



Ordinary Council

Tuesday 11 June 2024
6.30pm

Late Correspondence

Privacy Statement:






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Subject: LATE CORRESPONDENCE - 11 JUNE 2024
Author: Rhys Johnson, Coordinator Governance
File No: 24/100759
Purpose of the Report: To table late correspondence as submitted for consideration by the Mayor and Councillors relevant to the Ordinary Council Meeting held on 11 June 2024.
Alignment to Delivery Program: Strategy 11.3: Ensure effective and efficient governance and risk management.

Recommendation:

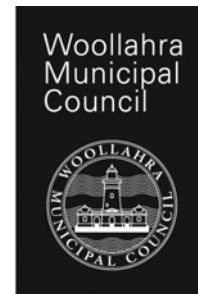
THAT Council receives and notes the late correspondence and reads late correspondence in conjunction with the relevant Agenda items.

Please find attached late correspondence relating to matters appearing on the Agenda for Council held on 11 June 2024. Correspondence received is listed below:

Item No.	Matter	Author	Page
13.1 R1	Submission on Precincts for Low and Mid-Rise Housing Reforms	Fiona Aghili, Strategic Planner ↓ 	3
13.1 R2	Hydrogeological and Geotechnical Study of the Rose Bay area and proposed DCP amendments	Scott Pedder, Director Planning & Place ↓ 	7
13.2 R1	Draft Children, Youth & Families Strategy and 4 Year Action Plan	Vicki Munro, Manager Community & Culture ↓ 	8
13.2 R4	Grants Program 2024/25 Recommended Projects for Funding	Vicki Munro, Manager Community & Culture ↓ 	9
13.2 R8	Request for Tenders for the Lease and Operation of Trumper Park Tennis Centre, Trumper Park, 1 Quarry St, Paddington NSW 2021	Tim Hirshman ↓ 	10

Memorandum

Date 11 June 2024
File No. SC7882
To Mayor Cr Shields and Councillors
CC Executive Leadership Team
From Fiona Aghili – Strategic Planner
Anne White – Manager - Strategic Planning & Place
Subject LATE CORRESPONDENCE – COUNCIL MEETING 11 JUNE 2024 - ITEM 13.1 (R1) SUBMISSION ON PRECINCTS FOR LOW AND MID-RISE HOUSING REFORMS



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Dear Mayor Cr Shields and Councillors,

This memo relates to Item 13.1 (R1) on the agenda for the Council meeting of 11 June 2024. At the Environmental Planning Committee (EPC) of 3 June 2024 the Councillors requested further information on certain matters, and these are addressed under the headings below.

It is noted that the EPC recommended as follows:

THAT Council:

- A. *Receives and notes the report to the Environmental Planning Committee of 3 June 2024, and accompanying staff submission at Attachment 1, regarding the Department of Planning, Housing and Infrastructure's precinct selection for the low and mid-rise housing reforms across the Woollahra Local Government Area.*
- B. *Request the Mayor write to the Minister for Planning and Public Spaces, indicating Council's support for the staff submission and continued opposition to the low and mid-rise housing reforms. In doing so, staff are to note the commentary of the Committee Members and Council Staff submit late correspondence in support of this action to the Council Meeting of 11 June 2024.*

As a consequence of this further information, staff are proposing an amendment to the EPC recommendation to Council.

What is the new housing target and how does it relate to planned growth and projected growth?

The Department of Planning, Housing and Infrastructure (DPHI) has prescribed the Woollahra Local Government Area (Woollahra LGA) a target of 1,900 net additional dwellings for the period July 2024 to June 2029 consisting of new dwelling growth from the following:

- Planned housing growth currently under construction, approved but yet to commence, under assessment, or from approved planning proposals.
- Projected growth under the low- and mid-rise reforms.

The prescribed target has been divided by the DPHI to consist of the following:

- 30% planned growth (570 new dwellings overall or 114 new dwellings per year), and
- 70% projected growth (1330 new dwellings or 266 new dwellings per year).

What is the definition of medium and high density compared to the reforms?

The DPHI has adopted dwelling density definitions in the low and mid-rise reforms that differ to the accepted definition by the Australian Bureau of Statistics (ABS) as follows:

ABS density definitions

- Low density - Separate house
- Medium density - semi-detached, row, or terrace townhouse
- High density - Flat or apartment

Low and mid-rise reforms definitions

- Low-rise – dual occupancy, terrace and manor houses
- Mid-rise – 3-6 storeys apartments

What are the updated development standards for the low and mid-rise reforms proposed in the DPHI's refinement paper?

