



Willoughby City Council

DRAFT

WILLOUGHBY CITY COUNCIL INFORMATION GUIDE

Made under the
Government Information (Public Access) Act 2009

October 2018

Willoughby City Council

INFORMATION GUIDE

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1. INTRODUCTION

The Information Guide describes Council's activities as they relate to public access to information. It also sets out the opportunities for involvement in Council's activities for members of the public.

The Guide contains information about:

- a. the structure and functions of Council
- b. the ways in which the functions of the Council affect members of the public
- c. the arrangements that exist to enable members of the public to participate in the formulation of Council's policies and the exercise of Council's functions
- d. the various kinds of government information held by Council that the Council makes publicly available
- e. the manner in which the Council makes government information publicly available, and
- f. the kinds of information that are (or will be) made publicly available free-of-charge and those kinds for which a charge is (or will be) imposed.

This Information Guide is produced in accordance with the requirements of the *Government Information (Public Access) Act 2009* (GIPA Act).

Written enquiries regarding the application of the *Government Information (Public Access) Act 2009* at Willoughby City Council can be directed to:

General Manager or
Public Officer
Willoughby City Council
PO Box 57
CHATSWOOD NSW 2057.

2. WILLOUGHBY CITY COUNCIL

THE WILLOUGHBY CITY AREA

Beautiful waterways and foreshores, 425 hectares of public open space including bushland reserves, walking trails and playing fields. One of the biggest retail centres in Australia - with over 700 shops in Chatswood and a pedestrian flow of over 50 million people a year in Chatswood Mall. With 288 km of sealed footpaths and 181 km of roadway, 8.5 km from Sydney CBD, located on key transport, rail and road arteries, Willoughby City has it all.

The City covers 23 square kilometres and incorporates the suburbs of Artarmon, Castle Cove, Castlecrag, Chatswood, Middle Cove, Naremburn, Northbridge and Willoughby, as well as parts of Gore Hill, Lane Cove North, St Leonards and Roseville. Willoughby City is a region of contrasts. We have a mix of land uses including industrial, retail, residential and special uses with some of the best schools in NSW. The City's estimated population in 2017 was 79,681. One in three of our residents is from a non-English speaking background with Chinese, Korean, Indian, Armenian and Japanese backgrounds featuring strongly.

Contrasting developments can be seen when travelling throughout the City, ranging from the heritage listed cottages indicative of our forefathers' homes to the high-rise contemporary developments in the Chatswood Central Business District.

THE ELECTED COUNCIL

The Council of the City of Willoughby comprises 13 Councillors who are elected by local residents and ratepayers to represent them. Councillors are elected for a fixed term with the next local government elections due in September 2020.

The City of Willoughby is divided into four areas called wards. Each ward is represented by three Councillors. The Mayor is popularly-elected and represents the entire area of Willoughby City.

The Councillors elected on 9 September 2017 are:

MAYOR

Gail GILES-GIDNEY

<u>MIDDLE HARBOUR WARD</u>	<u>NAREMBURN WARD</u>	<u>SAILORS BAY WARD</u>	<u>WEST WARD</u>
Angelo ROZOS	Stuart COPPOCK	Hugh ERIKSSON	Tony MUSTACA
Wendy NORTON	Christine TUON	Denis FERNANDEZ	Craig CAMPBELL
Judith RUTHERFORD	Nic WRIGHT	Brandon ZHU	Lynne SAVILLE

