



Community & Environment Committee

Agenda: *Community & Environment Committee*

Date: *Monday 26 August 2013*

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).

Recommendation only to the Full Council:

- 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 Roads and Maritime Services.
- 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:

- 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

22 August 2013

To: His Worship the Mayor, Councillor Andrew Petrie ex-officio
Councillors Deborah Thomas (Chair)
Anthony Boskovitz
Peter Cavanagh
Anthony Marano (Deputy Chair)
Elena Wise
Susan Wynne
Jeff Zulman

Dear Councillors

Community & Environment Committee Meeting – 26 August 2013

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 26 August 2013 at 6.00pm.**

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	Note Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 12 August 2013	1
D2	Minutes of the Animal Advisory Committee Meeting – 24 April 2013 – 271.G AACM	2
D3	Yarranabbe Park Steering Committee Meeting – 226.G MP	6
D4	Sustainability Task Force 2013 – 1142.G Ecological Sustainability Task Force	11
D5	Amendment to the General Community Use Plan of Management – Gaden Reserve – 189.G	18

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

R1	McKell Park & Darling Point Reserve Plan of Management – 175.G MP *Note Annexure 1 distributed Under Separate Cover	41
R2	Environmental Sustainability Action Plan – 1142.G Environmental Sustainability Action Plan	52

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 12 August 2013**
Author: Les Windle, Manager - Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 12 August 2013 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 12 August 2013 be taken as read and confirmed.

Les Windle
Manager – Governance

Item No: D2 Delegated to Committee
Subject: **Minutes of the Animal Advisory Committee Meeting of 24 April 2013**
Author: Colin DeCosta, Coordinator – Regulatory Services
File No: 271.G AACM
Reason for Report: To submit the minutes of the Animal Advisory Committee meeting of 17 July 2013 in accordance with the adopted „Terms of Reference“.

Recommendation:

That the minutes of the Animal Advisory Committee meeting of Wednesday 17 July 2013 be received and noted.

Report:

The Animal Advisory Committee (AAC) was formed in 1997 to coincide with the introduction of the *Companion Animals Act 1998*, which commenced operations on 1 September 1998.

On 10 December 2012, Council adopted the current „Terms of Reference“ for the AAC. The „Terms of Reference“ state that the purpose of the AAC is;

“To serve as an advisory body to Council to assist with the development of policies, programmes, services and plans for companion animals. The AAC shall not operate in a regulatory or authoritative capacity.”

The „Terms of Reference“ further state that;

“The AAC is an advisory committee only and has no delegated authority. The AAC will report to the Community and Environment Committee as required.”

The current members of the AAC were appointed by the Mayor on 4 March 2013. Councillor Ted Bennett is the appointed Chairperson.

As specified by the „Terms of Reference“, the AAC will hold meetings as required or called by the Chairperson when Council has a statutory obligation to consult on significant animal management issues, where advice or professional information is needed by Council or where Council identifies there is a need. Generally meetings will be held on the third Wednesday of the month, at regular intervals, four (4) times a year as determined by the Chairperson. The minutes of the AAC meeting held on **Wednesday 17 July 2013** are attached for the information of the Committee.

While the attached minutes will not be adopted by the AAC until their next meeting, the minutes have been circulated to the members and corrections made where requested and appropriate.

Colin DeCosta
Coordinator – Regulatory Services

Tim Tuxford
Manager - Compliance

Annexure:

1. Minutes of the Animal Advisory Committee meeting of 17 July 2013



Animal Advisory Committee Meeting Minutes

Meeting held - Wednesday 17 July 2013

Present: **Councillors:** Ted Bennett (Chair), Anthony Boskovitz
Community: Vicki Etherington, Dr Pamela Tinslay, Nicola Grieve, Rosemary Stafford

Staff: Colin De Costa (Coordinator Regulatory Services), Paul Fraser (Team Leader Open Space & Rec Planning)

Apologies: Julie Brandon, Margaret Titterton, Joshua Swift, Suzy Rich (Regulatory Team Leader), Melanie Isaacs (Companion Animals Officer), Michael Weston (Team Leader Regulatory Enforcement), Andrea Waghorn (Secretary)

Meeting opened: 3.35pm

Item No.	Subject	Discussion	Action
1.	Confirmation of the previous minutes		
	Confirmation of minutes from previous meeting held Wednesday 24 April 2013	Moved – Councillor Anthony Boskovitz Seconded – Vicki Etherington	Adopted
2.	Business arising from previous Minutes		
2.1	Presentation of AAC Meeting minutes to the Community and Environment Committee	The minutes of the AAC meeting of 24 April 2013 were presented to the C&E Committee meeting.	Noted
2.2	Update on review of the dog-off-leash hours for parks	<p>The following „Notice of Motion“ was adopted at the Council meeting of 12 November 2012:</p> <p><i>That a report be brought to the Community & Environment Committee investigating the following:</i></p> <ol style="list-style-type: none"> 1. <i>A review of the dog-off-leash hours for parks in the Municipality (including identification of dog-off-leash areas); and</i> 2. <i>A review of our approach to our regulation of dogs-off-leash policies (including promotion of said regulations)</i> <p>Paul Fraser gave an update to the AAC and provided the proposed recommendations:</p> <p>A. <i>That Council approve for public exhibition of the following changes to the current dog regulations:</i></p> <ol style="list-style-type: none"> i. <i>Extension of hours of the Category C regulations from 3.30pm to 10.30am for Rushcutters Bay Park, Lyne Park, Royal Hospital for Woman Park and Christison Park.</i> ii. <i>Implement a 24hr dog off-leash area along the Rose Bay Foreshore from Dumaresq Reserve to Percival Park.</i> 	

		<p><i>B. Council exhibit the two proposals via a consultation period of no less than 28 days and report submissions received back to the Community & Environment Committee.</i></p> <p>The off leash review with recommendations will be presented to the Community and Environment Committee on 12 August 2013. There was a long discussion on the draft proposals A and B however there was consensus that the proposals improved access to open space for dog owners. If the recommendations are adopted the Committee requests an audit of signs and upgrades to current signs. Paul Fraser advised that there is some additional funding for signage this year.</p> <p>There was discussion on other off leash possibilities in Double Bay and Bellevue Hill, Paul Fraser advised that these had been considered however early morning school bookings limited opportunities.</p> <p>The report to the Community and Environment Committee will provide comprehensive information and the rationale for the recommendations. There was further discussion regarding off leash access to Rose Bay Park and an off leash dog incident at Rose Bay Beach.</p> <p>Paul Fraser will provide an update on what came out of the 12 August meeting to the AAC.</p> <p>Nicola Grieve offered her congratulations to staff on the review report.</p> <p>The Committee would like the access to and regulations at Vaucluse Park re-investigated. Companion Animals Officer to write to Historic Houses Trust to begin consultation.</p> <p>In addition there was discussion on off leash access to Parsley Bay and on dog restrictions on Woollahra Golf Course and Kutti Beach. Melanie Isaacs to report to AAC on the current arrangements.</p>	<p>Paul Fraser</p> <p>Paul Fraser</p> <p>Melanie Isaacs</p> <p>Melanie Isaacs</p>
2.3	Puppies in the Park	<p>Colin DeCosta provided an overview of the event and feedback of the event from Council's communications team. Councillor Ted Bennett suggested that Council should focus education on dog owners in local parks. Colin DeCosta agreed and will have Melanie Isaacs investigate options for quarterly opportunities with communications staff.</p> <p>There was discussion on enforcement levels.</p>	Melanie Isaacs

