



Community & Environment Committee

Agenda: *Community & Environment Committee*

Date: *Monday 1 November 2004*

Time: *6.00pm*

Outline Of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Delegated Authority (“D” Items):

- Community Services and Programmes.
- Health.
- Liquor Licences.
- Fire Protection Orders.
- Residential Parking Schemes (surveillance and administration).
- Traffic Management (Traffic Committee Recommendations).
- Waverley/Woollahra Process Plant.
- 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 below.
- Library Services
- Licensing.
- Regulatory.
- Waste Minimisation

Recommendation only to the Full Council (“R” Items):

- 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 the 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".
- Parks and Reserve Plans of Management (Strategies, Policies and Objectives)
- Residential Parking Schemes - Provision and Policies

Committee Membership:

7 Councillors

Quorum:

The quorum for a Committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

28 October 2004

To: The Mayor, Councillor Rundle, ex-officio
Councillors Marcus Ehrlich (Chair)
 Anthony Boskovitz
 Claudia Cullen
 Tanya Excell
 Wilhelmina Gardner
 Andrew Petrie
 John Walker

Dear Councillors

Community & Environment Committee Meeting – 1 November 2004

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Community and Environment Committee** to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 1 November 2004 at 6.00pm.**

Gary James
General Manager

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 11 October 2004	1
D2	Parks & Public Space – Quarterly Report	2
D3	Community Services – Quarterly Report	7
D4	Environmental Works Program - Quarterly Report	32
D5	Natural Environment Principal Activity – Quarterly Management Review	53
D6	Review of Outstanding Notices of Motion – 900.G	63

Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	Delegations under the Food Act 2003 & Food Regulation 2004 – 10.G	66
R2	Declaration of Lower Cooper Park as a Type C – Dogs on leash permitted at all times & unleashed between 4.30pm – 8.30am area – 271.G	69
R3	Royal Hospital for Women Park Categorisation & Draft Plan of Management – 1023.G	74

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 11 October 2004**
Author: Les Windle, Manager - Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 11 October 2004 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Community and Environment Committee Meeting of 11 October 2004 be taken as read and confirmed.

Les Windle
Manager - Governance

Item No: D2 Delegated to Committee
Subject: **Parks & Public Space - Quarterly Report**
Author: Warwick Hatton - Director Technical Services
File No:
Reason for Report: To review the status of works, services, and projects for the Management Plan principal activity of Parks and Public Space for the three months ending 30 September 2004

Recommendation:

That the status of projects for the Parks and Public Space principal activity be noted.

That the variations to projects be agreed subject to adoption of the relevant budget variations included in the separately reported quarterly financial review.

Background:

Section 407(1) of the Local Government Act requires that Council review the progress of the adopted management plan on a quarterly basis. Included with this report is the first quarterly review of Principal Activity No 2 of the Management Plan, which is "Parks & Public space". This principal activity has the following sub- activities:

- 4.1 Open Space Management
- 4.2 Open Space Asset Management
- 4.3 Open Space Maintenance & Construction
- 4.4 Park Facilities

Included as annexure to this report is:

The Parks & Public Space Principal activity of the Management Plan with detailed comments on the status of items in each sub activity

The annexure includes all the details whereas set out in the following part of this report is a commentary on variations, changes, exception, completed work, achievements, etc. The purpose being to provide Councillors with a snapshot on the key influences or issues arising from this quarterly review.

"Notices of Motion", which have a major impact on approved management plan core activities and projects, have been included in the management plan as variations so as to facilitate the changing of priorities in an orderly and transparent manner.

Comments on budget variations where they are material or have an impact on the program of works or projects may be included in this report. However, the budget review and confirmation of any changed forecast will be considered in a separate budget report which reviews the overall financial position of the Council at the end of the quarter.

Following is the commentary on each sub activity:

4.1 Open Space Management

In this quarter we have processed 795 park hire approvals and 10 filming approvals. We have commenced preparation of promotional material on our parks for the web site. This is due for completion by the end of the year.

4.2 Open Space Asset Management

The draft Masterplan for Robertson Park was placed on public exhibition and will be reported to Council in November. The draft Plan of Management for Sir David Martin Reserve has been placed on public exhibition and the Plan for the Royal Hospital for Women Park is being drafted and will be reported to Council in November, for exhibition in November and December.

Grant funding has been sought for various playground installations. New playgrounds were installed at North Cooper Park and Cooper Park and new playground designs were prepared for Harbourview Park and Trumper Park. Contracts were awarded for construction of the Royal Hospital for Women Park, the Trumper Park Pond and Rushcutters Bay Park lighting. Completed parks upgrading projects include construction and landscaping of a new viewing area at Gap Park and improved pathways in Blackburn Gardens

4.3 Open Space Maintenance & Construction

See notes on capital works projects above.

All cyclic open space maintenance schedules were completed to standard this quarter. In addition, garden bed renovations and new plant-outs were carried out at Blackburn Gardens, Chiswick Gardens and Gap Park

4.4 Park Facilities

Investigations have commenced regarding the dual naming of public reserves with indigenous names and for a policy on public sculptures in line with the adopted Notices of Motion. Parks' signage specification has been prepared for public tender and rollout continues of new park seating and bins.

Warwick Hatton
Director Technical Services

Annexures:

September Quarterly Review of Principal Activity: Parks and Public Space

Item No: D3 Delegated to Committee
Subject: **Community Services - Quarterly Report**
Author: Kylie Walshe - Director Community Services
File No:
Reason for Report: To review the status of works, services, and Notices of Motion for the Management Plan principal activity of Community Services the three months ending 30 September 2004

Recommendation:

That the status of projects for the Built Environment Principal Activity be noted.

That variations to projects be agreed subject to adoption of the relevant budget variations included in the separately reported quarterly financial review.

Background:

Section 407(1) of the Local Government Act requires that Council review the progress of the adopted management plan on a quarterly basis. Included with this report is the first quarterly review of Principal Activity No 5 of the Management Plan, which is "Community Services". This principal activity has the following sub- activities:

- 5.1 Community Services Management
- 5.2 Library Services
- 5.3 Family & Community Development
- 5.4 Aged & Disability Services
- 5.5 Leisure & Cultural Development
- 5.6 Environment & Public Health
- 5.7 Ranger Services

Included as annexure 1. to this report is the Community Services Principal activity of the Management Plan, with detailed comments on the status of items in each sub activity.