3. CORPORATE IDENTITY OF WILLOUGHBY CITY COUNCIL

STRUCTURE AND FUNCTION OF COUNCIL

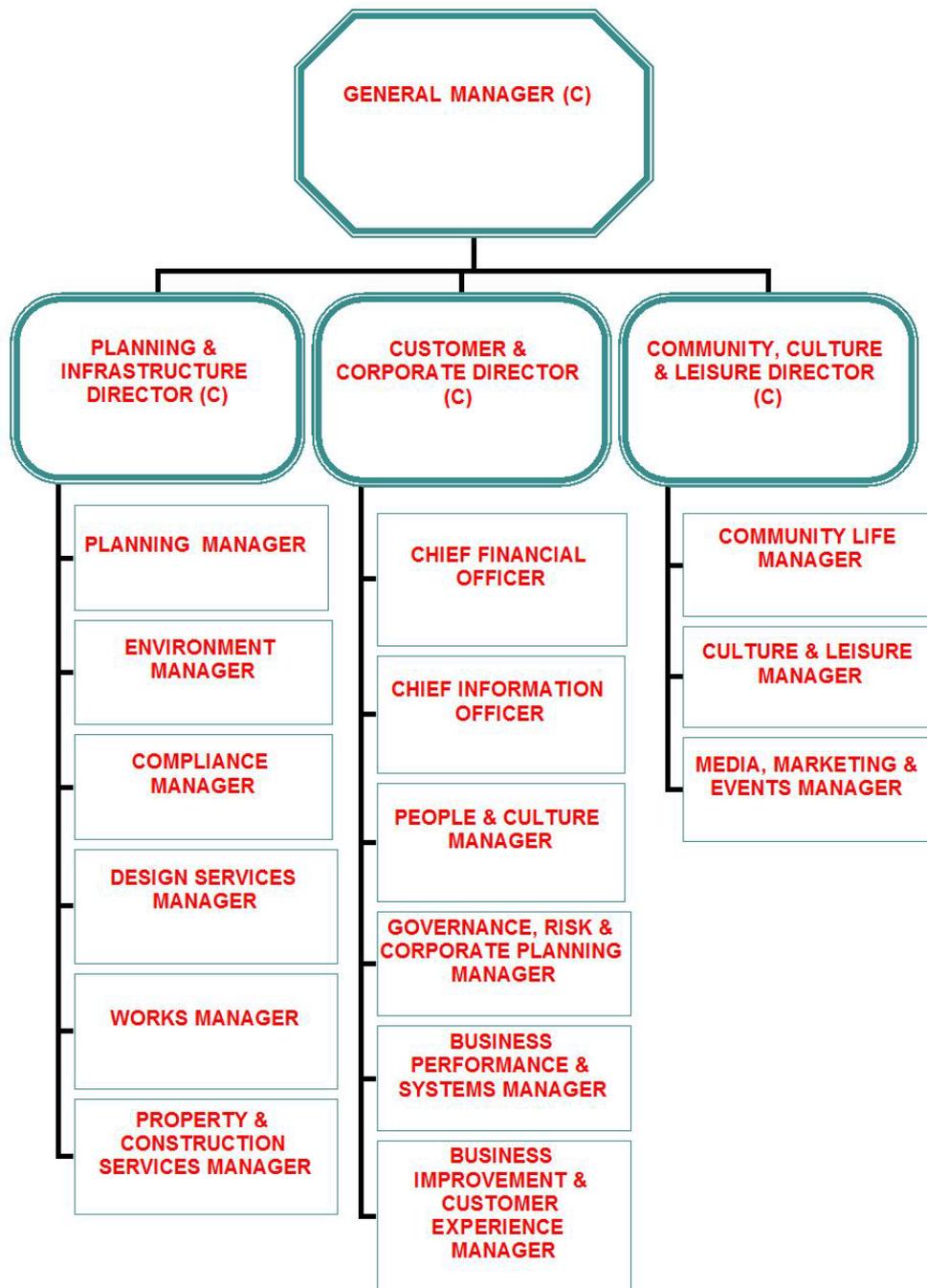
Council is a statutory body incorporated under the Local Government Act 1993.

The General Manager has overall responsibility for managing the staff in the organisation. The staff are arranged in three Divisions to carry out the diverse operations required of a multi-faceted local government organisation.

