



Council Meeting

Monday, 26 April 2022
6.30pm

Minutes

Unconfirmed

Ordinary Council Meeting

Tuesday 26 April 2022

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Unconfirmed

Items Determined Under Delegated Authority by Council Committees

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

Environmental Planning Committee

D1 Confirmation of Minutes of Meeting held on 7 March 2022

Finance, Community & Services Committee

D1 Confirmation of Minutes of Meeting held on 7 March 2022

D2 Investments held as at 31 March 2022

D3 Closing and Sale of Part Road Reserve adjoining 30 Wyuna Road Point Piper (SC1015-03)

Unconfirmed

Ordinary Council Meeting

Minutes of the Meeting of Woollahra Municipal Council held at the Council Chambers, 536 New South Head Road, Double Bay, on 26 April 2022 at 6.30pm.

Present: Her Worship the Mayor, Councillor Susan Wynne ex-officio

Councillors: Isabelle Shapiro	(Deputy Mayor)
Sean Carmichael	(Open to 13.1 (R7))
Peter Cavanagh	
Luise Elsing	
Nicola Grieve	
Mary-Lou Jarvis	via Zoom
Harriet Price	
Lucinda Regan	
Matthew Robertson	via Zoom
Richard Shields	
Sarah Swan	
Merrill Witt	
Toni Zeltzer	

Staff:	Ian MacKinlay	(Acting Director – Corporate Performance)
	Tom O’Hanlon	(Acting General Manager)
	Scott Pedder	(Director – Planning & Place) – via Zoom
	Carolyn Nurmi	(Governance Officer)
	Helen Tola	(Manager – Governance & Council Support)

Also in Attendance: Nil

1. Opening

The Mayor declared the Ordinary Council Meeting of 26 April 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: **CONFIRMATION OF COUNCIL MINUTES - 11 APRIL 2022**
Author: Sue O'Connor, Governance Officer
File No: 22/75007
Purpose of the Report: The Minutes of the Council of 11 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

Note: Late correspondence was circulated by Helen Tola, Manager Governance & Council Support.

(Shapiro/Carmichael)

1/22 Resolved:

THAT the Minutes of the Council Meeting of 11 April 2022 be taken as read and confirmed, subject to the amendment outlined in the late correspondence.

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 Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

14/0

6. Declarations of Interest

Councillor Shapiro declared a Non-Significant, Non-Pecuniary interest in 13.1 Item R3 (Planning Proposal - Heritage Listing of 'Sunny Brae, including interiors' at 40 Fitzwilliam Road, Vacluse) as Councillor Shapiro knows one of the neighbours who have submitted late correspondence. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

Councillor Shapiro declared a Non-Significant, Non-Pecuniary interest in 13.1 Item R7 (Advice of the Woollahra Local Planning Panel - Planning Proposal - Amended planning controls for Riddell Street, Bellevue Hill) as Councillor Shapiro's daughter and her family live in Lennox Street, Bellevue Hill which is a nearby street. Councillor Shapiro does not believe it will affect her vote. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

Councillor Carmichael declared a Non-Significant, Non-Pecuniary interest in 13.1 Item R7 (Advice of the Woollahra Local Planning Panel - Planning Proposal - Amended planning controls for Riddell Street, Bellevue Hill) as Councillor Carmichael is a resident of Bradley Avenue which is a nearby street. Councillor Carmichael does not believe it will affect his vote. Councillor Carmichael remained in the meeting, participated in debate and voted on the matter.

The Mayor, Councillor Wynne declared a Non-Significant, Non-Pecuniary interest in 13.2 Item R1 (Closing and Sale of Road Reserve adjoining 2A Wunulla Road, Point Piper (application formerly known as 592 New South Head Road) as the Mayor advised that she does know some staff who work at Fortis and believes that Fortis are developing the property. Councillor Wynne remained in the meeting, participated in debate and voted on the matter.

Councillor Regan declared a Non-Significant, Non-Pecuniary interest in 13.2 item R1 (Closing and Sale of Road Reserve adjoining 2A Wunulla Road, Point Piper (application formerly known as 592 New South Head Road) as Councillor Regan's husband and/or their self-managed superannuation fund have invested in one of the Palace Groups investments products from time to time. Councillor Regan remained in the meeting, participated in debate and voted on the matter.

Councillor Jarvis declared a Non-Significant, Non-Pecuniary interest in Item 13.1 R1 (Post Exhibition Report - Planning Proposal - Bus Shelter Advertising as Exempt Development) as Councillor Jarvis had dealings with AdShel who are bus shelter advertiser and a former client many years ago. Councillor Jarvis remained in the meeting, participated in debate and voted on the matter.

7. Leave of Absence and Apologies

An apology was received and accepted from Councillor Silcocks.

8. Late Correspondence

Note Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Items 5.1, 12.1 & 13.1 Items R1, R3 & R4 and 13.2 Items R1).

