordinary citizen transactions assessed to be not material in nature.

5.2 Material in Nature

A KMP is required to notify in a related party disclosure and Council will disclose in its Financial Statements in accordance with Section 2, related party transactions that are ordinary citizen transactions assessed to be material in nature.

5.3 Materiality Assessment

The Responsible Accounting Officer is responsible for reviewing and assessing the materiality of related party transactions that are ordinary citizen transactions to determine whether the disclosure of such transactions are necessary for an understanding of the effects of the related party transactions on the Financial Statements having regard to the criteria specified in Section 2.3.

As a general rule, Council will utilise $10,000 as the threshold for materiality.

5.4 Information Extraction

The Responsible Accounting Officer is responsible for identifying information specified in Section 2.2 against each notified related party transaction that is an ordinary citizen transaction assessed as being material in nature in Council's business systems for the purpose of recording the related party transactions and associated information in a register of related party transactions.

6 REGISTER OF RELATED PARTY TRANSACTIONS

6.1 Maintain a Register

The Responsible Accounting Officer is responsible for maintaining and keeping up to date a register of related party transactions that captures and records the information specified in Section 2.2 for each existing or potential related party transaction (including ordinary citizen transactions assessed as being material in nature) during a financial year.

6.2 Contents of Register

The contents of the register of related party transactions must detail for each related party transaction:

6.2.1 The description of the related party transaction;
6.2.2 The name of the related party;
6.2.3 The nature of the related party's relationship with Council;
6.2.4 Whether the notified related party transaction is existing or potential;
6.2.5 A description of the transactional documents the subject of related party transaction;
6.2.6 The information specified in Section 2.2.

The Responsible Accounting Officer is responsible for ensuring that the information specified in Section 2.2 is disclosed in Council's Financial Statements to the extent, and in the manner stipulated by AASB 124, subject to Section 2.3.

7 INFORMATION PRIVACY - PRIVACY PROTECTION NOTICE

The following notice is to be provided to KMPs along with the related party disclosure form:

PRIVACY PROTECTION NOTICE
Purpose of collection: *compliance with Australian Accounting Standard AASB 124 Related Party Disclosures and Council's "Related Party Disclosure" policy.* *The Privacy and Personal Information Protection Act 1998 and Council's Privacy Management Plan provide guidance on the collection and use of personal information. All Council documents are subject to access to information requests. Such requests are assessed according to the provisions of the Government Information (Public Access) Act 2009.*
Intended recipients: *the information will be disclosed only to Financial Accountant, the CFO, Director Corporate and Customer and the General Manager. Oversight and law enforcement agencies may access the information as allowed by legislation.*
Supply: *the supply of the information is required by the Australian Accounting Standard AASB 124 with which Council must comply. Council's "Related Party Disclosure" policy requires that Key Management Personnel (KMPs), as defined in the policy, supply the required information.*
Access/ Correction: *by contacting the Financial Services team.*
Storage: *the information will be stored at Council's Administration Centre at 31 Victor Street, Chatswood.*

ATTACHMENT A

RELATED PARTY DISCLOSURE FORM - BY KEY MANAGEMENT PERSONNEL

Name of Key Management Personnel: _____

Position of Key Management Personnel: _____

Please read the Privacy Collection Notice provided with this notification, which explains what a related party transaction is and the purposes for which Council is collecting and will use and disclose, the related party information provided by you in this notification.

Please complete the table below **for each related party transaction with Council** that you, or a close member of your family, or an entity related to you or a close member of your family:

(a) Has previously entered into **and** which will continue in the _____financial year. (e.g. 2016/2017 financial year) or

(b) Has entered into, or is reasonably likely to enter into, in the _____financial year. (e.g. 2016/2017 financial year)

Description of Related Party Transaction	Is transaction existing or potential?	Related Party's Name (Individual or Entity)	Related Party's Relationship / reasons why related	Description of Transaction Documents or Changes to the Related Party Relationship

Description of Related Party Transaction	Is transaction existing or potential?	Related Party's Name (Individual or Entity)	Related Party's Relationship / reasons why related	Description of Transaction Documents or Changes to the Related Party Relationship

Notification

I_____, _____notify that,
(Full name) (Position

to the best of my knowledge, information and belief, as at the date of this notification, the above list includes all existing and potential related party transactions with Council involving myself, close members of my family, or entities controlled or jointly controlled by me or close members of my family, relevant to the _____ financial year. (e.g. 2016/2017 financial year)

I make this notification after reading the Privacy Collection Notice provided by Willoughby City Council, which details the meaning of the words "related party", "related party transaction", "close members of the family of a person" and, in relation to an entity, "control" or "joint control", and the purposes for which this information will be used and disclosed.

I permit the Responsible Accounting Officer and the other permitted recipients specified in Council's Related Party Disclosure Policy to access the register of interests of me and persons related to me and to use the information for the purposes specified in that policy.

Signature of named Key Management Personnel: _____ Dated:

ATTACHMENT B

PRIVACY COLLECTION NOTICE
RELATED PARTY DISCLOSURES BY KEY MANAGEMENT PERSONNEL

PRIVACY PROTECTION NOTICE
Purpose of collection: *compliance with Australian Accounting Standard AASB 124 Related Party Disclosures and Council's "Related Party Disclosure" policy.* *The Privacy and Personal Information Protection Act 1998 and Council's Privacy Management Plan provide guidance on the collection and use of personal information. All Council documents are subject to access to information requests. Such requests are assessed according to the provisions of the Government Information (Public Access) Act 2009.*
Intended recipients: *the information will be disclosed only to Financial Accountant, the CFO, Director Corporate and Customer and the General Manager. Oversight and law enforcement agencies may access the information as allowed by legislation.*
Supply: *the supply of the information is required by the Australian Accounting Standard AASB 124 with which Council must comply. Council's "Related Party Disclosure" policy requires that Key Management Personnel (KMPs), as defined in the policy, supply the required information.*
Access/ Correction: *by contacting the Financial Services team.*
Storage: *the information will be stored at Council's Administration Centre at 31 Victor Street, Chatswood.*

Notifications by Key Management Personnel (KMP)

In order to comply with AASB 124, Council has adopted a policy that requires all members of its KMP to periodically provide notifications to the Governance Manager of any existing or potential related party transactions between Council and any of their related parties during a financial year, and any changes to previously notified related party relationships and transactions relevant to the subject financial year.

To this end, each KMP must provide a Related Party Disclosure, in the approved form, notifying any existing or potential related party transactions between Council and any related parties of the KMP, to the Governance Manager by no later than the following periods during a financial year:

- 30 days after the commencement of the application of this policy
- 30 days after a KMP commences their term or employment with Council
- 30 November (each year)
- 30 June (each year)

Note: these related party disclosure requirements are in addition to the notifications KMPs are required to make to comply with Council's Code of Conduct. This includes disclosures relating to Conflicts of Interest (Pecuniary and Non Pecuniary) and Gifts and Benefits.

Council's Auditors may audit related party information as part of the annual external audit.

Who are KMPs?

KMPs are persons having authority and responsibility for planning, directing and controlling the activities of Council, directly or indirectly. For Council, KMPs include the following:

- Mayor
- Councillors
- General Manager
- Directors
- Public Officer
- Other Nominated Designated Staff

Who are close family members of a KMP Person?

Close family members, or close members of the family, of a KMP are family members who may be expected to influence, or be influenced by, that person in their dealings with Council and include:

(a) That person's children and spouse or domestic partner.

(b) Children of that person's spouse or domestic partner.

(c) Dependants of that person or that person's spouse or domestic partner.

Under AASB 124, close family members could include extended members of a family (such as, without limitation, a parent, grandparent, siblings, etc.) *if* they could be expected to influence, or be influenced by, the KMP in their dealings with Council. Note: only close family members that have dealings/transactions with Council need to be listed on the related party disclosure form.

The following table may assist you in identifying your close family members:

Definitely a close family member	Maybe a close family member
Your spouse/domestic partner	Your brothers and sisters, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your children	Your aunts, uncles and cousins, if they could be expected to influence, or be influenced by, you in their dealings with Council
Your dependants	Your parents and grandparents, if they could be expected to influence, or be influenced by, you in their dealings with Council
Children of your spouse/domestic partner	Your nieces and nephews, if they could be expected to influence, or be influenced by, you in their dealings with Council
Dependants of your spouse/domestic partner	Any other member of your family if they could be expected to influence, or be influenced, by you in their dealings with

What is an entity that I, or my close family member, control or jointly control?

Entities include companies, trusts, incorporated and unincorporated associations such as clubs and charities, joint ventures and partnerships.

Control

You control an entity if you have:

(a) Power over the entity.
(b) Exposure, or rights, to variable returns from your involvement with the entity.
(c) The ability to use your power over the entity to affect the amount of your returns.

Example of control

Fred is the Mayor of Sunny Shire Council and owns 100% of the ordinary shares in Sunny Development Company Pty Ltd (the company). The ordinary shares are the only shares in the company that have voting rights.

Fred controls the company because he has the power to affect the company's decisions and the return that he will get from the company.

Fred will need to include the company on his related party disclosure.

Joint control

To jointly control an entity there must be contractually agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

Example of joint control

Fred is the Mayor of Sunny Shire Council and owns 50% of the ordinary shares in Sunny Development Company Pty Ltd (the company). Fred's brother Stan owns the other 50% of the ordinary shares. Fred and Stan are the only Directors of the company and have equal voting rights on the board.

Fred and Stan have joint control of the company because any decisions require the unanimous consent of them both.

Fred will need to include the company on his related party disclosure and the entity's related party relationship with Fred and Stan.

In some cases, it will be obvious that you or a family member control or have joint control over an entity. In other cases it will be less clear.

If you are unsure whether you, or a close family member, has control or joint control of an entity then you should contact the Responsible Accounting Officer for a confidential discussion.

16.2 DRAFT INVESTMENT POLICY

ATTACHMENTS: **1. DRAFT INVESTMENT POLICY**
2. APPENDICES

RESPONSIBLE OFFICER: **MICHAEL DUFFY - INTERIM CHIEF FINANCIAL OFFICER**

AUTHOR: **MICHAEL DUFFY – INTERIM CHIEF FINANCIAL OFFICER**

CITY STRATEGY LINK: **6.3.1 COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION**

MEETING DATE: **24 JULY 2017**

Purpose of Report

To present a Draft Investment Policy to Council for consideration and endorsement.

Background

The current Investment Policy was last reviewed and subsequently adopted by Council on 14 March 2016. It was resolved that a protocol be implemented to ensure an annual review of the Investment Policy.

Monthly Investment Reports are required to be provided to Council detailing both investments held and their performance against parameters set down within the adopted Investment Policy. This provision has been complied with.

Figure 1: Overview of total cash, average monthly investment holds and returns compared to benchmark for the past three years as follows:

FINANCIAL YEAR	TOTAL CASH & INVESTMENTS HOLD AT YEAR END	AVERAGE MONTHLY HOLD OF INVESTMENTS	AVERAGE MONTHLY INTEREST RATE ACHIEVED ON INVESTMENTS	AVERAGE MONTHLY BLOOMBERG AUSBOND BANK BILL INDEX ON INVESTMENTS
2014/2015	$90.1M	$73.2M	3.58%	2.61%
2015/2016	$98.0M	$93.5M	3.01%	2.23%
2016/2017*	$107.1M	$105.7M	2.86%	1.82%

*The 2016/2017 information is for the 11 months period to 31 May 2017.

Purpose of Policy

As prescribed within the Investment Policy, its purpose and objective is to provide a framework for the investing of funds at the most favourable rate of interest having due consideration of risk and security for the type of investment and ensuring Council's liquidity requirements are being met.

When investing funds, due consideration must be given to the preservation of capital, liquidity and return on investment.

The Policy provides clarity in relation to the following key items:

- Approved investments as per the Ministerial Investment Order and those that are Prohibited Investments (Attachment 2, Appendix G);
- Risk Management Guidelines which include: Preservation of Capital, Diversification, Market Risk, Liquidity Risk and Maturity Risk (Attachment 1, Clause 2).

The current Investment Policy's adopted Target Portfolio is shown within Figure 2 and provides a comparison with the May 2017 actual hold. Also of note is that there is a maximum exposure in place of 20% of the portfolio to any rated single issuer and 5% to any unrated single issuer. Council's investments comply with this.

Figure 2: Current Investment Portfolio Structure Rating and Target Allocation

Long Term Rating (S&P or equivalent)	Short Term Rating (S&P or equivalent)	Target Portfolio Structure	Actual Performance to 31 May 2017
AAA to AA-	A-1+	Up to 100%	27%
A+ to A	A-1	Up to 70%	4%
A- To BBB-	A-2 To A-3	Up to 70%	60%
Unrated	Unrated	Up to 10%	9%

Note: the above matrix has been used by staff to measure performance against the target portfolio set down within the existing Investment policy since March 2016.

Industry based Investment Policies:

In order to provide further information to Council and to assist in the preparation of the revised recommended target portfolio, an analysis of three individual Council's Investment Policies was undertaken. A comparative table (Figure 3) shows investment policy limit settings by portfolio and institution totals for Willoughby (draft and current) and three Councils (Northern Beaches, North Sydney and Ryde).

Figure 3: Council comparison by credit rating category of portfolio and institution risk:

Portfolio Max. % Limit					S & P Credit Rating		Institution Max. % Limit				
WCC Draft	WCC Current	Northern Beaches	North Sydney	Ryde	Long Term	Short Term	WCC Draft	WCC Current	Northern Beaches	North Sydney	Ryde
100%	100%	100%	100%	100%	AAA (+/-)	A1+	30%	20%	50%	40%	45%
100%	100%	100%	100%	100%	AA (+/-)	A1+	30%	20%		30%	45%
70%	70%	100%	60%	60%	A (+)/ A	A1	10%	20%	40%	15%	20%
40%	70%	80%	40%	40%	A-, BBB+, BBB	A2	10%	20%	30%	10%	15%
10%	70%	30%	40%	40%	BBB-	A3	4%	20%	10%		
8%	10%	20%	10%	15%	Unrated	Unrated	3%	5%	10%	5%	10%*

*max. $1m

Whilst there are similarities between Policies, each Council has tailored their permissible mix of investments to meet their individual needs in regards credit quality and risk. As can be seen in the above table Northern Beaches has the greatest portfolio exposure to unrated institutions at 20% and the greatest institution exposure of 30% to an individual A2 rated institution. Willoughby's current policy would allow 70% of funds to be invested in the lowest investment grade rating of BBB- (long term) or A3 (short term). The draft policy separates BBB- from BBB & BBB+.

A comparative table (Figure 4) highlights a much broader range of portfolio risk settings where Blacktown Council appear to be very risk averse with 0% exposure to the three lower tiers.

By contrast Northern Beaches could have a 100% of their portfolio invested in the three lower tiers.

Figure 4: Further Council comparison by portfolio credit rating category:

	Portfolio Maximum				Other Councils in order of risk taken in Tier 3 to 5 Investments								
Tier	Short Term Rating 0:12 mths	Long Term Rating > 12 mths	Draft WCC 17/18	WCC Cur-rent	Black town	Pen rith actual	Rand wick	Horn sby	Manly 2016	Suth erland Actual	Mos man	North Syd	North Bea-ches
1	A1 (+)	AAA (+/-) AA (+/-)	100%	100%	100%	57%	100%	100%	100%	30%	100%	100%	100%
2	A1	A (+) / A A (-)	70% 40%	70%	10%	26%	60%	100%	80%	7%	60%	60%	60%
3	A2	BBB(+) / BBB	40%	70%	0%	17%	20%	25%	30%	44%	60%	60%	80%
4	A3	BBB (-)	10%		0%	0%	0%			7%	20%	35%	30%
5	Unrated	Unrated	8%	10%	0%	0%	0%		30%	11%	10%	10%	20%
	s.t.	Tier 3 to 5	58%	80%	0%	17%	20%	25%	60%	62%	90%	100%	100%
	100%	40%		Note: to avoid double exposure the Long Term % is a subset of Short Term %									

The current Willoughby City Council investment policy is a little more conservative than neighbouring Councils but not as conservative as some other Councils surveyed.

A pro-longed period of very low interest rates is currently being experienced and there is debate on whether the next Reserve Bank move will be up or down.

Should rates rise progressively in coming years, it increases risks for the smaller institutions predominantly exposed to household mortgages.

Accordingly the investment policy proposed in this report seeks to reduce overall risk phased in over time.

The overall impact on Council's budgeted investment return for 2017/18 is considered minimal and will be reassessed as part of the first quarter review of the Operational Plan.

Conclusion

It is recommended that Council adopt the revised Investment Policy which includes the following maximum limits by rating category for portfolio total and individual institutions:

Figure 5: Officer's recommended revised policy limits

Long Term Rating (Standard & Poors Equivalent)	Short Term Rating (Standard & Poors Equivalent)	Portfolio Maximum	Institution Maximum
AAA (+/-)	A1 +	100%	30%
AA (+/-)		100%	30%
A (+) to A	A1	70%	10%
A (-)		40%	10%
BBB (+)/ BBB	A2	40%	10%
BBB (-)	A3	10%	4%
Unrated	Unrated	8%	3%

OFFICER'S RECOMMENDATION

That Council adopt the Draft Investment Policy.

ATTACHMENT 1

Draft Investment Policy

Policy Statement 2017

Willoughby City Council requires that all investment activities be exercised with the care, diligence and skill of a prudent person, and not for speculative purposes.

CITY STRATEGY LINK: COUNCIL MAINTAINS A STRONG SUSTAINABLE FINANCIAL POSITION

Why is this policy required?

- The Investment Policy sets out requirements for management of Council's cash and investment portfolio.
- It seeks to safeguard the City's cash and investments portfolio whilst balancing risk, day to day business requirements and meeting Council's longer term strategic and business objectives on behalf of the community.
- The policy reinforces Council's ongoing commitment to maintain a conservative risk and return portfolio, an important component of its ongoing prudent financial management practices.

1. Guiding Principles

1.1 As a holder of public monies (effectively in trust) and by regulation, Council's investor profile is that of a conservative investor, investing primarily in low-risk securities such as fixed income and money market securities. Council has a low to moderate risk tolerance given capital preservation and legislative requirements. Consequently a significant portion of Council's investment portfolio is invested in short to medium-term investments and less in longer term investments.

1.2 Funds will be invested at the most favourable rates available to maximise returns having regard to the risk, liquidity and the preservation of capital in accordance with legislation, the current Ministerial Order and this Policy.

1.3 Capital is to be preserved by placing investments in a manner that ensures security and safeguards the capital and integrity of the investment portfolio.

1.4 The investment portfolio will be structured to ensure there is sufficient liquidity to meet anticipated cash flow requirements so as to avoid incurring significant penalty costs when redeeming investments before their official maturity date.

ATTACHMENT 1

1.5 Investments are to achieve an acceptable rate of return in line with the annual investment strategy which sets the agreed margin above the industry benchmark whilst also having regard to Council's risk tolerance and prevailing market conditions.

2. Risk Management Guidelines

Investments obtained are to be considered in light of the following key criteria:

2.1 Preservation of Capital and the prevention of losses in an investment portfolio's total value;

2.2 Diversification by placing investments in a broad range of products so as not to be over exposed to a particular sector of the investment market;

2.3 Market Risk that the fair value or future cash flows of an investment will fluctuate due to changes in market prices;

2.4 Liquidity Risk if unable to redeem the investment at a fair price within a timely period;

2.5 Maturity Risk in the length of time that it takes for the investment to mature. The longer the term, the greater the length of exposure and risk to market volatility.

3. Investment Portfolio Credit and Maturity Parameters

3.1 Investments are to comply with the following portfolio credit rating limits:

3.1.1 Overall Portfolio and Institutional Credit Rating Group Limits

Standard & Poors (or equiv.) - New Policy			
Short Term Rating 0:12 mths	Long Term Rating > 12 mths	Portfolio Maximum	Institution Maximum
A1 (+)	AAA (+/-)	100%	30%
	AA (+/-)	100%	30%
A1	A (+) / A	70%	10%
	A (-)	40%	10%
A2	BBB(+) / BBB	40%	10%
A3	BBB (-)	10%	4%
Unrated	Unrated	8%	3%
100%	40%		

Current Position			
Portfolio		Institution	
Pol.	Act.	Pol.	Act.
100%	27%	20%	9%
70%	4%	20%	4%
70%	60%	20%	12%
10%	9%	5%	4%
Actuals comply with policy			

Transition 18/19	
Portfolio Maximum	Institution Maximum
100%	30%
100%	30%
70%	10%
40%	10%
30%	5%
8%	2%
6%	1%

Note: to avoid double exposure the Long Term % is a subset of Short Term %

3.1.2 Investment Horizon Limits – Overall Portfolio Term to Maturity

Investment decisions are to be mindful of liquidity, cash flow and income requirements. The following "term to maturity" settings are provided as a guideline as to the overall maturity profile of the investment portfolio:

0-3 months	Minimum 15%	Maximum 40%
3-12 months	Minimum 40%	Maximum 70%
1-2 years	Minimum 0%	Maximum 25%
2 + years	Minimum 0%	Maximum 15%

ATTACHMENT 1

4. Strategic Investment Plan

On an annual basis and in conjunction with this Policy, Council officers will develop a Strategic Investment Plan taking into consideration the following:

4.1 Council's cash flow requirements and implications for the portfolio liquidity profile;

4.2 Allocation of investment types, credit quality, counterparty exposure and term to maturity;

4.3 Current and projected market conditions and any likely impacts on relative positioning in terms of the portfolio and any necessary policy implications;

4.4 Relative return outlook, risk-reward considerations, assessment of the market cycle and resultant constraints on risk as well as the projected budget return and performance benchmark margin setting;

4.5 Appropriateness of overall investment types relative to Council's portfolio;

4.6 The projected investment portfolio level for the forthcoming year; and

4.7 The Strategic Investment Plan is to be reviewed quarterly.

5. Investment Advisor

Council may engage an investment advisor licensed by the Australian Securities and Investment Commission. The advisor must be fully independent with no conflicts of interest in relation to investment products being recommended. An investment advisor would not normally be needed for investing in low risk products such as term deposits however if policy settings are less conservative and a more aggressive return is sought then use of an advisor is recommended.

6. Performance Benchmarks and Measurement

The performance of the investment portfolio shall be measured against the Bloomberg AusBond Bank Bill Index plus Council's required margin as determined annually in the strategic investment plan.

7. Reporting to Council

In accordance with the Local Government Financial Regulations, a monthly report will be provided to Council, detailing the investment portfolio in terms of performance, portfolio balances and net returns compared to industry benchmarks. The report will also detail the interest income for the month and any other relevant information required by Council.

ATTACHMENT 1

Supporting information

Definitions

Term	Definition
the Act	*Local Government Act 1993* (NSW)
ADI	Authorised Deposit-taking Institution
Advisor	A person or authorised representative of an organisation licensed by ASIC to provide advice on some or all of these areas: investing, superannuation, retirement planning, estate planning, risk management, insurance and taxation.
ASIC	Australian Securities & Investments Commission
Asset allocation (funds)	The apportionment of an investment portfolio between different asset classes/geographical markets. The proportion in each asset class will be determined by a fund's benchmark, its objectives and its risk profile.
Code of Conduct	The current *Code of Conduct* as adopted by Willoughby City Council.
Council	Willoughby City Council
Hour-Glass Cash	Short-term cash deposit with T Corp
Hour-Glass Strategic Cash	Medium- to longer-term cash deposits with TCorp
Investment Definitions	Refer Appendix F – Office of Local Government Investment Policy Guidelines
Major Banks	Major Australian banking groups issuing ADI deposits or senior-guaranteed principal and interest ADI securities, limited to: • Australia and New Zealand Banking Group Limited • Commonwealth Bank of Australia • National Australia Bank Limited • Westpac Banking Corporation including ADI-licensed subsidiaries whether or not explicitly guaranteed, and brands (such as St George Bank).
Official Cash Rate	Overnight money market interest rate.
the Regulation	*Local Government (General) Regulation 2005* (NSW)
TCorp	NSW Treasury Corporation

ATTACHMENT 1

Governing laws and standards	• Local Government Act (1993) Section 625 (Appendix A) • Minister's Investment Order (gazetted) (Appendix B) • The Trustee Amendment (Discretionary Investments) Act (1997) – Section 14 (Appendix C) • Local Government (General) Regulation (2005) Clause212 (Appendix D) • Office of Local Government – Local Government Code of Accounting Practice and Financial Reporting (Appendix E) • Local Government Act (1993) Definitions (Appendix F) • Australian Accounting Standards • Office of Local Government Investment Circulars • Office of Local Government Investment Policy Guidelines
Related policy products	• Council's Strategic Investment Plan

Policy Owner

Directorate	Owner	Phone
Customer & Corporate	Chief Financial Officer	02 9777 1020

Approval, references, review and contacts

Date approved by ELT	Date Council approved or ratified/resolution no.	Date Council amended/resolution no.
ECM reference	**Loaded on Intranet**	**Loaded on Internet**
TBA	Yes/No	Yes/No
Review period		**Next review date**
The Policy Owner will review this policy every four years or as required.		July 2018
Name	**Email**	**Phone**
Bill Lofthouse	Financial Accountant	02 9777 7511

APPENDIX: Detailed procedures and provisions

- **Appendix A – Local Government Act (1993) Section 625**
- **Appendix B – Minister's Investment Order (gazetted)**
- **Appendix C – The Trustee Amendment (Discretionary Investments) Act (1997) – Section 14**
- **Appendix D – Local Government (General) Regulation (2005) Clause212**
- **Appendix E – Local Government Code of Accounting Practice and Financial Reporting**
- **Appendix F – Local Government Act (1993) Definitions**
- **Appendix G – Procedure**

ATTACHMENT 2

Appendix A

Local Government Act 1993 - Section 625 - How may councils invest?

(1) A council may invest money that is not, for the time being, required by the council for any other purpose.
(2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.

Note: See Gazette No 152 of 24.11.2000, p 12041.

(3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.
(4) The acquisition, in accordance with section 358, of a controlling interest in a corporation is not an investment for the purposes of this section.

ATTACHMENT 2

Appendix B

Local Government Act 1993 – Investment Order

dlg | circular to councils

Circular No. 11-01
Date 17 February 2011
Doc ID. A232163

Contact Finance Policy Section
02 4428 4100
dlg@dlg.nsw.gov.au

REVISED MINISTERIAL INVESTMENT ORDER

A revised Investment Order pursuant to section 625 of the *Local Government Act 1993* has been issued. The Minister for Local Government signed the revised Order on 12 January 2011 and it was published in the NSW Government Gazette on 11 February 2011. It replaces the Order dated 31 July 2008. The revised Order is attached to this circular.

Changes to the Investment Order include:

- the removal of the ability to invest in the mortgage of land (part (c) of the Investment Order dated 31 July 2008)
- the removal of the ability to make a deposit with the Local Government Financial Services Pty Ltd (part (f) of the order dated 31 July 2008)
- the addition of "Key Considerations" in the revised Investment Order, which includes a comment that a council's General Manager, or any other staff, with delegated authority by a council to invest in funds on behalf of the council must do so in accordance with the council's adopted investment policy.

Councils are reminded that on 25 May 2010 the Division of Local Government issued Investment Policy Guidelines (Circular to Councils 10-11 refers). It is expected that all councils will by now have adopted an Investment Policy in accordance with the Guidelines.

Ross Woodward
Chief Executive, Local Government
A Division of the Department of Premier and Cabinet

Department of Local Government
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Appendix C

The Trustee Amendment (Discretionary Investments) Act 1997 Sections 14A (2), 14C (1) & (2);

Section 14A - Duties of trustee in respect of power of investment

(1) This section has effect subject to the instrument (if any) creating the trust.
(2) A trustee must, in exercising a power of investment:

(a) if the trustee's profession, business or employment is or includes acting as a trustee or investing money on behalf of other persons, exercise the care, diligence and skill that a prudent person engaged in that profession, business or employment would exercise in managing the affairs of other persons, or
(b) If the trustee is not engaged in such a profession, business or employment, exercise the care, diligence and skill that a prudent person would exercise in managing the affairs of other persons.

Note: Some Acts deem investments under the Acts to be investments that satisfy the prudent person test. See, for example, section 39 of the Public Authorities (Financial Arrangements) Act 1987.

(3) A trustee must exercise a power of investment in accordance with any provision of the instrument (if any) creating the trust that is binding on the trustee and requires the obtaining of any consent or approval with respect to trust investments.
(4) A trustee must, at least once in each year, review the performance (individually and as a whole) of trust investments.

Section 14C - Matters to which trustee is to have regard when exercising power of investment

(1) Without limiting the matters that a trustee may take into account when exercising a power of investment, a trustee must, so far as they are appropriate to the circumstances of the trust, if any, have regard to the following matters:

(a) the purposes of the trust and the needs and circumstances of the beneficiaries,
(b) the desirability of diversifying trust investments,
(c) the nature of, and the risk associated with, existing trust investments and other trust property,
(d) the need to maintain the real value of the capital or income of the trust,
(e) the risk of capital or income loss or depreciation,
(f) the potential for capital appreciation,
(g) the likely income return and the timing of income return,
(h) the length of the term of the proposed investment,
(i) the probable duration of the trust,
(j) the liquidity and marketability of the proposed investment during, and on the determination of, the term of the proposed investment,
(k) the aggregate value of the trust estate,
(l) the effect of the proposed investment in relation to the tax liability of the trust,
(m) the likelihood of inflation affecting the value of the proposed investment or other trust property,

ATTACHMENT 2

(n) the costs (including commissions, fees, charges and duties payable) of making the proposed investment,
(o) the results of a review of existing trust investments in accordance with section 14A (4).

(2) A trustee may, having regard to the size and nature of the trust, do either or both of the following:

(a) obtain and consider independent and impartial advice reasonably required for the investment of trust funds or the management of the investment from a person whom the trustee reasonably believes to be competent to give the advice,
(b) pay out of trust funds the reasonable costs of obtaining the advice.

(3) A trustee is to comply with this section unless expressly forbidden by the instrument (if any) creating the trust.

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Appendix D

Local Government (General) Regulation 2005 – Clause 212 Reports on council investments

(1) The responsible accounting officer of a council:

(a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:

(i) if only one ordinary meeting of the council is held in a month, at that meeting, or

(ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and

(b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies. The report must be made up to the last day of the month immediately preceding the meeting.

Note: Section 625 of the Act says how a council may invest its surplus funds (Appendix A)

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Appendix E

Local Government Code of Accounting Practice and Financial Reporting Section 11.3.4

Councils must maintain a separate record of money it has invested under 625 of the LGA. The record must specify:

(a) the source and amount of money invested; and
(b) particulars of the security or form of investment in which the money is invested; and
(c) if appropriate, the rate of interest to be paid, and the amount of money that the council has earned, in respect of the money invested.

Section 11.3.5

Council must maintain an investment policy that complies with the Act and ensures *"it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing council funds".*

For an extensive list of matters a prudent person would be expected to consider, reference is made to Section 4 of the NSW Local Government Investments Best Practice Guide.

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Appendix F

Definitions

Term	Definition
Act	Local Government Act, 1993.
Ausbond Bank Bill Index	In 2014, Bloomberg acquired the UBS Australia Bond Indices. The benchmark index formerly referred to as UBSA BBI was rebranded as Ausbond Bank Bill Index. Bloomberg calculates a daily Bank Bill Index representing the performance of a notional rolling parcel of bills averaging 45 days.
Austraclear	Austraclear is a clearing and settlement facility, licensed by the Australian Securities and Investments Commission and subject to certain financial stability standards administered by the Reserve Bank of Australia.
Australian Prudential Regulation Authority – APRA	APRA (Australian Prudential Regulation Authority) is the prudential regulator of the Australian financial services industry. APRA enforces prudential standards and practices (e.g. capital adequacy and other risk management issues) of banks, credit unions, building societies, insurance companies and friendly societies.
Authorised Deposit-Taking Institutions ADI	Authorised Deposit-Taking Institutions (ADIs) are corporations that are authorised under the Banking Act 1959 (Cwth) to take deposits from customers.
Bill of Exchange	A bill of exchange is an unconditional order in writing, addressed by one person to another, signed by the person giving it, requiring the person to whom it is addressed to pay on demand, or at a fixed or determinable future time, a sum certain in money to or to the order of a specified person, or to bearer.
BBSW	The Bank Bill Swap reference rate (BBSW) is the average of mid-rate bank-bill quote from brokers on the BBSW Panel. The BBSW is calculated daily. Floating rate securities are most commonly reset quarterly to the 90-day BBSW.
Council Funds	Surplus monies that are invested by Council in accordance with section 625 of the Act.
Credit Rating	Credit Rating refers to a short or long term summary assessment of the credit worthiness of a debt issuer or of a specific issue.
Debenture	A debenture is a document evidencing an acknowledgement of a debt, which a company has created for the purposes of raising capital. Debentures are issued by companies in return for medium and long term investment of funds by lenders.
Direct Deposits	Direct Deposits refer to investments made by Council (or on behalf of

ATTACHMENT 2

	Council) directly with financial institutions.
FRN	A Floating Rate Note (FRN) is a medium to long term fixed interest investment where the coupon is a fixed margin ("coupon margin") over a benchmark, also described as a "floating rate". The benchmark is usually the BBSW and is reset at regular intervals – most commonly quarterly.
LGGR	Local Government (General) Regulation 2005 (NSW).
Minister's Order	Refers to the Order of the Minister for Local Government relating to Investments made by Councils. Last Minister's Order was dated 12 January 2011.
Negotiable Certificate of Deposit – NCD	Is a short term investment in an underlying security being a negotiable certificate of deposit (NCD) where the term of the security is usually for a period of 185 days or less (sometimes up to 2 years). NCDs are generally discount securities, meaning they are issued and on-sold to investors at a discount to their face value.
OLG	NSW Office of Local Government, Department of Premier and Cabinet.
Responsible Accounting Officer – RAO	Responsible Accounting Officer of a council means a member of the staff of the council designated by the General Manager, or if no such member has been designated, the General Manager. (LGGR, clause 196).
T-Corp	New South Wales Treasury Corporation.

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Appendix G – Investment Procedure

INVESTMENT CRITERIA

The following provides a summary of key decision-making protocols for the investment of funds:

1. **Prudent Person Standard:** The investment process will be managed with the care, diligence and skill that a prudent person would exercise. As trustees of public monies, Council officers are to manage Council's investment portfolio to safeguard the portfolio in accordance with Policy and not for speculative purposes.

2. **Ethics and Conflicts of Interest:** Council officers shall refrain from personal activities that would conflict with the proper execution and management of Council's investment portfolio. Disclosure of any conflict of interest should be made in accordance with the Code of Conduct. Independent advisors must declare any actual or perceived conflicts of interest and must ensure that they receive no inducements in relation to Council's investments.

3. **Delegation of Authority:** The General Manager has the authority to implement of this Policy in accordance with the *Local Government Act 1993* (NSW). The General Manager may delegate the day-to-day management of Council's investment portfolio to the Responsible Accounting Officer or such other person subject to regular reviews. Officers with the delegated authority to manage Council's investments shall be recorded and they are required to acknowledge receipt of a copy of this Policy and that they understand their obligations in this role.

4. **Level of Sophistication:** Council's staff should be understood to have limited technical and investment training and experience in the evaluation of investment alternatives. As such, Council deems itself to have a low level of investment sophistication in relation to financial instruments beyond the basic money market accounts and term deposits. To supplement Council's level of sophistication, Council may engage an investment advisor where appropriate either on a retained or project basis. Council may also seek to obtain additional independent advice beyond their retained advisor if Council deems this appropriate.

5. **Authorised Investments:** All of Council's investments must be denominated in Australian Dollars. Council may only invest money in the forms of investment detailed in the relevant Ministerial Investment Order as may be revised from time to time.

6. **Prohibited Investments:** This investment policy prohibits the following types of investment: Derivative based instruments; Principal only investments or securities that provide potentially nil or negative cash flow;· Stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind. This policy also prohibits the use of leveraging (borrowing to invest) of an investment.

7. **Quotations:** quotations are essential and staff are to obtain 3 written quotes for each investment and the final investment decision must be signed off by two signatories.

ATTACHMENT 2

8. **Investment Advisor:** if Council engages an investment advisor the advisor is required to provide written confirmation that they do not have any conflicts of interest in relation to investments being recommended or reviewed and that neither they nor any associate, receive any commissions or other benefits. If commissions are available to and received by an independent advisor, commissions must be fully and promptly rebated to Council.

Credit and Maturity Guidelines: Investments are to comply with the following portfolio credit rating limits:

(i) Overall Portfolio and Institutional Credit Rating Group Limits

Standard & Poors (or equiv.) - New Policy				Current Position				Transition 18/19	
Short Term Rating 0:12 mths	Long Term Rating > 12 mths	Portfolio Maximum	Institution Maximum	Portfolio Pol.	Portfolio Act.	Institution Pol.	Institution Act.	Portfolio Maximum	Institution Maximum
A1 (+)	AAA (+/-)	100%	30%					100%	30%
	AA (+/-)	100%	30%	100%	27%	20%	9%	100%	30%
A1	A (+) / A	70%	10%	70%	4%	20%	4%	70%	10%
	A (-)	40%	10%					40%	10%
A2	BBB(+) / BBB	40%	10%	70%	60%	20%	12%	30%	5%
A3	BBB (-)	10%	4%					8%	2%
Unrated	Unrated	8%	3%	10%	9%	5%	4%	6%	1%
100%	40%			Actuals comply with policy					

Note: to avoid double exposure the Long Term % is a subset of Short Term %

Limits do not apply to Federal or NSW-guaranteed investments, which are uncapped. Ratings attributed to each individual ADI will be used to determine maximum holdings. In the event of disagreement between agencies as to the rating band ('split ratings'), Council shall use the higher rating in assessing compliance with investment portfolio limits, but for conservatism shall apply the lower in assessing new purchases. Exposure to an individual institution will be restricted by their credit rating so that single entity exposure is limited, as detailed in the table above (there is no limit to investments fully guaranteed by the NSW or Federal government).

If any of the Council's investments are downgraded such that they no longer fall within this Policy, they will be divested where practicable. Council will seek consultation from its investment advisor (if applicable) as to the costs of doing so prior to any divestment decision undertaken.

(ii) Investment Horizon Limits – Overall Portfolio Term to Maturity

Council's investment portfolio shall be structured around the time horizon of investment to ensure that liquidity and income requirements are met and diversify its maturity profile as a low-risk method of obtaining additional return whilst reducing the risks to Council's income. However, Council always retains the flexibility to invest as short a term as required by internal requirements or the economic outlook. Factors influencing portfolio allocation to shorter durations include:

ATTACHMENT 2

- Council's liquidity requirements to cover both regular payments as well as a sufficient buffer to cover reasonably foreseeable contingencies;
- Medium-term financial plans and major capital expenditure forecasts;
- Known grants, asset sales or similar one-off inflows and seasonal patterns in the budget;
- Overall Portfolio Term to Maturity:

0-3 months	Minimum 15%	Maximum 40%
3-12 months	Minimum 40%	Maximum 70%
1-2 years	Minimum 0%	Maximum 25%
2 + years	Minimum 0%	Maximum 15%

Where an investment (such as a TCorp Hour-Class Fund) has no fixed maturity date, or if Council's Strategic Investment Plan nominates specific assets as intended to be held for a shorter term, an *investment horizon* will be substituted in the assessment of portfolio duration.

Council will undertake cash flow forecasting to match investment maturities to cash flow requirements to minimise early liquidation and associated penalties.

Investments will be acquired with the intention of holding them through to maturity, and cash liquidity requirements will be managed to ensure that Council avoids forced sales of these assets. However there may be occasions where it is deemed advantageous to redeem, switch to alternate investments, or to otherwise amend its investments when investment parameters have been breached due to a change in the overall size of the investment portfolio, investment credit risk amended or for any other reason. In these circumstances, Council has the authority to make the necessary arrangements to withdraw from the investment as soon as practicable.

Council may sell assets prior to maturity in the following circumstances:

- If the asset is liquid, easily tradeable, can be sold without significant loss and was purchased as part of a 'liquidity buffer' against the event of unforeseen and unexpected liquidity requirements; or
- If Council judges that: (i) the asset has deteriorated in credit quality; (ii) that there is a material risk of loss on the asset if held to maturity; and (iii) if Council is advised by a competent and reputable external advisor that a sale of the asset is in the best interests of Council for risk management purposes.

For the avoidance of doubt, Council will not adopt an active trading strategy of buying and selling assets on broker recommendations regardless of potential enhanced returns from accumulation of capital profits.

LEGAL OWNERSHIP

Council's investments must be held in either the City's name or held via an acceptable safe custody arrangement with Council as the beneficial owner. A statement is to be provided by the safe custody provider at each month end, verifying the holdings by Council.

REPORTING AND REVIEWING OF INVESTMENTS

ATTACHMENT 2

A monthly report of investments will be provided to Council and include the following:

- Actual percentage of Investments by Credit Rating Group compared to policy parameter
- Actual percentage of Investment to individual institutions compared to policy parameter
- Reconciliation of movements: opening/closing balance including maturing and new investments
- Interest earning performance compared to Benchmark and Budget
- Detailed list showing Investment Type, Institution, Amount, Rate and Invested/Maturity Date.

Council may, by resolution, nominate additional content for reporting. The monthly report will also confirm compliance of Council's investments within legislative and Policy limits. Documentary evidence must be held for each investment and details maintained in an Investment Register.

All investments are to be appropriately recorded in Council's financial records and reconciled at least on a monthly basis. Certificates must be obtained from the financial institutions in which Council invests which confirm the amounts of investments held on the Council's behalf as at 30 June each year. These statements must be reconciled to the Investment Register.

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16.3 MAKE PUBLIC A CONFIDENTIAL REPORT FROM 12 SEPTEMBER 2016 COUNCIL MEETING - ITEM 3.3 RENEWAL OF LICENCES FOR CHILD CARE - 45 ORCHARD ROAD, CHATWOOD AND WILLOUGHBY PARK CENTRE

ATTACHMENTS:	**1. REDACTED CONFIDENTIAL COUNCIL REPORT**
RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**VLADIMIR GREPL – GOVERNANCE OFFICER**
CITY STRATEGY LINK:	**6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To make public a confidential report from the Closed Council Meeting held 12 September 2016 as resolved by Council.

Background

At its meeting on 12 September 2016, Council resolved to make public the confidential report Item 3.3 “Renewal of Licences for Childcare – 45 Orchard Road, Chatswood and Willoughby Park Centre”. Council also resolved that any commercially sensitive information be redacted in the public version of the report.

The report was 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 *(d) commercial information of a confidential nature that would if disclosed: (i) prejudice the commercial position of the person who supplied it.*

The redacted 12 September 2016 confidential report is shown in the attachment to this report. Redacted text relates to sensitive financial information.

OFFICER'S RECOMMENDATION

That Council note the provision to the public of the Confidential Report Item 3.3 “Renewal of Licences for Childcare – 45 Orchard Road, Chatswood and Willoughby Park Centre”, with sensitive information redacted, according to Council resolution made on 12 September 2016.

RENEWAL OF LICENCES FOR THE PROVISION OF CHILD CARE SERVICES AT 45 ORCHARD ROAD CHATSWOOD AND WILLOUGHBY PARK CENTRE - CONFIDENTIAL

RESPONSIBLE OFFICER:	**PETER CONROY - PLANNING & INFRASTRUCTURE DIRECTOR**
AUTHOR:	**DAVID DI BIASE – PROPERTY AND CONSTRUCTION SERVICES MANAGER**
CITY STRATEGY LINK:	**4.1.1 PLANNING, MAINTENANCE AND OPERATION OF INFRASTRUCTURE**
MEETING DATE:	**12 SEPTEMBER 2016**

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) 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

Purpose of Report

To obtain Council's consent for the renewing of the licences for the provision of child care services at Council's facilities located at:

1. 45 Orchard Rd, Chatswood
2. Willoughby Park Centre

Background

The leases for Council's pre-school facilities at 45 Orchard Rd and the Willoughby Park Centre have become due for renewal. It is proposed that the new leases will be for 5 years with a 5 year option.

The Willoughby Park Centre is located on Crown Land and as such requires an expression of interest (EOI) process to be undertaken before Council may enter into a lease with a service provider for the facility. Although not strictly required in the case of the facility at 45 Orchard Rd, being on Operational Land, the facility was also included in the EOI to ensure a thorough testing of the market.

