



# Ordinary Council



## Minutes

Monday 26 April 2021

# Ordinary Council Meeting

Monday 26 April 2021

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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.**

### **Strategic & Corporate Committee held on Monday 29 March 2021**

Nil D Items

### **Environmental Planning Committee held on Monday 12 April 2021**

- D1 Confirmation of Minutes of Meeting held on 8 March 2021
- D2 Register of current Land and Environment Court matters for Development Applications and register for Court Proceedings for Building, Environmental and Health Control matters
- D3 Woollahra Local Planning Panel Register of Planning Decisions and Analysis
- D4 Paddington Marketing Strategy

### **Finance, Community & Services Committee held on Monday 12 April 2021**

- D1 Confirmation of Minutes of Meeting held on 8 March 2021
- D2 Woollahra Local Traffic Committee Minutes - 2 March 2021
- D3 Public Art Panel Meeting Minutes - 9 December 2020
- D4 Closing and Sale of Road Reserve adjoining 16 Wunulla Road, Point Piper (SC6056)
- D5 Closing and Sale of Road Reserve in Willara Lane adjoining 49 & 53 Wunulla Road, Point Piper (SC5969)
- D6 Oxford Street Placemaking Reserve
- D7 Disclosure of Interest Returns Submitted by Councillors & Designated Persons
- D8 Monthly Financial Report - March 2021

### **Strategic & Corporate Committee held on Monday 19 April 2021**

Nil D Items



## 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 2021 at 6.02pm.**

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

**Councillors:** Richard Shields  
Peter Cavanagh  
Claudia Cullen  
Luise Elsing  
Mary-Lou Jarvis  
Anthony Marano  
Nick Maxwell  
Megan McEwin  
Harriet Price  
Lucinda Regan  
Matthew Robertson  
Isabelle Shapiro  
Mark Silcocks  
Toni Zeltzer

|               |                    |  |
|---------------|--------------------|--|
| <b>Staff:</b> | Nick Economou      | (Acting Director – Planning & Development) |
|               | Sue Meekin         | (Acting Director – Corporate Services)     |
|               | Vicki Munro        | (Acting Director – Community Services)     |
|               | Carolyn Nurmi      | (Governance Officer)                       |
|               | Tom O’Hanlon       | (Director – Technical Services)            |
|               | Craig Swift-McNair | (General Manager)                          |
|               | Helen Tola         | (Manager – Governance & Council Support)   |
|               | Anne White         | (Manager – Strategic Planning)             |

**Also in Attendance:** Nil

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**Note:** Members of the public were able to watch this meeting via live streaming on Council’s website.

**Note:** Item 12.3 (Woollahra Council Organisation Structure Review) & Item 12.4 (General Managers Performance Agreement 2020-2021) were considered as the last items on the Agenda.

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## Confirmation of Minutes

(Jarvis/McEwin)

**39/21 Resolved:**

THAT the Minutes of the Ordinary Council Meeting held on 22 March 2021 be taken as read and confirmed.

(Shapiro/Silcocks)

**40/21 Resolved:**

THAT the Minutes of the Strategic & Corporate Committee held on 29 March 2021 be taken as read and confirmed.

(Silcocks/McEwin)

**41/21 Resolved:**

THAT the Minutes of the Strategic & Corporate Committee held on 19 April 2021 be taken as read and confirmed.

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## Leave of Absence and Apologies

Nil

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## Declarations of Interest

Councillor Regan declared a Non-Significant, Non-Pecuniary Interest in relation to 13.4 F,C&S Item R2 (Tender for Sustainable Pavements - Road Construction Material and Related Services) as her husband is the Group General Counsel and Company Secretary of Downer EDI Limited and a director of Downer EDI Services however he has not been directly involved with the tender noted in the item. Councillor Regan remained in the Meeting, participated in debate and voted on the matter.

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## Late Correspondence

**Note:** Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Items S&C 29/3/21 (R1), S&C 19/4/21 (R1), EP (R2, R3&R4), QWN.

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## Petitions Tabled

Nil

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## Public Forum

Nil

## Mayoral Minute

**Item No:** 10.1  
**Subject:** VALE PRINCE PHILIP, DUKE OF EDINBURGH - 1921-2021  
**Author:** Susan Wynne, Mayor  
**File No:** 21/67071  
**Reason for Report:** To honour and acknowledge the life of His Royal Highness, the Duke of Edinburch.

(Wynne/Cavanagh)

### 42/21 Resolved:

- A. THAT following the death of Prince Philip, Woollahra Council formally recognises the public service and life of His Royal Highness, The Duke of Edinburgh.
- B. THAT the Mayor convey condolences to Her Majesty Queen Elizabeth II and the royal family on behalf of the Council and the community.

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

#### ***For the Motion***

#### ***Against the Motion***

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

Nil

***15/0***

**Item No:** 10.2  
**Subject:** VALE CARLA ZAMPATTI, AC  
**Author:** Susan Wynne, Mayor  
**File No:** 21/67624  
**Reason for Report:** For Council to place on public record the outstanding contribution Carla Zampatti, AC has made as a long time local resident of Woollahra and business women.

(Wynne/Jarvis)

**43/21 Resolved:**

- A. THAT the Mayor writes to the family of Carla Zampatti with a message of sympathy on behalf of the Council and the community.
- B. THAT the Mayor discuss with staff and Carla Zampatti's family an appropriate way to pay tribute to her contribution to the fashion and business industries.

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

***For the Motion***

***Against the Motion***

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

Nil

***15/0***



## General Manager and Officer's Report

**Item No:** 12.1  
**Subject:** **CONSULTATION ON REMOTE ATTENDANCE BY COUNCILLORS AT COUNCIL MEETINGS**  
**Author:** Ashoor Khan, Temp Senior Governance Officer  
**Approvers:** Helen Tola, Manager - Governance & Council Support  
Sue Meekin, Acting Director Corporate Services  
Craig Swift-McNair, General Manager  
**File No:** 21/63439  
**Reason for Report:** *OLG – Circular to Councils 21-02 – Temporary exemption from the requirement for Councillors to attend meetings in person.*

**Note:** The Council amended Part B and C and deleted original part D.

**(Price/Robertson)**

### 44/21 Resolved:

- A. THAT the report be received and noted.
- B. THAT Council's allows Councillors and other participants to remotely attend Council and Committee meetings by audio-visual links until 31 December 2021.
- C. THAT Council adopt the wording contained in the Attachment 1 to the Office of Local Government's Circular 21-02 (A765862), dated 1 April 2021 which sets out procedures for attendance by Councillors at Meetings by audio-visual link, subject to incorporating the necessary changes to reflect Part B of the resolution above.
- D. THAT Council notes the current audio-visual meeting arrangements continue as per current arrangements until 31 December 2021 for Woollahra Local Planning Panel ("WLPP"), Application Assessment Panel ("AAP"), Working Party and any other relevant meeting prescribed by the General Manager; and
- E. THAT Council authorises the General Manager to make a submission in response to the Consultation Paper titled, 'Remote Attendance by Councillors at Council Meetings' allowing Councillors attendance in exceptional circumstances only via audio-visual link as detailed in **Annexure 1**.

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

***For the Motion***

***Against the Motion***

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

Nil

***15/0***

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## Strategic & Corporate Committee

### Items with Recommendations from the Committee Meeting of Monday 29 March 2021 Submitted to the Council for Determination

**Item No:** R1 Recommendation to Council  
**Subject:** **REVIEW OF THE EDGECLIFF COMMERCIAL CENTRE PLANNING CONTROLS**  
**Author:** Deeksha Nathani, Strategic Planner  
**Approvers:** Kelly McKellar, Team Leader Strategic Planning  
Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development  
**File No:** 20/10752  
**Reason for Report:** To provide Council with the package of documents that form the Review of the Edgecliff Commercial Centre Planning Controls  
To obtain a decision of Council to publicly exhibit the package of documents which form the Review of the Edgecliff Centre Planning Controls.

**Note:** Late correspondence was tabled by Council's Manager Strategic Planning, Anne White.

#### **Motion moved by Councillor Price Seconded by Councillor Cullen**

- A. THAT the Report on the Review of the Edgecliff Commercial Centre Planning Controls to the Strategic & Corporate Committee (S&CC) of 29 March 2021 is received and noted.
- B. THAT Council defers publicly exhibiting the documents which form the review of the Edgecliff Commercial Centre Planning Controls until:
- i. The Planning and Urban Design Strategy (the Strategy) is revisited and amended (including but not limited to amendments to the Guiding Principles on p.24 of the Strategy) to better protect impacts on amenity, solar access and view sharing to existing public open spaces, streets, existing residential areas and Heritage Conservation Areas;
  - ii. Council staff have further discussions with Transport for NSW and the Department of Planning Industry and Environment to ascertain the likelihood (or otherwise) of removing the existing road reservations on New South Head Road;
  - iii. the JLL Edgecliff Commercial Centre Study of December 2017 is updated to reflect recent market and economic developments (including but not limited to the impacts of the COVID 19 global pandemic);
  - iv. Council's Housing Strategy is finalised;
  - v. Council reports further to the Strategic & Corporate Committee (S&CC) on the matters referred to in paragraphs B(i) - (iv) above; and
  - iv. prior to the matter proceeding that Council develop its implementation strategy to facilitate monetary contribution.
- C. THAT agenda papers for any future Strategic & Corporate Committee (S&CC) meeting are published at least 10 days (excluding weekends) prior to the scheduled meeting.

