



Ordinary Council



Agenda

Monday 23 August 2021

6.00pm

Meeting to be held using conferencing technology (refer to details over page)

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

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

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

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

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

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

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

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

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

Disclaimer:

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

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

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

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

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

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

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

For further information please visit www.woollahra.nsw.gov.au

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

Quorum: The quorum for Council meeting is 8 Councillors

Woollahra Municipal Council

Notice of Meeting

19 August 2021

To: Her Worship the Mayor, Councillor Susan Wynne ex-officio
Councillors Richard Shields (Deputy Mayor)
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

Dear Councillors,

Ordinary Council – 23 August 2021

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Ordinary Council** meeting to be held via teleconference, **on Monday 23 August 2021 at 6.00pm.**

Councillors and members of the public are advised that we will be holding Council and Committee meetings remotely using conferencing technology (until further notice).

Watch and listen to the meeting live via Council's website:

https://www.woollahra.nsw.gov.au/council/meetings_and_committees/council_meetings/council_agendas_and_minutes.

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

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

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

Craig Swift-McNair
General Manager

Meeting Agenda

Page

1.	Opening	
2.	Prayer	
3.	Acknowledgement of Country (Gadigal People and Birrabirrigal People)	
4.	Acknowledgement of the Sovereign of the Day (Queen Elizabeth II)	
5.	Confirmation of Minutes	7
5.1	Confirmation of Minutes - 26 July 2021 - 21/156638	7
6.	Leave of Absence and Apologies	
7.	Declarations of Interest	
8.	Late Correspondence	
9.	Petitions Tabled	
10.	Mayoral Minute	69
10.1	Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 - 21/161563	69
11.	Public Forum	
12.	General Manager and Officer's Report	77
12.1	Request to be the Planning Proposal Authority for 252-254 New South Head Road, Double Bay - 21/146746.....	77
12.2	Update on COVID-19 support initiatives - 21/153214	103
12.3	Audit & Assurance Committee (AAC) Charter and Internal Audit Charter - 21/158046.....	117
12.4	Delivery Program 2018 - 2022 & Operational Plan 2020/21 Progress Report January - June 2021 - 21/160686	171
13.	Reports of the Committees	
13.1	Finance, Community & Services Committee.....9 August 2021	259
R1	Partnership Agreement Renewal with Service NSW	259
R2	Capital Works Program Status Report - June 2021 including 2020/21 Budget Revotes & Rollovers	259
14.	Rescission Motion	Nil
15.	Councillor Reports/Councillor Updates (Section 8.4).....	261
16.	Notices of Motion.....	263
16.1	Notice of Motion - Oxford Street Heritage - 21/155779.....	263
16.2	Notice of Motion - Transparency and Confidence in Council Process around decision making in litigated Planning Matters - 21/158061	265
16.3	Notice of Motion - Council as a Community Leader - 21/159594	267
16.4	Notice of Motion - Puppies in the Park - 21/159814	269
16.5	Notice of Motion - Council Acquisition of the Charles Wentworth Memorial Church, Vacluse - 21/159881.....	269

17. Questions With Notice	271
17.1 Questions with Notice - Rushcutter's Bay Youth Recreation Facility - 21/145986.....	271
17.2 Questions with Notice - Eco-Playground at the Dillon Street Reserve - 21/146398.....	273
17.3 Questions with Notice - Homeless Week - 21/149622	274
17.4 Questions with Notice - Conservation Management Strategy for Rushcutters Bay Park, Yarranabbe Park and Sir David Martin Reserve/Plantation Reserve - 21/151923.....	277
17.5 Questions with Notice - 9A Cooper Park Road, Bellevue Hill - 21/153875	278
17.6 Questions with Notice - Housing Targets - 21/156397.....	280
17.7 Questions with Notice - Land and Environment Court Proceedings - Hakoah Club Ltd v Woollahra Municipal Council - 21/158085	289
17.8 Questions with Notice - Heritage Projects Status - 21/158687.....	290
17.9 Questions with Notice - 46 Vacluse Road Vacluse - Interim Heritage Order (IHO) - 21/158693	292
17.10 Questions with Notice - White City Sporting Complex Redevelopment (Hakoah Club) - 21/159644	294
17.11 Questions with Notice - Infrastructure Contributions System - 21/160029.....	295
17.12 Questions with Notice - Notice of Motions - 21/160964.....	300
17.13 Questions with Notice - Intergovernmental Panel on Climate Change - 21/161142.....	301
17.14 Questions with Notice - Woollahra Parks & Open Space - 21/161144	301
17.15 Questions with Notice - Woollahra Park Plan of Management - 21/165921.....	302

5. Confirmation of Minutes

Item No: 5.1

Subject: CONFIRMATION OF MINUTES - 26 JULY 2021

Author: Sue O'Connor, Governance Officer

File No: 21/156638

Reason for Report: The Unconfirmed Minutes of the Council of 26 July 2021 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

THAT the Minutes of the Council Meeting of 26 July 2021 be taken as read and confirmed.

Annexures

1. Unconfirmed Council Minutes - 26 July 2021 [↓](#) 



Ordinary Council



Minutes

Monday 26 July 2021

Ordinary Council Meeting

Monday 26 July 2021

Table of Contents

	Page
Items Determined Under Delegated Authority by Council Committees.....	429
Ordinary Council Meeting.....	430
Confirmation of Minutes	431
5.1 Confirmation of Council Minutes - 28 June 2021	431
5.2 Confirmation of Extraordinary Council Minutes - 5 July 2021	431
Leave of Absence and Apologies	431
Declarations of Interest.....	431
Late Correspondence	434
Petitions Tabled.....	434
Public Forum	434
PF fsdfdsfds	434
PF fsdfdsfds	434
Mayoral Minute	437
Prohibition on Collection of Enforcement Levy	437
General Manager and Officer's Report.....	439
12.1 COVID-19 Support Initiatives.....	439
12.2 Consultation - The Independent Pricing And Regulatory Tribunal (IPART) Review Of The Rate Peg To Include Population Growth Draft Report.....	445
12.3 Woollahra Community Engagement Policy	446
12.4 Bus Shelter Advertising	447
Environmental Planning Committee	12 July 2021..... 450
R1 Woollahra Aboriginal Heritage Study	450
R2 Replacement Tree at 23 Hampden Street, Paddington	451
R3 Matters deferred prior to the adoption of Woollahra Local Environmental Plan 2014.....	452
R4 Post Exhibition Report for Draft Woollahra Development Control Plan 2015 (Amendment No.14) and Draft Woollahra Development Control Plan 2015 (Amendment No.16).....	453
R5 Planning Proposal - Heritage Listing of 'Sunny Brae, including interiors' at 40 Fitzwilliam Road, Vacluse.....	454
R6 Review of the land use zoning of Riddell Street, Bellevue Hill	456
R7 Post Exhibition Report - Draft Woollahra Section 7.12 Development Contributions Plan 2021	458
R8 Post Exhibition Report - Draft Woollahra Development Control Plan 2015 (Amendment No. 17) - Provisions for Fire Hydrant and Booster Installations	459
R9 Parklet trial.....	460
R10 Seniors Housing in the Woollahra LGA - Location, Comparative Sales and Justifications for Exemption to the Seniors Housing SEPP.....	461

Woollahra Municipal Council Ordinary Council Meeting Minutes	26 July 2021
Finance, Community & Services Committee	12 July 2021..... 462
R1 Consultation - Draft Model Social Media and Councillor and Staff Interaction Policies.....	462
R2 Audit & Assurance Committee (ARIC) - Extension of Term and Performance Report	463
R3 Complaint and Unreasonable Complainant Policy	464
R4 Woollahra Libraries Strategic Plan 2021 – 2026	465
R5 Cranbrook School Easement and Right of Way - 5 Victoria Road, Bellevue Hill	466
R6 Closing and Sale of Road Reserve adjoining 5-7 Eastbourne Road, Darling Point (SC6058)	468
R7 Waste Collection Cycles	470
R8 Business Chamber Funding Policy	471
Councillor Reports/Councillor Updates	473
15.1 Vale John Mant	473
15.2 Living thru challenging times COVID-19	473
15.3 Sydney Eastern City Planning Panel (6 Storey Development on corner of Cross Street and Transvaal Avenue, Double Bay)	474
15.4 Director Planning & Development	476
Notices of Motion.....	478
16.1 Notice of Motion - Constables Cottage, Camp Cove	478
16.2 Notice of Motion - Enforceable DA Conditions Relating to Footpaths	479
Questions With Notice.....	480
17.1 Questions with Notice - 9A Cooper Park Road, Bellevue Hill.....	480
17.2 Questions with Notice - Deceased Tree	483
17.3 Questions with Notice - Former Paddington Bowling Club Site.....	484

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Items Determined Under Delegated Authority by Council Committees

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

Environmental Planning Committee held on Monday 12 July 2021

D1 Confirmation of Minutes of Meeting held on 15 June 2021

Finance, Community & Services Committee held on Monday 12 July 2021

D1 Confirmation of Minutes of Meeting held on 15 June 2021

D2 Woollahra Local Traffic Committee Minutes - 6 July 2021

D3 Monthly Financial Report - June 2021

Unconfirmed



Ordinary Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council
held using teleconferencing technology, on
26 July 2021 at 6.03pm.**

Present: Her Worship the Mayor, Councillor Susan Wynne
Councillors: Richard Shields (Deputy Mayor)

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

Staff: Nick Economou (Manager Development Control) – via Zoom
Paul Fraser (Manager Property & Projects) – via Zoom
Aurelio Lindaya (Manager Engineering Services) – via Zoom
Zubin Marolia (Manager Property & Projects) – via Zoom
Carolyn Nurmi (Governance Officer)
Patricia Occelli (Director–Community & Customer Experience) - via Zoom
Tom O'Hanlon (Director – Infrastructure & Sustainability) - via Zoom
Scott Pedder (Director – Planning & Place) - via Zoom
Anthony Sheedy (Senior Property Officer) – via Zoom
Craig Swift-McNair (General Manager)
Helen Tola (Manager Governance & Council Support)
Anne White (Manager Strategic Planning) – via Zoom

Also in Attendance: Nil

Note: The Mayor, Councillor Wynne having declared an interest in Item 13.2 (R6 Closing and Sale of Road Reserve adjoining 5-7 Eastbourne Road, Darling Point), The Mayor, Councillor Wynne vacated the Chair at 8.52pm and resumed the Chair at 9.30pm. The Deputy Mayor, Councillor Shields assumed the Chair for consideration of this matter.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Confirmation of Minutes

Item No: 5.1
Subject: CONFIRMATION OF COUNCIL MINUTES - 28 JUNE 2021
Author: Sue O'Connor, Governance Officer
File No: 21/138760
Reason for Report: The Minutes of the Council of 28 June 2021 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

(Shapiro/McEwin)

89/21 Resolved:

THAT the Minutes of the Council Meeting of 28 June 2021 be taken as read and confirmed.

Item No: 5.2
Subject: CONFIRMATION OF EXTRAORDINARY COUNCIL MINUTES - 5 JULY 2021
Author: Sue O'Connor, Governance Officer
File No: 21/138763
Reason for Report: The Minutes of the Council of 5 July 2021 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

(Silcocks/Cullen)

90/21 Resolved:

THAT the Minutes of the Council Meeting of 5 July 2021 be taken as read and confirmed.

Leave of Absence and Apologies

Nil

Declarations of Interest

Councillor Robertson declared a Non-Significant, Non-Pecuniary of interest Item 11.2 (Passive smoke exposure in high density terrace houses) as late correspondence tabled from the Cancer Council and Councillor Robertson advised that he had an association with the Cancer Council in relation to the campaign to ban smoking from the beaches in Woollahra. Councillor Robertson further noted that this correspondence really does not have any connection to him at this point, however wanted to make a declaration. Councillor Robertson remained in the meeting, participated in debate and voted on the matter.

Page 431

Councillor Silcocks declared a Non-Significant, Non-Pecuniary interest in relation to Item 12.4 (Bus Shelter Advertising) as Councillor Silcocks is in advertising and prepares advertising posters and so forth. Councillor Silcocks remained in the meeting, participated in debate and voted on the matter.

Councillor McEwin declared a Significant Pecuniary interest in relation to Item 12.4 (Bus Shelter Advertising), as Councillor McEwin is a Director of the Policy and Regulatory Affairs Industry Associations. Councillor McEwin left the meeting and did not participate in debate or vote on the matter.

Councillor Jarvis declared a Non-Significant, Non-Pecuniary interest in relation to Item 12.4 (Bus Shelter Advertising), as her former clients and public relations campaign tender for Council's advertising shelters. Councillor Jarvis remained in the meeting, participated in debate and voted on the matter.

Councillor Cullen declared a Non-Significant, Non-Pecuniary of interest in relation Item 12.4 (Bus Shelter Advertising) as Councillor Cullen is in advertising. Councillor Cullen remained in the meeting, participated in debate and voted on the matter.

Councillor Silcocks declared a Non-Significant, Non-Pecuniary interest in relation to Item 13.1 (R5 – Planning Proposal – Heritage Listing of 'Sunny Brae, including interiors' at 40 Fitzwilliam Road, Vaucluse) as Councillor Silcocks knows one of the objectors and the applicant just through school. Councillor Silcocks remained in the meeting, participated in debate and voted on the matter.

Councillor Shapiro declared a Non-Significant, Non-Pecuniary interest in relation to Item 13.1 (R5 – Planning Proposal – Heritage Listing of 'Sunny Brae, including interiors' at 40 Fitzwilliam Road, Vaucluse) as Councillor Shapiro knows one of the objectors. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

Councillor Shapiro declared a Non-Significant, Non-Pecuniary of interest in relation to Item 13.1 (R6 Review of the land use zoning of Riddle Street, Bellevue Hill) as Councillor Shapiro's daughter and her family live in Lennox Avenue, Bellevue Hill which borders Riddle Street, Bellevue Hill. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

Councillor Regan declared a Non-Significant, Non-Pecuniary interest in relation to Item 13.2 (R6 – Closing and Sale of Road Reserve adjoining 5-7 Eastbourne Road, Darling Point) as the applicant is the Director of Place Capital Limited and her husband and Councillor Regan have a self-managed super fund and invest in managed products that are issued by the Palace Group from time to time. Councillor Regan remained in the meeting, participated in debate and voted on the matter.

Councillor Price declared a Non-Significant, Non-Pecuniary interest in relation to Item 13.2 (R5 – Cranbrook School Easement and Right of Way – 5 Victoria Road, Bellevue Hill) as Councillor Price is a parent of a child attending Cranbrook School. Councillor Price remained in the meeting, participated in debate and voted on the matter.

Councillor Zeltzer declared a Non-Significant, Non-Pecuniary of interest in relation to Item 13.2 (R5 – Cranbrook School Easement and Right of Way – 5 Victoria Road, Bellevue Hill) as she knows one of the submitters of late correspondence and one of the children attended Cranbrook School noting they are now in their 30's and 40's. Councillor Zeltzer remained in the meeting, participated in debate and voted on the matter.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Councillor Cullen declared a Non-Significant, Non-Pecuniary of interest in relation Item 13.2 (R5 – Cranbrook School Easement and Right of Way – 5 Victoria Road, Bellevue Hill) as Councillor Cullen is a parent of a child attending Cranbrook School. Councillor Cullen remained in the meeting, participated in debate and voted on the matter.

Councillor Shields declared a Non-Significant, Non-Pecuniary of interest in relation Item 13.2 (R5 – Cranbrook School Easement and Right of Way – 5 Victoria Road, Bellevue Hill) as Councillor Shields is a parent of a child attending Cranbrook School. Councillor Shields remained in the meeting, participated in debate and voted on the matter.

The Mayor, Councillor Wynne declared a Non-Significant, Non-Pecuniary of interest in relation to Item 13.2 (R6 Closing and Sale of Road Reserve adjoining 5-7 Eastbourne Road, Darling Point) as The Mayor, Councillor Wynne attended an event for the opening of Margaret Restaurant and spent some time talking to the applicant. The Mayor, Councillor Wynne advised that their photo was in the newspaper. The Mayor, Councillor Wynne left the meeting, did not participate in debate or vote on the matter.

Councillor Zeltzer declared a Non-Significant, Non-Pecuniary Interest in Item (15.3 – Sydney Eastern City Planning Panel (6 Storey Development on corner of Cross Street and Transvaal Avenue, Double Bay) as she was a member of the Sydney Eastern City Planning Panel when the matter was determined. Councillor Zeltzer left meeting, did not participate in debate or vote on this matter.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Late Correspondence

Note: Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Items 10, 11.2, 13.1 (R5, R7, & R10), 13.3 (R3, R6, & R8) and 17 (17.1, 17.2 & 17.3).

Petitions Tabled

Nil

Public Forum

General Item No: 11.1
Person addressing Council: Commodore Adrian Broadbent and Michael Paull
Subject: Royal Prince Edward Yacht Club (RPEYC) Seabins and Harbour Ecology Initiatives

Commodore Adrian Broadbent and Michael Paull, have registered to address Council on Royal Prince Edward Yacht Club (RPEYC) Seabins and Harbour Ecology Initiatives.

(Robertson/Price)

Resolved:

THAT Council thank and note the presentation made by Commodore Adrian Broadbent and Michael Paull or his public forum address.

General Item No: 11.2
Person addressing Council: Master Jack MacGonigal
Subject: Passive smoke exposure in high density terrace homes

Note: Councillor Robertson declared a Non-Significant, Non-Pecuniary of interest in this as late correspondence tabled from the Cancer Council and Councillor Robertson advised that he had an association with the Cancer Council in relation to the campaign to ban smoking from the beaches in Woollahra. Councillor Robertson further noted that this correspondence really does not have any connection to him at this point, however wanted to make a declaration. Councillor Robertson remained in the meeting, participated in debate and voted on the matter.

Note: Late correspondence was tabled by the Cancer Council.

Master Jack MacGonigal, has registered to address Council on passive smoke exposure in high density terrace homes.

Page 434

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

(Robertson/Price)

91/21 Resolved:

THAT Council thank and note Master Jack MacGonigal for his public forum address.

(Robertson/Price)

92/21 That Standing Orders be suspended to allow Councillor Robertson to move a urgency motion in relation to presentation made by Master Jack MacGonigal.

Move urgency that the matter be considered this evening.

Adopted

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

(Robertson/Price)

93/21

Resolved:

- A. THAT the Mayor be requested to formally write to the NSW Health Minister outlining the issues and impacts presented by Master Jack MacGonigal and stressing the COVID situation and advocate on passive smoke exposure in high density terrace homes outlining the impacts as presented by Master MacGonigal.
- B. THAT the General Manager be requested to provide a report outlining the legislative frameworks and options available to Council to further advocate in this policy area. information/implication by the September 2021.
- C. THAT Master MacGonigal be congratulated on his presentation to Council and be requested to submit an audio/visual copy of his presentation to Council.

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

For the Motion

Councillor Cavanagh
Councillor Cullen
Councillor 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

15/0

Against the Motion

Nil

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Motion moved by Councillor Robertson
Seconded by Councillor Price

94/21 That Standing Orders be resumed.

Adopted

Unconfirmed

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Mayoral Minute

Item No: 1
Subject: PROHIBITION ON COLLECTION OF ENFORCEMENT LEVY
Author: Susan Wynne, Mayor
File No: 21/142411
Reason for Report: To inform Council of the recent Environmental Planning & Assessment Amendment (Compliance Fees) Regulations 2021 with the effect of prohibiting Councils from collecting compliance levies after 31 December 2021.

Note: Late correspondence was submitted by the Mayor, Councillor Wynne.

(Wynne/Shapiro)

95/21 Resolved:

- A. THAT Council note the Environmental Planning and Assessment Amendment (Compliance Fees) Regulations 2021.
- B. THAT Council note the estimated impact on Council's 2021/2022 Budget of \$325,000 and future budgets of \$650,000 per annum.
- C. THAT the Mayor, on behalf of Council, writes to the NSW Premier The Hon. Gladys Berejiklian MP, the NSW Treasurer The Hon. Dominic Perrottet MP, the NSW Minister for Local Government The Hon. Shelley Hancock MP, the Member for Sydney, Mr. Alex Greenwich MP and the Member for Vacluse, The Hon. Gabrielle Upton MP, outlining the following:
 - i. The adverse impact on Council's Building & Compliance operations for 2021-2022 and future year budgets from the amendment to the Environmental Planning and Assessment Amendment (Compliance Fees) Regulation 2021 that was made on 16 July 2021 and
 - ii. That the commitment made by the Government to consult further with the sector was not fulfilled.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 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

Unconfirmed

General Manager and Officer's Report

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

Note: Late correspondence was submitted by Councillor Price.

Motion moved by Councillor Jarvis
Seconded by Councillor Marano

- A. THAT Council note the information as included in this COVID-19 Support Initiatives report.
- B. THAT Council suspends the footway dining approvals until such time as footway dining becomes permissible.
- C. THAT Council waive footway dining fees for a period of 2 x months after footway dining becomes permissible.
- D. THAT Council offer deferred rental payments for commercial tenants in Council owned property (other than Woolworths & Dan Murphy, the National Australia Bank and the Commonwealth Bank) from the commencement of the current Stay-At-Home Orders (SAHO), being 26 June 2021, until 2 x months post the date of lifting of the current SAHO, noting that any deferred rent will be amortised for payment over the remaining months of the 2021/22 financial year.
- E. THAT Council waive rental payments for community tenants (of Council controlled property) for the period of the current stay-at home orders and until 1 x month post the lifting of the current SAHO.
- F. THAT Council implement a Revitalisation Grants program to the value of \$115,000, to be implemented as soon as possible after the lifting of the current SAHO, with this grants program being a one-off, short-term and time-limited program open to individuals, community groups, community associations and businesses located within or serving residents of the Woollahra Local Government Area, utilising funding already included in Council's 2021-2022 budget, as detailed in this report.
- G. THAT Council note the non-financial relief measures as detailed in this report being:
 - i. The implementation of Business Concierge Web Pages on Councils website.
 - ii. The continuation of the Small Business Newsletters and Economic Data Sharing.
 - iii. The payment of local suppliers within 14 days until the end of the 2021-2022 financial year.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- iv. The continued investigation into the feasibility of implementing Business Training Programs with neighbouring Councils and Service NSW.
- H. THAT a report be tabled to each Council meeting between now and the end of October 2021 detailing the progress and/or updates on COVID support initiatives and the budget impact of these, noting that when considering the monthly report Council may review these COVID support initiatives and/or implement changes to them as required to better reflect NSW Public Health Orders relating to the COVID-19 pandemic as at the date of the monthly review.
- I. THAT further to the resolution adopted on 28 June 2021, Council move forward with notifying businesses and residents in relation changes to the 30 minute free ticket parking in the metered parking areas of Double Bay and Paddington.
- J. THAT Council continue to seek funding from State and Federal Governments in relation to commitments made by Council in the 2021-2022 budget.
- K. THAT Council thank Council staff for their dedication in continuing to provide a range of services to the community throughout the current stay-at-home orders, with particular thanks going to the frontline staff who are out in the community doing essential work during this time.

**Amendment by Councillor Price
Seconded by Councillor Cullen**

- A. THAT Council note the information as included in this COVID-19 Support Initiatives report.
- B. THAT Council suspends the footway dining approvals until such time as footway dining becomes permissible.
- C. THAT Council waive footway dining fees for a period of 2 x months after footway dining becomes permissible.
- D. THAT Council offer to defer rental payments for commercial tenants in Council owned property (other than Woolworths, the National Australia Bank and the Commonwealth Bank) from the commencement of the current stay-at-home orders (SAHO), being 26 June 2021, until 2 x months post the date of lifting of the current SAHO, noting that any deferred rent will be amortised for payment over the remaining months of the 2021/22 financial year.
- E. THAT Council implement a Revitalisation Grants program to the value of \$115,000, to be implemented as soon as possible after the lifting of the current stay-at-home orders, with this grants program being a one-off, short-term and time-limited program open to individuals, community groups, community associations and businesses located within or serving residents of the Woollahra Local Government Area, utilising funding already included in Council's 2021-2022 budget, as detailed in this report.
- F. THAT Council note the non-financial relief measures as detailed in this report being:
 - i. The implementation of Business Concierge Web Pages on Councils web site.
 - ii. The continuation of the Small Business Newsletters and Economic Data Sharing.

Page 440

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- iii. The payment of local suppliers within 14 days until the end of the 2021-2022 financial year.
 - iv. The continued investigation into the feasibility of implementing Business Training Programs with neighbouring Councils and Service NSW.
- G. THAT Council thank Council staff for their dedication in continuing to provide a range of services to the community throughout the current stay-at-home orders, with particular thanks going to the frontline staff who are out in the community doing essential work during this time.
- H. THAT Council defer the due date of the first rate instalment notices from 31 August 2021 to 30 September 2021 and that Council staff continue to direct people (who are suffering financial difficulty) to review Councils Hardship policy and request a payment plan (if required).
- I. THAT Council defer the issuing of the first rate instalment notices from 31 August 2021 to 30 September 2021.
- J. THAT whilst the current stay at home orders (SAHO) remain in force (and for 28 thereafter):
- (a) commercial fitness training activities are exempt from any fee or charge;
 - (b) parking meter charges remain at 2020/21 rates; and
 - (c) commercial waste fees and charges are reduced in line with reduced collection requirements.
- K. THAT following 28 days after the current SAHOs are lifted:
- (a) commercial fitness training activities; and
 - (b) parking meter charges will be charged in accordance with the 2021/22 fees and charged adopted at Council's meeting on 28 June 2021.
- L. THAT a report be tabled to each Council meeting between now and the end of October 2021 detailing the progress and/or updates on COVID support initiatives and the budget impact of these, noting that when considering the monthly report Council may review these COVID support initiatives and/or implement changes to them as required to better reflect NSW Public Health Orders relating to the COVID-19 pandemic as at the date of the monthly review.
- M. THAT following 28 days after the current SAHOs are lifted, Council notify businesses and residents of the changes to the 30 minute free ticket parking in the metered parking areas of Double Bay and Paddington.
- N. THAT Council publicise the support available to the community (including the services offered by the Holdsworth Centre and Library) via its communication channels.
- O. THAT the Mayor write to Local Government NSW and the Minister for Local Government the Hon. Shelley Hancock MP, seeking a financial support package (in the form of a one-off disaster relief payment or other appropriate mechanism) to be made to Councils affected by the current SAHOs.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- P. THAT Council considers what steps and form of public messaging it can take to encourage the community to get vaccinated, including liaising with the State Government in offering our public facilities to be used as vaccination hubs.
- Q. THAT the General Manager confirm if public exhibition of the above financial measures is required pursuant to s356 of the Local Government Act.

Amendment was put and lost.

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

For the Amendment

Councillor Cullen
Councillor Price

Against the Amendment

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

2/13

**Foreshadowed Amendment was moved by Councillor Elsing
Seconded by Councillor Regan**

THAT Council staff do not progress additional COVID financial support initiatives but instead utilise the current hardship provisions, mindful of people in circumstances in the current lockdown orders.

Foreshadowed Amendment was put and lost.

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

For the Foreshadowed Amendment

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

Against the Foreshadowed Amendment

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

6/9

Page 442

(Jarvis/Marano)

96/21 Resolved:

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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- J. THAT Council continue to seek funding from State and Federal Governments in relation to commitments made by Council in the 2021-2022 budget.
- K. THAT Council thank Council staff for their dedication in continuing to provide a range of services to the community throughout the current stay-at-home orders, with particular thanks going to the frontline staff who are out in the community doing essential work during this time.

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

For the Motion

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

Against the Motion

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

8/7

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: 12.2
Subject: **CONSULTATION - THE INDEPENDENT PRICING AND REGULATORY TRIBUNAL (IPART) REVIEW OF THE RATE PEG TO INCLUDE POPULATION GROWTH DRAFT REPORT**
Author: Sue Meekin, Director Corporate Performance
Approvers: Craig Swift-McNair, General Manager
Sue Meekin, Director Corporate Performance
File No: 21/139056
Reason for Report: To seek endorsement of Council's submission to the Independent Pricing and Regulatory Tribunal (IPART) Draft Report on the Review of the Rate Peg to Include Population Growth.

(Shapiro/Robertson)

97/21 Resolved without debate:

- A. THAT Council authorises the General Manager to make a submission as outlined in this report in response to the Independent Pricing and Regulatory Tribunal (IPART) on the Review of the Rate Peg to Include Population Growth Draft Report.
- B. THAT a further report be prepared to Finance, Community & Services Committee following the release from IPART of the Final Report to the Minister for Local Government.

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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: 12.3
Subject: WOOLLAHRA COMMUNITY ENGAGEMENT POLICY
Author: Juliana Yu, Community Engagement Coordinator
Approvers: Justine Henderson, Manager - Communications & Engagement
Craig Swift-McNair, General Manager
Patricia Occelli, Director Community & Customer Experience
File No: 21/123996
Reason for Report: To report on the public exhibition of the Draft Woollahra Community Engagement Policy.

(Robertson/Silcocks)

98/21 Resolved without debate:

THAT Council adopt the revised Woollahra Community Engagement Policy.

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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: 12.4
Subject: **BUS SHELTER ADVERTISING**
Authors: Aurelio Lindaya, Manager Engineering Services
Anne White, Manager - Strategic Planning
Approvers: Tom O'Hanlon, Director - Infrastructure & Sustainability
Scott Pedder, Director - Planning & Place
File No: 21/129660
Reason for Report: To obtain Council's approval to proceed with a planning proposal to make advertising on bus shelters exempt development under the Woollahra Local Environmental Plan 2014.

Note: Councillor Silcocks declared a Non-Significant, Non-Pecuniary interest in relation to this Item as Councillor Silcocks is in advertising and prepares advertising posters and so forth. Councillor Silcocks remained in the meeting, participated in debate and voted on the matter.

Note: Councillor McEwin declared a Significant Pecuniary interest in relation to this Item, as Councillor McEwin is a Director of the Policy and Regulatory Affairs Industry Associations. Councillor McEwin left the meeting and did not participate in debate or vote on the matter.

Note: Councillor Jarvis declared a Non-Significant, Non-Pecuniary interest in relation to this Item, as her former clients and public relations campaign tender for Council's advertising shelters. Councillor Jarvis remained in the meeting, participated in debate and voted on the matter.

Note: Councillor Cullen declared a Non-Significant, Non-Pecuniary of interest in relation to this Item, as Councillor Cullen is in advertising. Councillor Cullen remained in the meeting, participated in debate and voted on the matter.

Note: The Council added part F to the resolution.

Motion moved by Marano
Seconded by Councillor Regan

- A. THAT Council note the attached confidential annexure in relation to bus shelter advertising in Woollahra and the potential for significant additional income that it would provide.
- B. THAT a planning proposal be prepared to permit advertising on bus shelters as exempt development in the Woollahra LEP 2014.
- C. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- D. THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.
- E. THAT subject to Council's planning controls being amended to permit advertising on bus shelters, Council calls for tenders to explore the advertising possibilities.
- F. THAT heritage bus-shelters be exempt from bus shelter advertising in Woollahra Local Government Area.

Page 447

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

**Amendment moved by Councillor Robertson
Seconded by Councillor Zeltzer**

- A. THAT the report be received and noted.
- B. THAT Council resolve to take no further action in relation to bus shelter advertising in the Woollahra municipality.

The Amendment was put and lost.

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

For the Amendment

Councillor Maxwell
Councillor Price
Councillor Robertson
Councillor Zeltzer

Against the Motion

Councillor Cavanagh
Councillor Cullen
Councillor Elsing
Councillor Jarvis
Councillor Marano
Councillor McEwin
Councillor Regan
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Wynne

4/11

The Motion was put and carried.

(Marano/Regan)

99/21 Resolved:

- A. THAT Council note the attached confidential annexure in relation to bus shelter advertising in Woollahra and the potential for significant additional income that it would provide.
- B. THAT a planning proposal be prepared to permit advertising on bus shelters as exempt development in the Woollahra LEP 2014.
- C. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- D. THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.
- E. THAT subject to Council's planning controls being amended to permit advertising on bus shelters, Council calls for tenders to explore the advertising possibilities.
- F. THAT heritage bus-shelters be exempt from bus shelter advertising in Woollahra Local Government Area.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

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

For the Motion

Councillor Cavanagh
Councillor Cullen
Councillor Elsing
Councillor Jarvis
Councillor Regan
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Wynne

Against the Motion

Councillor Marano
Councillor Maxwell
Councillor Price
Councillor Robertson
Councillor Zeltzer

9/5

Unconfirmed

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Environmental Planning Committee

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

Item No: R1 Recommendation to Council
Subject: WOOLLAHRA ABORIGINAL HERITAGE STUDY
Author: Flavia Scardamaglia, Strategic Heritage Officer
Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Place
File No: 21/97199
Reason for Report: To obtain Council's endorsement of the Draft Woollahra Aboriginal Heritage Study.

(Jarvis/Robertson)

100/21 Resolved without debate:

- A. THAT Council endorses the Draft Woollahra Aboriginal Heritage Study as contained in **Annexure 1** to the Environmental Planning Committee of 12 July 2021.
- B. THAT Council:
- (i) Thank the *La Perouse Local Aboriginal Land Council* for their collaboration in producing the study, and their subsequent endorsement.
 - (ii) Note Council's role in implementing the NSW Aboriginal heritage management procedures as both the consent authority and a land manager.
 - (iii) Congratulates Dr Paul Irish and Council staff on an outstanding study that represents an exemplar for local government in Aboriginal heritage management best practice.
 - (iv) Requests the Mayor to share this study with our neighbouring councils, with Local Government NSW and other bodies as appropriate.
 - (v) Notify the relevant minister at both the State and Federal Level.

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

Against the Motion

Nil

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

15/0

Item No: R2 Recommendation to Council
Subject: REPLACEMENT TREE AT 23 HAMPDEN STREET, PADDINGTON
Author: Paul Fraser, Manager - Open Space & Trees
Approver: Tom O'Hanlon, Director - Infrastructure & Sustainability
File No: 21/122505
Reason for Report: To respond to a Notice of Motion – Hill's Fig Trees lining Hampden Street, Paddington dated 24 May 2021.

(Jarvis/Robertson)

101/21 Resolved without debate:

THAT the replacement tree for the removed Hill's Fig at 23 Hampden Street, Paddington be deferred to allow for full notification to occur, noting the level of public interest as evidenced by the number of attendees at the site visit and to allow Council to demonstrate that we mean business around effecting good community consultation, which is important in this case given the issues which arose from the initial notification of the removal in very early January this year.

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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: R3 Recommendation to Council
Subject: **MATTERS DEFERRED PRIOR TO THE ADOPTION OF WOOLLAHRA LOCAL ENVIRONMENTAL PLAN 2014**
Authors: Kelly McKellar, Team Leader Strategic Planning
Emma Williamson, Strategic Planner
Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Place
File No: 21/105166
Reason for Report: To present the outcome of staff's assessment and recommendations for matters deferred prior to the adoption of the Woollahra Local Environmental Plan 2014, including the Opportunity Sites.

(Jarvis/Robertson)

102/21 Resolved without debate:

THAT no further action is taken on the matters deferred for consideration prior to the adoption of the *Woollahra Local Environmental Plan 2014*, including the Opportunity Sites.

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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: R4 Recommendation to Council

Subject: **POST EXHIBITION REPORT FOR DRAFT WOOLLAHRA DEVELOPMENT CONTROL PLAN 2015 (AMENDMENT NO.14) AND DRAFT WOOLLAHRA DEVELOPMENT CONTROL PLAN 2015 (AMENDMENT NO.16)**

Author: Flavia Scardamaglia, Strategic Heritage Officer

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

File No: 21/96336

Reason for Report: To report on the public exhibition of the Draft Woollahra Development Control Plan 2015 (Amendment No.14) – Inter-War flat buildings in the Woollahra LGA and timber buildings in Paddington and Watsons Bay Heritage Conservation Areas.
To report on the public exhibition of the Draft Woollahra Development Control Plan 2015 (Amendment No.16) – Numerical controls for multi-storey development in the Paddington Heritage Conservation Area.
To obtain Council's approval of the Draft DCPs.

(Jarvis/Robertson)

103/21 Resolved without debate:

- A. THAT Council approve the *Draft Woollahra Development Control Plan 2015 (Amendment No.14)* as attached at **Annexure 4** of the report to the Environmental Planning Committee meeting of 12 July 2021.
- B. THAT Council approve the *Draft Woollahra Development Control Plan 2015 (Amendment No.16)* as attached at **Annexure 5** of the report to the Environmental Planning Committee meeting of 12 July 2021.

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

For the Motion

Councillor 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

Against the Motion

Nil

15/0

Page 453

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- Item No:** R5 Recommendation to Council
- Subject:** **PLANNING PROPOSAL - HERITAGE LISTING OF 'SUNNY BRAE, INCLUDING INTERIORS' AT 40 FITZWILLIAM ROAD, VAUCLUSE**
- Author:** Flavia Scardamaglia, Strategic Heritage Officer
- Approvers:** Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Place
- File No:** 21/112554
- Reason for Report:** To provide Council with the advice of the Woollahra Local Planning Panel. To obtain Council's approval to proceed with the planning proposal to list 'Sunny Brae, including interiors' at 40 Fitzwilliam Road, Vacluse as a local heritage item in Woollahra Local Environmental Plan 2014.
- In accordance with Council's meeting procedures and policy this matter is referred to full Council due to the Committee being divided between the Motion (3 votes) and the Amendment (3 votes) and the Committee resolved that both the Motion and the amendment be submitted to Council for consideration.
- Note:** Councillor Silcocks declared a Non-Significant, Non-Pecuniary interest in this Item as Councillor Silcocks knows one of the objectors and the applicant just through school. Councillor Silcocks remained in the meeting, participated in debate and voted on the matter.
- Note:** Councillor Shapiro declared a Non-Significant, Non-Pecuniary interest in this Item as Councillor Shapiro knows one of the objectors. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.
- Note:** Late correspondence was tabled by Urbis, Clare & Ronald Ferster, Avi & Ariella Spyrides and Sarah & Richard Silverton, Alison Coopes, Miranda Hatziplis, Abi Haddo, Selena Hannan, Fethi Rabhi, Yvette Wassaf, Alberto Avelio, Dr Matthew Gibson, Richard & Sarah Silverton, George & Dedee Murrell & Zahra Bouya.

Motion moved by Councillor Zeltzer
Seconded by Councillor Elsing

- A. THAT Council defer the further consideration of the Planning Proposal to heritage list "Sunny Brae", including interiors at 40 Fitzwilliam Road, Vacluse until such time that a site visit can occur attended by the members of the Environmental Planning Committee.
- B. THAT a further report be prepared and reported to the Environmental Planning Committee following the site visit.

Amendment moved by Councillor Robertson
Seconded by Councillor Cullen

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 17 June 2021 for the planning proposal to list 'Sunny Brae, including interiors', at 40 Fitzwilliam Road, Vacluse as a local heritage item in Woollahra Local Environmental Plan 2014.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- B. THAT the planning proposal, as contained in **Annexure 3** of the report to the Environmental Planning Committee meeting of 12 July 2021 be forwarded to the Department of Planning, Industry and Environment with a request for a gateway determination to allow public exhibition.
- C. THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- D. THAT the Council defer to consider the heritage statement considered by Mr Davis.

The Amendment was moved and lost.

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

For the Amendment

Councillor Cullen
Councillor Maxwell
Councillor McEwin
Councillor Price
Councillor Robertson

Against the Amendment

Councillor Cavanagh
Councillor Elsing
Councillor Jarvis
Councillor Marano
Councillor Regan
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

5/10

The Motion was put and carried.

(Zeltzer/Elsing)

104/21 Resolved:

- A. THAT Council defer the further consideration of the Planning Proposal to heritage list "Sunny Brae", including interiors at 40 Fitzwilliam Road, Vacluse until such time that a site visit can occur attended by the members of the Environmental Planning Committee.
- B. THAT a further report be prepared and reported to the Environmental Planning Committee following the site visit.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 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 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

Councillor Cullen

14/1

Item No: R6 Recommendation to Council
Subject: **REVIEW OF THE LAND USE ZONING OF RIDDELL STREET, BELLEVUE HILL**
Author: Kelly McKellar, Team Leader Strategic Planning
Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Place
File No: 21/107717
Reason for Report: To present the planning and urban design review undertaken by consultants Studio GL of the land use zoning of Riddell Street, Bellevue Hill.

Note: Councillor Shapiro declared a Non-Significant, Non-Pecuniary of interest in this Item as Councillor Shapiro's daughter and her family live in Lennox Avenue, Bellevue Hill which borders Riddle Street, Bellevue Hill. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

(Jarvis/Robertson)

105/21 Resolved without debate:

Recommendation:

- A. THAT the planning and urban design review of the land use zoning of Riddell Street, Bellevue Hill prepared by consultants *Studio GL* and contained in **Annexure 1** of the report to the Environmental Planning Committee of 12 July 2021 is received and noted.

Page 456

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- B. THAT a planning proposal is prepared to amend the *Woollahra Local Environmental Plan 2014* to:
- i. rezone the following properties from R3 Medium Density Residential to R2 Low Density Residential:
 - a. 13, 15, 17, 19, 21, 23, 25 and 27 Riddell Street, Bellevue Hill
 - b. 14 and 15 Buller Street, Bellevue Hill.
 - ii. Amend *Schedule 1 – Additional Permitted Uses* to permit development for a residential flat building on the site at 21 & 23 Riddell Street, Bellevue Hill.
- C. THAT the planning proposal is referred to the Woollahra Local Planning Panel for advice.
- D. THAT the advice of the Woollahra Local Planning Panel is reported to a future Committee meeting of Council.
- E. THAT a draft development control plan is prepared to accompany the planning proposal amending Chapter B1 and Chapter B3 of the *Woollahra Development Control Plan 2015* to:
- i. incorporate the land proposed to be rezoned R2 Low Density Residential into the Bellevue Hill North character precinct
 - ii. insert an additional clause for front setbacks.
- F. THAT a further report be prepared to examine the possible rezoning from R3 to R2 of numbers 1-11 Riddell Street, Bellevue Hill.

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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: R7 Recommendation to Council
Subject: **POST EXHIBITION REPORT - DRAFT WOOLLAHRA SECTION 7.12 DEVELOPMENT CONTRIBUTIONS PLAN 2021**
Author: Kelly McKellar, Team Leader Strategic Planning
Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Place
File No: 21/108797
Reason for Report: To report on the public exhibition of the Draft Woollahra Section 7.12 Development Contributions Plan 2021
To obtain Council's approval of the Draft Woollahra Section 7.12 Development Contributions Plan 2021 which will repeal and replace the Woollahra Section 94A Development Contributions Plan 2011.

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

(Jarvis/Robertson)

106/21 Resolved:

THAT Council approve the *Draft Woollahra Section 7.12 Development Contributions Plan 2021*, as attached at **Annexure 1** of the report to the Environmental Planning Committee meeting of 12 July 2021, which will repeal and replace the *Woollahra Section 94A Development Contributions Plan 2011*, subject to the including the amendment identified in the late correspondence to the Council meeting of 26 July 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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: R8 Recommendation to Council
Subject: **POST EXHIBITION REPORT - DRAFT WOOLLAHRA
DEVELOPMENT CONTROL PLAN 2015 (AMENDMENT NO. 17)
- PROVISIONS FOR FIRE HYDRANT AND BOOSTER
INSTALLATIONS**
Authors: Emma Williamson, Strategic Planner
Kelly McKellar, Team Leader Strategic Planning
Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Place
File No: 21/109339
Reason for Report: To report on the public exhibition of the Draft Woollahra Development
Control Plan 2015 (Amendment No. 17).
To obtain Council's approval of the Draft DCP to enhance the provisions
for fire hydrant and booster installations.

(Jarvis/Robertson)

107/21 Resolved without debate:

THAT Council approve the *Draft Woollahra Development Control Plan 2015 (Amendment No. 17)*
as attached at **Annexure 1** of the report to the Environmental Planning Committee meeting of 12
July 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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: R9 Recommendation to Council
Subject: PARKLET TRIAL
Author: Jin Young Kim, Economic Development Officer
Approver: Matthew Gollan, Manager - Placemaking
File No: 21/119259
Reason for Report: To recommend that Council endorse the implementation of a 'parklet trial program' to support local businesses, improve streetscape vibrancy and activate public space in the Woollahra LGA.

(Jarvis/Robertson)

108/21 Resolved without debate:

- A. THAT the report on the introduction of repurposed road space (parklets) for additional outdoor dining space in the Woollahra Local Government Area (LGA) be received and noted.
- B. THAT Council endorse the implementation of a 'parklet trial program' to support local businesses, improve streetscape vibrancy, create jobs and activate public space
- C. THAT Council endorse the issuing of twenty (20) permits enabling successful applicants to install and operate a parklet for a trial period of six (6) months.
- D. THAT Council approve the waiving of application and outdoor dining fees for approved parklets for a period of six (6) months.
- E. THAT Council endorse a public notification period of seven (7) days for parklet applications.
- F. THAT Council conduct a review of the parklet trial program following the completion of a 12 month application window.

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

Page 460

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: R10 Recommendation to Council
Subject: SENIORS HOUSING IN THE WOOLLAHRA LGA - LOCATION, COMPARATIVE SALES AND JUSTIFICATIONS FOR EXEMPTION TO THE SENIORS HOUSING SEPP
Authors: Jacquelyne Della Bosca, Executive Planner
Kelly McKellar, Team Leader Strategic Planning
Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Place
File No: 21/89957
Reason for Report: To respond to a NOM from 22 February 2021 seeking information about the location and sales prices of seniors housing in the Woollahra LGA and measures to exempt Woollahra LGA from providing housing under the Seniors Housing SEPP.
To obtain Council's approval to request an exemption from the Seniors Housing SEPP.

Note: Late correspondence was tabled by Council's Manager Planning & Place, Nick Economou.

Note: The Council amended part A of the resolution.

(Jarvis/Regan)

109/21 Resolved:

- A. THAT the report on seniors housing be adopted and that Council notes the advice received in the confidential correspondence.
- B. THAT Council requests an amendment to the *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* so that its provisions will not apply to land zoned R2 Low Density Residential under the *Woollahra Local Environmental Plan 2014*.
- C. THAT Staff include in the material for full Council a report addressing appropriate conditions.

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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Finance, Community & Services Committee

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

Item No: R1 Recommendation to Council
Subject: **CONSULTATION - DRAFT MODEL SOCIAL MEDIA AND COUNCILLOR AND STAFF INTERACTION POLICIES**
Author: Ashoor Khan, Temp Senior Governance Officer
Approvers: Helen Tola, Manager - Governance & Council Support
Justine Henderson, Manager - Communications & Engagement
Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 21/107297
Reason for Report: To seek endorsement of Council's submission to the Office of Local Government in regard to the Draft Model Social Media Policy and Draft Model Councillor and Staff Interaction Policy.

(Cullen/Price)

110/21 Resolved:

- A. THAT Council endorses the draft submission to the Office of Local Government in regard to the Consultation Drafts for the Model Social Media Policy and the Model Councillor and Staff Interaction Policy presented as **Annexure 4**, subject to modifying the submission to reference the discussion at the FC&S meeting.
- B. THAT a further report be prepared to Finance, Community & Services Committee following the finalisation of the relevant policies by the Office of Local Government.

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

For the Motion

Councillor Cavanagh
Councillor Cullen
Councillor 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

15/0

Against the Motion

Nil

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: R2 Recommendation to Council
Subject: **AUDIT & ASSURANCE COMMITTEE (ARIC) - EXTENSION OF TERM AND PERFORMANCE REPORT**
Author: Cheryle Burns, Manager - Business Assurance & Improvement
Approvers: Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 21/107271
Reason for Report: To present information to the Council to enable it to review the AAC operations performance for the period ending 30 June 2021 and to re-appoint its independent members for a period of 12 months.

(Marano/Price)

111/21 Resolved without debate:

- A. THAT the performance of the activities of the Audit & Assurance Committee for period ending 30 June 2021, including the Independent Chairperson's Report dated June 2021 be received and noted.
- B. THAT Council:
 - i Notes Section 10 of the Assurance Committee Charter (the Charter) which provides for an annual performance review of the Audit & Assurance Committee (AAC) and its members;
 - ii Notes that the last review of the AAC and its members was reported to the then Corporate & Works Committee on 19 February 2018 (for the period November 2014 to October 2017); and
 - iii Requires timely reporting by the AAC and its members (as set out in the Charter).
- C. THAT the Finance, Community & Services Committee note that the minutes presented at **Annexure 2** of the Audit and Assurance Committee meeting of 2 September 2020 were consistent with current Council practice, however do not contain enough detail or particulars to be received or noted.
- D. THAT Council re-appoint Mr John Gordon and Mr Jason Masters to serve as the Independent Members of Council's Audit, Risk & Improvement Committee for a further one (1) year ending 30 June 2022.
- E. THAT Council appoint Mr Jason Masters as the Chair of Council's Audit, Risk & Improvement Committee for one (1) year ending 30 June 2022.
- F. THAT the fee paid to Mr Jason Masters as Chair be \$1,500 per meeting exclusive GST and the fee paid to Mr John Gordon be \$1,300 per meeting exclusive of GST.
- G. THAT Council thank Mr John Gordon for his Report on the operation of AAC and for his role as Chairperson and thank all other Committee Members (i.e. Mr Jason Masters and Councillor Cavanagh) for their work and contribution.
- H. THAT staff prepare a report on ways to better inform Councillors as to how Council's risks are being reported, managed and mitigated.

Page 463

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 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

Item No: R3 Recommendation to Council
Subject: **COMPLAINT AND UNREASONABLE COMPLAINANT POLICY**
Author: Anthony Crimmings, Manager Customer Experience
Approver: Patricia Occelli, Director Community & Customer Experience
File No: 21/126237
Reason for Report: To report on the public exhibition of the Draft Complaint and Unreasonable Complainant Policy and recommend adoption.

