

# Extraordinary Council Meeting

Monday 17 September 2007

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# Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council  
held at the Council Chambers, Double Bay, on  
Monday 17 September 2007 at 8.40pm.**

Present: Her Worship 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

Staff: A Coker (Director – Planning & Development)  
G Clarke (Director – Corporate Services)  
W Hatton (Director – Technical Services)  
G James (General Manager)  
L Windle (Manager – Governance)  
B Daintry (Manager Development Control)

Also in Attendance: Nil

## Apologies

Nil

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## Declarations of Interest

Nil

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**Note:** The Mayor, Councillor Huxley thanked all Councillors for their support and stated that being Mayor had been a most privileged position and that she had enjoyed the spirit of goodwill among the Councillors over the last 12 months.

**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.

(Comino/Martin)

**Resolved:**

**1/18** THAT the Council's resolution adopted on 12 June 2007 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 Geoff Rundle  
Councillor John Walker

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

**Motion moved by Councillor Boskovitz**  
**Seconded by Councillor Petrie**

That the method of election of the Mayor be by secret ballot.

**Lost**

**Motion moved by Councillor Huxley**  
**Seconded by Councillor Cullen**

That the method of election of the Mayor be by open voting.

**Adopted**

**Resolved:**

**2/18** That the method of election of the Mayor be by open voting.

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

Councillor Geoff Rundle     12 votes  
Councillor John Walker     3 votes

Councillor Geoff Rundle was declared elected as the Mayor for the period to September 2008.

The Mayor assumed the Chair.

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**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 was 1 nomination. The nomination was for:

Councillor Isabelle Shapiro

As there was only one nomination for the position of Deputy Mayor, Councillor Isabelle Shapiro was declared elected as the Deputy Mayor for the period to September 2008.

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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.

**(Petrie/Comino)**

**Resolved:**

**3/18**     That the meeting adjourn for a short period to allow informal discussion on the membership of the Committees.

**Note:**                     The Meeting adjourned at 8.50pm.

The Meeting reconvened at 9.03pm with the following Councillors present:  
The Mayor Councillor Rundle, Councillors Boskovitz, Comino, Cullen, Dawson, Ehrlich, Excell, Gardner, Huxley, Martin, Petrie, Shapiro, Shoebridge, Sinclair King, and Walker.

**(Boskovitz/Petrie)****Resolved:**

- 4/18** That the Development Control Committee comprise the following Councillors to September 2008: The Mayor, Councillor Rundle, ex-officio and Councillors Dawson, Excell, Gardner, Huxley, Martin, Shapiro and Shoebridge.

**(Petrie/Cullen)****Resolved:**

- 5/18** That the Corporate and Works Committee comprise the following Councillors to September 2008: The Mayor, Councillor Rundle, ex-officio and Councillors Boskovitz, Comino, Cullen, Ehrlich, Petrie, Sinclair King and Walker.

**(Petrie/Comino)****Resolved:**

- 6/18** That the Community and Environment Committee comprise the following Councillors to September 2008: The Mayor, Councillor Rundle, ex-officio and Councillors Boskovitz, Ehrlich, Excell, Petrie, Shapiro, Sinclair King and Walker.

**(Huxley/Martin)****Resolved:**

- 7/18** That the Urban Planning Committee comprise the following Councillors to September 2008: The Mayor, Councillor Rundle, ex-officio and Councillors Comino, Cullen, Dawson, Gardner, Huxley, Martin and Shoebridge.

**(Petrie/Cullen)****Resolved:**

- 8/18** That the Strategic and Corporate Committee comprise of the following Councillors to September 2008:  
The Mayor, Councillor Rundle, 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.

(Petrie/Shoebridge)

**9/18 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.

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**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.

(Petrie/Huxley)

**10/18 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.

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.

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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.

(Martin/Comino)

### **Resolved:**

- 11/18** 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.

**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.

(Petrie/Martin)

**12/18** That Council elect Committee Chairpersons.

**Adopted**

(Martin/Huxley)

**Resolved:**

**13/18** That Councillor Petrie be elected the Chairperson of the Corporate and Works Committee.

(Martin/Shapiro)

**Resolved:**

**14/18** That Councillor Huxley be elected the Chairperson of the Development Control Committee.

(Martin/Shoebridge)

**Resolved:**

**15/18** That Councillor Excell be elected the Chairperson of the Community and Environment Committee.

(Boskovitz/Shapiro)

**Resolved:**

**16/18** That Councillor Comino be elected the Chairperson of the Urban Planning Committee.

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There being no further business the meeting concluded at 9.10pm.

*We certify that the pages numbered 2522 to 2530 inclusive are the Minutes of the Extraordinary Meeting of Woollahra Municipal Council held on 17 September 2007 and confirmed by Council at the ordinary Meeting of Council on 24 September 2007 as correct.*

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**General Manager**

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**Mayor**