**Amendment moved by Councillor Zeltzer  
Seconded by Councillor McEwin**

- A. THAT the report on the *Review of the Edgecliff Commercial Centre Planning Controls* to the Strategic & Corporate Committee of 29 March 2021 is received and noted.
- B. THAT Council resolves to publicly exhibit the documents which form the *Review of the Edgecliff Commercial Centre Planning Controls* which consists of the:
- i. *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy (as contained in Attachment 1 of the late correspondence to the Council meeting on 26 April 2021)*
  - ii. *Draft Edgecliff Commercial Centre Public Domain Strategy (as contained in Attachment 2 to the late correspondence to the Council meeting of 26 April 2021) and supporting studies being:*
  - iii. *SJB Planning and Urban Design Study (Annexure 3)*
  - iv. *JLL Market Analysis (Annexure 4)*
  - v. *SCT Transport Analysis (Annexure 5)*
- C. THAT Council requests staff to:
- i. proactively engage with residents of Arthur Street and New McLean Street in relation to obstacles and opportunities arising from their location in the immediate 'transition zone'.
  - ii. proactively engage with Edgecliff residents (and representative resident groups) from that part of the Paddington Heritage Conservation Area adjacent to the Edgecliff Commercial Centre in relation to treatment of the broader transition zone between the commercial centre and the Paddington Heritage Conservation Area.
  - iii. remain open to revising the draft vision statement of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy and the vision and urban design principle of the draft Edgecliff Commercial Centre Public Domain Strategy to include prioritisation of the interface between the Edgecliff Commercial Centre and the Paddington Heritage Conservation Area in terms of design and heritage conservation excellence.
- D. THAT the submissions received during public exhibition are reported to a future meeting of the Strategic & Corporate Committee.
- E. THAT Council investigates opportunities for mandating electric vehicle infrastructure within the Edgecliff Commercial Centre.
- F. THAT Council revisits solar access and building impacts of the preferred option on the adjacent Heritage Conservation Area.
- G. THAT the Council examines the potential for a separated bike path.

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

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

***For the Amendment***

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

***11/4***

**(Zeltzer/McEwin)**

***Against the Amendment***

Councillor Cullen  
Councillor Elsing  
Councillor Price  
Councillor Regan

**45/21 Resolved:**

- A. THAT the report on the *Review of the Edgecliff Commercial Centre Planning Controls* to the Strategic & Corporate Committee of 29 March 2021 is received and noted.
- B. THAT Council resolves to publicly exhibit the documents which form the *Review of the Edgecliff Commercial Centre Planning Controls* which consists of the:
- i. *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy (as contained in Attachment 1 of the late correspondence to the Council meeting on 26 April 2021)*
  - ii. *Draft Edgecliff Commercial Centre Public Domain Strategy (as contained in Attachment 2 to the late correspondence to the Council meeting of 26 April 2021) and supporting studies being:*
  - iii. *SJB Planning and Urban Design Study (Annexure 3)*
  - iv. *JLL Market Analysis (Annexure 4)*
  - v. *SCT Transport Analysis (Annexure 5)*
- C. THAT Council requests staff to:
- i. proactively engage with residents of Arthur Street and New McLean Street in relation to obstacles and opportunities arising from their location in the immediate 'transition zone'.
  - ii. proactively engage with Edgecliff residents (and representative resident groups) from that part of the Paddington Heritage Conservation Area adjacent to the Edgecliff Commercial Centre in relation to treatment of the broader transition zone between the commercial centre and the Paddington Heritage Conservation Area.
  - iii. remain open to revising the draft vision statement of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy and the vision and urban design principle of the draft Edgecliff Commercial Centre Public Domain Strategy to include prioritisation of the interface between the Edgecliff Commercial Centre and the Paddington Heritage Conservation Area in terms of design and heritage conservation excellence.
- D. THAT the submissions received during public exhibition are reported to a future meeting of the Strategic & Corporate Committee.

- E. THAT Council investigates opportunities for mandating electric vehicle infrastructure within the Edgecliff Commercial Centre.
- F. THAT Council revisits solar access and building impacts of the preferred option on the adjacent Heritage Conservation Area.
- G. THAT the Council examines the potential for a separated bike path.

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

***For the Motion***

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

***Against the Motion***

Councillor Cullen  
Councillor Elsing  
Councillor Price  
Councillor Regan

***11/4***

**Item No:** R2 Recommendation to Council  
**Subject:** **REVIEW OF THE DOUBLE BAY PLANNING CONTROLS**  
**Author:** Neda Vandchali, Strategic Planner  
**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development  
**File No:** 21/9876  
**Reason for Report:** To provide Council with the package of documents that form the Review of the Double Bay Planning Controls  
To obtain a decision of Council to publicly exhibit the package of documents which form the Review of the Double Bay Planning Controls

(Jarvis/Zeltzer)

**46/21 Resolved:**

- A. THAT the matter be deferred for a further Strategic & Corporate Committee meeting on the 19 April 2021.
- B. THAT Council staff collate questions raised by Councillors and prepare responses to questions raised by the Friday 9 April 2021 and further prepare any other supplementary responses to additional questions as these are raised for tabling prior to the meeting on the 19 April 2021.
- C. THAT the presentation on the Review of the Double Bay Planning Controls as presented to the Strategic & Corporate Committee on 29 March 2021 be received and noted.

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

***For the Motion***

***Against the Motion***

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

Nil

***15/0***

## Strategic & Corporate Committee

### Items with Recommendations from the Committee Meeting of Monday 19 April 2021 Submitted to the Council for Determination

|                           |   |
|---------------------------|---|
| <b>Item No:</b>           | R1 Recommendation to Council  |
| <b>Subject:</b>           | <b>REVIEW OF THE DOUBLE BAY PLANNING CONTROLS</b>   |
| <b>Author:</b>            | Neda Vandchali, Strategic Planner   |
| <b>Approvers:</b>         | Anne White, Manager - Strategic Planning<br>Nick Economou, Acting Director Planning & Development   |
| <b>File No:</b>           | 21/58639  |
| <b>Reason for Report:</b> | To provide Council with the package of documents that form the Review of the Double Bay Planning Controls<br>To obtain a decision of Council to publicly exhibit the package of documents which form the Review of the Double Bay Planning Controls   |
| <b>Note:</b>              | Late correspondence was tabled by Malcolm Young – Double Bay Residents’, Gabriel & Ann Zipser, Ron Grunstein, Jasmine Steel, Eva Santo, Mark Wakely, Jillian Blackall, Kim Smith, Neill Macpherson, Siew Yun Teoh, Miranda Marshall & Wendy Williams, Dianne Cassen, Susan Shaw, John Niland, Mark Simblis, Chickey Bray, Dr Angus Bathgate, Robin & Henri Aram, Roger Muller, Ruth Stux, Gabrielle Casper, Amanda Stewart, Anthony & Elizabeth Tregoning, Hal Epstein, Margaret Wilcox, Leslie Macpherson, Alison Pert, Tom Ecker, J Joyce, Rosemary Mann, Michael Dunkel & Diana Yeldham. |

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

- A. THAT the report on the *Review of the Double Bay Planning Controls* as reported to the Strategic & Corporate Committee of 19 April 2021 is received and noted.
- B. Consistent with the community engagement program, that Council resolves to publicly exhibit the documents which form the *Review of the Double Bay Planning Controls* which consists of the:
- Draft Double Bay Centre Planning and Urban Design Strategy* (at **Annexure 1**)
  - Double Bay Transport Study* (at **Annexure 2**)
  - Draft Community Impact Statement* (at **Annexure 3**)
- C. THAT the submissions received during the public exhibition are reported to a future meeting of the Environmental Planning Committee.
- D. THAT noting concerns raised by Councillors that staff consider the following amendments during the exhibition stage:
- reducing heights from a maximum of 6 storeys to 4-5 stories in the following sites:
    - Bay Street with a view to retaining existing heights especially at the intersection of Bay Street and New South Head Road (presently 14.5m)
    - the length of Knox Street (currently 14.5)
    - New South Head Road to reflect the height of the Woollahra Library.
    - excluding any heritage items from increased heights
    - the area on Cross Street to the adjacent HCA of Transvaal Avenue.



**Amendment moved by Councillor Silcocks  
Seconded by Councillor Elsing**

A. THAT Council:

1. asserts control of its Double Bay Centre Planning Controls
2. Revises the Draft Double Bay Centre Planning and Urban Design Strategy to:
  - a. Include a statement reaffirming its commitment to the 2015 DCP, and the desired future character of Sydney's Stylish Bayside Village as defined therein, for the bulk of the Double Bay Centre with maximum height limits of 4 storeys and some 5 storey corner sites (and one rezoned 6 storey site at 376-382 New South Head Road).
  - b. In light of the LEC ruling on 28-34 Cross Street regarding the desired future character of Cross Street being defined by adjoining properties, focus the new Strategy on Cross Street (south side between Knox Lane and Bay Street) with a fine grained, site by site review of each site in order to integrate the remaining sites with recently completed developments on Cross Street and with the existing adjacent streets and pedestrian corridors and being mindful of view sharing opportunities for existing developments south of Cross Street.
  - c. Ensure that the desired future character of the Double Bay Centre as per (2a) and (2b) above is also reflected in the WLEP.
3. Consistent with the community engagement program, resolves to publicly exhibit the documents which form the Review of the Double Bay Planning Controls which consists of the:
  - a. Revised Draft Double Bay Centre Planning and Urban Design Strategy as per (2) above
  - b. Revised Double Bay Transport Study as required by (2) above
  - c. Draft Community Impact Statement revised as required by (2) above.