9. Petitions Tabled

Nil

10. Public Forum

Nil

11. Mayoral Minutes

Nil

12. General Manager and Officer's Report

- Item No:** 12.1
Subject: **WOOLLAHRA LOCAL PLANNING PANEL (WLPP) - UPDATE FOLLOWING EXPRESSION OF INTEREST PROCESS**
Authors: Helen Tola, Manager - Governance & Council Support
Nick Economou, Manager Development Control
Approvers: Scott Pedder, Director - Planning & Place
Craig Swift-McNair, General Manager
File No: 22/75699
Purpose of the Report: To provide Council with an update on the progress following the recent call for Expressions of Interest for WLPP Community Representatives.
Alignment to Delivery Program: Strategy 4.1: Encourage and ensure high quality planning and urban design outcomes.
- Note:** Late correspondence was tabled by Councillor Toni Zeltzer (2 pieces), Councillor Luise Elsing, Helen Tola, Council's Manager Governance Council Support & Nick Economou, Manager Development Control.
- Note:** The Council amended Part B of the resolution.

(Zeltzer/Shapiro)

2/22 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.

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

For the Motion

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

Against the Motion

Councillor Elsing
Councillor Price
Councillor Regan
Councillor Witt

10/4

13.1 Environmental Planning Committee

Items with Recommendations from the Committee Meeting of Monday 4 April 2022 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	POST EXHIBITION REPORT - PLANNING PROPOSAL - BUS SHELTER ADVERTISING AS EXEMPT DEVELOPMENT
Author:	Lyle Tamlyn, Strategic Planner
Approvers:	Anne White, Manager - Strategic Planning Scott Pedder, Director - Planning & Place
File No:	22/54037
Purpose of the Report:	To report on the public exhibition of the planning proposal to amend the Woollahra Local Environmental Plan 2014 to include exempt provisions for bus shelter advertising.
Alignment to Delivery Program:	Strategy 4.1: Encourage and ensure high quality planning and urban design outcomes.

Note: Late correspondence was tabled by The Paddington Society.

Note: Councillor Jarvis declared a Non-Significant, Non-Pecuniary interest in this Item as Councillor Jarvis had dealings with AdShel who are bus shelter advertiser and a former client many years ago. Councillor Jarvis remained in the meeting, participated in debate and voted on the matter.

Motion moved by Councillor Jarvis Seconded by Councillor Shapiro

- A. THAT Council finalise the planning proposal at **Attachment 1** of the report to the Environmental Planning Committee of 4 April 2022, which seeks to insert exempt provisions for bus shelter advertising into the *Woollahra Local Environmental Plan 2014*.
- B. THAT Council make the local environmental plan as the local plan making authority under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* as authorised by the Gateway Determination issued on **17 December 2021**.

Amendment moved by Councillor Price Seconded by Councillor Robertson

- A. THAT Council finalise the planning proposal at **Attachment 1** of the report to the Environmental Planning Committee of 4 April 2022, which seeks to insert exempt provisions for bus shelter advertising into the *Woollahra Local Environmental Plan 2014*, subject to excluding Oxford Street, Paddington.
- B. THAT Council make the local environmental plan as the local plan making authority under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* as authorised by the Gateway Determination issued on **17 December 2021**.

The Amendment was put and lost.

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

For the Amendment

Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Robertson
Councillor Swan
Councillor Witt
Councillor Zeltzer

Against the Amendment

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Regan
Councillor Shapiro
Councillor Shields
Councillor Wynne

7/7

The Amendment was lost on the casting vote of the Mayor, Councillor Wynne.

The Motion was put and carried.

(Jarvis/Shapiro)

3/22 Resolved:

- A. THAT Council finalise the planning proposal at **Attachment 1** of the report to the Environmental Planning Committee of 4 April 2022, which seeks to insert exempt provisions for bus shelter advertising into the *Woollahra Local Environmental Plan 2014*.
- B. THAT Council make the local environmental plan as the local plan making authority under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* as authorised by the Gateway Determination issued on **17 December 2021**.

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

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Regan
Councillor Shapiro
Councillor Shields
Councillor Wynne

Against the Motion

Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Robertson
Councillor Swan
Councillor Witt
Councillor Zeltzer

7/7

The Motion was carried on the casting vote of the Mayor, Councillor Wynne.

Item No: R2 Recommendation to Council
Subject: **POST EXHIBITION REPORT- PLANNING PROPOSAL FOR ENHANCED PROVISIONS FOR EARTHWORKS AND DEWATERING**
Author: Lyle Tamlyn, Strategic Planner
Approvers: Anne White, Manager - Strategic Planning
Scott Pedder, Director - Planning & Place
File No: 22/52590
Purpose of the Report: To report on the public exhibition of the planning proposal to amend the Woollahra Local Environmental Plan 2014 to enhance provisions for earthworks and dewatering.
Alignment to Delivery Program: Strategy 4.1: Encourage and ensure high quality planning and urban design outcomes.

(Jarvis/Regan)

4/22 Resolved without debate:

- A. THAT Council finalise the planning proposal at **Attachment 1** of the report to the Environmental Planning Committee of 4 April 2022, which seeks to insert enhanced provisions for earthworks and dewatering into the *Woollahra Local Environmental Plan 2014*.
- B. THAT Council requests the Planning Secretary to make the local environmental plan under section 3.36(1) of the *Environmental Planning and Assessment Act 1979*.

