

# Ordinary Council



# Minutes

Monday 16 July 2018



# Ordinary Council Meeting

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## **Items Determined Under Delegated Authority by Council Committees**

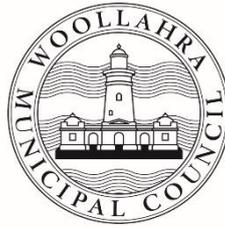
**The following items were determined under Delegated Authority. To see the delegated decisions of Council please refer to the individual Committee Meeting Minutes.**

### **Finance, Community & Services Committee held on Monday 02 July 2018**

- D1 Confirmation of Minutes of Meeting held on 4 June 2018
- D2 Woollahra Local Traffic Committee Minutes - 5 June 2018
- D3 Naming of Unnamed Laneway (Lot 7658) in Bellevue Hill
- D4 Closing and Sale of Road Reserve - 5 Queens Avenue, Vaucluse - (SC 3736)
- D5 Closing and Sale of Road Reserve Adjoining 7 Queens Avenue, Vaucluse - (SC3816)
- D7 Monthly Financial Report - May 2018 and Investments Held as at 30 June 2018 (FY259-03)
- D8 Disclosures of Interest Returns Submitted by Councillors and Designated Persons

### **Environmental Planning Committee held on Monday 02 July 2018**

- D1 Confirmation of Minutes of Meeting held on 4 June 2018
- D2 Study of Paddington Hotels - Progress Report



## Ordinary Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council  
held at the Council Chambers, 536 New South Head Road, Double Bay, on  
16 July 2018 at 6.00pm.**

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

Councillors: Susan Wynne (Deputy Mayor)

Luise Elsing  
Mary-Lou Jarvis  
Anthony Marano  
Nick Maxwell  
Harriet Price  
Lucinda Regan  
Matthew Robertson  
Isabelle Shapiro  
Richard Shields  
Mark Silcocks  
Toni Zeltzer

Staff: Chris Bluett (Acting Director – Planning & Development)  
Lynn Garlick (Director – Community Services)  
Don Johnston (Director – Corporate Services)  
Tom O’Hanlon (Acting General Manager)  
Helen Tola (Manager – Governance & Council Support)

Also in Attendance: Nil

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**Note:** The Mayor, Councillor Cavanagh as an accountant welcomed Council to the new 2018/19 financial year.

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## Confirmation of Minutes

(Wynne/Shields)

### 127/18 Resolved:

That the Minutes of the Ordinary Council Meeting held on 18 June 2018 be taken as read and confirmed.

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## Leave of Absence and Apologies

Councillor Mark Silcock withdrew his request for leave.

An apology was received and accepted from Councillors Claudia Cullen and Megan McEwin and leave of absence granted.

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## Declarations of Interest

Councillor Robertson declared a pecuniary interest in WLPP Item R1 (Planning Proposal – Heritage Listing of the Rose Bay Uniting Church and Wesley Hall Group at 518A Old South Head Road, Rose Bay) as he is an employee of the Wayside Chapel, technically part of the Uniting Church in Australia he works for the applicant. Councillor Robertson left the meeting and did not participate in debate or vote on this matter.

The Mayor Councillor Cavanagh declared a non-significant, non-pecuniary interest in EPC Item R3 (Public Exhibition of the Planning Proposal for 42-58 Old South Head Road, Vaucluse) as Anthony Boskovitz representing the Applicant was a former Liberal Councillor. Councillor Cavanagh remained in the meeting, participated in the debate and voted on this matter.

Councillor Zeltzer declared a non-significant, non-pecuniary interest in EPC Item R3 (Public Exhibition of the Planning Proposal for 42-58 Old South Head Road, Vaucluse) as Anthony Boskovitz representing the Applicant was a former Liberal Councillor. Councillor Zeltzer remained in the meeting, participated in the debate and voted on this matter.

Councillor Shapiro declared a non-significant, non-pecuniary interest in EPC Item R3 (Public Exhibition of the Planning Proposal for 42-58 Old South Head Road, Vaucluse) as Anthony Boskovitz representing the Applicant was a former Liberal Councillor. Councillor Shapiro remained in the meeting, participated in the debate and voted on this matter.

Councillor Jarvis declared a non-significant, non-pecuniary interest in EPC Item R3 (Public Exhibition of the Planning Proposal for 42-58 Old South Head Road, Vaucluse) as Anthony Boskovitz representing the Applicant was a former Liberal Councillor. Councillor Jarvis remained in the meeting, participated in the debate and voted on this matter.

Councillor Maxwell declared a non-significant, non-pecuniary interest in EPC Item R3 (Public Exhibition of the Planning Proposal for 42-58 Old South Head Road, Vaucluse) as Anthony Boskovitz representing the Applicant was a former Liberal Councillor. Councillor Maxwell remained in the meeting, participated in the debate and voted on this matter.

Councillor Wynne declared a non-significant, non-pecuniary interest in EPC Item R3 (Public Exhibition of the Planning Proposal for 42-58 Old South Head Road, Vaucluse) as Anthony Boskovitz representing the Applicant was a former Liberal Councillor. Councillor Wynne remained in the meeting, participated in the debate and voted on this matter.

Councillor Price declared a non-significant, non-pecuniary interest in FC&S Item R6 (Placemaking Grants 2018/2019) as her son is in the same class as the child of the owners of Cambridge Markets Pty Ltd. Councillor Price remained in the meeting, participated in the debate and voted on this matter.

Councillor Price declared a non-significant, non-pecuniary interest in FC&S Item R6 (Placemaking Grants 2018/2019) as she is a friend of the proprietors of Cieada & Co. Councillor Price remained in the meeting, participated in the debate and voted on this matter.

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## Late Correspondence

**Note:** Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant LOA (withdrawn), EP Committee Agenda Item R3 (42-58 Old South Head Road, Vaucluse) & F,C&S Committee Item R6 (Placemaking Grants 2018/2019) & WLPP Item R1 (Planning proposal - Heritage listing of the Rose Bay Uniting Church and Wesley Hall Group at 518a Old South Head Road, Rose Bay).

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## Petitions Tabled

Nil

## Suspension of Standing Orders

### Councillor Robertson

**128/18** That Standing Orders be suspended to allow Councillor Robertson to advise Council of passing of the late Irene Doutney.