B. THAT the submissions received during the public exhibition are reported to a future meeting of the Environmental Planning Committee.

**The Amendment was put and carried.**

**The Amendment became the Motion.**

**The Motion was put and carried.**

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

***For the Amendment***

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

***Against the Amendment***

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

**(Silcocks/Elsing)**

**47/21 Resolved:**

**A. THAT Council:**

1. asserts control of its Double Bay Centre Planning Controls
2. Revises the Draft Double Bay Centre Planning and Urban Design Strategy to:
  - a. Include a statement reaffirming its commitment to the 2015 DCP, and the desired future character of Sydney's Stylish Bayside Village as defined therein, for the bulk of the Double Bay Centre with maximum height limits of 4 storeys and some 5 storey corner sites (and one rezoned 6 storey site at 376-382 New South Head Road).
  - b. In light of the LEC ruling on 28-34 Cross Street regarding the desired future character of Cross Street being defined by adjoining properties, focus the new Strategy on Cross Street (south side between Knox Lane and Bay Street) with a fine grained, site by site review of each site in order to integrate the remaining sites with recently completed developments on Cross Street and with the existing adjacent streets and pedestrian corridors and being mindful of view sharing opportunities for existing developments south of Cross Street.
  - c. Ensure that the desired future character of the Double Bay Centre as per (2a) and (2b) above is also reflected in the WLEP.
3. Consistent with the community engagement program, resolves to publicly exhibit the documents which form the Review of the Double Bay Planning Controls which consists of the:
  - a. Revised Draft Double Bay Centre Planning and Urban Design Strategy as per (2) above
  - b. Revised Double Bay Transport Study as required by (2) above
  - c. Draft Community Impact Statement revised as required by (2) above.

**B. THAT the submissions received during the public exhibition are reported to a future meeting of the Environmental Planning Committee.**

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

***Against the Motion***

Councillor Cavanagh  
Councillor Jarvis  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Wynne  
Councillor Zeltzer

**Item No:** R2 Recommendation to Council  
**Subject:** **DELIVERY PROGRAM 2018 TO 2022 AND OPERATIONAL PLAN 2021/22 INCLUDING DRAFT 2021/22 BUDGET**  
**Authors:** Petrina Duffy, Coordinator Integrated Planning & Reporting  
Henrietta McGilvray, Acting Chief Financial Officer  
**Approvers:** Sue Meekin, Acting Director Corporate Services  
Craig Swift-McNair, General Manager  
**File No:** 21/58486  
**Reason for Report:** To present the draft Delivery Program 2018 to 2022 and Operational Plan 2022/22 including the Draft 2021/22 Budget to the Committee.

(Wynne/Robertson)

**48/21 Resolved without debate:**

- A. THAT Council receive and note the Delivery Program 2018 to 2022 and Operational Plan 2021/22 Including Draft 2021/22 Budget.
- B. THAT Council exhibit for a minimum of 28 days, the draft Delivery Program 2018 to 2022 and Operational Plan 2021/22 (including the Budget, Rates, Fees and Charges and a Plain English overview of Council's Budget and Financial Position).
- C. THAT Council note that the draft Delivery Program 2018 to 2022 and Operational Plan 2021/22, together with any submissions received be further considered by Council by 30 June 2021.

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

***For the Motion***

***Against the Motion***

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

Nil

***15/0***

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## Environmental Planning Committee

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### Items with Recommendations from the Committee Meeting of Monday 12 April 2021 Submitted to the Council for Determination

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|                           |   |
|---------------------------|---|
| <b>Item No:</b>           | R1 Recommendation to Council  |
| <b>Subject:</b>           | <b>DOUBLE BAY - HYDROGEOLOGICAL GEOTECHNICAL IMPACTS - GROUNDWATER AND GEOTECHNICAL ASSESSMENT REPORT</b>   |
| <b>Author:</b>            | Neda Vandchali, Strategic Planner   |
| <b>Approvers:</b>         | Kelly McKellar, Team Leader Strategic Planning<br>Anne White, Manager - Strategic Planning<br>Nick Economou, Acting Director Planning & Development   |
| <b>File No:</b>           | 21/42641  |
| <b>Reason for Report:</b> | To present the Double Bay – Hydrogeological Geotechnical Impacts Groundwater and Geotechnical Assessment Report prepared by GHD Pty Ltd.<br>To obtain Council’s approval to prepare a planning proposal to amend the Woollahra Local Environmental Plan 2014 and refer it to the Woollahra Local Planning Panel for advice.<br>To obtain Council’s approval to prepare and exhibit a draft development control plan to amend the Woollahra Development Control Plan 2015. |

(Jarvis/Robertson)

**49/21 Resolved without debate:**

- A. THAT a planning proposal be prepared to amend the Woollahra Local Environmental Plan 2014 consistent with the staff recommendations identified in Table 1 of Annexure 4 of the report to the Environmental Planning Committee meeting on 12 April 2021.
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- C. THAT the advice of the Woollahra Local Planning Panel be reported to a future meeting of the Environmental Planning Committee.
- D. THAT a draft development control plan is prepared and publicly exhibited to amend the Woollahra Development Control Plan 2015, consistent with the staff recommendations identified in Table 2 of Annexure 4 of the report to the Environmental Planning Committee meeting on 12 April 2021.
- E. THAT staff review the proposed controls in the draft development control plan to identify if these can be applied to Rose Bay and Bellevue Hill, and that this review is reported to a future meeting of the Environmental Planning Committee.
- F. THAT staff implement a condition of consent which ensures that, where relevant, the applicant has an appropriate current insurance policy to cover the reinstatement/repair of damages to surrounding properties as a result of the subject DA.

- G. THAT staff prepare a report which advises on mechanisms that can be utilised to prohibit excavation and dewatering in the most impacted zones in the Double Bay Floodplain (see the Double Bay Settlement zones in Figure 2 of the report to the Environmental Planning committee of 12 April 2021) including investigating:

- Amending the Local Environmental Plan (LEP),
- Amending the Development Control Plan (DCP), and
- Rezoning.

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

Nil

***15/0***

**Item No:** R2 Recommendation to Council  
**Subject:** **REVIEW OF PLANNING CONTROLS TO ADDRESS THE VISUAL IMPACTS OF FIRE HYDRANT AND BOOSTER INSTALLATIONS**  
**Author:** Jacquelyne Della Bosca, Executive Planner  
**Approvers:** Kelly McKellar, Team Leader Strategic Planning  
Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development  
**File No:** 21/40991  
**Reason for Report:** To respond to a Notice of Motion adopted by Council on 26 October 2020 requesting a review of planning controls to address fire hydrants and boosters so that these installations are not visible in the streetscape. To obtain Council's approval to exhibit a draft development control plan to amend the Woollahra Development Control Plan 2015.

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

**(Jarvis/Robertson)**

**50/21 Resolved:**

- A. THAT the report on the review of planning provisions for hydraulic fire services such as fire hydrant and booster installations be received and noted.
- B. THAT Council resolve to exhibit *Draft Woollahra Development Control Plan 2015 (Amendment No 17)* as contained in the late correspondence to the Council meeting on 26 April 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***

***Against the Motion***

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

Nil

***15/0***

**Item No:** R3 Recommendation to Council

**Subject:** **DRAFT DCP CONTROLS FOR MULTI-STOREY DEVELOPMENT IN THE PADDINGTON HERITAGE CONSERVATION AREA**

**Author:** Flavia Scardamaglia, Strategic Heritage Officer

**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development

**File No:** 21/50900

**Reason for Report:** To respond to two Council resolutions requesting a review of Chapter C1 with a view to providing numerical controls for multi-storey development. To obtain Council's approval to exhibit a draft development control plan to amend the Woollahra Development Control Plan 2015.

**Note:** Late correspondence was tabled by Flavia Scardamaglia, Council's Heritage Officer, & The Paddington Society.

**(Jarvis/Robertson)**

**51/21 Resolved:**

- A. THAT the report on the review of the controls for Chapter C1 Paddington Heritage Conservation Area in the Woollahra Development Control Plan 2015 be received and noted.
- B. THAT Council resolves to exhibit the *Draft Woollahra Development Control Plan 2015 (Amendment No.16)* as contained in **Annexure 1** of the report to the Environmental Plan Committee on 12 April 2021, subject to the amendments proposed by the Paddington Society in correspondence dated 26 April 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***

***Against the Motion***

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

Nil

***15/0***

**Item No:** R4 Recommendation to Council  
**Subject:** **SUBMISSION ON THE PROPOSED DESIGN AND PLACE STATE ENVIRONMENTAL PLANNING POLICY**  
**Authors:** Kelly McKellar, Team Leader Strategic Planning  
Emma Williamson, Strategic Planner  
**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development  
**File No:** 21/60498  
**Reason for Report:** To report to Council on the submission to the proposed Design and Place State Environmental Planning Policy

**Note:** Late correspondence was tabled by Council's Team Leader, Kelly McKellar.

**(Jarvis/Regan)**

**52/21 Resolved:**

- A. THAT the report on the proposed Design and Place State Environmental Planning Policy be received and noted.
- B. THAT Council endorse the draft submission to the Department of Planning, Industry and Environment as contained in the late correspondence to the Council meeting of 26 April 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***

***Against the Motion***

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

Nil

***15/0***



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## Finance, Community & Services Committee

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### Items with Recommendations from the Committee Meeting of Monday 12 April 2021 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** **UPDATE ON THE SYDNEY EAST BUSINESS CHAMBER**  
**Author:** Matthew Gollan, Manager - Placemaking  
**Approver:** Craig Swift-McNair, General Manager  
**File No:** 21/45272  
**Reason for Report:** To report on the Sydney East Business Chamber, including the funding request for the 2021/2022 financial year.  
**Note:** This item was dealt with last.

