Ordinary Council

Agenda

Monday 8 July 2019

6.00pm
## Seating Plan for the Mayor and Councillors:

| Staff | Staff | **Mayor**  
Cr Peter Cavanagh | Staff | Staff |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Staff</td>
<td></td>
<td></td>
<td>Staff</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Deputy Mayor  
Cr Mary-Lou Jarvis | Cr Susan Wynne |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Cr Nick Maxwell</td>
</tr>
<tr>
<td></td>
<td>Cr Isabelle Shapiro</td>
</tr>
<tr>
<td></td>
<td>Cr Anthony Marano</td>
</tr>
<tr>
<td></td>
<td>Cr Richard Shields</td>
</tr>
<tr>
<td></td>
<td>Cr Mark Silcocks</td>
</tr>
<tr>
<td></td>
<td>Cr Luise Elsing</td>
</tr>
<tr>
<td></td>
<td>Cr Megan McEwin</td>
</tr>
<tr>
<td></td>
<td>Cr Matthew Robertson</td>
</tr>
<tr>
<td></td>
<td>Cr Toni Zeltzer</td>
</tr>
<tr>
<td></td>
<td>Cr Lucinda Regan</td>
</tr>
<tr>
<td></td>
<td>Cr Harriet Price</td>
</tr>
<tr>
<td></td>
<td>Cr Claudia Cullen</td>
</tr>
</tbody>
</table>

**Press**

**Public Gallery**
Woollahra Municipal Council

Notice of Meeting

4 July 2019

To: His Worship the Mayor, Councillor Peter Cavanagh ex-officio
Councillors

Mary-Lou Jarvis (Deputy Mayor)
Claudia Cullen
Luise Elsing
Anthony Marano
Nick Maxwell
Megan McEwin
Harriet Price
Lucinda Regan
Matthew Robertson
Isabelle Shapiro
Richard Shields
Mark Silcocks
Susan Wynne
Toni Zeltzer

Dear Councillors,

Ordinary Council – 8 July 2019

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council’s Ordinary Council meeting to be held in the Council Chambers, 536 New South Head Road, Double Bay, on Monday 8 July 2019 at 6.00pm.

Gary James
General Manager
<table>
<thead>
<tr>
<th>Page</th>
<th>Title</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Opening</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Prayer</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Acknowledgement of Country (Gadigal People of the Eora Nation)</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Acknowledgement of the Sovereign of the Day (Queen Elizabeth II)</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Confirmation of Minutes</td>
<td>Ordinary Council Meeting 24 June 2019</td>
</tr>
<tr>
<td>6.</td>
<td>Leave of Absence and Apologies</td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td>Declarations of Interest</td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td>Late Correspondence</td>
<td></td>
</tr>
<tr>
<td>9.</td>
<td>Petitions Tabled</td>
<td></td>
</tr>
<tr>
<td>10.</td>
<td>Mayoral Minute</td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Public Forum</td>
<td></td>
</tr>
<tr>
<td>12.</td>
<td>General Manager and Officer’s Report</td>
<td></td>
</tr>
<tr>
<td>13.</td>
<td>Reports of the Committees</td>
<td></td>
</tr>
<tr>
<td>13.1</td>
<td>Environmental Planning Committee</td>
<td>1 July 2019 7</td>
</tr>
<tr>
<td></td>
<td>R1</td>
<td>Oxford Street Working Party meeting 28 May 2019 7</td>
</tr>
<tr>
<td></td>
<td>R2</td>
<td>Double Bay Working Party meeting 18 June 2019 8</td>
</tr>
<tr>
<td>13.2</td>
<td>Finance, Community &amp; Services Committee</td>
<td>1 July 2019 9</td>
</tr>
<tr>
<td></td>
<td>R1</td>
<td>Road Lease - 23 Wentworth Road, Vaucluse (SC4772) 9</td>
</tr>
<tr>
<td></td>
<td>R2</td>
<td>Sale of Road Reserve - 3 Dunara Gardens, Point Piper (SC3732) 10</td>
</tr>
<tr>
<td></td>
<td>R3</td>
<td>Placemaking Grants 2019 10</td>
</tr>
<tr>
<td>14.</td>
<td>Rescission Motion</td>
<td></td>
</tr>
<tr>
<td>15.</td>
<td>Councillor Reports/Councillor Updates (Section 8.4)</td>
<td></td>
</tr>
<tr>
<td>16.</td>
<td>Notices of Motion/Questions with Notice</td>
<td></td>
</tr>
<tr>
<td>16.1</td>
<td>Notice of Motion - Minimum lot sizes dual occupancies - 19/95731</td>
<td></td>
</tr>
<tr>
<td>16.2</td>
<td>Notice of Motion - Support Cardiac Surgical Services at Sydney Childrens Hospital Randwick - 19/98500</td>
<td></td>
</tr>
<tr>
<td>16.3</td>
<td>Notice of Motion - Rushcutters Bay Park Interim Heritage Order - 19/99796</td>
<td></td>
</tr>
<tr>
<td>16.4</td>
<td>Notice of Motion - Paddington Greenway - 19/102075</td>
<td></td>
</tr>
<tr>
<td>16.5</td>
<td>Questions with Notice - 19/96564</td>
<td></td>
</tr>
</tbody>
</table>