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

For the Motion

Against the Motion

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

Nil

14/0

Item No: R3 Recommendation to Council
Subject: **PLANNING PROPOSAL - HERITAGE LISTING OF 'SUNNY BRAE, INCLUDING INTERIORS' AT 40 FITZWILLIAM ROAD, VAUCLUSE**
Authors: Flavia Scardamaglia, Strategic Heritage Officer
Anne White, Manager - Strategic Planning
Approver: Scott Pedder, Director - Planning & Place
File No: 22/39605
Purpose of the Report: To update Council on the site visit which was conducted on 7 March 2022. To obtain Council's approval to proceed with the planning proposal to list 'Sunny Brae, including interiors' at 40 Fitzwilliam Road, Vaucluse as a local heritage item in Schedule 5 and on the Heritage Map of Woollahra Local Environmental Plan 2014.
Alignment to Delivery Program: Strategy 4.3: Protect our heritage, including significant architecture and the natural environment.

Note: Late correspondence was tabled by Graham Brooks of GBA Heritage, Stephen Davies of Urbis.

Note: Councillor Shapiro declared a Non-Significant, Non-Pecuniary interest in this Item as Councillor Shapiro knows one of the neighbours who have submitted late correspondence. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

Motion moved by Councillor Shapiro
Seconded by Councillor Carmichael

- A. THAT the planning proposal, as contained in **Attachment 1** of the report to the Environmental Planning Committee meeting of 4 April 2022 be forwarded to the Department of Planning and Environment with a request for a gateway determination to allow public exhibition, subject to adopting the inventory listing proposed by the late correspondence submitted by Stephen Davies of Urbis (i.e. page 17 to 23 deleting any reference to views from the property).
- B. THAT Council request the Minister for Planning and Public Spaces (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*.

Amendment moved by Councillor Grieve
Seconded by Councillor Zeltzer

- A. THAT the planning proposal, as contained in **Attachment 1** of the report to the Environmental Planning Committee meeting of 4 April 2022 be forwarded to the Department of Planning and Environment with a request for a gateway determination to allow public exhibition.
- B. THAT Council request the Minister for Planning and Public Spaces (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*.

The Amendment was put and carried.

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

For the Amendment

Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Amendment

Councillor Carmichael
Councillor Shapiro
Councillor Shields

11/3

**The Amendment became the Motion.
The Motion was put and carried.**

(Grieve/Zeltzer)

5/22 Resolved:

- A. THAT the planning proposal, as contained in **Attachment 1** of the report to the Environmental Planning Committee meeting of 4 April 2022 be forwarded to the Department of Planning and Environment with a request for a gateway determination to allow public exhibition.
- B. THAT Council request the Minister for Planning and Public Spaces (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*.

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

For the Motion

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

Against the Motion

Nil

14/0

Item No: R4 Recommendation to Council
Subject: **COMPLIANCE AND ENFORCEMENT OF UNAUTHORISED WORK, INCLUDING A REVIEW OF COUNCIL'S ENFORCEMENT POLICY 2007**

Author: Jacquelyne Della Bosca, Executive Planner
Approvers: Tim Tuxford, Manager - Compliance
Scott Pedder, Director - Planning & Place

File No: 22/42564

Purpose of the Report: To respond to a Notice of Motion requesting a review of Council's Enforcement Policy including options to better protect heritage items. To respond to a NOM requesting ways to make private certifiers more accountable for addressing unauthorised work. To obtain Council's approval to exhibit Draft Woollahra Enforcement Policy 2022.

Alignment to Delivery Program: Strategy 4.6: Ensure that planning and building requirements are complied with.

Note: Late correspondence was tabled by Council's Executive Planner, Jacquelyne Della Bosca.

Note: The Council amended part B of the Resolution.

(Jarvis/Regan)

6/22 Resolved without debate:

THAT Council:

- A. Receive and note the report on the review of Council's Enforcement Policy and approach to unauthorised work on heritage items, and private certifiers.
- B. Endorse exhibition of the Draft Woollahra Enforcement Policy 2022 as contained at Attachment 2 of the report to the Environmental Planning Committee of 4 April 2022 for a period of 28 days **subject to:**
 - a. amending the Draft Policy, section 9 "Role of the Principal Certifier" by inserting the following at the end of paragraph 1: *"Complaints received by Council will be referred to the Principal Certifier to consider and investigate. Council will notify the complainant of this action and provide the complainant with the Principal Certifier's contact details."*
- C. Note that a further report be submitted to Council following the conclusion of the exhibition period for final consideration and adoption of a new Enforcement Policy.

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

For the Motion

Against the Motion

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

Nil

14/0

Item No: R5 Recommendation to Council
Subject: **SMOKE-FREE ENVIRONMENT LEGISLATION AND SMOKING IN LICENSED PREMISES**
Author: Jacquelyne Della Bosca, Executive Planner
Approvers: Anne White, Manager - Strategic Planning
Scott Pedder, Director - Planning & Place
File No: 22/48619
Purpose of the Report: To respond to Council resolutions seeking options to address second-hand smoke in relation to licensed premises and dwelling houses.
Alignment to Delivery Program: Strategy 4.1: Encourage and ensure high quality planning and urban design outcomes.

(Jarvis/Shapiro)

7/22 Resolved without debate:

- A. THAT the report on the smoke-free environment legislation and planning options for addressing smoking in licensed premises be received and noted.
- B. THAT Council writes to the Minister for Health requesting the State Government strengthen the smoke-free environment legislation to address matters identified in the report to the Environmental Planning Committee of 4 April 2022.
- C. THAT Council continues to identify opportunities to advocate for improvements to the *Smoke-free Environment Act 2000* to achieve genuine smoke-free environments.

