



Community & Environment Committee

Agenda: *Community & Environment Committee*

Date: *Monday 22 March 2010*

Time: *6.30 pm*

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).

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 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,
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.
- Parks and Reserves Plans of Management (Strategies, Policies and Objectives).
- Residential Parking Schemes - Provision and Policies.

Delegated Authority (“D” Items)

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

Committee Membership: 7 Councillors

Quorum: The quorum for a Committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

18 March 2010

To: His Worship The Mayor, Councillor Andrew Petrie ex-officio
Councillors Sean Carmichael (Chair)
Anthony Boskovitz
Nicola Grieve
Susan Jarnason
Greg Medcraft
Isabelle Shapiro
Susan Wynne (Deputy)

Dear Councillors

Community & Environment Committee Meeting – 22 March 2010

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 22 March 2010 at 6.30pm.**

Gary James
General Manager

Additional Information Relating to Committee Matters

Site Inspection

Other Matters

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 8 March 2010	1
D2	Public Art Advisory Committee Minutes - 1160.G Public Art	2
D3	Chiswick Gardens Draft Plan of Management - 389.G MP	10

Items to be Submitted to the Council for Decision with Recommendations from this Committee – ‘Nil R Items’

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 8 March 2010**
Author: Les Windle, Manager - Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 8 March 2010 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 8 March 2010 be taken as read and confirmed.

Les Windle
Manager – Governance

Item No: D2 Delegated to Committee
Subject: **Public Art Advisory Committee Minutes**
Author: Jo Jansyn, Cultural Development Coordinator
File No: 1160.G Public Art
Reason for Report: To table the minutes of the Public Art Advisory Committee meeting held on 10 February 2010.

Recommendation:

That the minutes of the Public Art Advisory Committee meeting held on Wednesday 10 February be noted and endorsed.

Background:

This report outlines the meeting held by the Public Art Advisory Committee (PAAC) on 10 February 2010.

Annual evaluation of public art program opportunities:

The Public Art Advisory Committee (PAAC) annually evaluates a database of possible public art ideas and opportunities and prioritises directions and goals for the year. PAAC agreed to focus on researching and initiating less, but more achievable projects throughout the year. A summary of high priority projects (in order of priority) are present as follows:

1. Zaishu Seat Project. A small community art project associated with the move of the Watsons Bay Library Space.
2. Rose Bay Chalk Art Festival. Proposed to link to Woollahra Council's 150 anniversary celebrations.
3. Exhibition Program. Proposed low-key, non commercial, rotating exhibition program at Council's Customer Service Centre at Redleaf
4. Royal Hospital for Women Park. Summarised website content of UNSW student design concepts.
5. Women in Woollahra. Securing funding for the last component of the Women in Woollahra project which proposes an artwork to celebrate women's' contributions in the Woollahra Municipality.

A detailed summary listing of PAAC public art program ideas is contained in Attachment 1 of Annexure 1. Attachment 1 represents a working list of ideas, the majority of which are currently being researched and 'scoped' by PAAC members, prior to further development and/or adoption by Council. The funding for these projects is yet to be secured with Council due to consider allocation of funding to public art through the 2010/11 budget process.

Strike A Pose, Double Bay Partnership Mannequin Festival

PAAC have continued to support the Double Bay Partnership Strike A Pose project wherever appropriate through expertise and information dissemination.

Double Bay Mural opportunity

The Double Bay Partnership has approached PAAC through the Chair of PAAC to express interest in initiating a mural project for the Cross Street Car Park wall fronting Jamberoo Lane. PAAC have offered their support in principle if this project proceeds as well as contribution to a project/artists brief and artist selection to ensure consistency to the aims and objectives of the Woollahra Council Public Art Policy.

Conclusions

An annual public art idea evaluation and prioritising of projects and directions for 2010 was undertaken at the meeting of the Public Art Advisory Committee on 10 February 2010. Five project ideas were identified as 'high priority' by the Committee. It should be noted that funding for these projects has not been secured or allocated by Council.

Jo Jansyn
Cultural Development Coordinator

Kylie Walshe
Director – Community Services

ANNEXURES:

1. Minutes of the Public Art Advisory Committee meeting, Wednesday 10 February 2010.

Item No: D3 Delegated to Committee
Subject: **Chiswick Gardens Draft Plan of Management**
Author: Paul Fraser, Team Leader - Open Space and Recreation Planning
File No: 389.G MP
Reason for Report: To recommend the draft Plan of Management for Chiswick Gardens be placed on public exhibition and submissions be invited in accordance with Section 38 of the Local Government Act 1993.