An advertisement was placed in Tenderlink on Tuesday 28 June 2016 seeking tenders from suitably qualified and experienced companies to provide childcare services from the two (2) facilities.

A compulsory site inspect of both facilities was held on Wednesday 6 July 2016, four (4) providers attended the inspection.

The tender period was extended by an additional two (2) weeks at the request of Tenderers, to allow a more thorough response, as a number of the parent committee members were away on holiday at the time.

The tender closed at 11am on Wednesday 3 August 2016 – one compliant tender was received:

- Chatswood Occasional Child Care Incorporated – expressing an interest to provide child care services at the 45 Orchard Rd facility.

A late tender was also submitted via the Help & Service counter by the East Willoughby Pre-School. As the tender was late and was not submitted in accordance with the tender instructions, it was deemed a non-conforming tender and was returned to the East Willoughby Pre-School.
No other submissions were received to provide child care services from the Willoughby Park Centre facility.

Financial Implications

The proposed lease fee of [redacted] per child per day is further to Council's resolution, at its meeting of the 9 September 2013, wherein it resolved that:

'Council note that when future expressions of interest are called for the ongoing child care services at theses premises, that Council advise all organisations submitting an offer that an expected licence fee equating to [redacted] per child per day for not for profit groups be sought.'

The proposed yearly licence fee for the 45 Orchard Road facility, based on an operation of 49 weeks per year and a maximum number of 28 children (per DEC licencing), is [redacted] per annum. Currently the licence fee is [redacted] per annum.

The proposed yearly licence fee for the WPC facility, based on an operation of 49 weeks per year and a maximum number of 20 children (per DEC licencing), is [redacted] per annum. Currently the licence fee is [redacted] per annum.

Discussion

Tender Assessment – 45 Orchard Rd Facility

The submitted tender was evaluated against the following criteria:

Item	% Assessment Value
1. Status & Experience of the Provider • Approved Provider (Education and Care Services National Regulations) • Existing provider of local service. • Relevant experience and qualifications to obtain a provider approval	[redacted]
2. Staffing • Qualifications and experience of proposed educational and support staff. • Staff to child ratios. • Evidence of ongoing professional development of staff	[redacted]
3. Types of Providers	

• Private not for profit – community managed (local Incorporated Association managed by a parent committee) – score 10 • Other not for profit provider – other organisation (for example, YMCA, PCYC) – score 7.5 • Private for profit provider – score 5	[redacted]
4. Financial Viability • Evidence provided to demonstrate financial viability to provide the service.	[redacted]
5. Insurances • Evidence of Proponent holding appropriate levels of insurances ie public liability, worker's compensation, contents insurance etc.	[redacted]
6. Quality of Educational Programme • Level of compliance of Proponents educational programme with the Education and Care Services National Regulations seven (7) Quality Areas	[redacted]
7. Children's Health and Safety • Quality of proponents health and safety documentation and processes	[redacted]

Their submission was found to be fully compliant, having provided all information required by the tender documentation and have the appropriate Department of Education and Communities (DEC) licencing to provide child care services from the facility.

Chatswood Occasional Child Care has a history of the successful provision of child care services at 45 Orchard Rd and have not defaulted in the payment of their rent. Chatswood Occasional Child Care was the only organisation to submit an EOI for 45 Orchard Rd.

Willoughby Park Centre
No conforming tenders were received for the provision of child care services at the Willoughby Park Centre facility.

East Willoughby Pre-School, a not for profit organisation, has been operating at the Willoughby Park Centre (WPC) for over 75 years and is well known and respected by the local community.

Further to the long association of the East Willoughby Pre-School with the WPC and since no other submissions to provide child care services at the facility were received, it is proposed that Council officers enter into negotiations with the East Willoughby Pre-School with view to reaching an agreement for the lease of the facility, in accordance with the tender conditions.

Such negotiations are allowed under Section 178(3)(e) of the Local Government (General) Regulations 2005.

Verbal advice received from Crown Lands is that they do not foresee any issues in providing their approval of the lease should Council undertake the proposed negotiations. Council is awaiting written confirmation of Crown Lands' verbal advice.

A further report will be presented for Council's consideration detailing the outcome of the tender negotiations with the East Willoughby Pre-School.

Conclusion

45 Orchard Rd, Chatswood
In consideration that Chatswood Occasional Child Care Incorporated having submitted a compliant tender and due to **their track** record of successfully providing child care services at the facility, it is proposed that Council enter into a licence agreement with the Chatswood Occasional Child Care Incorporated, in accordance with the EOI conditions.

Willoughby Park Centre
There being no other submissions received and in recognition of the East Willoughby Pre-School's long association with the facility, it is proposed that Council officers enter into negotiations with them with view to entering into a licence agreement for the provision of childcare services at the facility.

OFFICER'S RECOMMENDATION

That Council:

1. **Accept Chatswood Occasional Child Care Incorporated's tender submission for Council's 45 Orchard Rd, Chatswood facility and enter into a licence agreement for a term of 5 years with a 5 year option.**

2. **Authorise Council officers to undertake negotiations with the East Willoughby Pre-School with view to reaching an agreement for the lease of the facility in accordance with the tender conditions AND that a further report be presented for Council's consideration detailing the outcome of the tender negotiations.**

3. **Provide the mayor and General Manager with delegated authority to execute the licence agreements under the Common Seal of Council.**

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16.4 PETITIONS UPDATE

ATTACHMENTS:	**1. LISTING OF PETITIONS**
RESPONSIBLE OFFICER:	**BEN WICKS – ACTING CUSTOMER & CORPORATE DIRECTOR**
AUTHOR:	**PATRICIA SHELDRAKE – MINUTES SECRETARY**
CITY STRATEGY LINK:	**6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To present an updated list of petitions that have been submitted to Council.

OFFICER'S RECOMMENDATION

That Council receive and note the updated listing of petitions.

DATE	SUBJECT OF PETITION	REFERRED TO/RESOLUTION	STATUS
08/05/17	**33KV Underground Cable Work to be installed in Blakesley and Hercules Streets** Petition opposing the 33 KV underground cable work to be installed in Blakesley Street and Hercules Street (42 signatories)	That Council receive the petition relating to the 33 KV underground cable in Blakesley and Hercules Streets and refer it to the Interim Planning & Infrastructure Director.	Road Opening Permit 2017/33 approved for Northwest Rapid Transit construction of 33kv route **Complete**
13/06/17	**58 Eddy Road, Chatswood – DA2017/86** Petition opposing the proposed demolition of an existing dwelling and construction of a two-storey dwelling, fencing and associated works (16 signatories and a further 10 signatories tabled at the Council Meeting held 26 June 2017)	That Council receive and note the petition relating to DA2017/86 – 58 Eddy Road, Chatswood and that it be referred to the relevant Planning Officer for consideration.	Referred to Planning Officer as part of assessment process. **Completed**
13/06/17	**View Street Park** Petition relating to View Park, Chatswood West and the proposal to name View Street Park as the "Jim McCredie Park" (37 signatories) On-line petition on	That Council receives the petition relating to View Street Park, Chatswood West and the proposal to name View Street Park as the "Jim McCredie Park"	At its meeting 10 July 2017 Council endorsed the NSW Geographical Names Board Guidelines that the names of persons (as placenames) should only be given posthumously. Park will continue to be named View Street Park at this time. **Complete**
26/06/17	**Castle Cove Golf Course – Draft Plan of Management (Amended) Exhibition** Petition in opposition of the proposed Draft Plan of Management (Amended) Exhibition (18 signatories)	That Council receive and note the petition relating to the Draft Plan of Management (Amended) Exhibition and that it be referred to the relevant Planning Officer for consideration.	Referred to Open Space Co-ordinator as part of assessment process. **Completed**
26/06/17	**Chatswood RSL Club, 67 Albert Avenue, Chatswood - DA2017/157** Petition opposing the proposed development of Council land at 67 Albert Avenue, Chatswood – DA2017/157. The proposal is for construction of a 16 storey commercial building, plaza, landscaping, car parking and associated works (165 signatories and a further 138 online petitions)	That Council receive and note the petition relating to DA2017/157 – 67 Albert Avenue, Chatswood, including an additional 68 petitions tabled at the meeting by Councillor Saville, and that it be referred to the relevant Planning Officer for consideration.	Referred to Planning Officer as part of assessment process. **Completed**

17 REPORTS FROM OFFICERS – COMMUNITY, CULTURE AND LEISURE DIRECTORATE

17.1 TENDER 104054 - CONTRACT FOR PROVISION OF PRE-PACKED MEALS AND PREPARED FOOD FOR AT HOME WITH WILLOUGHBY MEALS ON WHEELS

RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**LOUISE GEAGHAN - DOUGHERTY COMMUNITY SERVICES TEAM LEADER**
CITY STRATEGY LINK:	**1.2.2 PROVIDE AND ADVOCATE FOR APPROPRIATE FACILITIES AND SERVICES FOR ALL AGES**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To recommend Council reject current tenders for the *Contract for Provision of Pre-Packed Meals and Prepared Food for At Home with Willoughby Meals on Wheels* (Tender Number: 104054).

Background

At Home with Willoughby Meals on Wheels is funded through the Commonwealth Home Support Programme (CHSP). Ongoing block funding has been confirmed recently by the Australian Government to June 2020.

Discussion

The Meals on Wheels service provides nutritional meals to older adults, people with disability and carers through a home delivery service and social lunch settings at the Dougherty Community Centre.

At Home with Willoughby provides approximately 22,000 meals annually. The purchase of meals represents approximately $150,000 annually.

Currently meals are sourced through a number of suppliers, in a range of varietal and state options, which are required to be available to clients. Meals are offered to clients in a frozen, chilled or hot state. A large number of dietary and texture options are required. High levels of satisfaction are regularly reported.

No previous contract agreement has been in place, due to:

1. Meals being sourced from a variety of suppliers to ensure increased choice for clients.
2. Previously held discussions with the NSW Meals on Wheels Association regarding the establishment of a regional supplier for Meals on Wheels providers across northern Sydney. This has not been successful and is no longer being considered.

Tender Process

A tender document and contract were developed to seek a supplier that would meet all the supply requirements for the At Home with Willoughby Meals on Wheels in home and in centre services.
A tender was sought to obtain supply of all meal types for a one year period, with the option for review on an annual basis thereafter for three years.

Tender documents were issued via Tenderlink on the 11 April 2017. The tender period closed on the 10 May 2017.

Received two (2) tender submissions from:

- Ku-ring-gai Meals on Wheels Services.
- RFK Pty Ltd.

Evaluation Criteria

Tenders were assessed against the weighted criteria listed in **Table 1**, as detailed in the Tender documentation.

Table 1: Weighted Evaluation Criteria for Tenders

Criteria
Compliance with Best Practice Systems CHSP Standards WH&S Environmental Management Quality Assurance and other Work Practices
Menu Planning - Variety - 4 Week Menu Cycle
Nutritional Guidelines As Stated in the Specifications
Sample Meals (please see below for instructions) - Portion Weight - Presentation - Flavour - Texture
Rates/Price Main – chilled, frozen Dessert – chilled, frozen Social Lunch – bulk main & dessert
Back-up Supplier
Previous Experience

Tender Evaluation

A Panel was formed to evaluate these tenders consisting of the following members:

- Procurement Co-ordinator.
- At Home with Willoughby Coordinator.
- Dougherty Community Services Team Leader.

The Panel analysed the submissions and prepared the assessment report.
All tenders were evaluated according to the criteria outlined in **Table 1.** Scoring was weighted according to each criterion having regard to both price and non-price criteria, relevant to providing nutritious meal options with variety in range.

Both tenderers received low scores predominantly due to either price structure or menu options.

It is essential that a variety of chilled meals are available daily, to satisfy dietary and preference options for those clients.

Failure to provide an offer that meets pricing and menu variety requirements was deemed to eliminate both tenderers from eligibility for success.

Conclusion

Council have been approached by an alternative supplier with a large range of menu items signifying the market is broader than the results of this tender indicate.

The preferred option is to decline to accept the current tenders for the *Contract for Provision of Pre-packaged Meals and Prepared Food for At Home with Willoughby Meals on Wheels* and negotiate with suitable providers as permitted under Section 178 (3) (e) of the *Local Government (General) Regulation 2005*.

OFFICER'S RECOMMENDATION

That Council:

1. **Decline to accept any of the submitted tenders.**

2. **Delegate authority to the General Manager to enter into negotiations with a tenderer or any other person with a view to entering into a contract for the provision of pre-packed meals and prepared food for 'At Home with Willoughby' Meals on Wheels as permitted under *Section 178 (3) (e) of the Local Government (General) Regulation 2005, as:***

    - **It is not likely that an acceptable outcome will be achieved from inviting fresh tenders.**
    - **Negotiations will ensure contractual specifications of the Meals on Wheels tender are met.**

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17.2 ARTARMON BOWLING CLUB SITE - FUTURE DIRECTIONS

ATTACHMENTS:	**1. ISSUES AND RECOMMENDATIONS REPORT** **2. ARTARMON PARKLANDS DESIGN-DRAFT BRIEF**
RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**JULIE WHITFIELD- OPEN SPACE CO-ORDINATOR**
CITY STRATEGY LINK:	**1.3.1 ACCESSIBLE OPEN SPACE AND RECREATIONAL FACILITIES FOR THE COMMUNITY ARE PROVIDED**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To establish a Citizens Panel to determine future options for the former Artarmon Bowling clubhouse.

Background

In February 2016 Council acquired the site at 1A Burra Road Artarmon, formerly owned by the Artarmon Bowling and Recreation Club. A condition of purchase was that the Bowling Club site remains a community recreation facility.

Given the interest in future recreation uses of the Bowling Club site, a broad consultation approach was used to engage residents' interest, and investigate their needs, wants and suggestions.

Additionally the consultation included Artarmon Reserve which adjoins the Bowling Club site to the north. A previous consultation had been undertaken in 2015 for the reserve as part of that site's Master Plan review.

This report provides the results of the community consultation, and recommends the next actions to determine the future of the former Bowling clubhouse building.

Discussion

The consultation process undertaken to date is outlined in the Community Notification section of this report**.** A summary of the community's issues and suggestions, and the ensuing recommendations are summarised in Attachment 1. The summary also includes the results from the 2015 consultation for Artarmon Reserve.

Issues from consultation- former Artarmon Bowling Club site

The predominant suggestions from the consultation for the Bowling Club site are summarised as follows- see Attachment 1 for the more detailed list.

1. Former clubhouse – there is support for the restoration/ repair/ retention of the building to be used for a mix of community recreation uses (both day and evening) such as Repair Café, Men's Shed, yoga/ exercise classes, and art/ craft/ music/ cooking classes. Continued use of the building for OOSH child care is also supported, as it is a documented community need. There were no submissions that called for the demolition or removal of the building.

A Life Cycle report of the building identified that substantial costs would be involved with the retention and ongoing repair / replacement of the building. See a summary of the report below:

Items	***Estimated Cost***
Immediate building repairs to bring the building to satisfactory condition	*$133,199*
Over 5 yrs estimated repair/replacement costs	*$696,553*
Removal of hazardous materials i.e asbestos, mineral fibre insulation, lead paint etc	*$150,000*
Refurbishments of bathrooms	*$100,000*
Disability access ramp	*$100,000*
Additional upgrades and building requirement costs	*$225,000*

Total estimate for building renewals/ repairs is $1.44 million over 5 years. Costs related to parking and external lighting would be additional.

Given the financial implications in the retention and ongoing maintenance of the building, further community consultation is required to establish the credibility of the 'retention' option.

This can be done by way of a Citizens Panel. The aim of this Panel will be to undertake a preliminary assessment of the suggested uses, the availability of other community facilities in proximity and the cost of upgrading / maintaining the current building. Council staff will provide the information required for the Citizens Panel to make their recommendation to Council.

Council already operates other community service buildings in Artarmon, being:

- 139 Artarmon Road
- Kids Cottage, Broughton Rd

A re-assessment of the costs, permitted uses and operating times for these two buildings will assist in considering options for the Bowling Club building. There are currently planning restrictions that impact on the full utilisation of the buildings at 139 Artarmon Road and Kids Cottage. A re-assessment of the permitted uses and operating times for these buildings could create opportunities to address currently un-met recreation needs, as highlighted by the community, at these existing sites. Consolidating uses and activities at these existing facilities could be a more financially viable model than having three separate community buildings in operation within Artarmon.

2. Recreation – play.
   There was support for an adventurous playspace for older children (the 5yrs old + group), with suggestions for water play/ flying fox and tree house. This would complement the younger children's fenced playground in the adjoining Artarmon Reserve.

3. Recreation – active.
   The 2 former bowling greens are conducive for re-use for other active sports. There is support for active recreation such as outdoor exercise equipment, a skate/ scooter area, a climbing wall, learners bike track and a half size sports court.

Many users of the Crows Nest Basketball Centre called for the site to be developed as an indoor sports centre due to the high demand for indoor sports courts. However this need is being answered with the Gore Hill Park Redevelopment Stage 2, where a 6 court indoor centre is planned within the 2016 Gore Hill Park Redevelopment Master Plan.

4. Recreation – passive
   Many respondents supported the inclusion of a community garden.

Other suggestions indicate support for the inclusion of picnic settings/ barbeques; outdoor performance space; local markets; bike parking / storage; and landscaped gardens.

Support for these suggestions has been incorporated into the draft design brief for the Artarmon Parklands – see Attachment 2.

Issues from consultation for Artarmon Reserve Master Plan review

Issues arising from the 2015 and 2017 consultations for Artarmon Reserve have been combined in the attached Issues and Recommendations Report – see Attachment 1. The Reserve abuts the Bowling Club site and is joined on their eastern border with the shared path, Cordia Way. The aim of the joint consultation for both sites was to create and implement a recreation vision for the residents of Artarmon and west Naremburn. The combined site is referred to as the Artarmon Parklands for the purpose of the draft design brief- see Attachment 2.

Respondents identified the following matters that need attention in Artarmon Reserve, and also suggestions for improvements.

- Recreation – the drainage of the sportsground needs to be improved. Although it has a role as a stormwater detention basin, the oval is highly used by sports groups and dog owners alike. The presence of the shared path on the eastern side of the reserve results in some conflicts with off leash dogs and children and bikes; re-assessing fencing along the path is suggested. The half basketball court in the car park has potential to be a full sized court in the Bowling Club site. The existing playground needs upgrading in accordance with the Playgrounds Asset Management Plan. The perimeter walking track and shared path also need upgrade for safety sightlines and surfacing.
- Pavilion upgrade – the Norm Brooks Pavilion contains the public toilets, change rooms and store. There were suggestions that that the toilets be upgraded and made accessible, and that a café be included.
- Amenities - given the narrow access road through the reserve, improvements to parking, vehicle circulation, and lighting were requested.

In conclusion, a draft design brief has been developed to address the main issues and desires arising from the consultations for the Bowling Club site and Artarmon Reserve – see Attachment 2 - the Artarmon Parklands brief. As both sites are adjoining and service the recreation needs of the district, they need to be planned as a combined land unit to optimise the use of the available open space area. The draft Brief contains the recreation themes that had the strongest support from the community respondents. The Brief can be finalised once the future of the former club house is determined. The Brief will ultimately guide the preparation of a draft Master Plan which will be placed on public exhibition for Consultation 2.

Financial Implications

A budget of $600,000 has been provided in the Council's Capital Works program in 2017/18 to fund works associated with the former Bowling Club site. A further $900,000 has been identified for the draft 2018/19 Capital Works program. Once a Master Plan for the Bowling Club site has been adopted by Council, a priority action plan for site works can be prepared.

The funds for the improvements to the Bowling Club site will be sourced from the Cy Pres fund, being compensation for Artarmon open space land resumed for the Gore Hill Expressway.

Funds have not been specifically allocated for the upgrading of the former clubhouse building in 2017/18.

Community Notification

The broad community consultation, notifications, site events and meetings undertaken are summarised in Table 1. Also included is the number of responses received for each consultation method.

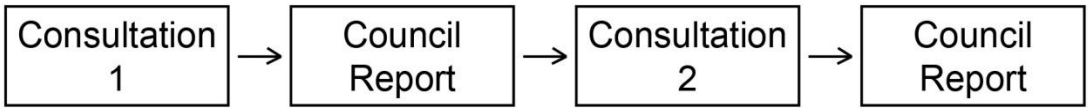
Table 1 - Community Consultation

Stakeholder	Communication	Date	Responses
1. Artarmon Progress Association- Information session with WCC Directors	Public meeting – Artarmon Library, 139 Artarmon Rd	22 March 2017	70 attended the meeting
2. Community – 743 residents in precinct	Letter	26 April 2017	45 written submissions, plus 81 pro-forma letters, and a petition of 49 signatures
3. All Councillors	Email	26 April 2017	-
4. Willoughby South Progress Association	Email	26 April 2017	Submission 17 June 2017
5. Naremburn Progress Association	Email	26 April 2017	Submission 12 June 2017
6. Artarmon Progress Association	Email	26 April 2017	Submission 7 June 2017
7. Community	Notices at the Bowling Club site, Artarmon Reserve, North Shore Times, Artarmon Community Noticeboard, Community Library Branches, Willoughby Council website, Willoughby Council Facebook page, Willoughby City News.	1 May - 16 June 2017	-
8. Community	On line survey- Have Your Say	1 May – 16 June 2017	394
9. Community	Open Day on the Bowling Club site	21 May, 10am-12pm	Approximately 200 attended
10. Community- on site	Intercept surveys	21 & 28 May 2017	15
11. Local school students	Workshop at OOSH, Kids Cottage	15 June - 4pm	15

Survey respondents were asked for preferences for a range of recreation facilities including playground, barbeque area, sports court, learners bike track, community garden, climbing wall, and exercise facilities. The survey also asked for other recreation suggestions for the Bowling Club site and the adjoining Artarmon Reserve.

There was a high level of interest in future uses for the Bowling Club site, with over 400 responses from the community – refer to Table 1. Given the need to maintain community interest in the project's progress, a comprehensive public reporting process will be followed, as illustrated in the flow diagram below.

Figure 1: Consultation and Reporting Process



Conclusion

Council's decision to purchase the former Artarmon Bowling Club site has been validated by the strong community interest in future recreation uses for the site. Residents from the local area and from the district, have provided Council with a comprehensive wish list for the site and have articulated their suppport for the site to have a predominantly passive recreation theme, with an emphasis on family-orientated recreation and older children activities. The draft Design Brief for the Artarmon Parklands encapsulates these recreation themes.

The option to retain the former clubhouse is also supported in the community consultation. Given that there would be ongoing costs involved with the retention, renovation and operation of the building, it is essential to further test the support for the retention of the building in relation to Council's other community buildings in Artarmon.

A Citizens Panel will be established to undertake a preliminary assessment of the suggested uses, the availability of other community facilities in proximity and the cost of upgrading / maintaining the current building. Council staff will provide the information required for the Citizens Panel to make their recommendation to Council.

Once the future of the building is determined, the design brief for the Artarmon Parklands can be finalised.

OFFICER'S RECOMMENDATION

That Council:

1. **Establish a Citizens Panel to consider future options for the Artarmon Bowling clubhouse building, including the availability of other community facilities in proximity and the cost of upgrading/maintaining the current building.**

2. **Consider the Citizens Panel recommendation regarding future options of the Artarmon Bowling Clubhouse building by December 2017.**

ATTACHMENT 1

A. Former Artarmon Bowling Club site - future recreation uses

B. Artarmon Reserve – Master Plan review

Issues and Recommendations Report

Willoughby City Council
Culture and Leisure Unit

June 2017

1

Comments Received (edited from respondents submissions)

	ISSUE (Number of responses received in brackets)	**RECOMMENDATION**
Recreation options for the former Artarmon Bowling Club (ABC) site.		
1.00 – RECREATION – PLAY		
1.01	• Water play area, including slide (18).	• Landscape design brief is to include a playspace for older children for the ABC site.
1.02	• Play space for 5yr old + (79).	
1.03	• Toddlers play space (82).	• See 5.09 below - upgrade the existing playground in Artarmon Reserve to focus on toddlers.
1.05	• Treehouse with ropes course (8).	• See 1.01 - Incorporate into the playspace for older children where/ if possible.
1.06	• Flying fox (5).	
	RECREATION- ACTIVE	
1.07	• Outdoor exercise equipment (113).	• Landscape design brief is to include outdoor exercise equipment for the ABC site; alternately in Artarmon Reserve.
1.08	• Skate/ scooter park (57).	• Landscape design brief is to include these activities where possible for the ABC site.
1.09	• Climbing wall (76).	
1.10	• Learner's bike track (60).	
	• Half size sports court (138).	
1.11	• Informal sportsground (119).	• This is provided in Artarmon Reserve which has level grassed sportsgrounds.
1.12	• Basketball/ netball/ tennis/ multi-sport court (35).	• The Gore Hill Indoor Sports Centre will provide these much needed sport facilities. The ABC site is unsuitable for any intense/ high volume usage due to its location on a residential cul-de-sac.
1.13	• 3-4 multi-sport/ basketball courts/ indoor sports centre (274).	
1.14	• All weather sports field with lights (6).	
1.15	• A golf range/ putt putt golf (4).	• The ABC site is not adequate in size for these activities/ needs, which can be met elsewhere in the City.
	• BMX track (4).	
1.16	• Swim pool 50 metre (2).	
1.17	• Athletics or running track (1).	
	RECREATION – PASSIVE	
1.18	• Community garden similar to Permapatch (226).	• Landscape design brief is to include a community garden for the ABC site.
1.19	• Open air cinema during summer; outdoor performance space (24).	• Landscape design brief can include these suggestions in conjunction with the community garden and the re-use of the former clubhouse.
1.20	• No netball or basketball courts or skate park; low impact use only due to traffic congestion (18).	• Low impact uses will suit the ABC site given its location.
1.21	• Local markets/ stalls (16).	• This suggestion can be considered as part of a future community garden operation.
1.22	• Keep it as passive open space/ parkland (9)	• Whilst the community are suggesting uses

		for the ABC site that fulfil desirable recreation needs, the site can retain its existing landscape setting.
1.23	• Off-leash dog area (5).	• Artarmon Reserve Oval is already an off-leash dog exercise area.
1.24	• A site to have bonfires (3).	• Open fires are not permitted in public open space.
1.25	• Petanque / boules rinks (1).	• Petanque can be played on any grass area; a boules/ bocce rink is located at Naremburn Park.
2.00 – FACILITIES / AMENITIES		
2.01	• Barbecue area and picnic tables (123).	• Landscape design brief can include this suggestion.
2.02	• Public toilets (8).	• Public toilets can be incorporated into the potential re-use of the former clubhouse. Alternately public toilets are available at the pavilion in Artarmon Reserve.
2.03	• CCTV cameras (3).	• Can be considered at a future date if required.
2.04	• Parking area appropriate to new use, connections to bike oath, including bike parking & lockers (17).	• Parking areas on the site must be specific to the re-use of the former clubhouse, and must include bike parking and connections to the shared path, Cordia Way .
2.05	• Weather proof shelter (1).	• See 2.01 above.
2.06	• Any improvements to be locally focussed on neighbourhood needs (8).	• Low impact uses will suit the site given its location.
2.07	• Community club/ licensed bar, like The Diddy at Longueville (5).	• See 4.01 below
3.00 - VEGETATION		
3.01	• Landscaped gardens (93).	• Landscape design brief can include these suggestions as an ancillary part of a community garden and the ABC site's setting.
3.02	• Sensory eco-garden / meditation area (4).	
3.03	• Bee hives/ bush tucker garden (7).	
4.00 – FORMER BOWLING CLUBHOUSE		
4.01	• Keep the building (restore, repair, maintain, rebuild (130).	• Given the level of support for the retention and re-use of the former clubhouse, a business plan for the future use of the building should be prepared by interested stakeholders. The plan should address: a) identified community recreation needs b) cost-neutral annual operation c) potential user groups d) re-assessment of usage levels in other Artarmon buildings owned by Council. e) Possible management models for the building
4.02	• Use the building for cooking classes (29).	
4.03	• Use the building for Men's Shed / gender inclusive work space, Repair café (59).	
4.04	• Use the building as a community hub- yoga and exercise classes, table tennis, pottery, music lessons, art centre, bridge club or mixed use – daytime and evening. Establish a community management committee to operate the site (88).	
4.05	• Include a café like 'The Greens'/ Camperdown Commons/ The Grounds (26).	
4.06	• Retain for after school care / vacation care / childcare/ pre-school facility on site (107).	
4.07	• Use as a Scout Hall or cycle repair centre or recycle/ repurpose like the Bowery (3).	
4.08	• Use a range of activities like the Waverton Coal Loader Space (5).	

What improvements do you suggest for the facilities and activities available at Artarmon Reserve? Comments from Community Consultation in April 2015 are included		
5.00	**RECREATION**	
5.01	• Improve the drainage on the sportsground (43).	• This work is scheduled for implementation in 2019/20.
5.02	• Decrease the high levels of sports usage on the ground (5).	• High demand for access to sportsgrounds means that usage levels on all grounds will remain constant/ high.
5.03	• Improvements needed for current fencing, including fencing all-round the oval to keep kids and dogs away from bikes (12).	• Current fencing to be re-assessed for improvements.
5.04	• Convert the field to synthetic grass (5).	• Site is unsuitable for conversion to synthetic which will increase usage levels on the grounds, and exacerbate traffic/ parking issues for the precinct.
5.05	• Improve the half basketball court; make it a full size; add a tennis wall; (10).	• These suggestions are to be included in the landscape design brief for the ABC site, which has sufficient area.
5.06	• Indoor sports facility; more basketball courts – (32).	• See 1.12 above - The Gore Hill Indoor Sports Centre will provide these much needed sport facilities. The reserve and the ABC site are unsuitable for any intense/ high volume usage due to their location on a residential cul-de-sac.
5.07	• Improvements needed for the walking/ cycle tracks within the reserve; connection under the railway line to West Artarmon (18).	• Current walking / cycle tracks within the reserve are to be re-assessed for improvements to access, and safety. Investigate tunnel connection under the rail line.
5.08	• Off leash dogs – impact of poo left on ground, quantity of dogs using site, water for dogs; lights for dog exercise; fence for dogs (10).	• See 5.03 above - fencing. Assess dog activities on site for improvements to dog owners and other park users.
5.09 5.10	• Playground needs upgrading – too much shade and damp; better options for older kids; link to the ABC site; climbing gear (28). • Connect the reserve to the ABC site (8).	• Playground improvements are scheduled for 2018/19; work is to coordinate with playspace designs for older children in the ABC site.
5.11	• Install outdoor exercise equipment (5).	• See 1.07 above - provide outdoor exercise equipment in either Artarmon Reserve of the ABC site.
5.12	• Install small skating area, bike track (5).	• See 1.08 above - include these activities where possible in the landscape design brief for the ABC site.
5.13	• Improved maintenance of bushland; importance of bushland as quiet space (11).	• Bushland maintenance and ongoing works in the bushland are supported, and established in the Artarmon Reserve Action Plan, which is reviewed every 5 years.

6.00	**PAVILION**	
6.01 6.02 6.03	• Upgrade/ rebuild the Norm Brooks Pavilion; cafe (15). • Include a child care centre, café or similar on site (9). • Improvements needed on public toilets (15).	See 4.00 above - The role and future uses of the Pavilion can be clarified in conjunction with a re-assessment of usage levels in other Artarmon buildings owned by Council. This re-assessment would be undertaken as part of a business plan for the former ABC clubhouse.
7.00	**AMENITIES**	
7.01	• Better bubblers (4).	• Re-assess existing bubblers for functionality and locations.
7.02	• Inadequate garbage bins on site/ more dog poo bins needed (8).	• Re-assess existing bins for quantity and locations.
7.03	• Poor lighting within the reserve (14).	• Re-assess existing lighting for functionality, safety and locations.
7.04	• Improve seating (5).	• Re-assess existing seating for comfort, outdoor resilience and locations.
7.05	• Poor vehicle circulation & parking within the reserve roadways- safety sightlines entering from Burra Rd (12).	• Liaise with Council Traffic Unit to re-assess existing roadways and parking for safety and efficient layout.
7.06	• Vandalism and anti-social behaviour occurring on site (3).	• See 7.03 above.
7.07	• Improvements to existing BBQs, including a shelter (8).	• Re-assess existing BBQs for functionality, all weather use, locations and user comfort.
7.08	• Undercover meeting place (1).	• Undercover areas are available at the Pavilion, and can be included as part of 4.00 and 7.07 above.

ATTACHMENT 2

ARTARMON PARKLANDS - LANDSCAPE AND RECREATION MASTER PLAN

DESIGN BRIEF

DRAFT

1. Preliminary / Background

Willoughby City Council is committed to setting the future recreation directions for two public open space areas in Artarmon: Artarmon Reserve and the former Artarmon Bowling Club (ABC) site- referred to as the Artarmon Parklands.

Artarmon Reserve is a Crown Land reserve, approximately 10 hectares in size (including bushland of approx. 6.5 hectares). The bushland component of the reserve is covered by the Artarmon Reserve Action Plan 2016.

About 3.5 hectares of the Reserve is for recreational use and consists of a sports oval, pavilion (changing rooms and public toilets), BBQs and children playground. The oval is used as an off-leash dog exercise area, and also acts as a stormwater detention basin during storms. The recreation component of the reserve is covered by the Artarmon Reserve Master Plan 2000; this Plan is due to be renewed and is the subject of this Brief.

The former ABC site adjoins the Reserve on the north boundary, and was purchased by Council in February 2016 after the Club ceased operating. The land is 0.76 hectare in area and has a covenant that the site be used for public recreation and community uses. The site contains a clubhouse and 2 bowling greens. This site is also the subject of this Brief.

The draft Master Plan for the combined Artarmon Parklands is scheduled to be publicly exhibited in late 2017 and reported to Council for adoption.

2. Area

The subject land for this draft Master Plan is:

a. Artarmon Reserve, a Crown Land reserve under care, control and management by Willoughby City Council.
b. Former ABC site, owned by Council in Fee Simple.

The combined parklands are located on Burra Road, Artarmon, and can be accessed by a shared path (Cordia Way), Chelmsford Ave to the east, Station / Grandview Streets to the south, and Artarmon Road to the north.

2. Community consultation

Council undertook a broad community consultation in early 2017. More than 400 responses were received. The summary of the consultation is available in the Issues and Recommendations Report dated June 2017.

In brief, the community predominantly suggested the following themes for the former ABC site:

> A passive recreation area, with focus on family-orientated activities and adventurous play space for older children.

Additionally the community considered the review of the 2000 Master Plan for Artarmon Reserve, and suggested a range of improvements to the existing recreation facilities at the site.

3. Design Objectives

The Artarmon Parklands Landscape & Recreation Master Plan should address the following key objectives:

- Provide a new focus for the Artarmon Parklands to support a growing population and potentially greater use
- Increase the diversity of recreation opportunities and amenities
- Provide opportunities for children's play, and family and community based activities
- Create a landscape that allows for environmental and indigenous interpretation and awareness.
- Integrate the parklands into the Artarmon precinct and the wider open space network of the Lower North Shore.

The specific design elements for the Artarmon Parklands are the result of a wide community consultation undertaken in 2016/ 2017. These design elements also embrace the recreation needs expressed in the Willoughby Open Space and Recreation Plan 2013.

The draft Master plan will endeavour to include the following:

- *District level playspace, catering children and young people, from 5 years up to 18 years, on the ABC site. Playspace to incorporate a mixture of fixed play equipment with a nature based adventure play focus, incorporating themes of sensory play, water play and play as a healthy activity.*
- *Upgraded playspace in Artarmon Reserve for children under 5 years.*
- *Outdoor exercise equipment in either the ABC site or Artarmon Reserve.*
- *Active youth recreation: skate/ scooter park; climbing wall; learners bike track; half or full size sports court.*
- *Community garden.*

- *Open lawn areas and landscaped gardens as relaxing spaces that allow sitting/ sunning/ picnic areas.*
- *Amenities – seating, shade shelters, picnic tables, drinking fountains, bins, BBQs, bike parking stands.*
- *Entry points that are legible and accessible, from Cordia Way, Burra Road, Chelmsford Avenue and Artarmon Reserve.*
- *Ground cover plantings – native grasses and perennials, hardy evergreen ground shrubs, colourful foliage, fragrance and seasonal change.*
- *Upgrade the shared pathways in Artarmon Reserve. Investigate potential for tunnel connection under rail line to West Artarmon.*
- *Re-assess fencing throughout the 2 sites- safety for children and bike riders; containment of off -leash dogs.*
- *Improved lighting throughout both sites for safety/ public liability*
- *Improved vehicle movements and parking layouts for both sites.*

The former ABC clubhouse is recommended to be the subject of a working group of interested stakeholders, for the preparation of a business plan for its future operation. For the purposes of the draft Master Plan, the building footprint will be included and marked as ' subject to separate discussions with stakeholders'.

4. *Available information sources*

- Artarmon Reserve & former Bowling Club site – Issues and Recommendations Report by WCC June 2017
- Artarmon Reserve Action Plan - WCC November 2016
- Willoughby Open Space and Recreation Plan 2013
- Artarmon Reserve Master Plan – WCC 2000
- Willoughby City Strategy 2013 – 2029
- Naremburn Ward Parks Plan of Management- Artarmon Reserve 1999

Willoughby City Council
Culture and Leisure Unit
Open Space Group.

July 2017

17.3 SBS CHILD CARE CENTRE

RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**MICHAEL CASHIN - COMMUNITY LIFE MANAGER**
CITY STRATEGY LINK:	**1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY**
MEETING DATE:	**24 JULY 2016**

Purpose of Report

To advise Council on the wind up of the SBS Childcare Centre and to seek Council's endorsement to authorise the General Manager and the Mayor to execute all documentation necessary to effect the cessation of SBS Child Care Centre (ACN 082 924 703).

Background

The SBS Child Care Centre was formed through a tripartite agreement between SBS Child Care Centre (Company), SBS Corporation and Willoughby City Council. SBS Child Care Centre is a public company limited by guarantee and was registered with the Australian Securities and Investment Commission ("ASIC") on 10 June 1998.

This report details the current status of the winding up of the company and proposed measures to ensure ongoing service provision.

Discussion

The tripartite agreement is due to expire in March 2018 and SBS Corporation wishes to wind up the SBS Child Care Centre (company) and outsource the provision of childcare to a third party provider on the SBS site.

SBS Child Care Centre (ACN 082 924 703) operates a child care centre for children of SBS Corporation employees with a minimum number of seven (7) places offered to the community.

SBS Corporation and Willoughby City Council are members of the SBS Child Care Centre (Company) as defined by the *Memorandum of Association* and *Articles of Association* dated 17 March 1998.

Council became a member of the joint venture as a result of section 94 contributions dedicated to the development of the child care centre in 1996.

Council's representative on the SBS Childcare Centre Board is the Community Life Manager

In November 2016, SBS Corporation informed Council of its intention to end the tripartite agreement and commence the wind up of the SBS Child Care Centre (Company).

The rationale for the wind up of the SBS Child Care Centre relates to;

- Decreasing utilisation of the centre
- Increased cost of administration to SBS Corporation
- Reduced financial viability

Diminishing financial results year to date and in the preceding financial years of 2014/15 and 2015/16 has led to the decision by SBS Corporation to withdraw from SBS Child Care Centre.

SBS Corporation proposed a wind up of the Company, subject to the continued operation of the child care centre by a suitable third party operator under agreement from SBS Corporation. This approach ensures a continuum of service provision for existing families using the centre and an increase of community child care places from 7 to 10.

Council sought legal advice which indicated a mutual wind up of the company between SBS Corporation and Council was the most favourable option for all parties.

At the SBS Childcare Centre Board meeting on 27 January 2017, SBS Corporation and Willoughby Council agreed to mutually withdraw from the tripartite agreement that forms the SBS Childcare Centre and to affect a winding up of the Company. The withdrawal was conditional on both parties being satisfied that a suitable replacement take over solution was in place, and that sufficient community child care spaces remained available. SBS Corporation conducted an EOI (expression of interest) process and selected Guardian Early Learning Group as the preferred operator.

At a subsequent SBS Childcare Centre Board meeting on 21 March 2017, SBS Corporation confirmed that uninterrupted continuation of a Child Care service on the SBS premises will be continued by Guardian Early Learning Group.

Guardian Early Learning Group has committed to financial responsibility of staff leave entitlements. It has also committed to refurbishment of the Centre which is not financially possible under the current operation by SBS Childcare Centre structure.

The SBS Childcare Centre board has negotiated the waiver of a $28,000 liability owed by the SBS Childcare Centre to SBS Corporation. This waiver is to be formally ratified by SBS Corporation Executive on 17 July 2017.

Council's Community Life Manager is satisfied that the continuation of child care activities by Guardian Early Learning Group will;

- Not adversely affect existing families attending the SBS Child Care Centre.
- Will increase the number of long day care spaces available to the community from 7 to 10.
- Enhance the amenity of the centre.

It was agreed to the wind up of SBS Child Care Centre under these terms and negotiation of terms with Guardian Early Learning Group was commenced.

Financial Implications

As a result of the wind up process, a number of liabilities will be required to be settled. This may cause the SBS Child Care Centre to be temporarily insolvent.

The SBS Child Care Centre has received advice that an Administrator is best placed to oversee the wind up on behalf of its members. This action will ensure the wind up process complies with ASIC requirements in the event of temporary insolvency. The cost of the Administrator is estimated at $20,000 and is the responsibility of SBS Corporation.

The company is a public company limited by guarantee. The liability of the members, in the event of the company being wound up, would not exceed $10 per member, in accordance with its Memorandum of Association. There is no financial liability anticipated to Council as a result of the wind up of SBS Child Care Centre.

Conclusion

SBS Corporation and Guardian Early Learning are in the final stages of negotiating the terms of the transfer of operation of the child care centre to Guardian Early Learning Group. This agreement is anticipated to be formally executed in late July 2017.

The wind up of the SBS Child Care Centre is expected to be affected in August 2017.

OFFICER'S RECOMMENDATION

That Council:

1. **Note the report which details the current status of the winding up of the SBS Child Care Centre (company) and the measures proposed to ensure ongoing child care service provision is conducted on the SBS site.**

2. **Delegate authority to the Mayor and the General Manager to execute all documentation necessary to effect the cessation of SBS Child Care Centre (ACN 082 924 703).**

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17.4 TENDER 108169 - LIBRARY MANAGEMENT SYSTEM FOR WILLOUGHBY CITY LIBRARY SERVICE

RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**ANGELA CASEY – CULTURE AND LEISURE MANAGER**
CITY STRATEGY LINK:	**1.2.3 QUALITY, ACCESSIBLE PUBLIC LIBRARY AND COMMUNITY LEARNING SERVICES ARE AVAILABLE**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To inform Council of the tender results for the supply of a new Library Management System and to recommend a supplier for an initial three year period with a two year option.

Background

At its meeting on 12 December 2016, Council resolved in part to:

1. Give notice by February 2017 to leave the Shorelink consortium.

3. Begin the process of procuring a new library management system that will be ready for implementation at the conclusion of the twelve (12) month notice period to leave Shorelink.

Notice to leave Shorelink was given in December 2016. Following this, the procurement of a new Library Management System (LMS) began.

Discussion

Council's library service currently shares the Aurora LMS provided through the Shorelink library consortium. By the time Council withdraws from the consortium in December 2017 its own library system will need to be operational.

Council's withdrawal from the Shorelink consortium provided an opportunity to survey the market for a system which would specifically address the requirements of Willoughby residents, rather than the more general needs of the consortium as a whole. Identified requirements of the new system include a contemporary user interface and support for back-office process redesign.

Tenders were called for the supply of a state-of-the-art externally-hosted LMS to support the Library's evolving service delivery platform. The new LMS will play an essential role in supporting the strategic direction of the Willoughby Library Service, as a re-vitalised place of learning and discovery.

As such, the requirements of the LMS included:

- A web-based and licensed or leased system, rather than purchased outright.
- Support for multiple device types - especially smart phones.
- Comprehensive technical support for the Library service's extended hours of operation.
- Easy-to-understand, easy-to-use customer search and discovery capabilities ranging over multiple print and digital media types in a single search instance.
- Support for Chinese language (traditional and simplified) search and display.
- Opportunities for streamlining back office workflows.
- Locally-held, secure data storage with well-established and tested back-up and disaster recovery procedures.
- Updated capabilities for managing the local studies collection.
- A reliable library technology partner into the future.