The organisation chart outlines the structure of the organisation showing the three Divisions (see page 4) . Council's functions are set out in Section 8 of the *Local Government Act 1993*:

- *"to provide directly or on behalf of other levels of government, after due consultation, adequate, equitable and appropriate services and facilities for the community and to ensure that those services are managed efficiently and effectively*
- *to exercise community leadership*
- *to exercise its functions with due regard for the cultural and linguistic diversity of its community*
- *to properly manage, develop, protect, restore, enhance and conserve the environment of the area for which it is responsible*
- *to have regard to the long term and cumulative effects of its decisions*
- *to bear in mind that it is the custodian and trustee of the public assets and to effectively account for and manage the assets for which it is responsible*
- *to facilitate the involvement of councillors, members of the public, users of facilities and services and council staff in the development, improvement and co-ordination of local government*
- *to raise funds for local purposes by the fair imposition of rates, charges and fees, by income earned from investments and, when appropriate, by borrowing and grants*
- *to keep the local community and the State Government (and through it, the wider community) informed about its activities*
- *to ensure that, in the exercise of its regulatory functions, it acts consistently and without bias, particularly where an activity of the council is affected*
- *to be a responsible employer."*

Council management structure chart



VISION STATEMENT

Council has developed a vision to guide its work:

Willoughby: the vital hub of the region, where residential, cultural, economic and environmental interests are respected and balanced, and our communities enjoy a diversity of lifestyles.

WILLOUGHBY CITY STRATEGY – COMMUNITY STRATEGIC PLAN *OUR FUTURE* *WILLOUGHBY 2028*

Our Future Willoughby 2028 (the Willoughby City Strategy) is a long term vision and plan for the future of the City to help guide decision making and planning for the next 10 years. A plan based on community vision, values and aspirations, it has been specifically developed for the Willoughby Local Government Area.

Our Future Willoughby 2028 aims to:

- Identify what the community values about our area
- Identify important issues and challenges for our future
- Agree on our future directions and long-term goals; and
- Set strategies to achieve these goals.

The Willoughby City Strategy was started in 2005, reviewed comprehensively in 2009 and updated in 2018. It is the primary planning framework for Willoughby City to guide planning and decision-making processes in all its areas of activity and service. The Strategy operates as the overarching vision for Willoughby City and drives the Council's management and operational planning. It is not just a plan for Willoughby City Council but for the whole community, a shared vision for our future that the community and stakeholders have identified.

OPERATING PRINCIPLES

Willoughby City Council is continually striving to improve customer service. To this end, we have agreed that the following operating principles are organisational values. This means that if we have been successful in adopting these values at an organisational and individual level, our customers should be confident that they will receive superior service in any and all dealings with Council.

Willoughby City Council core values are:

Respect for Our Customers and Partnership with our Community

We listen to those we serve, as our effectiveness depends on our responsiveness to your real needs and concerns.

Balancing Your Needs for Today & Tomorrow

We accept our responsibility to make decisions which enable a sustainable future for our community as a whole.

Valuing Diversity

We embrace and celebrate the many cultures, languages and life styles of the people of Willoughby, and we actively seek ways for the community to share and benefit from this wealth of diversity.

Integrity and transparency

We are fair, honest and open in all our interactions, and respect the community's right to know the reasons for decisions and actions.

Professionalism and dedication

We are well-qualified, well-informed, and objective in our approach to decisions, and tenacious in following through with actions.

Creativity

We are a learning organisation, striving continuously for improvement and encouraging innovation.

FUNCTIONS AND POWERS OF COUNCIL

Under Section 21 of the *Local Government Act 1993*, Council has the following functions:

- non-regulatory or service functions
- regulatory functions
- ancillary functions
- revenue functions
- administrative functions
- enforcement functions.