3. New Business			
3.1	Companion Animal Work Activity Statistics for the period 24/4/2013 – 17/7/2013	Colin DeCosta presented customer request statistics for the period. Melanie Isaacs to provide more detailed report at the next AAC meeting.	Noted
3.2	“Code of Conduct – A guide for community representatives”	Colin DeCosta distributed a memo from the Manager Governance and copy of the “Code of Conduct – A guide for community representatives”. Colin DeCosta provided an overview of the Code of Conduct particularly Council information and conflicts of interest. AAC members unsure of their responsibilities or with questions to contact the Manager Governance.	Noted
3.3	Next meeting	Chair of the committee Councillor Bennett proposed the next Animal Advisory Committee meeting to be held on 16 October 2013. No objections received.	Noted

There being no further business, the meeting closed at approximately 4:30pm.

NEXT MEETING:

Wednesday 16 October 2013 at 3.30pm

Item No: D3 Delegated to Committee
Subject: **Yarranabbe Park Steering Committee Meeting**
Author: Bruce Rann
File No: 226.G MP
Reason for Report: To note the minutes from Yarranabbe Park Steering Committee Meeting held on 8 August 2013.

Recommendation:

That Council note the attached minutes from the Yarranabbe Park Steering Committee Meeting which was held on 8 August 2013.

Bruce Rann
Manager – Open Space and Trees

Tom O’Hanlon
Director – Technical Services

ANNEXURES:

1 - Minutes from the Yarranabbe Park Steering Committee Meeting 8 August 2013.

Woollahra Council

Yarranabbe Park Steering Committee

Notes from Meeting Held On Thursday 8 August 2013

Present:

Toni Zeltzer	Chair
Anthony Marano	Councillor
Deborah Thomas	Councillor
Elena Kirillova	Councillor
Katherine O'Regan	Councillor
Dennis Rabinowitz	Community Representative, Rushcutters Bay Park Enhancement Group (RuBPEG)
Kate Prendergast	Community Representative, Woollahra History and Heritage Society
Charlotte Feldman	Community Representative, Darling Point Society (DPS)
Tom O'Hanlon	Director, Technical Services
Matthew Corbett	Technical Officer, Open Space and Trees
Bruce Rann	Manager, Open Space and Trees

Apologies:

Andrew Petrie Mayor

Meeting commenced 5:30pm

1. Introduction by the Chair, Councillor Zeltzer

Councillor Zeltzer welcomed the attendees and noted Cr Petrie's apology.

2. Adoption of the previous minutes

It was noted that the minutes from the previous meeting have already been adopted by Council.

3. Business arising from the previous minutes

Councillor Zeltzer asked Bruce Rann if there was any business arising. Bruce advised the group that the outstanding items had been moved to tonight's agenda.

4. The actions list

Bruce Rann provided the committee with a hard copy spreadsheet of the updated actions list with all actions numbered and grouped wherever possible.

The group agreed that the actions list in this new format was good and asked staff to send an electronic copy to the group.

5. Shade sail

Bruce Rann presented some designs and costings for a 3 sail shade cover for the playground area.

Councillors Thomas and Marano advised the committee that they had met with residents who have serious concerns over any potential view loss from the installation of shade sails over the playground.

Cr Thomas asked if the installation of the shade sail could be moved to a lower priority.

Tom O'Hanlon advised that the action could be delayed but could not be moved to a medium or low priority as the POM is adopted.

Kate Prendergast reminded the committee that we had previously agreed that the installation of a shade sail over the playground should be a priority and that we should be thinking of the needs of the many not the few.

The group requested that staff obtain some revised design options, potentially with lower or less sails, prior to any final decision on installation.

6. Seating

The committee decided that the 6 bench seats shown on the master plan should:

- Have backs
- Have black rather than silver metal
- Should face the path and the water

The committee also agreed that any other benches, such as those facing the playground should be replaced with new as above.

The committee agreed that these seats should be ordered now and installed before xmas.

The committee requested that after the installation of the above-mentioned seats there should be a site meeting to mark out other seating sites for consideration in situ.

7. Tree plantings

Matthew Corbett showed the committee some images of the Angphoras and Ficus that he has already purchased as ex-barangaroo stock.

The committee agreed that these trees were ideal and should go in asap.

Matthew showed the committee options and images for Frangipanis and Tree Waratahs. The committee decided that 4 large Frangipanis in a traditional white colour should go in now with the Angphoras and Ficus.

The committee agreed that the Tree Waratahs could go in at a later date if they were still a bit small for planting.

The committee decided that all trees should go in without tree guards, however temporary fencing as protection may be used during events.

8. Northern plaza

The committee discussed various options for the northern plaza with some members being very keen on the stairs into the water while other members were opposed to stairs.

Tom O'Hanlon advised the group that we should proceed to detailed design to get a better idea of options, costings and a risk assessment.

Dennis Rabinowitz suggested that the design should allow for the staged implementation of the stairs which may be an expensive item and not as urgent as the actual plaza.

The committee agreed that staff should get quotes from appropriate companies to go to detailed design.

Dennis said that he may be able to find a quantity surveyor to cost the plaza and stairs once the detailed designs are done.

9. General business

There was no general business at this time.

10. Next Meeting

The group asked for staff to set the next meeting as a site meeting in the park following the tree plantings.

Item No: D4 Delegated to Committee
Subject: **Sustainability Task Force 2013**
Author: Chris Munro, Team Leader Environment & Sustainability
File No: 1142.G Ecological Sustainability Task Force
Reason for Report: To circulate the minutes from recent Ecological Sustainability Taskforce Meetings

Recommendations:

That Council:

Note the minutes of the Ecological Sustainable Taskforce Meeting held on 25 July 2013.

Background

On 23 March 2009 Council resolved to establish an Ecological Sustainability Task Force reporting to the Community & Environment Committee.

The role of the Task Force is to review and recommend Council strategy in relation to sustainability initiatives and policies in the areas of:

- A. Water
- B. Energy
- C. Public Transport
- D. Waste Management
- E. Carbon reduction.

Membership of the Ecological Taskforce includes 5 Councillors, the Chair and staff as appointed by the Mayor.

Andrew Petrie	Mayor
Katherine O'Regan	Deputy Mayor
Anthony Marano	Chair, Councillor
Greg Levenston	Councillor
Elena Kirillova	Councillor
Elena Wise	Councillor
Tom O'Hanlon	Director Technical Services
Bruce Rann	Manager Open Space and Trees
Chris Munro	Team Leader Environment & Sustainability

Meeting Minutes

The minutes of the Sustainability Task Force meeting held on 25th July 2013 have been attached to this report as Annexure 1.