It is proposed that the service agreement for the new LMS will run for a period of 3 years with the option of extending this contract for an additional 2 years at Council's discretion, subject to satisfactory performance from the selected supplier.

As the LMS will be externally hosted, Council will pay agreed subscription payments in return for access to, training and ongoing support of the LMS. Due to the nature of this provision, it is common practice that the supplier provides a standard agreement to cover the delivery of their services. In order to mitigate the risks to Council of this approach, tenderers were required to state that their own service agreements complied with the NSW Government ProcurePoint *Short form ICT Contract General Terms and Conditions*.

Tender Process

Tender documents were issued via Tenderlink on 16 May 2017. A pre-tender meeting was held on 23 May 2017. The tender period closed on 7 June 2017.

Two addenda were issued to Tenderers during the tender period:

1) Addendum number 1 was issued May 24 2017 and provided clarification on the contract term and details of the administrative requirements of the tender return documents
2) Addendum number 2 was issued May 26 2017 and provided details of the e-content providers used by the Willoughby Library Service.

Five (5) tender submissions were received and are listed alphabetically as follows:

- Aurora Information Technology (Aurora)
- Civica (Spydus)
- Innovative Interfaces (Sierra)
- Insight Informatics (Libero)
- SirsiDynix (Sirsi Dynix)

Evaluation Criteria

Tenders were assessed against the weighted criteria listed in Table 1, as detailed in the Request for Tender documentation.

Table 1. Evaluation Criteria for Tenders

Criteria
Value for money.
Ability to deliver customer-facing and back-office functionality.
Project Plan and Methodology.
Compatibility with existing library and Council systems and equipment.
Quality and availability of support and data security provisions.
Reference checks.
Software development direction consistent with library service development.

Evaluation

An Assessment Panel comprising Council's Culture and Leisure Manager, Information Technology Librarian, Library Support Services Team Leader and an independent consultant from Libraries Alive! Pty Ltd was convened to undertake an assessment of the submitted tenders.

Council's Information Technology Team Leader attended the vendor demonstrations and provided expert advice regarding compliance with Council's IT policies and systems. The Director of Community, Culture and Leisure has reviewed the Tender Assessment Panel's recommendations and supports the Officer's Recommendation.

All tenders were evaluated according to the criteria outlined in Table 1. Scoring was weighted according to each criterion, having regard to both price and non-price criteria, relevant to the requirement for a replacement library management system. The individual scores were averaged between the panel members to achieve a final score for each submission.

A summary of the assessment of the tender submissions against the evaluation criteria is detailed below and a summary of the priced criteria, scores and rankings achieved by each supplier and the selection of a preferred supplier are detailed in the confidential attachment.

The highest ranking tenderer had an overall average of 71.44 as opposed to 70.85 for the second ranked tenderer and 68.49 for the third ranked tenderer. In terms of the non-priced evaluation criteria of functionality and related operational aspects, the highest ranking tenderer was considered the best fit for the Library's strategic direction. It achieved the highest score for functionality, support and software development direction.

The Assessment Panel was firmly of the view that the highest ranking tenderer best met the requirements for a forward-looking system with broad and relevant functionality, an established and satisfied client base, a receptive approach to user-driven system enhancements, and has a reputation for reliable technical support. The highest ranking tenderer can also meet the Library's preferred implementation timetable and ensure service continuity.

Financial Implications

As detailed in Figure 2 and as reported to Council on 12 December 2016, in 2016/17, Council contributed $201,747 towards Shorelink. Software costs and the related employee and operational costs to manage the software totalled $169,871 for the financial year. Following Council's withdrawal from Shorelink, a proportion of this allocation will be used to pay for the agreed subscription payments for Council's new LMS.

Conclusion

The highest ranking tenderer is highly capable in all criteria areas. A substantial installed user base, comprehensive support arrangements and a good reputation for successfully providing software to local government make this submission suitable for meeting Council's Library Service operational and strategic objectives.

OFFICER'S RECOMMENDATION

That Council:

1. **Accept the tender submission by the tenderer ranked number one in accordance with the specification for Tender 108169 Library Management System for a period of three years for a lump sum amount with an option to extend this service agreement for an additional two years subject to satisfactory performance from the selected supplier.**

2. **Delegate authority to the General Manager and Mayor to execute contract documents associated with this tender under the Common Seal of Council.**

3. **Release the name of the successful tenderer and the contract amount for Tender 108169 Library Management System once the agreement for the supply of the new library management system has been signed.**

17.5 CASTLE COVE GOLF COURSE PLAN OF MANAGEMENT

ATTACHMENTS:	**1. PLAN OF MANAGEMENT- CASTLE COVE GOLF COURSE 2017** **2. PUBLIC HEARING REPORT – SJB PLANNING MAY 2017**
RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**JULIE WHITFIELD - OPEN SPACE CO-ORDINATOR**
CITY STRATEGY LINK:	**6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To adopt a new Plan of Management for the Castle Cove golf course, and to enter into a new five plus five year lease with Castle Cove Country Club as per the requirements of the Local Government Act 1993.

Background

The current lease to the Castle Cove Country Club commenced on 4 April 1996, and expired on 3 April 2016. A new lease has been sought by the Country Club.

The current Plan of Management for Castle Cove Golf Course was adopted in June 1996. In the Plan, Section 10.2- Licence, allows for the renewing of the licence to the Castle Cove Country Club for an appropriate period of time between 10 – 15 years.

However Council's legal advice is that the current Plan of Management does not expressly authorise a new lease of the golf course, and that a new Plan of Management must be produced expressly authorising a new lease.

This report provides the results of the public exhibition of a new Plan of Management for the Castle Cove Golf Course.

Community Notification

Draft Plan of Management

A draft Plan of Management for the golf course was exhibited from 16 February – 31 March 2017. A Notice was placed in the North Shore Times on 16 February 2017.

Additionally the Local Government Act 1993, Section 40A requires a Public Hearing to be held for the 'categorising' of the land. The hearing was held on 8 March 2017 at Castle Cove Branch Library.

Community land is categorised under Section 36 of the Local Government Act. There are 10 categories of community land, including park, sportsground, and natural area, area of cultural significance, general community use and bushland. The most appropriate category

for the Castle Cove golf course is 'sportsground' as the predominant use of the land is for the playing of golf and tennis.

Consultation with the community for the draft Plan is summarised in the following Table 1.

Table 1: Consultation for draft Plan of Management

Stakeholder	Communication method	No. of responses
Local residents	Mailed letter to 321 residences. Copy of draft Plan at Castle Cove Branch Library- 16 February 2017	11 submissions
Wider community	Have Your Say on-line survey. Copy of Plan at Council Offices Help & Service. Public Hearing on 8 March 2017 at Castle Cove Branch Library.	13 submissions 62 attendees
Castle Cove Progress Association	Email 16 February 2017	Response received 29 March 2017
All Councillors	Email 16 February 2017	-
Castle Cove Country Club	-	Response received 23 March 2017

Submissions received were overwhelmingly supportive of the draft Plan of Management for the golf course and future leasing to the Castle Cove Country Club. There was one submission wanting the land to be used for general recreation including sporting grounds and parkland.

There were concerns expressed at the Public Hearing about the proposed categorisation of the land as 'sportsground'. This concern arose from an article in the North Shore Times in December 2012, where the possibility was expressed that the golf course could be reconfigured into multiple sports fields to address community sport's needs and the shortage of sportsgrounds.

The concerns expressed are outlined in the Public Hearing report by SJB Planning – see Attachment 2.

The Public Hearing report recommended that the draft Plan of Management be amended to address these concerns. Given the extent of the amendments to the draft Plan, the amended draft Plan of Management was re-exhibited, as per the requirements of the Local Government Act, Section 40.

Amended Draft Plan of Management

The second exhibition period was 26 May – 6 July 2017. Consultation with the community is summarised in the following Table 2. A Notice was placed in the North Shore Times on 26 May 2017.

Table 2- Consultation for Amended Draft Plan of Management

Stakeholder	Communication method	No. of responses
Local residents	Mailed letter to 321 residences 26 May 2017	Petition of 24 signatures received 15 June 2017
Wider community	Have Your Say survey 26 May- 6 July 2017	-
Public hearing attendees	Mailed letter to 62 attendees- 26 May 2017	Three letters received.
Have Your Say respondents	Emailed letter to 13 people from 1st exhibition- 26 May 2017	Nil
Castle Cove Progress Association	Emailed letter – 26 May 2017	Letter of support received 27 June 2017
All Councillors	Email 26 May 2017	-
Castle Cove Country Club	Phone call 22 June 2017	Email 12 July 2017

Discussion

Approximately 90 people viewed the amended documents on the Council's Have Your Say website. However there were no submissions lodged in response. Responses from the three letters were supportive of the draft amended Plan of Management.

The petition of 24 signatures supported the use of the golf course for predominantly golf and tennis and not to include other sports or activities. However the draft amended Plan does allow the golf course land to be used for 'golf, tennis and other complementary recreation activities ' – see Attachment 1: Section 6 of the draft amended Plan. This provision is included to allow the leasee of the golf course to provide sport facilities to meet the demands of an increasing and changing population. The new lease conditions will control the recreation uses on the golf course land.

Financial Implications

The golf course has been leased to the Castle Cove Country Club since the Council was gifted the land for 10 shillings ($1) by LJ Hooker Limited in the early 1960s. Under the terms of previous leases, the Club is responsible for the management and maintenance of the land as a public golf course.

According to the Australian Securities and Investments Commission database, the Castle Cove Country Club is an 'Unlisted Public Company- Non-Profit Company'. As the Club is a non-profit organisation, then in accordance with sections 46A and 55 (3) (e) of the Local Government Act, a tender process for the lease of the land does not need to be undertaken.

The lease arrangement authorised in the Plan of Management means that there is no financial burden on the Council for the maintenance and management of the public golf course.

Conclusion

The new Plan of Management for Castle Cove Golf Course has been through two extensive community consultations and establishes the management objectives for the land. The new Plan addresses the concerns raised by the community and furthermore, provides a transparent process should the playing of golf cease on the land. Attachment 1- section 6 provides for the community to be consulted in a landscape and recreation Master Plan should the Golf Club relinquish leasing the land for golf.

The next step is the leasing of the land for the continued use of the land as a public golf course. The Castle Cove Country Club has indicated its interest in continuing to operate and maintain the golf course for the recreational benefit of the public, at no cost to Council and its ratepayers. Once the new Plan of Management is adopted, negotiations for a new lease can commence with the Club, and be ready for Council's consideration by October 2017.

OFFICER'S RECOMMENDATION

That Council:

1. **Adopt the Castle Cove Golf Course Plan of Management (amended) being Attachment 1, dated May 2017.**

2. **Enter into a new five plus five year lease with the Castle Cove Country Club for the Castle Cove Golf Course as per the requirements of the *Local Government Act 1993.***

ATTACHMENT 1

CASTLE COVE GOLF COURSE

PLAN OF MANAGEMENT

Adopted by Council:

Open Space Team
Culture and Leisure Unit
Community, Culture & Leisure Directorate
September 2016, amended May 2017

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Castle Cove Golf Course - Plan of Management

1. INTRODUCTION

a. Land to which the Plan applies

This Plan applies to community land in Castle Cove, on which Castle Cove Golf Course is situated. Refer to Figure 1 for land boundaries.



Figure 1 Castle Cove Golf Course

b. Background to the Plan of Management

The current Plan of Management was adopted in June 1996. Within the Plan, Section 10.2-Licence, allows for the renewing of the licence to Castle Cove Country Club for an appropriate period of time between 10 – 15 years.

The current lease to the Castle Cove Country Club commenced on 4 April 1996, and expired on 3 April 2016. A new lease has been sought by the Country Club

However Council's legal advice is that the current Plan of Management does not expressly authorise a new lease of the golf course, and that a new Plan of Management must be done expressly authorising a new lease.

c. Purpose of the Plan of Management

The purpose of preparing this Plan of Management is to ensure that this land is subject to an adopted Plan of Management, and to expressly authorise the lease of the golf course land for activities within the permitted purposes of public recreation and the encouragement, promotion and facilitation of organised sporting activities i.e. for golf and tennis.

d. Relevant legislation

Legislation which applies to the land in this Plan of Management is:

- Disability Discrimination Act 1992.
- Local Government Act 1993, which requires all community land to be subject to a Plan of Management ('the Act')
- Local Government (General) Regulation 2005.
- Environmental Planning and Assessment Act 1979.
- State Environmental Planning Policy No. 19 – Bushland in Urban Areas.

e. Willoughby planning context

Willoughby City has 150 open space areas covering approximately 428 hectares.
This Plan of Management relates to the key strategic directions of the 'Community and Cultural Life' and 'Natural Environment' in the Willoughby City Strategy 2013-2029.

The Willoughby Open Space and Recreation Plan 2013 recommends measures to improve open space and recreation opportunities in Willoughby, including golf courses.

The Urban Bushland Plan of Management sets out management measures for all urban bushland in Willoughby City.

This Plan of Management replaces that section of the 1996 Plan that refers to the Castle Cove Golf Course. The section of the 1996 Plan that relates to Castle Cove Park has not been revised.

2. DESCRIPTION OF THE LAND

a. Land ownership and tenure

Castle Cove golf course is owned in Fee Simple by Willoughby City Council.

The subject land is in Castle Cove, and adjoins Neerim Road to the north; Deepwater Road to the south, and residential properties to the east and west.

The land parcels that comprise the subject land are:

TABLE 1.

Community Land	Lot 116 in DP30581	Willoughby City Council
Community Land	Lot 117 in DP30581	Willoughby City Council
Community Land	Lot 509 in DP200636	Willoughby City Council
Community Land	Lot 180 in DP200636	Willoughby City Council
Community Land	Lot 250 in DP1093055	Willoughby City Council
Community Land	Lot 251 in DP30581	Willoughby City Council
Community Land	Lot 508 in DP200636	Willoughby City Council

The subject land is approximately 11 hectares in area.

The subject land is zoned RE1 Public Recreation under the Willoughby Local Environmental Plan 2012.

The Country Club golf clubhouse and the Deepwater Road car park are located on land owned by the Castle Cove Country Club Ltd, and are zoned R2- Low Density Residential.

b. Physical description

The natural topography of the site is sloping to the south east, with a flat ridge, grassed fairways, sand bunkers, walking paths, seats and mature stands of trees delineating the golf fairways.

The nine (9) hole golf course was designed by Walter Burley Griffin circa 1924, and constructed during the Great Depression by Government subsidised labour on land owned by Burley Griffin's company, the Greater Sydney Development Association Ltd.

The site also contains three (3) synthetic surfaced tennis courts and a small clubhouse.

The soils are coarse sandy loams overlying Hawkesbury Sandstone geology. Soils within the course are modified due to greenkeeping practices for the golfing tees, fairways and greens.

The vegetation is predominantly non-indigenous, with mown grass fairways, and mature native trees such as Paperbark (*Melaleuca quinquenervia)* and Brush Box *(Lophostemon confertus)*.

See **TABLE 2.** for a summary of buildings/ improvements on the land and their condition.

c. **Uses of the land**

The site is used for:

1. Sports – active recreation (golf and tennis).
2. Informal recreation - passive recreation (such as walking, exercise, dog walking, bird watching)
3. Water storage – there is a small dam on the southern boundary.
4. Environmental management – mature stands of trees provide a protected environment for wildlife linkages, soil conservation and climate amelioration.

The site is predominantly used during the week and weekends for golf and tennis. Informal recreation, such as walking, may occur before or after golf is played.

See **TABLE 2.** for a summary of permitted uses of the land and whether further development is permitted.

TABLE 2 – Permitted uses of the land

Buildings/ improvements	Condition	Permitted Use	Further development permitted?
9 hole golf course	Good condition, maintained regularly.	Playing of golf and compatible recreation activities.	Subject to a Master Plan process with community consultation, only if golf ceases to be a viable recreation use of the land.
Maintenance shed- metal walls and roof	Good condition	Maintenance equipment, garaging and workshop.	Maintenance & renewal only.
Players toilet shed- concrete block, metal roof	Good condition	Washroom facility for golf players and staff.	Maintenance & renewal only.
Fuel store- concrete block, metal roof.	Good condition	Storage of fuel and flammable substances	Maintenance & renewal only.
Tennis clubhouse- metal roof	Good condition	Amenity for tennis patrons, including change rooms, and self-serve kitchen.	Minor alterations and additions only.
3 tennis courts: -synthetic grass -fencing - 8 floodlights	Good condition	Playing of tennis and compatible recreation activities.	Subject to a Master Plan process with community consultation.

3. THE CATEGORY OF THE LAND

The land is categorised under Section 36 of 'the Act'. There are 10 categories of community land, including park, sportsground, and natural area, area of cultural significance, general community use and bushland.

The most appropriate category for Castle Cove golf course is 'sportsground' as the predominant use of the land is for the playing of sport (predominantly golf and tennis).

Note: The land was previously categorised as 'sportsground' under the 1996 Plan of Management.

4. ISSUES PERTINENT TO THE LAND

The general issues pertinent to the subject land have been canvassed in the Castle Cove Park and Castle Cove Golf Course Plan of Management (1996) and from background information listed in the references.

In December 2012, an article in the North Shore Times referred to the possibility of the golf course land being reconfigured for multiple sporting fields to answer the demand for field space. This possibility continues to cause concern within the Castle Cove community, especially in the light of the land being categorised as 'sportsground'.

In the event that the Golf Club relinquishes the lease of the land in the future, Council would undertake a community consultation to determine the future recreation uses for the land. Consultation of this type is being undertaken at the former Artarmon Bowling Club site and has been done for the Gore Hill Park Redevelopment.

In summary, the relevant issues are:

a. Recreation
   - Maintaining the land, which is categorised as a sportsground, for the primary purpose of a functioning golf course with ancillary tennis use.
   - Planning for the future recreation use of the land should the playing of golf cease to be supported by the community.

b. Lease/ licence
   - Expired lease agreement for golf
   - Tennis courts not covered by a Council agreement

c. Natural environment
   - Protection of trees and remnant bushland areas

d. Water quality control
   - Protect quality and quantity of stormwater flows into the North Arm Harbour Catchment

5. BASIS FOR MANAGEMENT

a. Core objectives

In accordance with the *Local Government Act 1993* the core objectives for management of community land categorised as Sportsground are set out below.

Category	Core objectives
Sportsground	❒ encourage, promote and facilitate recreational pursuits in the community involving active recreation involving organised sports and informal sporting activities and games, and ❒ ensure that such activities are managed having regard to any adverse impact on nearby residences.

b. Zoning objectives in Willoughby Local Environment Plan 2012

The objectives of the RE1 Public Recreation zone are to:

- ❒ enable land to be used for public open space or recreational purposes.
- ❒ provide a range of recreational settings and activities and compatible land uses.
- ❒ protect and enhance the natural environment for recreational purposes.
- ❒ protect and enhance areas of ecological, scientific, cultural or aesthetic value.
- ❒ maintain and provide visual open space links to a diversity of public and private spaces and facilities as an integral part of the open space system.
- ❒ provide adequate open space areas to meet the existing and future needs of the residents of Willoughby.

c. Council objectives

The Willoughby City Strategy 2013 -2029, Community and Cultural Life, Health and Well Being has objectives to:

- ○ Provide sport and recreational areas and programs appropriate for demographic needs.
- ○ Create public spaces that offer a wide variety of recreational and creative experiences.
- ○ Improve multi-use of sport and recreation areas to respond to community demand.

Additional objectives for the subject land are to:

- ○ Maintain and manage the land primarily for the purpose of a golf course, with ancillary tennis use.
- ○ Plans for future recreation use of the land should golf cease to be viable.
- ○ Protect, restore and enhance the natural environment of the golf course.
- ○ Limit the financial burden to ratepayers for maintenance of the land.

6. PERFORMANCE TARGETS, MEANS OF ACHIEVING TARGETS AND METHODS OF ASSESSMENT

See **TABLE 3** for performance targets, means of achieving targets and method of assessment

7. REFERENCES

- Willoughby City Council, 2013 Willoughby Open Space and Recreation Plan.
- Willoughby City Council, June 1996, Plan of Management: Castle Cove Park and Castle Cove Golf Course.
- Willoughby City Council, Willoughby Local Environmental Plan 2012.
- Willoughby City Council, Willoughby City Strategy 2013 – 2019

TABLE 3

PERFORMANCE TARGETS, MEANS OF ACHIEVING TARGETS AND METHOD OF ASSESSMENT

Performance Targets	Means of Achieving Targets	Method of assessment
Sport and recreation facilities on the golf course meet the demand of an increasing and changing population.	• Golf, tennis and other complementary recreation activities are available at the course. • Should the Golf Club relinquish leasing the land for golf, a landscape and recreation Master Plan for the site is developed in consultation with the community.	• Sport and recreation facilities on the land are optimised, and are well used by the community. • Recreation use of the land reflects the recreation needs of the community.
Lease, licences or other estates over the community land are expressly authorised.	• New lease/s for the golf course and the tennis courts are renewed in accordance with the Local Government Act 1993.	• Annual reports to Council as a condition of the lease/s, and compliance with lease conditions.
Tree canopy cover is maintained and protected as part of the course landscape character. Local endemic species are protected to conserve the remnant Hawkesbury Sandstone woodland community.	• Implementation of tree replacement program for the course is undertaken in liaison with Council's arborists. • Weed control and bush regeneration is undertaken as necessary by qualified bush regenerators.	Trees on the course are audited by an arborist every 2-3 years for health and structural integrity. Natural environment is weed free and regenerating with local endemic species.
Stormwater flows into and through the course are controlled and detained for the safety of down-stream properties and water quality in the North Arm of Middle Harbour.	• The course is managed in accordance with the OEH NSW (2007) Manual Improving the Environmental Management of NSW Golf Courses.	• Water quality in the North Arm of Middle Harbour is monitored on an annual basis.

ATTACHMENT 2

SJB Planning

Castle Cove Golf Course Plan of Management

Public Hearing Report



May 2017

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Figure 1: Land subject of the draft Castle Cove Golf Course Plan of Management (Source: Sixmaps).
Figure 2: Aerial photo of the subject land (Source: Nearmaps)

1.0 Introduction and Background

This is a report on the public hearing held for the draft Castle Cove Golf Course Plan of Management.

The Castle Cove Golf Course is a nine (9) hole golf course located at 68 Deepwater Road, Castle Cove.

The site is approximately 11ha in area, and the course is owned in Fee Simple by Willoughby City Council. The site adjoins Neerim Road to the north, Deepwater Road to the south, and residential properties to the east and west. A map of the site is provided in Figure 1 and an aerial view of the site, with a cadastre overlay is provided in Figure 2.



Figure 1: Land subject of the draft Castle Cove Golf Course Plan of Management (Source: Sixmaps).



Figure 2: Aerial photo of the subject land (Source: Nearmaps)

The nine (9) hole golf course was designed by Walter Burley Griffin circa 1924, and constructed during the Great Depression by Government subsidised labour on land owned by Burley Griffin's company, the Greater Sydney Development Association Ltd.

The site also contains three (3) synthetic surfaced tennis courts. The Castle Cove Golf Club clubhouse and the associated golf course car park are located on land owned by the Castle Cove Country Club Ltd.

The golf course land (i.e. the Council owned land subject of the proposed draft Plan of Management) is zoned RE1 Public Recreation under the Willoughby Local Environmental Plan (WLEP) 2012.

The current Plan of Management (titled The Castle Cove Park and Castle Cove Golf Course Plan of Management) was adopted in June 1996. Within the Plan, Section 10.2 - Licence, allows for the renewing of the licence to Castle Cove Country Club for an appropriate period of time between 10 and 15 years.

The current lease to the Castle Cove Country Club commenced on 4 April 1996, and expired on 3 April 2016. A new 10 year lease has been sought by the Country Club.

Council has received legal advice that the current Plan of Management does not expressly authorise a new 10 year (or any) lease of the golf course, and that a new Plan of Management must be prepared which expressly authorises a new lease.

The proposed draft Plan of Management (titled The Castle Cove Golf Course Plan of Management) amends the Castle Cove Park and Castle Cove Golf Course Plan (1996) by replacing that section of the 1996 Plan that refers to the Castle Cove Golf Course. The section of the 1996 Plan that relates to Castle Cove Park has been not revised.

The Castle Cove golf course is owned by Willoughby City Council and the land is classified as Community Land under Section 31(2) of the *Local Government Act 1993*.

In accordance with Section 35 of the *Local Government Act 1993*, land that is classified as Community Land is required to be used and managed in accordance with a Plan of Management which applies to that land.

In accordance with Section 36(3) of the *Local Government Act 1993* a Plan of Management must identify certain matters including:

"(a) the category of the land,

(b) the objectives and performance targets of the plan with respect to the land,

(c) the means by which the council proposes to achieve the plan's objectives and performance targets,

(d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets."

Section 36(4) of the *Local Government Act 1993* outlines 5 categories that Community land can be categorised as set out below:

"(a) a natural area,

(b) a sportsground,

(c) a park,

(d) an area of cultural significance,

(e) general community use."

The previous Castle Cove Golf Course Plan of Management (1996) categorised the land as a sportsground, and the draft Castle Cove Golf Course Plan of Management also seeks to categorise the land as a sportsground.

Section 40A of the *Local Government Act 1993* requires that the Council must hold a public hearing in respect of a proposed plan of management if the proposed plan would have the effect of categorising or recategorising community land under Section 36(4) or (5) which is the case in this instance.

Under Section 47G of the *Local Government Act 1993*, the person presiding at a public hearing must not be:

> *"a) A Councillor or employee of the Council holding the public hearing.*
>
> *b) A person who has been a Councillor or employee of that Council at any time during the 5 years before the date of his or her appointment."*

In accordance with the above provisions, the Willoughby City Council engaged the services of myself, Stuart Gordon, Associate of SJB Planning NSW Pty Ltd to act as a convener for a public hearing concerning the draft Plan of Management.

This document is intended to comprise the report of the public hearing.

The terms of reference for convening and reporting on the public hearing outlined that the convener was not expected to comment on submissions received outside the public hearing.

2.0 The Hearing and This Report

The hearing was held on the evening of Wednesday 8 March 2017 at the Castle Cove Library Branch, 8B Deepwater Road, Castle Cove, between 5:00pm and 7:00pm.

The hearing opened with an address from myself outlining procedural details. Two (2) Council officers were in attendance to assist me in clarifying matters raised by the attendees and to assist with registration and note taking. I also recorded my own notes.

62 people registered as attending the hearing including two (2) Councillors from the Willoughby City Council.

This report is intended to provide a summary of the submissions to the hearing and an examination of what are seen to be the key points raised in submissions. Conclusions are drawn and recommendations are provided.

It is understood that Council will consider this report along with other submissions to the current exhibition of the draft Plan of Management, as it undertakes its deliberations on the adoption of the Castle Cove Golf Course Plan of Management.

3.0 Public Submissions

3.1 General

I recorded 26 speakers, noting that several people rose to speak on more than one occasion.

One person spoke in objection to the draft Plan of Management, in particular to the categorisation of the land that would allow it to be continued to be used for the purpose of a golf course.

A clear majority of speakers were in favour of the continued use of the land for the purpose of a golf course and thereby a Plan of Management that allowed that use to continue.

There was concern raised by a number of speakers that the draft Plan of Management, which includes the categorisation of the land as a sportsground, would allow the land to be used for purposes other than a golf course (i.e. such as sports playing fields for football, soccer and the like).

*Note: I was unaware of the title of the female speakers with respect to how they preferred to be addressed (e.g. Ms, Miss or Mrs) I have therefore referred to each of the female speakers as "Ms".

I have attempted to correctly spell the names of the speakers, but apologise if not all are correct.

I understand that not everyone who attended may have registered their names at the registration table provided.

3.2 Summary of Verbal Submissions

[redacted] (City of Willoughby Council Councillor)

[redacted] identified herself as a Councillor. [redacted] indicated that she has talked to the community who support the retention of the land for the use as a golf course. She indicated that she felt strongly that the golf course should remain and that it should not be turned into sporting fields.

[redacted] indicated that she would support a recommendation to/decision of Council, that the land be continued to be used as a golf course. [redacted] emphasised the importance and community benefits of the golf course within the relatively small suburb, which has limited access and roads.

[redacted] (City of Willoughby Council Councillor)

[redacted] identified herself as a Councillor. [redacted] agreed with [redacted] and indicated that it was also her experience that people in the community supported the retention of the golf course. [redacted] commented that the land should be continued to be used for the purpose of a golf course and stated her support for a Plan of Management which kept the land in use as a golf course.

[redacted]

[redacted] identified herself as a board member of the golf club. [redacted] outlined that the area was used constantly for golf, and also had public access and was used by a wide range of the community for other purposes, including for casual walking. [redacted] commented that the golf course is a great facility, holding environmental beauty.

[redacted]

[redacted] identified himself as a previous board member of the Golf Club. [redacted] indicated that the maintenance cost of the golf course is approximately $600,000 a year which is covered by the Golf Club. [redacted] indicated that the Willoughby City Council rate payers would incur a substantial cost to maintain the land if its care reverted back to Council.

[redacted]

[redacted] identified himself as a former board member and Captain of the Golf Club. [redacted] commented that the Golf Course was donated by the Hooker family to Council and it had been planned to remain as a golf course in perpetuity. He commented that there would be a loss of amenity if the golf course was to be removed.

[redacted]

[redacted] identified herself as owner of a property at [redacted] adjacent to the 2nd Hole of the golf course. She commented that she appreciates the land as a green area and that over time populations and their requirements change. [redacted] commented that the operations at the golf course (including the behaviour of golfers) was causing her a loss of rental income.

[redacted] indicated that in her experience golfers had brought alcohol onto the course and were sometimes loud, thus disturbing residents at her property. [redacted] suggested that the recent use of the golf course for 'foot golf' appeared to exacerbate the situation.

[redacted] indicated that she had collected many golf balls which had landed in her property and that over the years the balls had caused damage to her property including broken roof tiles. She suggested that safety steps to protect her property from damage caused by errant golf balls should be taken.

Additionally, [redacted] indicated that water run off from the golf course had caused damage to her property.

[redacted] indicated that she has videos of golf course users being noisy and that she was in communications with her lawyer regarding the matters raised.

[redacted] commented that residents are entitled to 'peace and quiet' and that Council should take into consideration all views of impacted people.

[redacted]

[redacted] indicated that she was a resident of an adjacent property (3 Cove Circuit) and had been so for 20 years. She indicated that very few balls had entered her backyard, she had not witnessed noisy or drunk golfers and did not experience nuisance from the golf course operations. [redacted] indicated that she enjoyed and supported the use of the land for the purpose of a golf course.

[redacted] identified himself as a member of the Golf Club, a former President and Captain of the Club.

[redacted] outlined various improvements to the golf course undertaken at the expense of the Golf Club to address and respond to issues at the course, including the installation of a large wire screen/fence erected near Hole 2. Additionally, [redacted] commented that significant monies have been (and continued to be) spent on stormwater and drainage infrastructure, ongoing stormwater and drainage maintenance and upgrading works. These costs were all incurred by the Club, some on an annual basis.

[redacted] commented that the Club was a 'friendly' club, that it donated money to the tennis court operations and the upgrading of various parts (Holes) over the years to mitigate problems and improve the course. He commented that much of the hard work undertaken over the years benefited the community and neighbouring residents.

[redacted] identified himself as a member of the Golf Club. He commented that the Club was very much aware of its neighbours, and that he had witnessed only the occasional errant golf ball. [redacted] commented that the Club treats very seriously every incident of stray golf balls and/or of nuisance. [redacted] indicated his support for the draft Plan of Management and mentioned that the Club didn't ask for a 10 year lease, but instead had sought a 15 year lease from Council.

[redacted] commented that the golf course could only be categorised as one (1) of five (5) things under current legislation. [redacted] commented that the land should be used as a golf course, and said that the legislation should reflect this. [redacted] commented that the present legislation should be amended to allow the land to be more accurately categorised for the purpose of a golf course only, rather than the more generic categorisation term of a "sportsground" which may allow it to be used for sporting purposes other than a golf course.

[redacted] identified herself as being on the board of the Golf Club. [redacted] indicated that the Golf Club had requested a new 15 year lease from Council but had been informed by Council that they only offer a 10 lease in such circumstances.

[redacted] identified himself as a resident living in [redacted], near the 1st Hole of the golf course. [redacted] indicated that his primary concern was that the land was to be categorised as a "Sportsground" and not as a golf course. [redacted] stated that the categorisation as a sportsground could lead to the land being used for some other type of sport in the future which he does not support.

[redacted] indicated that the Golf Club has done a great job at maintaining the course and reiterated that the land should be kept for the purpose of a golf course and tennis courts.

[redacted] indicated that his property backs onto the golf course. [redacted] commented that the categorisation as a sportsground was the "thin edge of the wedge" to facilitate a change of use for the land. He commented that it should be clarified that the purpose of the land is for the its use as a golf course with ancillary tennis courts.

[redacted]

[redacted] identified himself as a member of the Golf Club and resident of [redacted]. [redacted] commented that if the land was used for the purpose of a sports ground (i.e. sporting playing fields) then there would be adverse traffic impacts and noise impacts.

[redacted]

[redacted] supported the comments that the land should be maintained for the use of a golf course and raised concerns that a change of its use for the purpose of sports playing fields would result in adverse impacts, including traffic impacts.

[redacted]

[redacted] identified himself as the tennis coach and operator of the tennis courts at the site. [redacted] commented that the tennis courts are very well utilised and he was determined to continue this way. [redacted] indicated that a lot of work was undertaken to keep the tennis courts successful and that they were a significant community benefit. [redacted] indicated that the tennis court operators were community minded through the running of competitions and upgrading and maintenance of facilities.

[redacted]

[redacted] raised concern with the 'sportsground' categorisation of the land and commented that the categorisation should reference a golf course (and tennis courts) to prevent other types of uses. [redacted] indicated that she had lived in the area for 20 years, and the existence of the golf course was one of the reasons she had moved to the area. [redacted] indicated that the golf course was a large attraction for the area and that the land should continue to be used for that purpose.

[redacted]

Spoke a second time. [redacted] indicated that the draft Plan of Management should be amended to exclusively support and reference the use of the land for the purpose of a golf course and tennis court.

[redacted]

[redacted] identified himself as the Secretary of the Castle Cove Progress Association (CCPA). He indicated that he was also a long term resident of the area. [redacted] commented that the CCPA had passed a motion at their recent meeting to the effect that the golf course should be retained, and the land remain to be used as a golf course for seven (7) days a week. The CCPA was unaware of any complaints relating to alcohol consumption, noise or nuisance at the golf course. [redacted] indicated that the CCPA supported a draft Plan of Management which retained the land for use as a golf course.

[redacted]

Identified as a former member of the golf course and raised the relevance of the commercial viability of the land.

[redacted]

[redacted] indicated support for the use of the land for the purpose of a golf course. [redacted] commented that a change of the use of the land for sporting fields would require appropriate traffic studies to be undertaken and commented on the statutory process around such a proposal.

[redacted] commented that she was in support of the tennis centre and her brother's comments (i.e. [redacted]). [redacted] commented that there appeared a lack of detail in the draft Plan, such that it includes mention of a golf course and tennis courts, but does not mention or rule out other sporting uses.

[redacted] commented that "Point C" in the Plan of Management was not clear enough and should state what it excludes.

[redacted] indicated that she had grown up in Castle Cove and intends to remain in Castle Cove. [redacted] indicated that she has small children and that she and her children enjoy the area and the golf course. [redacted] commented that the land should remain as a golf course exclusively and not be used as another type of playing field.

[redacted] (speaking a second time) commented that if Council was to change the use of the land to something other than what it was originally planned for (i.e. a golf course) then Council should compensate the Golf Club.

[redacted] raised the question as to whether the draft Plan of Management precludes the Golf Club from developing the land. [redacted] commented that the current Club House was not a good facility and if the lease was issued then it should allow for the improvement of the facilities.

[redacted] spoke on behalf of his wife (who was in attendance) and himself. [redacted] indicated that he and his wife had been members of the community for 35 years. [redacted] commented that he found it surprising that "we get this far down the track" before coming to the Public Hearing.

[redacted] indicated support for the retention of the golf course and indicated that it was an important asset for the community.

[redacted] commented that if it was Council's agenda to use the land for the purpose of sporting fields (and not as a golf course) then there would be impacts and Council had not investigated those impacts (i.e. acoustic impacts, traffic impacts, light spill from flood lights).

[redacted] identified himself as the President of the Castle Cove Progress Association (CCPA). [redacted] indicated that members of the CCPA that could not attend the Public Hearing had concerns with the process. [redacted] indicated that the concerns related to the need for more extensive consultation and indicated that people had not seen the draft Plan of Management prior to the Hearing. [redacted] indicated that the golf course was a great use of public space and that it was a recreational and sporting use. [redacted] indicated that the CCPA were supportive of the land to be retained for the use as a golf course.

[redacted] (City of Willoughby Council Councillor)

Speaking a second time, [redacted] commented that the draft Plan of Management had not been discussed with Council prior to exhibition. [redacted] commented that Council officers had assured the Councillors that the draft Plan of Management did not represent a "hidden agenda".

[redacted]

[redacted] on her second address, thanked people for their interest and support for the Golf Club and encouraged people to submit a written submission.

[redacted]

[redacted] indicated her support for the continued use of the land as green space. [redacted] commented that area was important as a "sink hole" and for environmental purposes. [redacted] indicated that her family used the space often and enjoyed its public accessibility. [redacted] reiterated that 'environmental open space' was very important, particularly as the size of dwellings increased and private open space decreased.

4.0 Key Issues

The key issues raised at the Public Hearing overwhelmingly related to the categorisation of the community land as a "sportsground".

There was concern from many speakers that the categorisation would allow the land to be used for purposes other than a golf course and the clear majority of speakers supported the retention of the existing golf course and thereby the land for that use.

In my opening remarks at the hearing, I outlined the relevant provisions of the *Local Government Act 1993* relating to the categorisation of community land. In particular, I outlined that in accordance with Section 36(3) of the *Local Government Act 1993* , a Plan of Management must identify certain matters including the *"category of the land"*. I further explained that the community land could only be categorised under the Act as one of the following:

"(a) a natural area,

(b) a sportsground,

(c) a park,

(d) an area of cultural significance,

(e) general community use."

I outlined that in order for the land to be used for the purpose of a golf course, the land would be required to be categorised as a "sportsground" under the Act. I also outlined that the previous Castle Cove Golf Course Plan of Management (1996), under which the current golf course has been operating, categorised the land as a sportsground.

Notwithstanding these facts, it appeared to me that many people in attendance considered that the draft Plan of Management should be strengthened and or amended to expressly exclude other forms of sporting uses at the site, specifically to exclude the use of the land for the purpose of sports playing fields.

Within the verbal submissions there appeared to be consensus that the public accessibility of the land was valued within the community, as is its environmental importance and benefits.

Finally, I note that there was one obvious objection to the continued use of the land as a golf course due to the adverse impacts that the operations of the golf course were considered to have on an adjacent residential property. In that respect, it can be assumed that the speaker did not support the draft Plan of Management.

5.0 Conclusions and Recommendations

From the verbal submissions presented at the Public Hearing, it is my summation that the clear majority of speakers at the hearing supported the continued use of the subject land for the primary purpose as a golf course, with support also for the ancillary tennis court use at the site.

In order to allow for the continued use of the Council owned community land as a golf course, it will be required to be categorised within the relevant Plan of Management, under Section 36(4) of the *Local Government Act 1993* as a "sportsground".

On this matter, the proposed draft Castle Cove Golf Course Plan of Management correctly categorises the land as a sportsground.

In regard to the community concerns raised at the Public Hearing which relate to a fear that the land will not be retained primarily as a golf course, and instead be used for other purposes, it is the task of the Plan of Management, and not the actual categorisation of the land, to outline what the land is to be used for.

In this respect, a Plan of Management achieves this task by addressing the following matters which are set out under Section 36(3) of the *Local Government Act 1993*:

> *"(b) the objectives and performance targets of the plan with respect to the land,*
>
> *(c) the means by which the council proposes to achieve the plan's objectives and performance targets,*
>
> *(d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets."*

It is my opinion that the draft Castle Cove Golf Course Plan of Management adequately identifies that it is the intention that the subject land should have a primary use as a golf course.

It does this via the following ways:

- The title of the document, i.e. Castle Cove Golf Course Plan of Management;
- The description of the uses of land under Part 2c, and in particular the "permitted uses" under Table 2;
- The identification under Part 4 (Issues Pertinent to the Land) that a relevant issue is *"Maintaining the sportsground/ golf course for appropriate active recreation";*
- Under *"Additional Objectives"* in Part 5 (Basis for Management) sub-part c (Council Objectives) which states the following: *"Manage the land for the current recreation uses (primarily golf and tennis and other appropriate recreation uses)".*
- Identifying the following "Means of Achieving Targets" within the Table in Part 6 (Performance Targets, Means of Achieving targets and Method of Assessment):
  - "Golf, tennis and other complementary recreation activities are available at the course"
  - New lease/s for the golf course and the tennis courts are renewed in accordance with the Local Government Act 1993."

Notwithstanding the above, if it is considered necessary to provide greater certainty that the primary purpose of the Council owned community land is that it should be retained for the purpose of a golf course, it is recommended that the following amendments to the Castle Cove Golf Course Plan of Management be considered:

1. Amend Part 5, sub-section "c", as follows:

"c. Council objectives

The Willoughby City Strategy 2013 -2029, Community and Cultural Life, Health and Well Being has objectives to:

- *Provide sport and recreational areas and programs appropriate for demographic needs.*
- *Create public spaces that offer a wide variety of recreational and creative experiences.*
- *Improve multi-use of sport and recreation areas to respond to community demand.*

Additional objectives for the subject land are to:

- *Maintain and manage the land primarily for the purpose of a golf course, with ancillary tennis use.*
- *Protect, restore and enhance the natural environment of the golf course.*
- *Limit the financial burden to ratepayers for maintenance of the land."*

2. Amend Part 4 as follows:

"4. Issues Pertinent to the Land

The general issues pertinent to the subject land have been canvassed in the Castle Cove Park and Castle Cove Golf Course Plan of Management (1996) and from background information listed in the references and within submissions made to the draft Castle Cove Golf Course Plan of Management.

In summary, the relevant issues are:

a. Sport
- *Maintaining the land, which is categorised as a sportsground, for the primary purpose of a functioning golf course with ancillary tennis use.*

b. Lease/ licence
- *Expired lease agreement for golf*
- *Tennis courts not covered by Council agreement*

c. Natural environment
- *Protection of trees and remnant bushland areas*

d. Water quality control
- *Protect quality and quantity of stormwater flows into the North Arm Catchment."*

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17.6 REGISTRATION OF INTEREST - CONCESSION APPLICATION FOR NAREMBURN PROGRESS ASSOCIATION

RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**ERIN COLWELL-SPORTSGROUND BOOKING OFFICER**
CITY STRATEGY LINK:	**1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To seek Council's approval for a 100% (Category D) concessional rate of hire for the Naremburn Progress Association, hire of Naremburn Oval #1 for the Family Film Night Event on Saturday 16 September 2017.

Background

Naremburn Progress Association has applied to Council for a 100% (Category D) concessional rate of hire. Under Council's Community Facility Concessional Hire Policy, Council must approve applications from groups that request a concessional of greater than 50% for the hire of Council Venues.

Council's *Community Facilities Hire Policy* was adopted in October 2015 and lists the following hire categories;

- Category A: Commercial – full fee paying.
- Category B: Community Not for Profit organisations/ Charities (funded) – 25% discount on hire fees.
- Category C: Not for Profit Community organisations/ Interest Groups/ Charities (limited funding) – 50% discount on hire fees.
- Category D Full Concessional – 100% discount on hire fee.

Discussion

The Naremburn Progress Association is holding this community event to give residents and neighbours the opportunity to get together and meet each other.

The Naremburn Progress Association is a not for profit organisation run by volunteers, promoting the welfare and advancement of the community in the Naremburn area.

