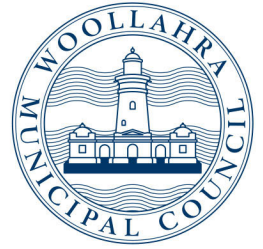


# Council Meeting

Monday, 23 May 2022  
6.30pm



## Agenda



## **Compliance with social distancing requirements to limit the spread of COVID-19 virus at Council and Committee Meetings:**

Amendments have been made to the *Local Government Act 1993* to allow councils to meet remotely to reduce the risk of COVID-19 and ensure compliance with the Public Health Order.

In line with social distancing requirements to limit the spread of the COVID-19 virus Woollahra Council will be holding Council (i.e. Ordinary and Extraordinary) and Committee meetings (i.e. Environmental Planning (EP), Finance, Community & Services (FC&S) and Strategic & Corporate (S&C) remotely using conferencing technology (until further notice).

The Mayor, Councillors and staff will be participating in meetings by an audio-visual link instead of attending in person. Meetings will be webcast and member of the public can watch and listen to meetings live (via YouTube) or dial in to listen to the meetings using a telephone.

Members of the public are invited to watch and/or listen to Council meetings live by either using conferencing technology or by teleconference. Public participation online or by phone will be managed in accordance with meeting procedures.

You may also submit late correspondence. Instructions on how to do this are provided below:

- **To watch and/or listen to the meeting live (from 6.00pm)**  
Details on how to watch and listen to the meeting live will be available at Council Agendas, Audio Recordings and Minutes.
- **To submit late written correspondence (submit by 12noon on the day of the meeting)**  
Members of the public may submit late written correspondence on an agenda item being considered at the Council meeting. If you wish to make a written submission on an item on the agenda, please email your submission to [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au) by 12noon on the day of the meeting.

If you are experiencing any issues in joining the meeting please call (02) 9391 7001.

An audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

### **Disclaimer:**

By using conferencing technology or by teleconference, listening and/or speaking at Council or Committee Meeting members of the public consent to their voice and personal information (including name and address) being recorded and publicly available on Council's website. Councillors, staff and members of the public are advised that meeting are being lived streamed, accessible via a link from Council's website.

By addressing and/or listening to a Council or Committee meeting, members of the public consent to their voice and personal information (including name and address) being recorded and publicly available on Council's website.

Accordingly, please ensure your address to Council is respectful and that you use appropriate language and refrain from making any defamatory statements or discriminatory comments.

Woollahra Council does not accept any liability for statements, comments or actions taken by individuals during a Council or Committee meeting.

Any part of the meeting that is held in closed session will not be recorded.

People connecting to this meeting by conferencing technology or teleconference are reminded that under the *Local Government Act 1993*, the recording of meetings by a member of the public using any electronic recording device including a mobile phone or video camera is not permitted. Any person found recording without the permission of Council may be expelled from the meeting.

The audio recording of each meeting will be retained on Council's website for a minimum period of 6 months. After that period has passed, recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

For further information please visit [www.woollahra.nsw.gov.au](http://www.woollahra.nsw.gov.au)

**Ordinary and Extraordinary Council Meeting Membership:** 15 Councillors (including the Mayor)

**Quorum:** The quorum for Council meeting is 8 Councillors

# Woollahra Municipal Council

## Notice of Meeting

19 May 2022

To: Her Worship the Mayor, Councillor Susan Wynne ex-officio  
Councillors Isabelle Shapiro (Deputy Mayor)  
Sean Carmichael  
Peter Cavanagh  
Luise Elsing  
Nicola Grieve  
Mary-Lou Jarvis  
Harriet Price  
Lucinda Regan  
Matthew Robertson  
Richard Shields  
Mark Silcocks  
Sarah Swan  
Merrill Witt  
Toni Zeltzer

Dear Councillors,

### Ordinary Council – 23 May 2022

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Ordinary Council** meeting to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 23 May 2022 at 6.30pm.**

Members of the public are invited to watch and listen to the meeting live via Council's website:

- Watch and listen to the meeting live via Council's website:  
[https://www.woollahra.nsw.gov.au/council/meetings\\_and\\_committees/council\\_meetings/council\\_agendas\\_and\\_minutes](https://www.woollahra.nsw.gov.au/council/meetings_and_committees/council_meetings/council_agendas_and_minutes).
- submit late correspondence for consideration by Councillors by emailing [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au) by **12noon on the day of the meeting.**

A audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

The safety of our community, Councillors and our staff is Council's number one priority and we thank you for your patience and understanding at this time.

If you have any difficulties accessing the meeting please contact (02) 9391 7001.

Regards,

Craig Swift-McNair  
General Manager





# Council Meeting Agenda

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## 5. Confirmation of Minutes

<b>Item No:</b>	5.1
<b>Subject:</b>	<b>CONFIRMATION OF MINUTES - COUNCIL - 9 MAY 2022</b>
<b>Author:</b>	Sue O'Connor, Governance Officer
<b>File No:</b>	22/94703
<b>Purpose of the Report:</b>	The Minutes of the Council of 9 May 2022 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.
<b>Alignment to Delivery Program:</b>	Strategy 11.1 Facilitate community led decision-making that is open, honest and ethical and benefits the broader community.

### **Recommendation:**

THAT the Minutes of the Council Meeting of 9 May 2022 be taken as read and confirmed.

---

### **Executive Summary:**

This report presents the Council Minutes of 9 May 2022 for confirmation by the Council.

The minutes are presented as **Attachment 1**.

### **Options:**

Nil.

### **Community Engagement and / or Internal Consultation:**

Nil.

### **Policy Implications:**

Nil.

### **Financial Implications:**

Nil.

### **Resourcing Implications:**

Nil.

### **Conclusion:**

The minutes are presented for confirmation by the Council.

### **Attachments**

1. Unconfirmed Council Minutes - 9 May 2022



# Council Meeting

Monday, 9 May 2022  
6.30pm

## Minutes

Unconfirmed

## Ordinary Council Meeting

**Monday 9 May 2022**

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## Ordinary Council Meeting

### Minutes of the Meeting of Woollahra Municipal Council held at the Council Chambers, 536 New South Head Road, Double Bay, on 9 May 2022 at 6.32pm.

Present: Her Worship the Mayor, Councillor Susan Wynne ex-officio  
Councillors: Isabelle Shapiro (Deputy Mayor)

Sean Carmichael  
Peter Cavanagh - via Zoom  
Luise Elsing  
Nicola Grieve  
Mary-Lou Jarvis (from Item 9.2)  
Harriet Price - via Zoom  
Lucinda Regan  
Matthew Robertson  
Richard Shields  
Mark Silcocks  
Sarah Swan  
Merrill Witt  
Toni Zeltzer

Staff: Sue Meekin (Director – Corporate Performance)  
Carolyn Nurmi (Governance Officer)  
Patricia Occelli (Director – Community & Customer Experience)  
Tom O'Hanlon (Director – Infrastructure & Sustainability)  
Scott Pedder (Director – Planning & Place)  
Helen Tola (Manager – Governance & Council Support)

Also in Attendance: Nil

**Note:** Notice of Motion Item 16.3 (#standwithukraine) was considered prior to Mayoral Minute 10.1 (Update Home Indian Diner).

## 1. Opening

The Mayor declared the Ordinary Council Meeting of 9 May 2022 open and welcomed Councillors, staff and members of the public who are watching and listening to this evenings meeting.

## 2. Prayer

The Mayor read the Prayer:

*Almighty God, you have given us a beautiful place to live in. We pray for your gift of wisdom that the decisions of this Council may benefit those we serve.*

*Be with us in our deliberations that this Municipality may know your blessing. Amen.*

## 3. Acknowledgement of Country (Gadigal People and Birrabirrigal People)

The Mayor read the following Acknowledgement of Country:

*I would like to acknowledge that we are here today on the land of the Gadigal and Birrabirrigal people, the traditional custodians of the land. On behalf of Woollahra Council, I acknowledge Aboriginal or Torres Strait Islander people attending today and I pay my respects to Elders past, present and emerging.*

## 4. Acknowledgement of the Sovereign of the Day (Queen Elizabeth II)

The Mayor read the following Acknowledgement of the Sovereign of the Day (Queen Elizabeth II):

*I also acknowledge Queen Elizabeth II.*

## 5. Confirmation of Minutes

Item No:	5.1
Subject:	<b>CONFIRMATION OF MINUTES COUNCIL - 26 APRIL 2022</b>
Author:	Sue O'Connor, Governance Officer
File No:	22/84417
Purpose of the Report:	The Minutes of the Council of 26 April 2022 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.
Alignment to Delivery Program:	Strategy 11.1 Facilitate community led decision-making that is open, honest and ethical and benefits the broader community.

(Elsing/Shapiro)

### 1/22 Resolved:

THAT the Minutes of the Council Meeting of 26 April 2022 be taken as read and confirmed.

Woollahra Municipal Council  
Ordinary Council Meeting Minutes

9 May 2022

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

**For the Motion**

**Against the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

Nil

14/0

---

**6. Leave of Absence and Apologies**

Nil.

**7. Declarations of Interest**

Councillor Robertson declared a Non-Significant, Non-Pecuniary interest in Item 16.4 (Notice of Motion - Lifeline) as Councillor Robertson has previously worked with Margaret Price who is currently the Quality Lead in the Crisis Services Quality and Knowledge Team at Lifeline. Councillor Robertson remained in the meeting, participated in debate and voted on the matter.

**8. Late Correspondence**

**Note:** Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item.

**9. Petitions Tabled**

**Petition No:** 9.1  
**From:** Callum Weatherall of Bondi Lines Pty Ltd  
**Tabled by Councillor:** Carmichael

The Petition was in terms,

*"Petition the Councillors of Woollahra Municipal Council to Keep Indian Home Diner Open Until 3.00am".*

**(Carmichael/Robertson)**

2/22 Resolved:



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THAT the petition lie on the table for fourteen (14) days, be considered with Item 10.1 (Mayoral Minute - Update Home Indian Diner), and referred to the relevant Council department.

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

**For the Motion**

**Against the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

Nil

**14/0**

**Suspension of Standing Orders**

**(Elsing/Grieve)**

**3/22 Resolved:**

THAT Standing Orders be suspended to allow Ilka Fomin to address Council in relation to Petition 9.2 for a period of four (4) minutes.

**Adopted**

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

**Note:** Standing orders were suspended at 6.35pm.

**(Elsing/Grieve)**

**4/22 Resolved:**

THAT Standing Orders be resumed.

**Note:** Standing orders resumed at 8.26pm.

**Petition No:** 9.2  
**From:** Ivan Palenko, President of Svoboda Alliance NSW Inc  
**Tabled by Councillor:** Elsing

**Note:** Mr Ilia Fomin addressed Council and presented the Petition.

The Petition was in terms,

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*"Petition the Councillors of Woollahra Municipal Council to rename street in Sydney (Woollahra NSW) Fullerton Street to Ukraine Heroes Street as solidarity with Ukrainian people in their war Putin's Russia".*

**(Elsing/Grieve)**

**5/22 Resolved:**

THAT the petition lie on the table for fourteen (14) days, be considered with Item 16.3 (Notice of Motion #standwithukraine) and referred to the relevant Council department.

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

**For the Motion**

**Against the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

Nil

**14/0**

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**Suspension of Standing Orders**

**(Wynne/Carmichael)**

**6/22 Resolved:**

THAT Standing Orders be suspended to consider Item 16.3 (Notice of Motion #standwithukraine).

**Adopted**

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

**Note:** Standing orders were suspended at 6.46pm.

**Note:** Please refer to Item 16.3 for the relevant Council resolution.

**(Wynne/Carmichael)**

**7/22 Resolved:**

THAT Standing Orders be resumed.

**Note:** Standing orders resumed at 8.26pm.

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## 10. Mayoral Minute

**Item No:** 10.1  
**Subject:** UPDATE HOME INDIAN DINER  
**Author:** Susan Wynne, Mayor  
**File No:** 22/83210  
**Purpose of the Report:** To update Councillors on this matter.

(Wynne/Carmichael)

### 8/22 Resolved:

THAT Council note the update and acknowledges that Councillors have no authority/power to approve/amend development application decisions.

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

#### **For the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Jarvis  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

**15/0**

#### **Against the Motion**

Nil

## 11. Public Forum

Nil.

## 12. General Manager and Officer's Report

**Item No:** 12.1  
**Subject:** FINDINGS FROM THE CENTRAL COAST COUNCIL INQUIRY 2022  
**Author:** Craig Swift-McNair, General Manager  
**File No:** 22/59487  
**Purpose of the Report:** The purpose of this report is to detail findings of relevance to Woollahra Council that have come from the recent independent inquiry into Central Coast Council.  
**Alignment to Delivery Program:** Strategy 11.4: Maintain Council's strong financial position.

(Elsing/Silcocks)

### 9/22 Resolved:

THAT Council:

- A. Note this report titled Findings from the Central Coast Council Inquiry 2022.
- B. Council note the actions already taken by Council staff and ongoing in relation to:
  - ensuring that the community has a transparent view of Council's financial position, and
  - conducting an annual General Managers performance review including criteria for financial performance, and
  - Councillor induction training on governance, financial management and Councillor access to information.
- C. Request the General Manager ensure that all future Monthly Financial reports as tabled at the Finance, Community & Services Committee meetings, are to be tabled as Recommended matters to be referred to full Council for consideration.
- D. Note that the Draft Code of Meeting Practice (to be placed on public exhibition from May 2022), reinforces our commitment and focus on financial implications with regards to Notices of Motion.
- E. Note that the General Manager will investigate appropriate training programs and or courses for Councillors on local government finances.

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

#### **For the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Jarvis  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Witt

#### **Against the Motion**

Nil

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Councillor Wynne  
Councillor Zeltzer

15/0

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**Item No:** 12.2  
**Subject:** **AUDIT, RISK & IMPROVEMENT COMMITTEE (ARIC) MINUTES - 22 MARCH 2022**  
**Author:** Tremayne Lilly, Insurance & Risk Coordinator  
**Approver:** Sue Meekin, Director Corporate Performance  
**File No:** 22/83265  
**Purpose of the Report:** To present the Audit, Risk & Improvement Committee (ARIC) meeting minutes of 22 March 2022.  
**Alignment to Delivery Program:** Strategy 11.6 Minimise risk for Council and the community.

(Swan/Zeltzer)

**10/22 Resolved:**

THAT the Minutes of the Audit, Risk & Improvement Committee (ARIC) meeting held on 22 March 2022 be received and noted.

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

**For the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Jarvis  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Wynne  
Councillor Zeltzer

**Against the Motion**

Councillor Elsing  
Councillor Grieve  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Witt

9/6

**Item No:** 12.3  
**Subject:** **DRAFT CODE OF MEETING PRACTICE (COMP)**  
**Author:** Helen Tola, Manager - Governance & Council Support  
**Approvers:** Sue Meekin, Director Corporate Performance  
Craig Swift-McNair, General Manager  
**File No:** 22/77236  
**Purpose of the Report:** To present the Draft Code of Meeting Practice for consideration by Council for the purpose of public exhibition.  
**Alignment to Delivery Program:** Strategy 11.1: Facilitate community led decision-making that is open, honest and ethical and benefits the broad community.

**Motion moved by Councillor Swan**  
**Seconded by Councillor Zeltzer**

A. THAT Council endorses the Draft Woollahra Municipal Council Code of Meeting Practice for the purpose of public exhibition for a period of 42 days from 11 May 2022 to 22 June 2022, as presented as **Attachment 1**, subject to the following amendments:

1. Clauses 3.12 be amended to read:

*A notice of motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;*

*a. identify the funding source;*

*or*

*b. include a request for a report identifying the funding source for the expenditure.*

2. Addition of the following note below clause 3.16:

*Note: In the event the General Manager or their nominee is unable to respond to a question with notice at the meeting and after the minutes from that meeting are confirmed, the answers must be published on Council's website together with the Agenda and Minutes from that meeting.*

3. Clause 4.6 be amended to reference 10.00am.

4. Addition of a new clause 5.34 to allow public to address the meeting via Audio – Visual link.

5. Clause 9.10 be amended to read:

*A Mayoral Minute for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;*

*(a) Identify the funding source; or*

*(b) Include a request for a report identifying the funding source for the expenditure.*

6. Clause 9.14 be amended to reference 10.00am.

7. Clauses 10.9 be amended to read:

*A motion or amendment to a motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;*

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- a. identify the funding source;
    - or
    - b. include a request for a report identifying the funding source for the expenditure.
  8. Clause 10.22 references three (3) minutes and add reference to "A Councillor must not ask a question longer than one (1) minute at any one time".
  9. Clause 10.23 references three (3) minutes.
  10. Clause 10.30 references to warning bells to align with changes to clauses 10.22 and 10.23 "warning bell once at two (2) minutes and once at three (3) minutes".
  11. Clauses 18.1, 18.2, and 18.2 time be referenced as 10.30pm.
  12. Clause 18.3 add the following note:  
  
*Note: Standard practice at Woollahra Council is than any outstanding matters on the Agenda be referred to the next Council meeting.*
  13. Clause 20.24 be amended to reference 10.00am.
  14. Clause 22.3 be revisited by staff during the exhibition period in relation to the tabling of petitions process and whether a it is appropriate to table a petition that reverse decision in a similar way to the City of Sydney.
- B. THAT a further report be prepared to Ordinary Council meeting on the 27 June 2022 following the close of the public exhibition period to consider public submissions received.

**Amendment moved by Councillor Price  
Seconded by Councillor Grieve**

1. Clauses 3.12 be amended to read:  
  
*A notice of motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;*
  - a. identify the funding source;
  - or
  - b. include a request for a report identifying the funding source for the expenditure.
2. Addition of the following note below clause 3.16:  
  
*Note: In the event the General Manager or their nominee is unable to respond to a question with notice at the meeting and after the minutes from that meeting are confirmed, the answers must be published on Council's website together with the Agenda and Minutes from that meeting.*
3. Clause 4.6 be amended to reference 12 noon.
4. Addition of a new clause 5.34 to allow public to address the meeting via Audio – Visual link.
5. Clause 9.10 be amended to read:  
  
*A Mayoral Minute for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must*

Woollahra Municipal Council  
Ordinary Council Meeting Minutes

9 May 2022

*either;*

- (a) *Identify the funding source; or*
- (b) *Include a request for a report identifying the funding source for the expenditure.*

6. Clause 9.14 be amended to reference 12noon.

7. Clauses 10.9 be amended to read:

*A motion or amendment to a motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;*

*a. identify the funding source;*

*or*

*b. include a request for a report identifying the funding source for the expenditure.*

8. Clause 10.22 references five (5) minutes and add reference to "A Councillor must not ask a question longer than one (1) minute at any one time".

9. Clause 10.23 references five (5) minutes.

10. Clause 10.30 references to warning bells to align with changes to clauses 10.22 and 10.23 "warning bell once at four (4) minutes and twice at five (5) minutes".

11. Clauses 18.1, 18.2, and 18.2 time be referenced as 10.30pm.

12. Clause 18.3 add the following note:

*Note: Standard practice at Woollahra Council is that any outstanding matters on the Agenda be referred to the next Council meeting.*

13. Clause 20.24 be amended to reference 12noon.

14. Clause 22.3 be revisited by staff during the exhibition period in relation to the tabling of petitions process and whether it is appropriate to table a petition that reverse decision in a similar way to the City of Sydney.

**The Amendment was put and lost.**

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

**For the Amendment**

Councillor Elsing  
Councillor Grieve  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Silcocks  
Councillor Witt

**Against the Amendment**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Jarvis  
Councillor Shapiro  
Councillor Shields  
Councillor Swan  
Councillor Wynne  
Councillor Zeltzer

7/8



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(Swan/Zeltzer)

**11/22 Resolved:**

- A. THAT Council endorses the Draft Woollahra Municipal Council Code of Meeting Practice for the purpose of public exhibition for a period of 42 days from 11 May 2022 to 22 June 2022, as presented as **Attachment 1**, subject to the following amendments:

1. Clauses 3.12 be amended to read:

*A notice of motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;*

*a. identify the funding source;*

*or*

*b. include a request for a report identifying the funding source for the expenditure.*

2. Addition of the following note below clause 3.16:

*Note: In the event the General Manager or their nominee is unable to respond to a question with notice at the meeting and after the minutes from that meeting are confirmed, the answers must be published on Council's website together with the Agenda and Minutes from that meeting.*

3. Clause 4.6 be amended to reference 10.00am.

4. Addition of a new clause 5.34 to allow public to address the meeting via Audio – Visual link.

5. Clause 9.10 be amended to read:

*A Mayoral Minute for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;*

*(a) Identify the funding source; or*

*(b) Include a request for a report identifying the funding source for the expenditure.*

6. Clause 9.14 be amended to reference 10.00am.

7. Clauses 10.9 be amended to read:

*A motion or amendment to a motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;*

*a. identify the funding source;*

*or*

*b. include a request for a report identifying the funding source for the expenditure.*

8. Clause 10.22 references three (3) minutes and add reference to "A Councillor must not ask a question longer than one (1) minute at any one time".

9. Clause 10.23 references three (3) minutes.

10. Clause 10.30 references to warning bells to align with changes to clauses 10.22 and 10.23 "warning bell once at two (2) minutes and once at three (3) minutes".

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11. Clauses 18.1, 18.2, and 18.2 time be referenced as 10.30pm.
  12. Clause 18.3 add the following note:  
  
*Note: Standard practice at Woollahra Council is than any outstanding matters on the Agenda be referred to the next Council meeting.*
  13. Clause 20.24 be amended to reference 10.00am.
  14. Clause 22.3 be revisited by staff during the exhibition period in relation to the tabling of petitions process and whether a it is appropriate to table a petition that reverse decision in a similar way to the City of Sydney.
- B. THAT a further report be prepared to Ordinary Council meeting on the 27 June 2022 following the close of the public exhibition period to consider public submissions received.

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

**For the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Jarvis  
Councillor Shapiro  
Councillor Shields  
Councillor Swan  
Councillor Wynne  
Councillor Zeltzer

**Against the Motion**

Councillor Elsing  
Councillor Grieve  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Silcocks  
Councillor Witt

**8/7**

## 15. Councillor Reports/Councillor Updates (Section 8.4)

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

**General Item No:** 15.1 Return of face-to-face citizenships  
**Tabled by Councillor:** Shapiro

### **The Deputy Mayor, Councillor Shapiro advised:**

Thank you, Madam Mayor. I was honoured to represent you at the first face-to-face Citizenship Ceremony there were two of them last week and it is always such a joyous occasion and I always remind the new citizens that I received my naturalisation in these Chambers over 30 years ago and I still get that thrill, I get a lump in my throat when the National Anthem is sung.

I was particularly touched this time in the first ceremony. There was a mother and her 8 year old daughter from Syria. This little girl made a speech, this 8 year old gorgeous girl dressed up in pink and had hand written a speech on cards about what it was like to leave war-torn Syria. They had to go via Iraq and at age 3 settled in Australia, in Sydney. Her mother had to work 15 hours per day to get her to child care where they were able to learn English and how Sydney is her safe home, and she kept on repeating it, Sydney is safe for us and they are so grateful and they are so happy to be here. I cannot tell you how wonderful it was, she was presented with flowers, and we took photographs of her but this gorgeous little girl talking of the importance of her escape from war-torn Syria to her safe home in Sydney and that was so special and I really wanted to share that all with you. We have photographs on our Facebook and I have her speech written, and that was very special.

### **The Mayor, Councillor Wynne in response:**

I would like to thank Councillor Shapiro for stepping in. I think that was the only Citizenship Ceremony that I have missed. I can't believe it was the first one face-to-face and the mother reached out to me via LinkedIn about this and I am so delighted that our staff and yourself were able to make that happen. What I might do is actually send her poem to the Councillors, it is absolutely beautiful and I am jealous that I missed it.

### **The Deputy Mayor, Councillor Shapiro further advised:**

I have since had an email from her mother and I am hoping that we will find an opportunity to involve the mother and the daughter in Council at some point.

### **The Mayor, Councillor Wynne in further response:**

It is certainly a reminder what is important in life. It was the most beautiful story, so I will do that and I really appreciate you doing that, so thank you for sharing that with everyone and for filling in.

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## 16. Notices of Motion

**Item No:** 16.1  
**Subject:** NOTICE OF MOTION - LOCAL CHARACTER  
**From:** Councillors Merrill Witt, Luise Elsing and Lucinda Regan  
**Date:** 20 April 2022  
**File No:** 22/84526

(Witt/Elsing)

### 12/22 Resolved without debate:

THAT Council:

- A. Note that in February 2019 the Department of Planning and Environment (DPE) prepared a Discussion Paper - Local Character Overlays which identified a proposed approach for introducing local character overlays in to the standard instrument Local Environmental Plan (LEP). <https://www.planning.nsw.gov.au/-/media/Files/DPE/Discussion-papers/Local-character-discussion-Paper-2019-02-26.pdf?la=en>
- B. Note that Council resolved on 11 November 2019 to undertake an investigation and prepare a report on the manner in which special local character areas could be identified and protected in the Woollahra Local Government area (WLGA), and that in response, a planning proposal was developed by WLGA and submitted to DPE in December 2020 for this purpose. [https://www.woollahra.nsw.gov.au/data/assets/pdf\\_file/0018/210933/Council\\_Minutes\\_-\\_11\\_Nov\\_2019.pdf#page37](https://www.woollahra.nsw.gov.au/data/assets/pdf_file/0018/210933/Council_Minutes_-_11_Nov_2019.pdf#page37)
- C. Note that in November 2020 DPE placed a draft local character clause and overlay on public exhibition for comment. The proposed clause change would allow for the insertion of local character statements into LEPs using a standardised approach and could lead to partial exclusion of certain State Environmental Planning Policies (SEPPs).
- D. Write to the New South Wales Minister for Planning and Homes seeking:
  - (i) clarification on the position in relation to the mechanism to insert local character overlays into the WLGA LEP, and for dealing with the exclusion of operation of relevant SEPPs on this matter; and
  - (ii) clarification on the status and likely date for approval of the WLGA planning proposal to define local character, which has been with the DPE since December 2020; and
  - (iii) confirmation from the Minister that the delay in New South Wales Government State-led reforms on local character matters will not prevent the WLGA from progressing this issue of local importance, consistent with WLGA's local strategic planning framework (noting that local issues are able to be refined at a later date should State-led initiatives supersede them).

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

#### **For the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Jarvis  
Councillor Price

#### **Against the Motion**

Nil

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Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

**15/0**

Unconfirmed

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**Item No:** 16.2  
**Subject:** NOTICE OF MOTION - IDAHOBIT  
**From:** Councillors Matthew Robertson and Harriet Price  
**Date:** 29 April 2022  
**File No:** 22/82978

(Robertson/Price)

**13/22 Resolved without debate:**

THAT Council:

- A. Notes that International Day Against Homophobia, Transphobia, Biphobia and Interphobia (IDAHOBIT), is marked annually on 17 May to:
- i) recognise the World Health Organisation's removal of homosexuality from the Classification of Diseases and Related Health Problems on this day in 1990;
  - ii) celebrate LGBTQIA+ people globally;
  - iii) reflect on the important work done towards eradicating such phobias;
  - iv) acknowledge the challenges and discrimination experienced by many in the LGBTQIA+ community; and
  - v) raise awareness of the work still needed to combat such discrimination.
- B. Notes and reaffirms its resolution of 14 February 2022:
- i) That Council fly the Progress Pride Flag annually during Sydney Mardi Gras, in recognition and celebration of the vibrancy and diversity of our community.
  - ii) Recognises the Woollahra community and Council's long standing support for its local LGBTQIA+ community including our young transgender residents.
- C. Resolves to fly the Progress Pride Flag at Council Chambers on 17 May this year and each year thereafter in:
- i) recognition of IDAHOBIT;
  - ii) celebration of Woollahra's LGBTQIA+ community; and
  - iii) promotion of diversity and inclusion.
- D. Requests the Mayor and staff publicise this initiative through Council's communications and relevant media.
- E. Notes Council's long standing commitment to supporting the LGBTQIA+ community and work currently underway by Council's Community Services Division to develop a Diversity Strategy and requests staff incorporate IDAHOBIT in this plan.

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

**For the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Jarvis  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields

**Against the Motion**

Nil

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Councillor Silcocks  
Councillor Swan  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

**15/0**

Unconfirmed

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**Item No:** 16.3

**Subject:** NOTICE OF MOTION - #STANDWITHUKRAINE

**From:** Councillor Luise Elsing

**Date:** 30 April 2022

**File No:** 22/85624

**Note:** This item was considered prior to Item 10.1 (Mayoral Minute – Update Indian Home Diner).

**Note:** Late correspondence was tabled by Stefan Romaniw OAM and Kateryna Argyrou of Australian Federation of Ukrainian Organisations, Daniel Wolody, President of Ukrainian Council of NSW Inc, Simon Tideswell, Lesia Rudewych of Association of Ukrainians in Victoria, Terry Bodnaruk (2 pieces), Helen Martha Majer, Alex Ilkin, Lina Vitkauske, Luba Kaye, Cassandra Matwisyk, Jim McKay, Ivan Rymovskyy, Liudmila Menetrey, Jurgita Cernaускаite, Michael and Anna Parasyn, Gianni Bercich, Yurii Butkovski, Haran KsnMoba, Nataliya Kozhushna, Diana McParland, Matthew Girvan, Tim O'Keefe, Amy Wong, Anne Marie Griffin, Julian Knysh, Anna Sadovaya, Marta Smerechuk, Linda Cameron, Nataliya Kot, Maria Lubczyk, Oyla Mencinsky, Olena Kozak-King, David McKay, Matt Kofman, Juan Carlos Flores, Katarzyna Fredericks, Kateryna Kich, Andrew Stefanychyn (2 pieces), Kateryna Andrych, Cassandra Matwisyk, Lina Vitkauske, Maksym Chamula, Ilya Fomin President of Svoboda Alliance NSW Inc., Ivan Pavlenko, Nataliia Rocheva, Anna Bourouva, Maksym Kozlenko, Natalka Lysenko, Sonia Magdalene, Mark Mindlin, Slava Grigoriev President Svoboda Alliance NSW Inc., Lesia Ilkiw, John Majer, John Berehowyj, Olena Rizk, E Gerasemenko, Andrew Wasiowych, Bohdan Kucheruk, Nataliia Shknieieva, Nader Naderi Torshizi, Helen Samaryan, Vladimir Antropov, Tanja Mikhno (Wilson), Andre Berehovy, Andrew Mencinsky, Kristina Rupsys, K Pondgornna (2 pieces), Jacki Janis, Maria Havryliv, Stefan Mychno, Nina Zaytseva, Sonce Moje, Yuriy Kripak, Zina Kripak, Jin Song, Markian Stefanychyn, Michelle Witton, Jane Malcolm, Tomas Donela, Natalie Trotnar, Kateryna Andrych, Emma Finn, Silviya Kicheva, Anatoliy Tatarow, Daria Struts, Sophie Abbott, Lana Vencus, Irene Flunt, Larissa Hansen, Kateryna Korneva, Peter Shanahan, Michael Trotnar, Trish Kroll, Irene Berehowyj, Kerry Darcovich, Yaryna Martyniuk, Mary Kret, Katherine Smolynec, Vitali Bebekh, Roman Yurchenko, Aleksandr Sabishchykov, Mariya Popovchenko, Olena Kulyk, Dmytro Khokholkov, Tamara Dodd, Nadia Namuren, Olga Igudina, Valeriy Berlet, Tanya Dus, Oksana Hrubskyj, Volodymyr Monastyrskyy, Olga Pavlova, Viktoriya Nenke, Markian Stefanychyn, Taras Mencinsky, Olia Borzyak, Roman Melnyshyn, Vitality Podstreshniy, Robert Layton, Daryna Sarana, Myroslava Padalytsia, Daniel Phillips, Helen and Ian Waldren, Patricia Darcovich, Vera Green & William Green (2 pieces), Mark Orlevsky, Anastasiya Lovovskaya, Marta Mencinskyj, Anastasia Iwanec, Antonia Bondarchuk, Vitalli Vitko, Ksenia Pavluk, Adam Havryliv, Sunny Haslinger, Irina Konstantynyuk, Lev Havryliv, Ihor Konstantunuk, Max Mikhov, Sonia Keda, Simone Haslinger, Irina Skrypnichuk, Peter Tonello, Michael Venis, Helen Havryk, Nick Bramich, Sergey Turyatko, Yaniv Weintraub Elia, Maria Clarke, Olga Weintraub Elia, Andrew Mykhaylyk, Artiom Molchanov, Ruslan Osmonov, Mahendra Singh, Jill Hutchison, Greg Lvoff, Mark Sywak, Alexander Zaytsev, Yuriy Staryk, Mikhail Pereiaslavski, Lilia Kalchenko, Lara Pereiaslavski, Larissa Naumova, Nataliia Yakovchuk, Kateryna Kovalyshyn, Yuliya Taranova, Allan Li, Anna Ivanova, Elena Kelareva, Ivan Pavlov, Dmytro Rogozin, Jenny Boyko, Roman Kostenetsky, Oksana Wainwright, V.Shalkivskyi – Embassy of Ukraine, Franko Bradica, Anton Gorlin, Margaret Bowman, Nikolai Matiouk, Simon Mykolajenko, Radan Kocourek, Alina Kirievsky, Mayya Podsosonnaya, Natalya Dawson (Bahn), Jen O'Meara, Andrei Frolov, Tetayana Pyanova, Diahn Armstrong, Christina Orysia Borec, Valerei and Sergei Burov, Natalie Karp, Stephany Berehowyj, Olga Voronina, Orysia Spinner, Dr

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Stephen Duma, Julia Gudz, Galina Aleshin, Elena, Paul Springthorpe, Oleksiy Volkov, Oksana Grynevych, Vitaliy Ryk, Marta Blows, Mykola Pinkevych, Elena Atroshchenko, Olga Pinkevych, Tatianna Kopychynski, Marina Zeider, Darya Moldavska, Yurii Kuhta, Sophia Trotnar, Chrystyna Wowk, Raymond Wowk, Andrew Gillies, Vitalii & Gana Mykytenko (2 pieces), Andriy Antonov, Roman Menshov, Yuri Shukost, Bogdan, Dr Alexandra Sidorenko, Anna Aires, Maria Czornecki, Tetyana Kovalchuk, Natalia Poloziuk, Anna Fedorova, Daniel Flunt, Tanya Karlychuk, Kieran Doyle, Ed Kovalev, Tanya Unterberger, Anatol Romanov, Ludmila Soboleva, Mark Mindlin, Andrei Patrushev, Alice Messere, Radan Kocourek, Julia Semeniuk and Luda Popenhagen.