Chris Munro
Team Leader - Environment & Sustainability

Bruce Rann
Manager - Public Open Space

Tom O'Hanlon
Director - Technical Services

ANNEXURES:

1. Minutes Sustainability Task Force meeting held on 25 July 2013

Woollahra Council
Ecological Sustainability Taskforce
Minutes Of Meeting No. 13
Held on Thursday 25th July 2013

Present:

Anthony Marano	Chair, Councillor
Greg Levenston	Councillor
Tom O'Hanlon	Director, Technical Services
Bruce Rann	Manager, Open Space and Trees
Alan Coker	Director, Planning and Development
Chris Munro	Team Leader, Environment & Sustainability
Emma Hawkins	Senior Sustainability Officer, Environment & Sustainability
Lachlan Kranz	Kinesis
David Holden	Kinesis

Apologies:

Katherine O'Regan	Deputy Mayor
Elena Kirillova	Councillor
Elena Wise	Councillor

Meeting commenced at 6:00pm

1. ACCEPTANCE OF MINUTES FROM LAST MEETING

The Taskforce noted and accepted the minutes of the 12th Ecological Sustainable Taskforce Meeting held on the 31 January 2013.

In response to the actions identified during meeting 12, Chris Munro presented a summary of the ESD features of the Kiaora Lands Project.

2. Environmental Sustainability Action Plan – PRESENTATION

Chris Munro presented the final draft of the ESAP 2013-2025, noting that the ESAP will be the channel for Council's sustainability reporting, replacing the previous "State of the Environment" format. The ESAP contains:

- Sustainability targets within 5 areas: Energy and emissions, Water, Biodiversity, Waste, Transport
- A snapshot of Woollahra
- Explanation of how the ESAP operates within the Integrated Planning and Reporting Framework
- Environmental Report Card – showing the targets, and the performance against these targets as of 2012. This Environmental Report Card is to be updated annually

- Chris noted that the data used to report on these targets will come from the following sources:
 - Energy and Water – Data collected and reported through the Kinesis CCAP tool
 - Biodiversity – surveys and discussions with the bush regeneration teams
 - Waste – discussions with, and data collected by Civil Operations
 - Transport– discussions with, and data collected by Civil Operations

Chris noted that the draft document had been distributed to the EST, and requested that Councillors provide comments on the draft.

Chris proposed that the draft ESAP be presented to the Community and Environment Committee in August 2013, following amendments based on Councillor feedback.

ACTION:

1. Councillors to provide comments on draft ESAP to Chris Munro
2. Chris Munro to make amendments accordingly, and present ESAP to Community and Environment Committee for adoption

3. Energy Efficiency Projects - PRESENTATION

Chris Munro provided a brief summary of the energy efficiency projects being undertaken by the Environment and Sustainability Team.

4. CCap Tool – PRESENTATION BY KINESIS

Presentation by Kinesis consulting firm, summarizing the energy efficiency work they have completed for Environment and Sustainability Team, and providing an explanation of the CCAP tools.

Lachlan Kranz provided a brief outline of previous work conducted by Kinesis for the Environment and Sustainability Team, including:

- Energy consumption analysis and preparation of the Carbon Reduction Strategy and Action Plan
- Assistance in preparation of a successful bid for Federal Government grant funding Community Energy Efficiency Program (CEEP) for the upgrade of the lighting and heating, ventilation and air conditioning (HVAC) at Redleaf Council Chambers
- Energy modeling of alternative options for the heating, ventilation and air conditioning (HVAC) being investigated for Redleaf Council Chambers
 - Kinesis found that the gas powered chiller option will cost more in capital costs than the electric powered chiller option, but will have saved \$68,000 more than the electric option within the first 20 years. The gas chiller will also result in significantly lower greenhouse gas emissions than the electric option.

CCAP (Councils assets)

Lachlan Kranz provided an overview of the CCAP tool, noting the following:

- The data interrogation and visualization capabilities (as demonstrated) can be used by anyone that Council authorizes (other Councils have requested that community members/ Councillors have access)
- Tool allows automated assessment of performance against targets. For some areas, these could even be live, so that the viewer can see performance in real time
- The Dashboard provides a snapshot overview of results, and acts as a portal for access to detailed reporting sections

- Lachlan provided an example of analysis of a range of car parks within the City of Perth, demonstrating the tools capabilities to:
 - Determine the electricity consumption trends of each asset and the group of assets
 - Compare the performance of each individual asset
 - Identify the best and worst performers in a set of assets
 - Focus Council planning and operational improvements
 - Set targets for performance based on actual data and current trends
 - Allow asset managers to understand what overarching targets mean to their operations, by breaking the targets down into targets for individual assets
- Lachlan noted that the tool could be used to benchmark Kiaora Lands with other similar assets in other Councils
- Lachlan noted that tracking of performance of the upgrades is a condition of the CEEP Funding for the Redleaf Council Chambers lighting and HVAC retrofit. The CCAP tool could be used for this tracking.

CCAP City (Whole of LGA – Council assets and Community)

- David Holden provided an overview of the CCAP City Tool, noting that the tool has the capability to:
 - Map energy use, water use, GHG emission sources, transport methods across the LGA (Council and community).
 - Track and monitor the implications of Council Plans and Strategies, LEPs etc
 - Track Council's performance against targets
 - Assist Council in targeting strategies and activities on specific areas or issues
 - Assist in the alignment of sustainability targets with Councils planning, development assessment and approval processes

CCAP Precinct (Individual precincts and areas)

- David Holden provided an overview of the CCAP Precinct Tool, noting that the tool was used to conduct a case study on Double Bay shopping area. David demonstrated the implications of changing the housing density on energy consumption, water consumption, car use etc.
- Alan Coker asked if data on Councils fleet was able to be viewed, noting that a policy shift from 6 cylinder to 4 cylinder engines was taken around 3 years ago. Lachlan Kranz presented the data through the tool. Alan Coker noted that this tool is highly useful in that it allows Council to review the effectiveness of its policies, and direct further action.
- Alan Coker asked whether the ESAP targets should align with the targets that can be reported through the CCAP tool. Lachlan Kranz indicated that the ESAP contains high level targets designed for communication with the community, and that the CCAP tool provides higher resolution data and tracking to inform Councils reporting.
- Chris Munro advised that the Environmental Report Card within the ESAP will provide an annual progress report. Chris also advised that performance against more specific targets can be reported/ communicated internally. Chris indicated that the intention is to ensure that our tracking and performance reporting is consistent and robust internally (ie for reporting to MANEX), before we report to the community.
- Cr Levenston suggested that the community is more likely to respond to this reporting from Local Government, rather than reporting/ information provided by the State Government.
- Alan Coker also noted that the community is more likely to change behaviour if Council can demonstrate its sustainability performance. Bruce Rann indicated that this has been a challenge with water consumption. It was noted that the low cost of water is a significant barrier to water efficiency.
- Cr Levenston suggested that a Woollahra Council App could be a useful channel for communicating this information to residents. Chris Munro indicated that the Environment and Sustainability Team are reviewing the site to improve its ability to communicate what Council is doing.

