

Ordinary Council



Minutes

Monday 18 June 2018

Ordinary Council Meeting

Monday 18 June 2018

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Items Determined Under Delegated Authority by Council Committees

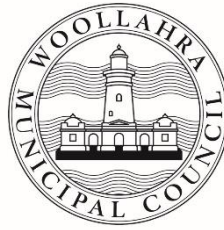
The following items were determined under Delegated Authority. To see the delegated decisions of Council please refer to the individual Committee Meeting Minutes.

Finance, Community & Services Committee held on Monday 04 June 2018

- D1 Confirmation of Minutes of Meeting held on 7 May 2018
- D2 Monthly Financial Report - April 2018 and Investments Held as at 31 May 2018 (FY259-03)
- D3 Disclosures of Interest Returns Submitted by Councillors and Designated Persons
- D4 Closing and Sale of Road reserve adjoining 42 Cranbrook Road, Bellevue Hill (SC4202)

Environmental Planning Committee held on Monday 04 June 2018

- D1 Confirmation of Minutes of Meeting held on 7 May 2018
- D2 Sydney Coastal Councils Group - Confirmation of Minutes - Annual General Meeting 2017
- D3 Register of Current Land and Environment Court Matters for Development Applications and Register for Court Proceedings for Building, Environmental and Health Control Matters
- D4 Double Bay Working Party meeting 8 May 2018



Ordinary Council Meeting

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

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

Councillors: Susan Wynne (Deputy Mayor)

Claudia Cullen

Mary-Lou Jarvis

Anthony Marano (Item R8 to end)

Nick Maxwell

Megan McEwin

Harriet Price

Lucinda Regan

Matthew Robertson

Isabelle Shapiro

Richard Shields

Mark Silcocks

Toni Zeltzer

Staff: Allan Coker (Director – Planning & Development)

Lynn Garlick (Director – Community Services)

Gary James (General Manager)

Don Johnston (Director – Corporate Services)

Tom O'Hanlon (Director – Technical Services)

Helen Tola (Manager – Governance & Council Support)

Also in Attendance: Nil

Confirmation of Minutes

(Wynne/Shields)

100/18 Resolved:

That the Minutes of the Ordinary Council Meeting held on 21 May 2018 be taken as read and confirmed.

Leave of Absence and Apologies

An apology was received and accepted from Councillor Luise Elsing and leave of absence granted.

Declarations of Interest

Councillor Robertson declared a non-significant non-pecuniary interest in General Manager and Officers Report Item 8.1 (Community Strategic Plan, Woollahra 2030, and the Delivery Program 2018 to 2021 and Operational Plan 2018/19) as Don White who made a submission on this matter is a member of the Greens. Councillor Robertson remained in the meeting, participated in the debate and voted on this matter.

Councillor McEwin declared a non-significant non-pecuniary interest in General Manager and Officers Report Item 8.1 (Community Strategic Plan, Woollahra 2030, and the Delivery Program 2018 to 2021 and Operational Plan 2018/19) as Don White who made a submission on this matter is a member of the Greens. Councillor McEwin remained in the meeting, participated in the debate and voted on this matter.

Councillor Price declared a non-significant non-pecuniary interest in Finance, Community and Services Item R7 (Community, Cultural & Environmental Grants 2018/19) as she is the former President of the P&C of a School who applied for a grant. Councillor Price remained in the meeting, participated in the debate and voted on this matter.

Councillor McEwin declared a significant non-pecuniary interest in Finance, Community and Services Item R7 (Community, Cultural & Environmental Grants 2018/19) as she was mildly involved in the application for the grant. Councillor McEwin left the room and did not participate in debate or vote on the matter.

Councillor Shapiro declared a non-significant non-pecuniary interest in Finance, Community and Services Item R7 (Community, Cultural & Environmental Grants 2018/19) as there was a grant for the National Council of Jewish Women where she is a board member and the Eastern Sydney Suicide Prevention Network where she was the legal substitute. Councillor Shapiro remained in the meeting, participated in the debate and voted on this matter.

Late Correspondence

Note: Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Items for Mayoral Minutes, General Manager & Officers Report & Notice of Motion 3.

Petitions Tabled

Nil

Suspension of Standing Orders

Councillor Shapiro

- 101/18** That Standing Orders be suspended to allow Councillor Shapiro to advise Council of the Double Bay and District Business Chamber of Commerce receiving a recent award.

Adopted

The Mayor ruled and permitted the Suspension of Standing Orders.

Councillor Shapiro advised:

I would like to congratulate the Double Bay and District Business Chamber of Commerce on their recent award where they were presented the top NSW regional chamber at the recent NSW Business Chamber Awards. I would like to congratulate the chair who is in the audience this evening, Ms Katherine O'Regan, the previous Operations Manager Cara Inia and new CEO Kellie Prescott.

This award is hosted annually by the NSW Business Chamber to recognise and celebrate business excellence in New South Wales. I have always said how lucky we are to have such an outstanding Chamber, so professional, delivering not only for the local businesses but also for the community and residents as well. Congratulations, that now means that the Chamber known as the East Chamber now goes on as a finalist in the state awards in November 2018.

The Council noted the information.

Councillor Shapiro

- 102/18** That the Suspension of Standing Orders continue to allow Councillor Shapiro to advise Council of the recent opening of the Emanuel Synagogue New Sanctuary.

Adopted

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

Councillor Shapiro advised:

I would like to congratulate the recent opening of the Emanuel Synagogue New Sanctuary, noting that you Mr Mayor and a number of other Councillors attended quite a while ago. It's a beautiful contemporary structure and is a real community centre and I am sure it will be extremely successful. This is one of the fastest growing Jewish communities in Sydney and I would like to pay tribute to the Chief Executive Officer, Suzanna Helia, Rabbi Jeffrey B. Kamins OAM and Rabbi Jacqueline Ninio.