Note: Late correspondence was tabled by Anthony Crimmings, Council's Manager Customer Experience.

(Marano/Price)

112/21 Resolved without debate:

- A. THAT Council notes that the Draft Complaint & Unreasonable Complainant Policy was placed on public exhibition for a period of 28 days, noting that no submissions were received.
- B. THAT the Complaint & Unreasonable Complainant Policy provided as **Annexure 1** be adopted.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 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

Item No: R4 Recommendation to Council
Subject: WOOLLAHRA LIBRARIES STRATEGIC PLAN 2021 – 2026
Authors: Corinna Pierce, Library Customer Service Coordinator
Vicki Munro, Manager - Woollahra Libraries
Approver: Patricia Occelli, Director Community & Customer Experience
File No: 21/126055
Reason for Report: To report on the public exhibition of the Draft Woollahra Libraries Strategic Plan 2021-2026 and recommend approval of the Plan.

(Marano/Price)

113/21 Resolved without debate:

- A. THAT Council notes that the Draft Woollahra Libraries Strategic Plan 2021-2026 was placed on public exhibition for a period of 28 days, with two submissions received.
- B. THAT the Woollahra Libraries Strategic Plan 2021-2026 presented as **Annexure 1** be adopted.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 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

Item No:	R5 Recommendation to Council
Subject:	CRANBROOK SCHOOL EASEMENT AND RIGHT OF WAY - 5 VICTORIA ROAD, BELLEVUE HILL
Author:	Anthony Sheedy, Senior Property Officer
Approvers:	Zubin Marolia, Manager - Property & Projects Tom O'Hanlon, Director - Infrastructure & Sustainability
File No:	21/115855
Reason for Report:	To consider the proposed easement and positive covenant for new works on Council land to benefit Cranbrook School, 5 Victoria Road, Bellevue Hill and for Council to accept the benefit of a public Right of Way for public access on the school owned land
Note:	Councillor Price declared a Non-Significant, Non-Pecuniary interest in relation to this Item as Councillor Price is a parent of a child attending Cranbrook School. Councillor Price remained in the meeting, participated in debate and voted on the matter.
Note:	Councillor Zeltzer declared a Non-Significant, Non-Pecuniary of interest in relation to this Item, as she knows one of the submitters of late correspondence and one of the children attended Cranbrook School noting they are now in their 30's and 40's. Councillor Zeltzer remained in the meeting, participated in debate and voted on the matter.
Note:	Councillor Cullen declared a Non-Significant, Non-Pecuniary of interest in relation to this Item as Councillor Cullen is a parent of a child attending Cranbrook School. Councillor Cullen remained in the meeting, participated in debate and voted on the matter.

Page 466

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Note: Councillor Shields declared a Non-Significant, Non-Pecuniary of interest in relation to this Item as Councillor Shields is a parent of a child attending Cranbrook School. Councillor Shields remained in the meeting, participated in debate and voted on the matter.

(Marano/Price)

114/21 Resolved without debate:

- A. THAT pursuant to State Significant Development consent by the Minister for Planning and Public Services Application SSD 8812, Council grant an Easement for occupation by Cranbrook School for a portion of adjoining road reserve in Rose Bay Avenue, Bellevue Hill as shown in Annexure 3 of this report, subject to:
- i. Payment of Easement compensation to Council for the amount of \$24,000 plus GST.
 - ii. Payment of all costs incurred by Council for review of the encroachment application and preparation and registration of documents, including but not limited to legal, valuation and administrative costs.
- B. THAT Council accepts the benefit of a public Right of Way easement from Cranbrook School as shown in Annexure 3. The easement to be registered by Cranbrook School on its Title.
- C. THAT the General Manager be authorised to sign all necessary documentation for execution and registration of the Easement for Cranbrook School's occupation of Rose Bay Avenue, Bellevue Hill.

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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- Item No:** R6 Recommendation to Council
- Subject:** **CLOSING AND SALE OF ROAD RESERVE ADJOINING 5-7 EASTBOURNE ROAD, DARLING POINT (SC6058)**
- Author:** Anthony Sheedy, Senior Property Officer
- Approvers:** Zubin Marolia, Manager - Property & Projects
Tom O'Hanlon, Director - Infrastructure & Sustainability
- File No:** 21/115871
- Reason for Report:** To consider the closing and sale of road reserve adjoining 5-7 Eastbourne Road, Darling Point.
- Note:** Councillor Regan declared a Non-Significant, Non-Pecuniary interest in this Item as the applicant is the Director of Place Capital Limited and her husband and Councillor Regan have a self-managed super fund and invest in managed products that are issued by the Palace Group from time to time. Councillor Regan remained in the meeting, participated in debate and voted on the matter.
- Note:** The Mayor, Councillor Wynne declared a Non-Significant, Non-Pecuniary of interest in this Item as The Mayor, Councillor Wynne attended an event for the opening of Margaret Restaurant and spent some time talking to the applicant. The Mayor, Councillor Wynne advised that their photo was in the newspaper. The Mayor, Councillor Wynne left the meeting, did not participate in debate or vote on the matter.
- Note:** The Mayor, Councillor Wynne having declared an interest in this Item vacated the Chair. The Deputy Mayor, Councillor Shields assumed the Chair.
- Note:** Late correspondence was tabled by Zubin Marolia, Manager Property & Projects, Anthony Sheedy, Council's Senior Property Officer, Neil Cartwright (2 pieces), Sarah Adams (2 pieces) & Tom Gutman.

**Motion moved by Councillor Zeltzer
Seconded by Councillor Silcocks**

THAT the closing and sale of road reserve adjoining 5-7 Eastbourne Road, Darling Point be deferred subject to confirmation that the residents of 3 Eastbourne Road, Darling Point are satisfied with the RL as per the recommendation.

**Amendment moved by Councillor Cullen
Seconded by Councillor Regan**

- A. THAT Council proceed with the sale of the road reserve adjoining 5-7 Eastbourne Road, Darling Point with the following conditions:
- A purchase price of \$2,000 per square metre (plus GST) for the estimated 203 sqm road reserve portion, subject to final survey.
 - A 10% non-refundable deposit of \$40,600 being received by Council.
 - The balance of the purchase price is to be paid in full to Council upon Gazettal of the road closure and completion of the sale.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- B. THAT the proposal to close and sell the road reserve adjoining 5-7 Eastbourne Road, Darling Point be subject to a storm water pipe easement and restrictive covenants for prohibiting building structures (excluding boundary fence and low rise retaining walls, planter boxes, and stairs) and limiting tree heights within the following areas at a maximum height of RL 32.5m (Zone A), RL 35.0m (Zone B) and RL 39.95m (Zone C) as shown in the late correspondence submitted by Council's Senior Property Officer to the FC&S meeting dated 12 July.
- C. THAT subject to A & B above, in accordance with Section 38D Roads Act, 1993 Council approve the closing of a portion of Eastbourne Road adjoining 5-7 Eastbourne Road, provided that the purchaser enters into a conditional Contract of Sale with the Council.
- D. THAT Council authorise the Mayor and General Manager to execute and affix the Council Seal to all necessary documentation to effect the Road closure and sale, i.e. Plan of Road Subdivision and closing, Transfer document etc.

The Amendment was put and carried.

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

For the Amendment

Councillor Cavanagh
Councillor Cullen
Councillor Jarvis
Councillor Marano
Councillor Maxwell
Councillor Price
Councillor Regan
Councillor Shapiro
Councillor Shields

Against the Amendment

Councillor Elsing
Councillor McEwin
Councillor Robertson
Councillor Silcocks
Councillor Zeltzer

9/5

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

(Cullen/Regan)

115/21 Resolved:

- A. THAT Council proceed with the sale of the road reserve adjoining 5-7 Eastbourne Road, Darling Point with the following conditions:
- A purchase price of \$2,000 per square metre (plus GST) for the estimated 203 sqm road reserve portion, subject to final survey.
 - A 10% non-refundable deposit of \$40,600 being received by Council.
 - The balance of the purchase price is to be paid in full to Council upon Gazettal of the road closure and completion of the sale.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- B. THAT the proposal to close and sell the road reserve adjoining 5-7 Eastbourne Road, Darling Point be subject to a storm water pipe easement and restrictive covenants for prohibiting building structures (excluding boundary fence and low rise retaining walls, planter boxes, and stairs) and limiting tree heights within the following areas at a maximum height of RL 32.5m (Zone A), RL 35.0m (Zone B) and RL 39.95m (Zone C) as shown in the late correspondence submitted by Council's Senior Property Officer to the FC&S meeting dated 12 July.
- C. THAT subject to A & B above, in accordance with Section 38D Roads Act, 1993 Council approve the closing of a portion of Eastbourne Road adjoining 5-7 Eastbourne Road, provided that the purchaser enters into a conditional Contract of Sale with the Council.
- D. THAT Council authorise the Mayor and General Manager to execute and affix the Council Seal to all necessary documentation to effect the Road closure and sale, i.e. Plan of Road Subdivision and closing, Transfer document etc.

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

For the Motion

Councillor Cavanagh
Councillor Cullen
Councillor Jarvis
Councillor Marano
Councillor Maxwell
Councillor Price
Councillor Regan
Councillor Shapiro
Councillor Shields

Against the Motion

Councillor Elsing
Councillor McEwin
Councillor Robertson
Councillor Silcocks
Councillor Zeltzer

9/5

Item No: R7 Recommendation to Council
Subject: WASTE COLLECTION CYCLES
Author: Mark Ramsay, Manager - Civil Operations
Approver: Tom O'Hanlon, Director - Infrastructure & Sustainability
File No: 21/115405
Reason for Report: Response to Notice of Motion

(Marano/Price)

116/21 Resolved without debate:

THAT Council defers consideration of the review of waste collection services, with a view of giving consideration to the full review of our waste collection services as part of the 2022/23 budget preparation.

Page 470

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 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

Item No: R8 Recommendation to Council
Subject: BUSINESS CHAMBER FUNDING POLICY
Authors: Matthew Gollan, Manager - Placemaking
Jin Young Kim, Economic Development Officer
Craig Swift-McNair, General Manager
Approver:
File No: 21/121496
Reason for Report: To consider the Draft Business Chamber Funding Policy and recommend for public exhibition

Note: Late correspondence was tabled by Council's Manager Placemaking, Matthew Gollan and Councillor Price.

(Price/Elsing)

117/21 Resolved:

THAT Council resolves to publicly exhibit the draft Business Chamber Funding Policy (together with the amended Business Chamber Funding Guidelines and Application Form contained in the late correspondence dated 22 July 2021 (the Amended Guidelines and Application Form)) for a period of 28 days, with a further report to be tabled at a future meeting of the Finance, Community & Services Committee, subject to the deletion of paragraph:

- 9 from the Policy; and
- 4 from the amended Guidelines and Application Form.

Page 471

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 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

Unconfirmed

Councillor Reports/Councillor Updates (Section 8.4)

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

General Item No: 15.1 Vale John Mant
Tabled by Councillor: Councillor Robertson
Councillor Robertson advised:

It is my sad duty to inform Council of the passing of John Mant about which I have just learnt from the Paddington Society's correspondence. Where to start with a man like John Mant? I note the obituary that was published in the Sydney Morning Herald finishes with the sentence "*John Mant is remembered by his family including children Julia and Jim, step-daughter Roberta, grand-daughters Vivienne and Minka, and a legion of friends and admirers as a rare and impassioned individual who can legitimately claim to have 'made a difference'.*"

For those of you who aren't aware, John Mant was a man who "had a legacy" as the Sydney Morning Herald goes on, in the field of Urban Planning. He had a passion for public policy and social justice and it was claimed that he had many distinctions as a Lawyer, Planner, Public Servant and a Politician. I note that he was also Gough Whitlam's Principle Private Secretary on the day of the dismissal on November 11, 1975.

John Mant was a man who worked tirelessly to create a better environment and a better world for all of us. He was a man that made such an enormous contribution, and not just within the area of Paddington. To focus on that would probably be to diminish the enormity of his overall contribution but I do note his involvement was as twice-president of the Paddington Society; his work in developing our planning controls, which we hold up as a model example for heritage conservation, and in even more recent years he was an active participant in our Oxford Street Working Party and was always willing to share his insights and his ideas. So a life very well lived, Madam Mayor and our condolences obviously, through you, go out to his family and friends and everyone to whom he has made such a difference.

General Item No: 15.2 Living thru challenging times COVID-19
Tabled by Councillor: Councillor Robertson

Councillor Robertson advised:

It is no secret that our entire community is living through a most challenging time and I've had cause recently to reflect on the role of everybody who is working in a front line capacity. We have the privilege, many of us, working in professions where we are part of the knowledge economy and we have been able to adapt in these COVID times to working virtually. That is simply not an option for so many people that work in critical roles, who keep our society functioning. I am thinking particularly here of our Council workers who are in front line roles. I'm thinking too of our medical professionals, our doctors and nurses and other professionals that reside in our Local Government Area and are out there every day at the coal face of this pandemic putting their own lives at risk in order to ensure that we do have some form of normality to our lives.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Every time that I am in a grocery store I'm thinking about the fact that people masked up working in that store are probably doing an 8 hour shift, where I'm in and out in 20 minutes but those people are literally putting themselves on the front line. Also our medical staff and my own general practitioner who, as you know Madam Mayor is a resident up in your neck of the woods, are just doing a tremendous job and again working at a high level of risk themselves.

I just think it is incumbent on us to take this moment to acknowledge and to thank all those people on the front line who are doing such an incredible job. We owe them an incredible debt of gratitude. Thank you.

General Item No: 15.3 Sydney Eastern City Planning Panel (6 Storey Development on corner of Cross Street and Transvaal Avenue, Double Bay)

Tabled by Councillor: Councillor Silcocks

Note: Councillor Zeltzer declared a Non-Significant, Non-Pecuniary Interest in this Item as she was a member of the Sydney Eastern City Planning Panel. Councillor Zeltzer left meeting, did not participate in debate or vote on this matter.

Councillor Silcocks advised:

Thank you Madam Mayor, I just wanted to (and you might have to rule on this) but I consider this a matter of extreme urgency. Last Friday the Sydney Eastern City Planning Panel approved a 6 storey development on the corner of Cross Street and Transvaal Avenue, which we all know is a heritage area, against the staff recommendation for "Refusal".

It was against the advice of our Councillors, Councillor Jarvis and Councillor Zeltzer who sit on that panel, but most worrying of all, it was against the recent resolution of this Council where we committed to reviewing the Cross Street Controls with a fine-grain, proper town planning approach. So it's quite terrifying to think that we can make these resolutions about (in fact) one of the important parts of our Municipality - as this panel can just override all our resolutions, all our controls, all our good intentions and willy nilly just approve an isolated building that doesn't necessarily fit into the terrain. That will have 6 stories right up against single storey heritage listed properties. It's frightening. I don't know whether we have to suspend standing orders and make a resolution and ask the Mayor to write to the State Government expressing our disappointment but at some point if we, as Council and councillors, are going to bother to stand in elections (if that ever happens) and try and represent our community when we are continually undermined by non-elected panels then it does question what our role is?

The Mayor, Councillor Wynne advised:

Councillor Silcocks, I completely support that and I will happily support urgency on that. As you point out the transitioning to that very special heritage area into Transvaal Avenue, Double Bay is so important and point out the fact that the staff recommended refusal, our Councillors recommended refusal, are you wanting to suspend standing orders and move a motion now?

Page 474

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

(Silcocks/Elsing)

118/21 Resolved:

THAT Standing Orders be suspended to allow Councillor Silcocks to put forward an urgent motion in relation to the 6 Storey Development on corner of Cross Street and Transvaal Avenue, Double Bay).

Adopted

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

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

**Motion moved by Councillor Silcocks
Seconded by the Councillor Elsing**

THAT Council request the Mayor to write to appropriate Ministers and other stakeholders (e.g. State Government, Minister for Planning, Minister of Local Government) expressing Council's great disappointment in having our Council resolutions and our controls overruled by the Sydney Eastern City Planning Panel (independent panel) and requesting reconsideration of the decision.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 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 Marano
Councillor Maxwell
Councillor McEwin
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Wynne

Councillor Jarvis

13/1

**Motion moved by Councillor Silcocks
Seconded by Councillor Elsing**

119/21 That Standing Orders be resumed.

Adopted

General Item No: 15.4 Director Planning & Development
Tabled by Councillor: The Mayor, Councillor Wynne

The Mayor, Councillor Wynne advised:

I would like to welcome Scott Pedder, our new Director Planning & Place. Scott I would like to welcome you to Council and I know it's very difficult coming to a Council, our General Manager did it as well, you get employed, you get to work at a wonderful place and then you don't get to turn up to it. I had the privilege of having a meeting with you today. I did say that you have very big shoes to fill, in terms of, Nick Economou has done an outstanding job and I just want to thank him on behalf of all of Council, for the incredible work. I did sort of joke to say I stopped calling him Acting Director and started calling him Director, as I assumed he would have wanted to put his hand up for that job. We might have completely scared him off.

Nick all I can say is thank you, so very much for the level of commitment and work and also from your team who also stepped up as well. I imagine planning through COVID we have achieved a great deal and you are always open to conversation and working with us to create a good outcome. I just want to thank you very much and I know you are not going anywhere so that is wonderful. And Scott a really big welcome to you and we look forward to working with you a lot more.

Page 476

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Councillor Jarvis further advised:

Thank you Madam Mayor, I would also like to take this opportunity to say thank you so much to Nick Economou, Anne White and the staff who under rather difficult circumstances have done a lot of work. The staff's involvement in the East Sydney Planning Panel last week which Councillor Zeltzer and I were involved in and Flavia Scardamaglia and the work she has done particularly in relation to the Heritage Study that is coming before us tonight. I would just like to let you know before I moved the Environmental Planning Committee recommendation that I did send this Heritage Study to a person I regard (apart from Paul Irish), as most knowledgeable on indigenous matters, the former Minister John Faulkner. He came back to me today and said it was the most impressive document and a credit to this Council that it has been done in the way it has been. So with thank you and welcome to our new Director Planning & Place.

Councillor Elsing further advised:

I would like to echo on Councillor Jarvis and I know we did on our committee thank Mr Economou and I would like to recognise that Mr Pedder has taken on a difficult task and one that involves a lot of pressure and hard work. And tonight is probably not an introduction of how hard it can be. I know Mr Economou has informed you of the role and that your role is so important to us and the input you give to us at this level shapes our thinking. I know that Mr Economou has done a sterling job, but it is a tough job. I am supporting that and I am looking forward to working with you and please do not judge us on what you see us do at these zoom meetings. They are not always the best part of us. I just wanted to say welcome to Mr Pedder.

The Mayor, Councillor Wynne further advised:

One thing I would like to say to Scott is that you have the dream team.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Notices of Motion

Item No: 16.1
Subject: NOTICE OF MOTION - CONSTABLES COTTAGE, CAMP COVE
From: Councillor Claudia Cullen
Date: 06 July 2021
File No: 21/128525

(Cullen/Jarvis)

120/21 Resolved without debate:

- A. THAT Council request the General Manager write to the National Parks & Wildlife Service (NPWS) to commence discussions on any future plans the NPWS may have for the Constables Cottage, Camp Cove and to explore any opportunities for Council, the NPWS and the NSW government to partner in the future development of the Constables Cottage into a Kiosk / Café (including toilets) to service users of Camp Cove.
- B. THAT Council request a report be tabled at the October 2021 Council meeting detailing costs and resources involved in developing a master plan for the Camp Cove precinct which would include issues like the removal and replacement of the existing toilet block and the future development of a new Kiosk/Café and related matters.

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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Item No: 16.2
Subject: NOTICE OF MOTION - ENFORCEABLE DA CONDITIONS
RELATING TO FOOTPATHS
From: Councillor Susan Wynne
Date: 20 July 2021
File No: 21/139637

(Wynne/Cullen)

121/21 Resolved:

THAT Council staff prepare a report by end December 2021 to investigate the feasibility of additional enforceable conditions of any Development Application (DA) which requires all footpaths to be maintained in a manner that provides a safe path including but not limited to ensuring any cracks are covered and rubble removed and any objects that are positioned across a footpath (e.g. cement pipes are clearly marked and managed in a way that does not cause trip hazard).

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

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

Questions With Notice

(Cullen/Elsing)

122/21 Resolved:

THAT the Questions with Notice be received and noted.

QWN: 17.1
From: Councillor Regan
Subject: Questions with Notice - 9A Cooper Park Road, Bellevue Hill

Note: Late correspondence was tabled by Timothy Tuxford, Manager Compliance.

Councillor Regan asking:

Manager of Compliance in response in Italics:

1. I refer to the recent article published in the Sydney Morning Herald regarding the development at 9A Cooper Park Rd Bellevue Hill.

<https://www.smh.com.au/national/nsw/developer-forced-to-stop-work-on-bellevue-hill-apartments-due-to-defects-20210709-p5889d.html>

I note that there have been a series of complications with this project, which was once Council land and which was sold by Council for development 7 years ago. Would Council please advise as to the status of the matter including outlining the number of DAs and variation applications lodged over those years and the number of times that matters in relation to the development have gone to the Land and Environment Court.

DA No 169/2017/4 To date, there has been a total of two (2) DAs, nine (9) Modification Application and four (4) Appeals lodged in relation to the current development at 9A Cooper Park Road, Bellevue Hill.

Provided below are details of the DAs, Modification Applications and Class 1 Appeals;

Development Application DA No 607/2015/1

Construction of a new 2 x 3-storey residential flat buildings containing 27 units and basement car parking for 50 vehicles and storage, strata subdivision, landscaping and site works was refused by Council on 17 March 2016.

A Class 1 Appeal was subsequently filed with the Land and Environment Court and the proceedings were upheld via a s34 Agreement on 8 September 2016. The approved development, as amended, was for the construction of 1x 2-storey (Building A) and 1x 3-storey (Building B) Residential Flat Building comprising 27 units and basement car parking for 56 vehicles

Four (4) subsequent Modification Applications have been lodged with Council resulting in two (2) Class 1 Appeals. Brief details of these Applications are provided below:

- *DA No 607/2015*

Removal of Condition A.7 (Excavation) which corrected an administration error to ensure consistency with the Approved DA plans and Condition C1(h) of the original development consent. Approved under Staff Delegation on 2 March 2017.

DA No 607/2015/3

- *Deletion of Condition A.2 which required a 'right of way' to be created between the subject site and Bellevue Road. Refused under Staff Delegation on 12 July 2018.*
- *A Class 1 Appeal was filed with the Land and Environment Court and the proceedings were upheld via Consent Orders issued on 18 March 2019, with a 'right of way' still being required.*

DA No 607/2015/4

Addition of a substation, additional excavation to the basement car park, modifications of ramp and basement layouts and an additional lift to improve disabled access. Withdrawn by the Applicant on 17 October 2018.

DA No 607/2015/5

Removal of two existing trees (T1- Ficus rubiginosa Port Jackson Fig and T4- Eucalyptus botryoidal Bangalay) with the provision of a new replacement tree. Approved by the Woollahra Local Planning Panel on 21 February 2019, subject to the retention of Tree T4.

A Class 1 Appeal was filed and subsequently dismissed by the Court on 15 May 2020.

Development Application DA No 169/2017/1

- *An 'amending DA' involving alterations and additions to the approved RFB to provide a new 3 storey building (Building C) comprising of 6 x 2 bed units, alterations to the approved car parking area (an increase from 56 to 62 spaces), a new third storey above Building B containing 2 x 3 bed units, including the allocation 20% of the total GFA for 'Affordable Housing', landscaping and siteworks was lodged with Council on 26 April 2017.*
- *On 8 June 2017, a Class 1 Appeal on the grounds of deemed refusal was filed with the Land and Environment Court.*
- *On 11 July 2018, the development as approved by the Court was as follows:*
 - o *An additional level (Level 3) to the approved residential flat building (Building B) comprising of 1 x 3 bed unit*
 - o *A new 2-storey building (Building C) comprising of 4 x 2 bedroom attached dwellings*
 - o *An extension to the approved basement to accommodate a total of 62 car parking spaces and additional storage areas and plant rooms*
 - o *Ancillary and incidental works including site works, landscaping, fencing and drainage; as well as strata subdivision.*

Five (5) subsequent Modification Applications have been lodged with Council. Brief details of these Applications are provided below:

DA No 169/2017

111 Modifications to the driveway alignment to accommodate a fire hydrant enclosure. Approved by the Woollahra Local Planning Panel on 18 February 2021.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

DA No 169/2017/5

Addition of a service WC, additional/modifications to plant and 'services' equipment on the roofs of Buildings A and B. Approved by the Woollahra Local Planning Panel on 20 May 2021.

DA No 169/2017/6

Refer to response to Question 2 below for details.

2. Can Council please confirm the status of the most recent variation application that has been filed with Council, which I understand a number of residents have objected to.

On 7 June 2021, a s4.56 Application, being 169/2017/6, was lodged with Council seeking the modification of Conditions A4(c), (d) and (g) which specifically relate to a reduction in the width of planter boxes and the deletion of privacy screening.

The Application was on public exhibition/neighbour notification between the period of 23 June to 8 July 2021. Nine (9) submissions have been lodged with Council.

The Application is still pending assessment and will be to the Woollahra Local Planning Panel for determination.

3. Would Council please advise as to the status of the developer, Parker Logan and its related entity Maryland Developments and as to who now owns or controls the development site.

An ASIC company search has been undertaken of both companies, together with a title search of the property which confirms the following:

- 1. Parker Logan Property Pty Ltd current ASIC status is "Under External Administration And/Or Controller Appointed"*
- 2. Maryland Development Pty Ltd current ASIC status is "Registered";*
- 3. Strata scheme 95534 for 9A Cooper Park Road has been registered with NSW Land Registry Services. All allotments are currently registered to Maryland Developments Pty Ltd. The previous lot and DP are superseded.*

4. Residents have advised that no work has been done on site since approximately mid-May 2021 when the Building Commissioner issued various show cause notices and finally issued the stop work orders referred to in the SMH article on 8 July 2021 (see attached). Is Council aware of what arrangements are envisaged for completion of the works and what finance is in place for completion?

Council has no information on these issues.

5. Is there anything Council can do in this regard and is Council involved with the building commissioner in relation to it?

The issue of financing and the arrangement of finances is not considered a matter for Council.

The only contact Council has had from the Office of the Building Commissioner/NSW Customer Service with regard to this site is notification of the initial 'Notices of Intention' and the final Prohibition and Stop Work Orders issued by NSW Customer Service on Maryland Developments Pty Ltd on 8 July 2021.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

6. What are the implications for surrounding neighbours who have been enduring construction on this site for the better part of 4 years and is there anything that Council can do for them?

It is not known what the implications may be for surrounding neighbours but there is no action available to Council. The matter is largely in the hands of the Office of the Building Commissioner/Customer Service NSW and the current owners of the site Marylands Development Pty Ltd.

7. Is Council in a position to invite the applicant of the current variation application to the works and its architect to meet with residents to set out their future plans for changes and to discuss their vision for completion of the project in order that neighbouring residents may get a full understanding of what is proposed to complete the project? It is possible for Council to obtain some enforceable undertakings from the applicant in this regard?

Marylands Development Pty Ltd would be working with the Office of the Building Commissioner and/or NSW Customer Service to determine how they propose to address the current Prohibition and Stop Work Orders that are in place and the likely timetable for compliance. At this time the above is considered the remit of the Office of the Building Commissioner and NSW Customer Service.

QWN: 17.2
From: Councillor Robertson
Subject: Questions with Notice - Deceased Tree

Note: Late correspondence was tabled by Paul Fraser, Manager Open Space & Trees.

Councillor Robertson asking:

Would staff please outline, step by step, the process they follow when a resident notifies Council of a deceased street tree, including the average time between receipt of the notification and the removal of the deceased tree, as well as the average time between removal and planting of a replacement tree. Please comment on whether any formal processing turnaround times form part of this process and if so, outline those turnaround times.

Manager Open Space & Trees in response:

Step by Step Process of removal and replanting a street tree

- Customer and/or qualified arborist notifies a dead/dying tree.
- Tree in question is inspected.
- If the tree requires removal then the relevant paperwork is completed and the removal notification process commences. A sign will be placed on the tree and neighbouring properties notified.
- Once the notification period ends the tree is approved for removal then placed on a removal list. The time taken for removal can depend on a number of factors including risk and safety (shorter period of time), Ausgrid approvals (if a tree is within the no-go zone of powerlines then we are in the hands of Ausgrid contractors to undertake the work) and Council's own resources.

Page 483

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- The replacement tree is placed on our tree planting list. Pits may be vacant for some time due to a number of factors including, our limited window for tree planting (April to Sept), the time taken to stump grind the stump (undertaken by external contractors and underground services/drainage may need to be relocated), and not always being able to readily source the replacement tree species outlined in the Street Tree Masterplan.

Average time between receipt of notification and removal

We aim to remove hazardous trees within 24 hours. On other non-urgent removals we aim to remove them within 6 weeks. Since January 2021, our average time between notification and removal has been 22 working days. Within this time period we acknowledge that we do have some trees which have been notified and are awaiting removal as they need to be undertaken by Contractors. As discussed in the step by step process the removal times are dependant on a number of factors outside of our control.

Average time between removal and replanting

We aim to undertake these as soon as possible however we are reliant on the preferred tree planting window, time taken to stump grind, issues with underground services and drainage and the availability of good quality tree stock and the correct species of tree. The average time of removal of a deceased tree and planting a new tree is not available.

QWN: 17.3
From: Councillor Price
Subject: Questions with Notice - Former Paddington Bowling Club Site

Note: Late correspondence was Tom O'Hanlon, Director Infrastructure & Sustainability.
Councillor Price asking:

I refer to the memorandum from the Director of Infrastructure and Sustainability to all Councillors dated 29 June 2021 concerning the former Paddington Bowling Club site (the Site).

Can the Director please:

1. Confirm what (if any) further 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. Make enquiries to confirm:
 - a. if the relevant Minister has (retrospectively) provided consent for the change in the lessee's shareholding structure.
 - b. what (if any) steps have been taken by the relevant Minister to explore the following undetermined Aboriginal Land Claims on the Site lodged by:
 - i. the Le Prouse Local Aboriginal Land Council on:
 - 22 September 2009 (Claim No. 20657);
 - 3 September 2010 (Claim No. 29716);
 - 19 December 2016 (Claim No. 42494); and

Page 484

Woollahra Municipal Council
Ordinary Council Meeting Minutes

26 July 2021

- ii. the NSW Local Aboriginal Land Council on 19 December 2016 (Claim No. 42493).

Director of Infrastructure and Sustainability response:

Question 1:

There has been no further formal correspondence or discussion with Crown Lands or the lessee since the response to the previous QWN of 26 April 2021, which was dated 29 June 2021 and emailed to Councillors on 30 June 2021.

Question 2:

Crown Lands have provided the following responses to this question:

Question 2a

Retrospective consent is not applicable because Crown Lands incorrectly advised the lessee that consent was not required to the change in shareholding. The lessee has since been notified that the Minister's consent is required for any further change(s) in shareholding.

Question 2b

The assessment of these Aboriginal land claims has been completed and forwarded to the Minister for his consideration and determination.

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

We certify that the pages numbered 427 to 485 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 26 July 2021 and confirmed by the Ordinary Meeting of Council on 23 August 2021 as correct.

General Manager

Mayor

10. Mayoral Minute

Item No: 10.1
Subject: ENVIRONMENTAL PLANNING AND ASSESSMENT
AMENDMENT (INFRASTRUCTURE CONTRIBUTIONS) BILL
2021
Author: Susan Wynne, Mayor
Approver: Susan Wynne, Mayor
File No: 21/161563
Reason for Report: To inform Council of concerns with and the recent submission made to the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021.

Recommendation:

A. THAT Council notes the following:

- i The submission made by Woollahra Council as a Mayoral Submission to the Parliamentary Inquiry on the *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021* (the Bill) provided as **Annexure 1** and notes the strong opposition to the bill by Woollahra Council.
- ii That the NSW Government introduced the Bill into Parliament on 22 June 2021 and subsequently referred it to the Upper House Portfolio Committee No. 7 – Planning and Environment on 24 June 2021 for inquiry and report by 10 August 2021.
- iii That the Bill introduces a major overhaul of the infrastructure contributions system in NSW and has far, wide-ranging and potentially deleterious implications for Council and our community.
- iv That Councils rely on developer contributions to fund new infrastructure to support population growth, including local roads, pedestrian and cycle networks, local water and sewage utilities, stormwater and water management, buildings and facilities, public domains, parks and open spaces, recreation, cultural, family and community services and facilities, and a range of other infrastructure vital to local communities and important for creating liveable communities.
- v LGNSW's opposition to the Bill, given that 'the implementation of the recommendations will have far reaching financial implications for councils and communities'.
- vi The lack of broad consultation on the Bill by the NSW Government and the attempt to expedite its passage by making it a cognate Bill of the NSW budget Appropriation Bills, therefore avoiding the level of scrutiny this warrants.
- vii That LGNSW's submission states that 'local government does not feel confident the reforms will create a fair and equitable system that does not make Councils worse off.'
- viii The NSW Government's decision to tie reform of the rate peg to cater for population growth to reductions in infrastructure (developer) contributions.
- ix The work being undertaken as a result of a roundtable meeting of Sydney Metropolitan Mayors on Wednesday 11 August 2021 which I attended to discuss the Draft Bill including preparation of the financial impacts for Woollahra Council.

- B. THAT Council works with the Southern Sydney Regional Organisation of Councils (SSROC) to undertake regional financial forecasting to understand the cumulative financial impact across the region.
- C. THAT Council calls on the NSW Government to:
- i Withdraw the Bill from the NSW Parliament.
 - ii Undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system.
 - iii Decouples the Independent Pricing and Regulatory Tribunal (IPART) led review of the rate peg to include population growth from the infrastructure contributions reforms.
- D. THAT Council request the Mayor to write to the NSW Premier, the Hon. Gladys Berejiklian MP; the NSW Treasurer, the Hon. Dominic Perrottet MP; the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP; the Minister for Local Government, the Hon. Shelley Hancock MP; the Hon. Gabriel Upton MP, Member for Vacluse and Mr Alex Greenwich MP, Member for Sydney, seeking their support in the withdrawal of the Bill until the draft Regulations have been released, and Councils are given a robust opportunity to provide submissions.
- E. THAT Council affirms its support to LGNSW to continue advocating on Council's behalf to protect local government from any amendments to infrastructure contributions that leave Councils and communities forced to use ratepayer funds on new infrastructure made necessary by new development that is currently the responsibility of developers.
- F. THAT Council participates in any joint initiatives to fight these reforms and support collective media opportunities which raise awareness of the threat of future ratepayer funds being expended outside of the Woollahra local government area under the proposed legislation and shares and promotes these messages via its digital and social media channels and via its networks. As part of this note that Council may participate with other Councils in placing advertisements in the Sydney Morning Herald, the Daily Telegraph and the Financial Review relating to this key issue.
- G. THAT Council delegate authority to the General Manager, in consultation with the Mayor, to undertake further action if needed.

On 16 July 2021, Council made a Mayoral submission to the *Draft Environmental Planning and Assessment Amendment (infrastructure Contributions) Bill 2021* (Draft Bill) which included the following statement:

In summary, given the importance and the ramifications of this Draft Bill, I strongly request that the Draft Bill is withdrawn and deferred to allow a proper, robust and complete exhibition to occur. Without this, the community cannot fully understand the financial and administrative implications of the proposed reforms.

A full copy of Council's submission is attached at **Annexure 1**.

Support for a review of the infrastructure contributions process is not in question as we need an efficient and effective infrastructure funding system which appropriately leverages monies, whilst giving Council sufficient flexibility to apply these. However, there have been a number of concerns identified with the Draft Bill and the manner in which it has been placed on public exhibition.

In response to the issues raised during the inquiry, the *Upper House Infrastructure Contributions Bill Inquiry Committee Report* recommended the Bill's proposed changes to infrastructure contributions not proceed until the draft regulations have been developed and released for consultation.

Currently, Councils use developer contributions to provide important local infrastructure in an area where development occurs. This Bill proposes to change the way developer contributions are paid, with a significant proportion proposed to be paid to the State Government to fund regional infrastructure in areas where the nexus between development and the provision of infrastructure does not exist.

Community infrastructure such as parks and playgrounds, local roads, community facilities, footpaths and open spaces that are currently funded through developer contributions will either have to be delayed, unfunded or fully funded by Council rates and our ratepayers. To compensate for this, the State Government has said it will allow Council's to charge higher rates, but this is once again shifting the cost and responsibility of funding local infrastructure onto local Councils i.e. our community and the process to apply to charge higher rates through a Special Variation, is controlled by the NSW Government with applications made to and determinations made by IPART, not the NSW Government.


On Wednesday 11 August 2021 I attended a Roundtable meeting of Sydney Metropolitan Mayors to discuss the Draft Bill. Those present at the meeting shared my concerns about the proposed amendments, the potential impacts on our funding mechanisms, the lack of information made available during the consultation, and the very limited time scale to review and make submissions.

I have asked the General Manager to ensure staff keep Councillors informed on this important matter as it progresses and that Council continues to advocate to ensure that our already stretched funding, is not negatively affected by the proposed reforms.



Cr Susan Wynne
Mayor

Annexures

1. Woollahra Submission to the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 - 16 July 2021 [↓](#) 

Council Ref: Planning & Place Division
SC4115 - 21/136541

Office
of the
Mayor

Woollahra
Municipal
Council



16 July 2021

The Director
Portfolio Committee No. 7 - Planning and Environment
Parliament House
6 Macquarie Street
SYDNEY NSW 2000

PortfolioCommittee7@parliament.nsw.gov.au

Dear Sir/Madam

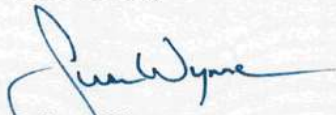
**Submission to the Environmental Planning and Assessment Amendment
(Infrastructure Contributions) Bill 2021**

Woollahra Council thanks you for the opportunity to comment on this important, albeit a very limited time, into the *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (Draft Bill)*. Our detailed submission in response to the exhibition is attached.

In summary, given the importance and ramifications of this Draft Bill, I strongly request that the Draft Bill is withdrawn and deferred to allow a proper, robust and complete exhibition to occur. Without this, the community cannot fully understand the financial and administrative implications of the proposed reforms.

If you require any further information about our submission please contact Anne White, Manager - Strategic Planning on (02) 9391 7086.

Yours sincerely



Cr Susan Wynne
Mayor

Enc

Correspondence to:
PO Box 61
Double Bay NSW 1360

Redleaf Council Chambers
536 New South Head Road
Double Bay NSW 2028

t: (02) 9391 7000
f: (02) 9391 7044
e: records@woollahra.nsw.gov.au
www.woollahra.nsw.gov.au

DX 3607 Double Bay



Submission to the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021

Woollahra Council staff support a review of the infrastructure contributions process. We support an efficient and effective infrastructure funding system which appropriately leverages monies, whilst giving Council sufficient flexibility to apply these. However, we have identified the following key concerns with the *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021* (Draft Bill) and the manner in which it has been placed on public exhibition.

1. Exhibition

The timeframe provided to digest and understand the implications of the information on exhibition is inadequate. Furthermore, the information on exhibition is not sufficient for us to make a proper and informed assessment. The full suite of supporting regulations, ministerial directions and draft legislation have not been included in the public exhibition material. Accordingly, it is impossible to understand the full financial and operational impacts of the proposal. Indeed, it may be that for Woollahra Council, the proposed reforms will lead to a reduction in contributions and this will have a consequential impact on our ability to service our community.

We recommend that the Draft Bill is withdrawn and deferred to allow a proper, robust and complete exhibition to occur, to allow the community to fully understand the financial and administrative implications of the proposed reforms.

2. Reforms to 7.12 Contributions

The Draft Bill proposes to amend the way that Section 7.12 Contributions are levied on development. Currently, we authorise conditions on development consents under Section 7.12 requiring the applicant to pay Council a maximum levy of 1% of the proposed cost of carrying out the development. This system has been in operation for a number of years. It is efficient, easily understood and easy to administer. Over the past 5 years, Section 7.12 Contributions have funded approximately 20% of capital works in the Woollahra LGA.

The Draft Bill proposes a "local levy condition". This will comprise a capped monetary levy based on the number of additional dwellings in a development or gross floor area.

What this proposed "local levy condition" appears to ignore is development that comprises alterations and additions. An amendment of this type could have significant financial implication to Woollahra Council, where the majority of development comprises alterations and additions.

Further information is required on this proposal before we can fully understand the financial and administrative implications.

We recommend that the Draft Bill is re-exhibited with additional information to identify how the "local levy condition" will operate, and its financial implications.

3. Land Value Contributions

The Draft Bill introduces a new “land value contribution” charge to enable value capture resulting from rezonings or development.

This charge would be imposed when the land is rezoned, and collected when the land is sold. In terms of administration, this new framework would require the vendor or purchaser to apply for a “land value contribution certificate” from Council. Council would then determine the contribution in accordance with the regulations and the contributions plan concerned.

We support the proposed new mechanism for value capture. It simplifies and addresses the issue of capturing a portion of the windfall gain resulting from increased development potential or rezoning’s which we would otherwise collect via a voluntary planning agreement. Value sharing is a reasonable and equitable approach. A simple and consistent approach is greatly supported by Council staff to avoid the requirement to negotiate voluntary planning agreements on a site by site basis.

However, the mechanism to apply and administer this new charge are unclear. What administrative burden and additional internal resources will be required to implement these changes? For example, who can issue land value certificates? Once the monies are received, what types of infrastructure can this be spent on? Monies received should be spent on new infrastructure projects or upgrading existing facilities and Council should have the flexibility to determine the priorities.

We recommend that the Draft Bill is re-exhibited with additional information to identify how the “land value contributions” will operate.

4. Regional Infrastructure Contributions (RIC)

The Draft Bill proposes to repeal the special infrastructure contributions (SICs) and replace them with provisions for a new *regional infrastructure contributions* (RICs). RICs are contributions required in respect of development for public amenities or public services (including infrastructure that enhances public open space or the public domain), affordable housing, transport infrastructure, regional or State roads, and measures to conserve or enhance the natural environment. The contributions may be applied to a region or parts of a region, with funds collected in the region to be spent on infrastructure within the region.

However, will these new RICs be applied in addition to local development contribution levies? In the Woollahra LGA, where the majority of development is for alterations and additions, we question the value of this additional levy which could undermine the contributions levied and then spent at the local scale.

We do not support two tiers of contributions that will add to the complexity and administrative burden of development contributions. At all times, the local development contributions should be prioritised over the RICs to ensure that Councils have sufficient funding to augment and improve infrastructure in the local area.

We do not support two tiers of contributions. We recommend that the Draft Bill is re-exhibited with additional information to identify how the RICs will apply and operate

5. Deferral of Contribution Payments

The deferral of contribution payments to occupation certificate was a temporary measure due to the impacts of COVID-19. The Draft Bill proposes to formalise this temporary arrangement. We are concerned that by delaying the payment of contributions, this will delay the delivery of infrastructure. Council's will then have less scope to plan for infrastructure delivery and infrastructure will fall behind. Greater flexibility is required to ensure Council's can adequately align income streams.

We do not support deferring contribution payments to the occupation certificate stage.

6. Review of local strategic planning statements (LSPS)

The Draft Bill seeks to amend the timing for the review of the LSPS from 7 years to at least every 5 years. However, the current provisions allow councils to undertake reviews as required which could be 7 years or sooner. We see no reason or justification to change this. The proposed two year reduction in time frame will undoubtedly have resource implications to councils.

Unless a clear justification is provided, no change should be made to the review period for an LSPS.

12. General Manager and Officer's Report

Item No:	12.1
Subject:	REQUEST TO BE THE PLANNING PROPOSAL AUTHORITY FOR 252-254 NEW SOUTH HEAD ROAD, DOUBLE BAY
Author:	Anne White, Manager - Strategic Planning
Approvers:	Scott Pedder, Director - Planning & Place Craig Swift-McNair, General Manager
File No:	21/146746
Reason for Report:	To report the decision of the rezoning review for 252-254 New South Head Road, Double Bay (RR-2021-69). To recommend that Council takes on the role as Planning Proposal Authority.

Recommendation:

- A. THAT Council accept the role of Planning Proposal Authority for 252-254 New South Head Road, Double Bay (RR-2021-69) and prepare a planning proposal for the site which seeks to amend the Woollahra Local Environmental Plan 2014 in the following manner:
 - i. Increase the maximum building height standard from 13.5 to 22m.
 - ii. Introduce a secondary height control of reduced level 45.90m Australian Height Datum at the New South Head Road frontage.
 - iii. Increase the maximum floor space ratio from 1.3:1 to 2.6:1.
- B. THAT the applicant prepare, in consultation with Council staff:
 - i. Further site testing to establish if the proposed FSR is appropriate.
 - ii. A site specific development control plan informed by the site testing.
- C. THAT any Planning Agreement proposed by the applicant be prepared in accordance with the adopted Woollahra Voluntary Planning Agreement Policy 2020.
- D. THAT should a gateway determination be received, the Planning Proposal, draft Development Control Plan and any draft Planning Agreement be publicly exhibited.
- E. THAT the applicant pays the relevant planning proposal fees as identified in Council's adopted Fees and Charges for 2021/2022.

Background:

On 12 June 2020, a request for a planning proposal was submitted by Antoniades Architects for 252-254 New South Head Road (the subject site), Double Bay. The objective of the request is to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to increase the development potential of the subject site. The request seeks the following amendments to Woollahra LEP 2014 to:

- Increase the maximum building height from 13.5 metres to 22 metres.
- Introduce a secondary height control of reduced level (RL) 45.90m Australian Height Datum (AHD) at the New South Head Road frontage.
- Increase the maximum floor space ratio (FSR) from 1.3:1 to 2.6:1.

An indicative development concept, which could be constructed in accordance with the proposed standards was submitted with the request. The development concept is for a part seven, part eight storey residential flat building comprising:

- 33 apartments, with a mix of studios (14), 1 bedroom units (13), and 2 bedroom units (6)
- Six car spaces (4 resident and 2 car share), 1 motorcycle space and 38 bicycle spaces.

On 2 November 2020, the Environmental Planning Committee considered a report on this matter (see **Annexure 1**), where Council staff did not support the request for the planning proposal as:

- 1) The proposed maximum building height and FSR standards are excessive and would create a building envelope which has an excessive bulk and scale.
- 2) The requested increase in both the maximum building height and FSR standards are inconsistent with the existing and desired future character of the Double Bay residential precinct.
- 3) The proposed standards would create a building envelope that will adversely impact on the site and its surroundings, particularly with regard to streetscape; landscape character and views.

Subsequent to this, on 23 November 2020 Council resolved the following:

- A. *THAT Council resolves not to support the request for a planning proposal for 252-254 New South Head Road, Double Bay, which seeks to amend the Woollahra Local Environmental Plan 2014 in the following manner:*
 - i. *Increase the maximum building height standard from 13.5 to 22m.*
 - ii. *Introduce a secondary height control of reduced level 45.90m Australian Height Datum at the New South Head Road frontage.*
 - iii. *Increase the maximum floor space ratio (FSR) from 1.3:1 to 2.6:1.*
- B. *THAT Council notify the applicant that it does not support the request for a planning proposal for the following reasons:*
 - i. *The proposed maximum building height and FSR standards are excessive and would create a building envelope which has an excessive bulk and scale.*
 - ii. *The requested increase in both the maximum building height and FSR standards are inconsistent with the existing and desired future character of the Double Bay residential precinct.*
 - iii. *The proposed standards would create a building envelope that will adversely impact on the site and its surroundings, particularly with regard to streetscape; landscape character and views.*
- C. *THAT the applicant is notified that Council does not support the request for a planning proposal in accordance with clause 10A of the Environmental Planning and Assessment Regulation 2000.*

Rezoning review:

Under part 3.32 of the *Environmental Planning and Assessment Act 1979* (the Act), a rezoning review may be requested by an applicant where council:

1. has not supported a request for a planning proposal, or

2. not made a decision within 90 days on a request for a planning proposal, or has not submitted a planning proposal for a gateway determination within a reasonable time after indicating its support.

Once a planning proposal is submitted for a rezoning review it is considered by an independent third party. In relation to matters in Woollahra Council, the *Sydney Eastern City Planning Panel* (the Panel) is responsible for making a recommendation on the merits of a rezoning review. However, the *Department of Planning, Infrastructure & Environment* (the DPIE) makes the final decision on whether each request should be forwarded to the Minister for Planning for a gateway determination.

This decision is informed by material submitted by the proponent, any relevant submissions (e.g. from Council), as well as independent advice from the Panel on the strategic/site specific merit of the proposal.