Council also has a range of powers conferred on it by some 92 other Acts. The following functions are carried out by the Council:

Financial services

- Accounting and financial statements
- Budgets
- Rating
- Risk management
- Centralised purchasing

Corporate support

- Information technology including GIS
- Governance, risk and corporate strategic planning
- Events, public relations and communications
- Information resources
- Website
- Citizenship ceremonies/public receptions
- Printing

Human resources

- Recruitment and selection
- Payroll
- Training
- Work Health and Safety

Economic and property development

- Commercial property acquisition and disposal
- Economic opportunities
- Property management/leases

Community, culture and leisure

- Library services
- Aged, disabled, children's, youth and ethnic services
- Child care
- Community arts and cultural planning and facilitation
- Events management
- Administration of community facilities:
 - Dougherty Community Centre
 - Willoughby Park Recreation Centre
 - Zenith Theatre and Convention Centre
 - Chatswood Youth Centre
 - Chatswood Mall
 - Rehearsal Studio
 - Naremburn Community Centre
- Meals-on-Wheels
- Australia Day ceremonies
- Willoughby Spring Festival
- MOSAIC (Multicultural One Stop Assistance and Information Centre)
- Willoughby Leisure Centre

Planning and environment

- Development, building, subdivision and rezoning applications
- Local Environmental Plans and Development Control Plans
- Zoning Certificates
- Section 94 and car parking contributions
- Strategic planning
- Sustainable environment
- Waste management/recycling
- Swimming pool safety
- Shop inspections (food hygiene)
- Inspection of building works
- Development and building compliance
- Ranger Services and parking control
- Environmental controls: water pollution, noise pollution
- Appeals to the Land and Environment Court
- Notices under various Acts

Infrastructure

- Construction and maintenance of roads, footpaths, kerb and gutter and car parks
- Drainage and storm water retention matters
- Traffic and transport management, traffic control schemes, parking meters, road safety

- Street lighting
- Tree planting, street tree planting programme and Tree Preservation Order
- Management and maintenance of parks, gardens and reserves
- Management and maintenance of bushland and walking trails
- Maintenance of playground equipment, sporting fields and facilities
- Conditioning of engineering works associated with development applications
- Catchment management and environmental engineering programmes
- Street cleaning
- Maintenance and construction of Council-owned property, including the Concourse

IMPACT OF COUNCIL'S FUNCTIONS ON MEMBERS OF THE PUBLIC

Local Government has long been referred to as “the people’s government” as its operations have the greatest impact on the day-to-day lives of people. For this reason all the functions previously outlined, with the exception of internal functions, impact upon the community.

Services functions	Many of the services and facilities the community utilise are provided by Council, including the maintenance and construction of roads and parks, garbage collection and recycling, library facilities, child care, community arts, recreation facilities, community transport, low-income housing, environmental monitoring.
Regulatory functions	Council controls and regulates development and construction, health standards and traffic to ensure community safety and environmental protection. Members of the community must abide by the regulations established.
Ancillary functions	These will generally affect only some members of the public. For example, if Council resumes land or is required to undertake inspections for the enforcement of the law.
Revenue functions	All customers are affected through Council raising revenue via rates, fees and charges in return for the facilities and services provided.
Administration functions	These tend not to directly affect the public. Council however has various commitments under the Act, including the preparation of a Community Strategic Plan which outlines Council’s direction. The community is encouraged to participate in this process.
Enforcement functions	Only members of the community in breach of legislation that Council is required to enforce are affected.
Governance functions	Council and committee meetings are open to the public and people can address these meetings to directly contribute to the decision making process. Communication and community consultation, complaints handling and reporting, strategic and corporate planning all impact on members of the public. Council elections also give people the opportunity to influence the operation of the organisation.

4. PUBLIC PARTICIPATION IN WILLOUGHBY CITY COUNCIL

Participation by the community and the public is to help guide Council's decision-making process. There are a number of ways the community can engage with Council, all of which are outlined in Council's Community Engagement Strategy. Below are some details of common ways in which Council engages with the community.

COUNCIL MEETINGS

Council meets on Monday evenings to discuss and determine a variety of matters. Ordinary Council Meetings take place on the second and fourth Monday of every month commencing at 7:00 pm.

All meetings are held on Level 6 of the Council Administrative Building, 31 Victor Street, Chatswood.

