



Agenda: *Extraordinary Council Meeting*

Date: *Monday 17 September 2007*

Time: *8.00 pm*

Extraordinary Council Meeting

Woollahra Municipal Council

Notice of Meeting

13 September 2007

To: The Mayor, Councillor Keri Huxley
Councillors Anthony Boskovitz
John Comino
Claudia Cullen
Christopher Dawson
Marcus Ehrlich
Tanya Excell
Wilhelmina Gardner
Julian Martin
Andrew Petrie
Geoff Rundle
Isabelle Shapiro
David Shoebridge
Fiona Sinclair King
John Walker

Dear Councillors

Extraordinary Council Meeting – Monday 17 September 2007

In accordance with the provisions of the Local Government Act 1993, I request your attendance at an **Extraordinary Council Meeting** to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 17 September 2007 at 8.00pm.**

Gary James
General Manager

Meeting Agenda

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Item No: 1
Subject: Annual Fee for the Mayor & Councillors to 30 June 2008
Author: Gary James, General Manager
File No: 40.G
Reason for Report: To inform Councillors about the fees payable to the Mayor and Councillors.

Recommendation:

THAT the Council's resolution adopted on 12 June 2007 in relation to annual fees for the Mayor and Councillors be noted.

Background:

Sections 248 & 249(1) of the Local Government Act 1993, provides that the Council must pay its Mayor and Councillors an annual fee. The Act also provides that the Council may fix the annual fee and if it does so, it must fix the annual fees in accordance with the appropriate determination of the Remuneration Tribunal. A Council that does not fix the annual fee must pay the appropriate minimum fee determined by the Remuneration Tribunal.

The Mayor's fee is paid in addition to the fee paid to the Mayor as a Councillor. The fee is to be paid monthly in arrears for each month or part thereof in which the Councillor holds office as the Mayor.

The fees have been determined for the period to June 30, 2008. The resolution adopted by Council on 12 June 2007 was in the following terms:-

That Council adopt an annual fee of \$14,400 to be paid to Councillors and an additional annual mayoral fee of \$31,440 to be paid to the Mayor for the period 1 July 2007 to 30 June 2008, in line with the 3.4% allowable rate increase for 2007/2008.

Conclusion:

This report is provided for the information of Councillors.

Gary James
General Manager

Item No: 2
Subject: Election of Mayor for the next twelve (12) months
Author: Gary James, General Manager
File No: 40.G
Reason for Report: To facilitate the election of the Mayor

Recommendation:

That the General Manager as the Returning Officer proceed with the election of the Mayor in accordance with the provisions of the Local Government (General) Regulation 2005.

Background:

Section 282(2) of the Local Government Act 1993 provides that the Council shall elect one of its members to be Mayor. Section 290 provides that the election of the Mayor shall take place within 3 weeks of the ordinary election and in September of each subsequent year. The procedure for the Mayoral Election is in accordance with the provisions of Part 11 of the Local Government (General) Regulation 2005. Details are as follows:-

- (a) The Chairman of the meeting shall invite nominations, which are to be announced and elections are to be conducted at the same Council meeting. A Councillor may be nominated without notice. The nomination is to be made in writing by 2 or more Councillors, one of whom may be the nominee. Forms will be available at the meeting. The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (b) The nomination is to be delivered or sent to the Returning Officer, who is the General Manager.
- (c) The Returning Officer is to announce the names of the nominees at the Council Meeting.
- (d) If there is only one nomination or if all the candidates nominated except one decline, then the Returning Officer shall declare the nominee elected.
- (e) Where there is more than one candidate, the Council must, by resolution, decide whether the election shall be carried out by:-
 - i. Ordinary ballot, or
 - ii. Preferential ballot, or
 - iii. Open voting.
- (f) Preferential ballot and ordinary ballot will be secret ballots. (It has been the Council's practice in recent years to use the open voting method, when necessary).
- (g) Where the election is by ballot, the General Manager shall, pursuant to Clause 1, Schedule 7 of the Local Government (General) Regulation, be the Returning Officer. The Ballot shall be conducted by the preparation, marking and counting of the ballot papers in the presence of the Council; and it shall be necessary to carry all the procedures of the secret ballot. Clause 5 of the same regulation also provides:-

"If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot papers."