On 23 December 2020 a rezoning review (RR-2021-69) was lodged with DPIE for the subject site. On 22 July 2021 the Panel considered the review and determined that the request for a planning proposal should be submitted for a gateway determination because the proposal has demonstrated strategic and site specific merit. The decision of the Panel is attached at **Annexure 2**. The Panel provided the following reasons for their decision:

- *The Panel notes that whilst the subject site is not contained within either the Double Bay or Edgecliff strategic planning work that has or is being undertaken by Council, it is noted that this work has either not been adopted by Council or has not been completed after many years of consideration. However, the site does adjoin the study area of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy on public exhibition until 3rd September 2021.*
- *The Panel considers the site to be well located for increased residential density due to its proximity to the Edgecliff train station and bus interchange.*
- *The Panel notes the applicant's site is adjacent and, in many respects relates to the Edgecliff Centre. However, at the same time the Panel is cognisant of the fact that the site is in proximity to a lower density zone and regard must be given to the topography to ensure that this residential zone is not overwhelmed.*
- *The Panel is also aware that the development at 240-246 New South Head Road has been the subject of a site specific Planning Proposal which increased height and FSR.*
- *In respect of site specific issues, the proposed height and site specific clause allows for a transition from 240-246 New South Head Road to 256 New South Head Road and the proposed yields are not inconsistent with the existing built form in the area.*
- *The Panel notes the briefing report refers to the applicant's willingness to initiate discussions with Council regarding a VPA which would provide public benefit and the Panel encourages the applicant to finalise such discussions so that any draft VPA can be placed on exhibition with the draft Planning Proposal.*
- *Whilst the proposal has both strategic and site specific merit the Panel recommends to the delegate that in granting any Gateway determination a site specific DCP be prepared to address the unique constraints of this site, particularly to ensure that privacy (including aural privacy), overshadowing and view-sharing are addressed and that the DCP be exhibited at the same time as the Planning Proposal. The Panel further recommends that the DCP include the following matters:*
 1. *That due to the location immediately adjacent to the Edgecliff train Station and bus interchange that carparking on the site be minimised or deleted and that servicing only be provided.*

2. *The residential mix (noting that concept plans accompanying the Planning Proposal comprise 80% studio flat and one bedroom units) and provision of more affordable housing, which will meet a demand in the LGA and be appropriate given the convenience of a transport orientated location.*
3. *The deep soil area to maintain the Jacaranda tree is to be shown on the DCP.*
4. *A building envelope that establishes appropriate height and setbacks to maintain amenity to adjoining residential properties and deep soil planting.*
- *The Panel also recommends to the delegate that the proponent should undertake further testing to ensure the proposed FSR can be contained in the proposed height limit whilst satisfying the other built form and amenity outcomes, deep soil planting and tree canopy that would be required.*

Planning Proposal Authority:

As the Panel supported the request for a planning proposal to progress to a gateway determination, Woollahra Council has been invited to be the *Planning Proposal Authority* (PPA) for this proposal.

Should Council take on the role as PPA, Council staff will be required to prepare a planning proposal under section 3.33 of the Act and submit this for a gateway determination within 42 days after accepting this role. Should a gateway determination be issued, Council will also become responsible for the community consultation, and assessment of submissions.

We are required to notify the Planning Panels Secretariat by 7 September 2021 identifying whether we will take on the role as PPA.

Additional documentation:

It is noted that the Panel's decision requires the preparation of additional documentation which should be exhibited concurrently with the planning proposal. These are:

1. Further site testing to ensure the proposed FSR can be contained in the proposed height limit whilst satisfying the other built form and amenity outcomes, deep soil planting and tree canopy that would be required.
2. A site specific development control plan (DCP) to address car parking, residential unit mix, deep soil area and building envelopes which is informed by the site testing.

These documents should be prepared by the applicant, in consultation with Council staff.

We also note that the Panel decision encourages the applicant to finalise discussions regarding a draft voluntary planning agreement. The *Woollahra Voluntary Planning Agreement Policy 2020* (VPA Policy) was adopted by Council on 10 February 2020. Under this policy, Council may consider entering into a planning agreement where there will be an opportunity or likely requirement for a development contribution, including requests for planning proposals seeking a change to Woollahra LEP 2014 to facilitate the carrying out of development.

If approved, the proposed increase in Height of Buildings and FSR standards will substantially increase the development potential of the site and hence its land value. With this in mind, Council strongly supports the negotiation of a planning agreement prepared in accordance with the VPA Policy, to share in this value uplift for the community's benefit.

Staff recommendation:

Council staff recommend that we notify the Planning Panels Secretariat that Council will take on the role as PPA for the following reasons:

- We will be responsible for overseeing the entire planning proposal process.
- The planning proposal will be prepared consistent with our standard template.
- We would have a greater control and involvement in the preparation of the additional site testing and the site specific DCP.
- We can ensure best practice community consultation in terms of notification and availability of material.
- We will have the opportunity to consider submissions received and recommend amendments.

Should Council not take on the role as PPA, the Panel will be appointed to prepare the planning proposal and manage the community consultation. The Panel would then be responsible for overseeing the additional site testing and the site specific DCP. This is not an appropriate outcome. Council staff are best placed to prepare these local and site specific documents.

Should Council accept the role of PPA, there is the potential for conflict and difficulties in the decision making process, particularly as Council has a pre-determined position on this site. Acting in the capacity of the PPA may also raise issues of objectivity and transparency (from the applicants perspective), as well as community misconception about Council's position with respect to these matters. However overall, Council staff recommend that the benefits of having the responsibility for overseeing the planning proposal and the detailed site specific documents outweighs these concerns.

Next steps:

Subject to Council's decision, a planning proposal will be referred to the DPIE for a gateway determination. This will allow the planning proposal to be placed on public exhibition. Council staff will also commence discussions with the applicant on the preparation of the additional documentation, and the payment of fees as currently identified in Councils adopted Fees and Charges for 2021/2022.

The public exhibition of the planning proposal (and additional documentation) will be undertaken in accordance with the requirements of the Act, *the Environmental Planning and Assessment Regulation 2000* and the gateway determination issued by the Department as delegate for the Minister.

The gateway determination will specify the minimum duration of the public exhibition period. This period is usually a minimum of 28 days, which is consistent with Council's standard practice.

Public notification of the exhibition will comprise:

- A notice to the land owner of the site.
- A notice on Council's website.
- A notice to land owners adjoining and in the vicinity of the site.
- A weekly notice in the Wentworth Courier for the duration of the exhibition period (if a hardcopy is being published).
- A letter to local community groups.

After public exhibition, the submissions received will be reported to Council with a recommendation that the planning proposal and draft DCP should proceed, proceed with amendments or not proceed.

To streamline the plan-making process, the Minister can delegate some plan-making powers to Council for routine matters. However in this case, Council cannot request authorisation to exercise the functions of the Minister to make an LEP under section 3.36 of the Act as this request is the subject of a rezoning review. The Minister (or delegate) will be the approval body.

Conclusion:



On 23 November 2020, Council resolved not to support a request for a planning proposal for 252-254 New South Head Road, Double Bay which is seeking the following changes to the Woollahra LEP 2014:

- Increase the maximum building height from 13.5 metres to 22 metres.
- Introduce a secondary height control of reduced level (RL) 45.90m Australian Height Datum (AHD) at the New South Head Road frontage.
- Increase the maximum FSR from 1.3:1 to 2.6:1.

Subsequent to this, on 22 July 2021 the Panel considered the same application, and determined that the request for a planning proposal should be submitted for a gateway determination because the proposal has strategic and site specific merit.

In order to progress this matter, the Planning Panels Secretariat has invited Council to take on the role of PPA. Council staff recommend that we take on this role to retain control over the exhibition process including the preparation of the site specific documents, ensure that the community consultation is extensive and that any submissions received are fully considered.

Annexures

1. Report to the Environmental Planning Committee of 2 November 2020 (Annexures removed) [↓](#) 
2. Sydney Eastern City Planning Panel Decision of 22 July 2021 [↓](#) 

Woollahra Municipal Council
Environmental Planning Committee

02 November 2020

Item No: R4 Recommendation to Council
Subject: **REQUEST FOR A PLANNING PROPOSAL FOR 252-254 NEW SOUTH HEAD ROAD, DOUBLE BAY**
Author: Neda Vandchali, Strategic Planner
Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Development
File No: 20/142787
Reason for Report: To report on a request for a planning proposal for 252-254 New South Head Road, Double Bay which seeks to amend the maximum building height and floor space ratio standards in the Woollahra Local Environmental Plan 2014.
To recommend that Council does not support the request for a planning proposal for 252-254 New South Head Road, Double Bay.

Recommendation:

- A. THAT Council resolves not to support the request for a planning proposal for 252-254 New South Head Road, Double Bay, which seeks to amend the *Woollahra Local Environmental Plan 2014* in the following manner:
- Increase the maximum building height standard from 13.5 to 22m.
 - Introduce a secondary height control of reduced level 45.90m Australian Height Datum at the New South Head Road frontage.
 - Increase the maximum floor space ratio (FSR) from 1.3:1 to 2.6:1.
- B. THAT Council notify the applicant that it does not support the request for a planning proposal for the following reasons:
- The proposed maximum building height and FSR standards are excessive and would create a building envelope which has an excessive bulk and scale.
 - The requested increase in both the maximum building height and FSR standards are inconsistent with the existing and desired future character of the Double Bay residential precinct.
 - The proposed standards would create a building envelope that will adversely impact on the site and its surroundings, particularly with regard to streetscape; landscape character and views.
- C. THAT the applicant is notified that Council does not support the request for a planning proposal in accordance with clause 10A of the *Environmental Planning and Assessment Regulation 2000*.

1. Summary

A request for a planning proposal was submitted by Antoniades Architects for 252-254 New South Head Road (the subject site), Double Bay. The objective of the request is to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to increase the development potential of the subject site. The request seeks the following amendments to Woollahra LEP 2014 to:

- Increase the maximum building height from 13.5 metres to 22 metres.
- Introduce a secondary height control of reduced level (RL) 45.90m Australian Height Datum (AHD) at the New South Head Road frontage.
- Increase the maximum floor space ratio (FSR) from 1.3:1 to 2.6:1.

Woollahra Municipal Council
Environmental Planning Committee

02 November 2020

An indicative development concept, which could be constructed in accordance with the proposed standards was submitted with the request. The development concept is for a part seven, part eight storey residential flat building comprising:

- 33 apartments, with a mix of studios (14), 1 bedroom units (13), and 2 bedroom units (6)
- Six car spaces (4 resident and 2 car share), 1 motorcycle space and 38 bicycle spaces.

Council staff do not support the request for the planning proposal as:

- 1) The proposed maximum building height and FSR standards are excessive and would create a building envelope which has an excessive bulk and scale.
- 2) The requested increase in both the maximum building height and FSR standards are inconsistent with the existing and desired future character of the Double Bay residential precinct.
- 3) The proposed standards would create a building envelope that will adversely impact on the site and its surroundings, particularly with regard to streetscape; landscape character and views.

2. The subject site and context

The site is known as 252-254 New South Head Road, Double Bay (SP11702) located in the Double Bay residential precinct, on the northern side of New South Head Road. It has an irregular shape with an area of 934.9m² and an approximate frontage of 19m to New South Head Road. The site slopes down significantly from the south-western corner to the north-eastern corner with an approximate fall of 10m.

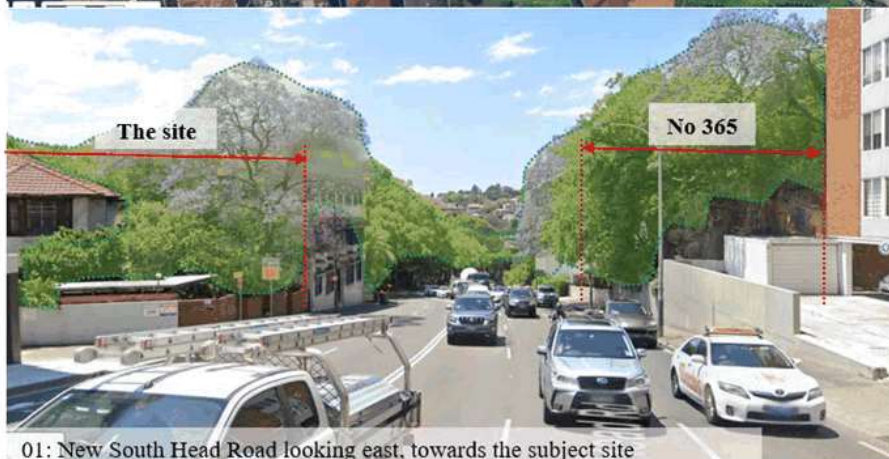
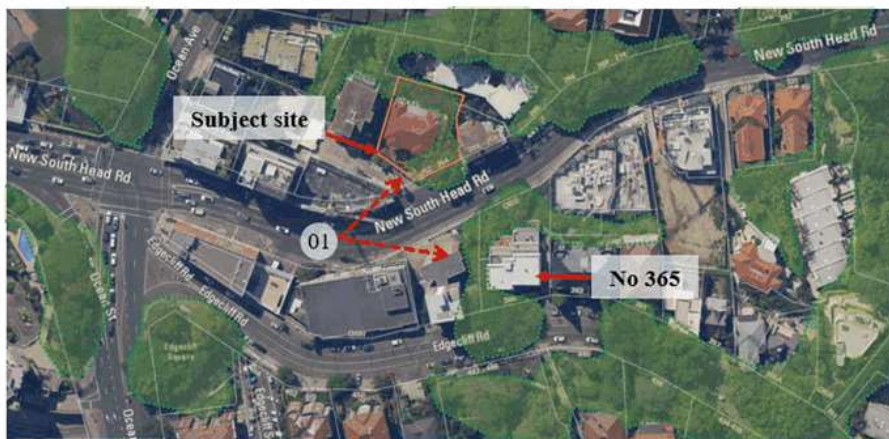
The site is approximately 10 metres from the Edgecliff Commercial Centre and 180 metres from the Double Bay Centre (see **Figure 1** below). Neighbouring development consists of residential flat buildings (RFB) of three to seven storeys.



Figure 1: Location plan of the site and its context



Figure 2: The subject site (indicated in red) as viewed from New South Head Road



01: New South Head Road looking east, towards the subject site

Figure 3: The top images highlights the landscaped character of the subject site and its surrounding context. The bottom image illustrates the existing landscaped character in this area, when viewed from the west (point 01).

The site is currently occupied by a four-storey RFB with a pitched roof known as the ‘Dalkeith Building’. It contains eight residential units with substantial landscaping in the front and rear setbacks. Pedestrian access is via two entrances off New South Head Road. It has no vehicular access or on-site parking. A mature Jacaranda tree is located adjacent to the New South Head Road frontage of the site. The tree is prominent when viewed from the public domain. **Figure 2** illustrates the site as viewed from the opposite side of New South Head Road.

This section of New South Head Road has an established landscape character in both the public and private domain. The landscaping at the site’s frontage, combined with the landscaping at 365 Edgecliff Road, creates an important and highly visible marker. When travelling east along New South Head Road, this landscaping delineates the edge of the Edgecliff Commercial Centre and facilitates a soft transition into the Double Bay residential precinct. **Figure 3** above illustrates the significant landscaped character at this location and the surrounding context.

3. Background

On 14 August 2019, a planning proposal pre-application consultation meeting was held between Council staff, the developer and the developer’s representatives to discuss the proposal. Subsequent to the meeting, the applicant was advised in a letter dated 5 September 2019 that Council staff would not support the proposal for the following reasons (see **Annexure 3**):

- The proposed height and FSR creates a building envelope which has an excessive bulk and scale and is inconsistent with the existing and desired future character identified in the Woollahra Development Control Plan (DCP) 2015
- The concept proposal illustrates a building with an excessive site coverage compared with the overall site coverage of the surrounding residential context.
- The concept proposal would detrimentally impact on the landscaped character of the subject site and its surroundings.

On 17 March 2020, the applicant submitted a request for a planning proposal. The submitted proposal is seeking an identical height and FSR to the pre- application proposal, with an additional (lower) secondary height control of RL 45.90m AHD.

The secondary height control is a maximum height at the highest part of the site, or the crown of the adjoining road. The objectives of a secondary height control are to:

- Maintain public and private views, and/or,
- Provide a consistent streetscape at the street frontage when the highest point of a site is at the roadway.

An example of a secondary height limit is illustrated in **Figure 4** below.

Council staff requested additional information in a letter dated 24 April 2020. On 12 June 2020, the applicant submitted the additional information required and Council staff receipted payment for the request for a planning proposal.

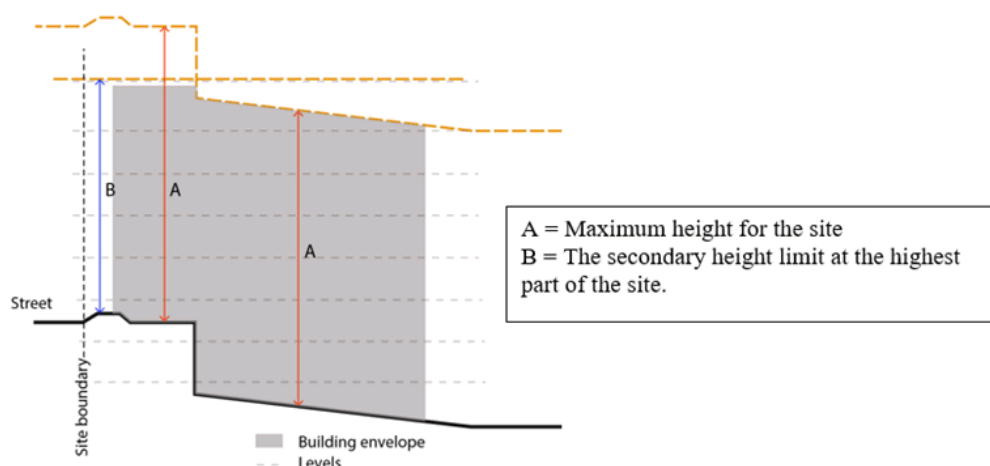


Figure 4: Secondary height control concept

For the purpose of reporting this planning proposal request to the Environmental Planning Committee, staff have only attached the Planning Proposal Report prepared by GSA Planning. The complete package of information submitted by the applicant is available on Council's website at the following link:

https://www.woollahra.nsw.gov.au/building_and_development/development_rules/previous_and_proposed_exhibitions/planning-proposal-252-254-new-south-head-road-double-bay/

This includes the following documents:

- Planning Proposal Report by GSA Planning - 11 March 2020 (see **Annexure 1**)
- Architectural drawings by Antoniades Architects - 26 Feb 2020
- Urban Design Report by GMU Urban Design and Architecture - March 2020
- Traffic and parking impact report by TTPA - March 2020
- Acoustic assessment by Renzo Tonin & Assoc - 2 March 2020
- Arboricultural impact assessment by Advanced Treescapes - 11 March 2020
- Stormwater management drawings by Antoniades Architects / Integrated Group Services - March 2020
- Letter addressing additional information request by GSA Planning - 12 June 2020
- View analysis by GSA Planning - 12 June 2020
- View analysis drawings by Antoniades Architects - 10 June 2020
- Shadow diagrams by Antoniades Architectures - 10 June 2020
- Survey plan by Cibar Surveying - 23 Sept 2019
- Pre-application consultation response - 5 September 2019 (see **Annexure 2**).

4. The request for a planning proposal

As identified in the report by GSA Planning at **Annexure 1**, the intended effect of the request for a planning proposal is to facilitate redevelopment of the site for a part seven storey, part eight storey RFB with car parking. The proposal seeks the following changes to the Woollahra LEP 2014:

Table 1: Existing and proposed Woollahra LEP 2014 provisions

Provision	Existing	Proposed
Zone	R3: Medium Density Residential	No change
Maximum Height	13.5 m	22m
Secondary height limit	N/A	RL 45.90m AHD along New South Head Road.
FSR	1.3:1	2.6:1

The applicant submitted an indicative development concept of the potential built form facilitated by the requested planning provisions. The proposed part seven storey, part eight storey residential flat building comprises:

- 33 apartments, with a mix of studios (14), 1 bedroom units (13), and 2 bedroom units (6)
- Six car spaces (4 resident and 2 car share), 1 motorcycle space and 38 bicycle spaces.

The concept proposal provides a net gain of 25 additional residential units on the subject site.

Figures 5 to 7 below show extracts of the indicative development concept proposed for the subject site.



Figure 5: Proposed building envelope: maximum 22m height envelope shown with dashed line and secondary height plane of RL 45.90m AHD shown in green (Source: Antoniades Architects)

Woollahra Municipal Council
Environmental Planning Committee

02 November 2020

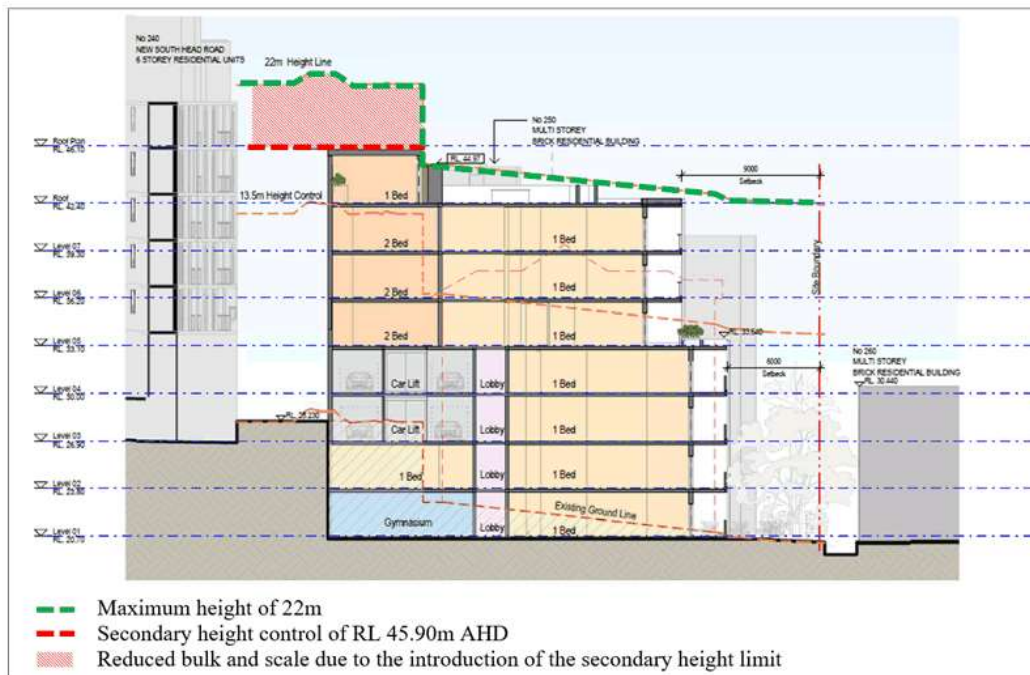


Figure 6: North-south cross section of the development concept showing the proposed height of the development concept and proposed combination of height controls (source: Antoniades Architects)



Figure 7: Indicative development concept site plan: illustrating the proximity of the development concept to the site boundary and the neighbouring buildings. (source: Antoniades Architects).

Woollahra Municipal Council
Environmental Planning Committee

02 November 2020

5. Assessment of the request for a planning proposal

In the request for a planning proposal, the applicant has mitigated some of the concerns expressed in the pre-application advice by recommending a secondary height control. However, the request is otherwise identical to that submitted in the pre-application planning proposal which was not supported by Council staff (see **Annexure 2**).

Staff do not support the current request as it lacks strategic merit on a number of planning grounds. The request would result in a bulk and scale which is inconsistent with the vision and objectives of the strategic framework, particularly the *Woollahra Local Strategic Planning Statement (LSPS)*, *Woollahra LEP 2014* and *Woollahra DCP 2015*. It will result in a built form with adverse impacts on the surroundings, particularly with regard to local character, landscape, views and amenity.

5.1. State Environment Planning Policy (SEPP) 65 - Design Quality of Residential Apartment Development

The proposed height and FSR standards would permit development which is of an excessive bulk and scale which would fail to achieve the principles in *State Environment Planning Policy (SEPP) 65 - Design Quality of Residential Apartment Development*. In particular:

Principle 1: Context and Neighbourhood Character –the requested planning provisions fail to respond to its context, adjacent sites, streetscape and neighbourhood.

Principle 2: Built Form and Scale - the requested planning provisions fail to achieve a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.

Principle 5: Landscape –the requested planning provisions would result in a built form which would be unable to achieve integrated landscaping and built form on the site.

5.2. Woollahra LSPS

The proposal does not respond to the desired future character of the area as described in the *Woollahra LSPS*.

Key elements of the long term land use vision for the entire local government area, as set out in the *Woollahra LSPS*, are to protect and enhance local character and the landscape setting. The proposal is inconsistent with the following Planning priorities

- **4:** *Sustaining diverse housing choice in planned locations that enhance our lifestyles and fit in which our local character and scenic landscapes.*
- **6:** *Placemaking supports and maintains the local character of our neighbourhood and villages whilst creating great places for people.*
- **11:** *Conserving, enhancing and connecting our diverse and healthy green spaces and habitat, including bushland, tree canopy, gardens and parklands.*

The proposed changes would permit development which is inconsistent with the low scale and leafy character of the residential precinct and negatively impact on the urban tree canopy cover and landscaping.

5.3. *Woollahra LEP 2014*

The proposed provisions do not respond to the maximum building height and FSR objectives in the Woollahra LEP 2014, particularly those related to the desired future character and impacts on the surrounding area.

- ***Cl 4.3: Height of buildings***

The existing standard on the site permits a maximum building height of 13.5m. The request for a planning proposal seeks a maximum building height of 22 m which is approximately 60% greater than the existing standard on the site.

The building height objectives of clause 4.3 of Woollahra LEP 2014 are as follows:

- (a) *to establish building heights that are consistent with the desired future character of the neighbourhood,*
- (b) *to establish a transition in scale between zones to protect local amenity,*
- (c) *to minimise the loss of solar access to existing buildings and open space,*
- (d) *to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion,*
- (e) *to protect the amenity of the public domain by providing public views of the harbour and surrounding areas.*

Council staff note that the applicant has attempted to mitigate the height impacts with a secondary height control of RL 45.90m AHD. However, having considered the desired future character of the Double Bay residential precinct, the requested increase in height is inconsistent with the objectives above, particularly objectives (a), (b), (d) and (e).

- ***View sharing***

The request for a planning proposal was accompanied by the following two documents:

- *View analysis by GSA Planning - 12 June 2020*
- *View analysis drawings by Antoniades Architects - 10 June 2020*

Council staff identified that the request for a planning proposal must address any view sharing impacts relating to surrounding properties. This assessment must be based on the **maximum** building envelope created by the requested planning standards, not the building envelope of the concept building. However, the documentation submitted with the application has failed to address view sharing impacts from the maximum building envelope i.e. the applicant has only provided an assessment of view impacts resulting from the indicative development concept.

This view analysis, prepared by GSA Planning, has considered views from the two neighbouring sites at 240 New South Head Road to the west, and 365A Edgecliff Road to the south of the site (see **Figure 8** below).



Figure 8: Location of buildings assessed in the view analysis report

The view analysis report provided by GSA Planning states that:

- *The existing views are retained or improved.*
- *The view effects are reasonable, and the Planning Proposal's environmental and built form effects will be minimal.*

In particular, the report states that:

- *In terms of the reasonableness of the proposal, although there is a minor potential view reduction from View 1 at Level 3 of No. 240 New South Head Road, majority of potential views are generally retained or improved, as a result of the concept building form.*
- *Any view reduction is likely to be relatively negligible or minor (Page 17).*
- *In terms of the reasonableness of the proposal, views are generally unaffected at the middle and upper levels, and there appear to be no existing water views at the lower levels from living room windows at No. 365A Edgecliff Road due to existing vegetation and development.*
- *There appear to be no potential view loss as a result of the concept building form, with all middle and upper level views assessed appear to be entirely retained (Page 23)*

Council staff do not support the request on the basis that the view analysis is insufficient for the following reasons:

1. The analysis only considered view loss associated with the indicative concept building, and not the maximum building envelope.
2. The analysis failed to accurately assess existing views from the adjoining buildings and relied upon 3D Imagery prepared by Antoniades Architect.

A comprehensive view sharing assessment could potentially identify greater view impacts to the surrounding properties.

- ***Woollahra LEP 2014: Cl 4.4: Floor space ratio***

The existing standard on the site permits a maximum FSR of 1.3:1. The proposed FSR of 2.6:1 is 100% greater than the existing FSR standard on the site.

The objectives of clause 4.4 of Woollahra LEP 2014 are as follows:

Woollahra Municipal Council
Environmental Planning Committee

02 November 2020

- (a) for development in Zone R3 Medium Density Residential:
- i. to ensure the bulk and scale of new development is compatible with the desired future character of the area, and
 - ii. to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain, and
 - iii. to ensure that development allows adequate provision on the land for deep soil planting and areas of private open space.

Council staff have undertaken an analysis of the existing site coverage of the neighbouring properties in the Double Bay residential precinct. The majority of these sites have a site coverage of approximately 40% or less and an FSR of less than 2:1. The proposed FSR of 2.6:1 is significantly higher than the surrounding development and the current FSR standard. It results in a site coverage of approximately 60%.

The proposed FSR would result in an excessive building envelope with compromised setbacks and separation distances on the side boundaries. This will impact the amenity of the future users of the site and the neighbouring buildings, in particular:

- o A reliance on non-habitable openings on side facades
- o Reduced opportunities for landscape buffers on side boundaries
- o Poor amenity for internal spaces
- o Adverse impacts on the outlook of the neighbouring sites
- o A blank and un-articulated façade to the public domain.

Having considered the site and its context, the proposed FSR would permit development which would be inconsistent with the objectives identified above. In combination with the requested height control, it would permit development which would create excessive bulk and scale, increased site coverage and significantly reduce the potential for adequate landscaping and deep soil planting to the eastern and western boundaries.

5.4. Woollahra DCP 2015

The proposal does not respond to the desired future character of the area as described in the Woollahra DCP 2015. We note the following which is taken from the Double Bay residential precinct character as set out in Section B1.3

The precinct is notable for both the density of its built form and its green landscape character. The tree canopy, formed by both street trees and private plantings, is a prominent element in the municipality's presentation from Sydney Harbour and should be maintained.

Further, the following extracts are taken from Section B1.3.2 Desired Future Character

Streetscape character and key elements of the precinct

Development respects and enhances the existing elements of the neighbourhood character that contribute to the precinct including:

d) the established tree canopy;

Desired future character objectives

O1 To respect and enhance the streetscape character and key elements of the precinct.

O2 To reinforce a consistent building scale within streets.

- O4 To maintain the evolution of residential building styles through the introduction of well designed and contemporary buildings, incorporating modulation and a varied palette of materials.*
- O9 To retain and reinforce the green setting of mature street trees, private trees and garden plantings*

Contrary to these objectives, the proposed changes would permit development which:

- Fails to enhance the streetscape character
- Is not consistent with the building scale on the streets
- Is not well modulated
- Is unable to retain and reinforce the green setting.

This section of New South Head Road (between Edgecliff and Double Bay Centres) has an established landscape character in both the public and private domain. The landscaping at the New South Head Road frontage of the site, combined with the landscaping at 365 Edgecliff Road, facilitates a green gateway when moving west to east into the Double Bay residential precinct.

In addition, at this location there is a built form transition from higher density development in the Edgecliff Centre to the lower-density built form in the Double Bay residential precinct. The building at 240 New South Head Road (to the south west of the site) marks the entrance to the Edgecliff Commercial Corridor. This landscape and the height transition is illustrated in **Figure 9**.




 Landscaping at New South Head Road (in both the private and public domain) in the Double Bay residential precinct

Figure 9: Existing streetscape character of New South Head Road at the entrance to Double Bay residential precinct

Woollahra Municipal Council
Environmental Planning Committee

02 November 2020

The proposed maximum building height combined with the secondary height standard, creates a street wall height that both dominates and disrupts the established tree canopy along New South Head Road. This is not consistent with the desired future character under the Woollahra DCP 2015 B1.3.2, particularly the following objectives:

- O1 To respect and enhance the streetscape character and key elements of the Precinct.*
- O5 To ensure that rooflines sit within the predominant street tree canopy.*
- O9 To retain and reinforce the green setting of mature street trees, private trees and garden plantings.*

The proposed bulk, scale and street wall height which would result from the proposed provisions, creates a similar built form volume to the adjoining site at 240 New South Head Road. A built form volume of this scale is more consistent with buildings in the Edgecliff Commercial Corridor, rather than responding to the context of the Double Bay residential precinct within which the site lies.

Furthermore, Council's tree management team are concerned that the footprint of the concept building would intrude into the *Tree Protection Zone* (TPZ) of the existing Jacaranda tree at the sites frontage to New South Head Road. However, it is noted that the proposed documents have not clearly illustrated all the existing and proposed RL's within the TPZ area of the tree, in order to fully assess the potential impacts on the tree.

We also note that development with the proposed bulk and scale is unlikely to achieve the Design Excellence Objectives in Woollahra DCP 2015 B3.1.3, in particular:

- o *4. Development contributes positively to the streetscape.*
- o *6. Development provides high levels of amenity for the both the private and public domain.*

6. Staff recommendation

In summary, Council staff do not support the request as it lacks strategic and site specific merit, particularly:

- 1) The proposed maximum building height and FSR standards are excessive and would create a building envelope which has an excessive bulk and scale.
- 2) The requested increase in both the maximum building height and FSR standards are inconsistent with the existing and desired future character of the Double Bay residential precinct.
- 3) The proposed standards would create a building envelope that will adversely impact on the site and its surroundings, particularly with regard to streetscape; landscape character and views.

7. Next steps

Should Council resolve not to support the request for a planning proposal, the next step is to notify the applicant of its decision in accordance with clause 10A of the *Environmental Planning and Assessment Regulation 2000*.

However, if Council decides to support the request, the next step is for staff to prepare a planning proposal in accordance with the *Environmental Planning and Assessment Act 1979* and the relevant guidelines. In this scenario, staff may require additional information or justification statements from the applicant to support the request for a planning proposal. Following the submission of this information to staff satisfaction, staff will prepare a planning proposal. As of 1 June 2018, Council must refer all planning proposals to the Woollahra Local Planning Panel for advice. This advice would then be reported to the Environmental Planning Committee.

Woollahra Municipal Council
Environmental Planning Committee

02 November 2020

8. Conclusion

On 12 June 2020, Council staff received the full package of information to assess a request for a planning proposal for 252-254 New South Head Road, Double Bay. This request for a planning proposal is seeking the following changes to the Woollahra LEP 2014 to:

- Increase the maximum building height standard from 13.5 to 22m.
- Introduce a secondary height control of RL 45.90m AHD at the New South Head Road.
- Increase the maximum FSR from 1.3:1 to 2.6:1.

Council Staff recommend that Council resolves not to support the request for a planning proposal as it lacks strategic and site specific merit. The proposed maximum height and FSR standards would create a building envelope which has an excessive bulk and scale.

The requested increase in both building height and FSR standards are inconsistent with the existing and desired future character of the Double Bay residential precinct and a development built to the scale permitted by the proposed standards would adversely impacts on the site and its surrounding context

Annexures

1. Planning Proposal Report by GSA Planning - 11 March 2020
2. Pre-application consultation response - 5 September 2019



Mr Craig Swift-McNair
General Manager/Chief Executive Officer
Woollahra Municipal Council
PO Box 61
Double Bay NSW 1360
records@woollahra.nsw.gov.au

Attn: Nick Economou (Manager, Strategic Planning)

27 July 2021

Dear Mr Swift-McNair

Request for a Rezoning Review - RR-2021-69

I refer to your request for a Rezoning Review for a proposal at 252 – 254 New South Head Road, Double Bay to amend the Woollahra Local Environmental Plan to increase the maximum permissible floor space ratio (FSR) from 1.3:1 to 2.6:1;

- Increase the maximum permissible building height from 13.5 metres to 22 metres; and
- Introduce a secondary height control of reduced level (RL) 45.90 Australian Height Datum (AHD) to a portion of the site at the New South Head Road frontage. The proponent has presented two options to implement this control:

- o Option A: RL 45.90 AHD within an area 11m perpendicular to both the southern and south-eastern boundaries (Figure 1); or

- o Option B: RL 45.90 AHD within an area south of a line 5m from the southern and south-eastern boundaries, running across the site (Figure 2).

If approved, the concept plans envisage a part 7-storey, part 8-storey residential flat building, with a part 5-storey, part 6-storey street wall height at the New South Head Road frontage, due to the proposed secondary height control.

The proponent has indicated they are willing to initiate discussions with Council regarding a potential voluntary planning agreement (VPA) for the planning proposal.

The Sydney Eastern City Planning Panel has determined that the proposal should be submitted for a Gateway determination. In making this decision, the Planning Panel considered the request and advice provided by the council. A copy of the panel's decision is attached.

Consequently, Council is invited to be the Planning Proposal Authority (PPA) for this proposal and to advise the Planning Panels Secretariat within 42 days of the date of this letter whether it will undertake the role of PPA for this proposal. Should Council agree to be the PPA, it will need to prepare a planning proposal under section 3.33 (formerly section 55) of the *Environmental Planning and Assessment Act 1979* and submit it for a Gateway determination within 42 days after accepting this role.

Planning Panels Secretariat

4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 |
www.planningportal.nsw.gov.au/planningpanels

If Council does not wish to progress this matter, the panel will be appointed to prepare the planning proposal.

If you have any queries on this matter, please contact Stuart Withington, Manager, Planning Panels Secretariat on (02) 8217 2061 or via email to stuart.withington@planning.nsw.gov.au

Yours sincerely



Jan Murrell
Acting Chair, Sydney Eastern City Planning Panel

encl. Rezoning Review Record of Decision



Planning Panels

REZONING REVIEW RECORD OF DECISION SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DECISION	22 July 2021
PANEL MEMBERS	Jan Murrell (Chair), Susan Budd, Sue Francis, Mary-Lou Jarvis, Toni Zeltzer
APOLOGIES	Carl Scully, Roberta Ryan
DECLARATIONS OF INTEREST	None

REZONING REVIEW

Rezoning Review - RR-2021-69 – Woollahra at 252 – 254 New South Head Road, Double Bay (AS DESCRIBED IN SCHEDULE 1).

Reason for Review:

- ☒ The Council has notified the proponent that the request to prepare a planning proposal has not been supported.
- ☐ The Council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support.

PANEL CONSIDERATION AND DECISION

The Panel considered the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:


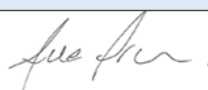

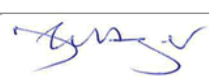
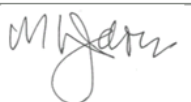
- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has
- ☐ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

- The Panel notes that whilst the subject site is not contained within either the Double Bay or Edgecliff strategic planning work that has or is being undertaken by Council, it is noted that this work has either not been adopted by Council or has not been completed after many years of consideration. However, the site does adjoin the study area of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy on public exhibition until 3rd September 2021.
- The Panel considers the site to be well located for increased residential density due to its proximity to the Edgecliff train station and bus interchange.
- The Panel notes the applicant's site is adjacent and, in many respects relates to the Edgecliff Centre. However, at the same time the Panel is cognisant of the fact that the site is in proximity to a lower density zone and regard must be given to the topography to ensure that this residential zone is not overwhelmed.
- The Panel is also aware that the development at 240-246 New South Head Road has been the subject of a site specific Planning Proposal which increased height and FSR.

- In respect of site specific issues, the proposed height and site specific clause allows for a transition from 240-246 New South Head Road to 256 New South Head Road and the proposed yields are not inconsistent with the existing built form in the area.
- The Panel notes the briefing report refers to the applicant's willingness to initiate discussions with Council regarding a VPA which would provide public benefit and the Panel encourages the applicant to finalise such discussions so that any draft VPA can be placed on exhibition with the draft Planning Proposal.
- Whilst the proposal has both strategic and site specific merit the Panel recommends to the delegate that in granting any Gateway determination a site specific DCP be prepared to address the unique constraints of this site, particularly to ensure that privacy (including aural privacy), overshadowing and view-sharing are addressed and that the DCP be exhibited at the same time as the Planning Proposal. The Panel further recommends that the DCP include the following matters:
 1. That due to the location immediately adjacent to the Edgecliff train Station and bus interchange that carparking on the site be minimised or deleted and that servicing only be provided.
 2. The residential mix (noting that concept plans accompanying the Planning Proposal comprise 80% studio flat and one bedroom units) and provision of more affordable housing, which will meet a demand in the LGA and be appropriate given the convenience of a transport orientated location.
 3. The deep soil area to maintain the Jacaranda tree is to be shown on the DCP.
 4. A building envelope that establishes appropriate height and setbacks to maintain amenity to adjoining residential properties and deep soil planting.
- The Panel also recommends to the delegate that the proponent should undertake further testing to ensure the proposed FSR can be contained in the proposed height limit whilst satisfying the other built form and amenity outcomes, deep soil planting and tree canopy that would be required.

PANEL MEMBERS	
 Jan Murrell (Chair)	 Sue Francis
 Susan Budd	 Toni Zeltzer
 Mary-Lou Jarvis	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF – ADDRESS	Rezoning Review - RR-2021-69 – Woollahra at 252 – 254 New South Head Road, Double Bay
2	LEP TO BE AMENDED	Woollahra Local Environmental Plan 2014
3	PROPOSED INSTRUMENT	<p>The Proposal seeks to amend development standards within the Woollahra Local Environmental Plan (LEP) 2014 as it applies to 252-254 New South Head Road, Double Bay to:</p> <ul style="list-style-type: none"> • Increase the maximum permissible floor space ratio (FSR) from 1.3:1 to 2.6:1; • Increase the maximum permissible building height from 13.5 metres to 22 metres; and • Introduce a secondary height control of reduced level (RL) 45.90 Australian Height Datum (AHD) to a portion of the site at the New South Head Road frontage. The proponent has presented two options to implement this control: <ul style="list-style-type: none"> o Option A: RL 45.90 AHD within an area 11m perpendicular to both the southern and south-eastern boundaries (Figure 1); or o Option B: RL 45.90 AHD within an area south of a line 5m from the southern and south-eastern boundaries, running across the site (Figure 2). <p>If approved, the concept plans envisage a part 7-storey, part 8-storey residential flat building, with a part 5-storey, part 6-storey street wall height at the New South Head Road frontage, due to the proposed secondary height control.</p> <p>The proponent has indicated they are willing to initiate discussions with Council regarding a potential voluntary planning agreement (VPA) for the planning proposal.</p>
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Rezoning review request documentation • Briefing report from Department of Planning, Industry and Environment
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANELS	<ul style="list-style-type: none"> • Site inspection: Panel members visited the site independently, prior to 22 July 2021. • Briefing with Department of Planning, Industry and Environment (DPIE), Council and Proponent: 22 July 2021 <ul style="list-style-type: none"> o Panel members in attendance: Jan Murrell (Chair), Susan Budd, Sue Francis, Mary-Lou Jarvis, Toni Zeltzer o DPIE staff in attendance: Simon Ip, Lawren Drummond o Council representatives in attendance: Neda Vandchali, Anne White o Proponent representatives in attendance: George Karavanas, Elina Braunstein, Yvette Middleton, Mitchell Corn, Andreas Antoniadis, Hpone Thaug

Item No: 12.2
Subject: **UPDATE ON COVID-19 SUPPORT INITIATIVES**
Authors: Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
Approver: Craig Swift-McNair, General Manager
File No: 21/153214
Reason for Report: To report on the progress on Council's support initiatives and activities including their budget impact in light of the current and ongoing lockdown due to the COVID-19 pandemic.

Recommendation:

- A. THAT Council note the information as included in this August 2021 COVID-19 Support Initiatives update report.
- B. THAT Council note the estimated financial impact of the current COVID-19 restrictions, including associated support initiatives, is \$787,534 for the month of July 2021 and \$1,892,279 for the full 2021-2022 financial year and that it this will increase should the current stay at home restrictions be extended beyond 28 August 2021.
- C. THAT Council approves the process, assessment criteria and guidelines at Annexure 1 for the Revitalisation Grants Program.
- D. THAT Council provide rent relief for Council's small and medium enterprise (SME) tenants, consistent with the National Cabinet Mandatory Code and associated NSW Regulations with a further update reported to Council in September 2021.
- E. THAT Council note the information contained in the report relating to management of beaches over the coming Spring/Summer period.
- F. THAT the General Manager be authorised to manage beaches throughout the Spring/Summer period in accordance with prevailing Public Health Orders and advice from NSW Police and NSW Health.

Background:

A report was presented to Council at its meeting on 26 July 2021 outlining the impact at that time of the outbreak of the COVID-19 Delta variant. The outbreak had led the NSW government to impose Stay-At-Home Orders (SAHO) from 26 June 2021 that, at the time of writing that report, were through to 30 July 2021. A number of support measures by Council that would supplement both the Federal and NSW government support measures that had been introduced, were outlined in the report. In response to this, Council resolved a number of initiatives as detailed below.

The purpose of this report is to address Council resolution H) detailed below, which is to provide progress of the support initiatives in response to the current and ongoing lockdown due to the COVID-19 pandemic including budget impacts.

Based on Council's experience since the emergence of COVID-19 in March 2020 and in addition to the recently resolved relief initiatives, Council officers anticipate that there will be further adverse impacts on Council's budget from things like reduced car parking usage (i.e. Cross St car park), reduced fire safety and health inspection activity and general reduced activity within other areas of income. Details of these and other estimated impacts on Council's budget are also outlined in this report.

Following is the Council resolution relating to the latest COVID-19 support measures from 26 July 2021:

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

the monthly review.

- I. THAT further to the resolution adopted on 28 June 2021, Council move forward with notifying businesses and residents in relation changes to the 30 minute free ticket parking in the metered parking areas of Double Bay and Paddington.*
- J. THAT Council continue to seek funding from State and Federal Governments in relation to commitments made by Council in the 2021-2022 budget.*
- K. THAT Council thank Council staff for their dedication in continuing to provide a range of services to the community throughout the current stay-at-home orders, with particular thanks going to the frontline staff who are out in the community doing essential work during this time.*

Current Situation:

During the month that has passed since the 26 July 2021 COVID-19 report was presented to the Council, NSW has seen an extension of the SAHO's for Greater Sydney through to 28 August 2021, with a strong likelihood that there will be a further extension to these SAHO's into September. On 14 August 2021, these SAHO's were extended to include all of regional NSW as well, for a period of at least 7 days.

In addition, to the SAHO's, a range of further restrictions have been implemented progressively since 18 July 2021 for residents across a range of Sydney metropolitan Local Government Areas (LGA's), that are considered LGA's of concern. Those metropolitan LGA's are Bayside, Blacktown, Burwood, Campbelltown, Canterbury-Bankstown, Cumberland, Fairfield, Georges River, Liverpool, Parramatta, Strathfield, and some suburbs of Penrith.

With close to a quarter of Council's staff living in the above-mentioned LGA's of concern, continuing to deliver services to our community has been and will continue to be an ongoing challenge. For a period of two weeks some operational services such as cleansing were impacted but now the vast majority of staff have returned to work as they are considered to be authorised workers and so services are unlikely to be significantly impacted. The majority of staff from right across Council that are able to practicably work from home have been doing so for some months now, noting that many Council staff who do live in the LGA's of concern are able to work from home. The management team will continue to work through the various challenges these ongoing restrictions present as required and will inform Councillors and the community if there are to be any noticeable impacts on services to the community.

Budget Impact

1. Support Measures

The recently adopted support measures which will have a direct impact on Council's budget (and are detailed in Council's recommendations B), C) and E) above from the 26 July 2021 Council Meeting) are summarised in **Table 1** below. This summary shows that the budget impact for the month of July was **\$72,368**. Based on the current SAHO's being in place until 28 August, the total

budget impact is estimated at **\$261,330**. Should the current stay at home orders be extended it is estimated that the budget impact will increase by around **\$70,000** per month.

Table 1 – Support Measures

	Actual July \$	Estimate August \$	Estimate September \$	Estimate October \$	Estimate Total \$
<u>Loss of Income</u>					
Outdoor Dining Fees (Resolution B&C)	52,066	52,066	52,066	52,066	208,263
Community Rental Waiver* (Resolution E)	20,302	16,939	15,825		53,066
Total	72,368	69,005	67,891	52,066	261,330

*From 26 June 2021

National Cabinet's Mandatory Code of Conduct for Commercial Leasing

On Friday 13 August 2021, the NSW Government announced that it will re-introduce the National Cabinet's Mandatory Code of Conduct for Commercial Leasing to mandate rent relief for eligible tenants impacted by COVID-19.

The Retail and Other Commercial Leases Regulation (COVID-19) Regulation 2021 will require landlords to renegotiate rent having regard to National Cabinet's Code of Conduct. The Code of Conduct requires landlords to provide rent relief in proportion with their tenant's decline in turnover. Of the rent relief provided, at least 50 per cent must be in the form a waiver, and the balance a deferral.

At the time of writing this report Council has been approached by a number of Commercial tenants seeking various levels of assistance including rent relief, partial rent relief, rent deferral or a combination of these. Council staff will be working through the details with each of the impacted tenants, including consideration of other sources of government support the businesses are entitled to, over the coming weeks and an update will be included in the September report to Council.

2. Other COVID 19 Financial Impacts:

As previously noted, based on Council's experience since the emergence of COVID-19 in March 2020, we anticipate that there will be further adverse impacts on Council's budget from the current SAHO's from a range of areas that whilst not specifically part of the relief measures Council has resolved to put in place, are impacted by the SAHO's.

Table 2 below summarises the other COVID-19 budget impact areas, which for the month of July 2021 was **\$715,166**. Based on the current SAHO's being in place until 28 August, the total budget impact is estimated at **\$1,495,949**. Should the current stay at home orders be extended it is estimated that the budget impact will increase by around **\$715,000** per month. Following is detail relating to these other COVID-19 budget impacted areas, followed by the summary of these impacts as found in **Table 2** below.

Infringement Income

Council's Regulatory staff have been significantly impacted with the changed working arrangements as a consequence of the current COVID-19 situation. There has been a reduced number of available staff due to the locking down of a number of LGAs, resulting in a reduction of overall shifts and a move away from our regular proactive parking patrols in the metered parking areas and time restricted parking areas, including commercial and resident parking zones, with this approach being in support of the fact that the majority of people are working from home.

During this time Council's Parking Enforcement staff have been focusing on:

- Safety issues such as 'No Stopping' and 'No Parking' zones;
- Responding to customer requests and complaints in relation to work zone, loading zone, disability parking and parking across driveway offences; and
- Undertaking proactive patrols of Council's public spaces such as parks, reserves, beaches and harbour side pools to educate and inform users of the social distancing requirements that are in place across the various Public Health Orders (PHO's).

The above changes introduced in response to COVID-19 will result in a reduction of our parking fine / infringement income. This is anticipated to average **\$325,000** for each month of lockdown.