Mr Mayor further advised:

Congratulations to you also Councillor Shapiro. Without you I would not have gotten a seat at the Emanuel Synagogue New Sanctuary. I was very grateful.

The Council noted the information.

Councillor Shapiro

- 103/18** That the Suspension of Standing Orders continue to allow Councillor Shapiro to acknowledge the recent pop up stores relating to volunteering opportunities.

Adopted

**The Mayor ruled and permitted the continuation of the Suspension of Standing Orders.
Councillor Shapiro advised:**

I would also like to congratulate the Director Community Services and her staff who had a pop up store to let everybody know about the volunteering opportunities with Council and the library on the 21 to 25 May 2018 in a different commercial centres and I attended one for a short time in Bellevue Hill. Many people were interested in being part of volunteering in Woollahra and it is something really important with our ageing and educated population. People have time, they want to make a difference and they want to be involved. Congratulations to you and your staff.

The Council noted the information.

Councillor Wynne

- 104/18** That the Suspension of Standing Orders continue to allow Councillor Wynne to advise Council of Reflections on Rose Bay.

Adopted

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

Councillor Wynne advised:

Through you Mr Mayor, just on the Double Bay and District Business Chamber a few of us attend the Reflections on Rose Bay where the Mayor spoke and Councillor Shapiro, Councillor Silcocks, Councillor Maxwell were there. I just wanted to congratulate them on the Reflection on Rose Bay which was in line with what is going on with Vivid. Catalina did a wonderful job of hosting, which was very kind. Some of the information that has been brought out of archives about Rose Bay and the history was just fascinating. I hope that the weather hasn't kept too many people away. It was a wonderful event, something really nice and a great idea. I know when the Chamber looked at doing an extension of Vivid it was \$1.5m in royalties they would have to pay, whereas bringing this life and getting into archives and getting our historians to look into that and hearing our story and see them reflected was very special. I would like to congratulate them on that.

The Council noted the information.

Councillor Wynne

105/18 That the Suspension of Standing Orders continues to allow Councillor Wynne to advise Council of

Adopted

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

Councillor Wynne advised:

The Red Cross and State Library have pulled out information from their archives and I was going through them the other day as I am involved with Red Cross. I found this lovely promotion of the Double Bay Fair from the 6 November 1948. I just wanted to share this with you as a reminder that it started a long time ago and we do continue that.

The promotion it says is in aid of Red Cross funds, it says:

“Come and buy your holiday requirements in Mexico and your pastries in France, your gifts in England and your produce in China. Visit India for that refreshing cup of tea and see what a dip into Holland brings forth. America will be there with its candies and Scotland will offer solace to the hot and thirsty. Denmark will attract a thrifty housewife, while Norway will receive a bower of flowers. For those who love to take a chance a trip to Switzerland and Sweden is recommended. Bring your children there will be lots of fun for them and for you. The Red Cross Annual Fair at Fairwater Double Bay at Lady Fairfax”.

All it cost was a silver coin donation and we have seemed to continue that tradition and I thought it was lovely and I wanted to share this with you.

The Council noted the information.

Councillor Robertson

106/18 The Mayor ruled and permitted the continuation of the Suspension of Standing Orders.

That the Suspension of Standing Orders continue to allow Councillor Robertson to advise Council of the Pauline McLeod Awards for reconciliation.

Adopted

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

Councillor Robertson advised:

Thank you Mr Mayor, I attended the Pauline McLeod Awards including the Primary School Art competition on the 21 May 2018, they were held at the new Inner West Council, in Ashfield. Of course in the children's art competition Woollahra schools were very well represented as always and we have a number of winners. In the Kindergarten to Year 2 category, Aliyah Vueti, Year 2 from Ascham School tied to receive the Highly Commended Award and Ines Sechos, Year 2 from Ascham School tied to receive 1st Place.

I do want to pay tribute to the Deputy Mayor of Waverley Council, Dominic Wy Kanak who is the chair of the Eastern Region Local Government Aboriginal and Torres Strait Islander Forum who

host these awards. He was recognised on the night for his long term stewardship of that group and his promotion of reconciliation. I also want to pay tribute to our staff particularly Sharon Campisi, Jacky Hony and Oceana Kovacs, as I am not always able to get to the Forum's meetings but our staff are always there and very well represented. I find that most often they are leading the debate, and as we move Mr Mayor into a new phase of reform in terms of how we respect and treat our first Australians - and we are at a point now where we are moving beyond reconciliation and the question is what comes next. That ultimately needs to be reflected in the types of activities that the Forum promotes and the types of educational programmes that are run and being promoted through our schools. I am proud to report that our staff have been at the forefront of effecting change through the ERLGATSI Forum.

The Council noted the information.

Councillor Robertson

107/18 That the Suspension of Standing Orders continue to allow Councillor Robertson to advise Council of Affordable Housing Forum.

Adopted

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

Councillor Robertson advised:

On another point Mr Mayor, I am very happy to advise that the Greens hosted an Affordable Housing Forum on the 7 June 2018. We had over 850 people RSVP and express their interest in the event. Two academics spoke to us at the forum one was Dr Louise Crabtree from the University of Western Sydney that focuses on different housing models in her research and the other Professor Allan Morris from the Institute for Public Policy and Governance at UTS. The things that they told us for instance in 1954, 40 to 45 percent of homes in Australia were self-built.