**Note:** The Council amended Part A, Part B and added new Part C of the recommendation.

**(Elsing/Robertson)**

**14/22 Resolved:**

THAT Council undertake the necessary processes to:

- A. As a matter of urgency Council commences community consultation with residents of Fullerton Street, Woollahra and prepare a further report advising on progress and feedback regarding renaming of Fullerton Street to Ukraine Street
- B. Simultaneously with part A, Council initiates the application with the Geographical Names Board to change the name of Fullerton Street to Ukraine Street
- C. Mayor writes to all candidates contesting for the seat of Wentworth (in the Federal Election) to request that the number of humanitarian visas be increased.

**Note:** *In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

**For the Motion**

Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

**Against the Motion**

Councillor Jarvis

**13/1**

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**Item No:** 16.4

**Subject:** NOTICE OF MOTION - LIFELINE

**From:** Councillors Sean Carmichael and Isabelle Shapiro

**Date:** 03 May 2022

**File No:** 22/83794

**Note:** Councillor Robertson declared a Non-Significant, Non-Pecuniary interest in this Item as Councillor Robertson has previously worked with Margaret Price who is currently the Quality Lead in the Crisis Services Quality and Knowledge Team at Lifeline. Councillor Robertson remained in the meeting, participated in debate and voted on the matter.

**(Carmichael/Shapiro)**

**15/22 Resolved without debate:**

THAT Council:

- A. Note Lifeline is opening its first crisis support centre in the Eastern Suburbs (located in Westfield Bondi Junction);
- B. Recognise the value a locally based Lifeline centre brings to our own community; and
- C. Explore how Woollahra can best help the centre successfully establish itself, with a report brought to a future Council meeting detailing opportunities and recommended action.

**Note:** *In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

**For the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Jarvis  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

**Against the Motion**

Nil

**15/0**

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**Item No:** 16.5  
**Subject:** NOTICE OF MOTION - UPPER COOPER DOG OFF LEASH  
**From:** Councillors Nicola Grieve and Sarah Swan  
**Date:** 04 May 2022  
**File No:** 22/84743

**Note:** The Council amended part A and Part B of the Resolution.

(Grieve/Swan)

**16/22 Resolved:**

- A. As part of the LGA wide review of dog controls, that staff undertake community consultation to determine community views on the :
1. Changing the current status of "Dogs On Leash" to "Dogs Off Leash" on the Upper Cooper Field (the amphitheater flat field) in Cooper Park.
  2. Creating a designated 'Fenced off dog area' for part of Cooper Park.
- B. THAT a further report and recommendation be prepared following the community consultation within an aim to table the report to the FC&S Committee in August 2022.

**Note:** In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

**For the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Jarvis  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

**Against the Motion**

Nil

**15/0**

## 17. Questions With Notice

(Shapiro/Robertson)

### 17/22 Resolved:

THAT the Questions with Notice be received and noted.

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

#### **For the Motion**

Councillor Carmichael  
Councillor Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Jarvis  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Swan  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

**15/0**

#### **Against the Motion**

Nil

**QWN:** 17.1  
**From:** Councillor Price  
**Subject:** Questions with Notice - Recent announcement by Dave Sharma MP concerning federal funding of \$500,000 to 'improve disability access to Redleaf Beach'.

#### **Councillor Price asking:**

Can the General Manager please provide particulars of the funding and:

1. Confirm when Council made an application for funding and provide details of the terms of the Commonwealth Grant Scheme;
2. Confirm if the funding is contingent on a Council contribution and if so, the quantum of that contribution;
3. Detail the scope and timing of the works and confirm if the works will include wheelchair access to the Murray Rose Pool; and
4. If Council did not apply for funding, please provide details of how the funding was secured.

#### **Acting General Manager in response:**

Responses the questions raised are provided in italics below.

1. Confirm when Council made an application for funding and provide details of the terms of the Commonwealth Grant Scheme;

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*On 11 April 2022, Council's General Manager was advised in a letter from the Deputy Prime Minister, in his capacity as Minister for Infrastructure, Transport and Regional Development, that up to \$500,000 would be made available to Woollahra Municipal Council under the Community Development Grants Programme, for the Redleaf Access Project.*

*This offer of funding is the culmination of discussions which took place in October and November 2021 between The Mayor, the General Manager and David Sharma MP, Member for Wentworth. Further to those discussions, Council staff prepared a list of suitable projects which could attract grant funding from the Australian Government. The Redleaf Access project was one of the projects on that list.*

2. Confirm if the funding is contingent on a Council contribution and if so, the quantum of that contribution;

*It is not clear from the information provided in the letter of 11 April whether the grant is contingent on a Council contribution. In the coming weeks, Council staff will be liaising with officers of the Department of Infrastructure, Transport and Regional Development to clarify this and other details of the funding offer. It is noted that the estimated cost of the Redleaf Access Project is in the order of \$1.2 - \$1.4m and our understanding at this stage is that the grant funding is limited to \$500k. Completion of the project will therefore require additional funding of approximately \$700k - \$900k.*

3. Detail the scope and timing of the works and confirm if the works will include wheelchair access to the Murray Rose Pool; and

*The Redleaf Access Project will be known to some Councillors as it is essentially the same as a project endorsed by Council in February 2021 for submission to the NSW Government Public Spaces Legacy Program. The broad scope of the project is to enhance accessibility from New South Head Road, through Blackburn Gardens to the Redleaf café area providing wheelchair/pram access. The scope will include regrading and widening of the existing pathway from the St Brigid's lift, leading down to a new lift which will allow people access to the promenade to utilise the Redleaf Café and change rooms. Other landscaping works including retaining walls and changes to footpath connections are also proposed. A viewing platform with seating will be constructed adjacent to the new lift.*

*The current scope of the project does not provide for wheelchair access to the water but this is envisaged as a possible future link. It is anticipated that the project would be completed within 12 months of the full funding for the project being available.*

4. If Council did not apply for funding, please provide details of how the funding was secured.

*See response to Q1.*

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**QWN:** 17.2  
**From:** Councillor Grieve  
**Subject:** Questions with Notice - DAs for demolitions

**Councillor Grieve asking:**

How many DAs for demolitions without a plan for the replacement building have been approved in the last 5 years?

1. How many of these demolitions were approved under staff delegation?
2. How many of these were for RFBs?
3. How many of these were interwar RFBs?

**Manager Development Control in response:**

The table below indicates the number of Development Applications including Complying Development Certificates consented to/issued in the last 5 years where the scope of the development was for **demolition only**.

	2017	2018	2019	2020	2021	2022
<b>Development Applications (DAs)</b>	0	1	0	0	1	0
<b>Complying Development Certificates (CDCs)</b>	1	1	5	2	5	4

**Note:** The CDCs for **demolition only** have been facilitated via SEPP (Exempt and Complying Code) 2008 and been issued by Private Certifiers.

In total, only 2 DAs were approved where the scope of the development was for **demolition only**.

These DAs are listed below and were approved under Staff Delegation.

1. DA 296/2021/1 - 590 New South Head Road and 2A Wunulla Road, Point Piper (Inter-War flat Buildings not listed as heritage items nor considered to meet the threshold for heritage listing by Council's Heritage Officer)
2. DA 29/2018/1 - 590 New South Head Road and 2A Wunulla Road, Point Piper (Inter-War flat Buildings not listed as heritage items nor considered to meet the threshold for heritage listing by Council's Heritage Officer).

**QWN:** 17.3  
**From:** Councillor Grieve  
**Subject:** Questions with Notice - DA Approvals

**Councillor Grieve asking:**

When will we receive the advice on what restrictions we can impose on the delegation from the General Manager to staff to approve Development Applications (DAs) at S34 conference that was committed to in the first meeting of the Council on the 5 January 2022?

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Ordinary Council Meeting Minutes

9 May 2022

**Manager Governance & Council Support in response:**

The Council at its Extraordinary Council Meeting on the 5 January resolved in part that:

- C. *THAT Council:*
- (i) *notes in accordance with statutory requirements a further review and report to Council of the delegations to the Mayor and General Manager will be undertaken within 12 months of the 4 December 2021 local government election; and*
  - (ii) *requests that in that review the General Manager give consideration to the introduction of criteria for the exercise of the delegation to resolve and settle section 34 conferences in the Land and Environment Court; and*
  - (iii) *requests the General Manager to present the further review to Council by 30 June 2022.*

In line with the resolution it is anticipated that a report will be presented to Council for consideration by 30 June 2022.

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There being no further business the meeting concluded at 10.15pm.

**We certify that the pages numbered 1 to 26 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 9 May 2022 and confirmed by the Ordinary Meeting of Council on 23 May 2022 as correct.**

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**General Manager**

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**Mayor**





## 10. Mayoral Minute

**Item No:** 10.1  
**Subject:** WOOLLAHRA ABORIGINAL HERITAGE STUDY WINS A NATIONAL TRUST NSW 2022 HERITAGE AWARD  
**Author:** Susan Wynne, Mayor  
**File No:** 22/96795  
**Purpose of the Report:** To offer congratulations to Council staff and Councillors on being awarded a National Trust NSW 2022 Heritage Award for the Woollahra Aboriginal Heritage Study.

### Recommendation:

THAT Council:

- A. Congratulate the Woollahra Council Strategic Planning team, project lead Flavia Scardamaglia, Dr Paul Irish (Coast History & Heritage) and the La Perouse Aboriginal Land Council on being awarded the Aboriginal Heritage category award at the recent National Trust NSW 2022 Heritage Awards, for the Woollahra Aboriginal Heritage Study.
- B. Thank Councillors for their dedication and support in the development of the Woollahra Aboriginal Heritage Study.

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### Discussion:

I am very pleased to be able to report that at on Friday 13 May 2022, Woollahra Council was awarded the Aboriginal Heritage category award in the National Trust NSW 2022 Heritage Awards, for the Woollahra Aboriginal Heritage Study.

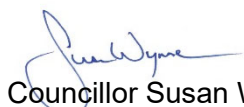
This is an incredible win and appropriate recognition for the work done by the Woollahra Council Strategic Planning team and the project lead Flavia Scardamaglia. Congratulations to Flavia and the team for this remarkable piece of work and for winning the award.

We were very fortunate to have the advice, support and guidance of Dr Paul Irish (Coast History and Heritage) and the La Perouse Local Aboriginal Land Council in the development of the Study and we are very grateful to them for their wisdom, knowledge & expertise throughout this time.

I should also mention that the Study is up for another award later this week at the 2022 NSW Local Government Excellence Awards, so there may be more reasons to celebrate later this week.

Whilst winning an award is fantastic recognition for the Study and the work involved, what is more important is what the Study has done and will do. The Study will continue to promote greater local awareness and appreciation of Aboriginal heritage. The Study provides Council and the community with an understanding of local Aboriginal history and heritage and provides us with a strategy to manage known and undocumented places and areas of significance in a culturally appropriate way, which is of such critical importance to our community.

Once again, congratulations to Flavia Scardamaglia and the entire Woollahra Strategic Planning team for their efforts in developing the Woollahra Aboriginal Heritage Study.



Councillor Susan Wynne  
Mayor

### Attachments

Nil



**Item No:** 10.2  
**Subject:** **NSW GOVERNMENT CONSIDERING THE POTENTIAL FOR EXTENDED CONSTRUCTION HOURS ON WEEKENDS**  
**Author:** Susan Wynne, Mayor  
**Approver:** Susan Wynne, Mayor  
**File No:** 22/96546  
**Purpose of the Report:** To inform Council about the potential for an extension to weekend construction hours by the NSW Government.

**Recommendation:**

THAT Council:

- A. Note this Mayoral Minute on the NSW Government considering the potential for extended construction hours on weekends.
- B. Note that the Mayor will be writing jointly with the Mayors of Waverley Council, Randwick Council and Bayside Council to the NSW Premier The Hon. Dominic Perrottet MP, the NSW Planning Minister, The Hon. Anthony Roberts MP and the Member for Vaucluse, The Hon. Gabrielle Upton MP detailing the following:
  - i. Expressing Council's concerns over the potential extension of construction hours on weekends on a permanent basis, without adequate consultation with the community.
  - ii. Council's opposition to extending weekend construction hours permanently across the Woollahra Council Local Government Area.
  - iii. Seeking the status quo for weekend construction hours as per Councils standard conditions, with no construction allowed on Sundays and public holidays, outside of any special arrangements that may be required to be in place from time to time, as approved through appropriate channels.

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**Discussion:**

On 4 May 2022, an article appeared in the Sydney Morning Herald (SMH) reporting that the NSW Planning Minister, The Hon. Anthony Roberts MP has told a gathering of developers that the NSW government was exploring options to permanently extend construction hours as part of its commitment to build more homes.

The article went on to say that the NSW government was looking at aligning permissible construction hours across all development types to facilitate extended construction hours on a permanent basis and that the changes could involve more intense construction on weekends at greenfield sites where there are no neighbours, with greater restrictions on built-up suburban areas.

Whilst the only information we have on hand on this matter at the time of writing this Mayoral Minute is the above-mentioned SMH article, which is linked here: <https://www.smh.com.au/national/nsw/start-your-sunday-jackhammers-nsw-pursues-extended-construction-hours-20220504-p5aikk.html> the fact that this matter is being discussed is concerning.

It is fully appreciated that the initial extension of the construction hours during the pandemic was to allow workers to be spread out across more time and for them to be able to abide by social distancing requirements, as detailed in the above-mentioned SMH article.

For clarity, there were four Ministerial Orders issued during the pandemic under Section 10.17 of the EP&A Act. The first Ministerial Order permitted unfettered works on Saturdays, Sundays and Public Holidays, with this later being scaled back under Ministerial Order 2. The third Ministerial Order came in to effect on 31 July 2021 and expired on 24 December 2021.

Minister Roberts signed a fourth Ministerial Order on 4 February 2022, which was in effect until Section 10.17 was repealed on 31 March 2022.

Notwithstanding the above, for the NSW government to consider extending the hours of construction across weekend hours permanently is not something that our community or Council would likely support.

We call on the NSW government to keep the status quo for weekend construction hours as per Councils standard conditions, with no construction allowed on Sundays and public holidays, outside of any special arrangements that may be required to be in place from time to time, as approved through appropriate channels. If there is a request to Council to vary our conditions, this requires a modification application (s4.55 or s4.56) which would require a justification, notification and assessment, as is the current practice.

Further to this, if there is to be any consideration by the NSW government to extend weekend and public holiday construction hours, that widespread community engagement on this matter take place in the first instance, prior to making a unilateral decision to allow extended weekend construction hours.

This matter was discussed on Wednesday 18 May 2022 at a meeting of the Mayors and General Managers of Woollahra, Waverley, Randwick and Bayside Councils and there was support for a joint approach to the NSW government on this matter from the Mayors present at that meeting. It is my intention to share this Mayoral Minute with the above-mentioned Councils and that a joint letter be drafted for signing by the Mayors of Woollahra, Waverley, Randwick and Bayside in line with this Mayoral Minute.

There is no doubt that the pandemic has been incredibly difficult for many businesses and residents, however our residents deserve some respite from the ongoing development and construction in the local area and we must do what we can to preserve their amenity on weekends and public holidays.



Councillor Susan Wynne  
Mayor

### **Attachments**

Nil

## 12. General Manager and Officer's Report

**Item No:** 12.1  
**Subject:** COUNCIL'S COVID-19 INITIATIVES - MARCH 2020 TO MARCH 2022

**Author:** Sue Meekin, Director Corporate Performance  
**Approver:** Craig Swift-McNair, General Manager  
**File No:** 22/94183  
**Purpose of the Report:** The purpose of this report is to detail the support initiatives (both financial and others) undertaken by Council in relation to the COVID-19 pandemic.  
**Alignment to Delivery Program:** Strategy 11.5: Deliver high quality services that meet customer expectations.

### Recommendation:

THAT Council:

- A. Note this report titled Council's COVID-19 Support Initiatives, which summarises Council's support initiatives (both financial and other) from January 2020 to March 2022 in response to the COVID-19 pandemic.
- B. Request the General Manager publish a copy of this report to Council's website.

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### Executive Summary:

At the 28 March 2022 Council meeting, following the tabling of the final monthly "Update on COVID-19 Support Initiatives" report, Council resolved that the General Manager prepare an executive summary (with references to underlying documents) of Council's COVID-19 initiatives (financial and others) from January 2020 to March 2022 for noting by Council at a Council Meeting in May 2022 and for the report to be released/published to Council's website following consideration by Council

This report provides a summary of Council's COVID-19 initiatives (financial and others) from January 2020 to March 2022.

### Discussion:

Following the World Health Organisation declaring COVID-19 a worldwide pandemic on 11 March 2020, the Federal and State governments introduced a number of measures to slow the spread of the virus, including the introduction of Stay At Home Orders (SAHO's) and associated restrictions. In response to these, Council introduced a number of initiatives (both financial and other) to support the community and small businesses within the Woollahra Local Government Area (LGA), commencing with Council's Small Business Relief Package introduced in March 2020.

As the pandemic moved through various phases and outbreaks over the two years to March 2022, the Federal and State Governments adjusted and readjusted the SAHO's and associated restrictions on a number of occasions. Similarly, Council made adjustments at various points in time to the support initiatives to reflect the requirements of the community at that time.

A number of reports were presented to Council throughout the two-year period outlining the various responses by Council to the pandemic including financial and other. Commencing in August 2021 until March 2022 a report titled "Update on COVID-19 support initiatives" was presented monthly to Council. Following the presentation of the March 2022 report to Council at its meeting of 28 March 2022, Council resolved that:

- A. *Note the information as included in this February 2022 COVID-19 Support Initiatives update report.*
- B. *Note the estimated financial impact of the current COVID-19 most restrictions, including associated support initiatives, is \$98,935 for the month of February 2022 and is estimated to be \$3,710,900 for the full 2021-2022 financial year.*
- C. *Note that with few restrictions still in place, the ongoing financial impact from COVID-19 has reduced significantly and that therefore this March 2022 Council report will be the final report presented to Council on COVID-19 support initiatives, with any further financial impacts to be reported to Council through the current Quarterly Budget Review reports.*
- D. *Prepare an executive summary (with references to underlying documents) of Council's COVID-19 initiatives (financial and others) from January 2020 to March 2022 for noting by Council at a Council Meeting in May 2022 and released/published to Council's website following consideration by Council.*

In accordance with Part D of the resolution, this report provides a summary of Council's support initiatives (both financial and other) over the two-year period with reference to the various resolutions approved by Council. These are detailed below under "Financial Support Initiatives" and "Other Support Initiatives". As this is a summary report only, copies of the supporting resolutions and reports to Council are included as attachments to this report and are identified against each initiative as a superscript number, for example 1 in the tables below. These are:

- Attachment 1 – Mayoral Minute - Council's Response to COVID-19 - 6 April 2020. Identified as <sup>1</sup>
- Attachment 2 – Council Report - COVID-19 Update - 24 August 2020. Identified as <sup>2</sup>
- Attachment 3 - Council Report - COVID 19 Support Initiatives 26 July 2021. Identified as <sup>3</sup>
- Attachment 4 – Resolutions extract from meeting held 6 April 2020, 24 August 2020 and 26 July 2021 and 23 August 2021. Identified as <sup>4</sup>

There were further adverse impacts on Council's budget as a result of the SAHO's restrictions over the two year period from things like reduced car parking usage (particularly at Council's Cross St Double Bay car park), reduced fire safety and health inspection activity and general reduced activity within other areas of income. These and other impacts on Council's budget were detailed in the monthly "Update on COVID-19 support initiatives" reports. These are summarised below under "Other Budget Impacts" and individual monthly reports can be accessed through the links to the Council Agenda for each meeting which are provided below.

August 2021 – [Council Meeting Agenda August 2021](#)

September 2021 – [Council Meeting Agenda September 2021](#)

October 2021 – [Council Meeting Agenda October 2021](#)

November 2021 – [Council Meeting Agenda November 2021](#)

February 2022 – [Council Meeting Agenda February 2022](#)

March 2022 - [Council Meeting Agenda March 2022](#)

**Financial Support Initiatives:**

<b>Item</b>	<b>Description</b>	<b>January 2020 to March 2022 \$m</b>
Tenant Rental Relief - for commercial tenants in Council-owned properties	<ul style="list-style-type: none"> <li>• Waiver of rent (except Woolworths, NAB and CBA) for 6 months from March 2020 to September 2020 <sup>1 &amp; 4</sup></li> <li>• Rent relief provided from October 2020 to March 2021 based on demonstrated Covid-19 related downturn in revenue <sup>2 &amp; 4</sup></li> <li>• Deferral of rental payments from 26 June 2021 (commencement of Delta outbreak &amp; the stay-at-home orders) until 2 x months post the date of lifting of the stay-at-home orders. <sup>3 &amp; 4</sup></li> </ul>	3.25m
Tenant Rental Relief - for community tenants in Council-owned properties	<ul style="list-style-type: none"> <li>• Waiver of community tenants' rent for 6 months from March 2020 to September 2020 <sup>1 &amp; 4</sup>,</li> <li>• Rent relief provided from October 2020 to March 2021 based on demonstrated Covid-19 related downturn in revenue <sup>2 &amp; 4</sup></li> <li>• Deferral of rental payments from 26 June 2021 (commencement of Delta outbreak the stay-at-home orders) until 1 x month post the date of lifting of the stay-at-home orders. <sup>3 &amp; 4</sup></li> </ul>	0.15m
Waiver of Footway Dining Fees	<ul style="list-style-type: none"> <li>• Waiver of footway dining fees for from March 2020 to 30 June 2021 <sup>1,2 &amp; 4</sup>,</li> <li>• Waiving of fees from 26 June 2021 (commencement of Delta outbreak &amp; the stay-at-home orders) until 2 x months post the date of lifting of the stay-at-home orders. <sup>3 &amp; 4</sup></li> </ul>	1.05m
Turning off Parking Meters	<ul style="list-style-type: none"> <li>• For 6 months from March 2020 to October 2020 <sup>1, 2 &amp; 4</sup></li> </ul>	1.82m
Waiver of Fees for Fire Safety Lodgement, Health Inspections, Activity Approvals	<ul style="list-style-type: none"> <li>• For 6 months from March 2020 to O 2020 <sup>1 &amp; 4</sup></li> </ul>	0.20m
Additional Support for the Provision of Housing for those Domestic Violence Housing Victims during COVID	<ul style="list-style-type: none"> <li>• Existing budget \$90,000 to \$360,000pa for the prevention of domestic and family violence <sup>4</sup> enabling 10 units to be made available</li> </ul>	0.81m
Revitalisation Grants Program	<ul style="list-style-type: none"> <li>• Implementation of a Revitalisation Grants program to the value of \$115,000, in October 202. The program was open to businesses, non-profit organisations, individuals and community groups. Grants of up to \$5,000 were available for innovative projects that help to rejuvenate the Woollahra Local Government Area and benefit the local community. A total of \$56,262 was granted to 16 recipients <sup>3</sup></li> </ul>	0.06m
Economic Development Officer	<ul style="list-style-type: none"> <li>• To further coordinate Council's support for small business in the Woollahra local government area, from September 2020 to December 2021 <sup>2</sup></li> </ul>	0.19m
Additional Expenditure	<ul style="list-style-type: none"> <li>• Additional expenditure was required in response to the pandemic throughout the two year period in a range of areas including: <ul style="list-style-type: none"> <li>• Playground Cleaning</li> <li>• Street and Public Place cleaning</li> <li>• Additional cleaning at Council buildings</li> <li>• Public safety signage through the hire of VMS boards</li> </ul> </li> </ul>	0.43m
<b>Total</b>		<b>7.76m</b>

## Other Support Initiatives:

Item	Support Initiative
Payment of Council Rates	The due date for the first rates instalment for 2020/21 was deferred by one month to 30 September 2020. Assistance was provided to ratepayers who were experiencing financial hardship including through deferral, payment plans and interest waiver on rates.
Domestic Waste Management Charge	The increase in Council's Domestic Waste Management Charge for 2020/21 was limited to 2.6%, in line with the rate peg.
Supporting the Vulnerable	Council, in partnership with Oz Harvest, undertook the delivery of food packages to 50 vulnerable residents over an 8 week period. Council's library courier collected the parcels from Oz Harvest and delivered to the residents each week.  During the period of the first SAHO's, close to 2,000 people received a wellbeing call from Council's community services staff. This led the staff to establish the Friends program.
Procurement	Cashflow is one of the most important aspects for any business, particularly for any local suppliers that Council uses. To assist local suppliers Council committed to paying our local suppliers within 14 days throughout the pandemic and for the remainder of the 2021-2022 financial year.

## Other Budget Impacts:

As previously noted, there have been further adverse impacts on Council's budget from the restrictions from a range of areas that whilst not specifically part of the relief measures Council resolved to put in place, were impacted by the SAHO's. The most significant impacts were:

Item	Description	January 2020 to March 2022 \$m
Reduction in Enforcement Income	<ul style="list-style-type: none"> <li>Council's parking enforcement staff were redirected to focus on: <ul style="list-style-type: none"> <li>Safety issues - 'No Stopping' and 'No Parking' zones;</li> <li>Responding to customer requests and complaints in relation to work zone, loading zone, disability parking and parking across driveway offences; and</li> <li>Undertaking proactive patrols of Council's public spaces such as parks, reserves, beaches and harbour side pools to educate and inform users of the social distancing requirements that are in place across the various Public Health Orders (PHO's).</li> </ul> </li> </ul>	2.80m
Car Park Income	<ul style="list-style-type: none"> <li>Council's car parks experienced a significant decline in their usage as well as a reduction in the amount of time people were parking, with people usually leaving the car parks within the free parking period</li> </ul>	0.15m
Commercial Waste Fees & Charges	<ul style="list-style-type: none"> <li>Commercial waste fees &amp; charges have reduced in line with reduced collection requirements, due to many businesses being closed.</li> </ul>	0.77m
Other Areas	<ul style="list-style-type: none"> <li>Various areas across Council including sportsfield lease and hire, wedding and ceremonial photography and libraries.</li> </ul>	0.12
<b>Total</b>		<b>3.84m</b>
<b>Total Financial Impact of Support Initiatives and Reduced Income</b>		<b>\$11.6m</b>



### **Options:**

This report provides a summary of COVID-19 Council's support initiatives and is presented to Council for noting only.

### **Community Engagement and / or Internal Consultation:**

Internal consultation has taken place with the General Manager, the Director Community and Customer Experience, the Director Planning and Place and the Director Infrastructure & Sustainability.

### **Policy Implications:**

There are no policy implications as a result of this report.

### **Financial Implications:**

Over the 2019-2020, 2020-2021 and 2021-2022 financial years, the COVID-19 support initiatives commitment by Council to the community was valued at approximately **\$11.6 million**, which was a combination of support initiatives provided to the community as well as the impact of reduced income across a range of sources. Whilst necessary to support the local community and businesses, these initiatives have had a significant impact on Council's budget in the current 2021-2022 financial year and the two previous financial years of 2019-2020 and 2020-2021. The utilisation of a range of cash reserves that we had in place, has enabled us to minimise the impact of the deficit position and maintain our levels of service to the community, however our cash reserves are limited, so we are continuing to take proactive action to improve our financial sustainability.

It should be noted that the above-mentioned support initiatives were supplementary to NSW and Federal government support measures available at the time.

### **Resourcing Implications:**

There are no resourcing implications as a result of this report.

### **Conclusion:**

Following the World Health Organisation declaring COVID-19 a worldwide pandemic on 11 March 2020, the Federal and State governments introduced a number of measures to slow the spread of the virus, including the introduction of Stay At Home Orders (SAHO's) and associated restrictions. In response to these, Council introduced a number of initiatives (both financial and other) to support the community and small businesses within the Woollahra Local Government Area (LGA), commencing with Council's Small Business Relief Package introduced in March 2020.

As the pandemic moved through various phases and outbreaks over the two years to March 2022, the Federal and State Governments adjusted and readjusted the SAHO's and associated restrictions on a number of occasions. Similarly, Council made adjustments at various points in time to the support initiatives to reflect the requirements of the community at that time.

To date the COVID-19 support initiatives commitment by Council to the community is valued at approximately **\$11.6 million**, which was a combination of support initiatives provided to the community as well as the impact of reduced income across a range of sources. Whilst necessary to support the local community and businesses, these initiatives have had a significant impact on Council's budget.

The utilisation of a range of cash reserves that we had in place, has enabled us to minimise the impact of the deficit position and maintain our levels of service to the community, however our cash reserves are limited, so we are continuing to take proactive action to improve our financial sustainability.

### **Attachments**

1. Mayoral Minute - Councils Response to COVID-19 - 6 April 2020
2. Council Report - COVID-19 Update - 24 August 2020
3. Council Report - COVID 19 Support Initiatives 26 July 2021
4. Resolutions extracts from meetings held on 6 April 2020, 24 August 2020, 26 July 2021 and 23 August 2021

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06 April 2020

**Item No:**

**Subject:** COUNCIL'S RESPONSE TO COVID-19

**Author:** Susan Wynne, Mayor

**Approver:** Susan Wynne, Mayor

**File No:** 20/56067

**Reason for Report:** To provide Council with an update on Council's response to community concerns in relation to COVID-19.

**Recommendation:**

THAT Council:

- A. Notes Council's response to the COVID-19 pandemic that has focused on protecting the health and well-being of elderly and vulnerable members of the community and our staff has demonstrated leadership to our community and the local government sector.
- B. Expresses Council's gratitude for the incredible efforts of staff in delivering Council's response, including the loyalty, dedication and agility staff have demonstrated in order to continue to serve our community despite increased exposure and to work with each other to create new ways of delivering services.
- C. Notes the support of Councillors and the collaborative efforts of Council's senior staff in shaping Council's ongoing response, underpinned by the Mayor's prioritisation of transparency and inclusivity in decision making notwithstanding crisis conditions.
- D. Notes and endorses all actions taken by the Mayor and General Manager outlined in the Briefing Paper issued on 30 March 2020 attached to this Mayoral Minute as decisions of the Council.
- E. Requests the Mayor and General Manager continue to provide Councillors regular appropriate written briefings detailing Council's ongoing operational response.
- F. Requests the preparation of a report on future budget implications and priorities, at an appropriate time in the future once staff resources can be diverted from delivering Council's immediate operational and strategic response to COVID-19.

**Background:**

From the very start of this pandemic, Council's primary objective of doing what is necessary and appropriate to assist in slowing the spread of COVID-19 was stated. Our approach has a focus on protecting the health and well-being of elderly and vulnerable members of the community and staff, and to assist in broader strategies aimed at minimising the likely impact of the virus on the demands of hospitals and other health and medical services. Our community has among the highest number of infections in the metropolitan area. We have all observed some poor behaviours in response to the Australian Government's social distancing measures and these have reinforced our hard and fast responses and closures. These responses have been detailed in a briefing paper provided to Councillors last Monday which is also attached as **Annexure 1** for the information of the community and the public record.

Since the Federal Government's announcement of even more stringent social distancing requirements, there has been a marked improvement in compliance, most notably in our parks. I hope this continues so we can continue to enjoy the minimised recreational opportunities available to our community.

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**Discussion:**

Council's overall response strategy continues to be guided by a general duty of care to our community and our staff that includes:

- an obligation to our community to be seen to be responding appropriately to reducing the spread of COVID-19, given we have a significant proportion of our community in the age group regarded as most vulnerable.
- complying with safe work legislation in relation to staff.
- a moral obligation to protect our staff, in particular any staff member who may fit within the higher at risk categories if exposed to COVID-19.

To date we have implemented the following closures:

- Libraries and Home Library Service
- Venues (bookings have been postponed or cancelled)
- Beaches and harbour pools (Rose Bay Beach is closed for general beach goers but walking and dog walking are permitted, with visits limited to 30 minutes)
- Outdoor fitness stations
- Playgrounds
- Basketball courts
- Preschool (there were only 3 children in attendance at the time of the closure with most parents choosing not to bring their children)
- Customer Service Centre (appointments can be made to conduct business in a managed way).

What I found most pleasing in relation to our closures is that most of them came into effect several days before Federal Government requirements brought them into effect across the country. We have been ahead of the curve. This is positive reinforcement of the strong leadership Council has demonstrated to date and highlights the need for quick decision making at this time.

There have been significant changes put in place in relation to our staff, including:

- a "work from home" requirement for all staff not identified as critical to attend Council in order to carry out their functions has been implemented from 17 March.
- access to Council's IT systems was provided within 48 hours at homes via staff owned PC's or Council laptops (subject to internet access). We now have 250 staff connecting to Council systems remotely.
- splitting and rostering of work groups, changed starting/finishing locations, and staggered start/finish times have and will continue to be implemented for staff that cannot work from home.
- practices implemented to ensure that there are no Council staff coming to work via public transport.
- onsite inspections protocols involving staff have been reviewed and in most cases delayed. Only essential inspections will take place in line with the updated protocol.

Proudly, we continue to provide services to the community. We are collecting waste, sweeping the streets, maintaining our parks, assessing development applications, paying our suppliers answering an increased number of phone calls. Our Customer Service staff are continuing to respond to customer requests and our staff who are working from home are not only continuing to do their work, they are embracing new ways of working and developing creative solutions to overcome the

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limitations of not being able to interact in the same way with each other and our customers and community. Full details of services and service levels are provided in the briefing paper attached. I will not re-state them here.

It should be noted however, due to Federal and State Government directives around social distancing requirements, that service levels may drop for a short period and we may see productivity decline. There is no doubt that development application assessment times and compliance inspections will be impacted. That said, I echo the comments of many Councillors at last Monday's briefing in relation to the outstanding response from Council staff in responding to these significant changes. There have been some challenges, but also some benefits. This new way of working has seen some reflection on the way that we do things and already we have seen an agility of staff to change processes to best meet the needs of our community and our customers at this time.

I know communication plays a key role in our response to this crisis. We are using a number of communication channels (website, social media, traditional media, enews/electronic direct mail, direct mail, video and advertising) with our website and social media updated as any changes come into effect. External communication to date has concentrated on the distribution of public health messages, government announcements, local council initiatives and changes to services and positive messaging around connecting with each other and celebrating community.