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

For the Motion

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

Against the Motion

Nil

14/0

Item No: R6 Recommendation to Council
Subject: **ADVICE OF THE LOCAL PLANNING PANEL - HERITAGE LISTING OF EIGHTEEN AUSGRID SUBSTATIONS**
Author: Kristy Wellfare, Strategic Heritage Officer
Approvers: Anne White, Manager - Strategic Planning
Scott Pedder, Director - Planning & Place
File No: 22/55781
Purpose of the Report: To provide Council with the advice of the Woollahra Local Planning Panel
To obtain Council's approval to proceed with the planning proposal to list eighteen (18) Ausgrid substations as local heritage items in Schedule 5 and on the heritage maps of the Woollahra Local Environmental Plan 2014.
Alignment to Delivery Program: Strategy 4.3: Protect our heritage, including significant architecture and the natural environment.

(Jarvis/Shapiro)

8/22 Resolved without debate:

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 17 March 2022 for the planning proposal to list eighteen Ausgrid electricity substations as local heritage items in Schedule 5 and the Heritage Maps of the Woollahra Local Environmental Plan 2014.
- i. 'Electricity Substation No.94' at 73A Dover Road, Rose Bay (Lot 1 in DP 121861)
 - ii. 'Electricity Substation No.99' at Wyuna Road, Point Piper (Road reserve)
 - iii. 'Electricity Substation No.135, including moveable content' at 65 William Street, Double Bay (Lot 1 in DP 172768)
 - iv. 'Electricity Substation No.160' at James Street, Woollahra (Lot 1 in DP 587872)
 - v. 'Electricity Substation No. 173, including moveable content' at 582 New South Head Road, Point Piper (Lot 1 in DP 1103924)
 - vi. 'Electricity Substation No.185, including moveable content and brick fence' at 116 Birriga Road, Bellevue Hill (Lot Y in DP 415489)
 - vii. 'Electricity Substation No.189, including moveable content' at 33 Hoddle Street, Paddington (Lot 1 in DP 187153)
 - viii. 'Electricity Substation No.193' at 29A Olphert Avenue, Vaucluse (Lot 28 in DP 666593)
 - ix. 'Electricity Substation No.199' at 2A Marathon Road, Darling Point (Lot 1 in DP 315729 and Lot A in DP 415567)
 - x. 'Electricity Substation No.299 including moveable content and brick fence' at 101 Drumalbyn Road, Bellevue Hill Lot A in DP 320729
 - xi. 'Electricity Substation No.314 including moveable content and front fence' at 1 Dalley Avenue, Vaucluse (Lot 35 in DP 1108999)
 - xii. 'Electricity Substation No.315 including moveable content and brick fence' at 7 Plumer Road, Rose Bay (Lot 1 in DP 1079372)
 - xiii. 'Electricity Substation No.318 at 13 Drumalbyn Road, Bellevue Hill (Lot 1 in DP 328329)
 - xiv. 'Electricity Substation No.357 including front and side stone walls' at 2A March Street, Bellevue Hill (Lot 1 in DP 607315)
 - xv. 'Electricity Substation No.361, including front fence and side stone wall' at 29 Boronia Road, Bellevue Hill (Lot O in DP 17114)
 - xvi. 'Electricity Substation No.364' at 1A Rupertswood Avenue, Bellevue Hill (Lot 1 in DP 184315)
 - xvii. 'Electricity Substation No. 592, including moveable content' at 14 Robertson Place, Watsons Bay (Lot 1 in DP 231114)
 - xviii. 'Electricity Substation No. 622, including movable content' 148 Boundary Street, Paddington (Lot 1 in DP 231114).

- B. THAT Council endorse the planning proposal as contained in **Attachment 3**, and resolve to forward this to the Department of Planning and Environment with a request for Gateway determination to allow public exhibition.
- C. THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environment plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

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

For the Motion

Against the Motion

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

Nil

14/0

Item No: R7 Recommendation to Council
Subject: **ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL - PLANNING PROPOSAL - AMENDED PLANNING CONTROLS FOR RIDDELL STREET, BELLEVUE HILL**
Author: Lyle Tamlyn, Strategic Planner
Approvers: Anne White, Manager - Strategic Planning
Scott Pedder, Director - Planning & Place
File No: 22/54048
Purpose of the Report: To provide Council with the advice of the Woollahra Local Planning Panel and obtain Council's approval to proceed with the planning proposal to amend the controls for 13-27 Riddell Street and 14-15 Buller Street under the Woollahra Local Environmental Plan 2014.
Alignment to Delivery Program: Strategy 4.1: Encourage and ensure high quality planning and urban design outcomes.

Note: Councillor Shapiro declared a Non-Significant, Non-Pecuniary interest in this Item as Councillor Shapiro's daughter and her family live in Lennox Street, Bellevue Hill which is a nearby street. Councillor Shapiro does not believe it will affect her vote. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

Note: Councillor Carmichael declared a Non-Significant, Non-Pecuniary interest in this Item as Councillor Carmichael is a resident of Bradley Avenue which is a nearby street. Councillor Carmichael does not believe it will affect his vote. Councillor Carmichael remained in the meeting, participated in debate and voted on the matter.