There was so much valuable information presented by these Academics and I ask you Mr Mayor if you would be prepared to convene a Councillor Briefing, as they would be prepared to come and speak to us and I think given the level of interest in Affordable Housing and the prioritisation of that issue by this Council, this would be a fantastic opportunity.

The Mayor, Councillor Cavanagh in response:

I will discuss this with the General Manager.

The Council noted the information.

The Mayor, Councillor Cavanagh

- 108/18** That the Suspension of Standing Orders continue to allow The Mayor Cavanagh to advise of the passing of former Alderman of Woollahra Council, Margaret Carter.

Adopted

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

The Mayor Cavanagh advised:

Former Mayor, Hylda Rolfe sent me an email earlier today to advise of the recent passing of Margaret Carter a former Alderman of Woollahra Council in 1980s died recently and her funeral was today. I just ask that we mark the occasion.

The Council noted the information.

Mayoral Minute

Item No: 6.1
Subject: QUEEN'S BIRTHDAY HONOURS 2018
Author: Peter Cavanagh, Mayor
File No: 18/91545
Reason for Report: To inform Council and congratulate the local Queen's Birthday Honours Recipients for 2018.

(Robertson/Shapiro)

109/18 Resolved:

That letters of congratulations, signed by the Mayor, be forwarded to the following recipients of the 2018 Queen's Birthday Honours:

- i. The late Professor David Albert Cooper, AC
- ii. Ms Rebecca Anne Davies, AO
- iii. Mr Paul Robertson Espie, AO
- iv. Professor Kenneth John Maher, AO
- v. Major General Fergus Andrew McLachlan, AO
- vi. Mrs Anita Belgiorno-Nettis, AM
- vii. Emeritus Professor David Harry Sonnabend, AM
- viii. Dr Peter Chester Arnold, OAM
- ix. Associate Professor Terry Dorcen, OAM
- x. Dr William Clark, OAM

I am pleased to inform the Council that 10 residents of Woollahra were among those persons honoured in the Queen's Birthday Honours on Monday 11 June 2018. They are:

Companion (AC) in the General Division of the Order of Australia

- i. The late Professor David Albert Cooper, AC
For eminent service to medicine, particularly in the area of HIV/AIDS research, as a clinician, scientist and administrator, to the development of treatment therapies, and to health programs in South East Asia and the Pacific.

Officer (AO) in the General Division

- ii. Ms Rebecca Anne Davies, AO
For distinguished service to the community, and to medical research, particularly in the areas of juvenile diabetes and heart health, and to the Catholic Archdiocese of Sydney.
- iii. Mr Paul Robertson Espie, AO
For distinguished service to the mining and infrastructure sectors through financial advisory roles, to public policy development and reform, and to not-for-profit organisations.
- iv. Professor Kenneth John Maher, AO
For distinguished service to architecture and landscape design, particularly through urban infrastructure projects, and to environmental sustainability in planning.

Officer (AO) in the Military Division

- v. Major General Fergus Andrew McLachlan, AO
For distinguished service in the appointments of Head Modernisation and Strategic Plans - Army, Commander Forces Command and significant contributions to the Australian Army and modernisation as part of the joint Australian Defence Force for Australia's interests

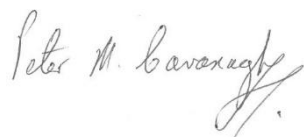
Member (AM) in the General Division

- vi. Mrs Anita Belgiorno-Nettis, AM
For significant service to the community through support and philanthropic contributions to social welfare and arts organisations.
- vii. Emeritus Professor David Harry Sonnabend, AM
For significant service to medicine in the field of orthopaedics, as a clinician and administrator, and to medical education

Medal (OAM) in the General Division

- viii. Dr Peter Chester Arnold, OAM
For service to medicine through a range of roles with professional organisations, and as a general practitioner.
- ix. Associate Professor Terry Dorcen, OAM
For service to medicine in the field of gastroenterology.
- x. Dr William Clark, OAM
For service to music education.

I am very pleased to formally recognise the 2018 Queen's Birthday Honours List recipients living in our local community. Individually, by their extraordinary contribution to society, they exemplify the very best of our nation, supporting greater diversity and enhancing life opportunities for all Australians.



Cr Peter M Cavanagh

General Manager and Officer's Report

Item No: 8.1
Subject: **COMMUNITY STRATEGIC PLAN, WOOLLAHRA 2030, AND THE DELIVERY PROGRAM 2018 TO 2021 AND OPERATIONAL PLAN 2018/19**
Author: Don Johnston, Director Corporate Services
Approver: Gary James, General Manager
File No: 18/90721
Reason for Report: To present to Council the submissions received on the Community Strategic Plan and Delivery Program and Operational Plan and recommend changes to the Plans arising from the submissions and the strategic planning workshop held on 7 June 2018.

Note: Late correspondence was tabled by Council's Director Corporate Services, Don Johnston.

Note: Councillor Robertson declared a non-significant non-pecuniary interest in this Item as Don White who made a submission on this matter is a member of the Greens. Councillor Robertson remained in the meeting, participated in the debate and voted on this matter.

Councillor McEwin declared a non-significant non-pecuniary interest in this Item as Don White who made a submission on this matter is a member of the Greens. Councillor McEwin remained in the meeting, participated in the debate and voted on this matter.