### Adopted

**The Mayor ruled and permitted the Suspension of Standing Orders.**

### Councillor Robertson advised:

I would like to speak about Irene Doutney, who was the Deputy Lord Mayor of the City of Sydney in the final part of the last Council in 2016 and she passed away recently after a long battle with illness. I attended her memorial service on the 29 June 2018 and it was well attended by City Councillors and there was a great outpouring of grief and reflection of the great contribution that Irene made during her lifetime of activism and later her role across two terms as a serving City of Sydney Councillor.

I first met Irene more than 10 years ago when I first invited her to my home in Glenview Street. I was delighted to learn that she had once lived across the road and in fact further up Glenview Street around Paddington, so she was a resident of the Woollahra LGA as well.

In 2008, Irene was successfully elected to the City of Sydney Council and re-elected in 2012 and served as Deputy Lord Mayor in 2016. Her first Notice of Motion called for the expansion of affordable housing in the city. Her achievements on Council included establishing the City of Sydney as a Fair Trade Town, creating the first Ecology officer on Council, introducing a new drop off e-waste system, delivering a \$7 million upgrade to the Joanna O’Dea public housing complex in Forest Lodge.

She was Co-Chair of the Aboriginal and Torres Strait Islander Advisory Panel and also travelled once to Japan to present the City’s Biodiversity Strategy at a UN Convention in Nagoya. Irene’s achievements in politics and to a degree in the community were many. I would just like to end by quoting from Irene’s final speech to the City of Sydney Council made in 2016.

*“Sydney has always been my home. I was born in the Cross and have been a long time resident of Redfern. I’ve seen significant change over my lifetime. I’ve also seen the enduring resilience of disadvantaged communities across Sydney and the important community work that has allowed them to thrive. My fellow public housing tenants are an important part of the city’s fabric. These people deserve a place in the city’s future. Yet more and more, they are being shut out.*

*The strength of communities across Sydney is their understanding that our well-being and our destinies are inexorably linked. As the political leaders of this city it is our responsibility to ensure that we all move forward together. When we move disadvantaged people out to the suburbs, out of sight, we are all poorer.*

*My great hope for Sydney is that it continues to embrace and celebrate its diversity. This is an act that requires more than just platitudes and parades. It is an act that requires strong leadership and deliberate planning. We must work to strengthen our community organisations and foster understanding across our great city. Our future leaders must understand that the market does not deliver opportunities to those who, for a myriad of reasons, are struggling for inclusion.*

*What makes the City of Sydney successful is its engagement with our communities. I want to place on the record my thanks to all those in the community that took time to contact me and keep me up to date on their neighbourhood. The job of a Councillor is a difficult one and we would not be able to do the job effectively without the generous work of many community members”.*

Whilst Irene Doutney sat inside the City of Sydney Town Hall, she was very much an advocate for disadvantaged in our community and it was a great honor to work alongside her. I just want to place on record my thanks for a life well lived and a career of many achievements.

**The Council noted the information.**

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### **Councillor Elsing**

**129/18** That the Suspension of Standing Orders continue to allow Councillor Elsing to advise Council of the Holdsworth Fundraising event.

### **Adopted**

**The Mayor ruled and permitted the continuation of the Suspension of Standing Orders.**

### **Councillor Elsing advised:**

I just wanted to say thank you very much to the Councillors that attended the Holdsworth Fundraising event. Councillors McEwin, Marano, Price, Regan and I attended. It is absolutely vital that these events be supported as the funding is reconfigured under the National Disability Insurance Scheme (NDIS) and the pressures on this organisation to access other funding to put these events into a different context to what they have done in the past. By having that level of support and Councillor support is very important and I really congratulate the Councillors that came along. I think it was a very successful night in terms of the fundraising and largely thanks to the local businesses which I won't seek to outline other than Chiswick who provided the venue. It was a wonderful night and I would really like to go on record and recognise their support of that event. Without the support of the local businesses and local councils our local community providers are not going to be able to continue what they have been doing unless we all pull together and give them assistance.

**The Council noted the information.**

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**Councillor Regan**

130/18

That the Suspension of Standing Orders continue to allow Councillor Regan to congratulate staff on NAIDOC week celebrations.

**Adopted**

**The Mayor ruled and permitted the continuation of the Suspension of Standing Orders.**

**Councillor Regan advised:**

I just wanted to thank staff for the NAIDOC week celebrations, I attended Astronomy Night with Councillor Robertson. Congratulations on getting such a good range of participants in that. I know that event was sold out. My family and I thoroughly enjoyed it, so thank you.

**The Council noted the information.**

**Councillor Price**

131/18

That the Suspension of Standing Orders continue to allow Councillor Price to advise of the NAIDOC week event at the Double Bay Library, 'Because of her, we can!'.

**Adopted**

**The Mayor ruled and permitted the continuation of the Suspension of Standing Orders.**

**Councillor Price advised:**

I was just going to follow up on NAIDOC week as well. The theme of NAIDOC week was 'Because of her, we can!'. Double Bay Library hosted a very well run and excellent talk by two indigenous women, Professor Jakelin Troy and Artist Bibi Barba, and both these women told their stories of how they had made so many accomplishments because of their grandparents, their mothers, their sisters and their aunties. So I too would like to congratulate the library staff and particularly Oceana Kovacs who organised that event and for managing to attract two such impressive speakers. Again that night was also sold out and I think it was a really impressive event and I am so pleased that Council could support that.

**The Council noted the information.**

## Mayoral Minute

**Item No:** 6.1  
**Subject:** VALE MARGARET CARTER, ALDERMAN & DEPUTY MAYOR  
**Author:** Peter Cavanagh, Mayor  
**File No:** 18/103734  
**Reason for Report:** To place on public record our sympathy to the family and friends of the late Margaret Carter and to convey our gratitude for her valued and commendable public service as a former Woollahra Deputy Mayor and Alderman.

(Zeltzer/Wynne)

### 132/18 Resolved without debate:

- A. THAT Council place on public record Woollahra Council's recognition of the outstanding contributions to the community made by the late Margaret Lucille Carter through her representation as a former Deputy Mayor and Alderman.
- B. THAT the Mayor write on behalf of the Council and the community to the family of Margaret Carter to convey our sympathy and our gratitude for her service to the community of Woollahra.