(Jarvis/Shapiro)

9/22 Resolved without debate:

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 24 March 2022, supporting a planning proposal to amend the controls for 13-27 Riddell Street and 14-15 Buller Street, Bellevue Hill under the *Woollahra Local Environmental Plan 2014* and that Council note that the Panel:
- (i) *Appreciated the comprehensive analysis of the proposed zoning changes as being appropriate and thoughtful for the future planning of Riddell Street and surrounding areas.*
 - (ii) *Noted that such planning proposals can take around a year for approval and encourage early engagement with the Department of Planning and Environment to facilitate approval.*
 - (iii) *Noted the quality and logical outcome of the Independent Planning and Urban Design Review completed by Studio GL and that the subsequent modest reduction in the total dwelling targets has been robustly justified against Ministerial Direction 6.1.*
 - (iv) *Notes the zoning changes will promote retention of the existing substantial tree canopy.*
- B. THAT the planning proposal, as contained in **Attachment 1** of the report to the Environmental Planning Committee of 4 April 2022, be forwarded to the Department of Planning and Environment with a request for:
- i. a Gateway determination to allow public exhibition
 - ii. it to be categorised as 'standard' as per the *Local Environmental Plan Making Guidelines 2021*
 - iii. no inclusion of savings or transitional provisions

- C. THAT Council request the Minister for Planning and Homes (or delegate) authorise Council as the local plan-making authority, to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

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

For the Motion

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

14/0

Against the Motion

Nil

Unconfirmed

13.2 Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Monday 4 April 2022 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **CLOSING AND SALE OF ROAD RESERVE ADJOINING 2A WUNULLA ROAD, POINT PIPER (APPLICATION FORMERLY KNOWN AS 592 NEW SOUTH HEAD ROAD) (SC6816).**
Author: Anthony Sheedy, Senior Property Officer
Approver: Tom O'Hanlon, Director - Infrastructure & Sustainability
File No: 22/45673
Purpose of the Report: To consider a proposal for the closing and sale of Wunulla Road reserve portion adjoining 2A Wunulla Road, Point Piper
Alignment to Delivery Program: Strategy 11.4: Maintain Council's strong financial position.

Note: Late correspondence was tabled by Nick Economou, Manager Development Control.

Note: The Mayor, Councillor Wynne declared a Non-Significant, Non-Pecuniary interest in this Item, as the Mayor advised that she does know some staff who work at Fortis and believes that Fortis are developing the property. Councillor Wynne remained in the meeting, participated in debate and voted on the matter.

Note: Councillor Regan declared a Non-Significant, Non-Pecuniary interest in this Item as Councillor Regan's husband and/or their self-managed superannuation fund have invested in one of the Palace Groups investments products from time to time. Councillor Regan remained in the meeting, participated in debate and voted on the matter.

Note: The Council amended Part C and added new Part D to the resolution.

(Grieve/Wynne)

10/22 Resolved:

- A. THAT Council resolve not to close and sell the subject road reserve adjacent to 2A Wunulla Road, Point Piper on the basis that this area serves as a green space gateway to Point Piper and provides valuable sight lines for motor vehicles and pedestrians.
- B. THAT the applicant be advised of Council's resolution.
- C. THAT Council notes the late correspondence prepared by staff to clarify the approval conditions of consent granted by the Land & Environment Court, specifically as to why consent was granted and how two Development Applications (i.e. DA13/2019 and DA396/2021) are in play and why both are in operation.
- D. THAT further information is provided to Councillors to better understand the process used in the past and to understand what happens in the future with regards to the development application.

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

For the Motion

Against the Motion

Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer
13/0

Nil

Item No: R2 Recommendation to Council
Subject: **OWNERS CONSENT - DEVELOPMENT APPLICATION - CAMP COVE KIOSK WATSONS BAY - LICENSEE WORKS**
Author: Caroline Tunney, Senior Property Officer
Approver: Tom O'Hanlon, Director - Infrastructure & Sustainability
File No: 22/53889
Purpose of the Report: To obtain Landowner's Consent for the purpose of lodging a Development Application (DA) consistent with the Licensee's Works - Tender SC5403
Alignment to Delivery Program: Strategy 11.4: Maintain Council's strong financial position.

(Zeltzer/Witt)

11/22 Resolved without debate:

THAT Council, in its capacity as Landowner, grants landowner consent to enable the Licensee, Denim Collaborations Pty Ltd, to lodge a Development Application (DA) for the alterations and additions to Camp Cove Kiosk and outdoor seating area, consistent with the Plans attached as Attachment 2 to this report.

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

For the Motion

Against the Motion

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

Nil

13/0

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 Anzac Day - Emanuel Synagogue
Tabled by: Councillor Regan

Councillor Regan advised:

Thank you Madam Mayor. I just wanted to note and to thank the Rabbi Kamins, Rabbi Ninio, Rabbi Kaiserblueth, Rabbi Mordecai and Rabbi Triguboff for their welcome at the Emanuel Synagogue for the Anzac Day Shabbat Service last Friday that I attended with Councillor Price, Councillor Elsing and Councillor Shields (who is a member of the congregation there or should I say a Member of the Shule).