(Wynne/Robertson)

110/18 Resolved:

- A. That Council note the eight submissions received in relation to the Community Strategic Plan and the Delivery Program 2018 to 2021 and Operational Plan 2018/19 in response to the public exhibition.
- B. That having considered the submissions received, Council endorse the exhibition copy of the Community Strategic Plan, Woollahra 2030, subject to the changes to measures and other content discussed at the strategic planning workshop on 7 June 2018, as outlined in this report, and the further addition of a target relating 'volunteering for bush regeneration' with a target 'Increase the number of volunteers by 30% by 2030' be included in the document.
- C. That having considered the submissions received, Council adopt the exhibition copy of the draft Delivery Program 2018 to 2021 and Operational Plan 2018/19, including the 2018/19 Budget with the amendments referred to in this report, as its Delivery Program 2018 to 2021 and Operational Plan 2018/19.
- D. That a copy of the Community Strategic Plan and Delivery Program 2018 to 2021 and Operational Plan 2018/19 be placed on Council's website in accordance with Section 405 of the Local Government Act 1993 and a link to the document be provided to the Chief Executive of the Office of Local Government.

- E. That Council make and levy the Rates and Annual Charges set out in the Rating Structure for 2018/19, being:

| Category / Sub Category | Rating Structure | Amount to be Levied \$ | Rates in the \$, Base Amounts & Minimums |
|---|--|------------------------|---|
| Ordinary Rates: | | | |
| Residential | Base Charge - 50% Ad Valorem - 50% | 29,693,027 | \$603.40 (Base Amount) 0.04576 cents in \$ |
| Business | Ad Valorem - subject to a minimum | 1,418,438 | 0.22936 cents in \$ \$625.65 (minimum) |
| All Ad Valorem - subject to a minimum | | | |
| <u>Business Sub Categories:</u> | | | |
| Double Bay | | 1,763,196 | 0.35283 cents in \$ \$625.65 (minimum) |
| Oxford Street Paddington | | 861,875 | 0.3823 cents in \$ \$625.65 (minimum) |
| Rose Bay (New South Head Road) | | 295,516 | 0.27273 cents in \$ \$625.65 (minimum) |
| Edgecliff | | 391,379 | 0.33759 cents in \$ \$625.65 (minimum) |
| Bellevue Hill | | 33,090 | 0.25954 cents in \$ \$625.65 (minimum) |
| Edgecliff / Grosvenor Streets, Woollahra | | 89,331 | 0.25646 cents in \$ \$625.65 (minimum) |
| Five Ways, Paddington | | 72,407 | 0.22025 cents in \$ \$625.65 (minimum) |
| New South Head Road, Vacluse | | 45,750 | 0.26557 cents in \$ \$625.65 (minimum) |
| Old South Head Road, Rose Bay | | 76,288 | 0.16665 cents in \$ \$625.65 (minimum) |
| Old South Head Road, Vacluse | | 14,736 | 0.11704 cents in \$ \$625.65 (minimum) |
| Plumer Road, Rose Bay | | 12,822 | 0.25166 cents in \$ \$625.65 (minimum) |
| Queen Street, Woollahra | | 235,706 | 0.16368 cents in \$ \$625.65 (minimum) |
| Watsons Bay | | 81,114 | 0.20665 cents in \$ \$625.65 (minimum) |
| Special Rate: | | | |
| Environmental & Infrastructure Renewal Levy (All Categories and sub-categories) | Base Charge - 50% Ad Valorem - 50% | 4,152,243 | \$79.88 (Base Amount) 0.006052 cents in \$ |
| Total Rates | | 39,236,918 | |
| Annual Charges: | | | |
| Domestic Waste Management Charge | \$513.90 | 13,447,990 | |
| Stormwater Management Charges: | | | |
| Single residential dwelling | \$25.00 | 264,000 | |
| Residential strata unit | \$12.50 | 174,375 | |
| Business property | \$25.00 plus \$25.00 per 350m ² (or part thereof) above 350m ² in land area | 48,000 | |
| Business strata unit | \$5.00 | 2,500 | |
| Total Annual Charges | | 13,936,865 | |
| Total Rates & Annual Charges | | 53,173,783 | |

Environmental Planning Committee

Items with Recommendations from the Committee Meeting of Monday 4 June 2018 Submitted to the Council for Determination

| | |
|---------------------------|---|
| Item No: | R1 Recommendation to Council |
| Subject: | PLANNING CONTROLS FOR ROOF TERRACES AND LIFT OVERRUNS |
| Authors: | Anne White, Team Leader - Strategic Planning Kelly McKellar, Strategic Planner |
| Approvers: | Chris Bluett, Manager - Strategic Planning Allan Coker, Director - Planning & Development |
| File No: | 18/27936 |
| Reason for Report: | To respond to two notices of motion adopted by Council; the first on 16 October 2017 in relation to roof terraces and the second on 23 April 2018 in relation to lifts and lift overruns. |

(Maxwell/Shapiro)

111/18 Resolved without debate:

THAT Council defers consideration of the planning controls for roof terraces and lift overruns and requests that staff prepare a further report for consideration at a future meeting of the Environmental Planning Committee which discusses the following issues and how they may be included in any proposed draft development control plan:

- The need for roof terraces to adjoin and be accessed from a habitable room
- Consideration of the provisions of the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005* and the visual impact of the elements from Sydney Harbour
- Minimisation of glazing
- Provision of rooftop gardens and balustrading
- Consideration of how any controls would apply to residential flat buildings, including the consistency with State Environmental Planning Policy 65 Design Quality of Residential Apartment Development
- Correction of the grammatical error in relation to draft B3.5.1 C5 to read as follows:
C5 Roof forms and roof structure (including roof terraces, lifts, lift overruns, stairwells, access hatches and other like structures) are well-designed, contribute positively to the streetscape and are integrated with the architecture of the building.
- Correction of the grammatical error in relation to the draft note in B3.5.4 C12 to read:
Note: Screening to roof terraces will only be considered where the screening is consistent with the streetscape and will have no impact on views of overshadowing of adjoining properties.