---

*Note: Page numbers and section numbers are included for reference.*
13.1 Environmental Planning Committee

Items with Recommendations from the Committee Meeting of Monday 1 July 2019
Submitted to the Council for Determination

<table>
<thead>
<tr>
<th>Item No:</th>
<th>R1  Recommendation to Council</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject:</td>
<td>OXFORD STREET WORKING PARTY MEETING 28 MAY 2019</td>
</tr>
<tr>
<td>Author:</td>
<td>Peter Kauter, Manager Placemaking</td>
</tr>
<tr>
<td>Approver:</td>
<td>Tim Tuxford, Acting Director Planning &amp; Development</td>
</tr>
<tr>
<td>File No:</td>
<td>19/95199</td>
</tr>
</tbody>
</table>

Note: In accordance with Council’s meeting procedures and policy this matter is referred to full Council due to a substantive change of the Committee’s recommendation to the Officer’s recommendation.

Recommendation:

A. THAT the draft minutes of the Oxford Street Working Party meeting held on 28 May 2019, as contained in the Annexure to this report, be received and noted.


C. THAT staff confer with Service NSW on holding an information forum to promote the Easy to do Business program (EtdB) for Councillors and the broader community.
Item No: R2  Recommendation to Council

Subject: DOUBLE BAY WORKING PARTY MEETING 18 JUNE 2019

Author: Peter Kauter, Manager Placemaking
Approver: Tim Tuxford, Acting Director Planning & Development
File No: 19/95230


Note: In accordance with Council’s meeting procedures and policy this matter is referred to full Council due to a substantive change of the Committee’s recommendation to the Officer’s recommendation.

Recommendation:

A. THAT the draft minutes of the Double Bay Working Party meeting held on 18 June 2019, as contained in Annexure 1 of this report, be received and noted subject to clarification of the discussion on the outdoor dining fees and revised parking provisions listed in item 4.1 of the draft minutes.

B. THAT the Placemaking Grants Program: Guidelines & Selection Criteria be amended to:
   i) clarify that a grant must be fully expended within the financial year of approval, unless approval for an extension has been granted. A request for an extension of an approval must be received before the end of that financial year.
   ii) provide that grant recipients are reminded about need to expend the grant, or apply for an extension, two (2) months prior to the end of the financial year.

C. THAT Council staff write to the Sydney East Business Chamber advising that the funds approved under the Placemaking Grants program in 2018/19 financial year for ‘Fashion Forever’ are no longer available and that they may apply for funding in the next round of grants, i.e. for the 2020/2021 financial year.

D. THAT the upgrade of the Bay Street design, as noted in item 5.3 of the draft minutes, be presented to the Environmental Planning Committee prior to any further presentation to the Double Bay Working Party or consultation.
13.2 Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Monday 1 July 2019
Submitted to the Council for Determination

<table>
<thead>
<tr>
<th>Item No:</th>
<th>R1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subject:</td>
<td>ROAD LEASE - 23 WENTWORTH ROAD, VAUCLUSE (SC4772)</td>
</tr>
<tr>
<td>Author:</td>
<td>Anthony Sheedy, Senior Property Officer</td>
</tr>
<tr>
<td>Approvers:</td>
<td>Zubin Marolia, Manager - Property &amp; Projects</td>
</tr>
<tr>
<td>Approvers:</td>
<td>Tom O'Hanlon, Director - Technical Services</td>
</tr>
<tr>
<td>File No:</td>
<td>19/65248</td>
</tr>
<tr>
<td>Reason for Report:</td>
<td>To consider the renewal of a road reserve lease for the adjoining owner of 23 Wentworth Road, Vaucluse</td>
</tr>
</tbody>
</table>

