

# Extraordinary Council Meeting

Wednesday 1 October 2008

## Table of Contents

Apologies .....	3167
Declarations of Interest .....	3167
1. Annual Fee for The Mayor & Councillors to 30 June 2009.....	3168
2. Election of Mayor for the next twelve (12) months .....	3168
3. Election of Deputy Mayor for the next twelve (12) months .....	3169
4. Appointment of Committees for the next twelve (12) months.....	3170
5. Representation on other Committees & Organisations .....	3171
6. Delegations of Authority to The Mayor & Deputy Mayor for the next twelve (12) months .....	3172
7. Delegations of Authority to Standing Committees .....	3173
8. Chairpersons of Committees .....	3173



# Extraordinary Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council  
held at the Council Chambers, Double Bay, on  
Wednesday 1 October 2008 at 7.30pm.**

**Present:** His Worship the Mayor, Councillor Geoff Rundle

**Councillors** Anthony Boskovitz  
Sean Carmichael  
Peter Cavanagh  
Lucienne Edelman  
Nicola Grieve  
Chris Howe  
Susan Jarnason  
Andrew Petrie  
Ian Plater  
Isabelle Shapiro  
David Shoebridge  
Susan Wynne  
Malcolm Young  
Toni Zeltzer

**Staff:**

A Coker	(Director – Planning & Development)
G Clarke	(Director – Corporate Services)
W Hatton	(Director – Technical Services)
G James	(General Manager)
K Walshe	(Director – Community Services)
L Windle	(Manager – Governance)
H Tola	(Team Leader Governance)

**Also in Attendance:** Nil

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**Note:** The Mayor, Geoff Rundle’s term of office terminated following the election of Councillor Andrew Petrie as the Mayor for the period to September 2009. Geoff Rundle vacated the Chair following the election of Councillor Andrew Petrie as Mayor.

## Apologies

**(Petrie/Shapiro)**

**1/17** Apologies were received and accepted from Councillor Greg Medcraft and Leave of Absence granted.

**Adopted**

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## Declarations of Interest

Nil

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**Note:** Item 8 (Chairpersons of Committee) was considered after Item 3 (Election of Deputy Mayor for the next twelve (12) months).

**Item No:** 1  
**Subject:** **Annual Fee for The Mayor & Councillors to 30 June 2009**  
**Author:** Gary James, General Manager  
**File No:** 40.G  
**Reason for Report:** To inform Councillors about the fees payable to the Mayor and Councillors.

(Shapiro/Zeltzer)

**2/17 Resolved:**

That the Council's resolution adopted on 23 June 2008 in relation to annual fees for the Mayor and Councillors be noted.

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**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

**Note:** The General Manager as Returning Officer called for nominations. When nominations closed there were 2 nominations. They were:

Councillor Petrie  
Councillor Shoebridge

The Returning Officer asked the meeting as to the method of voting.

**Motion moved by Councillor Shoebridge  
Seconded by Councillor Petrie**

**3/17** That the method of election of the Mayor be by open voting.

**Adopted**

**Note:** The Returning Officer then asked for a show of hands for each of the candidates. The result was:-

Councillor Petrie	8 votes
Councillor Shoebridge	4 votes

Councillor Petrie was declared elected as the Mayor for the period to September 2009.

The Mayor assumed the Chair.

**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.

**Note:** The General Manager as Returning Officer called for nominations. When nominations closed there were 2 nominations. They were:

Councillor Grieve  
Councillor Shapiro

The Returning Officer asked the meeting as to the method of voting.

**Motion moved by Councillor Shoebridge**  
**Seconded by Councillor Zeltzer**

**4/17** That the method of election of the Deputy Mayor be by open voting.

**Adopted**

**Note:** The Returning Officer then asked for a show of hands for each of the candidates. The result was:-

Councillor Grieve      3 votes  
Councillor Shapiro      8 votes

Councillor Shapiro was declared elected as the Deputy Mayor for the period to September 2009.

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**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.

**(Shoebridge/Zeltzer)**

**Resolved:**

**5/17** That the meeting adjourn for a short period to allow informal discussion on the membership of the Committees.

**Note:** The Meeting adjourned at 7.50pm.  
The Meeting reconvened at 8.00pm with the following Councillors present:  
The Mayor Councillor Petrie and Councillors Boskovitz, Carmichael, Cavanagh, Edelman, Grieve, Howe, Jarnason, Plater, Shapiro, Shoebridge, Wynne, Young and Zeltzer.

**(Boskovitz/Shapiro)**

**Resolved:**

**6/17** That the Corporate & Works Committee comprise the following Councillors to September 2009:

The Mayor Councillor Petrie, ex-officio and Councillors Boskovitz, Cavanagh, Grieve, Medcraft, Plater and Shapiro.

**(Boskovitz/Shapiro)**

**Resolved:**

**7/17** That the Development Control Committee comprise the following Councillors to September 2009:

The Mayor Councillor Petrie, ex-officio and Councillors Carmichael, Edelman, Howe, Jarnason, Shoebridge, Wynne, Young and Zeltzer.

**(Boskovitz/Shapiro)**

**Resolved:**

**8/17** That the Community & Environment Committee comprise the following Councillors to September 2009:

The Mayor Councillor Petrie, ex-officio and Councillors Boskovitz, Cavanagh, Jarnason, Medcraft, Plater, Shapiro and Wynne.

**(Boskovitz/Shapiro)**

**Resolved:**

**9/17** That the Urban Planning Committee comprise the following Councillors to September 2009:

The Mayor Councillor Petrie, ex-officio and Councillors Carmichael, Edelman, Grieve, Howe, Shoebridge, Young and Zeltzer.

**(Boskovitz/Shapiro)**

**Resolved**

**10/17** That the Strategic & Corporate Committee comprise the following Councillors to September 2009:

The Mayor Councillor Petrie, ex-officio and all Councillors.

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**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.

**(Shapiro/Boskovitz)**

**11/17 Resolved:**

- 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.

**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.

(Shapiro/Wynne)

12/17 **Resolved:**

**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 whilessoever 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,
- e. 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.
- f. To have delegated authority to appoint delegates and alternate delegates to the Annual Conference of the Local Government Association of NSW

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.

**B. 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.

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**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.

(Shapiro/Carmichael)

**13/17 Resolved:**

That the delegations and responsibilities of the Council's five (5) Standing Committees adopted at the Council Meeting on 17 September 2007 and detailed in this report, be reaffirmed.

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**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.

(Howe/Edelman)

**Resolved:**

**14/17** THAT the Chair of the Development Control Committee, Urban Planning Committee, Corporate and Works Committee and Community and Environment Committee be appointed by the Council.

**(Shapiro/Edelman)**

**Resolved:**

**15/17** That Councillor Medcraft be elected the Chairperson of the Corporate and Works Committee.

**(Carmichael/Edelman)**

**Resolved:**

**16/17** That Councillor Howe be elected the Chairperson of the Development Control Committee.

**(Zeltzer/Shapiro)**

**Resolved:**

**17/17** That Councillor Cavanagh be elected the Chairperson of the Community and Environment Committee

**(Edelman/Carmichael)**

**Resolved:**

**18/17** That Councillor Zeltzer be elected the Chairperson of the Urban Planning Committee.

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There being no further business the meeting concluded at 8.05pm.

*We certify that the pages numbered 3165 to 3174 inclusive are the Minutes of the Extraordinary Meeting of Woollahra Municipal Council held on 1 October 2008 and confirmed by Council at the ordinary Meeting of Council on 13 October 2008 as correct.*

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**General Manager**

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**Mayor**