As usual it was a very warm and compassionate service recognising the contribution of our defence personnel defending our country and liberties and an address was provided by the Hon. Dr Mike Kelly (himself a veteran of war) which was quite moving and contemplated. It was a very fitting way to start the memorial of the Anzac Day Service and I just wanted to thank the Rabbis again for their welcome. Thank you.

The Mayor, Councillor Wynne in response:

Thank you Councillor Regan.

General Item No: 15.2 Anzac Day - Paddington RSL Memorial
Tabled by: Councillor Cavanagh

Councillor Cavanagh advised:

Thank you Your Worship. On Sunday I represented you at the Paddington RSL Memorial for Anzac Day. It was a beautiful sunny day, much to our relief, so they could do the Memorial Service at the Memorial on the opposite side of Victoria Barracks.

It was very very well attended I must say and of course as it is an election year, and politicians turn up, we had Dave Sharma MP there as well so that was a plus. I would particularly like to thank Her Worship for the use of the car because for over the 14 years that I have done this, the hill is getting steeper and the wreaths are getting heavier, so thank you.

The Mayor, Councillor Wynne in response:

Thank you Councillor Cavanagh. I really appreciate it. I know it's the 14th year you have done that and the wreaths are exceptionally heavy.

General Item No: 15.3 Plea from Daisy Turnbull for Volunteers - Lifeline Centre at Bondi Junction
Tabled by: Councillor Witt

Councillor Witt advised:

Thank you Madam Mayor. I would just like to thank the Mayor and staff for responding so quickly to something I brought to the Mayor's attention, a Plea from Daisy Turnbull for volunteers for a new Lifeline centre at Bondi Junction. I would also like to commend the Council for its commitment to mental health issues.

The Mayor, Councillor Wynne in response:

Thank you Councillor Witt. I would like to thank you for bringing that to my attention for what can be done and I forwarded that to staff over the weekend who instantly put something on our Facebook and Instagram stories. Please share that and have a look that Lifeline are calling for volunteers. I think it closes on the 28 April 2022 as there is training involved. They are quite desperate, so thank you so much for alerting me to that.

General Item No: 15.4 Anzac Day Commemorations
Tabled by: Councillor Shapiro

Councillor Shapiro advised:

Thank you, Madam Mayor. Firstly, I would like to congratulate you on yesterday's very moving Anzac Day commemoration. I thought it was a particularly lovely, warm and encompassing service/commemorative service. You spoke beautifully, very moving, it was well attended and the sun was shining which was wonderful and also I extend thanks to staff involved in particular Patricia Vella (who I know is always behind this) and Justine Henderson and others. It was particularly moving and wonderful to have everybody back after 2 years of COVID. Well done to all. Please pass thanks to those involved.

Also I was able to represent you and Council at the Annual NAJEX Ceremony on Sunday (the day before Anzac Day) which is the NSW Association of Jewish Service & Ex-Service Men & Women. That was so well represented and as Councillor Cavanagh's said there is an election on so we had Politicians from all sides from both local Councils, Waverley and myself on behalf of Woollahra. There were wonderful speakers and I laid a floral tribute together with my 2 granddaughters who attended with me and that was very moving, so thank you.

The Mayor, Councillor Wynne in response:

Thank you Councillor Shapiro.

General Item No: 15.5 Anzac Day Commemorations
Tabled by: Councillor Jarvis

Councillor Jarvis advised:

Thank you Madam Mayor. I would also like to congratulate you, the Council and the staff on the various Anzac Day commemorations that I attended with you. I don't think our community does anything better than the Anzac Day events and it is always special to be attendance and particularly this morning as I walked past Steyne Park the wreath still laying freshly below the Solider at the centre of that garden.

Of course, Anzac Day is about those who have served our country and I just want to point out and commend a couple people that I met during the commemorations Retired Seaman John Unicom who had gone to HMAS Rushcutters at the age of 17, former Mayor Chris Dawson, who laid (as I suspect for the last 20 years) a wreath and over at Mark Moran that you and I attended Madam Mayor, Catherine Remond who I was surprised to realise that she was wearing over her left chest the Military Cross which is of course the second most highest honour at that time you can be awarded second only to the Victoria Cross.

So to all of those people that gave service to our community and our country, thank you for your service.

The Mayor, Councillor Wynne in response:

Thank you Councillor Jarvis.

General Item No: 15.6 O'Sullivan Road, Bellevue Hill
Tabled by: Councillor Grieve

Councillor Grieve advised:

Thank you Madam Mayor. I would like the Acting General Manager, Mr O'Hanlon to thank his staff for their very rapid response to all of my water gushing reports that I have been ringing in rapid rates as I have been travelling around the Municipality, they have been fast, responsive and O'Sullivan Road, Bellevue Hill is currently in the middle of a massive sink hole with a major sewerage pipe and also we had a major water collapse. Staff have been really fantastic in that area and also down in other areas that I have reported that staff have been very fast and rapid in their responses. I would like to commend the staff for their responses in this deluge we have been having of late.

The Mayor, Councillor Wynne in response:

Thank you Councillor Grieve.