In relation to infringements Council issues for building sites and other work sites, staffing has been impacted by the LGA's of concern and this coupled with the closure of building sites during July 2021 has resulted in infringements with a significant lower face value than previous months. This will result in lost income opportunities but it is difficult to quantify the longer term impact at this point. This will be further considered in the September report to Council.

Commercial Waste Fees & Charges

Commercial waste fees & charges have reduced in line with reduced collection requirements, due to many businesses being closed. For July this totalled approximately **\$52,000** and it is anticipated this will continue for at least the period of the SAHO's.

Fire Safety and Food & Health Premises Inspections

With the current restrictions in place there is an inability for inspections to be undertaken and any infringements associated with non-compliance to be issued. The impact in July was a reduction in income of **\$11,800** and at this point is anticipated to be **\$11,300** for the month of August.

Community Facility Hire

Community hire spaces are currently closed as part of the SAHO's. The impact on anticipated revenue is **\$21,000** per month. Following the lifting of the SAHO's in 2020, Council found that the subsequent per square meter rule restrictions severely impacted on Council's ability to hire its community facilities. Based on this, it has been assumed that the impact on Council's budget will continue beyond the current SAHO's to the above-mentioned level.

Parking Meter Income

There has been a reduction in Parking Meter income as a result of reduced usage during the current SAHO's. For July 2021, this totalled **\$101,197**. This is anticipated to continue at an average of **\$100,000** per month until the current SAHO's are lifted.

Car Park Income

Council's car parks have experienced a significant decline in their usage as well as a reduction in the amount of time people are parking, with people usually leaving the car parks within the free parking period. For July 2021, this totalled **\$191,008**. This is anticipated to continue at an average of **\$190,000** per month until the current restrictions are lifted.

Additional Expenditure

Additional expenditure will be required for the continued and increased use of Variable Message Signs (VMS) at various locations within the LGA as well as the site shed, toilets and generator at the testing clinic at Lyne Park. For July 2021, this totalled **\$13,161**. This is anticipated to continue at an average of **\$13,161** per month until the testing clinic is no longer required.

Capital Projects

As noted in the project commentary in the Quarterly Capital Program Status Report presented to the Finance, Community & Services Committee at its meeting of 9 August 2021, a number of projects have been delayed or put on hold due to restriction of movement of construction staff who live in declared LGAs. We expect these delays to continue throughout August and early September, with the impact reducing as vaccination status of contractor staff improves.

Table 2 – Other Budget Areas Impacted

	Actual July \$	Estimate August \$	Estimate September \$	Estimate October \$	Estimate Total \$
<u>Loss of Income</u>					
Infringement Revenue	325,000	325,000			650,000
Commercial Waste Fees & Charges	52,000	52,000			104,000
Fire Safety, Health Inspections	11,800	11,300			23,100
Community Facility Hire	21,000	21,000	21,000	21,000	84,000
Parking Meter Income	101,197	100,000			201,197
Car Park Income	191,008	190,000			381,008
<u>Additional Expenditure</u>					
Testing Clinic & VMS Board Expenses	13,161	13,161	13,161	13,161	52,644
Total	715,166	712,461	34,161	34,161	1,495,949

Revitalisation Grants Program Update:

As per Council resolution F) as detailed above from the Council meeting held on 26 July 2021, work has been undertaken to further develop the Revitalisation Grants (the Grant) program relating to the process, the selection criteria and guidelines.

As a reminder, the purpose of these Grants are to assist the local community following the lifting of the current COVID-19 lockdown. This report aims to detail the Revitalisation Grants Program process, selection criteria and guidelines.

Businesses, individuals, community groups, not-for-profit organisations and registered charities located within or serving the Woollahra LGA will be able to apply for these one-off, short-term and time-limited grants, utilising funding already included in Council's 2021-2022 budget. Principally, the grants program is intended to:

- a) Support the needs and aspirations of the community arising from COVID-19;
- b) Provide critical funding to projects that encourage businesses, residents and community groups to assist in the revitalisation of key places and precincts significantly impacted by COVID-19;
- c) Enable grant assistance to innovative and strategic projects that that deliver a benefit to our community; and
- d) Support cultural activities that revitalise and encourage community participation.

As per the report to Council on 26 July 2021, the Grant program would be open for applications from approximately one month after the current lockdown for a period of 4 weeks only, for delivery of a revitalisation activity through to 31 March 2022.

A revitalisation activity could be an innovative community event or program, a wellbeing event or program, or a business or community led place activation initiative that supports the needs and aspirations of the community and businesses arising from COVID-19. Whilst encouraging residents and businesses to participate in activities that assist in revitalising the community, activities would need to be delivered within the parameters of NSW Public Health Orders in place at the time.

For clarity, an event is considered to be a one-off activity or occasion whereas a program is considered to be something with broader community or business benefits e.g. a small program responding to social isolation, community connectedness or improved mental health.

The Grants on offer through this program are as follows:

- Grants of up to \$2,000, available to individuals or community groups.
- Grants of up to \$5,000, available to businesses, not-for-profit organisations and registered charities (individuals and / or unregistered community groups may apply for this larger grant when auspiced by a not-for-profit organisation or registered charity).

These maximum funding limits have been put in place in an effort to spread available funds as far as possible across the community.

As this Grants program will only be open for submissions for a four week period, promotion will be primarily through existing communication channels and direct contact with potential applicants and relevant stakeholder groups. Promotion of the program will also utilise as many of the following channels as possible:

- Direct email to community and business stakeholders
- Social media
- E-newsletters (subject to distribution deadlines)
- Print advertising i.e. the Wentworth Courier
- Inclusion in the Mayoral column
- Inclusion in Council's on hold message, Council's website, Libraries and in the Customer Service Centre.

All applications will need to be lodged using the SmartyGrants online application system and as with any Grants program, applicants will be required to address a range of assessment criteria. Applications will then be assessed by an internal assessment panel, prior to be reported to a Council meeting for consideration by Council.

A copy of the draft process, assessment criteria and guidelines can be found at **Annexure 1**.

Management of Beaches:

Throughout the pandemic period, a range of plans have applied to the management of Council's beaches. Those plans were prepared and enacted in accordance with prevailing PHO's and were informed by advice from NSW Police and NSW Health. Management of beaches throughout the period has included a range of approaches depending on the PHO's in place at the time such as:

1. Complete closure
2. Opening for aquatic exercise only ('swim and go')
3. Opening for general beach activity with numbers limited based on number of people/m2.

In preparation for the upcoming spring/summer period, staff have developed a series of draft plans for management of beaches and other critical open spaces. The plans anticipate the most likely circumstances that will apply over the coming months, noting that experience over the past 16 months has taught us that circumstances can change very rapidly. It is therefore not recommended that Council adopt by resolution a plan for beach management as this may limit Council's agility in responding to changed circumstances. It is instead proposed that staff continue to develop and maintain management plans which can be modified and enacted at short notice, with Councillors being informed via the General Manager and Mayor of any material modifications.

The most recent iteration of the PHO (dated 14 August 2021) allows for residents of non-declared LGAs to leave home to undertake 'exercise and outdoor recreation' within 5km of their residence and in groups of no more than two (other than people from the same household). In practical terms, this allows for general beach activity to continue as long as appropriate social distancing is maintained.

If the current PHO remains unchanged as it relates to outdoor recreation for the Woollahra LGA, the management plan which will be enacted from 4 September will have the following key elements:

1. Crowds at key sites will be monitored to ensure that numbers do not exceed recommended safe capacity. Based on current advice, this will be set at 1 person/4m2.
2. Where safe capacity is likely to be exceeded, entry will be restricted as necessary to maintain safe levels. Previous experience suggests that this is only likely to occur at Murray Rose Pool Redleaf and Camp Cove Beach.
3. Signage in the form of VMS Boards will be placed at appropriate locations advising of capacity at key sites.
4. Adequate staffing, in the form of Council staff and trained security personnel, will be deployed to support the plan.
5. Staff and security personnel will be in regular liaison with NSW Police, who will be solely responsible for enforcement of PHO's.

Should the PHO's be amended to allow for exercise only (as has already occurred for declared LGAs), an alternative plan based on the 'swim and go' model will be enacted.

The estimated staff and security costs should we need to monitor beaches weekends & public holidays from 4 September 2021 through to the last weekend in February 2022 is **\$135,000**.

Identification of Income & Expenditure:

Council's 2021-2022 operating budget, which projects a deficit of **\$4.1million** (increased from the original \$3.5million by \$0.6million in net budget rollovers from 2020-2021 as per another Item on this Agenda), was predicated on the assumption that there were no material financial impacts from COVID-19.

The support initiatives committed by Council in response to the current COVID-19 Delta outbreak and other anticipated budget impacts are, at the time of writing this report, estimated to be **\$787,534** for the month of July 2021 and **\$1,892,279** for the financial year as detailed in **Table 3** below, which includes the information contained in **Tables 1 & 2** above and the additional expenditure required for beach management. This will bring Council's estimated 2021-2022 budget deficit to **\$5.99million**.

The financial impacts and estimates and related assumptions included in this report are based on the current SAHO's ending on 28 August 2021. Should the SAHO's be extended, it is estimated that there would be a further impact of approximately **\$0.78m** for each month that the SAHO's remain in place and / or a range of related restrictions also remain in place.

Table 3 – Total Estimated Budget Impact

	Actual July \$	Estimate August \$	Estimate September \$	Estimate October \$	Estimate Total \$
Support Measures	72,368	69,005	67,891	52,066	261,330
Other Budget Areas Impacted	715,166	712,461	34,161	34,161	1,495,949
Beach Management Costs					135,000
Total Estimated Budget Impact	787,534	781,466	102,052	86,277	1,892,279

Consultation:

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

Options:

As per Council resolution H) as detailed above from the Council meeting held on 26 July 2021:

“...when considering the monthly report Council may review the COVID support initiatives and/or implement changes to them as required to better reflect NSW Public Health Orders relating to the COVID-19 pandemic as at the date of the monthly review.”

In light of the above-mentioned Council resolution, Council has the option of amending, ceasing or adding to the range of support initiatives as previously resolved by Council.

Conclusion:

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

As noted earlier in this report, the COVID-19 support initiatives introduced in response to the current Delta outbreak total **\$787,534** for the month of July 2021 and **\$1,892,279** for the financial year. This will bring Council's estimated 2021-2022 budget deficit to **\$5.99million**.

As noted throughout this report, the impacts on Council's 2021-2022 budget are based on the current SAHO's ending on 28 August 2021 and other assumptions as outlined in this report. Should the SAHO's be extended it is estimated that there would be a further impact of approximately **\$0.78m** for each month that they continue to be in place.

Annexures

1. Revitalisation Grants Program 2021 - Assessment Criteria and Guidelines [!\[\]\(4c660a3c4ce1da3313488b7854f55083_img.jpg\) !\[\]\(f01c435bb39e3068a9b4895c9a993158_img.jpg\)](#)



ANNEXURE 1

Revitalisation Grants Program Assessment Criteria and Guidelines

Woollahra Council's Revitalisation Grants Program is a one-off, short-term and time-limited program open to individuals, community groups, not-for-profit organisations and businesses located within or serving the Woollahra LGA. The program intends to address immediate needs within the community arising from COVID-19 and support the delivery of revitalisation activities through to 31 March 2022.

A revitalisation activity could be an innovative community event or program, a wellbeing event or program, or a business or community led place activation initiative that is delivered within the parameters of NSW Public Health Orders in place at the time. Principally, the grants program is intended to:

- a) Support the needs and aspirations of the community arising from COVID-19;
- b) Provide critical funding to projects that encourage businesses, residents and community groups to assist in the revitalisation of key places and precincts significantly impacted by COVID-19;
- c) Enable grant assistance to innovative and strategic projects that deliver a benefit to our community; and
- d) Support cultural activities that revitalise and encourage community participation.

The program is not intended to replace any State or Federal grant funding on offer during this or future lockdown periods or lead to a dependency on Council for the funding of recurrent programs.

Funding available and eligibility:

A total of \$115,000 is available.

The Revitalisation Grants Program offers:

- Grants of up to \$2,000, available to individuals or community groups.
- Grants of up to \$5,000, available to businesses¹, non-profit organisations and registered charities (individuals and / or unregistered community groups may apply for this larger grant if they are auspiced by a not-for-profit organisation or registered charity).

¹ Business is an Australian entity with an Australian Business Number (ABN), Australian Company Number (ACN) or Indigenous Corporation Number (ICN).

All funding submissions must:

- Be in response to the COVID-19 pandemic;
- Deliver an event, activity, project or program within the Woollahra LGA;
- Comply with NSW Public Health Orders in place at the time of program/event delivery; and
- Be completed online via SmartyGrants and include all requested information.

Current recipients of 2021/22 Woollahra Council grant funding are eligible to apply to the Revitalisation Grants Program for funding of initiatives that are in addition to currently funded projects and that innovatively respond to the COVID-19 pandemic.

Exclusions

Applicants not eligible for funding:

- NSW Government or Australian Government agencies and their entities (including schools, local health districts and hospitals);
- Political parties;
- Groups which have not fulfilled previous Woollahra Council Grant conditions and specifications; or
- Organisations with substantial funds other than for asset replacement and staff entitlements.

Funding will not be granted for projects that:

- Duplicate existing services or programs unless there is a demonstrated additional need;
- Have already commenced or been completed;
- Directly contravene or conflict with existing Council policies and plans;
- Promote or deliver events or programs that could be perceived as benefiting a political party of campaign; or
- Promote or deliver overtly religious activities.

Funding is not provided for:

- Donations to charities;
- Required Council fees and charges;
- Purchase of buildings or land;
- Capital works, defined as a building work that creates an asset or asset improvement;
- Ongoing operational expenses (eg. administration, ongoing staff wages, rent, general office supplies); or
- Fundraising projects.

Though the Revitalisation Grants Program, Council does not provide fee waivers or free use for in-house design, printing and distribution service, hall or reserve/field hire, street closures, or cleansing and waste service for events. These costs must be included in the application budget. Please consider all necessary permits required for outdoor events in public spaces.

Assessment Criteria and Guidelines

The project/event/program must meet *at least one* of the following priority areas:

- Respond to social isolation, community connectedness and/or improved mental health and resilience;
- Support vulnerable community members with basic needs (eg. food security, job security, homelessness or risk of homelessness, domestic violence) where demand has increased due to COVID-19 and that increased demand can be demonstrated;
- Provide opportunities for people to continue volunteering in the community while maintaining physical distancing requirements;
- Provide support for innovative ideas and opportunities that increase community and/or business participation and engagement;
- Enhances streetscape vibrancy through activation of public outdoor space within local business centres and/or community spaces; or
- Support local start up hubs, small business incubators and other innovative business developments.

Assessment Criteria

Each eligible application will be assessed against how well the proposed project/event/program meets each of the criteria below.

The project/event/program:

1. Has a clear rationale and addresses identified and demonstrated community need or aspirations within the Woollahra LGA.
2. Demonstrates value for money with the applicant having the capacity to manage the funds requested and deliver the project by 31 March 2022.
3. Demonstrates the applicant's ability to develop partnerships and alliances within local businesses and/or community groups where possible for the delivery of this project/event/program.
4. Will be widely promoted throughout the Woollahra LGA.
5. Can demonstrate that the proposal is equitable, inclusive, and accessible to the businesses and communities within the Woollahra LGA.

Funding is limited and only applications meeting the assessment criteria will be recommended to Council for approval. Applicants will be advised of the outcome of their application as soon as possible and successful applicants will be provided with a funding agreement, payment details and the acquittal process.

Process guidelines

- Successful applicants will be required to sign a funding agreement and provide an invoice to Council for payment of granted funds.
- Successful applicants must give appropriate acknowledgement of Council's support in all their promotional material and programming information for the project/event/program. Council will provide relevant information to the successful applicant on the use of the Council logo and branding on promotional material.
- A program/event evaluation and financial acquittal will be required within 30 days of the completion of the project. This reporting form needs to be submitted through the SmartyGrants system.

- Monies granted are to be fully expended prior to 31 March 2022, unless approval for an extension has been requested and approved in writing. Any unspent funds at 31 March 2022 are to be returned to Council.

Contact Details

For questions regarding Revitalisation Grants, contact us on (02) 9391 7112, rachel.bangoura@woollahra.nsw.gov.au or Jin Young Kim on (02) 9391 7073, JinYoung.Kim@woollahra.nsw.gov.au for business focused applications.

Item No: 12.3
Subject: **AUDIT & ASSURANCE COMMITTEE (AAC) CHARTER AND INTERNAL AUDIT CHARTER**
Author: Cheryle Burns, Manager - Business Assurance & Improvement
Approvers: Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 21/158046
Reason for Report: To present the AAC Charter, Internal Audit Charter and minutes.

Recommendation:

- A. THAT the Committee's name be changed from Audit & Assurance Committee (AAC) to Audit Risk & Improvement Committee (ARIC).
- B. THAT the ARIC Charter, **Annexure 1** and Internal Audit Charter, **Annexure 2**, be adopted.
- C. THAT the Minutes of the Audit & Assurance Committee meetings of 9 December 2020 and 3 August 2021, **Annexure 5 & 6** be received and noted.

Background:

The AAC Charter and the Internal Audit Charter require that they are reviewed by the AAC every two years and that changes are recommended to Council for adoption following endorsement by the Audit & Assurance Committee. The Charters were last reviewed in 2019.

The Audit & Assurance Committee at its meeting on the 3 August 2021 reviewed its Charter, attached as **Annexure 1** and the Internal Audit Charter, attached as **Annexure 2**. For reference the current Committee Charter adopted in 2019 is attached as **Annexure 3** and the Internal Audit Charter also adopted in 2019 is attached as **Annexure 4**.

Amendments made to both documents include renaming of the Committee from 'Audit & Assurance (AAC)' to 'Audit, Risk & Improvement' (ARIC). Proposed amendments and the change of name is in line with the proposed new regulatory requirements of the Office of Local Government (OLG) Risk Management and Internal Audit Framework and with leading best practice.

Office of Local Government new Framework for councils:

In 2016, the NSW Government made it a requirement under the Local Government Act 1993 that each council must have an Audit, Risk and Improvement Committee (ARIC).

Along with this requirement, the Office of Local Government (OLG) has been working with key stakeholders and industry experts to develop a regulatory framework that will support the operation of ARICs, and the establishment of a risk management and internal audit function for all NSW councils.

In September 2019, as a consequence of this work, the OLG released a discussion paper, "A New Risk Management and Internal Audit Framework for Local Councils in NSW". This Paper detailed the proposed new framework and submissions were invited by 31 December 2019. The OLG have advised that further changes are expected to the proposed framework and a revised version will be circulated to all councils most likely prior to December 2021.

Once the new Risk Management and Internal Audit Framework for Local Councils in NSW is released, a further report will be prepared for consideration by the Council, noting that the new framework/guidelines will be mandated for all NSW Councils. This will likely require a further review of both the Audit, Risk & Improvement Committee Charter and the Internal Audit Charter.

Meeting Minutes:

A report was presented to the Finance, Community Services Committee at its meeting on The Council at its meeting on 12 July 2021 on the “Audit & Assurance Committee – Extension of Term and Performance Report”. The recommendation from this meeting which was subsequently adopted by Council at its meeting on 26 July 2021 included Part C):

- C. *THAT the Finance, Community & Services Committee note that the minutes presented at **Annexure 2** of the Audit and Assurance Committee meeting of 2 September 2020 were consistent with current Council practice, however do not contain enough detail or particulars to be received or noted.*

In response to this the Audit & Assurance Committee has reviewed the format of its minutes to include discussion points where appropriate to provide more detail to assist the Council in reviewing future Committee activities and minutes. The minutes from this meeting are attached as **Annexure 5**. Future Committee meeting minutes will be completed using the revised format.

In relation to the minutes of the Committee meeting of 9 December 2020, it was the opinion of the Committee that it is not possible to go back and accurately record “discussion” comments. Accordingly, the minutes of the Committee meeting held on 9 December 2020, attached as **Annexure 6** remain in the previous format.







Conclusion:

The AAC Charter and the Internal Audit Charter require that they are reviewed by the AAC every two years and that changes are recommended to Council for adoption following endorsement by the Audit & Assurance Committee. This was completed by the Committee at its meeting on 3 August 2021 and are recommended to Council for adoption.

Amendments made to both documents include renaming of the Committee from ‘Audit & Assurance (AAC)’ to ‘Audit, Risk & Improvement’ (ARIC). This is in line with the proposed new regulatory requirements of the Office of Local Government (OLG) Risk Management and Internal Audit Framework and with leading best practice.

Further, that the minutes of the Audit & Assurance Committee meetings of 9 December 2020 and 3 August 2021 be received and noted, acknowledging that the 3 August 2021 Committee minutes and future Committee minutes will be presented in the revised format.

Annexures

1. Audit, Risk & Improvement Committee Charter [↓](#) 
2. Internal Audit Charter [↓](#) 
3. Audit & Assurance Committee Charter - Adopted 2019 [↓](#) 
4. Internal Audit Charter - Adopted 2019 [↓](#) 
5. Minutes of the Audit & Assurance Committee meeting held on 3 August 2021 [↓](#) 
6. Minutes of the Audit & Assurance Committee meeting held on 9 December 2020 [↓](#) 



Audit, Risk & Improvement Committee (ARIC) Charter

Adoption Date:	[date] by Council Resolution or [date] by Approval of the General Manager
Last Reviewed:	
Next Review Date:	
Division/Department:	
Responsible Officer:	[Title]
HPE CM Record Number:	

PART A – Audit Risk & Improvement Committee (ARIC) Function

1 Introduction

Good corporate governance of the Woollahra Council ("Council") promotes effective and efficient delivery of services to the Woollahra community with honesty and integrity.

The Audit, Risk & Improvement Committee ("ARIC or Committee") has an important role in the governance framework of Council by providing Council with independent oversight, objective assurance and monitoring of Council's internal audit processes, internal controls, external reporting, risk management activities, compliance of and with Council's policies and procedures, and performance improvement activities.

2 Purpose of this Charter

This Charter, which is based on the guidelines issued by the Chief Executive of the Office of Local Government pursuant to s.23A of the Local Government Act 1993, and is consistent with leading industry practice, intended to add value and drive the qualities of effective local government; being openness, transparency and accountability. The Committee helps Council accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes.

3 Status

The Committee is an advisory committee and has been established by resolution of the Woollahra Municipal Council on 5 September 2011.

4 Committee Objectives

The objective of the Committee is to provide independent assurance and assistance to the Council on risk management, control, governance, internal audits, organisational performance and external accountability requirements.

The ARIC's will in accordance with the principles outlined in *Section 428A, Part 4A Internal Audit of Local Government Amendment (Governance and Planning) Act 2016*¹, keep under review the following aspects of the Council's operations:

- (a) Compliance
- (b) risk management
- (c) fraud and corruption control
- (d) financial management
- (e) governance
- (f) implementation of the strategic plan, delivery program and strategies
- (g) service reviews
- (h) collection of performance measurement data by Council
- (i) any other matters prescribed by the regulations
- (j) internal audit

¹ Approved by not gazetted
Woollahra Municipal Council
Last Reviewed:

As part of this objective, the Committee will assess and advise whether there are adequate and effective systems of internal control in place throughout Council and will assist in the implementation of the internal and external audit plans. The Committee is also to provide information to the Council for the purpose of improving the Council's performance of its functions.

5 Authority

The Committee is established in accordance with Council's authority granted by section 355 of the Act. The Committee has no executive powers and must at all times recognise that primary responsibility for management of Council rests with the Council and the Chief Executive Officer, in accordance with the Act.

The Council authorises the ARIC as a whole (but not individual members of the Committee), within the scope of its role and responsibilities, to:

- i) Obtain information it needs from any employee or external party (subject to their legal obligation to protect information).
- ii) Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations).
- iii) Request the attendance of any employee or Councillor at Committee meetings.
- iv) Request external legal or other professional advice, as considered necessary to meet its responsibilities. The engagement and payment of costs for that advice is subject to the prior approval by the General Manager or Mayor, if appropriate.

6 Roles and Responsibilities

In carrying out its responsibilities, the ARIC must at all times operate having regard to functions of the Council and General Manager as defined by the Local Government Act.

The responsibilities of the ARIC may be reviewed or expanded by the Committee from time to time, subject to adoption by Council.

The ARIC's role will be in accordance with the principles outlined in *Section 428A, Part 4A Internal Audit of Local Government Amendment (Governance and Planning) Act 2016*² with particular emphasis on:

- Risk management;
- Internal Audit Function including its reports;
- External Audit;
- Compliance & Governance;
- Fraud and Corruption Prevention Plan; and

Specific details of each element are outlined below.

² Approved by not gazetted
Woollahra Municipal Council
Last Reviewed:

6.1 Risk Management

- i) Review and monitor Council's risk management framework and review its compliance with relevant risk management standards.
- ii) Satisfy itself that Management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud and corruption.

6.2 Internal Audit Function

- i) Support the independence of the Internal Audit Function as a management responsibility defined within the Internal Audit Policy.
- ii) Provide advice, when requested, on the appointment of Internal Audit contractors.
- iii) Review and endorse 4 Year Internal Audit Plan and Annual Audit Plan as developed by the Internal Auditor including consideration of the Enterprise Risk Management Plan.
- iv) Review audit reports and consider significant issues identified in audit reports and action taken on issues raised.
- v) Monitor the acceptance and implementation of report recommendations that come to the ARIC.
- vi) Periodically review and endorse to Council the Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place.
- vii) Confirm that an independent review on the performance of Internal Audit is conducted at least every five (5) years.
- viii) Periodically review the progress against the 4 Year Internal Audit Plan and Annual Audit Plan.
- ix) Meet at least annually, with the internal audit representative "in-camera" without the presence of management.

6.3 External Audit

- i) Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and supported by appropriate management sign-off on the statements and the adequacy of internal controls.
- ii) providing input and feedback on the financial statement and performance audit coverage proposed by external audit, and providing feedback on the external audit services provided;
- iii) Review all significant issues raised in relevant External Audit reports completed and monitor management's implementation of audit recommendations (included in the Management Letter).
- v) Provide advice to Council on action taken on significant issues raised in relevant external audit reports and better practice guides
- iii) Meet at least annually with the external audit representative, "in-camera", without the presence of management.

6.4 Compliance & Governance

- i) Satisfy itself that Council has an effective and efficient Compliance and Governance Program and Control Self-Assessment Program in place.
- ii) Satisfy itself that Management has in place appropriate policies and procedures and if these are periodically reviewed and updated.
- iii) Consider processes in place to ensure compliance with procedures, laws, regulations, standards, statutory requirements, and best practice guidelines.
- iv) Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.
- v) Appropriate policies and procedures are in place for the management and exercise of delegations.
- vi) Management has taken steps to embed a culture which is committed to ethical and lawful behaviour, as outlined in Council's Code of Conduct.

6.5 Fraud and Corruption Prevention

- i) Foster a culture of ethics in the organisation that contributes to a culture of healthy questioning, continuous improvement, strategic thinking and informed judgement.
- ii) Review the Council's Fraud and Corruption Prevention Plan and monitor progress.
- iii) Receive reports (and investigations) on fraud and corruption, risks, monitor trends, and monitor the appropriateness of preventative strategies.

6.6 Expectation of Members

Members of the ARIC are expected to:

- i) understand the relevant legislative and regulatory requirements appropriate to Council;
- ii) contribute the time needed to study and understand the papers provided;
- iii) apply good analytical skills, objectivity and good judgment;
- iv) express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry; and
- v) meet the requirements as set out in this Charter
- vi) Abide by Council's Code of Conduct in performance of their duties on the Committee.

7 Composition

7.1 Membership of the ARIC is by virtue of the appointed position and no delegates of the members are permitted.

7.2 The ARIC shall consist of (subject to adoption by Council):

- i) Members (voting)
 - One Councillor
 - Two Independent external members, one of which will be Chair
- ii) Attendees (non-voting) – (as required)
 - General Manager
 - Director Corporate Performance
 - Manager Business Assurance & Improvement
 - Chief Financial Officer
 - Manager Governance & Council Support
 - Internal Auditor
 - External Auditor
- iii) Invitees (non-voting) for specific Agenda items
 - Other Councillors may attend as observers.
 - Other officers may attend by invitation, as requested by the ARIC or General Manager.

In the absence or resignation of the appointed Chair, the other current serving independent external member shall serve as the Chair for the period of absence of the duly nominated Chair.

7.3 Term of Office and Quorum

- i) The independent external members will be appointed for a four year term ending 30 June following an ordinary Council election, after which they will be eligible for extension or re-appointment following a formal review of their performance.
- ii) The maximum number of terms an independent external member can sit on the ARIC without the need for further nominations is 2 terms up to 8 years in total.
- iii) The maximum period in the position of Chair is 5 years.
- iv) A quorum for the Committee shall be 2.

7.4 Dispute Resolution

Members of the Committee and the Council's management should maintain an effective working relationship and seek to resolve any differences they may have in an amicable and professional way via discussion and negotiation.

In the event of a disagreement between the Committee and the General Manager or other senior managers, the dispute is to be resolved by the Council.

Audit, Risk & Improvement Committee (ARIC) Charter

Unresolved disputes regarding compliance with statutory or other requirements are to be referred in the first instance to General Manager. If still unresolved disputes are then to be referred to the Mayor. Failing resolution the matter should be referred to the Office of Local Government (OLG) in writing.

7.5 Meetings

- i) The ARIC shall meet at least four times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion as well as review and endorsement of the four (4) Year Internal Audit Plan and Annual Audit Plan.
- ii) At each meeting Internal Audit will provide to the Committee the progress of the annual audit plan against agreed targets and timelines including a follow up report of recommendations that have been implemented in previously completed reviews.
- iii) The ARIC at the Chair's discretion will be given the opportunity to meet on occasion with each of the external and internal auditor without the presence of management.
- iv) A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all ARIC's responsibilities as detailed in this Committee Charter.
- v) The Chair of the Committee is to hold any additional meeting if asked to do so by another Committee member, the Council or the General Manager.
- vi) There must be a well-structured agenda prepared and provided in advance to ARIC Members along with appropriate briefing materials and minutes to record the proceedings.

7.6 Secretariat

The General Manager will appoint a Council employee to provide secretariat support to the Committee. The secretariat will ensure the agenda for each meeting and supporting papers are circulated after approval from the Chair at least five (5) days before the meeting and ensure that minutes of meetings are prepared and maintained.

Draft Minutes will be circulated within seven (7) days after the ARIC meeting for the purposes of seeking confirmation of the minutes "that they are a true and accurate recording of the meeting". On receipt of confirmation (or amendments) from each Committee member, the Chair will confirm the minutes as formerly being adopted by the ARIC and are ready for presentation to Council. This is to facilitate minutes of the ARIC being submitted to Council as early as possible after the ARIC meeting.

Once Minutes have been confirmed by ARIC Chair they must be submitted to the next Council meeting. An Advising attaching the confirmed minutes that were reported to Council will be submitted to the next ARIC meeting following Council meeting.

8 Code of Conduct and Conflicts of Interest

All members of the Committee are to abide by Council's Code of Conduct and must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

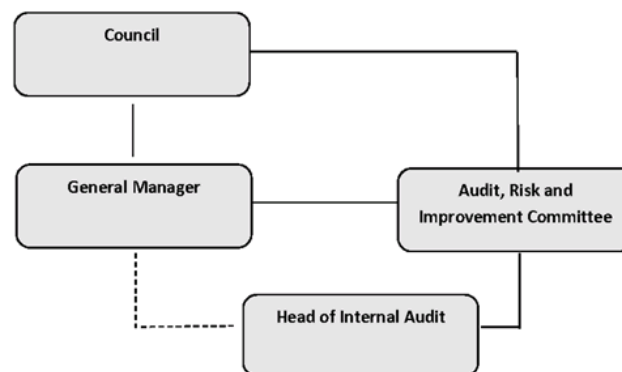
Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interests, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interests exists. The final arbiter of such a decision is the Chair of the ARIC.

9 Reporting to Council

The ARIC will report to the Council on a quarterly basis or at other times, if required.

The Diagram below shows the reporting relationship. The dotted line represents the 'administrative' reporting line and the bold line represents the 'functional' reporting line.

Diagram 1:



10 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their responsibilities.

11 Performance Assessment of the Committee and its members

The Chair of the Committee shall initiate a review of the performance of the Committee at least annually. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair. Following this a review of the Committee will be undertaken by Council on its finding.

12 Review of Audit Risk & Improvement Committee Charter

1. At least once every two years, the ARIC will review its Charter to ensure it remains current and reflects the Committee's role and objectives.
2. The Council is required to approve any changes recommended to this ARIC Charter as and when required.

13 Documentation/References

	HPECM Reference
Version 1 Revision 8 Approved by AAC at their meeting on 3 April 2019	

14 Related Policies and Procedures

	HPECM Reference

Policy Amendments

Date	Responsible Officer	Descri
11 June 2021	Manager Business Assurance & Improvement	New Corporate template, update to Charter
6 August 2021	Manager Business Assurance & Improvement	Charter updated to reflect discussion from the A&AC meeting held on 3 August 2021.



Internal Audit Charter

Adoption Date:	[date] by Council Resolution or [date] by Approval of the General Manager
Last Reviewed:	
Next Review Date:	
Division/Department:	
Responsible Officer:	[Title]
HPE CM Record Number:	

PART A - Internal Audit Function

1 Introduction

The Council has adopted a whole-of-Council approach to the development of our Business Assurance Framework. A robust business assurance framework relies on the utilisation of good risk management practices and processes and internal controls that will promote effective and efficient business operations. Internal Audit is a key component of the Business Assurance Framework.

Internal Audit is an essential process and the Internal Auditor should be independent in order to provide an objective assurance designed to add value and improve council's operations.

Internal Audit aims to provide assurance to Senior Management, the Audit, Risk & Improvement Committee (ARIC) and to the Council. It involves substantive testing of controls and business processes. The Council recognises the importance of such an independent and objective process to obtain reasonable assurance that business objectives are being met.

2 Purpose of this Charter

The purpose of the Charter is to define the Internal Audit function, purpose, authority, duties and responsibilities and the role of the Internal Auditor.

3 Internal Audit Function

The Internal Audit Function is a management responsibility comprising a structured program of reviews to:

- Assess and evaluate Council's processes, procedures and internal control environment to assist with the management of operational risks;
- Appraise the relevance, reliability and integrity of management, business systems, financial and operating records and reports;
- Assist the General Manager and Council in the effective discharge of their responsibilities by providing them with analyses, appraisals, reports, recommendations and information concerning the activities reviewed;
- Review compliance with Council policies and procedures, legislative requirements, regulations and best practice; and
- Provide outcomes that will generally improve practices across Council.

The General Manager is responsible for the engagement of Internal Audit Services either through contracted services or direct employment.

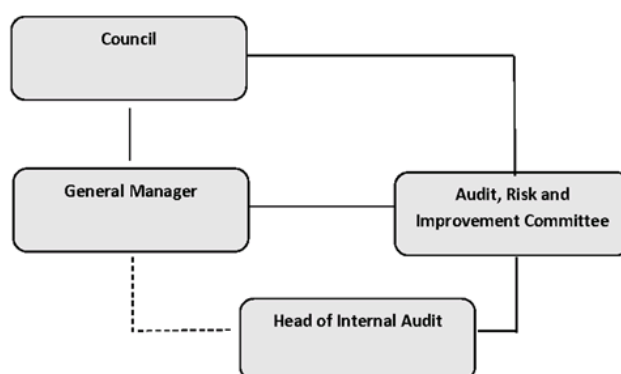
4 Reporting Line of Internal Audit

The internal audit function, through the Head of Internal Audit, reports functionally to the Audit & Risk Improvement Committee on the results of completed audits, and the strategic direction and accountability purposes, and reports administratively to the General Manager to facilitate day-to-day operations.

The Head of Internal Audit has direct access to the General Manager to discuss audit and risk issues when required. The Internal Audit functions, activities, program and the results of all Internal Audits must be referred to the ARIC.

The Diagram below shows the reporting relationship. The dotted line represents the 'administrative' reporting line and the bold line represents the 'functional' reporting line:

Diagram 1:



5 Scope

The scope of services provided by Internal Audit includes, but not limited to:

- Examining and evaluating the adequacy and effectiveness of internal controls, governance and the status of ethical behaviour
- Ascertaining conformity with the goals and objectives of the Council
- Assessing the economic and efficient use of resources
- Examining compliance with policies, procedures, plans and legislation
- Assessing the reliability and integrity of information
- Assessment of the safeguarding of assets
- Any special investigations as directed by the General Manager or requested by the ARIC.

6 Internal Audit Methodology

Internal Audit shall use the most appropriate methodology for each internal audit engagement, depending on the nature of the activity and the pre-determined parameters for the engagement. Generally, internal audits will include:

- Planning
- Reviewing and assessing risks in the context of the audit objectives
- Examination and evaluation of information
- Communicating results
- Follow up on implementation of audit recommendations
- Be consistent with the Institute of Internal Auditors (IIA) and The International Standards for the Professional Practice of Internal Auditing (Standards).

7 Authority of Internal Auditor

The Internal Auditor is authorised to undertake a comprehensive program of internal audit work in the form of reviews, consultancy advice, evaluations, appraisals, assessments and investigations of functions, processes, controls and governance frameworks in the context of supporting the Council's business objectives.

The Internal Auditor is authorised to have full, free and unrestricted access to all functions, property, personnel, records, information, accounts, files, monies and other documentation, as necessary for the conduct of their audit work. The Internal auditor can seek information and explanations and assistance from employees of the Council.

8 Duties of Internal Auditor

It is the duty of the Internal Auditor to carry out the Internal Audit functions in the most professional manner, maintaining independence from line management and not compromising impartial and unbiased judgment.

At all times, confidentiality shall be preserved and discretion exercised by the Internal Auditor to ensure that information of a private, confidential or sensitive nature, gathered through the performance of the Internal Audit process, is not divulged, except where necessary in performance of that task.

The Internal Auditor will ensure safekeeping of any books, accounts, files, documents, papers, or other items whilst in their possession and return these to their customary holder as soon as possible.

9 Responsibilities

Council's Internal Auditor is responsible for:

- i) development and co-ordination of Council's risk based Internal Audit Plan for a four year period (to coincide with the term of Council) and Annual Audit Plan derived from the sum of all individual Department Audit Plans; Council's risk registers and any other auditable areas as defined by the Internal Auditor, General Manager and/or the ARIC.
- ii) compliance with the Council's Code of Conduct and internal auditing professional auditing standards.
- iii) compliance to the WMC Internal Audit Charter.
- iv) provision of reports on the results of internal audits conducted reporting to the ARIC.
- v) provision of regular summary reports on the progress of the annual audit plan to the General Manager and the ARIC.
- vi) monitoring previous internal audit recommendations and reporting to the General Manager and the ARIC.
- vii) management reviews at the request of the General Manager; and
- viii) provision of advice and guidance when sought by management or the ARIC.
- ix) Meet at least annually in-camera with the ARIC without the presence of management.

Council's Management is responsible for:

- i) Ensuring internal audit have timely access to including but not limited to management, staff, other personnel, records, systems etc. to undertake the internal audit in a timely manner;
- ii) Provide constructive review in a timely manner of the draft report and where there are differences of opinion provide evidence to substantiate differences, noting that internal audit has the final say on the report;
- iii) Provide realistic timelines on recommendations so that any risks identified can be managed with the recommendations, or if an extended timeframe, what additional short term actions may be undertaken to manage the risks.
- iv) Be available to attend the ARIC when the internal audit report is presented to discuss and issues or related matters from the report.

10 Reporting Arrangements

Management shall submit a four year Internal Audit Plan to coincide with the term of Council, and an Annual Audit Plan to the ARIC for endorsement at the start of each financial year. The four year Internal Audit Plan shall identify the various Council's auditable areas by Division including the expected period in which the internal audit will be conducted.

Internal Audit Charter

Management in consultation with the Internal Auditor shall submit quarterly reports summarising all audit activities undertaken during the period to the General Manager and the (ARIC), indicating:

- i. Internal audits completed or in progress by them
- ii. Outcomes of each internal audit
- iii. Remedial action taken or in progress by responsible Department

Prior to the Internal Auditor submitting a final internal audit report to the ARIC, a report will be issued to the manager responsible for the auditable area seeking an agreed action plan including a proposed completion date and person responsible for addressing any issues identified. The report will include the objective and scope of the internal audit conducted and any issues identified. The responsible officer shall provide a response within agreed time periods to issues and recommendations contained in internal audit report. Thereafter a final Internal Audit Report will be produced including management responses, for submission to the General Manager and to the ARIC.

A report shall be submitted to first Committee meeting after 30 June each year on the performance of the internal audit function.

11 Code of Conduct & Conflict of Interest

The Internal Auditor is to abide by Council's Code of Conduct and must declare any conflicts of interest prior to the commencement of any internal audit.

Instances of perceived or actual conflicts of interest are to be reported immediately to the ARIC and the General Manager.

The Internal Auditor shall not undertake any audit work on Council's operations where the Internal Auditor has held a position of responsibility for the auditable area unless a period of two years has expired since holding that position of responsibility. In addition, in the circumstances where the appointed internal auditor has provided consulting services regarding a particular operation/service they are not permitted to undertake an audit to provide assurance on that operation/service. Where an internal audit is to be undertaken in an area where the Internal Auditor has held some responsibility in the prior 2 years, the General Manager in consultation with the ARIC will identify an appropriate person to oversee/undertake that internal audit activity.

The Internal Auditor is expected to adopt professional ethical standards in order to meet his/her responsibility to the Council. The Internal Auditor must comply with the principles and rules of conduct as stated in the Institute of Internal Auditors, The IIA's Code of Ethics¹, in place and as amended from time to time viz:

¹ Adopted by The IIA Board of Directors, June 17, 2000

Principles of Conduct

The principles that are relevant to the profession and practice of internal auditing are:

Integrity

The integrity of the Internal Auditor establishes trust and provides the basis for reliance on their judgement.

Objectivity

The Internal Auditor exhibits the highest level of professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined. The Internal Auditor makes a balanced assessment of all the relevant circumstances and is not unduly influenced by their own interests or by others in forming judgements.

Confidentiality

The Internal Auditor respects the value and ownership of information received and does not disclose information without appropriate authority unless there is a legal or professional obligation to do so.

Competency

The Internal Auditor applies the knowledge, skills, and experience needed in the performance of internal auditing services.

Rules of Conduct

The rules of conduct that describe behaviour norms expected of internal auditors are:

Integrity:

The Internal Auditor will:

- i) Perform their work with honesty, diligence, and responsibility*
- ii) Observe the law and make disclosures expected by the law and the profession*
- iii) Not knowingly be a party to any illegal activity, or engage in acts that are discreditable to the profession of internal auditing or to the organisation*
- iv) Respect and contribute to the legitimate and ethical objectives of the Organisation*

Objectivity

The Internal Auditor will:

- i) Not participate in any activity or relationship that may impair or be presumed to impair their unbiased assessment. This participation includes those activities or relationships that may be in conflict with the interests of the organisation*
- ii) Not accept anything that may impair or be presumed to impair their professional judgement*
- iii) Disclose all material facts known to them that, if not disclosed, may distort the reporting of activities under review.*

Confidentiality

The Internal Auditor will:

- iv) Be prudent in the use and protection of information acquired in the course of their duties*
- v) Not use information for any personal gain or in any manner that would be contrary to the law or detrimental to the legitimate and ethical objectives of the organisation*

Competency

The Internal Auditor will:

- vi) Engage only in those services for which they have the necessary knowledge, skills, and experience*
- vii) Perform internal auditing services in accordance with the Standards for the Professional Practice of Internal Auditing²*
- xii) Continually improve their proficiency and the effectiveness and quality of their services.*

12 Relationship with Council's External Auditors

The Internal Auditor shall liaise closely and co-operate with External Auditors as required.

13 Review arrangements

No more than five (5) years undertake a Quality Assurance Review (external) of the Internal Audit Function. The review to be conducted must follow Institute of Internal Auditors approach and be measured against their professional standards.

On completion of the review, a program of improvements will be produced including a balance scorecard.

Any substantive changes are to be approved by the Council following endorsement by the ARIC.

14 Review of the Internal Audit Charter

The Internal Audit Charter will be reviewed periodically to ensure it remains up-to-date and reflects the current scope of internal audit work.

Any changes to this Internal Audit Charter will be endorsed by the ARIC and approved by the Council.

15 Documentation/References

	HPECM Reference

² The Institute of Internal Auditors: <http://www.theiia.org/guidance/standards-and-guidance>

16 Related Policies and Procedures

	HPECM Reference

17 Charter Amendments

Date	Responsible	Description
11 June 2021	Manager Business Assurance & Improvement	New Corporate template, update to Charter
6 August 2021	Manager Business Assurance & Improvement	Charter updated to reflect discussion from the A&AC meeting held on 3 August 2021.

WMC Audit & Assurance Committee Charter



1 Purpose of this Charter

The Audit & Assurance Committee (AAC) Charter sets out the role, composition, authority, responsibilities and operation of the Committee.

2 Status

The Committee is an advisory committee and has been established by resolution of the Woollahra Municipal Council on 5 September 2011.

3 Objective

The aim of the AAC is to ensure that the Council maintains a Business Assurance and Audit Framework that comprises the necessary management systems and processes to achieve long term business sustainability and thus provide confidence to its stakeholders.

The AAC will assist the Council, General Manager and Manex through its monitoring responsibilities relating to risk, compliance, governance, fraud prevention and the internal control environment through Internal Audit Function.

4 Authority

The Council authorises the AAC, within the scope of its role and responsibilities, to:

- i) Obtain information it needs from any employee or external party (subject to their legal obligation to protect information).
- ii) Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations).
- iii) Request the attendance of any employee or councillor at Committee meetings.
- iv) Request external legal or other professional advice, as considered necessary to meet its responsibilities.

5 Role and Responsibilities

In carrying out its responsibilities, the AAC must at all times operate having regard to functions of the Council and General Manager as defined by the Local Government Act.

The responsibilities of the AAC may be reviewed or expanded by the AAC from time to time, subject to endorsement by Finance, Community & Services Committee and adoption by Council.

The AAC's role will respond to Section 428A, Part 4A Internal Audit of Local Government Amendment (Governance and Planning) Act 2016 with particular emphasis on:

- Risk management;
- Internal Audit Function including its reports;
- External Audit;

- Compliance & Governance;
- Fraud and Corruption Prevention Strategy; and

Specific details of each element are outlined below.

5.1 Risk Management

- i) Review and monitor Council's risk management framework and review its compliance with relevant risk management standards.
- ii) Satisfy itself that Management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud and corruption.

5.2 Internal Audit Function

- i) Support the independence of the Internal Audit Function as a management responsibility defined within the Internal Audit Policy.
- ii) Provide advice, when requested, on the appointment of Internal Audit contractors.
- iii) Approve Internal Audit Charter.
- iv) Review and endorse 3 Year Internal Audit Plan and Annual Audit Plan as developed by the Internal Auditor including consideration of the Risk Management Strategy.
- v) Review audit reports and consider significant issues identified in audit reports and action taken on issues raised.
- vi) Monitor the acceptance and implementation of report recommendations that come to the AAC.
- vii) Periodically review the Audit & Assurance Committee Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place.
- viii) Periodically review the performance of Internal Audit at least every five (5) years.
- ix) Periodically review the progress against the 3 Year Internal Audit Plan and Annual Audit Plan.

5.3 External Audit

- i) Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and supported by appropriate management sign-off on the statements and the adequacy of internal controls.
- ii) Comment on the financial statement and performance audit coverage by External Auditors, and provide feedback on the External Audit services provided.
- iii) Review all significant issues raised in relevant External Audit reports completed and monitor management's implementation of audit recommendations (included in the Management Letter).
- iv) Provide advice to Auditor General and/or Council on engagement of External Auditor wherever possible.

5.4 Compliance & Governance

- i) Satisfy itself that Council has an effective and efficient Compliance and Governance Program and Control Self Assessment Program in place.
- ii) Satisfy itself that Management has in place appropriate policies and procedures and if these are periodically reviewed and updated.
- iii) Consider processes in place to ensure compliance with procedures, laws, regulations, standards, statutory requirements, and best practice guidelines.
- iv) Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.
- v) Appropriate policies and procedures are in place for the management and exercise of delegations.
- vi) Management has taken steps to embed a culture which is committed to ethical and lawful behaviour, as outlined in Council's Code of Conduct.

5.5 Fraud and Corruption Prevention Strategy

- i) Foster a culture of ethics in the organisation that contributes to a culture of healthy questioning, continuous improvement, strategic thinking and informed judgement.
- ii) Review the Council's Fraud and Corruption Prevention Strategy and monitor progress.
- iii) Receive reports (and investigations) on fraud and corruption, monitor trends, and monitor the appropriateness of preventative strategies.

5.6 Expectation of Members

Members of the AAC are expected to:

- i) understand the relevant legislative and regulatory requirements appropriate to Council;
- ii) contribute the time needed to study and understand the papers provided;
- iii) apply good analytical skills, objectivity and good judgment;
- iv) express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry; and
- v) adhere at all times to Council's Code of Conduct. Refer to item 7 for further details.

5.7 Performance Measures

Members of the AAC will review and monitor performance against measures that are identified by Audit Office of NSW through Performance Audits, or arising as a consequence of the introduction of the Office of Local Government Performance Measurement Framework.

6 Composition

- 6.1 Membership of the AAC is by virtue of the appointed position and no delegates of the members are permitted
- 6.2 The AAC shall consist of (subject to endorsement by Finance, Community & Services Committee and adoption by Council):

- i) Members (voting)
 - One Councillor
 - Two Independent external members, one of which will be Chair
- ii) Attendees (non-voting) – (as required)
 - General Manager
 - Director Corporate Services
 - Manager Business Assurance & Risk
 - Chief Financial Officer
 - Manager Governance & Council Support
 - Internal Auditor
 - External Auditor
- iii) Invitees (non-voting) for specific Agenda items
 - Other Councillors may attend as observers.
 - Other officers may attend by invitation, as requested by the AAC or General Manager.