- Alana Coker asked if having a link to the CCAP tool is part of Councils Strategy. Chris Munro confirmed that this is the case.
- Alana Coker asked if the tool can be used to track waste generation. Lachlan Kranz confirmed that this is the case.
- Cr Levenston asked whether the State Government is using the CCAP tool. David Holden indicated that discussions have been held with the State Government, but that there are no plans to use this tool at the State level at this stage.

5. MEETING SUMMARY

Chris Munro reiterated that the draft Environmental Sustainability Action Plan is the first corporately owned sustainable action plan for Woollahra Council, and that it is hoped that it will be adopted by Council shortly. The ESAP will be used to monitor performance and report performance to Councillors.

Cr Levenston asked that the data as shown within the CCAP tool could be presented to Councillors annually, suggesting ward meetings as an opportunity for these presentations.

Alan Coker indicated that a finding from the US Tour was that cities that demonstrate commitment to reducing their own electricity and water consumption, were more likely to have sustainability incorporated into the City Strategy. Alan also noted that sustainability planning in the US placed more emphasis on social aspects than in Australia.

6. Next Meeting

Next Meeting:– Date TBC

Item No: D5 Delegated to Committee

Subject: **Amendment to the General Community Use Plan of Management - Gaden Reserve**

Author: Paul Fraser - Team Leader, Open Space & Recreation Planning

File No: 189.G

Reason for Report: To amend the General Community Use Plan of Management concerning Gaden Reserve to expressly authorise the permissibility of entering into a lease for the use of the Seniors Centre.

Recommendation:

- A. That Council place the amended changes to the Plan of Management (PoM) for General Community Use (Annexure 1) relating to Gaden Reserve 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 considers submissions received on the exhibited amendments and, where appropriate, incorporate changes in a Final Plan of Management to be further considered by Council.

Background:

Gaden Reserve is included in the General Community Use (Reserves) Plan of Management adopted in 1996. Council recently upgraded the building (DA 467/2012) to enable the not for profit organisation, Holdsworth Street Community Centre to run community based services from the existing Seniors Centre. The use of this building would be subject to a lease with Council and various conditions that were adopted by Council on 13 May 2013 as follows:

- A. *That Council adopt the revised Funding Agreement with Holdsworth Street Community Centre Woollahra Incorporated and Holdsworth Family Services Incorporated, incorporating the activities at the Woollahra Seniors & Community Centre, effective 1 July 2013.*
- B. *That Council exhibit the proposed lease of the Woollahra Seniors & Community Centre and Holdsworth Community Centre for 28 days as per Section 46 and Section 47 of the Local Government Act and that all objectors be notified of the conditions of the proposed lease.*
- C. *That the following changes as proposed in the late correspondence be made:*
 - *Holdsworth must:*
 - *only use the outdoor deck (including for the setting up and removal of tables and chairs) during the following hours:*
 - a) *8am to 4pm Monday to Friday*
 - b) *10am to 4pm Saturday, Sunday and Public Holidays*
 - *not use amplification of any sort on the outdoor deck at any time*
 - *remove all outdoor furniture from the deck at the completion of each day of use.*
 - *The outdoor deck may also be used between 4pm to 6pm Monday to Sunday for community services activities only, on the condition that there is no amplified music in the centre at all at this time.*
 - *Council reserves the right to limit the hours of use of the outdoor deck after 4pm at any time, taking into consideration any complaints received.*
 - *No Smoking sign be included on the deck.*

Council has since received legal advice stating that the current Plan of Management (PoM) does not expressly authorise the granting of a lease of the Seniors Centre. Such a lease cannot be granted unless and until the PoM is amended to include an express authorisation.

Proposal:

It is recommended to amend the current PoM to expressly authorise the granting of a lease of the Seniors Centre. Due to time restrictions and the current Development Consent authorising the use of the premises it is our intention to only make the necessary amendments and not review the entire PoM. It is not recommended to change the values and roles of the community land.

The following amendments of the current PoM are recommended to be exhibited:

1. The words „(Open Space Only)“ in the fourth dot point in section 1.1 at the bottom of page 1 be omitted and replaced with the words „(including the seniors centre)“.
2. The following words be included at the end of the last dot point in section 1.3 „and community facilities including a seniors centre for the provision of community services to persons and for hire for community, recreational and private use“.
3. A new section 5.7 should be included with the following text:
5.7 Lease of Gaden Reserve Seniors Centre
This plan of management authorises the lease of the seniors centre within Gaden Reserve referred to in section 1.3 in accordance with s46 of the Local Government Act 1993.
4. A new row be added to the end of the table in section 6 which sets out the action plan for leasing the seniors centre.
5. An updated map

Due to the urgency of relocating Holdsworth and also as the upcoming changes to the Local Government Act may affect various aspects of Woollahra Council's PoMs it is recommended that other analysis and changes to this PoM are not made at this point in time.

Consultation:

The Local Government Act 1993, permits the amendment of a PoM which is required to follow the public notice of a draft PoM. The *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 amended plan is placed on exhibition. Community members will be encouraged to review the amendment and make a submission assisted by:

- Undertaking a letter box drop to neighboring 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 draft PoM being available for viewing at the Woollahra Libraries and at the Council Chambers.

Conclusion:

This report recommends only one technical amendment to the current PoM be exhibited to allow Council to lease the Seniors Centre in line with the current approved Development Consent for the building.

Paul Fraser
Team Leader – Open Space & Recreation Planning

Tom O’Hanlon
Director – Technical Services

Bruce Rann
Manager – Open Space & Trees

Annexures:

1. General Community Use Plan of Management 1996.

Item No: R1 Recommendation to Council
Subject: **McKell Park and Darling Point Reserve Plan of Management**
Author: Paul Fraser - Team Leader, Open Space & Recreation Planning
File No: 175.G MP
Reason for Report: To report back submissions received from the public exhibition of the draft McKell Park Plan of Management and to recommend the adoption of the plan.

Recommendation:

- A. That Council make the changes as outlined in the report and adopt the McKell Park and Darling Point Reserve draft Plan of Management as the primary management planning instrument with the recommended changes.
- B. That the adopted Conditions of Hire continue to be implemented and enforced.

Background:

Council, at its meeting of Monday 27 May 2013, was notified of the need to amend the previous PoM to include the additional purpose of „weddings and other functions“ and to re-exhibit. This was supported by Crown Lands and the resolution was as follows:

- A. *That Council adopt the amendments as discussed in the report and place the McKell Park and Darling Point Reserve draft Plan of Management (PoM) 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 113 (c) of the Crown Lands Act 1989 and Section 38 of the Local Government Act 1993.*
- B. *That Council considers submissions received and, where appropriate, incorporates changes into a final PoM to be further considered by Council.*

The McKell Park and Darling Point Reserve draft Plan of Management (PoM) was placed on re-exhibition from 30 May 2013 - 7 August 2013 (Annexure 1). The extension of the public exhibition period was required due to the Crown Lands delay in following Council’s timing of the exhibition period. The exhibition was advertised by notices in the Wentworth Courier, a letter distributed to all adjoining residents of the Park, information provided on Council’s website (*Have Your Say* section), signage within the Park and publication on the Crown Lands website.