A summary of the development standards proposed for apartments within station and town centre precincts is below at Table 1 showing a comparison between the originally exhibited and post exhibition changes in the DPHI's refinement paper (highlighted green).

The refinement paper has stated that the proposed development standards for residential flat buildings and shop-top housing would not apply to town centres (E1 Local Centre and MU1 Mixed Use zones in the Woollahra LGA) as suggested in the original exhibition of the reforms. In the Woollahra LGA the development standards would apply to apartments or shop-top housing in the R3 Medium Density Residential zone of the DPHI's proposed precincts.

Table 1: DPHI's proposed station and town centre precinct development standards for apartments and shop-top housing

Precinct area	EIE (Exhibition) standards / with 30% Affordable housing bonus		Refinement Paper (Post exhibition) standards / with 30% Affordable housing bonus	
Inner (0-400m)	<ul style="list-style-type: none"> • 6 storeys • 3:1 FSR • 21m height 	<ul style="list-style-type: none"> • 8 storeys • 3.9:1 FSR • 27.3m height 	<ul style="list-style-type: none"> • R3 zone only • Max 6 storeys • 2.2:1 FSR • 24m height for shop top housing • 22m height for apartments 	<ul style="list-style-type: none"> • R3 zone only • 8 storeys • 2.9:1 FSR • 31.2m height for shop top housing • 28.6m height for apartments
Outer (401-800m)	<ul style="list-style-type: none"> • 2:1 FSR • 16m height 	<ul style="list-style-type: none"> • 2.6:1 FSR • 20.8m height 	<ul style="list-style-type: none"> • R3 zone only • Max 4 storeys • 1.5:1 FSR • 17.5m height 	<ul style="list-style-type: none"> • R3 zone only • 6 storeys • 2:1 FSR • 23m height

How will the updated development standards for the low and mid-rise reforms proposed in the DPHI's refinement paper affect heritage?

The DPHI's refinement paper suggests impacts on heritage significance have been addressed by proposing not to apply the station and town centre precinct development standards in town centres (employment zones being E1, E2, MU1 and SP5). The DPHI also intends to collaborate with councils to address concerns in the R1 General Residential zone. However, the Woollahra LGA does not have any land zoned R1 General Residential.

The DPHI asserts that the areas above (land zoned E1, E2, MU1, SP5 and R1) are where a large portion of heritage significance exists in council areas and that these changes would eliminate instances of six storey mid-rise apartments in a one-two storey heritage context.

However, this is not the case in the Woollahra LGA. Accordingly, the changes above would not address the unacceptable impacts proposed on Woollahra's heritage.

The DPHI's refinement paper provided no further information or certainty on how the changes would address the impacts of increased density on heritage significance or provide protection from the demolition.

Recently endorsed strategies contributing to new housing in Woollahra

Since the original release of the low and mid-rise reforms, Council has continued to work on planning for increased density through strategies in appropriate areas such as town centres. This has cumulated in the recently endorsed strategies, the *Edgecliff Commercial Centre Strategy* and the *Double Bay Centre Strategy*, which together would deliver on the DPHI's new housing target, as shown in **Table 2** below.

However, the NSW State Government has not considered these strategies in the delivery of 'projected growth', for new housing in Woollahra.

Table 2: Estimated new housing under recent strategies.

Strategy	Potential additional new dwellings from recently endorsed strategies	Existing potential capacity under Woollahra LEP 2024
Edgecliff Commercial Centre	615	830
Double Bay Centre	300	360

Updated recommendation

Having considered the information above and to reflect the submission content opposing the DPHI's proposed precincts, the following updated recommendation is suggested to Council.

