

Ordinary Council Meeting Minutes



Minutes: *Ordinary Council Meeting*

Date: *Monday 26 June 2017*

Time: *8.00pm*

Ordinary Council Meeting

Monday 26 June 2017

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Items Determined Under Delegated Authority by Council Committees

The following items were determined under Delegated Authority. To see the delegated decisions of Council please refer to the individual Committee Meeting Minutes.

Community & Environment Committee held on Tuesday 13 June 2017

- D1 Confirmation of Minutes of Meeting held on 15 May 2017
- D2 Woollahra Local Traffic Committee Minutes - 6 June 2017
- D3 Holdsworth Community 2017/18 Business Plan and Budget

Urban Planning Committee held on Tuesday 13 June 2017

- D1 Confirmation of Minutes of Meeting held on 15 May 2017

Development Control Committee held on Monday 19 June 2017

- D1 Confirmation of Minutes of Meeting held on 5 June 2017
- D2 DA577/2016 - 49 Drumalbyn Road, Bellevue Hill
- D4 DA216/2016/1 33 Elizabeth Street Paddington
- D5 Register of Current Land and Environment Court Matters and Register for Court Proceedings for Building Control, Environmental Control and Health Control
- D6 Register of SEPP 1 Objections and Clause 4.6 Variations

Corporate & Works Committee held on Monday 19 June 2017

- D1 Confirmation of Minutes of Meeting held on 5 June 2017
- D2 Monthly Financial Report - May 2017 (FY259-03)
- D3 Closing and Sale of Road Reserve - 22A Vaucluse Road, Vaucluse



Ordinary Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council
held at the Council Chambers, 536 New South Head Road, Double Bay, on
26 June 2017 at 8.05pm.**

Present: Her Worship the Mayor, Councillor Toni Zeltzer
Councillors: Ted Bennett
Luise Elsing
Greg Levenston
Anthony Marano
Andrew Petrie
Matthew Robertson
Deborah Thomas

Staff: Allan Coker (Director – Planning & Development)
Stephen Dunshea (Director – Corporate Services)
Gary James (General Manager)
Vicki Munro (Acting Director – Community Services)
Sue O’Connor (Governance – Secretarial Support)

Also in Attendance: Nil

Confirmation of Minutes

(Elsing/Thomas)

127/17 Resolved:

That the Minutes of the Ordinary Council Meeting held on 13 June 2017 be taken as read and confirmed.

Leave of Absence and Apologies

Apology were received and accepted from Councillors Katherine O'Regan, Peter Cavanagh and Susan Wynne and leave of absence granted.

Declarations of Interest

The Mayor Councillor Zeltzer declared a Non-Significant Non-Pecuniary Interest in Development Control Committee Item R2 (40 Fitzwilliam Road, Vaucluse) as Anthony Boskovitz representing objectors to this matter was a former Councillor. Councillor Zeltzer does not believe that the interest will affect her deliberations on the matter or her vote. Councillor Zeltzer remained in the meeting, participated in the debate and voted on this matter.

Late Correspondence

Note: Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item R2 – Development Control Committee (40 Fitzwilliam Road, Vaucluse) & Item R1 – Urban Planning Committee (636 and 638-646 New South Head Road, Rose Bay)

Petitions Tabled

Nil

Mayoral Minute

Item No: 6.1
Subject: QUEEN'S BIRTHDAY HONOURS 2017
Author: Toni Zeltzer, Mayor of Woollahra
File No: 17/114279
Reason for Report: To inform Council and congratulate the local Queen's Birthday Honours Recipients for 2017.