- (h) Clause 6, Schedule 7 of the Regulation deals with an election involving 2 candidates and provides:-

(1) If there are only 2 candidates, the candidate with the higher number of votes is elected.

(2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

Note: To choose a candidate by lot, the names of the candidates who have equal numbers are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen. (Clause 12, Schedule 7)

- (i) Clause 7, Schedule 7 deals with an election involving 3 or more candidates and provides:-

Count - 3 or more candidates

7. *(1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.*

(2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.

(3) If, after that, 3 or more candidates still remain, the procedure set out in subclause (2) is to be repeated until only 2 candidates remain.

(4) A further vote is to be taken of the 2 remaining candidates.

(5) Clause 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.

(6) If at any stage during a count under subclause (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 - Preferential Ballot

Application of Part

8. *This Part applies if the election proceeds by preferential ballot.*

Ballot-papers and voting

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

Count

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

Tied Candidates

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

At the conclusion of the Ballot (if necessary) and the declaration of the result, the Chairperson will invite the incoming Mayor to take the Chair and will invest him or her with the Chain of Office.

Gary James
General Manager

Item No: 3
Subject: **Election of Deputy Mayor for the next twelve (12) months**
Author: Gary James, General Manager
File No: 40.G
Reason for Report: To facilitate the Election of the Deputy Mayor.

Recommendation:

That the election of Deputy Mayor proceed in accordance with the Local Government (General) Regulation 2005.

Background:

The procedure is similar to that for election of the Mayor, except that the newly elected Mayor shall Chair the Meeting with the Returning Officer conducting the Election.

Gary James
General Manager

Item No: 4
Subject: **Appointment of Committees for the next twelve (12) months**
Author: Gary James, General Manager
File No: 40.G
Reason for Report: For the Council to appoint the members of the various Committees of the Council.

Recommendation:

THAT the Council appoint Councillors to the membership to Committees for the next 12 months.

Background:

The Council has developed over a long period of time a Committee system to transact the business of the Council. Information on the Committees and Committee system has been provided in the Councillor Information folder separately provided to Councillors.

Proposal:

The Council now needs to appoint Councillors to Committees.

This report proposes the appointment of Councillors to the Council's five (5) standing committee. These are:-

- Corporate and Works
- Development Control
- Community and Environment
- Urban Planning
- Strategic and Corporate

When appointing Councillors to the membership to Committees, Councillors should consider the following resolution adopted by Council on 14 March 2005:-

- A. *That the Committee Structure status quo remain.*
- B. *The Development Control Committee meetings commence at 6.00pm as soon as practicable.*
- C. *That the number of Councillors on each Committee be considered at the Council Meeting in September each year which determines the Committee membership.*

Current Membership of the Committees is included as Annexure 1 on page 9.

Set out below is further details on each of the Committees as they stand at present. Councillors should note that the Corporate and Works Committee and the Development Control Committee meet concurrently as do Community and Environment Committee and Urban Planning Committee.

Appointment to Standing Committees

Corporate & Works Committee

Meets: 1st and 3rd Monday
Commences: 6.00pm
Membership: Mayor (ex-officio)
7 Councillors

Development Control Committee

Meets: 1st and 3rd Monday
Commences: 6.00pm
Membership: Mayor (ex-officio)
7 Councillors

Community & Environment Committee

Meets: 2nd and 4th Monday
Commences: 6.00pm
Membership: Mayor (ex-officio)
7 Councillors

Urban Planning Committee

Meets: 2nd and 4th Monday
Commences: 6.00pm
Membership: Mayor (ex-officio)
7 Councillors

Strategic & Corporate Committee

Meets: As required
Commences: Depends on circumstances
Membership: Mayor (ex-officio)
All Councillors