**Note:** Part B of the resolution was amended.

**(Price/Marano)**

**Resolved:**

THAT Council resolve to enter into closed session with the press and public excluded to consider the confidential report on this matter in accordance with the provisions of Section 10A(2)(a) of the Local Government Act 1993.

**Adopted**

**In Closed Session**

Note: The Council discussed the confidential late correspondence and drafted a resolution.

**(Price/Zeltzer)**

**Resolved:**

THAT Council move into “Open Session”.

**Adopted**

**In Open Session**

**(Price/Zeltzer)**

**53/21 Resolved:**

- A. THAT Council notes the update on the Sydney East Business Chamber.
- B. THAT Council’s Manager - Placemaking continues to liaise with Sydney East Business Chamber regarding:
  - i The repayment of \$12,000 for the activity and events that were not carried out during the 2018/19 funding period;
  - ii Council’s request for detailed acquittals on the costs associated with:
    - the educational and professional development and networking events in the amount of \$20,000; and

- the creation of business stories in the amount of \$5,000 (including which businesses were featured and how, when and where the stories were featured); and
- iii It's financials for the year ended 30 June 2020.
- C. THAT Council considers the Sydney East Business Chambers funding request for 2021/2022, as contained in **Annexure 3**, at a future meeting of the Finance, Community & Services Committee subject to:
  - i. The repayment of the \$12,000 to Council for the activity and events that were not carried out during the 2018/2019 funding period.
  - ii. Sydney East Business Chamber providing a detailed submission to Council regarding the specific activities it is seeking to carry out in the 2021-2022 financial year.
- D. THAT Council terminate the existing Licence Deed with the Sydney East Business Chamber for the use of Level 1, 22 Knox Street, Double Bay.
- E. THAT, subject to D above, Council provide the Sydney East Business Chamber, via a written notice, a period of three (3) months to vacate the premises and fulfil any make good obligations specified within the Licence Deed.
- F. THAT Council authorises the General Manager to undertake the following actions with regard to the future use of Level 1, 22 Knox Street, Double Bay:
  - i. Undertake a formal property valuation.
  - ii. Investigate alternative uses via an expressions of interest program.
  - iii. Proceed with a formal leasing campaign.
  - iv. Prepare a report to be tabled at a future Property Assets Working Party meeting that details the outcomes of the expressions of interest program/ leasing campaign.

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

***For the Motion***

***Against the Motion***

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

Nil

***15/0***

**Item No:** R2 Recommendation to Council  
**Subject:** **TENDER FOR SUSTAINABLE PAVEMENTS - ROAD CONSTRUCTION MATERIAL AND RELATED SERVICES**  
**Author:** Mark Ramsay, Manager - Civil Operations  
**Approver:** Paul Fraser, Manager - Open Space & Trees  
**File No:** 21/58510  
**Reason for Report:** To Accept Tender Recommendation

**Note:** Councillor Regan declared a Non-Significant, Non-Pecuniary Interest in this Item, as her husband is the Group General Counsel and Company Secretary of Downer EDI Limited and a director of Downer EDI Services however he has not been directly involved with the tender noted in the item. Councillor Regan remained in the Meeting, participated in debate and voted on the matter.

**(Marano/Regan)**

**54/21 Resolved without debate:**

- A. THAT Council accept the recommendation to award the contract for Sustainable Pavements – Road Construction Material and Related Services to the panel of Tenderers as listed in Table 2 of this report and prices as listed in Annexures 2-8
- B. THAT the contract period be for 3 years with an option to extend up to a further 2 years (1+1) subject to SSROC approval of contractor performance.
- C. THAT successful and unsuccessful Tenderers be notified.

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

***For the Motion***

***Against the Motion***

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

Nil

***15/0***

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

**General Item No:** 15.1 Anzac Day  
**Councillor:** Regan

**Councillor Regan advised:**

It has been a big weekend with the Anzac Day Ceremony and I'm sure a lot of people have a lot to say. I would just like to thank Rabbi Kamins and Rabbi Mordecai and leaders of the Schule for their hospitality who welcomed Councillor Price and myself at the Anzac Day Shabbat Service on Friday 23 April 2021. It was a really warm and terrific and welcoming service especially for people who are not of Jewish faith. They went out of their way to make sure we were understanding what was going on and it was just a lovely way to commemorate our servicemen and servicewomen on this special day.

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

I believe you also did a reading. So thank you very much.

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**General Item No:** 15.2 Anzac Day - Paddington RSL  
**Councillor:** Cavanagh

**Councillor Cavanagh advised:**

On Sunday 19 April 2021, I attended the Paddington RSL celebrations for Anzac Day. For the first time we had it at the Memorial, across the road outside the Victoria Barracks, which has just been revamped. So thanks to the Government's money for war memorials and so forth. They have done a wonderful job with the way they have done it. The Navy had their official party there and then the Reverend rededicated the Memorial and then we had the full service which was a very moving and touching service. So thank you everyone involved.

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**General Item No:** 15.3 Anzac Day Service - 25 April 2021  
**Councillor:** Shapiro

**Councillor Shapiro advised:**

I want to congratulate you on the excellent Anzac Day Ceremony yesterday in Steyne Park in Double Bay. I thought it was a particularly lovely ceremony and very moving. I also want to thank all the staff involved. There was a lot of organisation in making it COVID Safe and it really worked well. The Councillors were very well represented from a large number from around this table and our General Manager, it was wonderful to have him there to. So well done and congratulations to all.

**The Mayor, Councillor Wynne further advised:**

Thank you Councillor Shapiro. I want to add to that and say to our General Manager the work the staff put into that. I have to really congratulate Patricia Vella, Justine Henderson and Troy Guyatt in particular. I don't ever like singling out staff. In particular Pat. Right down to the print out that she did, the rosemary. There was so much thought and consideration that just added to that seamless special event. She even did say how wonderful it was that it was the first year that she has not had wet feet. Even the ground was not wet, so it was lovely.

**Councillor Silcocks further advised:**

I will be very brief because Councillor Shapiro stole my thunder, but as an ex-army officer I just wanted to add what a great occasion it was. A very fitting memorial I think and that the staff did an amazing job and also your speech was very good I thought and very heartfelt.

**The Mayor, Councillor Wynne further advised:**

Thank you.

**Councillor Jarvis further advised:**

Adding to the congratulations in relation to Steyne Park yesterday. I would like to say that it was a very moving ceremony with the bits of rosemary that we had. I just wanted to congratulate you and say how much I enjoyed attending the service that we did at Mark Moran at Vaucluse where we heard from a serviceman Devereaux, and a lot of the aged retired people up there and we laid the wreaths and listened to the amazing bugle played by that young girl from Redham School, as was indeed the boy from Cranbrook. So thank you.

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|                         |  |
|-------------------------|--|
| <b>General Item No:</b> | 15.4 Plaques Committee - Ingham Avenue |
| <b>Councillor:</b>      | Marano                                 |

**Councillor Marano advised:**

As Chair of the Woollahra Plaques Committee I am very proud to draw your attention to our most recent plaque unveiling which was two weeks ago in Etham Avenue, Darling Point outside the former home of Edward Douglas Watson who was a celebrated War Artist during World War II. He was in fact Australia's youngest ever War Artist to be appointed at the age of 23, in 1943. He lived at the house with his sister until the 1970's when he passed away. So we put a beautiful bronze plaque outside that house. We had a great turnout and had a lovely sunny day and had a lot of residents and also a lot of Commanding Officers from the Air force, Army and Navy which was very nice of them to come along. Also present was Wendy Sharp who was a female War Artist in the War in East Timor which was actually a peace keeping effort and it was fascinating to hear her firsthand account of what it was like being a civilian as a war artist and being able to integrate with the armed forces. She didn't know what to expect and they accepted and embraced her. She loved what she was doing and she even had a piece of her uniform to show us, which had a symbol saying that she was an artist and didn't carry a weapon, except for a paint brush, and it was fascinating to hear her speak. Also Edward Douglas Watson's work is in the collections of the National Gallery Victoria and University of NSW and the Art Gallery of NSW and also in the National War Memorial in Canberra. It was a very good day and it was great for everyone there.

**General Item No:** 15.5 NSW Association of the Jewish Service Men and Women  
**Councillor:** Shields

**Councillor Shields advised:**

On Sunday week ago I represented The Mayor at the NSW Association of the Jewish Service Men and Women. It was an honour to represent the Council and in attendance was also the Governor of NSW, The Hon. Margaret Beazley AC QC and the Member for Coogee, Dr Marjorie O'Neill MP. Dr O'Neill gave a very warm and emotional tribute to her grandparents and her grandfather. It was a wonderful day and thank you for the invitation.

**The Mayor, Councillor Wynne advised:**

Thank you for doing that.