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

For the Motion

Against the Motion

Councillor Cavanagh
Councillor Cullen
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

14/0

Item No: R2 Recommendation to Council
Subject: **LOW RISE MEDIUM DENSITY HOUSING CODE AND DESIGN GUIDE**
Author: Jorge Alvarez, Senior Strategic Planner
Approvers: Anne White, Team Leader - Strategic Planning
Chris Bluett, Manager - Strategic Planning
Allan Coker, Director - Planning & Development
File No: 18/64150
Reason for Report: To report to Council of the introduction of the Low Rise Medium Density Code and Design Guide

(Maxwell/Robertson)

112/18 Resolved without debate:

- A. THAT Council note that a formal submission has been made to the Minister for Planning requesting a deferred commencement of the Low Rise Medium Density Housing Code and Low Rise Medium Density Design Guide. The Council also notes the Minister for Planning's intention to provide notice to councils that commencement of the Code and Guide will be deferred to allow them to investigate options for providing additional housing envisaged in the Code. Staff are requested to follow up the submission to the Minister for Planning with a view to taking up the deferred commencement for Woollahra, noting that the deferral would allow Council time to investigate the impact of the Code and Guide on our LGA. Staff are requested to follow up the submission to the Minister for Planning.

- B. THAT the review of the Woollahra LEP 2014 in relation to the Code, as resolved by Council on 21 May 2018, be extended to include an associated review of the Woollahra DCP 2015. This review will examine amendments required to the DCP for manor houses and multi-dwelling housing (terraces), which will be permitted with development consent under Woollahra LEP 2014 as a result of the amendments to the complying development framework for NSW. The review shall also include reference to the housing target in the Eastern City District Plan and the impact on services and infrastructure within the R2 Low Density Residential Zone and the R3 Medium Density Residential Zone.
- C. THAT the reviews described above be reported to the Environmental Planning Committee for consideration.

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

For the Motion

Against the Motion

Councillor Cavanagh
Councillor Cullen
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

14/0

| | |
|---------------------------|---|
| Item No: | R3 Recommendation to Council |
| Subject: | WOOLLAHRA 2030 AND THE 2018 TO 2021 DELIVERY PROGRAM AND OPERATIONAL PLAN 2018/19 - GOALS 4, 7, 8 & 9 |
| Authors: | Don Johnston, Director Corporate Services Allan Coker, Director - Planning & Development |
| Approver: | Gary James, General Manager |
| File No: | 18/79246 |
| Reason for Report: | To provide an opportunity to further review relevant Goals of the Community Strategic Plan and Delivery Program and Operational Plan. |

(Price/Zeltzer)

113/18 Resolved:

THAT:

- A. The Environmental Planning Committee, notes Goals 4, 7, 8 and 9 of Woollahra 2030 and the Delivery Program and Operational Plan and such should be considered for adoption following a briefing with Councillors to be held on the 7 June 2018.
- B. Performance measures relevant to the themes, Quality places and spaces, A healthy environment and Local prosperity be included in Our Woollahra - 2030.
- C. A initial draft consultant's report (including inventory sheets) be forwarded to Councillors via a Councillor delivery and added to Councillors HUB, prior to the consultation with affected property owners and that a further progress report be prepared to the next Environmental Planning Committee on the 'Study of Hotels in Paddington' action listed in the draft Delivery Program 2018 – 2021 & Operational Plan 2018-2019, which includes commentary on amending controls, heritage listing, time lines and the delivery of the project, noting that the timelines and delivery of the project shall reflect Council's resolution of 21 May 2018 to expedite the 'Study of Hotels in Paddington' which includes the allocation of additional funding and staff resources.
- D. The future Delivery Program and Operational Plan reports should contain an additional column which identifies the 'original target milestone' as well as the 'current milestone'.

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

For the Motion

Against the Motion

Councillor Cavanagh
Councillor Cullen
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

14/0

Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Monday 4 June 2018 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **ACQUISITION AND DEDICATION OF PADDINGTON STREET, PADDINGTON AS A PUBLIC ROAD - (SC4139)**
Author: Anthony Sheedy, Senior Property Officer
Approvers: Zubin Marolia, Manager - Property & Projects
Tom O'Hanlon, Director - Technical Services
File No: 18/57597
Reason for Report: To formalise the status of Paddington Street, Paddington as a public road.

(Shields/Wynne)

114/18 Resolved without debate:

- A. THAT Council proceed with the dedication of Paddington Street, Paddington under Section 16 & 17 of the Roads Act 1993.
- B. THAT Council authorise the Mayor and General Manager to execute and affix the Council Seal to the documents required for the acquisition of Paddington Street, Paddington for the public use.

Item No: R2 Recommendation to Council
Subject: **ACQUISITION AND DEDICATION OF TIVOLI AVENUE, ROSE BAY AS A PUBLIC ROAD (SC4243)**
Author: Anthony Sheedy, Senior Property Officer
Approvers: Zubin Marolia, Manager - Property & Projects
Tom O'Hanlon, Director - Technical Services
File No: 18/66182
Reason for Report: To formalise the status of Tivoli Avenue, Rose Bay as a public road

(Shields/Wynne)

115/18 Resolved without debate:

- A. THAT Council proceed with the dedication of Tivoli Avenue, Rose Bay under Section 16 & 17 of the Roads Act 1993.
 - B. THAT Council authorise the Mayor and General Manager to execute and affix the Council Seal to the documents required for the acquisition of Tivoli Avenue, Rose Bay for the public use.
-

Item No: R3 Recommendation to Council
Subject: **REQUEST FOR EXTINGUISHMENT OF EASEMENT - 27 COOPER PARK ROAD, BELLEVUE HILL (SC4106)**
Author: Anthony Sheedy, Senior Property Officer
Approvers: Zubin Marolia, Manager - Property & Projects
Tom O'Hanlon, Director - Technical Services
File No: 18/66150
Reason for Report: To consider the request for extinguishment of an Easement over 27 Cooper Park Road, Bellevue Hill.