As most of you will have heard, from this week onwards the printed edition of the *Wentworth Courier* is suspended. A revised digital edition will soon be available to subscribers. This presents some challenges for our public notifications, especially on development applications, and we are currently looking at some alternatives.

Looking forward, our next focus will be on mental health and support (for all our people) - how do we connect our people to each other and provide access to existing support networks or create our own for staff. This is a most important issue for all of us and I have the utmost confidence that our staff are well equipped to address this. We continue to engage with community organisations and provide support where and when we can, remembering in many instances we are better off supporting experts in the field rather than doing it ourselves. Both State and Federal Governments have extensive support and stimulus packages in place. Significant amounts of funding have been approved in the areas of mental wellbeing and domestic violence, childcare, jobseeker and business support. Our Community Services staff continue to reach out to the most vulnerable members of our community from our existing databases.

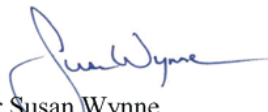
We find ourselves in an extraordinary time, one that changes day by day. I am proud of our response to date and the leadership we have shown. It is gratifying to see that our community is also responding to the measures that have been put in place to reduce the spread of the virus.

I would like to thank those Councillors who have worked in a unified way to support me and our community and staff at this unprecedented time. As elected representatives, we all have a role to play in listening to our communities, providing leadership that empowers and supports our staff and our community and demonstrates strength and kindness.

Reflecting on my twelve years' experience in local government, these are without doubt unprecedented times. We are a strong and resilient community and we will get through this together.

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Cr Susan Wynne  
Mayor of Woollahra

**Annexures**

1. Councillors Briefing COVID-19 Update - 30 March 2020.

Woollahra Municipal Council  
Ordinary Council Meeting

24 August 2020

**Item No:** 12.1  
**Subject:** COVID-19 UPDATE  
**Authors:** Craig Swift-McNair, General Manager  
Allan Coker, Director - Planning & Development  
Lynn Garlick, Director - Community Services  
Don Johnston, Director Corporate Services  
Tom O'Hanlon, Director - Technical Services  
**Approver:** Craig Swift-McNair, General Manager  
**File No:** 20/136606  
**Reason for Report:** Subject of a Mayoral Minute – 27 July 2020

**Recommendation:**

- A. THAT Council note the information as included in this COVID-19 update report.
- B. THAT Council introduce a program of rent relief for Council's small and medium enterprise community tenants, consistent with the National Cabinet Mandatory Code and associated NSW Regulations for a period of six months from 1 October 2020 to 31 March 2021, with a further review of the program to be undertaken and reported to Council in February 2021, noting that any rent relief to be provided by Council will be based on demonstrated Covid-19 related downturn in revenue and in the case of food premises, on Covid-19 related spatial restrictions.
- C. THAT Council authorise the General Manager to implement restrictions on beach access and activity, following consultation with the Mayor, with written advice on any decisions made to be provided to Councillors following any such decisions.
- D. THAT Council authorise the General Manager to turn parking meters back on in Double Bay and Oxford Street Paddington, commencing on 1 November 2020, noting that further consideration of the recommendation from Finance, Community and Services Committee meeting of 16 March 2020 regarding 30 minute free parking will be considered by Council at the 28 September 2020 Council meeting.
- E. THAT Council extend the waiver of footway dining fees from 1 January 2020 to 30 June 2021, noting that the current waiver has already been extended to 31 December 2020.
- F. THAT Council recommence charging interest on overdue rates from 1 January 2021, noting that Council's Financial Hardship policy still remains in place.
- G. THAT Council request the General Manager engage an Economic Development Officer-Small Business on a contract basis as soon as practicable, until 31 December 2021, to be funded from a range of existing budgets, for the purpose of further coordinating Council's support for small business in the Woollahra local government area.
- H. THAT Council, as per s356 of the NSW Local Government Act 1993, place on public exhibition for a period of 28 days, the proposed future financial relief measures as resolved by Council at this 24 August 2020 Council meeting, with a further report to be tabled at a Council meeting following the close of the exhibition period for Council's further consideration, prior to implementing any further relief measures.

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- I. THAT Council continue with monthly Council meetings for the months of October, November and December 2020 with a further review of the Council meeting scheduled to take place in February 2021, with Council utilising the third Monday of the month for Councillor Briefings as required.

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**Background:**

The purpose of this report is to provide an update on the work undertaken by Council in supporting our local community and businesses in response to the COVID-19 pandemic. This follows on from a resolution of Council at the 27 July 2020 Council meeting where it was resolved that an update report would be tabled at the August 2020 Council meeting.

Following the World Health Organisation declaring COVID-19 a worldwide pandemic on 11 March 2020, the Federal and State governments introduced a number of measures on a staged basis to slow the spread of the virus, including travel restrictions, border closures and implementation of strict social distancing requirements. There is no doubt that these unprecedented times have seen immense challenges emerge for our communities.

As previously reported, Council has taken a number of measured precautions in line with Federal and State Government whilst continuing to provide its core services and facilities to the community albeit in potentially different ways. This means that in addition to delivering essential services, Council has continued to maintain the community's assets and infrastructure.

As noted above, this report will detail the work undertaken by Council throughout the pandemic to date and makes recommendations on a potential way forward with the various initiatives and support measures that have been put in place.

**Proposal:**

At an extraordinary Council meeting held on 6 April 2020, a Mayoral Minute was tabled by Mayor Wynne relating to Council's response to COVID-19. As a result of this Mayoral Minute, Council resolved to support a range of relief measures that were detailed in a briefing paper dated 30 March 2020. A copy of the 6 April 2020 Council resolution is below: with a full copy of the Mayoral Minute and the 30 March 2020 briefing paper attached at Annexure 1, noting that some of the information provided in this report is taken directly from the above-mentioned briefing note.

Council resolution from 6 April 2020:

*Moved (Wynne/Jarvis)*

*Resolved:*

*THAT Council:*

- A. Notes Council's response to the COVID-19 pandemic that has focused on protecting the health and well-being of elderly and vulnerable members of the community and our staff has demonstrated leadership to our community and the local government sector.*
- B. Expresses Council's gratitude for the incredible efforts of staff in delivering Council's response, including the loyalty, dedication and agility staff have demonstrated in order to continue to serve our community despite increased exposure and to work with each other to create new ways of delivering services.*



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- C. Notes the support of Councillors and the collaborative efforts of Council's senior staff in shaping Council's ongoing response, underpinned by the Mayor's prioritisation of transparency and inclusivity in decision making notwithstanding crisis conditions.*
- D. Notes and endorses all actions taken by the Mayor and General Manager outlined in the Briefing Paper issued on 30 March 2020 attached to this Mayoral Minute as decisions of the Council.*
- E. Requests the Mayor and General Manager continue to provide Councillors regular appropriate written briefings detailing Council's ongoing operational response.*
- F. Requests the preparation of a report on future budget implications and priorities, at an appropriate time in the future once staff resources can be diverted from delivering Council's immediate operational and strategic response to COVID-19.*
- G. Notes the most recent updates provided to Councillors by the Community Services and Technical Services divisions.*

Further to the above, at the Extraordinary Council meeting held on 6 April 2020 and at the Ordinary Council meeting held on 4 May 2020, a range of COVID-19 related Notices of Motions and Questions on Notice were tabled by Councillors, all dealing with various aspects of the impact of COVID-19 on our community.

As detailed in the 30 March 2020 briefing paper, at the commencement of the pandemic, Council developed a Primary Response Strategy (PRS), which focused on doing what was necessary and appropriate to assist in slowing the spread of COVID-19, with a view to making a contribution to the health and well-being of elderly and vulnerable members of the community and staff, and to assist in broader strategies aimed at minimising the likely impact of the virus on the demands of hospitals and other health and medical services.

There were three key points that guided Council's responses in relation to staff and the broader community as follows:

- We must comply with safe work legislation in relation to staff.
- We have a moral obligation to protect our staff, in particular any staff member who may fit within the higher at risk categories if exposed to COVID-19.
- We have an obligation to our community to be seen to be responding appropriately given we have a significant proportion of our community in the age group regarded as most vulnerable.

An internal COVID-19 response team was established to ensure that all the changes required by Council were managed in a controlled way. This team met on a regular basis to discuss, agree and then implement any changes arising from the rapidly changing circumstances, in particular in response to advice from NSW Health, the Department of Health, the Office of Local Government and other authorities as required.

Following are updates and information on a range of initiatives and measures that Council has undertaken since March / April 2020 in relation to COVID-19:

**Financial Relief Measures & Impact on the Budget:**

Council's financial responses were in two capacities, firstly as Council and secondly in our capacity as a landlord. The key financial relief measures have been as follows:

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- Waiver of commercial tenants' rent (except Woolworths, NAB and CBA) for 6 months
- Waiver of community tenants' rent for 6 months.
- Waiver of footway dining fees.
- Turning off parking meters in the Double Bay and Oxford Street commercial centres for 6 months (noting that timed parking restrictions remain in force).
- Fire safety statement lodgement, health inspections, activity approvals etc. fees waived for 6 months.

With reference to Council's waiver of commercial tenants' rent, the vast majority of rental waivers relate to Kiaora Place, with the majority of foregone parking meter income coming from Double Bay.

The above-mentioned financial relief measures were implemented by Council within weeks of the pandemic being declared. At the time, these measures were forecast to reduce Councils income by \$5M, spread relatively evenly over two financial year budgets, being 2019-2020 and 2020-2021.

These relief measures were incorporated into the March 2020 quarterly budget review, which also identified a number of other sources of income impacted by the COVID-19 restrictions, such as park and building hire, car parking and Preschool fees. Council also amended our enforcement practices during this time, which has had a significant impact on infringement income of approximately \$1.2M. The March 2020 quarterly budget review also identified a number of savings in expenditure mainly arising from the postponement or cancellation of a range of events and projects. The impact of the above changes on the 2019-2020 budget was \$4.3M.

However, Council has been fortunate in that we have had access to financial reserves (Kiaora Place & Property reserves) to offset the loss of income and reduce the net impact on the budget. Having now finalised the 2019-2020 financial year, the actual net impact on the budget was \$660K, almost \$0.5M less than forecast.

To put the above into more context around the actual impact on the 2019-2020 budget, Councils actual losses of income were:

Rent relief	\$1.6M
Enforcement income	\$1.0M
Parking meters	\$756K
Car parking	\$396K
Sportsfield & building hire	\$312K
Footway dining	\$151K
Other income	\$23K
	<b>\$4.3M</b>

There was an offsetting net reduction in expenditure of \$719K during this time, which together with utilising the \$2.9M from reserves as mentioned above, reduced the bottom line impact to \$660k.

Council's Financial Hardship Policy remains in place and includes measures such as payment arrangements and waivers of interest. With regard to the number of residents who have requested rate relief during the pandemic, at the time of writing this report, we had received 78 requests for assistance. The assistance provided has generally been through deferral, payment plans and interest waiver on rates, noting that the Office of Local Government (OLG) has set the interest rate for overdue rates to 0% through to 31 December 2019. Of the 78 requests received to date, 64 are residential ratepayers and 14 are business ratepayers.

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When Council considered the March 2020 quarterly budget review it adopted staff's recommendation to prepare the 2020-2021 budget using the same measures to manage the impact of COVID-19, that is, using reserves to offset lost income. At the same time Council resolved to postpone the first rates instalment by one month to 30 September 2020.

In adopting the 2020-2021 budget, Council resolved to extend the footway dining fees waiver for a further three months through to 31 December. This added \$152k to the relief measures bringing the total in the 2020/21 budget to \$2.5M.

Further to the above, and following a Notice of Motion on 6 April 2020, Council resolved to increase its funding support of the Woollahra Domestic & Family Violence Accommodation & Support Service by \$270K per annum to a total of \$360K per annum, noting that this program was initiated the previous year on a three year trial.

Included in the 2020-2021 budget was a forecast impact on our interest on investments income as a result of the reduced financial reserve levels (as noted earlier in this report) and deferral of the first rates instalments. The impact of this was forecast to be \$30K.

Council also limited the increase in our Domestic Waste Management Charge to 2.6%, in line with the rate peg. This had no net impact on the budget but forms part of Council's relief offering, reducing the charge by \$30.

In total, the impact of COVID-19 as included in the adopted 2020-2021 budget is approximately \$2.8M. This is to be offset by the transfer of \$2.35M from financial reserves, giving a net impact on the budget of \$450K. It should be noted that any decisions by Council to extend the financial relief measures into the future i.e. past the end of September 2020, will impact further on the 2020-2021 budget, with appropriate adjustments and associated reporting on any revised 2020-2021 budget to be undertaken as required.

In relation to rent relief, as detailed in the table above, the cost of \$1.6M was based on Council offering 100% rent relief to its tenants to 30 June 2020 with a further \$1.6M reduction in income forecast in the 2020/2021 Budget through to the end of September 2020. This particular relief measure is having a large impact on Council's budget, as it is one of Council's key income streams and as such, it is considered that if Council wish to extend some form of rent relief to its commercial tenants past the end of September 2020, then a revised model should be considered.

A potential rent relief revised model could see Council offer rental discounts to Council's small and medium enterprise (SME) and community tenants based on a sliding scale of reductions, depending on demonstrable reduction in turnover compared to same period in 2019 and eligibility under the Jobkeeper Scheme. In the case of food establishments, COVID-19 related reductions in seating capacity could also be considered in determining rent reductions.

The above approach would be consistent with the National Cabinet Mandatory Code of Conduct – SME Commercial Leasing Principles During Covid-19 and the NSW Retail and Other Commercial Leases (Covid -19) Regulation 2020.

Internal modelling, based on assumptions, observations and based on the documents detailed above (noting that there has been no engagement with tenants on this proposal as yet), suggests that the cost of such a relief package would be in the order of \$290k per month, which is approximately 50% of the cost of the previous relief measure. This estimate reflects staff expectations that most tenants will be eligible for reductions in the order of 50%, with some unlikely to be eligible for any

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reduction and a very small number eligible for reductions of up to 80%. As noted above, this figure is subject to movement up or down based on information that will be provided by tenants.

Noting the significant potential impact on Councils budget, it is recommended that a new program of rent relief be offered initially for a period of six months from 1 October 2020 to 31 March 2021, with a further review and report to be provided to Council in February 2021 on the impact of the revised rental relief model.

As noted earlier in this report, parking meters were turned off for 6 months from early April 2020, with the financial impact (as detailed in the table above) being approximately \$756K to 30 June 2020, with a further \$560K forecast in the 2020/2021 budget through to the end of September 2020. In light of the current trading and parking management environments at Double Bay and Paddington, consideration needs to be given to turning the parking meters back on. Information received from local businesses and residents has indicated that parking in Double Bay and Paddington has become more congested than is normal and this is due to the fact that parking meters are not turned on. It should be noted that Council understands that parking meters have been turned back on in neighbouring local government areas.

Further to the above in relation to parking meters, on 16 March 2020, the Finance, Community & Services (FC&S) committee considered a report on parking meter charges and recommended in part:

- A) That Council support the introduction of 30 minute free ticket on-street parking at Double Bay parking meters.*

On 6 April 2020, Council resolved in part:

- A) That Council defers the consideration of the introduction of 30 minute free ticket on-street parking at Double Bay parking meters (to a future meeting of Council post COVID-19), noting the decision to turn off parking meters in commercial centres including Double Bay has already been made in response to COVID-19.*

As can be seen from the above Council resolution, prior to COVID-19, there was discussion around introducing 30 minute free ticket on-street parking in Double Bay. It is accepted that we are not yet in a post COVID-19 world, however if Councillors do wish to resolve to turn parking meters back on, they may wish to give further consideration to the introduction of 30 minutes free ticket on-street parking, as a way of continuing to assist businesses in Double Bay. It may also be appropriate for Council to consider extending the 30 minute free ticket on-street parking to Paddington, noting that parking meters were also turned off in Paddington in March 2020.

It is recommended that parking meters be turned on from 1 November 2020, subject to consideration of the above-mentioned recommendation from the FC&S Committee meeting of 16 March 2020 at the 28 September 2020 ordinary meeting of Council.

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Further to the above financial information and the granting of financial relief to the community, Council must abide by s356 of the NSW Local Government Act 1993, which states the following:

1. *LOCAL GOVERNMENT ACT 1993 - SECT 356*

*Can a council financially assist others?*

2. *356 Can a council financially assist others?*

- (1) A council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.*
- (2) A proposed recipient who acts for private gain is not ineligible to be granted financial assistance but must not receive any benefit under this section until at least 28 days' public notice of the council's proposal to pass the necessary resolution has been given.*
- (3) However, public notice is not required if:*
  - (a) The financial assistance is part of a specific program, and*
  - (b) The program's details have been included in the council's draft operational plan for the year in which the financial assistance is proposed to be given, and*
  - (c) The program's proposed budget for that year does not exceed 5 per cent of the council's proposed income from the ordinary rates levied for that year, and*
  - (d) The program applies uniformly to all persons within the council's area or to a significant group of persons within the area.*
- (4) Public notice is also not required if the financial assistance is part of a program of graffiti removal work.*

**Note :** Part 4 of the [Graffiti Control Act 2008](#) deals with graffiti removal work.

The financial relief measures through to the end of September 2020 are currently included in the 2020-2021 budget and formed part of the Delivery Program / Operational Plan (DPOP) that was placed on public exhibition earlier in 2020, prior to adoption by Council in June 2020. These COVID-19 relief measures appeared as a highlight in the budget summary in the DPOP document.

It is important to note that the granting of financial assistance cannot be delegated, therefore if Council is of a mind to extend the COVID-19 financial relief measures in some form and to any level, we will be required to undertake a formal public notice / exhibition process, outlining the relief measures Council wishes to put in place, hence the staff recommendation as included in this report. This exhibition period would need to be for 28 days and would require a further report back to Council to seek Council's final consideration of the relief measures, prior to implementing any extended relief measures.

**Service Delivery Changes:**

Council's first response in relation to social distancing requirements was to close our Libraries on 16 March 2020, which was not only largely supported by our community, but was supported by a Federal government guidelines released on 24 March 2020. This was followed by Council cancelling all our community events that were scheduled to take place in the months following the declaration of the pandemic. Below is a list of closures undertaken at the time:

- Libraries and Home Library Service
- Venues (bookings have been postponed or cancelled)
- Beaches and harbour pools (Please note there is further information relating to beaches detailed further in this report)

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- Outdoor fitness stations
- Playgrounds
- Preschool
- Customer Service Centre

As the Council was previously advised, a number of non-critical maintenance operations were either temporarily ceased or continued on a reduced schedule. These functions were reviewed on a weekly basis by the relevant managers and Director and were re-commenced as it was deemed safe and appropriate to do so. As at the end of June, all maintenance functions were being carried out, albeit under different workplace arrangements and procedures.

The following critical functions of Council continued unchanged throughout:

- Waste management
- Cleaning of hazardous waste
- Storm response
- Public hazard management
- Emergency response
- Critical community services
- Accounts payable
- Payroll
- Risk and safety services
- Communications to residents and staff
- Regulatory functions

**Beach Management:**

On 4 May 2020, Council endorsed (via a Mayoral Minute), the WMC COVID-19 Beach Management Plan, a copy of which can be found at Annexure 2. The Plan was to apply from May to August (if required) and the plan also allowed for amended arrangements for the colder months of June and July. On 27 May 2020, the Mayor advised Council that all restrictions (other than general social distancing guidelines) would be lifted throughout June and July. As at the time of writing this report, that remains the situation.

As noted above, the Beach Management Plan has remained in place and it appears that the attached plan may still be relevant as the weather warms up and COVID infections continue throughout the community. In light of this, Council staff will continue to monitor crowds at the beaches during August and will re-commence discussions with the National Parks & Wildlife Service (NPWS) to ensure there is a consistent approach to beach management between Council and the NPWS wherever possible and the Mayor and General Manager, as well as Council's Local Emergency Management Officer (LEMO), will continue to liaise with other eastern suburbs Councils in relation to their beach management proposals in an effort to gain some consistency of approach.

At the time of writing this report, it is very likely that social distancing and other COVID-19 related guidelines will still be in place during spring and summer. If a decision is made to close beaches into the spring and summer period, then Council should consider engaging independent contractors to manage people at our beaches, rather than this falling to Council staff or community members.

The experience of Council staff during March and April of this year, demonstrated the importance of remaining agile and able to respond to rapidly changing circumstances with beach crowding. It

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is therefore recommended that the General Manager be authorised to implement restrictions on beach access activity, following consultation with the Mayor and written advice to Councillors.

#### **Small Business Initiatives:**

In addition to the financial relief measures detailed earlier in this report, a range of other initiatives to support small business have been put in place by Council as follows:

- In kind support provided for small scale events consistent with the Public Health Order (PHO).
- Funding of \$33,500 provided to the Paddington Business Partnership.
- Information on government support and grant packages provided to our business representative organisations.
- Partnership with *Futurise Insights* to facilitate a small business webinar series, promoted through Woollahra Municipal Council (WMC) media channels.
- Promotion of State and Federal government economic stimulus packages and grant support via social media and local communication channels.
- Support for small business using various media channels:
  - o Advertisement in The Beast magazine (September)
  - o Shop local feature in printed newsletter distributed throughout the LGA (late July)
  - o Support on WMC COVID-19 web page
  - o News items on WMC news page
  - o Story in Woollahra News e-newsletter
  - o Shop Local promotion on August Out & About Poster
  - o Shop Local promotion flyer included with the 2020/21 Rates Notice
- Under the Streets for Shared Spaces Fund, applied to the Department of Planning, Industry & Environment (DPIE) for funding of streetscape and transport projects aimed at improving the pedestrian experience in parts of Double Bay, Rose Bay and Paddington.
- A colourful banner program implemented for Double Bay, Oxford Street and Rose Bay.
- The Sparrowly Group appointed to prepare a marketing strategy for Oxford Street.
- Christmas decorations organised for Double Bay, Oxford Street and Queen Street
- Installation of planter boxes in our commercial centres.
- A small business survey has been prepared for distribution in early September to understand what support small business would like to see from Council.

The Placemaking grants program opened on 1 June 2020, with 10 applications received and reported to the Finance, Community & Services Committee on 10 August 2020. The recommendations from the committee will be considered by Council at the 24 August 2020 Council meeting.

From an economic data perspective as it relates to the Woollahra LGA, Economy ID (when comparing the June 2019 quarter to the June 2020 quarter) have provided the following information:

- A decline of 13.5% in gross regional product.
- A local job change of -9.2%, or 2,333 local jobs.
- A -12% employed resident change, or -18.6% including JobKeeper recipients.

Whilst the above information is a high level summary only, it is evident that there has been a major impact on the local economy as a result of COVID-19. In addition to this, information received from Service NSW is that over 700 local businesses have applied for the NSW governments

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\$10,000 small business grants, with more information on this being made available to Council in September.

In light of the impacts of COVID-19 on the economy of the Woollahra LGA, it is considered appropriate for Council to now focus more heavily on small business and how we might be able to better assist small business within the LGA. To this end, the Mayor and the General Manager have been having ongoing discussions around how Council could best support small business and whilst it is acknowledged that Council has an established Placemaking function that focuses on a range of issues relating to economic development, there needs to be greater focus on support for small business, particularly at this point in time.

As per the recommendation included in this report, it is considered appropriate for Council to engage on a contract basis initially, an Economic Development Officer – Small Business (EDOSB) from now until the end of December 2021. The aim of the EDOSB would be to liaise with small business across the LGA on a regular basis in an effort to understand what matters to small business in our local area and to make recommendations to senior Council management and subsequently to the Small Business Working Group and Council on key issues relating to small business.

It is envisaged that the EDOSB role would also act as a key liaison / concierge for small business Development Applications (DA's) that are lodged with Council, in an effort to ensure the DA process is as smooth as possible for the applicant. For clarity, the EDOSB would not be playing any role in the assessment of DA's, but will simply try to ensure that the process for the DA being assessed within Council is done so in a timely manner.

At the time of writing this report, the General Manager was still undertaking discussions on the funding of the EDOSB role, however it is considered that through a combination of the use of existing budgets across the organisation, this role could be funded from now through to the end of 2021. A review of the effectiveness of the role would take place in the last quarter of the 2021 calendar year, when a decision would be made on the future of the EDOSB role i.e. whether to end the EDOSB role, whether to extend the contract of the EDOSB or whether to consider engaging such a role on a full time basis, subject to budgetary constraints at the time.

### **Community Service Impacts:**

#### *Hire of Community Facilities / Venues*

The pandemic and associated restrictions has significantly impacted the hire activity in community venues and the community's capacity to enjoy the spaces and for people to get together. On 23 March 2020 all venues for hire were closed and larger venues were only opened again on 29 June 2020 to recreational hirers for a maximum of 20 participants or the 4m<sup>2</sup> rule, whichever was the lowest. As a result, there was a reduction in hire income of \$83,000 between March 2020 and June 2020, whilst cleaning costs have increased threefold, due to increases in the frequency and level of cleaning required in the current environment.

Private hire by individuals for parties and private gatherings has not recommenced due to the current COVID-19 restrictions that are in place, with refunds continuing to be processed each month for forward bookings that are being cancelled by hirers.

Community / arts / recreation hirers, many of whom are sole traders or small businesses running activities each term for the community (i.e. ballet, martial arts, yoga, meditation etc.) have also been



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impacted dramatically. Some of these hirers have returned to hire on less days than they were previously, however some have not returned to hire at all.

On a positive note, the closure of venues during this period has meant that planned upgrades could continue in some of Council's facilities, without operational constraints. Upgrades have taken place during this time at Sherbrooke Hall Double Bay and at EJ Ward Paddington. These two facilities are now more accessible to all, are comfortable community spaces and both now have Wi-Fi.

*Woollahra Preschool*

The NSW government provided funding to support a free Preschool program for terms 2 and 3. For term 4 (which commences on 12 October 2020), Council will open the newly completed additional preschool room, which whilst being of great benefit to the community, does increase the operational costs to Council from term 4, however the aim is to continue to operate the Preschool on a cost recovery basis.

*Libraries*

It is clear that our libraries have been important to the community throughout all the phases of the pandemic, from lockdown through to re-opening.

From 16 March 2020 to 9 August 2020, 48,441 digital items were borrowed by library members. This included eBooks, eAudiobooks, eFilms and eMusic. Web page views were up 320% year on year (April 2020 to June 2020). Since reopening and as at the end of July, the libraries have welcomed 645 new members. The move to delivering a range of programs online such as story time and rhyme time have proved popular, with approximately 1,000 views. The library Facebook page has seen a 10% increase in followers during the pandemic and the library eNews was delivered fortnightly during the key transition period between March 2020 and June 2020, delivering a 3% increase in subscribers. In the 10 weeks since reopening from 1 June 2020 to 9 August 2020, the libraries had more than 12,000 visits, 47,166 loans, with public computer bookings and study spot bookings being extremely popular.

For interest, pre COVID, the most popular subject searches on library databases were business, literature, science and genealogy. During COVID, the most popular subject searches were children's e-books, learning a language, newspaper databases and a huge growth in genealogy i.e. from 800 searches to over 7000 searches during the past several months.

There has been a financial impact on the libraries, with a reduction in fine income across all libraries being down \$17,000, a reduction in photocopying / 3D printing income of \$10,000, a reduction in room booking hire income of \$7,000 and a reduction in income as the result of not being able to hold the Bok Fair, which saw income reduction of \$8,000.

In addition to the decreased income at the libraries, there were also cost increases with an additional \$13,000 being spent on Personal Protective Equipment (PPE) and additional cleaning costs linked to the Paddington library of \$24,191.

*Impact on Vulnerable Communities*

Council, in partnership with Oz Harvest, is undertaking the delivery of food packages to 50 vulnerable residents for an 8 week trial. Council's library courier collects the parcels from Oz Harvest and delivers to the residents each week.

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During lockdown, close to 2,000 people received a wellbeing call from Council's community services staff. This led the staff to establish the Friends program. At the time of writing this report, there are 17 people who have submitted an expression of interest for the 'Be a Friend' program.

Over the past 6 months, Council has received information on 9 people sleeping rough in the Woollahra LGA. 4 of the 9 people have been known to services for some time, 1 person has been successfully moved to temporary accommodation, 1 person declined offers of support and Council and relevant agencies have not been able to successfully engage with 3 x people. Council will continue to work with local agencies on the issue of homelessness.

As detailed earlier in this report, from a domestic and family violence perspective, Council provided additional funds to the Domestic & Family Violence Housing Program, which has increased the supply of housing from 3 to 6 units. Council continues to be involved in planning for this next delivery of units with the Women's Housing Company.

#### *Holdsworth Community:*

As Councillors would know, Council supports the Holdsworth Community financially each year, with the Holdsworth Community supporting children and adults living with intellectual disabilities; families with young children; older people who may be frail, ill, lacking mobility, experiencing social isolation or living with dementia; and their families and care givers throughout Sydney and its Eastern Suburbs.

The Chief Executive Officer (CEO) of Holdsworth Community, Ruth Kesterman has provided an overview on the impacts of COVID-19 on the work the Holdsworth Community do and it was considered appropriate to include this information as part of this report considering the important work that Holdsworth Community does across the broader eastern suburbs community. A copy of this overview is available at Annexure 3 to this report.

#### *Community & Cultural Grants*

Of the 2019-2020 Community & Cultural grant recipients, 13 of the 32 successful recipients requested extensions or variances in project delivery of their projects due to COVID-19 and the associated social distancing restrictions. Council continues to work with the recipients in relation to these projects.

In keeping with the cultural theme, it is apparent that the closure of the arts and cultural sector throughout the pandemic has led to a heightened desire for people to obtain access to and take comfort from arts and culture. For example, this year saw more entries in the Digital Literary Award, with the Reader's Choice generating 388 reader votes. There have also been 844 entries for the Woollahra Small Sculpture Prize, which is a record number of entries. Artists also submitted 87 design concepts for the Creative Hoardings expression of interest. With the Woollahra Gallery due for completion in late 2020 / early 2021, Council's ongoing support for arts and culture has been well received by the community.

#### **Council Staff Impacts:**

As noted earlier in this report, there were three key points that guided Council's responses in relation to staff and the broader community as follows:

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- We must comply with safe work legislation in relation to staff.
- We have a moral obligation to protect our staff, in particular any staff member who may fit within the higher at risk categories if exposed to COVID-19.
- We have an obligation to our community to be seen to be responding appropriately given we have a significant proportion of our community in the age group regarded as most vulnerable.

In line with the above, a Work from Home (WFH) requirement for all staff not identified as critical to be physically attending Council in order to carry out their functions was implemented on 17 March 2020 and this largely remains in place today.

Initially, all outdoor operations continued subject to review on a daily basis. At the time it was noted that it was likely that reduced or skeleton staffing would be introduced and this did occur, with the splitting and rostering of work groups, changed starting / finishing locations and staggered start / finish times were implemented for staff that could not work from home. Regardless of this, emergency response and critical services such as waste collection continued.

Within 48 hours of the establishment of the WFH regime, Council's IT systems were provided at homes via staff owned PC's or Council laptops, with over 250 staff connecting to Council's systems remotely.

Other initiatives to help protect staff during this period included limiting the number of staff travelling together in vehicles, plus there has been continued education of staff as to individual responsibilities when it comes to things like hygiene, self-isolation and social-distancing practices.

For those staff that continued to provide essential services and were required to attend a Council Workplace, arrangements were put in place to reduce (as far as possible), the impact of a positive COVID-19 test of a staff member. These measures take advantage of having three depot sites and enabled the physical separation of waste staff (still located at Bourke Road Alexandria) and street cleansing and business centre staff (now in Fletcher Street Depot) who would form backup crews if a waste crew could not attend work.

In relation to regulatory staff, operations moved to a more customer response / safety focused operation. This means Council wound back our proactive parking patrols, moving away from undertaking patrols of time-restricted areas, including resident parking zones, in favour of a focus on safety issues such as 'No Stopping' and 'No Parking' and responding to customer requests and complaints which include work zone, loading zone, disability parking and parking across driveway offences and the like. These arrangements allowed a greater number of smaller teams to be put in place with appropriate rostering to minimise the impact of any forced staff absences.

The above approach also freed up Regulatory staff to undertake the critical work of patrolling parks and beaches and to manage social distancing. It is noted that as the demand for social distance patrols increased, the role of Regulatory staff was complemented by staff from the Technical Services division and external security personnel. It is expected that over the 2020-2021 summer period, there will be greater use of external personnel, allowing Council staff to focus on their key functions.

**COVID-19 Response & Recovery Program:**

For information, an internal COVID-19 Response & Recovery Program (the Program) has been developed in an effort to guide how the organisation approaches and manages various aspects of

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working through the pandemic. The Program includes information around the continued delivery of Council services; support measures for small business; various Placemaking initiatives and community recovery initiatives, with the Program acting as a tracking mechanism of the various measures in place. The Program is regularly updated as information comes to hand or decisions are made in relation to the range of relief measures and initiatives etc.

### **Council Meeting Schedule:**

At the 6 April 2020 extraordinary Council meeting, the following was resolved as a result of a Notice of Motion:

*Item No: 16.6*

*Subject: NOTICE OF MOTION - COUNCIL AND COMMITTEE MEETING CYCLE (COVID-19)*

*(Zeltzer/Cavanagh)*

*Resolved:*

- A. That Council move to once a month Council Meeting cycle until 30 September 2020, or an earlier date if the opportunity arises as a consequence of the impact of the Coronavirus guidelines on Council operations (commencing at 6.00pm).*
- B. That the General Manager, in liaison with the Mayor, be requested to review all Committee functions and meeting schedules to accommodate Council Business being limited to statutory, essential or urgent public interest decisions which require resolutions of the Council together with Committees meeting no more than once per month as well.*

*For the Motion*

*Against the Motion*

*Councillor Cavanagh  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Wynne  
Councillor Zeltzer*

*Councillor Cullen  
Councillor Elsing  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Silcocks*

*9/6*

As per the above Council resolution, Council has been meeting formally once a month since May 2020, in addition to regular Committee meetings. As the above-mentioned Council resolution states, the revised Council meeting schedule was only put in place to 30 September 2020 or earlier. In light of the fact that 30 September 2020 is just over one month away at the time of writing this report, Council will need to give consideration to the Council meeting schedule prior to the end of September.