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**General Item No:** 15.6 Burton Street Bridge and Cutler Footway  
**Councillor:** Robertson

**Councillor Robertson advised:**

On the 20 April 2021 I had the privilege of attending the opening of the Burton Street Bridge and the Cutler Footway which is an historic artery that connects the people of Paddington with the people of Darlinghurst without the need to traverse quite a few flights of very ageing old steps. Woollahra Council committed \$1.6 million dollars I believe, matching the City of Sydney who managed this project and it was underway for some 3 plus years. During that time, I recall, my Paddington Ward Councillors, Councillor Price and Councillor Cavanagh were also there at the ceremony will recall, that at the last election that I have never had so many enquiries on one issue. 'When is the Cutler Footway going to be re-opened?' I think that statement, as well as the fact it was that the strangest location ever to attend an event, in a little marque right next to the entrance of the bridge behind St Vincent's Hospital. The buses were going past and the number of people and the pedestrians that were passing on this artery was, as I know because I am a local and I use it all the time was a significant volume. I think it underscored for me the importance of maintaining these types of walkways which have been there for 100's of years and really are part of the whole tapestry of what makes Paddington a walkable, liveable Victorian era suburb.

So I thank you very much for your attendance Madam Mayor and I should also acknowledge the Lord Mayor of Sydney, Clover Moore, was there as well as Senator Bragg, who is also a local and I also spoke about how much he enjoys the pedestrian access there. It was a wonderful event despite the COVID-19 pandemic and the delays it had. It was very important to mark these occasions and to underscore the commitment that we have in terms of the financial investment that we make through our rate payers to deliver this vital infrastructure by a wonderful heritage site, so thank you.

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**Councillor Price further advised:**

I fully endorse Councillor Robertson's comments in relation to the opening of the Burton Street Bridge and the Cutler Footway was indeed a lovely occasion and I thank the City of Sydney for their hospitality including those lovely ice-creams that we shared, and also to acknowledge that Alex Greenwich was there as well and it was a lovely occasion. I would also like to say that Mr O'Hanlon was in attendance and it was lovely to see him. I was disappointed that Aurelio Lindaya could not be in attendance because I would really like to acknowledge and thank Mr Lindaya's hard work and commitment and his patience throughout the whole process, working in conjunction with the City of Sydney, and also dealing with the many concerns and issues raised by the Paddington community. He did an outstanding job so I would like to put that on the record, Madam Mayor.

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**General Item No:** 15.7 75th Anniversary Lindsay House  
**Tabled by Councillor:** Price

**Councillor Price advised:**

I also had the privilege of on Saturday attending the National Trust 75<sup>th</sup> Anniversary celebrations at Lindesay House in Darling Point. That too was a lovely occasion. Stunning weather in the grounds of Lindesay House, and I would like to thank very much the organisers for a lovely event and also, obviously, congratulate the National Trust on all the wonderful work they do and obviously their 75<sup>th</sup> birthday.

Finally, I would also like to congratulate Paddington. Just after our last meeting, I think it might have been the 25 March 2021 or the 24 March 2021, we hosted the inaugural Paddington 2021 event which was absolutely outstanding and the locals and the business community rallied and I would like to thank staff for their support of the event. There were a lot of Councillors in attendance spending lots of money in Paddington which is fantastic. I would also like to acknowledge our 'Visit Paddington' and the Paddington Business Association for their efforts in creating a wonderful event and, fun to hang out, Councillor Elsing and also Councillor Regan on that night. It was a fantastic event and I hope that 'Paddington 2021' continues and that will be more events in Paddington just as exciting and just as wonderful.

**The Mayor, Councillor Wynne advised:**

Thank you Councillor Price. It was a fabulous event. I definitely spent too much money and I want to thank the General Manager for carrying my bags for me. I also thank staff on the amount of work they have put in. It was so fantastic.

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## Notices of Motion

**Item No:** 16.1  
**Subject:** NOTICE OF MOTION - UNITED NATIONS TREATY ON THE PROHIBITION OF NUCLEAR WEAPONS  
**From:** Councillors Megan McEwin and Matthew Robertson  
**Date:** 06 April 2021  
**File No:** 21/61849

**(McEwin/Robertson)**

THAT Council:

- A. Notes the *2017 United Nations Treaty on the Prohibition of Nuclear Weapons* which entered into force on 22 January 2021 and is the first treaty to comprehensively outlaw nuclear weapons and provide a pathway for their elimination and all national governments are invited to sign and ratify the treaty.
- B. Notes that International Campaign to Abolish Nuclear Weapons (ICAN), awarded the 2017 Nobel Peace Prize, has launched the ICAN Cities Appeal which is a global call from cities and towns in support of the UN Treaty on the Prohibition of Nuclear Weapons.
- C. Notes that entry into force is an important milestone on the path to a nuclear weapon- free world. It makes concrete the standard that nuclear weapons are illegal and illegitimate for all states, and a permanent part of international law.
- D. Commemorates this achievement of global diplomacy and endorses the International Campaign to Abolish Nuclear Weapons 'Cities Appeal', which reads:
  - i Our city/town is deeply concerned about the grave threat that nuclear weapons pose to communities throughout the world. We firmly believe that our residents have the right to live in a world free from this threat. Any use of nuclear weapons, whether deliberate or accidental, would have catastrophic, far-reaching and long-lasting consequences for people and the environment.
- E. Warmly welcomes the entry into force of the UN Treaty on the Prohibition of Nuclear Weapons on 22 January 2021, calls on our national government to sign and ratify it without delay.

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

***For the Motion***

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

7/8

***The Motion was Lost.***

***Against the Motion***

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



**Item No:** 16.2  
**Subject:** NOTICE OF MOTION - LEGAL SERVICES REVIEW PANEL  
**From:** Councillors Matthew Robertson, Megan McEwin, Isabelle Shapiro, Toni Zeltzer, Susan Wynne and Mary-Lou Jarvis  
**Date:** 07 April 2021  
**File No:** 21/63001

(Zeltzer/Robertson)

**55/21 Resolved without debate:**

THAT Council:

- A. Notes the role of Councillors in providing oversight of the engagement of Council's legal representation and service provision.
- B. Requests the General Manager to present a recommendation on a way forward to reconstitute the former Legal Services Review Panel.

**Adopted**

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

***For the Motion***

***Against the Motion***

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

Nil

***15/0***

**Item No:** 16.3  
**Subject:** NOTICE OF MOTION - APRIL 2021 HOUSING TARGETS  
**From:** Councillors Luise Elsing and Lucinda Regan  
**Date:** 12 April 2021  
**File No:** 21/65761

(Elsing/Regan)

**56/21 Resolved without debate:**

THAT Council write to Elizabeth Mildwater, CEO of the Greater Sydney Commission, Jim Betts Secretary of the Department of Planning, Industry and Development, Rob Stokes MP Minister Planning and Public Spaces, Gabrielle Upton MP, Minister for the Environment and member for Vaucluse and Dave Sharma MP Member for Wentworth advocating on behalf of Woollahra Council that the targets set in the letter dated 12 March 2021 of an additional 500 – 600 dwellings by 2026 be withdrawn on the basis that the number of new dwellings has been overachieved as follows:

*Between November 2016 to October 2020 Woollahra Municipal Council has had construction commence, completed and approved for development of at least 779 additional new dwellings (including complying developments). With one year to conclude the period ending November 2021 Woollahra Council has at November 2020 exceeded the target by at least 259% or by over 479 additional new dwellings<sup>1</sup>.*

And that the written communication makes reference and further request the following:

- A. noting the historic and current density of the Woollahra Municipality with reference to the population per square meterage and requesting that current delivery beyond targets set by the Greater Sydney Commission be taken into account when future targets are set, and
- B. noting that Woollahra Council is in the process of finalising its Housing Strategy and to that end Councillors require clarity on the following:
  - i the ramifications for amenity given that the SGS Economic Report dated November 2020 only focuses on demand and development potential,
  - ii how traffic and amenity issues are to be considered,
  - iii whether there are any planned transport and infrastructure upgrades,
  - iv when and who will commission an infrastructure demand report and status report to determine whether the Woollahra Municipality can meet increasing housing dwellings and density, and
- C. any other matters staff consider relevant.

**Adopted**

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

***For the Motion***

***Against the Motion***

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

Nil

***15/0***

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**Item No:** 16.4  
**Subject:** NOTICE OF MOTION - RACISM NOT WELCOME  
**From:** Councillor Luise Elsing  
**Date:** 12 April 2021  
**File No:** 21/65943

(Elsing/McEwin)

**57/21 Resolved:**

THAT Council resolve to:

- A. Note the alarming rise in incidents of racism in Australia and NSW, and
- B. Endorse the “Racism Not Welcome” campaign developed by the Inner West Multicultural Network, and
- C. Request staff to prepare a report for further consideration by Council on the costs, locations and other relevant issues with respect to the installation of bi-lingual\* “Racism Not Welcome” street signs in key locations around the Woollahra Municipality (\*English + one of the top 5 languages that reflects the demographic of the local community).