(Elsing/Thomas)

128/17 Resolved:

- A. That letters of congratulations, signed by the Mayor, be forwarded to the following recipients of the 2017 Queen's Birthday Honours:
- i. Mr Michael Jenkins Crouch, AC AO
 - ii. Mr Brian Arthur Wilson, AO
 - iii. Ms Anna Eva Guillan, AM
 - iv. Dr Ivan Thomas Lorentz, AM
 - v. Mr Richard Barney Scheinberg, AM
 - vi. Mrs Susannah Christine Fullerton, OAM
 - vii. Mr Daniel John Goulburn, OAM
 - viii. Mr Roger James Perry, OAM
 - ix. Mrs Rosemary Joan Samios, OAM
 - x. Mr Peter Zadelis, OAM
- B. That letters of congratulations, signed by the Mayor, also be forwarded Mr Guruswamy Jayaraman, OAM (known as Jay Raman), Woollahra Council employee; and Rabbi Mendel Kastel, OAM community leader for their contribution.

I am pleased to inform the Council that 10 residents of Woollahra were among those persons honoured in the Queen's Birthday Honours on Monday 12 June 2017. They are

Companion (AC) in the General Division

i. Mr Michael Jenkins CROUCH, AC AO

For eminent service to the community through philanthropic contributions to youth, cultural, medical research and health care organisations, to business in the areas of manufacturing and international trade, and as a supporter of innovation and higher education.

Officer (AO) in the General Division

ii. Mr Brian Arthur WILSON, AO

For distinguished service to the financial and banking sectors through public policy advisory roles in the areas of foreign investment, taxation and superannuation reform, and to higher education administration.

Member (AM) in the General Division

iii. Ms Anna Eva GUILLAN, AM

For significant service to the Australian tourism industry, and to the community through support for social welfare and health organisations.

iv. *Dr Ivan Thomas LORENTZ, AM*

For significant service to medicine as a neurologist, and to pioneering treatment methods for neurological disorders.

v. *Mr Richard Barney SCHEINBERG, AM*

For significant service to the community through philanthropic support for educational, youth, medical, cultural relations and social welfare groups.

Medal (OAM) in the General Division

vi. *Mrs Susannah Christine FULLERTON, OAM*

For service to literature as an author, lecturer and historian.

vii. *Mr Daniel John GOULBURN, OAM*

For service to the community through health, education and sporting groups.

viii. *Mr Roger James PERRY, OAM*

For service to veterans and their families.

ix. *Mrs Rosemary Joan SAMIOS, OAM*

For service to the Scottish community of New South Wales.

x. *Mr Peter ZADELIS, OAM*

For service to the community.

I would like to take this opportunity to acknowledge two other recipients on this year's list within the Medal (OAM) in the General Division. Mr Gurusawamy Jayaraman (known as Jay Raman) a staff member of Woollahra Council's Finance Section. I would also like to acknowledge and congratulate a very special friend to Woollahra Council, Rabbi Mendel Kastel. We are very proud and privileged to have these community minded people as residents and friends of Woollahra.

i. *Mr Guruswamy JAYARAMAN, OAM (known as Jay Raman)*

For service to the Indian community of Western Sydney.

ii. *Rabbi Mendel KASTEL, OAM*

For service to the community through social welfare bodies, and to youth.

On behalf of Woollahra, I offer my warmest congratulations to all of the 2017 Queen's Birthday Honours recipients. Each person on this list is an outstanding exemplar of active citizenship. We are grateful for their individual contribution to our Woollahra Community and beyond. They remind us of how fortunate we are to live in a community where many local people dedicate their time and energy to helping and inspiring others.

Suspension of Standing Orders

Councillor Robertson

129/17 That Standing Orders be suspended to allow Cr Robertson to advise Council of Pauline McLeod Awards.

Adopted

The Mayor ruled a Matter of Urgency and permitted the Suspension of Standing Orders.

Cr Robertson advised:

When I was on leave the Pauline McLeod Awards were held by the Aboriginal and Torres Strait Islander Forum on Friday 26 May 2017. They are awarded for work in the community towards reconciliation and then there is the school art competition which is held annually as part of the awards. I was told by staff that were in attendance on the evening at the Bondi Pavilion that it was overflowing and could not get any more people in the room, which is a fantastic response.

I would like Council to note that schools in our area performed strongly this year along with every other year.

In the K to year 2 division Ascham School, Alyssa Ipp, received a highly commended for her artwork (Reconciliation Milestones Meeting Place).