General Item No: 15.7 Fig Tree - 23 Royston Street, Paddington
Tabled by: Councillor Robertson

Councillor Robertson advised:

Thank you Madam Mayor. I also wanted to extend my thanks to staff and to those in Mr O'Hanlon's team for the way in which they dealt with the emergency situation last Friday night pertaining the enormous fig tree at 23 Royston Street, Paddington which I understand, inevitably put so much pressure on the wires that it had to be removed in an emergency situation, notwithstanding staff had been advocating with AUSGRID for the timely removal of this tree.

I understand that staff were on site into the evening to work with our local residents to explain to them that the nature of the situation and that the work that was being carried out. That was well received and I am pleased to report that to Council and my thanks to all involved.

The Mayor, Councillor Wynne in response:

Thank you Councillor Robertson.

General Item No: 15.8 Anzac Day - Thank you to Staff
Tabled by: The Mayor, Councillor Wynne

The Mayor, Councillor Wynne advised:

I would also like to extend my thanks to staff for yesterday, Anzac Day, they were here very early in the morning putting the flags at half mast, the work particularly Patricia Vella, Justine Henderson, Troy Guyatt and everyone else involved and also thank you to all the staff who made the whole area beautiful and ready. It was a very special day for me and I just love seeing everyone come out as well. I find it very sad also thinking about my father and where he fought and it is just so wonderful to see the tradition and the memories being handed to the next generation who take it really seriously. I had a good chat with some of the youngsters afterwards and they were just so lovely, but the staff make it all happen and I thank all the Councillors that attended as well yesterday.

Unconfirmed

16. Notices of Motion

Item No: 16.1
Subject: NOTICE OF MOTION - RESCIND RUSSIAN CONSULAR PARKING IN FULLERTON STREET, WOOLLAHRA
From: Councillors Sarah Swan and Luise Elsing
Date: 20 April 2022
File No: 22/76284

(Swan/Grieve)

12/22 Resolved:

THAT Council undertake the necessary committee processes, with a view to altering the parking restrictions which permit use only by the Russian Consulate on Fullerton Street, Woollahra such that the parking spaces be returned to use for the general public.

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

For the Motion

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

Against the Motion

Nil

13/0

17. Questions With Notice

(Zeltzer/Shapiro)

13/22 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 planning matter.

For the Motion

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

Against the Motion

Nil

13/0

QWN: 17.1
From: Councillor Elsing
Subject: Questions with Notice - Female Toilets Eastern Suburbs District Rugby Union Football Club (Easts)

Councillor Elsing asking:

Questions

1. Is it right that Woollahra Council as landowner is required to give consent to any DA on public property?
2. It is understood that the DA application has been referred to the NSW Licensing Police. Is it anticipated that service of alcohol will be tied up with this development and affect delivery of the female toilets?
3. Why is the service of alcohol relevant to the delivery of the female toilets?
4. It is noted that there are over 10 objections from the community in relation to the DA. Do these objections relate to the female toilets (Stage One) or do they relate to expanded works including rooftop terrace, function space and expanded gym area (Stage Two)?
5. Because Woollahra Council is the landowner the matter would need to be considered by the Woollahra Local Planning Panel (WLPP)?
6. Given that there are over 10 objections, is this the reason why the DA will go before the WLPP?
7. Could the DA have been dealt with more quickly if there were no objections from the community to the DA, for example could it have been dealt with other than through the WLPP?
8. Has there been a delay in the determination of the DA and if so, what has caused any delay in determination of the DA?
9. Could a DA have been lodged just for Stage One of the works in 2020 and how long would it have taken to assess and grant the DA?

10. If there are objections to Stage Two of the works, can the female toilet facilities (Stage One) still be delivered separately as a stand-alone project?
11. Can Easts just proceed with Stage One of the works now, when funding is currently available for this?
12. Are you not aware of any time constraints on expenditure of the grant of \$1.8m given that it was allocated in January 2020?

Background

In the Daily Telegraph article dated 5 April 2022 it was reported that Easts Board member Mr John Murray said that delivery of female toilets at Easts was delayed by the heritage listing of Grimley Pavilion and the time taken by Woollahra Council in providing consent.

“Club board member John Murray said what was expected to be a straightforward development process has turned into a costly and time consuming ordeal for the volunteer-run club. He said the planning process had been complicated by Woollahra Council’s decision to list George S. Grimley Pavilion, located next to the club, as a heritage item last year”.

The community is keen to see increased female involvement in sport supported by adequate facilities and are concerned if the objective of equitable access is being frustrated by red tape, as suggested by Mr Murray. Since the grant funding, female players have still been without facilities for over 2 years.