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I would like to pay tribute to the life of the former Deputy Mayor of Woollahra (1932-2018), Margaret (Maggie) Lucille Carter, who died peacefully on 10 June 2018 at Lulworth House. Before her election to Woollahra Council, Margaret Carter trained as a teacher. Her early love of travel led her to explore employment in the travel industry and later she pursued career interests in marketing, journalism and publicity here in Australia and abroad. By the time of her election to Woollahra Council she held the position of Head of Publicity for the ABC's Concert Program. Her skills and interest in music, the arts, travel, trade and women's affairs would all circle back to inform and guide her outstanding contributions to the community during her time as an Alderman. Margaret spent most of her adult life as a resident of the Woollahra municipality living in Bellevue Hill, Double Bay, Paddington and in Woollahra.



*Pictured at a Woollahra citizenship ceremony (from left) Mr James Samios M.L.C., Mrs Choi, the Mayor Ald. C.B.A. Widdy, Ald. Maggie Carter and Mr Choi.*

She was elected to Woollahra Council in 1983 as a Woollahra Action Committee member and served two terms as a Councillor, representing the wards of Double Bay and Paddington. Margaret was the eighth woman to have been elected to Woollahra Council. During her second term, in 1988 she was elected as Deputy Mayor for one year.

Margaret was a valuable member of a diverse range of internal Council committees including: Building Development and Health, Community and Environment, Finance and Works, Policy, Rolls and Electoral and Strategic and Corporate. She was Trustee of the Woollahra Senior Citizen's Welfare Association and represented Council on the Woollahra Seniors Citizen's Centre, the Woollahra Voluntary Community Services Management Committee and the Bondi Junction Joint Development Committee. Her focus as an elected representative was on community services and facility management. Outside of Council she held a position on the board of the Sydney International Piano Competition as Vice President of the Friends of the Sydney International Piano Competition Association.

Her service to the community was outstanding and in her last full year on Council in 1990, before deciding not to contest the 1991 local government election, she is quoted in a Council publication as saying: "I want to channel something back into the community. I look forward with relish to a master plan for Woollahra Park. I hope we can turn it into a first-class sporting complex."

I hope we have delivered on Margaret's wishes. Margaret was farewelled at a service held at All Saints Anglican Church, Ocean Street, Woollahra on Monday 18th June, 2018 at 11am.

She is survived by her brothers John, David, Michael and Donald. Her nieces and nephews, Tiffanie, Adam, Mareike, Alison, Thomas, Stephanie, Andrea, Andrew, Louisa, Michael, Peter and Paul. Our condolences go to her family and friends at this sad time.



May they be comforted by the fond memories of a life rich in achievement. We are grateful for Margaret's public service. She is well remembered and respected by us all.

Cr Peter M Cavanagh  
Mayor of Woollahra

Note: With thanks and appreciation to Jane Britten, Local History Librarian, Woollahra Library in Double Bay for preparing background information and images to inform this Mayoral Minute prepared by our Communications team.

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## Environmental Planning Committee

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### Items with Recommendations from the Committee Meeting of Monday 2 July 2018 Submitted to the Council for Determination

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<b>Item No:</b>	R1 Recommendation to Council
<b>Subject:</b>	<b>DUNARA RESERVE, POINT PIPER - PUBLIC EXHIBITION AND PUBLIC HEARING INTO THE PROPOSED CHANGES TO THE LAND MANAGEMENT CONTROLS</b>
<b>Authors:</b>	Kelly McKellar, Strategic Planner Anne White, Team Leader - Strategic Planning
<b>Approvers:</b>	Chris Bluett, Manager - Strategic Planning Allan Coker, Director - Planning & Development
<b>File No:</b>	18/92653
<b>Reason for Report:</b>	To report on the public exhibition and public hearing of the planning proposal to reclassify the land at Dunara Reserve, Point Piper. To obtain Council's approval to proceed with the reclassification of the land and finalise the planning proposal.

(Zeltzer/Jarvis)

#### 133/18 Resolved without debate:

- A. THAT Council note the recommendation of the chair of the public hearing, Stuart McDonald, as identified in the Public Hearing Report dated June 2018 and provided in Annexure 5 of the report to the *Environmental Planning Committee* on 02 July 2018.
- B. THAT Council not proceed with the planning proposal for Dunara Reserve, Point Piper, to reclassify the site from "community land" to "operational land" and not proceed with the preparation of a draft LEP.
- C. THAT Council keep the land in public ownership in perpetuity.
- D. THAT in accordance with section 3.35(4) of the *Environmental Planning and Assessment Act 1979*, the Council request the Minister or the Greater Sydney Commission to determine that the matter not proceed.

*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 Cavanagh  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***13/0***

**Item No:** R2 Recommendation to Council  
**Subject:** **DUNARA RESERVE POINT PIPER - ASSESSMENT OF HERITAGE SIGNIFICANCE**  
**Author:** Chris Bluett, Manager - Strategic Planning  
**Approver:** Allan Coker, Director - Planning & Development  
**File No:** 18/94761  
**Reason for Report:** To respond to the Council's resolution of 1 March 2018 to investigate the heritage listing of Dunara Reserve Point Piper.

**Motion moved by Councillor Jarvis**  
**Seconded by Councillor Zeltzer**

- A. THAT Council prepare a planning proposal to list Dunara Reserve Point Piper, being Lot 11 in DP 27451, as a heritage item in *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal describes the item as follows:  
Dunara Reserve – remnant of the residential garden of “Dunara”.
- C. THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- E. THAT Council seek access to Dunara Reserve from Dunara Gardens private road to facilitate maintenance, address biodiversity, succession and protecting canopy, and public access on a regular basis (noting that the adjacent owners with rights over the private road have indicated their cooperation to do that) to ensure the planning proposal to reclassify Dunara Reserve does not proceed.

**Amendment moved by Councillor Robertson**  
**Seconded by Councillor Elsing**

- A. THAT Council prepare a planning proposal to list Dunara Reserve Point Piper, being Lot 11 in DP 27451, as a heritage item in *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal describes the item as follows:  
Dunara Reserve – remnant of the residential garden of “Dunara”.
- C. THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- E. THAT Council staff prepare a plan of management for Dunara Reserve, Point Piper, which includes:
  - i. References to and details within the Council's Biodiversity Conservation and strategy;
  - ii. Maintenance of the reserve as part of a wildlife corridor;

- iii. Conserving and enhancing the heritage significance of the reserve, including the use of interpretation signage; and
- iv. A canopy replacement strategy.