In the year 5 to 6 division Reddam House, Coco Batu Sampson received a highly commended for their artwork (Carver, Hunter, Gather, Woman).

Awards categories for the older students they have introduced a short film competition, Kambala has won this division in previous years but this year received the award of highly commended for their work (Mabo and Reconciliation) and I am informed that Kambala students in this work talked about Eddie Mabo and the importance of the Mabo decision that overturned the legal myth "terra nullius".

The Council noted the information.

Councillor Robertson

130/17 That the Suspension of Standing Orders continue to allow Cr Robertson to advise Council of Civic Reception at Randwick Council to mark the 50 year anniversary of the 1967 referendum.

Adopted

The Mayor ruled a Matter of Urgency and permitted the continuation of the Suspension of Standing Orders.

Cr Robertson advised:

I would like to talk about the civic reception that I attended on behalf of The Mayor at Randwick Council to mark the 50 year anniversary of the 1967 referendum which acknowledged for the first time the citizenship of Aboriginal people in Australia and coinciding with the 25th Anniversary of the Mabo decision.

It was a very chilly evening at Little Bay but it was wonderful to see representatives there from the Woollahra Community as well as the Randwick, Waverley and the new Municipality of Bayside. It was particularly heartening to hear from elders who were able to share their experiences of the reforms that we have effected since 1967, towards recognising our Aboriginal brothers and sisters as well as the myriad of social reforms that we are still advancing to close the gap between Aboriginal and non-Aboriginal people.

I think it is very important that these events are recognised and celebrated in terms of the social progress we are making in Australia and it was a tremendous honour to be in attendance representing Woollahra Council.

The Council noted the information.

Councillor Levenston

131/17 That the Suspension of Standing Orders continue to allow Cr Levenston to advise about Professor Bruce Thom.

Adopted

The Mayor ruled a Matter of Urgency and permitted the continuation of the Suspension of Standing Orders.

Cr Levenston advised:

I attended the Sydney Coastal Councils Group and I would like to note Professor Thom who lives locally who is a fantastic player in the area of Coastal Management as a liaison between the Committees he sits on and the Government both State and Federal and to have his name mentioned in the minutes would be a useful thing to do. I thank him personally but on behalf of this Municipality I thank him.

The Mayor further advised

Has Professor Bruce Thom ever been acknowledged in any of these awards? He has been a leading light in the academic field, he is retired now but still has an incredible interest in marine environment and land habitat. He is a quiet achiever and would go along unnoticed, and I am wondering if he has ever been acknowledged and I agree with Councillor Levenston he is a force in the area of environmental responsibly, can I check that please because he is certainly one that deserves some kind of recognition.

The General Manager further in advice

That Emeritus Professor Bruce Graham Thom of Vaucluse was awarded the Order of Australia in 2010 "For service to the environment as an adviser and advocate for the ecological management of the coastal zone, as a contributor to public debate on natural resource policy, and to the academic and professional discipline of geography".

The Council noted the information.

Corporate & Works Committee

Items with Recommendations from the Committee Meeting of Monday 19 June 2017 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **ADOPTION OF COUNCIL'S DELIVERY PROGRAM 2013 TO 2018
AND OPERATIONAL PLAN 2017/18**
Author: Don Johnston, Chief Financial Officer
Approver: Stephen Dunshea, Director Corporate Services
File No: 17/100223
Reason for Report: For the Committee to review submissions received following public exhibition of the draft Delivery Program 2013 to 2018 and Operational Plan 2017/18 and to recommend its adoption.