In the absence or resignation of the appointed Chair, the other current serving independent external member shall serve as the Chair for the period of absence of the duly nominated Chair.

6.4 Term of Office and Quorum

- i) The independent external members will be appointed for a four year term ending 30 June following an ordinary Council election, after which they will be eligible for extension or re-appointment following a formal review of their performance.
- ii) The maximum number of terms an independent external member can sit on the AAC without the need for further nominations is 2 terms.
- iii) A quorum for the Committee shall be 2.

6.5 Meetings

- i) The AAC shall meet at least four times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion as well as review and endorsement of the 3 Year Internal Audit Plan and Annual Audit Plan.
- ii) At each meeting Internal Audit will provide to the AAC the progress of the annual audit plan against agreed targets and timelines including a follow up report of recommendations that have been implemented in previously completed reviews.
- iii) The AAC at the Chair's discretion will be given the opportunity to meet on occasion with each of the external and internal auditor without the presence of management.
- iv) A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all AAC's responsibilities as detailed in this AAC Charter.

- v) The Chair of the AAC is to hold any additional meeting if asked to do so by another Committee member, the Council or the General Manager.
- vi) There must be a well structured agenda prepared and provided in advance to AAC Members along with appropriate briefing materials and minutes to record the proceedings.

7 Code of Conduct and Conflicts of Interest

All members of the AAC are to abide by Council's Code of Conduct and must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interests, it may be appropriate they be excused from AAC deliberations on the issue where the conflict of interests exists. The final arbiter of such a decision is the Chair of the AAC.

8 Reporting to Council

The AAC will report to the Finance, Community & Services Committee on a quarterly basis or at other times, if required.

9 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their responsibilities.

10 Performance Assessment of the Committee and its members

An annual performance review of the AAC will be undertaken by the Finance, Community & Services Committee with a report to Council on its findings.

An evaluation of individual audit committee members will be conducted annually by the Chair of the AAC as part of the Finance, Community & Services review process. A self assessment questionnaire will be used to assist with the evaluation of a member's performance and contribution to the AAC. The results of the performance assessments should be reported to Council through the Finance, Community & Services Committee.

11 Review of the Audit & Assurance Committee Charter

- i) At least once every two years the AAC will review its Charter to ensure it remains current and reflects the Committee's role and objectives.
- ii) The Council is required to approve any changes recommended to this Audit & Assurance Committee Charter as and when required.

Version 1 Revision 8: **Approved by AAC at their meeting on 3 April 2019**
Review Date: **March 2021**
Annexure 1: Reporting Relationship Chart



WMC Internal Audit Charter

PART A - Internal Audit Function

1 Introduction

The Council has adopted a whole-of-Council approach to the development of our Business Assurance Framework. A robust business assurance framework relies on the utilisation of good risk management practices and processes and internal controls that will promote effective and efficient business operations. Internal Audit is a key component of the Business Assurance Framework. Internal Audit is an essential process and the Internal Auditor should be independent in order to provide an objective assurance designed to add value and improve council's operations.

Internal Audit aims to provide assurance to Senior Management, the Audit & Assurance Committee (AAC) and to the Council. It involves substantive testing of controls and business processes. The Council recognises the importance of such an independent and objective process to obtain reasonable assurance that business objectives are being met.

2 Purpose of this Charter

The purpose of the Charter is to define the Internal Audit function, purpose, authority, duties and responsibilities and the role of the Internal Auditor.

3 Internal Audit Function

The Internal Audit Function is a management responsibility comprising a structured program of reviews to determine the adequacy of internal controls to mitigate potential business risks arising out of the activities of the Council. The review activities of the Internal Audit Function may well also identify opportunities that will enhance Council's business operations.

The Internal Audit function is under the direction of the General Manager. Administratively, the Internal Audit Function is supported by Business Assurance & Risk Department within the Corporate Services Division.

The General Manager is responsible for the engagement of Internal Audit Services either through contracted services or direct employment.

4 Reporting Line of Internal Audit

The Internal Audit functions, activities, program and the results of all Internal Audits must be referred to the AAC.

The Internal Auditor is employed by and reports to the General Manager. The Internal Auditor reports functionally to the AAC.

5 Scope

The scope of services provided by Internal Audit includes, but not limited to:

- Examining and evaluating the adequacy and effectiveness of internal controls, governance and the status of ethical behaviour
- Ascertaining conformity with the goals and objectives of the Council

WMC Internal Audit Charter

- Assessing the economic and efficient use of resources
- Examining compliance with policies, procedures, plans and legislation
- Assessing the reliability and integrity of information
- Assessment of the safeguarding of assets
- Any special investigations as directed by the General Manager or requested by the AAC.

6 Internal Audit Methodology

Internal Audit shall use the most appropriate methodology for each internal audit engagement, depending on the nature of the activity and the pre-determined parameters for the engagement. Generally, internal audits will include:

- Planning
- Reviewing and assessing risks in the context of the audit objectives
- Examination and evaluation of information
- Communicating results
- Follow up on implementation of audit recommendations

PART B – Roles and Responsibilities of Internal Auditor

7 Authority of Internal Auditor

The Internal Auditor is authorised to undertake a comprehensive program of internal audit work in the form of reviews, consultancy advice, evaluations, appraisals, assessments and investigations of functions, processes, controls and governance frameworks in the context of supporting the Council's business objectives.

The Internal Auditor is authorised to have full, free and unrestricted access to all functions, property, personnel, records, information, accounts, files, monies and other documentation, as necessary for the conduct of their audit work. The Internal auditor can seek information and explanations and assistance from employees of the Council.

8 Duties of Internal Auditor

It is the duty of the Internal Auditor to carry out the Internal Audit functions in the most professional manner, maintaining independence from line management and not compromising impartial and unbiased judgment

At all times, confidentiality shall be preserved and discretion exercised by the Internal Auditor to ensure that information of a private, confidential or sensitive nature, gathered through the performance of the Internal Audit process, is not divulged, except where necessary in performance of that task.

The Internal Auditor will ensure safekeeping of any books, accounts, files, documents, papers, or other items whilst in their possession and return these to their customary holder as soon as possible.

WMC Internal Audit Charter

9 Responsibilities

Council's Internal Auditor is responsible for:

- i) development and co-ordination of Council's risk based three year Strategic Internal Audit Plan and Annual Audit Plan derived from the sum of all individual Department Audit Plans; and any other auditable areas as defined by the Internal Auditor, General Manager and/or the AAC.
- ii) compliance with the Council's Code of Conduct and professional auditing standards.
- iii) compliance to the WMC Internal Audit Policy and WMC Internal Audit Charter.
- iv) provision of reports on the results of internal audits conducted reporting to the AAC.
- v) provision of regular summary reports on the progress of the annual audit plan to the General Manager and the AAC.
- vi) monitoring previous internal audit recommendations and reporting to the General Manager and the AAC.
- vii) management reviews at the request of the General Manager; and
- viii) provision of advice and guidance when sought by management or the AAC.

10 Reporting Arrangements

Management shall submit a three Year Internal Audit Plan and an Annual Audit Plan to the AAC for endorsement at the start of each financial year. The three Year Internal Audit Plan shall identify the various Council's auditable areas by Division including the expected period in which the internal audit will be conducted.

Management in consultation with the Internal Auditor shall submit quarterly reports summarising all audit activities undertaken during the period to the General Manager and the AAC, indicating:

- i) Internal audits completed or in progress by them
- ii) Outcomes of each internal audit
- iii) Remedial action taken or in progress by responsible Department

Prior to the Internal Auditor submitting a final internal audit report to the AAC, a report will be issued to the manager responsible for the auditable area seeking an agreed action plan including a proposed completion date and person responsible for addressing any issues identified. The report will include the objective and scope of the internal audit conducted and any issues identified. The responsible officer shall provide a response within agreed time periods to issues and recommendations contained in internal audit report. Thereafter a final Internal Audit Report will be produced including management responses, for submission to the General Manager and to the AAC.

A report shall be submitted to first Committee meeting after 30 June each year on the performance of the internal audit function.

11 Code of Conduct & Conflict of Interest

The Internal Auditor is to abide by Council's Code of Conduct and must declare any conflicts of interest prior to the commencement of any internal audit.

Instances of perceived or actual conflicts of interest are to be reported immediately to the AAC and the General Manager.

The Internal Auditor shall not undertake any audit work on Council's operations where the Internal Auditor has held a position of responsibility for the auditable area unless a period of two years has expired since holding that position of responsibility. In addition, in the circumstances where the appointed internal auditor has provided consulting services regarding a particular operation/service they are not permitted to undertake an audit to provide assurance on that operation/service.

The Internal Auditor is expected to adopt professional ethical standards in order to meet his/her responsibility to the Council. The Internal Auditor must comply with the principles and rules of conduct as stated in The IIA's Code of Ethics¹, in place and as amended from time to time viz:

Principles of Conduct

The principles that are relevant to the profession and practice of internal auditing are:

Integrity

The integrity of the Internal Auditor establishes trust and provides the basis for reliance on their judgement.

Objectivity

The Internal Auditor exhibits the highest level of professional objectivity in gathering, evaluating, and communicating information about the activity or process being examined. The Internal Auditor makes a balanced assessment of all the relevant circumstances and is not unduly influenced by their own interests or by others in forming judgements.

Confidentiality

The Internal Auditor respects the value and ownership of information received and does not disclose information without appropriate authority unless there is a legal or professional obligation to do so.

Competency

The Internal Auditor applies the knowledge, skills, and experience needed in the performance of internal auditing services.

Rules of Conduct

The rules of conduct that describe behaviour norms expected of internal auditors are:

Integrity:

The Internal Auditor will:

- i) Perform their work with honesty, diligence, and responsibility*
- ii) Observe the law and make disclosures expected by the law and the profession*
- iii) Not knowingly be a party to any illegal activity, or engage in acts that are discreditable to the profession of internal auditing or to the organisation*
- iv) Respect and contribute to the legitimate and ethical objectives of the Organisation*

¹ Adopted by The IIA Board of Directors, June 17, 2000

WMC Internal Audit Charter

Objectivity

The Internal Auditor will:

- v) Not participate in any activity or relationship that may impair or be presumed to impair their unbiased assessment. This participation includes those activities or relationships that may be in conflict with the interests of the organisation*
- vi) Not accept anything that may impair or be presumed to impair their professional judgement*
- vii) Disclose all material facts known to them that, if not disclosed, may distort the reporting of activities under review.*

Confidentiality

The Internal Auditor will:

- viii) Be prudent in the use and protection of information acquired in the course of their duties*
- ix) Not use information for any personal gain or in any manner that would be contrary to the law or detrimental to the legitimate and ethical objectives of the organisation*

Competency

The Internal Auditor will:

- x) Engage only in those services for which they have the necessary knowledge, skills, and experience*
- xi) Perform internal auditing services in accordance with the Standards for the Professional Practice of Internal Auditing²*
- xii) Continually improve their proficiency and the effectiveness and quality of their services*

12 Relationship with Council's External Auditors

The Internal Auditor shall liaise closely and co-operate with External Auditors as required.

13 Review of the Internal Audit Charter

The Internal Audit Charter will be reviewed periodically to ensure it remains up-to-date and reflects the current scope of internal audit work.

Any changes to this Internal Audit Charter will be approved by the AAC.

Version 1 Revision 7: To be Adopted by AAC at their meeting on 3 April 2019.

Review Date: March 2019

The Chair - Audit & Assurance Committee

² The Institute of Internal Auditors: <http://www.theiia.org/guidance/standards-and-guidance/>



Audit & Assurance Committee



Minutes

Tuesday 3 August 2021

Audit & Assurance Committee Minutes

Tuesday 3 August 2021

Table of Contents

Item	Subject	Pages
	Apologies	
	Declarations of Interest	
	Late Correspondence	
	Section 1 – Open Matters	
1	Minutes of Meeting held on 9 December 2020.....	4
2	Review of Committee and Internal Audit Charters.....	4
3	Chairperson's Report on the Operations of the Audit & Assurance Committee.....	6
4	Business Plan Action Progress Report.....	6
5	Organisation Structure Review	8
	Advisings	
6	Audit & Assurance Committee (AAC) - Re-appointment of Independent Committee Members and AAC Performance Report	9
7	March 2021 Quarterly Budget Review Statement and 2021/22 Draft Budget	9
8	Audit Office of NSW Annual Engagement Plan and Auditor's Interim Management Letter for the year ended 30 June 2021	10
9	Service & Financial Sustainability Review.....	11
10	COVID-19 Support Initiatives	12



Audit & Assurance Committee

**Minutes of the Meeting
held using teleconferencing technology on
3 August 2021 at 11.00am.**

Present:	Jason Masters	(Chair)
	John Gordon	(Independent Member)
Staff:	Sasha Athitakis	(Insurance & Risk Officer)
	Cheryle Burns	(Manager – Business Assurance & Improvement)
	Henrietta McGilvray	(Acting Chief Financial Officer)
	Sue Meekin	(Director – Corporate Performance)
	Craig Swift-McNair	(General Manager)
	Helen Tola	(Manager Governance & Council Support)
Also in Attendance:	Matt Wright	(Coordinator Insurance & Risk)
	Mark Griffiths	(Contract Internal Auditor, BDO)
	Luke Malone	(External Auditor, Prosperity)

Acknowledgement & Welcome

- Note:** The Chair acknowledged the traditional custodians of the land (the Gadigal and Birrabirragal people).
- Note:** The Manager Business Assurance & Improvement introduce Mr Matt Wright, Coordinator Insurance & Risk and Ms Sasha Athitakis, Insurance & Risk Officer, members of her Department. The Chair, on behalf of the Committee welcomed both staff members.

Apologies

An apology was received and accepted from Councillor Peter Cavanagh and Unaib Jeffrey from the Audit Office.

Declarations of Interest

Nil

Late Correspondence

Nil

Section 1 – Open Matters

Item No: 1
Subject: MINUTES OF MEETING HELD ON 9 DECEMBER 2020
Author: Cheryle Burns, Manager - Business Assurance & Improvement
Approver: Sue Meekin, Director Corporate Performance
File No: 21/145716
Reason for Report: To adopt the minutes of the previous meeting of the Audit & Assurance Committee.

Discussion:

The Committee considered the minutes and noted them. Additionally, the Committee acknowledged the resolution of Council in relation to future minute reporting to the Council. In this regard, it was agreed that Minutes in the future will provide a level of background discussion to support Committee decisions.

(Masters/Gordon)

Recommendation:

- A. THAT the Minutes of the Audit & Assurance Committee Meeting of 9 December 2020 be adopted in their current format.
- B. THAT the Minutes of the Audit & Assurance Committee Meeting of 3 August 2021 be developed in a revised format in liaison with the Chair and Council management team and be presented for adoption at the next Audit & Assurance Committee meeting 6 September 2021.

Item No: 2
Subject: REVIEW OF COMMITTEE AND INTERNAL AUDIT CHARTERS
Author: Cheryle Burns, Manager - Business Assurance & Improvement
Approver: Sue Meekin, Director Corporate Performance
File No: 21/145717
Reason for Report: To review and endorse the Committees Charter and Internal Audit Charter.

Discussion:

The Committee considered both draft Charters provided as Annexure 1 and Annexure 2. Both independent committee members acknowledged that the proposed Charters are not consistent with leading industry practice that some other Councils have adopted, however it was noted that these Charters are intended to be 'transitional documents' as an interim measure until the Office of Local Government releases the final Risk Management and Internal Audit Framework for Local Councils in NSW (the Framework). Following the release of the Framework, the Charters will be reviewed further to meet these requirements, which is anticipated within the next 12 months.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

3 August 2021

It was raised that in the past there was annexures showing an organisation chart that included reporting lines and where internal audit is managed, however this is missing on both Charters. It was raised that the following wording within the Internal Audit Charter (which has been the same as in previous Charters), potentially brings into question the independence of internal audit and as a safeguard for the General Manager it must be clear internal audit is not under the direction of the General Manager.

*““.....The Internal Audit function is under the direction of the General Manager.
Administratively, the Internal Audit Function is supported by Business Assurance & Improvement Department within the Corporate Performance Division.*

The General Manager is responsible for the engagement of Internal Audit Services either through contracted services or direct employment.”

The General Manager establishes the Internal Audit function, however the General Manager does not control Internal Audit. The ARIC are the body who determine what is to be reviewed. This was discussed as being consistent with Institute of Internal Auditors and best practice, as well as the requirement for Council to appoint a Head of Internal Audit or Chief Audit Executive with this role reporting through ARIC as detailed above. Moving forward, Council management need to officially appoint a person to perform the role of Head of Internal Audit or Chief Audit Executive and this should be reflected in the Charters and the organisation chart showing this reporting line. It was suggested that Camden Council's recently revised and Council approved Charter would be a good example to review.

(Gordon/Masters)

Recommendation:

THAT the Committee:

- A. Endorse the name change from Audit & Assurance Committee (AAC) to Audit, Risk & Improvement Committee (ARIC), to take effect immediately.
- B. Receives and endorses the revised Audit, Risk & Improvement Committee Charter presented as **Annexure 1** and recommend its adoption by Council, subject to inclusion of the amendments discussed at the AAC Committee meeting and which are to be finalised and endorsed out of session.
- C. Receives and endorses the revised Internal Audit Charter presented as **Annexure 2** and recommend it's for adoption by Council, subject to the following amendments, subject to inclusion of the amendments discussed at the AAC Committee meeting and which are to be finalised and endorsed out of session.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

3 August 2021

Item No: 3
Subject: **CHAIRPERSON'S REPORT ON THE OPERATIONS OF THE
AUDIT & ASSURANCE COMMITTEE**
Author: Cheryle Burns, Manager - Business Assurance & Improvement
Approver: Sue Meekin, Director Corporate Performance
File No: 21/145718
Reason for Report: Present Chairperson's Report on the Operations of the Audit & Assurance
Committee for year ended 30 June 2021.

Discussion:

The Committee considered the report, with the report being taken as read. The Chair acknowledged and noted the resolution of Council that the Committee has not met their Charter requirement of reporting to the Council, and on the performance of the Audit & Assurance Committee annually, however this will be addressed moving forward. The Chair acknowledged the work undertaken by the former Chair, John Gordon in preparing the report to Council and also acknowledged Mr Gordon's role as the Chair of the Committee over many years.

(Masters/Gordon)

Recommendation:

THAT the Committee receive and note the Chairperson's Report on the Operations of the Audit & Assurance Committee for period to 30 June 2021.

Item No: 4
Subject: **BUSINESS PLAN ACTION PROGRESS REPORT**
Author: Cheryle Burns, Manager - Business Assurance & Improvement
Approver: Sue Meekin, Director Corporate Performance
File No: 21/145722
Reason for Report: To table the Audit & Assurance Committee Business Plan Action
Progress Report as at 26 July 2021.

Discussion:

The Committee noted and acknowledged the business plan action progress report is intended as a checklist against their accountability to the Committee's Charter. The Committee requested that the Agenda include 'committee action items' before open matters. Comments were raised against various items in the Business Plan, see recommendation B below.

The Committee discussed the need to develop a new Internal Audit Plan. The General Manager outlined the need to review all outstanding items from prior internal audits to be reviewed in the same process and that this may require a "catch up" year, being the current financial year.

The Committee requested an update to a future meeting of the Corruption and Fraud Prevention Strategy including applicable training plan.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

3 August 2021

The Committee also noted the elapsed years since the last external review of Council's Risk Management Framework. It was agreed this should be undertaken in the coming months.

(Gordon/Masters)

Recommendation:

- A. THAT the Audit & Assurance Committee receive and note the Business Plan Action Progress Report as at 26 July 2021 covering their responsibilities in accordance with the AAC's Charter and any agreed actions arising from previous meetings.
- B. THAT the Audit & Assurance Committee requested that the following be included as matters to be reported to the Committee:
 - Revise the Agenda to include 'committee action items' before open matters
 - CEO update 'top of mind issues' before open matters
 - Include the following as standard Agenda items:
 - o Compliance
 - o Risk Management
 - o Fraud & Corruption Control
 - o Financial Management
 - o Governance
 - o Implementation of Strategic Plan, Delivery Program and Strategies
 - o Service Reviews
 - o Collection of performance measurement data by Council
 - o Internal Audit.
 - Specific matters requested by the Committee for report to future meetings include:
 - o Delegations Manual
 - o Risk Management report on risk registers including "show stopper" risks.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

3 August 2021

Item No: 5
Subject: **ORGANISATION STRUCTURE REVIEW**
Author: Craig Swift-McNair, General Manager
Approver: Craig Swift-McNair, General Manager
File No: 21/145720
Reason for Report: To provide information on the recently adopted and implemented organisational structure.

Discussion:

The Committee considered the report and the report was taken as read. The General Manager spoke to the change, specifically the key driver being the focus areas of improving customer experience, broadening Place, greater accountability and sustainability. The General Manager indicated it has been well received by both staff and Councillors and came into effect 1 May 2021. He also advised that all Director positions have now been filled and Executive Leadership Team (ELT) are now all in place for the first time since August 2020.

The issues around transitional risks i.e. risks that may arise as a consequence of change of functions/responsibilities. These should be considered by the Executive Leadership Team (ELT) as part of the change management process. It was also suggested that ELT turn their mind to the risks that exist with change in general and that it would be beneficial to undertake an internal controls review as a consequence of organisational structure change and a review of how has the new change permeated through the organisation and how it may have impacted the organisation culture.

It was noted there were some functional changes to the Business Assurance & Risk department with the transfer of the Work Health and Safety function moving to Organisational Development & Human Resources under the new structure. It was also noted that Management needs to ensure we do not end up with various approaches in managing risk as employee work health and safety risks is one of many risks the organisation needs to manage under an enterprise risk management approach. The General Manager advised he has had recent discussions with Infrastructure & Sustainability Division's management team around the way they approach risk (including WHS) and this will help to inform Council's approach moving forward.

The Independent Members provided an observation that reports such as these may benefit from a documentation of risks of other organisational change and associated mitigation, in addition to consideration of any impacts (positive or negative) on the internal control environment.

(Masters/Gordon)

Recommendation:

THAT the Committee receive and note the information provided on the revised organisation structure that was adopted by Council on 22 March 2021 and came into effect on 1 May 2021.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

3 August 2021

Advisings

Item No: 6
Subject: **AUDIT & ASSURANCE COMMITTEE (AAC) -
RE-APPOINTMENT OF INDEPENDENT COMMITTEE
MEMBERS AND AAC PERFORMANCE REPORT**
Author: Cheryle Burns, Manager - Business Assurance & Improvement
Approver: Sue Meekin, Director Corporate Performance
File No: 21/146521
Reason for Report: To provide the Committee with the Council's resolution at its meeting of 26 July 2021 in relation to Report on re-appointment of AAC Members and AAC's performance.

Discussion:

The Committee noted this Advising and also noted that they had addressed the Council resolution with regard to the specific issues of the format of minutes and annual performance reporting of the Committee.

Advising:

The Advising was noted by the Committee.

Item No: 7
Subject: **MARCH 2021 QUARTERLY BUDGET REVIEW STATEMENT
AND 2021/22 DRAFT BUDGET**
Author: Henrietta McGilvray, Acting Chief Financial Officer
Approvers: Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 21/146758
Reason for Report: To provide the Committee with an update on Council's current financial position together with an overview of our Draft 2021/22 budget.

Discussion:

The Committee noted the March quarter budget review and 2021/22 Draft Budget, noting that the March quarter had passed. The Chair invited Council's external auditor, Mr Malone to comment.

Mr Malone advised they had spent some time on fair values. He noted Council was currently obtaining a revaluation of investment properties and this may have an impact on the operating result. New financial standards came in last year, however Mr Malone advised these new standards would not have much impact on Woollahra this financial year end. Mr Malone advised he is expecting a clean process for his upcoming audit review.

A question was posed on how the March quarter result compared to the actual end of year result. The Acting Chief Financial Officer advised that the operating deficit before capital grants and contributions and excluding the fair value increment on investment properties was close to the projected year end in the March 2021 quarterly review.

The Acting Chief Financial Officer also advised final trial balance and GL transaction listing report had been sent to the external auditor and the external audit will start next week.

Page 9

Woollahra Municipal Council
Audit & Assurance Committee Minutes

3 August 2021

Advising:

The Advising was noted by the Committee.

Item No: 8
Subject: **AUDIT OFFICE OF NSW ANNUAL ENGAGEMENT PLAN AND AUDITOR'S INTERIM MANAGEMENT LETTER FOR THE YEAR ENDED 30 JUNE 2021**
Author: Henrietta McGilvray, Acting Chief Financial Officer
Approver: Sue Meekin, Director Corporate Performance
File No: 21/145727
Reason for Report: To advise the Committee of the Audit Office's Annual Engagement Plan for the audit of Council's financial statements for the year ending 30 June 2021 and to provide the Committee with the Auditor's Interim Management Letter.

Discussion:

The Chair invited Mr Luke Malone, External Auditor to comment. Mr Malone provided an overview of their review and noted Council had not achieved all action recommendations by 30 June 2021. Notwithstanding this, Mr Malone advised they had not come across any issues and acknowledged that Council is remediating the IT issues they identified in their review. Specifically, he advised it was pleasing a budget had been allocated to undertake a second cyber security penetration testing for 2021/2022 financial year. He thanked Sue Meekin and Henrietta McGilvray for their co-operation.

The Committee was pleased to see that Council is addressing recommendations in the external audit report and the external auditor had not identified further issues. Updates were requested on the progress of external audit recommendations, and it was suggested that these be included as part of the annual follow up review of past and outstanding audits recommendations both external and internal. It was agreed that the follow up review currently being undertaken by BDO be extended to include these external audit recommendations. A question was asked of Management with regard to whether Council was impacted by AASB1059: Service Concession Arrangements: Grantors. In response, The Acting Chief Financial Officer advised Council had no arrangements that fell within the scope of this accounting standard and the auditors had been sent a position paper as part of the interim audit.

A follow up question was asked in relation to whether Council had any 'Right of Use' Assets as a result of the Accounting Standard AASB16, Leases and if so, the impact of any potential impairment. In response, the Acting Chief Financial Officer advised there were three Right of Use Assets with the URM Recycling Truck Contract being the largest, plus there were also two minor Right of Use Assets. In response to a question as to whether the Right of Use Assets had been tested for impairment the Acting Chief Financial Officer responded that they would be as part of the year-end processes.

The penalty break costs associated with refinancing the Kiaora Place Loan were noted as impacting on the end of year results and a question was asked if there was anything else material to note. The Acting Chief Financial Officer advised the fair valuation of investment properties will have an impact. The Director Corporate Performance advised the desktop valuations on investment properties had been completed a couple of months ago and we will seek an update to see if there is any impact of the most recent COVID-19 lockdowns in Sydney on the valuation.

Page 10

Woollahra Municipal Council
Audit & Assurance Committee Minutes

3 August 2021

It was requested by the Committee that they be given three days' notice to review the annual financial statements and to undertake this in line with the completion of the external audit review. The Director Corporate Performance advised the financial statements would be presented to Finance, Community & Services Committee (FC&S) on 14 September 2021 so the next ARIC meeting being 6 September would provide appropriate time for review and comment for inclusion in the report to go to FC&S.

It was noted that at its last meeting, the Committee was seeking a review of Cyber Security against the requirements of 'Essential 8' State Government Cyber Security Framework. The 'Essential 8' provides a basis for assessing cyber controls and includes a recommendation for organisations to identify the 'crown jewels', the key information that must be protected. It was expressed that Council need to know how we are protected and where our risks are; penetration testing only goes so far. The need for staff training in Cyber Security awareness was emphasized including executive training. The Committee also agreed that it would be useful for the Committee to obtain a staff presentation on Council's IT Digital Transformation Strategy in the near future.

The Committee requested an update on Council's progress in actioning the recommendations in the Centium report dated May 2020 covering Code of Conduct Training and a review of Council's Fraud and Corruption Register. It was noted that this is shown as outstanding on the business plan action progress report, please refer to Agenda item 4. The Manager Governance & Council Support advised the Committee that the General Manager is aware of the report and it is intended to provide an update to the next Committee meeting.

Advising:

The Advising was noted by the Committee and that the current follow up review scope be extended to include external audit recommendation reviews.

Item No:	9
Subject:	SERVICE & FINANCIAL SUSTAINABILITY REVIEW
Author:	Sue Meekin, Director Corporate Performance
Approver:	Craig Swift-McNair, General Manager
File No:	21/146774
Reason for Report:	For the Committee to note the Service & Financial Sustainability Review process being undertaken by Council.

Discussion:

The Director Corporate Performance spoke to the Advising on Council's approach to the SFSR and advised the Committee that Morrison Low have been engaged to assist with the process. The General Manager also provided advice that the proposed SRV will not apply in the 2021/22 financial year and that Council will consider making an application for the 2022/23 financial year.

Advising:

The Advising was noted by the Committee.

Page 11

Woollahra Municipal Council
Audit & Assurance Committee Minutes

3 August 2021

Item No: 10
Subject: **COVID-19 SUPPORT INITIATIVES**
Author: Sue Meekin, Director Corporate Performance
Approver: Craig Swift-McNair, General Manager
File No: 21/146778
Reason for Report: To provide the Audit & Assurance Committee with a report which details support measures for the community & local businesses in light of the current and ongoing lockdown due to the COVID-19 pandemic.

Discussion:

The Committee noted the Advising and it was taken as read.

Advising:

The Advising was noted by the Committee.

General Business

Discussion:

The Committee raised the following matters as part of General Business:

- A program for presentation by third line managers to the ARIC providing an outline of their functions and responsibilities, key risks and any emerging issues (one manager per meeting) may be advantageous into the future.
- A program for presentation by Director's to the ARIC using a standard template, to be made ½ hour prior to the ARIC meetings to present on their remit and top five risks and internal controls (one director per meeting) may be advantageous into the future.
- That a request be made of Ms Lana Hall from the OLG to present at the next meeting on progress of the Risk Management and Internal Audit Framework for Local Councils in NSW.
- Management consider live minute taking for future ARIC meetings.

Next Meetings

In Camera Session: 6 September 2021 (12.30pm)

ARIC Meetings: 6 September 2021 (1.00pm to 4.00pm)
1 December 2021 (1.00pm to 4.00pm)
22 March 2022 (1.00pm to 4.00pm)
21 June 2022 (1.00pm to 4.00pm)

There being no further business the meeting concluded at 1.09pm.



Audit & Assurance Committee



Minutes

Wednesday 9 December 2020

Woollahra Municipal Council
Audit & Assurance Committee Minutes

9 December 2020

Audit & Assurance Committee Minutes

Wednesday 9 December 2020

Table of Contents

Item	Subject	Pages
	Apologies	
	Declarations of Interest	
	Late Correspondence	
	Nil	
	Section 1 – Open Matters	
1	Minutes of Meeting held on 2 September 2020	4
2	Internal Audit Records Management	4
3	Business Plan Progress Report.....	5
4	StateWide Mutual Continuous Improvement Pathway Benchmarking Program	6
5	OLG Risk Management & Internal Audit Framework	7
	Advisings	
6	September 2020 Quarterly Budget Review Statement and 2021/22 Budget	8
7	Auditor's Reports for the year ended 30 June 2020	8



Audit & Assurance Committee

**Minutes of the Meeting held on
9 December 2020 at 1.30pm
held using teleconferencing technology.**

Present:	John Gordon Jason Masters Councillor Peter Cavanagh	(Chair)
Staff:	Cheryle Burns Craig Swift-McNair Don Johnston Sue Meekin Helen Tola Nabil Saleh Carlo Terlizzi	(Manager – Business Assurance & Risk) (General Manager) (Director – Corporate Services) (Chief Financial Officer) (Manager Governance & Council Support) (Chief Information Officer) (Information Management Coordinator)
Also in Attendance:	Mark Griffiths Luke Malone Unaib Jeoffrey Robert Humphries	(Internal Auditor – BDO) (External Auditor – Prosperity) (Audit Officer NSW) (Risk Regional Manager – JLT Risk Solutions/StateWide Mutual)

Note: Item 7 (Auditor's Report for the year ended 30 June 2020) was considered as the first item.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

9 December 2020

Apologies

Nil

Declarations of Interest

Jason Masters declared a Non-Significant, Non-Pecuniary Interest as he was involved in a project where he was engaged several years ago by JLT/StateWide to assist in the development of a training program package for integrity management to be delivered to NSW local Councils. Jason Masters remained in the meeting and participated in discuss.

Late Correspondence

Nil

Woollahra Municipal Council
Audit & Assurance Committee Minutes

9 December 2020

Section 1 – Open Matters

Item No: 1
Subject: **MINUTES OF MEETING HELD ON 2 SEPTEMBER 2020**
Author: Cheryle Burns, Manager - Business Assurance & Risk
Approver: Don Johnston, Director Corporate Services
File No: 20/228540
Reason for Report: To adopt the minutes of the previous meeting of the Audit & Assurance Committee.

Resolved Unanimously:

THAT the Minutes of the Audit & Assurance Committee Meeting of 2 September 2020 be adopted.

Item No: 2
Subject: **INTERNAL AUDIT RECORDS MANAGEMENT**
Author: Cheryle Burns, Manager - Business Assurance & Risk
Approver: Don Johnston, Director Corporate Services
File No: 20/227109
Reason for Report: To enable the Committee to review the Internal Audit of Records Management System report completed by BDO.

Resolved Unanimously:

THAT the Committee:

- A. Receive and note the “*Internal Audit of Records Management System December 2020*” report that includes Council’s management responses to the four (4) recommendations relating to controls and opportunities for improvement as **ANNEXURE 1**.
- B. Note the Report’s conclusion that:
“The internal audit did not identify any significant control deficiencies or compliance breaches to warrant any recommendations other than suggested enhancements to Council’s internal controls.

Based on our assessment of the residual risks in WMC Records Management System, we have assigned an overall rating of LOW for the Internal Audit.”

- C. Requests for future internal audit reports conducted by internal audit firms include the following enhancements:
- Visual representation and description of business unit be included so as to provide Committee with context
 - An outline of ‘industry best practice’ approach
 - Performance Assessment Checklist of the conduct of the internal audit undertaken which is to be completed by relevant manager receiving the audit.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

9 December 2020

Item No: 3
Subject: **BUSINESS PLAN PROGRESS REPORT**
Author: Cheryle Burns, Manager - Business Assurance & Risk
Approver: Don Johnston, Director Corporate Services
File No: 20/227121
Reason for Report: To table the Audit & Assurance Committee Business Plan Progress Report as at 30 November 2020.

Resolved Unanimously:

- A. THAT the Audit & Assurance Committee receive and note the Audit & Assurance Committee Business Plan Report as at 30 November 2020 subject to the following amendments:
- i. the bi-annual review of the Audit & Assurance Committee Charter be reported to the Audit & Assurance Committee in March 2021, with a recommendation to change the name of the 'Audit & Assurance Committee' to 'Audit, Risk & Improvement Committee'.
 - ii. Action Item 11.6.2.4 Task "*Review Council's Fraud and Corruption Control Plan in accordance with Australian Standard on Fraud and Corruption Control (AS8001-2008) and monitor progress; receive reports (and investigations) on fraud and corruption, monitor trends, and monitor the appropriateness of preventative strategies*" receive an updated report on progress of implementing actions in response to the recommendations arising from the Centium report dated May 2020 in relation to Code of Conduct Training completed and a review of Council's Corruption and Fraud Risk Register to the next Audit & Assurance Committee meeting.
 - iii. Action Item 11.6.2.59 amend wording of Task - "*Undertake an Internal Audit (detail review) of DA processes including S94 and other contributions separately covered in 2015 review*", specifically 'S94' and replace with Section '7.11 and 7.12' to reflect the recent amendment made to *Environmental Planning & Assessment Act* in respect of local infrastructure contributions (LIC).
 - iv. A gap analysis be undertaken of Council's governance and internal controls over (LIC) against recent Audit Office of NSW findings report - Governance and Internal Controls Over Local Infrastructure Contributions 17 August 2020 and report back to next Audit & Assurance Committee meeting.
 - v. Subject to gap analysis findings Audit & Assurance Committee will determine to either defer completing internal audit reviews as adopted in the Annual Audit Plan for period 2019/2020 to a future year when developing the three year strategic internal audit plan for 1 July 2021 to 30 June 2024.
 - vi. Action Item 11.6.2.59 Task "*Undertake Internal Audit (detailed review) of IT Hardware asset acquisition and ongoing asset maintenance*" be deferred for consideration for inclusion in the three year strategic internal audit plan for 1 July 2021 to 30 June 2024.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

9 December 2020

- vii. Action Item 11.6.2.61 two Tasks “*Undertake Internal Audit of Civil Operations – Civil works and infrastructure – road and footpaths (detailed)*” and “*Undertake Internal Audit of Fraud and Corruption prevention (detailed)*” be deferred for inclusion in the three year strategic internal audit plan for 1 July 2021 to 30 June 2024.
 - viii. Action Item 11.6.2.61 Task “*Tree Management(public and private trees) (detailed review)*” be undertaken in relation to the management of ‘public’ trees and defer management of ‘private’ trees review for inclusion in the three year strategic internal audit plan for 1 July 2021 to 30 June 2024.
 - ix. Action Item 11.6.2.61 Task “*Business Continuity Plan/Disaster Recovery Plan/Crisis Management Plan review (High level review)*” to note Business Continuity Plan (BCP) has been tested in March 2019 in Council’s response to the COVID-19 pandemic and as a consequence the high level review BCP be replaced with a workshop involving BCP management teams to identify lessons learnt with a report back to the Audit & Assurance Committee.
- B. THAT a report be submitted to the Audit & Assurance Committee meeting in relation to Council’s fraud and corruption internal controls against the ICAC paper Dealing with Corruption, Fraud and the ICAC: the role of public sector Audit and Risk Committees, September 2020.

Item No: 4
Subject: STATEWIDE MUTUAL CONTINUOUS IMPROVEMENT
PATHWAY BENCHMARKING PROGRAM
Author: Cheryle Burns, Manager - Business Assurance & Risk
Approver: Don Johnston, Director Corporate Services
File No: 20/227128
Reason for Report: To present the Council’s risk management performance in the Statewide Mutual Continuous Improvement Pathway (CIP) Benchmarking Program 2019-2020.

Resolved Unanimously:

- A. THAT the Audit & Assurance Committee receive and note the Statewide Mutual Continuous Improvement Pathway (CIP) Benchmarking Program 2019-2020 Report.
- B. THAT consideration be given to undertake a review of Cyber Security against the requirements of ‘Essential 8’ State Government Cyber Security Framework and include in the annual audit plan for 1 July 2021 to 30 June 2022.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

9 December 2020

Item No: 5
Subject: **OLG RISK MANAGEMENT & INTERNAL AUDIT FRAMEWORK**
Author: Cheryle Burns, Manager - Business Assurance & Risk
Approver: Don Johnston, Director Corporate Services
File No: 20/228103
Reason for Report: To advise the Committee of the Council's current position in relation to compliance with the proposed OLG Risk Management & Internal Audit Framework.

Resolved Unanimously:

THAT:

- A. the Audit & Assurance Committee receive and note the report providing Council's current status in relation to compliance with the proposed OLG Risk Management & Internal Audit Framework and the new timeframe to be mandated in March 2022.
- B. the Committee consider a new name for the 'Audit & Assurance' Committee to 'Audit, Risk and Improvement' Committee to bring it into line with the OLG Framework at the time when the Committee's Charter is next reviewed.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

9 December 2020

Advisings

Item No: 6
Subject: **SEPTEMBER 2020 QUARTERLY BUDGET REVIEW STATEMENT AND 2021/22 BUDGET**
Author: Don Johnston, Director Corporate Services
Approver: Craig Swift-McNair, General Manager
File No: 20/222047
Reason for Report: To provide the Committee with an update on Council's current financial position together with an overview of our 2021/22 budget process.

Resolved Unanimously:

- A. THAT the September Quarterly Budget Review Statement and Council's ongoing management of the financial impacts of COVID-19 be noted.
- B. THAT the Committee acknowledged it was a good discipline to have such a report presented to them each quarter and for this task to be included in their Business Plan.
- C. THAT the report also include any changes in risk profile and Council's business risk register.
- D. THAT the process for preparing Council's 2021/2022 Budget be noted.

Item No: 7
Subject: **AUDITOR'S REPORTS FOR THE YEAR ENDED 30 JUNE 2020**
Author: Sue Meekin, Chief Financial Officer
Approver: Don Johnston, Director Corporate Services
File No: 20/222235
Reason for Report: To present the Auditor's Reports in relation to the year ended 30 June 2020.

Resolved Unanimously:

- A. THAT the Committee note Council has received an unmodified opinion in its Auditor's Report for the year ended 30 June 2020.
- B. THAT the Committee note the Auditor's Report on the Conduct of the Audit for the year ended 30 June 2020.

Woollahra Municipal Council
Audit & Assurance Committee Minutes

9 December 2020

General Business

Risk Management Framework

The Committee noted the Risk Management Framework 2016 to 2021 is due for review and requested that prior to any adoption of a new framework the Committee be given the opportunity to comment on its content.

There being no further business the meeting concluded at 3.45pm.

Item No: 12.4
Subject: **DELIVERY PROGRAM 2018 - 2022 & OPERATIONAL PLAN 2020/21 PROGRESS REPORT JANUARY - JUNE 2021**
Authors: Petrina Duffy, Coordinator Strategy & Performance
Cheryle Burns, Manager - Business Assurance & Improvement
Approvers: Sue Meekin, Director Corporate Performance
Tom O'Hanlon, Director - Infrastructure & Sustainability
Scott Pedder, Director - Planning & Place
Patricia Occelli, Director Community & Customer Experience
Craig Swift-McNair, General Manager
File No: 21/160686
Reason for Report: To review the status of the Priorities and Actions in Council's Delivery Program 2018 to 2022 and Operational Plan 2020/21 for the six months ending 30 June 2021.

Recommendation:

THAT the June 2021 Progress Report of Council's Delivery Program 2018 to 2022 and Operational Plan 2020/21 be received and noted.

Background:

Council adopted its Delivery Program 2018 to 2022 and Operational Plan 2020/21 (DPOP) in June 2020 in accordance with the Integrated Planning and Reporting (IPR) Legislation for NSW Local Government. The Delivery Program and Operational Plan are two of the strategic planning documents that comprise Council's IPR Framework. It is a requirement under the IPR Legislation that Council report on the progress of its Delivery Program at least every six months.

The framework for progress reports is consistent with the structure of the Delivery Program and Operational Plan which have been developed around the following interrelated themes and supporting goals:

Theme: Community well-being	Theme: A healthy environment
Goal 1: A connected, engaged and harmonious community for all ages and abilities	Goal 7: Protecting our environment
Goal 2: A supported, enabled and resilient community	Goal 8: Sustainable use of resources
Goal 3: A creative and vibrant community	Theme: Local prosperity
Theme: Quality places and spaces	Goal 9: Community focused economic development
Goal 4: Well planned neighbourhoods	Theme: Community leadership & participation
Goal 5: Liveable places	Goal 10: Working together
Goal 6: Getting around	Goal 11: A well-managed Council


Council's DPOP Progress Report as at 30 June 2021 is provided as **Annexure 1**.

Conclusion:

The June 2021 Progress Report of Council's Delivery Program 2018 to 2022 and Operational Plan 2020/21 is attached. This report represents the reporting period January – June 2021.

This report draws together progress comments from the respective Council officers. It is presented to inform Council and the community of Council's progress in implementing the actions in its Delivery Program and Operational Plan.

Annexures

1. Delivery Program 2018 - 2022 & Operational Plan 2020/21 Progress Report January - June 2021 [↓](#) 



January- June 2021 Progress Report

Acknowledgement of Country

Woollahra Council acknowledges the Gadigal and Birrabirragal people who are the traditional custodians of this land and pay respects to Elders past, present and emerging.



Contents

Executive Summary	4
Notices of Motion	5
New- received January-June 2021	5
Actioned via the Operational Plan 2020/21	6
Completed / In Progress / Not Yet Commenced	9
January-June 2020/21 Highlights by Theme	11
Community wellbeing	11
Quality spaces and places	12
A healthy environment	13
Local prosperity	14
Community leadership and participation	15
January-June 2020/21 Progress by Goal	16
Goal 1: A connected, harmonious and engaged community for all ages and abilities	16
Goal 2: A supported, enabled and resilient community	22
Goal 3: A creative and vibrant community	28
Goal 4: Well-planned neighbourhoods	35
Goal 5: Liveable places	54
Goal 6: Getting around	60
Goal 7: Protecting our environment	63
Goal 8: Sustainable use of resources	66
Goal 9: Community focused economic development	72
Goal 10: Working together	77
Goal 11: A well managed Council	79



Executive Summary



Welcome to our Progress Report for our Delivery Program 2018 - 2022 and Operational Plan 2020/21 for the reporting period of January - June 2021. This period represents a time where

we experienced an easing COVID-19 restrictions and so were able to offer a range of online and face-to-face events, programs and engagement opportunities whilst experiencing a pleasing recovery in spending within our local businesses and activity within Woollahra. Much of this report reflects a cautious return to 'business as usual', before stronger COVID-19 restrictions were introduced on 23 June 2021 to protect the community from the Delta variant.

A number of actions were identified in the Waverley/ Woollahra COVID Recovery Plan aimed at working with partners to provide mental health support, suicide prevention, domestic violence prevention and address social isolation. These have been reported under the relevant sections of this report.

During this reporting period, some highlights have included:

- our Strategic Planning staff preparing seven comprehensive submissions to proposed reforms being suggested by State Government;
- a new Woollahra Libraries Strategic Plan developed with input from 1,247 community survey responses; and
- the completion of draft Plans of Management for Crown Lands by our Open Space and Trees staff.

Whilst the pandemic continues to shape many of our activities, Council has continued to deliver our Operational Plan, the progress of which is outlined in the following pages. We continue to listen to our community, to advocate for and achieve their needs and aspirations. I welcome your feedback so that we can continue to deliver on our objective of being accountable to our community.

Craig Swift-McNair

Understanding this report

We have used a traffic light system to indicate the progress of our Operational Plan actions:



Fully complete



Not yet commenced



On track



No progress



Delays

Notices of Motion

Notices of Motion are requests for action adopted by Council during the financial year. Councillors can raise Notices of Motion (NOM) during Council meetings.

NOMs are not resourced in the adopted Operational Plan for the financial year, i.e. servicing a NOM will always have a budgetary impact either through unbudgeted works and/or the diversion of staff time. Where resourcing is diverted it may lead to delayed delivery of Operational Plan actions.

New Notices of Motion received January - June 2021

As at 30 June 2021, items which are highlighted in orange are completed; remaining items are in progress or not yet commenced.

NOM Date	Subject	Brief description
22/02/2021	Worldwide Pride 2023	Prepare a report including budget implications on how best to plan for cultural and economic opportunities associated with Worldwide Pride 2023.
22/02/2021	SEPP Housing for Seniors of People with a Disability 2004	Write to the Minister for Planning & Public Spaces including the Department of Planning, Industry and Environment seeking an exemption from the provision of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in the R2 Low Density Residential and R3 Zones in the Woollahra Local Government Area and provide a report on relevant housing target compliance to Council.
22/03/2021	German Cultural Day	Report on options and costs in relation to the potential to hold a German Cultural Day.
22/03/2021	Women's March 4 Justice	Write to the Prime Minister, opposition leader and the Member for Wentworth demanding action on gendered violence.
22/03/2021	Waste Services	A report on current waste services and collection cycles provided by Council across the LGA for general waste, recycled waste, green waste and hard rubbish including comparison data with metropolitan Councils, detailed review of costs and benefits associated with changing collection cycles, and details of dumped rubbish management.
26/04/2021	Racism Not Welcome	Report 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 municipality and endorsement of the campaign developed by the InnerWest Multicultural Network.
26/04/2021	Double Bay Heritage	Report to investigate the potential heritage significance of identified buildings in the Double Bay Centre and relevant instruments of protection.

NOM Date	Subject	Brief description
26/04/2021	Housing Targets	Write to the CEO of the Greater Sydney Commission, the Secretary of the Department of Planning, Industry and Development, the Minister Planning and Public Spaces, the Minister for the Environment and member for Vaucluse and the 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.
26/04/2021	Legal Services Panel Review	Present a recommendation on a way forward to reconstitute the former Legal Services Review Panel.
24/05/2021	Hills Fig Trees lining Hampden Street, Paddington	Investigate and report on the possibility of replacing the Hills Fig tree at 23 Hampden Street, Paddington, with another Hills Fig tree that is sited in the vicinity of the existing specimen, in such a manner (including if necessary the installation of barriers to direct root growth) and maintained on a regular basis, to ensure it does not ultimately grow and encroach upon and put at risk public or private infrastructure, including provision of a new curb blister and landscaping; and to give consideration to amending the Street Tree Masterplan to reflect Hills Figs as the preferred species for Hampden Street, Paddington.
24/05/2021	Prohibition of Smoking	Investigate and prepare a report concerning what (if any) steps Council could take to amend its Local Environmental Plan (LEP) to prohibit smoking in licenced premises within its Local Government Area (including but not limited to preparing a planning proposal seeking an LEP amendment).

Notices of Motion actioned via the Operational Plan 2020/21

Resourcing has been allocated to address actions arising from the following Notices of Motion in the current Operational Plan 2020/21. Progress comments will appear in this report under the relevant priorities.