F. THAT Council seek access to Dunara Reserve from Dunara Gardens private road to facilitate maintenance and public access.

**The Amendment was put and lost.**

*Note: A Division was called by Councillor Price.*

***For the Amendment***

Councillor Elsing  
Councillor Marano  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Silcocks

***Against the Amendment***

Councillor Cavanagh  
Councillor Jarvis  
Councillor Maxwell  
Councillor Shapiro  
Councillor Shields  
Councillor Wynne  
Councillor Zeltzer

6/7

**The Motion was put and carried.**

**(Jarvis/Elsing)**

**134/18 Resolved:**

- A. THAT Council prepare a planning proposal to list Dunara Reserve Point Piper, being Lot 11 in DP 27451, as a heritage item in *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal describes the item as follows:  
Dunara Reserve – remnant of the residential garden of “Dunara”.
- C. THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- E. THAT Council seek access to Dunara Reserve from Dunara Gardens private road to facilitate maintenance, address biodiversity, succession and protecting canopy, and public access on a regular basis (noting that the adjacent owners with rights over the private road have indicated their cooperation to do that) to ensure the planning proposal to reclassify Dunara Reserve does not proceed.

*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 Cavanagh  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***13/0***

**Item No:** R3 Recommendation to Council

**Subject:** **PUBLIC EXHIBITION OF THE PLANNING PROPOSAL FOR 42-58 OLD SOUTH HEAD ROAD, VAUCLUSE**

**Author:** Jorge Alvarez, Senior Strategic Planner

**Approvers:** Anne White, Team Leader - Strategic Planning  
Chris Bluett, Manager - Strategic Planning  
Allan Coker, Director - Planning & Development

**File No:** 18/39962

**Reason for Report:** To provide a supplementary report on the public exhibition of the planning proposal for 42-58 Old South Head Road, Vaucluse, addressing potential view impacts.  
To obtain Council's approval to proceed with the finalisation of the planning proposal.

**Note:** Late correspondence was tabled by Anthony Boskovitz, Stuart Spiteri, Jarren Pinchuck, Anthony Booth, Robyn Fitzgerald, Evelyn Palmer & Marion Lobel.

**Note:** The Mayor Councillor Cavanagh & Councillors Zeltzer, Shapiro, Jarvis, Maxwell & Wynne declared a non-significant, non-pecuniary interest in in this Item as Anthony Boskovitz representing the Applicant was a former Liberal Councillor. All Councillors listed above remained in the meeting, participated in the debate and voted on this matter.

**Motion moved by Councillor Jarvis  
Seconded by Councillor Regan**

- A. THAT Council note the Visual Sharing Assessment prepared by Richard Lamb and Associates, at **Annexure 2** of the report to the Environmental Planning Committee of 02 July 2018 and numerous submissions of residents.
- B. THAT Council resolve to take no further action in relation to the planning proposal for 42-58 Old South Head Road, Vaucluse for the following reasons:
- i. The proposal will result in significant impacts on adjoining and neighbouring properties including:
    - Bulk and scale.
    - Overshadowing.
  - ii. The proposal fails to achieve view sharing in accordance with the Tenacity Principles set out in the Land and Environment Court judgement for Tenacity Consulting v Warringah Council.
  - iii. The proposal will result in severe view loss from properties at 21, 23 and 29B Captain Pipers Road, Vaucluse.
  - iv. The proposal will make a wholly negative impact on the streetscape and local neighbourhood character.
  - v. The future desired character of this precinct does not envisage the intensity of development represented by the proposal.
  - vi. The provision of essential infrastructure in the precinct including sewage, parking , traffic and roads, public transport and schools is currently insufficient to deal with the increased residential population which will result from the proposal.
  - vii. The proposal will result in the overdevelopment of the amalgamated site and the precinct as a whole.

- viii. The proposal is not in the public interest and will undermine the applicable LEP and DCP, zoning and controls, adopted by Council and endorsed by the community as recently as 2014-2015.
- ix. The zoning to R3 represents a significant departure from the predominant and defined R2 zoning east of Fernleigh Avenue extending through Rose Bay, Vacluse and into Watsons Bay.

- C. THAT in accordance with section 3.35(4) of the *Environmental Planning and Assessment Act 1979*, the Council request the Minister or the Greater Sydney Commission to determine that the matter not proceed.

**Amendment moved by Councillor Zeltzer  
Seconded by Councillor Shields**

- A. THAT Council note the Visual Sharing Assessment prepared by Richard Lamb and Associates, at **Annexure 2** of the report to the Environmental Planning Committee of 02 July 2018.
- B. THAT Council resolve to take no further action in relation to the planning proposal for 42-58 Old South Head Road, Vacluse for the following reasons:
- i. The proposal will result in significant impacts on adjoining and neighbouring properties including:
    - Bulk and scale.
    - Overshadowing.
  - ii. The proposal fails to achieve view sharing in accordance with the Tenacity Principles set out in the Land and Environment Court judgement for Tenacity Consulting v Warrigah Council.
  - iii. The proposal will result in severe view loss from properties at 21, 23 and 29B Captain Pipers Road, Vacluse.
  - iv. The proposal will make a wholly negative impact on the streetscape and local neighbourhood character.
  - v. The future desired character of this precinct does not envisage the intensity of development represented by the proposal.
  - vi. The provision of essential infrastructure in the precinct including sewage, parking, traffic and roads, public transport and schools is currently insufficient to deal with the increased residential population which will result from the proposal.
  - vii. The proposal will result in the overdevelopment of the amalgamated site and the precinct as a whole.
  - viii. The proposal is not in the public interest and will undermine the applicable LEP and DCP, zoning and controls, adopted by Council and endorsed by the community as recently as 2014-2015.
- C. THAT in accordance with section 3.35(4) of the *Environmental Planning and Assessment Act 1979*, the Council request the Minister or the Greater Sydney Commission to determine that the matter not proceed.