(Petrie/Levenston)

132/17 Resolved without debate:

- A. That Council note the three (3) submissions received in relation to the draft Delivery Program 2013 to 2018 and Operational Plan 2017/18 in response to the public exhibition.
- B. That Council note and adopt the updated \$80 fee for Section 603 Certificates and 7.5% rate of interest on overdue rates and charges for 2017/18.
- C. That having considered the submissions received, Council adopt the exhibition copy of the draft Delivery Program 2013 to 2018 and Operational Plan 2017/18, including the 2017/18 Budget with the minor amendments referred to in this report, as its Delivery Program 2013 to 2018 and Operational Plan 2017/18.
- D. That a copy of the Delivery Program 2013 to 2018 and Operational Plan 2017/18 be placed on Council's website in accordance with Section 405 of the Local Government Act 1993 and a link to the document be provided to the Chief Executive of the Office of Local Government.
- E. That Council make and levy the Rates and Annual Charges set out in the Rating Structure for 2017/18, being:

Category / Sub Category	Rating Structure	Amount to be Levied \$	Rates in the \$, Base Amounts & Minimums
Ordinary Rates:			
Residential	Base Charge - 50% Ad Valorem - 50%	29,004,790	\$590.00 (Base Amount) 0.04472 cents in \$
Business	Ad Valorem - subject to a minimum	1,382,680	0.2242 cents in \$ \$611.60 (minimum)
All Ad Valorem - subject to a minimum			
<u>Business Sub Categories:</u>			
Double Bay		1,720,774	0.3449 cents in \$ \$611.60 (minimum)
Oxford Street Paddington		851,742	0.3737 cents in \$ \$611.60 (minimum)
Rose Bay (New South Head Road)		282,342	0.2666 cents in \$ \$611.60 (minimum)
Edgecliff		384,891	0.3300 cents in \$ \$611.60 (minimum)
Bellevue Hill		34,826	0.2537 cents in \$ \$611.60 (minimum)
Edgecliff / Grosvenor Streets, Woollahra		87,325	0.2507 cents in \$ \$611.60 (minimum)
Five Ways, Paddington		69,826	0.2153 cents in \$ \$611.60 (minimum)
New South Head Road, Vaucluse		44,720	0.2596 cents in \$ \$611.60 (minimum)
Old South Head Road, Rose Bay		74,571	0.1629 cents in \$ \$611.60 (minimum)
Old South Head Road, Vaucluse		16,010	0.1144 cents in \$ \$611.60 (minimum)
Plumer Road, Rose Bay		12,534	0.2460 cents in \$ \$611.60 (minimum)
Queen Street, Woollahra		222,867	0.1600 cents in \$ \$611.60 (minimum)
Watsons Bay		79,289	0.2020 cents in \$ \$611.60 (minimum)
Special Rate:			
Environmental & Infrastructure Renewal Levy (All Categories and sub-categories)	Base Charge - 50% Ad Valorem - 50%	4,056,798	\$78.10 (Base Amount) 0.005915 cents in \$
Total Rates		38,325,985	
Annual Charges:			
Domestic Waste Management Charge	\$508.50	13,302,328	
Stormwater Management Charges:			
Single residential dwelling	\$25.00	264,250	
Residential strata unit	\$12.50	174,160	
Business property	\$25.00 plus \$25.00 per 350m ² (or part thereof) above 350m ² in land area	44,650	
Business strata unit	\$5.00	2,560	
Total Annual Charges		13,787,940	
Total Rates & Annual Charges		52,113,933	

Item No: R2 Recommendation to Council
Subject: **CODE OF CONDUCT REVIEW PANEL**
Author: Craig Bennett, Manager Governance & Council Support
Approver: Stephen Dunshea, Director Corporate Services
File No: 17/106327
Reason for Report: To recommendation the appointment of a Code of Conduct Review Panel for a period of four (4) years commencing on 14 August 2017.

(Petrie/Levenston)

133/17 Resolved without debate:

- A. That Council receives and notes the Expressions of Interest Recommendation Report from South Sydney Regional Organisation of Councils (SSROC) for the appointment of a Code of Conduct Review Panel for participating SSROC Councils.
- B. That Council accept the recommendation from SSROC for the appointment of the following respondents to the Expressions of Interest as Council's Code of Conduct Review Panel for a period of four (4) years commencing on 14 August 2017:
- Centium Group
 - Nemesis Consulting (Peter Moroney)
 - O'Connor Marsden (Andrew Marsden)
 - PKF Forensic & Risk (Wayne Gilbert)
 - Prevention Partners(Monica Kelly)
 - SINC Solutions (Kath Roach)
 - Strategic Risk Solutions (Rob Byan)
 - Train Reaction (Kathleen Thane)