In light of the fact that there are regular Committee meetings and currently as a general rule, weekly Councillor briefings on a range of subjects and issues, it is the staff recommendation as included in this report, that monthly Council meetings continue throughout October, November and December 2020 with a further review of the Council meeting cycle to take place in February 2021. With this monthly Council meeting cycle in place, the intention would be to continue to utilise the third Monday of the month for Councillor Briefings, as well as other additional nights for Councillor

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Briefings as required.

When the further review of the Council meeting cycle take place, consideration may need to be given to the implications of recommencing the fortnightly Council meeting cycle, particularly with regard to the formal Council Committee meetings. If the FC&S and Environmental Planning Committees are to meet on the same Monday night as they have done in the past, then there are some technical challenges with this at this point in time. At present, Council can only livestream from the Council Chambers, where one Committee meeting would be held, leaving one Committee meeting without the ability to be livestreamed. There would also be the need for two YouTube channels to be established as opposed to just the one YouTube channel that Council now has in place. This is so that both Committee meetings could be livestreamed at the same time, as required under the relevant legislation.

**Mayor's COVID-19 Delegations:**

At the extraordinary Council meeting held on 6 April 2020, in response to a Notice of Motion tabled at that meeting relating to emergency delegations for the Mayor regarding COVID-19, the Mayor was granted certain delegations specifically to address the COVID-19 situation if required. At the 6 April 2020 Council meeting, Council resolved in part, the following:

- E. That the instrument of delegation be in effect until the Extraordinary Council Meeting to elect the Deputy Mayor in September 2020 and/or extended as appropriate by Council resolution.*

As per the above mentioned Council resolution, further information on the Mayor's specific COVID-19 delegations will be tabled at the extraordinary Council meeting scheduled for 21 September 2020, for further consideration by Council.

**Identification of Income & Expenditure:**

Details relating to the cost of COVID-19 relief measures provided by Council and the impact on the 2019-2020 and the 2020-2021 budget were detailed earlier in this report. As noted above, in total, the impact of COVID-19 as included in the adopted 2020-2021 budget is approximately \$2.8M. This is to be offset by the transfer of \$2.35M from financial reserves, giving a net impact on the 2020-2021 budget of \$450K.

As also detailed earlier in the report, it should be noted that any decisions by Council to extend the financial relief measures into the future i.e. past the end of September 2020, will impact further on the 2020-2021 budget, with appropriate adjustments and associated reporting on any revised 2020-2021 budget to be undertaken as required.

It is likely that the key source of offsetting available in the 2020-2021 budget to lessen the impact of COVID-19 on the budget will come from reserve funding, notably the Property Reserve. Utilisation of the Kiaora Place Reserve to partly fund current rent relief measures will see that reserve reduced to a level sufficient to meet its intended purpose i.e. to fund capital renewal requirements; however, further utilisation of this reserve could have a detrimental impact on the long term intended purpose of the reserve. This consideration will form part of the September quarterly budget review which will include reporting on any financial decisions made by Council as a result of this or other reports to Council relating to COVID-19.

Further to the above and as detailed earlier in this report, the financial relief measures through to the end of September 2020 are currently included in the 2020-2021 budget and formed part of the

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DPOP that was placed on public exhibition earlier in 2020, prior to adoption by Council in June 2020. These COVID-19 relief measures appeared as a highlight in the budget summary in the DPOP document.

In light of the fact that the granting of financial assistance cannot be delegated, if Council is of a mind to extend the COVID-19 financial relief measures in some form and to any level, we will be required to undertake a formal public notice / exhibition process, detailing the relief measures Council wishes to put in place, hence the staff recommendation as included in this report. This exhibition period would need to be for 28 days and would require a further report back to Council to seek Council's final consideration of the relief measures, prior to implementing any extended relief measures.

**Conclusion:**

The intent of this report has been to detail the work undertaken by Council throughout the pandemic to date and to make recommendations on a potential way forward with the various initiatives and support measures that have been put in place.

As noted in this report, Council has been very proactive in managing the impacts of COVID-19 on Council and the community. The Mayor, Councillors, Council staff and of course our community are to be congratulated on the way in which everyone has gone about adopting and adapting to the new ways of working due to the pandemic.

As per the recommendations included in this report, Council now needs to give further consideration to the range of financial and other relief measures that were put in place some six months ago, with a view to either amending, extending or ceasing the range of measures currently in place.

What is clear is that the pandemic has presented immense challenges for our community and it is incumbent on Council to continue to find ways to support our residents, businesses and visitors during this period, whilst continuing to deliver our current range of services and maintaining the community's assets and infrastructure.

**Annexures**

1. Mayoral Minute 6 April and Briefing Note 30 March 2020 on COVID
2. WMC Covid-19 Beach Reopening Management Plan
3. Holdsworth - Impact of COVID - August 2020

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**Item No:** 12.1  
**Subject:** COVID-19 SUPPORT INITIATIVES  
**Authors:** Craig Swift-McNair, General Manager  
Sue Meekin, Director Corporate Performance  
**Approver:** Craig Swift-McNair, General Manager  
**File No:** 21/138132  
**Reason for Report:** To report on a suite of proposed support measures for the community and local businesses in light of the current and ongoing lockdown due to the COVID-19 pandemic.

**Recommendation:**

- A. THAT Council note the information as included in this COVID-19 Support Initiatives report.
- B. THAT Council suspend outdoor / footway dining fees for the duration of the current stay-at-home orders, backdated to the commencement of the current stay-at-home-orders, being 26 June 2021.
- C. THAT Council waive outdoor /footway dining fees for a period of 2 x months post the lifting of the current stay-at-home orders.
- D. THAT Council defer rental payments (for commercial tenants in Council owned property) from the commencement of the current stay-at-home orders (being 26 June 2021), until 2 x months post the date of the lifting of the current stay-at-home orders, noting that any deferred rent will be amortised for payment over the remaining months of the 2021-2022 financial year.
- E. THAT Council waive rental payments for community tenants (of Council controlled property) for the period of the current stay-at-home orders, until 1 x month post the lifting of the current stay-at-home orders.
- F. THAT Council implement a Revitalisation Grants program to the value of \$115,000, to be implemented as soon as possible after the lifting of the current stay-at-home orders, with this grants program being a one-off, short-term and time-limited program open to individuals, community groups, community associations and businesses located within or serving residents of the Woollahra Local Government Area, utilising funding already included in Council's 2021-2022 budget, as detailed in this report.
- G. THAT Council note the non-financial relief measures as detailed in this report being:
  - i. The implementation of Business Concierge Web Pages on Councils web site.
  - ii. The continuation of the Small Business Newsletters and Economic Data Sharing.
  - iii. The payment of local suppliers within 14 days until the end of the 2021-2022 financial year.
  - iv. The continued investigation into the feasibility of implementing Business Training Programs with neighbouring Councils and Service NSW.
- H. THAT Council thank Council staff for their dedication in continuing to provide a range of services to the community throughout the current stay-at-home orders, with particular thanks going to the frontline staff who are out in the community doing essential work during this time.

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**Background:**

The purpose of this report is to detail a range of financial and non-financial support initiatives for consideration by Council that will assist the local community post the current COVID-19 lockdown.

COVID-19 has resulted in many challenges for the Woollahra local community and economy since the commencement of the pandemic in 2020. It should be noted that all levels of government have worked in various capacities to support the local community and businesses during this time.

In April 2020, Council introduced a range of COVID-19 support initiatives for the community, many of which extended well into the 2020-2021 financial year. A copy of the 6 April 2020 Mayoral Minute that detailed these support initiatives, can be found at **Annexure 1** to this report.

Further to the above, at the 24 August 2020 Council meeting, Council resolved to implement a further range of support initiatives for the local community. A copy of the 24 August 2020 Council report detailing these further support initiatives, can be found at **Annexure 2** to this report.

Resolution extracts from the meetings held on 6 April 2020 and 24 August 2020, can be found at **Annexure 3** to this report.

Over the 2019-2020 and 2020-2021 financial years, the COVID-19 support initiatives commitment by Council to the community was valued at approximately \$7.9 million, which whilst necessary to support the local community and businesses, had a significant impact on Councils budget for those two financial years. It should be noted that the above-mentioned support initiatives were supplementary to NSW and Federal government support measures available at the time.

Sydney is now facing an outbreak of the COVID-19 Delta variant, which has led the NSW government to impose stay-at-home orders from 26 June 2021 that at the time of writing this report, are extended through to 30 July 2021. These stay-at-home orders are in place across the Greater Sydney area including the Central Coast, Blue Mountains, Wollongong and Shellharbour. Further restrictions were implemented from 18 July 2021, where residents of the Local Government Areas (LGA's) of Fairfield, Liverpool and Canterbury-Bankstown are unable to leave their LGA's until 30 July 2021 (inclusive), except for a range of reasons provided by the government. In addition to the above, a further range of COVID-19 restrictions was also introduced by the NSW government on 18 July 2021 that came into force in the days following their announcement.

In light of the circumstances we now find ourselves in, it is timely for Council to consider further support measures for the local community. These new measures would supplement both the Federal and NSW government support measures recently introduced, noting that the media release from the NSW Premier and NSW Treasurer on these additional measures can be found at **Annexure 4** to this report.

Clearly there is some uncertainty as to the overall economic and social impact of the current pandemic restrictions and the length of the stay-at-home orders, however as noted above, it is timely for Council to now give consideration to any support measures that Council may be able to put in place in the coming months as the community heads out of this lockdown period.

**Proposal:**

Detailed in the tables below, are a range of initiatives for Council to give consideration to. These initiatives are being proposed in an effort to assist the community both during lockdown and as the



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lockdown period ends. The information below is broken into financial and non-financial initiatives, followed by some general information on a range of other matters that are worth noting:

**Financial Support Initiatives:**

Item	Measure / Conditions	Estimated Cost
Outdoor Dining Fees	<p>Suspend outdoor dining fees for the period of the stay-at-home orders, backdated to the commencement of the stay-at-home orders.</p> <p>Once the current stay-at-home-orders have been lifted, waive outdoor dining fees for a period of 2 x months.</p>	<p>Approximately \$52,000 per month</p> <p>Total for a 2 month waiver - <b>\$104,000</b></p>
Rent Deferrals (for commercial tenants in Council owned property)	<p>Defer rental payments from 26 June 2021 (commencement of the stay-at-home orders) until 2 x months post the date of lifting of the stay-at-home orders.</p> <p>Deferred rent would be amortised for payment, over the remaining months of the 2021-2022 financial year.</p>	Nil
Rent Relief (for Community tenants in Council controlled property)	<p>Waive rental payments for community tenants of Council controlled property for the period of the current stay-at-home orders and for 1 x month post the end of the current stay-at-home orders.</p>	<p>Approximately \$13,000 per month</p> <p>Total for a 2 month waiver - <b>\$26,000</b></p>
Revitalisation Grants Program	<p>This is a new proposed initiative to revitalise the LGA following the lifting of the current stay-at-home orders.</p> <p>It is envisaged that a Revitalisation Grants program would be a one-off, short-term and time-limited program open to businesses, individuals, community groups and community associations located within or serving the Woollahra LGA, utilising funding already included in Council's 2021-2022 budget.</p> <p>This program would be open for applications from one month post the current stay-at-home orders (or as close to the end of these orders as possible), for a period of 4 weeks only, for delivery of a revitalisation activity through to 31 March 2022.</p> <p>A revitalisation activity could be an innovative community event or program, a wellbeing event or program, or a business or street activation event, all undertaken in a COVID-safe way, to support the needs of the community arising from COVID and to encourage residents to come out and take part in activities to assist in revitalising the community.</p> <p>For the purpose of the Revitalisation Grants and for clarity, an event as mentioned above would be for one-off activities / events, whereas a program is considered to be something with broader community benefits beyond just one event i.e. a small</p>	

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Item	Measure / Conditions	Estimated Cost
	<p>program supporting anxiety, or grief, or awareness and engagement with vulnerable members of the community etc.</p> <p>It is envisaged that grants available under this program would be as follows:</p> <ul style="list-style-type: none"> <li>- Small grants of up to <b>\$2,000</b> for individuals, businesses or community groups for programs / events. With the assumption being that applicants would work with other groups / organisations, to leverage the funding available.</li> <li>- Larger grants of up to <b>\$5,000</b> for registered charity or not-for-profit organisations. Individuals and / or unregistered community groups may apply for this larger grant if they are auspiced by a not-for-profit organisation or registered charity. The intent and focus of these larger grants is for the development of programs across the community rather than one-off individual events.</li> </ul> <p>These maximum funding limits have been put in place in an effort to spread available funds as far as possible across the community.</p> <p>The intent of including information on this proposed grants program in this report, is to seek the approval by Council of the concept of the Revitalisation Grants. Following approval of this program, Council staff will finalise development of related evaluation criteria, funding conditions, funding acquittals and funding agreements, to support the information provided above.</p> <p>As noted above, funding for this program would come from existing Council budgets, being budgets for Round 2 of the Community &amp; Cultural grants (<b>\$60,000</b>), which are generally available in the last half of the calendar year and funding from the 2021-2022 Placemaking grants (<b>\$55,000</b>) for total funding of <b>\$115,000</b>.</p> <p>As detailed above, this grants program is intended to be a one-off program only, in response to the current COVID lockdown and is not intended to replace any State or Federal grant funding on offer during this or future lockdown periods, but is focused on reactivation activities across the Woollahra LGA.</p>	

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**Non-Financial Support Initiatives:**

<b>Item</b>	<b>Support Initiative</b>
Business Concierge Web Pages	Creation of Business Concierge web pages on the Council website. This could be achieved in a reasonably short time frame in order to share all relevant government grant and initiatives information to update businesses across the LGA.
Small Business Newsletters	Council currently produces a small business newsletter, generally on a quarterly basis, with one recently being released with 1,400 views. These could be produced on a bi-monthly basis for the remainder of the 2021-2022 financial year.
Economic Data Sharing	Council has access to a range of economic data, including Spendmapp. This information will continue to be shared with local businesses via Council's web site and the above-mentioned small business newsletter.
Procurement	Cashflow is one of the most important aspects for any business, particularly for any local suppliers that Council uses. To assist local suppliers Council commits to paying our local suppliers within 14 days for the remainder of the 2021-2022 financial year.
Developing & Strengthening Business Training Programs	Council staff have been in ongoing conversations with Service NSW and other Councils around how all parties can work in collaboration on developing and providing high quality business training programs, particularly for Small Business Month in October. To date there is some interest in undertaking this work from neighbouring Councils, so work will continue with Service NSW on what this offering might ultimately look like.

Further to the above financial and non-financial support initiatives, please find following a range of additional matters for interest and or consideration:

**Parking (Double Bay & Oxford St, Paddington):**

- On 28 June 2021, Council resolved to remove the 30 minute free ticket parking in the metered parking areas of Double Bay and Paddington and install dedicated 30 minute non-metered parking spaces, with notification of these changes to affected businesses and residents being for a period of 28 days prior to implementation.

It is proposed to defer this notification to affected businesses and residents until the current lockdown period has ended.

It should be noted that the estimated monthly cost of the existing 30 minute free parking is approximately **\$105,000** per month; therefore delays in introducing the 30 minute non-metered parking spaces in place of the 30 minute free parking will continue to have a negative impact on Council's 2021-2022 budget.

**Commercial Waste Fees & Charges:**

- Commercial waste fees & charges are reduced in line with reduced collection requirements, due to many businesses being closed.
- Noting the above information, it is estimated that Councils commercial waste income will be negatively impacted by approximately **\$16,800** per month as a result of reduced collection requirements.

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Community Facility Hirers:

- Community hire spaces are currently closed as part of the lockdown, therefore there is no specific reduction in hire fees required at present and as these facilities reopen, Council will charge the fees as recently adopted by Council as part of the 2021-2022 budget.
- Noting the above information, it is estimated that Councils income from community hirers will be negatively impacted by approximately **\$21,000** per month, whilst ever community hire cannot take place.

Sporting Groups:

- The impact of the lockdown on sporting groups is largely unknown at present, however Council staff will continue to work with relevant sports clubs during the next month, to determine any financial impacts and how Council may be able to assist.

Parklets Trial:

- At the Environmental Planning Committee (EPC) meeting held on 12 July 2021, a Parklet trial program was supported, with that item from the EPC being tabled at this meeting of Council for consideration by full Council.

A Parklet is commonly defined as an expansion of an existing outdoor dining space into kerbside parking spaces by a local business. Parklets have traditionally been viewed as a Placemaking response to provide critical public open space in built up inner-city areas around the world.

A Parklet is where kerbside car parking spaces are repurposed into public space 'pockets' provide seating, greenery, bike parking facilities, charging ports, and other communal elements. Additionally, due to the impacts of COVID-19 and associated social distancing requirements, parklets have taken on a new role and function as a major business support tool for local food and beverage businesses.

If Council resolves to support the 12 month trial of Parklets as per the EPC report being considered at this Council meeting, then this would be strategically aligned to recent state-wide efforts to support outdoor dining and local businesses in their recovery from the impacts of Covid-19.

Customer Experience Enhancement Project – Development Application (DA) Process:

- This project has been ongoing for some time and to date has included a range of staff from across the organisation. The focus of the project has been on making the DA process as efficient and effective as possible, particularly for small businesses, with a key focus on improving the digital experience for customers. Whilst work is continuing on this project, it is envisaged that once complete, Council will be in a better position to assist residents, businesses and the community during the DA process.

**Consultation:**

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Consultation in relation to this report has taken place with the Mayor, General Manager and Directors of Woollahra Council. No external consultation has taken place in the development of this report.

**Options:**

Council has the option to include any or all of the support initiatives included in this report or indeed, Council may suggest other initiatives in addition to those listed, subject to consideration of the financial impact of any additional initiatives on Council's budget.

**Identification of Income & Expenditure:**

Council's 2021-2022 operating budget (which projects a deficit of \$3.5million), was predicated on the assumption that there were no material financial impacts from COVID-19 and that the changes to the 30 minute free ticket parking in the metered parking areas of Double Bay and Paddington (as detailed earlier in this report) were introduced.

Further, based on Council's experience since the emergence of COVID-19 in March 2020, we anticipate that there will be further adverse impacts on Council's budget from things like reduced car parking usage (i.e. Cross St car park), reduced fire safety and health inspection activity and general reduced activity within other areas of income generation i.e. weddings and ceremonial photography etc.

The initiatives as detailed in the recommendations included in this report and detailed in the table above of financial support initiatives, will impact the 2021-2022 budget to the value of approximately **\$130,000**, noting that the **\$115,000** included for the Revitalisation Grants program is funding already included in the 2021-2022 budget for other grant programs.

In addition to the above and as detailed earlier in this report, the estimated monthly cost of the existing 30 minute free parking is approximately **\$105,000** per month; therefore delays in introducing the 30 minute non-metered parking spaces in place of the 30 minute free parking will continue to have a negative impact on Council's 2021-2022 budget for each month that the implementation of the non-metered parking spaces is delayed.

As also detailed above, income from commercial waste fees is reduced by approximately **\$16,800** per month whilst ever businesses are closed and income from community facility hirers is reduced by approximately **\$21,000** month, whilst ever community facilities are closed and not able to be hired.

In light of the many unknowns that exist around the current stay-at-home-orders, it is too early and too difficult to quantify at this stage, what the overall and full impact will be on Council's 2021-2022 budget. It is anticipated that further information relating to the impact on Council's 2021-2022 budget will be presented as part of the first Quarterly Budget Review Statement for this financial year, due in October / November 2021.

**Conclusion:**

The initiatives included in this report have been developed with a view to assisting the community bounce back from the COVID-19 lockdown, however with an eye on Council's 2021-2022 budget.

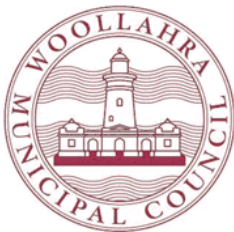
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As noted earlier in this report, across the 2019-2020 and 2020-2021 financial years, Council provided a range of COVID-19 support initiatives valued at approximately \$7.9 million. It is therefore considered that in light of Councils current financial deficit position for 2021-2022 that the support initiatives included in this report represent a balanced and manageable response by Council to the ongoing pandemic and in particular this most recent lockdown.

**Annexures**

1. Mayoral Minute - Councils Response to COVID-19 - 6 April 2020
2. Council Report - COVID-19 Update - 24 August 2020
3. Resolution extract from meetings held on 6 April 2020 and 24 August 2020
4. COVID-19 Fighting Fund Media Release - 13 July 2021



## Ordinary Council COVID-19 Update



### Resolution Extracts

Monday 6 April 2020

Monday 24 August 2020

Monday 26 July 2021

Monday 23 August 2021

**Mayoral Minute – Council’s Response to COVID-19  
Extraordinary Council Meeting  
Resolution – 6 April 2020**

**(Wynne/Jarvis)**

**39/20 Resolved:**

THAT Council:

- A. Notes Council's response to the COVID-19 pandemic that has focused on protecting the health and well-being of elderly and vulnerable members of the community and our staff has demonstrated leadership to our community and the local government sector.
- B. Expresses Council's gratitude for the incredible efforts of staff in delivering Council's response, including the loyalty, dedication and agility staff have demonstrated in order to continue to serve our community despite increased exposure and to work with each other to create new ways of delivering services.
- C. Notes the support of Councillors and the collaborative efforts of Council's senior staff in shaping Council's ongoing response, underpinned by the Mayor's prioritisation of transparency and inclusivity in decision making notwithstanding crisis conditions.
- D. Notes and endorses all actions taken by the Mayor and General Manager outlined in the Briefing Paper issued on 30 March 2020 attached to this Mayoral Minute as decisions of the Council.
- E. Requests the Mayor and General Manager continue to provide Councillors regular appropriate written briefings detailing Council's ongoing operational response.
- F. Requests the preparation of a report on future budget implications and priorities, at an appropriate time in the future once staff resources can be diverted from delivering Council's immediate operational and strategic response to COVID-19.
- G. Notes the most recent updates provided to Councillors by the Community Services and Technical Services divisions.

*Note: In accordance with Council's adopted Code of Meeting Practice voting on the Motion is noted below.*

***For the Motion***

Councillor Cavanagh  
Councillor Cullen  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor McEwin  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

***Against the Motion***

Councillor Elsing  
Councillor Price

**13/2**



**Notice of Motion – Increase budget amount for the prevention of domestic and family violence and the protection of its victims during COVID-19**

**Extraordinary Council Meeting**

**Resolution – 6 April 2020**

**(Elsing/Silcocks)**

**45/20 Resolved:**

1. THAT Council resolves to increase the current budget amount to \$360,000pa for the prevention of domestic and family violence (effective immediately) and this be dispersed where appropriate to support the areas of greatest need.
2. THAT the benefits be applied under the established programme (to families with children) and be applied fairly.
3. THAT staff investigate Federal and State government grants available to support the prevention of domestic and family violence and the protection of victims.
4. THAT staff prepare a report on the needs from the community in relation to domestic violence support following the meeting on 29 April 2020.

**Note:** *In accordance with Council's adopted Code of Meeting Practice voting on the Motion is noted below.*

***For the Motion***

***Against the Motion***

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

Nil

**15/0**

**Council Report - COVID-19 Update  
Council Meeting  
Resolution – 24 August 2020**

**(Shields/Shapiro)**

**122/20 Resolved:**

- A. THAT Council note the information as included in this COVID-19 update report.
- B. THAT Council introduce a program of rent relief for Council's small and medium enterprise (SME's) and community tenants, consistent with the National Cabinet Mandatory Code and associated NSW Regulations for a period of six months from 1 October 2020 to 31 March 2021, with a further review of the program to be undertaken and reported to Council in February 2021, noting that any rent relief to be provided by Council will be based on demonstrated Covid-19 related downturn in revenue and in the case of food premises, on Covid-19 related spatial restrictions.
- C. THAT Council authorise the General Manager to implement restrictions on beach access and activity, following consultation with the Mayor, with written advice on any decisions made to be provided to Councillors following any such decisions.
- D. THAT Council authorise the General Manager to turn parking meters back on in Double Bay and Oxford Street Paddington, commencing on 1 October 2020, noting that further consideration of the recommendation from Finance, Community and Services Committee meeting of 16 March 2020 regarding 30 minute free parking will be considered by Council at the 28 September 2020 Council meeting.
- E. THAT Council extend the waiver of footway dining fees (rent and/or application fees) from 1 January 2020 to 30 June 2021, noting that the current waiver has already been extended to 31 December 2020.
- F. THAT Council recommence charging interest on overdue rates from 1 January 2021, noting that Council's Financial Hardship policy still remains in place.
- G. THAT Council request the General Manager engage an Economic Development Officer-Small Business on a contract basis as soon as practicable, until 31 December 2021, to be funded from a range of existing budgets, for the purpose of further coordinating Council's support for small business in the Woollahra local government area.
- H. THAT Council, as per s356 of the NSW Local Government Act 1993, place on public exhibition for a period of 28 days, the proposed future financial relief measures as resolved by Council at this 24 August 2020 Council meeting, with a further report to be tabled at a Council meeting following the close of the exhibition period for Council's further consideration, prior to implementing any further relief measures.
- I. THAT Council continue with monthly Council meetings for the months of October, November and December 2020 with a further review of the Council meeting scheduled to take place in February 2021, with Council utilising the third Monday of the month for Councillor Briefings as required.
- J. THAT consideration be given to providing additional parking permits for health professionals in Double Bay (i.e. similar to what was passed at St Vincents' Hospital previously).

*Note: In accordance with Council's adopted Code of Meeting Practice voting on the Motion is noted below.*

**For the Motion**

**Against the Motion**

Councillor Cavanagh  
Councillor Cullen  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor McEwin  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Wynne  
Councillor Zeltzer

Councillor Elsing  
Councillor Price  
Councillor Regan  
Councillor Silcocks

**11/4**

**Council Report - COVID-19 Support Initiatives**  
**Council Meeting**  
**Resolution – 26 July 2021**

(Jarvis/Marano)

**95/21 Resolved:**

- A. THAT Council note the information as included in this COVID-19 Support Initiatives report.
- B. THAT Council suspends the footway dining approvals until such time as footway dining becomes permissible.
- C. THAT Council waive footway dining fees for a period of 2 x months after footway dining becomes permissible.
- D. THAT Council offer deferred rental payments for commercial tenants in Council owned property (other than Woolworths & Dan Murphy, the National Australia Bank and the Commonwealth Bank) from the commencement of the current Stay-At-Home Orders (SAHO), being 26 June 2021), until 2 x months post the date of lifting of the current SAHO, noting that any deferred rent will be amortised for payment over the remaining months of the 2021/22 financial year.
- E. THAT Council waive rental payments for community tenants (of Council controlled property) for the period of the current stay-at home orders and until 1 x month post the lifting of the current SAHO.
- F. THAT Council implement a Revitalisation Grants program to the value of \$115,000, to be implemented as soon as possible after the lifting of the current SAHO, with this grants program being a one-off, short-term and time-limited program open to individuals, community groups, community associations and businesses located within or serving residents of the Woollahra Local Government Area, utilising funding already included in Council's 2021-2022 budget, as detailed in this report.
- G. THAT Council note the non-financial relief measures as detailed in this report being:
  - i. The implementation of Business Concierge Web Pages on Councils website.
  - ii. The continuation of the Small Business Newsletters and Economic Data Sharing.
  - iii. The payment of local suppliers within 14 days until the end of the 2021-2022 financial year.
  - iv. The continued investigation into the feasibility of implementing Business Training Programs with neighbouring Councils and Service NSW.
- H. THAT a report be tabled to each Council meeting between now and the end of October 2021 detailing the progress and/or updates on COVID support initiatives and the budget impact of these, noting that when considering the monthly report Council may review these COVID support initiatives and/or implement changes to them as required to better reflect NSW Public Health Orders relating to the COVID-19 pandemic as at the date of the monthly review.
- I. THAT further to the resolution adopted on 28 June 2021, Council move forward with notifying businesses and residents in relation changes to the 30 minute free ticket parking in the metered parking areas of Double Bay and Paddington.
- J. THAT Council continue to seek funding from State and Federal Governments in relation to commitments made by Council in the 2021-2022 budget.

- K. THAT Council thank Council staff for their dedication in continuing to provide a range of services to the community throughout the current stay-at-home orders, with particular thanks going to the frontline staff who are out in the community doing essential work during this time.

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

***For the Motion***

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

***Against the Motion***

Councillor Cullen  
Councillor Elsing  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Silcocks

***8/7***

**Council Report - COVID-19 Support Initiatives  
Council Meeting  
Resolution – 23 August 2021**

**(Wynne/Zeltzer)**

126/21

**Resolved:**

- A. THAT Council note the information as included in this August 2021 COVID-19 Support Initiatives update report.
- B. THAT Council note the estimated financial impact of the current COVID-19 restrictions, including associated support initiatives, is \$787,534 for the month of July 2021 and \$1,892,279 for the full 2021-2022 financial year and that it this will increase should the current stay at home restrictions be extended beyond 28 August 2021.
- C. THAT Council approves the process, assessment criteria and guidelines at Annexure 1 for the Revitalisation Grants Program subject to the following amendment - that promotion of the Program commences now.
- D. THAT Council provide rent relief for Council's small and medium enterprise (SME) tenants, consistent with the National Cabinet Mandatory Code and associated NSW Regulations with a further update reported to Council in September 2021.
- E. THAT Council note the information contained in the report relating to management of beaches over the coming Spring/Summer period.
- F. THAT the General Manager be authorised to manage beaches throughout the Spring/Summer period in accordance with prevailing Public Health Orders and advice from NSW Police and NSW Health.
- G. THAT Council continues to promote our hardship policy with regards to the deferment of payment of rates available to residents.
- H. THAT the Mayor write to Local Government NSW and the Minister for Local Government the Hon. Shelley Hancock MP, seeking financial support in the form of a one-off disaster relief payment (or other appropriate mechanism) to be made to all Councils in NSW to assist with the current pandemic.

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

**For the Motion**

Councillor Cavanagh  
Councillor Cullen  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor Price  
Councillor Shapiro  
Councillor Shields  
Councillor Wynne  
Councillor Zeltzer

**Against the Motion**

Councillor Elsing  
Councillor McEwin  
Councillor Regan  
Councillor Silcocks

**10/4**

<b>Item No:</b>	12.2
<b>Subject:</b>	<b>WOOLLAHRA COUNCIL ORGANISATION STRUCTURE REVIEW TO SENIOR STAFF LEVEL 2022</b>
<b>Author:</b>	Craig Swift-McNair, General Manager
<b>Approver:</b>	Craig Swift-McNair, General Manager
<b>File No:</b>	22/58456
<b>Purpose of the Report:</b>	Sections 332 & 333 of the NSW Local Government Act 1993 (the Act) relate to the matter of the Council organisation structure and the requirement to review and if required, re-determine the organisation structure to senior staff level within 12 months after any ordinary election of the Council. This report deals with these requirements of the Act.
<b>Alignment to Delivery Program:</b>	Strategy 11.5: Deliver high quality services that meet customer expectations.

**Recommendation:**

THAT Council:

- A. Note the Woollahra Council Organisation Structure Review to Senior Staff Level 2022 report.
- B. Note that as per Section 333 of the NSW Local Government Act 1993, the General Manager has undertaken a review of the Woollahra Council organisation structure to Senior Staff level (being within 12 months of the last ordinary Council election), with no changes being proposed to the organisation structure to Senior Staff level from that which was adopted by Council on 22 March 2021.
- C. As per Section 332 of the NSW Local Government Act 1993, determine that the Senior Staff positions for the organisation (outside of the role of the General Manager), remain as the four Directors, being the Director Community & Customer Experience, Director Corporate Performance, Director Infrastructure & Sustainability and Director Planning & Place, with each Director leading one of the following four Divisions of Council:
  - Community & Customer Experience
  - Corporate Performance
  - Infrastructure & Sustainability
  - Planning & Place.

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**Executive Summary:**

This report addresses Sections 332 & 333 of the NSW Local Government Act 1993 (the Act). These sections of the Act deal with the determination of the organisation structure to senior staff level by Council, noting that under Section 333 of the Act, it is a requirement to review the organisation structure to senior staff level within 12 months of an ordinary Council election and if required, re-determine the organisation structure.

**Discussion:**

Section 332 of the Act states that Council is to determine the organisation structure for the senior staff level in consultation with the General Manager, with the General Manager to determine the balance of the organisation structure below the level of senior staff.

Section 333 of the Act states that Council is required to review and if required, re-determine the organisation structure within 12 months of an ordinary Council election. The most recent Council election took place on 4 December 2021 and in line with the above-mentioned requirement under the Act, the General Manager has undertaken a review of the organisation structure.

The result of this review is that there are no changes proposed to the organisation structure to senior staff level from the organisation structure adopted by Council on 22 March 2021.

Section 332 of the Act also requires Council to determine positions within a Council's organisation structure to be senior staff positions. For clarity, the senior staff level positions at Woollahra Council (outside of the General Manager), have historically been the Directors of the organisation. In the context of the current and recently reviewed Woollahra Council organisation structure, the four Directors that each lead one of the four Divisions of Council, are senior staff level positions and there is currently no proposal to change the number of senior staff level positions. For clarity, the four Directors are the Director Community & Customer Experience, the Director Corporate Performance, the Director Infrastructure & Sustainability and the Director Planning & Place.

For further clarity in relation to determining what senior staff positions are within a Council, under Section 332 of the Act, a Council may not determine a position to be a senior staff position unless:

- The responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the Local Government (State) Award and
- The total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package (within the meaning of Part 3B of the Statutory and Other Offices Remuneration Act 1975) payable with respect to senior executives whose positions are graded Band 1 under the Government Sector Employment Act 2013.

The four Directors engaged by Woollahra Council meet the requirements of senior staff as described under the Act.

Following the commencement of the General Manager in July 2020, a major review of the organisation structure was undertaken during late 2020 / early 2021 and at the 22 March 2021 Council meeting, Council resolved to adopt the organisation structure that is currently in place, with that structure subsequently implemented across the organisation from 1 May 2021.