Recommendation:

A. THAT in accordance with Section 157 of the Roads Act, 1993 Council grant the owner 23 Wentworth Road, Vaucluse a road lease for occupation of a 51 square metre portion of Council’s road reserve adjoining 23 Wentworth Road, Vaucluse; subject to the following terms and conditions:
   a) Lease term of 5 years.
   b) Payment of a lease commencement rent of $3,665 per annum plus GST, with annual review to CPI.
   c) Public Liability insurance of minimum $20 million.
   d) The applicant agreeing to pay all Council’s costs associated with lease preparation.

B. THAT the Council’s General Manager be authorised to execute all documents required to finalise to this matter.
Item No: R2  Recommendation to Council
Subject: SALE OF ROAD RESERVE - 3 DUNARA GARDENS, POINT PIPER (SC3732)
Author: Anthony Sheedy, Senior Property Officer
Approvers: Zubin Marolia, Manager - Property & Projects
Tom O'Hanlon, Director - Technical Services
File No: 19/80297
Reason for Report: To consider the sale of road reserve adjoining 3 Dunara Gardens, Point Piper.

Recommendation:

A. THAT Council proceed with the sale of the road reserve adjoining 3 Dunara Gardens, Point Piper with the following conditions:
   i. A purchase price of $1,800 per square metre (plus GST) for the estimated 80 sqm road reserve portion, subject to final survey.
   ii. A 10% non-refundable deposit of $14,500 being received by Council.
   iii. The balance of the purchase price is to be paid in full to Council upon Gazettal of the road closure and completion of the sale.
   iv. The road reserve sale is subject to an Easement for Right of Access being registered on the Transfer of the land, benefitting the owners of 4, 5 & 6 Dunara Gardens, Point Piper.
   v. The owner of 3 Dunara Gardens, Point Piper is to pay all associated costs, including but not limited to GST, legal, valuation and survey fees.

B. THAT Council authorise the Mayor and General Manager to execute and affix the Council Seal to all necessary documentation to effect the Road closure and sale, i.e. Plan of Road Subdivision and closing, Transfer document etc.

Item No: R3  Recommendation to Council
Subject: PLACEMAKING GRANTS 2019
Author: Peter Kauter, Manager Placemaking
Approver: Tim Tuxford, Acting Director Planning & Development
File No: 19/85154
Reason for Report: To consider applications for funding under the Placemaking Grants Program

Recommendation:

A. THAT the Council approve the selection panel’s recommendations for the Placemaking Grants Program 2019/2020, as contained in Annexure 1 to this report.

B. THAT the adopted Placemaking Grants Policy, Guidelines and Selection Criteria be amended by deleting references to the Oxford Street Roadmap Report and inserting in their place Oxford Street & Paddington Place Plan.
15. Councillor Reports/Councillor Updates
(Section 8.4)

Note: Councillor Reports/Councillor Updates are to be confined to condolences, congratulations, presentations and matters ruled by the Chair to be of extreme urgency (in accordance with Section 8.4 of Council’s Code of Meeting Practice).
16. Notices of Motion/Questions with Notice

Item No: 16.1
Subject: NOTICE OF MOTION - MINIMUM LOT SIZES DUAL OCCUPANCIES
From: Councillors Lucinda Regan, Luise Elsing and Claudia Cullen
Date: 21/06/2019
File No: 19/95731

THAT Council:

A. Seeks to amend its current Local Environmental Plan 2014 (“LEP”) to provide a minimum lot size of 800 square meters for dual occupancy (attached) developments in R2 Low Density Residential zones within the municipality; and

B. Makes such other amendments to its planning and development controls to give effect to the above, as soon as reasonably practicable, given the introduction of the Low Rise Medium Density Housing Code (part of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008) (“Code”) on 1 July 2019.