At its meeting of 10 July 2017, Council endorsed an allocation of $3000.00 from the Community Small Grants Program Events Seed Funding to Naremburn Progress Association for this event.

Financial Implications

The value of the 100% (Category D) concession sought by Naremburn Progress Association is $300.

Policy Implications

Concessional hire applications are assessed through Council's *Community Facilities Hire Policy* according to:

- Not for Profit Status.
- The demonstrated capacity of the Hirer to pay.
- Activity/service meeting a broader community need, increasing community access to activities and services, particularly access by disadvantaged and socially isolated groups.
- Local orientation or membership of the Hirer to the Willoughby LGA.

Conclusion

Naremburn Progress Association meet this 100% (category D) concession criteria for concessional hire in that:

- It is a Not for Profit Organisation.
- It has limited capacity to pay hiring fees.
- It provides access to events and social activities for families within the Naremburn Community and LGA.

OFFICER'S RECOMMENDATION

That Council approve a 100% (Category D) concessional rate of hire at a value of $300 for the Naremburn Progress Association Family Film Night Event held by the Naremburn Progress Association.

17.7 REGISTRATION OF INTEREST - CONCESSION APPLICATION FOR ARTARMON PUBLIC SCHOOL PARENTS AND CITIZENS ASSOCIATION

RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**ERIN COLWELL- SPORTSGROUND BOOKING OFFICER**
CITY STRATEGY LINK:	**1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To seek Council's approval for a 100% (Category D) concessional rate of hire for the Artarmon Public School Parents and Citizens Association, hire of Thomson Oval for the Inaugural Spring Fair Event on Sunday 17 September 2017.

Background

Artarmon Public School Parents and Citizens Association have applied to Council for a 100% (Category D) concessional rate of hire. Under Council's Community Facility Concessional Hire Policy, Council must approve applications from groups that request a concessional of greater than 50% for the hire of Council Venues.

Council's *Community Facilities Hire Policy* was adopted in October 2015 and lists the following hire categories;

- Category A: Commercial – full fee paying.
- Category B: Community Not for Profit organisations/ Charities (funded) – 25% discount on hire fees.
- Category C: Not for Profit Community organisations/ Interest Groups/ Charities (limited funding) – 50% discount on hire fees.
- Category D Full Concessional – 100% discount on hire fee.

Discussion

The Artarmon Public School Parents and Citizens Association is holding this school based, community fundraising event to raise funds for Artarmon Public School for equipment and programs for Students of Artarmon Public School.

The Artarmon Public School Parents and Citizens Association is a not for profit school association run by volunteers, providing the Artarmon Public School with a funds for school equipment and programs.

Financial Implications

The value of the 100% (Category D) concession sought by Artarmon Public School Parents and Citizens Association is $420.

Policy Implications

Concessional hire applications are assessed through Council's *Community Facilities Hire Policy* according to:

- Not for Profit Status.
- The demonstrated capacity of the Hirer to pay.
- Activity/service meeting a broader community need, increasing community access to activities and services, particularly access by disadvantaged and socially isolated groups.
- Local orientation or membership of the Hirer to the Willoughby LGA.

Conclusion

Artarmon Public School Parents and Citizens Association meet this 100% (category D) concession criteria for concessional hire in that:

- It is a Not for Profit Organisation.
- It has limited capacity to pay hiring fees.
- It provides access to events and social activities for families within Artarmon Public School and LGA.

OFFICER'S RECOMMENDATION

That Council approve a 100% (Category D) concessional rate of hire at a value of $420 for the Artarmon Public School Parents and Citizens Association Spring Fair Event held by the Artarmon Public School Parents and Citizens Association.

17.8 REGISTRATION OF INTEREST - CONCESSION APPLICATION FOR ROTARY CLUB OF NORTHBRIDGE

RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**ERIN COLWELL –SPORTSGROUND BOOKING OFFICER**
CITY STRATEGY LINK:	**1.2.1 RELEVANT SERVICES AND FACILITIES ARE AVAILABLE FOR THE COMMUNITY**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To seek Council's approval for a 100% (Category D) concessional rate of hire for the Rotary Club of Northbridge, hire of Northbridge Oval for the Pictures on the Pitch event on Saturday 14 October 2017.

Background

Rotary Club of Northbridge has applied to Council for a 100% (Category D) concessional rate of hire. Under Council's Community Facility Concessional Hire Policy, Council must approve applications from groups that request a concessional of greater than 50% for the hire of Council Venues.

Council's *Community Facilities Hire Policy* was adopted in October 2015 and lists the following hire categories;

- Category A: Commercial – full fee paying.
- Category B: Community Not for Profit organisations/ Charities (funded) – 25% discount on hire fees.
- Category C: Not for Profit Community organisations/ Interest Groups/ Charities (limited funding) – 50% discount on hire fees.
- Category D Full Concessional – 100% discount on hire fee.

Discussion

Each year the Rotary Club of Northbridge holds community fundraising events which raise funds for local charities including Streetwork, Sailability, Taldumande Youth Services and Rural Fire Services.

The Rotary Club of Northbridge is a small not for profit community organisation run by volunteers and providing the Willoughby Community with a wide variety of community events and social activities. Funds raised at events are donated to charities focussing on disadvantaged youth locally, third world health and education needs and other Rotary Charities.

Financial Implications

The value of the 100% (Category D) concession sought by Rotary Club of Northbridge is $760.

Policy Implications

Concessional hire applications are assessed through Council's *Community Facilities Hire Policy* according to:

- Not for Profit Status.
- The demonstrated capacity of the Hirer to pay.
- Activity/service meeting a broader community need, increasing community access to activities and services, particularly access by disadvantaged and socially isolated groups.
- Local orientation or membership of the Hirer to the Willoughby LGA.

Conclusion

Rotary Club of Northbridge meet this 100% (Category D) concession criteria for concessional hire in that:

- It is a Not for Profit Organisation.
- It has limited capacity to pay hiring fees.
- It provides access to events and social activities for families within the LGA.
- It provides charitable donations to much needed youth services within the LGA.

OFFICER'S RECOMMENDATION

That Council approve a 100% (Category D) concessional rate of hire at a value of $760 for the Northbridge Pictures on the Pitch Community Event held by the Rotary Club of Northbridge.

18 REPORTS FROM OFFICERS – PLANNING AND INFRASTRUCTURE DIRECTORATE

DEVELOPMENT APPLICATIONS

18.1 1-1A WALTER STREET & 452-469 WILLOUGHBY ROAD, WILLOUGHBY - DA 2016/263 -REPORT TO SYDNEY (NORTH) PLANNING PANEL

ATTACHMENTS:	**1. ASSESSMENT REPORT TO SYDNEY (NORTH) PLANNING PANEL**
MEETING DATE:	**24 JULY 2017**
APPLICANT:	**ARTMADE ARCHITECTURAL**
OWNER:	**MRS J M CORNAY AND MR R SORAK AND MRS A R SORAK AND H R NIHILL AND MR A M HORAN AND MS V C HORAN AND MR A D POTTER AND MS N E HERRON AND MR J G T HEAD AND MS L T N VU AND MR J R HUGHES**
PROPOSAL:	**DEMOLITION OF EXISTING DWELLINGS AND CONSTRUCTION OF A NEW 222 PLACE CHILDCARE CENTRE AND SIGNAGE**
RESPONSIBLE OFFICER:	**IAN ARNOTT - PLANNING MANAGER**
AUTHOR:	**POOJA CHUGH – DEVELOPMENT PLANNER**
CITY STRATEGY LINK:	**6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS**

Purpose of Report

To inform Council that Development Application 2016/263 for 'demolition of the existing dwellings and construction of a new 222 place childcare centre at 1-1A Walter Street & 452-460 Willoughby Road, Willoughby*'* will be considered by the Sydney (North) Planning Panel at its meeting of 26 July 2017.

The proposal is regionally significant development as identified in Schedule 4A of the *Environmental Planning and Assessment Act* (EP&A Act). It has a capital investment value (CIV) over $5million and therefore Sydney (North) Planning Panel is the determination authority.

Members of the Sydney (North) Planning Panel should retire from Council Chambers during the consideration of the Agenda Item.

Background

The current application (DA-2016/263) was lodged with Council on 22 July 2016 and referred to Sydney (North) Planning Panel Secretariat for registration.

The applicant was advised of concerns with the proposal with respect to site isolation; setback/streetscape; height of sign; traffic matters; landscaping; waste management; stormwater and concerns in relation to indoor/outdoor play areas, evacuation plan and staff numbers. Amended plans were subsequently lodged and are the subject of the assessment report.

Discussion

Development Application DA-2016/263, as amended, seeks Council's consent for the demolition of the existing dwellings and construction of a new 222 place childcare centre at 1-1A Walter Street & 452-460 Willoughby Road, Willoughby. The proposal incorporates:

- Demolition of existing dwellings and structures and amalgamation of land;
- Construction of a two and three storey child care centre building;
- Removal of existing vehicular crossings on Willoughby Road;
- Three basement levels with 40 car parking spaces accessed from Walter Street;
- One non-illuminated sign;
- Hours of operation 7:00am to 6:00pm Monday to Friday with a maximum of four (4) Saturdays a year for special occasions; and
- 35 staff including kitchen staff, mangers and centre director.

The subject site is zoned R3 Medium Density Residential Zone under the provisions of Plan of the *Willoughby Local Environmental Plan 2012*. Childcare centre is a permissible use in the R3 Medium Density Residential Zone. However, the proposed development in its present form is inconsistent with the objective of the zone being incompatible with the scale and character of the surrounding residential developments in terms of building bulk and landscaping. The large elevated outdoor play areas, as proposed, in order to attain sufficient outdoor area for the number of children proposed, demonstrates that the site is unsuitable and the proposed development is an overdevelopment of the site.

As detailed in the attached report, the proposed development is assessed as unacceptable and recommended for refusal.

Financial Implications

Should the development be approved a Section 94A Contribution of $77,351.72 would be required.

Policy Implications

There are no specific policy implications should the application be approved.

Community Notification

The development application was notified in accordance with Part B.4 of the *Willoughby Development Control Plan* (WDCP) for a 14 day period from 29 July 2016 to 19 August 2016. As part of Walter Street residents did not receive a notification letter, the application was renotified and the notification period was extended until 26 August 2016.

Council received 62 submissions**.** The primary issues of concern in the public submissions relate to:

- Height, built form and design
- Childcare capacity
- Traffic, safety & amenity impacts
- Car Parking and loss of on-street parking
- Site suitability

The submission issues are discussed in the Notification Issues - Attachment 5 of the attached report.

Conclusion

The application in its present form fails to address the principles of quality urban design, provide landscaping and an acceptable presentation to the Willoughby Road and Walter Street that is compatible with the existing and desired future character of the locality. Furthermore, safety and amenity impacts to adjoining and surrounding residential developments are unacceptable. The concerns in relation to urban design, setbacks, streetscape, landscaping and site coverage, comprise an overdevelopment of the site.

The application also contains inadequate information with respect to landscaping, waste management, building layout, stormwater management, and compliance with the Education and Care Services National Regulations.

Based on the above assessment, and consideration of the relevant matters under S79C of the *Environmental Planning and Assessment Act 1979*, the application is recommended for refusal.

OFFICER'S RECOMMENDATION

That Council receive the Assessment Report referred to the Sydney (North) Planning Panel for determination for DA-2016/263 seeking refusal for demolition of existing dwellings and erection of a childcare centre at 1-1A Walter Street & 452-460 Willoughby Road, Willoughby.

ATTACHMENT 1

SYDNEY PLANNING PANEL (NORTH)

Sydney Planning Panel Reference No.	2017SNH035 DA
DA Number	DA 2016/263
Local Government Area	Willoughby City Council
Proposed Development	DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A CHILDCARE CENTRE AND ASSOCIATED WORKS
Street Address	1-1A WALTER STREET AND 452-460 WILLOUGHBY ROAD, WILLOUGHBY
Applicant/Owner	ARTMADE ARCHITECTS
Number of Submissions	62
Regional Development Criteria (Schedule 4A of the Act)	Capital Investment Value > 5m Private infrastructure and community facilities
List of All Relevant s79C(1)(a) Matters	Education and Care Services National Regulations SREP (Sydney Harbour Catchment). SEPP (Infrastructure) SEPP 55 – Land Remediation SEPP 64 Advertising and Signage Willoughby Local Environmental Plan 2012 Draft SEPP and Draft Guideline
List of all documents submitted with this report for the Panel's consideration	A. Schedule of recommended Conditions NOTIFICATION MAP B. Notification map C. Development Statistics Table D. SEPP 64 Assessment & G.5 of The WDCP E. Draft SEPP and Draft Guideline Assessment F. Neighbour Notification Issues G. Plans & Elevations (as amended)
Recommendation	Refusal
Report by	Pooja Chugh
Report date	12 July 2017

1-1A WALTER STREET & 452-460 WILLOUGHBY ROAD, WILLOUGHBY DA2016/263 (CHILDCARE CENTRE DEVELOPMENT)

ATTACHMENTS:	**1. NOTIFICATION MAP** **2. DEVELOPMENT STATISTICS** **3. SEPP 64 ASSESSMENT & G.5 OF THE WDCP** **4. DRAFT SEPP AND DRAFT GUIDELINE ASSESSMENT** **5. NEIGHBOUR NOTIFICATION ISSUES** **6. PLANS & ELEVATIONS (PROVIDED SEPARATELY)**
MEETING DATE:	**24 JULY 2017**

RECOMMENDATION:	**REFUSAL**
LOCATION:	**1-1A WALTER STREET & 452-460 WILLOUGHBY ROAD, WILLOUGHBY**
APPLICANT:	**ARTMADE ARCHITECTURAL**
OWNER:	**MS J M CORNAY AND MR R SORAK AND MRS A R SORAK AND H R NIHILL AND MR A M HORAN AND MS V C HORAN AND MR A D POTTER AND MS N E HERRON AND MR J G T HEAD AND MS L T N VU AND MR J R HUGHES**
PROPOSAL:	**DEMOLITION OF EXISTING DWELLINGS AND CONSTRUCTION OF A NEW 222 PLACE CHILDCARE CENTRE AND SIGNAGE**
DATE OF LODGEMENT:	**22 JULY 2016**
REPORTING OFFICER:	**POOJA CHUGH – DEVELOPMENT ASSESSMENT OFFICER**
RESPONSIBLE OFFICER:	**IAN ARNOTT – PLANNING MANAGER**

DESCRIPTION OF PROPOSAL

Development Application DA-2016/263 seeks Council's consent for the demolition of the existing dwellings and construction of a new 222 place childcare centre at 1-1A Walter Street & 452-460 Willoughby Road, Willoughby. Detailed description of the proposal is as follows:

- Demolition of existing dwellings and structures and amalgamation of land;
- Construction of a two and three storey child care centre building;
- Removal of existing vehicular crossings on Willoughby Road;
- Three basement levels with 40 car parking spaces accessed from Walter Street;
- One non-illuminated sign;
- Hours of operation 7:00am to 6:00pm Monday to Friday with a maximum of four (4) Saturdays a year for special occasions; and
- 35 staff including kitchen staff, mangers and centre director.

Delegation

The proposal is regionally significant development as identified in Schedule 4A of the *Environmental Planning and Assessment Act* (EP&A Act). It has a capital investment value (CIV) over $5 million and therefore Sydney (North) Planning Panel is the determination authority.

The application is reported to Council due to litigation. The application has commenced Class 1 proceedings in the NSW Land and Environment Court appealing against Council's deemed refusal of the development application on 13 June 2017.

Neighbour Notification

The development application was notified in accordance with Part B.4 of the *Willoughby Development Control Plan* (WDCP) for a 14 day period from 29 July 2016 to 19 August 2016. As part of Walter Street residents did not receive a notification letter, the application was renotified and the notification period was extended until 26 August 2016.

Council received 62 submissions. The primary issues of concern in the public submissions relate to:

- Height, built form and design
- Childcare capacity
- Traffic, safety & amenity impacts
- Car Parking and loss of on-street parking
- Site suitability

For further discussion of the issues raised in the submissions please refer to the **Notification Issues in Attachment 5.**

Existing Building and Site Context

The subject site is located at the intersection of Willoughby Road and Walter Street. The site comprises of seven (7) existing allotments containing 1-2 storey dwelling houses as follows:

		Site area (m^2)	Existing improvements
Lot 1 DP 1084753	1 Walter Street	378.4m^2	Single storey dwelling
Lot 12 DP 129153	1A Walter Street	322.5m^2	Single storey dwelling
Lot 11 DP 129153	452 Willoughby Road	322.5m^2	Single storey dwelling
Lot 1 DP 178525	454 Willoughby Road	322.48m^2	Single storey dwelling
Lot 1 DP 75133	456 Willoughby Road	309.84m^2	Part single and part double storey dwelling
Lot 1 DP 81135	458 Willoughby Road	259.25m^2	Single storey dwelling
Lot 1 DP 1161181	460 Willoughby Road	324.4m^2	Part single and part double storey dwelling
Total area: 2239.37m^2 or 2250m^2 as per Survey Plan			

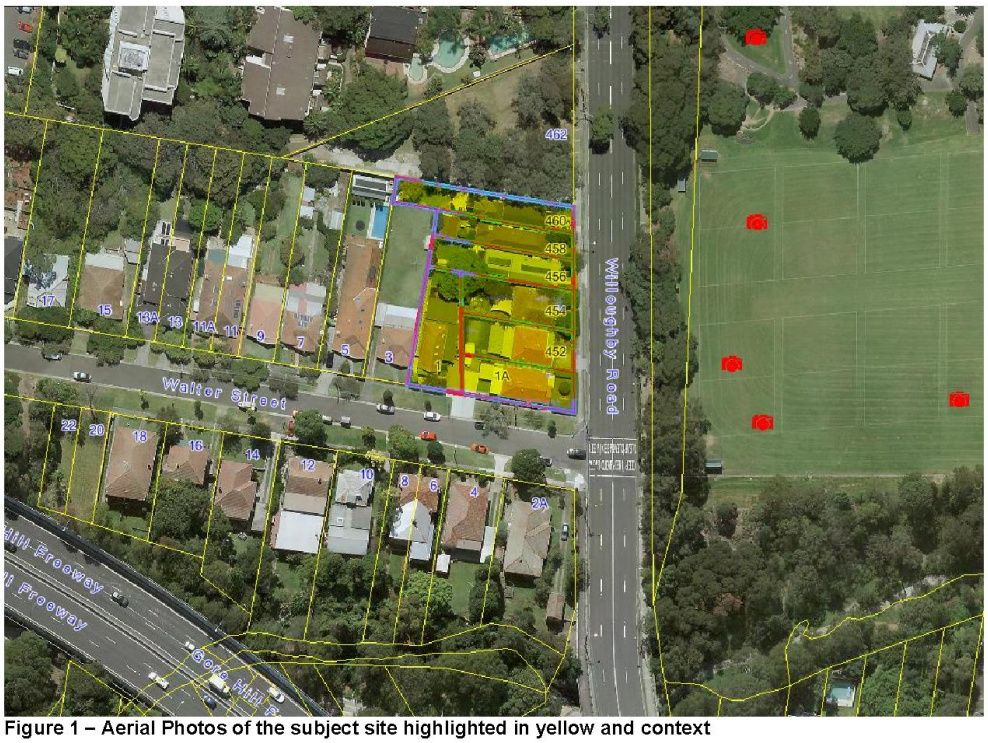


Figure 1 – Aerial Photos of the subject site highlighted in yellow and context

The site is located within the R3 Medium Density Residential zone on the western side of Willoughby Road. The southern boundary of the subject site adjoins Walter Street, Willoughby. The Bicentennial Reserve Oval is located opposite the subject site.

The subject site is to the south of the Willoughby Road retail-commercial centre. The locality is characterised by one to two storey residential dwellings. Immediately adjoining to the north of the subject site is a vacant lot fronting Willoughby Road. Further north of the subject site is three storey residential flat building development known as the 'Castlevale'. To the south of the site on Walter Street the sites are zoned SP2 Infrastructure.

Relevant History

- On 22 July 2016 Council received subject DA2016/263 for Demolition of existing structures and construction of a childcare centre with two hundred and twenty five (225) children capacity, signage, landscaping and associated works at 1-1A Walter Street and 452-460 Willoughby Road, Willoughby.

- On 10 October 2016 Council wrote to the applicant requesting further information in regard to site isolation; setback/streetscape; height of sign; traffic matters; landscaping; waste management; stormwater and concerns in relation to indoor/outdoor play areas, evacuation plan and staff numbers.

- The Development Application was amended on 3 March 2017 by receipt of amended plans and information. The amended proposal reduced the total number of children from two hundred and twenty five (225) to two hundred and twenty two (222).

- The proposal is regionally significant development as identified in Schedule 4A of the Environmental Planning and Assessment Act 1979. It has a capital investment value

(CIV) over $5 million and therefore Sydney (North) Planning Panel is to exercise the functions of the consent authority.

- On 13 June 2017 ArtMade Architectural Pty Ltd commenced Class 1 proceedings no.2017/169864 with the NSW Land and Environment Court appealing against the Council's deemed refusal (s97(1) Environmental Planning and Assessment Act 1979) of this application.

- A brief was provided to the Sydney (North) Planning Panel regarding assessment of the subject Development Application on 28 June 2017.

ASSESSMENT

Controls	
Willoughby Local Environmental Plan 2012 (WLEP 2012)	
Existing Use/s	Dwelling Houses
Proposed Use	Child Care Centre
Zoning:	R3 Medium Density Residential
Applicable DCP	Yes – WDCP
Applicable REPs	Yes – Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
Applicable SEPPs	Yes – SEPP 55, SEPP (Infrastructure) 2007, SEPP 64.
Regulations	Yes – Children (Education and Care Services) National Law - Education and Care Services National Regulations
Draft Environmental Planning Instruments	Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (**Draft SEPP**) and Draft Childcare Planning Guideline (**Draft Guideline**)
Developer's Contribution Plans:	a. S94A/s94: Yes b. Applicable rate (%): 1% c. The cost of development: $7,735,172.00 d. Date of accepted cost of development: 22/07/2016 e. The total contribution payable (subject to Building Price Indexing (Enterprise Bargaining Agreement)): $77,351.72

Referrals	
RMS	No objections, conditions provided.
Building	Standard conditions of consent apply.
Traffic	The proposal is acceptable.
Environmental Health	The proposal does not provide sufficient information to demonstrate that the management of the noise impacts will be acceptable.
Waste	The proposal is unacceptable due to length of the driveway and width of the access path to wheel 1100L garbage bins for collection.
Development Engineering	The proposal in its current form is unsatisfactory. Additional information has been requested with respect to the design of

	the On Site Detention System, flooding, and stormwater and civil works in the public road which has not been received.
Landscaping	The proposal does not maintain prominent landscape quality of the area/locality due to insufficient landscaping along both the street frontages. In sufficient deep soil zones and soft landscaping provided.
Children's Services	Council's Children Services Manager raised concern with the ratio requirements for the outdoor play area, safety and adequate supervision of the volume of children in the outdoor play areas, safe and effective evacuation of children 0-2 and lack of details in relation to additional support staff required.

Matters for Consideration Under S.79C EP&A Act

Satisfactory ✓ Unsatisfactory ✖ Not Relevant **N/A**

(a)(i)	The provisions of any environmental planning instrument (EPI)	✓
	State Environmental Planning Policies (SEPP)	✓
	Regional Environmental Plans (REP)	✓
	Local Environmental Plans (LEP)	✓
	WLEP 2012: *R3 – Medium Residential Zone* Childcare centre is a permissible use in the R3 Medium Density Residential Zone. However, the proposed development in its present form is inconsistent with the objective of the zone being incompatible with the scale and character of the surrounding residential developments in terms of building bulk and landscaping. The large elevated outdoor play areas, as proposed, in order to attain sufficient outdoor area for the number of children proposed, demonstrates that the site is unsuitable and the proposed development is an overdevelopment of the site.	
	Floor Space Ratio The application is compliant with the Floor Space Ratio of 0.7:1 (see **Development Statistic Table in Attachment 2**).	
	SREP (Sydney Harbour Catchment) There are no specific matters contained in the SREP (Sydney Harbour Catchment) that apply to the proposed development.	
	SEPP 55 – Remediation of land A preliminary site assessment report has been submitted in respect to SEPP 55, and is considered to be satisfactory by Council's Environmental Health Officer, subject to the recommended conditions of consent.	
	SEPP 64 – Advertising and Signage The proposed development includes one non-illuminated free standing business identification sign at the corner of the building at the intersection of Willoughby Road and Walter Street. The proposed sign is assessed against the requirements of SEPP 64 and is acceptable given the size and location. Please refer to **Attachment 3 – SEPP 64 Schedule 1 Criteria** for details and discussion in **Part G.4.3 of the WDCP below.**	
(a)(ii)	The provision of any draft environmental planning instrument (EPI)	
	Draft State Environmental Planning Policies (SEPP)	✓

	Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (**Draft SEPP**) and Draft Childcare Planning Guideline (**Draft Guideline**) The Draft SEPP and the Draft Guideline are imminent and certain and therefore are relevant considerations. The proposed development is inconsistent with the controls and design criteria of the Draft SEPP and the Draft Guideline with regard to the proposed design, setbacks, site coverage and landscaping.	
	Draft Regional Environmental Plans (REP)	N/A
	Draft Local Environmental Plans (LEP)	N/A
(a)(iii)	Any development control plans	
	Development control plans (DCPs)	✓
	WDCP: The proposed development has been assessed against the relevant requirements of the Willoughby Development Control Plan (WDCP), and is considered to be unsatisfactory, particularly with respect to the following: <u>Part A – Purpose and Aims:</u> The proposed development does not demonstrate the principles of quality urban design incorporating high quality architectural design with long-term durability and environmental sustainability. Furthermore, due to inadequate setbacks provided, the proposal provides an unacceptable presentation to Willoughby Road and Walter Street being compatible with the existing and desired future character of the locality and resulting in adverse impacts on the amenity of adjoining properties. <u>Part C.5 – Water Management:</u> The subject site is flood affected. The Flood Evacuation Plan submitted requires that all children should be relocated to the first and second floor levels. In this regard, procedures detailing how safe and effective evacuation of children 0-2 years old can be achieved have not been provided. In addition, the proposed development has not addressed all the issues related to on-site water detention (OSD), stormwater and civil works in the public road and issues related to the Flood Study. <u>Part C.8 – Waste Management:</u> The proposal is required to provide 3 x 1100L garbage bins to be serviced weekly. It is considered unreasonable to wheel 1100L garbage bins for a length of 47m and present on Walter Street for collection on a weekly basis. The access path provided adjacent to the western boundary for wheeling the bins is 1.4m wide and considered to be difficult to manoeuvre 1.2m wide bulk garbage bins. <u>Part C.9 – Preservation of Trees or Vegetation:</u> The proposal does not provide adequate landscaping within the front setback areas along Willoughby Road and Walter Street to maintain prominent landscape quality of the area/locality. The existing front setback is covered by a timber deck due to the raised level of the basement car parking area, which limits the landscaping potential of the site.	

	The landscape area provided along Willoughby Road is not adequate to provide for amelioration of bulk and scale; provide adequate separation from outdoor child activities to a public space and provide an attractive natural environment for users of the site. Furthermore, the proposed development provides llittle opportunity for deep soil zones and soft landscaping due to the extent of the basement car parking area and the ground level being covered by level one of the development. Part C.11 – Safety by Design: The design of the proposed development does not deliver suitable facilities and layout to support the operation of a quality childcare centre with the safety and well-being of the children as the highest priority. Part G.8 Child Care Services: The layout and the design of the proposed development with large outdoor play areas raise issues of concern. The majority of the outdoor play areas on the ground floor are covered by the first floor level above, impacting on the solar access, quality and amenity of these outdoor areas. The Plan of Management and Emergency Response Plan submitted do not adequately demonstrate the number of part time support staff, operation and management of the outdoor play areas and whether a safe evacuation of the children of the proposed development during an emergency, can be achieved. Part D.2 - Residential Controls: The site is located on land zoned R3 – Medium Density Residential. Controls contained in Part D.2 of the WDCP specifically relate to medium density residential developments and not other permissible uses within the zone. Notwithstanding, these controls provide appropriate guidelines for the development in terms of the acceptable scale and form in residential environment. The proposed development does not provide the setbacks that would otherwise be required for medium density residential developments in the R3 Medium Density Residential Zone including setbacks provided along both Willoughby Road and Walter Street frontages. Progressive setbacks from respective side boundaries as building increases in height, bulk and scale to maintain adequate building separation and avoid unreasonable impacts on the amenity of the adjoining and surrounding properties, have not been provided. In this case, the proposal is unlikely to be compatible with surrounding residential developments in terms of: • Streetscape presentation with elevated outdoor playing areas with acoustic fencing and limited landscaping being incompatible with the surrounding developments. • Unacceptable visual bulk as viewed from surrounding properties in comparison to a compliant residential flat building. • Failure to limit the site coverage to provide adequate open space and maintain privacy • Amenity impacts to the adjoining residential developments. Please refer to **Development Statistics Table (Attachment 2)** for details.	

(a)(iv)	Any matters prescribed by the regulations	
	Clause 92 EP&A Regulation-Demolition	✓
	Clause 93 EP&A Regulation-Fire Safety Considerations	N/A
	Clause 94 EP&A Regulation-Fire Upgrade of Existing Buildings	N/A
(b)	The likely impacts of the development	
	Context & setting	✓
	Access, transport & traffic, parking	✓
	Servicing, loading/unloading	✓
	Public domain	×
	Utilities	✓
	Heritage	N/A
	Privacy	×
	Views	N/A
	Solar Access	×
	Water and draining	×
	Soils	✓
	Air & microclimate	✓
	Flora & fauna	✓
	Waste	×
	Energy	✓
	Noise & vibration	×
	Natural hazards	N/A
	Safety, security crime prevention	×
	Social impact in the locality	✓
	Economic impact in the locality	✓
	Site design and internal design	×
	Construction	✓
	Cumulative impacts	×
	Comment: The proposal is considered to have unacceptable impacts on the amenity of the adjoining and surrounding properties.	
(c)	The suitability of the site for the development	
	Does the proposal fit in the locality?	×
	Are the site attributes conducive to this development?	×
	Comment: The site is located at the major road intersection. The application in its current form does not satisfactorily address the site's constraints, especially noise from the road corridor and safe evacuation and cumulative impacts of these issues.	
(d)	Any submissions made in accordance with this Act or the regulations	
	Public submissions	✖
	Submissions from public authorities	N/A
	Comment: The primary issue of concerns in the public submissions relate to loss of on-street parking and traffic impacts; pedestrian activity; height, built form and design; and childcare capacity. Please refer to the notification issues section below. Please refer to **Notification Issues (Attachment 5)** for details.	
(e)	The public interest	
	Federal, State and Local Government interests and Community interests	×
	Comment: Having regard to the deficiency of the application in satisfactorily addressing the identified design issues and amenity impacts to the surrounding residential properties, the approval of the application will not be in the interests of the public.	

Conclusion

The application in its present form fails to address the principles of quality urban design, provide landscaping and an acceptable presentation to Willoughby Road and Walter Street and is incompatible with the existing and desired future character of the locality. Furthermore, safety and amenity impacts to adjoining and surrounding residential developments are unacceptable. The concerns in relation to urban design, setbacks, streetscape, landscaping and site coverage, comprise an overdevelopment of the site.

The application also contains inadequate information with respect to landscaping, waste management, building layout, stormwater management, and compliance with the Education and Care Services National Regulations.

Based on the above assessment, and consideration of the relevant matters under S79C of the Environmental Planning and Assessment Act 1979, the application is recommended for refusal.

OFFICER'S RECOMMENDATION

That the application DA-2016/263 proposing demolition of existing dwellings and erection of a childcare centre at 1-1A Walter Street & 452-460 Willoughby Road, Willoughby be refused for the reasons contained in the attached schedule and delegation be granted to the General Manager to issue the refusal notice.

Conditions for Refusal

The reasons for **REFUSAL** are:

1. Pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with Clause 1.2 of the Aims of Plan of the Willoughby Local Environmental Plan 2012 ("WLEP"), specifically subclause (2)(d)(ii)(A)&(B) and (2)(e)(i)&(ii). The proposed development is incompatible with the scale and character of the surrounding residential development due to the setbacks, large elevated first floor level decks, outdoor play area and associated acoustic fencing along Willoughby Road and Walter Street and will have an unacceptable streetscape presentation and unreasonable impacts on the amenity of the surrounding residential developments.

2. Pursuant to Section 79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the objectives of the R3 Medium Density Residential Zone applicable under Willoughby Local Environmental Plan 2012 ("WLEP"). The proposed development does not provide the setbacks and built form that would otherwise be required for medium density residential developments in the R3 Medium Density Residential Zone. The proposal fails to maintain prominent landscape quality of the area/locality.

3. Pursuant to S.79C (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the application fails to demonstrate compliance with Clause 5.9 Preservation of trees and vegetation of the Willoughby Local Environmental Plan 2012. The development fails to provide adequate landscaping/planting to soften the visual bulk of the proposed building as viewed from Willoughby Road, Walter Street and the adjoining properties.

4. Pursuant to S.79C (1)(a)(ii) of the Environmental Planning and Assessment Act 1979, the application fails to demonstrate compliance with Part 3 of the Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Draft SEPP) and Sections 3A, 3B, 3D, 3E, 3G, 3H, 3I, 3J 3M of the Draft Childcare Planning Guideline (Draft Guideline).

5. Pursuant to S.79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the Flood Evacuation Plan fails to detail a safe and effective evacuation procedure for children 0-2 years old. The application fails to address issues related to flooding, on-site water detention, stormwater and civil works in the public road as contained Part C.5 Water Management of the Willoughby Development Control Plan (WDCP).

6. Pursuant to S.79C (1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the development proposal fails to demonstrate a safe and suitable access for waste disposal as contained in Part C.8 Waste Management of WDCP.

7. Pursuant to S.79C (1)(a)(iii) and S.79C (1)(a)(iv) of the Environmental Planning and Assessment Act 1979 the proposed development does not meet requirements or the intent of the control contained in Part G.8 of WDCP for childcare centre development and Education and Care Services National Regulations respectively, in particular:

•	Safe transition of the children to the outdoor play area on the ground floor
•	Compliance with ratio requirements for the outdoor play area
•	Design/layout, safety and adequate supervision of the volume of children (75) using the outdoor play areas
•	Safe and effective evacuation of children 0-2
•	Sufficient support staff for the operation of the childcare centre

8. Pursuant to S.79C (1) (b) of the Environmental Planning and Assessment Act 1979, the proposed development is likely to result in the following unreasonable impacts:

   - Visual bulk of the proposed built form as viewed from Willoughby Road, Walter Street and the surrounding residential properties and incompatibility with surrounding low and medium density residential developments.

   - The development results in unreasonable amenity impacts on the adjoining and surrounding residential properties

9. Pursuant to S.79C (1) (d) of the Environmental Planning and Assessment Act 1979, having regards to the issues raised in the public submissions and the adverse impacts of the proposed development, the approval of the application is not considered to be in the interest of the public.

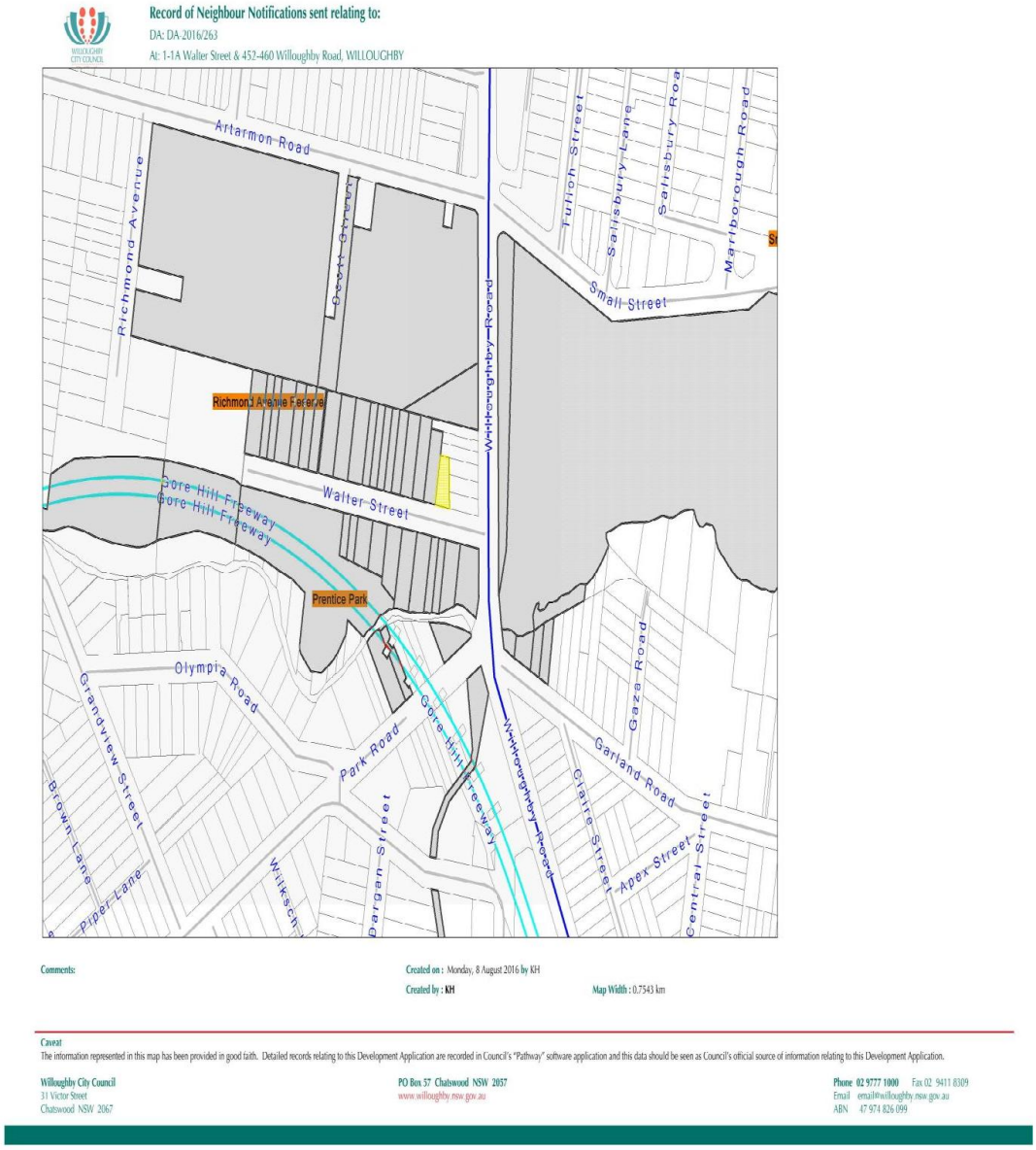
10. Pursuant to S.79C (1) (e) of the Environmental Planning and Assessment Act 1979, given the inadequacy of the application and the development's potential impacts the approval of the development is not considered to be in the public interest.

Plan numbers and specifications used in this determination:

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Proposed Site/Roof Plan	A02.01	E	3/03/2017	Artmade Architects
Basement Floor Plans	A03.01 A03.01	B	3/03/2017	
Ground Floor Plan	A03.03	D	3/03/2017	
First and Second Floor Plans	A03.04 A03.05	E	3/03/2017	
External Elevation Plans	A04.01 A04.02	E	3/03/2017	
Building Section Plans	A05.01 A05.02	E	3/03/2017	
	A05.03	B		
Streetscape and 3D Perspectives	A06.11	A	15/07/2016	
Landscape Plans	1/4 2/4	-	9/03/2017	Tessa Rose
Hydraulic Services Plans	H101 to H106	B	6/03/2017	Glenn Haig & Partners
Site Soil & Water Management Plan	SW001	A	6/03/2017	Glenn Haig & Partners
Civil Drawings	SKC01 to SKC03	A	9/03/2017	AT&L

ATTACHMENT 1

Notification Map



ATTACHMENT 2

Development Statistics

	Existing	Proposed	Standard	Compliance
WLEP 2012				
Site Area (m2)	2250m^2		-	-
Gross Floor Area (m2)	-	1487.35	2025m^2	Yes
Floor Space Ratio	-	0.66:1	0.9:1	Yes
Height	<12m	12.16m	12m	No – Clause 4.6 Variation Assessment provided (1)
WDCP 2006				
Minimum frontage	-	44.96m	20m	Yes
Setbacks	5-7m	6.2m (min) to Willoughby Road	Front – 7.5m to main street	No (2)
		3.5m to Walter Street	3.5m from secondary street	Yes
		Side (west) – 2.4 min – 3m max. for all storeys	Side/ rear – 3m for the ground floor level of the building with an increase of 1.2m for each storey of the building above the ground floor level. The total required setback is to apply to all floors from the 3rd floor up.	No (2)
		Side (north) – 3m for all two storeys to the northern boundary		No (2)
Landscaped Area (%)		738.5m^2 ~30% (In plans) 440.5m^2 or 19.6% (as per Council's calculation)	Soft landscaping – 35% of site area	No (3)

	Existing	Proposed	Standard	Compliance
Solar Access		3 hours provided as required by the DCP	3 hours of sunlight between 9am to 3pm on 22 June to the north facing windows of living areas and the principal portion of the recreational open space	Yes to adjoining developments No to subject development (4)
Car Spaces		18 staff spaces	1 space per 2 staff due to location within MPTC (35/2 = 17.5 spaces)	Yes (5)
		23 visitor spaces (including 2 accessible)	Children (drop off/ pick up) – 1/10 children (222/10 = 22.2 spaces)	
			Accessible parking – 1 (when >5 car spaces)	
		Total 41 spaces	40 spaces	
		1 loading/ unloading		
		2 motorcycle and 2 Bicycle spaces 4 lockers		
Hours of Operation		7am to 6pm Monday to Friday, including 4 Saturdays a year for special occasions.	Shall not extend outside the core period of 7am to 7pm unless written justification provided.	Yes
Education and Care Services National Regulations				
	Proposed		**Standard**	**Compliance**
Educator to child ratio	0-2 yo = **40** children, **10** staff 2-3 yo = **65** children, **13** staff 3-5 yo = **117** children, **12** staff Total **35** staff		0-2yo, 1:4 2-3yo, 1:5 3-5 yo, 1:11 Total staff req = **35**	Yes (5)
Space requirements – Indoor space	**823**m^2 per **222** children = **3.70**m^2 per child		3.25m^2 per child	Yes
Space requirements – Outdoor space	**1580**m^2 per **222** children = **7.10**m^2 per child		7m^2 per child	Yes

Notes:

(1) Height of Building (Clause 1.3 of the WLEP 2012)

The maximum height of building permitted is 12m. The proposal provides a building height of 12.16m. In this respect the submitted Clause 4.6 request to vary the height of the building is generally acceptable as the non-compliance is minor; that is 0.16m or 1.3%. Furthermore, the subject site is flood affected requiring a minimum freeboard.

(2) Setbacks (Part D.2.8 of the WDCP)

Part D.2.8 of the WDCP stipulate that the frontage should have a setback of 7.5m to the main street (Willoughby Road) and a minimum 3.5m from the secondary street boundary (Walter Street). The proposal, as amended provides 6.2m to Willoughby Road and 3.5m to Walter Street and 3m setback to remaining two sides.

The setbacks provided are not considered to be compatible with the streetscape/desirable future character of the location along both Willoughby Road and Walter Street. Furthermore, the proposed development does not provide progressive setbacks from respective side boundaries as the building increases in height, bulk and scale to maintain adequate building separation and avoid unreasonable impacts on the amenity of the adjoining and surrounding properties.

The proposal with elevated first floor level outdoor play area along the Walter Street frontage combined with inadequate front and side setbacks is considered to have unacceptable amenity impacts on neighbouring properties. Furthermore, due to the setbacks provided by the proposed development there is limited opportunity for tree planting and landscaping.

(3) Landscape Area (Part D.2.10 of the WDCP)

The proposed development is required to provide soft landscaping to a minimum of 35% of the site area which equates to 875m^2. In accordance with Council's calculations, the proposal provides 440.5m^2 or 19.6% of the site as landscape area.

The proposal does not provide adequate landscaping within the front setback areas along Willoughby Road and Walter Street. The existing front setback area is covered by a timber deck due to the raised level of the basement car parking area, which limits the landscaping potential of the site. The landscape area provided along Willoughby Road is not adequate to provide for amelioration of bulk and scale; provide adequate separation from outdoor child activities to a public space and provide an attractive natural environment for users of the site.