Gary James
General Manager

Annexure 1

Standing Committees		
COMMITTEE NAME	MEMBERSHIP	CURRENTLY ON
Corporate & Works	Mayor (ex-officio) 7 Councillors	The Mayor, Councillor Keri Huxley, ex-officio, Councillors Marcus Ehrlich, Wilhelmina Gardner, Julian Martin (Chair), Isabelle Shapiro, David Shoebridge (Deputy Chair), Fiona Sinclair King and John Walker
Development Control	Mayor (ex-officio) 7 Councillors	The Mayor, Councillor Keri Huxley, ex-officio, Councillors Anthony Boskovitz, John Comino (Chair), Claudia Cullen (Deputy Chair), Chris Dawson, Tanya Excell, Andrew Petrie, Geoff Rundle
Community & Environment	Mayor (ex-officio) 7 Councillors	The Mayor, Councillor Keri Huxley, ex-officio, Councillors Anthony Boskovitz (Chair), Claudia Cullen, Marcus Ehrlich, Tanya Excell (Deputy Chair), Julian Martin, Andrew Petrie and Fiona Sinclair King
Urban Planning	Mayor (ex-officio) 7 Councillors	The Mayor, Councillor Keri Huxley, ex-officio, Councillors John Comino, Chris Dawson, Wilhelmina Gardner, Geoff Rundle (Chair), Isabelle Shapiro (Deputy Chair), David Shoebridge and John Walker
Strategic & Corporate	Mayor (ex-officio) All Councillors	All Councillors

Item No: 5
Subject: **Representation on other Committees & Organisations**
Author: Gary James, General Manager
File No: 40.G
Reason for Report: To authorise the Mayor to make appointments to various other Committees and organisations.

Recommendation:

- a. That the Mayor in consultation with the General Manager review the need for appointment to the other Committees, organisations, etc having regard to the original purpose of the appointments.
- b. That subject to the outcome of the review in a. the Mayor be authorised to appoint the Councillor representatives to the other Committees and organisations.

Background:

It has been past practice for the Mayor of the Day to appoint delegates and representatives to various external and internal committees, working parties and forums.

Many of these groups are “sunset” groups ie, when the job is finished the group disbands. With this in mind it is proposed that the Mayor in consultation with the General Manager review the need for some of the groups prior to making the appointments.

The current composition delegates/appointments of these groups is as follows:-

Other Committees and Organisations

Urban Planning related Sub Committees		
Committee Name	Membership	Members appointed
Strategic Planning Working Party	Mayor & 7 Councillors	Mayor (Chair), Crs Comino, Dawson, Gardner, Rundle, Shapiro & Shoebridge
Oxford St Paddington Working Party	Mayor & 6 Councillors	Mayor, Crs Martin (Chair), Dawson, Ehrlich, Rundle & Shoebridge
Double Bay Commercial Centre Working Party	Mayor & 7 Councillors	Mayor, Crs Dawson (Chair), Boskovitz, Rundle, Shapiro, Sinclair King & Walker
Sydney Harbour Federation Trust Community Advisory Committee (CAC)	Mayor	Mayor

Corporate & Works related Sub Committees		
Committee Name	Membership	Members appointed
WWPP Joint Committee	Mayor & 2 Councillors (plus alternate delegates)	Mayor, (Chair), Crs Walker & Petrie Alternates: Crs Comino & Shoebridge
PREMSURE	1 Councillor for whole term of Council.	Cr Comino
SSROC – Ordinary	Mayor & 1 Councillor (plus alternate delegate)	Mayor & Cr Dawson Cr Ehrlich (Alternate)
SSROC - Standing Committee 1 - Asset mgmt, public works, joint tendering, waste mgmt, SSROC financial reports	1 Councillor	Cr Excell
Bicycle Working Party	2 Councillors	Cr Shoebridge (Chair)
Assets Working Party	Mayor & 10 Councillors	Mayor & Crs Petrie (Chair), Comino, Cullen, Dawson, Gardner, Martin, Rundle, Shoebridge, Sinclair King & Walker
Paddington Traffic Working Party	Paddington Ward Councillors	Mayor & Crs Ehrlich & Martin
Legal Sub Committee	Mayor & 7 Councillors	Mayor & Crs Shapiro (Chair), Comino, Ehrlich, Rundle, Shoebridge, Sinclair King & Walker