NOM Date	Subject	Priority	Page
08/02/2018	Minimum Lot Sizes Dual Occupancies	4.1.1	40
26/02/2018	Affordable Housing	4.1.1	37
21/05/2018	Landscape Controls to enhance tree canopy	4.1.1	38
25/02/2019	Hydro geological report on Double Bay dewatering.	4.1.1	37
08/04/2019	Proposed Heritage Listing of St Andrews Scots Presbyterian Church, Old School Hall Rose Bay Public School and McAuley Catholic School and outbuildings	4.3.1	48
08/04/2019	Review of Heritage Value of Places of Worship	4.3.1	47
12/08/2019	Rezoning of Riddell Street	4.1.1	36
11/11/2019	Special Local Character Areas	4.1.1	39
11/11/2019	Interwar Residential Flat Buildings	4.3.1	47
09/12/2019	Heritage Gap Analysis	4.3.1	48
09/12/2019	Updating Local Heritage Register	4.3.1	49

NOM Date	Subject	Priority	Page
10/02/2020	Cadry's Building Research	4.3.1	49
10/02/2020	Paddington Greenway	9.1.5	76
24/02/2020	Air conditioning units and other plant on rooftop dwellings	4.1.1	41
22/06/2020	Rose Bay Centre Improvements and Place Plan	9.1.2	72
24/08/2020	Double Bay Bowling Club preservation of land for private recreational use	4.1.1	42
26/10/2020	Fire hydrants and fire boosters	4.1.1	41

Notices of Motion Completed in the reporting period, In Progress or Not Yet Commenced

Resourcing has been allocated to prepare responses to the Notices of Motion during the reporting period. Items highlighted in orange were completed in this reporting period; all remaining items are in progress during the reporting period or were not progressed due to lack of resources.

Note: Notices of Motion reported as completed in previous progress reports do not appear in this list.

NOM Date	Subject	Brief description
23/04/2018	Outdoor Dining	Develop a mechanism to streamline the process for businesses in Double Bay and Rose Bay to facilitate footway dining and undertake a review of its fee for hiring of public footpaths.
10/12/2018	Neighbourhood Heritage Conservation Areas	Review current planning controls in NHCAs in Darling Point, Bellevue Hill, Rose Bay and Vaucluse to determine and establish more stringent conservation controls to maintain the cultural and heritage value of these areas.
2/08/2019	Woollahra Tree Management Policy	Brief Councillors on how Council's current policy was derived and implemented and undertake a review of Woollahra Tree Management Policy in relation to view pruning for trees in both the public domain and on private property.
11/11/2019	Heritage Listing Properties	Review the recommendations relating to the report on Californian Bungalows and prepares a report on arts and craft buildings, including any examples of outstanding significance recommended for listing in Schedule 5 of the Woollahra LEP.
25/11/2019	Report on identifying suitable sites for community purposes	Prepare a report identifying suitable sites for purchase in the Municipality to be re-used for community recreational activities, open space, an available site for the delivery of services or other desirable community purpose.
09/12/2019	Glass Depots	Prepare a report identifying suitable sites for locating and installing depots for the community to deposit glass for recycling (and any other Community Recycling Centres).
09/12/2019	Updating Local Heritage Register	Develop an approach and assessment criteria which allows the DCP to be amended to protect houses and buildings, that have been designed by architects of significant and importance.

NOM Date	Subject	Brief description
10/02/2020	Single Use Plastics	Review Single Use Plastics Policy.
10/02/2020	Endorsement or recognition system supporting business in the Woollahra Municipality	Prepare a report which looks into how Woollahra Council can have an endorsement or recognition system supporting business within our Municipality who are taking steps to reduce waste and have sustainability practices in place.
10/02/2020	Paddington Greenway	Immediately commence work on a planning proposal to amend the Woollahra Local Environmental Plan 2014 to insert a further local provision in the form of an environmental overlay or similar.
24/02/2020	Stormwater Signage and Raingardens in Rose Bay	Prepare a report on installation of rainwater gardens in the street scape in Rose Bay, installation of signage on the ground of significant drains in Rose Bay and other measurements to improve public awareness of stormwater pollution.
06/04/2020	Street Play Initiative	Report on feasibility of undertaking a 'Street Play Initiative' trial in Woollahra similar to the Waverley Council Street Play initiative.
04/05/2020	Disability Advisory Committee	Investigate and report opportunity to create a Disability Advisory Committee.
04/05/2020	AUSGRID Siting of Electrical Pillars	Investigate the siting of AUSGRID Electrical "pillars" for private dwellings and commercial properties.
25/05/2020	Street Inlay Audit and Rectification	Undertake an audit of all 493 street inlays (set out in Annexure 1 of report to Urban Planning Committee on 23/02/2015).
25/05/2020	Paddington Bowling Club	Staff provide an update on exploring opportunities with officers of Crown Lands and the lessee taking over the lease and returning the dormant site to public hands.
22/06/2020	Rose Bay Centre Improvements and Place Plan	Improve Rose Bay Centre by greening New South Head Road, exploring funding opportunities and developing a Place Plan.
22/06/2020	Street Tree Management Plan for Figs in Municipality	Prepare a report setting out a detailed plan of management for the proper preservation, care and management of Council owned/public Fig trees.
27/07/2020	30km Speed Zone	Investigate and prepare a report regarding the potential to implement 30km/h zones or 40km/h zones in certain areas of the Woollahra Municipality.
27/07/2020	Planning Panel Reforms	Write to the NSW Minister for Planning and the Premier outlining concerns in relation to the changes to the operations of NSW Planning Panels.
27/07/2020	Conservation of Heritage Listed Items	Prepare a report covering a review of Council's approach on enforcement in relation to unauthorised works on listed heritage items per Schedule 5 of Woollahra LEP and recommend options to strengthen Council's role in taking action against unauthorised works and to embed the requirement for a Conservation Management Plan.

NOM Date	Subject	Brief description
27/07/2020	Liverpool Street, Paddington (proposed angle parking investigation)	Re-exhibit the proposal for angle parking in Liverpool Street, Paddington and report via the Woollahra Local Traffic Committee and provide a recommendation to Council on the proposal to implement angle parking on Liverpool Street between MacDonald and Glenview Streets, Paddington.
27/07/2020	Private Certifiers	Prepare report on how private certifiers may be held to better account in relation to breaches of development consents.
29/09/2020	Hydrogeological and geotechnical study for the Rose Bay/Lower Bellevue Hill Catchment Area	Undertake a hydrogeological and geotechnical study for the entire Rose Bay basin area from the Bellevue Hill ridgeline, similar to the study recently undertaken for the Double Bay region.
29/09/2020	Pedestrianisation and Traffic Calming Measures for Rose Bay	Prepare a report on opportunities to promote the better pedestrianisation of the Rose Bay area; traffic movement and traffic density in the area and the possibility of introducing lower speed limits in residential roads and laneways.
29/09/2020	Royal Hospital for Women Park	Undertake a discrete review of the POM's Action Plan concerning the adequacy of the Park's lighting as a matter of priority (including community consultation), funding for both the discrete review and any recommended works are provided for in the 2021/22 budget and any opportunities for funding be explored.
26/10/2020	Councillor Indemnification	Prepare a report for consideration by Council on the merits of reviewing Council's current Payment of Expenses and Provision of Facilities Policy so that Councillors acting in good faith in their role as a Councillor are indemnified for reasonable expenses incurred by them in defending legal proceedings and/or obtaining medical services and/or relation to any property damage.
26/10/2020	Fire hydrants and fire hydrant boosters	Prepare a report on measures that can be taken in its planning instruments (including any amendment to its current Development Control Plan or Local Environmental Plan, amongst others, to address how fire hydrant infrastructure is integrated into new development, and retrospectively address exposed fire hydrants.
26/10/2020	Plans of Management	Prepare a further report the preferred strategic approach outlines the preferred strategic approach to updating Plans of Management for those parks and open spaces across the Woollahra local government area which are not Crown Land Reserves and therefore not captured in the review noted above; includes a delivery timetable; and is received by Council in connection with the presentation of Crown Lands Plans of Management review report

NOM Date	Subject	Brief description
26/10/2020	Council Meetings via Zoom	Prepare a report considering options to permanently live stream all Council Meetings; options to permanently extend the right of residents to speak remotely by audio-visual link at all Council Meetings; the introduction of live minute taking (including cost implications); and any other measures or initiatives to enhance and facilitate transparent, inclusive and open decision making.
14/12/2020	Financials	Prepare a report outlining mechanisms in place or steps to be taken to address the following areas identified in the Central Coast Council Interim Administrators Report dated 3 December 2020, budgeting and financial reporting systems, the process and details of an annual CEO Performance Review including the criteria for financial performance, and information requests and mechanisms to keep to the community informed of financial circumstances.

Community wellbeing

Images: Artwork 'Viewfinder' by Joel Adler, International Women's Day 2021 event at Woollahra Library at Double Bay, Beatles plaque unveiling with band Beatles Magic.



January- June 2021 highlights



19th Piece

of Public Art installed
located at Lighthouse
Reserve, Vacluse



Woollahra Preschool rated
as 'exceeding' the National
Quality Standards across all
benchmarks

1,247 survey responses
to Library Strategic Plan
to set the future direction, services and programs

4,986

downloads of
new Woollahra
Libraries app =
67% increase on
July-Dec 2020



\$20k+

community &
cultural grants
presented

1,326
views

Local History Digital
Archives = 56%
increase in web traffic

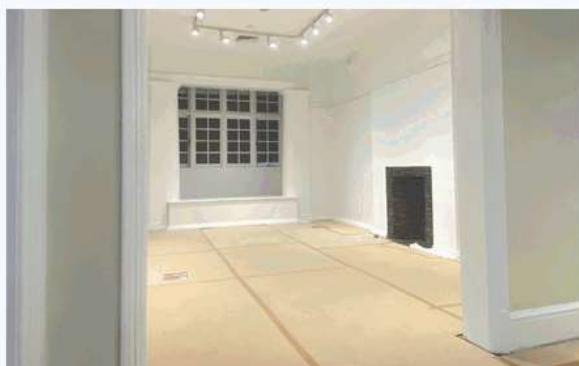


44 volunteers

recruited for Woollahra
Gallery at Redleaf

Quality places and spaces

Images: A sneak peek at construction work within the Woollahra Gallery at Redleaf, located in the St. Brigid's building.



January- June 2021 highlights

135 
capital works projects in
progress or completed

3  heritage
items listed
30 Wyuna Road
Rose Bay Scout Hall
Trelawney Court

282 Development
Applications
determined

192 Section 4.55
Applications
determined

89 average days
net mean
processing
times for DAs



7 comprehensive submissions
prepared by Strategic Planning
staff to proposed reforms being
suggested by State Government

“ Greater Sydney Parklands White Paper
Employment Zones reform
Development Contributions Bill
Codes SEPP – proposed changes
'Building Business Back Better'
EIE SEPP Design and Place
SILEP Draft Local Character Clause
Review of the Heritage Act 1977 **”**

A healthy environment

Images: Double Bay School solar, Gap Bluff stairs and Cooper Park Community Garden.



January-June 2021 highlights



876 bookings

with approximately
10 tonnes of e-waste
collected and recycled



5,342 tonnes

domestic waste collected
= 7% reduction compared
to Jan-Jun 2020



2,936 tonnes

recycling waste collected =
7% reduction compared to
Jan-Jun 2020



2,020 tonnes

domestic organic
waste collected
= 7% reduction compared
to Jan-Jun 2020



376 tonnes

street litter collected =
comparable to Jan-Jun
2020 levels

Local prosperity

Images: Council's Paddington and Rose Bay 'Night Out' events 25 and 11 March.



January - June 2021 highlights

11.51% increase

in total local spend
across Woollahra
year-on-year change
between July 2020
and June 2021 = strong
pandemic recovery
prior to the current pandemic
restrictions



\$467k increase

in total spending
(+27%) in Paddington at
Council's March 'Night
Out' event
compared to one week prior



\$48k increase

in total spending (+4%)
in Rose Bay at Council's
March 'Night Out' event
compared to one week prior



Community leadership and participation

Images: Members of our staff conducting community engagement activities across Woollahra.



January- June 2021 highlights


8,363 people

participating in engagement
over 12,100 total visits to
Your Say Woollahra
= 75% increase in participation
on July-Dec 2020

300

Your Say Woollahra
new registrations
= 57% increase on
July-Dec 2020

21

new
consultation
projects

1,891

online
submissions

this includes less formal means of
participation e.g. writing on an ideas
board or dropping a pin and comment
on an interactive map



38,532

calls answered =
296 per business
day (average)



96%



service standard
for calls answered
within 30 seconds

Goal 1: A connected and harmonious community

Strategy 1.1: Provide and facilitate a range of community projects, programs and events.

Ref	Priority	Comments
1.1.1	Provide programs and activities that respond to the needs and aspirations of people as they age.	<p>NSW Seniors Festival 2021 (13-24 April) was celebrated through a range of events including a seniors bush tucker walk and sunset quartet. Woollahra Libraries held four events in a variety of formats including a digital exhibition and hosting an online webinar in collaboration with on the topic of 'Spotting Scams', presented by the eSafety Commissioner. Collectively, the week attracted over 139 attendees. Council was successful in being awarded a highly competitive \$1,000 NSW Government Seniors Festival grant. Feedback was overwhelmingly positive for each event.</p> <p>The Men's Chat Group were supported to meet at a café before Woollahra Library at Double Bay re-opened for events. They then met in May and June, with low numbers attending. Additional promotion will be undertaken to revitalise the group post-lockdown.</p> <p>The Rose Bay and Rushcutters Bay walking groups had recommenced as the walks could be done safely, with social distancing and masks, outdoors. Rose Bay Walking Group was averaging 6 attendees each week; Rushcutters Bay Walking Group averaging 14. Walks are again now on hold due to COVID.</p>
1.1.2	Provide programs and activities for families, children and young people.	<p>Council ordinarily provides a face-to-face child car seat fitting and checking day but this year provided vouchers due to the pandemic. Council has successfully applied for a second Roads and Maritime Services (RMS) grant so as to provide a total of 80 vouchers that can be redeemed with an RMS-accredited fitter. 25 of these were redeemed by Woollahra residents in 2020, with the remainder to be redeemed by 30 August.</p> <p>The Transition to School Forum took place online 30 April 2021 with 98 people attending (38 from Woollahra).</p> <p>A skill up session for new or expecting dads has been rescheduled to take place on 13 October either in person or online.</p> <p>In-person Library events resumed for Under 5s childrens programs in April, resulting in the delivery of 109 sessions to 944 children in the form of Book Babies, Rhyme Time, Story Time and Mini Makers sessions.</p> <p>8 'School Holiday Fun' activities took place in the January and April period, with 87 children attending. The Children's Program Digital Events webpage offers 49 Videos viewed 2,086 times.</p> <p>A combination of in-person and online Library events took place in the January to June period for Young People, with 11 events attracting 129 youths. 4 new videos were shared via the Youth Digital Events webpage making a total of 16 digital event recordings viewed 291 times. Two digital escape rooms remain active with 164 clicks.</p>

Ref	Priority	Comments
1.1.3	Plan a range of activities and events that celebrate members of our community.	<p>The Woollahra Citizenship Awards Program did not open for nominations in 2020 and current (2019) Award winners remain in place. Unfortunately a reception to celebrate these winners has been postponed on 3 occasions due to COVID. Plans are underway to acknowledge these worthy winners.</p> <p>International Women's Day was celebrated through a talk by Lucy Turnbull at the Woollahra Library at Double Bay and attended by 65 people.</p> <p>A Mini-Blitz event was held at the Bondi Markets in June in place on the annual large scale Blitz event due to COVID-19 and social distancing requirements. The event featured a short program of young performers across a 3 hour event and was live streamed to WAYS Facebook page and included interviews from young performers. Attendance included 22 young people recording as living the Woollahra LGA. The event was a partnership between WAYS, Woollahra and Waverley Councils.</p>
1.1.4	Provide opportunities to connect people and ideas to encourage lifelong learning.	<p>The first in-person Library event since the COVID outbreak took place, on 17 March at Woollahra Library at Double Bay with an author talk from Australian historian and filmmaker Will Davies with 35 attendees.</p> <p>A Culture Vulture film screening was held on 18 March of 'Looby', a documentary on acclaimed painter Keith Looby, with 8 attendees.</p> <p>Woollahra School of Philosophy returned in March with a new name, 'Ideas Exchange-Thinking critically about the big ideas that shape our everyday'. The first session under the new branding covered the topic 'Is truth dead?' and had 37 attendees. The second, held in June, entitled 'Our Relationship with China' was fully booked out with 50 attendees.</p> <p>Two writing workshops have been held including an online workshop and an in-person workshop with a total of 16 attendees. In February an online tutorial 'Online Streaming & Podcasts' was uploaded and has received 50 views, followed by 'Digitising Your Photos and Videos' in March which has had 37 views. An art webinar was held in February with 27 attendees and has been viewed further 36 times.</p> <p>On 16 June, the first in-person adult event was held at Paddington Library since the commencement of the pandemic. Elizabeth Meryment, curator of a photographic exhibition displayed at the Library titled 'Paddington in Pictures', conducted a talk and walk-through of the exhibition with 16 attendees.</p> <p>Two author talks were held in partnerships with NSW Public Libraries Association (NSWPLA). In May, Nadia Wheatley and Meredith Burgmann discussed their latest book via webinar with 116 live attendees.</p> <p>In June, Woollahra Libraries was the in-person location for the NSWPLA author talk featuring Hugh Mackay. This was our first hybrid event: Randwick City Library provided the video tech and staffing to handle the live stream whilst Woollahra Libraries managed the in-person element. On the night of the event, there were 44 attendees, 270 live online participants and a further 342 views of the video since the event.</p>

Deliverables / Action	Measure	Status	Comments
Manage the Library Volunteer Program to support the operations of Woollahra Libraries	Ongoing 2018-2022		<p>From 1 March 2021, most volunteer roles were returned to active duties, including Welcome Ambassadors, JP Service, Events and Programs, Local History, Home Library Delivery support, General Library Service and Duke of Edinburgh students.</p> <ul style="list-style-type: none"> 15 new volunteers were interviewed. 7 Inductions and 8 training sessions were completed through May and June before the program was suspended until further notice due to the COVID outbreak in June. The numbers of Library volunteers currently are; <ul style="list-style-type: none"> General Library Service: 19 Welcome Ambassadors: 24 JP Service: 5 Events and Programs: 15 Home Library Delivery support: 2 Local history walks and talks: 4 Student placement: 2 Duke of Edinburgh students: 12. Since February the volunteer supervisor has also recruited volunteers for the Woollahra Gallery at Redleaf completing 34 interviews and 3 inductions prior to June 30th. The scheduled volunteer welcome back event was cancelled due to the June COVID lockdown. A zoom quarterly meeting is planned for next quarter to update volunteers on the program with a Welcome back event to be held towards the end of the year as part of the Seasons Celebration.
Develop a volunteering program for the art gallery/community cultural space.	Ongoing 2020-2022		In preparation for the opening of the Gallery a team of 44 volunteers has been assembled. They have received a council induction and are awaiting a gallery induction once we have access to the site.




Strategy 1.2: Keep the community engaged and informed.

Ref	Priority	Comments
1.2.1	Provide information about community services, events and activities.	The period saw a return to face-to-face events in March 2021, with the first event, ironically revisiting the last face to face event in 2020; International Women's Day. This was specifically communicated to the Women's Network via a newsletter, compliant with the strict COVID safety regulations. Generally, the limited events and activities conducted

Ref	Priority	Comments
1.2.2	Respond to new opportunities for engagement.	<p>by the division were communicated through Council channels including eNewsletters, websites and social media. In the absence of the printed LibraryWhat's On Guide, A4 flyers were produced and distributed at Libraries and Customer Service. The printedWhat's On Guide is scheduled to return as a Council-wide initiative with the opening of Woollahra Gallery at Redleaf later this year.</p> <p>Marketing and Projects compiled and produced a 6pp A4 booklet again support Seniors Festival in April 21. The brochure included information on resources and activities that seniors were able to access beyond Seniors Festival. 1,500 units were printed and distributed via the Library Courier throughout the community. Community response was positive.</p> <p>Articulate PR were contracted to drive media engagement for the launch of Woollahra Gallery at Redleaf, based on their previous and current work for Woollahra Small Sculpture Prize. A media release was distributed to announce the opening date, with a strong interest from key outlets. Discussions are on-going due to the current COVID restrictions.</p> <p>Due to building project delays and COVID, Woollahra Gallery at Redleaf website is due to launch September 21. The website has been built internally with content currently being finalised. The Gallery Instagram continues to engage strongly with its audience with a 50% increase in Followers (1,511) and the most recent post delivering 41 comments. Woollahra Libraries Instagram Followers has grown by 100% (660). Digital Screens are currently being planned as new opportunities for customer engagement within Woollahra Gallery, and will serve to promote activities and events throughout Council</p> <p>We have been slowly building an eNewsletter database for Woollahra Gallery, with 568 subscribers and a push for monthly newsletters as from September 21.</p>

Strategy 1.3: Provide places and spaces for people to connect and interact.

Ref	Priority	Comments
1.3.1	Provide access to multipurpose and flexible meeting places	<p>Work continues toward the re-opening of the St Brigid's building, the much loved previous Woollahra Library site, as the community facility Woollahra Gallery at Redleaf. The upstairs will be a community art gallery with an arts and cultural hub downstairs. This exceptional space located in Blackburn Gardens will offer artists a place to exhibit, proactively making art accessible to all ages and abilities and will be a significant community hub where everyone is welcome to spend time or enjoy the harbour view. The anticipated visitation in the first year of operation is 6,000 visitors, which we anticipate will continue to grow by 5% each year. It is anticipated the Gallery will open in Q1 2021/22.</p>

Deliverables / Action	Measure	Status	Comments
Implementation of the Library Technology Plan 2019-2022	In Progress 2019-2022		<p>The following technology initiatives were undertaken to enhance the daily library operations and to provide technology that supports community creation and engagement.</p> <ul style="list-style-type: none"> Based on the results of a review of the software on the public access computers additional software was purchased and installed during the quarter. Microsoft Office was added to all iMacs, Sibellius, a music notation software was added to one iMac in Woollahra Library at Double Bay and also, all public computers were updated with the latest versions of existing software. In the group study rooms in Woollahra Library at Double Bay customers can now access a new easy way to project their screens and share their work. This new system lets customers project, or "mirror," what is on their smartphone, tablet, or laptop to an external screen in the study rooms through a wireless presenter without needing to use a cable. Staff were trained in this new system to assist customers with the use of this new technology. The Woollahra Library app was further improved. Customers can now access the Library's electronic newspapers via the eLibrary on the app. New easier ways for the community to print were introduced. The public can now print out their documents by sending an email to a print queue print@woollahra.nsw.gov.au, and by printing directly from a USB at the Monitor kiosk.
Finalise the next Paddington Library Agreement with City of Sydney representatives	Completed 2020-2021		A new Paddington Library Agreement 2021-2024 with City of Sydney Council was signed. It commenced on 1 July 2021 and is a 3 year Agreement with an additional 2 year option.
Manage Council's community venues for hire and use by community organisations for social goals	Ongoing 2018-2022		Hire of our community venues continues to be impacted, on and off, by pandemic restrictions. Venues were open to regular hirers during January under the 4sqm rule. In mid- February restrictions eased to 2sqm and we allowed more than one group to hire a space each day. Bookings increased and we reopened for casual hire and birthday parties

Deliverables / Action	Measure	Status	Comments
			<p>on 1st May. New conditions included 2 new session times for parties per day with cleaning in between each group and hirers pay cleaning fee. Bookings were very popular and Cooper Park and Sherbrooke Hall were quickly booked out for up to 4 month in advance. School holiday bookings for workshops increased and new regular hirers had made advance bookings for Terms 3 and 4.</p> <p>Complete shutdown due to Sydney lockdown from 25th June, all future bookings for school holidays and Term 3 cancelled and refunds given.</p>


Strategy 1.4: Encourage respect for social and cultural diversity.

Ref	Priority	Comments
1.4.1	Plan and promote inclusive events and activities.	<p>In preparation for NAIDOC Week in July 2021, a new art installation will be placed on the stairs at Woollahra Library at Double Bay with an Indigenous design. A local Sydney artist is being collaborated with and the artwork will be on display throughout July.</p> <p>Bush Tucker walks recommenced when it was deemed safe to do so in March and April, with accompanying Covid-safe precautions. 3 events were held, averaging 13 attendees at each. These events continue to prove popular with our community.</p>
1.4.2	Recognise and promote reconciliation.	<p>To recognise Reconciliation Week, the weekly Story Times at each Library between 28 May to 1 June shared Indigenous picture book stories and an Australian animal craft with families. There was also a curated reading list available via the eCollection on Overdrive and book displays at both Double Bay and Paddington Libraries.</p>

Goal 2: A supported community


Strategy 2.1: Foster and build community partnerships and networks.

Ref	Priority	Comments
2.1.1	Promote, fund and facilitate community partnerships and networks	<p>Community Safety Committee meetings held online in February and May included discussion about parcel security, mail theft, theft from dwellings and car thefts around the Watsons Bay area. Awareness raising media has subsequently been released.</p> <p>Council continues to provide secretarial support to the Woollahra Dementia Alliance, and has supported them to successfully apply for a Community & Cultural Grant. The Alliance's action plan has been recognised by Dementia Australia.</p> <p>A carers health and wellbeing workshop presented by Carers NSW was attended by 3 people in February.</p> <p>Feedback has been provided to the draft Active Transport Plan and the Edgecliff Public Domain Strategy regarding age friendly considerations.</p> <p>The Eastern Sydney Youth Service Network continued with monthly zoom meetings to enable organisations to give regular updates on their services and feedback around emerging issues for young people living in the eastern suburbs. Emerging issues for youth identified during recent meetings include a rise in disengagement in education, anxiety and mental health concerns relating to the COVID-19 pandemic and job insecurity stress.</p> <p>Partnership agreements are current with Ascham School for the Ascham Volunteer Tech Support courses; seven Book Clubs; and the Eastern Suburbs Library Network (Woollahra, Randwick & Waverley). The Library Network promoted the Ride the HSC wave series of study events in May and June. The Library hosted another Future Ready talk focussing on careers in Law as part of LawWeek. Student and Recruitment Coordinators from the University of Sydney presented entry requirements and subject selection considerations for undergraduate study.</p>

Deliverables / Action	Measure	Status	Comments
Provision of grants to community organisations or groups to support community programs and activities.	Ongoing 2018-2022		<p>Recommendations for grant recipients in Round 2, 2020/21, were made to the Finance, Community & Services Committee and then Council in December 2020. A total of \$20,491.60 was allocated across 8 projects in Round 2 across the small and large categories. Funds were allocated in the following proportions to organisations providing services or activities to the target groups of;</p> <ul style="list-style-type: none"> Seniors in the community (\$3,000) Mental health and wellbeing projects (\$7,500) Cultural activities (\$9,991.60).

Deliverables / Action	Measure	Status	Comments
Provide cultural grants to community organisations, groups or individuals to support cultural programs and activities.	Ongoing 2018-2022		<p>A report is being prepared to review best practice and invigorate the program.</p> <p>Round 1 of the Community and Cultural Small & Large Grants Program 2021/22 was advertised from 6 April to 16 May 2021. While the priority strategies remained, Council welcomed innovative programs that addressed impacts from COVID-19 such as social isolation and mental health. A total of 19 eligible applications totalling \$74,843 were received.</p> <p>Recommendations for grant recipients in Round 1, 2021/22, were made to the Finance, Community & Services Committee and then Council in June/July 2021, recommending funding 12 projects, totalling \$48,135 in grants, leveraging a further \$136,727 of activity in Woollahra. The applications recommended for funding were projects that provide substantial benefit to priority groups in Woollahra to include seniors, people living with disability and young people and supported delivery of mental health and wellbeing projects and community sport and cultural activities.</p> <p>Dancewise received funding for a 12-week seated dance program commencing 16 February. The classes were held online and targeted seniors in our community. Supported with email and Facebook promotion, Seniors Festival brochure promotion, and adding the events to our website.</p> <p>From the previous grant round, several applicants were able to deliver activity. This included the neighbour activation "In Praise of Trees-The Orange Tree- Bennett's Grove Avenue by Ruark Lewis". This project was held on Saturday 17 April from 2-5pm and was a successful meet the neighbours style event with some poetry reading, documenting and sharing of the history of Orange Tree Grove and the Heritage wall.</p> <p>Antje Sonntag launched her exhibition "Collection Day" online. Collection Day documents the items that were left for Council collection. The resulting exhibition aims to encourage people to visually appreciate this regular "display" and consider how the objects reflect the changes in their neighbourhoods and the many different lives that are being led just on one street. The exhibition will be on physical display in Paddington Library once we return from PHO restrictions.</p>

Deliverables / Action		Measure	Status	Comments
				<p>Local resident and professional conductor coordinated an event of fine art and music on 24 February at the Olsen Gallery. David Greco and Vatche Jambazian performed Vaughan Williams' 'Songs of Travel'.</p> <p>Dale Hollingsworth commenced part of an ongoing project exploring themes of grief and loss, Never Really- from these things... This will culminate in an exhibition where artists respond to a single object provided by members of the Woollahra community who have lost a loved one. The exhibition will show these artistic works alongside the community supplied object.</p> <p>In Round 1, 2021/22 funding was recommended for three cultural projects including: Gerrit Gmel on behalf of Winter Warmers- This project involves two small, free to attend, music events for the local community held in Robertson Park, Watsons Bay during the winter months (PHO restrictions permitting).</p> <p>Marnie Ross on behalf of Little Things Art Prize- Little Things Art Prize is open to all ages and levels of experience. Artists are invited to submit creative expressions of the 'Little Things' that make them happy or feel grateful. The science of positive psychology emphasises the benefits such focusing of our attention contributes to our health and happiness. The exhibition is held at St. Cloche Gallery, Paddington.</p> <p>University of New South Wales- This is a co-design project that builds on the 'Go Slo for a mo' ' nature wellness project at Cooper Park. The project includes The Connective (the designers of the Cooper Park trail), Holdsworth Community and the local community, working collaboratively to design an immersive (virtual/augmented reality) experience to support older adults' wellbeing. The outcome provides wellness experiences for those not able to access the park.</p>
Ref	Priority	Comments		
2.2.1	Collaborate with a range of services to provide support for vulnerable people.	<p>The Eastern Sydney Suicide Prevention Network have had to cancel their awareness walk due to the ongoing COVID restrictions. The Suicide Impacting Me Support Group continues to meet online, with 6 people attending in February, 5 in March, 2 in April, 4 in May and 8 in June. Working in partnership with the Eastern Suburbs Domestic Violence Network has seen the roll out a number of Prevention of Domestic</p>		

Ref	Priority	Comments	
		<p>Violence initiatives in early 2021:</p> <ul style="list-style-type: none">• MATE/RAGE and MAD Workshop: 37 community groups took part and over 150 community members are now trained in active bystander skills development.• Hairdresser/Barber Project: attended by 8 people who learnt how to respond to client's disclosure of domestic abuse.• We're Better Than That Video Campaign- 5 videos that have now received 120,000 views. <p>The annual NSW State-wide Street Count supports the aim to reduce street sleeping by 50% by 2025 as part of the NSW Premier's Priority to reduce street sleeping. The 2021 Eastern Suburbs count was held 22 February into the morning of 23 February and included 18 volunteers including representatives from Woollahra, Waverley and Randwick Councils, Department of Communities and Justice, Wesley Mission, Jewish House and St Vincents Homeless Health. The new Street Count App was used to record details to a central database. 3 individuals were recorded sleeping rough in the Woollahra LGA.</p> <p>ESHAC (Eastern Suburbs Homeless Assertive-outreach Collaboration) continue to meet monthly on-line to discuss issues raised by outreach services and matters relating to individual clients. Outreach services have continued to provide support throughout COVID and there have been additional outreach patrols across the Eastern Suburbs in response to lockdowns. In the last 6 months, there were 8 flags raised regarding people sleeping rough in the Woollahra LGA. Outreach services visited all these locations and were unable to locate 6 of these in the identified areas at that time. Of the 3 individuals known to services sleeping rough in the local area, 1 is receiving ongoing support from outreach services while 2 individuals remain on the street but well established in makeshift dwellings and have refused outreach support and/or offers of housing.</p> <p>The Extreme Weather Response Protocol for the Eastern Suburbs was adopted by ESHAC, focussing on heatwave responses to support people sleeping rough across Woollahra, Waverley and Randwick Council areas.</p> <p>The 2-day accredited Mental Health First Aid Course has been postponed to October pending COVID restrictions. This course was originally booked out and places will be offered to the original 16 participants. Resilience training has been tentatively booked for the week commencing 20 September. This training will most likely take place online.</p> <p>Support continues to be provided to residents of Paddington social housing around issues of food security and referral to appropriate supports.</p>	
Deliverables / Action	Measure	Status	Comments
Increase the domestic violence and support housing program fourfold.	Completed 2020-2021		Council has increased the Provision of Housing in the Domestic Violence and Support Program in partnership with Women's Housing Company from 7 apartments to 10. Staff are coordinating with Central and Eastern

Deliverables / Action	Measure	Status	Comments
Increase the domestic violence and support housing program fourfold.	Completed 2020-2021		Sydney Primary Health Network on the rollout of the newly completed program aimed at providing training and education to local GPs. Whilst the engagement strategy initially targets practices in the Randwick and Bayside areas, Primary Health Network have confirmed that they will not turn away practices in other areas that request support, including Woollahra.

Strategy 2.3: Plan for the needs and aspirations of families.


Ref	Priority	Comments
2.3.1	Encourage and promote services and support for families with young children.	The Australian Children's Education & Care Quality Authority conducts an assessment and rating visit every 3-5 years. The previous assessment was in February 2016, where the Preschool was rated as 'Exceeding' the National Quality Standard across all 7 areas of assessment. The most recent assessment was completed in May 2021, where the Preschool was again rated as 'Exceeding' the National Quality Standard in all areas.

Deliverables / Action	Measure	Status	Comments
Provide high quality preschool education to 80 children per day	Ongoing 2018-2022		<p>At the commencement of 2021, the Woollahra Preschool staff team in collaboration with stakeholders, revised all policies & procedures including our Preschool Philosophy, revised our Quality Improvement Plan & completed a thorough Self-Assessment in preparation for our Assessment & Rating visit in May.</p> <p>We supported the successful induction of 82 new children and welcome back the 78 children who will be returning for their second year of preschool education. We designed and implemented individualized educational programs for 6 children with additional needs and applied for additional support funding.</p> <p>Music sessions with Rosemary Bloom are continuing for Mon-Wed children and Thursday sessions for the Thurs/Fri groups. We offer opportunities to learn to count, greetings and simple songs in a range of languages represented by our staff including Korean, Mandarin, Italian and Greek. This is made possible by the involvement and contributions of these families.</p> <p>We continue to implement our Dealing with Infectious Diseases – COVID-19 policy which includes staggered arrival & departures of families, exclusion of all parents & visitors and additional hygiene practices. These were revised and strengthened in June in response to the COVID outbreak in NSW.</p>

Deliverables / Action	Measure	Status	Comments
			<p>All staff completed the following training:</p> <ul style="list-style-type: none"> Managing difficult conversations with families, Managing children with ADHD, Managing children with Autism, Be You and a refresher in Identifying & Responding to children at Risk of harm. <p>We are also collected pyjamas & track-suits for 300 disadvantaged children and donated warm clothing and blankets for the homeless, in partnership with Streethearts, Double Bay Public School and Woollahra Council staff.</p>

Strategy 2.4: Encourage independent living.

Ref	Priority	Comments
2.4.1	Provide and deliver services for socially isolated people with disability.	<p>As at 30 June 2021, there were 90 members of the Home Library Service (54 members living in their own home and 36 members living in Aged Care Facilities). Promotion of the service is recommencing in the next quarter, with all Woollahra Libraries members over 85 years being contacted regarding the availability of this service.</p> <p>Over the past 6 months the service loaned 1,661 physical items, 231 eAudio, 44 electronic devices, and made 24 courier delivery runs.</p> <p>As a result of the COVID-19 June/July 'lockdown' Woollahra Libraries closure the Home Library Service made 92 calls to members and Aged Care facilities regarding the impact on the July deliveries. During these calls staff were able to have conversation with members which was important during a period where isolation is a concern.</p>

Deliverables	Measure	Status	Comments
Monitor actions and outcomes of Council's Disability Inclusion Action Plan (DIAP) by Community Services.	Ongoing 2018-2022		<p>Building upgrades to improve accessibility were undertaken to Sir David Martin Reserve Sail Loft toilets, Percival Park toilet and change room and the installation of a new lift at Woollahra Gallery at Redleaf. Consultation for the Plumb Reserve playground renewal has concluded. A \$120,000 grant application was successful under the NSW Government Everyone Can Play grant program. The playground due to begin construction in August 2021 will include many types of play and supportive amenities as possible to ensure this playspace meets the needs of disability groups. The new playspace includes both natural and artificial shade, is fully fenced, has accessible parking, a picnic table and range of group seating options, a drinking fountain and bottle filling station and is connected through an accessible path network.</p>


Goal 3: A creative and vibrant community


Strategy 3.1: Provide innovative library services.


Ref	Priority	Comments
3.1.1	Respond to new opportunities in the delivery of high quality and innovative libraries.	<p>In responding to the need to reduce our plastic footprint, Woollahra Libraries ran a 6 month trial reducing the amount of plastic used on all new books. A review has been drafted offering options for using less plastic and the Library will continue to investigate developments in the production of sustainable book processing materials.</p> <p>The Library eCollection has continued to be well used over the 6 month period January to June 2021. A total of 63,700 downloads were recorded across all eCollection platforms compared to 53,132 downloads for the same period last year, showing an increase of 20%.</p> <p>A new ePlatforms MediciTV, an online platform offering access to performances, lectures and master classes in ballet, opera and classical music, has been investigated and will to be rolled out to customers in September 2021.</p>

Strategy 3.2: Preserve and promote local history, including Indigenous history.

Ref	Priority	Comments
3.2.1	Collect local history information and ensure accessibility to the public.	<p>The Local History program encourages the community to recognise and appreciate the unique local identity of the Woollahra LGA. The program continues to engage with the community through the delivery of targeted presentations and responded to 196 enquiries over the past 6 months. The Local History Digital Archive continues to increase the amount of content and is well used by the public and local researchers. The Woollahra Plaque Scheme remains a popular initiative, driven by community suggestion. Four quality plaque unveilings have been held so far during 2021.</p>

Deliverables / Action	Measure	Status	Comments
Deliver the Local History program through bi-annual walks, up to 3 presentations and respond to public and Council enquiries.	Ongoing 2018-2022		Two walking tours were held during April and May with each tour being offered three times. The first walking tour, 'Nature and Culture in Watsons Bay' supported the broader Council participation in the 'Go slow for a Mo' movement, which associates the natural environment with well-being. The second walking tour was registered as part of the National Trust's Heritage Festival and addressed the theme: 'Our heritage for the future' with a walk highlighting the heritage of Bellevue Hill including the gardenesque

Deliverables / Action	Measure	Status	Comments
Add photographs and historic Council records to the Local History Digital Archive.	Ongoing 2018-2022		<p>features of the 'pleasure ground' landscape of Cooper Park. A total of 56 attendees participated across these six tours.</p> <p>An online filmed version of the Cooper Park segment of the Bellevue Hill walk was produced which also included sub-titles to assist the hearing impaired. Uploaded to Council's website in late May, the film had received 79 views by 30 June 2021.</p> <p>The first in-person event since January 2020 of the 'Discover Your Local History' series was held on Tuesday 4 May 2021, as part of the National Trust's Heritage Festival 2021. Dr Bernadette Flynn of the Historic Houses Association presented an illustrated talk 'Heritage futures: the historic houses property network,' which discussed the challenges of managing items of significant heritage value in private ownership.</p> <p>A total of 165 enquiries were received during the period January to June 2021. Of the 196 requests for information, 24 supported commercial purposes, 79 originated from non-commercial general interest and 93 were received from Councillors or Council staff.</p> <p>The Local History Digital Archive continues to grow and be well used by the community as follows:</p> <ul style="list-style-type: none"> Views of the Digital Archive increased substantially over the past 6 month period (1,326 views) compared to the previous 6 month period (740 views). The number of views of the Local History webpages also increased over the past 6 month period with a total of 18,183 views between January to June 2021 compared with 16,028 views from July to December 2020. The Historic Council Minutes database experienced a slight decrease in usage over the last 6 months with 970 views compared to the previous 6 months of 1,160 views. This is to be expected as more material is transferred from the superseded Council Minutes database to the Digital Archive. 1,612 items were added to the Local History Digital Archive or records enhanced to improve the discoverability of scanned records during this period.




Deliverables / Action	Measure	Status	Comments
5 Administer the Woollahra Council Plaques Scheme and install 5 new plaques.	In Progress 2020-2021; Covid related delays		<ul style="list-style-type: none"> The development of 15 Narratives, each showcasing selections from the Digital Archive based on individual themes, was finalised during this period. These Narratives will enable the user easy access to materials in grouped collections, including new releases. The Narratives will be made available to customers in the following quarter when the upgrade to the Digital Archive is expected to be completed. <p>The Woollahra Council Plaque Scheme is a successful initiative which continues to be well received by the community with over 5,414 views of the Plaque Scheme pages over the past 6 months. The top three most viewed unveilings for the last quarter were all female recipients under the Plaque Scheme and include, Elizabeth Macarthur, Rose Scott and Jessie, Lady Street.</p> <p>During this period the following 4 successful plaque unveilings were held:</p> <ul style="list-style-type: none"> Alan Morris (co-founder of the Paddington based advertising agency Mojo) on Wednesday 24 February 2021; Edward Albert Douglas (Doug) Watson (Australian artist, official War artist in WW2) on Wednesday 14 April 2021; Jessie, Lady Street (Feminist, socialist and political activist) on Tuesday 25 May 2021 and commemoration of The Beatles concerts at the Sydney Stadium Paddington 1964, on Wednesday 16 June 2021. <p>Approximately 35 students from Sydney Grammar joined the plaque unveiling for The Beatles, dancing to the music played by the tribute band Beatle Magic.</p>

Strategy 3.3: Lead, celebrate and recognise the creativity and vibrancy of our community.

Ref	Priority	Comments
3.3.1	Lead, produce and promote community cultural programs and celebrations.	<p>Many community cultural programs and celebrations could not be conducted this year. These will become a focus for the community to come together after restrictions are lifted.</p> <p>Entries for the 2021 Youth Photographic Award opened in May. The entry form included a particular category this year, 'Inclusivity', where students have been asked to submit photographic observations relating to what inclusion might mean and look like. Despite the challenging conditions for the schools, the call for entries for the competition has been well received by teaching staff.</p>

Ref	Priority	Comments
		<p>Three successful artists have been contracted for the Creative Hoardings Program. Their designs were taken from concept through to final design stage. The successful concepts and artists include:</p> <ul style="list-style-type: none"> • All the Peoples by Ananyaa Mital. • Murray Rose Sequence by Antonia Pesenti/Studio Fable • Mulga Vista by Sinead Hanley <p>The 2021/22 Woollahra Artist in Residence Program (WAIR) called for submissions from artists until May 2021 with an assessment of submissions undertaken by the Cultural Committee in June 2021. The Woollahra Artist in Residence Program will provide non-residential, furnished studios for 12 weeks at a time for artists to work in the Cultural Hub of Woollahra Gallery at Redleaf. One artist will be in residence at any given time. In return for rent-free use of the studio space, the resident artists will devise and deliver community projects that will require the active participation of Woollahra residents. Resident artists are also expected to grant studio access to visitors. During the residency, the artist is also encouraged to pursue their own work and will be provided with an allowance of \$1,000 plus GST.</p> <p>Twenty two submissions were received which represents more than double the average number of previous applications per round. 68% of submissions received were from local area artists, with the remaining 32% being from inner areas of Sydney.</p> <p>Five artists were recommended to undertake a residency as part of this round. These artists include:</p> <ul style="list-style-type: none"> • Landscape painter Susan Baird, • Large-scale muralist Sharon Billinge, • Multi-disciplinary artist and researcher Penelope Cain, • Choreographic researcher Wendy Yu, and • Installation artist Rox De Luca.


Deliverables / Action	Measure	Status	Comments
Develop the Woollahra Libraries Strategic Plan 2020-2025.	Completed 2020-2021		<p>Woollahra Libraries appointed ThinkPlace Consultancy in December 2020 to assist with the development of Woollahra Libraries Five Year Strategic Plan 2021-2026. Their brief was to provide direction for the future provision of a 'State of the Art' Library service in the 21st century with strategies for the next five years.</p> <p>Library staff and the consultants reviewed the Library's existing technology, events and programs, and collection against key benchmarks and best practice and identified national and global trends which may impact upon the future of the Library Service.</p> <p>An extensive community engagement program was undertaken including:</p>

Deliverables / Action	Measure	Status	Comments
Deliver the Woollahra Digital Literary Award annually.	In progress 2020-2021		<ul style="list-style-type: none"> 8 pop-up stalls across the Woollahra LGA 5 focus groups which attracted 63 attendees an online and hard copy survey via Your Say Woollahra, through which 1,247 survey responses were received. <p>The final draft of the Woollahra Libraries Strategic Plan is due to be presented to Council on 26 July 2021. Library Staff will then begin work on the initiatives recommended.</p> <p>The 2021 Woollahra Digital Literary Award launched on Monday 31 May. This year a new category of 'Digital Innovation' was introduced and the eligibility criteria updated to help maximise the Award. As of 30 June, 64 entries have been received. Submissions close on 30 August.</p> <p>The new judging panel for 2021 are Bri Lee, Margaret Morgan, Ali Whitelock and Brett Osmond, with judges to be rotated each year. The Award ceremony is booked in for Saturday 27 November with Michaela Kalowski to return as emcee.</p>
Lead, produce and promote the Woollahra Small Sculpture Prize.	Ongoing 2018-2022		<p>In October 2020, finalists were announced for the 20th annual Prize and exhibition. The 2020 finalist works, by artists from Australia, New Zealand, United Kingdom and Italy, will be presented for the first time in the Woollahra Council's new purpose built gallery space, as its inaugural exhibition opening in 2021.</p> <p>The 54 finalist artist sculptures – each measuring up to 80cm in any dimension – were selected from a record 844 entries by a judging panel comprised of Director Curatorial and Digital, Museum of Contemporary Art Australia Dr Lara Strongman, Art Historian/Curator and Industrial Archaeologist Joanna Capon OAM and celebrated artist and fashion designer Jenny Kee AO.</p> <p>Due to PHO restrictions, timelines for the Woollahra Small Sculpture Prize are continuing to shift. A media release announcing finalists was re-issued in June 2021. Independent Arts Writer, Chloe Wolfson, has been contracted to expand on the content of the Woollahra Small Sculpture Prize Acquisitions Guide. An exhibition of all acquisitional work will accompany the 20th Anniversary exhibition.</p>
Develop and implement a community art gallery program.	Ongoing 2018-2022;		<p>Pending the finalisation of the building and COVID-19 restrictions, a contingency plan that looks at several possible opening options. has been developed.</p>

Deliverables / Action	Measure	Status	Comments
	Covid related delays		The program has been adjusted to accommodate a move away from our planned August 18 opening date. The Gallery Social media profile on Instagram has grown to now include 1,500 followers.

Strategy 3.4: Initiate, support and promote accessible arts, artists and cultural development.

Ref	Priority	Comments
3.4.1	Produce and support innovative and creative initiatives reflective of the community's arts/cultural aspirations.	<p>The last quarter of the Pop Up Posters Paddington program 2020/21 was on display at Paddington Library until mid-June 2021. This program is being reviewed and plans for a mixed exhibition program at Paddington Library is being explored and trialled with community members having the opportunity to exhibit works such as grants recipients.</p> <p>The initial planning for the community engagement event of an artwork Hackathon was commenced. This event is in partnership with UNSW EPICentre and will be an online event in late August, early September 2021.</p> <p>An artist was engaged to create an artwork design for the library returns box in Rose Bay. A creative design vinyl was installed in June 2021 to line up with the other library returns boxes in the LGA.</p> <p>The traffic signal box design on the corner of Kent Road and New South Head Road was replaced due to graffiti damage and environmental decay. The original artist assisted in transferring the artwork design onto a vinyl, which was installed in June 2021.</p> <p>The Cultural Team were involved in extensive planning for the Woollahra Gallery at Redleaf and Cultural Hub ahead of its scheduled opening. The DIY Arts and Cultural Walks, developed by the Cultural Team, were promoted by Council.</p>

Deliverables / Action	Measure	Status	Comments
Coordinate and implement the installation of the following public art and public art opportunities across the LGA: Digital art work in Kiaora Place (by Dec 2020); View Finder installed (by Dec 2020); Artwork commissioned for art gallery (by June 2021).	In Progress 2020-2021; Covid related delays		<p>The sculpture installation of Viewfinder at Lighthouse Reserve, Vaucluse was successfully completed in February 2021. The work is on loan to Council for a period of at least 5 years. This work is the 19th public artwork to be included in Council's collection.</p> <p>The Double Vision digital art project, which is a partnership with UNSW EPICentre commenced in earnest in January 2021 and the project planning, content curation and hardware fabrication was undertaken up to June 2021. The digital screen was scheduled to be installed in June 2021 but due to the Covid-19 related lockdown of Sydney, the installation will occur once it is safe to do so according to the PHO.</p>

Deliverables / Action	Measure	Status	Comments
			The planning for the artwork Hackathon was undertaken in May and June 2021. While the event was to be in person at UNSW, it will now be hosted by UNSW online for three days instead, with the digital artworks from the Hackathon to be displayed on the Double Vision digital screen in Double Bay. The successful curator for the Blackburn Gardens artwork commission, adjacent to the new Woollahra Gallery at Redleaf, was selected by the Public Art Panel in March and commenced work on the commission together with staff in late May, early June 2021. The artwork commission project is to be completed in 2022.