Development Control Committee

Items with Recommendations from the Committee Meeting of Monday 19 June 2017 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: 1C NEW BEACH ROAD, DARLING POINT
Author: Richard Smith, Fire Safety Officer
Approver: Craig Jenner, Team Leader Compliance
File No: 16/109927
Reason for Report: To consider the Section 121ZD report of Fire and Rescue NSW for 1C New Beach Road Darling Point know as 'Sir David Martin Drill Hall'

(Bennett/Elsing)

134/17 Resolved without debate:

- A. That Council receive and note the report of NSW Fire & Rescue (a division of the NSW Fire Brigades) with regard to the 'Sir David Martin Drill Hall' located on Crown land at 1C New Beach Road Darling Point.
- B. That Council notify NSW Fire & Rescue as follows with regard to the following items, as identified and number in the report of NSW Fire & Rescue;
1. Essential Services
 - a. Smoke Detection & Alarm System – is installed and is continuing to be maintained. Monitoring will be upgraded to one of the service providers of NSW Fire & Rescue within six (6) weeks;
 - b. Storz Hermaphrodite Couplings - will be installed within 6 weeks;
 2. Egress
 - a. Doors relating to fire exits – any obstruction of the fire exits caused by the curtains will be removed within 28 days;
 - b. Egress
 - i. Bollards – will be installed within 90 days;
 - ii. Door swings – changing the door swing and installing additional exits due to the current use of the building would have a detrimental impact on the heritage significance of the building. Accordingly, as per Part C below, it is proposed to consult with the Minister for Lands & Forestry on the alternate ways to address this requirement within the next 28 days;
 - iii. Exit sign location – Exit signs in the main hall will be reviewed and changed as required within 28 days;
 3. Use
 - a. Entertainment Venues
 - i. Stage – no stage is installed at this venue;
 - ii. Load Notice – no load notice is required because there is no stage at this venue;

- iii. Seating – folding chairs are occasionally used for limited temporary seating;
- iv. Curtains – curtains will be checked within 28 days to ensure they have a ‘Flammability Index’ of 6;
- b. Management Plan –an ‘Emergency Evacuation Plan’ is in place, complying with the recommendations of the report and evacuation exercises are undertaken biannually;

4. General

- a. Fire Safety Certificate – the current fire safety certificate is displayed in the building.

- C. That, considering the heritage significance of the ‘Sir David Martin Drill Hall’ located on Crown land at 1C New Beach Road Darling Point, Council consult with the Minister for Lands & Forestry within the next 28 days on the possible alternate methods to effectively address the recommendation of NSW Fire & Rescue with regard to the swing of the external exit doors of the building and the need for an additional exit due to the current use of the building.
- D. That Council request financial assistance from the Minister for Lands & Forestry if the installation of a sprinkler system is required in the ‘Sir David Martin Drill Hall’ located on Crown land at 1C New Beach Road Darling Point.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Bennett
 Councillor Elsing
 Councillor Levenston
 Councillor Marano
 Councillor Petrie
 Councillor Robertson
 Councillor Thomas
 Councillor Zeltzer

Nil

8/0

ITEM No.	R2 Recommendation to Council
FILE No.	Building Certificate Application 62/2016
ADDRESS	40 Fitzwilliam Road Vaucluse
PROPOSAL	Unauthorised modified/ extended planter and roof slab
REASON FOR REPORT	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 (Refusal of the Building Certificate) to the Officer recommendation (Deferral of the Building Certificate).

Note: The Mayor Councillor Zeltzer declared a Non-Significant Non-Pecuniary Interest in this, as Anthony Boskovitz representing objectors to this matter was a former Councillor. Councillor Zeltzer does not believe that the interest will affect her deliberations on the matter or her vote. Councillor Zeltzer remained in the meeting, participated in the debate and voted on this matter.

Note: Late correspondence was tabled by Boskovitz & Associates, Wayne Howse & George Murrell.