Noting that no redetermination of the organisation structure to senior staff level is currently being proposed by the General Manager (to that adopted by Council on 22 March 2021), following are the four (4) Divisions of Council, each led by one of the above-mentioned four (4) Directors:

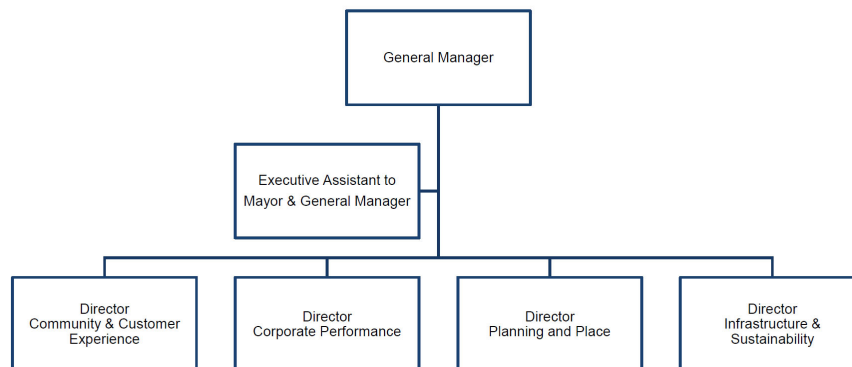
- Community & Customer Experience
- Corporate Performance
- Infrastructure & Sustainability
- Planning & Place.

At the time of reporting the organisation structure to Council in March 2021, the following key objectives were the main drivers of the structure as adopted and these objectives have continued to drive the most recent review of the organisation structure:

- Increasing the organisations focus on the customer experience, regardless of which section of the Council the customer is interacting. This is about having a consistent customer-first approach in all we do.
- Developing a stronger approach to continuous improvement and measuring our overall performance, which will lead to greater accountability.
- Broadening our concept of place, so everything we do takes into account the impact on our community and the various places throughout our Local Government Area (LGA).
- Ensuring we continue on our path of implementing successful environmentally sustainable initiatives that will benefit the organisation and of course the broader community.



In line with the above, following is the organisation chart to senior staff level:



As noted earlier in this report, whilst it is the role of Councillors to consider the organisation structure to senior staff level, the General Manager is responsible for determining the organisation structure below senior staff level. The overarching aim of the organisation structure is to be able to deliver on the objectives of Council as detailed in the suite of Integrated Planning & Reporting documents. As such, a review of the organisation structure below senior staff level has been undertaken over the past several months, to ensure the ongoing efficient and effective delivery of services to the community. Further information on the Manager level changes to the organisation structure as determined by the General Manager will be provided to Councillors at a future confidential Councillor briefing.

### Options:

As noted throughout this report, it is the role of Council to determine the organisation structure to senior staff level, in consultation with the General Manager. Whilst the General Manager (in accordance with the Act) has undertaken a review of the organisation structure, there are no proposed changes to the senior staff levels of the organisation, as per the recommendations included in this report. Further consultation would be required between Councillors and the General Manager if Councillors were of a mind not to support the existing organisation structure to senior staff level.

### Community Engagement and / or Internal Consultation:

There has been no community engagement in relation to this report. The General Manager and Directors have undertaken appropriate internal consultation in relation to the organisation structure.

### Policy Implications:

There are no direct policy implications as a result of this report.

### Financial Implications:

There are no direct financial implications as a result of the review of the organisation structure to senior staff level, noting that there are no changes being proposed to senior staff level.

In addition to Council determining the senior staff roles, Section 332 of the Act also requires the Council to determine the allocation of resources towards the employment of staff. These resources are not dealt with in this report; rather the allocation of resources are set and adopted by Councils in the development and adoption of the annual Operational Plan and Budget, which is currently in draft form for 2022-2023. It should be noted that the organisation structure is within the current allocated resources for 2021-2022 and the draft 2022-2023 budget.

**Resourcing Implications:**

There are no direct resourcing implications as a result of this report.

**Conclusion:**

This report recommends Council note that no redetermination of the organisation structure to senior staff level is being proposed following a review of the organisation structure to senior staff level. This report also recommends that Council determine that the roles of the four Directors (being the Director Corporate Performance, Director Community & Customer Experience, Director Infrastructure & Sustainability and Director Planning & Place) be determined as senior staff positions within the organisation.

**Attachments**

Nil

**Item No:** 12.3  
**Subject:** **APPOINTMENT AS CROWN LAND MANAGER OF THE VAUCLUSE BOWLING CLUB SITE AT 80 NEW SOUTH HEAD ROAD, VAUCLUSE, UNDER DIVISION 3.2 OF THE CROWN LAND MANAGEMENT ACT 2016.**  
**Author:** Zubin Marolia, Manager - Property & Projects  
**Approver:** Tom O'Hanlon, Director - Infrastructure & Sustainability  
**File No:** 22/92751  
**Purpose of the Report:** To seek approval from Council to be appointed as Crown Land Manager of the Vaucluse Bowling Club  
**Alignment to Delivery Program:** Strategy 1.3: Provide places and spaces for people to connect and interact.

**Recommendation:**

- A. THAT Council accepts the appointment as Crown Land Manager of the Vaucluse Bowling Club site at 80 New South Head Road Vaucluse (Lot 1596 DP 752011), under Division 3.2 of the Crown Land Management act 2016.
- B. THAT the General Manager be authorised to sign the Funding Deed for the Greater Sydney Crown Lands Open Space Activation program and any associated documents to formalise the appointment as Crown Land Manager.

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**Executive Summary:**

Council has been successful in obtaining a grant of \$3,740,769 (incl GST) from the Department of Planning and Environment (Department) under their Greater Sydney Crown Lands Open Space Activation Program for the necessary upgrades to the Vaucluse Bowling Club buildings and surrounds located at 80 New South Head Road Vaucluse. The grant is subject to Council agreeing to become the Crown Land Manager for the Bowling Club site going forward. Council is already the Crown Land Manager for a number of open spaces within the Woollahra Municipality and this additional site can easily be incorporated within the Council's land and property portfolio. A Funding Deed has been provided for Council to execute under delegation, should it agree to becoming the Crown Land Manager (Attachment 1).

There are other customary conditions included in the Funding Deed in addition to accepting becoming the Crown Land Manager, which include a general scope of the works to bring the premises to comply with Australian Standards and the completion of the works within 12 months. In later communications the Department have sought an undertaking that a publically accessible toilet be constructed which can be accessed by the park users independent of the building usage. This is something Council would want to provide and can be accommodated. The grant funds will be paid in full at the commencement of the Funding Deed.

**Discussion:**

The Vaucluse Bowling Club, located at 80 New South Head Road, Vaucluse includes a Clubhouse, caretaker's cottage, two bowling greens and two tennis courts. Located in close proximity to Vaucluse shopping precinct, the site affords views towards Sydney harbour. The Club is situated on Crown Land reserved for public recreation, and the whole site (Lot 1596 DP 752011) is zoned General Recreation. Samuel Park (Lot 7003 DP 1023197) is adjacent to the site and is already managed by Council.



The Vacluse Bowling Club Inc. has advised the club was established on the site in 1940.

Council was approached by the Club in 2005 for financial support. Following consideration of a report, Council on 10 October 2005, resolved to enter into partnership with the Club. The aim of the partnership was to provide a community facility for use by the people of Woollahra while also assisting the Club to meet their rent commitment to (then) Department of Lands.

A further report to Council on 26 June 2006 granted approval to execute a sub-lease with the Club with an expiry date of 30 December 2011. Under this arrangement the Club retained exclusive use of the terrace; caretakers flat; men's and women's locker rooms; front and back offices; bar area; bowling greens; outdoor gardens and tennis courts. Council was permitted to hire indoor areas of the clubhouse (main hall room, kitchen area and toilets) to the community. Council makes available the main internal spaces in the Club for hire by the community from 8am – midnight 7 days per week. All amplified music at private functions must be turned off by 11pm.

At the time of entering the sub-lease agreement, Council agreed to pay \$35,000 per annum in rent (CPI indexed annually), a further 10% commission from venue hire income, and % of income if the clubhouse space was shared during hire time. The Club's rent to the Department of Lands at that time was approximately \$20,000 (CPI indexed annually)

At the end of 2011 the Club's head lease with the Crown expired and Council's sub-lease has continued on a month to month basis since this time.

An Interim sub-lease agreement between Council and Vacluse Bowling Club dated 1 January 2013 was signed to:

- Clarify the hours of use for by each party (as these had evolved by agreement over the years)
- State the agreed rental being paid by Council (with no further CPI increase)
- Simplify the amount of commissions paid to the Club from Council hire income.

The lease fee is \$44K/annum + 10% commission of Council's venue hire income since 2013.

Council upgraded the building in 2007 to meet some Building Code of Australia requirements. The building was in poor state of repair and Council spent some funds to make the space safe/usable. Council has been reticent to do any significant work to the facility that would make it more attractive/usable for hirers until a more secure and long lasting tenure over the space could be arranged.

On 16 October 2017, Council resolved that

*Woollahra Council investigate and report to the Corporate and Works Committee on the viability of Council making a submission to the NSW Government for Council to manage by way of long term lease or ownership the Vacluse Bowling Club greens and adjacent areas (including the tennis courts and gardens). This report is to consider:*

1. *That Council recognises the importance in protecting Vaocluse Bowling Club as a community Asset;*
2. *The viability of long term leasing or accepting a transfer of ownership of this Crown Land to Woollahra Council;*
3. *The suitability of this Crown Land to provide economic, social and cultural benefits for the local community, including for an upgrade to make 4-6 multi-use courts (tennis/basketball/handball/netball courts) and an upgrade of the built structures for further community use, and*
4. *Any short term and long term budgetary issues.*

Council's Director Infrastructure & Sustainability has been in regular discussion with both the Vaocluse Bowling Club and the Department of Planning & Environment throughout the intervening period, with regular updates provided to Council through updates on the progress of the NOM and through answers to Questions on Notice.

Councillors were advised in an email from the Director Infrastructure and Sustainability on 14 May 2021 that Council had been advised of the intention of the Department to appoint Council as Crown Land Manager of the site. In a letter dated 27 May 2021 (Attachment 2) the Department advised that they would consider appointment of Council as the Crown Land Manager (CLM), subject to Council approval process.

In response to that advice, Council staff commenced a due diligence process which included a condition assessment of the site. The finding of that assessment was that there was very considerable expenditure required to bring the site to a satisfactory standard. The Department was advised that Council would be reluctant to take over management of the site if that imposed a significant cost burden on the Council. Over the following months, discussions were held between officers of the Department and Council regarding available funding opportunities for improvement works.

Earlier this year the Department advised that there was an opportunity to apply for a grant under their Greater Sydney Crown Lands Open Space Activation Program for the necessary upgrades. Further detail on that grant process are provided below under the heading Greater Sydney Crown Lands Open Space Grant Activation Program.

### **Current occupants of the site**

The principal current occupant of the site, the Vaocluse Bowling Club, has consistently expressed a desire, to both the Department and Council, to continue their bowling and croquet activities at the site. There have been lengthy discussions between Council staff and the Board of the Club regarding the extent and nature of the continued use of the site and these discussions are ongoing. Council staff are confident that if Council becomes Crown Land Manager of the site, the reasonable needs of the Club can be accommodated while allowing for greater general community use of the site.

The tennis courts on site have for some decades been operated by a private individual through a sub-lease arrangement with the Vaocluse Bowling Club. That operator has expressed a desire to continue their occupancy under a new agreement with Council. Should Council become CLM of the site, formal discussions will be commenced as to future arrangements for the management of the courts.

### **Council user groups /activities**

Pre-COVID, the main user groups were regular hirers, including Active8kids (gymnastics), self-help/12 step groups, martial arts, fitness and dance groups. The Club used the space 2 days per week. Casual hire has accounted for a small percentage of overall hire.

Council has not allowed hire for children's birthday parties as we cannot guarantee they will not use the bowling greens, which are not currently part of the Council lease space. Youth parties are also prohibited due to problems in the past with damage to club property and impact on local residents.

Private functions such as engagement parties, family gatherings and bar mitzvahs have all been welcomed, along with all community arts and recreation activities and any corporate workshops/training events. Saturday evenings and Sundays would be the best time for private social events such as engagement parties, baby showers, corporate events and social gatherings, however the requirement for hirers to provide their own catering and cleaning is often a deterrent for holding these types of functions at this venue.

Post COVID, the main hirer, Activ8kids, returned briefly on significantly reduced hire hours before ceasing operation in 2021. Eastern Avenue Bridge now hire 3 full days per week, and along with 1 self-help group are now the only current regular hirers. There has only been 2 private functions since reopening from Covid in December 2021. The hours used by the Bowlers have remained consistent.

Should Council become the CLM, it will enable Council to reactivate the spaces via a range of opportunities to enhance its integration with the local neighbourhood such as:

- Accommodating new community uses and spaces such as community gardens, community kitchens and new hire spaces;
- Improving access and linkages to surrounding Samuel Park;
- Increasing the provision of multi-use, adaptable and flexible spaces within the Vaucluse Bowling Club through upgrades to the building.

### **Greater Sydney Crown Lands Open Space Activation Grant Program:**

The building and surrounding structures are in a dilapidated state and do not comply with current Australian Standards and Building Codes. In order to ascertain the condition of the site, Council arranged for structural, mechanical and electrical inspections. These reports were provided to a quantity surveyor and the grant funding was sought based on their advice (Attachment 3).

Application for grant funding was submitted to undertake building works to upgrade the bowling club building and surrounds to bring them up to current standards and comply with the Disability & Discrimination Act. These works will make the open space and clubhouse accessible for older people, people with disabilities, parents and carers with young children.

The works include construction of new accessible ramps, new accessible toilet facilities, upgraded electrical and mechanical ventilation infrastructure, asbestos removal and urgent structural remediation works to the retaining wall structures and building within this open space. Wall patching, wall painting and carpet replacement will be completed throughout the building. An accessible toilet which will be publically accessible during daylight hours will also be provided.

Functional upgrades will be undertaken to bring the building up to current standards and meet community expectations, as this building has not had a major upgrade recently. Grant funding approved by the Department for all the upgrade works is \$3,740,769 including GST. These funds will be provided to Council within 28 days of signing the Funding Deed. Construction works have to be completed within 12 months of this date.

The list of works identified in the structural, electrical & mechanical consultant's reports have been included in the Funding Deed (Attachment 1) are as follows:

#### HAZMAT

- Remove asbestos and other hazardous materials

#### STRUCTURAL UPGRADES

- Repair roof, walls & floors
- Repair garden shed and bowling sheds
- Repair retaining walls
- Repair existing northern sump
- Replace non-compliant ramp with a new accessible ramp

#### FUNCTIONAL UPGRADES

- Repair roof gutters and drainage
- Replace carpets
- Make good and paint ceilings & walls
- Make good and upgrade access to main entry for DDA compliance
- General works to paths and external areas
- Repair fencing and balustrades
- Install new internal disabled toilet
- Install new externally accessible toilet
- Patch paint & repair external walls
- Replace doors and windows to match existing
- Install new water heater including pipework
- Paint kitchen and bar area walls
- Repair cool room and replace motors
- Replace kitchen equipment
- Install new counter top in bar area
- Install audio visual equipment
- Install special lighting internally
- Upgrade surfaces of tennis courts and bowling greens as necessary

#### MECHANICAL & ELECTRICAL UPGRADE

- Replace existing air conditioning
- Replace toilets ventilation system
- Replace main switch board and wiring as required
- Upgrade emergency lighting

There are some risks relating to environmental contamination of the land and the built structures. Due to the age of the buildings and very limited maintenance undertaken by the current lessee, we are not certain of the extent of asbestos or lead dust. In our estimates we have allowed for removal of HAZMAT materials, the true extent of which will only be known when refurbishment works are undertaken.

#### **Community Engagement and / or Internal Consultation:**

In 2019 Council undertook a Community Facilities Study which made recommendations for each of our community facilities. The Study recommended that council secure tenure of and upgrade the Vaucluse Bowling Club.

Incorporating this site into Samuel Park (for which Council is already the CLM) will provide much needed public open space within the municipality. Future improvements of the land may include better linkages and public accessibility opportunities, improved landscaping and the addition of further recreation and play elements on the site. Prior to implementing any major improvements and/or changes, a thorough community consultation process would be followed to prepare a Master Plan for the whole site. Once a Master Plan has been developed and approved funding for implementation would be considered during future budget deliberations.

### Policy Implications:

The proposal to upgrade this building and open space is outlined in the Samuel Park section of Council draft Generic Plan of Management for Crown Reserves 2021 and Council's draft Recreation Strategy 2021 and Play Safe Strategy. This facility could be better utilised for the betterment of the whole community, given the LGA's identified lack of community facilities and public open space.

The proposal aligns with Council's Disability Inclusion Action Plan and will strengthen community connections with Crown land (a priority from the State Strategic Plan for Crown Land - Crown Land 2031).

The draft Generic POM submitted has Samuel Park in it;

[https://www.woollahra.nsw.gov.au/\\_\\_data/assets/pdf\\_file/0006/243429/S-and-C-Agenda-21-June-2021-Annexures.pdf](https://www.woollahra.nsw.gov.au/__data/assets/pdf_file/0006/243429/S-and-C-Agenda-21-June-2021-Annexures.pdf)  
(starts from page 277).

### Financial Implications:

The Council's income and expenditure budget figures are as follows:

Vaucluse Bowling Club cost centre 505 project 4301	16.17 actuals	17.18 actuals	18.19 actuals	19.20 actuals	20.21 actuals	20.21 YTD 19.5.21 actuals
<b>Hire Income</b>	<b>\$53,887</b>	<b>\$52,493</b>	<b>\$54,966</b>	<b>\$29,130</b>	<b>\$12,361</b>	<b>\$22,424</b>
Furniture & Fittings < \$3,000	\$0	\$1,035	\$0	\$0	\$0	\$0
Cleaning Contract	\$6,565	\$7,334	\$7,253	\$5,228	\$9,358	\$7,708
Goods & Services		\$0		\$16	\$0	\$0
<b>costs before lease fee</b>	<b>\$6,565</b>	<b>\$8,369</b>	<b>\$7,253</b>	<b>\$5,244</b>	<b>\$9,358</b>	<b>\$7,708</b>
General Contracts (lease fee)	\$44,206	\$44,188	\$44,188	\$44,188	\$44,188	\$44,188
operating costs 505	\$57,336	\$59,891	\$58,694	\$54,676	\$53,546	\$51,896
<b>Net</b>	<b>\$3,116</b>	<b>-\$64</b>	<b>\$3,525</b>	<b>-\$20,302</b>	<b>-\$41,185</b>	<b>-\$29,562</b>
Net excl. lease fee	\$47,322	\$44,124	\$47,713	\$23,886	\$3,003	\$14,716

The income from the tennis courts hirer is \$23,296 (from VBC financial reports year ended June 2020). This rent is currently collected by the Club.

As CLM, Council will cease to pay rent to the Club. The maintenance of the buildings and green space should be able to be paid from savings in rent paid to the Club and income from the tennis court operator and additional hire of the spaces. The utility expenses to which Council already contributes will depend on the usage and will only be able to be estimated once the site is fully operational.

### Resourcing Implications:

Council's Property & Projects staff will manage the upgrade and future maintenance of the buildings. The Open Space teams who maintain Samuel Park will have this facility added to their roster



### **Conclusion:**

Council is an experienced Crown Land Manager and already manages a number of such spaces successfully. Council has previously expressed its desire to be appointed the Crown Land Manager for the site, subject to grant funding being provided to upgrade the structures and playing surfaces to Australian Standards & Codes. This grant funding is now approved subject to Council becoming the Crown Land Manager for this site. Accordingly it is recommended that Council accepts the offer to be appointed as the Crown Land Manager for the Vaucluse Bowling site.

By becoming the Crown Land Manager, Council will ensure increased utilisation of this facility for the betterment of the whole community, given the LGA's identified lack of community facilities and public open space. The proposal also aligns with Council's Disability Inclusion Action Plan and will strengthen community connections with Crown land.

### **Attachments**

1. Letter from Department of Planning & Environment advising Council has been successful in obtaining grant. Includes Funding Deed
2. Letter dated 27 May 2021 from the Department of Planning Industry & Environment- Offer to appoint Council as CLM
3. VBC - Cost report

Department of Planning and Environment



Our Ref: 21/04792

Mr Zubin Marolia  
Manager, Property and Projects  
Woollahra Municipal Council  
zubin.marolia@woollahra.nsw.gov.au

Dear Mr Marolia

**APPLICATION – GREATER SYDNEY CROWN LANDS OPEN SPACE ACTIVATION PROGRAM**

Thank you for your application to the NSW Department of Planning and Environment – Greater Sydney Crown Lands Open Space Activation Program (the Program).

I am pleased to advise that Woollahra Municipal Council has been successful in obtaining a grant of \$3,740,769 (inc. GST) from the Program towards your application for the project at the Vaucluse Bowling Club.

This financial assistance is offered on the terms set out in the attached Funding Deed which includes appointment as Crown land manager under Division 3.2 Crown Land Management Act 2016. The department will commence appointment action immediately upon receipt of an executed deed.

The deed must be executed and returned no later than 23 May 2022 to ensure the project is financed prior to 30 June 2021. No payment will be made after 30 June 2021.

Please note, there is a strict embargo on public announcements on the provision of funding. This is to provide an opportunity for Ministerial announcements in the first instance. You will be advised once the embargo is lifted.

If you require additional information or wish to discuss this matter further, please contact the Strategic Project Team on 0400 603 680 or via [strategicprojects@crowland.nsw.gov.au](mailto:strategicprojects@crowland.nsw.gov.au).

Yours sincerely

**Anna Osland**  
**Manager, Strategic Policy, Strategy, Policy and Transformation**  
**Department of Planning and Environment - Crown Lands**  
10/05/2022

6 Stewart Avenue Newcastle West NSW 2302  
PO Box 2185 Dangar NSW 2309  
Tel: 1300 886 235 [www.industry.nsw.gov.au/lands](http://www.industry.nsw.gov.au/lands) ABN: 20 770 707 468

## Funding Deed

### For Greater Sydney Crown Lands Open Space Activation Program

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## Background

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- A. The NSW Government is supporting NSW communities through a range of funding programs, including the Greater Sydney Crown Lands Open Space Activation Program.
- B. You have applied successfully for funding.
- C. We agree to provide funding to you, and you agree to accept that funding, on the terms and conditions of this Deed.
- D. You agree to appointment as Crown land manager of the Site under section 3.3 of the *Crown Land Management Act 2016*.
- E. The Project must be completed, and all funding paid, within 12 months of receipt of the Grant funding or earlier as specified in this Deed.
- F. You acknowledge that there are serious consequences (including repayment of the Grant) if you fail to use the funds in accordance with this Deed.

## Details

<b>Department</b> (“we/us/our”)	Name	The Crown in right of the State of New South Wales acting through the Department of Planning and Environment – Crown Lands
<b>Our Contact Person</b>	Name	Anna Osland
	Position	Manager, Strategic Policy
	Address	6 Stewart Ave, Newcastle West 2032
	Telephone	0400 603 680
	E-mail	Anna.Osland@crowland.nsw.gov.au
<b>Grantee</b> (“you/your”)	Name	Woollahra Municipal Council
	Address	536 New South Head Road, Double Bay NSW 2028
	ABN	32 218 483 245
<b>Your Contact Person</b>	Name	Zubin Marolia
	Position	Manager, Property and Projects
	Address	PO Box 61, Double Bay NSW 1360
	Telephone	02 9391 7185
	E-mail	zubin.marolia@woollahra.nsw.gov.au
<b>Project</b>	Construct ramps, accessible toilets, undertake necessary urgent structural works and upgrade the building and open space structures of Vaucluse Bowling Club.	
<b>Site</b>	The land where the Project will be constructed, installed or otherwise delivered:	
	Address	Vaucluse Bowling Club 80 New South Head Road VAUCLUSE NSW 2030 Lot 1596 - DP 752011
<b>Grant</b>	A maximum total amount of \$3,400,699 (GST exclusive).	
<b>Commencement Date</b> (of the Deed)	The date that the last party executes this Deed	

## Terms and Conditions

### Definitions and Term

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#### Definitions and Interpretation

##### 1. Interpretation

- 1.1 Unless the context requires otherwise, in this Deed:
- (a) where any time limit pursuant to this Deed falls on a day which is not a Business Day then the time limit will be deemed to have expired on the next Business Day;
  - (b) a reference to a statute, regulation, ordinance or by-law will be deemed to include a reference to all statutes, regulations, ordinances or by-laws amending, consolidating or replacing them from time to time;
  - (c) the meaning of general words is not limited by specific examples introduced by "including" or "for example" or similar expressions;
  - (d) references to persons include bodies corporate, government agencies and vice versa;
  - (e) references to the parties include references to respective directors, officers, employees and agents of the parties;
  - (f) nothing in this Deed is to be interpreted against a party solely on the ground that the party put forward this Deed or any part of it; and
  - (g) where an expression is defined, any other grammatical form of that expression has a corresponding meaning.

1.2 Definitions

**Activity** means the activity(s) described in **Schedule A – Approved Project**

**Activity Period** means 12 months from the date funds are paid.

**Assets** means the infrastructure, facilities or improvements created by the Project.

**Business Day** means any day other than a Saturday, Sunday or public holiday in New South Wales

**Claim** means any cost, expense, loss, damage, claim, action, proceeding or other liability (whether in contract, tort or otherwise), however arising and includes legal costs on a full indemnity basis

**Confidential Information** of a party means all information of whatever description and in whatever form which:

- (a) is by its nature confidential;
- (b) has been designated as confidential by a party;
- (c) is capable of protection at common law or equity as confidential information; or
- (d) is derived or produced partly from the information in paragraphs (a), (b) or (c)

above, but does not include information that:

- (e) is in the public domain; or
- (f) is independently known or developed by the party receiving the information other than because of a breach of this Deed or any other obligation of

confidentiality owed by or to any other person.

**Crown Land Manager** means a manager appointed under the *Crown Lands Management Act 2016*.

**Deed** means this funding deed document and includes the Details, Terms and Conditions, Schedule A – Approved Project, Schedule B- Reporting Requirements and any other documents referred to in this Deed.

**GST Law** means *A New Tax System (Goods and Services Tax) Act 1999*.

**Intellectual Property or IP** includes:

- (a) all rights in relation to copyright, inventions, trademarks, designs, patents; and
- (b) all other rights resulting from intellectual activity in the industrial, scientific, literary or artistic fields including trade secrets and know-how,

but does not include Moral Rights.

**Moral Rights** has the same meaning as in the *Copyright Act 1968 (Cth)*.

**Notice** means any approvals, consents, instructions, orders, directions, statements, requests and certificates, or other communication one party gives to another party in writing under this Deed.

**Personal Information** has the same meaning as in the *Privacy and Personal Information Protection Act 1998 (NSW)*.

**Project Material** means material created as part of or in performance of the Project, including any documents or data.

## 2. Term

- 2.1 This Deed will commence on the Commencement Date.
- 2.2 Unless terminated earlier, this Deed will end once you have completed the Activities to our satisfaction and submitted all relevant Reports.

## What you must do

### 3. Your obligations

- 3.1 You must:
  - (a) ensure the Grant is used only for the approved Project;
  - (b) ensure each Activity is completed within the Activity Period in accordance with this Deed;
  - (c) comply with the reporting requirements set out in **Schedule B**;
  - (d) comply with all Commonwealth, State and Local government laws that are relevant to the Project (including obtaining all approvals e.g. environmental, planning, local Council prior to commencing the project), this Deed, and your registration as an entity;
  - (e) comply with any policies, guidelines and reasonable directions we provide to you;



- (f) manage the Project with due skill and care including in relation to financial management, project planning and risk management;
- (g) not assign your obligations under this Deed to any other party without our prior written consent; and
- (h) if not already appointed Crown Land Manager, accept appointment as Crown Land Manager for the Site under section 3.2 of the *Crown Land Management Act 2016*.

- 3.2 You are responsible for the work undertaken for the Project until completion and are engaged as principal contractor for the work, in accordance with clause 293 of the *WHS Regulation 2017* (NSW). You are authorised to exercise such control of the workplace as is necessary to discharge the duties of principal contractor under that Regulation.
- 3.3 You remain fully responsible for the performance of the project if you subcontract the delivery of any part of the project.
- 3.4 You must ensure that all details provided to us in your funding application or proposal remain current, particularly, that the project remains otherwise unfunded by any other department or grants program.

#### **4. Variation**

- 4.1 If you wish to vary the Project, including any Activity or timeframe set out in Annexure A, you must first make a written request to us and provide any information we reasonably require.
- 4.2 If you submit a request for a variation in **clause 4.1**, we will determine whether to approve your request and notify you in writing. No approval is given until you have received written notification.
- 4.3 You must advise us immediately:
  - (a) if you are unable to proceed with the Project;
  - (b) (where you own or lease the Site) if you propose to sell or lease any part of the Site; and
  - (c) (where you do not own or lease the Site) if you are notified or become aware of a proposal to sell or lease any part of the Site.

#### **5. Consent of land owner**

- 5.1 If you are not the owner or Crown Land Manager of all or part of the Site, you warrant that you:
  - (a) have obtained the written approval and agreement of the land owner to deliver the Project at the Site; and
  - (b) to the maximum extent permitted by law, you agree to indemnify and keep indemnified us and the State from and against any loss arising directly or indirectly from any Claim by the land owner as a result of or in connection with the Project.



## About the Grant

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### 6. Project costs

- 6.1 The Grant is the maximum amount to be paid for the Project and you agree that:
- (a) you have prepared or reviewed the scope of works and costs estimate for the Project before signing this Deed;
  - (b) you are responsible for any costs that exceed the Grant for the Project and you must obtain any additional funds necessary to carry out the Project; and
- 6.2 Where the actual cost of the Project is less than the Grant:
- (a) you must notify us of any unspent Grant before the end of the Project;
  - (b) you may seek our agreement to retain the funds for activities related to the Project; and
  - (c) if requested by us you must return to us any funding that exceeds the actual cost of carrying out the Project (including any interest earned on such funds) within one month after completion of the Project or on termination of this Deed.

### 7. Paying the Grant

- 7.1 We will pay the grant funds to your nominated account within 28 days of signing this Deed.
- 7.2 Notwithstanding **clause 7.1**, the payment is not an admission that the performance of the Project is in conformity with this Deed and will not release you from your obligations under this Deed.

### 8. Withholding, Suspension and Repayment

- 8.1 We may change the amount of a payment made to you by Notice setting out the details of the changes.
- 8.2 If you are not complying with this Deed we may withhold or suspend payment until you comply with your obligations to our satisfaction.
- 8.3 If we withhold or suspend payment you must continue to perform your obligations under this Deed.
- 8.4 If you fail to comply with this Deed, you must repay to us an amount determined at our discretion, which may be a part of the Grant or the whole Grant. We may (but are not obliged to) calculate the amount of repayment you must make having regard to the extent to which you have failed to complete the Activities.
- 8.5 You must repay within 28 days of a demand being sent:
- (a) the repayment amount determined under **clause 8.4**;
  - (b) any grant funding spent in breach of this Deed;
  - (c) all unspent grant funding;
  - (d) any overpayment; and
  - (e) any interest earned on any grant funding required to be repaid.

- 8.6 Any repayment we claim from you under this **clause 8** will be a debt due and owing by you to us.

## **9. Holding of Grant**

- 9.1 The grant funding must be held in trust for our benefit from the date it is received into the nominated account with sufficient accounting controls in place to track the expenditure of the Grant.
- 9.2 Interest earned on the Grant held in a bank account must be used solely for the purpose of the Project.
- 9.3 If the Project is delayed, payments already paid to you must be held in the bank account until:
- (a) they are applied solely for the purpose of the Project; or
  - (b) they are required to be returned or repaid to us in accordance with the terms of this Deed.

## **10. GST**

- 10.1 Unless otherwise indicated, all consideration for any supply under this Deed is inclusive of any GST imposed in relation to the supply.
- 10.2 If:
- (a) despite any other provision of this Deed, GST is imposed on a supply you make to us under this Deed; and
  - (b) we are or will be entitled to receive an input tax credit (as defined in the GST law) in relation to that supply,
  - (c) we will pay you an additional amount equal to the GST imposed on that supply, at the time and in the manner payment is otherwise payable under this Deed in relation to that supply.
- 10.3 If you are registered under the GST Law you must agree to the issuance by the Department of Planning, Industry and Environment of a Recipient Created Tax Invoice (RCTI) in respect to this payment.
- 10.4 If you are not registered under the GST Law you will not be entitled to receive any additional amount as provided under this **clause 10**.
- 10.5 If for any reason we pay you an amount under this **clause 10** which is more than the GST imposed on the supply, you must repay the excess to us on demand or we may set off the excess against any other amounts due to you.

## **Material and Information**

### **11. Reporting Requirements**

#### *Progress reports*

- 11.1 You must provide us with written progress reports at the times and containing information specified in **Schedule B – Reporting Requirements** ("Progress Reports").

- 11.2 If any Progress Report contains information confidential to you, you should mark the relevant parts of the Progress Report accordingly.

*Financial statements*

- 11.3 The financial statements must include a definitive statement as to whether:

- (a) the financial information for the Project represents the financial transactions fairly and is based on proper accounts and records; and
- (b) the Grant was expended for the Project and in accordance with this Deed.

*Accounts and records*

- 11.4 You must keep financial accounts and records relating to the Project to enable:

- (a) all receipts and payments related to the Project to be identified in your accounts and reported in accordance with this Deed;
- (b) unless notified by us, the preparation of financial statements in accordance with Australian Accounting Standards.

- 11.5 You must keep complete and accurate records and books of account with respect to the grant funding and projects and must retain these records for a minimum of seven (7) years after the completion of the project.

*Other information*

- 11.6 You must also provide any other information we reasonably require from time to time concerning the Project within the timeframe requested.

- 11.7 You authorise us and any State Government department that has provided funds for the purposes of the project, to undertake audits, to examine and inspect, at reasonable times and on reasonable notice, any records held by you and allow any such records to be copied.

- 11.8 This project may be the subject of an onsite audit following its completion. You must provide all reasonable assistance to us and our agents or any other State Government department that has provided funds towards the project to carry out any inspections and audits.

## **12. Intellectual Property**

- 12.1 Intellectual Property in all Project Material vests in you.
- 12.2 You grant us a permanent, non-exclusive, irrevocable, royalty-free licence to use, modify, communicate, publish, adapt and sub-licence any report you provide to the Department in connection with this Deed for our purposes.

## **13. Confidential Information**

- 13.1 Each party must maintain the confidentiality of all commercially sensitive information it receives from the other party, except if disclosure is required in accordance with **clause 14** (Public Announcements) or **clause 15** (Disclosure of Information) or as otherwise agreed in writing.