Background

- In October 2016 the Department of Planning and Environment exhibited a Draft Medium Density Housing Code for public comment, which proposed that dual occupancies, manor houses and multi dwelling housing, known as low rise medium density housing, be approved under a Complying Development Approvals pathway and without need for Council approval. The main aim of this was to fast track development and increase housing supply in Greater Sydney.
- The Complying Development Approvals process does not provide sufficient opportunity for community consultation on proposed development, and may result in more rapid densification of the municipality with significant impact and pressure on current infrastructure, which may not be able to keep pace.
- Council’s current development and planning controls are delivering housing, sufficient to meet the Greater Sydney State Government Housing target without the need for the Code.
- Council’s role as a planning authority is to accommodate the required level of growth in a balanced way. Growth needs to be carefully managed so that it responds to community expectations and is consistent with the desired future character of neighbourhoods. The operation of the Code will severely impact on this.
- In response to a Notice of Motion passed on 21 May 2018, Council obtained a 12-month exemption to the operation of the Code. This exemption will expire on 1 July 2019.
- When the Code commences operation, the mandated minimum lot size for development of a dual occupancy (attached) in an R2 Low Density Residential Zone will be the greater of 400 square meters, or whatever is provided for in Council’s LEP. Under the current LEP, that minimum lot size is 460 square meters.¹

¹ Woollahra Local Environmental Plan 2014, Part 4, 4.1A(2)
• Being able to construct dual occupancy (attached) development in R2 Low Density Residential Zones through a Complying Development Approvals process may severely impact on the desired and future character of many of the municipality’s neighbourhoods, most especially in Vaucluse, Rose Bay and Bellevue Hill.

• A way of improving planning outcomes for dual occupancy attached housing is the increase of lot sizes required for this type of development. This is because larger lot sizes generally allow for greater flexibility in design, resulting in less visually intrusive development. Also, larger lots can better accommodate ancillary elements that add bulk.

• On smaller lots, the impacts of dual occupancy attached development in the low-density neighbourhoods are intensified. The low-density neighbourhoods of Woollahra have a distinctive sense of place, which flows from a strong landscape character. The redevelopment of smaller lots to higher density generally fails to achieve an appropriate landscaped context, and magnifies the impacts of change within neighbourhoods. Achieving a balanced outcome for landscaping and quality design on small narrow lots is difficult because there is less area to resolve site-specific design issues. With the doubling or tripling of ancillary features, there is less area for deep soil landscaping and little space for large-scale canopy trees to be maintained and planted on site. Such developments outcomes do not maintain the low-density neighbourhood character, which is an underlying objective of the zone.

• It is recommended that Council limit the extent of medium density development which the Code will allow in R2 Low Density Residential Zones to land sizes of 800 square meters or more in order to maintain the character of the low-density neighbourhoods of Woollahra and better reflect the concerns of its residents. As mentioned above, Council’s role as a planning authority is to accommodate the required level of growth in a balanced way. Growth needs to be carefully managed so that it responds to community expectations and is consistent with the desired future character of neighbourhoods. It is therefore entirely appropriate that Council tailors its planning framework to achieve better outcomes in its lower density zones.

• The intention of the proposed amendment is not to stop redevelopment in the lower density neighbourhoods, it merely requires it to be undertaken on larger lots where there is sufficient room to plant trees in the front and rear setback, and reduce the apparent density of development. This will assist in reducing the impacts of medium density developments in the low-density zones of Woollahra.

• The R3 Medium Density Residential zone is tailored to multi dwelling housing. The R3 zone facilitates a more dense urban form than the R2 zone and provides a transition between areas of single dwellings and areas of residential flats. The strategy supports Councils obligation to provide for a mix of housing types. The R3 zone has been applied to those areas most suitable for a more intense form of development.
Item No: 16.2  
Subject: NOTICE OF MOTION - SUPPORT CARDIAC SURGICAL SERVICES AT SYDNEY CHILDREN'S HOSPITAL RANDWICK  
From: Councillors Lucinda Regan, Luise Elsing and Harriet Price  
Date: 26/06/2019  
File No: 19/98500

THAT Council requests the Mayor to:

A. Write to the NSW Premier, the Honorable Gladys Berejiklian and the NSW Minister for Health, the Honorable Brad Hazzard (as soon as possible) requesting that the NSW State Government maintain a fully comprehensive children’s hospital, with an appropriately funded cardiac surgical program, at the Sydney Children’s Hospital Randwick; and

B. Circulate a copy of the above letter to the Councillors for their reference and information.

Background

1. In 2010, the Sydney Children’s Hospital Network was created, with the unique arrangement of a single administration running both the Sydney Children’s Hospital Randwick (SCH) and Children’s Hospital Westmead (CHW). The intention was to bring children’s health in NSW to a prominent position and to ensure that it received appropriate funding to deliver the best care possible.