(Shields/Wynne)

116/18 Resolved without debate:

- A. THAT Council consents to the extinguishment of the Easement in its entirety affecting Lot 5 in DP215076 (known as 27 Cooper Park Road, Bellevue Hill), established by registered transfer dealing J365897 dated 4 June 1963.
- B. THAT the General Manager is delegated to sign all necessary documentation on behalf of Council, as necessary to extinguish the Easement.

Item No: R4 Recommendation to Council
Subject: **ELECTRICAL SERVICES TENDER - SC4113**
Author: Wayne Coggins, Property Services Coordinator
Approvers: Zubin Marolia, Manager - Property & Projects
Tom O'Hanlon, Director - Technical Services
File No: 18/79523
Reason for Report: To recommend to Council the acceptance of a tender

(Shields/Wynne)

117/18 Resolved without debate:

- A. THAT Council accept tenders from Katopia Holdings Pty Ltd trading as CBD Mechanical Electrical and A. Madah Electrical as a panel of two contractors to carry out Council's Electrical Services as required, for a period of three years, with Council having the option to extend for a further two periods of twelve months, as per the rates tendered
- B. THAT successful and unsuccessful tenderers be advised accordingly.

Item No: R5 Recommendation to Council
Subject: **PARSLEY BAY RESERVE PLAYGROUND UPGRADE - TENDER SC4153**
Author: Rod Ward, Project Manager - Open Space
Approvers: Tom O'Hanlon, Director - Technical Services
Richard Ladlow, Manager - Capital Projects
File No: 18/57295
Reason for Report: To consider the tenders received for design and construction of a new playground at Parsley Bay Reserve.

(Shields/Wynne)

118/18 Resolved without debate:

- A. THAT Council, in accordance with Clause 178(1) (b) of the Local Government (General) Regulation 2005, decline to accept any tender.
- B. THAT design and construction of the playground at Parsley Bay Reserve be managed by Council staff.
- C. THAT tenderers be advised accordingly.

Item No: R6 Recommendation to Council
Subject: **HOLDSWORTH COMMUNITY 2018/19 BUSINESS PLAN AND BUDGET**
Author: Sharon Campisi, Manager - Community Development
Approver: Lynn Garlick, Director - Community Services
File No: 18/61750
Reason for Report: To advise Council of the Holdsworth 2018/19 Business Plan and Budget

(Shields/Wynne)

119/18 Resolved without debate:

- A. THAT Council note the Holdsworth Community 2016/17 Annual Report and Financial Statements and the 2018/19 Business Plan and Budget.
- B. THAT Council increase the proposed 2018/19 contribution to Holdsworth Community to \$999,663 and this \$28,307 increase be incorporated into the 2018/19 budget.

Item No: R7 Recommendation to Council
Subject: **COMMUNITY, CULTURAL & ENVIRONMENTAL GRANTS 2018/19**
Authors: Romi Fosco, Community Development Officer
Mel Sellen, Project Officer
Approvers: Tom O'Hanlon, Director - Technical Services
Lynn Garlick, Director - Community Services
Sharon Campisi, Manager - Community Development
Paul Fraser, Manager - Open Space & Trees
File No: 18/70661
Reason for Report: To give consideration to applications for Section 356 Community and Cultural Grants and Community Environmental Grants from local community groups, services and schools.

Note: Councillor Price declared a non-significant non-pecuniary interest in this item as she was the former President of the P&C Committee of a School who applied for the grants. Councillor Price remained in the meeting, participated in the debate and voted on this matter.

Councillor McEwin declared a significant non-pecuniary interest in this item as she was mildly involved in the application for the grant. Councillor McEwin left the room and did not participate in debate or vote on the matter.

Councillor Shapiro declared a non-significant non-pecuniary interest in this item as there was a grant for the National Council of Jewish Women where she is a board member and the Eastern Sydney Suicide Prevention Network where she was the legal substitute. Councillor Shapiro remained in the meeting, participated in the debate and voted on this matter.

(Shields/Wynne)

120/18 Resolved without debate:

- A. THAT Council approve the selection panel's recommendations for the successful 2018/19 Community and Cultural Small and Large Grants.
- B. THAT Council approve the selection panel's recommendations for successful 2018/19 Community Environmental Grants.
- C. THAT Council approve minor amendments to the Community and Cultural Grants Policy and Guidelines.

Item No: R8 Recommendation to Council

Subject: **SYDNEY EAST BUSINESS CHAMBER - BUSINESS PLAN 2018 - 2021 AND FUNDING SUBMISSION 2018 -2019 TO 2020 - 2021 (SC2817)**

Author: Peter Kauter, Manager Placemaking

Approver: Allan Coker, Director - Planning & Development

File No: 18/74355

Reason for Report: To report on the Sydney East Business Chamber's Business Plan 2018 – 2021 and Funding Submission 2018 – 2019 to 2020 - 2021

Motion moved by Councillor Silcocks
Seconded by Councillor Marano

THAT the recommendation as printed be adopted subject to part D being amended as follows:

B. THAT, subject to B, \$80,000 funding be provided to the Sydney East Business Chamber for the 2018 – 2019 financial year.