**The Amendment was put and lost  
The Motion was put and carried**

(Jarvis/Regan)

**135/18 Resolved:**

- A. THAT Council note the Visual Sharing Assessment prepared by Richard Lamb and Associates, at **Annexure 2** of the report to the Environmental Planning Committee of 02 July 2018 and numerous submissions of residents.
- B. THAT Council resolve to take no further action in relation to the planning proposal for 42-58 Old South Head Road, Vaucluse for the following reasons:
- i. The proposal will result in significant impacts on adjoining and neighbouring properties including:
    - Bulk and scale.
    - Overshadowing.
  - ii. The proposal fails to achieve view sharing in accordance with the Tenacity Principles set out in the Land and Environment Court judgement for Tenacity Consulting v Warrigah Council.
  - iii. The proposal will result in severe view loss from properties at 21, 23 and 29B Captain Pipers Road, Vaucluse.
  - iv. The proposal will make a wholly negative impact on the streetscape and local neighbourhood character.
  - v. The future desired character of this precinct does not envisage the intensity of development represented by the proposal.
  - vi. The provision of essential infrastructure in the precinct including sewage, parking , traffic and roads, public transport and schools is currently insufficient to deal with the increased residential population which will result from the proposal.
  - vii. The proposal will result in the overdevelopment of the amalgamated site and the precinct as a whole.
  - viii. The proposal is not in the public interest and will undermine the applicable LEP and DCP, zoning and controls, adopted by Council and endorsed by the community as recently as 2014-2015.
  - ix. The zoning to R3 represents a significant departure from the predominant and defined R2 zoning east of Fernleigh Avenue extending through Rose Bay, Vaucluse and into Watsons Bay.
- C. THAT in accordance with section 3.35(4) of the *Environmental Planning and Assessment Act 1979*, the Council request the Minister or the Greater Sydney Commission to determine that the matter not proceed.

*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 Cavanagh  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Silcocks  
Councillor Wynne

***Against the Motion***

Councillor Shields  
Councillor Zeltzer

***11/2***

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## Finance, Community & Services Committee

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### Items with Recommendations from the Committee Meeting of Monday 2 July 2018 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** **TENDER EVALUATION - PROCESSING AND DISPOSAL SERVICES FOR GENERAL HARD WASTE (NON-PUTRESCIBLE)**  
**Author:** Mark Ramsay, Manager - Civil Operations  
**Approver:** Tom O'Hanlon, Director - Technical Services  
**File No:** 18/63180  
**Reason for Report:** To consider the tender evaluation panel recommendations for Tender No A17/0666

(Shields/Wynne)

**136/18 Resolved without debate:**

- A. THAT Council, in accordance with Clause 178(1)(b) of the *Local Government (General) Regulation 2005*, decline to accept any tender for the supply of processing and disposal services for general hard waste (non-putrescible).
- B. THAT Council authorises the General Manager, or delegated representative, to enter into negotiations with the current service provider, Veolia Environmental Services Pty Ltd, for a 12 month contract for the supply of processing and disposal services for general hard waste (non-putrescible).
- C. THAT unsuccessful tenderers are notified of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

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**Item No:** R2 Recommendation to Council  
**Subject:** **GRAFFITI REMOVAL SERVICES - SC3365**  
**Author:** Marine Roujon, Building Facilities & Projects Officer  
**Approvers:** Zubin Marolia, Manager - Property & Projects  
Tom O'Hanlon, Director - Technical Services  
**File No:** 18/93911  
**Reason for Report:** To recommend to Council acceptance of a Tender

(Shields/Wynne)

**137/18 Resolved without debate:**

- A. THAT Council accept the tender from Graffiti Clean for the sum of \$144,350 excl GST per annum, to carry out graffiti removal services as required, for a period of three years, with Council having the option to extend for a further two periods of twelve months.
- B. THAT successful and unsuccessful tenderers be advised accordingly.

**Item No:** R3 Recommendation to Council  
**Subject:** **MILITARY ROAD WALKWAY TENDER - SC4263**  
**Author:** Caitlin Moffat, Project Manager Civil Works  
**Approvers:** Richard Ladlow, Manager - Capital Projects  
Tom O'Hanlon, Director - Technical Services  
**File No:** 18/90669  
**Reason for Report:** To recommend to Council the acceptance of a tender

(Shields/Wynne)

**138/18 Resolved without debate:**

- A. THAT Council enter into a Contract with Melhemcorp Pty Ltd for Military Road Walkway – for the sum of \$658,372 plus any provisional costs used (excluding GST).
- B. THAT successful and unsuccessful tenderers be advised of the outcome of the tender process.

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**Item No:** R4 Recommendation to Council  
**Subject:** **ANNUAL FEE FOR THE MAYOR AND COUNCILLORS**  
**Author:** Helen Tola, Manager - Governance & Council Support  
**Approver:** Don Johnston, Director Corporate Services  
**File No:** 18/93664  
**Reason for Report:** The Local Government Act 1993 requires that each Council determine the annual fee payable to the Mayor and Councillors.

(Shields/Wynne)

**139/18 Resolved without debate:**

- A. THAT in accordance with Section 248 of the Local Government Act 1993, Council fix the annual fee for Councillors at an amount of \$19,790 per Councillor for the period 1 July 2018 to 30 June 2019.
  - B. THAT in accordance with Section 249 of the Local Government Act 1993, Council fix the annual fee for the Mayor at an amount of \$43,150 for the period 1 July 2018 to 30 June 2019.
-

**Item No:** R5 Recommendation to Council  
**Subject:** **STATUTORY REVIEW OF POLICY - PAYMENT OF EXPENSES AND PROVISION OF FACILITIES TO THE MAYOR, DEPUTY MAYOR AND COUNCILLORS POLICY**  
**Author:** Helen Tola, Manager - Governance & Council Support  
**Approver:** Don Johnston, Director Corporate Services  
**File No:** 18/96870  
**Reason for Report:** For Council to fulfil its statutory requirement to review and publicly exhibit a proposed policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors

(Shields/Wynne)

**140/18 Resolved without debate:**

THAT consideration of the Draft Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors Policy be deferred to allow staff time to prepare further information relating to the provisions of reimbursement of transportation costs (i.e. mileage, taxis, uber, parking and transport) compared to City of Sydney and other eastern suburbs Council's and to conduct a further update of the policy to update reference from Joint Regional Planning Panel to Sydney Eastern City Planning Panel.