All Council meetings are open to the public. The only items not dealt with in public are confidential matters that fall into the categories defined in Section 10A of the *Local Government Act 1993*.

Members of the public can speak at Council meetings once they have requested to do so in writing. Council will consider matters so raised early in its meeting.

HOW TO BECOME INVOLVED WITH COUNCIL

There are a number of ways that you can be involved with Willoughby City Council.

- Council's website www.willoughby.nsw.gov.au is continually updated to keep the public up-to-date on the latest news from Council.
- Call us on 9777 1000 or visit our Administration Building at 31 Victor Street to gather some of our many brochures on activities within the City.
- Attend Council meetings. We make available copies of Council's Business Paper (i.e. meeting agenda) at the meeting and in our libraries so you can follow the matters considered by the Councillors. Copies of business papers and minutes are also available on our website ([view here](#)).
- Address a Council meeting through Open Forum where you can speak on a matter not listed on the agenda. To do so, you should put your request to speak in writing (email is sufficient) by 12.00 noon on the day of the meeting.
- Address a Council meeting on a matter on the agenda. You should make application in writing and make sure it is received by us by 12:00 noon on the day of the meeting.
- Community committees have been set up to help us undertake various tasks, where local residents may do particular work or provide advice. Vacancies on these committees are advertised publicly.
- The *Government Information (Public Access) Act 2009*, usually called the GIPA Act, requires all councils to make certain information available either on their website or at a public location (either the Customer Service counter of the Administrative Building or Council Library) free-of-charge. This information is contained in Schedule 5 of the GIPA Act.
- Documents may also be obtained in accordance with the provisions of the GIPA Act. Applications must be either on the GIPA Application Form or in writing. An application fee of \$30.00 will apply to Formal Applications. Further fees may be payable depending on the

time and complexity of the application.

- We will also notify you when we receive a development application if your property is to be affected by the proposal. You can make a submission which will be considered by Council in determining the application.
- All Local Approvals policies are advertised to enable the public to comment on them before they are finally adopted. Notices of these policies are placed in the local newspaper, the *North Shore Times*. Development Applications approved by Council are published in this newspaper.
- Council advertises in the *North Shore Times* to keep the community informed about its activities. A regular page is set aside each fortnight to inform the public of events, activities and other important information.
- Council publishes a quarterly report to the community, the *Willoughby City News* that is delivered to every resident and business. Current and past copies are also available on Council's web site.
- The *Willoughby City Guide* is an annual publication that informs residents, new and old, business owners and visitors of the services offered by Council and features of the City.
- If you are a resident of Willoughby City, you are required to vote in Local Government elections.

COMMUNITY CONSULTATION AND ENGAGEMENT

Willoughby Council is dedicated to engaging the community when making decisions. Our community is made up of a wide and diverse range of stakeholders, including our ratepayers, residents, service providers, business owners, workers and visitors. All Council community engagement is guided by our Community Engagement Strategy, which outlines our 10 key principles of good engagement. That Strategy also refers to all the ways in which we inform, consult, involve, collaborate and empower the community. From simple information sharing and the promotion of activities and events to encouraging debate on local issues and planning for the future; it is the way in which we continually build upon and strengthen the ties between Council and the community in order to achieve positive outcomes for the City of Willoughby.

Council's comprehensive Community Engagement Strategy and the Communications Policy support Council to:

- Actively create opportunities for the Willoughby community to be consulted.
- Seek a range of views available on particular issues and if required, develop consultation plans that are tailored to the particular circumstance.
- Survey the needs and expectations of the community on Council's delivery of services.
- Undertake consultation to generate public interest in specific projects and in relevant new policies.
- Inform community groups of matters of interest and concern and invite these groups to contribute their opinions.
- Ensure that consultation is timely and appropriate but not does not unduly delay the decision making process.

Some of the ways that Council engages and consults with its community include:

- Exhibition and invitation to comment on all important proposed or new Council policies, plans or initiatives.