**Adopted**

*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 Elsing  
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:** 16.5  
**Subject:** NOTICE OF MOTION - DOUBLE BAY HERITAGE  
**From:** Councillors Lucinda Regan, Mark Silcocks, Anthony Marano, Harriet Price, Luise Elsing, Claudia Cullen, Susan Wynne, Mary-Lou Jarvis, Isabelle Shapiro, Peter Cavanagh, Matthew Robertson, Megan McEwin and Toni Zeltzer  
**Date:** 20 April 2021  
**File No:** 21/72688

(Regan/Elsing)

**58/21 Resolved without debate:**

THAT Council:

- A. Notes the following properties in the Double Bay Centre are identified as character buildings in *Chapter D5 Double Bay: Section 5.6.3.8 Heritage items and character buildings* of the Woollahra DCP 2015 and that those buildings have a positive contribution to the streetscape and architectural character of the area:
- 37 Bay Street
  - 35 Bay Street
  - 29-33 Bay Street
  - 9 Bay Street
  - 11 Bay Street
  - 13 Bay Street
  - 15 Bay Street
  - 21-25 Knox Street.
- B. Notes the following additional character buildings which are considered to positively contribute to the streetscape and architectural character of the Double Bay Centre:
- 39-43 Bay Street and 17-19 Bay Street: the existing terraces on the eastern side of Bay Street between Short Street and New South Head Road
  - 28 Bay Street: Royal Oak Hotel
  - 12 Bay Street: the existing two storey terrace.
- C. Requests staff to undertake, as a matter of urgency, a report to investigate the potential heritage significance of the buildings identified in paragraphs A and B above in order to identify whether these sites warrant listing as:
- (a) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP); and/or
  - (b) an item on the State Heritage Register under the Heritage Act 1977 and/or;
  - (c) part of a heritage conservation area in the WLEP.

**Adopted**

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

Nil

***15/0***

## Questions With Notice

(Elsing/McEwin)

**59/21 Resolved:**

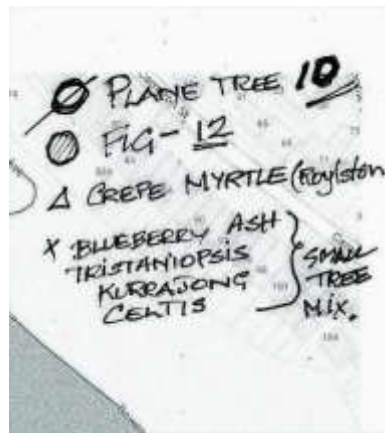
THAT the Questions with Notice be received and noted.

**QWN:** 17.1  
**From:** Councillor Robertson  
**Subject:** Questions with Notice - Historical Maintenance of Hills Figs in Hampden Street Paddington

**Councillor Robertson asking:**

Further to questions raised at the site inspection for the proposed removal of the ficus macrocarpa var hillii (Hills fig) street tree at 23 Hampden Street, Paddington, will staff please provide a particularised outline of the pruning and maintenance carried out by Council and/or other authorities to all of Council's twelve ficus macrocarpa var hillii trees in the Royston precinct as detailed on the attached survey provided by local residents.

Would staff kindly particularise all pruning and maintenance undertaken since the commencement of relevant Council records to the present day?



### Manager Open Space & Trees in response:

The trees referred to in this QWN have been actively maintained and pruned by Council and AusGrid staff over many years. In review of our CRM system (dating back to 2002) and our Tree Asset Database (ArborTrack – updated in 2018) we have endeavoured to maintain reasonable, safe clearances between trees and pedestrians, vehicles, built structures and powerlines.

Maintenance pruning can be a result of a customer request, proactive maintenance and/or AusGrid works.

These trees were last inspected in 2020 followed by our proactive maintenance pruning works. These works included property, pathway and vehicle clearances and deadwooding. Some of the works identified need to be contracted out due to powerline clearances (as our staff are not permitted or trained to work within close range to those electrical assets).

AusGrid staff and contractors undertake pruning of public trees to provide clearance from overhead power lines. Although AusGrid alert us to when they are in our LGA we do not have the records of what pruning they have undertaken of these trees.

### Council staff maintenance records (CRM's and Proactive Maintenance)

| <i>Year</i> | <i>Address</i>   | <i>Request</i>  | <i>Maintenance</i>   |
|-------------|--|---|--|
| 2002        | 23 Royston<br>27 Hampden   | Sewer and root issue<br>Property clearance  | Maintenance pruning undertaken   |
| 2003        | 17-23 Cecil  | Problems with bat poo<br>Problems with solar access   | Tree met specifications  |
| 2004        | 17-23 Cecil<br>15 Cecil  | Problems with bats and solar<br>access Sewer and root issue   | Tree met specifications  |
| 2005        | 17-23 Cecil<br>4 Hampden   | Property damage (roots)<br>Property damage (roots)  |  |
| 2006        | 23 Royston   | Fruit and leaves blocking<br>gutters  | Tree met specifications  |
| 2007        | 17-23 Cecil<br>23 Royston  | Property clearance<br>Property and pathway damage   | Maintenance pruning undertaken   |
| 2008        | 17-23 Cecil  | Branches overhanging property   | Trees within specification, no pruning<br>required   |
| 2009        | 17-23 Cecil<br>23 Royston  | Branches overhanging property<br>Pathway damage (roots)   | Trees within specification, no pruning<br>required<br>Pathway rectification works undertaken   |
| 2010        | 17-23 Cecil<br>27 Hampden<br>20 Cecil<br>2A Hampden  | Property damage (roots)<br>Maintenance<br>Maintenance<br>Maintenance<br>Maintenance                                   | Pruning x 5 Figs<br>Pruning<br>Pruning x 2 Figs<br>Pruning   |
| 2011        | 17-23 Cecil<br>2A Hampden<br>17-23 Cecil (Hampden<br>frontage)<br>17-23 Cecil (opp 34 Cecil)<br>17-23 Cecil (opp 40 Cecil)<br>17-23 Cecil (opp 46 Cecil) | Property and powerline<br>clearance<br>Property Clearance<br>Maintenance<br>Maintenance<br>Maintenance<br>Maintenance | Maintenance pruning undertaken<br>Maintenance pruning undertaken<br>Maintenance pruning undertaken<br>Maintenance pruning undertaken<br>Maintenance pruning undertaken<br>Maintenance pruning undertaken |
| 2012        | 4 Hampden<br>23 Royston<br>27 Hampden<br>17-23 Cecil (Hampden<br>frontage)   | Bat issue in trees<br>Property Clearance<br>Property Clearance<br>Property Clearance                                  | Proactive pruning<br>Maintenance Pruning undertaken<br>Maintenance Pruning undertaken x 2 figs   |



|      |   |   |  |
|------|---|---|--|
| 2013 | 2A Hampden<br><br>17-23 Cecil (opp 34 Cecil)<br>17-23 Cecil (opp 40 Cecil)<br>17-23 Cecil (opp 46 Cecil)                              | Branch failure<br>Property clearance, bats and fruit drop<br>Maintenance<br>Maintenance<br>Maintenance  | Branch removed<br>Maintenance pruning undertaken<br><br>Maintenance pruning undertaken<br>Maintenance pruning undertaken<br>Maintenance pruning undertaken   |
| 2014 | 29 Hampden<br>20 Cecil<br>27 Hampden  | Root issues (blocked drain)<br>Property clearance<br>Property clearance   | Maintenance Pruning undertakenx2 Figs<br>Maintenance Pruning undertaken  |
| 2015 | Hampden St<br><br>2B Hampden<br>15 Cecil<br>17-23 Cecil   | Property and Powerline Clearance<br>Alleged poisoning of fig tree<br>Property clearance, bat issues<br>Powerline Clearance<br>Branch Failure/Property damage<br>Branch Failure/Storm damage<br>Property damage(roots) | Maintenance pruning undertaken<br><br>Maintenance pruning undertaken<br>Maintenance pruning undertaken<br>Branch removed<br>Branch removed, tree meets specification   |
| 2016 | 17-23 Cecil   | Branch Failure<br>Powerline Clearance   | Branch removed<br>Major pruning undertaken on all figs in Cecil Street (AusGrid Contractor)  |
| 2017 | 17-23 Cecil<br>Hampden St<br><br>2A Hampden   | Property Clearance (x7 CRM's)<br>Property damage (roots)<br>property clearance<br>Root issues (blocked drain)   | Maintenance pruning undertaken<br>Maintenance pruning undertaken   |
| 2018 | 17-23 Cecil<br>15 Cecil<br>17-23 Cecil (opp 34 Cecil)<br>17-23 Cecil (opp 40 Cecil)<br>17-23 Cecil (opp 46 Cecil)                     | Property Clearance<br>Property clearance<br>Maintenance<br>Maintenance<br>Maintenance   | Maintenance pruning undertaken<br>Maintenance pruning undertaken<br>Maintenance pruning undertaken<br>Maintenance pruning undertaken<br>Maintenance pruning undertaken   |
| 2019 | 2A Hampden<br><br>17-23 Cecil (opp 34 Cecil)  | Branch hanging in tree<br>Root issues with flooding<br>Root issue (sewer)   | Branch removed<br><br>Inspection undertaken  |
| 2020 | 17-23 Cecil<br><br>17-23 Cecil (opp 26 Cecil)<br>17-23 Cecil (Hampden frontage)<br>23 Royston<br>2A Hampden<br>20 Cecil<br>27 Hampden | Overshadowing<br><br>Branch Failure<br>Proactive maintenance<br>Proactive maintenance<br><br>Traffic signs clearance<br>Proactive maintenance<br>Proactive maintenance<br>Proactive maintenance                       | Trees within specification, no further pruning undertaken<br>No branch found on inspection<br>Deadwood x 5 figs<br>Deadwood x 2 figs<br><br>Maintenance pruning undertaken<br>Deadwood removed<br>Deadwood and epicormics removed, property clearance x 2 figs |

**QWN:** 17.2  
**From:** Councillor Elsing  
**Subject:** Questions with Notice - Mechanisms to Achieve Appropriate New Development

**Councillor Elsing asking:**

Advice on mechanisms to achieve appropriate new development in the Woollahra Municipality

**Background**

The Woollahra Housing Strategy requires Council to set housing targets for 2021 to 2026 and for 2026 to 2036 (reference is made the targets set by the Greater Sydney Commission of 300 and 500 -600 to period ended 2026 and the demand outlined in the SGS Economics & Planning's Woollahra Housing Background Report (final draft dated November 2020)). The intention is that the Strategy will identify appropriate building type and location in the Municipality to accommodate set targets and the appropriate changes in the relevant planning instruments to accommodate the Strategy's conclusions. The Strategy must also address housing affordability and diversity.