Note: The changes from the EPC recommendation are highlighted in yellow

THAT Council:

- A. *Receives and notes the report to the Environmental Planning Committee of 3 June 2024, and accompanying staff submission at Attachment 1, regarding the Department of Planning, Housing and Infrastructure's (DPHI) precinct selection for the low and mid-rise housing reforms across the Woollahra Local Government Area.*
- B. *Affirms that councils are best placed to appropriately plan for increased density in their municipalities, and that the DPHI has not taken into account the following:*
 - i. *that Woollahra Council is already meeting and exceeding the NSW State Government's five year housing target (2016-2021) by over 70%, and is on track to deliver the 6-10 year housing target (2021-2026);*
 - ii. *the recent endorsement of the Edgecliff Commercial Centre Strategy and the Double Bay Centre Strategy, that together would deliver the housing required by the new five-year housing target, without introducing the proposed precincts from the low and mid-rise reforms; and*
 - iii. *the Woollahra LGA has a high population density that is significantly higher compared to other areas in Greater Sydney.*
- C. *Opposes the DPHI's proposed station and town precinct selection for Woollahra, which consists of Edgecliff, Double Bay, Rose Bay (New South Head Road), Rose Bay North (Old South Head Road), based on the concerns outlined below:*
 - i. *infrastructure issues relating to critical and urgent capacity constraints for water, sewerage, road, trains, buses, schooling and open space;*
 - ii. *significant flooding, hydrology and acid sulfate soil issues in and around Edgecliff, Double Bay and Rose Bay (New South Head Road);*
 - iii. *failure to address unacceptable impacts posed on Woollahra's heritage significance;*
 - iv. *the complete unsuitability of Rose Bay (New South Head Road) and Rose Bay North (Old South Head Road) as both lack the amenity and services required; and*
 - v. *failure to consider the impacts of increased density on local character and the environment.*

- D. Notes the DPHI's failure to address key concerns previously raised by Council on the reforms including:*
- i. addressing how the additional infrastructure and essential services, which are the responsibility of the NSW State Government to provide, required to support density and population growth will be adequately funded and delivered;*
 - ii. addressing the impacts of the reforms when delivered in conjunction with the 30% floor space ratio and building height bonus under the Housing SEPP; and*
 - iii. addressing the onsite delivery of a significant amount of affordable housing in perpetuity.*
- E. Request the Mayor write to the Minister for Planning and Public Spaces, indicating Council's support for the staff submission at Attachment 1, and continued opposition to the low and mid-rise housing reforms across the Woollahra Local Government Area for the reasons outlined in point B - D. of this resolution.*

Memorandum

Date 11 June 2024

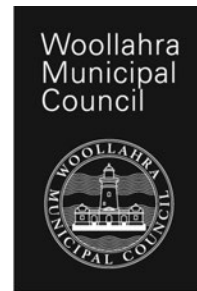
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To Mayor Cr Shields and Councillors

CC Executive Leadership Team

From Jacquelyne Della Bosca – Executive Planner
Scott Pedder – Director Planning and Place
Tom O’Hanlon - Director Infrastructure and Sustainability
Anne White – Manager - Strategic Planning & Place

Subject LATE CORRESPONDENCE - COUNCIL MEETING 11 JUNE 2024
– ITEM 13.1 (R2) HYDROGEOLOGICAL AND GEOTECHNICAL
STUDY OF THE ROSE BAY AREA AND PROPOSED DCP
AMENDMENTS.



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Dear Mayor Cr Shields and Councillors,

This memo relates to Item 13.1 (R2) on the agenda for the Council meeting of 11 June 2024.

Background:

On Monday 3 June, the Environment and Planning Committee (EPC) considered a report on the hydrogeological and geotechnical study of the Rose Bay area and recommended:

THAT Council:

- A. *Receives and notes the study Rose Bay - Hydrogeological and Geotechnical Impacts (May 2024) prepared by GHD Pty Ltd in **Attachment 1**.*
- B. *Resolves to exhibit Draft Woollahra Development Control Plan 2015 (Amendment No 30) - Hydrogeological and Geotechnical Impacts as contained in **Attachment 2** of the report to the Environmental Planning Committee of 3 June 2024. In doing so, staff are to note the commentary of the Committee Members and Council Staff submit late correspondence in support of this action to the Council Meeting of 11 June 2024.*

In addition to the issues raised at the EPC meeting, further complex questions have been received from Councillors. Due to the detailed nature of the issues raised, staff have been unable to prepare responses to these questions and provide these in time for the Council meeting of 11 June 2024.

Accordingly, staff recommend that Council resolves to defer the matter until the Council meeting of 8 July. This will provide staff and consultants time to prepare responses and circulate these in advance of the 8 July meeting.

Amended recommendation

The following updated recommended is suggested to Council:

That Council resolves to defer consideration of the Rose Bay - Hydrogeological and Geotechnical Impacts (May 2024) until the Council meeting of 8 July 2024, so that Council can give consideration to further late correspondence on this matter.