Amendment moved by Councillor Shapiro
Seconded by Councillor Maxwell

THAT the recommendation as printed be adopted

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

(Silcocks/Marano)

121/18 Resolved:

- A. THAT the Council, in response to the Sydney East Business Chamber's request for funding for 2018 – 2019, 2019 – 2020 and 2020 – 2021 financial years, agree to provide funding in accordance with the *Business Plan 2018 – 2021* and the *Funding Submission, Woollahra Municipal Council 2018-2019 to 2020 – 2021* being Annexure 2 and Annexure 3 respectively to this report.
- B. THAT this agreement is subject to adoption by Council of the draft budget for 2018 – 2019. The Council reserves the right to change the amount of funding and/or the terms of funding pending the final adoption of budget.
- C. THAT this agreement is subject to sufficient funds being allocated in Council's budgets for the 2019 – 2020 and 2020 – 2021 to cover amounts requested for those financial years. This is to acknowledge the Council's annual budgetary preparation cycle. The Council reserves the right to change the amount of funding and/or the terms of funding pending the final adoption of budgets for those years.
- D. THAT, subject to B, \$80,000 funding be provided to the Sydney East Business Chamber for the 2018 – 2019 financial year.

- E. THAT, subject to C, the Sydney East Business Chamber is to submit a satisfactory end of financial year report, including an acquittal, prior to payment of funding for 2019 – 2020 and 2020 – 2021 and being reported to the appropriate Committee.
- F. THAT, prior to the re-allocation of \$5,000 or more of Council's funds, Sydney East Business Chamber reports the proposed re-allocation to Council.

Note: A division was called by Councillor Wynne

For the Motion

Councillor Cullen
Councillor Jarvis
Councillor Marano
Councillor McEwin
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks

Against the Motion

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

8/6

Item No: R9 Recommendation to Council

Subject: **WOOLLAHRA 2030 AND THE 2018 TO 2021 DELIVERY PROGRAM AND OPERATIONAL PLAN 2018/19 - GOALS 1, 2, 3, 5, 6, 10 AND 11**

Authors: Don Johnston, Director Corporate Services
Tom O'Hanlon, Director - Technical Services
Lynn Garlick, Director - Community Services

Approver: Gary James, General Manager

File No: 18/81422

Reason for Report: To provide an opportunity to further review relevant Goals of the Community Strategic Plan and Delivery Program and Operational Plan.

(Shields/Wynne)

122/18 Resolved without debate:

THAT:

- A. Noting any matters raised by the Environmental Planning Committee, Goals 1, 2, 3, 5, 6, 10 and 11 of Woollahra 2030 and the Delivery Program and Operational Plan be adopted.
- B. Performance measures relevant to the Community well being, Quality places and spaces, and Community leadership and participation Themes be included in Woollahra 2030.

Notices of Motion

Item No: 11.1
Subject: **NOTICE OF MOTION - ROSE BAY SCOUT HALL (FORMER RAAF OFFICERS' CANTEEN) - PROPOSED HERITAGE LISTING AND UPGRADE**
From: Councillors Lucinda Regan and Anthony Marano
Date: 6/06/2018
File No: 18/89086

(Regan/Marano)

123/18 Resolved without debate:

THAT Council:

- A. Request staff to undertake an assessment of heritage significance for the Rose Bay Scout Hall (former RAAF Officers' Canteen) located in Vickery Avenue, Rose Bay, and report to the Environmental Planning Committee on whether the property has sufficient heritage significance to be listed as:
 - i) a local heritage item in the Woollahra Local Environmental Plan 2014(WLEP), and
 - ii) an item on the State Heritage under the Heritage Act 1977.
- B. Investigate and report to the relevant Council Committee on the viability of Council making a submission to the NSW Government for Council to specifically own and manage the Rose Bay Scout Hall (management to be in consultation with Scouts Australia NSW if it so wishes) and its adjacent areas including its car park and surrounds; and
- C. Investigate the potential for upgrading and refurbishing the building (in accordance with heritage principals) and landscaping its surrounds for community place making and recreational use and commence preliminary design work around this concept; and
- D. Investigate grant funding from the NSW Government for the upgrade and refurbishment of the building and landscaping of its surrounding areas.

Item No: 11.2
Subject: NOTICE OF MOTION - BELLEVUE HILL SCHOOL CROSSING
From: Councillors Isabelle Shapiro, Nick Maxwell and Lucinda Regan
Date: 12 June 2018
File No: 18/91386

(Shapiro/Maxwell)

124/18 Resolved without debate:

THAT as a result of the recent expansion and increase in student numbers at Bellevue Hill Public School, that Council, in conjunction with the RMS:

- A. Investigates the feasibility of installing a pedestrian crossing and any other safety measures in Birriga Road to ensure safe crossing of students. This was a recommendation of our traffic engineers to the most recent DA submitted for the expansion of the school.
 - B. Investigates whether adjustments can be made to the vehicular egress from the slip lane in Birriga Road, at Victoria Road, to improve safety around the Bellevue Hill Public School during drop-off and pick up times of the day.
 - C. An online petition requesting the pedestrian crossing has been initiated and it is anticipated this petition will be submitted to Council in the near future.
-

Item No: 11.3
Subject: **NOTICE OF MOTION - ENFORCING NOISE CONTROLS IN
THE DOUBLE BAY COMMERCIAL CENTRE**
From: Councillor Toni Zeltzer
Date: 14/06/2018
File No: 18/92734

Note: Late correspondence was tabled by Councillor Cullen, Councillor Zeltzer & Council's Manager of Compliance.