Ref	Priority	Comments
3.4.2	Work in partnership with artists and arts/cultural organisations	<p>Interest in Council's Cultural Programs from artists and the arts community remained strong. The Woollahra Gallery Instagram account grew from 1,000 to 1,525 followers. Followers on social media channels for the Woollahra Small Sculpture Prize also increased: Instagram (2, 943 to 3, 065 followers) and Woollahra Small Sculpture Prize Facebook (2, 755 to 3,030 followers). The Woollahra Small Sculpture Prize database remains strong at 7,500 subscribers.</p> <p>The Cultural Team works closely in an advisory manner with a number of profiled arts sector leaders on representative committees. Meetings with these committees including the Public Art Panel, Cultural Committee and Woollahra Small Sculpture Prize Committee continued in an online capacity or in person where able to.</p> <p>A number of significant partnerships have been generated during 2021 for the installation of public artworks. This has included:</p> <ul style="list-style-type: none"> • A loan agreement partnership with artist Joel Adler for the installation of his sculptural work Viewfinder at Lighthouse Reserve . • A partnership with the University of New South Wales, specifically the UNSW Epicentre staff, in relation to the installation of a digital art screen Double Vision in Double Bay. This partnership includes the provision of digital art content. • Curatorial partnership for an artwork commission in relation to Woollahra Gallery at Redleaf. • Further partnerships were established with local artists to support their work during COVID-19 including a Head On associated Exhibition in Paddington Library.



A note about Goal 4: Well-planned neighbourhoods

Actions around Planning matters often have multiple stages, and progression through these stages is subject to reviews and approvals along the way.

For example, changes to Woollahra's Planning controls or the listing of heritage items may commence with a report to Council on desirability and feasibility, and then be recommended to progress to a Planning Proposal.

A Planning Proposal is subject to a Gateway Process. In July 2009, the 'gateway' plan-making process was introduced and has the following steps:

- The Relevant Planning Authority (RPA) (most often council) is responsible for the preparation of a planning proposal, which explains the effect of and justification for the plan.
- If initiated by the Minister, the Secretary of the Department of Planning, Industry and Environment (DPIE), or a joint regional planning panel (JRPP) or the Greater Sydney Commission (GSC) can be the RPA.

At Woollahra Council, this process may look like this:

- Step 1: A report is made to Council
- Step 2: A Planning Proposal is prepared by staff
- Step 3: A gateway determination is issued
- Step 4: Community consultation is undertaken
- Step 5: An Assessment is made
- Step 6: The making of the Local Environment Plan (LEP)

The process may be different depending of the type and scale of action and the parties involved in decision-making.

Where a Planning action is likely to have further steps pending approvals, we have included this symbol:



This appears in tandem with the traffic lights in the legend below when applicable.

We have also separated the Deliverables from the Action, in the hope that this makes it clearer to the reader what work is being undertaken by Council and to what purpose.

For more information about Planning matters, please head to our website: https://www.woollahra.nsw.gov.au/building_and_development

Legend

We have used a traffic light system to indicate the progress of our Operational Plan actions:



Fully complete



Not yet commenced



On track



No progress












Delays



Goal 4: Well-planned neighbourhoods


Strategy 4.1: Encourage and ensure high quality planning and urban design outcomes.



Ref	Priority	Comments
4.1.1	Ensure that Council's strategic planning framework, Local Environmental Plans and Development Control Plans are regularly reviewed, are consistent with the Eastern City District Plan and provide a planning and compliance framework which will result in appropriate high quality development.	In regard to this priority our focus during this half of the year was on : <ol style="list-style-type: none"> 1. Progressing the Planning and Urban Design Strategies for Double Bay and Edgecliff. 2. Progressing the Draft Woollahra Local Housing Strategy, Draft Affordable Housing Policy and a Discussion Paper on Local Character Statements. 3. Progress the planning provision amendments relating to excavation and dewatering. 4. Progressing the planning proposal for a minimum lot size for attached dual occupancies. 5. DCP amendments relating to air conditioning, mechanical plant equipment and fire hydrants and fire hydrant boosters. 6. Preparing the Woollahra Section 7.12 Development Contributions Plan 2021.





Deliverables	Action	Measure	Status	Comments
Public exhibition of planning controls	Review and exhibit planning controls for the Edgecliff Commercial Centre . (UPC delegated 16/11/2015)	In Progress 2018-2021; Post exhibition briefing in Q2 (Oct – Dec 2021)		Based on the results on the consultants' studies (SJB, JLL, GTA and SCT) and the Draft ECC Public Domain Plan, Council staff prepared the Draft ECC Planning and Urban Design Strategy. On 29 March 2021, a report on the draft strategy and supporting documents was presented to a meeting of the Strategic and Corporate Committee requesting public exhibition. On 26 April 2021, Council resolved to publicly exhibit the draft strategy and supporting documents. Exhibition commenced on 31 May 2021.
Study on Riddell Street	Report on rezoning of that part of Riddell Street , Bellevue Hill (currently zoned R3 Medium Density Residential) to R2 Low Density Residential zone (NOM 12/08/2019)	Completed	 	This action has been completed. Consultants Studio GL were engaged to undertake an independent planning and urban design review of Riddell Street, Bellevue Hill. The consultant report was presented to Council in July 2021, where Council resolved to prepare a planning proposal and carry out a further review of 1-11 Riddell Street. This will become a new action for 2021/22.



Deliverables	Action	Measure	Status	Comments
Drafting of strategy	Draft new housing strategy consistent with the guidelines to be issued by the Greater Sydney Commission.	In Progress 2020-2022; Post exhibition report in October 2021		The draft local housing strategy was reported to Council in June 2021 where Council resolved to place this on public exhibition. It is anticipated that a draft strategy will be exhibited in August/September 2021, and a post exhibition report will be presented to Council in October 2021.
Report and drafting of policy	Affordable Housing – Prepare a report on a draft affordable housing policy together with a draft planning proposal. (NOM 26/02/2018)	In Progress 2020-2022; Post exhibition report in October 2021		This was rolled into the preparation of the housing strategy. The Draft Woollahra Affordable Housing Policy 2021 was reported to EPC on 15 June 2021 with the draft local housing strategy. The report advised that planning proposals to implement an affordable housing scheme be undertaken for uplift precincts separately in accordance with the relevant legislation and NSW Government planning policies. On 5 July 2021 Council resolved to publicly exhibit the draft policy with the draft local housing strategy. It is expected that the public exhibition will be held in August/September 2021.
Final report presented to Council	Investigate the need for amendments to planning controls as a consequence of excavation, subterranean building and dewatering in Double Bay (CR 25/2/19).	Completed	 	Consultants GHD were appointed, and a report on their findings was considered by Council in both April and May 2021. Council has resolved to do the following: <ul style="list-style-type: none"> • prepare a planning proposal to amend Woollahra LEP 2014 • prepare and exhibit a Draft DCP • investigate mechanisms to prohibit excavation and dewatering in Double Bay.
Implementation of planning controls	Investigate mechanisms to prohibit excavation and dewatering in Double Bay.	Completed	 	Investigation work is complete. It is anticipated that a report addressing these issues will be reported to Council in September/October 2021.

Deliverables	Action	Measure	Status	Comments
Implementation of the planning controls	Planning proposal – Flood Planning Map amendment bases on Paddington Floodplain Risk Management Study and Plan 2019 (CM 11.11.2019)	Completed 2019-2021		The Paddington FRMSP 2019 was reported to EPC on 2 September 2019, and adopted by Council on 9 September 2019. A planning proposal was prepared. This was reported to the WLPP on 5 December 2019. The advice from the WLPP was reported to EPC on 3 February 2020, and Council resolved to exhibit on 10 February 2020. On 30 March 2020, a Gateway Determination was issued by the DPIE. Public exhibition occurred between 29 June 2020 and 14 August 2020. The post-exhibition report was reported to EPC on 30 November 2020 which resolved to remove nine (9) properties from the planning proposal, bringing the total number of properties included to 828. Council also resolved to proceed with the finalisation. The amendment to the Woollahra LEP 2014 came into effect on 26 March 2021.
Exhibition of draft	Community consultation on planning proposal and draft DCP – introduction of FSRs and urban greening provisions for low density residential development in the R2 Low Density Residential and R3 Medium Density Residential zones (CM 29/04/2019)	In Progress 2019-2021; Anticipate public exhibition in Q2 (Oct-Dec) 2021		The following steps have occurred since July 2020: 1. 6 Jul 2020- Report to EPC to present Woollahra: Greening our LGA and recommendations to amend the LEP and DCP provisions to sustain and enhance tree canopy cover, including amending the deep soil control to 35% of site area and introducing a new tree canopy control of 40% of site area for low density resi. development. 2. 27 Jul 2020- Council resolved to organise another briefing to further investigate the proposed tree canopy controls. 3. 19 Aug 2020- Councillor Briefing to provide revised analysis on tree canopy calculation methods and reduced tree canopy control. 4. 7 Sept 2020- Report to EPC to provide a revised methodology for calculating tree canopy area, a reduced tree canopy control of 35% of site area and further variations to the tree canopy control. 5. 29 Sep 2020- Council resolved to refer proposed controls, including FSR of 0.5:1, deep soil control of 35% of site area and a new tree canopy control of 35% of site area for low density resi. development to the Woollahra LPP for advice.

Deliverables	Action	Measure	Status	Comments
Local character statements are adopted	Identify special local character areas and prepare local character statements . (NOM 11.11.2019; CM 11.11.2019)	In Progress 2019-2022; Draft local character statements to be reported in early 2022.		<p>6. 15 Oct 2020 – Woollahra LPP supported, in principle, the amended planning proposal including an FSR of 0.5:1, and proposed amendments to the DCP.</p> <p>7. 2 Nov 2020 – Report to EPC with advice from the Woollahra LPP</p> <p>8. 23 Nov 2020- Council resolved to forward the amended Planning Proposal and proposed amendments to Woollahra DCP 2015 to the Department of Planning, Industry and Environment requesting a gateway determination to allow public exhibition. Subject to the DPIE providing a Gateway Determination to allow public exhibition, the planning proposal and draft DCP will be on public exhibition in the first quarter of 2021.</p> <p>9. On 2 Feb 2021, Council submitted the amended Planning Proposal and proposed amendments to the DCP to DPIE requesting a gateway determination to allow public exhibition.</p> <p>Subject to the DPIE providing a Gateway Determination to allow public exhibition, the planning proposal and draft DCP will be placed on public exhibition in (Oct- Dec 2022). Subject to the nature of the issues raised during community consultation, the next step is the planning proposal will be finalized and the Draft DCP adopted, which will bring into effect an FSR control for low density residential development and urban greening controls.</p> <p>Background research and review has commenced. The Council decision on 11 November 2019 required completion of the local character statements by the end of April 2020. The Local Character Overlay Discussion Paper published by DPIE recommends that a local character overlay should follow a strategic planning process which includes a local strategic planning statement and a local housing strategy. A discussion paper on local character was reported to Council in June 2021 with the Draft local housing strategy. It is anticipated that this will be on public exhibition in August/ September 2021. Draft local character statements will be reported to Council in early 2022.</p>

Deliverables	Action	Measure	Status	Comments
Implementation of amended planning controls	Pending outcomes of the new housing strategy, create a planning proposal to increase the minimum lot size to construct an attached dual occupancy development in the R2 Low Density Residential Zone to 800m2.	In Progress 2019-2022; Public exhibition in Q3 (Jan-Mar) 2022		<p>On 4 November 2019 the EPC considered a report to increase the lot size for dual occupancy, and on 11 November 2019 Council resolved to prepare a planning proposal. This was presented to the WLPP meeting on 30 January 2020 who supported the planning proposal. This advice was reported to EPC on 2 March 2020 and on 9 March 2020 Council resolved to forward the planning proposal to the DPIE requesting a gateway determination.</p> <p>On 1 Feb 2021, Council staff reported to the EPC that DPIE had rejected Council's planning proposal to introduce a minimum lot size of 800m2 for attached dual occupancies. On 22 Feb 2021, Council resolved that a written request be sent to the Minister for Planning and Public Spaces to formally proceed with an amended planning proposal seeking to introduce a minimum lot size of 1,200m2 for attached dual occupancies in the R2 Low Density Residential Zone.</p> <p>In response, staff have been undertaking scenario testing to submit to the DPIE. Council will submit the amended Planning Proposal to the DPIE in Q1 (Jul-Sep 2021) requesting a gateway determination to allow public exhibition. Subject to the DPIE providing a Gateway Determination to allow public exhibition, the planning proposal and draft DCP will be on public exhibition in Q3 (Jan – March 2022).</p>
Implementation of amended planning controls	Interpretation of desired future character (prompted by LEC decision)	In Progress 2020-2021;		<p>On 6 October 2020, the EPC considered a report seeking a Council resolution to prepare a planning proposal to clarify the interpretation of desired future character in the Woollahra LEP 2014. On 26 October 2020, Council resolved that a planning proposal should be prepared. On 19 November 2020, the WLPP considered the planning proposal report. On 30 November 2020, the advice of the WLPP was reported to the EPC. On 14 December 2020, Council resolved that the planning proposal be submitted to DPIE requesting a gateway determination to proceed to public exhibition. The planning proposal was submitted for gateway determination on 21 December 2020.</p> <p>Should the DPIE issue a gateway determination, the next step will be that the proposal will proceed to public exhibition in Q2 (Oct – Dec) 2021.</p>

Deliverables	Action	Measure	Status	Comments
Report to Committee	Review of planning controls for Fire Hydrants and Fire Hydrant Boosters (NOM 26/10/20)	Completed 2020-2021		This project responds to a Notice of Motion from 26 October 2020. On 12 April 2021, the EPC considered a report on the proposed controls to enhance the provisions for fire hydrant and booster installations. On 26 April 2021, Council resolved that the draft Woollahra DCP 2015 proceed to public exhibition. The draft Woollahra DCP 2015 was publicly exhibited from 12 May 2021 to 11 June 2021. On 12 July 2021, the EPC considered a report on the public exhibition which noted that no submissions were received. On 26 July 2021, Council resolved to approve the amendments to the Woollahra DCP 2015. The amended controls will come into effect on 30 August 2021.
DCP amendment commences	Woollahra DCP 2015 Amendment No. 15 for air-conditioning and other mechanical plant equipment (NOM 24/2/20)	Completed 2020-2021		This project responds to a Notice of Motion from 24 February 2020. On 2 November 2020, the EPC considered the report on the review of planning provisions for air conditioning units and other mechanical plant equipment. On 23 November 2020, Council resolved that the Draft Woollahra DCP 2015 proceed to public exhibition. The Draft Woollahra DCP 2015 was publicly exhibited from 27 January 2021 to 26 February 2021. On 8 March 2021, EPC considered a report on submissions received during the public exhibition and on 22 March 2021, Council resolved to approved the amendments to the Woollahra DCP 2015. The new planning controls came into effect on 12 April 2021.
Report to Council	Review of s7.12 development contributions plan	Completed 2020-2022	 	On 10 May 2021, the EPC considered the Draft Woollahra Section 7.12 Development Contributions Plan 2021, and on 24 May 2021 Council endorsed the Draft Plan for exhibition. The Draft Plan was exhibited from 2 June 2021 to Friday 2 July 2021. A post exhibition report was considered by EPC on 12 July 2021, and this was endorsed by Council 26 July 2021. The Woollahra Section 7.12 Development Contributions Plan 2021 will come into effect on 30 August 2021 and will repeal and replace the Woollahra Section 94A Development Contributions Plan 2011.

Deliverables	Action	Measure	Status	Comments
Planning Proposal to remove the lands reserved for acquisition in Edgecliff	Prepare and exhibit a planning proposal to remove the lands reserve for acquisition in Edgecliff	In Progress 2020/21 - 2021/22		On 15 June 2021 the EPC considered a report on the lands reserved for acquisition along New South Head Road and Glenmore Road in Edgecliff. On 5 July 2021 Council resolved to prepare a planning proposal to remove these affectation. The planning proposal will be presented to the WLPP in Q1 (July – Sept) for advice. The advice will then be reported to a future meeting of Council.
Exhibition of planning proposal	Double Bay Bowling Club Preservation of Land for Private Recreational Use – Exhibit a planning proposal setting out amendments to the Woollahra Local Environmental Plan 2014. (NOM 24/08/2020)	In Progress 2020-2022; Report due Q2 2021/22		On 19 November 2020, the WLPP considered the planning proposal report. On 30 November 2020 the advice of the WLPP was reported to the EPC. On 14 December 2020, Council resolved that the planning proposal be submitted to the DPIE for gateway determination. The planning proposal is on public exhibition from 14 July 2021 to 13 August 2021. To comply with a condition of the gateway determination, staff are undertaking a preliminary site investigation to determine if there is any potential contamination on the land. It is anticipated that a report on submissions received during the public exhibition will be reported to the EPC in Q2 of 2021.

Ref	Priority	Comments
4.1.2	Deliver high quality and timely development assessment.	The principal performance indicator for the Development Control Department is that we continue to provide an effective and efficient development control service. The performance of Development Control is outlined below.

Workload and Productivity

The following table shows the number of DAs and s.4.55 applications lodged compared to the number of DAs determined during this reporting period.

Quarter	# DAs Lodged	# DAs Determined	# s4.55 Lodged	# s4.55 Determined
1st 2020/21	152	165	114	99
2nd 2020/21	163	139	102	106
3rd 2020/21	131	138	92	88
4th 2020/21	139	144	111	104

The following table shows both DAs and modification applications lodged and determined during the 3rd and 4th quarters of 2020/2021.

Quarter	Total Applications Received	Total Applications Determined
1st 2020/21	266	264
2nd 2020/21	265	241
3rd 2020/21	223	226
4th 2020/21	250	248

Decision makers

The following table shows where decisions on DAs (excludes s.4.55 applications) were made during the 3rd quarter.

Level of Delegation	Total # of DAs	% of Total	Approved	Refused
Staff	91	65.9%	85	6
Application Review Panel	27	19.6%	27	0
Application Assessment Panel	8	5.8%	8	0
Local Planning Panel	10	7.3%	7	3
Sydney Eastern City Planning Panel	2	1.4%	5	0
Total	138	100%	129	9

Note: The above figures do not include DAs which were rejected within 7 days of lodgement or withdrawn. In total 9 DAs were rejected or withdrawn.

The following table shows where decisions on DAs (excludes s.4.55 applications) were made during the 4th quarter.

Level of Delegation	Total # of DAs	% of Total	Approved	Refused
Staff	85	59.1%	77	8
Application Review Panel	26	18.1%	26	0
Application Assessment Panel	10	6.9%	10	0
Local Planning Panel	23	15.9%	13	10
Sydney Eastern City Planning Panel	0	0%	0	0
Total	144	100%	126	18

Note: The above figures do not include DAs which were rejected within 7 days of lodgement or withdrawn. In total 3 DAs were rejected or withdrawn.

Appeals

The following table shows the number of appeals lodged during the following quarters. Specific details of all appeals, are tabled and reported quarterly to the EPC.

Quarter	Appeals Lodged
1st 2020/21	10
2nd 2020/21	13
3rd 2020/21	9
4th 2020/21	15

Given the current number of appeals being dealt with is still relatively high, the level of legal activity and staff resourcing (preparation of Statement of Facts and Contentions, Statements of Evidence and Court attendance) is also high. This has a direct influence on Council's processing times.

Turnaround Times

The following tables provides a summary of the net and gross mean processing times in days for Development Application (excludes s.4.55 applications) determinations:

Measure	3rd Qtr 2018/19	4th Qtr 2018/19	1st Qtr 2019/20	2nd Qtr 2019/20	3rd Qtr 2019/20	4th Qtr 2019/20	1st Qtr 2020/21	2nd Qtr 2020/21	3rd Qtr 2020/21	4th Qtr 2020/21	FY 2020/21
Overall											
Net Mean	118	124	109	98	89	104	99	90	85	93	92
Gross Mean	133	149	131	129	115	133	132	117	107	116	118
Staff Delegated											
Net Mean	89	63	62	60	66	69	56	53	58	56	63
Gross Mean	104	103	92	89	93	91	81	79	71	76	77
ARP											
Net Mean	233	165	102	165	115	121	106	113	109	123	111
Gross Mean	268	202	140	205	140	178	145	146	125	152	131
AAP											
Net Mean	229	217	200	179	90	205	155	150	118	151	144
Gross Mean	278	243	251	225	195	275	237	179	193	222	208
LPP											
Net Mean	149	266	210	143	270	156	209	186	181	171	187
Gross Mean	183	330	259	239	290	220	255	209	275	210	237

The overall net and mean processing times in the 3rd and 4th Quarters of 2020-2021 have met the benchmark requirement of a 15% reduction in net and gross mean processing times based over the past three years of activity. This benchmark equates to 95 and 117 days, respectively. Staff resources in Development Control are at full capacity.


The satisfactory overall processing times can be attributed to the following key factors:

1. Staff resources in Development Control being close to full capacity.
2. The backlog of DAs with long outstanding referrals have been cleared and overall processing times are within acceptable parameters.
3. The outsourcing of DAs, including Class 1 appeals to external planning consultants.
4. The implementation of the following internal work strategies:
 - the auditing and triage of all applications on a monthly basis;
 - the setting of performance targets to assessment timeframes;
 - delivery focused assessment processing.

Outcomes




The following outcomes were achieved in the reporting period:




- Satisfactory overall processing times which have met Council's adopted benchmark of a 15% reduction in net and gross mean processing times.
- Achieving the target of 95 days set by the Department of Planning, Infrastructure and Environment (DPIE) in Council's participation agreement in the NSW Open Spaces Legacy Program.
- The demonstration of Council Development Control staff to work remotely with improvements to the core function of processing applications.
- DA referral processing times are continually improving and within acceptable parameters.
- The productivity of Development Control in terms of processing DAs and related applications including case handling of Class 1 appeals has been high.
- Successful planning outcomes have been achieved in Class 1 appeals.







Deliverables	Action	Measure	Status	Comments
15% reduction	Achieve a 15% reduction from the last 3 previous years in overall nett mean time for the processing of applications	Completed 2020/21		Based on Council's benchmark performance over the past three years of activity a 15% reduction in net and gross mean processing times equates to a target of 95 days and 117 days respectively. The target of 95 days is also consistent with the target set by the Department of Planning, Infrastructure and Environment (DPIE) in Council's participation agreement in the NSW Open Spaces Legacy Program. The overall processing times achieved in the 3rd and 4th Quarters of 2020-2021 have met both Council's adopted benchmark and the target set by DPIE.



Strategy 4.3: Protect our heritage, including significant architecture and the natural environment.


Ref	Priority	Comments
4.3.1	Maintain a program of heritage research and review of existing and potential conservation areas and heritage items.	During the second half of 2020, our priority was to <ol style="list-style-type: none"> 1. Undertake assessments of heritage significance 2. Prepare and finalise planning proposals to list heritage items 3. Finalise the Woollahra Aboriginal Heritage Study. 4. Assessing a number of items for their potential heritage significance.

Deliverables	Action	Measure	Status	Comments
Gazettal of heritage listing	Planning proposal to list the Sydney Croquet Club building and greens, Woollahra Golf Club clubhouse and George Grimley Pavilion	Completed 2018-2021		A planning proposal for the Sydney Croquet Club and the George S. Grimley Pavilion was prepared and presented to WLPP on 7 and 21 May 2020 respectively. A progress report for the George S. Grimley Pavilion was presented to the EPC on 1 June 2020. The recommendation of the WLPP was presented to EPC on 3 August 2020 and approved by Council on 24 August 2020. The planning proposal was submitted for a Gateway Determination on 11 September 2020 with approval received on 19 October 2020. The planning proposal was placed on public exhibition from Wednesday 4 November 2020 to Friday 4 December 2020. The post-exhibition report was presented to EPC on 1 February 2021 and on 22 February 2021 Council endorsed the finalization of the planning proposal. The Sydney Croquet Club was gazetted on 14 May 2021 and is listed as a heritage item on the Woollahra LEP 2014. A nomination for the State Heritage Register has been submitted and is pending.
DCP amendment commences	Report on how controls for Inter-War residential flat buildings in B3.8.7 of Woollahra DCP 015 can be applied to the Paddington and Watsons Bay HCAs. (NOM 11/11/2019)	Completed 2019-2021		Staff prepared a report on amended controls for Inter-War residential flat buildings which was reported to EPC on 8 March 2021 and endorsed by Council on 22 March 2021. A Draft DCP was publicly exhibited from 12 May 2021 – 11 June 2021. A post exhibition report was considered by EPC on 12 July 2021 and endorsed by Council on 26 July 2021. The new controls will commence on 30 August 2021.
Draft controls to Working Party	Woollahra DCP 2015 amendment - prepare a draft DCP to amend Chapter C1- Paddington HCA - by introducing numerical controls to multi storey buildings . (CM 9/12/2019 and 9/3/2020)	Completed 2019-2021		Staff prepared a report on amended controls for numerical controls for multi-storey buildings in Paddington which was reported to EPC on 12 April 2021 and endorsed by Council on 26 April 2021. A Draft DCP was publicly exhibited from 12 May 2021 – 11 June 2021. A post exhibition report was considered by EPC on 12 July 2021 and endorsed by Council on 26 July 2021. The new controls will commence on 30 August 2021.

Deliverables	Action	Measure	Status	Comments
DCP amendment commences	Woollahra DCP 2015 amendment - prepare a draft DCP to amendment Chapter C1 - Paddington HCA- by strengthening existing controls for Hotels .	Completed 2020-2021;		A Draft DCP amendment was reported to the EPC on 18 November 2019 and on 25 November 2019 Council resolved to prepare a draft DCP amendment. The Draft DCP amendment was on public exhibition from 26 August 2020 to 2 October 2020. Submissions from the public exhibition were reported to EPC on 1 February 2021 and subsequently endorsed by Council on 22 February 2021. The DCP Amendment commenced on 12 April 2021.
Report to Committee	Investigate the potential heritage significance of places of worship in the Woollahra Local Government Area in order to identify items of heritage significance at either a local or State level. (NOM 8/04/19) {incl. St Andrews Scots Presbyterian Church, corner Dover Rd and Carlisle Street, Rose Bay}	In Progress 2019-2022; subject to delays		This project is continuing using internal resources. The potential heritage significance of the nine unlisted places of worship is being assessed. Background research has been completed. Site inspections have been undertaken for eight of the places of worship, including the interiors and exteriors. One of the places of worship, the St George Greek Orthodox Church in Rose Bay, requires a site inspection subject to COVID-19 restrictions. Ongoing COVID-19 restrictions have resulted in delays in primary research undertaken at the Sydney Jewish Museum, State Library NSW and ANU Archives Library. The draft report is nearing completion. Once the draft report is finalised, it will be sent to the land owners for comment, where we will also be seeking assistance to prepare the assessment of social significance should we be recommending heritage listing. A report to EPC is anticipated in the first half of 2022 subject to the lifting of COVID-19 restrictions and the availability of comments from the landowners. Should the assessment of heritage significance recommend the heritage listing of any of the buildings or places, the next step will be the recommendation to prepare planning proposals.
Report to Committee	Undertake a heritage gap analysis (NOM 9/12/2019)	In Progress 2019-2021; report due by 30 December 2021		Preliminary investigations of Council's studies and listings has commenced and a methodology for progressing the analysis has been prepared. A Councillors Briefing was held in September 2020 to illustrate progress on the Gap Analysis and provide commentary and direction. A report to EPC on the Gap Analysis is anticipated for the second half of 2021.


Deliverables	Action	Measure	Status	Comments
Report to Council	Carry out an assessment of buildings designed by significant architects (NOM 9/12/2019)	In Progress 2022-2023. Anticipated completion December 2023		Council staff are in the process of finalising a methodology to identify buildings that have been designed by significant architects. Subject to other priorities, this project may be undertaken in stages across 2022 and 2023 as part of the programme identified in the Heritage Gap Analysis.
Gazettal of heritage item	Planning proposal to list Sunny Brae at 40 Fitzwilliam Road Vacluse	In progress. June 2021. Anticipated completion June 2022		An assessment of heritage significance was presented to the EPC on 10 May 2021 and endorsed by Council on 24 May 2021 recommending the preparation of a planning proposal to list the building as a heritage item in Woollahra LEP 2014. The LPP provided advice to proceed on 17 June 2021. On 26 July 2021, Council resolved to defer any further consideration of the planning proposal until such time that a site visit can occur. A site inspection will occur once this can be arranged in line with the relevant NSW Health restrictions regarding COVID-19.
Report to Committee	Carry out an assessment of heritage significance for the Cadry Building corner of Glenmore Road and New South Head Road Edgecliff. (NOM 10/2/2020)	Completed 2020-2021;	 	An assessment of the heritage significance of the building was reported to EPC on 20 June 2021, and on 5 July 2021 Council resolved to prepare a planning proposal to list the Cadry's building, including interiors at 133 New South Head Road, Edgecliff as a local heritage item.
Gazettal of heritage item	Planning Proposal to list the Cadrys building as a heritage item 5 July 2021	In Progress 2020-2021; Report to the WLPP		A planning proposal to list the Cadrys building as a heritage item will be considered by the WLPP in Q1 (July to Sept) 2021, and the advice from the WLPP will be reported to a future meeting of Council.
Gazettal of heritage status	Planning proposal to list Rose Bay Scout Hall in Vickory Avenue, Rose Bay, as a local heritage item (CM 24/2/2020)	Completed 2020-2021		The planning proposal was submitted for a Gateway Determination on 17 July 2020 and approval was received on 21 August 2020. The planning proposal was on public exhibition from 9 September to 23 October 2020. The post-exhibition report was presented to EPC on 4 November 2020 and endorsed by Council for finalisation on 23 November 2020. The property was gazetted on 12 February 2021 as a local heritage item.

Deliverables	Action	Measure	Status	Comments
Gazettal of heritage status	Planning proposal to list 46 Vacluse Road, Vacluse as a local heritage item (CM 24/2/2020)	Completed 2020-2021		<p>The planning proposal for the local heritage listing of 46 Vacluse Road, Vacluse was placed on public exhibition from 16 September 2020 to 30 October 2020. Following consideration of the submissions received during public exhibition by the EPC on 28 November 2020, Council resolved at the extraordinary council meeting of 3 December 2020 to make the amended LEP to list the item. A request was sent to the Parliamentary Counsel's Office in the first quarter of 2021 seeking the finalisation of the listing.</p> <p>The original IHO for the site was due to end on 6 December 2020. Following communication from Council a new IHO was gazetted for the site on 4 December 2020 for a period of up to 12 months. However, in May 2021 the IHO was revoked due to proceedings in the Land and Environment Court. Without the protection of the IHO, the building was demolished. On 28 July 2021 the DPIE issued an amended gateway determination identifying that the planning proposal should not proceed as the heritage value had been lost.</p>
Gazettal of heritage status	Planning Proposal to list 3 Trelawney Street, Woollahra as a local heritage item (CR 27 July 2020).	Completed 2020-2021		<p>The assessment of heritage significance of 3 Trelawney Street, Woollahra was reported to the EPC on 6 July 2020 and on 27 July 2020 Council resolved to prepare a planning proposal. This was reported to the WLPP on 6 August 2020 and the advice of the WLPP was reported to EPC on 6 September 2020 and endorsed by Council on 29 September 2020.</p> <p>The planning proposal was on public exhibition from 27 January to 26 February 2021. The submissions received were considered by EPC on 8 March 2021 and on 22 March 2021 Council resolved to finalise the planning proposal. The property was gazetted as a heritage item on 14 May 2021.</p>

Deliverables	Action	Measure	Status	Comments
Report to Council	Carry out an Aboriginal Heritage Study.	Completed 2020-2021		<p>Coast History & Heritage were appointed in March 2020 to carry out the Woollahra Aboriginal Heritage Study. Since appointment, the following actions has occurred:</p> <ol style="list-style-type: none"> 1. Review and update AHIMS listings. This involved: <ul style="list-style-type: none"> • Review of background information • Preparation of a consultation methodology • Liaison and consultation with La Perouse Aboriginal Land Council (LPALC) • Inspection, recording and photography of existing Aboriginal sites in the public domain • Inspection, recording and photography of existing Aboriginal sites in the private domain • Update Aboriginal site cards based on the inspections 2. Identifying and mapping sensitive areas. This involved: <ul style="list-style-type: none"> • Review of geological, topographic and soil landscapes mapping • Inspection of the LGA to identify potential sensitive areas • Consultation with LPLALC • Identification of potential sensitive areas in the LGA <p>A Councillor briefing took place on 28 August 2020. The final study was presented to the EPC on 12 July 2021 and endorsed by Council on 26 July 2021.</p>

Strategy 4.4: Encourage diversity in housing choice to suit a changing population.

Ref	Priority	Comments
4.4.1	Ensure Council's planning documents support housing diversity.	During the reporting period, this priority was addressed through work in preparing the Draft Woollahra Local Housing Strategy and Draft Woollahra Affordable Housing Policy which were both reported to EPC on 15 June 2021. On 5 July 2021 Council resolved to publicly exhibit the documents. It is anticipated that the public exhibition will be held in August/September 2021.

Deliverables	Action	Measure	Status	Comments
Public exhibition of draft strategy	Double Bay Place Plan- review Woollahra LEP 2014 and Woollahra DCP 2015 in regard to recommendations from Double Bay Centre Housing Economic Study.	In Progress 2019-2021; public exhibition to occur in Q2 – Oct to Dec 2021		The project has been substantially progressed. A comprehensive planning and urban design analysis, including the 3D modelling, has been carried out and finalised. The built form and land use recommendations, informed by the Hill PDA Economic Study and context analysis, have been drafted. The Traffic and Transport Study has been updated to include active transport infrastructure based on the feedback from the combined Strategic Planning and Working Party on 29 October 2019. The draft Planning and Urban Design Strategy, and updated Transport Study were presented to Councillors on 23 September 2020. A Community Impact Statement has been drafted to demonstrate the likely outcomes and impacts of the proposed changes to the planning controls in the Centre. On 29 March 2021 the draft Planning and Urban Design Strategy, Transport Study and draft Community Impact Statement, was reported to a meeting of S&C. The S&C deferred consideration of the report to a future meeting of the S&C. On 19 April 2021 the S&C further considered the report and on 26 April 2021 Council resolved to reaffirm the existing controls for Double Bay and revise the study to focus on Cross Street (south side between Knox Land and Bay Street) before commencing public exhibition. Revisions to the draft Planning and Urban Design Strategy, Transport Study and draft Community Impact Statement are underway. It is anticipated that public exhibition will commence in Q2 (Oct to Dec) of 2021.

Strategy 4.5: Enhance the form and function of the local business centres.

Ref	Priority	Comments
4.5.1	Ensure Council's planning strategies and controls support and promote appropriate development and activities in business centres.	The Edgecliff Centre corridor study and the review of the Double Bay Planning controls will support and promote appropriate development and activities in those centres. The Edgecliff Strategy was endorsed by Council on 26 April 2021 for public exhibition and public exhibition commenced on 31 May 2021. On 26 April 2021 Council considered a report on the planning controls for Double Bay, where they resolved to reaffirm the existing controls for Double Bay and revise the study to focus on Cross Street (south side between Knox Land and Bay Street) before commencing public exhibition. Revisions to the draft Planning and Urban Design Strategy, Transport Study and draft Community Impact Statement are underway. It is anticipated that public exhibition will commence in Q2 (Oct to Dec) of 2021.

Ref	Priority	Comments
4.5.2	Carry out urban design studies for areas, precincts and sites.	The Edgecliff Centre corridor study and the review of the Double Bay Planning controls included urban design studies and these were reported to Council on 26 April 2021. See 4.5.1 above. A discussion paper on local character was reported to Council in June 2021 with the Draft local housing strategy. It is anticipated that this will be on public exhibition in August/September 2021. Draft local character statements will be reported to Council in early 2022.
4.5.3	Ensure that upgrades to infrastructure reinforce the distinctive character of business centres.	In all of our business centres, Council staff maintain and replace appropriate infrastructure elements, by replacing these as like for like. Where infrastructure works are of a larger scale and have the potential to affect the appearance of the public domain, these are subject to a rigorous design process that includes consultation with the local community and community representatives.

Strategy 4.6: Ensure that planning and building requirements are complied with.



Ref	Priority	Comments
4.6.1	Buildings are constructed in accordance with approval requirements.	The certifying authority and Principal Certifier (PC) are responsible for ensuring building work meets public safety and regulatory requirements by;
4.6.2	Statutory requirements in relation to the certification of buildings under construction are complied with.	<ul style="list-style-type: none"> Ensuring proposed works comply with development consents and BCA requirements; Inspecting building work at specific stages to check it is consistent with the consent or complying development certificate and national building standards; and Conducting a final inspection and issuing the occupation certificate if satisfied the building is suitable for occupation or use. <p>Council provides these services, however as reported elsewhere, the majority of this work is undertaken by private accredited certifiers in the Woollahra LGA.</p>
4.6.3	Council provides cost effective and timely building certification services.	<p>Council provided the following building certification services for the full year to 30 June 2021;</p> <ul style="list-style-type: none"> 25 construction certificate applications (CCs) were received with 10 being determined, representing a market share of 1.8%; 11 complying development certificate applications (CDC) were received with 4 being determined, representing a market share of 1.7%; Council was appointed the Principal Certifier for 12 projects, representing a market share of 2.7%; and 14 occupation certificate certificates (OCs) were received with 9 being determined, representing a market share of 2.5%.



Ref	Priority	Comments
4.6.4	Council provides a timely and effective response to unauthorised uses and works.	<p>For the full year to 30 June 2021 Council's Building Control staff;</p> <ul style="list-style-type: none">received 575 customer requests and finalised 639, being approximately 20% more requests received than the previous year;served 72 'Notices of intention to give an Order', being approximately 11% more than the previous year;served 25 Orders, being approximately 35% less than the previous year;issued 4 penalty infringement notices, being 33% more than the previous year.

Goal 5: Liveable places

Strategy 5.1: Enhance local community, cultural and recreation facilities to become more attractive, integrated, and accessible.

Ref	Priority	Comments
5.1.1	Plan for community, cultural and recreational facilities to ensure they reflect community needs and aspirations.	Work continues to implement the outcomes of the Community Facilities Study. A report on Cooper Park Hall was presented to the Property Assets Working Party on 13 April which supported the refurbishment of the Hall and endorsed the submission of a Development Application. The draft Recreation Needs Study has been received and is currently being reviewed against the Playspace Strategy and the Plans of Management project.

Deliverables / Action	Measure	Status	Comments
Plan and implement a community art gallery as part of the redevelopment of the St Brigid's site.	In Progress 2018-2022		Excavation at the basement level in the south eastern corner to construct the new toilets, stair access and courtyard are complete. The construction and fitout of the new toilets cannot commence until the waterproofing of the courtyard is completed. Due to the current lockdown of some key LGAs which has caused unavailability of key trades, the current forecast project completion date is now mid-September 2021.
Complete review of the Recreational Needs Analysis.	In Progress 2018-2022		The draft Recreation Strategy was presented to the Strategic and Corporate meeting 7 June 2021. The Council on 5 July 2021 resolved; A. THAT the draft Recreation Strategy is approved for public exhibition for a period of 28 days plus a further 14 days for comments, with the amended changes recommended in the late correspondence to the Council meeting of 5 July 2021. B. THAT the draft Recreation Strategy be exhibited concurrently with the draft Woollahra Play Strategy and draft Plans of Management for Crown Land reserves. C. THAT after the public exhibition period, the draft Recreation Strategy be amended as appropriate and presented to the Strategic & Corporate Committee for recommendation to full Council. D. THAT the requirement to undertake a review of toilets through passive open space be added to the strategy prior to exhibition.

Deliverables / Action	Measure	Status	Comments
Plan and construct multi use sports courts at locations agreed by Council. (NOM 13/11/2017)	In Progress 2017-2022		The investigation works for the multi-purpose courts at Lough Playing Fields continue to progress. Geo-tech testing has been undertaken and we are currently reviewing the results. Once we have a final design and construction methodology we will report it back to the FC&S Committee for approval to exhibit to the community.
Create an LGA-wide strategy for play spaces. (NOM 30/10/2017)	Completed 2017-2021		<p>The draft Play Space Strategy was presented to the Strategic and Corporate meeting 7 June 2021. The Council on 5 July 2021 resolved;</p> <p>A. THAT the draft 'Woollahra Play: Play Space Strategy for Woollahra Council 2021-2031' be approved for a public exhibition period of 28 days plus a further 14 days for comments, subject to the following amendments:</p> <ul style="list-style-type: none"> - moving commentary regarding 'lack of space' to the front of the document; - the inclusion of a definition 'play space' within the Strategy; - the inclusion of time frames for priorities identified within the action plan; - include reference to limited/lack of space available within the Local Government Area; - include requirement to investigate inclusion of play spaces in the Wilberforce Car Park and Cross Street Car Park Developments; - explore the inclusion of temporary regular seasonably summer play facilities on the foreshores; and - include requirement to investigate inclusion of play spaces in the Wilberforce Car Park, Cross Street Car Park and Knox Street developments. <p>B. THAT the draft 'Woollahra Play: Play Space Strategy for Woollahra Council 2021-2031' be exhibited concurrently with the draft Recreation Strategy and draft Plans of Management for Crown Land Reserves.</p> <p>C. THAT after the public exhibition period, the document is amended as appropriate and presented to Strategic & Corporate Committee for recommendation to full Council.</p>

Ref	Priority	Comments
5.1.2	Consider issues of access and disability in all designs for infrastructure renewal.	Access and disability is considered in designs for all infrastructure renewal projects. Australian Standards, Council's Infrastructure Specifications and the Disability Discrimination Act is taken into consideration during the planning and design phase of all projects.
5.1.3	Implement a prioritised program of capital improvements to community and recreation facilities.	Capital works were undertaken in a timely manner. Projects which were delayed due to COVID-19 lockdowns will be completed by end of September.

Strategy 5.2: Provide and maintain safe, clean, serviceable public infrastructure including roads, footpaths, bicycle facilities, parks, open spaces, stormwater drains and seawalls.

Ref	Priority	Comments
5.2.1	Implement the infrastructure maintenance programs for all classes of public infrastructure.	Maintenance program for Council's Civil Infrastructure is ongoing and completed as programmed. Asset inspections are maintained in accordance with set schedules. A full time Asset Inspection Officer is employed and undertaking suburb by suburb detailed infrastructure inspections including utility works. Totals are for the reporting period January to June 2021.

Task	Jan-June 2021 Performance
Restoration/ Road Opening works	42 new work requests have been received; 52 requests have been quoted and are ready to be issued to contractors for completion; 75 requests have been completed.
Asset Inspections	CivilWorks Asset Inspector has identified 186 new defects through inspections carried out in Double Bay / Point Piper and Darling Point. CivilWorks have completed 159 previously identified repairs in Watsons Bay / Vaucluse and Rose Bay.
Storm water pits and GPTs are maintained in accordance with set schedules	Storm water pits/pipes and Gross Pollutant Traps are maintained in accordance with set schedules. In the reporting period Council has removed a total 187 tonnes of debris from our GPTs, which has prevented this from flowing into the harbour.

Ref	Priority	Comments
5.2.2	Undertake regular reviews of street lighting.	Street lighting reviews are prioritised and undertaken regularly by Council's Engineers. Faulty streetlights are reported to Ausgrid and/or Council's Electrical contractors for urgent repair.


Strategy 5.3: Provide attractive, accessible, connected and safe parks, sportsgrounds, foreshore areas and other public spaces.

Ref	Priority	Comments
5.3.1	Ensure Plans of Management for public open spaces are updated periodically and reflect community needs and aspirations.	<p>The draft Crown Lands Plans of Management were presented to the Strategic and Corporate meeting 21 June 2021. The Council on 5 July 2021 resolved;</p> <p>A. THAT Council forward the draft Plans of Management to the Department of Planning, Industry and Environment (DPIE) as the owner of the land for review, in accordance with the Crown Land Management Act 2016 and Section 39 of the Local Government Act 1993 with the amended changes in the late correspondence to the Council meeting of 28 June 2021.</p> <p>B. THAT following approval by DPIE, Council publicly exhibits the draft plans (concurrently with the draft Recreation Strategy and draft Playspace Strategy) for 28 days after the closing of the exhibition period for the affordable Housing Strategy and the Local Character Strategy and that submissions be received for a period of not less than 42 days after the commencement of the exhibition period, in accordance with Section 38 of the Local Government Act 1993.</p> <p>C. THAT after the public exhibition period, the documents are amended as appropriate and presented to Strategic & Corporate Committee for recommendation to full Council for adoption.</p> <p>D. THAT Council Staff prepare a communications strategy and report back to the Council about engagement with the community prior to exhibition of the Plan.</p>
5.3.2	Implement a prioritised program of capital improvements to public open spaces.	A program of open space renewals and upgrades is developed annually for approval by Council. Progress is reported quarterly in the Capital Works progress report. Projects completed include; Park furniture renewal through various parks, new CCTV cameras at Gap Park, new park bin rollout and irrigation renewal at Gibsons Beach, McKell Park and Chiswick Gardens.
5.3.3	Continue improvement program for horticultural sites in business centres.	Council continues to investigate and implement improvements to Woollahra Business centres. Further planter boxes have been rolled out in Plumer Road, Vaucluse Shops and Oxford Street.
5.3.4	Support and promote public safety in public open spaces through local law enforcement officers.	Rangers undertake routine patrols throughout the LGA, in addition to responding to customer requests.

Ref	Priority	Comments
5.3.5	Provide lifeguard services to Camp Cove Beach.	Life guard services commenced during the 2nd quarter at Camp Cove, operating each weekend until the end of Easter 2021. During the school holidays only, the service was provided daily, subject to the weather.

Strategy 5.4: Protect trees, streetscapes and landscapes.

Ref	Priority	Comments
5.4.1	Implement adopted policy for public and private tree management throughout Woollahra.	The Tree Management Policy is implemented.

Deliverables / Action	Measure	Status	Comments
Continue to participate in the urban tree canopy research and implementation.	Ongoing 2018-2022		The draft DCP will be on public exhibition in Q2 (Oct-Dec 2021). It will look to adopt the Draft DCP, which will bring into effect an FSR control for low density residential development and urban greening controls. The Urban Forest Strategy is currently underway with the aerial mapping study to proceed in Q1. Once this is completed a scope of works to relevant consultants will be issued for drafting the Strategy.

Strategy 5.5: Enhance the physical environment of our local suburbs, neighbourhoods and town centres.

Ref	Priority	Comments
5.5.1	Maintain and improve accessibility to public places for all user groups.	Planning for Capital Improvements always take accessibility into consideration. A renewal of the Plumb Reserve playground will have additional accessibility features included in it's upgrade.

Strategy 5.6: Reduce impacts of local flooding and improve floodplain risk management.

Ref	Priority	Comments
5.6.1	Develop and implement a five year capital renewal program for stormwater drainage infrastructure and Environmental Works Program for water quality improvements.	Stormwater Drainage Infrastructure Program has been developed and is based on various Council Flood Studies and Flood Risk Management Studies and Plans.

Ref	Priority	Comments
5.6.2	Develop a Floodplain Risk Management Plan for the various catchments in Woollahra.	Floodplain Risk Management Plans are progressively being developed for various catchments within the Woollahra Municipality. Once these Floodplain Risk Management Plans are completed they are referred to the Woollahra Flood Risk Management Committee and Council's Environmental Planning Committee for adoption. Floodplain risk management studies and plans have been completed for Rushcutters Bay, Double Bay, Rose Bay and Watsons Bay and Paddington. Funding applications will be made to the Department of Planning Industry and Environment to develop flood studies and plans for Vaucluse, Darling Point and other catchments.

Strategy 5.7: Renew and upgrade ageing infrastructure including roads, footpaths, stormwater drains and seawalls.

Ref	Priority	Comments
5.7.1	Complete annual condition surveys and prepare 5 year and annual Capital Works Program for all classes of public infrastructure.	Council's Infrastructure Assets are reviewed every five years and this information is used to develop Council's five year Infrastructure Renewal Capital Works Forward Program. The program is reviewed annually and informs the annual Delivery Program and Operational Plan (DPOP).
5.7.2	Implement the Infrastructure Capital Works Programs for renewal for all classes of public infrastructure.	Projects are delivered to Capital Projects to implement via Project Briefs from Asset Management. The progress of 54 nominated infrastructure projects for the April-Jun 2021 quarter (Q4) are detailed in the most recent Capital Works report.

Goal 6: Getting around

Strategy 6.1: Facilitate an improved network of accessible and safe alternate transport options.

Ref	Priority	Comments
6.1.1	Provide for sustainable, safe convenient and efficient local movement of pedestrians, cyclists and vehicles.	Council's transport networks are reviewed on an on-going basis to ensure that they provide for the sustainable, safe and convenient movement of people and vehicles. The Woollahra Integrated Transport Strategy is currently being developed and will consider the provision of safe and efficient transport networks.

Deliverables / Action	Measure	Status	Comments
Implement actions from the Integrated Transport Strategy and the Active Transport Plan	Ongoing 2018-2022		The recommendations made by the Woollahra Traffic Committee are programmed for implementation once they are endorsed by Council's Finance, Community & Services Committee. For standard signs and lines projects, works are prioritised and sent to Council's Civil Works Team for implementation. For larger traffic projects (such as pedestrian refuges, roundabouts, raised pedestrian crossings etc), these projects are included and considered as part of the future traffic capital works program.

Ref	Priority	Comments
6.1.2	Convene and service the Woollahra Local Traffic Committee and implement actions arising from this Committee's recommendations as adopted by Council.	The Woollahra Traffic Committee is held on a monthly basis and operates in accordance with RMS Guidelines and legislation. The actions arising from the Traffic Committee are prioritised and implemented once they are endorsed by Council's Finance, Community & Services Committee.
6.1.3	Implement actions arising from the Woollahra Integrated Transport Strategy (once Strategy has been adopted by Council).	The Draft Integrated Transport Strategy (ITS) was placed on public exhibition in April 2021. Feedback received from the public is currently being considered by Council's Traffic Engineers and incorporated into the final Strategy report. The Draft Active Transport Plan (ATP) is currently being reviewed and finalised. A Councillor Briefing on the Draft ATP will be scheduled to occur in September/ October prior to both the Draft ITS being reported to Council for adoption and the draft ATP being reported to Council seeking approval to be placed on public exhibition.