## **14. Public Announcements and Acknowledgement**

14.1 You must:

- (a) seek our consent prior to any public announcement about the Project;
- (b) acknowledge our support as directed from time to time:
  - i. in any publications and public statements about the Project;
  - ii. on the home page of any web site established in connection with the Project;
  - iii. on any equipment or other facility funded wholly or in part by us; and
  - iv. on any signage at the Site.
- (c) in acknowledgements of support you must comply with the applicable NSW Government Funding Acknowledgement Guidelines.

14.2 We may issue public communications and publish information about you, the Project, outcomes and the Grant (including the amount) in the media, including in the form of press releases, case studies, promotional material and in response to media enquiries.

14.3 You must provide us with at least 15 Business Days' notice of any proposed announcements, launches or public events relating to the Project and provide an opportunity for a NSW Government representative to attend and speak at any launch or public event for the Project.

## 15. Disclosure of Information

15.1 You acknowledge that, under the *Government Information (Public Access) Act 2009*, we may be required to publicly disclose information about this Deed. None of the disclosure obligations require the disclosure of:

- (a) the commercial-in-confidence provisions of a contract;
- (b) any matter that could reasonably be expected to affect public safety or security; or
- (c) information which would be exempt from disclosure if it were the subject of an application under the *Government Information (Public Access) Act 2009*.

15.2 You may nominate any items you consider are confidential and why, to assist us in determining what items to disclose.

## Dealing with Risk

### 16. Insurance

16.1 You must maintain adequate insurance to cover the Activity and the Project for the term of this Deed, including public liability and workers compensation insurance as applicable.

16.2 You must ensure these policies remain current and valid and are not rendered void or voidable because of your actions.

16.3 You must provide a copy of valid and current certificates of currency for any of the policies described above at our request.

16.4 Without limitation to **clause 16.1**, each party warrants that it has and will maintain appropriate insurance to cover any liability it may incur in relation to this Deed.

## 17. Indemnities

- 17.1 To the maximum extent permitted by law, you must indemnify and keep indemnified us, the Crown in right of the State of New South Wales, and our officers, employees and agents from and against any loss (including legal costs and expenses on a solicitor/own client basis) or liability incurred or suffered by, or made against, any of those indemnified arising directly or indirectly from any Claim by any person as a result of or in connection with:
- (a) the Grant or the use of any outcomes from the Project;
  - (b) a breach of this Deed by you;
  - (c) any unlawful or negligent act or omission by you, your employees or your subcontractors in connection with this Deed;
  - (d) any illness, injury or death of any person you, your employees or your subcontractors cause or contribute to, in connection with this Deed;
  - (e) any loss or damage to real or personal property you, your employees or your subcontractors cause or contribute to, in connection with this Deed; or
  - (f) any act or omission by you, your employees or your subcontractors in connection with this Deed that is in infringement of any Intellectual Property, or privacy rights of us or any third party.
- 17.2 Your liability to indemnify us under this clause will be reduced proportionately to the extent that any negligent or unlawful act or omission by us, our officers, employees or agents contributed to the relevant loss or liability.
- 17.3 Your liability to indemnify us under this clause does not exclude or reduce the liability of, or benefit to, a party that may arise by operation of the common law, statute or the other terms of this Deed.

## Terminating the Deed

### 18. Termination

- 18.1 Where a party has breached this Deed:
- (a) the other party may give a Notice to that party requiring it to rectify that breach within 30 days of receiving that Notice; and
  - (b) if the party which received the Notice fails to rectify that breach in time, the other party may terminate this Deed immediately by giving a further Notice.
- 18.2 We may terminate this Deed by Notice, with effect on the date stated in the Notice, if:
- (a) we consider that you have provided intentionally misleading or incorrect information as part of the application for grant funding or as part of this Deed;
  - (b) you use the Grant for purposes other than the Project;
  - (c) we consider that it is necessary to terminate this Deed to protect our reputation or the reputation of the NSW Government;
  - (d) you breach any of the following provisions: **clause 3** (Your Obligations), **clause 9** (Holding of Grant), **clause 11** (Reporting Requirements), **clause 16** (Insurance) or **clause 21.9** (Assignment);



- (e) we consider the Project no longer viable;
- (f) we consider that there has been a material change in circumstances in your financial position, structure or identity; or
- (g) you become insolvent, are the subject of a debtors or creditors petition under the *Bankruptcy Act 1966*, resolve to go into administration or liquidation, or if a summons for your winding up is presented to a Court or you enter into any scheme of arrangement with your creditors.

- 18.3 This **clause 18** does not exclude or reduce the rights of a party to terminate the Agreement arising by operation of the common law or statute or the other terms of this Agreement.
- 18.4 On termination or expiry of this Deed accrued rights and obligations are not affected.

## Other Legal Matters

### 19. Dispute Resolution

- 19.1 If a dispute arises in relation to this Deed ("a Dispute"), a party must comply with this **clause 19** before starting arbitration or court proceedings except proceedings for urgent interlocutory relief.
- 19.2 A party claiming that a dispute has arisen must notify the other party in writing giving details of the dispute (Dispute Notice) in accordance with the requirements of **clause 20**(Notices).
- 19.3 Following receipt of a Dispute Notice, each party must refer the Dispute to a senior representative, who:
- (a) does not have prior direct involvement in the Dispute; and
  - (b) has authority to negotiate and settle the Dispute.
- 19.4 If the Dispute is not resolved within 10 Business Days, from the date the Dispute Notice is received by the party to whom the Dispute Notice is given, the party which gave the Dispute Notice under **clause 19.2** must refer the Dispute for mediation by the Australian Disputes Centre Limited (ADC) for resolution in accordance with the mediation rules of the ADC.
- 19.5 If the Dispute is not resolved within 40 Business Days after referral to mediation either party may initiate proceedings in court.
- 19.6 Each party must pay its own costs of complying with this clause and share the costs of the mediator evenly.

### 20. Notices

- 20.1 Unless otherwise stated in this Deed, all Notices to be given under this Deed must be in writing, and hand-delivered or emailed to the Contact Person specified in the Details.
- 20.2 The receiving party will be deemed to have received the Notice as follows:
- (a) if hand delivered, on the day on which it is delivered or left at the relevant address;
  - (b) if sent by email before 5.00pm on a Business Day, the first of the following occurring:

- i. when the sender receives an automated message confirming delivery; or
    - ii. four hours after the time sent (as recorded on the device from which the sender sent the email) unless the sender receives an automated message that the email has not been delivered.
  - (c) if sent by email after 5pm on a Business Day or on a day that is not a Business Day, then it will be deemed to be received on the next Business Day.
- 20.3 The above mode of service will be valid notwithstanding any other matter or event whatsoever.

## **21. General**

- 21.1 **Survival:** The following clauses survive termination or expiry of this Deed: **clause 1** (Reporting Requirements), **clause 13** (Confidential Information), **clause 16** (Insurance), **clause 17** (Indemnities), **clause 18** (Termination), this **clause 21.1** and any other clause which by its nature is intended to survive this Deed.
- 21.2 **Subcontractors:** You remain fully responsible for the performance of the Project if you subcontract the performance of any part of the Project.
- 21.3 **Conflict of Interest:** You must not be involved in any activity or business which may conflict with, or adversely affect, your ability to carry out your obligations under this Deed, and you will immediately notify us in writing if a conflict or risk of a conflict arises.
- 21.4 **Entire agreement:** This Deed states all the express terms agreed by the parties as to the matters referred to in this Deed. It supersedes all prior contracts, obligations, representations, conduct and understandings between the parties relating to the subject matter of this Deed.
- 21.5 **Inconsistency:** If there is any inconsistency between provisions of this Deed then the order of precedence will be:
- (a) the **Details**; then
  - (b) these **Terms and Conditions**;
  - (c) any **Schedules**; then
  - (d) any **attachments** or documents referenced in this Deed.

### **21.6 No of employment, partnership or agency**

- (a) This Deed does not create a relationship of agency, partnership, and/or employment the parties.
- (b) You must not represent yourself as being our employee or agent or otherwise able to bind or represent us.

### **21.7 Waiver**

- (a) If a party fails to exercise any of its rights under this Deed, or delays exercising those rights, that failure or delay will not operate as a waiver of those rights or any future rights or in any respect estop a party from relying on the terms of this Deed to their full force and effect.
- (b) Any waiver by a party of a breach of this Deed must be in writing and will not be construed as a waiver of any further breach of the same or any other provision.

- 21.8 **Assignment:** You must not assign or novate your obligations or interests under this Deed, without our prior written consent.
- 21.9 **Counterparts:** This Deed may be signed in any number of counterparts which taken together constitute one instrument.
- 21.10 **Governing Law:** The laws of New South Wales govern this Deed and the parties submit to the non-exclusive jurisdiction of the courts in that State.



## Executed as a deed

### Department

Signed, sealed and delivered for and on behalf of the Crown in right of the State of New South Wales acting through the **Department** by its authorised signatory but not so as to incur personal liability

Signature of Authorised Signatory

Signature of  
Witness

Name of Authorised Signatory

Name of Witness

Position of Authorised Signatory

Address of Witness

Date

### You (Council)

Signed, Sealed and delivered for on and on behalf of **Woollahra Municipal Council** by its authorised delegate in accordance with section 377 and/or 378 of the *Local Government Act 1993* (NSW) by:

Signature of authorised delegate

Signature of witness

Name of authorised delegate

Name of witness

Date

Date

## Schedule A – Approved Project

The approved project is the upgrade of Vaucluse Bowling Club, as detailed in the project application and supporting documentation, at \$3,400,699 (GST exclusive)

The project aims to make Vaucluse Bowling Club and its surrounding open space accessible and a focal point for community life. Improvements include, but are not limited to:

- Upgraded tennis courts and bowling green surfaces
- Accessible toilet block, with upgraded main entry for disability access, and a new accessible ramp – which will be made publicly accessible during daylight hours
- Upgraded retaining walls and access ramps
- Repairs to the bowling sheds and garden shed
- Repairs to the roof, gutters, drainage, floor, walls, fencing and balustrades.
- New carpets, new kitchen equipment, new air conditioning and ventilation in the toilets, and painting work.

The project will enable greater compliance with Australian Standards and Building Codes, the *Disability and Discrimination Act 1992*, and is in line with the following policies and strategies:

- Crown Land 2031 – Strengthen Community Connections Priority
- Council's draft Generic Plan of Management for Crown Reserves 2021
- Council's draft Recreation Strategy 2021
- Council's Disability Inclusion Action Plan

Upon receiving receipt of the executed Deed, Council will be appointed as Crown land manager for the site under Division 3.2 of the *Crown Land Management Act 2016*.

Proposal Element	Start Date	End Date	Total Cost (GST incl)	GSCLOSAP Funds	Other sources of funds
Demolition and Hazmats Removal	April 2022	May 2022	\$ 238,429	\$ 238,429	NIL
Structural Upgrade As Per Ashby Doble Report	May 2022	September 2022	\$ 802,472	\$ 802,472	NIL
Functional Upgrade - Stage 1	May 2022	October 2022	\$ 456,805	\$ 456,805	NIL
M & E Upgrade	May 2022	September 2022	\$ 139,892	\$ 139,892	NIL
Disable Toilet (1 No.)	June 2022	September 2022	\$ 72,438	\$ 72,438	NIL
Functional Upgrade - Stage 2	June 2022	November 2022	\$ 686,382	\$ 686,382	NIL
Toilet & Changeroom Upgrade	July 2022	September 2022	\$ 520,618	\$ 520,618	NIL
Kitchen & Bar Upgrade	August 2022	October 2022	\$ 526,083	\$ 526,083	NIL
AV & Special lighting Upgrade	May 2022	October 2022	\$ 174,866	\$ 174,866	NIL
Tennis Court & Bowling Greens	Sept 2022	November 2022	\$ 122,784	\$ 122,784	NIL
<b>TOTAL</b>			<b>\$ 3,740,769</b>	<b>\$ 3,740,769</b>	

## **Schedule B – Reporting Requirements**

---

1. At our request you must provide us monthly Progress Reports, as per the report template, on the status of all ongoing and completed Activities for the period to which the report relates, consisting of:
  - (a) all Activities undertaken during the reporting period;
  - (b) the status of results achieved to date from the Project;
  - (c) the amount of the funding from the Grant and what has been expended on the Activity far; including but not limited to commencement dates, engagement of local trades and services, moneys spent and expected completion dates; and
  - (d) any other Project information which we request.
2. To enable promotion of the Project you must notify us when:
  - (a) Physical works commence
  - (b) Major construction milestones
  - (c) Completion of the Project.
3. You must provide us with a final project report, as per the report template, within 3 months of the project's completion. You are responsible for seeking our prior written approval if an extension for provision of the final project report is required.
4. The final project report must demonstrate that the works have been satisfactorily completed and the funds fully expended or surplus funds returned. Documentation in the form of before and after photos (wherever relevant) and proof of expenditure must be submitted with the report.
5. Failure to submit this report may render you ineligible for future funding from us.



Planning,  
Industry &  
Environment

Our Ref: 19/07682#05

Mr Tom O'Hanlon  
Director Technical Services  
Woollahra Municipal Council  
536 New South Head Road  
Double Bay NSW 2038

By email only: [tom.ohanlon@woollahra.nsw.gov.au](mailto:tom.ohanlon@woollahra.nsw.gov.au)

Dear Mr O'Hanlon

I refer to your letter dated 18 May 2020 reconfirming Woollahra Municipal Council's interest in being appointed Crown Land Manager (CLM) over Crown land at 80-82 New South Head Road, Vaucluse, being Lot 1596 in Deposited Plan 752011, known as Vaucluse Bowling Club (Club) and our onsite meeting 18 May 2021.

As discussed, as part of the lease application process, the Department of Planning, Industry and Environment – Crown Lands (Department) completed a Land Allocation Assessment (LAA), to determine the most appropriate future management option for the land, to optimise its ongoing use for open space and community recreation.

The LAA considered many factors, including:

- the Department's Policy on the Sale or Lease of Crown Land by Direct Negotiation and the Club's associated business case;
- the social, economic and environmental values of the land;
- the land use planning context;
- the condition and future maintenance requirements of existing improvements; and
- submissions/consultation with Council.

The LAA has recommended that:

- Council be approached for formal consideration of appointment as CLM, transferring responsibility for ongoing management of the land to Council; and if agreed,
- the land be added to the adjoining Crown Reserve R62037 for *Public Recreation*, known as Samuel Park, already managed by Council as CLM

The Department acknowledges that the position outlined above is subject to a resolution by Council that accepts the appointment of CLM and final approval by the Minister administering the *Crown Land Management Act 2016*.

NSW Department of Planning, Industry and Environment – Crown Land  
PO Box 2185, Dangar NSW 2309  
Tel: 1300 886 235 – Email: [leasing@crowland.nsw.gov.au](mailto:leasing@crowland.nsw.gov.au) - [industry.nsw.gov.au/lands](mailto:industry.nsw.gov.au/lands)

Council has indicated it will need to complete its own due diligence in accepting the CLM appointment, and to this point, the department has no further information or reports that would assist Council in undertaking this process.

Please note, if Council was to accept appointment as CLM as per the requirements of the *Crown Land Management Act 2016* (CLMA) and *Local Government Act 1993*, Council is required to prepare a Plan of Management (PoM) over the site (Note: An amendment is currently being considered to the CLMA about timing of such PoMs). Whilst this is being prepared, Council may only grant a short-term licence with a maximum term of 12 months, or certain tenures for existing uses or to not-for-profit, community organisations or emergency services organisations pursuant to clause 70 of the *Crown Land Management Regulation 2018*. Otherwise, the nature and use of the reserve cannot be changed without provision in an adopted PoM (s.44 LG Act).

The Department awaits your formal advice on appointment as CLM. In the event Council agrees, it is likely that the formal appointment process may take up to 3 months to finalise from notification of resolution. The Department would then need to terminate any existing lease with the Vaucluse Bowling Club Ltd to enable this to occur.

Please note that the current leaseholder has been informed of the Department's position. A copy of our letter to the Club is attached for your reference. As outlined in this letter, it would be appreciated if Council could continue discussions with the Club regarding their continued use of the site for bowling/croquet purposes under the management of Council. It would be preferred that any Council tenure with the Club commences in line with the formal CLM appointment and the termination of the existing lease between the Department and the Club.

I look forward to receiving the outcome of Council's resolution on the matter. If you have any questions, please do not hesitate to contact me on 0447 845 483 or [tim.deverell@crownland.nsw.gov.au](mailto:tim.deverell@crownland.nsw.gov.au)

Yours sincerely



Tim Deverell  
**Director Operations and Strategic Projects – Greater Sydney Region**

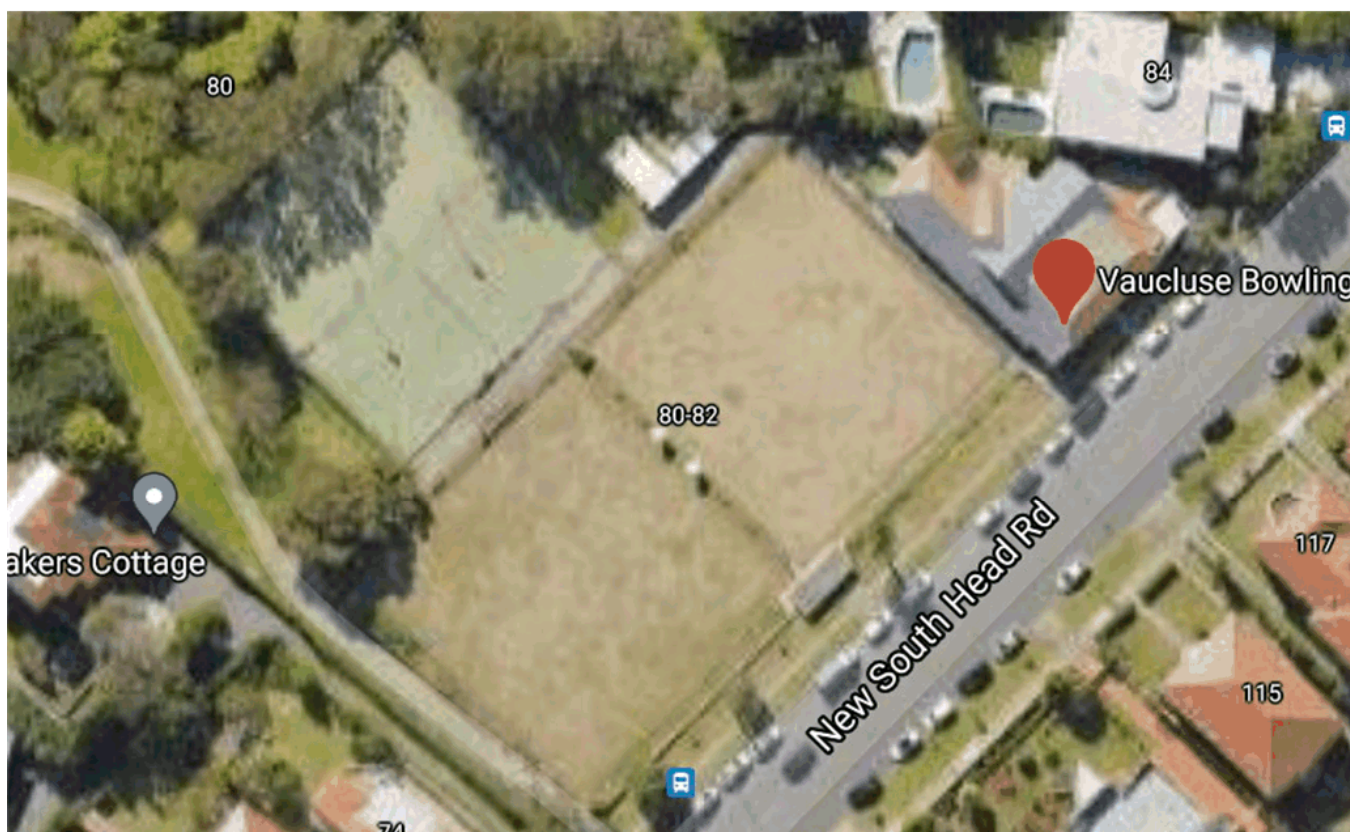
27 May 2021





## Proposed Vaucluse Bowling Club Upgrade

### High Level Cost Estimate Vaucluse Bowling Club Upgrade



PROJECT NO.:	71130.TBC.000
REVIEWED BY:	Niall McSweeney
DOCUMENT TITLE:	Vaucluse Bowling Club Upgrade
ISSUE DATE:	15 <sup>th</sup> July 2021

**AltusExpertServices**

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## Quality Information

Document: Vaucluse Bowling Club Upgrade

Project No.: 71130. TBC.000

Prepared By: Kirk Chan

Reviewed By: Niall McSweeney

### Issue Register

Version	Issue Date	Details	Authorised	
			Name (Position)	Signature
0	15-07-2021	High Level Cost Estimate no.1	Niall McSweeney (Senior Director)	



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## 1. Executive Summary

Altus Group (Altus) has been engaged by Woollahra Municipal Council to undertake an Order of Cost estimate relating to the proposed upgrade of the Vaucluse Bowling Club. The Total Gross Construction Cost (G.C.C.) for the Construction works including Fees as of the 15<sup>th</sup> July 2021 is set out below. Please note these costs include Preliminaries and Margins and Fees, however exclude, Land, Finance, Legal and Staging:

Trade	Essential upgrade	Future upgrade in 3 years	Total
Demolition and Hazmats Removal	\$ 136,350.00	\$ -	\$ 136,350.00
Structural Upgrade As Per Ashby Doble Report	\$ 458,908.00	\$ -	\$ 458,908.00
Functional Upgrade - Current	\$ 261,232.00	\$ -	\$ 261,232.00
M & E Upgrade	\$ 80,000.00	\$ -	\$ 80,000.00
Disable Toilet (1 No.)	\$ 41,425.00	\$ -	\$ 41,425.00
Functional Upgrade in 3 years	\$ -	\$ 392,520.00	\$ 392,520.00
Toilet & Changeroom Upgrade	\$ -	\$ 297,725.00	\$ 297,725.00
Kitchen & Bar Upgrade	\$ -	\$ 300,850.00	\$ 300,850.00
AV & Special lighting Upgrade	\$ -	\$ 100,000.00	\$ 100,000.00
Tennis Court & Bowling Greens		\$ 70,216.00	\$ 70,216.00
<b>Subtotal Trades</b>	<b>\$ 977,915.00</b>	<b>\$ 1,161,311.00</b>	<b>\$ 2,139,226.00</b>
Preliminaries (18%)	\$ 176,025.00	\$ 209,036.00	\$ 385,061.00
Overheads Recovery And Margin (5%)	\$ 57,697.00	\$ 68,517.00	\$ 126,214.00
Contingency (10%)	\$ 121,164.00	\$ 143,886.00	\$ 265,050.00
<b>Total Construction Cost</b>	<b>\$ 1,332,801.00</b>	<b>\$ 1,582,750.00</b>	<b>\$ 2,915,551.00</b>
Consultant's Fees (8%)	\$ 106,624.00	\$ 126,620.00	\$ 233,244.00
Design / Scope Contingency (8%)	\$ 115,154.00	\$ 136,750.00	\$ 251,904.00
<b>Total Budget (Excl Gst)</b>	<b>\$ 1,554,579.00</b>	<b>\$ 1,846,120.00</b>	<b>\$ 3,400,699.00</b>

We draw your attention to our list of risks, assumptions and exclusions included within this report on page 6-8.



## 2. Introduction / Project Brief

### 2.1 Introduction

On the instructions of Woollahra Municipal Council, Altus Group has complied and priced a High-level Cost Estimate for the proposed upgrade works at the Vacluse Bowling Club bring the facility to comply with current Australian standards. Please read this report in conjunction with our notes, assumptions, qualifications, and exclusions as per relevant sections of this report, particularly when reviewing costs and calculations. This report has been prepared following a review of the documents provided by Woollahra Municipal Council, which has formed the basis of the estimate.

### 2.2 Scope of Works

The scope of the Vacluse Bowling Club Upgrade includes the following:

- Demolition and Hazmats Removal
- Structural Upgrade as per Ashby Doble Report
- Functional Upgrade - Current
- M & E Upgrade
- Disable Toilet (1 No.)
- Functional Upgrade in 3 years
- Toilet & Changeroom Upgrade
- Kitchen & Bar Upgrade
- AV & Special lighting Upgrade
- Tennis Court & Bowling Greens External works

DESCRIPTION OF ITEM	ITEM DETAILS
<b>General Information (Ref App B for detail)</b>	
FECA	511 m2
UCA	12m2
<b>Total GFA</b>	<b>523 m2</b>

We stress that the estimated costs produced by AG are of high-level estimate (at this time) and strongly recommend that it be used for review in line with status of current design information only. As we are in the early stage of design and specification development, costs are most likely subject to change, hence AG has made an allowance of 8% Design Contingency and 10% for Construction Contingencies.



## 2.3 Drawings & Documentation Used

This cost plan and associated measurements has been prepared based on the documentation received by this office outlined below:

1. Asbestos Building Materials Register & Management Plan dated 13 May 2019
2. Structural assessment of Vaucluse Bowling Club by Ashby Doble dated 21 June 2021
3. Electrical and Mechanical Audit of existing services by CBD Mechanical electrical

## 2.4 Qualifications and Representations

We make the following qualifications and representations within the Order of Cost Plan:

We have included the following Provisional allowance

- \$47,750 allowance for asbestos removal,
- \$50,000 lead dust removal
- \$10,000 allowance for make good to Garden shed
- \$10,000 allowance for make good to Bowling shed
- \$10,000 for clean and repair existing sump to Northern side of site
- \$30,000 for upgrade existing ramp
- Floor to ceiling height assume 3m
- Services
- Allowance of Services upgrade based on engineer's report
- Male Toilet ventilation system \$10,000
- Female Toilet ventilation system \$10,000
- Main Switchboard \$50,000
- Emergency and exit lighting system \$10,000
- Make good to existing kitchen drainage system \$10,000
- External Works and Site Services
- We have made allowances for these items noting that the scope of works is not clear and subject to change.
- Preliminaries and Margin
- We have allowed Preliminaries at 18% and Margin at 5%.
- Generally
- Please refer to the AIQS published Australian Cost Management Manual (ACMM) for definitions relating to the GFA, FECA and UCA measures.
- Preliminaries items include: Site Establishment, Waste Management and Disposal, Contract Administration, Traffic Control, Site Management, Staff Overheads, Site Consumables, Project Co-ordination, Safety Allowances and Systems (including scaffolding) etc.
- Contractor's Margin allowance has been included at competitive tendering rates and we believe the allowance and percentage allowed for is within market rate and is reasonable for a job of this size and scope.
- Contingencies have been included in the overall budget at 8% for design, 10% for construction.



## 2.5 Risks

1. Potential for other existing in-ground services being discovered.
2. Limited information on existing ground geo-tech condition, requirements to amplify/augment existing site services.
3. Latent Defects within Existing Building Fabric  
We have made reasonable allowances for works to the existing elements however, due to the limited information available at the time of this report regarding the existing condition of the buildings, we suggest further investigations be carried out to identify potential latent risks prior to finalisation of construction budgets.
4. Staging Cost  
This cost report does not include any allowances for staging of the works, and it is based on current market price only.
5. Underpinning Substructure to Existing Building  
We have assumed that the foundations and substructure of the existing buildings are generally adequate and will not require underpinning or additional reinforcement to support the proposed refurbishment works internally.  
Hazardous Materials  
We have made allowances totalling \$97,750 for the handling, removal, and disposal of contaminated and hazardous materials (including but not limited to lead based paints, asbestos, and all other hazardous materials) within the fabric of the existing buildings.
6. Building Services  
Due to the stage of design at present, we have made allowances based on \$/m2. We recommend that a more detailed costing of the services is completed as soon as services design becomes available.
7. Ecologically Sustainable Development  
We have made no allowances for works associated with the Ecologically Sustainable Items in this Cost Plan however, due to the limited information available at the time of this report.

It is important to note that as the project is still progressing through the early stages of design and the cost plan represents an estimated budget only. We would strongly recommend that a more detailed estimate be prepared at a later stage when further designs-developed information including structural design and detailed services design documentation become available.



## 2.6 Exclusions

The following items have been excluded in the Order of Cost Plan:

- Photovoltaic systems
- Financing Costs, Holding Costs and other Developer's Costs not noted in the Main Summary of Costs
- Structural Strengthening UNO, Underpinning of neighbouring / adjacent structures
- Costs associated with change of use of land.
- Upgrade to tennis court and Bowling Greens
- Out of Hours Work.
- Road Closure Costs.
- Costs associated with changes to legislation.
- Council Fees, Construction Certificates, Section 94 Development Contributions, Section 73 fees, Licenses, Levies and Permits.
- Roller door to loading dock
- Escalation
- Leasing Fees.
- Legal and Agents Fees.
- Staging Cost, Delay Costs & Escalation.
- Relocation/decanting costs.
- Blinds/Curtain.
- Latent conditions including site remediation works and disposal of contaminated materials.
- Loose furnishings (unfixed tables, chairs, shelves etc.) to community spaces and Care unit
- Upgrade or diversions of existing services and substation/ infrastructure works
- Renovation works to other buildings.
- Works beyond the site boundary, unless otherwise noted



## Appendix A – Area Definition

---

The term **Gross Floor Area (GFA)** used in this document is the sum of the "Fully Enclosed Covered Area" and "Unenclosed Covered Area" as defined below.

### **Fully Enclosed Covered Area (FECA)**

*The sum of all such areas at all building floor levels, including basements (except unexcavated portions), floored roof spaces and attics, garages, penthouses, enclosed porches and attached enclosed covered ways alongside buildings, equipment rooms, lift shafts, vertical ducts, staircases and any other fully enclosed spaces and usable areas of the building, computed by measuring from the normal inside face of exterior walls but ignoring any projections such as plinths, columns, piers and the like which project from the normal inside face of exterior walls.*

*It shall not include open courts, light wells, connecting or isolated covered ways and net open areas of upper portions of rooms, lobbies, halls, interstitial spaces and the like which extend through the storey being computed.*

### **Unenclosed Covered Area (UCA)**

*The sum of all such areas at all building floor levels, including roofed balconies, open verandahs, porches and porticos, attached open covered ways alongside buildings, undercrofts and usable space under buildings, unenclosed access galleries (including ground floor) and any other trafficable covered areas of the building which are not totally enclosed by full height walls, computed by measuring the areas between the enclosing walls or balustrade (i.e. from the inside face of the UCA excluding the wall or balustrade thickness). When the covering element (i.e. roof or upper floor) is supported by columns, is cantilevered or is suspended, or any combination of these, the measurements shall be taken to the edge of the paving or the edge of the cover, whichever is the lesser.*

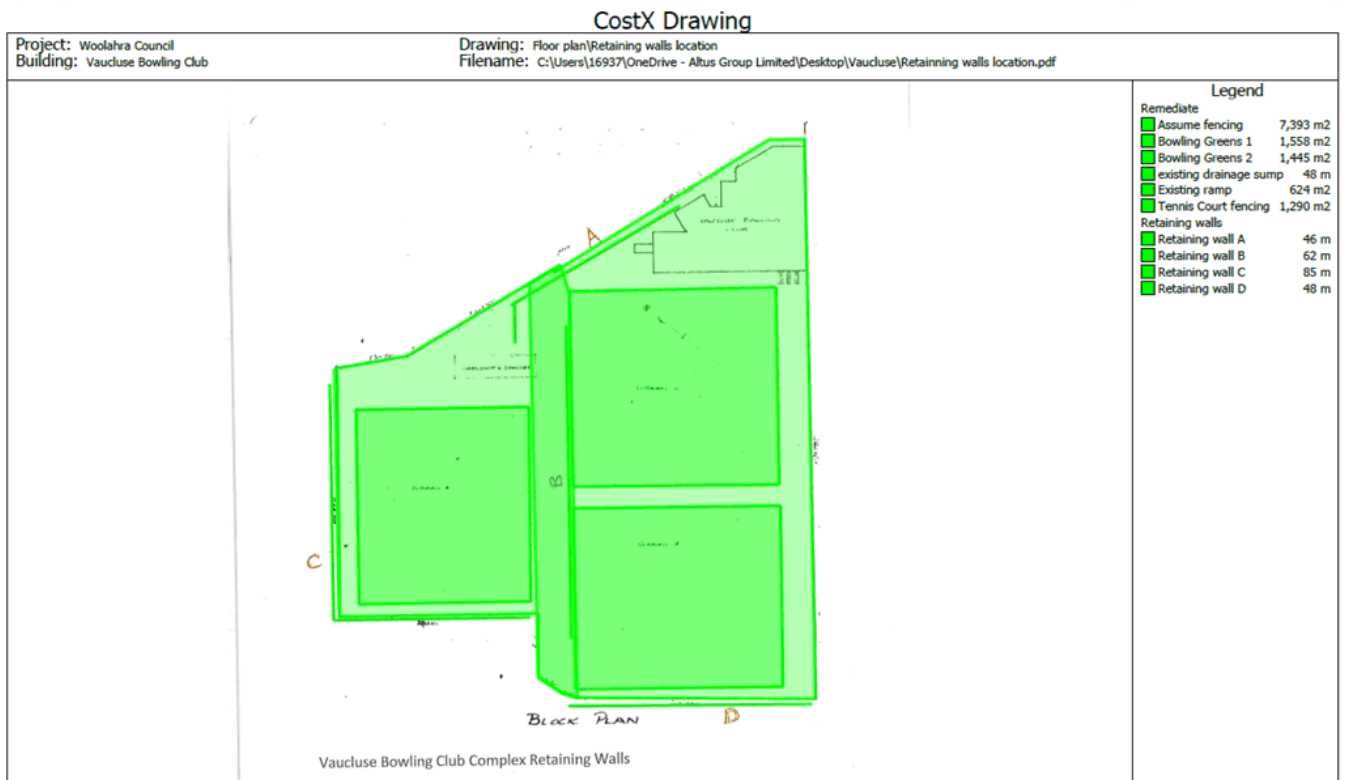
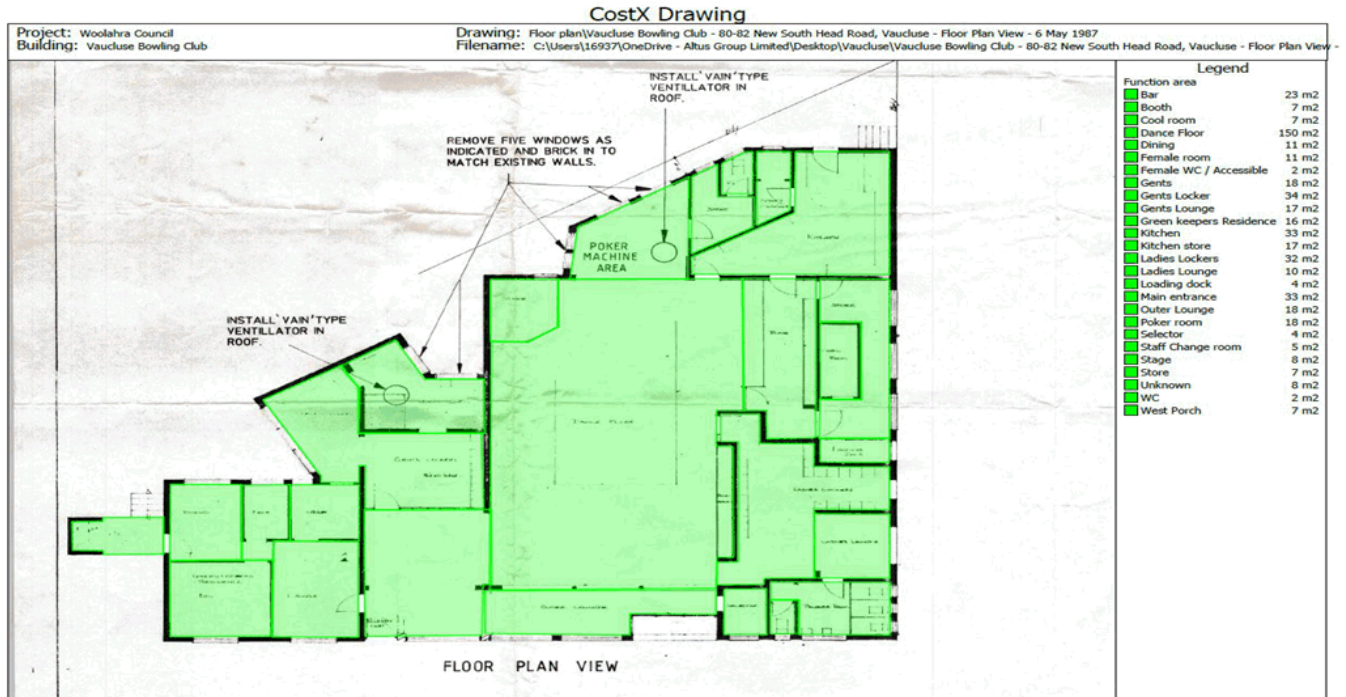
*UCA shall not include eaves overhangs, sun shading, awnings and the like where these do not relate to clearly defined trafficable covered areas, nor shall it include connecting or isolated covered ways which are elements of external works or outbuildings.*

The definitions of FECA and UCA above are consistent with the definitions in the Australian Cost Management Manual published by the Australian Institute of Quantity Surveyors.