In response to a Question with Notice in relation to the matter in the minutes of meeting dated 14 March 2022, the timeline of events is as follows:

2019	Grant Funding for Female Toilets at Easts announced	
2020	17 Jan 2020	Easts received grant funding of \$1.8m from the NSW Government Office of Sport for the development of change room facilities for female members to provide a safe and private location for those members to change and prepare for sporting events (female toilets).
	Early 2020	Woollahra Council informed Easts of the proposal to heritage list Grimley Pavilion.
	14 May 2020	Heritage listing of Grimley Pavilion.
2021	22 Mar 2021	Easts sought, and was granted, approval from Council as landowner of Woollahra Park for architectural plans detailing the following building works:
		Stage One (funding available)
		<ul style="list-style-type: none"> • New female and male changing rooms with shower and toilet facilities • New accessible public toilets, team lockers, first aid room, storage space and umpire room • New grandstand structure to the north of the proposed building • Demolition of storage sheds and trees and replacement storage and planting
		Stage Two (for which funding was not then available)
		<ul style="list-style-type: none"> • Expanded gym area • Rooftop terrace on first floor • New passenger lift • New grandstand with screening • New community function space.
		Council was advised that Stage 1 could be undertaken as a stand-alone project, given that funding was already available for construction.
	30 April 2021	DA 177/2021 lodged which includes the full development above (\$3.65m). That is, the installation of female toilets (Stage 1) was wrapped into an application for (Stage 2) other improvements including building a roof top terrace.
		During the assessment of this application there were issues raised by Council's Planning staff that needed to be addressed.
	23 Nov 2021	The applicant and the Planning staff met to resolve these issues (including impacts on heritage) and a response from the Club is expected shortly
2022	14 Mar 2022	In response to a Question with Notice, Council was informed that progress is with the DA (including Stage 1 for the female toilets) is ongoing.

	24 Mar 2022	Replacement information for DA 177/2021 (decision has yet to be made about whether the new information will require re notification – update required)
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Manager Development Control in response (*In Italics*):

1. Is it right that Woollahra Council as landowner is required to give consent to any DA on public property?

Yes, this is correct. Landowner's consent is required from Woollahra Council for any DA on publicly owned (Council) land.

2. It is understood that the DA application has been referred to the NSW Licensing Police. Is it anticipated that service of alcohol will be tied up with this development and affect delivery of the female toilets?

It is understood from the DA documents that the existing Club Liquor License will continue to apply to facilities on the site, including the new community room. The DA has already been referred to the NSW Licensing Police, who have provided a referral comment to Council.

3. Why is the service of alcohol relevant to the delivery of the female toilets?

The service of alcohol is not relevant to the delivery of the female toilets. It is relevant only insofar as the female change rooms/toilets have been included in a Development Application that also encompasses an expansion to the licensed areas of the Club.

4. It is noted that there are over 10 objections from the community in relation to the DA. Do these objections relate to the female toilets (Stage One) or do they relate to expanded works including rooftop terrace, function space and expanded gym area (Stage Two)?

All received objections have been reviewed and it is confirmed that none of them relate specifically to the toilet/change room facilities at the ground floor of the proposed development. Issues raised in the objections include but are not limited to, the increased function space/licensed premises, the proposed roof terrace, noise pollution and increased traffic impacts.

5. Because Woollahra Council is the landowner the matter would need to be considered by the Woollahra Local Planning Panel (WLPP)?

This is correct. The application would also need to be determined by the WLPP as it has received over 10 objections.

6. Given that there are over 10 objections, is this the reason why the DA will go before the WLPP?

This is correct. The application would also need to be determined by the WLPP as it relates to land that is owned by the Council.

7. Could the DA have been dealt with more quickly if there were no objections from the community to the DA, for example could it have been dealt with other than through the WLPP?

Irrespective of the number of submissions, the application would still need to be determined by the WLPP as it relates to land owned by the Council. It is however acknowledged that the number of submissions, the overall scope of the proposed development and the applicant's delay in responding to key heritage issues contribute to the delay in the assessment/finalisation of this DA.

8. Has there been a delay in the determination of the DA and if so, what has caused any delay in determination of the DA?

This application has been delayed primarily due to the long delay in receiving a response from the Applicant to issues that were initially raised by Council's Heritage and Trees & Landscape sections in August 2021 and September 2021, respectively. Council is still awaiting the formal submission of a Replacement Application to accompany the additional information provided to Council in March 2022.

9. Could a DA have been lodged just for Stage One of the works in 2020 and how long would it have taken to assess and grant the DA?

It is understood that Stage One refers to the proposed works at ground floor including the female and male changing rooms, showers and toilets, team storage lockers and associated facilities. It is difficult to speculate how long it would take to assess and determine a DA for only these works if they were lodged as a separate application. It could be reasonably expected that the heritage assessment would be different, as one of the main issues raised in the heritage assessment was the connection of the first floor element of the proposed development to the George S. Grimley Pavillion' building.

10. If there are objections to Stage Two of the works, can the female toilet facilities (Stage One) still be delivered separately as a stand-alone project?

It is open to the applicant to lodge a new application relating only to 'Stage One' - the ground floor of the proposed development and including the changing rooms. This is a substantially different project to that which is currently proposed and it would be anticipated that the current DA would need to be withdrawn if the applicant wanted to pursue this approach.

11. Can Easts just proceed with Stage One of the works now, when funding is currently available for this?

The applicant cannot proceed with Stage One without a valid development consent. Once a development consent has been issued, works may commence once a construction certificate has been issued and any pre-construction/demolition conditions have been satisfied.

12. Are you aware of any time constraints on expenditure of the grant of \$1.8m given that it was allocated in January 2020?

Council's Development Control section is not aware or privy to any details relating to funding.

There being no further business the meeting concluded at 8.17pm.

We certify that the pages numbered 1 to 30 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 26 April 2022 and confirmed by the Ordinary Meeting of Council on 9 May 2022 as correct.

General Manager

Mayor