2. The NSW State Government has now proposed to close the cardiac surgery unit of the SCH, which serves the children of this municipality, amongst many others living in the vicinity of the hospital.

3. Cardiac Surgical services at SCH are essential for the safety of all children being cared for at the hospital, and has been provided for decades. If closed, critically ill babies and children in the municipality will face life threatening delays in receiving treatment and will be forced to travel over 45km to CHW at Westmead (where there are already lengthy delays) for lifesaving cardiac treatment or to wait for a team to come from Westmead.

4. This issue will become more critical as our population densifies to meet the housing targets of the NSW Government.

5. To provide the best care for the children in the municipality, we need all the essential services of a tertiary children’s hospital to continue to be made available at our closest children’s hospital in Randwick. “Cardiac surgery is essential. Children born with cardiac defects, those with severe chest infections or injury, those with some chest tumors or suffering complications of chemotherapy may all need emergency surgery. Transferring those children across Sydney, or waiting for a team to come from Westmead will risk their lives. This is completely unacceptable. In a city of 5.7 million people, 2 fully functioning children’s hospitals are necessary. SCH is responsible for 40% of the admissions to a pediatric unit in NSW and 80% of the critically ill children who require state-wide emergency retrieval come to that hospital.”

6. The children of the municipality and the Eastern Suburbs of Sydney require a fully comprehensive children’s hospital that is readily accessible to the growing population of our area. The NSW Government should not be allowed to let SCH be diminished.

---

2 Angus Gray, Orthopaedic Surgeon, Former Chair of SCH Senior Medical Staff Council
Item No: 16.3

Subject: NOTICE OF MOTION - RUSHCUTTERS BAY PARK INTERIM HERITAGE ORDER

From: Councillors Matthew Robertson, Anthony Marano and Megan McEwin

Date: 28/06/2019

File No: 19/99796

THAT Council:

A. Notes the youth recreation facility proposed for Rushcutters Bay Park for children aged 5-12 years old which has undergone public consultation, received support from over 2,000 residents and was approved by Woollahra Council;

B. Notes the Interim Heritage Order made by the former Minister for Environment and Heritage, Gabrielle Upton on 25 January 2019;

C. Notes that Interim Heritage Orders are made by the Minister on the recommendation of the Heritage Council, or by local councils under delegation.

D. Notes that Gabriel Upton is no longer the relevant Minister and the Minister for Energy and Environment is now the Hon. Don Harwin.

E. Writes to the current Minister for Energy and Environment, the Hon Don Harwin requesting the Interim Heritage Order be lifted on the grounds that the heritage of Rushcutters Bay park is not at risk from the proposed youth recreation facility and heritage considerations have already been taken into account by Council when proposing the design, size and placement of the proposed playground.

Background:

Following an extensive public consultation process, Woollahra Council approved a new playground to be built at Rushcutters Bay Park to cater for children 5-12 year old.

Former Minister for Environment and Heritage, Gabrielle Upton, issued an Interim Heritage Order on Rushcutters Bay Park after approval was made by Woollahra Council without any consultation with, nor request from, Woollahra Council.
Item No: 16.4

Subject: NOTICE OF MOTION - PADDINGTON GREENWAY

From: Councillors Megan McEwin and Matthew Robertson

Date: 3/07/2019

File No: 19/102075

THAT Council:

A. Notes:

a. that pedestrian and cyclist access was a condition of any development on the former White City site according to section 4.6 of the White City Development and Control Plan 2007 and Paddington locals are still calling for pedestrian and cycling access through this site;

b. the recent presentation by UTS students demonstrating how pedestrian and cyclist access alongside Rushcutters Bay creek and the naturalisation of the creek could be done;

c. the various State Utility owners of the creek and the land surrounding the creek, including Woollahra Council, Sydney Water, Rail Corp and various easements around the creek;

d. the large grassed area underneath the railway viaduct near Nield Avenue which is owned by Rail Corp;

e. the Sydney Green Grid, which is an integral part of the Greater Sydney Region and Central District Plans which have objectives to 'renature' waterways and provide green corridors. These Plans also acknowledge green space as a key hallmark of liveability in urban areas;