The initial public exhibition process which was resolved by Council on 27 August 2012 was undertaken from the 16 January 2013 to 1 March 2013. This report will present the submissions received from both exhibition periods and discuss the recommended changes.

Discussion:

Council received the following submissions:

- 16 January 2013 – 1 March 2013; 6 submissions were received.

Submission	Issue	Recommendation	Reason
1. Woollahra History and Heritage Society Inc. (WHHS)	Various historical statements are incorrect.	Change	All recommendations and changes are supported.
2. Resident	<ul style="list-style-type: none"> ▪ Does not support any increase of patronage at McKell Park due to increased parking demands. ▪ Requests that weddings have a user pays system – security company/ranger monitors the event. ▪ Fence off Darling Point Reserve due to anti-social behaviour occurring at night. ▪ Various maintenance issues. 	No Change	The PoM and adopted Conditions of Hire cover the main issues that are raised. The compliance of these conditions will be further improved. Maintenance and traffic issues will be dealt with via the appropriate channels.
3. Resident	<ul style="list-style-type: none"> ▪ Anti-social behaviour occurring at Darling Point Reserve – the reserve should be fenced. ▪ Various maintenance issues. 	No Change	The PoM discusses the need for connectivity between McKell Park and Darling Point Reserve which would improve surveillance of this area. Council will continue to work with local Police in relation to anti-social behaviour. Maintenance will be dealt with via Parks Operation schedules.
4. 50+ Fitness Therapy	<ul style="list-style-type: none"> ▪ Upgrade of the cottage is required. ▪ Does not support the erection of a temporary shelter adjoining the cottage. ▪ Applauds Council for planning to maximise opportunities for social and community activities within McKell Park. 	Include an action stating; <i>Investigation of shade options at the entry to Canonbury Cottage.</i>	Recommendation supported by Community Services and Property.
5. Resident	<ul style="list-style-type: none"> ▪ Major weed infestation on the slope of McKell Park. ▪ Request that a volunteer group be established to assist to maintain. 	No Change	This is a maintenance issue. There are major risk elements to staff and volunteers working on slopes.

6. Herbert Smith Freehills Lawyers	<ul style="list-style-type: none"> ▪ Adverse effects on local amenity of aspects of the current use of McKell Park. ▪ Requesting Council to re-exhibit the PoM with the proposed „additional purposes“. 	Re-exhibition of PoM.	Council amended the PoM to include the „additional purposes“ being „weddings and other functions“.
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- 30 May 2013 – 7 August 2013; 2 submissions
 1. WHHS – as above all recommendations and changes to the PoM are supported.
 2. Herbert Smith Freehills Lawyers – details are shown in the below table.

Note: Requested changes are ***bold and italic***.

Section	Issue	Recommendation	Reason
Pg. I, 1	<u>Change of words:</u> - <i>recommends to makes</i> - <i>recommends to contains</i>	Change	This wording is accepted.
	<u>Change of words:</u> From – „a public park from 1983 to the present“ To – „a <i>reserve for public recreation</i> from 1983 to present“	No Change	Change of wording is not necessary.
Pg. III	<u>Change of Vision:</u> From – McKell Park and Darling Point Reserve will continue to be showpiece local/district parks in Woollahra that cater for a range of social, community and recreational activities in an intimate and historically landscaped setting. To – McKell Park and Darling Point Reserve will continue to be showpiece local/district parks in Woollahra that cater for a range of <i>public recreation reserve and other recreational and additional</i> activities in an intimate and historically landscaped setting.	No Change	The Vision is adequate as is and caters for all social, community and recreational uses.
Pg. IV	<u>Change:</u> From - Improve management of park usage including for weddings, other functions, community and special events. To - Improve management of park usage <i>so as to include weddings and other functions as additional uses in accordance with this plan.</i>	No Change	Not necessary as the additional use is stated in Table 1.3.
Pg. 3	<u>Change:</u> From - set out an appropriate and integrated framework to guide decision making regarding the future sustainable use and management of McKell Park and Darling Point Reserve. To - set out an appropriate and integrated framework to guide decision making regarding the future sustainable use and management of McKell Park <i>as a public recreation reserve</i> and <i>of</i> Darling Point Reserve.	No Change	Change would serve no purpose.

Pg. 14	<u>Delete:</u> The <i>Crown Lands Act 1989</i> applies to Lot 7051 DP 93654 and Lot 1553 DP 752011, which were reserved from sale for public recreation on 26 June 1987.	No Change	Change would serve no purpose.
Pg. 15	<u>Change:</u> From - Such use is subject to conditions that are issued to the hirer for activities such as weddings and social functions, in which numbers are limited to less than 120 people, and marquees and amplified sound are not permitted. To - <i>Such use is subject to conditions that are issued to the hirer.</i>	Change to the following: <i>Such use is subject to conditions that are issued to the hirer as adopted by Council.</i>	This wording is better placed within the PoM.
Pg. 28	<u>Delete:</u> McKell Park, including Canonbury Cottage, is one of Woollahra's most popular locations for weddings etc.	No Change	This is a statement of fact.
	<u>Delete:</u> Permissible times to hire the park are from sunrise to sunset seven days a week.	No Change	This is currently permissible under Council's adopted Conditions of Hire.
	<u>Change:</u> From - Weddings in McKell Park are managed as per Council's conditions of hire (licence). To - <i>Under the current conditions of hire of McKell Park, these events are limited to a maximum of 100 people.</i>	No Change	Council's Conditions of Hire are adopted by Council.
Pg. 38	<u>Change:</u> From - The overall management objective for McKell Park and Darling Point Reserve is to preserve the parks for public recreation and as a local community resource. This can be achieved by maintaining and strengthening their significant features and facilities to maximise opportunities for a wide range of social/community recreational and other appropriate uses. To - The overall management objective for McKell Park and Darling Point Reserve is to preserve the parks for public recreation and as a local community resource <i>for permissible additional uses</i> . This can be achieved by maintaining and strengthening their significant features and facilities <i>as appropriate to those</i> maximise opportunities for a wide range of social/community recreational and other appropriate uses.	No Change	Not necessary as the additional use is stated in Table 1.3.
Pg. 40 Table 4.4	<u>Change:</u> From - Recommendations in the Plan encourage public use and enjoyment of the park for a wide range of recreational and other appropriate activities, while recognising these need to managed appropriately. To - <i>This Plan encourages public use and enjoyment of the park for recreational and other additional uses.</i>	No Change	Changes would serve no purpose.