The proposed development provides a little opportunity for deep soil zones and soft landscaping due to the extent of the basement car parking area and the ground level being covered by level one of the development.

(4) Solar Access and Overshadowing (Part D.2.13 of the WDCP)

Solar access requirements of the WDCP require that the design of development provides for adequate solar access. In this respect the majority of the outdoor play areas on the ground floor are covered by the first floor level above, impacting on the solar access, quality and amenity of these outdoor areas.

(5) Support Staff and associated Parking

The Plan of Management submitted notes that a number of part time support staff will be required for effective management, food preparation, administration and staff ratios during breaks and programming times. In this regard, total number of support staff required to be employed and additional parking demand created by these support staff has not been provided for assessment.

ATTACHMENT 3

SEPP 64 Advertising and G.5 of the WDCP Signage Assessment

The proposed sign has been considered against the requirements of SEPP 64 (Advertising and Signage) as outlined below. The proposal seeks approval for one non-illuminated 4.95m high free standing business identification sign at the corner of the building at the intersection of Willoughby Road and Walter Street.

Schedule 1 Assessment Criteria	
	Assessment
1 Character of the Area	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Given the size and location of the sign, the proposal is considered acceptable. Please refer to G.5 of the WDCP in the Assessment Section of the report.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	
2 Special Areas	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed business identification sign is acceptable given the location at the intersection of Willoughby Road and Walter Street.
3 Views and vistas	
Does the proposal obscure or compromise important views?	The proposed sign is not considered to compromise or obscure any important views, visually dominate the skyline or impact on surrounding viewing rights.
Does the proposal dominate the skyline and reduce the quality of vistas?	
Does the proposal respect the viewing rights of other advertisers?	
4 Streetscape, setting or landscape	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed business sign in terms of scale, proportion, form and number is considered to be appropriate in the residential setting.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed sign is considered to be reasonable with respect to the streetscape, setting or landscape.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed design and location of the sign is considered to be simple and not unreasonably impact on existing advertising.
Does the proposal screen unsightliness?	The proposed sign is simple and only contains the name of the childcare centre. The sign is not considered to result in unsightliness.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed sign does not protrude above building, structures or tree canopies.
Does the proposal require ongoing vegetation management?	The proposed sign does not require any ongoing vegetation management.

5 Site and building	
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed sign is considered to be designed to be compatible with the scale and proportion of the building and the site.
Does the proposal respect important features of the site or building, or both?	
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	
6 Associated devices and logos with advertisements and advertising structures	
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	N/A
7 Illumination	
Would illumination result in unacceptable glare?	The proposed sign is non-illuminated.
Would illumination affect safety for pedestrians, vehicles or aircraft?	
Would illumination detract from the amenity of any residence or other form of accommodation?	
Can the intensity of the illumination be adjusted, if necessary?	
Is the illumination subject to a curfew?	
8 Safety	
Would the proposal reduce the safety for any public road?	The proposed sign is not considered to reduce the safety of users of any public roads, pedestrians or cyclists children or result in any obstruction to sightlines from public areas.
Would the proposal reduce the safety for pedestrians or bicyclists?	
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	

ATTACHMENT 4

Draft SEPP and Draft Guideline Assessment

Draft State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Draft SEPP) and *Draft Childcare Planning Guideline* (Draft Guideline) are proposed instruments that have been notified. In accordance with section 79C of the EPA Act, the Draft SEPP and the Draft Guideline are relevant considerations.

Part 3 of the Draft SEPP and the Draft Guideline provide specific development controls for early childhood education and care facilities. The proposed development does not meet the following matters for consideration and design criteria provided in the Draft Guideline are discussed below:

Matters for consideration and design criteria	
	Assessment
3A Location	
Where the development is the only use on a site zoned for residential purposes, or adjoining land zoned for residential purposes, consider: • The acoustic and privacy impacts of the proposed development on the residential properties. • The setbacks and siting of buildings within the residential context.	The outdoor elevated play areas and the setbacks provided are considered to have acoustic and privacy impacts on the adjoining residential developments. Further, the Environmental Noise Assessment submitted has not adequately demonstrated that the proposed development will not have unacceptable acoustic impacts on neighbouring properties.
3B Building Envelopes - Heights and Setbacks	
(3). The minimum setback to a classified road is 10m (4). The setback to the road frontage is to be at least: • The average setback of the two closest buildings where there are existing buildings within 50m; or • Where there are no buildings within 50m, the same as required for the predominant adjoining land use. (5). On land in a residential zone, the setback to a side boundary is to consider the side setback patterns of adjoining development.	The proposal provides 6.2m setback to the Willoughby Road, which is a classified road. Further the raised outdoor play area provides 2m setback from the Willoughby Road. The setbacks provided from the Walter Street and remaining side boundaries are not keeping in with the setback pattern of the adjoining residential developments.
3C Landscaped Area	
The objective of this design criteria is to provide landscape design that contributes to the streetscape and amenity. (3). Landscaping in the front setback should positively contribute to the streetscape and neighbouring amenity.	The development fails to provide adequate landscaping/planting that contributes to the streetscape and amenity.
3D Local Character and Context	
The objective of this design criteria is for the built form, articulation and scale to relate to the local character of the area and the context.	The proposal does not provide a positive contribution to the character of the existing area and exacerbates the bulk and scale of the proposed development.

3E Public Domain Interface	
The objective of this design criteria is that front fences and retaining walls do not dominate the public domain and instead, respond to and compliment the context and character of the area.	The use of extensive acoustic glazing for the outdoor play areas results in a development that does not integrate with the streetscape character or provide visual interest from the public street.
3G Orientation	
The objective of this design criteria is for the centre to respond to the streetscape and site while optimising solar access and opportunities for shade within the development. (2). The site and building layout allow solar access to internal and external play.	The majority of the outdoor play areas on the ground floor are covered by the first floor level above, impacting on the solar access, quality and amenity of these outdoor areas.
3H Visual Privacy	
The objective of this design criteria is to protect the privacy and security of children attending the centre, without restricting the opportunity for children to view safely out from the centre's indoor and outdoor play areas to assist their visual development. Further, minimise the adverse impact on privacy of adjoining properties.	The proposal does not adequately demonstrate that the operation and management of outdoor play areas and safe evacuation of children, particularly 0-2 years old, of the proposed development can be achieved.
3I Acoustic Privacy	
The objective of the design criteria is to minimise the impact of the child care centre on the acoustic privacy of neighbouring residential developments.	The proposal does not adequately demonstrate that the proposed development will not have unacceptable acoustic impacts on neighbouring properties.
3J Noise and Pollution	
The objective of the design criteria is to ensure that outside noise levels are controlled to acceptable levels.	The Environmental Noise Assessment submitted does not demonstrate or provide the results of the predicted noise emission levels of the proposed child care centre.
3M Form and Articulation	
The objective of the design criteria is to promote well designed buildings of high architectural quality that contribute to the local character.	The long section of continuous walls along the western boundary with minimal articulation fails to demonstrate quality urban design. It does not provide a positive contribution to the character of the existing area and exacerbates the bulk and scale of the proposed development

ATTACHMENT 5

Neighbour Notification Issues

Issue	Comment
Loss of On-Street Parking and Traffic Impacts The correspondents are concerned that the proposed development will adversely affect the traffic at the locality and on-street parking will be lost.	As discussed in the Assessment section of this report, under the **Development Statistics Table (Attachment 2)** the proposed development complies with the adequate number of pick up/drop and staff car parking spaces as required by Part C.4 of the WDCP. Further, the submitted traffic report has been assessed by Council's Traffic Section to be satisfactory. The site has a frontage to Willoughby Road which is a classified road pursuant to the Roads Act 1993. The proposal was referred to RMS for comments and has been assessed to be satisfactory subject to conditions. Notwithstanding the above, the proposal does not clarify the total number of support staff required to be employed and the additional parking demand created by these support staff. Accordingly, the proposal is not considered to be satisfactory in this regard.
Pedestrian/Bicycle Use The correspondents are concerned that the proposed development will increase the movement of cars in and out of the Walter Street impacting pedestrian/bicycle use of the footpath. The correspondents are concerned regarding likelihood of a pedestrian or a vehicular accident at the intersection of the Willoughby Road and Walter Street.	The proposal was referred to Council's Traffic Section and RMS for comments. The proposal has been assessed to be satisfactory in this regard.
Height, Built Form and Design The correspondents are concerned that the size and scale of proposed childcare centre is is not suitable for the residential area.	The site is located within an R3 Medium Density Residential zone. The proposed development does not take into account the form of existing development/development likely to occur in the future. The proposed development is not considered to provide an acceptable presentation to the street that is compatible with the desired future character of the locality and resulting in adverse impacts on the streetscape and adjoining developments. Furthermore, the design of the proposed development does not support the operation of a quality childcare centre with the safety and well-being of the children. The proposed development does not provide adequate landscaping/planting to soften the visual bulk of the proposed building as viewed from Willoughby Road, Walter Street and the adjoining properties.

Childcare Capacity The correspondents are concerned with the capacity of the childcare, being the largest in the Willoughby LGA that the proposed development will adversely affect their amenity particular in relation to overshadowing, privacy, safety and noise.	As discussed in the assessment section of the report, the concerns in relation to urban design, setbacks, streetscape, landscaping and site coverage, comprise an overdevelopment of the site. The proposed "stacking" of large elevated outdoor play areas and play area with 2m setback from the Willoughby Road in order to attain sufficient outdoor area for the number of children proposed demonstrates that the proposed development will have unacceptable impacts on the surrounding residential developments. The use of extensive acoustic glazing to reduce impacts from road corridor noise and on neighbouring properties demonstrates that the capacity of the proposed childcare centre is not acceptable.
Site Suitability The correspondents are concerned that given the nature and geographical context of the site, size and scale of the development, the site is inappropriate and unsuitable.	As discussed above and in the assessment section of the report, the proposal fails to respond to the site constraints and its context and therefore not considered suitable.
Amenity Impacts Correspondents have raised concern that the proposal will have unacceptable impacts on the visual and acoustic privacy, solar access and amenity.	The proposed development does not provide progressive setbacks from respective side boundaries as building increases in height, bulk and scale to maintain adequate building separation and avoid unreasonable impacts on the amenity of the adjoining and surrounding properties. The proposed development covers a large extent of site area with the building elements and the large elevated outdoor deck/play areas. The elevated first floor deck outdoor play area along the Walter Street frontage has unacceptable amenity impacts on neighbouring properties.

18.2 1 FREDERICK STREET ARTARMON - DA 2016/526 - REPORT TO SYDNEY (NORTH) PLANNING PANEL

ATTACHMENTS:	**1. ASSESSMENT REPORT TO SYDNEY (NORTH) PLANNING PANEL**
MEETING DATE:	**24 JULY 2017**
APPLICANT:	**NIX ANDERSON PTY LTD**
OWNER:	**WILLOUGHBY CITY COUNCIL**
PROPOSAL:	**CONSTRUCTION OF TWO (2) NEW FREESTANDING BUILDINGS FOR USE AS A CAFÉ AND GREENHOUSE, NEW LANDSCAPING, DEMOLITION OF EXISTING CONCRETE RAMP, RELOCATION OF EXISTING FIRE STAIR, AUGMENTATION OF EXISTING BUILDING ENTRANCE AND DEMOLITION OF ALUMINIUM BOUNDARY WALL.**
RESPONSIBLE OFFICER:	**GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR**
AUTHOR:	**IAN ARNOTT – PLANNING MANAGER**
CITY STRATEGY LINK:	**6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS**

Purpose of Report

To inform Council that Development Application 2016/526 for '*construction of two (2) new freestanding buildings for use as a café and greenhouse, new landscaping, demolition of existing concrete ramp, relocation of existing fire stair, augmentation of existing building entrance and demolition of aluminium boundary wall'* will be considered by the Sydney (North) Planning Panel at its meeting of 26 July 2017.

The Sydney (North) Planning Panel is the consent authority for the application as Council is the owner of the property and the cost of development exceeds $5million.

Members of the Sydney (North) Planning Panel should retire from Council Chambers during the consideration of the Agenda Item.

Background

In March 2008, Council approved DA2007/479 for alterations and additions and change of use of premises 1 Frederick St (previously Council's Depot) for the purposes of a bulky goods retail facility known as Home HQ.

The current application (DA2016/526) was lodged with Council on 22 December 2016 and referred to Sydney (North) Planning Panel Secretariat for registration.

The applicant was advised of initial concerns with the proposal including impact on the heritage listed building and height and design of the new café building. Amended plans were subsequently lodged and are the subject of the assessment report.

Discussion

The proposal involves the demolition of a small section of the façade of the heritage listed building on the site and the construction of two buildings in the area of the car park fronting Reserve Road. The proposal incorporates:

- Demolition of windows and brickwork in two bays of the façade of the existing building,
- Demolition of the aluminium wall on the northern boundary and removal of car parking,
- Internal alterations to Tenancy G1 to accommodate a coffee roasting business,
- Construction of single storey building to use as a café seating 200 people to operate from 7.00am until midnight,
- Construction of a greenhouse, and
- Landscaping works.

Alterations to the vehicle access from Reserve Road are proposed.

The proposed café (Food and Drink premises) is permissible in accordance with the heritage incentive clause within Willoughby Local Environmental Plan 2012 (clause 5.10) and complies with floor space ratio controls. Reduction in parking has been assessed as acceptable by Council's Traffic Engineer based on the Traffic Consultant's report containing detailed parking survey data.

Initial concerns in respect to the impact of the proposed development on the heritage building have been addressed through amended plans. Based on the changes, Council's Heritage Adviser has concluded that the proposal is acceptable noting that:

- The extent of demolition has been minimised given functional requirements;
- The height of the new café building has been lowered to reduce the extent to which views of the heritage item are obstructed,
- Amendments to the fenestration, glazing and form of the café building has produced a more restrained aesthetic that respects the rectangular geometry of the heritage item,
- The open style fence is more appropriate as it allows views of the heritage item and vegetation, and
- The schedule of materials, colours and finishes has been revised and simplified to produce a contemporary interpretation of the strong industrial character of the heritage item.

As detailed in the attached report, the proposed development is assessed as acceptable and recommended for approval.

Financial Implications

Should the development be approved a Section 94A Contribution of $58,792 would be required.

Policy Implications

There are no specific policy implications should the application be approved.

Community Notification

Owners of adjoining properties were notified of the proposal from 9 January to 30 January 2017. The Artarmon Progress Association and the Willoughby District Historical Society were also informed of the application. No submissions were received.

Conclusion

The application for alterations to the façade of the heritage item, demolition of a vehicular ramp, construction of two buildings for use as a café and greenhouse, and associated landscaping works at 1 Frederick Street, Artarmon has been referred to the Sydney (North Planning Panel) noting Council is the owner of the subject property. Following the submission of amended plans the proposed development has been assessed as acceptable and is recommended for approval, subject to conditions.

OFFICER'S RECOMMENDATION

That Council receive the Assessment Report referred to the Sydney (North) Planning Panel for determination for DA 2016/526 seeking consent for construction of two freestanding buildings for use as a café and greenhouse, new landscaping, demolition of existing concrete ramp, relocation of existing fire stair, augmentation of existing building entrance and demolition of aluminium boundary wall at 1 Frederick Street, Artarmon.

ATTACHMENT 1

SYDNEY PLANNING PANEL (NORTH)

Sydney Planning Panel Reference No.	2017SNH003
DA Number	DA 2016/526
Local Government Area	Willoughby City Council
Proposed Development	CONSTRUCTION OF TWO NEW BUILDINGS TO EXISTING PREMISES GROUND FLOOR CAR PARKING LEVEL, LANDSCAPING, SIGNAGE AND ASSOCIATED WORKS.
Street Address	1 FREDERICK STREET, ARTARMON
Applicant/Owner	NIX ANDERSON PTY LTD/ WILLOUGHBY CITY COUNCIL
Number of Submissions	Nil
Regional Development Criteria (Schedule 4A of the Act)	Schedule 4A(4)(b) - Capital Investment Value > $5million where Council is the owner of the land on which the development is to be carried out.
List of All Relevant s79C(1)(a) Matters	SEPP (Infrastructure) SEPP 55 – Land Remediation Willoughby Local Environmental Plan 2012 • Zoned IN1 with Bulky Goods retailing permissible • Heritage Item Willoughby Development Control Plan
List all documents submitted with this report for the panel's consideration	A. Notification Map B. Plans and Elevations
Recommendation	
Report by	John Brunton (Consultant)/ Ian Arnott (Planning Manager)
Report date	12 June 2017

ASSESSMENT REPORT - 1 FREDERICK STREET ARTARMON

DA NO:	**2016/526**
SPP NO:	**2017SNH003**
ATTACHMENTS:	**1. NOTIFICATION MAP** **2. PLANS & ELEVATIONS (PROVIDED SEPARATELY)**
RECOMMENDATION:	**APPROVAL, SUBJECT TO CONDITIONS**
LOCATION:	**1 FREDERICK STREET, ARTARMON**
APPLICANT:	**NIX ANDERSON PTY LTD**
OWNER:	**WILLOUGHBY CITY COUNCIL**
PROPOSAL:	**CONSTRUCTION OF TWO (2) NEW FREESTANDING BUILDINGS FOR USE AS A CAFÉ AND GREENHOUSE, NEW LANDSCAPING, DEMOLITION OF EXISTING CONCRETE RAMP, RELOCATION OF EXISTING FIRE STAIR, AUGMENTATION OF EXISTING BUILDING ENTRANCE AND DEMOLITION OF ALUMINIUM BOUNDARY WALL.**
DATE OF LODGEMENT:	**21 DECEMBER 2016**
REPORTING OFFICER:	**JOHN BRUNTON - CONSULTANT PLANNER**
RESPONSIBLE OFFICER:	**IAN ARNOTT – PLANNING MANAGER**

DESCRIPTION OF PROPOSAL

The proposal involves the demolition of a small section of the façade of the heritage listed building on the site and the construction of two buildings in the area of the car park fronting Reserve Road. The proposal incorporates:

- Demolition of windows and brickwork in two bays of the façade of the existing building,
- Demolition of the aluminium wall on the northern boundary and removal of car parking,
- Internal alterations to Tenancy G1 to accommodate a coffee roasting business,
- Construction of single storey building to use as a café seating 200 people to operate from 7.00am until midnight,
- Construction of a greenhouse, and
- Landscaping works.

Alterations to the vehicle access from Reserve Road are proposed.

Delegation

The application is reported to the Planning Panel for determination due to:

1) The land is owned by Willoughby City Council and the cost of the proposed development exceeds $5 million.

As Council is the owner of the land an external consultant has been engaged to prepare this report.

Neighbour Notification

Owners of adjoining properties were notified of the proposal from 9 January to 30 January 2017. The Artarmon Progress Association and the Willoughby District Historical Society were also informed of the application. No submissions were received.

Existing Building and Site Context

The proposed works are situated in the western section of the subject site fronting Reserve Road, Artarmon. The site has a square shape and an area of 16,265.7m², with frontages to Frederick Street and Reserve Road. This site is located within the Artarmon industrial/employment area.



Figure 1 - Aerial Photo of the site and its surrounds

The existing building on the site is a scheduled heritage item. It was erected for use as an engineering fabrication factory approximately seventy years ago. Later it became the works depot for Willoughby City Council It is a large and impressive building that has become a local landmark. As such it has historical, social, architectural and archaeological significance for the Willoughby City. A decade ago when the building was no longer suitable for industrial purposes it was converted for retail use. Action was taken at that time to retain elements of the previous industrial use by incorporating gantries and other machinery in the development. Now the building is occupied by three levels of retail outlets that mainly sell homewares. Tenants include well known bulky goods retailers.

Surrounding and adjoining developments include:

- Immediately to the north in Reserve Road is a large hardware retailer. One of the vehicular entrances to this retail site is located immediately adjacent to the northern boundary of the subject site.
- To the west across Reserve Road there is a variety of warehouses and bulky goods outlets.
- Major health facilities are located across Frederick Street to the south and east. These establishments include Royal North Shore Hospital, North Shore Private Hospital and the Northern Sydney Central Coast Acute Care Facility.
- The area to the east of the site includes premises used for automotive sales and servicing, storage and media production.



Figure 2 – Zoning Map

Relevant History

- 22 December 2016: the development application was submitted.
- 9 January 2017: receipt of the application was publicly notified and submissions invited.
- 9 February 2017: Council wrote to the applicant advising that the application could not be supported in its current form. Concern was expressed about the proposed extent of demolition of the façade of the heritage listed building. Issues regarding the height and design of the new café building were identified.

- 2 March 2017: representatives of the applicant and Council met to discuss an amended proposal in order to address the issues identified in Council's letter.
- 30 March 2017: amended plans submitted incorporating the applicant's response to matters discussed at the meeting on 2 March 2017.
- 17 April 2017: further comments provided to the applicant by Council officers regarding the adequacy of the amended proposal.
- 10 May 2017: final design and amended documentation submitted by applicant.

ASSESSMENT

Controls and Classification	
WLEP 2012 Zoning:	IN1 – General Industrial
Conservation area	No
Heritage Item	Yes
Bushfire Prone Area	No
Flood related planning control	Yes
Willoughby DCP	Yes
Applicable SEPPs	State Environmental Planning Policy 55 – Remediation of Land State Environmental Planning Policy (Infrastructure)

S.94A Contributions		
a.	S94A	Yes
b.	Applicable rate (%)	1%
c.	The cost of development	$5,879,196
d.	The total contribution payable (subject to Building Price Indexing (Enterprise Bargaining Agreement)	$58,792

Referrals

Heritage Architect	The Heritage Architect has requested several amendments to the proposal that have been incorporated into the current design. The specific conclusions, include: • The extent of demolition has been minimised given functional requirements; • The height of the new café building has been lowered to reduce the extent to which views of the heritage item are obstructed, • Amendments to the fenestration, glazing and form of the café building has produced a more restrained aesthetic that respects the rectangular geometry of the heritage item, • The open style fence is more appropriate as it allows views of the heritage item and vegetation, and • The schedule of materials, colours and finishes has been revised and simplified to produce a contemporary interpretation of the strong industrial character of the heritage item. The Heritage Architect recommends support, subject to conditions.

Traffic Engineers	While there is proposed to be a reduction of 61 on-site car spaces, the historic parking demand indicates that the remaining on-site car parking provision of 446 car spaces is adequate with spare capacity based on parking demand surveys provided in the traffic consultant's report. There is no objection subject to conditions.
Building Services	No objection subject to recommended conditions.
Landscaping	No objection subject to recommended conditions.
Development Engineer	The submitted flood study and driveway plans are satisfactory. No objection subject to recommended conditions.

Matters for Consideration Under S.79C EP&A Act

Satisfactory ✓ Unsatisfactory ✖ Not Relevant **N/A**

(a)(i)	The provisions of any environmental planning instrument (EPI)	✓✖
	State Environmental Planning Policies (SEPP)	✓
	Regional Environmental Plans (REP)	N/A
	Local Environmental Plans (LEP)	✓
	SEPP 55 – Remediation of land The section of the site to be developed is currently occupied by a concrete deck that provides car parking. The proposed development is restricted to the area above this concrete deck. There are no contamination or site remediation issues arising from this proposal.	✓

Willoughby Local Environmental Plan 2012 ("WLEP 2012")

IN1 – General Industrial Zone ✓

Within the General Industrial zone coffee roasting is a permissible use. A café is ultimately a form of 'commercial premises'. As commercial premises are prohibited in the General Industrial zone a café would ordinarily be a prohibited use. Several food outlets already exist on this site, within the heritage building. These food outlets are ancillary to the other retail uses.

Clause 5.10 (10) of WLEP2012 relates to incentives for the conservation of heritage items. This clause is relevant because a heritage item is erected on this land. By this clause the consent authority may grant consent for any purpose if the conservation of the heritage item is facilitated by granting such consent. However, the proposed development must be in accordance with a heritage management document and not have any adverse effect on the amenity of the surrounding area. Approval can therefore be granted for the proposed uses.

A Heritage Impact Statement has been submitted in support of this application. Except for a minor alteration to the façade of the heritage item the proposal has little direct impact on the heritage item. The requirements of Clause 5.10(10) are satisfied and consent may be granted for the proposed uses.

Demolition or Exterior Alteration

Clauses 2.7 and 5.10(2)(a) specify that development consent must be obtained for the proposed alteration to the exterior of the heritage item. A relatively small amount of the façade will be removed to provide a new access point. The extent of the alteration has been minimised and will not be visible from the street. The Heritage Architect is satisfied that in the circumstances the alteration to the façade is minor and acceptable.

Development Standards

The application satisfies both Clause 4.3 Height of buildings and Clause 4.4 Floor space ratio of WLEP 2012.

Clause	Proposed	Required	Compliance
Maximum height Clause 4.3(2) of WLEP 2012	8.0 metres	No height specified	Yes
Maximum FSR Clause 4.4A(5) of WLEP 2012	0.057:1 (*)	1.5:1	Yes

* Clause 4.4 (2A)(b) provides that any part of the floor area of a building that is a heritage item is not included in the calculation of gross floor area. The two new buildings have a combined floor area of 927 square metres. This

	equates to a floor space ratio of 0.057:1. *Heritage Conservation* The principal issues in the consideration of this application are the impact on the heritage item. The alteration to the façade of the heritage item is required to accommodate the proposed coffee roasting operations. The installation of the machinery and the industrial operation is consistent with the heritage significance of the building. Only minor alterations to the heritage item are proposed and these are acceptable. As the new buildings are freestanding they will have no physical impact on the heritage item. In the future they could be removed with no physical impact on the heritage item. These buildings will occupy an area that is currently used for car parking. This use does not provide an attractive setting for the heritage item. The proposed café building will partially obscure the view of the heritage item when viewed from Reserve Road. This view is currently obscured from the north by an unsympathetic aluminium wall. It is intended that this wall will be removed. With a height of 8 metres the new café building is 5.2 metres lower than the height of the heritage item. This will enable the roofline and upper section of the heritage item to be seen from the more elevated sections of Reserve Road. Attention has been given to the design and materials for the proposed buildings. These structures do not replicate the style or form of the heritage item. The aesthetic is intentionally different to the heritage item but not an obviously contemporary solution. Given that the heritage item is of a relatively simple but strong design it has been necessary to ensure that the new buildings are as understated as possible so that they are visually subservient. A satisfactory solution has been achieved.	
(a)(ii)	The provision of any draft environmental planning instrument (EPI)	
	Draft State Environmental Planning Policies (SEPP)	N/A
	Draft Regional Environmental Plans (REP)	N/A
	Draft Local Environmental Plans (LEP)	N/A
(a)(iii)	Any development control plans	✓
	Development control plans (DCPs)	✓
	Willoughby Development Control Plan ("WDCP") The proposed development has been assessed against the relevant requirements of the Willoughby Development Control Plan (WDCP) and is satisfactory.	✓

	Part C.4 of WDCP - Car parking This application proposes the removal of 61 car spaces reducing the number of available car parking spaces to 446. This car parking area will be replaced by a café that will generate an increase in demand for car parking of 53 spaces. No replacement parking spaces are proposed. Essentially, the application relies on an argument that there is currently an excess of 114 car spaces. Surveys of the current situation undertaken by a traffic consultant on behalf of the applicant have found that even at peak periods there are at least 200 unoccupied car spaces. It is relevant that the car spaces that will be removed are the most heavily used. The underutilised spaces are situated at the lowest level of the basement. The cause of the apparent underutilisation of the car parking spaces should not be interpreted as indicating an oversupply of spaces. Rather it may be that the existing retail outlets are underperforming. Sufficient car parking spaces were initially provided on the basis that this centre would perform at a level similar to other bulky goods/retail complexes. There is the potential that the performance of the centre will improve. Nevertheless on the basis of the current mix of bulky goods outlets and food/beverage providers the expected maximum car parking demand is estimated at 377 spaces. When the new café is included the demand increases to 430 spaces with 446 spaces provided. While these parking estimates are based upon the café operations coinciding with the peak retail trade period, this is unlikely. The café will operate until midnight and the café use is most likely to reach its maximum in the evenings. As such the peak demand for car parking will probably not increase but the peak will extend over a longer period. These estimates are calculated on the basis that the proposed café is wholly contained within the proposed building. Assurances have been provided by the applicant that the greenhouse and the landscaped gardens will not be utilised for any commercial operations, including activities associated with the café.	✓
	Part C.5 of WDCP – Water Management The application demonstrates that stormwater runoff from the site will be properly managed and discharged.	✓
	Part F of WDCP Industrial Development The proposal satisfies any relevant sections of WDCP that specifically apply to development within an industrial zone.	✓
(a)(iv)	Any matters prescribed by the regulations	
	Clause 92 EP&A Regulation-Demolition	✓
	Clause 93 EP&A Regulation-Fire Safety Considerations	✓
	Clause 94 EP&A Regulation-Fire Upgrade of Existing Buildings	N/A
(b)	The likely impacts of the development	
	Context & setting	✓
	Access, transport & traffic, parking	✓
	Servicing, loading/unloading	✓

	Public domain	✓
	Utilities	✓
	Heritage	✓
	Privacy	N/A
	Views	✓
	Solar Access	N/A
	Water and draining	✓
	Soils	N/A
	Air & microclimate	✓
	Flora & fauna	N/A
	Waste	✓
	Energy	✓
	Noise & vibration	N/A
	Natural hazards	N/A
	Safety, security crime prevention	✓
	Social impact in the locality	✓
	Economic impact in the locality	✓
	Site design and internal design	✓
	Construction	✓
	Cumulative impacts	✓
(c)	The suitability of the site for the development	
	Does the proposal fit in the locality?	✓
	Are the site attributes conducive to this development?	✓
	The application satisfactorily addresses the constraints of the site and the need to properly consider the conservation of the heritage item.	
(d)	Any submissions made in accordance with this Act or the regulations	
	Public submissions	N/A
	Submissions from public authorities	N/A
	Notification of the application did not attract any submissions.	
(e)	The public interest	
	Federal, State and Local Government interests and Community interests	✓
	Approval of the application is in the interests of the public as it will facilitate the conservation of the heritage item.	

Neighbour Notification Issues:

Notification of the application did not attract any submissions.

Conclusion

This proposal for a coffee roaster, café and greenhouse is a relatively minor project that will have no adverse effects on the industrial area within which it is located. Although the café will seat 218 people and operate until midnight, its activities should not interfere with the operations of the industrial area or adversely affect any residential area. Conditions are required to limit the operation of the café. The new buildings are freestanding so that they will not affect the large heritage building erected on the site. The new buildings have been designed so that they will be subordinate to the heritage item. Based on the assessment above, the application for alterations to the façade of the heritage item, demolition of a vehicular ramp, construction of two buildings for use as a café and greenhouse, and associated landscaping works proposed by DA-2016/526 is recommended for approval, subject to conditions.

OFFICER'S RECOMMENDATION

That Development Application DA-2016/526 seeking consent for construction of two freestanding buildings for use as a café and greenhouse, new landscaping, demolition of existing concrete ramp, relocation of existing fire stair, augmentation of existing building entrance and demolition of aluminium boundary wall at 1 Frederick Street, Artarmon be approved, and delegated authority be granted to the General Manager to issue the consent notice subject to the following conditions.

CONDITIONS – DELEGATED/WARD REPORT

DA-2016/526 - 1 Frederick Street, ARTARMON NSW 2064.

SCHEDULE

Conditions of Consent: (Including reasons for such conditions)

CONSENT IDENTIFICATION

The following condition provides information on what forms part of the Consent.

1. Approved Plan/Details

The development must be in accordance with the following consent plans electronically stamped by Council:

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Architectural	Project 6:13 A.02.01 and A.02.03	G	30/5/17	ACME & O Architecture and Interiors
Architectural	Project 6:13 A.02.02	E	30/5/17	ACME & O Architecture and Interiors
Architectural	Project 6:13 A.04.01, A.05.01, A.05.02 and A06.01	H	30/5/17	ACME & O Architecture and Interiors
Architectural	Project 6:13 A.07.01	C	30/5/17	ACME & O Architecture and Interiors
Stormwater Drainage Plan	01165 DA201 and DA 202	Rev 04	29/3/2017	C&M Consulting Engineers
Landscape	200, 501, 502 and 601	E	May 2017	Arcadia Landscape Architecture

the application form and any other supporting documentation submitted as part of the application, except for:

a) any modifications which are "Exempt Development" as defined under S76(2) of the Environmental Planning and Assessment Act 1979;

b) otherwise provided by the conditions of this consent.
(Reason: Information and ensure compliance)

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate.

2. Section 94A Contributions

Prior to the issue of the Construction Certificate, a monetary contribution of $58,792 (subject to indexing as outlined below) is to be paid in accordance with Section 94A of the Environmental Planning and Assessment Act, 1979.

This contribution is based on 1% of the estimated development cost of $5,879,196 at 20 December 2016 and the adopted Section 94A Contributions Plan.

To calculate the monetary contribution that is payable, the proposed cost of development is to be indexed to reflect quantity variations in the Building Price Index (Enterprise Bargaining Agreement) [BPI(EBA)] between the date the proposed cost of development was agreed by the Council and the date the levy is to be paid as required by this Plan.

To calculate the indexed levy, the formula used to determine the cash contribution is set out below.

$$NL = \$Lo + \$Lo \times \frac{[\text{current index} - \text{base index}]}{\text{base index}}$$

Where:

NL is the new section 94A levy

Lo is the original levy

Current index [BPI(EBA)] is the Building Price Index (Enterprise Bargaining Agreement) as published by the NSW Public Works available at the time of review of the contribution rate

Base index [BPI(EBA)] is the Building Price Index (Enterprise Bargaining Agreement) as published by the NSW Public Works at the date of the proposed cost of development as above

In the event that the current BPI(EBA) is less than the previous BPI(EBA), the current BPI(EBA) shall be taken as not less than the previous BPI(EBA).

Prior to payment Council can provide the value of the indexed levy.

Copies of the S94A Contributions Plan are available for inspection online at www.willoughby.nsw.gov.au
(Reason: Statutory requirement)

3. Surrender of Consent

In order for the development of land to proceed in a coordinated and orderly manner and to avoid potential conflicts with this consent, the Applicant shall, prior to issue of Construction Certificate for the approved works, surrender Development Consent 2014/578 to the relevant planning authority in the manner prescribed by Clause 97 of the Environmental Planning and Assessment Regulation.
(Reason: Orderly development)

4. Sydney Water 'Tap In'

Prior to the issue of the Construction Certificate, the approved plans must be submitted online to "Sydney Water Tap In" to determine whether the development will affect Sydney Water's sewer and water mains and to see if further requirements need to be met.

An approval receipt will need to be obtained prior to release of the Construction Certificate.
(Reason: Ensure compliance)

5. Fire Safety Upgrade of Building

Pursuant to Clause 94 of the Environmental Planning and Assessment Regulation 2000

- the existing building is to be upgraded to ensure the following Performance Requirements of the National Construction Code – Volume One, are maintained:

  DP1, DP2, DP4 and DP6.

Details are to be included with the Construction Certificate application.
(Reason: Fire and occupant safety)

6. External Finishes – Heritage Character

All external building material shall be in colours and textures which are compatible with the heritage character of the adjoining local heritage item. In this regard the amended schedule of colours and finishes submitted on 30.5.2017 satisfies this requirement and is to be provided to the Accredited Certifier.
(Reason: Heritage Character)

7. Damage Deposit

Prior to the issue of the Construction Certificate, the applicant shall lodge a Damage Deposit of **$120,000** (GST Exempt) as cash, cheque or an unconditional bank guarantee, to Council against possible damage to Council's asset during the course of the building works. The deposit will be refundable subject to inspection by Council after the completion of all works relating to the proposed development. For the purpose of inspections carried out by Council Engineers, an inspection fee of **$480** (GST Exempt) is payable to Council. Any damages identified by Council shall be restored by the applicant prior to release of the Damage Deposit.
(Reason: Protection of public asset)

8. Detailed Stormwater Management Plan (SWMP)

Submit for approval by the Accredited Certifier, detailed stormwater management plans in relation to the on-site stormwater management and disposal system for the development. Stormwater runoff from all hard surface areas shall be collected and directed to the existing OSD system.

The construction drawings and specifications shall be prepared by a suitably qualified and experienced civil engineer with the following amendments:

- The volume of the pump-out tank shall be designed with a minimum storage capacity equivalent to the runoff volume generated from of the area draining into the tank for the 1 in 100 year ARI 2-hours duration storm event plus the seepage inflow rate determined by a geotechnical engineer.
- The minimum capacity of the pump for the basement pumpout pit shall be 10L/s or based on the flow rate generated for 1 in 100yr ARI 5 minutes storm event, whichever is greater.

All drawings shall comply with Part C.5 of Council's Development Control Plan and Technical Standards, AS3500.3 – *Plumbing and Drainage Code* and BCA.
(Reason: Ensure Compliance)

9. Basement Pumpout Drainage System

Prior to the issue of the Construction Certificate, the applicant shall submit, for approval by the Certifying Authority, detailed stormwater management plans in relation to the pump-out drainage system. The construction drawings and specifications, shall be generally in accordance with the approved stormwater management plans with the following requirements:

- The pumpout drainage system shall comprise with two (2) submersible type pumps. The two pumps shall be designed to work on an alternative basis to ensure both pumps receive equal use and neither remains continuously idle.
- Each pump shall have a minimum capacity of 10L/s or shall be based on the flow rate generated from the 1 in 100 year ARI 5-minutes duration storm event of the area draining into the system, whichever is greater.
- An alarm warning device (including signage and flashing strobe light) shall be provided for the pump-out system to advise the occupant of pump failure. The location of the signage and flashing strobe light shall be shown on the stormwater management plans.
- The volume of the pump-out tank shall be designed with a minimum storage capacity equivalent to the runoff volume generated from of the area draining into the tank for the 1 in 100 year ARI 2-hours duration storm event.

All drawings shall be prepared by a suitably qualified and experienced civil engineer and shall comply with Part C.5 of Council's Development Control Plan, AS3500.3 – *Plumbing and Drainage Code* and the National Construction Code.
(Reason: Prevent nuisance flooding)

10. Overland Flow/Flood Level

Prior to issue of any Construction Certificate, a suitably qualified and experienced civil engineer shall certify that the finished floor levels of the habitable areas and at the crest of new driveway as shown in the Construction Certificate drawings have a minimum freeboard of 300mm and 100mm respectively above the 1:100 year ARI flood event as determined in the submitted Flood Study.

In addition, the new driveway entry shall have a minimum height of 100mm above the required driveway level of RL71.515 to prevent floodwater entering the basement.

The engineer must also undertake an assessment of the adjoining properties to ensure that the critical flows after the development do not cause any worse off effect to these properties.
(Reason: Reduce incidence of water damage to properties)

11. Construction Management Plan (CMP)

Prior to the issue of the Construction Certificate, submit, for approval by the Certifying Authority, detailed Construction Management Plan (CMP). The CMP shall address:

(a) Construction vehicles access to and egress from the site
(b) Parking for construction vehicles
(c) Locations of site office, accommodation and the storage of major materials related to the project
(d) Protection of adjoining properties, pedestrians, vehicles and public assets
(e) Location and extent of proposed builder's hoarding and Work Zones
(f) Tree protection management measures for all protected and retained trees.

(Reason: Compliance)

12. Design of Works in Public Road (Roads Act Approval)

Prior to issue of any Construction Certificate, the Applicant must submit, for approval by Council as a road authority, full design engineering plans and specifications prepared by a suitably qualified and experienced civil engineer for the following infrastructure works:

a. The construction of a new 1.5 metres footpath for the full frontage of the development site in Reserve Road.

   For design finished levels, the new footpath shall have crossfall of 2.5% from the boundary alignment and fall towards the top of kerb. All adjustments to public utility services and associated construction works in the nature strip are to be at the full cost to the applicant. Detailed long section and cross sections at 5 metres interval shall be provided.

b. The construction of a new 3.6 metres wide vehicular crossing in Reserve Road. Council's standard layback and gutter shall be provided in accordance with Council's specification and standard drawing SD105.

c. Removing the old vehicular crossing and construction of a new 5 metres wide vehicular crossing in Reserve Road. Council's standard layback and gutter shall be provided in accordance with Council's specification and standard drawing SD105.

The required plans must be designed in accordance with Council's specifications (AUS-SPEC). A minimum of three (3) weeks will be required for Council to assess the *Roads Act* submissions. Early submission is recommended to avoid delays in obtaining a Construction Certificate. For the purpose of inspections carried out by Council Engineers, the

corresponding fees set out in Council's current *Fees and Charges Schedule* are payable to Council prior to issue of the approved plans.

Approval must be obtained from Willoughby City Council as the road authority under the Roads Act 1993 for any proposed works in the public road prior to the issue of any Construction Certificate.
(Reason: Ensure compliance)

13. Driveway Longsection

Prior to issue of the Construction Certificate and in order to assess the susceptibility of vehicles to scraping as they pass over the proposed access driveway the applicant shall submit longitudinal sections along each side of the proposed vehicular access path drawn at 1:20 Scale. The longitudinal sections shall include the following: -

- Horizontal distance from the centreline of the road to the proposed parking slab, including provision of Council's standard layback as per Council's standard drawing SD105 which is available from Council's website. Council's standard layback is 500mm wide and back of layback is 100mm above the gutter invert.
- Both existing and proposed levels (in AHD) and gradients represented in percentage(%) of the vehicular crossing and driveway.
- Crossfall on road pavement shall be shown on long sections.

The design shall be prepared by a suitably qualified civil engineer using Council's standard vehicle profile (SD100). All driveway grades and transitions shall comply with AS 2890.1 - 2004 and Council's specifications.

The new crossing is to be 3.6metres wide with no splays and be constructed at right angle to street kerb. The footpath which forms part of the proposed crossing shall have a maximum crossfall of 2.5%. For the design levels of the vehicular crossing at the property boundary, the following shall be complied with:

- At back of layback – 100 mm above and parallel to the gutter invert.
- At property boundary – adopt the existing boundary level.

The suitability of the grade of driveway inside the property is the sole responsibility of the applicant and the required alignment levels fixed by Council may impact upon these levels.
(Reason: Safe vehicular access)

14. Vehicle Access – Engineer's Certification

Prior to issue of any Construction Certificate, the Applicant shall submit, for approval by the Accredited Certifier, certification from a suitably qualified and experienced traffic engineer. This certification must be based on the architectural drawings and the structural drawings, and must make specific reference to the following:

a) That driveways and vehicular access ramps have been designed to provide adequate ground clearance to the underside of B99 vehicles.
b) That all driveway gradients and transitions will not result in the scraping of the underside of cars.
c) That a maximum gradient of 5% is provided for the first 6 metres for the driveway from the property boundary to the new car park ramp.
d) That the proposed vehicular path and parking arrangements comply in full with AS2890 in terms of minimum dimensions provided,

e) That the headroom clearance of minimum 3.5 metres between the floor and any overhead obstruction is provided which complies with AS2890.2

f) That the headroom clearance of minimum 2.5 metres is provided to all parking spaces for people with disabilities which complies with Section 2.4 of AS2890.6.

(Reason: Ensure Compliance)

PRIOR TO COMMENCEMENT

The following conditions of consent have been imposed to ensure that the administration and amenities relating to the proposed development comply with all relevant requirements. All of these conditions are to be complied with prior to the commencement of any works on site, including demolition.

15. Site Management

A site Management Plan shall be submitted to and approved by the Certifying Authority prior to commencement of work. The site management plan shall include the following measures as applicable.

- Details and contact telephone numbers of the owner, builder and developer;
- Location and construction details of protective fencing to the perimeter of the site;
- Location of site storage areas, sheds and equipment;
- Location of stored building materials for construction;
- Provisions for public safety;
- Dust control measures;
- Site access location and construction;
- Details of methods of disposal of demolition materials;
- Protective measures for tree preservation;
- Provisions for temporary sanitary facilities;
- Location and size of waste containers and bulk bins;
- Soil and Water Management Plans (SWMP); comprising a site plan indicating the slope of land, access controls, location and type of sediment controls and storage/control methods for material stockpiles;
- Construction noise and vibration management.