The annexure includes all the details whereas set out in the following part of this report is a commentary on variations, changes, exception, completed work, achievements, etc. The purpose being to provide Councillors with a snapshot on the key influences or issues arising from this quarterly review.

Comments on budget variations where they are material or have an impact on the program of works or projects may be included in this report. However the budget review and confirmation of any changed forecast will be considered in a separate budget report which reviews the overall financial position of the Council at the end of the quarter.

Following is the commentary on each sub activity.

5.1 Community Services Management

This sub-activity covers the area of strategic planning and activities that impact on all operations of community services. All projects in the management plan have been commenced and scoped, however, a number of projects have new target dates due to the inclusion of the Social Needs Study as a new project for the year. The Social Needs Study will provide valuable information about the needs of the Woollahra community in community services and assist Council with decisions regarding services and facilities. The original dates set for a number of activities included in the Principal Activity of Community Services were determined prior to the endorsement of the scope and methodology of the project, resulting in some changes to target dates. This includes the project to review community services, which will be undertaken following the completion of the Social Needs Study and has a new target date of March 2005.

The Community Consultation Policy has also been given a new target date of April 2005, due to the extension of this project corporate wide. The policy and framework will relate to all Council departments and require significant input from each department of Council, broadening the original project concept and impacting on the completion date.

5.2 Library Services

This sub-activity covers all library activities, including projects for library facilities and the library service as a whole. All management plan projects for this quarter have commenced and are progressing on track, with the exception of the Local History electronic photographic library that has been delayed three months. This is due to technical problems that have now been rectified.

A major activity for the past quarter was the continued implementation of the new Library Management System. As part of this a re-registration of all members is taking place with the collection of email addresses. This in turn will provide an opportunity for significantly improved communication with users on their profile reading interests. The revised web page, which was being worked on this quarter, will complement this improved communication for adults and children.

In August 2004, a highlight was the coordination of the successful Kids Day Out celebration of the newly renovated children's library, attracting the largest attendance at any event of its kind to the library. An important current strategy for the library is development of library services for children.

In September 2004, the annual Woollahra Youth Photographic Award, co-ordinated by the Library and Waverley Woollahra Arts Centre, attracted 70 entries in the photography categories. For the Award included a short film segment. This new category, which received 10 fine entries, was sponsored by Zonta.

Five authors evenings in the popular Writers and Readers series were held in the quarter.

5.3 Family & Community Development

This sub-activity covers the programs for children, youth, community safety and community development. A major project is the review of the funding levels to Holdsworth Street Community Centre, due for completion in March 2005 and on track.

A highlight of this sub-activity was the adoption of the Community Safety Plan by Council, which was submitted in July and is now awaiting endorsement by the Attorney-Generals Department to enable applications for Safety Compact funding to be made. In July, the Regional Domestic Violence Prevention Specialist gave a presentation to the Community Safety Committee, raising awareness of the extent of this hidden problem in Woollahra. In August, a Lifeline presenter facilitated a Suicide Prevention Workshop, giving residents guidance on appropriate responses to people who may be suicidal. A small display was set up in Customer Services to distribute information during Child Protection Week in September.

A project that has been included in the Management Plan over the past 2 years is the identification of a location for a skateboard facility in the area, aiming to increase informal recreational opportunities for young people. Over the past two years many sites have been assessed for their suitability as a skate venue, with no appropriate venue identified. This project is recommended to be abandoned, with the new regional skate facility at Bondi Beach meeting the regional needs of the area. In the meantime, skate clinics for young people have taken place bi-monthly at Christison Park.

The Youth Services Development Officer has established a Youth Advisory Committee in conjunction with Waverley Council, engaging young people in preparations for Youth Week 2005 and proposed youth activities.

5.4 Aged & Disability Services

All Management Plan activities in this sub-activity are on track. The main highlight for the past quarter was the opening of Canonbury Cottage at McKell Park for activities for older people. The opening was held in August 2004 and has resulted in regular exercise and social activities at the facility.

The Review of Aged and Disability Services has been completed, with any proposed changes to service provision for services supported by Council to be detailed following the completion of the Social Needs Study in March 2005.

There has been a transfer of funding of approximately \$20,000 from this sub-activity to 5.1 Community Services Management to enable the employment of a project manager to complete the Social Needs Study. The funding has been sourced from salaries as a senior employee on maternity leave has returned on a part time basis for a temporary period. As this position would have managed the project it is necessary to redirect the funds from this salary to employ a contractor to complete this project. This has not affected the total budget for the Community Services Principal Activity.

5.5 Leisure & Cultural Development

This sub-activity includes cultural events and cultural development activities. All management plan activities are on target, with the exception of the installation of insulation at the Sir David Martin Reserve Drill Hall, Rushcutters Bay. Due to the time required to receive technical reports and sound tests, this project will now be completed by December 2004.

The major change in the projected budget for this sub-activity is the reduction of income by \$15,000 and expenditure by \$12,000 for the 2004 Sculpture Prize. The revised income is \$12,000, reduced from \$27,000. The original budget anticipated that \$15,000 would be sourced in sponsorship funds and despite significant effort to attract sponsorship the only sponsorship secured for this event are in-kind donations of printing and catering. Due to this the expenditure on this event has also been reduced, with the shortfall between income and expenditure to be funded within this sub-activity.

5.5 Environment & Public Health

The activities and projects listed under this sub-activity aim to protect the health and well being of residents and visitors to our area. During the quarter;

- 124 food and health premises were inspected as part of our Food Safety Program;
- 68 babies were immunised under our Childhood Immunisation Program, being approximately 35% below our estimate; and
- 47 pollution related matters were investigated, as part of our Pollution Control Program

People & Pets Day was again successfully organised and held during the quarter.

The review and implementation of the requirements of the new *Food Act* 2003 has commenced, with a report on delegations under the new Act to be submitted to Council in November 2004.

5.6 Ranger Services

Council's Rangers provide a variety of enforcement services to ensure the public safety and convenience of our community in relation to the use of public places. During the quarter;

- 122 abandoned vehicle matters were investigated;
- 2 littering fines were issued;
- 8 dog related fines were issued; and
- Our Rangers worked with the RTA and NSW Police in managing the Olympic Torch Relay that passed through our area.

The major project of reviewing all our public notices erected in public places commenced during the quarter, with a complete audit of the signs in our parks and reserves being completed. A review of the wording of these signs and public notices is now underway so the regulatory signs are consistent and enforceable, in accordance with the provisions of the *Local Government Act* 1993 and *Companion Animals Act* 1998.