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**Item No:** R6 Recommendation to Council  
**Subject:** **PLACEMAKING GRANTS 2018/2019**  
**Author:** Peter Kauter, Manager Placemaking  
**Approver:** Allan Coker, Director - Planning & Development  
**File No:** 18/83028  
**Reason for Report:** To consider applications for placemaking grants for 2018 - 2019

**Note:** Late correspondence was tabled by Council's Manager Placemaking, Peter Kauter.

**Note:** Councillor Price declared a non-significant, non-pecuniary interest in this Item as her son is in the same class as the child of the owners of Cambridge Markets Pty Ltd. Councillor Price remained in the meeting, participated in the debate and voted on this matter.

Councillor Price declared a non-significant, non-pecuniary interest in this Item as she is a friend of the proprietors of Cieada & Co. Councillor Price remained in the meeting, participated in the debate and voted on this matter.

(Zeltzer/Jarvis)

**141/18 Resolved:**

- A. THAT the Council approve the selection panel's recommendations for the Placemaking Grants Program 2018/2019, as contained in Annexure 1 to this report, excluding those for Pound Paws and Rushcutters Bay Kiosk.

- 
- B. THAT the adopted Placemaking Grants Policy be placed on Council's website.
- C. THAT in the next round of grants staff prepare a detailed summary of each grant application and clearly identify how selection criteria were assessed.
- 

**Item No:** R7 Recommendation to Council

**Subject:** **PADDINGTON BUSINESS PARTNERSHIP'S BUSINESS PLAN (AND FUNDING REQUEST) FOR 2018/2019**

**Author:** Peter Kauter, Manager Placemaking

**Approver:** Allan Coker, Director - Planning & Development

**File No:** 18/93812

**Reason for Report:** To report on the Paddington Business Partnership's Business Plan (and funding request) for 2018/2019

(Shields/Wynne)

**142/18 Resolved without debate:**

- A. THAT the Council provide \$50,000 funding to the Paddington Business Partnership for 2018/2019 so that it may carry out the activities contained in *The Paddington Business Partnership Business Plan for 1<sup>st</sup> July 2018 – 30<sup>th</sup> June 2019*.
- B. THAT 10% of the funding referred to in Part A be withheld pending the Paddington Business Partnership submitting a satisfactory mid-stream report on its activities.
- 

**Item No:** R8 Recommendation to Council

**Subject:** **CLOSING AND SALE OF ROAD RESERVE ADJOINING 46 CRANBROOK ROAD, BELLEVUE HILL (SC4201)**

**Author:** Anthony Sheedy, Senior Property Officer

**Approvers:** Zubin Marolia, Manager - Property & Projects  
Tom O'Hanlon, Director - Technical Services

**File No:** 18/87248

**Reason for Report:** To consider the closing and sale of road reserve adjoining 46 Cranbrook Road, Bellevue Hill.

(Shields/Wynne)

**143/18 Resolved without debate:**

- A. THAT the proposal to sell a section of road reserve adjoining 46 Cranbrook Rd, Bellevue Hill, be advertised and notified to adjoining properties.
- B. THAT a further report be submitted, following Part A above.
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## Woollahra Local Planning Panel

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### Items with Recommendations from the Committee Meeting of Thursday 5 July 2018 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council

**Subject:** **PLANNING PROPOSAL - HERITAGE LISTING OF THE ROSE BAY UNITING CHURCH AND WESLEY HALL GROUP AT 518A OLD SOUTH HEAD ROAD, ROSE BAY.**

**Author:** Jorge Alvarez, Senior Strategic Planner

**Approvers:** Chris Bluett, Manager - Strategic Planning  
Allan Coker, Director - Planning & Development

**File No:** 18/96961

**Reason for Report:** Council is required to refer all planning proposals to be prepared after 1 June 2018 to the local planning panel for advice. There are some exemptions to this requirement, however, this planning proposal does not meet the exemption criteria.

**Note:** Late correspondence was tabled by Council's Manager Governance & Council Support, Helen Tola.

**Note:** Councillor Robertson declared a pecuniary interest in this Item as he is an employee of the Wayside Chapel, technically part of the Uniting Church in Australia he works for the applicant. Councillor Robertson left the meeting and did not participate in debate or vote on this matter.

(Wynne/Jarvis)

**144/18 Resolved:**

THAT Council reaffirm its decision of 21 May 2018 as follows:

- A. THAT Council prepare a planning proposal to list the Rose Bay Uniting Church and Wesley Hall Group at 518a Old South Head Road, Rose Bay as a heritage item in the *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal describes the item as follows: Rose Bay Uniting Church and Wesley Hall Group - church and interiors (including moveable heritage, vestry and 1924 additions), Wesley Hall and interiors.
- C. THAT the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- E. The Panel endorses the decision on 21 May, 2018 and recommends that the applicant prepare a conservation management plan for the property as soon as possible.

*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 Cavanagh  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor Price  
Councillor Regan  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***12/0***

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## Notices of Motion

**Item No:** 11.1  
**Subject:** **NOTICE OF MOTION - PARKING GENERATION RATES FOR RESIDENTIAL DEVELOPMENT**  
**From:** Councillor Claudia Cullen  
**Date:** 27 June 2018  
**File No:** 18/101024

**Note:** The Mayor, Councillor Cavanagh advised that consideration of this Notice of Motion was deferred to the next Ordinary Council Meeting on the 20 August 2018 at the request of Councillor Cullen.

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**Item No:** 11.2  
**Subject:** **NOTICE OF MOTION - LIVE MINUTE TAKING**  
**From:** Councillors Matthew Robertson and Megan McEwin  
**Date:** 3 July 2018  
**File No:** 18/104315

(Robertson/Wynne)

**145/18 Resolved:**

THAT Council:

1. Receives a report on the implementation of “live minuting” of all Council, Committee and Sub-Committee meetings.
  2. Notes the aims of this measure are to increase efficiency, accuracy and transparency in the conduct of council business).
-

**Item No:** 11.3  
**Subject:** **NOTICE OF MOTION - FREQUENCY OF FULL COUNCIL MEETINGS & STANDING COMMITTEES**  
**From:** Councillors Toni Zeltzer, Anthony Marano, Susan Wynne, Isabelle Shapiro, Richard Shields, Megan McEwin, Matthew Robertson, Luise Elsing, Lucinda Regan, Mark Silcocks, Harriet Price & Claudia Cullen  
**Date:** 12/07/2018  
**File No:** 18/111007

(Wynne/Zeltzer)

**146/18 Resolved:**

- A. THAT Council restores the fortnightly cycle of Full Council meetings rather than the current monthly cycle, which was introduced earlier this year.