The site management measures shall be implemented prior to the commencement of any site works and maintained during the construction period. A copy of the approved Site Management Plan shall be conspicuously displayed, maintained on site and be made available to the Certifying Authority/Council officers upon request.
(Reason: Environment protection, public health and safety)

16. Dilapidation Report of Council's Property

Submit a dilapidation report including photographic record of Council's property extending to a distance of 50m from the development, detailing the physical condition of items such as, but not exclusively to, the footpath, roadway, nature strip, and any retaining walls.

The developer may be held liable to any recent damage to public infrastructure in the vicinity of the site, where such damage is not accurately recorded under the requirements of this condition prior to the commencement of works. In this regard, the damage deposit lodged by the applicant may be used by Council to repair such damage on Council's property.

This dilapidation report shall be submitted to Council and the Certifying Authority prior to commencement of work.
(Reason: Protection of Council's infrastructure)

17. Permits and Approvals Required

Application is to be made to Council's Infrastructure Services Division for the following approvals and permits as appropriate:-

a) Permit to erect Builder's hoarding where buildings are to be erected or demolished within 3.50m of the street alignment. Applications are to include current fees and are to be received at least 21 days before commencement of the construction.

b) Permit to stand mobile cranes and/or other major plant on public roads. Applications are to include current fees and security deposits and are to be received at least seven days before the proposed use. It should be noted that the issue of such permits may also involve approval from the NSW Police Force and the RTA. A separate written application to work outside normal hours must be submitted for approval.

   It should also be noted that, in some cases, the above Permits may be refused and temporary road closures required instead which may lead to longer delays due to statutory advertisement requirements.

c) Permit to open public roads, including footpaths, nature strip, vehicular crossing or for any purpose whatsoever. All applications are to include current fees.

d) Permit to place skip/waste bin on footpath and/or nature strip. (Maximum three (3) days).

e) Permit to work and/or place building materials on footpath and/or nature strip. (Maximum two (2) weeks).

f) Permit to establish Works Zone on Public Roads adjacent to the Development including use of footpath area. Applications must be received by Council at least twenty-one days prior to the zone being required. The application will then be referred to the Council's Local Traffic Committee for approval, which may include special conditions.

g) Permit to construct vehicular crossings over Council's footpath, road or nature strip.

(Reason: Legal requirements)

18. Application for Vehicle crossing

Submit an application with fees to Council for the construction of a plain concrete vehicular crossing.
(Reason: Protection of public asset)

DURING DEMOLITION, EXCAVATION AND CONSTRUCTION

The following conditions are to be complied with throughout the course of site works including demolition, excavation and construction.

19. Hours of Work

All construction/demolition work relating to this Development Consent within the City, unless varied by an Out of Hours Work Permit, must be carried out only between the hours of 7 am to 5 pm Mondays to Fridays and 7 am to 12 noon on Saturdays. No work is permitted on Sundays or Public Holidays.

An application for an Out of Hours Work Permit to allow variation to these approved hours must be lodged with Council at least 48 hours prior to the proposed commencement of the work. The application must include a statement regarding the reasons for the variation sought, the type of work/s to be carried out, the additional time required, the anticipated impact upon the local amenity and how this will be minimized, and must be accompanied by the required fee. One (1) permit is required for each variation to the approved working hours within any 24 hour period.

If a variation to these approved hours for multiple or extended periods is sought, an application under Section 96 of the Environmental Planning and Assessment Act 1979 must be lodged with Council at least twenty-one (21) days in advance of the proposed changes to the hours of work. The application must include a statement regarding the reasons for the variation sought, the type of work/s to be carried out, the additional time required, the anticipated impact upon the local amenity and how this will be minimized, and be accompanied by the required fee. Note: This S96 application may require re-notification in some circumstances.
(Reason: Ensure compliance and amenity)

20. Construction Information Sign

A clearly visible all weather sign is required to be erected in a prominent position on the site detailing:

(a) that unauthorised entry to the work site is prohibited;
(b) the excavator's and / or the demolisher's and / or the builder's name;
(c) contact phone number/after hours emergency number;

(d) licence number;
(e) approved hours of site work; and
(f) name, address and contact phone number of the Certifying Authority (if other than Council)

ANY SUCH SIGN IS TO BE REMOVED WHEN THE WORK HAS BEEN COMPLETED.

Council may allow exceptions where normal use of the building/s concerned will continue with ongoing occupation, or the works approved are contained wholly within the building.
(Reason: Ensure compliance)

21. Building Site Fencing

Public access to the site and building works, materials and equipment on the site is to be restricted, when work is not in progress or the site is unoccupied.

A temporary safety fence is to be provided to protect the public, located to the perimeter of the site (unless the site is separated from the adjoining land by an existing structurally adequate fence, having a minimum height of 1.5m). Temporary fences are to have a minimum height of 1.8m and be constructed of cyclone wire or similar with fabric attached to the inside of the fence to provide dust control.

Fences are to be structurally adequate and be constructed in a good and workmanlike manner and the use of poor quality materials or steel reinforcement mesh as fencing is not permissible. All parts of the fence, including the fencing blocks shall be located wholly within the property boundaries.

The public safety provisions and temporary fences must be in place and be maintained throughout construction.
(Reason: Safety)

22. Provide Erosion and Sediment Control

Erosion and sediment control devices shall be provided wholly within the site whilst work is being carried out in order to prevent sediment and silt from site works (including demolition and/or excavation) being conveyed by stormwater into Council's stormwater system natural watercourses, bushland and neighbouring properties. In this regard, all stormwater discharge from the site shall meet the requirements of the Protection of Environment Operations Act 1997 and the Department of Environment, Climate Change and Water guidelines. The control devices are to be maintained in a serviceable condition AT ALL TIMES.
(Reason: Environmental protection)

23. Demolition Work AS 2601-2001

Any demolition must be carried out in accordance with AS 2601 – 2001, *The demolition of structures.*
(Reason: Safety)

24. Temporary Toilet Facilities

Temporary toilet facilities shall be provided to the satisfaction of the Certifying Authority.

The provision of toilet facilities must be completed before any other work is commenced on site. NOTE: Portable toilet facilities are not permitted to be placed on public areas without prior approval having been obtained from Council.
(Reason: Health and amenity)

25. Temporary Ground Anchors – Supervision

A professional Geotechnical Engineer shall be on site to supervise the piling, excavation and finally the installation and stressing of the ground anchors. On completion of these works, a report from the Geotechnical Engineer shall be submitted to Council for record purposes.

A Chartered Professional Engineer shall monitor adjoining public infrastructures to detect any ground heaving or settlement during and after the installation of the piling and ground anchors. A rectification report shall be submitted to Council should unacceptable displacements occur within the zone of influence.
(Reason: Protection of public assets)

26. Sweep & Clean Pavement

Sweep and clean pavement surface adjacent to the ingress and egress points of earth, mud and other materials at all times and in particular at the end of each working day or as directed by Council.
(Reason: Legal requirement)

27. Street Signs

The applicant is responsible for the protection of all regulatory / parking / street signs fronting the property. Any damaged or missing street signs as a consequence of the development and associated construction works are to be replaced at full cost to the applicant.
(Reason: Protection of public assets)

28. Tree Protection

i) Retain and protect the following trees and vegetation throughout the demolition and construction period: All trees not indicated for removal on the approved plans unless exempt under relevant planning instruments or legislation.
ii) The above trees must be clearly marked and protection devices in place to prevent soil compaction and machinery damage.
iii) Tree roots greater than 50mm diameter are not to be removed unless approved by a qualified arborist on site.
iv) All structures are to bridge roots unless directed by a qualified arborist on site.
v) Tree protection measures must comply with the AS 4970-2009 Protection of trees on development sites with particular reference to Section 4 Tree Protection Measures

(Reason: Tree management)

29. Public Tree Protection

Unless identified by the development consent, no tree roots over 50mm diameter are to be damaged or cut and all structures are to be bridged over such roots.

Should any problems arise with regard to the existing or proposed trees on public land during the construction or bond period, the applicant is to immediately Contact Council's Open Space section and resolve the matter to Council's satisfaction.
(Reason: Tree management)

PRIOR TO OCCUPATION OF THE DEVELOPMENT

The following conditions of consent must be complied with prior to the issue of an occupation certificate.

30. Access for the Disabled - Disability Discrimination Act

The building/development must comply with the requirements of the Disability Discrimination Act.

It should be noted that this approval does not guarantee compliance with this Act and the applicant/owner should investigate their liability under this Act.
(Reason: Access and egress)

31. Identification of Car Parking Spaces

Prior to the issue of any Occupation Certificate, the 446 car parking spaces shall be physically identified on site and maintained free of obstruction. Under no circumstances are these spaces to be used for the storage of goods or waste products.
(Reason: Amenity)

32. On-site Water Management System

Prior to the issue of any Occupation Certificate, the stormwater runoff from the site shall be collected and disposed of via an approved stormwater system in accordance with Sydney Water's requirements, the NSW Code of Practice – Plumbing and Drainage, Council's DCP and Technical Standards. The construction of the stormwater drainage system of the proposed development shall be generally in accordance with the approved design stormwater management plans and Council's specification (AUS-SPEC).
(Reason: Prevent nuisance flooding)

33. Certification of OSD

Prior to the issue of any Occupation Certificate, a suitably qualified and experienced civil engineer (generally CP Eng. Qualification) shall certify on Council's standard certification form that the existing OSD system is in accordance with the approved plans and complies with Council's DCP and Technical Standards. Council's standard certification form is available in the appendix of Council's Technical Standard No.2.
(Reason: Legal requirement)

34. Certification of Rainwater Reuse System

Prior to the issue of any Occupation Certificate and upon completion of the Rainwater Retention and Reuse System, a licensed plumber shall certify that the rainwater retention and reuse system has been constructed in accordance with the approved stormwater management plans and that the existing stormwater system has been fitted with proprietary first flush device and connected to non-potable use including toilet flushings, laundry and landscape irrigations. All plumbing/drainage works shall be carried out which comply with the current plumbing requirements of Sydney Water and Committee on Uniformity of Plumbing and Drainage Regulations of NSW".
(Reason: Record or works)

35. Certification of the Basement Pumpout Drainage System

Prior to the issue of any Occupation Certificate and upon completion of the pump-out system, the following shall be submitted to the Certifying Authority.

- A suitably qualified and experienced civil engineer (generally CP Eng. Qualification) shall certify that the as-built pumpout system complies with Part C5 of Council's DCP, all relevant codes and standards and the approved stormwater management plans.
- Work-as-executed plans based on the approved pump-out system plans from a registered surveyor to verify that the volume of storage and pump capacity are in accordance with design requirements. Any minor changes or variations to the approved plans should be highlighted in red on the approved pump-out system plans.
- Certification from a licensed plumber to ensure that the constructed pump-out system complies with the current plumbing requirements of Sydney Water and Committee on Uniformity of Plumbing and Drainage Regulations of NSW.

(Reason: Ensure compliance)

36. Splay Corner for Fence

In order to ensure adequate sight distances for pedestrians and traffic in the frontage road, a 2m x 2.5m splay to comply with Fig 3.3 of AS2890.1
(Reason: Pedestrian safety)

37. Concrete Footpath

Prior to issue of any Occupation Certificate, the applicant shall complete the following civil works in accordance with Council's specification and to the satisfaction of Council:

- Construct a 1.5 metres concrete footpath for the full frontage of the development in Reserve Road. For design finished levels, the new footpath shall have crossfall of 2.5% from the boundary alignment and fall towards the top of kerb.

All adjustments to public utility services and associated construction works in the nature strip are to be at the full cost to the applicant. All works shall be carried out In accordance with Council's standard specifications and drawings.
(Reason: Public amenity)

38. Vehicular Crossing

Construct two new vehicular crossings including the replacement of the existing layback and gutter and associated road reconstruction as directed by Council's Engineers. All works shall be carried out in accordance with Council's specification AUS-SPEC C271 and Council's Standard Drawing SD105 - Council Vehicular Footpath Crossing and Kerb and Gutter details and any approved longitudinal sections. A separate application for the crossing including current fees and charges is to be submitted for approval by Council.

The first new vehicular crossing in Reserve Road shall be 3.6 metres wide with no splays and is to be constructed at right angles to the street kerb in plain concrete. The new crossing shall be located at least 1.2 metres from the adjoining property boundary. The nature strip and footpath for the full frontage of the neighbouring property is to be adjusted to suit the new levels.

The second new vehicular crossing for the subject property in Reserve Road shall be 5 metres wide with no splays and is to be constructed at right angles to the street kerb in plain concrete.

For design levels of the vehicular crossings, the following shall be complied with:

- At back of layback – 100mm above and parallel to the gutter invert.
- At property boundary – adopt the existing boundary levels

The suitability of the grade of driveway inside the property is the sole responsibility of the applicant and the required alignment levels fixed at the property boundary may impact upon these levels.

All adjustments to the nature strip, footpath and/or public utilities' mains and services (in particular with the Telstra pits and sign posts) as a consequence of the development and any associated construction works shall be carried out at the full cost to the Applicant and to the satisfaction of Council's Engineers and the relevant public authorities. All driveway grades and transitions must comply with AS/NZS 2890.1.

Vehicular Crossing Formwork Inspection Sheet shall be obtained from Council (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifying Authority prior to issue of any Occupation Certificate.
(Reason: Public amenity)

39. Removal of Redundant Crossings

Remove all redundant crossings together with any necessary works and reinstate the footpath, nature strip and kerb and gutter accordingly. Such work shall be carried out in accordance with Council's specification.

Vehicular Crossing Formwork Inspection Sheet shall be obtained from Council (attesting to this condition being appropriately satisfied) and submitted to the Certifying Authority prior to issue of any Occupation Certificate.
(Reason: Public amenity)

40. Inspection of Civil Works on Road Reserves

All required road pavement, footpath, kerb and gutter, drainage works and/or any necessary associated works on the road reserve shall be completed in accordance with the Council approved drawings, conditions and specification (AUS-SPEC).

Pursuant to Section 138 of the Roads Act 1993, all works carried out on the road reserve shall be inspected and approved by Council's Engineer. Upon completion, Work-as-Executed drawings prepared by a registered surveyor shall be submitted to Council for record purposes. A completion certificate shall be obtained from Council (attesting to this condition being appropriately satisfied) and submitted to the Certifying Authority prior to the issue of any Occupation Certificate.
(Reason: Ensure compliance)

41. Performance Bond

Prior to the issue of any Occupation Certificate, the Applicant shall lodge with the Council a performance bond of $60,000 against defective public civil works undertaken by the main Contractor for a period of twelve (12) months from the date of the completion certificate issued by Council as the road authority under the Roads Act 1993. The bond shall be lodged in the form of a cash deposit, cheque or unconditional bank guarantee which will be refundable subject to the approval of Council's Engineers at the end of the maintenance period. In this period, the Applicant is liable for any part of the work which fails to achieve the design specifications. Council shall be given full authority to make use of the bond for such restoration works within the maintenance period as deemed necessary.
(Reason: Ensure compliance and specification)

42. Vehicle Access - Construction & Certification

Prior to issue of any Occupation Certificate, the Applicant shall submit, for approval by the Principal Certifying Authority, certification from a suitably qualified and experienced traffic engineer. This certification must be based on a site inspection of the constructed vehicle access and accommodation areas, with dimensions measurements as necessary, and must make specific reference to the following:

a) That the as-constructed carpark complies with the approved Construction Certificate plans,
a) That a maximum gradient of 5% has been provided for the first 6 metres from the property boundary to the new driveway in Reserve Road.
b) That finished driveway gradients and transitions will not result in the scraping of the underside of cars.
c) That the as-constructed vehicular path and parking arrangements comply in full with AS2890.1 – 2004 in terms of minimum dimensions provided,
d) That the headroom clearance of minimum 3.5 metres has been provided between the basement floor and any overhead obstruction to comply with AS 2890.2 and Section 2.4 of AS2890.6.
e) That the headroom clearance of minimum 2.5 metres has been provided to all parking spaces for people with disabilities to comply with Section 2.4 of AS2890.6.

(Reason: Ensure Compliance)

43. Completion of Landscape Works

Prior to the issue of any Occupation Certificate, the approved landscape works shall be consistent with the approved design, completed to a professional standard, consistent with industry best practice and published standards.
(Reason: Landscape amenity)

ADDITIONAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land, and relevant legislation.

44. Annual Fire Safety Statement

Attention is directed to Clause 177 of the Environmental Planning and Assessment Regulation 2000 regarding the submission of an Annual Fire Safety Statement in relation to each essential fire safety measure implemented in the building or on the land on which the building is situated.
(Reason: Safety)

45. Fire Safety Measures

The existing fire safety measures are to be retained and maintained within the tenancies/tenancy during and after demolition.
(Reason: Fire safety)

46. Accessibility to Car Parking Spaces

The car parking spaces are to be accessible during all hours of operation of the business.
(Reason: Ensure compliance)

47. Seating Capacity Related To Car Parking

The seating capacity of the café located external to the heritage item is restricted to a maximum of 218 patrons at any one time due to limited off-street carparking. All patrons must be accommodated within the building and the immediate area shown on the plans. The greenhouse and any external landscaped areas must not be used for activities associated with the café.
(Reason: Amenity)

48. Hours of Operation

The hours of operation of the cafe are to be restricted to those times listed below, i.e.:

Weekdays	7.00 am to 12.00 midnight
Saturdays	7.00 am to 12.00 midnight
Sundays & Public Holidays	7.00 am to 12.00 midnight

Any variation to these hours is to be subject to the prior consent of Council.
(Reason: Amenity)

49. Commercial - Uses Being Confined To Areas Approved

All uses being confined strictly to the areas so designated on the approved plans. Under no circumstances are the greenhouse or the outdoor landscaped areas to be used for commercial uses or other additional uses.
(Reason: Ensure compliance)

50. Signs

A separate Development Application shall be submitted to Council for approval in respect of any proposed advertising sign which will be visible from a public place to be designed to comply with Willoughby Development Control Plan. Please note that a separate DA is not required for signs which are "Exempt Development" as defined under S76(2) of the Environmental Planning and Assessment Act 1979.
(Reason: Ensure compliance)

51. Heritage – Maintain Portion of Existing Building

Should any portion of the existing building which is indicated on the approved plans to be retained be damaged, all the works on-site are to cease and written notification given to Council. No work is to resume until the written approval of Council is obtained.
(Reason: Heritage conservation and Ensure compliance)

52. Vehicular Access and Garaging

Driveways and vehicular access ramps shall be designed to provide adequate ground clearance to the underside of B99 vehicles. In all respects, the proposed vehicle access and/or parking spaces shall be designed and constructed to comply with the minimum requirements of AS/NZS 2890.1 and Council's standard specification.
(Reason: Vehicular access)

53. Underground Utility Services

Locate and establish the size and levels of all utility services in the footpath and road reserve. Contact "Dial Before You Dig" Service" prior to commencement of any works.

All adjustments to public utilities' mains and services as a consequence of the development and associated construction works shall be at the full cost to the applicant.
(Reason: Protection of utilities)

54. Public Infrastructure Restoration

Prior to the release of the Damage Deposit, any damaged public infrastructure caused as a result of the construction works on the subject site (including damage caused by, but not limited to , delivery vehicles, waste collection, contractors, sub-contractors, concrete delivery vehicles) must be fully repaired in accordance with Council's specification and AUS-SPEC at no cost to Council.
(Reason: Protection of public assets)

55. Trees on Adjoining Properties

No approval is given for the removal or pruning of trees on the nature strip, adjoining reserves, or neighbouring private land.
(Reason: Environmental protection)

PRESCRIBED CONDITIONS

The following conditions are prescribed by S80A of the Environmental Planning & Assessment Act for developments involving building work.

56. Compliance with National Construction Code

All building works must be carried out in accordance with the performance requirements of the National Construction Code.
(Reason: Compliance)

STATUTORY REQUIREMENTS

The following advisory notes are statutory requirements of the Environmental Planning & Assessment Act and the Environmental Planning & Assessment Regulations and are provided to assist applicants

57. Construction Certificate Required

This consent IS NOT an approval to carry out any building works (with the exception of demolition work). A Construction Certificate is required PRIOR TO ANY BUILDING WORKS BEING COMMENCED.

Enquiries regarding the issue of a construction certificate can be made to Council's Customer Service Centre on 9777 1000.
(Reason: Ensure compliance and statutory requirement)

58. Notify Council of Intention to Commence Works

In accordance with the provisions of Clause 81A(2) of the Environmental Planning and Assessment Act 1979 the person having the benefit of the development consent shall appoint a Certifying Authority and give at least 2 days' notice to Council, in writing, of the persons intention to commence the erection of the building.
(Reason: Information and ensure compliance)

59. Occupation Certificate

The building/structure or part thereof shall not be occupied or used until an interim occupation / final occupation certificate has been issued in respect of the building or part.
(Reason: Safety)

ATTACHMENT 1

Record of Neighbour Notifications sent relating to:

DA: 2016/526
At: 1 Frederick Street, ARTARMON



Comments:
-

Created on : Thursday, 22 December 2016
Created by : DR

Caveat
The information represented in this map has been provided in good faith. Detailed records relating to this Development Application are recorded in Council's "Pathway" software application and this data should be seen as Council's official source of information relating to this Development Application.

Willoughby City Council
31 Victor Street
Chatswood NSW 2067

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GENERAL MATTERS

18.3 CURRENT DEVELOPMENT APPLICATION AND PLANNING PROPOSAL REPORT AS AT 3 JULY 2017

ATTACHMENTS:	**1. LIST OF APPLICATIONS**
RESPONSIBLE OFFICER:	**IAN ARNOTT - PLANNING MANAGER**
AUTHOR:	**DEVELOPMENT PLANNERS, BUILDING SURVEYORS**
CITY STRATEGY LINK:	**6.1.1 A COUNCIL THAT IS OPEN, ACCOUNTABLE AND REPRESENTS ITS CONSTITUENTS**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

To provide Councillors with details of all current Development Applications and Planning Proposals as at 3 July 2017.

Discussion

The attached schedule lists all current development applications grouped by suburb.

All Development Applications to be determined by the Sydney North Planning Panel are listed separately.

All Planning Proposals received by Council and not yet determined are also listed at the end of the attached schedule.

The Development Application schedule indicates whether the Development Application is to be determined under delegated authority or by report to a Ward Committee / Council meeting and includes the number of submissions received.

All three schedules (Development Applications, Sydney North Planning Panel and Planning Proposals) indicate the current status of the application.

OFFICER'S RECOMMENDATION

That Council note the information on Development Applications (including those to be determined by the Sydney North Planning Panel) and Planning Proposals Report to 3 July 2017.

CURRENT DEVELOPMENT APPLICATIONS TO 3 JULY 2017

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2017/77	15/03/2017	145 Artarmon Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Alterations and additions to dwelling, garage, carport and associated works.	Ms Architects	Delegated Authority	1
2017/76	14/03/2017	24 Whiting Street ARTARMON NSW 2064.	Being Assessed by Development Officer	Change of use, fitout to premises for an industrial training facility to premises and associated works.	Mr Vinko Steve Seman	Delegated Authority	0
2017/232	26/06/2017	100 Hampden Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Fitout and use of premises for liquor outlet, signage and associated works.	Woolworths Limited	Delegated Authority	0
2017/216	20/06/2017	17 Burra Road ARTARMON NSW 2064.	On Notification for public comment	Alterations and additions to dwelling.	Mairead Mary Veeneklaas	Delegated Authority	0
2017/215	19/06/2017	92-94 Hotham Parade ARTARMON NSW 2064.	Being Assessed by Development Officer	Change of use and fitout of premises to a warehouse.	Proscan Australia Pty Ltd	Delegated Authority	0
2017/208	15/06/2017	104-106 Hampden Road ARTARMON NSW 2064.	On Notification for public comment	Shop 104 - Fitout and signage to premises for a licensed cafe and hair salon.	Mr Valerio Domenici	Delegated Authority	1
2017/200	8/06/2017	11 French Street ARTARMON NSW 2064.	On Notification for public comment	Carport.	Mr Raymond Yu-Keng Lee	Delegated Authority	0
2017/199	8/06/2017	8 Shepherd Road ARTARMON NSW 2064.	On Notification for public comment	Alterations and additions to dwelling, carport and associated works.	Mr Mark Russell Rogerson	Delegated Authority	1
2017/198	8/06/2017	51 Carlotta Street ARTARMON NSW 2064.	On Notification for public comment	Alterations and second floor additions to industrial building and associated works.	RFA Architects	Delegated Authority	0
2017/194	6/06/2017	17 Godfrey Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Deck extension.	Yuk Sum Fung and Kin Yau Fung	Delegated Authority	2
2017/158	12/05/2017	7 Coree Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Second storey additions to rear of dwelling, extension to front, garage and associated works.	Anthony George Borsovszky	Delegated Authority	0
2017/156	11/05/2017	15 Tindale Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Demolition of garage, outbuilding and swimming pool, construction of a secondary dwelling, garage, carport, landscaping, driveway and associated works.	Andrew Liu	Delegated Authority	3

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2017/155	11/05/2017	20 Selwyn Street ARTARMON NSW 2064.	Being Assessed by Development Officer	Alterations and two storey rear addition to dwelling, fencing and retaining walls, driveway, swimming pool, carport, demolition of garage and associated works.	Mr Wesley Sze Lei Wong	Ward Councillor Committee Meeting	4
2017/137	27/04/2017	15 Godfrey Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Alterations and additions to dwelling, rear deck, enclose balcony, landscaping and associated works.	Renovate Plans	Delegated Authority	0
2017/126	19/04/2017	8 Carlos Road ARTARMON NSW 2064.	Stop the Clock - additional information required	Alterations and first floor additions to dwelling, demolition of garage, addition of carport, swimming pool, terrace, landscaping, driveway and associated works.	Castlepeake Consulting Pty Ltd	Delegated Authority	2
2017/10/A	28/06/2017	206 Mowbray Road ARTARMON NSW 2064.	Being Assessed by Development Officer	S96 - Modify original proposal to include changes to windows, fencing, addition of skylight, awning, attic bathroom and associated works.	Gary Teh Architects	Delegated Authority	0
2016/430	28/10/2016	35 Hampden Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Use of premises as a place of worship, community facility and associated works.	Shafiq R A Khan	Ward Councillor Committee Meeting	17
2016/422	26/10/2016	1 Alto Place ARTARMON NSW 2064.	Stop the Clock - additional information required	Alterations and additions to motor vehicle servicing and repair facility comprising 5 stories.	Altomonte Artarmon Pty Ltd	Council Meeting	4
2016/412	21/10/2016	44 Hampden Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Conversion of carparking space to a storage area by enclosure with mesh fencing.	Think Brick	Delegated Authority	0
2016/385	30/09/2016	318 Mowbray Road ARTARMON NSW 2064.	To Ward Council Committee Meeting	Alteration and additions to existing dwelling to create a nine (9) room boarding house.	Planning Direction Pty Ltd	Ward Councillor Committee Meeting	7
2016/371	22/09/2016	52 Burra Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Demolition of dwelling and carport, construction of two storey dwelling, swimming pool, garage, landscaping and associated works.	Mr John Russell Peacock	Delegated Authority	0
2016/354	14/09/2016	73 Reserve Road ARTARMON NSW 2064.	Under Appeal in the Land & Environment Court	Change of use and fitout to Childcare Centre and associated works.	Chapman Planning Pty Ltd	Under Appeal in the Land & Environment Court	1
2016/344	7/09/2016	70 Hampden Road ARTARMON NSW 2064.	Being Assessed by Development Officer	Alterations and additions to existing shop top housing - first floor 1 bedroom unit, second floor 3 bedroom unit with ensuite and internal courtyard.	Glendenning Szoboszlay Architects Pty Limited	Delegated Authority	1

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2015/408/A	31/05/2017	66-76 Dickson Avenue ARTARMON NSW 2064.	Being Assessed by Development Officer	S96 - Delete Condition 30, basement entry and modify Condition 57 for rainwater tank usage.	Mr Stephen Perks	Delegated Authority	0
2013/92/C	17/02/2017	6 Cleg Street ARTARMON NSW 2064.	Being Assessed by Development Officer	S96 - Internal alterations and additions to provide additional two service suites, modify hours of operation to 24 hours a day and 7 days a week and additional staff.	Ms Ingrid Hoole	Delegated Authority	0
2017/81	17/03/2017	10 Allambie Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Demolition of existing dwelling, construction of dual occupancy and associated works.	Kareem Kaddour	Ward Councillor Committee Meeting	26
2017/79	16/03/2017	71 Deepwater Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Alterations and additions to dwelling, enclose existing carport to a garage and study and associated works.	Ms Lynette Kaye Andary	Delegated Authority	0
2017/66	2/03/2017	1 Deepwater Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Demolition of dwelling and construction of dual occupancy, swimming pool, carparking, landscaping and associated works.	Mr Raymond Azizi and Mrs Josephine Azizi	Delegated Authority	3
2017/54/A	28/06/2017	27 Deepwater Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	S96 - Modify original proposal to include changes to front fence height, rainwater tank capacity, tree removal and associated works.	Go Design Solutions	Delegated Authority	0
2017/5	4/01/2017	22 Emerstan Drive CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Demolition of dwelling and construction of two storey dwelling, swimming pool, garage, landscaping and associated works.	Michelle Rae Barton	Delegated Authority	1
2017/37	9/02/2017	121 Neerim Road CASTLE COVE NSW 2069.	Stop the Clock - additional information required	Demolition of dwelling and garage and construction of three (3) storey dwelling, garage, landscaping, stair lift/bridge and associated works.	Peter Willett Associates	Delegated Authority	2
2017/237	28/06/2017	40 Willowie Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Extension of the upper balcony.	Thorsette Pty Ltd	Delegated Authority	0
2017/23	27/01/2017	2 Willowie Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Alterations and additions to existing dwelling including construction lift shaft and associated works.	William Kee Fee Seeto and Helena Cecilia Seeto	Delegated Authority	1
2017/207	15/06/2017	3 Mannerim Place CASTLE COVE NSW 2069.	On Notification for public comment	Demolition of dwelling, swimming pool and cabana and construction of two storey dwelling, swimming pool, garage and associated works.	Merilyn Wong	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2017/176	24/05/2017	17 Allambie Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Alterations and additions to dwelling, garage and associated works.	Mr Mustafa Alper Yuceozsoy	Delegated Authority	4
2017/175	23/05/2017	21 Headland Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Alterations and additions to dwelling, remove existing and construct new swimming pool and associated works.	Buena Vista Home Designs	Delegated Authority	1
2016/428	28/10/2016	23 Kendall Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Lot 99 - Construction of a new two storey dwelling and swimming pool.	Archian Architects	Delegated Authority	2
2016/427	28/10/2016	23 Kendall Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	Lots 97A & 98 - Demolition of existing dwelling and swimming pool and construction of a new two story dwelling and swimming pool.	Archian Architects	Ward Councillor Committee Meeting	2
2015/159/A	22/05/2017	23 Rosebridge Avenue CASTLE COVE NSW 2069.	Being Assessed by Development Officer	S96 - Modify proposed dual occupancy to retain conversion of alfresco area to sunroom and garage to a rumpus room and new works to remove driveway, construct new hardstand area and landscaping.	Mr Matthew Benson	Delegated Authority	3
2013/491/C	30/05/2017	8B Deepwater Road CASTLE COVE NSW 2069.	Being Assessed by Development Officer	S96 - Modify external appearance, internal layout of apartments, carparking and location of rainwater tanks.	Anthony William Olding	Delegated Authority	0
2017/91	24/03/2017	222 Edinburgh Road CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Alterations and additions to dwelling, windows, driveway, front fence and associated works.	Spiral Architects Lab	Delegated Authority	0
2017/87	21/03/2017	9 The Barbican CASTLECRAG NSW 2068.	Re-notification period for public comment	Renotification - Demolition of existing dwelling and construction of two storey dwelling, carport, vehicle turntable, landscaping and associated works - Amended plans.	Mrs Renee Dominic Williamson-Noble	Ward Councillor Committee Meeting	3
2017/65	2/03/2017	70 Sugarloaf Crescent CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Demolition of dwelling and structures, construction of two (2) dwellings, carparking, swimming pools, landscaping and associated works.	Vitale Design	Ward Councillor Committee Meeting	4
2017/41	10/02/2017	59 The Bulwark CASTLECRAG NSW 2068.	Stop the Clock - additional information required	Alterations and additions to dwelling, swimming pool, carport, inclinator and associated works.	Ms Susan Lay	Delegated Authority	2
2017/33	6/02/2017	7 Linden Way CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Alterations and additions to dwelling, carport and turning bay, landscaping, swimming pool deck extension and associated works.	Mrs Angela Gail O'Connell	Ward Councillor Committee Meeting	4

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2017/24	30/01/2017	233 Edinburgh Road CASTLECRAG NSW 2068.	Stop the Clock - additional information required	Construction/extension of concrete driveway access	Urbanesque Planning Pty Ltd	Ward Councillor Committee Meeting	4
2017/238	28/06/2017	9 Sunnyside Crescent CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Boundary Adjustment	Linker Surveying	Delegated Authority	0
2017/229	23/06/2017	12 Sortie Port CASTLECRAG NSW 2068.	On Notification for public comment	Demolition of dwelling, construction of two storey dwelling and associated works.	Chateau Constructions (Aust) Ltd	Delegated Authority	0
2017/221	21/06/2017	14 The Battlement CASTLECRAG NSW 2068.	Stop the Clock - additional information required	Swimming pool and associated works.	Mr Pieter Hendrik Schalk Bezuidenhout and Mrs Jacqualine Pearl Bezuidenhout	Delegated Authority	0
2017/184	31/05/2017	25 The Citadel CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Alterations and additions to dwelling and associated works.	Mr Robert John Harrington	Delegated Authority	1
2017/146	3/05/2017	25 The Battlement CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Addition of swimming pool, decking, fencing, landscaping and associated works.	Manolev Associates Pty Ltd	Delegated Authority	1
2017/134	27/04/2017	13 Cheyne Walk CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Addition of swimming pool, decking, retaining walls and associated works.	Mrs Stacey Dimitriou	Delegated Authority	0
2017/121	13/04/2017	3 The Battlement CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Demolition of existing dwelling and carport, construction of two storey dwelling, double garage, refurbish swimming pool, landscaping and associated works.	Mr Joseph Michael Christie and Ms Georgina Louise Gosbell	Delegated Authority	2
2016/508	12/12/2016	207 Edinburgh Road CASTLECRAG NSW 2068.	Stop the Clock - additional information required	Demolition of existing dwelling and construction of new dwelling and swimming pool and associated works.	Oppidan Designer Homes Pty Ltd	Delegated Authority	3
2016/457	10/11/2016	16 Linden Way CASTLECRAG NSW 2068.	Under Appeal in the Land & Environment Court	Demolition of existing structures and construction of an attached dual occupancy, swimming pool and associated works.	Ms Jayson Mai	Under Appeal in the Land & Environment Court	12
2016/451	8/11/2016	300 Edinburgh Road CASTLECRAG NSW 2068.	Being Assessed by Development Officer	Construction of a new dwelling , swimming pool, landscaping and associated works.	Mr Dugald MacKenzie	Delegated Authority	1
2015/564/A	10/04/2017	80 Sugarloaf Crescent CASTLECRAG NSW 2068.	Being Assessed by Development Officer	S96 - Modify original proposal to include changes to balustrade glass, BAL rating, deck roof and associated works.	Mr James Austin Fitzpatrick	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2015/248/A	10/02/2017	40 Linden Way CASTLECRAG NSW 2068.	Being Assessed by Development Officer	S96 - Modify proposed windows, doors, retaining wall and associated works.	Joshua Allen	Delegated Authority	1
2012/464/A	31/05/2016	19 The Rampart CASTLECRAG NSW 2068.	Being Assessed by Development Officer	S82A Review - Garage door to approved carport.	Waytex Australia Pty Ltd	Ward Councillor Committee Meeting	7
2008/384/A	31/10/2013	308 Edinburgh Road CASTLECRAG NSW 2068.	Being Assessed by Development Officer	S96 - Amend timber jetty to provide a landing for more practical access of jetty.	Miss Anna Wang	Delegated Authority	0
1994/788/A	19/06/2017	100 Edinburgh Road CASTLECRAG NSW 2068.	On Notification for public comment	S96 - Shops 20 & 22 - Extend trading hours from 9.30am-5.30pm to 9.30am-10.00pm.	Alex Savidis	Delegated Authority	0
2017/9	12/01/2017	637 Pacific Highway CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Modification of original consent to increase the number of workshop bays and staff, and included asssociated services on motor vehicles.	Tyrep Holdings Pty Ltd	Delegated Authority	1
2017/88	23/03/2017	12 Archer Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Subdivide in to two lots, construction of a two storey dwelling and garage to lot 2, carport to lot 1 and associated works.	Peter Lonergan	Delegated Authority	2
2017/86	21/03/2017	58 Eddy Road CHATSWOOD NSW 2067.	Stop the Clock - additional information required	Demolition of existing dwelling and construction of two storey dwelling, fencing and associated works.	Ying Ming Zhao and Ms Dolly Xiao Yan Xu	Ward Councillor Committee Meeting	21
2017/73	9/03/2017	11 Archer Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to dwelling, carport, rainwater tank, paths and associated works.	Miss Wenjie Zhu	Delegated Authority	0
2017/25/A	19/06/2017	25 Colwell Crescent CHATSWOOD NSW 2067.	Being Assessed by Development Officer	S96 - Amendments to Condition No. 2, 27 and 32.	Lee Gordon Hughes	Delegated Authority	0
2017/236	28/06/2017	8 Fry Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and first floor additions to dwelling, demolition and construction of garage, fencing and associated works.	Gary Teh Architects	Delegated Authority	0
2017/234	26/06/2017	2-6 Chapman Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to independant living facility and associated works.	Uniting	Delegated Authority	0
2017/228	23/06/2017	19B Saywell Street CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and additions to dwelling, car stand area and associated works.	North Shore Building Design Group	Delegated Authority	0
2017/223	22/06/2017	4 Tulip Street CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and first floor additions to dwelling and associated works.	Nemco Design	Delegated Authority	0
2017/220	21/06/2017	436 Victoria Avenue CHATSWOOD NSW	Being Assessed by Development Officer	Alterations and additions to interchange premises and associated works.	Profile Project Management	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
		2067.					
2017/206	15/06/2017	2 Holland Street CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and rear additions to dwelling and associated works.	Emily Knight Design	Delegated Authority	0
2017/205	14/06/2017	36 Royal Street CHATSWOOD NSW 2067.	On Notification for public comment	Alterations and first floor additions to dwelling and associated works.	Robert Victor Sullivan	Delegated Authority	0
2017/204	14/06/2017	43 Centennial Avenue CHATSWOOD NSW 2067.	On Notification for public comment	Demolition of dwelling, construction of two storey dwelling, swimming pool, garage and associated works.	Chateau Constructions (Aust) Ltd	Delegated Authority	0
2017/203	14/06/2017	18 Freeman Road CHATSWOOD NSW 2067.	On Notification for public comment	Demolition of existing buildings and construction of residential flat building consisting of 32 apartments, carparking and associated works.	Castle 88 Pty Ltd	Ward Councillor Committee Meeting	5
2017/201	9/06/2017	6 Macquarie Street CHATSWOOD NSW 2067.	On Notification for public comment	Demolition of dwelling, garage and swimming pool, construction of two storey dwelling and associated works.	Mr Cheng Lu	Delegated Authority	0
2017/197	8/06/2017	18 Goodchap Road CHATSWOOD NSW 2067.	On Notification for public comment	Demolition of existing dwelling, construction of two storey dwelling, garage and associated works.	Studio Make Made	Delegated Authority	2
2017/196	7/06/2017	29 Park Avenue CHATSWOOD NSW 2067.	On Notification for public comment	Carport and associated works.	Ada Cheng and Mr Kok Choy Liew	Delegated Authority	0
2017/193	6/06/2017	58 Nicholson Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to dwelling and associated works.	Zouk Architects	Delegated Authority	1
2017/189	2/06/2017	23 Colwell Crescent CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and first floor additions to dwelling and associated works.	Cape Cod Australia Pty Ltd	Delegated Authority	1
2017/188	2/06/2017	40 Neridah Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to dwelling, relocate carport and associated works.	JKL Design	Delegated Authority	1
2017/183	31/05/2017	4 Anglo Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to dwelling, modify swimming pool and associated works.	Mr Neil Warwick and Mrs Lorraine Warwick	Delegated Authority	2
2017/182	26/05/2017	17 Smith Street CHATSWOOD NSW 2067.	On Notification for public comment	Construction of a five (5) storey building consisting of a supermarket, shops, loading docks, three (3) levels of carparking, signage and associated works.	Fabcot Pty Limited	Delegated Authority	3

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2017/180	26/05/2017	25 Robinson Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and first floor additions to dwelling and associated works.	Mr Rossano Zaurrini	Delegated Authority	1
2017/147	4/05/2017	11 Cramer Crescent CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to dwelling, landscaping and associated works.	Ezer Styles Architecture Pty Ltd	Delegated Authority	0
2017/143	2/05/2017	260 High Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Demolition of existing dwelling and construction of dual occupancy, garages, boundary wall, landscaping and associated works.	Norman Crisafulli	Delegated Authority	1
2017/138	28/04/2017	43 Fullers Road CHATSWOOD NSW 2067.	Stop the Clock - additional information required	Demolition of existing dwelling and tree removal and construction of two storey dwelling, garage and associated works.	Wincrest Group Pty Ltd	Delegated Authority	1
2017/120	12/04/2017	42 Eddy Road CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Demolition of existing dwelling and construction of attached dual occupancies, garages and associated works.	The Plan Shop	Ward Councillor Committee Meeting	8
2017/113	7/04/2017	29 Moola Parade CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to dwelling, terrace and associated works.	Mr Jeremy Thomas Ferguson	Delegated Authority	0
2017/106	5/04/2017	23 Jenkins Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Alterations and additions to dwelling, verandah and pergola and associated works.	Mr Peter James Dent	Delegated Authority	1
2017/102	31/03/2017	60 Fullers Road CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Front fence, gate, retaining wall, decking, pond and associated works.	Miss Anna Wang	Delegated Authority	0
2016/377	27/09/2016	6 Blakesley Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	Renotification - Alterations and additions to dwelling.	In & Out Pty Ltd	Delegated Authority	2
2016/31/A	21/06/2017	572 Pacific Highway CHATSWOOD NSW 2067.	Being Assessed by Development Officer	S96 - Modify site stormwater detention.	Caltex Australia Petroleum Pty Ltd	Delegated Authority	0
2015/417/C	5/06/2017	27 Moola Parade CHATSWOOD NSW 2067.	Being Assessed by Development Officer	S96 - Modify original proposal to include changes to front fence, carport, windows and associated works.	Mr Darren Collett	Delegated Authority	0
2015/25/B	5/04/2017	62 Ashley Street CHATSWOOD NSW 2067.	Stop the Clock - additional information required	S96 - Delete Condition 2A imposed by Ward Council, addition of air conditioning, fencing, privacy panel to rear fence and associated works.	Planning Law Solutions Pty Ltd	Ward Councillor Committee Meeting	4
2014/362/B	9/06/2017	22 Nicholson Street CHATSWOOD NSW 2067.	Being Assessed by Development Officer	S96 - Modify proposed colour scheme and material finishes.	Mr Adam Vincent Giliberti	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2013/135/E	21/04/2017	153 Victoria Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	S96 - Modify original proposal to include addition of backup power source and associated works.	Mr Nedeljko Gerald Oreb	To Ward Councillor Committee Meeting	0
2012/376/A	15/03/2017	8 Dowel Street CHATSWOOD NSW 2067.	Stop the Clock - additional information required	S96 - Modify windows, storage room, fencing, retain boundary fence, driveway, addition of garden wall and associated works.	Ms Karia Helou	Ward Councillor Committee Meeting	3
2011/539/J	10/10/2014	215 Victoria Avenue CHATSWOOD NSW 2067.	Being Assessed by Development Officer	S96 - Amend working hours to continue until 3pm on the 11/10/14 - Demolition of existing dwellings and construction of a part 3/part 4 storey residential flat building containing 14 units, above basement car park.	GPM Constructions Pty Ltd	Delegated Authority	0
1999/123/C	13/06/2017	6 Help Street CHATSWOOD NSW 2067.	On Notification for public comment	S96 - Shop 1 - Modify hours of operation to 6.00am to midnight, seven (7) days a week.	Thyme and Tea Pty Ltd	Delegated Authority	0
2017/63	1/03/2017	29 Bellevue Street CHATSWOOD WEST NSW 2067.	Being Assessed by Development Officer	Alterations and first floor additions to dwelling and associated works.	Addbuild Master Builders Pty Ltd	Ward Councillor Committee Meeting	1
2017/225	23/06/2017	183 Fullers Road CHATSWOOD WEST NSW 2067.	Being Assessed by Development Officer	Proposed deck platform on existing poles and associated works in rear yard.	Ms Ling-Yu Huang	Delegated Authority	0
2017/222	22/06/2017	38 Millwood Avenue CHATSWOOD WEST NSW 2067.	On Notification for public comment	Alterations and additions to dwelling and associated works.	Mr De Hui Li	Delegated Authority	0
2017/130	24/04/2017	6 Hawthorne Avenue CHATSWOOD WEST NSW 2067.	Being Assessed by Development Officer	Carport and associated works.	Mr Phillip Eric George Sharratt and Elisabeth Mary Sharratt	Delegated Authority	0
2017/112	6/04/2017	144 Fullers Road CHATSWOOD WEST NSW 2067.	Being Assessed by Development Officer	Strata Subdivision 1 Lot into 2.	FPG No 1 Pty Ltd	Delegated Authority	0
2017/219	21/06/2017	635 Mowbray Road West LANE COVE NORTH NSW 2066.	Being Assessed by Development Officer	Addition of five (5) floodlight towers for use by community sporting groups and Mowbray School seven (7) days from darkness to 9.00pm.	Willoughby City Council	Delegated Authority	0
2017/151	9/05/2017	44 Coolaroo Road LANE COVE NORTH NSW 2066.	Being Assessed by Development Officer	Alterations and additions to dwelling and garage to create a secondary dwelling, decking, carport and associated works.	Mrs Joanna Linley Simpson-Yetsenga	Delegated Authority	0