Recommendation:

- A. That Council place the draft Plan of Management (PoM) for Chiswick Gardens (Annexure 1) 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 with Section 38 of the *Local Government Act 1993*.
- B. That Council hold a public hearing to categorise community land in accordance with Section 36 (4) of the *Local Government Act 1993* in conjunction with the public exhibition period of the draft PoM.
- C. That Council considers submissions received and, where appropriate, incorporates changes in a Final Plan of Management to be further considered by Council.

Background:

Chiswick Gardens is under the ownership of Council and the Plan of Management (PoM) must be prepared in accordance with the *Local Government Act 1993*. The PoM is required to form a strategic approach to the management of the land. Chiswick Gardens falls under an existing Plan of Management (1996) for Local Parks. The draft Chiswick Gardens Plan of Management has been prepared to guide Woollahra Council in the care, control and management of the Park.

Chiswick Gardens is located on the corner of Ocean and Wellington Streets, Woollahra, occupying an area of approximately 3000m². Chiswick Gardens possesses manicured lawns, period planting, public toilets, disabled access, informal recreation infrastructure (park furniture) and a restaurant/function centre. The Gardens are a popular location for weddings and special occasions.

The park is well used by local residents enjoying the open space, a variety of informal recreation and sporting activities, and occasional special events.

Proposal:

Categorisation of Community Land

As part of the development of the new Plan of Management, Council seeks to categorise areas of Chiswick Gardens to better reflect the current and intended use, in accordance with Section 36 (4) of the Act.

Chiswick Gardens is classified as 'community land' under the *Local Government Act 1993*. Under Section 36(4) of this Act, community land is required to be categorised as one or more of the following:

- Natural area
- Sportsground
- Park
- Area of Cultural Significance
- General Community Use

We propose to categorise the following areas of Chiswick Gardens:

Area	Categorisation
Building and curtilage	General Community Use
Garden bed, lawns, turf, paths and toilets	Park

Guidelines for categorisation of land as general community use

Land should be categorised as general community use under section 36 (4) of the Act if the land:

- (a) may be made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and
- (b) is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 102–105 for categorisation as a natural area, a sportsground, a park or an area of cultural significance.

Guidelines for categorisation of land as a park

Land should be categorised as a park under section 36 (4) of the Act if the land is, or is proposed to be, improved by landscaping, gardens or the provision of non-sporting equipment and facilities, for use mainly for passive or active recreational, social, educational and cultural pursuits that do not unduly intrude on the peaceful enjoyment of the land by others.

The proposed categorisation of the areas of Chiswick Gardens will reflect the current and intended use of the park.

Public Hearing

Section 40A of the *Local Government Act 1993* requires that a public hearing be held if a PoM will categorise certain areas of land covered by the Plan to reflect the current usage of the Park. Council must hold a public hearing to categorise the land which must be presided by an independent chairperson, with notices placed in the *Wentworth Courier* and on Council's website for 28 days requesting submissions or comments from the general public.

Draft Plan of Management

The draft PoM has been prepared in accordance with the *Local Government Act 1993*. The PoM is required to form a strategic approach to the management of the land and to guide Woollahra Council in the care, control and management of the Gardens.

The key objective of this Plan of Management is to provide a planning document for the future management of Chiswick Gardens. The roles of Chiswick Gardens include:

- Chiswick Gardens and associated building is a venue for memorable private and public social events and ceremonies such as weddings and Christmas carols.
- The Gardens is a local park with furniture for informal and unstructured recreation activities.
- Chiswick Gardens is an example of period planting with significant palm trees and a palm grove with a variety of species in an 'outdoor classroom' of great interest to botanists and horticulturalists.