- Various opportunities for involvement in the updating of the Willoughby City Strategy, the overarching Community Strategic Plan.
- Annual exhibition and consideration of submissions on Council's Operational Plan, budget and the Delivery Program that relate to the Willoughby City Strategy.
- A comprehensive on-line presence conducted under the "Have Your Say Willoughby" banner, offering the following:
 - online community panel, made up of a cross-section of the resident community, that regularly gives views about Council issues
 - online forums to post comments or responses to a designated topic
 - online surveys for gathering quantitative data on a topic
 - e-Newsletters which provide community members with information about specific services Council offers
 - social media as a tool for informing and engaging.
- Regular and frequent contacts between Council's Community Services staff and the many community organisations, committees and agencies that support the various populations in the City (such as children, older people, youth).
- A detailed Customer Satisfaction survey is conducted every 4 years.

PRIVACY MANAGEMENT PLAN

Council has adopted a Privacy Management Plan in accordance with the requirements of the *Privacy and Personal Information Protection Act 1998*. This Plan sets out Council's commitment to privacy protection and outlines our procedures for dealing with Privacy and Personal Information in accordance with the Information Protection Principles. This Plan is available on Council's website.

PRIVACY AND HEALTH INFORMATION PROTECTION

Access to some documents may be restricted in accordance with the *Health Records and Information Privacy Act 2002*. This Act provides for the protection of information relating to the health of individuals. As such, certain documents in Council's files are exempt under this Act and will not be made available.

5. ACCESS TO DOCUMENTS HELD BY WILLOUGHBY CITY COUNCIL

Willoughby City Council welcomes enquiries from its customers. You may make enquiries in person at our offices, by telephone, by email or by post. Council holds a range of documents covering the diverse issues that it deals with relating to the Willoughby Local Government area.

When you are seeking access to Council documents or information, Council will endeavour to make them available subject to an Informal Access Application being submitted in accordance with the guidelines in the GIPA Act.

Schedule 1 and section 4 of the Government Information (Public Access) Regulation requires that the documents listed below, are to be made publicly available for inspection, free of charge. The public is entitled to inspect these documents either on Council's website (unless there is an unreasonable additional cost to Council to publish these documents on the website) or at the offices of the Council during ordinary office hours or at any other place as determined by the Council. Any current and previous documents of this type may be inspected by the public free of charge. Copies can be supplied for reasonable copying charges.

The following table lists these public documents and how they can be accessed.

Public Documents under Schedule 1 of the GIPA Regulation

No	Name of document	Website	Counter
1	Code of Conduct	✓	✓
2	Code of Meeting Practice	✓	✓
3	Annual Report	✓	✓
4	Financial Statements	✓	✓
5	Auditor's Report	✓	✓
6	Community Strategic Plan (Willoughby City Strategy)	✓	✓
7	EEO Management Plan		✓
8	Councillor Expenses and Facilities Policy	✓	✓
9	Annual Reports of bodies exercising delegated functions by Council		✓
10	Codes referred to in the Local Government Act	✓	✓
11	Disclosure of Interest Returns		✓
12	Agendas and business papers	✓	✓
13	Council and committee minutes	✓	✓
14	Departmental reports (Section 433 Local Government Act)	N.A.	N.A.
15	Land Register		✓
16	Register of Investments	✓	✓