f. that a pedestrian and cyclist path on and/or alongside Rushcutters Creek and naturalisation of the creek would add to the Sydney Green Grid by providing a green corridor from Rushcutters park to Woollahra and enable locals to walk or cycle from Nield Avenue, Darlinghurst to Jersey Road, Woollahra while only crossing one road (Glenmore Road);

g. the recent announcement that the state’s Planning and Public Spaces Minister Rob Stokes plans to create half a billion dollars of public value from his $150 million budget to increase open space in Sydney by buying up forgotten land across Sydney to create new parks and playgrounds, linkages between green space, and cycleways to meet the needs of the growing population;

h. the more recent announcement by the NSW Government of a $340 million Open Spaces and Greener Sydney package intended to support Councils to deliver more green open spaces that are easily accessible to residents; and

i. the creation of a greenway through the former White City site would create a new green, open space and corridor easily accessible to the highly populated areas of East Darlinghurst, North Paddington and Edgecliff where most residents live in apartments or terrace houses with little or no outdoor space.

B. Writes to the Minister for Planning and Public Spaces, Rob Stokes, seeking support and funding to create a Paddington Greenway - pedestrian and bike path, new park and/or naturalised creek - along the Rushcutters Creek corridor on the former White City and Sydney Stadium land.
C. Separately engages with the City of Sydney to work together on this project given that the Paddington Greenway would go right up to the border of both Councils and would be of benefit to City of Sydney residents as well as Woollahra LGA residents.

**Background**
Visualisation of Rushcutters Creek Greenway by UTS student, Christina Kirkwood:

Overview of Rushcutters Creek naturalisation and pathway by UTS student Fergus Barker:
### Item No: 16.5

**Subject:** QUESTIONS WITH NOTICE

**Author:** Sue O'Connor, Governance Officer

**Approver:** Helen Tola, Manager - Governance & Council Support

**File No:** 19/96564

**Reason for Report:** To table Questions with Notice received from Councillors.

**Recommendation:**

THAT the Questions with Notice be received and noted.

---

### Background:

A Councillor may, by way of notice, ask a question for response by the General Manager or their nominee, in accordance with Council’s adopted Code of Meeting Practice. Where a response, or an update, will be provided at the Council Meeting, a response of ‘On Notice’ is listed in the Council Agenda.

The following Question with Notice for the Council Meeting on 8 July 2019 have been received.

<table>
<thead>
<tr>
<th>QWN:</th>
<th>11.1</th>
</tr>
</thead>
<tbody>
<tr>
<td>From:</td>
<td>Councillor Zeltzer</td>
</tr>
<tr>
<td>Received on:</td>
<td>21 June 2019</td>
</tr>
<tr>
<td>Subject:</td>
<td>Bitumen in various locations across the paving in Double Bay</td>
</tr>
</tbody>
</table>

**Councillor Zeltzer asking in response:**

Over the last year I have been monitoring the various patches of bitumen in various locations across the paving in Double Bay. I have done a walk around with key staff earlier this year and was told that some of the utilities have not finished their works and will be doing further work thus the lack of proper repair of the paving in these locations on footpath.

The footpaths in Double Bay are in a worst state regarding the bitumen patches than Rose Bay and any other local commercial hub in Woollahra and in fact are the worst I have seen compared to most other municipalities I visit.

1. Why is it taking a lot longer than in other locations in Woollahra and other municipalities, for utilities to finish their works and repair the footpath, particularly in those locations along New South Head Road?

2. Can we have the various locations of patching identified and also identify which utility we are waiting for and what the time frame for repair given by the utility?
Director Technical Services in response:

1. Why is it taking a lot longer than in other locations in Woollahra and other municipalities, for utilities to finish their works and repair the footpath, particularly in those locations along New South Head Road?

   - There are currently an unprecedented number of works being conducted in the Double Bay area with 24 in Bay and Cross Streets alone
     o Of these, Council has commenced permanent repairs to 12, with these repairs, weather permitting, to be completed within 2 weeks
     o There are a further 4 sites that have recently been completed and we are currently working with the contractor to arrange permanent repairs
     o 2 sites are still active
     o 6 Ausgrid sites have had a stop work order placed on them due to Ausgrid having to amend their work practices following a serious safety incident at one of their other sites.