This Draft Plan of Management aims to:

- set out an appropriate framework to guide decision making regarding the future use and sustainable management of Chiswick Gardens and associated building;
- provide an integrated approach to and direction for the planning, management and development of Chiswick Gardens;
- establish a sound and balanced approach to the management of Chiswick Gardens, while providing a flexible framework within which Council can respond to current needs and opportunities, as well as to future directions and pressures as demands on Chiswick Gardens change;
- comply with relevant legislation, particularly the Local Government Act 1993, and relevant State and local legislation, plans and policies;
- represent the values and expectations of locals and the broader community for use, enjoyment, management and development of the Gardens and building;
- be consistent with Council's Management Plan and its other strategies, plans and policies;
- recognise park-related issues and conflicts between existing and proposed uses, and address these in the context of community values and applicable legislation;
- present a landscape concept plan that illustrates the proposed initiatives and actions required to implement proposed physical changes and improvements to Chiswick Gardens;
- consider Council's existing and future financial obligations.

A number of issues were identified through preparation of this Draft Plan of Management and include, but are not limited to, poor condition of the building, lease arrangements for the building, derelict public toilets, overgrown and adhoc garden planting, and the densely planted perimeter to the Gardens.

Examples of some of the key actions authorised by this draft plan include:

- invite public tenders to enter into a lease arrangement to renovate (internal and external) and operate the building as a restaurant;
- investigate expanding the outdoor area for the restaurant/ park usage;
- renovate the public toilets to a unisex accessible toilet or similar;
- rationalise plantings in terms of density and theme;
- increase visibility of the Dorothea Mackellar memorial;
- reconstruct the boundary wall of the Gardens;
- thin vegetation on the perimeter of the Gardens;
- investigate replacing large trees that were removed from the back yard;
- remove and replace trees that are past their Safe Useful Life Expectancy;
- remove or redesign/rebuild the pergola in its current location;
- upgrade park furniture and hardscape;
- provide additional lighting in the south-eastern corner of the Gardens;
- interpret the Gardens' history to users.

The draft Plan of Management contains a Landscape Concept Plan (page 35) which illustrates some key actions and directions for Chiswick Gardens.

Further information is provided in relation to the key actions.

Building lease arrangement

The building in Chiswick Gardens has long been known as the location of the former high profile restaurant Pruniers. The most recent lease for the restaurant was terminated on 30 August 2009. The building has been vacant since 2008; subsequently this has resulted in its deterioration. General maintenance is required on the interior and exterior, including the ceilings, walls, windows and doors. Major upgrades and replacements will be required for the shingled roof, tiled areas in the kitchen and the air conditioning.

Council will invite public tenders to enter into a lease arrangement to renovate (internal and external) and operate the building as a restaurant or similar commercial use.

Public toilets

The existing toilet block is in a derelict condition and has not been used as a toilet for approximately 10 years. There is a lack of public toilets in public spaces in Woollahra and the potential for Chiswick Gardens to be used as a meeting hub for the general public utilising the park and building may require toilet facilities. Council staff will investigate the feasibility of renovating the toilets to a unisex accessible toilet or similar.

Plantings

The plantings in Chiswick Gardens are adhoc, untidy and far too dense. The garden beds contain a variety of plants that have no consistent theme. Planting themes need to be reviewed in a landscape / planting assessment. This would also address the densities in garden beds.

The appearance of the garden beds needs to be improved as they are untidy. This is highlighted around the Dorthea Mackellar memorial and the bubbler which are hidden by overgrown and untidy planting. Plantings in these areas need to be removed so that they are visible and usable.

Perimeter planting

The overgrown, dense vegetation around the perimeter of Chiswick Gardens limits casual surveillance within and into the Gardens. This can result in safety issues, and gives the perception that the Gardens are the private property of the restaurant.

To overcome this, the vegetation in the garden beds on the Gardens perimeter needs to be thinned out allowing for site lines into and out of the Gardens, however still providing an appropriate level of privacy from Ocean Street traffic.

Proposed 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;
- Notification signs placed in the park and at all entries;
- Woollahra Council's web page;
- 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.

Conclusion:

The draft Chiswick Gardens Plan of Management is recommended to be placed on public exhibition for 28 days. During this time Council hold a public hearing to categorise community land in accordance with Section 36 (4) of the *Local Government Act 1993*.

Upon review of any comments or submissions received, a further report is to be forwarded for Council's consideration.

Paul Fraser
Team Leader – Open Space and Recreation
Planning

Tom O'Hanlon
Director - Technical Services

ANNEXURES:

- A. Draft Chiswick Gardens Plan of Management

POLITICAL DONATIONS DECISION MAKING FLOWCHART FOR THE INFORMATION OF COUNCILLORS