Work has commenced on the following initiatives:

- SEPP Seniors Housing exemptions to be removed from R2 zones (NOM dated 21 February 2021)
- Minimum lot sizes for dual occupancies (NOM dated 11 November 2021)
- Double Bay and Edgecliff Planning Reviews

**Question**

That staff advise on the viability, timing and way forward (including details of necessary changes to the Woollahra Local Environmental Plan, the Development Control Plan and planning proposals) with respect the following matters:

1. how the Woollahra Voluntary Planning Agreements Policy 2020 will operate to provide infrastructure support paid for by developers where uplifts to the planning controls are provided in changes made to the controls in Double Bay and Edgecliff, and
2. how a housing mix requirement can be introduced into the Woollahra Local Environmental Plan to obligate developers to include in new development a range of dwelling types (ie not all 4 bedroom, 2 car garage apartments), and
3. how housing capacity can be reduced in areas other than areas identified in the Housing Strategy as being capable of accommodating further development, and
4. how Council can impose or advocate for a "vacant property tax", and
5. identify Council property capable of being utilised to accommodate low cost housing operated by independent community housing providers, and
6. how Council can require private educational institutions to provide local accommodation for their staff.

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

- 1. How the *Woollahra Voluntary Planning Agreement Policy 2020* will operate to provide infrastructure support paid for by developers where uplifts to the planning controls are provided in changes made to the controls in Double Bay and Edgecliff**

The *Woollahra Voluntary Planning Agreement Policy (VPA) 2020* identifies the process for negotiating planning agreements to provide public benefits through contributions from planning proposals (PP) or development applications (DA).

The VPA is negotiated and processed separately to the PP or DA to avoid influencing their assessment. VPAs are required to be publicly exhibited before being reported to Council for a final decision whether to accept the VPA.

Should Council resolve to permit uplift to the planning controls for Edgecliff or Double Bay, the exact mechanism for collecting contributions would be determined during the preparation of an implementation plan for the relevant precinct.

Currently, Applicants are encouraged to enter into VPAs for planning proposals that seek uplift. However, none have been approved since the Woollahra VPA Policy 2020 was adopted.

- 2. How a housing mix requirement can be introduced into the *Woollahra Local Environmental Plan* to obligate developers to include in new development a range of dwelling types (ie not all 4 bedroom, 2 car garage apartments)**

Several councils in Greater Sydney have clauses in the LEPs mandating unit mix in new apartment development, including The Hills, Inner West, Lane Cove and Canada Bay.

Should Council wish to introduce a unit mix clause into the Woollahra LEP 2014, identifying this as an action in the local housing strategy would provide the strategic justification required for the lodgement of a planning proposal to the DPIE.

- 3. How housing capacity can be reduced in areas other than areas identified in the *Housing Strategy* as being capable of accommodating further development**

Council staff are not aware of any mechanism to seek a reduction in housing capacity outside of the local housing strategy.

- 4. How Council can impose or advocate for a “vacant property tax”**

Council staff are not aware of any mechanism to impose a “vacant property tax”.

A letter advocating to the Member for Vaucluse, Minister for Planning and Public Spaces and NSW Treasurer could be prepared should Council resolve to do so.

- 5. Identify Council property capable of being utilised to accommodate low cost housing operated by independent community housing providers**

Council staff are not aware of any Council property currently available for providing low cost housing operated by a community housing provider.

**6. How Council can require private educational institutions to provide local accommodation for their staff.**

Council staff are not aware of any mechanism to require private educational establishments to provide local accommodation for their staff.

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**QWN:** 17.3  
**From:** Councillor Elsing  
**Subject:** Questions with Notice - New Dwelling Targets

**Councillor Elsing asking:**

**Update on Eastern District Plan New Dwelling Targets of a minimum of 300 additional new dwellings for 2016 – 2021 and 550 new dwellings for period ended 2024**

**Background**

**1. The Greater Sydney Commission Eastern District Plan March 2018 (released in November 2018)<sup>2</sup>**

The Plan is prepared pursuant to section 3.4 of the *Environmental Planning and Assessment Act 1979* which requires it to include or identify: the basis for strategic planning in the district, having regard to economic, social and environmental matters; planning priorities that are consistent with the relevant objectives, strategies and actions in the region plan; actions for achieving those planning priorities; and an outline of the basis on which the implementation of those actions will be monitored and reported.<sup>3</sup>

The Plan informs local strategic planning statements and local environmental plans, the assessment of planning proposals as well as community strategic plans and policies. The Plan also assists councils to plan for and support growth and change, and align their local planning strategies to place-based outcomes. It guides the decisions of State agencies and informs the private sector and the wider community of approaches to manage growth and change. Community engagement on the Plan contributed to a plan for growth that reflects local values and aspirations, in a way that balances regional and local considerations.<sup>4</sup>

The Plan's priority is to create a city including **new developments supported by infrastructure** (priority E1). A potential indicator is increased % of properties with 30-minute access to a metropolitan centre/cluster.<sup>5</sup> Which is achieved by **aligning growth with infrastructure, including transport, social and green infrastructure, and delivering sustainable, smart and adaptable solutions**.<sup>6</sup> The Plan seeks to achieve more housing in the right locations by identifying clear criteria for where capacity is located.<sup>7</sup> Criteria includes major transport, health and education investments, either committed or planned, such as Sydney Metro and the CBD and South East Light Rail, which aligns with Future Transport 2056.<sup>8</sup> Actions included Woollahra Council preparing a housing strategy which accommodates the targets set in the Plan.<sup>9</sup>

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<sup>2</sup> <https://www.greater.sydney/eastern-city-district-plan>

<sup>3</sup> Page 15

<sup>4</sup> Page 14

<sup>5</sup> Page 12 and Page 13

<sup>6</sup> Page 6

<sup>7</sup> Page 40

<sup>8</sup> Page 17

<sup>9</sup> Page 45

Having regard to infrastructure capacity in the Woollahra Municipality the Plan set a target for the period 2016 to 2021 of a minimum of 300 additional new dwellings in the Woollahra Municipality.<sup>10</sup>

Council identified in 2018 that a “*key issue is how Council will fund the required infrastructure that will support infill growth, particularly in Centres like Edgecliff and Double Bay which have been identified as precincts in which planning controls should be reviewed*”.<sup>11</sup>

The Greater Sydney Commission advised Woollahra Council under a letter dated 12 March 2020 that a minimum of 500 – 600 additional new dwelling were required in the Woollahra Municipality for the period 2021 – 2026.

## 2. **Compliance with the targets set by the Greater Sydney Commission Eastern District Plan**

Answers supplied to my question with notice in March 2019 indicated that as at March 2019 in the Woollahra Municipality there were a total of 442 additional new dwellings (approved / constructed / complying). See table below extracted from Agenda for Meeting on 8 April 2019.

Answers supplied to my questions with notice in October 2020 that the table provided in March 2019 be updated as at October 2020 indicated that in the Woollahra Municipality there were a total of 497 additional new dwellings (under construction or completed (**excluding approvals and complying developments**)) (including approvals before and after November 2016). See tables below extracted from late correspondence for Council Meeting on 26 October 2020.

Between November 2016 to October 2020 Woollahra Municipal Council has had construction commence or completed of at least 479 additional new dwellings (not including approvals or complying developments). The target set by the Greater Sydney Commission for the period 2016 to 2021 was 300 additional new dwellings. With one year to conclude the period ending November 2021 Woollahra Council has exceeded the target by at least 159% or by over 179 additional new dwellings.

Answers supplied to my questions with notice in November 2020 that the table be provided in the same format as provided in March 2019 were provided in the Minutes of Meeting for 23 November 2020 (see extracted table below).

<sup>10</sup> Page 42

<sup>11</sup> Page 504 of R2 paper to Council Meeting held on 15 October 2018

This information has been incorporated into the table below which is consistent with the format from March 2019:

| Net additional dwellings November 2016 to 16 October 2020 <sup>*^</sup> |  |  |  |   |
|---|--|--|--|---|
| Ward  | Net additional dwellings approved pre 2016 and construction has commenced post November 2016 | Net additional dwellings approved post 2016 and construction has commenced or is completed | Net additional approved complying development post November 2016 | Net additional dwellings approved post November 2016 where constructions has <u>not</u> commenced (excluding complying development) |
| Bellevue Hill   | 54   | 71   | 1  | 104   |
| Cooper  | 21   | 15   | 0  | 17  |
| Double Bay  | 82   | 22   | 0  | 126   |
| Paddington  | 0  | 29   | 0  | 7   |
| Vaucluse  | 48   | 144  | 0  | 38  |
| <b>LGA Totals</b>   | <b>205</b>   | <b>292</b>   | <b>1</b>   | <b>281</b>  |

<sup>\*</sup>Note: building commencement is judged by construction certificates lodged that signal imminent construction commencement.

<sup>^</sup>Disclaimer: Every reasonable effort has been made to ensure that this data is correct at the time of this report. However, this data is reliant on third party information and what is currently entered into our property records system.