Conclusion:

In summary, the projects detailed within the Community Services Principal Activity are well advanced and predominantly on track. The broadening of the scope of projects such as the Social Needs Study will provide improved outcomes to Council and has resulted in the revision of a number of target dates.

Tim Tuxford
Manager Compliance

Kylie Walshe
Director Community Services

Annexures:

1. Community Services Principal Activity of the Management Plan

Item No: D4 Delegated to Committee
Subject: **Environmental Works Program - Quarterly report**
Author: Warwick Hatton - Director Technical Services
File No:
Reason for Report: To review the status of works, services, and projects for the Management Plan principal activity of Environmental Works for the three months ending 30 September 2004

Recommendation:

That the status of projects for the Environmental Works Program principal activity be noted.

That the variations to projects be agreed subject to adoption of the relevant budget variations included in the separately reported quarterly financial review.

Background:

Section 407(1) of the Local Government Act requires that Council review the progress of the adopted Management Plan on a quarterly basis. Included with this report is the first quarterly review of Principal Activity No 8 of the Management Plan, which is the "Environmental Works Program" (EWP). This principal activity has the following sub- activities:

- 8.1 Administration and Auditing
- 8.2 Water Quality "at source" treatment program
- 8.3 Water quality "end of line" treatment program
- 8.4 Watercourse and bushland treatment program
- 8.5 Seawall restoration treatment program
- 8.6 Local flooding, critical pits and overland flow program

The annexure includes all the details for this principal activity, whereas, set out in the following part of this report is a commentary on variations, changes, exception, completed work, achievements, etc. The purpose being to provide Councillors with a snapshot on the key influences or issues arising from this quarterly review.

Comments on budget variations where they are material or have an impact on the program of works or projects may be included in this report. However, the budget review and confirmation of any changed forecast will be considered in a separate budget report which reviews the overall financial position of the Council at the end of the quarter. It should be noted that this program is funded from a special rate levy and needs to meet the special rate requirements when it comes to variations and changes

Following is the commentary on each sub activity:

8.1 Administration and Auditing

21 active projects: An Environmental Levy brochure was posted out with the rates notice in July 2004 informing residents of program achievements. The Council's web site has now been updated to include project information on each project underway and completed. Council was also successful in obtaining a grant from the RTA Stormwater Environmental Improvements Program for the purchase of a Spill Response Trailer and support training for operation staff to use the trailer and to manage a spill or pollution incident.

8.2 Water Quality "at source" treatment program

The objectives of this program are to prevent pollutants, litter, vegetation matter and sediment entering the Harbour. Education programs, and installation of water quality devices such as stormwater inlet pit baskets, are the types of projects that meet this objective.

Achievements over the quarter:

- Another 13 tonnes of rubbish were removed at the Norwich Rd Gross Pollutant Trap (GPT).
- Training of Council's operational staff on good environmental work practices and auditing of their own work activities, funded by a Stormwater Trust Grant as part of the Pit Basket installations in Double Bay and Paddington.
- Development of an Environmental Theme "*Woollahra – Our Environment, Our Responsibility*" and Character "*Chum The Gum*" to be used to promote environmental awareness to the local community, funded by the Stormwater Trust Grant, as above.
- Development of a database to store maintenance records of Council's water quality treatment devices. This, over time, will assist with better managing the maintenance operations and provide information on where to develop future environmental education campaigns.
- Review of the Street Sweeping & Pit Cleaning maintenance records to develop a project brief that will improve the effectiveness of the current street sweeping and pit cleaning practices.
- Information material and fridge magnets produced to educate the community on the appropriate disposal of dog faeces. This educational material was successfully used at "People and Pets Day" in September 2004 and received good positive feedback.
- Final design plans and specifications were produced for the extension of the stormwater outlet at St Mervyns Ave drainage reserve on Seven Shillings Beach and for a new Gross Pollutant Trap (GPT). CDS Pty Ltd submitted a proposal for the GPT and quotations were called for the extension of the stormwater outlet. Works are planned to follow next quarter.

8.3 Water quality "End of Line" treatment program

The objectives of this program are to prevent pollutants, litter, vegetation matter and sediment entering the Harbour. This may be achieved by projects such as installation of larger water quality devices, such as GPT's and Stormwater Booms, constructed low in the catchment at the end of the stormwater network prior to discharging into the Harbour.

Achievements over the quarter:

- Biotrack Australia Pty Ltd was engaged to develop a Water Quality Monitoring Strategy, using a unique biological water quality monitoring system that involves the measurement of the living organisms present in a creek environment. The system is based on the premise that a particular combination of organisms present is a reliable indicator of the overall water quality. The Biotrack system is able to provide fast, objective assessment and monitoring of aquatic health, impact appraisal, rehabilitation success, natural resource use and the sustainability of habitats and landscapes. Field sampling of the main creek tributaries of Cooper Park and Parsley Bay Reserve commenced in September 2004.
- A draft report detailing stormwater management options was produced for Harbour View Park. This will be discussed with local stakeholders and reported to Council in the near future.

8.4 Watercourse and bushland treatment program

The objective of this program is to prevent uncontrolled run-off, erosion, nutrient transport and weed intrusion into remnant bushland.

Achievements over the quarter:

- Drainage works completed in Queens Ave, Hermitage Reserve, Vaucluse, in September 2004.
- Rakes Gully, Vaucluse Creek Stabilisation works completed in September 2004.
- Tenders closed for the Trumper Pond Rehabilitation. Bush regeneration around the pond will be carried out in association with these works.

8.4 Seawall restoration treatment program

The objective of this program is to repair and restore seawalls located on public land to prevent erosion material from behind the seawalls entering the harbour.

Achievements over the quarter:

Detailed plans and specifications for the Double Bay and Darling Point seawall restoration were completed. Tenders are planned to be called in November 2004.

8.5 Local flooding, critical pits and overland flow program

The objective of this program is to prevent local flooding of properties.

Achievements over the quarter:

- Arthur Street, Bellevue Hill stormwater upgrade works were completed in September 2004.
- Detailed plans and specifications for the Hampden and Cecil Streets Stormwater Augmentation have been completed. Tenders are planned to be called in November 2004.
- Stormwater options for drainage works proposed at the end of Cliff Street, Camp Cove have been developed and a report to Council drafted. Ongoing discussions with NSW National Parks and the Navy, regarding a funding contribution towards this project, have been pursued.
- A draft report was submitted for comment on the drainage investigations in and around The Crescent, Vaucluse, stormwater. A number of stormwater upgrade options have been put forward to address local flooding in The Crescent. Cost estimates ranging in price from \$490,000 to \$850,000 have been recommended. Only \$78,000 of funding is available to implement works through the environmental levy. A funding strategy to implement these options staged over a period of time will need to be developed. These works would be placed on a forward program, which would be considered as part of the application to extend the environmental levy.