	<p><u>Change:</u> From - Recommendations in the Plan would continue multiple uses of McKell Park.</p> <p>To – <i>This plan encourages public use and enjoyment of the park for recreational and additional uses.</i></p>		
Pg. 44 Table 4.6	<p><u>Change:</u> From - Ensure future uses are compatible with the existing range of activities, the Gardens’ character, and the carrying capacity of its facilities and settings.</p> <p>To - Ensure future uses <i>enhance and retain the Park as a public recreation reserve and</i> are compatible with the <i>Park’s existing range of activities, the Gardens’</i> character, and the carrying capacity of its facilities and settings.</p> <p>From - Limit commercial activities to those that serve permissible activities.</p> <p>To - Prohibit Limit commercial activities <i>except where ancillary to those that serve permissible activities.</i></p> <p>From - Encourage use of the park for social activities. Minimise impacts of social activities in the parks on local residents. Maximise appropriate uses of Canonbury Cottage.</p> <p>To – <i>Encourage use of the park for social activities which enhance and retain the Park as a public recreation reserve. Minimise impacts of social activities in the parks on local residents and on the character of the Park as a public recreation reserve. Make appropriate use of Canonbury Cottage.</i></p>	No Change	Changes unnecessary as they are dealt with in Section 6.1 commencing on page 73 under the heading Permitted future uses and developments. This section deals with future permitted uses and scale and intensity of these uses. It covers social, community and commercial activities within the park.
Pg. 76	<p><u>Change:</u> From - McKell Park and Darling Point Reserve are generally intended to be used for informal and passive recreation, access to the public wharf, social gatherings, ceremonies, community activities and special events.</p> <p>To - McKell Park and Darling Point Reserve are generally intended to be used for informal and passive recreation <i>and for</i> access to the public wharf <i>and additional purposes authorised by this plan.</i> Social gatherings, ceremonies, community activities and special events.</p>	No Change	Not necessary as the additional use is stated in Table 1.3.
Pg. 77	<p><u>Change:</u> From –</p> <ul style="list-style-type: none"> <input type="checkbox"/> Unreasonably impact on local residents in terms of noise and demand for on-street parking. <input type="checkbox"/> Unreasonably interfere with the use and 	No Change	The original wording in the PoM represents a more reasonable approach for the

	<p>enjoyment of the parkland by other park users.</p> <ul style="list-style-type: none"> ❑ Result in physical damage to the parks. ❑ Unreasonably exclude any section of the community. <p>To –</p> <ul style="list-style-type: none"> ❑ Unreasonably adversely impact on local residents in terms of noise and demand for on-street parking. ❑ Unreasonably interfere with the recreational use and enjoyment of the parkland by other park users. ❑ Result in physical damage to the parks. ❑ Unreasonably exclude any section of the community. 		<p>whole community.</p>
	<p><u>Change:</u> From - Any use or development that would further encroach on McKell Park and Darling Point Reserve“ passive open space should be prevented.</p> <p>To - Any use or development that would further unreasonably encroaches on McKell Park and Darling Point Reserve“s availability for passive recreational use open space should be prevented. Council will establish and advertise by appropriate notices within the Park a mobile phone ‘hotline’ to Council rangers to enable immediate notice to be given to them of use or development that is unreasonably encroaching on McKell Park and Darling Point Reserve’s availability for passive recreational use.</p>	<p>No Change</p>	<p>This is not a PoM issue. All hirers have access to the Rangers contact number and residents can call the after-hours Council number to report issues.</p>
	<p><u>Change:</u> From - Woollahra Municipal Council will continue to close McKell Park at dusk until sunrise to discourage use at night.</p> <p>To - Woollahra Municipal Council will continue to close McKell Park at dusk until sunrise to discourage use at night. Council will install and maintain a self-locking gate at the entrance to the Park from Lindsay Avenue which allows exit from the Park to Lindsay Avenue but which prevents entry to the Park from Lindsay Avenue.</p>	<p>No Change</p>	<p>This is a Council adopted condition. The maintenance of the gate is not a PoM issue and will be dealt with via Council’s maintenance schedule.</p>
	<p><u>Change:</u> From - All applications for use of McKell Park and Darling Point Reserve for temporary organised activities such as weddings, photography, film shoots and social gatherings, would be subject to Council’s standard conditions of hire (licence) (and site specific conditions where applicable), approval processes, and booking fees. A temporary licence in the form of a Park Hire Approval would be issued by Council as part of the approval process prior to the parks being used for these activities. Fees are listed in Council’s annual Management Plan.</p>	<p>No Change</p>	<p>The Conditions of Hire are adopted by Council.</p>

	<p>To - All applications for use of McKell Park and Darling Point Reserve for temporary organised activities <i>will be limited to those listed in the Conditions of Hire set out in Appendix D (as they may be varied from time to time by the Council) and will be subject to the conditions in the Conditions of Hire.</i></p>		
	<p><u>Change:</u> From – limiting weddings and other functions to 120 people; To – limiting <i>hired activities to 80 people and a maximum of 1 event per day on weekends.</i></p>	Change the wording to 100 people.	As per Council's adopted Conditions of Hire
	<p><u>Delete:</u> Community Events – whole section within 6.1 .5</p>	No Change	This is an unacceptable change as the park is there for the community and this section has a place within the PoM.
Pg. 78	<p><u>Change:</u> From - Woollahra Municipal Council wishes to encourage increased use of Canonbury Cottage by the community for a range of permissible uses. To - Woollahra Municipal Council wishes to encourage increased use of Canonbury Cottage by the community for a range of permissible uses <i>which are ancillary to the recreational and additional uses permitted by this plan.</i></p>	No Change	Permissible activities are discussed as part of Section 6.
	<p><u>Change:</u> From – Commercial activities may be approved in McKell Park provided they:</p> <ul style="list-style-type: none"> <input type="checkbox"/> enhance permissible social and recreational opportunities. <input type="checkbox"/> do not unduly impact on other park users. <input type="checkbox"/> do not unduly impact on the values of the park. <input type="checkbox"/> pose no threat to public safety. <p>To – Commercial activities may <i>only</i> be approved in McKell Park provided <i>if</i> they:</p> <ul style="list-style-type: none"> <input type="checkbox"/> <i>Are ancillary to enhance permissible social and recreational and permissible additional uses opportunities.</i> <input type="checkbox"/> Do not <i>adversely unduly</i> impact on other park users. <input type="checkbox"/> Do not <i>adversely unduly</i> impact on the values of the park. <input type="checkbox"/> Pose no threat to public safety. 	Change to the following; Commercial activities may only be approved in McKell Park if they:	The recommended wording represents a more reasonable approach for the whole community.
	<ul style="list-style-type: none"> <input type="checkbox"/> <i>are ancillary to recreational and permissible additional uses and those identified in Section 6.1.</i> <input type="checkbox"/> <i>do not unduly impact on other park users.</i> <input type="checkbox"/> <i>do not unduly impact on the values of the park.</i> <input type="checkbox"/> <i>pose no threat to public safety.</i> 		