No	Name of document	Website	Counter
17	Register of Delegations	✓	✓
18	Register of Graffiti removal work	✓	
19	Register of declarations of political donations (Section 328A Local Government Act)	✓	✓
20	Register of voting on planning matters (Section 375A Local Government Act)	✓	✓
21	Local policies - orders and approvals	N.A.	N.A.
22	Plans of Management for community land	✓	✓
23	Environmental Planning Instruments, Development Control Plans and contribution plans made under Environmental Planning and Assessment Act	✓	✓
24	Development applications and associated documents including: <ul style="list-style-type: none"> • Home Warranty Insurance documents • Construction Certificates • Occupation Certificates • Structural Certification documents • Town Planning reports • Submissions received on Development Applications • Consultants' reports - i.e. Heritage, Traffic, Tree Inspection, Acoustic, Land Contamination 	✓	✓ ✓ ✓ ✓ ✓ ✓ ✓
25	Records of decisions on development applications	✓	✓
26	Applications for approvals under Part 1 of Chapter 7 of the Local Government Act		✓
27	Applications for approvals under other Acts		✓
28	Records of approvals granted or refused or variation from Council Policies		✓
29	Orders given under Part 2 of Chapter 7 of the Local Government Act and any reasons given under Sec 136 Local Government Act		✓
30	Orders given under the authority of any other Act		✓
31	Records of Building Certificates under Environmental Planning and Assessment Act		✓
32	Plans of land proposed to be compulsorily acquired by Council		✓
33	Compulsory Acquisition notices		✓
34	Leases and licenses for use of public land classified as Community Land		✓

ACCESS TO COUNCIL FILES

In most cases an Informal Access Request under the GIPA Act will gain access to specific information on request, subject to privacy considerations and other confidentiality provisions. Wherever possible, access will be provided in a manner which is mutually convenient. There are times, however, when additional time may be required to access specific files, particularly if the files for the period have been archived away from Council's offices.

In some circumstances, it may be appropriate to obtain access to information by way of a Formal Access Application under the GIPA Act (see next section in this publication).

POLICY DOCUMENTS

Council's policies are available for viewing and downloading on Council's website ([view here](#)).

6. FORMAL ACCESS TO INFORMATION APPLICATIONS - GOVERNMENT INFORMATION (PUBLIC ACCESS) ACT 2009

Formal requests for information under the *Government Information (Public Access) Act 2009*, usually called the GIPA Act, must be in writing, provide an address for the applicant and be accompanied by the requisite fee.

Applicable fees and charges are:

Nature of application	Application fee	Processing charge
Access to records by natural person about their personal affairs	\$30*	\$30 per hour after first 20 hours
All other requests	\$30*	\$30 per hour
Internal Review	\$40	Nil
Amendment of Records	Nil	Nil

* Subject to 50% reduction for financial hardship and public interest reasons.

Council is required to determine an application within 20 working days and the applicant will be notified in writing of the determination. This time period may be extended by a further 10 to 15 days if special circumstances apply, such as the need to consult with third parties or to locate old documents.

Lodging a Formal Application under the GIPA Act

Request for access

- Applicants seeking access to Council records must provide sufficient information to enable the requested document/s to be identified. You should consult with Council's Public Officer if you require help with your application.
- If you are seeking documents relating to your personal affairs, Council may request proof of your identity.
- If you are seeking documents on behalf of another person relating to their personal affairs, Council may ask you to submit a consent form signed by that person.
- Council, on receiving a formal GIPA application, may assist the applicant to direct the application to another agency or transfer the application to another agency as appropriate.

Form of access

Various forms of access are available depending on how the information is retained in Council's records. They are:

- inspection of documents
- copies of documents
- listening to sound recordings
- a copy of sound recordings
- production of a document from computerised information.

Further Information

Please see Council website for details on access to information [view here](#).

Useful information and frequently asked questions can be found on the Information and Privacy Commission's [website](#). You can also contact the IPC on freecall 1800 IPC NSW (1800 472 679) or by email on ipcinfo@ipc.nsw.gov.au.

For more information regarding the *Government Information (Public Access) Act 2009*, you may obtain a copy of the Act from the New South Wales Government Information Centre. A copy of the Act is also available [here](#).

7. CONTACTS FOR FURTHER INFORMATION

Should you have an enquiry, suggestion or complaint, we look forward to receiving your call and helping you to the best of our ability.

Willoughby City Council
Administrative Offices
31 Victor Street, Chatswood
PO Box 57, Chatswood, NSW 2057

Telephone: 9777 1000

Facsimile: 9777 1038

Email: email@willoughby.nsw.gov.au

Website: www.willoughby.nsw.gov.au