(Zeltzer/Marano)

125/18 Resolved:

- A. THAT Council immediately instate a presence in the Double Bay commercial centre to enforce the conditions of consent related to noise, particularly arising from licensed premises. This noise includes but is not limited to amplified music and the smashing of glass bottles after closing time, which emanates from numerous sites.
 - B. THAT Council immediately assess the numerous private contractors that pick up garbage from the centre overnight, up to 7 nights a week, sometimes working as early as 3 am and cause sleep deprivation to local residents living in the centre on an ongoing basis.
 - C. THAT Council monitor its own garbage trucks in the Double Bay commercial centre to make sure that the pick-up times, every morning are consistent and meet its own obligation to control noise and produce liveable environments for residents.
 - D. THAT a formal procedure for reporting of noise complaints be prepared.
-

Questions for Next Meeting

Item No: 12.1
Subject: QUESTIONS FOR NEXT MEETING
Author: Sue O'Connor, Secretarial Support - Governance
Approver: Helen Tola, Manager - Governance & Council Support
File No: 18/78323
Reason for Report: To provide a response to Questions for Next Meeting from Council Meeting of 21 May 2018 and for Councillors to ask Questions for Next Meeting in accordance with Council's Code of Meeting Practice.

(Robertson/Wynne)

126/18 Resolved:

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

Question No: 12.2 Harbourview Park Lights

Councillor Shields asking:

Can you please examine the status of the lights along the path through Harbourview Park connecting Magney Street and Russell Street, Woollahra? When I walked down their last week they were completely black?

Director Technical Services in response:

On notice. I would however state that if you do get issues like that on a daily basis, please let us know.

Question No: 12.3 Footpath Rejuvenation

Councillor Shields asking:

Can you please advise of the status of footpath rejuvenation following completion of the development from 315 to 323 New South Head Road, Double Bay? These are the developments going up from Double Bay to Edgecliff. The footpath is extremely sloped and last week I witnessed a pedestrian falling over in the wet. A continuation of that sloping footpath post development I do not think is acceptable.

Director Technical Services in response:

On notice.

Councillor Robertson in response:

Councillor Shields you may wish to know that the development to which you refer resulted in a VPA which gave Council \$67,000 and I am sure that would cover the cost of re-instating the footpath.

Question No: 12.4 Allianz Stadium

Councillor McEwin asking:

Mr Mayor, can you please update us on your meeting with the Hon. Gabrielle Upton MP regarding Allianz Stadium?

The Mayor in response:

The information as reported in the press is all the information I have, I am afraid.

Question No: 12.5 Model Code of Meeting Practice

Councillor Robertson asking:

Where is the NSW Government's process for the development of the new Model Code of Meeting Practice up to? Approximately when can we expect the introduction of mandatory webcasting of Council Meetings?

General Manager in response:

We haven't seen a response in terms of the exhibition. We are waiting on them to come back to us.

Question No: 12.6 EP&A Act Changes - Occupation Certificates

Councillor Regan asking:

Could staff please update Council on any changes to the EP&A Act relating to occupation certificates and any practical impact of such changes?

Director Planning & Development in response:

Mr Mayor, I can advise that the provisions in the Act relating to Occupation Certificates will change on the 1 September 2018. The main change appears to be that there will no longer be an interim Occupation Certificate however the necessary Regulations to give effect to those changes have not been published and we do not have the full details. I would be happy to pass these on when the Regulations are published.

Councillor Regan further asking:

Perhaps we could have a Councillor Briefing on that.

Director Planning & Development in further response:

Of course, we would be happy to do that.

Question No: 12.7 Councillor Briefings

Councillor Marano asking:

Can we please go back to having Councillor briefings on the alternate Monday instead of cramming everything into the same Monday as the Ordinary Council meeting?

The current system is not working.

Manager Governance & Council Support

On Notice

Question No: 12.8 Odour of Collins Avenue

Councillor Jarvis asking:

Can the odour emanating from the drain in Collins Avenue behind the shops be investigated and if necessary action be taken or submission be made to Roads and Maritime Service (RMS) or Sydney Water for it be fixed?

This is a complaint from one of the businesses dating back to April. I will forward the photo to Mr O'Hanlon.

Director Technical Services in response:

On Notice.

Question No: 12.9 Double Bay Planning Controls

Councillor Zeltzer asking:

This question arises from the Joint Regional Planning Panel Meeting last Thursday.
Can staff please prepare any planning information that can inform Councillors as to any means at our disposal to retain and protect the commercial mix/proportion in a commercial centre in Double Bay?

Director Planning & Development in response:

Mr Mayor, as Councillors are aware we advanced on the review of the planning controls in Double Bay. I think Councillors will also agree that the recent state of applications that we have received in Double Bay will result in a significant loss of employment within Double Bay. Our response to this is most likely going to be a recommendation for a split FSR control within our LEP to require the retention of a certain level of commercial floor space as sites are redeveloped in the Double Bay Commercial Centre.

We are currently working on that and we will have a report coming to the Committee.

Councillor Zeltzer further asking:

So you have already turned your mind to that Mr Coker.

Director Planning & Development in response:

Absolutely. One thing that stood out very strongly to us when we looked at the cumulative impact of the DAs we already had before us, particularly in Bay Street, is the significant loss of employment space as a consequence of those applications.

Councillor Zeltzer further stated:

We need that employment really to keep the centre alive. Otherwise it is a dormitory centre.

There being no further business the meeting concluded at 7.42pm.

We certify that the pages numbered 576 to 604 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 18 June 2018 and confirmed by the Ordinary Meeting of Council on 16 July 2018 as correct.

General Manager

Mayor