A short presentation will be provided to the committee on the key issues arising in this report.

Warwick Hatton
Director Technical Services

Annexures:

September Quarterly Review of Principal Activity: Environmental Works Program

Item No: D5 Delegated to Committee

Subject: **Natural Environment Principal Activity - Quarterly Management Plan Review**

Author: Warwick Hatton - Director Technical Services
Allan Coker - Director Planning and Development

File No:

Reason for Report: To review the status of works, services and projects for the Management Plan principal activity of Natural Environment for the three months ending 30 September 2004

Recommendation:

That the status of projects for the Natural Environment principal activity be noted.

That the variations to projects be agreed subject to adoption of the relevant budget variations included in the separately reported quarterly financial review.

Background:

Section 407(1) of the Local Government Act requires that Council review the progress of the adopted management plan on a quarterly basis. Included with this report is the first quarterly review of Principal Activity No 2 of the Management Plan, which is "Natural Environment". This principal activity has the following sub- activities:

- 2.1 Environmental Protection
- 2.2 Stormwater systems
- 2.3 Tree Management
- 2.4 Waste Services
- 2.5 Street Cleaning
- 2.6 Bush Regeneration
- 2.7 Harbour Facilities

Included as annexure to this report is:

The Natural Environment Principal activity of the Management Plan with detailed comments on the status of items in each sub activity

The annexure includes all the details whereas set out in the following part of this report is a commentary on variations, changes, exception, completed work, achievements, etc. The purpose being to provide Councillors with a snapshot on the key influences or issues arising from this quarterly review.

"Notices of Motion", which have a major impact on approved management plan core activities and projects, have been included in the management plan as variations so as to facilitate the changing of priorities in an orderly and transparent manner.

Comments on budget variations where they are material or have an impact on the program of works or projects may be included in this report. However, the budget review and confirmation of any changed forecast will be considered in a separate budget report, which reviews the overall financial position of the Council at the end of the quarter.

Following is the commentary on each sub activity

2.1 Environmental Protection

Work commenced on the comprehensive State of the Environment Report, which is produced at the commencement of each new Council term. This report will draw information from across the organisation on Council's environmental management and actions. The report will be presented to the Committee this month.

We completed internal procedures for contaminated land assessment. This forms an important part of environmental considerations for development applications.

Further work was carried out on the Port Jackson South Eastern Coastal Catchment Stormwater Management Plan. The Plan is linked to capital works generally within the environmental works program.

We applied for and achieved funding for Milestone 5 of the Cities for Climate Protection Program. Milestone 5 involves reviewing and monitoring works undertaken by Council as part of a program to reduce greenhouse gas emissions. A key outcome will be establishing whether the reduction goals have been achieved.

2.2 Stormwater Systems

Priority ranking of stream remediation and drainage improvement projects is being developed as part of the infrastructure asset management strategy currently being reported to Council. Draft Development Control Plans for Stormwater Management and Flood Management have been exhibited for public comment. These will be reported upon in the near future.

Gross pollutants trapped in stormwater pit devices are being recorded and monitored by our works teams as part of the Environmental Works program.

2.3 Tree Management

In this quarter we processed 194 applications for pruning or removal of trees protected by the Tree Preservation Order, received 221 applications for pruning or removal of street trees and assessed 190 development applications related to tree management issues. We are undertaking street tree management in accordance with a recently adopted schedule for all parts of the Municipality. In this quarter we have carried out new or replacement planting at eighty locations.

We have developed policies for replacement street tree planting, which will be incorporated in our Vegetation Management Strategy. The first meeting of the VMS reference group will take place in November.

2.4 Waste Services

Collex commenced their new recycling contract in July. Council staff are working with Collex on a community education program to be rolled out in the near future to encourage greater levels of recycling. A new Enterprise Agreement is being negotiated with Waste Services staff. This is proposed to include provisions to improve productivity and reduce overall costs.

The Liveable Lanes project using grant funding has been completed, and will be reported on in November, with recommendations for an extension of the program to other locations.

2.5 Street Cleaning

Negotiations are currently being pursued with staff and Union representatives on organisational changes to improve our clean-up and street-sweeping services. These will be incorporated in a new Enterprise Agreement with Street-sweeping staff.

2.5 Bush Regeneration

Bush regeneration service levels are being reviewed for Cooper, Trumper and Gap Parks.

The Bushcare program with volunteers, which has been successfully carried out in Harbourview Park for some years, is now being extended to other areas, commencing with Trumper Park.

A new Bushcare Liaison Officer position has been created and a community information and recruitment day will be held in Harbourview Park in November.

We are also developing community education information on noxious weed eradication.

2.5 Harbour Facilities

Investigations have been carried out into options for upgrading the Watsons Bay Baths, including improving disabled access to the Baths. This is proposed to be reported to Council in November.

A short presentation will be provided to the committee on the key issues arising in this report.

Warwick Hatton
Director Technical Services

Allan Coker
Director Planning & Development

Annexures:

September Quarterly Review of Principal Activity: Natural Environment

Item No: D6 Delegated to Committee
Subject: **Review of Outstanding Notices of Motion**
Author: Les Windle - Manager Governance
File No: 900.G
Reason for Report: For the Committee to review the status of the outstanding Notices of Motion concerning matters that fall within the responsibility of the Community and Environment Committee

Recommendation:

That the status of the outstanding Notices of Motion concerning matters that fall within the responsibility of the Community and Environment Committee be noted.

Background:

At the meeting held on 11 November 2002, Council adopted the following Notice of Motion:

That during the next round of committee meetings each committee review the status of relevant outstanding Notices of Motion and then conduct a regular review in conjunction with management plan quarterly reviews.

The Management Plan Review is submitted to the Committee in a separate report and, in accordance with the above Notice of Motion, a list of outstanding Notices of Motions that fall within the responsibility of the Community and Environment Committee is attached for review by the Committee.