**It should be noted that local councils or authorities may adopt other definitions for Gross Floor Area for the purposes of floor space ratio calculations or the likes.**



## Appendix B – GFA Area Markups





## Appendix C – Cost Plan Order of Costs

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Client: Woollahra Council  
Project: Vaucluse Bowling Club  
Report: Preliminary Cost plan 15.07.21 R2

Ref.	Description	Quantity	Unit	Rate	Total
	DEMOLITION AND HAZMATS REMOVAL	523	m2	260.71	136,350
	STRUCTURAL UPGRADE AS PER ASHBY DOBLE REPORT	523	m2	877.45	458,908
	FUNCTIONAL UPGRADE - CURRENT	523	m2	499.49	261,232
	M & E UPGRADE	523	m2	152.96	80,000
	DISABLE TOILET (1 NO.)	7	m2	5,917.86	41,425
	<b>SUBTOTAL TRADES</b>	523	m2	<b>1,869.82</b>	<b>977,915</b>
	PRELIMINARIES	18	%		176,025
	OVERHEADS RECOVERY AND MARGIN	5	%		57,697
	CONTINGENCY	10	%		121,164
	<b>TOTAL PART 1 ESSENTIAL UPDGRADE CONSTRUCTION COST</b>	<b>523</b>	<b>m2</b>	<b>2,548.38</b>	<b>1,332,801</b>
	CONSULTANT'S FEES	8	%		106,624
	DESIGN / SCOPE CONTINGENCY	8	%		115,154
	<b>SUBTOTAL ESSENTIAL UPDGRADE COSTS (EXCL GST)</b>	<b>523</b>	<b>m2</b>	<b>2,972.43</b>	<b>1,554,579</b>
	FUNCTIONAL UPGRADE IN 3 YEARS	523	m2	750.52	392,520
	TOILET & CHANGEROOM UPGRADE	115	m2	2,588.91	297,725
	KITCHEN & BAR UPGRADE	80	m2	3,760.63	300,850
	AV & SPECIAL LIGHTING UPDGRADE	523	m2	191.20	100,000
	TENNIS COURT & BOWLING GREENS	4,295	m2	16.35	70,216
	<b>SUBTOTAL TRADES</b>	<b>523</b>	<b>m2</b>	<b>2,220.48</b>	<b>1,161,311</b>
	PRELIMINARIES	18	%		209,036
	OVERHEADS RECOVERY AND MARGIN	5	%		68,517
	CONTINGENCY	10	%		143,886
	<b>TOTAL CONSTRUCTION COST</b>	<b>523</b>	<b>m2</b>	<b>3,026.29</b>	<b>1,582,750</b>
	CONSULTANT'S FEES	8	%		126,620
	DESIGN / SCOPE CONTINGENCY	8	%		136,750
	ESCALATION		%		excl
	<b>SUBTOTAL FUNCATIONAL UPGRADE COSTS (EXCL GST)</b>	<b>523</b>	<b>m2</b>	<b>3,529.87</b>	<b>1,846,120</b>
	<b>TOTAL COST</b>	<b>523</b>	<b>m2</b>	<b>6,502.29</b>	<b>3,400,699</b>



Client: Woollahra Council  
Project: Vaucluse Bowling Club  
Report: Preliminary Cost plan 15.07.21 R2

Ref.	Description	Quantity	Unit	Rate	Total
<b>DEMOLITION AND HAZMATS REMOVAL</b>					
	PC allowance for asbestos removal				
	ID 1 Asbestos Cement eaves lining	150	m	50.00	7,500
	ID 2 Asbestos Cement sheets gables	30	m	50.00	1,500
	ID 3 Asbestos Cement sheets rear eastern lane way	20	m2	150.00	3,000
	ID 8 Floor - Blue vinyl tiles around Bar area	30	m2	150.00	4,500
	ID 9 Floor - Green vinyl tiles around bar area	30	m2	150.00	4,500
	ID 10 Ceiling Panels - Asbestos cement sheeting Central western entrance	4	m2	150.00	600
	ID 13 Floor - Grey vinyl tiles around hot water system Kitchen	1	m2	150.00	150
	ID 17 Southern wall -Western end - Electrical distribution boxes (2) - Eastern box	1	item	1,500.00	1,500
	ID 21 Ceiling Panels - Asbestos cement sheeting western side of the Building	30	m2	150.00	4,500
	PC Allowance for asbestos not noted in the report	1	item	20,000.00	20,000
	PC Allowance for lead dust not noted in the report	1	item	50,000.00	50,000
	Replace building components where hazmat removed				
	Eaves lining	150	m	100.00	15,000
	Gables	30	m	80.00	2,400
	Vinyl tiles to Bar area & make good	60	m2	120.00	7,200
	New ceiling tiles to Central western entrance	4	m2	250.00	1,000
	Tiling to hot water system kitchen	1	m2	500.00	500
	Electrical distribution boxes (2) - Eastern box	1	item	5,000.00	5,000
	Ceiling Panels to western side of the Building	30	m2	250.00	7,500
	Lead Dust removal to ceiling is excluded (Potential cost of \$50k could arise if lead dust is encountered)		note		Excl
<b>DEMOLITION AND HAZMATS REMOVAL TOTAL</b>					<b>136,350</b>



Client: Woollahra Council  
Project: Vaucluse Bowling Club  
Report: Preliminary Cost plan 15.07.21 R2

Ref.	Description	Quantity	Unit	Rate	Total
<b>STRUCTURAL UPGRADE AS PER ASHBY DOBLE REPORT</b>					
	<u>As per Ashby Doble report dated 21.06.21 Section 3.02 Main Building structure</u>				
	<u>Existing Brick wall</u>				
	Repoint existing brick wall as necessary (Assume 4m high)	443	m2	200.00	88,648
	Allow for make good and replace existing lintel as necessary	29	no	2,000.00	58,000
	<u>Floor structure</u>				
	Allow to general clean existing subfloor area to allow further inspection	523	m2	20.00	10,460
	Allow for termites/ pest control	523	m2	15.00	7,845
	<u>Roof structure</u>				
	Allowance for patch and cleaning existing supporting beams with corrosive inhabiting paint	1	item	5,000.00	5,000
	Allow for structural strengthening to existing roof frame	523	m2	50.00	26,150
	<b>3.04 Garden Shed</b>				
	No Details- PC allowance \$10,000	1	item	10,000.00	10,000
	<b>3.05 Bowling shed</b>				
	No Details- PC allowance \$10,000	1	item	10,000.00	10,000
	<u>3.06 Retaining wall as per ashby doble report dated 21.06.21</u>				
	<u>Retaining wall A</u>				
	PC Allowance for partial rebuild (Assume 1 metre high)	46	m2	200.00	9,274
	<u>Retaining wall B (1m to 2.5m high, avg 1.75m height)</u>				
	Allow for make good and patch existing wall	108	m2	100.00	10,778
	Allow for soil anchor/ to existing wall	3	no	2,500.00	7,500
	<u>Retaining wall C (up to 4.5m height)</u>				
	Allow for make good and patch existing wall ( Assume avg 2m high)	170	m2	100.00	16,998
	Allow for soil anchor/ to existing wall	10	no	2,500.00	25,000
	<u>Retaining wall D (Assume avg 1m high)</u>				
	PC Allowance for partial rebuild	48	m2	150.00	7,185
	<u>3.08 existing drainage sump</u>				
	Clean and repair existing sump northern side of the site as necessary	1	item	10,000.00	10,000
	<u>3.09 existing ramp to lower level</u>				
	Allow for removal of existing ramp, regrade level and install new ramp	624	m2	250.00	156,070
<b>STRUCTURAL UPGRADE AS PER ASHBY DOBLE REPORT TOTAL</b>					<b>458,908</b>



Client: Woollahra Council  
Project: Vaucluse Bowling Club  
Report: Preliminary Cost plan 15.07.21 R2

Ref.	Description	Quantity	Unit	Rate	Total
<b>FUNCTIONAL UPGRADE - CURRENT</b>					
<u>Roofing &amp; roof structure</u>					
	Gutter & downpipe grade are in good condition allow for clean and repaint only	523	m2	15.00	7,845
<u>Floor Finishes</u>					
	Removal existing Carpet to Dance floor and replace with new carpet	283	m2	100.00	28,300
	Make good to existing stage	1	item	3,500.00	3,500
<u>Ceiling Finishes</u>					
	Painting & make good to Ceilings	292	m2	50.00	14,600
	Repair to vaulted main ceiling in Function room	191	m2	500.00	95,500
<u>Wall Finishes</u>					
	Patch & Paint internal walls (Assume average 3m high)	699	m2	35.00	24,465
<u>External Works</u>					
	PC allowance for make good and upgrade access and entry to comply with DDA	1	item	30,000.00	30,000
	General works to approach paths & external terraces	1	item	10,000.00	10,000
<u>3.10 Miscellaneous item</u>					
	Existing fencing to be repaired	370	m	100.00	37,022
	Balustrade around boundary ( Scope TBC)	1	item	5,000.00	5,000
	Drainage outside kitchen	1	item	5,000.00	5,000
<b>FUNCTIONAL UPGRADE - CURRENT TOTAL</b>					<b>261,232</b>
<b>M &amp; E UPGRADE</b>					
As per Electrical and Mechanical Audit of Existing Services report					
	Main hall wall mounted split system aircon	1	item		Incl in future grade
	Male Toilet ventilation system	1	item		Incl in future grade
	Female Toilet ventilation system	1	item	10,000	10,000
	Main switchboard	1	item	50,000	50,000
	Emergency and Exit Lighting System.	1	item	10,000	10,000
The following items has been excluded in the E & M audit report					
	PC Allowance for make good to kitchen drainage system (Provisional Sum \$10K) Scope TBC	1	item	10,000.00	10,000
<b>M &amp; E UPGRADE TOTAL</b>					<b>80,000</b>



Client: Woollahra Council  
Project: Vaucluse Bowling Club  
Report: Preliminary Cost plan 15.07.21 R2

Ref.	Description	Quantity	Unit	Rate	Total
	<b>DISABLE TOILET (1 NO.)</b>				
	Demolition existing floor, ceiling and wall finishes and removal of existing fittings	7	m2	200.00	1,400
	Allow for make good to existing floor	7	m2	100.00	700
	<u>Floor finishes</u>				
	New tiling including waterproofing to floor PC \$30/m2 supply)	7	m2	185.00	1,295
	<u>Ceiling Finishes</u>				
	Allow for new ceiling finishes	7	m2	80.00	560
	<u>Wall finishes</u>				
	Ceramic tiling to wall finish (PC \$30/m2 supply)	32	m2	150.00	4,800
	Allow for stud wall including plasterboard lining and painting to external side	32	m2	85.00	2,720
	<u>Fittings</u>				
	Toilet roll holder	1	no	150.00	150
	Mirror	1	no	1,000.00	1,000
	Cloth hooks	1	no	50.00	50
	Disable toilet grab rails	1	no	1,500.00	1,500
	Soap dispenser	1	no	100.00	100
	Paper towel holder	1	no	100.00	100
	Hand dryer	1	no	1,500.00	1,500
	<u>Joinery</u>				
	<u>Electrical Services</u>				
	Make good to existing wiring and including install new light fittings, light switches smoke detector	7	m2	250.00	1,750
	<u>Hydraulics services including fittings</u>				
	Connection to existing pipework and system	1	item	15,000.00	15,000
	Basin including tapware	1	no	2,000.00	2,000
	Accessible toilet	1	no	3,800.00	3,800
	<u>Mechanical Services</u>				
	Allow for mechanical ventilation connected to existing system	1	item	3,000.00	3,000
	<b>DISABLE TOILET (1 NO.) TOTAL</b>				<b>41,425</b>



Client: Woollahra Council  
Project: Vaucluse Bowling Club  
Report: Preliminary Cost plan 15.07.21 R2

Ref.	Description	Quantity	Unit	Rate	Total
<b>FUNCTIONAL UPGRADE IN 3 YEARS</b>					
<u>Wall Finishes</u>					
	Patch paint & repair external solid wall and repaint (Assume average 3 m high)	460	m2	100.00	46,000
	Allow for repoint external wall (Assume 50%)	230	m2	300.00	69,000
	Entry joinery	1	item	30,000.00	30,000
	Miscellaneous Joinery	1	item	20,000.00	20,000
<u>Windows &amp; Doors</u>					
	Replace internal doors	15	no	1,500.00	22,500
	Replace solid core external doors	3	no	2,000.00	6,000
	PC Allowance for new main entrance sliding door	1	no	25,000.00	25,000
	Make good windows and sliders (Provisional Sum \$10K) Scope TBC	1	item	10,000.00	10,000
	Allow for internal signage	1	item	5,000.00	5,000
	Assume roller door to loading dock is in good condition		note		
	Assume blinds/ Shutter are not require		note		
<u>Electrical Services</u>					
	Upgrade light fittings & switch's but not cabling (Main switch board is included in M & E upgrade)	408	m2	100.00	40,800
	Upgrade to Kitchen, cool room & Bar included in separate trade	115	m2		Incl
	New security system and CCTV	523	m2	85.00	44,455
<u>Mechanical Services</u>					
	Allow for upgrade to mechanical system not covered in M & E upgrade	523	m2	55.00	28,765
	Main hall wall mounted split system aircon	1	item	35,000	35,000
	Male Toilet ventilation system	1	item	10,000	10,000
<u>External Works</u>					
	Outdoor signage excluded		Note		Excluded
	No allowance has been made for upgrade to existing tennis court and bowling greens Scope TBC		Note		Excluded
	Art work excluded		note		
<b>FUNCTIONAL UPGRADE IN 3 YEARS TOTAL</b>					<b>392,520</b>



Client: Woollahra Council  
Project: Vaucluse Bowling Club  
Report: Preliminary Cost plan 15.07.21 R2

Ref.	Description	Quantity	Unit	Rate	Total
<b>TOILET &amp; CHANGEROOM UPGRADE</b>					
	Demolition existing floor, ceiling and wall finishes and removal of existing fittings	115	m2	200.00	23,000
	Allow for make good to existing floor	115	m2	100.00	11,500
	<u>Floor finishes</u>				
	New tiling including waterproofing to floor PC \$30/m2 supply)	115	m2	185.00	21,275
	<u>Ceiling Finishes</u>				
	Allow for new ceiling finishes	115	m2	80.00	9,200
	<u>Wall finishes</u>				
	Ceramic tiling to wall finish (PC \$30/m2 supply )	320	m2	150.00	48,000
	Allow for make good to existing wall	320	m2	55.00	17,600
	Toilet partition (Allow 6)	6	no	3,000.00	18,000
	Shower Partition (Allow 4)	4	no	3,000.00	12,000
	<u>Fittings</u>				
	Toilet roll holder	8	no	150.00	1,200
	Mirror	4	no	1,000.00	4,000
	Cloth hooks	8	no	50.00	400
	Soap dispenser	4	no	100.00	400
	Paper towel holder	4	no	100.00	400
	Hand dryer	4	no	1,500.00	6,000
	<u>Joinery</u>				
	Allow for new lockers (Assume 45 total, 20 to male & 20 to female, 5 to staff changing room)	45	no	500.00	22,500
	Seating Bench to change room (Allow 25 m)	25	m	650.00	16,250
	Makeup table	1	item	10,000.00	10,000
	Cloth Rock / ironing board	1	item	3,000.00	3,000
	<u>Electrical Services</u>				
	Make good to existing wiring and including install new light fittings, light switches smoke detector	115	m2	200.00	23,000
	<u>Hydraulics services including fittings</u>				
	Water heater including pipework	2	no	7,000.00	14,000
	Shower rose	4	no	1,500.00	6,000
	Basin including tapware	6	no	2,000.00	12,000
	WC	6	no	3,000.00	18,000
	<u>Mechanical Services</u>				
	Included in M & E upgrade				incl
<b>TOILET &amp; CHANGEROOM UPGRADE TOTAL</b>					<b>297,725</b>



Client: Woollahra Council  
Project: Vaucluse Bowling Club  
Report: Preliminary Cost plan 15.07.21 R2

Ref.	Description	Quantity	Unit	Rate	Total
<b>KITCHEN &amp; BAR UPGRADE</b>					
<u>Kitchen &amp; Bar Upgrade</u>					
	Make good to existing floor and wall	167	m2	100.00	16,700
	Upgrade kitchen floor finish	80	m2	250.00	20,000
	Upgrade kitchen ceiling finish	80	m2	120.00	9,600
	Upgrade kitchen wall finish	87	m2	150.00	13,050
	Cool room	1	item	30,000.00	30,000
	PC allowance for kitchen equipment - Scope TBC	1	item	150,000.00	150,000
	<u>PC allowance to the following</u>		note		
	New countertop to Bar and put allowance for back joinery	1	item	50,000.00	50,000
	<u>Electrical Services</u>				
	Upgrade light fittings & switch's but not cabling (Main switch board is included in M & E upgrade)	115	m2	100.00	11,500
<b>KITCHEN &amp; BAR UPGRADE TOTAL</b>					<b>300,850</b>
<b>AV &amp; SPECIAL LIGHTING UPDGRADE</b>					
	<u>PC allowance to the following</u>				
	AV equipment - Scope TBC	1	item	50,000.00	50,000
	Special lighting - Scope TBC	1	item	50,000.00	50,000
<b>AV &amp; SPECIAL LIGHTING UPDGRADE TOTAL</b>					<b>100,000</b>
<b>TENNIS COURT &amp; BOWLING GREENS</b>					
	<u>External Works</u>				
	PC allowance for make good to existing tennis court	1,290	m2	10.00	12,895
	PC allowance for make good to existing bowling Greens	3,005	m2	10.00	30,050
	Tennis Shed - PC allowance \$10,000 for make good	1	item	10,000.00	10,000
	<u>Tennis Court</u>				
	Repair/ replace existing fencing as necessary	144	m	120.00	17,270
	Removal of existing tree root/ stump is excluded		note		
<b>TENNIS COURT &amp; BOWLING GREENS TOTAL</b>					<b>70,216</b>



**Item No:** 12.4  
**Subject:** **WOOLLAHRA LOCAL PLANNING PANEL (WLPP) COMMUNITY REPRESENTATIVES**  
**Authors:** Nick Economou, Manager Development Control  
Helen Tola, Manager - Governance & Council Support  
**Approvers:** Scott Pedder, Director - Planning & Place  
Craig Swift-McNair, General Manager  
**File No:** 22/97523  
**Purpose of the Report:** For Council to consider and appoint Community Representative(s) to the Woollahra Local Planning Panel (WLPP).  
**Alignment to Delivery Program:** Strategy 4.1: Encourage and ensure high quality planning and urban design outcomes.

**Recommendation:**

THAT in accordance with Section 10A of the *Local Government Act 1993* the Committee resolve to enter into Closed Session with the press and public excluded to consider the Confidential Report. These matters are to be considered in Closed Session in accordance with (a) personnel matters concerning particular individuals (other than Councillors).

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**Discussion:**

In January 2022, Council resolved to undertake an Expression of Interest (EOI) process for the Community Representatives to the Woollahra Local Planning Panel. EPIs were called in March 2022.

At Councils Ordinary meeting of 26 April 2022 Council resolved as follows:

**Resolved:**

- A. *THAT the update on the Expressions of Interest process for the Woollahra Local Planning Panel (WLPP) be received and noted.*
- B. *THAT in the spirit of being inclusive, so that all Councillors have input into the decision and acknowledging the critical role community representatives play on the Local Planning Panel:*
  - *That senior planning staff present the list of all applicants that have met the eligibility criteria.*
  - *That the senior planning staff list the applicants in the order they believe to reflect each applicant's efficacy in this role, knowing the requirements go beyond knowledge of the local controls.*
  - *That the final ordered list, which includes all written applications, be presented to the Committee of the Whole, in closed session, so that a decision is made in regard to the choice of applicant and the number of community representatives.*
- C. *THAT the current three (3) Community Representatives to the WLPP be in place until 31 May 2022 or until such time as the EOI assessment process and appointment of new Community Representatives has been completed.*
- D. *THAT a further report be tabled to the 23 May 2022 Ordinary Council meeting recommending the selection and appointment of Community Representatives to the WLPP.*

In accordance with the Part B of the resolution, it is recommended that Council resolve into Closed Session to enable Council to consider and determine the Community Representatives on the Woollahra Local Planning Panel.

**Attachments**

Nil



## 13.1 Environmental Planning Committee

### Items with Recommendations from the Committee Meeting of Monday 2 May 2022 Submitted to the Council for Determination

<b>Item No:</b>	R1 Recommendation to Council
<b>Subject:</b>	<b>REGISTER OF CLAUSE 4.6 VARIATIONS</b>
<b>Author:</b>	Nick Economou, Manager Development Control
<b>Approver:</b>	Scott Pedder, Director - Planning & Place
<b>File No:</b>	22/62963
<b>Purpose of the Report:</b>	To provide full Council with a register of clause 4.6 variations supported for the period January 2022 to March 2022 to comply with Planning Circular PS20-002
<b>Alignment to Delivery Program:</b>	Strategy 4.6: Ensure that planning and building requirements are complied with.

**Recommendation:**

THAT the attached register of clause 4.6 variations supported for the period between January 2022 to March 2022 be received and noted.

<b>Item No:</b>	R2 Recommendation to Council
<b>Subject:</b>	<b>PLANNING PROPOSAL - HERITAGE HOUSEKEEPING AMENDMENT TO THE WOOLLAHRA LOCAL ENVIRONMENTAL PLAN 2014 TO CORRECT ADMINISTRATIVE ERRORS AND ANOMALIES IN SCHEDULE 5 - ENVIRONMENTAL HERITAGE AND THE ASSOCIATED HERITAGE MAP</b>
<b>Author:</b>	Fiona Aghili, Strategic Planner
<b>Approvers:</b>	Anne White, Manager - Strategic Planning Scott Pedder, Director - Planning & Place
<b>File No:</b>	22/68543
<b>Purpose of the Report:</b>	To obtain Council's approval to forward a housekeeping planning proposal to the Minister for Planning and Homes (or delegate) requesting a Gateway determination to allow public exhibition.
<b>Alignment to Delivery Program:</b>	Strategy 4.3: Protect our heritage, including significant architecture and the natural environment.

**Recommendation:**

- A. THAT the planning proposal at **Attachment 2** of the report to the Environmental Planning Committee meeting of 2 May 2022 to correct administrative errors and anomalies in *Schedule 5 – Environmental Heritage* and the associated Heritage Map of the *Woollahra Local Environmental Plan 2014* be forwarded to the Minister for Planning and Homes (or delegate) requesting a Gateway determination to allow public exhibition, subject to also consulting with local resident groups.
- B. THAT Council request the Minister for Planning and Homes (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

## 13.2 Finance, Community & Services Committee

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### Items with Recommendations from the Committee Meeting of Monday 2 May 2022 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** **KNOX STREET PEDESTRIAN PLAZA – PUBLIC EXHIBITION**

**Author:** Caitlin Moffat, Project Manager Civil Works  
**Approvers:** Emilio Andari, Manager Engineering Services  
Tom O'Hanlon, Director - Infrastructure & Sustainability  
**File No:** 22/32695  
**Purpose of the Report:** Adoption of Knox Street Concept Design from public exhibition  
**Alignment to Delivery Program:** Strategy 9.3: Maintain a high quality public domain to support and promote local business.

**Recommendation:**

THAT:

- A. Council adopt the Knox Street Pedestrian Plaza concept design (as shown in Attachment 1) and exhibited during the public exhibition, subject to the following amendments to the concept design:
- i Reduction of the secret garden by approximately a third from the Bay Street end;
  - ii Consider increasing the length of the pavilion to give a presence to make it a feature of the multipurpose space, noting the potential cost implications. The design should be light weight and transparent;
  - iii Where possible, public seating to be designed with the ability to be moved;
  - iv Remove changed paving patterns for the proposed outdoor dining pads, paving to be consistent throughout the plaza;
  - v Consider options to retain some or all of the existing trees on Knox Street at New South Head Road whilst maintaining the proposed functional components of the road. If trees cannot be retained, consider other options for greening of this section; and
  - vi Incorporating cycle storage facilities.
- B. Council proceed to detailed design and construction, subject to confirmation that all legislated approval processes have been undertaken.
- C. Notes that the Recommendation D3 (Y1) contained in the minutes of the Extraordinary Woollahra Traffic Committee meeting held on Tuesday 26 April 2022 will be referred to the full Council meeting on 23 May 2022 for consideration.
-

**Item No:** R2 Recommendation to Council  
**Subject:** **COOPER PARK COMMUNITY GARDEN LICENCE RENEWAL**

**Authors:** Micaela Hopkins, Team Leader Environment & Sustainability  
Michelle Rose, Environmental Education Officer  
**Approver:** Tom O'Hanlon, Director - Infrastructure & Sustainability  
**File No:** 22/73154  
**Purpose of the Report:** To support the continuation of the Cooper Park Community Garden and propose an additional three year Deed of Licence (User Agreement).  
**Alignment to Delivery Program:** Strategy 1.3: Provide places and spaces for people to connect and interact.

**Recommendation:**

- A. THAT a Deed of Licence (User Agreement) between Woollahra Municipal Council and the Cooper Park Community Garden Inc. be prepared for a further three years with an option for Council to extend the agreement for a further two year period, noting that the Public Liability required will be increased to \$20,000,000 in the new agreement.
- B. THAT the Cooper Park Community Garden Inc. volunteers be congratulated and thanked for creating a valuable and vibrant space for the Woollahra community.

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**Item No:** R3 Recommendation to Council  
**Subject:** **FUNDING REQUEST APPLICATION FOR LUMIERE SCULPTURE FESTIVAL AT GAP PARK, SIGNAL HILL RESERVE AND LIGHTHOUSE RESERVE**  
**Author:** Paul Fraser, Acting Director Infrastructure & Sustainability  
**Approver:** Tom O'Hanlon, Director - Infrastructure & Sustainability  
**File No:** 22/56400  
**Purpose of the Report:** To seek Council support to assist the Lumiere Sculpture Art Festival.  
**Alignment to Delivery Program:** Strategy 1.1: Provide and facilitate a range of community projects, programs and events.

**Recommendation:**

- A. THAT Council note the pending submission of a Development Application to run a 10-day sculpture exhibition titled, Lumière Sculpture Festival along the coastal footpath from Gap Park to Lighthouse Reserve.
- B. That Council waive the fees and charges associated with this event (limited to park hire and waste management) and provide marketing assistance (which is expected to be in the order of \$17,000).
- C. That Council notes the considerable amount of staff time undertaken to get the proposal where it is currently at and further notes that it is expected more staff hours will be required as discussed in the report.

**Item No:** R4 Recommendation to Council  
**Subject:** **2021/22 BUDGET REVIEW FOR THE QUARTER ENDED 31 MARCH 2022**  
**Authors:** Henrietta McGilvray, Corporate Accountant  
Paul Ryan, Chief Financial Officer  
**Approvers:** Sue Meekin, Director Corporate Performance  
Tom O'Hanlon, Director - Infrastructure & Sustainability  
**File No:** 22/72904  
**Purpose of the Report:** To report on the review of the 2021/22 Budget for the quarter ended 31 March 2022

**Recommendation:**

- A. THAT Council receive and note the report on the Budget Review for the quarter ended 31 March 2022.
- B. THAT Council note the statement from the Responsible Accounting Officer, Council's Chief Financial Officer, that the projected financial position at 30 June 2022, based on the forecasts outlined in this report, will remain satisfactory however Council's ability to mitigate the impact of pressures on its budget as outlined in the report will reduce as Cash Reserves are drawn down and will need to be addressed longer term.
- C. THAT Council adopt the recommended variations to the 2021/22 budget as outlined in this report titled 2021/2022 Budget Review for the Quarter Ended 31 March 2022, noting the funding drawn of \$2million from the Property reserve and \$190,000 from the Domestic Waste Management Reserve to manage the working funds impact of the one-off redundancy costs associated with the staffing review.

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**Item No:** R5 Recommendation to Council  
**Subject:** **INVESTMENT POLICY REVIEW**  
**Authors:** Paul Ryan, Chief Financial Officer  
Henrietta McGilvray, Corporate Accountant  
**Approver:** Sue Meekin, Director Corporate Performance  
**File No:** 21/137348  
**Purpose of the Report:** To provide the Finance, Community & Services Committee with an opportunity to review Council's Investment Policy.

**Recommendation:**

THAT Council:

- A. Approve Council's Investment Policy be amended to:
  - i Include that, without compromising the risk and return profile of the investment portfolio, Council gives preference to Environmentally Responsible Investments (ERI) which can demonstrate:
    - a. the rate of return on investment is greater than or equal to the rates of other Authorised Deposit-Taking Institutions (ADIs) which comply with Council's investment policy and are available at the time of investment
    - b. the avoidance of funding fossil fuel in the investment product
    - c. that the financial institution and product are otherwise compliant with Council's policy,

noting that the criteria for ERI above are all preferred and not mandatory requirements.

- ii Allow up to 60% of the portfolio to be invested with A Category ADIs and 40% of the portfolio be invested with BBB Category ADIs.
- iii Amend the Minimum Allocation of short term funds from 20% to 10%

- B. Adopt the revised Investment Policy with changes from A above marked-up, presented as Attachment 1 to this report, as Council's Investment Policy.

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**Item No:** R6 Recommendation to Council  
**Subject:** **LAND OWNERS CONSENT FOR DEVELOPMENT APPLICATION - EQUIPMENT SHED EXTENSION, WOOLLAHRA GOLF CLUB**  
**Author:** Zubin Marolia, Manager - Property & Projects  
**Approver:** Tom O'Hanlon, Director - Infrastructure & Sustainability  
**File No:** 22/74826  
**Purpose of the Report:** To seek Council approval to grant landowner's consent for submission of a DA.  
**Alignment to Delivery Program:** Strategy 11.4: Maintain Council's strong financial position.  
**Recommendation:**

THAT Council, in its capacity as Landowner, grants landowner consent to enable the Licensee, Woollahra Golf Club to lodge a Development Application (DA) for the alterations and additions to the equipment shed, consistent with the Plans attached as **Attachment 1** to this report.

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**Item No:** R7 Recommendation to Council  
**Subject:** **OWNERS CONSENT - DEVELOPMENT APPLICATION - REDLEAF KIOSK DOUBLE BAY - UPGRADE OF PREMISES**  
**Author:** Caroline Tunney, Senior Property Officer  
**Approvers:** Zubin Marolia, Manager - Property & Projects  
Tom O'Hanlon, Director - Infrastructure & Sustainability  
**File No:** 22/77442  
**Purpose of the Report:** To obtain Landowner's Consent for the purpose of lodging a Development Application (DA) consistent with Lease clause 16. Upgrade of Premises  
**Alignment to Delivery Program:** Strategy 11.4: Maintain Council's strong financial position.  
**Recommendation:**

THAT Council, in its capacity as Landowner, grants landowner consent to enable the Lessee, Cafe Industries Pty Ltd, to lodge a Development Application (DA) for consent to install a new motorised retractable roof system at Redleaf Kiosk, consistent with the plans attached as Attachment 2 to this report.

**Item No:** R8 Recommendation to Council  
**Subject:** **CLOSING AND SALE OF PART ROAD RESERVE ADJOINING THE REAR OF 7 FISHER AVE, VAUCLUSE (SC1015)**  
**Author:** Caroline Tunney, Senior Property Officer  
**Approvers:** Zubin Marolia, Manager - Property & Projects  
Tom O'Hanlon, Director - Infrastructure & Sustainability  
**File No:** 22/79109  
**Purpose of the Report:** To consider the proposal for the closure and sale of part road reserve adjoining the rear of 7 Fisher Av, Vacluse  
**Alignment to Delivery Program:** Strategy 11.4: Maintain Council's strong financial position.