24/100362

Memorandum

Date 11 June 2024

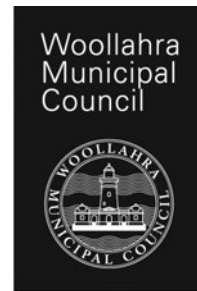
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To The Mayor
All Councillors

CC

From Vicki Munro - Manager Community & Culture

Subject Item R1 (Finance, Community & Services Committee) - Draft Children, Youth & Families Strategy and 4 Year Action Plan



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Dear Councillors and ELT

In the Finance, Community & Services Committee (FC&S) meeting held on 3 June 2024, there was discussion and questions arising on the following report. Please see my responses to this matter:

R1 Draft Children, Youth & Families Strategy and 4 Year Action Plan

1. Question regarding Population statistics

- The population figure on page 8 of the document is from the Australian Bureau of Statistics' Estimated Resident Population for 2023. This figure is currently used in Council's Strategy documents.
 - The population figure on page 10, which outlines population changes between 2021 and 2041 was also taken from the Australian Bureau of Statistics' Estimated Resident Population for those two years. The data on pages 10 and 11 will be updated to reflect the Australian Bureau of Statistics' 2021 Census data - usual resident population of 53,496. This information is found on Council's website under the Community Profile resource, provided by id.community.
2. Breakdown of draft 2024/25 budget of \$38,400 to be applied to the Childrens, Youth and Families Strategy, noting that this is not additional funding but a redistribution of existing funding within the Community Development budget.
- \$24,000: In addressing both Actions 1.4 and 2.1 of the draft Strategy, staff will undertake community consultation with youth to develop best practice programs for creating a mechanism for a Youth Voice to Council (\$14,000). This will empower young people and provide an opportunity to deliver a tangible outcome addressing their needs, such as an event etc in partnership with Council (\$10,000).
 - \$14,400 will be allocated to mental health and wellbeing programs with focus on young people. This has been listed as an action in 2025/26 but planning of programs will begin in 2024 and be delivered in 2025.

Kind Regards

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Memorandum

Date 11 June 2024

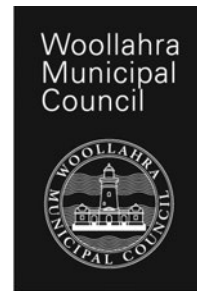
File No.

To The Mayor
All Councillors

CC

From Vicki Munro - Manager Community & Culture

**Subject Item R4 (Finance, Community & Services Committee) -
Grants Program 2024/25 Recommended Projects for Funding**



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Dear Councillors and ELT

In the Finance, Community & Services Committee (FC&S) meeting held on 3 June 2024, there was discussion and questions arising on the following report. Please see my response to this matter:

R4 Grants Program 2024/25 Recommended Projects for Funding

In regard to the current Grants Policy, (adopted 25 July 2022), please note that there is some flexibility regarding grant applicants being able to make an application for grants, after receiving grant funding for three consecutive years. The policy states that:

- d. Grants can be used as seed funding with the expectation that applicants will grow in skills and capacity and move to self-sustaining practices.
- e. All applicants regardless of having received previous funding will be assessed as a new applicant in a new round.
- f. Applicants that are successful for a grant in three consecutive years will need to demonstrate that they are:
 - i. taking active and current steps to source alternate and ongoing funding as per paragraph (d). above; and/ or
 - ii. continuing to try new and innovative ideas as part of each annual application; and/ or
 - iii. continuing to attract new local participants who will benefit from their proposal.

It is noted that a number of the proposed successful Grant submissions for 2024/25 are in their third year of funding under this new policy.

In the next 2025/26 round new questions will be added to the Grant application form to ascertain the steps applicants are taking to source alternate and ongoing funding, the new and innovative ideas incorporated in their grant proposal and strategies planned to attract new local participants to the project.

Future proposals will be assessed against this criteria.

Links to the Grants Policy and Guidelines have been provided for your reference.