   - There are also numerous restorations in New South Head Road which are related to NBN installation. These works are being managed by Downer EDI on behalf of the NBN. As is their right, Downer have decided to undertake all repairs themselves and are currently awaiting delivery of the pavers, which are expected in 3 weeks. NBN are completing works in Double Bay under the Telecommunications Act 1997. The Act permits carriers such as NBN and their contractors to inspect land, maintain telecommunication facilities and carry out the installation of low-impact facilities without the permission of Council. Under the Act and Telecommunications Code of Practice 1997, these carriers are only required to notify owners and occupiers of the affected land. NBN is responsible for temporary and final restoration of Council’s assets to Council specification.

   - The process for the completion of restoration works can be time consuming and is set out below.
     1. A utility provides Council a Land Access Notice (LAN), which outlines the scope of works and duration. This LAN may cover a number of areas in several streets. In some instances the duration of works can be spread over many months. Work can be conducted in one area, or street and appear to be completed, with a temporary bitumen restoration installed, as the Utility moves on and continues work in another area, or street. This can continue until the Utility has completed all works listed under the LAN. They may also extend the scope of works if it is required. The final permission for Council to do the permanent restoration may not be given until all work under the LAN is complete.
     2. Upon notification of completion, Council then measures the areas to be restored and provides a quote to the Utility. The Utility can then accept the quote, ask for another quote to be provided, or not accept the quote and have one of their own contractors carry out the restoration works.
     3. Once Council receives final approval to repair, we then provide a list of works to our Contractors for completion.
2. Can we have the various locations of patching identified and also identify which utility we are waiting for and what the time frame for repair given by the utility?

- There following Utilities are currently carrying out various works in the Double Bay business centre:
  - NBN
  - Jemena
  - Ausgrid
  - Telstra
  - Optus
  - TPG
  - QC Communications.

QWN: 11.2  
From: Councillor Zeltzer  
Received on: 21 June 2019  
Subject: Double Bay Commercial Centre – Garbage Collection and Footpaths

Councillor Zeltzer asking:

Can you kindly include as a questions on notice also the following in regard to the Double Bay Commercial Centre?

1. How often is the garbage collected in Double Bay Commercial Centre and on which morning?
2. How often are the footpaths swept and rubbish removed from them?
3. How often are the footpaths steam cleaned?

Manager Civil Operations in response:

1. How often is the garbage collected in Double Bay Commercial Centre and on which morning?
   
   - Council staff empty public litter bins twice a day 365 days a year, once in the morning and once in the afternoon.
   - Bill posters are removed daily.
   - Individual businesses within the centre have their own waste collection contracts with either Council, or private contractors. The frequency and times of collection for commercial bins is dependent on the type of business and the terms of their contract. There are a number of contractors operating within the centre including Council, Veolia, URM, Suez, JJ Richards and Sydney Waste. As such, there are numerous waste collections by various contractors conducted every day and at varying times.
   - Council’s Manager Place making and Manager Civil Operations are currently reviewing submissions from Consultants to provide a “Waste Management Strategy” for the Double Bay commercial centre. The aim of the strategy is to identify ways to remove garbage bins from the laneways and streets in order to create an environment more conducive to the interaction between retailers, customers, residents, visitors and others while maintaining the retail precinct.
2. **How often are the footpaths swept and rubbish removed from them?**

   Footpaths are swept daily, by both hand and small mechanical sweeper, with another litter pick carried out in the afternoon by the team emptying the public litter bins. In addition we have a footpath scrubber that operates within the centre throughout the day.

3. **How often are the footpaths steam cleaned?**

   New South Head Road from Bay St to William St is steam cleaned by contractors annually. All other footpaths are steam cleaned by contractors biannually, with pavers re-sealed and stained every 4 -5 years.

   Council staff undertake spot pressure cleaning of spills as required.

   Staff will soon commence a new program of monthly pressure cleaning along shopfronts and around seats and poles.

   The footpath scrubber mentioned above, cleans Kiaora Lane daily, then moves around NSHR, Cross St, Bay St and Guilfoyle Park, covering each area at least once a week. Smart poles are professionally cleaned twice a year.

---

**QWN:** 11.3  
**From:** Councillor Robertson  
**Received on:** 27 June 2019  
**Subject:** Naming convention to consult Geographical Naming Board

**Councillor Robertson asking:**

During debate on the naming policy at the last Council meeting, you mentioned Mr James, that in the absence of any policy previously, that Council's on naming places has been to consult with the Geographical Naming Board.