(Bennett/Robertson)

135/17 Resolved:

Pursuant to Section 149D(5) of the Environmental Planning and Assessment Act 1979

- A. THAT the Council, pursuant to Section 149D(5) of the Environmental Planning and Assessment Act 1979, resolve to refuse Building Certificate Application 62/2016 in relation to the unauthorised modified/extended planter and roof slab on land at 40 Fitzwilliam Road Vaucluse for the following reasons:
1. The unauthorised planter and roof slab do not comply with Council's floorplate and boundary setback controls and objectives are prescribed under Part 3.2 (Building Envelope) of WDCP 2015
 2. The unauthorised planter and roof slab result in a reduction in the extent of deep soil landscaped area on the site
 3. The unauthorised planter and roof slab result in excessive scale and bulk
 4. The unauthorised planter and roof slab result in an adverse visual impact and amenity impacts (privacy, views, solar access, visual bulk) on the surrounding properties
 5. Not in the public interest
- B. THAT Council's Compliance Division note the determination of the Building Certificate and continue to investigate all other unauthorised works and take appropriate action in accordance with Council's Enforcement Policy.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Bennett
 Councillor Elsing
 Councillor Levenston
 Councillor Marano
 Councillor Petrie
 Councillor Robertson
 Councillor Thomas
 Councillor Zeltzer

Nil

8/0

Urban Planning Committee

Items with Recommendations from the Committee Meeting of Tuesday 13 June 2017 Submitted to the Council for Determination

Item No: R1 Recommendation to Council

Subject: **PUBLIC EXHIBITION OF THE PLANNING PROPOSAL FOR 636 AND 638-646 NEW SOUTH HEAD ROAD, ROSE BAY (SC3446)**

Author: Jorge Alvarez, Senior Strategic Planner

Approvers: Anne White, Team Leader - Strategic Planning
Chris Bluett, Manager - Strategic Planning

File No: 17/103348

Reason for Report: To report on the public exhibition of the planning proposal for 636 and 638-646 New South Head Road, Rose Bay.
To obtain Council's approval to proceed with the finalisation of the planning proposal.

Note: As there was not a quorum of Councillors to vote on this matter at the Urban Planning Committee, the recommendation to Council on this matter is that of two Councillors present and is consistent with the Officers Recommendation to the Urban Planning Committee.

Note: Late correspondence was tabled by Council's Senior Strategic Planner, Jorge Alvarez & Rose Bay Residents Association.

(Bennett/Thomas)

136/17 Resolved without debate:

- A. That Council proceed with the planning proposal for 636 and 638-646 New South Head Road, Rose Bay to amend Woollahra Local Environmental Plan 2014 as exhibited.
- B. THAT Council exercise its delegation authorised by the Director, Metropolitan (CBD) Planning Services, Department of Planning and Environment, on 15 September 2015, to carry out the functions of the Greater Sydney Commission under section 59 of the Environmental Planning and Assessment Act 1979.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Councillor Bennett
Councillor Elsing
Councillor Levenston
Councillor Marano
Councillor Petrie
Councillor Robertson
Councillor Thomas
Councillor Zeltzer

Against the Motion

Nil

8/0

Item No: R2 Recommendation to Council
Subject: **CONFIRMATION OF MINUTES OF MEETING HELD ON 15 MAY 2017**
Author: Sue O'Connor, Secretarial Support - Governance
File No: 17/106708
Reason for Report: The Minutes of the Urban Planning Committee of 15 May 2017 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.

Note: In accordance with Council's meeting procedures and policy this matter is referred to full Council due to there not being a quorum of Councillors to vote on this matter at the Urban Planning Committee.

(Bennett/Thomas)

137/17 Resolved without debate:

That the Minutes of the Urban Planning Committee Meeting of 15 May 2017 be taken as read and confirmed.