Kind Regards

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From: [REDACTED]
To: [Records](#)
Cc: [Richard Shields](#); [Sarah Swan](#); [Isabelle Shapiro](#); [Sean Carmichael](#); [Lucinda Regan](#); [Luise Elsing](#); [Nicola Grieve](#); [Mark Silcocks](#); [Toni Zeltzer](#); [Peter Cavanagh](#); [Harriet Price](#); [Susan Wynne](#)
Subject: Late Correspondence for Council meeting on Tuesday 11 June 2024
Date: Monday, 10 June 2024 6:05:54 PM

Subject: Item No: R8 Recommendation to Council Subject: REQUEST FOR TENDERS FOR THE LEASE AND OPERATION OF TRUMPER PARK TENNIS CENTRE, TRUMPER PARK, 1 QUARRY ST, PADDINGTON NSW 2021

Dear Woollahra Councillors

I am writing in relation to an item on your meeting agenda on Tuesday evening this week to accept a recommendation to seek tenders for the lease and operation of Trumper Park tennis centre.

I became aware of this issue last week purely by chance- I was looking on the Council's website last Tuesday to see if any final decision or announcement had been made about the lease of Cooper Park to the preferred tenderer Young Aces . While I could find no information on this, I read the Council staff recommendation about a tender for Trumper Park on the agenda of the Finance Community and Service Committee held on 3 June and subsequently read that this had been recommended to the full Council meeting tomorrow night.

I play tennis at Trumper Park every Wednesday- it is a great facility , very well run by the incumbent operator (a family) and like Cooper Park is always very well patronised for tennis play.

So I was very surprised and concerned to read that the Council appears to be about to repeat the process it initially undertook for Cooper Park, without first undertaking any consultation with the community of tennis players that use the Trumper Park courts.

If your Council does this I fear it will invite the same community backlash that arose following the initial tender for Cooper Park.

In particular the following features of the recommendation repeat the initial tender process for Cooper Park and in my opinion risk similar controversy:

1. Once again Council is proposing to invite tenderers to consider alternative sports uses for at least 2 courts out of the 6 Council leased courts at Trumper Park tennis centre. I assume that once again tenderers may be scored lower by Council staff if they do not include proposals for this in the tender submissions .
2. As far as I know there has been no attempt to survey the views of current users of Trumper Park about the incumbent operator of Trumper Park or the possible use of **one third** of the courts for other sports.
3. Going to public tender will once again invite large management Companies such as Voyager /Sydney Sports Centre Management to tender to run a low key community minded tennis centre in Woollahra Municipality. If Council staff again end up recommending this type of operator following the tender, why would Councillors assume this will be any more warmly embraced by the community of tennis players at Trumper Park than it was for Cooper Park?

In view of the above , I respectfully suggest and request that Councillors consider doing the following rather than just

accept the recommendation at your meeting tomorrow evening:

1. Hit pause on any proposed tender for at least a month and request that Council staff first conduct some survey of the people who currently play tennis at Cooper Park and then provide this feedback to Councillors before the current recommendation is considered . This could be done by putting a notice up at the courts and on Council's website seeking feedback from patrons of the courts or by creating an online survey. Otherwise I am worried Council could be unknowingly inviting the same backlash it faced during the protracted tender process for Cooper Park.
2. Council must already have a current financial benchmark for the likely revenue to be expected for the lease of 6 tennis courts, based on the tenders received for Cooper Park. If feedback on the incumbent lessee received from current users of Trumper Park is favourable, could not the Council first try to negotiate a lease renewal on satisfactory financial terms with the incumbent lessee, before going to a full public tender again?
3. If a tender is to proceed, delete the reference to alternative sporting uses of two out of the six tennis courts. Or failing that, as a second best alternative at least specify that multiple permanent line markings must not be installed on any tennis courts, as this feature renders those courts practically unsuitable for tennis use. (This was one of the main concerns raised by

those of us opposed to this feature of the initial tender for Cooper Park.) If this alternative at least is adopted, it would be still be possible for courts to be used for some other activities without permanent additional line markings such as by using temporary removable markings and/or equipment.

In conclusion , the issues raised if this recommendation is accepted unaltered tomorrow night could become even more controversial than the tender for Cooper Park. A greater proportion of tennis courts could be effectively lost to tennis use than at Cooper Park (2 out of 6 courts at Trumper Park compared to 2 out of 8 at Cooper Park). Despite the complaints expressed regarding lack of public notice and prior consultation with Cooper Park tennis court patrons, Council seems to be doing the same thing again with Trumper Park.

In addition you have the spectacle of unused land right next to Trumper Park (the disused Paddington Bowling Club greens) and it will cause people to ask again why highly patronised tennis courts have to made available for other sporting uses when other options exist nearby.

Yours sincerely

Tim Hirshman

[Redacted signature block]