Community & Environment related Sub Committees		
Committee Name	Membership	Members appointed
Sydney Coastal Councils Group	2 Councillors	Crs Excell & Gardner
SSROC Standing Committee 2 Regional planning matters, environ mgmt, transport pln & mgmt, community dvlp & road safety	1 Councillor	Cr Boskovitz
Environmental Levy Community Reference Group	2 Councillors	Cr Excell
Vegetation Management Strategy Working Party	2 Councillors	Crs Shoebridge (Chair) & Excell
Youth Issues Forum	2 Councillors	Crs Boskovitz & Ehrlich
Woollahra Community Safety Committee	1 Councillor	Cr Shapiro
Access Committee	1 Councillor	Cr Petrie (Chair)
Seniors Advisory Committee	1 Councillor	Cr Excell
Friends of Woollahra Library	3 Councillors	Crs Dawson, Excell & Shoebridge
Holdsworth St Community Centre Management Committee	2 Councillors	Crs Excell & Shoebridge
Small Sculpture Prize Advisory Committee	5 Councillors	Crs Shapiro (Chair), Dawson, Excell, Sinclair King
Eastern Region Local Government Aboriginal & Torres Strait Islander Forum	1 - 2 Councillors	Crs Excell & Sinclair King
Woollahra Kindergarten Parent Advisory Committee	1 Councillor	Cr Shoebridge
Woollahra Senior Citizens Welfare Association	2 Councillors	Crs Dawson & Shapiro
Waste Management Working Party	3 Councillors	Crs Comino & Excell
ICLEI International Council for Local Gov Environ Initiatives "Cities for Climate Protection Program"	1 Councillor	Cr Excell
Citizen of the Year Assessment Panel	4-5 Councillors	Crs Boskovitz, Dawson, Excell & Sinclair King
Community Transport Forum	TBA	Cr Shoebridge

Community & Environment related Sub Committees		
Committee Name	Membership	Members appointed
Floodplain Risk Management Committee	3 Councillors	Crs Martin (Chair), Rundle & Shoebridge
Double Bay Chamber of Commerce (DBCC) Liaison Group	Mayor and 3 Councillors 2 Alternates	The Mayor, Crs Dawson, Rundle, Shapiro & Petrie
Public Art Advisory Committee	2 Councillors (one as Chair)	Crs Excell (Chair) & Shapiro
Community & Social Planning Advisory Panel	1 Councillor	Cr Excell

Gary James
General Manager

Item No: 6
Subject: **Delegations of Authority to the Mayor & Deputy Mayor for the next twelve (12) months**
Author: Gary James, General Manager
File No: 40.G
Reason for Report: To delegate certain powers to the Mayor and Deputy Mayor to facilitate the business of the Council.

Recommendation:

a. Mayor's Delegation

THAT subject to compliance with the requirements of the Local Government Act, 1993, and Regulations thereunder, and any expressed policy of the Council or regulations of any public authority other than the Council, and pursuant to Section 377 of the Local Government Act, 1993, the Mayor be authorised to exercise or perform on behalf of the Council the following powers, authorities, duties or functions; such authorisation to be effective whilesoever he/she remains in the position of Mayor:

- (a) To authorise, in conjunction with the General Manager and Chairperson of the Development Control Committee, on the recommendation of the appropriate Staff Officer of the Council, the resisting of any Appeal to the Land and Environment Court, against a decision of the Council in respect of a development or related application.
- (b) To authorise the briefing of Counsel, in the resisting of any Appeal, if such is recommended by the Council Solicitors and/or staff.
- (c) To refer to the General Manager any matter considered to need investigation and report.
- (d) To consent, where Court determined constraints prevent reporting to the Development Control Committee before the hearing, in consultation with the General Manager, to the entering into of consent orders where Council's Solicitors have recommended consent orders be entered into, subject to satisfactory conditions, arrangements as to costs where appropriate and all parties including parties who made submissions be advised of the decision,
- (d) To have delegated authority for the appointment of a Review Panel on an annual basis, to conduct the General Manager's Contract and Performance Agreement Review in accordance with the Terms of Reference adopted by Council on 14 August 2000.

To ensure, through the General Manager and staff generally, that the interests of the Council and its community are protected by the authorisation of necessary actions relating to the resisting of Appeals, instructing of Solicitors and Counsel as necessary, conferring with applicants and others; PROVIDED THAT in the exercise of such powers and authorities the Mayor shall not act contrary to specific Council resolutions taken beforehand.

Deputy Mayor's Delegations

Subject to compliance with the requirements of the Local Government Act 1993, and Regulations thereunder, and any expressed policy or direction of the Council, and subject to any direction given by the Mayor, the Council pursuant to the provisions of Section 377 of the Local Government Act 1993 and every other power it hereunto enabling hereby delegates to the Deputy Mayor, from the time being and from time to time, of the Council to exercise and perform on behalf of the Council the powers, authorities, duties and functions delegated to the Mayor PROVIDED THAT the Deputy Mayor may exercise such powers, authorities, duties and functions only on the request of the Mayor or when the Mayor is prevented by illness, absence or otherwise from performing any duty of his or her office or during such time as a casual vacancy exists in the office of Mayor.