**Note:** This matter was determined at the Committee meeting under delegation.  
No further decision required by Council.

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**Item No:** R9 Recommendation to Council  
**Subject:** **DEVELOPMENT OF THE GRANTS PROGRAM POLICY**  
**Author:** Vicki Munro, Manager Community & Culture  
**Approver:** Patricia Occelli, Director Community & Customer Experience  
**File No:** 22/77492  
**Purpose of the Report:** To present to Council for consideration a Draft Grant Policy and Draft Guidelines for the purpose of public exhibition.  
**Alignment to Delivery Program:** Strategy 2.1: Foster and build community partnerships and networks.  
**Recommendation:**

THAT Council endorses the Draft Grants Policy presented as **Attachment 1** and Draft Grants Guidelines presented as **Attachment 2** for the purpose of public exhibition for a period of 28 days.

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**Item No:** R10 Recommendation to Council  
**Subject:** **DRAFT DONATIONS AND SPONSORSHIP POLICY**  
**Authors:** Vicki Munro, Manager Community & Culture  
Helen Tola, Manager - Governance & Council Support  
**Approvers:** Patricia Occelli, Director Community & Customer Experience  
Sue Meekin, Director Corporate Performance  
**File No:** 22/78859  
**Purpose of the Report:** To present the Draft Donations and Sponsorship Policy for adoption post public exhibition.  
**Alignment to Delivery Program:** Strategy 11.1: Facilitate community led decision-making that is open, honest and ethical and benefits the broad community.

**Recommendation:**

- A. THAT Council notes that no submissions have been received during the public exhibition of the Draft Donations and Sponsorship Policy.
- B. THAT the Draft Donations and Sponsorship Policy, presented as **Attachment 1** be adopted.



**Item No:** R11 Recommendation to Council  
**Subject:** **CAPITAL WORKS PROGRAM - QUARTERLY PROGRESS REPORT MARCH 2022**  
**Authors:** Petrina Duffy, Coordinator Strategy & Performance  
Henrietta McGilvray, Corporate Accountant  
**Approvers:** Tom O'Hanlon, Director - Infrastructure & Sustainability  
Sue Meekin, Director Corporate Performance  
**File No:** 22/78627  
**Purpose of the Report:** To provide the Committee with an update on the status of projects in the 2021/22 Capital Works Program, for the quarter ended 31 March 2022.

**Recommendation:**

THAT the Capital Works Program – Quarterly Progress Report for the quarter ended 31 March 2022 be received and noted.

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**Item No:** R12 Recommendation to Council  
**Subject:** **WOOLLAHRA LOCAL TRAFFIC COMMITTEE MINUTES - 26 APRIL 2022**  
**Author:** Emilio Andari, Manager Engineering Services  
**Approver:** Tom O'Hanlon, Director - Infrastructure & Sustainability  
**File No:** 22/79359  
**Purpose of the Report:** For the Committee to consider the recommendations of the Woollahra Local Traffic Committee  
**Alignment to Delivery Program:** Strategy 6.1: Facilitate an improved network of accessible and safe alternate transport options.

**Note:** In accordance with Council's meeting procedures and policy this matter is referred to full Council for final determination.

**Recommendation:**

THAT the Recommendation Y1 contained in the minutes of the Extraordinary Woollahra Traffic Committee held on Tuesday 26 April 2022 be referred to the full Council meeting on 23 May 2022 for adoption.

**Item No:** R13 Recommendation to Council  
**Subject:** **KNOX STREET, DOUBLE BAY - PERMANENT ROAD CLOSURE AND ONE-WAY TRAFFIC CONDITIONS**  
**Author:** Caitlin Bailey, Acting Team Leader - Traffic & Transport  
**Approver:** Emilio Andari, Manager Engineering Services  
**File No:** 22/85358  
**Purpose of the Report:** To create a public pedestrian area in Knox Street, Double Bay  
**Alignment to Delivery Program:** Strategy 11.1: Facilitate community led decision-making that is open, honest and ethical and benefits the broad community.

**Note:** In accordance with Council's meeting procedures and policy this matter is referred to full Council for final determination.

**Recommendation:**

THAT the Recommendation Y1 contained in the minutes of the Extraordinary Woollahra Traffic Committee meeting held on Tuesday 26 April 2022 be referred to the full Council meeting on 23 May 2022 for consideration:

*THAT:*

- A. *The concept design plan for the proposed permanent road closure for Knox Street, Double Bay, between Bay Street and Goldman Lane, and the proposed 'one-way' eastbound traffic flow for Knox Street, Double Bay, between Goldman Lane and New South Head Road, with proposed parking restrictions and associated signs and line markings (as per Attachment 2 - Concept Design Plan) be approved, subject to a detailed design plan being provided to Transport for NSW (TfNSW) and NSW Police for review and concurrence prior to construction; and*
- B. *A Traffic Management Plan (TMP) for the proposed permanent road closure and the 'one-way' eastbound traffic flow in Knox Street, Double Bay, be submitted to Transport for NSW (TfNSW) for consideration and approval.*

## **15. Councillor Reports/Councillor Updates (Section 8.4)**

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

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## 16. Notices of Motion

**Item No:** 16.1  
**Subject:** NOTICE OF MOTION - RESILIENCE THROUGH PLANNING  
**From:** Councillors Luise Elsing and Lucinda Regan  
**Date:** 16 May 2022  
**File No:** 22/93464

### Recommendation:

THAT Council make representations to the relevant authorities including the NSW Planning Minister Anthony Roberts, the NSW Department of Planning and Environment as to the ramification/effect of:

- A. the directive order on 14 March 2022 by NSW Planning Minister Anthony Roberts revoking the Minister's Planning Principles: A Plan for Sustainable Development, and
- B. the announcement on 5 April 2022 by Minister Roberts that the State Government would not proceed with the Draft State Environmental Planning Policy (Design and Place) 2021, and
- C. make public and report on Council's representations in paragraphs A and B above and any responses, on ensuring that best practice is achieved (and is not discretionary) for cooler suburbs and buildings, green space, net zero emissions, BASIX, tree canopy retention and expansion with deep soil needs, electric vehicle ready apartments, resilience to killer urban heat, fire and floods, community health, sustainability, biodiversity protection, achieving waste minimisation and water efficiency.

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### Discussion:

These purpose of the **Minister's Planning Principles: A Plan for Sustainable Development** and the **Draft State Environmental Planning Policy (Design and Place) 2021** included ensuring that best practice is achieved (and is not discretionary) for cooler suburbs and buildings, green space, net zero, BASIX, tree canopy retention and expansion with deep soil needs, electric vehicle ready apartments, and resilience to killer urban heat, fire and floods. They also sought to factor community health, sustainability and biodiversity protection into economic reviews of new policies, taking account of the long term impacts and benefits. And to require net zero emission statements and objective and credible data (not greenwash from developer consultants) as well as achieving waste minimisation and water efficiency.

In response to questions with notice asked in minutes of meeting on 11 April 2022 Council staff noted and advised that:

### Revocation of the Minister's Planning Principles: A Plan for Sustainable Development (Sustainability Plan)

On 2 December 2021, the NSW Government released The Minister's Planning Principles: A Plan for Sustainable Development. This ministerial directive outlined nine principles for sustainable development, including managing the risks of climate change such as disaster resilience. It was intended that the planning principles be applied to guide future strategic planning policies, including state environmental planning policies and local environmental plans. The planning principles did not contain or implement any new or amended planning provisions for sustainable development and consent authorities were not required to consider the planning principles when determining development applications. The planning principles commenced on 1 March 2022. It was intended for the principles to be given legal effect by way of a Ministerial Direction under section 9.1 of the Environmental Planning and Assessment Act 1979.

On 14 March 2022, the NSW Planning Minister Mr Anthony Roberts revoked the planning principles, and they were withdrawn from the website of the Department of Planning and Environment. Notwithstanding Minister Roberts' decision, the existing mechanisms within the planning system that guide sustainable development in NSW continue to operate. These include State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004, State Environmental Planning Policy (Resilience and Hazards) 2021, and bushfire, sustainability and flood planning controls contained in local environmental plans and development control plans. Council can resolve to make representations regarding the effect of Minister Roberts' decision to revoke the Sustainability Plan

**Draft State Environmental Planning Policy (Design and Place) 2021 (Draft Design & Place SEPP)**

The Draft State Environmental Planning Policy (Design and Place) 2021 was exhibited in late 2021. The Draft Design & Place SEPP aimed to encourage greater flexibility, higher design quality and sustainability, and reduce complexity in the planning system. It sought to repeal and replace State Environmental Planning Policy (State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development 2002 (SEPP 65) and State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP).

On 5 April 2022, Minister Roberts' announced that the State Government would not proceed with the Draft Design & Place SEPP. Therefore, there will be no changes to the existing provisions contained under SEPP 65 and its accompanying Apartment Design Guide. However, it is understood that the NSW Government does intend to progress updates to enhance sustainability standards for energy, water use and thermal performance of homes under the BASIX system. The NSW Government also intends to consider further resilience and land use planning measures that may arise from the independent inquiry into floods. This inquiry is currently being conducted by Professor Mary O'Kane AC and Michael Fuller APM and recommendations are due to the NSW Government on 30 June 2022.

Council can resolve to make representations as to the effect/ramifications of the NSW Planning Minister Mr Anthony Roberts not progressing with Draft Design & Place SEPP.

**Item No:** 16.2  
**Subject:** **NOTICE OF MOTION - QUESTIONS ON AFFORDABLE HOUSING IN THE WOOLLAHRA LOCAL GOVERNMENT AREA**  
**From:** Councillors Lucinda Regan and Luise Elsing  
**Date:** 16 May 2022  
**File No:** 22/94405

**Recommendation:**

THAT Council:

1. note the State Environmental Planning Policy (Affordable Rental Housing) 2009 and State Environmental Planning Policy No 70 - Affordable Housing (Revised Schemes), which have been replaced by the State Environmental Planning Policy (Housing) 2021 (**Housing SEPP**);
2. note the Council's Local Housing Strategy in relation to affordable housing; and
3. request staff to provide a report to Council outlining:
  - (a) the number of development approvals granted in the Woollahra Local Government Area (**WLGA**) since 2009 which provided development modification or uplift in return for an affordable housing contribution;
  - (b) the number of actual affordable homes delivered in the WLGA since 2009 and the manner in which they are managed;
  - (c) any issues arising in relation to delivery mechanisms for affordable housing since 2009 and suggestions on amendments that might be required to the WLGA planning controls to ensure that affordable homes are actually delivered in response to development uplift;
  - (d) mechanisms employed, or to be employed, by Council to ensure compliance with conditions of consent regarding delivery of affordable housing; and
  - (e) whether a register of affordable housing in the WLGA can be established and maintained so that Council is able to monitor delivery and ongoing availability of affordable housing in the WLGA on a regular basis (such housing being provided in return for development concessions granted to developers), with regular reporting to Council.

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**Discussion:**

Councillors need to understand the mechanisms for delivery of affordable housing both under the Housing SEPP, previous affordable housing SEPPs and Council's Local Housing Strategy.

Council needs to monitor delivery of and compliance with conditions of consent regarding delivery of affordable housing given the significant incentives and uplift to developers in the WLGA that come with promised delivery of these assets.

It is important to get feedback from staff as to how the delivery of affordable housing is managed, tracked and delivered with appropriate compliance checks so that Council can properly monitor this on an ongoing basis to better inform its decisions and determine whether the outcomes are achieved in return for development concessions.

It is hoped that regular reporting of the number of affordable homes delivered is provided to Council during each year.

It is anticipated that the cost of provision of such a report can be managed through Council's normal business and administration funding and that detail / data for such reporting may be in existence as part of Council's normal planning review processes.





**Item No:** 16.3  
**Subject:** **NOTICE OF MOTION - STOP ANY DISCOUNTING IN THE SALE OF COUNCIL OWNED LAND**  
**From:** Councillors Toni Zeltzer, Richard Shields, Isabelle Shapiro and Nicola Grieve  
**Date:** 17 May 2022  
**File No:** 22/95750

**Recommendation:**

THAT in the future, no discounting of will be applied in the discharge and sale of council owned lands, such as verges and road reserves, with the sale price to be based only on the price per metre of recent sales in comparable locations.

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**Discussion:**

Currently the selling price, which is recommended in the staff report, takes into account the size of the lot to be discharged and other valuations across our local area. The report then applies a discount on this valuation depending on what is deemed as the usability of the land to council and community. The recommendation of the final valuation, including the discounting, is then presented to the Finance and Community Services Committee with a recommendation going to full council for endorsement.

Any discounting for council and community lands discharged and sold in Woollahra is not acceptable, considering Woollahra is the most expensive municipality in the nation, in terms of its land values.

The reason for discounting to date has been poorly considered and refers to lands having less value for council and community because of inaccessibility, steep slope, need for ongoing maintenance etc.

The discounting should stop immediately for the reasons below.

1. Once a council asset is discharged there is no opportunity for any further appreciation of the land value over time. It's gone forever.
2. Any funds raised from the sale of such lands can be redirected to other community facilities and projects, in this way providing material benefit to the people of Woollahra. Discounting robs the community of this benefit.
3. The applicant who wishes to buy the land in question, increases the size of his own lot by doing so. This provides the applicant with potential for greater development output on his lot.
4. Land values have risen significantly in Woollahra over the last few years and just like private landowners, Council should take full advantage of this increase to better serve the community of Woollahra.
5. Land valuation of privately owned lots is not discounted due to the slope of the land or steep gradients. In fact these features provide better harbour vistas and this could reflect in higher land valuations not lower.



## 17. Questions With Notice

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### Recommendation:

THAT the Questions with Notice be received and noted.

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### Background:

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

The following Questions with Notice for the Council Meeting on 23 May 2022 have been received.

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**QWN:** 17.1  
**From:** Councillor Witt  
**Subject:** Questions with Notice - Traffic & Parking Impacts from the Knox Street Pedestrianisation Proposal & Future Development in Double Bay

### Councillor Witt asking:

Can the General Manager please provide answers to the questions below and preferably before the next Council meeting of 23 May 2022?

1. The Executive Summary for Recommendation R1 in the [Agenda of the Finance, Community and Services Committee meeting of 2 May 2022](#) notes "that Council's Traffic and Transport Engineers have met with Transport for NSW (TfNSW) to discuss the traffic implications on the New South Head Road corridor for the surrounding intersections. As such, a Traffic Management Plan has been submitted to TfNSW for consideration and approval."

*Before making a decision to approve the current plans for the pedestrianisation of Knox Street, will the Council be presented with an opportunity to review the Traffic Management Plan that was resubmitted to TfNSW for consideration and approval?*

2. [The Knox Street Traffic and Engineering Report](#), prepared by SCT Consulting and submitted to the Council on 22 April 2022, identifies the AM peak hour as 7.15AM to 8.15AM and the PM peak hour as 6PM to 7PM (see page 6 of the report). [The Double Bay Transport Study \(29 July 2020\)](#), which was also prepared by SCT Consulting, identifies the following times for the peak hour periods – AM peak (7:45AM – 8:45AM) – PM peak (5:30PM – 6:30PM) – Saturday peak (11:45AM – 12:45PM) (see page 29 of this report).
  - a) *Why was the peak hour period for the AM and PM periods moved forward in the Knox Street Traffic and Engineering Report?*
  - b) *Why was the Saturday peak hour period removed from the study in the above report?*
  - c) *Does the moving of the finishing time of the AM peak hour forward by half an hour from 8.45AM to 8.15AM in the above report allow for the impact of school-related traffic on traffic congestion to be properly recorded?*
  - d) *Should the school pick up time - around 2.45PM to 4PM - also be considered as a peak hour period?*

3. The Double Bay Transport Study says that “the intersection of New South Head Road / Cross Street / Bellevue Road / Kiaora Road is also identified as a pinch point within the corridor, with queuing of 200m observed along Bellevue Road during the AM peak. During the PM peak, safety and operational efficiency concerns were noted on the dual right turn movement from New South Head Road (W leg) to Kiaora Road (SW leg) and Bellevue Road (S leg).” The other pinch point identified is the intersection of New South Head Road and Knox Street during the AM peak hour period.

*Given that the Knox Street and New South Head Road intersection has been identified as an AM peak hour traffic pinch point, will its closure to traffic wanting to make a right-hand or a left-hand turn from New South Head Road onto Knox Street exacerbate the traffic congestion problems at the intersection of New South Head Road / Cross Street / Bellevue Road / Kiaora Road, noting that traffic coming from the east to this intersection will now have to turn right at William Street and that traffic coming from the west will now have to turn left onto Cross Street?*

4. The Double Bay Transport Study says that “by 2027, modelling indicates that the intersection of New South Head Road with Cross Street / Bellevue Road / Kiaora Road operates at over capacity during the AM, PM and Saturday peak periods and is unable to meet the forecast traffic demand associated with background traffic growth and full development yield.”

*Will the modelling of the New South Head Road with Cross Street / Bellevue Road / Kiaora Road intersection’s capacity out to 2027 need to be relooked at in light of the anticipated closure of Knox Street?*

5. The Double Bay Transport Study provides the following information about the definition of “full development”:

*WMC staff prepared a hypothetical development scenario based on the proposed amendment to the development controls. When compared to the current built form, the proposed amendments could facilitate: – An uplift of 1,196 parking spaces and 2,936 people across a potential expansion of residential, commercial and retail land uses. Under the potential scenario construction of the full development would be completed by 2027, while approximately 50 per cent of the potential development would be delivered within a five-year period to 2022.*

*Can the Council staff explain how the 1,196 uplift in parking spaces has or will be accommodated by 2027?*

*Can the Council shed light on what parameters, eg proposed uplift in development controls etc, SCT Consulting used to develop its definition of “full development”?*

*Has Double Bay already reached approximately 50 per cent of its “full development” potential, as was predicted in the above potential development scenario out to 2022? If so, what is the mix of this development use - residential, commercial and retail?*

6. The Double Bay Transport Study makes several recommendations to improve traffic management on Knox Street to cope with the growth in traffic at “full development”:

- a) *Removal, or investigate a timing ban, for the right turn movement from New South Head Road to Knox Street. This will improve the efficiency of New South Head Road and vehicles with an alternate route path to vehicles available via William Street;*
- b) *Formalise Line Marking (Knox Street) to improve lane discipline and reduce the occurrence of vehicles queuing in the centre lane and reducing available storage space;*

- c) *Removal of two kerbside parking spaces on Knox Street during the AM peak to facilitate greater access to the left turn lane and provide greater efficiency for the operation of the New South Head Road / Knox St intersection.*

*Given that the pedestrianisation of Knox Street was not anticipated in the Double Bay Transport Study, should the definition of “full development” in Double Bay be reconsidered to accommodate the additional traffic and parking pressures from its closure?*

8. With respect to parking, the Double Bay Transport Study notes that “potential developments may increase the parking capacity of the Town Centre, however this would likely be offset by the additional parking demands generated by the new developments which may impact on the surrounding road network. It is recommended that the impact of the potential development on the surrounding street network be monitored at regular intervals, in line with the development expansion, to ascertain the level of car parking occupancy.”

*Can the staff confirm that the Double Bay Traffic Study recommendation to monitor the traffic and parking impacts of new developments in Double Bay are being monitored? If so, can the staff provide with an update on these impacts?*

9. The Double Bay Transport Study recommends expanding the current residential parking permit scheme to cope with increasing demand, but [The Double Bay Pedestrianisation Study](#) notes the following:

*Most roads within Double Bay allow on-street parking. Almost all spaces are time restricted. When pedestrianising a street the following will need to be considered in relation to on street parking:*

- Removing parking around the Double Bay area has challenges, especially along streets where local residents typically park to access their homes.*
- Removing parking around local retail/shops may be considered by business owners as reducing ease of access/convenience to their businesses.*
- Loading zones may need to be relocated to a nearby area to allow for goods to be loaded and unloaded.*

*Is the Double Bay Transport Study’s recommendation to expand the residential parking scheme realistic given the anticipated loss of street parking on Knox Street?*

10. The Double Bay Transport Study recommends that Council “encourages a modal shift from driving in private vehicles to walking and cycling to key destinations like Double Bay town centre and Double Bay Public School.”

*Assuming that Knox Street currently provides a vehicular route for parents of school children going to and from the Double Bay Public School, should a cycleway being considered for inclusion in the concept design for the pedestrianisation of the Knox Street?*

11. The Double Bay Transport Study recommends several strategies to manage travel demand, including “providing additional car share (Go Get) spaces on street within WMC as well as dedicated parking provision within new developments and WMC car parks.”

*Can the Council staff confirm if any Go Get spaces are currently included the Cross Street Car Park?*

12. At its [meeting of 14 September 2020](#), the Finance, Community and Services Committee endorsed the Double Bay Pedestrianisation Study and adopted recommendation (R3): “THAT Council staff explore funding opportunities for the following projects identified in the Double Bay Pedestrianisation Study:

1. Knox Street Pedestrian Only Zone
2. 40km/hr High Pedestrian Activity Area (HPAA) for streets bounded by New South Head Road, Ocean Avenue and William Street (noting that further reducing the speed limit in the Double Bay Commercial Centre to 30km/hr will be considered as part of a future report to Council)
3. Transvaal Avenue Pedestrian Only Zone (eastern side)
4. Transvaal Avenue 10km/hr Shared Zone (western side)
5. Bay Street 10km/hr Shared Zone
6. Knox Lane 10km/hr Shared Zone
7. Short Street 10km/hr Shared Zone
8. Gum Tree Lane 10km/hr Shared Zone
9. Goldman Lane 10km/hr Shared Zone (Short Street to Knox Street)

*Can the Council staff confirm whether the other opportunities for improved pedestrianisation - 2 to 9 above - will still be explored if the pedestrianisation of Knox Street goes ahead?*

*Why did the Double Bay Pedestrianisation Study (7 September 2020) not reference in any detail the findings of its previous report, the Double Bay Transport Study (29 July 2020), noting that this report had identified significant issues with traffic congestion in Double Bay and only recommended modest improvements to address them?*

**Director Infrastructure and Sustainability in response:**

On Notice.

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**QWN:** 17.2  
**From:** Councillor Jarvis  
**Subject:** Questions with Notice - Power Boxes / Ausgrid/ Electrical Infrastructure on Footpaths

**Councillor Jarvis asking:**

Noting:

1. the increasing number and impact of electrical infrastructure on our footpaths
2. that a year ago I was advised 'that representatives from Ausgrid, the City of Sydney, Waverley Council and Woollahra Council have agreed to meet and discuss options to address the issue of Ausgrid pillars being placed on the footpaths. One of these options includes considering imposing conditions of consent for new developments to require these new developments to locate Ausgrid green pillar boxes within their property boundary line.'
3. the proliferation of these continues so that cumulatively they are arguably no longer low impact as permitted by the Telecommunications Act.

What progress has been made to stop them being placed on our footpaths where they are both unsightly and a trip hazards?

**Director Infrastructure & Sustainability in response:**

On Notice.

**QWN:** 17.3  
**From:** Councillors Elsing, Regan & Witt  
**Subject:** Questions with Notice - Fighting Overdevelopment

**Councillors Elsing, Regan & Witt asking:**

**Questions**

1. Is the list outlined below a conclusive list of the relevant activities of Council to curtail overdevelopment in the non-heritage conservation areas of the Woollahra Local Government Areas including Bellevue Hill, Double Bay, Rose Bay and Vaucluse since the adoption of the Woollahra LEP 2014 and the Woollahra DCP 2015? If not, please provide detail of other initiatives?
2. What are other avenues available to Councillors to ensure that the non-heritage conservation areas of the Woollahra Local Government Areas including Bellevue Hill, Double Bay, Rose Bay and Vaucluse are protected against overdevelopment?
3. Have we made representations to the Department of Planning and Environment that the Woollahra LGA is exceeding its targets with no new infrastructure? If so, please advise details.
4. Please advise of infrastructure (since November 2021) for the Woollahra LGA.

**Background**

Woollahra Council is currently developing planning strategies for Double Bay and for Edgecliff. These strategies will collectively deliver **an additional 1000 + new dwellings** to the Woollahra LGA.

Reasons for support of these strategies has included that development in these areas will inhibit development in residential areas particularly the non-heritage conservation areas of Bellevue Hill, Double Bay, Rose Bay and Vaucluse.

In order to advance this protection Notices of Motion have been passed by Council as follows to prevent overdevelopment and these have been rejected by the Department of Environment and Planning (see below).

	Date	Subject	Status
1	22 February 2021	Planning proposal for a 1200sqm minimum lot size for attached dual occupancies in the R2 zone	DPE has issued a Gateway determination that it should not proceed (4 May 2022)
2	14 February 2022	Requesting an exemption to the provisions of the Housing SEPP that permit seniors housing development on land zoned RE2 Private Recreation.	DPE does not support Council's request to exempt RE2 Private Recreation zoned land from seniors housing under the Housing SEPP (10 April 2022)
3	26 July 2021	Requesting an amendment to the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 so that its provisions will not apply to land zoned R2 Low Density Residential under the Woollahra Local Environmental Plan 2014.	DPE response draws attention to the consultation draft of the Housing SEPP and notes that many submissions received in response to the exhibition raised the issue of permissibility of seniors housing in the R2 zone. In recognition of this, DPIE is reviewing this provision and will include the information on recent applications submitted under the Seniors SEPP and the impacts to the Woollahra LGA. The DPIE's stated position is that ahead of this review it would be premature to exclude seniors housing from the R2 zone in the Woollahra LEP 2014 (27 September 2021)
4	21 May 2018	Requesting consideration of imposing a floor space ratio in land zoned R2 to 0.5:1 and enhancing tree canopy controls.	Awaiting outcome from DPE

## Housing Targets

The Greater Sydney Commission set targets for 2016 - 2021 (300) and for 2021 – 2026 (500). Woollahra Local Housing Strategy 2021 set a further target for 2026 – 2036 (400). Making a total of 1,200 new dwellings from 2016 to 2036. These targets are determined by reference to the infrastructure and planning aspirations of the Woollahra LGA.

As at October 2021 Woollahra LGA information indicates that Woollahra LGA has approved or built 889 new dwellings (2016 – 2021).

The overdevelopment in Woollahra is frequently reported on in the media noting that Woollahra is alone or in the minority in exceeding its housing targets:

- 15 December 2021 - The Property Council NSW executive director Luke Achterstraat had said *"With only one of 35 local councils in Greater Sydney on track to meet their housing targets, it is clear that greater accountability and timeframes for approvals need to be set"*<sup>1</sup>.
- 24 April 2022 - Reporting on the numbers of new development released by the Department of Planning and Environment (DPE) for the period 2016 – 2021 it was reported that *"Public anger about overdevelopment in Sydney's eastern suburbs also appears to be justified given 564 homes were built in Woollahra Municipal Council even though the target was only 300"*<sup>2</sup>.
- 8 May 2022 - reported that *"More than half of Sydney councils missed housing targets for 2016-21, amid growing community anger about overdevelopment and a lack of infrastructure even in wealthy areas such as Sydney's eastern suburbs"*<sup>3</sup>.

Based on Department of Planning and Environment number of 564 (2016-2021) the average number of new dwellings per annum for Woollahra LGA is 113. Taking into account the number of new dwellings to date (564) and applying 113 new dwellings per annum number across the remaining 15 years of the targeted period (2021 – 2036) would result in a total of 2,279 new dwellings as at 2036 (for the period 2016 – 2036). Almost 200% above target.

This increased number of new homes results in an increase in population of 5,000 new people and just under 2,000 new cars to the municipality by 2036. The number of new residents exceeds the population forecasts made by the Department for 2031<sup>4</sup>.

Woollahra Local Government Area	Greater Sydney Commission Targets	Number of new homes built as reported by DPE	Forward estimate based on DPE actuals	Actual / Estimated new homes	Number of additional new residents (2.23 per household) <sup>5</sup>	Number of additional vehicles (82.9% of homes have a car) <sup>6</sup>
2016 - 2021	300	564	-	564	1,257	467
2021 - 2026	500	n/a	565	565	1,260	468
2026 - 2036	400	n/a	1,150	1,150	2565	953
As at 2036	1,200 (target for new homes)			2,279 (actual/estimated new homes)	5,082 (estimated new residents)	1,888 (estimated new cars)

Woollahra Council staff have advised that the current controls are adequate to deliver targets to 2026.<sup>7</sup>

<sup>1</sup> <https://www.smh.com.au/national/nsw/silence-taken-as-acceptance-state-will-intervene-in-tardy-councils-over-housing-20211215-p59hv4.html> - The Property Council NSW executive director Luke Achterstraat said "With only one of 35 local councils in Greater Sydney on track to meet their housing targets, it is clear that greater accountability and timeframes for approvals need to be set."

<sup>2</sup> <https://www.smh.com.au/national/harsh-truth-more-than-half-of-sydney-s-councils-failing-to-meet-housing-targets-20220421-p5af63.html>

<sup>3</sup> <https://www.smh.com.au/national/doing-the-heavy-lifting-the-councils-projected-to-fall-short-of-new-housing-targets-20220505-p5aioq.html>

<sup>4</sup> Woollahra Local Housing Strategy 2021- see Evidence

<sup>5</sup> Woollahra Local Housing Strategy 2021 concludes that there are 2.23 people per household.

<sup>6</sup> Woollahra Local Housing Strategy 2021 concludes that 82.9% of households have cars.

<sup>7</sup> Councillors Luise Elsing and Lucinda Regan asked Council for details of NSW Public Spaces Legacy Program Targets and a response was provided in the minutes of the Council meeting on 22 November 2021 including that in Council's submission: Council advised that our current LEP provides adequate housing supply to 2026 without the need for updating Woollahra LEP 2014, and that further housing supply may be provided as a result of the Edgecliff Corridor and Double Bay Strategies – but that this was subject to decisions of Council. For a full copy of the report see [https://www.woollahra.nsw.gov.au/data/assets/pdf\\_file/0003/255657/Council-Agenda-14-Feb-2022.pdf](https://www.woollahra.nsw.gov.au/data/assets/pdf_file/0003/255657/Council-Agenda-14-Feb-2022.pdf) Item 7.3 page 176



### No significant new infrastructure to accommodate over development

Responses to questions with notice have indicated that no new significant infrastructure is planned in the Woollahra LGA to accommodate the number of new homes, population or cars. Below is an extract from the response provided in Agenda to Meeting on 22 November 2021<sup>8</sup>:

#### 3. Funding infrastructure

In relation to the recent State and Federal Government funding identified in the QWN Council staff advise as follows:

- Knox Street Pedestrianisation, Public Spaces Legacy Program (State) (\$4.75m). This funding is subject to meeting targets established under the Program
- Hakoah Club media announcements identified a total of \$15m in funding (State and Federal),
- Rose Bay bike path, Active Transport Grant Funding Program (State)(\$1m)
- Coastal Pathway lighting from Gap Park to Christison Park, Community Development Grants Programme (Federal) (\$500k)
- Upgrade of Cooper Park Community Hall, Local Roads and Community Infrastructure Program (Federal) (\$480k).

### No plans to manage increased traffic and parking requirements in Double Bay

The Double Bay Transport Study (29 July 2020), prepared for Council by SCT Consulting, referred to an anticipated uplift in the controls for the whole of Double Bay. Subsequently, it was revised and reissued on 11 November 2021 to reflect the retention of the 4 storey height control in Double Bay with the exception of Cross Street, where the height controls would be uplifted to 6 storeys. Its assumptions also accounted for the proposed pedestrianisation of Knox Street.

The July 2020 SCT report says that Woollahra Council “*staff prepared a hypothetical development scenario based on the proposed amendment to the development controls. When compared to the current built form, the proposed amendments could facilitate: – An uplift of 1,196 parking spaces and 2,936 people across a potential expansion of residential, commercial and retail land uses. Under the potential scenario construction of the full development would be completed by 2027, while approximately 50 per cent of the potential development would be delivered within a five-year period to 2022.*”

Modelling conducted for the July 2020 SCT report predicted that under the “full development” scenario, as outlined above, by 2027 the road network would be unable to cope with the forecast traffic demand during peak hour periods (see last point below). In contrast, modelling done for the November 2021 STC Report, which was informed by the assumption that the uplift in the height control for Double Bay would only apply to Cross Street, concluded that “*No major network modifications were identified as being required. This is due to the minor impact the development uplift has on trip generation.*”

The following points are relevant to Council’s capacity to deliver additional required parking in Double Bay and cope with higher traffic generation, especially if the height control is increased from 4 to 6 storeys across the whole centre:

- development applications to date do not appear to come close to meeting the projected 1,196 additional car spaces, as referred to in the July 2020 SCT report, probably because excavating for parking in Double Bay is highly problematic<sup>9</sup> and Council controls for Double Bay do not specify minimum parking requirements,
- inclination to assess development applications on an individual (rather than a cumulative basis) in regards to the impact on traffic and provision of parking has led to the approval of a high number of DAs for substantial new commercial/residential buildings that exceed existing development standards even in areas beyond Cross Street and do not accommodate the anticipated demand for car parking spaces,
- the current plan for redevelopment of the Cross Street Car Park will only replace existing capacity for public car parking spaces,
- the July 2020 STC Report partly relies on expanding the residential parking permit scheme to solve predicted demand for parking even though the availability of on-street parking is already close to or at capacity, and

<sup>8</sup> [https://www.woollahra.nsw.gov.au/\\_data/assets/pdf\\_file/0005/252167/Council-Agenda-22-Nov-2021.pdf](https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0005/252167/Council-Agenda-22-Nov-2021.pdf) Item 17.3 page 204

<sup>9</sup> 10 Cross Street was recently approved for 11 apartments with no parking. The two additional floors at 374-382 New South Head Road (the Berger building) will accommodate 11 apartments but makes no provision for parking.

- the July 2020 STC Report notes that *“By 2027, modelling indicates that the intersection of New South Head Road with Cross Street / Bellevue Road / Kiaora Road operates over capacity during the AM, PM and Saturday peak periods and is unable to meet the forecast traffic demand associated with background traffic growth and full development yield.”*

**Manager Strategic Planning in response:**

On Notice.

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## Political Donations: Matters to be considered by Councillors at Council and/or Committee Meetings