Community & Environment Committee

Items with Recommendations from the Committee Meeting of Tuesday 13 June 2017 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **DISABILITY INCLUSION ACTION PLAN**
Author: Jacky Hony, Team Leader - Community Development Officer
Approvers: Sharon Campisi, Manager - Community Development
Kylie Walshe, Director - Community Services
File No: 17/106030
Reason for Report: For the Committee to review submissions received following public exhibition of the draft Disability Inclusion Action Plan.

(Thomas/Marano)

138/17 Resolved without debate:

- A. That Council note that two (2) written and two (2) verbal submissions were received in relation to the draft Disability Inclusion Action Plan in response to public exhibition.
- B. That having considered the submissions received, Council adopt the amended draft Disability Inclusion Action Plan.
- C. That a copy of the adopted Disability Inclusion Action Plan be placed on Council's website.

Questions for Next Meeting

Item No: 12.1
Subject: **QUESTIONS FOR NEXT MEETING**
Author: Sue O'Connor, Secretarial Support - Governance
Approver: Stephen Dunshea, Director Corporate Services
File No: 17/114663
Reason for Report: To provide a response to Questions for Next Meeting from Council Meeting of 13 June 2017 and for Councillors to ask Questions for Next Meeting in accordance with Council's Code of Meeting Practice.

(Elsing/Levenston)

139/17 Resolved:

- A. That the responses to previous Questions for Next Meeting be noted.
- B. That Councillors ask Questions for Next Meeting in accordance with Council's Code of Meeting Practice.

Question No: **12.2 Disability Action Plan**

Councillor Levenston asking:

Can I thank staff involved in the work for Disability Action Plan, which I think is meritorious and will serve us well into the future.

Acting Director Community Services

Thank you, I will pass that on to staff involved.

Question No: **12.3 Council Amalgamations - Legal Challenge**

Councillor Petrie asking:

There is an email out today that was not confidential, therefore can I ask a question about the High Court Appeal. It is my understanding that the High Court has the most respectable judges in the whole of Australia, and that all the judges have put their hands up to sit on that committee and therefore is a full bench of seven.

The Mayor in response:

It is a full bench and I think it is telling in regard to our challenge that the full bench wish to be part of this decision and it will be a bench of seven.

Councillor Petrie further asking:

My understanding it will be October or November rather than August or September

The Mayor in response:

Our Lawyers have put in a request not to have the full hearing in September because one of our key lawyers is expecting a baby at that time. It's interesting that the Government chose that date of September but unfortunately that has fallen through to October or November. High Court hearings will be held in Melbourne in September because at that time there is renovations on the High Court building. If it was in September we would be going to Melbourne. But regardless it will be after our elections and most of us around the table will not be on Council.

Councillor Petrie further asking:

That leads me to ask my question probably to the General Manager. If after 9 September we get a group of Councillors that are elected and they want to amalgamate and change instructions to our lawyers, how consecrated in our actions are we before we all leave on 9 September? Are we guaranteed that a new Council will not come in and change this and reverse any instructions we took with the appeal.

The General Manager in Response:

It comes with no guarantees at all, the newly elected Council is free to make whatever decision it likes in relation to the continuation of this matter.

Councillor Petrie further asking:

Therefore if a group of people got together in a newly elected Council with new Councillors to reverse and amalgamate with Waverley, the public could lose out, all this done without their knowledge.

The Mayor in response:

Yes

The General Manager in Response:

I might add, as they could with any other Council resolution.

Question No: 12.4 Loss of Trees - Latimer & Boronia Roads Bellevue Hill**Councillor Robertson asking:**

I refer to the development currently underway at the corner of Latimer and Boronia Roads, Bellevue Hill. I recall the protection of trees on the subject site and the street trees adjacent, were the subject of debate at the Development Control Committee at the time approval was granted. I understand from local residents that these conditions have not been fulfilled and some trees have been lost.

Will you provide a full update on this matter from a compliance perspective, including any actions taken by your staff to date.

Director Planning & Development in Response:

On Notice

There being no further business the meeting concluded at 8.25pm.

We certify that the pages numbered 1634 to 1654 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 26 June 2017 and confirmed by Council at the Ordinary Meeting of Council on 10 July 2017 as correct.

General Manager

Mayor