The change to fortnightly meetings of full council to begin 2 weeks after the currently scheduled monthly meeting for September 2018. This provides staff with two months to structure the change.

- B. THAT all Full Council meetings in this new cycle of fortnightly meetings are restored to the 8pm time slot, rather than the current 6pm time slot, which was introduced earlier this year.
- C. THAT the 6pm time slot on the same day of the Full Council meetings is reserved for formal briefings of Councillors or for Strategic and Corporate meetings, and other meetings as required.

The alternate Monday evenings to those of full council meetings shall be assigned to the two standing committee meetings. The standing committee meetings will retain the 6 pm time slot.

In summary for each month, two of the Monday evenings will be assigned to full council beginning at 8pm and the alternate two Monday evenings will be assigned to standing committee meetings of council which will begin at 6pm.

- D. THAT staff be advised that in passing this Notice of Motion, Council no longer requires the preparation of the report on the Committees as scheduled for September 2018.
-

## Questions for Next Meeting

**Item No:** 12.1  
**Subject:** QUESTIONS FOR NEXT MEETING  
**Author:** Sue O'Connor, Secretarial Support - Governance  
**Approver:** Helen Tola, Manager - Governance & Council Support  
**File No:** 18/100600  
**Reason for Report:** To provide a response to Questions for Next Meeting from Council Meeting of 16 July 2018 and for Councillors to ask Questions for Next Meeting in accordance with Council's Code of Meeting Practice.

(Wynne/Robertson)

**147/18 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.

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**Question No:** 12.2 Footpath replacement

**Councillor Shields asking:**

I have noticed whilst walking around the area that when concrete footpaths are disturbed by utility providers, they are often it is replaced with bitumen not concrete. What is the requirement by the utility providers to replace the disturbed footpath with concrete rather than bitumen?

**Acting General Manager in Response:**

Councillor Shields correctly points out utility companies having done their work fill the trench with asphalt but that is a temporary restoration. When they finally complete their work and sign off on the work under ground, they give a notification to Council and we then go and sign off the work and organise for a permanent restoration which is done in the pavement treatment that existed previously, whether it is pavers, concrete or indeed asphalt. When you see a bitumen trench that is only temporary, sometimes this is because of the nature of the works those temporary restorations may seem more permanent and they can be there for 18 months or so. Council cannot go and finalise the permanent restoration until they have given us the sign off on their work.

**Question No:** 12.3 NAIDOC Events

**Councillor Robertson asking:**

Following the comments made about this year's NAIDOC week, I would like to throw my congratulations behind the staff involved. Stemming from the good attendance, I understand both events were sold out, I spoke with staff on the night to explore what other options we may explore in the future. My question is what is the process undertaken by your department to plan for these events and how can we increase Councillor participation in that process with a view to increasing the capacity of NAIDOC events in the future?

**Director Community Services in Response:**

On notice.

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**Question No:** 12.4 Clarification on divisions for planning matters

**Councillor Robertson asking:**

Following changes to development consent powers for Councillors, what now constitutes a planning decision for which a division must be called when voting at Council meetings?

**Acting General Manager in Response:**

On notice.

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**Question No:** 12.5 Repairs to Edgecliff Road

**Councillor Elsing asking:**

I and others have been campaigning since 2012 for the improvement and repairs on Edgecliff Road towards Edgecliff Station. I am delighted to put on the record that there have been many stretches of the road which have been re-laid.

Could staff please advise the plan for future works on the essential transport connection walking path?

**Acting General Manager in Response:**

On notice.

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**Question No:** 12.6 Occupation Certificates

**Councillor Regan asking:**

Would staff please provide an update to Council as how occupation certificates will all work in practice once 1 September 2018 date arrives? Will this for example, ensure all developments are completed in accordance with approved plans in their entirety with all the landscaping and everything else that has to be done? If you could provide Councillors with an update on when that comes around that would be greatly appreciated.

**Acting Director Planning & Development in Response:**

Yes. On notice.

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**Question No:** 12.7 Aboriginal Flag

**Councillor Price asking:**

I understand that the Aboriginal flag was raised and flown at Council during NAIDOC week. Has Council ever considered flying the Aboriginal flag throughout the year?

**Acting General Manager in Response:**

On notice.

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**Question No:** 12.8 Stone Retaining Wall - Macquarie Lighthouse

**Councillor Jarvis asking:**

The stone retaining wall that frames Macquarie Lighthouse to the east has collapsed and is in poor repair. Ahead of the Bicentenary celebration of Australia's first lighthouse, which began operating on 30 November 1818, as a priority can we please ensure it is repaired, working with State and Federal agencies that can assist?

**Acting General Manager in Response:**

Yes and on notice.

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**Question No:** 12.9 Councillor Notification of Works within Council Wards

**Councillor Jarvis asking:**

Is there a formal Council policy in relation to Councillor's being notified of works or proposals being undertaken in their ward in advance? If not can one please put to the relevant Committee for adoption. I refer to three examples in my Vaucluse ward, concerning road works in Churchill Road, and vegetation and removal of trees in Carlisle Street and the installation of a stop sign by the car park.

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**Acting General Manager in Response:**

Mr Mayor, there is not a formal policy but a practice that staff use to notify ward Councillors and indeed all Councillors of matters of interest to them. I can advise Councillors that we are commencing work on a Policy which we will be bringing to the appropriate committee.

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**Question No:** 12.10 Pavilion at Parsley Bay

**Councillor Zeltzer asking:**

Is the pavilion at Parsley Bay a Woollahra Council asset and is it currently tenanted? What is the tenure of the tenancy? How many residents live there as part of that tenancy? Is it being rented at market value?

**Director Corporate Services in Response:**

On notice.

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**Question No:** 12.11 Sound disturbance breaches

**Councillor Zeltzer asking:**

There are controls in place to limit sound and to mitigate sound disturbance. How do we currently police any breaches in the sound limits?

For areas that are impacted by consistent breaches in sound limits why is it not feasible for Council to install sound monitors, keep a record of the breaches and go after the offenders with notification and subsequently with fines?

**Acting General Manager in Response:**

Mr Mayor, on notice but I can say that the issue of putting in sound monitors has been issued to the consultant for advice. The initial advice is that they are problematic and they are not very specific to where the problem is and we are seeking that advice.