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2016/355	15/09/2016	15A Hart Street LANE COVE NORTH NSW 2066.	Under Appeal in the Land & Environment Court	Subdivision of existing two storey house into 2 x dual occupancy units, including minor alterations & additions to balconies.	Dixon Holmes Lawyers	Under Appeal in the Land & Environment Court	1
2014/172/B	15/03/2017	20 Avian Crescent LANE COVE NORTH NSW 2066.	Being Assessed by Development Officer	S96 - Modify proposed windows, roof height and associated works.	Mr George Baido Gayagay and Mrs Queenie Inn Yee Chan	Delegated Authority	0
2017/29	2/02/2017	13 Heights Crescent MIDDLE COVE NSW 2068.	Stop the Clock - additional information required	Alterations and additions to dwelling, swimming pool, driveway, carport, garage and associated works.	Tony McLain	Delegated Authority	3
2017/242	30/06/2017	15 The Quarterdeck MIDDLE COVE NSW 2068.	Being Assessed by Development Officer	Proposed Alterations and additions to rear of existing dwelling and associated works.	Mr Paul Borrud	Delegated Authority	0
2017/177	24/05/2017	34 North Arm Road MIDDLE COVE NSW 2068.	Being Assessed by Development Officer	Alterations and first floor additions to dwelling and associated works.	Mr Moreno Clissa	Delegated Authority	3
2017/152	9/05/2017	11 Rembrandt Drive MIDDLE COVE NSW 2068.	Being Assessed by Development Officer	Alterations and additions to dwelling, enclose garage, double carport and associated works.	Mr Mark Kenna	Delegated Authority	2
2017/148	5/05/2017	255 Eastern Valley Way MIDDLE COVE NSW 2068.	Being Assessed by Development Officer	Alterations and additions to dwelling to convert to a dual occupancy and associated works.	Buildsolve	Delegated Authority	0
2017/118	11/04/2017	5A Glenroy Avenue MIDDLE COVE NSW 2068.	Being Assessed by Development Officer	Addition of decking, widened pedestrian pathway, retaining wall, stairs, tree removal and associated works to the school grounds	NBRS Architecture	Delegated Authority	0
2016/495	6/12/2016	5A Glenroy Avenue MIDDLE COVE NSW 2068.	To Ward Councillor Committee Meeting	To upgrade the school entry including new pedestrian gate, walkway, new signage, landscaping and associated works.	Glenaeon Rudolf Steiner School Ltd	To Ward Councillor Committee Meeting	2
2012/336/A	24/04/2017	26 Highland Ridge MIDDLE COVE NSW 2068.	Being Assessed by Development Officer	S96 - Modify original proposal to include changes to windows, southern wall, skylight additions, internal alterations and associated works.	Mr John Raymond Bullen	Delegated Authority	1
2017/94	27/03/2017	15 Darvall Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Alterations and first floor addition to dwelling and associated works.	Darren John Campbell Architect	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2017/90	24/03/2017	338 West Street NAREMBURN NSW 2065.	Stop the Clock - additional information required	Alterations and additions to attached dual occupancy to include first floor addition to 338A West Street and terrace, storage and alterations to 338 West Street and associated works.	Mr Nigel Jeremy Warne and Mrs Kristina Louise Warne	Delegated Authority	2
2017/83	20/03/2017	98 Northcote Street NAREMBURN NSW 2065.	Stop the Clock - additional information required	Demolition of decking and carport, alterations and additions to dwelling, landscaping and associated works.	Mr William Clarke	Delegated Authority	1
2017/202	13/06/2017	2 Olympia Road NAREMBURN NSW 2065.	On Notification for public comment	Carport and retaining wall additions to front of dwelling.	Mr Duncan John Webbe	Delegated Authority	0
2017/195	7/06/2017	60 Northcote Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Alterations and additions to dwelling and associated works.	Emerging Spaces	Delegated Authority	0
2017/190	5/06/2017	32 Station Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Alterations and conversion of first floor studio to a granny flat, addition of driveway crossing and associated works.	Mr Keith Robinson	Delegated Authority	0
2017/186	1/06/2017	33 Plunkett Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Alterations and additions to dwelling and associated works.	Anglo Ports Pty Ltd	Delegated Authority	0
2017/169	18/05/2017	67 Mitchell Street NAREMBURN NSW 2065.	Stop the Clock - additional information required	Addition of boundary fence, pedestrian gate, vehicular access and associated works.	Ms Carolyn Rita Komaravalli	Delegated Authority	2
2017/167	18/05/2017	192 Willoughby Road NAREMBURN NSW 2065.	Stop the Clock - additional information required	Alterations and additions to commercial premises for retail and office use.	Creative9	Ward Councillor Committee Meeting	5
2017/161	16/05/2017	13 Francis Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Demolition of existing buildings and construction of three (3) residential flat building consisting of fourteen (14) units, basement carparking, roof top communal open space area and associated works.	Dan Multi Enterprises Pty Ltd	Ward Councillor Committee Meeting	17
2017/123	13/04/2017	2 Dalleys Road NAREMBURN NSW 2065.	Being Assessed by Development Officer	Alterations and attic level additions to dwelling, solar panels to roof, shed, swimming pool and associated works.	Mr Timothy William Reppen and Mrs Gabrielle Louise Reppen	Delegated Authority	0
2017/110	5/04/2017	29 Mitchell Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Alterations and first floor addition to dwelling, carport, fencing, gate and associated works.	Wanda Magill	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2016/369	21/09/2016	89 Brook Street NAREMBURN NSW 2065.	Being Assessed by Development Officer	Alterations and additions to semi-detached dwelling, addition of attic level, garage, crossover to Grafton Avenue and associated works - Amended proposal	Attic & Roof Conversions	Delegated Authority	1
2016/280	5/08/2016	155 Willoughby Road NAREMBURN NSW 2065.	Under Appeal in the Land & Environment Court	Demolition of structures and construction of six (6) storey, twenty-two (22) unit residential flat building, carparking, landscaping and associated works.	MPG Investments Pty Ltd	Under Appeal in the Land & Environment Court	49
2017/70	7/03/2017	41 MacMahon Street NORTH WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	Alterations and first floor additions to semi-detached dwelling and associated works.	Myriad Consulting	Delegated Authority	2
2017/56	20/02/2017	65 Laurel Street NORTH WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	Alterations and first floor addition to dwelling, decking and associated works.	Camille Smith	Delegated Authority	1
2017/48	15/02/2017	204 Sydney Street NORTH WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Garage with attic and associated works.	North Shore Building Design Group	Delegated Authority	0
2017/209	15/06/2017	5 Horsley Avenue NORTH WILLOUGHBY NSW 2068.	On Notification for public comment	Alterations and additions to dwelling, swimming pool, shed, carport and associated works.	Look Design Group Pty Ltd	Delegated Authority	0
2016/463	16/11/2016	28 Rosewall Street NORTH WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Renotification - Ground floor rear alterations & additions. First floor addition, pool and carport. Amended plans - relocation of pool.	Mr Adam Craig Parkin	Delegated Authority	0
2004/333/B	28/02/2017	193-199 High Street NORTH WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	S96 - Shop 1 - Extend restaurant hours of operation to Monday to Saturday 6am to midnight and Sunday 6am to 10pm.	Nordon Jago Architects Pty Ltd	Delegated Authority	0
2017/241	30/06/2017	29 Namoi Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Demolish of existing house and construction of new 2 Storey single dwelling, swimming pool, front fence and associated works.	Ms Xin Li	Delegated Authority	0
2017/239	29/06/2017	10 Nulgarra Street NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Two storey dwelling, garage and associated works.	Metricon Homes	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2017/231	26/06/2017	39 Kameruka Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Swimming pool and associated works.	Blue Haven Pools & Spas Pty Ltd	Delegated Authority	0
2017/224	23/06/2017	65 Minimbah Road NORTHBRIDGE NSW 2063.	On Notification for public comment	Alterations and additions to dwelling, inclinator, fencing, garage and associated works.	Mrs Catherine Elizabeth Yuncken	Delegated Authority	0
2017/211	16/06/2017	12A Harden Avenue NORTHBRIDGE NSW 2063.	On Notification for public comment	Rear fence height extension.	McIntosh & Phelps Pty Ltd	Delegated Authority	0
2017/210	16/06/2017	11 Pyalla Street NORTHBRIDGE NSW 2063.	On Notification for public comment	Alterations and first floor addition and associated works.	David Haydon and Julia Haydon	Delegated Authority	0
2017/192	5/06/2017	14 Courallie Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Alterations and additions to lower ground floor, garage and associated works.	Red Rock Design	Delegated Authority	1
2017/191	5/06/2017	18 Upper Minimbah Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Alterations and additions to dwelling, garage and associated works.	Mr David Jones	Delegated Authority	0
2017/187	2/06/2017	8 Strathallen Avenue NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Enclose verandah.	Mr Brodie McHutchison	Delegated Authority	0
2017/185	1/06/2017	57 Kameruka Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Demolition of outbuildings, alterations and additions to dwelling, deck, garage and associated works.	Mr Tracy Tennent Vincent	Delegated Authority	2
2017/172	19/05/2017	38 Strathallen Avenue NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Alterations and additions to dwelling and associated works.	Mr Daniel James Leahy	Delegated Authority	0
2017/171	19/05/2017	11 Dalmeny Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Construction of two storey dwelling and associated works.	Susan Rothwell & Associates	Delegated Authority	6
2017/165	17/05/2017	75 Coolawin Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Alterations and additions to dwelling and associated works.	Bjb Architects	Delegated Authority	1
2017/164	17/05/2017	6 Coorabin Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Alterations for the addition of ground and first floor balconies.	Mr Lloyd Wood Smith and Mrs Helen Margaret Smith	Delegated Authority	0
2017/160	16/05/2017	6 Ulric Lane NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	Alterations and first floor extension to dwelling, carport, pergola and associated works.	Nick Hibberd Architect	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2017/154	10/05/2017	250 Sailors Bay Road NORTHBRIDGE NSW 2063.	On Notification for public comment	Change of use and fitout to a hair salon and associated works.	Environet Consultancy Pty Ltd	Delegated Authority	3
2017/142	1/05/2017	10 Weetawaa Road NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Alterations and additions to dwelling, carport, driveway extension, landscaping and associated works.	Customer Centre Plus	Delegated Authority	0
2017/129	21/04/2017	2 Noonbinna Crescent NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Alterations and third floor addition to dwelling, removal of garage, driveway and construction of double garage, retaining walls, fencing, swimming pool, landscaping and associated works.	Nicholas De Lutiis	Ward Councillor Committee Meeting	5
2017/125	19/04/2017	6 Nulgarra Street NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Demolition of existing dwelling and construction of two storey dwelling, swimming pool, garage, driveway and associated works.	Mr Ronald Gerard Dadd	Delegated Authority	0
2016/55/A	7/04/2017	46 Strathallen Avenue NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	S96 - Modify original proposal to include changes to basement levels, additional parking, and internal alterations on levels and associated works.	Bridgelane Property 14 Pty Ltd	Delegated Authority	3
2016/523	20/12/2016	12 Dorset Road NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	Demolition of dwelling and construction of three storey dwelling, swimming pool, landscaping and associated works.	Mr Guo Fan Yang	Delegated Authority	3
2016/478	24/11/2016	37 Coolawin Road NORTHBRIDGE NSW 2063.	To Ward Council Committee Meeting	Alterations and additions to dwelling and associated works	Vitale Design	Ward Councillor Committee Meeting	2
2015/368/B	3/03/2017	52 Eastern Valley Way NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	S96 - Increase screening to roof.	FPG Northbridge Pty Ltd	Delegated Authority	0
2015/305/A	11/04/2017	23 Coolawin Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	S96 - Changes to swimming pool and cabana and associated works.	Mrs Andrea Joy Cameron	Delegated Authority	0
2014/78/C	27/04/2016	20 Weemala Road NORTHBRIDGE NSW 2063.	Under Appeal in the Land & Environment Court	Split level rear timber deck, front fence and associated works.	Mr George Demian	Under Appeal in the Land & Environment Court	1
2014/525/A	5/04/2017	11 Kameruka Road NORTHBRIDGE NSW 2063.	Stop the Clock - additional information required	S96 - Modify original proposal to include lower roof ridgeline, changes to ground, first floor levels and patio, delete basement and associated works.	Mr Andrew Robert Braddock	Delegated Authority	1
2014/419/B	10/02/2017	147 Sailors Bay Road NORTHBRIDGE	To Ward Council Committee Meeting	S96 - Modify lift overrun and mechanical duct heights.	Castlenorth Pty Limited	To Ward Councillor Committee Meeting	6

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
		NSW 2063.					
2014/372/A	10/03/2017	5 Hallstrom Close NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	S96 - Modify original proposal to include alterations and additions to windows, doors, clothes drying area, roof material to boatshed and associated works.	Mrs Elizabeth Rogan	Delegated Authority	0
2013/187/A	12/04/2017	61 Coolawin Road NORTHBRIDGE NSW 2063.	Being Assessed by Development Officer	S96 - New retaining walls	Mr Michael Gerald Peter Mansley and Mrs Airin Mansley	Delegated Authority	0
2017/85	21/03/2017	61 William Street ROSEVILLE NSW 2069.	Stop the Clock - additional information required	Demolition of existing dwelling and construction of new dwelling and associated works.	Dreamscapes Architects	To Ward Councillor Committee Meeting	3
2017/28	1/02/2017	76 Boundary Street ROSEVILLE NSW 2069.	Stop the Clock - additional information required	Secondary dwelling and associated works.	Mr El Ghoul Muhamad	Delegated Authority	0
2017/233	26/06/2017	14 Waratah Street ROSEVILLE NSW 2069.	On Notification for public comment	Demolition of tennis court, construction of dwelling, garage and associated works.	Mr Peter Joseph Yun	Delegated Authority	0
2017/218	21/06/2017	2 Paradise Avenue ROSEVILLE NSW 2069.	On Notification for public comment	Alterations and first floor additions, garage and associated works.	Darren John Campbell Architect	Delegated Authority	0
2017/17	20/01/2017	59 Findlay Avenue ROSEVILLE NSW 2069.	Being Assessed by Development Officer	Alterations and additions to dwelling, garage roof, granny flat addition and associated works.	Xue Jing	Delegated Authority	2
2017/153	10/05/2017	21 Findlay Avenue ROSEVILLE NSW 2069.	Being Assessed by Development Officer	Replace garage roof with a pitched tile.	North Shore Building Design Group	Delegated Authority	0
2017/141	28/04/2017	22 Quinn Lane ROSEVILLE NSW 2069.	Stop the Clock - additional information required	Dwelling, double garage, tree removal and landscaping and associated works.	Archian Architects	Delegated Authority	1
2017/140	28/04/2017	165 Ashley Street ROSEVILLE NSW 2069.	Stop the Clock - additional information required	Construction of dwelling and associated works.	Archian Architects	Delegated Authority	1
2017/117	11/04/2017	81 Ashley Street ROSEVILLE NSW 2069.	Being Assessed by Development Officer	Alterations and first floor addition to dwelling, decking, retaining wall and associated works.	Cadence & Co Design Pty Ltd	Delegated Authority	0
2017/101	30/03/2017	34 Barcoo Street ROSEVILLE NSW 2069.	Being Assessed by Development Officer	Alterations and additions to dwelling, garage and associated works.	Ms Lynley Elizabeth Hukins	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2016/531/A	27/06/2017	66 Boundary Street ROSEVILLE NSW 2069.	Being Assessed by Development Officer	S96 - Demolition and construction of garage, extend deck and associated works.	Y & C Building Design Alliance Pty Ltd	Delegated Authority	0
2016/435	31/10/2016	46 Boundary Street ROSEVILLE NSW 2069.	Under Appeal in the Land & Environment Court	Alterations and additions and change of use to a nine (9) bedroom boarding house.	Mr Alex Hugo Tian	Under Appeal in the Land & Environment Court	49
2016/296/A	28/06/2017	43A Ashley Street ROSEVILLE NSW 2069.	Being Assessed by Development Officer	Delete carport from approval and plans and conditions (21 & 24) requiring rainwater tank installation & smoke detectors.	Mrs Melanie Kerr	Delegated Authority	0
2012/203/A	18/01/2017	77 Macquarie Street ROSEVILLE NSW 2069.	Being Assessed by Development Officer	S96 - Modify proposed alterations and additions, shed, entrance, decking, delete Condition No. 33 rainwater tank and associated works.	Mr Peter William Halliday Sloss	Delegated Authority	0
2006/142/B	27/08/2014	462 Penshurst Street ROSEVILLE NSW 2069.	Being Assessed by Development Officer	S96: Brick in bottom half of bathroom window, re-render new window above. - Alterations and first floor additions to existing dwelling and new carport - amended plans.	Ms Jane Hutchinson Wyse	Delegated Authority	0
2016/211	8/06/2016	12 Frederick Street ST LEONARDS NSW 2065.	Being Assessed by Development Officer	Section 82A Review - Demolition of existing structures and subdivision of land.	Dexus Property Group	Delegated Authority	3
2017/96	28/03/2017	94 Sydney Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Demolition of carport and construction of a double carport with storage, driveway, landscaping and associated works.	Harrison's Landscaping Pty Ltd	Delegated Authority	0
2017/240	30/06/2017	150 Mowbray Road WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Proposed use as a 24 hour gymnasium (indoor sport and recreation facility) including fit-out and associated business signage	Anytime Fitness	Delegated Authority	0
2017/226	23/06/2017	33 Lucknow Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Alterations and additions to dwelling, swimming pool, retaining wall and associated works.	Mr Thomas Holman	Delegated Authority	0
2017/217	20/06/2017	32 Wyalong Street WILLOUGHBY NSW 2068.	On Notification for public comment	Alterations and additions to dwelling and associated works.	Kennard Gornall	Delegated Authority	0
2017/213	19/06/2017	4 Windsor Road WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Alterations and additions to dwelling, swimming pool, fencing and associated works.	Castlepeake Consulting Pty Ltd	Delegated Authority	0
2017/178	25/05/2017	25 Marlborough Road WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Alterations and first floor addition to dwelling and associated works.	Vincent Patrick Harrold	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2017/133	27/04/2017	39 Tulloh Street WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	Demolition of garage, removal of tree and construction of new garage and associated works.	Jakin Leong Loke	Delegated Authority	3
2017/111	6/04/2017	11 Windsor Road WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Alterations and additions to dwelling, carport and associated works.	D'Riva Designs	Delegated Authority	0
2016/532	23/12/2016	15 Walter Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Demolition of existing single storey dwellings and construction of new residential flat builing (Part 4 & Part 5 storey) comprising of 23 residential units.	Csquared Architects Pty Ltd	Delegated Authority	3
2016/365/B	19/05/2017	56 Tulloh Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	S96 - Amend side boundary setback to swimming pool wall.	Award Pools & Landscapes Pty Ltd	Delegated Authority	0
2016/365/A	4/05/2017	56 Tulloh Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	S96 - Modify Condition 2, 48, 49, 52, 53, 54 and 55 relating to rainwater tanks and stormwater management.	Matthew David Killoran	Delegated Authority	1
2016/348	12/09/2016	562 Willoughby Road WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	Demolition of existing buildings and construction of 4 storey mixed use residential flat building consisting of 18 apartments, 2 commercial offices, carparking and associated works.	Mr Mased Moaref	Ward Councillor Committee Meeting	7
2016/340/A	1/06/2017	24 Mabel Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	S96 - Modify Deferred Commencement Condition No. 2 for garage setback and remove vehicle crossing.	Robert Norman Farrell	Delegated Authority	0
2015/80/B	18/05/2017	72 Laurel Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	S96 - Delete Condition 95 relating to underground services.	JGCO Pty Ltd	Delegated Authority	0
2015/283/B	4/05/2017	20 Julian Street WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	S96 - Reconstruction of boundary wall, addition of glazed doors and weatherboard cladding to garage, alter rainwater tank to concrete construction and associated works.	David Humphries Architects	Delegated Authority	0
2014/510/F	13/04/2017	150 Mowbray Road WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	S96 - Modify Conditions 1, 94, 95, 96, 97, 98 and 101 to allow the staging the occupation of the development and public domain works	Northrose Pty Ltd	To Ward Councillor Committee Meeting	0
2014/108/A	28/02/2017	27 Oakville Road WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	S96 - Modify alterations and additions to dwelling, rainwater tanks, carport and associated works.	Mrs Christina Wilcox	Delegated Authority	0

Application Number	Lodged Date	Address	Status	Description	Applicant	Authority	No of Responses
2013/156/A	16/09/2013	616 Willoughby Road WILLOUGHBY NSW 2068.	Being Assessed by Development Officer	S96 - Alter condition 9 - Signage and associated works - Replacement of the sight identification sign at an existing "Shell/ Coles Express" service station.	The Shell Company of Australia Ltd	Delegated Authority	0
2011/618/B	10/04/2017	12 Warners Avenue WILLOUGHBY NSW 2068.	Stop the Clock - additional information required	S96 - Modify original proposal from approved car parking space to double carport and associated works.	Nagy Khoury Design Pty Ltd	Delegated Authority	0
2017/78	15/03/2017	62 Robert Street WILLOUGHBY EAST NSW 2068.	Being Assessed by Development Officer	Alterations and additions to front fence, driveway, hard stand area, landscaping and associated works.	Rp Design Studio	Delegated Authority	0
2017/235	27/06/2017	24 Robert Street WILLOUGHBY EAST NSW 2068.	Being Assessed by Development Officer	Alterations and additons to existing dwelling, room in attic and new carport.	Mr Felix Haim Lev and Mrs Iris Lev	Delegated Authority	0
2017/230	26/06/2017	118 Eastern Valley Way WILLOUGHBY EAST NSW 2068.	Being Assessed by Development Officer	Alterations and additions to dual occupancy and associated works.	Mrs Diana Margaret Amos	Delegated Authority	0
2016/470	21/11/2016	56 Fourth Avenue WILLOUGHBY EAST NSW 2068.	Stop the Clock - additional information required	Alterations and additions to dwelling, first floor addition, swimming pool and relocation of underground stormwater culvert.	Mr Henry John Waldo Lance	Delegated Authority	3

PLANNING PROPOSAL APPLICATIONS TO 3 JULY 2017

Application Number	Lodged Date	Address	Status	Description	Applicant
PP-2012/3	24/08/2012	Broadcast Way ARTARMON	Approved by Council post exhibition.	Amendments to WLEP 2012 to permit office premises as permissible use on Lot 6, and increase FSR on Lot 6.	Lindsay Bennelong Developments Pty Ltd
PP-1025/2	17/10/2014	City Wide	With the Department of Planning for finalisation	Housekeeping amendments	Willoughby City Council
PP-2016/1	14/04/2016	65 Albert Avenue CHATSWOOD NSW 2067.	Refused by Council after initial assessment. To be considered for Gateway by Sydney North Planning Panel.	Amendment to WLEP 2012 to permit use of shop top housing and amendments to FSR and height development standard	Urbis
PP-2016/2	5/05/2016	12 Frederick Street ST LEONARDS NSW 2065.	On exhibition 11 May – 8 June 2017	For additional use of "hospital" on the southern portion of the site via amendment to Schedule 1 of WLEP and to allow maximum FSR 3:1 for hospital related buildings on the southern site.	Dexus Property Group
PP-2016/4	11/07/2016	345 Victoria Avenue, 12-14 Malveryn Avenue, 5 Havilah Street , CHATSWOOD (Chatswood Chase)	On exhibition 11 May – 9 June 2017	The intended outcome of this Planning Proposal is to amend the Willoughby LEP 2012 to align the land use zones, height & FSR controls of 12-14 Malvern Avenue and 5-7 Havilah Street with the existing and proposed controls for the Chatswood Chase site. It is also intended to amend the Savings provisions of LEP 2012 in relation to determination of a Development Applications lodged in anticipation of this LEP amendment.	Vicinity Centres Pm Pty Limited
PP-2016/6	12/09/2016	4 Broadcast Way ARTARMON NSW 2064.	Published on NSW legislation website 5 May 2017.	Rezoning of Lot 5 within the Gore Hill development from INZ to B7 Business Park.	Lindsay Bennelong Developments Pty Ltd
PP-2016/7	22/12/2016	45 Victor Street CHATSWOOD NSW 2067.	Initial Assessment being undertaken.	Proposal to amend the Willoughby LEP to allow a mixed use building up to RL264 with a minimum non residential component of 5:1.	Mirvac Group
PP-2017/1	6/03/2017	5 Walter Street WILLOUGHBY NSW 2068.	Initial assessment being undertaken	Change current zoning from R3 to R4.	Walter Projects Pl Atf Walter Developments Trust

APPLICATIONS TO BE DETERMINED BY SYDNEY NORTH PLANNING PANEL TO 3 JULY 2017

Application Number	Lodged Date	Address	Status	Description	Applicant	No of Responses
2016/526	21/12/2016	1 Frederick Street ARTARMON NSW 2064	Being assessed by Development Officer	Construction of two new buildings to existing premises ground floor carparking level, landscaping, signage and associated works.	NixAnderson Pty Ltd	0
2016/263	22/07/2016	1 Walter Street WILLOUGHBY NSW 2068.	To Sydney North Planning Panel	Demolition of dwellings and construction of a Childcare Centre and associated works.	Artmade Architectural	65
2017/181	26/05/2017	989-1015 Pacific Highway ROSEVILLE NSW 2069.	On Notification for public comment	SNPP - Adaptive reuse of heritage building, construction of a mixed use building consisting of seven (7) storeys, 118 residential apartments, commercial tenancies, carparking and associated works.	City Projects & Developments Pty Ltd	0
2017/132	26/04/2017	1 Broadcast Way ARTARMON NSW 2064.	Being Assessed by Development Officer	Development of public utility comprising of ten (10) storey premises consisting of sub-station, depot, offices, warehouse, car parking, landscaping and ancillary and associated works.	Ausgrid	0
2017/157	12/05/2017	67 Albert Avenue CHATSWOOD NSW 2067.	On Notification for public comment	SNPP - Construction of sixteen (16) storey commercial building, plaza, landscaping, carparking and associated works.	The Trust Company (Re Services) Limited	3

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18.4 COMMUNITY TRANSPORT REVIEW

ATTACHMENTS:	**1. REFERENCE REPORTS** **2. POLICY CONTEXT, DATA AND GUIDING PRINCIPLES** **3. ARTARMON LOOP ROUTE** **4. THE LOOP SERVICE ROUTES**
RESPONSIBLE OFFICER:	**GREG MCDONALD - PLANNING & INFRASTRUCTURE DIRECTOR**
AUTHOR:	**NOAH VANRAAPHORST-KING – SUSTAINABLE PROJECTS OFFICER- TRANSPORT**
CITY STRATEGY LINK:	**4.2.1 INCREASED USE OF ACTIVE AND PUBLIC TRANSPORT**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

The purpose of this report is to provide Council with a recommendation for tender on the "Artarmon Loop" and "The Loop" services.

Background

The tender for the 'Artarmon Loop' and 'The Loop' contract expired in June 2016, and Council has been paying the contractor 'I Love OZ' on a month to month basis while Council deliberates on the best way forward for the Council and its community in regards to this service.

Councillors have received a number of reports and briefings on Community Transport which includes the Artarmon Loop service, The Loop service and the Council Cab service. In addition Council has considered eight reports on the tenders and various reviews of the service since 2009. Reports are located on Council's web page under the following meeting dates:

- 12/10/2009
- 8/3/2010
- 22/3/2010
- 13/12/2010
- 12/12/2011
- 9/6/2015
- 14/12/2015
- 27/6/2016

The most recent briefings were held on 4 July 2016 and 5 December 2016 and explored data on those services and aspirations for their future. This report presents the findings and the recommended strategy for the Artarmon Loop and The Loop services.

Discussion

The briefings on Council's Community Transport services has been based upon data and findings from a number of reports, which are summarised within this report and attachments (Attachment 1).

The Policy Context, data and Guiding Principles used to assess the Artarmon Loop and The Loop services is presented in Attachment 2 in detail, and summarised hereafter.

In summary:

- All services lack accessibility for people with a disability

- Artarmon Loop – recommendation is to continue the service with a 75% capacity target as:
    - Good demand
    - Low overlap with other service providers
    - Low cost per passenger
    - Services workers
    - Could be further enhanced with route redesign, real time GPS reporting, access ramp, specified environmental performance – all of which can be addressed through tender requirements
    - Sponsorship has not been forthcoming to supplement costs to Council

- Loop Services – seek to increase patronage to target level of 40% and review within 12 months
    - Low demand
    - Medium cost
    - Route overlaps given Chatswood is the major destination for passengers for shopping and appointment activities
    - Could be further enhanced with route redesign, real time GPS reporting, access ramp, specified environmental performance – all of which can be addressed through tender requirements

Given the findings summarised above, and presented in detail in Attachment 2, it is recommended that Council place the services out to tender. In order to ensure service continuity, it is recommended that a procurement exemption be extended to the current operator in the interim.

Financial implications

The Artarmon Loop and The Loop services are funded within the 2017/18 budget at $280,000. Further details on the operating costs over time are presented in Attachment 2.

The funding currently comes from the e.restore levy, but analysis has indicated that the services provide minimal environmental and social outcomes. It is recommended that as an interim measure, that e.restore continue to fund the services for the next 12 months while the costs are transitioned to other sources.

Exemption of Agenda - Council Meeting - 24 July 2017 - FinalTD'

The month by month for 'I Love OZ PTD LTD' arrangement was intended to be a temporary measure until a new tender could be arranged, however there have been delays putting the service to tender which has resulted in the $150,000 tender threshold being exceeded.

This delay in putting the service to tender occurred largely due to Council's careful consideration of the service, its impact, benefits and costs with a view to any future merger. While these matters were being addressed, the extension of the contract resulted in a breach of S55 of the *Local Government Act 1993*. Council's recognition of the extenuating circumstances is addressed in the recommendation.

Conclusion

A key issue with the operation of this service has been the minimal environmental and social outcomes.

From an economic/financial and service performance perspective, the Artarmon Loop performs well and The Loop services do not. Customer satisfaction is good with both services, but a redesign will be required to address customer feedback and improve services for all stakeholders.

OFFICER'S RECOMMENDATION

That Council:

1. **Note the report on the Community Transport services of the Artarmon Loop and The Loop.**

2. **Resolve to continue the Artarmon Loop and The Loop bus services including commencing a trial of a new timetable and redesign of services for a 12 month period.**

3. **Resolve to keep funding the Artarmon Loop and The Loop bus services for 12 months under current e.restore funding while identifying an alternative funding source for the 2018/19 budget should Council resolve to continue operation of this service.**

4. **Set performance targets for the 12 month trial period, including a target of 75% capacity for the Peak Hour Artarmon Industrial Estate service with a 40% average capacity target for all other services.**

5. **Resolve to tender the Artarmon Loop and The Loop services for a new three year contract period with two one year options that incorporate 12 monthly performance based targets for the operator.**

6. **Approve a tender exemption in accordance with S55(3)(i) of the Local Government Act 1993 for provision of services from I Love Oz PTD LTD until the commencement of a new tender recognising the delay was due to Council's careful consideration of the impact, cost, benefits and pending merger.**

ATTACHMENT 1

Reference reports:

- *The Loop Shuttle Bus Service Review, Parsons Brinkerhoff (2011)*
- *Internal Service Review – The Loop services (2014)*
- *Shuttle Service Market Research – Taverner Research (2015)*
- *Review of e.restore – Elton Consulting (2015)*
- *The Artarmon Loop and The Loop Public Transport Services – Transport Engineering Centre (2016)*

ATTACHMENT 2

Policy Context, Data and Guiding Principles

Role of Local Government in Community Transport

There is no regulatory requirement for Local Government to deliver public transport services. The *Local Government Act* 1993 does however list the provision, management or operation of "*public transport services and facilities*" as one of sixteen non-regulatory functions.

Community Strategic Plan Goals

Willoughby City Strategy 2013 – 2029 Transport and Mobility Goal is:

'*To manage the transport needs of the community in a sustainable manner by reducing car dependence and promoting public transport use, walking and cycling.*

This will be achieved by:

4.2.1 Increased use of active and public transport:

a. Promote active and public transport.
b. Improve integration between transport modes.
c. Improve local accessibility and transport options between suburbs.
d. Work with government and the private sector for improved local and regional public transport.'

History of Community Bus Services

2009 - Gore Hill Shuttle Bus Service commenced pursuant to Voluntary Planning Agreement, thus funded through the Gore Hill Technology Park

2009 – "Artarmon Loop" service commenced as trial servicing Artarmon Industrial Estate funded by Environment Levy

2011 – "Artarmon Loop" – permanent

2012 – "Artarmon Loop" Service adjusted to include "off peak" services to:
- Artarmon Station and RNSH
- Castle Cove, Northbridge and Chatswood

Current Position
- Two Buses
- Multiple Routes – depending on time of day and day of week (Attachment B and Attachment C)
- $270,157 expenditure during 2015/2016

Funding

Council's e.restore levy currently funds the bus services. e.restore is an environmental levy used to undertake environmental projects as approved by the Office of Local Government.

An overview of the e.restore funding services for the period 2011 to 2015 is provided in **Table 1**[1].

[1] Review of e.restore – Elton Consulting

The decline in expenditure costs from 2013/14 onwards relates to the reduction of three busses to two busses on the Artarmon Loop and The Loop Services.

Table 1 Artarmon Loop and The Loop Expenditure 2011 to 2015

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Total Bus Contract	$431,498	$469,330	$359,467	$240,516	$234,120	$245,133
Staff	$34,321	$49,994	$28,508	$49,853	$27,592	$24,423
Adverts, printing etc	$13,246	$18,171	$1,104	$0	$62	$601
Expenditure Total	**$479,065**	**$537,495**	**$389,079**	**$290,369**	**$261,774**	**$270,157**

Sponsorship

This service commenced in 2009/10 funded by the Bennelong Group through a Voluntary Planning Agreement (VPA) contributing $82,500. They have not contributed since commencing their own service in November 2012.

Sponsorship opportunities have been available and advertised on Council's website since that time however no sponsorship has been received from 2011 to 2016.

The market research undertaken by Taverner in 2015 identified that businesses in Artarmon were supportive of the Artarmon Loop with 29% of businesses surveyed stating they would be willing to sponsor or advertise on the service[2].

Further exploration of sponsorships was undertaken in May 2016 including an advertisement in the North Shore Times, on Council's website and Social Media. The Better Business Partnership also advertised the opportunities, contacting 36 businesses that were identified through market research as the businesses interested in supporting The Artarmon Loop bus through sponsorship.

One local Artarmon business had expressed their interest in becoming potential Partner Sponsor however lost interest when the price of sponsorship was revealed.

Given the lack of sponsors over the past five years, the sponsorship strategy should be reviewed as a part of the tender process.

Guiding Principles

In response to the feedback from a Councillor briefing on the 4 July 2016, the following guiding principles were developed and presented at a Councillor briefing on the 5 December 2016 to guide the evaluation of the Community Transport services review.

- Social
  - Accessibility for people with a disability
  - Reduces social isolation
- Environmental
  - Cost per tonne of CO_2 saved

[2] Shuttle Service Market Research – Taverner Research (2015)

  - Reduced air pollution
  - Reduced impact on Climate Change
  - Reduced congestion & parking

- Economic/Financial
  - Passenger demand and cost per passenger
  - Productivity – access to employment
  - Value for Money – Council and Patrons

- Service Performance
  - Safety
  - Regular, timely, reliable
  - Overlap with other services/routes
  - Customer Feedback

Assessment of the Artarmon Loop and The Loop against the Social and Environmental guiding principles

In summary, the Artarmon Loop and The Loop services do not perform well against the social and environmental guiding principles.

As shown in Table 2 the service does not provide access for people with disabilities nor does it reduce social isolation. Evaluations demonstrate this is a commuter service, covering gaps in the public transport network.

Table 2 also demonstrates minimal environmental returns. The cost of money spent for CO_2 saved is very high and this makes no consideration that these services themselves produce CO_2. Whilst this service is projected to take 125 vehicles off the road thereby reducing air pollution and congestion, this reduction is very low when considering the amount of vehicles that use the traffic network. In the last financial year the estimated 125 vehicles removed from the road equated to a saving of 144 tonnes of CO_2, at $1593 per tonne[9]. This is considered an expensive approach to carbon management when compared with Council's last solar PV installation at the Depot that cost $68 per tonne of CO_2.

To more effectively address the social and environmental issues a future tender will need to ensure that buses are accessible and energy efficient.

Table 2 Artarmon Loop – Assessment

Guiding Principle	Artarmon Loop Rating	The Loop Service Rating	Comment
Social			
Accessibility	Low	Low	No service is compliant with current disabled access standards
Reduces social isolation	Low	Low	The Artarmon Loop service was designed to service commuters going to the Gore Hill Technology park. 72% of users commute due to poor public transport connections[3]. The Loop Service - 89% use this service for shopping or appointments[4]. This is consistent with this objective, but these services run at between 16% and 24% capacity[5] (TEC 2016)
Environmental			
Cost per tonne CO_2 saved.	Low	Low	$1,593 per tonne of CO_2 saved. This is higher than The Loop ($459 per tonne)[6]. These costs are considered high from a CO_2 perspective. In comparison the solar PV investment at Willoughby Depot is $68 per tonne of CO_2
Reduced air pollution	Low	Low	The Taverner report estimated that both services combined took 125 cars off the road each day which reduces the amount of particulates, carbon monoxide, NO_2 and SO_2 going into the atmosphere[7]. This did not account for the emissions that running two busses over an entire day would produce, which would offset a large portion of NO_2 and SO_2 savings gained. 125 Vehicles per day off the road is minimal when considering Victoria Street in Chatswood carries 12,000 vehicles per day 89% of Artarmon Loop customers reported that

[3] Shuttle Service Market Research – Taverner Research (2015)
[4] Shuttle Service Market Research – Taverner Research (2015)
[5] The Artarmon Loop and The Loop public transport services – Traffic Engineering Centre (2016)
[6] Shuttle Service Market Research – Taverner Research (2015)
[7] Shuttle Service Market Research – Taverner Research (2015)

Guiding Principle	Artarmon Loop Rating	The Loop Service Rating	Comment
			they wouldn't use a car if this service wasn't provided[8]. Many would use more sustainable transport options such as walking.
Reduced impact on Climate Change	Low	Low	The Artarmon Loop: 144 tonnes of CO_2 at $1593 per tonne[9]. The Loop Service: 87 tonnes of CO_2 at $606 per tonne[10]. These costs are considered high from a CO_2 perspective. In comparison the solar PV investment at Willoughby Depot is $68 per tonne of CO_2
Reduced congestion & parking	Low	Low	125 vehicles are projected to be off the road network as a result of both services. This is low considering the Pacific Highway, the main arterial in the area carries 62,581 vehicles per day. A large amount of these vehicles are also off the network during off-peak times, which means their impact on congestion would have been minimal.

Assessment of the Artarmon Loop and The Loop against Economic/Financial and Service Principles

In summary, in the assessment against the economic/financial and service performance guiding principles, the Artarmon Loop rated well, however The Loop service does not. The details are provided in Table 3.

From an economic/financial standpoint the disparity between services is reflected by the cost per passenger on the Artarmon Loop ($1.12 per passenger) in comparison to the cost of The Loop (between $4.63 and $7.72). It also directly reflects the different utilisation of both services with the Artarmon Loop running at 74% capacity and The Loop operating between 16% and 24% capacity. The value to the community is high as both services are free but there are clear issues in regards return on investment for Council, as services on The Loop services are well under capacity and costly.

In analysing the service performance, both services run at an acceptable level. The service is seen as being reliable with room for some improvement, with the drivers and vehicles achieving a moderate rating from customers. Nearly all who use this service believe it is valuable, with 99% and 100% of customers when surveyed saying it is a valuable service. Safety and reliability are

[8] Shuttle Service Market Research – Taverner Research (2015)
[9] Shuttle Service Market Research – Taverner Research (2015)
[10] Shuttle Service Market Research – Taverner Research (2015)

current concerns as there is difficulty meeting timetables while still ensuring drivers get necessary breaks.

These issues can be addressed through a service redesign as part of any tender considerations and could include finding efficiencies within the services by looking at route designs, as well as looking at options to combine bus stops in close proximity. The timetable will need to be updated to reflect changed traffic conditions, and have space in it to allow for driver breaks and service delays to be made up.

To ensure a financially viable service is maintained a capacity target of 75% should be set for the Peak Hour Artarmon Industrial Estate service (currently 74%), and 40% should be the average target for all other services. If this target is not met throughout a 12 month period, council should re-evaluate the provision of this service.

Table 3 Assessment of the Artarmon Loop and The Loop services against the Economic/Financial and Service Performance guiding principles

Economic/Financial			
• Passenger demand and cost per passenger	Route A - High Route B - Low	Low	Overall there are 185,000 passengers per year using the Artarmon Loop services. Service A: High - average 74% capacity. Service B: Low - capacity at only 34%. The Loop Service: Between 16% and 24% Capacity. Route A – $1.12 per passenger Route B - $ 3.22 per passenger The Loop Service - $4.63 and $7.72 per passenger depending on the route[11]. NSW Public Transport costs is $3.77 per passenger[12].
• Value for Money - Council	Medium	Low	For the 2015/16 Financial Year the operation of the Artarmon Loop and The Loop service cost $270,157 and the Artarmon Loop alone had an estimated 185,693 passengers annually[13]. The Artarmon Loop service is popular and is a cheap service for council to run per passenger. The Loop Services were all well under capacity (between 16% and 24% capacity and running at a high cost per passenger $4.63 and $7.72)[14].