How can you evidence that this consultation took place in relation to the naming of the Andrew Petrie Oval, the Murray Rose Pool and/or any other places or assets (noting there are none that I can recall) that have been named in the last two decades?

**General Manager in response:**

On Notice.
Councillor Robertson asking:

Further to the debate had at the last council meeting in relation to the Naming Policy, and for the purpose of setting the record straight, will you please confirm whether or not a motion of council was moved and/or adopted in relation to the naming of the Woollahra Library at Double Bay?

If so, please outline the details of that motion including the date of adoption and any other relevant information or clarification around how this Council asset was named.

Director Community Services:

On Notice.

Councillor Robertson asking:

I note the commencement of the new code of meeting practice, adopted 11 June 2019.

On what basis does item 4 of the code's standard meeting agenda acknowledge the name of the sovereign in parentheses, yet in section 3 there is no reference to the Gadigal People of the Eora Nation, whose country, custodianship and elders past and present that section seeks to acknowledge. Please can this be corrected for consistency by including the words "Gadigal People of the Eora Nation" in parentheses in item 3 of the standard agenda, to give effect to council's intention to acknowledge both the traditional owners and the reigning sovereign?

Manager Governance & Council Support in response:

Arrangements have been to include reference to the ‘Gadigal People of the Eora Nation’ in the Agenda for the 8 July 2019. This change has been administratively made and will be reflected in future agendas and in the Code of Meeting Practice.

Council staff have been liaising with the La Perouse Local Aboriginal Land Council who have suggested amended wording for the acknowledgement of Council to reference the ‘Gadigal and Birrabirrigal people’. Once the Protocols are finalised and adopted, the above mentioned reference to the ‘Gadigal People of the Eora Nation’ will be further updated.
QWN: 11.6
From: Councillor Robertson
Received on: 1 July 2019
Subject: Code of Meeting Practice and recording of Council meetings

Councillor Robertson asking:

I note the following provision of Council's new Code of Meeting practice in relation to audio recordings of Council meetings. Section 5.18 (b) Audio recordings will be uploaded to Council website by 5.00pm on the business day immediately following the meeting.

Council's first meeting under the new Code was 24 June 2019. Will you confirm that an audio recording of this meeting was uploaded to Council's website on 25 June 2019? In your response would you please provide the link to the relevant page of council's website to which the recording is uploaded?

Manager Governance & Council Support in response:

With the adoption of the Code of Meeting Practice, Councils are required to webcast meetings by 14 December 2019. There is a Note in the Code to this effect. Audio recordings of the Council and Committee Meetings are currently only used for the purpose of finalisation of the minutes and are not of an audio quality suitable for Council’s website.

We are currently in the process of putting together a request for quotation on the to upgrade the audio system for the Chambers and Thornton Room to enable quality audio recording in advance of the 14 December 2019 deadline.
Political Donations: Matters to be considered by Councillors at Council and/or Committee Meetings

Matter before Council and/or Committee Meeting

Did the applicant, owner (if not the applicant) or someone close to the applicant make a donation in excess of $1,000 that directly benefited your election campaign? (Code of Conduct Cl 4.21).

Action
Participate in debate and vote on the matter.

No

Did the applicant or someone close to the applicant make a donation less than $1,000 that directly benefited your election campaign? (Code of Conduct Cl 4.2).

No

Did the applicant or someone close to the applicant make a donation that directly benefited your election campaign?

Yes

Do you believe the political contribution creates a significant non-pecuniary conflict of interest for you? (Code of Conduct Cl 4.23).

No

Action
Consider appropriate action required. This could include limiting involvement by:
1. participating in discussion but not in decision making (vote),
2. participating in decision making (vote) but not in the discussion
3. not participating in the discussion or decision making (vote)
4. removing the source of the conflict.

Yes

Action
Declare a significant non-pecuniary conflict of interest, absent yourself from the meeting and take no further part in the debate or vote on the matter (Code of Conduct Cl 4.16(b)).

Matter before Council and/or Committee Meeting

Is the matter before the meeting a Planning Matter?

No

Staff to record decision process (motions/amendments) and Division of votes for the determinative resolution or recommendation in the meeting minutes.

Yes

Staff to record decision process (motions/amendments) and Division of votes for the determinative resolution or recommendation in the meeting minutes.