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Between November 2016 to October 2020 Woollahra Municipal Council has had construction commence, completed and approved for development of at least 779 additional new dwellings (including complying developments). The target set by the Greater Sydney Commission for the period 2016 to 2021 was 300 additional new dwellings. With one year to conclude the period ending November 2021 Woollahra Council has already exceeded the target by at least 259% or by over 479 additional new dwellings.

### 3. Community concerns about over development in the Woollahra Municipality

Councillors are well familiar with community concerns about over development in the Woollahra Municipality and the impact of additional dwellings on the environment, most particularly on:

- infrastructure (such as roads, sewerage and stormwater systems),
- congestion and traffic (including significant increases in time taken to commute),
- lack of parking,
- insufficient walking and bike pathways,
- lack of educational facilities,
- lack of open space,
- reduction in tree canopy,
- general degradation to the special character of many areas; and
- overall amenity in our suburbs.

**SMH 5 February 2018** “Sydney's eastern suburbs plagued with concerns about congestion, overdevelopment”

**Daily Telegraph 18 August 2020** “Licia Heath and CLOSEast continue fight for new high school in the east”

### Questions

Could staff please urgently:

1. update the information regarding the number of new dwelling in the Woollahra Municipality in the same table format as provided in March 2019 and November 2020 from November 2016 to April 2021,

2. advise whether funding sources have been identified the required infrastructure that will support infill growth in the Woollahra Municipality, particularly in Centres like Edgecliff and Double Bay, and
3. advise whether the information regarding the number of new dwellings approved, constructed, completed and complying has been provided to the Greater Sydney Commission.

### Acting Director Planning & Development in response:

#### 1. Further update on net dwelling increases since 2016

The following table gives an indication of net housing supply since the release of the Eastern City District Plan in November 2016. Woollahra's 0-5 year housing supply target is a minimum of 300 dwellings to be delivered between 2016 and 2021.

The table provides a breakup of net additional dwellings by ward, including any delivered via Complying Development. The table format is consistent with the format from March 2019 and November 2020.

| Net additional dwellings November 2016 to 19 April 2021 <sup>*^</sup> |  |  |  |   |
|---|--|--|--|---|
| Ward  | Net additional dwellings approved pre 2016 and construction has commenced post November 2016 | Net additional dwellings approved post 2016 and construction has commenced or is completed | Net additional approved complying development post November 2016 | Net additional dwellings approved post November 2016 where constructions has <u>not</u> commenced (excluding complying development) |
| Bellevue Hill   | 65   | 74   | 1  | 90  |
| Cooper  | 20   | 19   | 0  | 43  |
| Double Bay  | 85   | 35   | 0  | 98  |
| Paddington  | 1  | 8  | 0  | 24  |
| Vaucluse  | 49   | 153  | 0  | 89  |
| <b>LGA Totals</b>   | <b>220</b>   | <b>289</b>   | <b>1</b>   | <b>344</b>  |

*\*Note: building commencement is based on construction certificates lodged, signalling imminent commencement.*

*^Disclaimer: Every reasonable effort has been made to ensure that this data is correct at the time of this report. However, this data is reliant on third party information and data currently entered into our property records system.*

Whilst the total net dwelling gain has increased we note that the rate of growth has been moderated by unit amalgamations in residential flat buildings. Examples of this are the following DAs in Double Bay:

- 28-34 Cross Street (DA2017/617) was approved with 21 units but has been reduced to 15 units
- 20-26 Cross Street (DA2015/390) was approved with 34 units but has been reduced to 26 units.

The Double Bay net dwelling gain is also moderated by the DA at 30-36 Bay Street Double Bay being surrendered. An approval for a 100% commercial building on the site has since been issued and the building is now under construction. This is a reduction of 13 dwellings from the previous update.

Staff have also reviewed how DAs were classified in our system for this update. A couple of DAs were found to be listed under an incorrect ward and this has now been rectified. This has not affected the total net dwelling gain for the LGA, only how the total is distributed across the wards, in particular the Cooper, Bellevue Hill, Paddington and Vaucluse wards.

## **2. Funding infrastructure**

Council staff are continuously looking for opportunities to better fund infrastructure to support our community, including applying for grants and preparing amended contributions plans.

Voluntary Planning Agreements may also provide opportunities to fund infrastructure consistent with the *Woollahra Voluntary Planning Agreement Policy 2020* adopted on 10 February 2019.

## **3. Greater Sydney Commission (GSC) housing targets**

The local housing strategy is the mechanism for Council to set the 6-10 year housing target and 10-20 year forecast in consultation with the Department of Planning, Industry and Environment (DPIE). Staff have been advised previously by DPIE and the GSC that the targets contained in local housing strategies (and endorsed by DPIE) will be incorporated into the upcoming updates to the Region and District Plan.

The GSC uses annual independent monitoring and modelling prepared by DPIE. It draws on a range of inputs including population forecasts, urban feasibility model, net dwelling completions, and DA approvals. Whilst Council's data is based on a real time log of development applications, approvals and the lodgement of construction certificates.

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**QWN:** 17.4  
**From:** Councillor Price  
**Subject:** Questions with Notice - Former Paddington Bowling Club Site

### **Councillor Price asking:**

I refer to Council's resolutions of 26 November 2018 and 25 May 2020 concerning the former Paddington Bowling Club Site.

1. Can the Director please confirm what steps have been taken to explore opportunities with officers at Crown Lands, the relevant Minister and the Lessee to take over the lease and return the site to public hands.
2. Can the Director please make enquires to confirm if:
  - a) Officers at Crown Lands or the relevant Minister were aware that on 20 February 2020:
    - i all of the shares in Quarry Street (Quarry) (the tenant of the Crown land at the former Paddington Bowling Club Site) were transferred from an entity owned and controlled by Jon Adgemis to Janet Cameron and an entity owned and controlled by Ms Cameron; and
    - ii Ms Cameron was replaced as the sole director of Quarry?
  - b) The relevant Minister's consent was sought or provided for this change in the ownership and control of the tenant of this significant parcel of Crown land?



- c) The relevant Minister or officers at Crown Lands have investigated the change in ownership and undertaken due diligence to ensure that the change in ownership and control satisfies the criteria for a tenant of Crown land and ensures the land will be used for its reserved purpose? Furthermore, has that due diligence included (as was the case for the due diligence originally undertaken for Quarry) whether the transfer of ownership and control has been made to persons who are 'fit and proper' to control the tenant of this significant parcel of Crown land?
  - d) Given that Ministerial consent to Quarry was provided in November 2017 on the representation that the site would be used for the provision of child care services, has the Minister investigated whether that represented purpose remains the intended use of the site by Quarry (notwithstanding the change in ownership and control and that nothing has been done to implement the planned use in the more than 3 years since)?
3. If the answer is 'no' to all or any of the above, can the Director please confirm with the Minister or officers at Crown Lands if immediate enquires and due diligence will be undertaken and when and how will that occur?
4. Can the Director please also make enquires to clarify if:
- a) The relevant Minister or Crown Lands officers were aware of the change in ownership and control of Quarry - when and how did they become aware?
  - b) The relevant Minister provided consent to the change in ownership or control of Quarry, when was that consent provided?
  - c) The original guarantees for the performance of the lease by Quarry remain in place or have they been changed and if so, how?
  - d) The relevant Minister is satisfied that the original consent provided to Quarry in 2017 remains appropriate in light of these developments?

**Director Technical Services in response:**

**Question 1:**

As advised in response to previous QON, in response to the resolution of 26 November 2018, Mayor Cavanagh wrote to Minister Toole confirming the position of Woollahra Council that the land 'should be returned to the people of Paddington and Woollahra under the management and custodianship of Woollahra Municipal Council'. In reply, the Minister advised, 'Ownership of the lease provides the leaseholder with rights over the property, including the right to transfer the lease, and limits the power of the State to intervene without due cause. Whilst the lease is in place, there will be no change of management model possible. Council may consider an approach to the current leaseholder to negotiate a purchase of the lease interest'. (Copies of these letters have previously been provided to Councillors).

In numerous subsequent discussions with officers of Crown Lands, Council's Director Technical Services has re-affirmed Council's continued interest in having the bowling club site returned to Council for community uses. Crown lands position remains unchanged that while a valid lease is in place, there will be no change to the management model.

On 13 April 2021 Mayor Wynne, the General Manager and the Director Technical Services met with representatives of DVT Group, who act for Quarry Street Ltd, the lessee of the site. At that meeting, the Mayor enquired as to the intentions of the owners regarding the future use of the site and was advised that the lessee was exploring opportunities which would be consistent with the lease and relevant planning controls. There were no fixed intentions at the time of the meeting. The Mayor and staff present re-iterated Councils position that we would be interested in having the site returned to a community use and flagged the possibility of a transfer of the lease to Council. In response the DVT representatives advised that they considered the lease to be of very considerable monetary value. There was discussion around this point, with Council staff noting the very considerable limitations for permitted use under lease. The meeting ended with no agreement other than to keep the lines of communication open.

**Questions 2 / 3 / 4:**

Director Technical Services advises that questions 2, 3 and 4 require answers from Crown Lands. The questions were forwarded to the relevant officer at Crown Lands on the day that they were received. We are now advised that the answers will not be available in time for tabling at the Council meeting. The response from Crown Lands will be forwarded to Councillors when it is received.

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There being no further business the meeting concluded at 9.15pm.

**We certify that the pages numbered 162 to 210 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 26 April 2021 and confirmed by the Ordinary Meeting of Council on 24 May 2021 as correct.**

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**General Manager**

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**Mayor**