[11] The Artarmon Loop and The Loop public transport services – Traffic Engineering Centre (2016)

[12] NSW Auditor-General, Report to Parliament , Volume Eight , Transport Overview 2013 http://www.audit.nsw.gov.au/ArticleDocuments/291/05_Volume_Eight_2013_Transport_Overview2.pdf.aspx?Embed=Y (Accessed 2/08/16)

[13] Review of e.restore – Elton Consulting (2015)

[14] The Artarmon Loop and The Loop public transport services – Traffic Engineering Centre (2016)

			In the context of the e restore funding, The Loop Service is an expensive service, which provides a poor return.
• Value for Money - Patrons	High	High	This is a free service for passengers.
Service Performance			
• Safety	Low	Low	There have been no major incidents or accidents of the Loop Bus since its inception in 2009. Both buses are fitted with seat belts. However with current timetabling there are concerns about the length of shifts for the bus drivers. This is reflected through both routes, as delays in the morning can reflect delays for all services throughout the day, putting pressure on drivers to delay services and have a break, or skip their break to make up lost time.
• Regular, timely and reliable	Medium	Medium	76% of passengers surveyed said that the timetable for the Artarmon Loop was very good[15]. Whilst the service is well regarded because of its frequency (7 to 10 minutes internals during peak periods) there have been some issues of drivers not adhering to the timetable. 76% of Passengers for The Loop service also responded that the timetable for the service was very good[16]. Users have suggested GPS monitoring of buses and smart phone apps would improve the quality of the services, allowing users to track where buses are at any point in time.
• Overlap with other service providers	Medium	High	The Artarmon Loop overlaps somewhat with other services such as the Gore Hill shuttle bus. There is no data on how many customers would use the Gore Hill shuttle bus if the Artarmon service wasn't available. Community Connect Transport operates in the Willoughby City Council area, and provides transport for medical appointments, shopping and social outings. As 89% of users currently use The Loop service for shopping and appointments, there is overlap between the services offered by The Loop and Community Connect[17].

[15] Shuttle Service Market Reseach – Tavinar Research (2015)
[16] Shuttle Service Market Research – Taverner Research (2015)
[17] Shuttle Service Market Research – Taverner Research (2015)

• Community Feedback Customer Satisfaction	High	Medium	Market research on the Artarmon Loop showed that 73% rated the driver as good or very good[18]. 61% rated the vehicles as good or very good and 99% believed it was a valuable service[19]. For the loop services, 75% rated the service as good or very good, and 45% rated the vehicle as good or very good, reflecting the desire for better access for vehicles[20]. 100% believed it was a valuable service[21].

Revised Guiding principles for tender for Loop buses

The assessment against the full set of criteria, listed above, provided clarity on the performance measures that were most relevant to the services and how they are best accommodated or measured. It indicated that the focus should be on **Financia**l and **Service** aspects of **Community Transport** with Environmental and accessibility considerations to form part of any tender specifications.

If Council provides / contracts out / facilitates services provided by others, then the new Guiding Principles for **Community Transport** now become:

- Economic/Financial
    - Passenger demand and cost per passenger
    - Value for money – Council and patrons
- Service performance
    - Safety
    - Regular, timely, reliable
    - Overlap with other services/routes
    - Customer feedback
    - Risk

Summary of proposed changes

A proposed redesign of the Artarmon Loop and The Loop services is proposed for an initial 12 month period. The proposed changes come from feedback from the service users as well as concerns raised by the current operator 'I Love OZ PTD LTD'. The proposed redesign would incorporate four components.

Timetable adjustments – There have been a number of issues identified with current timetabling which has not been updated since 2013. Since this time there have been major changes to the traffic network, especially around St Leonard's station, which has impacted the schedule of the Artarmon Loop. A revision of the timetable needs to factor in changes in traffic conditions to provide a more reliable service. As part of this adjustment, times for The Loop service need to be reviewed, as delays on The Loop service result in delays on the Artarmon Loop service.

[18] Shuttle Service Market Research – Taverner Research (2015)
[19] Shuttle Service Market Research – Taverner Research (2015)
[20] Shuttle Service Market Research – Taverner Research (2015)
[21] Shuttle Service Market Research – Taverner Research (2015)

Route consolidation – Currently there are multiple bus stops on the Artarmon Loop in close proximity. Consolidation of these stops would improve the efficiency of Artarmon Loop service, allowing time savings of several minutes per journey.

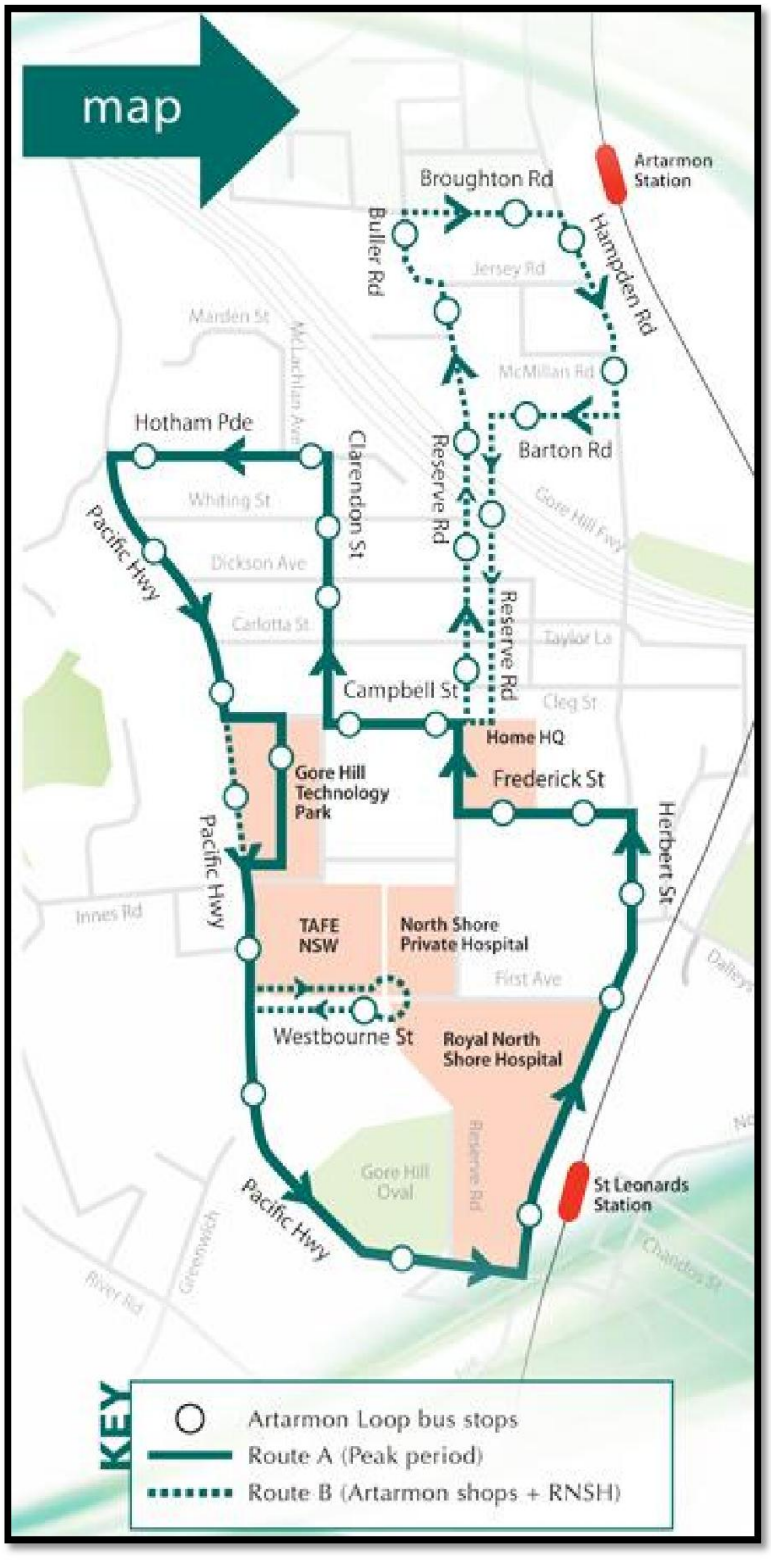
Minor route changes on The Loop service could reduce the time each journey takes. An example is Headland Road. This section of road is rarely used by passengers, but causes conflict due to the narrow street and construction vehicles. This is one opportunity to save time and allow for smother operation of this service.

GPS APP – The tender process will request a GPS based app to allow customers track the buses. This will improve certainty around the operation of the route and allow customers to know when buses will be arriving in real time.

Performance Targets – Services should have performance targets to ensure that they are providing a benefit to the community, and an acceptable level of return on investment. A capacity target of 75% should be set for the Peak Hour Artarmon Industrial Estate service (currently 74%), and 40% should be the average target for all other services, to ensure that the investment required to operate these services represents a proper use of Council funding.

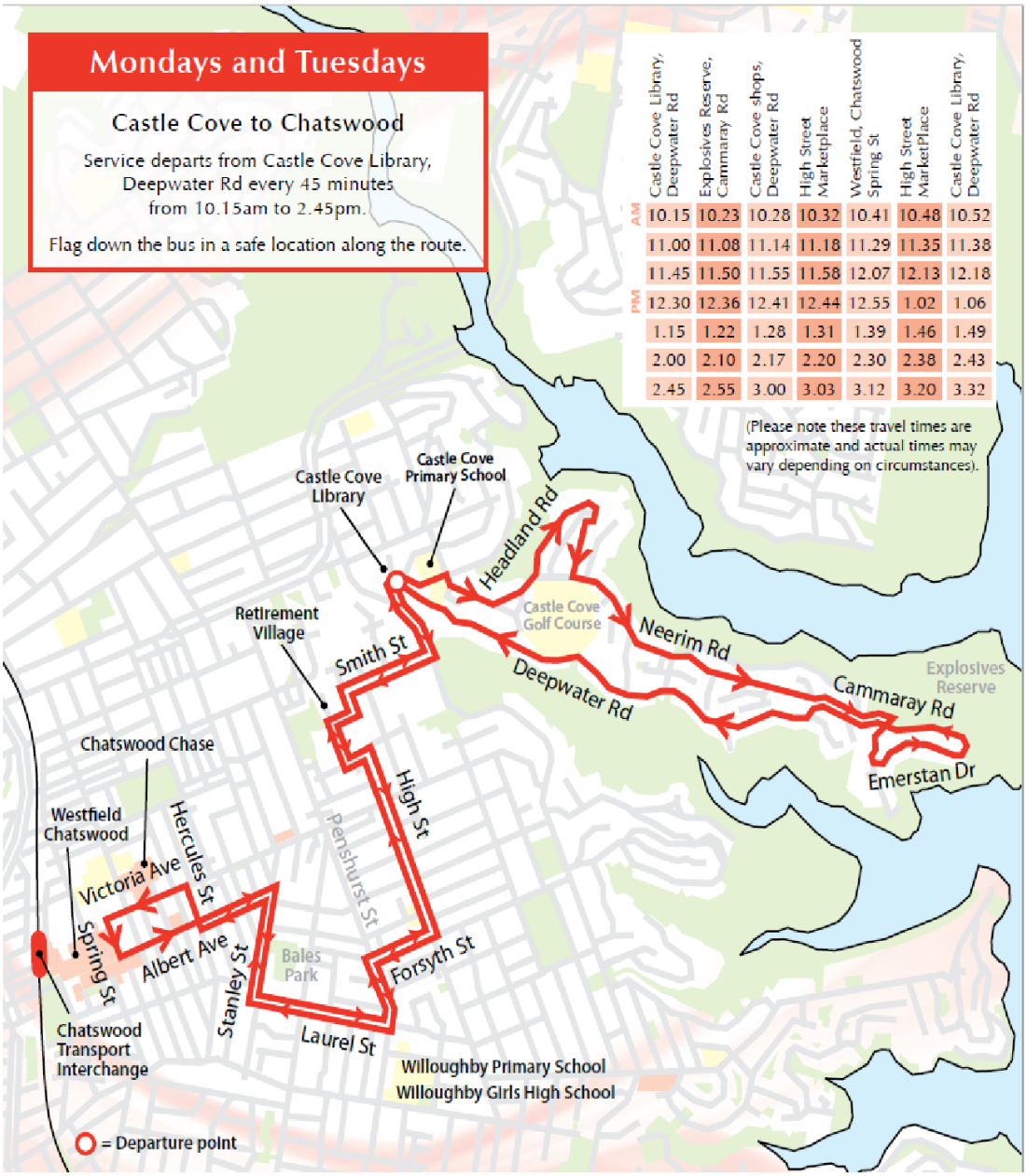
ATTACHMENT 3

Artarmon Loop Route



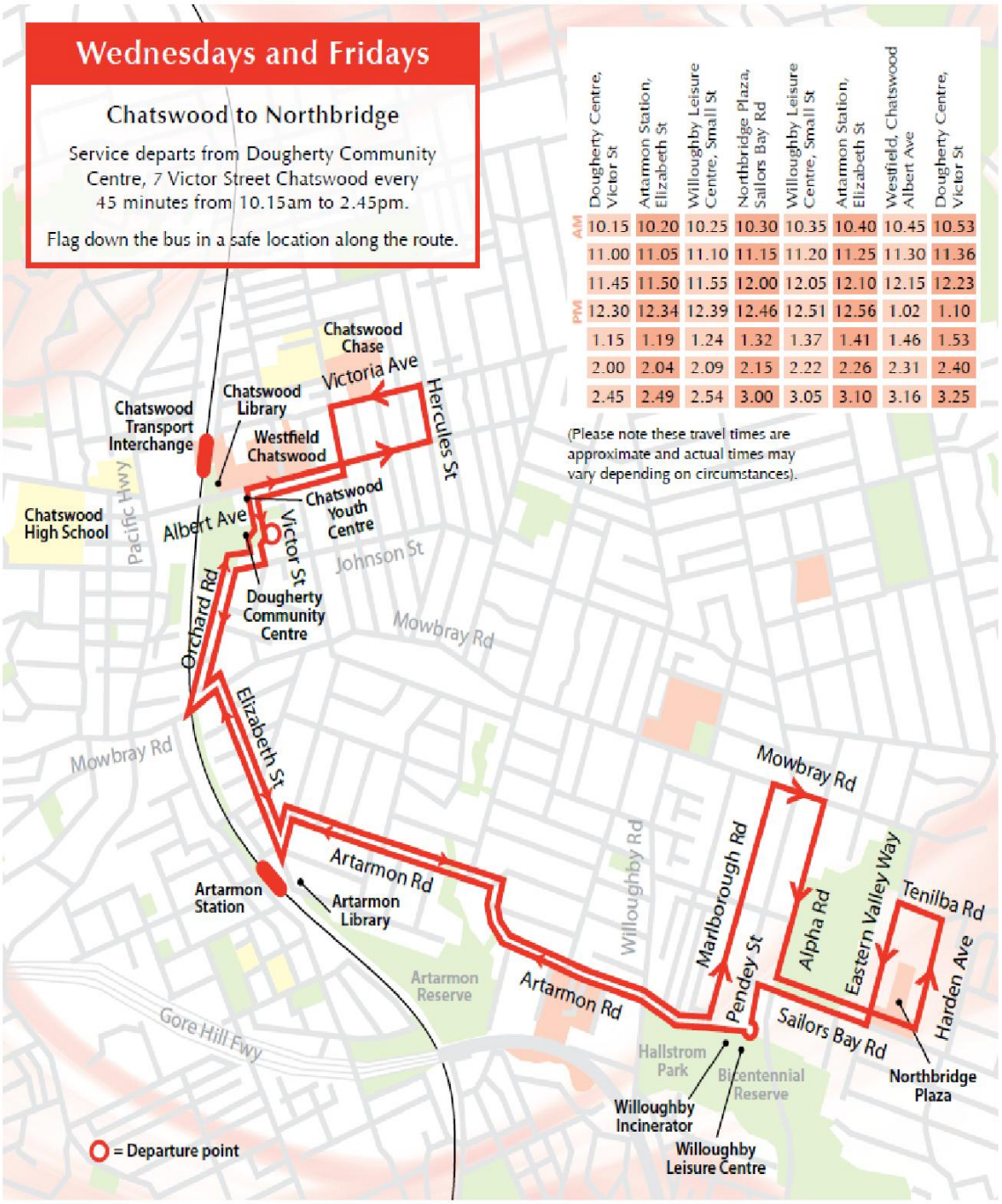
ATTACHMENT 4

The Loop Service Routes





	Castle Cove Library, Deepwater Rd	Explosives Reserve, Cammaray Rd	Castle Cove shops, Deepwater Rd	Harold Reid Reserve, Rembrandt Drive	Northbridge Plaza, Sailors Bay Rd	Harold Reid Reserve, Rembrandt Drive	Castle Cove Library, Deepwater Rd
AM	10.15	10.20	10.25	10.30	10.38	10.48	10.54
	11.00	11.06	11.12	11.15	11.21	11.31	11.39
	11.45	11.51	11.56	11.59	12.05	12.15	12.20
PM	12.30	12.35	12.40	12.43	12.50	12.58	1.01
	1.15	1.19	1.24	1.29	1.35	1.42	1.46
	2.00	2.05	2.10	2.13	2.18	2.25	2.29
	2.45	2.50	2.53	2.57	3.04	3.14	3.19



	Dougherty Centre, Victor St	Artarmon Station, Elizabeth St	Willoughby Leisure Centre, Small St	Northbridge Plaza, Sailors Bay Rd	Willoughby Leisure Centre, Small St	Artarmon Station, Elizabeth St	Westfield, Chatswood Albert Ave	Dougherty Centre, Victor St
AM	10.15	10.20	10.25	10.30	10.35	10.40	10.45	10.53
	11.00	11.05	11.10	11.15	11.20	11.25	11.30	11.36
	11.45	11.50	11.55	12.00	12.05	12.10	12.15	12.23
PM	12.30	12.34	12.39	12.46	12.51	12.56	1.02	1.10
	1.15	1.19	1.24	1.32	1.37	1.41	1.46	1.53
	2.00	2.04	2.09	2.15	2.22	2.26	2.31	2.40
	2.45	2.49	2.54	3.00	3.05	3.10	3.16	3.25

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18.5 12 MALVERN AVENUE, 5-7 HAVILAH STREET AND 345 VICTORIA AVENUE (CHATSWOOD CHASE) PLANNING PROPOSAL

ATTACHMENTS:	**1. GATEWAY DETERMINATION** **2. SUBMISSIONS RECEIVED**
RESPONSIBLE OFFICER:	**IAN ARNOTT - PLANNING MANAGER**
AUTHOR:	**CRAIG O'BRIEN – STRATEGIC PLANNER**
CITY STRATEGY LINK:	**6.2.1 A COMMUNITY THAT IS INFORMED OF KEY COUNCIL POLICIES, SERVICES AND ACTIVITIES AND CAN PARTICIPATE IN THE DECISION MAKING PROCESS**
MEETING DATE:	**24 JULY 2017**

Purpose of Report

The purpose of this report is to seek Council support to proceed with the amendment of Willoughby Local Environmental Plan 2012 (WLEP 2012) to increase floorspace and improve facilities at Chatswood Chase Shopping Centre.

Background

The Planning Proposal seeks to add two adjacent sites to Chatswood Chase Shopping Centre, one on the northern side in Malvern Avenue and one on the eastern side in Havilah St, and to:

- Align the height and FSR controls of 12-14 Malvern Avenue and 5-7 Havilah Street with those currently applying to the Chatswood Chase site.
- Increase the building height applying to the northern portion of the main Chatswood Chase site (fronting Malvern Avenue and part of Havilah Street).
- Amend the Savings Provisions within Clause 1.8A of WLEP 2012 to enable the determination of a Development Application reliant on the abovementioned amended planning controls should a development application be lodged with Council prior to Gazettal of the Amending Instrument.

At its meeting dated 12 December 2016, Council considered a report on the Planning Proposal prepared by Urbis on behalf of Vicinity Centres. At that meeting it was resolved that Council:

"1. Support for public exhibition the Planning Proposal and draft amendments to Willoughby Local Environmental Plan 2012:

a) To amend the Height of Buildings Map (Sheet HOB_004) as follows:

i) 12-14 Malvern Avenue – 40 metres
ii) 5-7 Havilah Street – 34 metres
iii) Northern portion of Chatswood Chase shopping centre (fronting Malvern Avenue and part of Havilah Street) – 40 metres

b) To amend the Floor Space Ratio Map (Sheet FSR_004) so as the Floor Space Ratio for 12-14 Malvern Avenue and 5-7 Havilah Street be the same as the Chatswood Chase site – 4.5:1.

c) To insert after clause 1.8A (1):

"(2) To avoid doubt, Willoughby Local Environmental Plan 2012 (Amendment No XX) applies to the determination of a development application made (but not finally determined) in respect to Chatswood Chase Shopping centre before the commencement of that Plan."

2. Apply the requirements of the Chatswood CBD Draft Planning and Urban Design Strategy, as endorsed by Council, in particular with regard to design excellence, to this Planning Proposal.

3. Request the proponent provide detailed shadow diagrams showing overshadowing each hour between 9am and 3pm on 22 June for public exhibition stage.

4. Request the proponent provide a revised traffic report that:

a) In the analysis of traffic distribution and any assumptions used:

i) Has regard to current traffic flows.
ii) Involves sensitivity modelling as suggested by GTA Consultants.

b) Considers and recommends mitigation options to ameliorate the traffic impacts of the proposal on the local road network.

5. Forward the Planning Proposal to the Department of Planning and Environment seeking a Gateway Determination under Section 56 of the Environmental Planning and Assessment Act 1979.

6. Advise the Department of Planning and Environment that the Planning Manager, Mr Ian Arnott is nominated as delegate to process and finalise the Planning Proposal."

The Planning Proposal has now been publicly exhibited and this report provides information on the results of that public exhibition.

The Chatswood Chase site and the proposed additions to that site are shown below in Figure 1: Subject Site.

FIGURE 1: SUBJECT SITE



Discussion

The Planning Proposal has already been endorsed by Council for progress to Gateway. The table below (Table 1) outlines the controls to be modified and includes additional reference to the Chatswood CBD Strategy now also endorsed by Council.

Table 1. Summary of proposed control changes

Property	Zoning LEP	Proposed Zoning	Zoning CBD Strategy	Height / FSR LEP	Height / FSR new	Max Height / FSR CBD Strategy
12-14 Malvern Ave	B3 Commercial Core	NO CHANGE	NO CHANGE	14m / 1.7:1	**INCREASE** 40m / 4.5:1	90m / 6:1 with value sharing and design excellence
5-7 Havilah St	B4 Mixed Use	NO CHANGE	B3 Comm Core	14m / 1.7:1	**INCREASE** 34m/ 4.5:1	90m / 6:1 with value sharing and design excellence
345 Victoria Ave	B3 Commercial Core	NO CHANGE	NO CHANGE	34m to Malvern - 4.5:1 34m to Vic Ave – 2.5:1	**INCREASE** 40m to Malvern - 4.5:1 34m to Vic Ave – 4.5:1	90m / 6:1 to Malvern with value sharing and design excellence 7m along Vic Ave frontage to a depth of 12m and 30m for additional depth of 36m - 2.5:1

In accordance with the Council resolution, the Planning Proposal was referred to the Department of Planning and Environment and a Gateway Determination was received (Refer to Attachment 1).

The Gateway Determination specified that prior to community consultation, the Planning Proposal was required to be updated to address traffic issues, amenity impacts on neighbouring residential properties in Malvern Avenue and Havilah Street, overshadowing impacts and the draft Chatswood CBD Planning and Urban Design Strategy.

This information was submitted and the Planning Proposal progressed to community consultation with the additional information.

External Referral

The Planning Proposal was exhibited in accordance with the conditions of the Gateway Determination including referral to Sydney Trains and Roads and Maritime Services (RMS) within Transport for NSW, Office of Environment and Heritage (OEH) and the adjoining local government areas of Ryde, North Sydney Council, Lane Cove Council and Ku-ring-gai Council.

No objections were received from neighbouring local government areas.

The response from the **RMS** stipulates further requirements in relation to traffic distribution at DA stage, with the proponent to review and re-assess traffic impacts at that stage when the location of additional parking spaces is known. Impacts on bus operations adjacent to the site must also be addressed at that stage and any proposed changes to traffic signals will require RMS approval.

The submission from the State **Office of Environment and Heritage** did not raise any objection, and advised that there are no State Heritage Items in the vicinity or on the site of the Planning Proposal. It did however note that there are multiple local heritage items and a Conservation Area (North Chatswood CA), in the vicinity of the site, listed in Willoughby Local Environmental Plan 2012.

It therefore recommends that Council consider any adverse impact that the proposal would have on heritage and as such a Heritage Impact Statement was produced and referred to Council's Heritage adviser for comment. (See below)

Community Consultation

The exhibition period ran from 11 May to 9 June 2017 and sought community feedback via *Have Your Say* on Council's website. Consultation included notification of the Planning Proposal to owners of adjoining business properties and owners and occupiers of residential properties.

A public notice was also placed in the North Shore Times and 6 submissions were received (Attachment 2). These included submissions from the Chairman of the Body Corporate and two additional owners at 16-18 Malvern Ave and an owner of a unit at 1-3 Havilah St.

All six (6) submissions objected to the Planning Proposal.

Grounds included overshadowing, loss of privacy and outlook, loss of amenity to adjacent properties during any future building works, proposed mass and height, increased traffic congestion, reduction in quality of life, and no need for additional retail floorspace in Chatswood. It was also stated that the building height as put forward in the Planning Proposal is 'excessive' and would have a detrimental effect on the heritage conservation area.

Officers Assessment

Chatswood Chase Shopping Centre is a significant site, providing regional scale shopping in the heart of Chatswood. Together with Westfield, it provides an exceptional drawcard for residents, workers and visitors to Chatswood, strengthening the local economy.

The site is located at the eastern extremity of Chatswood CBD, with low and medium density residential areas to the north and east beyond the CBD boundary. The site is covered by the CBD Planning and Urban Design Strategy and is currently – and proposed to remain - under a B3 Commercial Core zone. This promotes retail and office development in the heart of Chatswood into the future, (to the exclusion of residential). The site proposed to be added to Chatswood Chase on Havilah St will remain covered by a B4 zone for the time being, however the CBD Strategy proposes this site should also be zoned B3.

Height and FSR

Increased heights and FSRs are entertained under the CBD Strategy in line with design excellence so this focus on design will be insisted on at DA stage. For the purposes of this Planning Proposal, potential elevational treatments have been submitted as part of an Urban Design Report to provide an indication of possibilities for the DA stage. However, the scale of development proposed is in keeping with that anticipated under the CBD Strategy, apart from the treatment of the Victoria Ave frontage. The current development as it addresses Victoria Ave does not align with the Strategy of a 7m street frontage and a 12 m setback above. This should be addressed in any redevelopment proposed for this southern frontage, (not part of this Proposal).

The proposed height increases fall largely within what is permitted under the existing LEP so although not currently built as such, it is important to recognise the zoning accommodates these heights. Shadow diagrams for midwinter reveal that additional shadows cast as a result of the proposed height increase over and above what is currently permissible under the LEP, fall mainly inside the subject site. Exceptions to this are increased shadow at 9.00am midwinter across parts of the school and adjoining building to the west on Malvern Avenue, which will have moved on by 10.00am, and additional shadowing on the roofs of properties to the east in Havilah St by 3.00pm on a midwinter afternoon.

Bulk and scale

Regarding impacts on smaller scale properties adjacent to Chatswood Chase, as identified by complainants, the impact of bulk and scale of the Centre is already experienced. Without doubt the impacts are acknowledged but are considered not inappropriate within a CBD context. Chatswood CBD is the pre-eminent centre in Willoughby and a Strategic Centre in the Metropolitan Region. As such, development appropriate within its boundaries is accepted to be at a higher scale than other parts of Willoughby. The future population of Willoughby Council, which is expected to reach close to 90,000 by 2036 from a current 76,000, will require additional services and amenities including retail opportunities of different types and the Chatswood CBD will be expected to play a key role in delivering a significant proportion of these. In addition, Chatswood will be required to deliver future employment for the LGA.

The total current lettable area in the Shopping Centre is 59,000m2, with the new sites adding 17,000m2, creating the potential for an additional 400 jobs, (1job/40m2), which will make a significant contribution to the jobs target for Chatswood in the draft North District Plan.

The Centre currently has around 2,500 parking spaces over 9 levels with an additional 680 sought (applying the existing rate of 1 space/25m2). This has been considered by the RMS as part of the Transport Impact Assessment undertaken by GTA Consultants for the proponents and submitted with the proposal. As stated above, further consideration will be given to this aspect of the scheme at the DA stage.

In terms of the impact of the proposal on the North Chatswood Conservation Area, it was concluded that it *"will not impact on the significance or visual setting of the proximate Conservation Area and heritage item and it is recognised that there is both a physical and visual separation between these items and the subject site."*. Nonetheless, Council's Heritage advisor has required that additional attention is given to materials, landscape and design details at DA stage to avoid adverse outcomes on these important areas.

Financial Implications

There are no direct financial implications of this Planning Proposal for the Council budget. This matter is a regulatory responsibility of the Council under the Environmental Planning and Assessment Act 1979.

Policy Implications

As outlined in previous reports to Council, Willoughby Local Environmental Plan 2012 will be amended should the Planning Proposal be supported.

The Planning Proposal is consistent with the NSW Government's plan for the Sydney Metropolitan Area, "*A Plan for Growing Sydney*." It is also consistent with the draft North District Plan, prepared by the Greater Sydney Commission. In particular, Productivity Priority 1 Protect and Support Employment Land and Urban Services Land. It will provide further opportunities for employment growth and support Productivity Priority 3 Prioritise the provision of retail floor space in centres.

It is also largely consistent with the CBD Strategy; however the treatment of the Victoria Ave elevation and homogeneity of Zoning – that is entirely B3 across the site – will be pursued in conjunction with the making of a new LEP covering the CBD.

Conclusion

The Planning Proposal to amend Willoughby Local Environmental Plan 2012 (WLEP 2012) and set parameters for the height and scale of an extension to Chatswood Chase Shopping Centre are considered worthy of support, with a number of aspects in relation to traffic, heritage, and design which will require further attention, more appropriately, at DA stage.

The Gateway Determination provided a timeframe for the Planning Proposal to be finalised by February 2018 and was accompanied by authorisation for Council to process and finalise the Planning Proposal. This means that Council officers will take responsibility for all the remaining steps in the plan making process to amend WLEP 2012.

OFFICER'S RECOMMENDATION

That Council:

1. Support the Planning Proposal and draft amendment to Willoughby Local Environmental Plan 2012 for the land at 12-14 Malvern Avenue (SP 36362), 5-7 Havilah Street (SP 33860) and 345 Victoria Avenue, Chatswood (Lot 10 DP 1143909) known as Chatswood Chase.

2. Adopt and make the amendment to Willoughby Local Environmental Plan 2012 in accordance with Section 59 of the Environmental Planning and Assessment Act 1979, so as to change Willoughby Local Environmental Plan 2012 , and give effect to the Planning Proposal in the following manner:

a) Amending the Height of Buildings Map (Sheet HOB_004) as follows:

i) 12-14 Malvern Avenue – 40 metres
ii) 5-7 Havilah Street – 34 metres
iii) Northern portion of Chatswood Chase shopping centre (fronting Malvern Avenue and part of Havilah Street) – 40 metres

b) Amending the Floor Space Ratio Map (Sheet FSR_004) so as the Floor Space Ratio for 12-14 Malvern Avenue and 5-7 Havilah Street will be the same as the Chatswood Chase site – 4.5:1.

c) Inserting after clause 1.8A (1):

"(2) To avoid doubt, Willoughby Local Environmental Plan 2012 (Amendment No XX) applies to the determination of a development application made (but not finally determined) in respect to Chatswood Chase Shopping Centre before the commencement of that Plan."

ATTACHMENT 1

NSW GOVERNMENT Planning & Environment

Ms Debra Just
General Manager
Willoughby City Council
PO Box 57
Chatswood NSW 2057

17/01221

Attention: Craig O'Brian, Strategic Planner

Dear Ms Just

Planning proposal to amend Willoughby Local Environmental Plan 2012

I am writing in response to your Council's letter dated 23 December 2016 requesting a Gateway determination under section 56 of the Environmental Planning and Assessment Act 1979 (the Act) in respect of the planning proposal to amend Willoughby LEP 2012 to amend the building height at 12-14 Malvern Avenue, 5-7 Havilah Street and 345 Victoria Avenue, Chatswood and floor space ratio at 12-14 Malvern Avenue, 5-7 Havilah Street, Chatswood and amend Clause 1.8A - Savings provision relating to development applications.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

The amending Local Environmental Plan is to be finalised within 12 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the department for administrative purposes.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under section 54(2)(d) of the *Environmental Planning and Assessment Act 1979* if the time frames outlined in this determination are not met.

Department of Planning and Environment
320 Pitt Street Sydney 2000 | GPO Box 39 Sydney 2001 | planning.nsw.gov.au

Should you have any queries in regard to this matter, I have arranged for Ms Coby Tomlins of the Department's regional office to assist you. Ms Tomlins can be contacted on (02) 9274 6500.

Yours sincerely

Karen Armstrong 9/2/17

Karen Armstrong
Director, Sydney Region East
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Attachment 5 – Delegated Plan Making Reporting Template

NSW GOVERNMENT | Planning & Environment

Gateway Determination

***Planning proposal (Department Ref: PP_2017_WILLO_001_00)**: amend the building height at 12-14 Malvern Avenue, 5-7 Havilah Street and 345 Victoria Avenue, Chatswood and floor space ratio at 12-14 Malvern Avenue, 5-7 Havilah Street, Chatswood and amend Clause 1.8A - Savings provision relating to development applications.*

I, the Director, Sydney Region East, at the Department of Planning and Environment as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the *Willoughby Local Environmental Plan 2013* (LEP) to amend the height and floor space ratio controls over the sites and amend Clause 1.8A - Savings provision relating to development applications should proceed subject to the following conditions:

The planning proposal should proceed subject to the following conditions:

1. Prior to community consultation the planning proposal is to be updated to:
   (a) Amend the traffic impact assessment report to have regard to current traffic flows and sensitivity modelling as suggested by GTA Consultants and recommend mitigation options to ameliorate the traffic impacts of the proposal on the local road network;
   (b) Undertake an urban design report that considers the impact of the proposed height, scale and façade treatments on adjoining residential land at Malvern Avenue and Havilah Street and any privacy impact that may result;
   (c) Provide detailed shadow diagrams for each hour between 9am and 3pm on 22 June; and
   (d) Reference Council's draft Chatswood CBD Planning and Urban Design Strategy and its relevance to this proposal.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
   (a) the planning proposal must be made publicly available for a minimum of 28 days; and
   (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2016).

3. Consultation is required with the following public authorities under section 56(2)(d) of the Act:
   - Transport for NSW - Roads and Maritime Services
   - Transport for NSW – Sydney Trains
   - Office of Environment and Heritage
   - Adjoining Local Government Areas

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The timeframe for completing the LEP is 12 months from the week following the date of the Gateway determination.

Dated 9th day of FEBRUARY 2017

Karen Armstrong

Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

NSW GOVERNMENT Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Willoughby City Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_WILLO_001_00	Planning proposal to amend the building height at 12-14 Malvern Avenue, 5-7 Havilah Street and 345 Victoria Avenue, Chatswood and floor space ratio at 12-14 Malvern Avenue, 5-7 Havilah Street, Chatswood and amend Clause 1.8A - Savings provision relating to development applications

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 9th February 2017

Karen Armstrong

Karen Armstrong
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

Attachment 5 – Delegated plan making reporting template

Notes:

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- RPA is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the RPA should add additional rows to **Table 2** to include this information
- The RPA must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible LEP Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the RPA's request to have the LEP notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	**PP_2017_WILLO_001_00**
Date Sent to DoP&E under s56	**23/12/2016**
Date considered at LEP Review Panel	
Gateway determination date	

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft LEP exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt LEP		
Date LEP made by GM (or other) under delegation		
Date sent to DoP&E requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information:

ATTACHMENT 2

SUMMARY OF SUBMISSIONS

Submission	Main Points
Chairman of Body Corporate and owner of unit at 16-18 Malvern Ave	Concerned about the lack of consideration for the impact of the proposal on the amenity of the adjoining commercial property at 16-18 Malvern Ave particularly in terms of • overshadowing, • loss of privacy and outlook, • noise, fumes, increased traffic, • visual impact and • construction impacts. The building at 16-18 Malvern Ave has been designed to provide low rise amenity for workers and visitors. It has good access for disabled and elderly patients. It is designed with an east facing courtyard (hub). The proposal gives no consideration to the solar access impact to the property at 16-18 Malvern Ave particularly to the courtyard and access pathway which will be in shadow all morning. Requests that Council compare the overshadowing from a building at 34m (current height limit) in order to assess impact of the requested increase in height (40m) to 16-18 Malvern Ave. The proposal to allow a height of 40m at Chatswood Chase is excessive- 140% increase in the existing 14m building. It will have a significant impact on 16-18 Malvern Ave and Mercy College and will dominate over its residential and commercial neighbours. Concerned about the proposed multi storey car park at 12-14 Malvern Ave in terms of additional traffic, noise, fumes, lighting exposure and loss of privacy to 16-18 Malvern Ave. Requests that the owners and residents of 16-18 Malvern Ave be kept informed of "façade treatment" proposed in the future for the proposed car park at Chatswood Chase. The Planning Proposal documentation (Urbis) is inadequate and does not consider the loss of privacy to 16-18 Malvern Ave. The GTA Traffic study does not acknowledge that Malvern Ave is the only access for 16-18 Malvern Ave, Mercy college car park and residences in the street. The traffic counts did not consider the busy times between 2.30pm and 5.30pm when school children are crossing Archer St in large groups. There is no need to increase the height beyond the existing 34m as Council can apply clause 4.6 to approve additional height in the future if required. It is not fair to sacrifice the existing amenity of Chatswood Chase's neighbours to "future proof" possible future car parking needs for Chatswood Chase. The applicant argues that the Planning Proposal contributes a

ATTACHMENT 2

SUMMARY OF SUBMISSIONS

	"public benefit " by strengthening the role of Chatswood as a strategic centre however small local businesses such as those located at 16-18 Malvern Ave also contribute a significant "public benefit "to the Chatswood economy. Retail operators like Chatswood Chase are not the only businesses who should be supported.
16-18 Malvern Ave	• Loss of amenity to the Day Surgery that was built 21 years ago at 16-18 Malvern Ave and is adjacent to the property proposed to be demolished. • Detrimental impact on investment (16-18 Malvern Ave) • Scale of the proposal is unfair to neighbouring residents, small businesses and professional practices. • Submission includes two photos of existing outlook from 16-18 Malvern Ave.
16-18 Malvern Ave	Loss of amenity for occupants and visitors to the premises at 16-18 Malvern Ave including: • loss of sunlight and leafy outlook. • proposed mass and height (up to 40m) is excessive and will make pedestrian access dark and intimidating for visitors to the adjacent property at 16-18 Malvern Ave • extension of car park will result in more noise, fumes and bright lighting • loss of privacy • increased traffic congestion in the street. • A setback in the car park and some tiered development could help preserve the pleasant airy and sunny outlook enjoyed by 16-18 Malvern Ave .
No address given	• Objects to excessive height and size of the proposal. Chatswood Chase will dominate as there are no other tall buildings in this area. • Detrimental impact on heritage conservation area • Traffic congestion will be worse
Unit 17/1-3 Havilah St	Property is located next to 5-7 Havilah St • Objects to loss of sunlight to kitchen, bedrooms and balconies. • Reduction in quality of life and enjoyment • Proposed development will be an eyesore.
Anonymous	• Chatswood already has sufficient retail especially with online shopping trends • There will be more traffic congestion • There are already enough high rise buildings in Chatswood • There needs to be more parks and room for walking

19 NOTICE OF MOTION

19.1 NOTICE OF MOTION: AFFORDABLE HOUSING

RESPONSIBLE OFFICER: **DEBRA JUST – GENERAL MANAGER**

AUTHOR: **DEBRA JUST – GENERAL MANAGER**

CITY STRATEGY LINK: **3.1.1 PLAN FOR HOUSING CHOICE**

MEETING DATE: **24 JULY 2017**

Purpose of Report

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

Motion

That council provides a report into how it can utilise its planning instruments and property portfolio to deliver more affordable housing for our community.

Background

Affordable rental housing is in increasingly short supply across many areas in Sydney.

Around 8 years ago, Willoughby City Council developed a 4% affordable housing policy, which has yielded 22 'affordable housing' dwellings across the LGA, managed by Community Link housing. WCC accrued funds to develop more affordable housing but this project appears to have been stalled.

There is increasing demand for affordable housing locally, particularly for key workers including newly graduated nurses, teachers and emergency services workers.

Key workers provide essential services for our community, and it is critical that these essential workers are not forced to live hours away from where they are employed. For example, many workers at RNSH live on the Central Coast or outer western Sydney where housing is more affordable, resulting in prolonged travel times.

There has been discussion that the Greater Sydney Commission may seek 15% affordable housing targets, considerably above the current NSW policy of 2% affordable housing.

The affordable housing shortage across Sydney has been raised by many community housing organisations such as Shelter, and has received coverage in the media.

In the UK the affordable housing policy of 30% has provided housing stock. Aiming to achieve 'genuinely affordable housing' in 2016, the Mayor of London set affordable housing targets of 35% in new developments.

It is important for Willoughby Council to explore other ways in which to support the development of an increased supply of affordable rental dwellings.

General Manager's Comments

Council's affordable housing scheme has been in place since 1999. Council's affordable housing policy involves inclusionary zoning, that is, the inclusion of land in Council's affordable housing scheme as part of the rezoning to permit higher density housing on the land. The redevelopment of such land is required to provide 4% of the floor space of the development (or an equivalent monetary contribution) for affordable housing to be owned by Council and managed by a community housing provider.

Since the instigation of the affordable housing policy, 22 units have been dedicated to Council as follows:

10 units – Herbert Street, St Leonards
11 units – Thomas Street, Chatswood
1 unit - 32-34 Northcote Street Naremburn

Further approvals have resulted in a Deed of Transfer being entered into for:

10 units plus monetary contribution - 36-42 Hercules Street Chatswood (under construction);
1 unit - 745 Pacific Highway Chatswood (construction not commenced) and
2 units plus monetary contribution - 52-54 Eastern Valley Way, Northbridge (under construction).

Monetary contributions have been received for developments at the Willoughby Market Garden site and at 28 Anderson Street, Chatswood.

At the Meeting of 26 June 2017, Council resolved to prepare a draft Housing Strategy. As part of that Strategy, consideration will be given to provide for a mix of housing types to suit various community needs including affordable housing. In line with the Draft North District Plan, an increase in the percentage of affordable housing could also be further investigated as part of the Draft Housing Strategy. Any increase in the percentage of affordable housing required will need to be balanced against the economic viability of the project to proceed.

OFFICER'S RECOMMENDATION

That Council note that the Draft Housing Strategy will consider methods for improving the supply and management of affordable housing, including the use of planning instruments and Council property.

19.2 NOTICE OF MOTION: EASTERN VALLEY WAY CLEARWAYS (REPORT TO BE DISTRIBUTED SEPARATELY)

RESPONSIBLE OFFICER: DEBRA JUST – GENERAL MANAGER

AUTHOR: DEBRA JUST – GENERAL MANAGER

CITY STRATEGY LINK: 4.2.2 BALANCE TRAFFIC MANAGEMENT

MEETING DATE: 24 JULY 2017

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20 CONFIDENTIAL ITEMS

20.1 CONFIDENTIAL TENDER 104054 - CONTRACT FOR PROVISION OF PRE-PACKED MEALS AND PREPARED FOOD FOR AT HOME WITH WILLOUGHBY MEALS ON WHEELS

ATTACHMENTS:	**1. TENDER ANALYSIS - AT HOME WITH WILLOUGHBY MEALS ON WHEELS**
RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**LOUISE GEAGHAN - DOUGHERTY COMMUNITY SERVICES TEAM LEADER**
CITY STRATEGY LINK:	**1.2.2 PROVIDE AND ADVOCATE FOR APPROPRIATE FACILITIES AND SERVICES FOR ALL AGES**
MEETING DATE:	**24 JULY 2017**

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) 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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20.2 CONFIDENTIAL TENDER 108169 - LIBRARY MANAGEMENT SYSTEM FOR WILLOUGHBY LIBRARY SERVICE

RESPONSIBLE OFFICER:	**MELANIE SMITH – COMMUNITY, CULTURE & LEISURE DIRECTOR**
AUTHOR:	**ANGELA CASEY – CULTURE AND LEISURE MANAGER**
CITY STRATEGY LINK:	**1.2.3 QUALITY, ACCESSIBLE PUBLIC LIBRARY AND COMMUNITY LEARNING SERVICES ARE AVAILABLE**
MEETING DATE:	**24 JULY 2017**

REASON FOR CONFIDENTIALITY

This report is **CONFIDENTIAL** in accordance with Section 10A(2)(d) and (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

21 QUESTIONS

NIL