Les Windle
Manager Governance

Annexures:

1. List of outstanding Notices of Motion – Community and Environment Committee matters

Item No: R1 Recommendation to Council
Subject: **Delegations under the Food Act 2003 and Food Regulation 2004**
Author: Tim Tuxford Manager - Compliance
File No: 10.G
Reason for Report: To delegate specific functions provided under the Food Act and Food Regulation to the General Manager and to approve those delegations conferred on the General Manager by the Director-General of the Food Authority.

Recommendation:

- A. That Council, pursuant to Section 377(1) of the Local Government Act 1993, resolve to delegate to the General Manager those functions and powers contained in the Food Act 2003 and Food Regulation 2004 relating to enforcement agencies including, but not limited to, the following;
1. The serving of prohibition orders pursuant to Section 60 of the Food Act 2003; and
 2. The appointment of authorised officers pursuant to Section 114 of the Food Act 2003.
- B. That Council, pursuant to Section 381(3) of the Local Government Act 1993, approve the delegation by the Director-General of the NSW Food Authority under Section 109E(1)(d) of the Food Act 2003 to the General Manager the functions of the “*appropriate enforcement agency*” as it relates to Clauses 15 and 17 of Standard 3.2.2 and Clauses 10 and 14 of Standard 3.2.3 of the Food Standards Code and as detailed in the Director-General’s letter dated 30 September 2004.
- C. That Council, pursuant to Section 109E(4) of the Food Act 2004, provide its written consent for the functions listed in Part B above, to be delegated to the General Manager.

Reason for Report:

With the change in legislation from the Food Act 1989 (repealed) to the Food Act 2003 and Food Regulation 2004, the Council, as an enforcement agency is permitted to consider the delegation of the following powers and functions to the General Manager;

- The service of prohibition orders (Section 60); and
- The appointment of authorised officers (Section 114).

Further, the Director-General of the NSW Food Authority can delegate specified functions to the General Manager under Section 109E(1)(d) of the Food Act 2003, but only if the following statutory conditions are met;

- Section 109E(4) of the Food Act 2003 requires the written consent of the council for the functions to be delegated; and
- Section 381(3) of the Local Government Act 1993 requires such delegations to the general manager to be approved by the council.

Background:

The new Food Act and Regulation commenced in February 2004 and all local councils were prescribed as enforcement agencies. The Act detailed the powers and functions of enforcement agencies including the following;

- Service of prohibition orders – Section 60 of the Food Act allows for a prohibition order to be served to prevent or mitigate a serious danger to public health. A prohibition order states that;
 - “(a) no food intended for sale is to be handled on specified premises or a specified part of specified premises, or
 - (b) no food intended for sale is to be conveyed in a specified vehicle, or
 - (c) specified equipment is not to be used in connection with food intended for sale, or
 - (d) no food intended for sale is to be handled by a food business in a specified way or for a specified purpose,

until the proprietor of the food business has been given a certificate of clearance stating that the premises, part of the premises, vehicle or equipment may be used for the handling or conveyance of food intended for sale, or for use in connection with such food, or that the food may be handled in the specified way or for the specified purpose, as the case may be.”
- Appointment of authorised officers – Section 114 of the Food Act allows for a person with appropriate qualifications or experience to be appointed as an authorised officer.

The new Act did not make it clear whether the above functions and powers could be delegated to local government general managers, as generally occurs under the Local Government Act 1993 and this issue has been widely debated in the industry.

On 30 September 2004 Council received a letter from Mr George Davey, the Director-General of the NSW Food Authority which indicated the Food Authority had consulted with the Department of Local Government and the agreed legal position on the issue of delegations is as follows;

- *“Functions conferred on local councils by the Food Act 2003 are conferred on the body corporate. Therefore, these functions may be appropriately delegated within the council without being invalidated by section 110(2) of the Food Act.*
- *Section 377(1) of the Local Government Act allows the governing body (i.e. the Councillors) to resolve to delegate such functions to the general manager, and such delegation would not be invalidated by section 110(2).*
- *Section 378(2) of the Local Government Act allows the general manager to sub-delegate such functions to another employee of the council, again without being invalidated by section 110(2).*
- *However, delegation of such functions by the governing body (or sub-delegation by the general manager) to a person external to the council is not permitted by section 110(2).”*

The Director-General states that the above delegations to the general manager can only be valid if the governing body, by resolution, makes the delegations.

The Director-General has also advised Council that he has delegated to each general manager, pursuant to Section 109E(1)(d) of the Food Act 2003, the function of the “*appropriate enforcement agency*” as it relates to Clauses 15 and 17 of Standard 3.2.2 and Clauses 10 and 14 of Standard 3.2.3 of the Food Standards Code.

In this regard, it should be noted that the Food Standards Code is a collection of individual food standards. Chapter 1 deals with standards which apply to all foods, chapter 2 covers particular classes of foods and chapter 3 deals with food hygiene issues. Compliance with the Food Standards Code is prescribed by the Food Act and is therefore law.

The functions delegated by the Director-General allow general managers to consider and approve in writing;

- alternate hand washing requirements for temporary food premises and food premises that are principally used as a private dwelling; and
- a variation to the required floor construction for food premises where the food premises is unlikely to pose any risk of contamination of food handled.

However, the Director-General’s delegation is subject to the following statutory conditions;

- Section 109E(4) of the Food Act 2003 requires the written consent of the council for the functions to be delegated; and
- Section 381(3) of the Local Government Act 1993 requires such delegations to the general manager to be approved by the council.

Consideration:

In considering the impact of delegating the functions of prohibition orders and the appointment of authorised officers to local government general managers, the Director-General of the Food Authority states that;

“There appears to be consensus that delegation of these functions to the general manager is entirely appropriate. In particular, prohibition orders, which protect public health and safety, should be served expeditiously without the need to wait for a formal meeting of Council.”

It is considered that these delegations are consistent with those already provided to the General Manager and is essential to permit the efficient operation of Council in the enforcement of the provisions of the Food Act 2003 and Regulation 2004.

Furthermore, it is considered appropriate for Council to approve the delegations conferred on the General Manager by the Director-General of the Food Authority with regard to Clauses 15 and 17 of Standard 3.2.2 and Clauses 10 and 14 of Standard 3.2.3 of the Food Standards Code, for the same reasons.

Tim Tuxford
Manager - Compliance

Allan Coker
Director – Planning & Development

Item No: R2 Recommendation to Council
Subject: **Declaration of Lower Cooper Park as a Type C - Dogs on leash permitted at all times and unleashed between 4.30pm - 8.30am area**
Author: Tim Tuxford, Manager - Compliance
File No: 271.G
Reason for Report: Petition submitted to Council requesting that dogs be permitted to exercise without leashes between normally designated hours in the area known as Lower Cooper Park.