Background:

The role of the Mayor as set out in Section 226 of the Local Government Act is as follows:-

226 The role of the Mayor is:

- to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council.
- to exercise such other functions of the council as the council determines.
- to preside at meetings of the council.
- to carry out the civic and ceremonial functions of the mayoral office.

The role of the Deputy Mayor as set out in Section 231 (3) of the Local Government Act is as follows:-

The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor.

The delegations provide specific details as to the exercise of the function of the Mayor so as to give effect to Sections 226 and 231(3).

Gary James
General Manager

Item No: 7
Subject: **Delegations of Authority to Standing Committees**
Author: Gary James, General Manager
File No: 40.G
Reason for Report: For the Council to adopt Delegations and responsibilities of Council's Standing Committees.

THAT the delegations and responsibilities of the Council's five (5) Standing Committees adopted at the Council Meeting on 20 September 2006 and detailed in this report, be reaffirmed.

Background:

Section 377 of the Local Government Act provides that the Council may by resolution delegate to Committees and the General Manager certain functions of the Council to allow the business of the Council to be conducted in an effective and efficient manner.

This Council over many years has developed a set of delegations to Committees which incorporate safeguards which allow decision making to occur efficiently while enabling Councillors to be effectively involved in key decisions.

The delegation and safeguards system allows the standing Committees to determine matters under delegation or requires the matter to be referred to full Council (the safeguards) with a Committee recommendation if that recommendation contains a substantive change to the recommendation on the business paper.

Existing Delegations

At the Extra Ordinary Council Meeting on 19 September 2001, Council adopted delegations for all standing Committees. A review of delegations for the Development Control Committee was undertaken in the later part of 2001 and new delegations were adopted by Council at its Meeting held on 17 December 2001.

Council reaffirmed these delegations on 11 September 2002, 15 April 2004 and 7 September 2005.

A further review of the delegations for the Development Control Committee was undertaken in mid 2006 and new delegations were adopted by Council at its meeting held on 14 August 2006.

Council reaffirmed all the then current Committee delegations on 20 September 2006.

It is recommended that the current delegations to Committees as resolved by Council on 20 September 2006 be reaffirmed.

The current delegations for the five (5) standing committees are as follows:-

Standing Committees

a. Corporate & Works Committee

Recommendation only to the Full Council:

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- The voting of money for expenditure on works, services and operations.
- Rates, Fees and Charges.
- Donations
- Matters which involve broad strategic or policy initiatives within responsibilities of the Committee.
- Matters not within the specified functions of the Committee.
- Asset Rationalisation.
- Corporate Operations:-
 - Statutory Reporting;
 - Adoption of Council's Management Plans;
 - Delegations; and
 - Policies.
- Tenders as per Regulation requirements.
- Leases.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.

Delegated Authority:

- General financial and corporate management of the Council, except those specifically excluded by statute, by Council direction or delegated specifically to another Committee.
Note: This not to limit the discretions of nominated staff members exercising Delegated Authorities granted by the Council.
- Quarterly review of Council's Management Plan.
- Finance Regulations, including:-
 - Authorisation of expenditures within budgetary provisions where not delegated;
 - Quarterly review of Budget Review Statements;
 - Quarterly and other reports on Works and Services provision; and
 - Writing off of rates, fees and charges because of non-rateability, bad debts, and impracticality of collection.
- Auditing.
- Property Management.
- Asset Management.
- Traffic Management - Works Implementation.
- Works and Services - Monitoring and Implementations.
- Legal Matters and Legal Register.
- Parks and Reserves Management.
- Infrastructure Management, Design and Investigation.
- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agenda (and as may be limited by specific Council resolution).
- Confirmation of Minutes of its Meeting.

- Any other matter falling within the responsibility of the Corporate and Works Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.

b. Development Control Committee

Recommendation only to the Full Council:

- Specified developments, as may be determined and listed by the Council by resolution taken from time to time.
- Matters which involve broad strategic or policy initiatives within responsibilities of Committee.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters not within the specified functions of the Committee.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.