<p>Pg. 80</p>	<p><u>Change:</u> From - This Plan of Management expressly authorises the granting and renewal of leases and licences from time to time in accordance with the <i>Crown Lands Act 1989</i> and the <i>Local Government Act 1993</i> as applicable and otherwise for purposes consistent with this Plan.</p> <p>To - This Plan of Management expressly authorises the granting and renewal of leases and licences from time to time in accordance with the <i>Crown Lands Act 1989</i> and the <i>Local Government Act 1993</i> as applicable and <i>which are consistent with the reserve purpose or additional purpose identified in this Plan.</i> Otherwise for purposes consistent with this Plan.</p>	<p>No Change</p>	<p>The original wording suffices.</p>
	<p><u>Change:</u> From - Any lease or licence granted over land reserved under the <i>Crown Lands Act 1989</i> must comply as necessary with the reserve purpose or additional purposes....</p> <p>To - Any lease or licence granted over land reserved under the <i>Crown Lands Act 1989</i> must <i>be consistent</i> comply as necessary with the reserve purpose or additional purposes....</p>	<p>Change to the following: <i>Any lease or licence granted over land reserved under the Crown Lands Act 1989 must be consistent with the reserve purpose or additional purposes and those uses identified in Section 6.1 of the PoM</i></p>	<p>The recommended wording represents a more reasonable approach for the whole community.</p>
	<p><u>Change:</u> From - A Reserve Trust is required to obtain consent in writing from the Minister for Primary Industries for leases and licences, however not for temporary licences.</p> <p>To - A Reserve Trust is required to obtain consent in writing from the Minister for Primary Industries for leases and licences, <i>but such consent is</i> however not <i>required</i> for temporary licences <i>which are consistent with the reserve purpose or additional purposes identified in this Plan.</i></p>	<p>Change to the following: <i>A Reserve Trust is required to obtain consent in writing from the Minister for Primary Industries for leases and licences, but such consent is not required for temporary licences which are consistent with the reserve purpose or additional purposes and those uses identified in Section 6.1 in this Plan.</i></p>	<p>The recommended wording represents a more reasonable approach for the whole community.</p>
	<p><u>Change:</u> From - The maximum period for leases and licences on community land allowable under the Local Government Act is 30 years.</p> <p>To - The maximum period for leases and licences on community land allowable under the Local Government Act <i>1993</i> is 30 years.</p>	<p>Change</p>	<p>Addition of 1993 is acceptable. No deletion of the wording <i>community land</i> as the original wording is more accurate.</p>

Pg. 81	<p><u>Change:</u> From - All short-term casual hire (licence) for events will be in accordance with the Act and <i>Local Government (General) Regulation 2005</i>.</p> <p>To - All short-term casual hire (licence) for events will be in accordance with the Local Government Act 1993 and <i>Local Government (General) Regulation 2005</i>.</p>	Change	
	<p><u>Change:</u> From - Section 46A of the Act requires that Plans of Management for community land....</p> <p>To - Section 46A of the Local Government Act 1993 requires that Plans of Management for community land....</p>	Change	
Pg. 82	<p><u>Change:</u> From - Under Section 47C, land within community land that is subject to a lease cannot be sub-let for a purpose other than:</p> <p>To - Under Section 47C of the Local Government Act 1993, land within community land that is subject to a lease cannot be sub-let for a purpose other than:</p>	Change	
	<p><u>Change:</u> From - The exclusive occupation or use of community land in McKell Park and Darling Point Reserve is subject to s47D of the <i>Local Government Act 1993</i>.</p> <p>To - The exclusive occupation or use of community land in McKell Park and Darling Point Reserve is subject to s47D of the <i>Local Government Act 1993</i>.</p>	No Change	Change would serve no purpose.
	Appendix D – Inclusion of a set of „conditions of hire“.	No Change	The Conditions of Hire are adopted by Council and can be amended at any time via Council resolution.

Furthermore the Herbert Smith Freehills submission requests that the Council specify a set of conditions of hire as an appendix in the PoM as a requirement of Section 112 and 114 of the Crown Lands Act. Included in their submission where the following conditions:

- Maximum of 80 people per event
- 1 event per day on the weekends

The submission further states that, *‘it is beyond the legal power of the Council to submit the re-exhibition plan to the Minister for adoption unless it specifies a set of conditions of hire addressing these matters. Our clients will, if necessary, pursue this matter under the relief sought in Supreme Court proceedings 2013/34238. But our clients trust that the Council will agree to make the changes to page 77 of the plan so as to specify an initial set of conditions of hire in an appendix to the plan, and that it will therefore not be necessary for our clients to take such steps.’*

The clients of Freehills wish to be assured of the following amendments to the conditions that McKell Park can be utilised by the general public:

'In short, our clients wish to be assured of the following:

- a) That 'additional' uses will only occur between 11am and 3pm on any particular day.*
- b) That no sound amplification of any kind will be used for any 'additional' purpose, including (but not limited to) weddings.*
- c) That guest numbers for weddings and other additional purposes will be constrained to a maximum of 80 guests.*
- d) That 'additional purpose' events will be restricted to weekends only and to one event per day.*
- e) That the conditions of hire (particularly, but not only, those mentioned in (a) to (d) above) are practically enforceable. In our clients view, this is done, and the Council's resources are properly conserved and deployed, by the imposition of an effective performance bond. Our client's view is that a bond of \$750 per 'additional purpose' event is required and is reasonable.'*

The Freehill's clients consider that unless these matters are included in the conditions of hire that nothing has been done to address their core concerns as to the abatement of noise and the preservation of recreational amenity.

Response

Council has received its own legal advice which states that the statement by Freehills regarding the legal power of the Council to submit the plan to the Minister is incorrect.

Furthermore after much deliberation and consideration the Council adopted the following Conditions of Hire for McKell Park on 10 December 2012 as follows:

- A. That the conditions of hire for McKell Park are restricted to 2 events per day on weekends.**
- B. That a bond of \$250 be added to the fees and charges schedule for 2013/14 for all future events in McKell Park.**
- C. That the maximum guest numbers for all functions at McKell Park be reduced to 100 people.**
- D. That whenever possible the WMC Rangers will check on events at McKell Park and report back to the Recreational Booking Coordinator who will withhold the bond if any park hire conditions were not met**
- E. The impact of these amended conditions be reviewed and reported to the Community and Environment Committee after 12 months.**

It is not Council's practice to include this level of management detail including, specific conditions into our Plans of Management. The Council manages all open space through various Conditions of Hire which are designed to allow for various community uses while still protecting the open space from wear and tear and to assist with residential amenity.

Should the Council wish to amend the Conditions of Hire for McKell Park and Darling Point Reserve they can do so via Council resolution without the extensive re-exhibition process. It is therefore our recommendation that a set of conditions are not included as part of this PoM and the everyday management of special events and functions are managed via the adopted Conditions of Hire.

Conclusion:

It is recommended that the proposed amendments are made to a Final Plan of Management and distributed as necessary. The Plan of Management recommends minor changes in permitted uses and gives a management direction for McKell Park and Darling Point Reserve. It recommends management actions aimed at meeting the current needs of park users and residents and highlights the park's significance in a local context. It is our aim to continue to manage McKell Park and Darling Point Reserve as a showpiece local/district foreshore park for all people to enjoy.

Like any Plan of Management, should the Council wish to amend the Plan in any way the Plan requires further public exhibition and adoption. The conditions of hire can be amended via the Council at any time and be managed via Council's Booking process.