Recommendation:

- A. THAT Council, pursuant to Section 13(6) of the *Companion Animals Act* 1998, resolve to declare the area known as Lower Cooper Park a Type C - *Dogs on leash permitted at all times and unleashed between 4.30pm – 8.30am* area. Lower Cooper Park is the area bounded by;
- Suttie Road to the west and north;
 - Cooper Park entry road and carpark to the north and east; and
 - the rock face, trees and creek to the south.
- B. THAT in addition to the erection of signage to reflect the above resolution, signage be erected in Lower Cooper Park that indicates organised sportsground hirers have the priority use over the park.

Reason for Report:

A petition was placed before Council at its meeting of 8 September 2003, which stated;

“We the undersigned residents and ratepayers of Woollahra humbly petition the Council to:

- a. *To change the rules (in line with the de facto practices over the last twenty-given years!) TO PERMIT the exercising of dogs WITHOUT leashes between the normally designated hours for these activities in the area known as LOWER COOPER PARK, Double Bay.*

Or

- b. *If the above petition were to fail, to change the rules so that there is an exchange (a swap) of areas designated for the exercise of dogs WITHOUT leashes between Lower Cooper Park and the adjacent oval area (Lough Playing Field) bounded by Cooper Park Road and Manning Road), which is the area at present designated for dogs without leashes.*

We submit that – as its very name indicates – Lough Playing Field is in use, especially in summer after 4.30, by children and sports people playing football especially, and is the area more appropriate for these activities as it has changing and toilet facilities, and has historically been used for the playing of sport and by runners. Moreover Lough Park is extremely dangerous for young dogs because they can run straight onto Manning Road.”

Council resolved;

“That the petition lie on the table for fourteen (14) days and that a report be submitted to the Community and Environment Committee canvassing the issues raised in the petition”

Background:

In July 1999 the *Companion Animals Act* 1998 came into force. Section 13(6) of the Act states;

“13(6) A local authority can by order declare a public place to be an off-leash area. Such a declaration can be limited so as to apply during a particular period or periods of the day or to different periods of different days. However, there must at all times be at least one public place in the area of a local authority that is an off-leash area.”

In response to the above legislation, Council created the following four (4) categories of control;

- Type A – Dogs prohibited
- Type B – Dogs held on leash permitted at all times
- Type C – Dogs on leash permitted at all times and unleashed between 4.30pm – 8.30am
- Type D – Unleashed dogs permitted at all times

Lough Playing Fields is presently classified as a Type C - *Dogs on leash permitted at all times and unleashed between 4.30pm – 8.30am* area while all of Cooper Park is Type B – *Dogs held on leash permitted at all times*. Lough Playing Fields has been a Type C area since at least the introduction of the *Companion Animals Act* 1998.

On 18 August 2004 the petition was presented to the Animal Advisory Committee (AAC) meeting. A local resident, Mrs Prothero presented the case for the extension. Mrs Prothero clarified that the area requested by the petition to be dogs off leash between 4.30pm to 8.30am was from Cooper Park tennis courts down to Suttie Road.

David Sheils, Council’s Manager – Public Open Space presented to the AAC a review of the current bookings of the area by schools and sporting groups. He stated that anecdotally, school groups preferred to use the area in Lower Cooper Park to Lough Playing Fields, as there is a large amount of dog faeces in Lough Playing Fields.

It was noted by the AAC, as stated in the petition, that Lower Cooper Park is currently used as an unofficial off-leash area.

On considering the issues the AAC resolved as follows;

“That the Animal Advisory Committee support the petition to declare Lower Cooper Park a dog off-leash area between 4.30pm and 8.30am. Outside of these times the area will remain dogs permitted on leash.”

In response to the petition and the above resolution of the AAC, Council’s Manager – Public Open Space provided the following formal comments;

“We currently hire Lower Cooper Park to a number of local schools and sporting clubs for use after 4:30pm. In particular sporting groups use the site for Rugby training in winter and cricket use throughout summer. Potentially conflict may arise when sportsground users hire the park when dogs are permitted to be off leash. As there is limited sportsgrounds throughout Woollahra we are not able to transfer use to other grounds.

Notwithstanding this, if in practise the site has been used as an off leash area and Council was to authorise its future use for dogs off leash after 4:30pm, I recommend that we sign post the park to inform dog owners that organised sportsground hirers have priority use over the park.

Following the AAC meeting on 18 August 2004 I wrote to the three (3) schools that currently hirer Lower Cooper Park, inviting them to comment on the proposed new dog controls for this area. Only Woollahra Public School replied stating the following;

“I am writing in response to your letter of 26th August 2004, re trialling of Lower Cooper Park as a leash free dog park.

As a regular hirer of the park I support the trial. We use the park during school hours and will not be affected by the trial. It is a much safer park for dogs to be off leash than the current off leash park, Lough Park.”

Within the next few weeks new bins are planned to be installed at Lower Cooper Park and Lough Playing Fields. These bins may assist dog owners (with dogs on or off a leash) to dispose of dog faeces”

Consideration:

Lough Playing Fields

Lough Playing Fields has been a Type C - *Dogs on leash permitted at all times and unleashed between 4.30pm – 8.30am* area for many years with few formal complaints recorded. It contains a number of sporting facilities including netball courts, changing rooms and playing fields. Inspection of the area prior to 8.00am confirms that Lough Playing Fields is well used by dog owners, exercising their dogs off leash.

There is no sufficient evidence to suggest that the joint use of this area by sporting groups and dog owners is causing undue conflict. Further the installation of new bins in Lough Playing Fields may assist to reduce the number of dog faeces that are allegedly left on the playing fields.

It is noted that Lough Playing Fields is in close proximity to Manning Road, however we are not aware of any incident where an unleashed dog has entered the roadway. It is considered the area is sufficiently sized to ensure unleashed dogs are kept well clear of the roadway. Furthermore, whether a dog is leashed or unleashed, the dog must be accompanied by a competent person who has effective control of the dog at all times.

Accordingly, it is not considered that there needs to be any change to the dog control measures that currently apply to Lough Playing Fields.

Lower Cooper Park

Lower Cooper Park is the area bounded by;

- Suttie Road to the west and north;
- Cooper Park entry road and carpark to the north and east; and
- the rock face, trees and creek to the south.