Delegated Authority:

Determine all Development Applications, except applications that are:

- called to Council by a Councillor in accordance with the adopted procedures for the call up of items.

Determine development applications which:

- are called to it or referred to it by the AAP, DCC Site Inspections, Council, Manager Development Control, Director or General Manager
- are designated development
- involve the substantial demolition of heritage items, or buildings on the Tanner list.
- propose new residential flat buildings, except where they may be refused under the staff delegation in 1.1
- are for new development or significant alterations on land with a water frontage
- a Councillor, or member of staff, has declared an interest because of being the owner or applicant or a conflict of interest because of a family or personal relationship with an owner, applicant or objector.

Determine:

- applications that do not comply with the Foreshore Building Line except where such applications do not increase an existing non-compliance with the Foreshore Building Line
- applications for a review of determination under section 82A of the *Environmental Planning and Assessment Act 1979* where the AAP determined the original application
- applications for modifications of consent under section 96(2) of the EPA Act where the application relates to conditions additionally imposed by the DCC to address objectors' concerns
- matters, the subject of Land and Environment Court proceedings, arising from a determination of the DCC or Council.

c. Urban Planning Committee

Recommendation only to the Full Council:

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic matters, such as:-
 - Town Planning Objectives; and
 - major planning initiatives.
- Matters not within the specified functions of the Committee.
- Matters requiring supplementary votes to Budget.
- Urban Design Plans and Guidelines.
- Local Environment Plans.
- Residential and Commercial Development Control Plans.
- Rezoning applications.
- Heritage Conservation Controls.
- Traffic Management and Planning (Policy) and Approvals.
- Commercial Centres Beautification Plans of Management.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters reserved by individual Councillors, in accordance with any Council policy on "safeguards" and substantive changes.

Delegated Authority:

- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of Minutes of its Meeting.
- Any other matter falling within the responsibility of the Urban Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.

d. Community & Environment Committee

Recommendation only to the Full Council:

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Matters which involve broad strategic or policy initiatives within responsibilities of Committee.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters delegated to the Council by the Traffic Authority of NSW.
- Matters not within the specified functions of the Committee, or which are not the subject of a Business Agenda (current or past).
- Matters reserved by individual Councillors, in accordance with any Council policy on "safeguards" and substantive change.
- Parks and Reserves Plans of Management (Strategies, Policies and Objectives).
- Residential Parking Schemes - Provision and Policies.

Delegated Authority:

- Community Services and Programs.
- Library Services
- Health.
- Licensing.
- Liquor Licences.
- Regulatory.
- Fire Protection Orders.
- Residential Parking Schemes (surveillance and administration).
- Traffic Management (Traffic Committee Recommendations).
- Waverley/Woollahra Process Plant.
- Waste Minimisation.
- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolution).
- Confirmation of the Minutes of its Meeting.
- Any other matter falling within the responsibility of the Community and Environment Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above

e. Strategic & Corporate Committee

Recommendation only to the Full Council:

Note: This Committee to function on the basis of referral with considerations to encompass functions and responsibilities from any other Committee.

Principal Considerations:

- Municipal Strategy
- Objectives Setting
- Policies and Codes Development
- Corporate Management
- Corporate Planning
- Woollahra Planning
- Community Services

Gary James
General Manager

Item No: 8
Subject: Chairpersons of Committees
Author: Gary James, General Manager
File No: 40.G
Reason for Report: For the Council to determine which method is to be used to determine the Chairperson of Committees.

Recommendation:

THAT the Council determine the method of electing the Chairperson of each of the Council's Standing Committees.

Background:

Clause 267 of the Local Government (General) Regulation 2005 states in part:-

- (1) *The chairperson of each committee of the council must be:*
- (a) *the mayor; or*
 - (b) *if the mayor does not wish to be the chairperson of a committee - a member of the committee elected by the council; or*
 - (c) *if the council does not elect such a member - a member of the committee elected by the Committee.*

The practice of the Council had in the past been for each Committee to elect its own chairperson however for the last five years, Council elected the Chairperson of each Standing Committee. In the event of the Mayor not wishing to be the Chairperson of any of the Standing Committees, the Council should determine how it wishes to proceed with the necessary appointments.

Gary James
General Manager