Paul Fraser
Team Leader – Open Space & Recreation
Planning

Tom O'Hanlon
Director, Technical Services

Bruce Rann
Manager, Open Space & Trees

Annexures:

1. Re-exhibited draft McKell Park and Darling Point Reserve Plan of Management - 30 May 2013 - 7 August 2013.

Item No: R2 Recommendation to Council
Subject: **Environmental Sustainability Action Plan**
Author: Chris Munro, Team Leader Environment and Sustainability
File No: 1142.G Environmental Sustainability Action Plan
Reason for Report: To adopt the Environmental Sustainability Action Plan

Recommendations:

That Council adopt the Environmental Sustainability Action Plan 2013-2025 as the new format for State of Environment Reporting.

Background

A revised Woollahra 2025 Plan was adopted by Council, as its Community Strategic Plan on 24 June 2013. As part of Woollahra 2025, 11 goals were laid as the strategic direction of the Council, 3 of which pertain specifically to environment and sustainability. These goals and the long term strategies that underpin them are listed below and form the basis of our environmental and sustainability programs.

(1) Sustainable built form:

- Promote sustainable design in future private and public development.

(2) Protecting our environment:

- Protect natural landscapes and systems.
- Preserve and restore bushland areas and create wildlife corridor plantings.
- Support cleaner, healthier waterways including improved water quality for our catchments, creeks and harbour.

(3) Sustainable use of resources:

- Reduce greenhouse gas emissions and ecological footprint.
- Monitor and strategically manage environmental risks and impacts of climate change.
- Encourage and assist our community to be leaders in waste management and resource recycling.
- Reduce local water usage by Council and on private property.
- Promote and carry out water sensitive urban design.

In order to achieve these goals, Council has set a number of targets outlined in our Environmental Sustainability Action Plan. The Environmental Sustainability Action Plan has been integrated into Council's long term planning and reporting framework, Woollahra 2025.

Council's proposed sustainability targets include:

- 30% reduction in Council's greenhouse gas emissions below 2003/04 levels by 2025
- 20 % reduction in energy consumption at Council's top energy using sites by 2017
- 50kw of renewable energy installed on Council facilities by 2017
- 30% reduction in potable water consumption across Council operations by 2017
- 80% of top 10 water using sites have stormwater harvesting or rainwater tanks by 2025

- 66% waste diversion from landfill by 2014
- 75% of bushland under regeneration by 2017
- 15% of bushland fully regenerated by 2017
- 30km of roads have bike lanes by 2025
- 100% of cars in car share program have fuel efficient vehicles by 2017

Progress on these targets will be reported annually through Council's Annual Report.

Development of Council's Environmental Targets:

Over the past ten years Council has developed comprehensive energy, water and waste action plans to measure and monitor consumption. Since 2001 we have been monitoring and measuring energy, waste and water consumption, as well as greenhouse gas emissions, of Council operations and have achieved significant decreases in all areas.

Energy:

In 2003/04, a target was set as part of the Energy Savings Action Plan (ESAP) to reduce Council's energy use by 20% by 2010. This has been achieved. To further reduce energy consumption in Council's top 6 sites, Council implemented energy saving measures through an Energy Performance Contract (EPC) in 2008. These measures included installation of energy-efficient lighting, movement sensors and timers fitted throughout administration buildings and car parks saving 905,434 kWh per year. A 10KW solar PV system has also been installed at Council Chambers generating \$9,000 per year.

Water:

In 2003/04, a target was set as part of the Water Savings Action Plan (WSAP) to reduce Council's water consumption by 20% by 2010. This has been achieved. Furthermore, in April 2005 Council joined Sydney Water's Every Drop Counts business program and was one of only a handful of Councils to be awarded a four-star rating in 2010 signifying that water management had been integrated into everyday business systems. Council has also implemented a range of comprehensive stormwater capture and reuse projects including the installation of permeable paving and underground tanks at Rose Bay Promenade, and stormwater capture and reuse infrastructure in Christison Park and Cooper Park.

Greenhouse Gas Emissions:

Since 2007, Council has purchased 25% GreenPower year on year in an effort to reduce use of fossil fuels in Council operations. Furthermore, over the past 2 years, Council has been monitoring real time data on our emissions profile. This allows us to clearly benchmark and track energy and emission performance, and make informed decisions about the effectiveness and cost of action plans. Since 2010, Woollahra Council has reduced emissions by 5.3%, making steady progress towards our 30% reduction target by 2025.

Waste:

Following a successful trial in 2007 to collect and compost residential putrescible waste through the green waste collection system, the Kitchen to Compost program was rolled-out Council-wide and makes Woollahra is one of only a handful of councils in the state to offer this service. In addition to this Council also offers community members free compost bins and worm farms through the Compost Revolution program.

Additionally Council has recently entered into an alternative waste treatment (AWT) contract with Veolia Environmental Services for advanced waste treatment which will further increase our diversion rates from landfill.

State of Environment Reporting

State of the Environment (SoE) reporting enables councils to report on the state of the environment in their local area and the community on the progress of environmental activities undertaken during the reporting period.

SoE reporting is a statutory requirement under the Local Government Act 1993 (LG Act). Every council in New South Wales is required to prepare a SoE report as part of its reporting obligations.

Woollahra Council has prepared a State of Environment Report every year since 2005, and all past reports are available on Council's Website.

During 2009 Integrated Planning and Reporting Legislation was passed through Parliament to bring all Council's planning and reporting into a more consistent framework. Coming into effect on 1 July 2010, the legislative requirements have been amended to provide Councils with the flexibility to prepare their State of the Environment Report in a way that enables Council to focus their resources on monitoring and reporting on environmental issues that are of concern to their community and where Council may influence their management.

To effectively track sustainability and environmental progress, Council has developed proposed targets across five sectors:

- Water,
- Biodiversity,
- Energy,
- Transport and,
- Waste.

These proposed targets have been aligned with the current version of Council's Community Strategic Plan and will describe how Council will work with our community needs and expectations in a sustainable manner.

The proposed environmental targets have been selected for each sector through the development of Council's first Environmental Sustainability Action Plan.

Environmental Sustainability Action Plan

The Woollahra Environmental Sustainability Action Plan has been attached to this report as Annexure 2.

The Woollahra Environmental Sustainability Action provides Council with a strategic direction and will:

- protect local biodiversity and natural resources,
- increase the sustainability of Council's operations,
- track Council's performance across water, biodiversity, energy, greenhouse gas emissions, transport, waste, and
- set out clear, detailed actions to meet targets achievable by 2025.

Each year Council will report on the progress towards reaching these environmental targets and this update will be included in the annual report.

This new reporting method will help ensure that Council continues to communicate the results from the Woollahra Environmental Works Program and achieve a higher level of sustainability and environmental management.

Chris Munro
Team Leader
Environment & Sustainability

Bruce Rann
Manager
Public Open Space

Tom O'Hanlon
Director
Technical Services

ANNEXURES:

Environmental Sustainability Action Plan 2013-2025

Political Donations – matters to be considered by Councillors at Meetings