The area is illustrated on the aerial photograph attached to this report as “Annexure 1.”

Lower Cooper Park has two (2) cricket nets at its western end, two (2) centrally located cricket pitches and tables and chairs near the carpark area at the eastern end. A timber post and rail fence adjoins Suttie Road, Cooper Park entry road and the carpark. The area is well separated from the remainder of Cooper Park by the carpark and tennis courts.

In addition to being a well-defined area, it is also very accessible for residents either walking or driving. Pedestrians can walk with their dogs on leash to the area from the surrounding streets or through Cooper Park. Also residents have ample off-street parking available if they need to drive.

Inspection of the area prior to 8.00am confirms that Lower Cooper Park is presently used as a “*de facto*” off leash area without any complaints. As suggested by the petition, and supported by the general discussion at the AAC meeting of 18 August 2004, it would seem this has been the case for some time.

The Manager – Public Open Space has highlighted a possible conflict between the sportsground users and the dog owners in the afternoon period after 4.30pm, with the area on occasions being hired up to 5.00pm. However, as both groups are presently using the area and the current school users have not raised any concerns with the proposed changes, this is not considered an issue.

Furthermore, a number of our other parks and reserves have both sportsground users and dog users successfully sharing facilities, including the nearby Lough Playing Fields. As such, there is no reason why this area would not operate in a similar manner.

Nevertheless, the recommendation of the Manager – Public Open Space to erect signage to provide a clear understanding that “*organised sportsground hirers have priority use over the park*”, is considered appropriate.

Conclusion:

Having regard to the physical layout of Lower Cooper Park, the accessibility of the area and the current usage patterns, it is considered that part (a) of the petition tabled at the Council meeting of 8 September 2003 be supported and Lower Cooper Park be declared a Type C - *Dogs on leash permitted at all times and unleashed between 4.30pm – 8.30am* area.

Tim Tuxford
Manager - Compliance

Allan Coker
Director – Planning & Development

Annexures:

1. Aerial photograph of Lough Playing Fields and Lower Cooper Park

Item No: R3 Recommendation to Council
Subject: **Royal Hospital for Women Park Categorisation and draft Plan of Management**
Author: David Sheils - Manager Public Open Space
File No: 1023.G
Reason for Report: To recommend the Royal Hospital for Women be categorised as a Park and that the draft Plan of Management be placed on public exhibition.

Recommendation:

- A. That the Royal Hospital for Women Park be categorised as a *Park* in accordance with the requirements of Section 36(4) of the Local Government Act.
- B. That Council place the draft Plan of Management for Royal Hospital for Women Park on public exhibition for not less than 28 days and that submissions be received for a period of not less than 42 days from the date the plan is placed on exhibition, in accordance Section 38 of the *Local Government Act 1993*.
- C. That the recommendations of A and B be submitted to the Council meeting of 1 November 2004 as a matter of urgency to allow sufficient time for the public exhibition to occur prior to the start of the holiday period.

Background:

In March 1998 Development Approval (DA97/222) was granted for the redevelopment of the former site of the Royal Hospital for Woman. As part of this redevelopment, 5,274m² of land was zoned as open space and required to be dedicated to Council.

Council entered into a Deed of Agreement with the former owners of the site the Benevolent Society. This Deed was subsequently assigned to Stocklands, the developer. The agreement required among other things:

- the developer contribute up to \$500,000 to cover the cost of planning and constructing of the public open space; and
- Council be responsible for the design.

On 2 June 2003 Council approved DA 862/2002 for the landscape embellishment of the site. Landscape Architecture firm Turf Design Studio was engaged to assist in preparing detailed construction drawings and specifications in accordance with the DA approval.

Following an exhibition period seeking public input to the formal naming of the park, Council resolved 7 October 2003, to name the site the *Royal Hospital for Women Park*.

In April 2004 the park area was transferred to Council ownership. Public tenders were sought to undertake landscape construction works and Council at its meeting of 12 July 2004 agreed to enter into a contract with *The Glascott Group* landscape contractors to undertake landscape works.

Landscape works commenced in September 2004 and are scheduled to be completed by the end of the year, weather permitting.

In preparation for the park's opening, a draft Plan of Management (PoM) has been prepared consistent with the requirements of Local Government Act. In the preparation of the draft PoM Council is required to categorise the site.

Categorisation

In accordance with Section 36(4) of the Local Government Act, a PoM for community land must identify the category of the land. Community land is to be categorised as one or more of the following:

- natural area
- sportsground
- park
- area of cultural significance
- general community use

Section 40A of the Local Government Act requires that a public hearing be held if a PoM will categorise community land. As the Royal Hospital for Women Park is a newly acquired site, it is yet to be categorised. A public hearing was called in September 2004, as part of the process of categorising the site, with notices placed in the Wentworth Courier, and Council's website and an information leaflet delivered to over a thousand surrounding residents.

The public hearing was held on Thursday 7 October at 6:00pm in Council's Committee Room. Ms Sandy Hoy, Principal of Parkland Environmental Planners, presided as an independent chairperson. Fifteen members of the public attended.

Those attending the hearing supported the categorisation of the site as a Park, primarily because:

- use of the park for passive recreation activities, such as informal ball games, is consistent with the core objectives of the Park category.
- the proposed mix of uses did not suitably fit into another category.
- prior to the redevelopment of the hospital, this land was used by many local residents as a local park.
- a park is currently being constructed on the site.
- there are no culturally significant items left on site that require the land to be categorised as Area of Cultural Significance.

In accordance with Section 47G of the Local Government Act, a report regarding the public hearing was prepared by the chairperson and issued to Council on Monday 25 October 2004. It has been made available for public inspection at our front counter in accordance with the requirements of Section 47G of the Local Government Act. The full copy of the report is contained in Annexure 1. Ms Hoy concluded from the meeting that:

“Having considered the representations made at the public hearing, our finding is that Council should adopt the proposed categorisation of Park for the Royal Hospital for Women Park. The key reason is that the Park category best fits the range of recreation uses that are proposed for the park when its construction is completed.

Accordingly, our recommendations to Woollahra Council are to:

- *adopt the Park category for the Royal Hospital for Women Park;*
- *consider the other comments made at the public hearing when finalising the Plan of Management for Royal Hospital for Women Park”*

The core objectives for management of community land categorised as Park as set out in Section 36G of the Local Government Act are:

- (a) *to encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities: and*
- (b) *to provide for passive recreational activities or pastimes and for the casual playing of games, and*
- (c) *to improve the land in such a way as to promote and facilitate its use to achieve other core objectives for its management.*

Therefore, the draft PoM for the Royal Hospital for Women Park proposes to categorise the whole site as Park as recommended by the public hearing.