**Councillor Zeltzer further in response:**

My rationale for that question, is that it has been put to me many times by numerous people in Double Bay. That if our approvals and so-forth work to sound limits and we have no way of policing them or monitoring them, then what is the point of referring to them. In the end this is why we have to look at our policies and put your approval documentation, why are we including this when we are going to do nothing about it. I await the consultants response to that area and wait to get that information.

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## Questions on Notice

**Item No:** 13.1  
**Subject:** QUESTIONS ON NOTICE  
**Author:** Sue O'Connor, Secretarial Support - Governance  
**File No:** 18/109712  
**Reason for Report:** To provide a response to Questions on Notice from Council Meeting of 16 July 2018 and for Councillors to ask Questions on Notice in accordance with Council's Code of Meeting Practice.

(Wynne/Robertson)

**148/18 Resolved:**

That the responses to previous Questions on Notice be noted.

**Background:**

The provision for Councillors to ask Questions on Notice is contained in Section 3 of Council's Code of Meeting Practice which states:

- 1) *As a standard practice, "Questions on Notice" shall be listed in all agendas of Ordinary Council Meetings.*
- 2) *Questions on Notice must be submitted in writing to Council's Governance Department by no later than 10.00am on the Thursday preceding the Council Meeting.*
- 3) *The Questions on Notice may be asked by the Councillor submitting the question or another Councillor, should the Councillor who submitted the question be absent from the meeting, at the Council Meeting.*
- 4) *The Councillor must put every such question directly, succinctly and without argument.*
- 5) *If an answer to a Question on Notice can be given at the Council Meeting then such shall be done either in writing or verbally and a record made in the Minutes of the Meeting. If an answer can be given, but not at the meeting, ie due to further research being required, the question can be taken "On Notice" and the chairperson shall indicate to whom the question is to be directed and the basis upon which the answer is to be provided (i.e. whether in writing and direct to the enquirer, to all Councillors or reported to the next or subsequent Council Meeting).*
- 6) *When an answer has been given to a Question on Notice, the chairperson must not allow any discussion on any reply or refusal to reply to the question (clause 249 of the Regulation)*
- 7) *When an answer has been given to a Question on Notice, no motion can be moved at the Council meeting. However if a matter is genuinely urgent, it could be dealt with under the urgency provisions (clause 241(3)) of the Regulation as is the case with any matter of urgency.)*
- 8) *If a Councillor seeks to have a matter arising from a question and answer considered by the Council, a Notice of Motion should be submitted to the General Manager in accordance with the Notice of Motion provisions of the Code of Meeting Practice.*

Questions on Notice should be asked in accordance with the Code of Meeting Practice.

Responses to Councillors Questions on Notice on 16 July 2018 are as follows:

**Councillor Harriet Price submitted the following Question on Notice at the Council Meeting held on 16 July 2018:**

**To the Director of Technical Services**

I refer to the plans of management (POMs) for:

- A. The Royal Hospital for Women Park, dated 14 March 2005; and
- B. Trumper Park, dated 25 March 1996.

Please confirm if these POMs are required to be reviewed and updated every 5 years and when these POMs were last reviewed and updated.

**Acting General Manager in response:**

There is no specific requirement under Section 36 of the Local Government Act for a Plan of Management(POM) to be reviewed after any period of time. A POM effectively remains current from the time of its adoption until it is amended or replaced by a subsequent POM. Council has limited resources to prepare POMs, which cost upwards of \$30K in external resources and significant staff resources to prepare. We aim to prepare and adopt 2 to 3 POMs per year but this schedule can be significantly delayed where there is strong community interest in a park or where a contentious issue is to be determined. It is typical at Woollahra for a POM, once adopted, to remain current for 15-20 years and we have a number that are over 20 years old. We necessarily focus our resources on reviews of plans which have lost relevance over time or where there is a proposed change in use of a park.

The recent changes to the Crown Lands Act will further impact on the review of existing plans. A number of parks throughout the LGA are Crown Land managed by Council. These have POMs which were developed in accordance with the requirements of the previous Crown Lands Act, which are different to those of the Local Government Act, which apply to Council owned parks. The revised Crown Lands Act includes a requirement for Councils to prepare POMs for Crown Land using the provisions of the Local Government Act. It appears that this will require significant review of many of our POMs and we understand that we will be expected to complete this in a relatively short time frame. The likely outcome of this is that few or no resources will be devoted to reviews of Council owned parks for the next three years. The impact of the changes to the Crown Lands Act will be explained in detail at briefing for Councillors in August.

**A. Royal Hospital for Women Park**

This Plan of Management has not been formally reviewed since it was adopted in 2005. Although the plan refers to a review to be conducted after 5 years, it has been the consistent view of staff that as the management requirements of the park have not significantly changed, resources should be directed to reviewing and updating POMs at other sites. It had been intended to review this POM in the coming years but, noting the changes to the Crown Lands Act outlined above, this review is likely to be delayed.

**B. Trumper Park**

Trumper Park is Crown Land, managed by Council. The POM, which was adopted in 1996, will have to be reviewed in accordance with the recent changes to the Crown Lands Act. Staff are currently developing a prioritised schedule of reviews of existing Crown Land POMs. As the POM for Trumper Park is now over 20 years old, it is likely that it will be given a high priority and will be scheduled for the next two years.

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**To the Director of Planning and Development**

I refer to Council's assessment of the heritage significance of the Four in Hand Hotel. Can the Director of Planning please confirm:

- A. If the heritage consultant has now been retained;
- B. When the assessment will be completed; and
- C. When the assessment will be presented to the Environmental and Planning Committee.

**Acting Director Planning & Development in response:**

Yes we have appointed a consultant. The consultant is Robert A Ward Pty Ltd. They have commenced the project. They are prioritising the Four in Hand Hotel. They expect to have that part of the project in a draft form by the 31 July 2018 (subject to obtaining all the relevant research material and also getting access to the building to engage the change to the building). The final assessment is expected in September or October 2018 subject to responses, particular from the land owner. With a couple caveats we have some fairly firm times but a lot of it is dependent on getting some access to getting access to the building and getting responses back from the land owner.

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There being no further business the meeting concluded at 7.35pm.

**We certify that the pages numbered 627 to 660 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 16 July 2018 and confirmed by the Ordinary Meeting of Council on 20 August 2018 as correct.**

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**General Manager**

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**Mayor**