Plan of Management:

The PoM has been drafted to ensure the site is managed, used and maintained appropriately in the future (see Annexure 2 distributed separately).

Key management issues addressed by the PoM which have attracted high public attention are:

- i) dog management;
- ii) the landscape design for the park that was approved in DA 862/2002; and
- iii) whether a formed playground should be installed.

These issues are addressed in the PoM and summarised as:

Dog Management

Arguments for dog exercise in the park include:

- the area was used for dog exercise by residents and professional dog walkers successfully prior to the Park being constructed.
- residents presented a petition to Council requesting dog exercise in the park.
- a petition in 2003 sought to maintain the park dog free.
- a place is needed in the high density residential area of Paddington to walk dogs.
- other dog off-leash areas such as Rushcutters Bay Park and Centennial Parklands are too far away.

Arguments against dog exercise in the Park include:

- a petition in 2003 included over 200 signatures supporting a dog-free park.
- concern about providing for dogs and not for children in the Park.
- actual and potential conflict between dogs and small children, including reports of children physically knocked down by dogs in the Park.
- some people feel intimidated by dogs.
- faeces not being picked up and disposed of.
- designated unleashed dog exercise areas in or close to Woollahra are located in Centennial Parklands (1 km or 15-20 minute walk), Yarranabee Park at Darling Point, Steyne Park at Double Bay, and Lighthouse Reserve in Vaucluse (all 24 hours); and restricted hours between 4.30pm and 8.30pm in Rushcutters Bay Park (750 metres or up to 15 minutes walk) and in Lyne Park.

Options that could be considered for access for dogs to the Park included:

- 24 hour unleashed dog exercise.
- restricted hours unleashed dog exercise, with dogs on leash at other times.
- dogs on leash at all times.
- no dogs permitted in the Park.

In the interest of striking a balanced use of the park the draft PoM recommends:

- Implement a 6-month trial of unleashed dog exercise in the Park between 4:30pm and 8:30am and on leash at other times every day such as is applied at some other parks.
- Provide litter bins at the main entry points of the park to assist dog owners to dispose of dog waste.
- Review the operation of the trial dog exercise period and report back to Council for final determination.

The success of the trial would be based on owners cleaning up after their dogs, and any reported conflicts between dogs and other Park users. The results of the review may then be reported to Council for final determination regarding continuing dog exercise in the Park.

Landscape Design

Many residents who adjoin the reserve on its southern boundary have raised concerns regarding the planting of trees within the park and along the southern edge. The landscape design for the park was approved in June 2003 with DA 862/2002. Condition 3 of the approval states:

“The trees selected for the southern edge of the park shall be amended to comprise the following characteristics and be planted accordingly, with the plans to be amended as such:

- (i) *to have a light tree canopy and / or be deciduous*
- (ii) *be spaced to align with property boundaries between terraces facing Flinton Street to the south.”*

In response we have provided Sydney Red Gums *Angophora costata* located to align with the adjacent property boundaries. These trees are listed as suitable species to be used on the site in the Royal Hospital for Women DCP and are known to provide open canopies that facilitate views.

Resident concerns regarding tree planting include:

- Overshadowing;
- Potential leaf / fruit / branch drop; and
- Diminished views.

The landscape plan for the site was developed from public workshops conducted in 1997, which included community representatives and Councillors. This plan was developed in collaboration with Council’s Urban Design team and landscape architectural firm Terragram. The rationale for retaining a backdrop of trees to the site include:

- Trees assist to visually break up the built form of the adjacent residential development and reduce the roofline horizon as viewed from the park;
- Trees provide a curtilage to the park that provides a leafy edge; and
- The trees are set back from the park boundary from between 5 and 8 metres.

The draft PoM recommends that the approved landscape plan not be altered and that Sydney Red Gums *Angophora costata*, be retained along the southern edge of the park to maintain the original design and complying with the development consent.

Playground Equipment

The Park does not incorporate a children's playground. Council considered and subsequently rejected a proposal to install a children's playground in the Park in April 2002. At that time the reasons for this were:

- There are seven playgrounds with various pieces of play equipment located within 1 km of the park. The playground in Spring Street Reserve, 250 metres away from Royal Hospital for Women Park, was upgraded in 2002.
- The Park would provide other elements for children's play that do not require installation of structured play equipment. Such elements include two large open grass spaces, sloped grass embankments, plantings and soft landscaped surfaces.

However since this time numerous requests have been made for a playground area to be provided as part of the current works.

As a children's memorial is planned to be constructed in the Park in the future, the provision of children's play area could be considered in the future in conjunction with the memorial. Provision of children's play equipment in the Park would depend on factors such as an increase in the numbers of young children in Paddington, possible relocation of equipment from a nearby playground, appropriate playground design and general community acceptance.

The draft PoM recommends that a playground be considered in the future provided that:

- the demand can be demonstrated;
- the facility would not diminish the open space areas or the character of the park; and
- any proposal be approved by Council.

Consultation:

The Local Government Act requires a public exhibition period of not less than 28 days for draft plans of management. Submissions may be made up to 42 days after the date on which the draft plan is placed on exhibition. Community members will be encouraged to review the draft plan and make a submission assisted by:

- undertaking a letter box drop to neighbouring residents;
- an advertisement placed in the local newspaper;
- Woollahra Council's web page; and
- copies of the PoM being available for viewing at the Woollahra Libraries and at the Council Chambers.

Following the exhibition period all submissions will be reviewed and a further report prepared for Council consideration early in the new year.

Conclusion:

The Royal Hospital for Women Park represents the largest park centrally located in Paddington. The draft Plan of Management aims to strike a balance in providing a park that caters for the majority of park users whilst protecting the amenity of the adjoining residents.

It is therefore recommended that Council categorise the Royal Hospital for Women Park as a Park and place on public exhibition the draft PoM. To ensure the 42 day submission period does not extend into the end of year holiday period it also recommended that this report be submitted to Council as a matter of urgency to allow the plan to be exhibited as soon as possible.

David Sheils
Manager Public Open Space

Warwick Hatton
Director Technical Services

Annexures:

1. Public Hearing Report
2. Draft Plan of Management for Royal Hospital for Women Park (provided separately)