Strategy 6.2: Improve the management of public parking on-street and off-street.

Ref	Priority	Comments
6.2.1	Maintain public parking infrastructure and parking across the municipality.	Parking is reviewed by Council's Traffic Section on an on-going basis. Parking reports are prepared for the consideration of the Woollahra Traffic Committee and Council's Finance, Community and Services Committee.
6.2.2	Provide parking enforcement services.	<p>Routine parking patrols are undertaken across the LGA, as well as responding to customers' specific requests. For the full year to 30 June 2021;</p> <ul style="list-style-type: none"> 46,192 street parking infringements were issued, with 58.1% being for 'parking continuously for longer than permitted'. Infringements issued were 8.5% more than the infringements issued in 2018/19, being the last full year not impacted by COVID-19 restrictions. 6,183 infringements were issued in Council carparks, with 74.5% being for 'fail to comply with terms of notice'. Infringements issued were 33.4% more than the infringements issued in 2018/19, being the last full year not impacted by COVID-19 restrictions.

Strategy 6.3: Promote provision of better, more integrated public and community transport.

Ref	Priority	Comments
6.3.1	Provide services and programs to support improved and accessible public transport.	Council has supported various NSW Government Initiatives to support improved and accessible public transport. Council also supports improvements and upgrades to various Ferry Wharves across our municipality and is working with TfNSW on planned upgrades for the ferry wharves in Double Bay and Darling Point.
6.3.2	Maintain and upgrade where possible, public transport facilities.	Council advocates for the NSW Government to upgrade public transport infrastructure. Council has advocated for improved access for mobility impaired people at Edgecliff Station and is considering pedestrian infrastructure improvements to and from the Double Bay and Watsons Bay Ferry Wharf.
6.3.3	Fund Holdsworth Community Centre and Services to conduct individual and community transport services throughout the Municipality.	Holdsworth continues to conduct individual and community transport throughout the Municipality with support from Council.

Strategy 6.4: Reduce traffic congestion, noise and speeding.

Ref	Priority	Comments
6.4.1	Reduce vehicle speed and traffic congestion through the introduction of traffic management facilities.	Traffic management facilities are implemented as part of the Annual Traffic Capital Works Program which is based on Council's adopted Traffic Management Strategy. The strategy provides a framework for the installation of traffic calming on key roads within the municipality aimed at reducing speed and traffic congestion and improving road safety.


Goal 7: Protecting our environment

Strategy 7.1: Protect natural landscapes, systems and biodiversity.

Ref	Priority	Comments
7.1.1	Plan and implement strategies and initiatives to enhance natural landscapes and systems.	Actions from Council's Biodiversity Strategy are implemented into the workflow of our Bush Regeneration team. The sustainability team and bush team now work closely to achieve results in this area. Examples of this collaboration includes the review of the existing water management systems within and above Cooper Park and planting throughout Gap Park and Signal Hill Reserve.
7.1.2	Implement a prioritised program of capital improvements to natural areas.	Capital improvements throughout our natural areas are implemented with the guidance of our asset register and Biodiversity Strategy. The Gap Park tram pathway is an example of an improvement throughout a natural area.
7.1.3	Educate and partner with the community on the protection of natural areas and waterways, including Bushcare.	Council's Bushcare program has been affected by the COVID pandemic. On-line educational material and learning experiences have been facilitated during this time. We facilitate groups at the following locations; Cooper Park, Gap Park, Harbour View Park, Parsley Bay, Trumper Park, Paddington Community Nursery. Council's Harbourcare program continues, which invites Community and business groups to help remove litter from our beaches. We have continued our community education program via webinars and Council's Environmental E-News.
7.1.4	Provide scheduled tree maintenance programs and services and respond to customer needs.	All public trees are inspected annually with required maintenance scheduled as part of our proactive program.
7.1.5	Implement actions from the Biodiversity Conservation Strategy.	Actions from the Biodiversity Conservation Strategy continue to be implemented. During this reporting period, a habitat restoration program has been developed for Rose Bay Park and habitat planting completed behind the Rose Bay Community Garden. A seahorse monitoring program commenced, with the first of four surveys completed.

Strategy 7.2: Preserve and restore bushland areas and create wildlife corridor plantings.

Ref	Priority	Comments
7.2.1	Continue the implementation of Council's Biodiversity Strategy.	Work has continued on implementation of projects from the Biodiversity Conservation Strategy. The focus this reporting period has been on creating corridor connection through backyard habitat and rehabilitation of small bushland patches.

Deliverables / Action	Measure	Status	Comments
Implement street tree planting projects in line with Council's Conservation Biodiversity Strategy.	In Progress 2018-2022		Our planting projects refer to our Biodiversity Plan. We also follow Council's Tree Management Policy and Street Tree Masterplan. We are active in the Greening Our City and 5 Million Tree Grant program.

Strategy 7.3: Support cleaner, healthier waterways including improved water quality and healthy water catchments.

Ref	Priority	Comments
7.3.1	Implement a five year Capital Renewal Program for stormwater drainage infrastructure and Environmental Works Program for water quality improvement.	No projects nominated in the reporting period.
7.3.2	Undertake water quality monitoring for public waterways.	Routine water quality monitoring is undertaken as part of Council's Biodiversity and Environmental Monitoring Program. Council has also participated in a detailed water quality audit for Rose Bay with NSW DPIE and UTS which is complete.
7.3.3	Provide street cleaning services to prevent litter and dirt entering the stormwater drainage system.	Maintenance and service program for street cleaning continues on a monthly basis in residential streets. High traffic areas and known 'hot spots' are cleaned on a fortnightly or weekly basis. 376 tonnes of street litter has been collected over the 2 quarters. This is consistent with the same period last year.
7.3.4	Implement the Stormwater Asset Management Plan.	No projects nominated in the reporting period.
7.3.5	Ensure that erosion and sedimentation controls are in place for new development where there is potential for the escape of sediment into the drainage system.	For the full year to 30 June 2021 Council's Rangers investigated the following customer requests; <ul style="list-style-type: none"> 39 requests for dust and sediment control, being 13% less than the previous year. 40 requests for building site discharges, wash-downs and spills, being 11% more than the previous year.
7.3.6	Take appropriate and timely action in response to pollution incidents.	During the full year to 30 June 2021, 49 customer requests were investigated by Council's Rangers and Environmental Health Officers relating to potential water pollution, being 7.5% less than the previous year.


Strategy 74: Ensure that premises which have the potential to impact on human health and safety are operated in accordance with relevant standards and statutory requirements.

Ref	Priority	Comments
74.1	Inspect food premises twice per year to ensure compliance with food safety standards.	<p>At the end of the full year to 30 June 2021 there were 367 recorded food premises in the LGA. The following food control activities were completed during the year;</p> <ul style="list-style-type: none">• 211 primary inspections were carried out;• 31 re-inspections were carried out;• 6 food notices/orders were issued;• 32 customer requests were investigated; and• 5 penalty infringement notice was issued.
74.2	The necessary certificates are submitted to Council and registers maintained in relation to fire safety, regulated air conditioning systems, hair dressers, mortuaries and skin piercing premises.	<p>For the full year to 30 June 2021 Council's Health Premises and Fire Safety registers confirmed the following;</p> <ul style="list-style-type: none">• 122 health premises were recorded;• 28 health premises inspections were carried out;• 61 regulated cooling tower/warm-water systems were recorded; and• 1,425 complete annual fire safety statements were lodged with Council.
74.3	Operate an effective swimming pool safety program.	<p>For the full year to 30 June 2021 the following activities were carried out pursuant to Council's swimming pool safety program;</p> <ul style="list-style-type: none">• 45 swimming pool inspection requests were determined;• 10 swimming pool exemption applications were determined;• 9 swimming pool fencing customer requests were logged; and• 33 swimming pool fencing notices/orders were issued.

Goal 8: Sustainable use of resources

Strategy 8.1: Reduce greenhouse gas emissions and ecological footprint.

Ref	Priority	Comments
8.1.1	Provide policy and planning initiatives based on the principles of Ecologically Sustainable Development (ESD).	During this half of the year, the planning projects addressing this priority were the progressing of the Tree Canopy and Urban Greening controls.
8.1.2	Provide programs and projects to reduce local greenhouse gas emissions and ecological footprint.	Auditing of Council's carbon footprint for the financial year 2020/21 has commenced. Climate Active Certification has been obtained, meaning that Woollahra Municipal Council is confirmed as carbon neutral for its business operations in 2019/20. Projects to reduce community carbon emissions continued to be implemented and developed, including workshops to educate the community and roll out of the Apartment Energy Saving Program .

Deliverables / Action	Measure	Status	Comments
Participate in and implement projects arising from the Three Council Project Regional Environment Program.	In Progress 2018-2022		The Three Councils Regional Environment Program continued the following projects: <ul style="list-style-type: none"> Solar My School Program Solar My Club Program- installation completed at Lyne Park Tennis Club Energy Smart Cafes Program- development of a new program to reduce the footprint of local cafes. Compost Revolution Grow it Local WaterFix Strata- water saving project commenced targeting high water using apartment blocks. Eastern Suburbs EV Charging Network- planning for a new installation at Goodhope Street Paddington.

Ref	Priority	Comments
8.1.3	Coordinate Council's Environmental Grants Program.	Environmental grant projects awarded for the 2020/21 financial year mostly complete, with a couple of delays due to COVID restrictions. Grants for 2021/22 have been assessed and awarded.

Strategy 8.2: Monitor and strategically manage environmental risks and impacts of climate change.


Ref	Priority	Comments
8.2.1	Participate in projects that respond to the effects of climate change, including the effects of sea level rise	Council continues to participate in two Coastal Management Programs - the Eastern Beaches CMP and the Greater Sydney Harbour CMP. A sea level rise study in partnership with Waverley and Randwick has commenced.




Deliverables / Action	Measure	Status	Comments
Develop Coastal Management Programs for the Woollahra LGA as specified by the CZMP.	In Progress		The Coastal Management Programs for the Eastern Beaches and Sydney Harbour are continuing, with Stage 1 complete for both. The Sydney Coastal Councils Group will be taking a lead governance role in coordinating the Sydney Harbour CMP.
Implement actions from the Biodiversity Conservation Strategy.	In Progress 2018-2022		Biodiversity projects during the reporting period include: <ul style="list-style-type: none"> • completion of a planting project to improve habitat and reduce antisocial behaviour behind Rose Bay Community Garden • development of a planting project to restore coastal vegetation at Rose Bay Park. • development of a nature wellness trail at Gap Park to enhance people's connection with the natural environment, including a series of community walks led by Council's Environmental Education Officer • commencement of a seahorse monitoring program • a community spotlighting event at Trumper Park.

Strategy 8.3: Encourage and assist our community to be leaders in waste management and resource recycling.


Ref	Priority	Comments
8.3.1	Participate in projects that respond to the effects of climate change, including the effects of sea level rise	Council's website is regularly updated with detailed information on re-use and recycling options for all waste categories. A new and refreshed page for our organics recycling has been developed and made live. There are regular features in E-news relating to recycling and re-use alternatives for residents. Participation with SSROC in providing regional education campaigns to provide generic communication to all residents and visitors. A couple of Zoom recycling workshops were carried out in partnership with SSROC in February. Residents who registered for either a roll of compostable bags or a kitchen caddy to assist with the collections of

Ref	Priority	Comments
		<p>organic waste in the home received their items between February and April. Another call out for caddy and bag delivery is going to be advertised with the rates notice. The flyers have been developed and will be mailed with the rates in July.</p> <p>In addition a new sticker was developed for the organics wheelie bin. The stickers were placed on residents bin by a contractor in May/June. It is anticipated that this new sticker will play a part in education and prompt further recycling of food organics. The compost revolution program is being run to encourage composting and worm farming at home. Council's E-waste collection service is on-going. A new service has been planned to cater for problem waste items which will run as a drop off event. There are 4 scheduled drop off events throughout 2021 hosted at the Woollahra/Waverley depot in partnership with Waverley Council. The battery collection bin at the Woollahra library continues to be a success and investigations into expanding this service with additional items is underway.</p>

Deliverables / Action	Measure	Status	Comments
Encourage the recycling of E-Waste through our joint collections days with Waverley Council and the E-waste service.	In Progress 2018-2022		<p>Residents can use Councils App to continue to make bookings to have e-waste removed from the kerbside. During the period Jan-June 2021, 876 bookings were made with approximately 10 tonnes of e-waste collected and recycled. In May, we learned that SIMS (our recycling contractor) had gone into receivership and a new contractor was employed. Tekflow was awarded the contract to process our e-waste for the next year.</p> <p>This year in collaboration with Waverley Council a new "ProblemWaste" drop off service was implemented to accept not only e-waste, but a larger range of problem wastes including polystyrene, bulky cardboard, light globes, batteries, mobile phones, x-rays, soft plastics and textiles. Two of the four scheduled events were held at the Alexandria Integrated Facility (AIF in Alexandria). The first event was held on the 6th February 2021 and the second on the 1st of May 2021. The event in February processed 7.8 tonnes of material- the majority being e-waste at 6 tonnes, followed by textiles and bulky cardboard. The event in May processed 3.71 tonnes of material- the majority being e-waste at 2.6 tonnes followed again by textiles and bulky cardboard. Attendance levels have been lower than expected, but only by approximately 15% as compared with previous years at our combined e-waste only events.</p>

Deliverables / Action	Measure	Status	Comments
			The distance of the event (being in Alexandria) from both Council areas has been identified via surveys on the days to be a barrier for attendance. The next two events are scheduled for 7th August and 6th November 2021. The level of success will determine the need and viability of future events. We have also considered a partnership with City of Sydney and look to explore any possibilities/opportunities in the next few months.
Encourage the recycling of organics through the 3 Council Compost Revolution.	In Progress 2018-2022		The compost revolution program is on-going and has continued to be advertised via social media, Council newsletters, website and rate notice mail out. During this period 35 compost bins and 30 worm farms were ordered by Woollahra residents.
Carry out the household clean-up collection service.	In Progress 2018-2022		734 tonnes of hard waste has been collected over the reporting period. This is 90 tonnes less than the same period last year.
Participate in regional waste avoidance/reduction recycling projects and events, including National recycling week, Clean Up Australia Day and The Garage Sale Trail.	In Progress 2018-2022		Two zoom events were coordinated by SSROC to engage Woollahra residents in recycling. The zoom sessions consisted of a recycling quiz followed by Q&A sessions. The sessions were fun and engaging and tested the knowledge of residents regarding the do's and don'ts of the yellow recycling bin. SSROC has also hosted a series of workshops regarding textile waste and the opportunities and challenges in recovering and recycling this material. These meetings will help to identify the extent of textile consumption by Councils, give an overview of textile waste in Sydney/NSW and where to from here. Promotion of the EPA's chemical cleanout and the RMS expired flares program for this half of the years were posted on social media, Council events webpage and newsletters.

Ref	Priority	Comments
8.3.2	Implement programs to educate the community including schools, residents, community groups, businesses and staff on reducing waste and litter and increasing re-use and recycling.	Council carries out educational programs for schools, residents and businesses as required. These programs are designed to target specific areas of concern for the community using the waste avoidance hierarchy and are aligned to national events, such as Clean Up Australia and local events such as waste drop off days. A large focus on organics recycling using our food/green bin will take place in 2021 to increase organics recovery as well as increasing options for problem waste drop off.

Deliverables / Action	Measure	Status	Comments
Carry out education programs to relevant stakeholders.	In Progress 2018-2022		<p>Council was successful in obtaining a \$100,000 grant from the EPA to boost community engagement and participation in our food organics service. The first allocation of funding was used to purchase both kitchen caddies and compostable bags to encourage participation in the service. Delivery occurred between February and April 2021. Approximately 3,500 kitchen caddies/bags were delivered. Further funding was allocated to developing a sticker for the green wheelie bin and having that applied to all green bins in the Council area. This was very successful with approximately 6,000 bins stickered and is a visual reminder that food organics are able to be placed into the green bin.</p> <p>Other promotions have included pop-up stalls in Double Bay and Rose Bay, E-news and Enviro News and social media posts. Further engagement has been planned in the form of a rates notice to encourage take up of kitchen caddies and compostable bags, as well as a survey and waste audit planned for the second half of the year to determine levels of success with engagement efforts and organics recovery rates to date.</p> <p>This year a Truck art competition was held to engage primary school children with the message "Create Compost, Not Landfill" which has become a slogan of our food organics campaign. Children were asked to create an artwork depicting this theme with the winners artworks to be displayed on our garbage trucks. The winners were chosen by the Mayor and notified, however lockdowns have halted the progress of getting the artwork onto our trucks. This will resume as soon as we can safely have contractors back at the depot.</p> <p>Our primary schools will become engaged in sustainable waste management with Keep Australia Beautiful (KAB) waste education workshops. Council has employed KAB to carry out the waste education workshops beginning in term 3. Contamination management and education for recycling continues as a part of our residential recycling service. Residents receive a sticker on their bin when there is contamination and a follow up letter is sent. A new battery collection bin has been added to the Paddington library, following the success of the battery collection bin at the Woollahra library in Double Bay.</p>

Ref	Priority	Comments
8.3.3	Conduct cost effective and efficient waste collection and recycling to residents and businesses.	5,342 tonnes of domestic waste was collected in the reporting period. This is 378 tonnes less than the same period last year. 2,936 tonnes of recycling was collected over the 2 quarters, which is 230 tonnes less than the previous year.
8.3.4	Conduct organics recycling services.	Organics service provided to all residents 2,020 tonnes of organics have been collected in the reporting period, which is 156 tonnes less than the same period last year.

Strategy 8.4: Reduce local water usage by Council and on private property.

Ref	Priority	Comments
8.4.1	Encourage greater community participation in water savings initiatives.	Woollahra Council, via the 3 Council Regional Environment Program, has entered an agreement with Sydney Water to roll out the WaterFix program to our highest water using apartment blocks. This program has commenced.
8.4.2	Implement the Environmental Education Program for each year.	The environmental education program for 2020/21 is complete. The focus was on urban wildlife and backyard habitat, sustainability for apartment blocks and businesses, reducing community carbon emissions, and the development of nature wellness trails at Cooper Park and Gap Park.
8.4.3	Educate the community to reduce use of potable water.	Information about water restrictions was communicated to the community. A workshop was held focussed on apartment sustainability, including reducing water use.



Strategy 8.5: Promote and carry out water sensitive urban design.



Ref	Priority	Comments
8.5.1	Integrate water sensitive urban design into local infrastructure and development.	Raingardens are integrated into new infrastructure developments where feasible. This year the raingardens at Lyne Park Rose Bay were rejuvenated to improve their stormwater treatment capacity, with replacement of filtration media and plants.


Goal 9: Community focussed economic development

Strategy 9.1: Encourage vibrant and vital local suburbs, villages and neighbourhoods that support a healthy economy.



Ref	Priority	Comments
9.1.1	Plan and implement strategies and initiatives to enhance natural landscapes and systems.	Councils' Environment & Sustainability team continue to implement strategies such as the Biodiversity Plan to enhance natural landscapes and systems. They work closely with Councils' operations team to implement many of these actions.
9.1.2	Encourage economic development in business and retail centres	<p>Council's placemaking program continues with the implementation of the Double Bay Place Plan and the Oxford Street and Paddington Place Plan. The Draft Rose Bay Place Plan will be presented to a meeting of the Environmental Planning Committee in September 2021.</p> <p>In response to the recent COVID outbreak (June 2021 onwards) and associated stay at home orders, Council endorsed the introduction of a range of business support initiatives including \$115,000 Revitalization Grants. Placemaking has contributed \$55,000 from its 2021/2022 Placemaking Grants budget to the Revitalisation Grants.</p> <p>Council's Economic Development Officer (EDO), appointed in November 2020, has continued to provide advocacy and support for the ongoing recovery for small businesses impacted by COVID-19. A range of business support has been provided including:</p> <ol style="list-style-type: none"> 1. Strengthening the stakeholder relationship with Service NSW to develop business concierge information for various Council initiatives and services; 2. Streamlining the Footpath Dining online application process. 3. Developed a local business database in the LGA to strengthen the engagement opportunities for economic development; 4. Engaged with local business chambers and other Councils to provide support and explore potential to collaborate more closely; <p>Additionally, Council's EDO, provides ongoing analysis and updates of Spendmapp and various economic data to monitor the COVID-19 recovery process and local spending/ economic trends.</p>




Deliverables / Action	Measure	Status	Comments
Undertake Oxford Street Paddington business management.	Ongoing 2018-2022		This is an ongoing process. Council provides ongoing financial and in kind assistance to the Paddington Business Partnership on a regular basis.
Support the operation of the Paddington Business Partnership.	Ongoing 2018-2022		This is an ongoing process. Council provides ongoing financial and in kind assistance to the Paddington Business Partnership on a regular basis.

Deliverables / Action	Measure	Status	Comments
Participate in and support the Small Business Friendly Councils Program.	Ongoing 2018-2022		Council's Economic Development Officer is currently working with Waverly Council, City of Sydney, and Service NSW to prepare a suitable online program for Small Business Month in October 2021. Placemaking has continued to distribute the Woollahra Small Business News email newsletter to a database of 5,000 registered businesses obtained through the Australian Business Register.
Maintain an active placemaking program of events, activities and support for businesses.	Ongoing 2018-2022		Following recommendations outlined in the Paddington Marketing Strategy prepared by consultancy firm Sparrowly Group, Council implemented 'A 2021 Paddington Marketing Campaign'. The Placemaking Team has spent \$28,786.75 of the allocated \$40,000 from the Oxford Street Placemaking Reserve to deliver initiatives associated with the Campaign including campaign brand development, street banners, decals at Five Ways, Media Partnerships, 'We Love Paddo' social media promotional videos, Education workshop-webinars, and the popular 'A 2021 Night out' event. It should be stated that the total spend in Paddington on Thursday, 25 March 2021 (date of A 2021 Night Out) was \$1,635,366 in Paddington. This represents a 28% increase (\$467,990) on the total spend on Thursday the week prior and a 27% increase (\$449,668) on the total spend on Thursday the fortnight prior. Most importantly, it is noted that 'A 2021 Night Out' represents the largest spending for Night time Economy in Paddington in the past 12 months. Council also delivered 'A Rose Bay Evening' – a shopping and dining night out in Rose Bay in association with Live, Love, Local Rose Bay. Spendmapp data showed that on Thursday, 11 March 2021 (date of A Rose Bay Evening) total spend was \$992,764 in Rose Bay.


Deliverables / Action	Measure	Status	Comments
Support the operation of the Sydney East Business Chamber.	Not Progressing		Council has endorsed the public exhibition of a draft Chamber Funding Policy that aims to assist provide a transparent, clear and consistent approach in how funding requests from business chambers and networks are assessed and awarded. The Sydney East Business Chamber has ceased operation in May 2021 noting that it would not be financially sustainable to operate without the assistance of Council funding.




Ref	Priority	Comments
9.1.3	Manage and promote open space and foreshore areas with high visitation rates.	During the COVID pandemic Council's open spaces continue to be highly utilised. To provide additional time for the community to exercise all floodlights at sporting fields have been turned on as there is no community sport during the lockdown. The Council website is our major promotional means for Council's open space and foreshore areas. We manage these bookings through a centralised system whereby we balance the community needs against formalised bookings.
9.1.4	Implement the strategies, priorities and actions for which the Council is responsible for in the Double Bay Place Plan.	Priority 9.1.4 has been included in the Delivery Program and Operational Plan (DPOP) to facilitate regular review and reporting on the implementation of the Double Bay Place Plan. The Actions are updated quarterly under the Double Bay Place Plan Quarterly Progress Reports. Reporting on the implementation of the Double Bay Place Plan will also be through the Double Bay Working Party.

Deliverables / Action	Measure	Status	Comments
Present proposals for revised planning controls, including revised building envelopes to Council together with a draft Community Impact Statement, transport report and supporting economic analysis. (DBPP Priority 3.2.1)	In progress 2019-2022; Report due by 31 March 2021		Please refer to action <i>Double Bay Place Plan - review Woollahra LEP 2014 and Woollahra DCP 2015 in regard to recommendations from Double Bay Centre Housing Economic Study</i> on pg 53 for updates.
Implement activities and public domain improvements that will maintain, enhance and activate the laneways of Double Bay. (DBPP Priority 3.7.1)	Ongoing 2019-2022		Talis Consulting has finalised the Double Bay Centre Commercial Waste Management Study. On 26 April 2021 Council resolved to reaffirm the existing controls for Double Bay and revise the study to focus on Cross Street (south side between Knox Land and Bay Street) before commencing public exhibition. Revisions and underway, and it is anticipated that public exhibition will commence in Q2 (Oct to Dec) of 2021.

Deliverables / Action	Measure	Status	Comments
Review Council's Section 94 and Section 94A Plans. Ensure that contributions for car parking are consistent with any decisions made in relation to the Cross Street car park site. (DBPP Priority 3.3.1)	Completed 2019-2022		A Voluntary Planning Agreement (VPA) policy relating to Section 7.11 (previously Section 94) was adopted by Council on 10 February 2020. On 30 August 2021 the Woollahra Section 7.12 Development Contributions Plan 2021 will come into effect which will repeal and replace the Woollahra Section 94A Development Contributions Plan 2011. The section 7.12 Plan was informed by the 2021/22 budget. As Council prepares its new draft budget for 2022/2023, a corresponding (and longer term) Section 7.12 Plan will be prepared which will identify short term (1-2 years), medium term (3-5 years) and long term (5-10 years) projects.
Continue to work with the preferred parties to deliver a high quality cinema, new car park and mixed use development on Council's Cross Street car park site. (DBPP Priority 3.9.1)	In Progress 2018-2022		Further to the Council resolution of 7 June 2021, the four shortlisted proponents have been invited to submit detailed proposals by 3 September 2021.
Conduct quarterly business education forums to assist businesses to improve merchandising, marketing and customer service and respond to new and emerging business issues. (DBPP Priority 5.1.1)	Ongoing 2019-2022		Small Business Month initiatives, currently in development, will provide support for businesses in response to the impacts of COVID-19.

Ref	Priority	Comments
9.1.5	Implement actions and projects for Oxford Street and Paddington.	Priority 9.1.5 has been included in the Delivery Program and Operational Plan (DPOP) to facilitate regular review and reporting on the implementation of the Oxford Street & Paddington Place Plan. The Actions are updated quarterly under the Oxford Street & Paddington Place Plan Quarterly Progress Reports. Reporting on the implementation of the Oxford Street & Paddington Place Plan will also be through the Oxford Street Working Party.

Deliverables / Action	Measure	Status	Comments
Review the 'Visit Paddington' brand so it fits with the Oxford Street & Paddington vision and place story (OS&PPP 4.1)	In Progress 2019-2022		The Paddo Trails booklet was launched in December 2020 and has been promoted through a travel-focused marketing strategy in 2021. Coinciding with the launch of Paddo Trails was the redesigned Visit Paddington website.

Deliverables / Action	Measure	Status	Comments
Develop a program which encourages creative and attractive shop fronts and window displays (OS&PPP 5.3)	Ongoing 2019-2022		Council's Placemaking team is currently investigating the development of a façade improvement program for the Woollahra LGA.
Have a variety of promotional aids available for use by businesses and others to showcase Oxford & Paddington Street attractions and offerings. (OS&PPP 5.6)-	In Progress 2019-2021		Council has developed and shared a series of 'I love Paddo' promotional videos via its social media channels. The promotional videos showcase a diverse range of vibrant activities relating to dining and entertainment, retail, and fashion.
Complete feasibility study for Paddington Greenway and seek grant funding for implementation if found to be feasible.	In Progress 2020-2022		Draft Feasibility Study complete. A Councillor briefing was held 16 August and it is proposed to bring a report to FC&S Committee in September 2021. Council's application under the DPIE Metro Greenspace Program for funding towards the planning and design of this project was successful in August 2021.

Strategy 9.2: Balance tourism demands with impacts on the community.

Ref	Priority	Comments
9.2.1	Ensure planning for high profile tourism areas considers and protects residential amenity.	In 2019/20 this priority was addressed through the completion of the Local Strategic Planning Statement which contains actions relating to tourism.

Strategy 9.3: Balance tourism demands with impacts on the community.

Ref	Priority	Comments
9.3.1	Provide services to meet community expectations in relation to the presentation of business centres and high profile areas.	Capital upgrades and maintenance work carried out to schedules and approved budgets. Horticultural elements of business centres are continually improving with a rollout of planter boxes with seasonal flowers and vegetation included.
9.3.2	Provide street furniture maintenance services.	Street furniture maintenance is carried out to a high standard.

Goal 10: Working together

Strategy 10.1: Improve communication with the community and increase awareness of Council's activities.

Ref	Priority	Comments
10.1.1	Provide professional publications, promotional material and media releases.	<p>A significant amount of communication , eNews is produced monthly attracting a 58% open rate (industry standard is 30%). An extensive suite of outdoor signage was created for our beaches, parks, playground, fitness stations and service points. These signs were changed regularly to reflect public health requirements.</p> <p>Our website received 1,041,997 views during the 6 month period with the most popular content being: our homepage, waste, library and building and development. 50% of website views are from a PC and the balance visit from a mobile device.</p> <p>In this period we rolled out a cloud-based shared image library for internal staff use to increase the sharing and storage of photos. This involved extensive training of staff across the organisation with the aim of presenting a high standard of images with permission for use and easy search function and sharing capabilities.</p>
10.1.2	Provide educational tours for school children and community groups on local government processes and Council's role in the community.	<p>Due to COVID-19 there were no delegations or school visits during the reporting period. Information was provided to school and university students to assist with assignments and class work as requested.</p>

Strategy 10.2: Plan for the future for Woollahra.

Ref	Priority	Comments
10.2.1	Maintain a long term Community Strategic Plan for Woollahra.	<p>Council's Community Strategic Plan, Woollahra 2030, was adopted by Council in June 2018. It will continue to be maintained and be informed by future community engagements. The next full review of the Community Strategic Plan is due following the 4 December 2021 Local Government election.</p> <p>The Community Strategic Plan is supported by Council's Delivery Program and Operational Plan which is reviewed and updated annually with progress reports on the Priorities and Actions within it, reported to the community at a minimum of twice a year.</p>



Strategy 10.3: Build and foster relationships, strategic networks and work collaboratively with all levels of government.

Ref	Priority	Comments
10.3.1	Work closely with the Southern Sydney Regional Organisation of Councils (SSROC) and other appropriate regional bodies to improve service efficiency and effectiveness and to promote Council's position on matters of common interest.	The GM continues to attend monthly SSROC General Manager meetings.

Goal 11: A well managed council

Strategy 11.1: Facilitate community led decision-making that is open, honest and ethical and benefits the broad community.





Ref	Priority	Comments
11.1.1	Undertake community consultation and engagement processes in Council decision-making and the delivery of projects.	Our Community Engagement Officer provided ongoing support to departments in planning and delivering their community engagement projects. This included copy-writing, survey creation, strategic review and advice and online engagement updates, in addition to face to face support with pop-up community engagement opportunities.

Deliverables / Action	Measure	Status	Comments
Support and guide the implementation of community engagement through training & development, resource kits, support hours and engagement calendar.	Ongoing 2018-2022		A resource toolkit has proved useful for staff involved in engagement planning and delivery. The General Manager and ELT were regularly briefed on engagement projects and there was excellent participation by staff in a formal community engagement training to help build confidence and skills. Feedback from the training was positive and some staff moved quickly from the training to deliver engagement face to face during the Rose Bay Place Plan community pop-ups and throughout the Open Space and Recreational needs community engagement on the Plans of Management.
Develop Council's online engagement presence and promote participation across the community.	Ongoing 2018-2022		Despite the reduction in face to face engagement during the pandemic Council maintained a strong online engagement presence and used social media, editorial, community noticeboards and newsletters to communicate opportunities for engagement. Council's Community Engagement Officer worked closely with project teams to ensure their Your Say online pages have been well developed and comprehensive so that the community has a clear idea of the project brief, what we are asking feedback on and how that information will be used. There was a 14% growth in registered participants to the Your Say online engagement platform for this period.

Ref	Priority	Comments
11.1.2	Provide organisational support systems that facilitate transparent and democratic decision-making.	Council promotes open meeting processes where members of the public can attend Council and/or Committee meetings (via zoom at present given COVID-19). Members of the public may address the Councillors on any matter on Committee Agenda's. Meeting Agendas and Minutes are accessible via Council's website- https://www.woollahra.nsw.gov.au/council/meetings_and_committees

Strategy 11.2: Develop and maintain effective reporting systems that enable Council to measure and report on performance.

Ref	Priority	Comments
11.2.1	Ensure Council maintains a transparent and integrated planning and reporting framework that is legislatively compliant and facilitates effective decision-making.	The first six monthly progress report for the 2020/21 Operational Plan was presented to the Finance Community & Services Committee and the Environmental Planning Committee at their meetings of 8 March 2021. The format of the report had been revised in line with feedback received from Councillors. The progress report for the six months from January 2021 to June 2021 is being presented to Council at its meeting on 23 August 2021.


Deliverables / Action	Measure	Status	Comments
Ensure compliance with the IP&R legislation and guidelines including planning for Council's 2017/21 End of Term Report, Community Strategic Plan update, new 2021/25 Delivery Program and review of the Resourcing Strategy in conjunction with delivering the 2021-25 Delivery Program.	Ongoing 2018-2022		The Delivery Program 2018-2022 and Operational Plan 2021/22 were adopted by Council 28 June 2021. An End of Term Report will be tabled at the final Council meeting before the 4 December elections, anticipated to be 28 October. Preparation for a new Community Strategic Plan has commenced in anticipation of the incoming Council following elections.
Deliver a four year outlook Workforce Management Plan.	In Progress 2018-2022		Finalisation of the Workforce Plan is awaiting further consideration of the longer term budget position and how it impacts on the strategic view of workforce plans.
Deliver a ten year outlook Asset Management Plan.	In Progress 2018-2022		Revised Asset Management Plans (AMP) for each major asset class are being prepared and will inform development of the Long Term Financial Plan. The AMP and a draft overarching Asset Management Strategy will be presented to Council as part of the Resourcing Strategy in March 2022 consistent with IP&R requirements.
Deliver a ten year outlook Long Term Financial Plan based on the Workforce Management Plan and Asset Management Plan.	In Progress 2020-2021		Council's Long Term Financial Plan is updated in conjunction with the development of Council's annual budget with the next revision to be completed as part of the 2022/23 draft budget.

Ref	Priority	Comments
11.2.2	Ensure council maintains a strong governance framework by continually reviewing Council policies and procedures for adequacy and currency.	Policies and procedures continue to be reviewed and updated as required to reflect legislative change, best practice and/or as per operational requirements.
11.2.3	Report regularly on Council's activities and achievements to the community.	<p>We continued to use a range of communication channels to reach our local community, including: website, social media, print and digital advertising, editorial, community noticeboards and public display stands, signage, direct mail, monthly eNews, a seasonal print newsletter, events, engagement and LCD screen in our Customer Service Centre.</p> <p>Following the decline in local news reporting we have seen a steady increase in all our communication channels and we have a clear indication of popular content (history and heritage, recreation, the environment and sustainability) which helps drive our content creation. Instagram has shown the biggest growth of our social media platforms with a 50% increase for this period compared to the previous year. Enews open rates were at an average of 58% compared to a local government industry rate of 30%. A large focus of attention in this six month period was on COVID-19 and public health messaging e.g testing clinics and local case alerts and over summer – beach management.</p> <p>In late 2020 we dedicated communications to also promoting our Kitchen to Compost service which saw the uptake of free kitchen caddies to assist the community with the roll-out of this initiative.</p> <p>In Nov-Dec 2020, the Kitchen to Compost/Organics collection green bin page received 2,106 views, compared to 571 views in Nov-Dec 2019 (269% change).</p> <p>Website statistics for this reporting period:</p> <ul style="list-style-type: none"> • 411,162 sessions (visits)- up 12% vs July-Dec 2019 • 940,178 page views- up 9% • 232,454 users- up 12% <p>During this period we developed stronger relationships with local publications and media outlets and the Mayor commenced a regular Eastside radio interviews every two weeks to focus on council achievements.</p>

Strategy 11.3: Maintain community access and effective participation in Council committees.

Ref	Priority	Comments
11.3.1	Provide effective support to manage the efficient operation of Council and other Committee meetings.	Agenda and Minutes for Council meetings, Committee meetings (i.e. Environmental Planning Committee and Finance, Community & Services and Strategic & Corporate Committee) and also Planning Panels (i.e. Application Assessment Panel and Woollahra Local Planning Panel) are published onto Council's HUB and Council's website within agreed service standards. Governance staff provide assistance to internal and external stakeholders as required.

Ref	Priority	Comments
11.3.2	Encourage community representation on subject based sub-committees.	Community representation on Sub-Committee and/or Working Party are determined by each Sub-Committee and/or Working Party Terms of Reference. Periodic reviews of each Sub-Committee and/or Working Party is undertaken to review the operation of each Sub-Committee and/or Working Party against their adopted Terms of Reference.

Deliverables / Action	Measure	Status	Comments
Coordinate the review and update of Terms of Reference for sub-committees and working parties.	In Progress 2020-2021		Review of Terms of Reference are being undertaken progressively for each of the Sub-Committee and/or Working Party, based on a newly developed template. Revised Agenda templates and Minutes templates are being developed for each Sub-Committee and/or Working Party to provide consistency.

Strategy 11.4: Maintain Council's strong financial position.

Ref	Priority	Comments
11.4.1	Effective management of Council's finances.	The 2021/22 schedule of Fees and Charges were adopted by Council 28 June 2021, where Council further resolved to re-advertise selected Fees and Charges relating to Dinghy Storage, Filming and Still Photography, Fitness Training, Impounding, Parks and Reserves, Planning Requests, Roads and Footpaths and Traffic & Parking. These items will be on public exhibition for 28 days, with submissions to be reported back to the Finance, Community & Services Committee on 13 September 2021.
11.4.2	Manage the leasing and licensing of Council buildings.	Property Officers manage the leasing & licencing of Council buildings and ensure that all agreements are attended to in a timely manner. Some agreements have not been able to be renewed/retendered due to COVID-19 or until new Plans of Management are adopted by Council later this year in accordance with the new Crown Lands Management Act.

Strategy 11.5: Deliver high quality services that meet customer expectations.

Ref	Priority	Comments
11.5.1	Provide the best practice customer services in a timely and professional manner.	The performance of the Customer Service team over the reporting period is detailed in the following table. Q3 and Q4 were very busy for Customer Service with an overall increase in all areas relative to the same period in 2019/20.



Service	1st Qtr 2019/20	2nd Qtr 2019/20	3rd Qtr 2019/20	4th Qtr 2019/20	1st Qtr 2020/21	2nd Qtr 2020/21	3rd Qtr 2020/21	4th Qtr 2020/21	FY 2019/20 (average)	FY 2020/21 (average)
DAs and CDCs processed by Customer Service staff	266	263	178	251	272	269	186	248	240	244
Calls answered by by Customer Service staff	18,416	18,414	19,498	19,378	21,155	19,417	19,734	18,798	19,927	19,776
Service standard for call answered	94%	94%	96%	98%	95%	97%	96%	97%	96%	96%
Visitor permits and Daily permits issued by Customer Service staff	5,755	5,350	4,930	2,700	5,220	5,970	5,900	4,780	4,484	5,468
Parking permits issued by Customer Service staff	1,303	1,396	1,424	876	1,449	1,528	1,512	1,050	1,250	1,385

Ref	Priority	Comments
11.5.2	Provide for the effective planning and delivery of information technology services to enable efficient services to the community.	Servers and storage infrastructure was upgraded in April 2021. The infrastructure currently hosts all Council's information and communication systems. Implemented multiple system upgrades including iChris HR and Payroll system for end of financial year payroll processing. Implemented additional security upgrades and controls on all public facing web and email servers.

Deliverables / Action	Measure	Status	Comments
Review Council's 5 year Information Technology Strategy to ensure our electronic business systems continue to meet operational needs and community expectations.	In Progress 2020-2021		The Draft Digital Transformation and Smart City Strategy 2021 – 2025 was presented to the General Manager, Director Corporate Performance and some staff in Community & Customer Experience and Corporate Performance. It is anticipated the strategy will be adopted by the Executive Leadership Team in September 2021 after further consultation with staff.
Expand the usage of the Woollahra App to incorporate customer service request functionality.	Ongoing 2020-2022		Staff commenced using the service request module of iConciergeCRM on 7 June 2021. The system will be rolled out to customers using the Woollahra Council app in August 2021. The app provides a self

Deliverables / Action	Measure	Status	Comments
			<p>service system to lodge services requests with the Council. Council currently receives approximately 20,000 requests per annum and the introduction of the app will be a major step forward towards improving our customers' experience when interacting with the Council.</p> <p>The Customer Service department is currently conducting internal testing of the Service Request functionality in the Woollahra App.</p> <p>Ten categories representing the highest volume of service requests received annually have been selected for the testing process.</p> <p>In addition, we are currently consolidating the main categories with the view to implement them in the Woollahra App subject to successful testing of the initial ten categories.</p>


Ref	Priority	Comments
11.5.3	Maintain a highly skilled, productive, committed and customer focused workforce.	<p>The managed return of large numbers of office staff in the early part of the year was successful and held out the prospect of a return to more normal practices particularly with training programs. The recent Stay at Home Orders and associated restrictions have meant a temporary return to the previous arrangements until the restrictions are lifted.</p> <p>Recruitment continues to be strong and the workforce is replenishing with good quality candidates. Re-structure across the four divisions proceeded smoothly. HR metrics for the period reflect stability and consistency with industry benchmarks.</p> <p>The payroll system continues to be improved offering staff better access to self-service. Developments in Workplace Health and Safety and the work of the Health and Wellbeing Group in promoting staff health and wellbeing is being well received by staff.</p>

Deliverables / Action	Measure	Status	Comments
Administer our continuous improvement (Best Service) program. Strengthen the capacity of all departments to integrate continuous improvement techniques into their business operations.	Ongoing 2018-2022		This program continued to produce some excellent ideas for business improvement with over thirty Opportunities for Improvement submitted during the period. Refreshment of the program has had to be reconsidered with the commencement of the latest lockdown.
Design and implement contemporary workforce policies and practices that reflect our values and desired culture.	Ongoing 2018-2022		Review of policies continues on a regular basis.

Ref	Priority	Comments
11.5.4	Implement and conduct a Service Delivery Review Program to identify improvements to services delivery, customer experience, develop performance measures to deliver value for money for our community.	A Service and Financial Sustainability Review was undertaken during June/July 2021 with input from staff and Councillors. The opportunities identified during this process are being reviewed and appropriate action identified.

Strategy 11.6: Minimise risk for Council and the community.

Ref	Priority	Comments
11.6.1	Maintain a risk management framework that achieves best practice in managing risks associated with Council's business activities.	The Council has in place a Risk Management Framework for 2016 to 2021. In responding to this Framework each Council Department is required to have its own Risk Management Plan (part of the Department's Business Assurance Plan) which is reviewed annually and progress is reported on a quarterly basis. An action for each Department is included in their Department Service Plan.

Deliverables / Action	Measure	Status	Comments
Undertake a comprehensive review of the existing risk enterprise framework and introduce a new 5 Year Framework commencing 1 July 2021.	In Progress 2020-2021		The Council's Enterprise Risk Framework has been extended to 30 June 2022. Our Framework will be reviewed as part of the new regulatory requirements to be released by OLG, Risk Management and Internal Audit Framework for all NSW Councils. It is due for release in 2021/22.

Ref	Priority	Comments
11.6.2	Maintain a corporate wide Business Assurance Framework to manage our systems/processes and risks to improve and protect Council's current and future performance.	Council maintains a Business Assurance Framework that includes the operation of an Audit & Assurance Committee and a comprehensive Audit Program. The five lines of defence that comprise Council's Business Assurance Framework are: <ol style="list-style-type: none"> 1. Management; 2. Strategic Framework; 3. Audit Services; 4. Audit & Assurance Committee; 5. Finance, Community and Services Committee/Council. Council has an Audit Management Software System to monitor our progress on the implementation of audit recommendations, to plan for future audits and to provide executive reports to management and the Audit & Assurance Committee. Each Department is required to have a Department Audit Plan (part of the Department Business Assurance Plan) identifying the audits to be completed over the period 1 July 2016 to 30 June 2021. An action for this is included in the Department Service Plans and progress is reported quarterly to Divisional Directors.

Woollahra
Municipal
Council



536 New South Head Road,
Double Bay NSW 2028
woollahra.nsw.gov.au
T: 02 9391 7000
F: 02 9391 7044
E: records@woollahra.nsw.gov.au

13.1 Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Monday 9 August 2021 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **PARTNERSHIP AGREEMENT RENEWAL WITH SERVICE NSW**
Author: Jin Young Kim, Economic Development Officer
Approvers: Matthew Gollan, Manager - Placemaking
Scott Pedder, Director - Planning & Place
File No: 21/136082
Reason for Report: The purpose of this report is to provide background information and seek support to renew an agreement with Service NSW and to consider future business improvement initiatives.

Recommendation:

- A. THAT Council authorises the renewal of the Woollahra Council's partnership agreement with Service NSW for Business.
- B. THAT the Seal of Council be affixed to any required documentation and Council authorise the Mayor and General Manager to execute any documentation relating to the partnership agreement with Service NSW.

Item No: R2 Recommendation to Council
Subject: **CAPITAL WORKS PROGRAM STATUS REPORT - JUNE 2021
INCLUDING 2020/21 BUDGET REVOTES & ROLLOVERS**
Authors: Henrietta McGilvray, Acting Chief Financial Officer
Petrina Duffy, Coordinator Strategy & Performance
Approvers: Sue Meekin, Director Corporate Performance
Tom O'Hanlon, Director - Infrastructure & Sustainability
Craig Swift-McNair, General Manager
File No: 21/147479
Reason for Report: To provide the Committee with an update on the status of projects in the 2020/21 Capital Works Program and to report on the 2020/21 Budget revotes and rollovers.

Recommendation:

- A. THAT the Quarterly Progress Report – Capital Works Program for June 2021 be received and noted.
- B. THAT the items identified as “Revote” and “Recommended for Revote” in Annexures 1 and 2 respectively be revoted into the 2021/22 Budget.

15. Councillor Reports/Councillor Updates (Section 8.4)

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

16. Notices of Motion

Item No: 16.1
Subject: NOTICE OF MOTION - OXFORD STREET HERITAGE
From: Councillors Luise Elsing, Anthony Marano and Megan McEwin
Date: 11 August 2021
File No: 21/155779

THAT Council:

- A. Notes that the properties at 58 – 88-90 Oxford Street, Woollahra including the theatre at 78 – 80 Oxford Street, Woollahra are identified as contributory items (being part of the heritage conservation area of West Woollahra in the C2.1.2 of the Woollahra DCP 2015) and that those buildings have a positive contribution to the streetscape and architectural character of the area and must be retained and conserved.
- B. Requests staff to undertake, as a matter of urgency, a report to investigate the potential heritage significance of the buildings identified in paragraph A 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.

Item No: 16.2
Subject: **NOTICE OF MOTION - TRANSPARENCY AND CONFIDENCE
IN COUNCIL PROCESS AROUND DECISION MAKING IN
LITIGATED PLANNING MATTERS**
From: Councillors Luise Elsing, Harriet Price, Lucinda Regan, Mark Silcocks
and Claudia Cullen
Date: 16 August 2021
File No: 21/158061

A. THAT Council staff:

- (i) Arrange for an independent review of Land and Environment Court Proceedings over the past Council term from 2017 to date where the outcome of those proceedings (either via Court judgement or conciliation/ mediation conference) are inconsistent with Council's recommendations and/or the decisions of the Woollahra Local Planning Panel and/or the Sydney Eastern City Planning Panel. The report should outline the inconsistencies and reasons for divergence; and
- (ii) Make public the findings of the independent review; and

B. Develop and make public a Litigation Protocol Policy which outlines Council priorities and community engagement.

Background

Woollahra Council has been the Respondent in a number of Land and Environment Court (LEC) Proceedings which have settled in the Applicants' favour notwithstanding that Council staff recommended refusal and the Woollahra Local Planning Panel (WLPP) found in favour of Council.¹ There are also other LEC Proceedings in which the Applicant challenged certain conditions imposed by Council and the Sydney Eastern City Planning Panel.²

Such matters are often resolved by way of conciliation conference under s 34 of the Land and Environment Court Act 1979 (LEC Act), which involves Council's consent.

A recent DA involving a funeral parlour in Ocean Street, Woollahra³ has attracted a great deal of community concern and a resident has been quoted in the local community paper – Village Voice as follows:

*"The 100 or so objectors are worried that we are now removed from the process once a Panel refusal is handed down. At this point, we must rely on the Council Executive to assign ample resources and vigorously defend our views should the matter end up in Land and Environment court. Or worse, if the matter ends up in a murky negotiation process between the Council Executive and the proponent, how do we know that Council will defend our views with the same veracity and resources that we would if we were still involved in the process? We are of the view that the Woollahra Council Executive needs clear political direction to vigorously defend the well-articulated view of the local community."*⁴

¹ Including: Felix Bay – LEC appeal by RPEYC No 2020/119022; SEPP Seniors O'Sullivan Road - DA 416/2020 - 117 O'Sullivan Pty Ltd v Woollahra Municipal Council [2021] NSWLEC 14268

² White City – LEC appeal by Hakoah Club Ltd v Woollahra Municipal Council [2021] NSWLEC 1458

³ DA 203/2021 - 37 Ocean Street, Woollahra

⁴ Village Voice 134 August 2021

Another example involves the SEPP Seniors at 117 O'Sullivan Rd Bellevue Hill, which was approved via s.34 conciliation conference and which many residents believe was approved in disregard of the conditions stipulated by the Seniors SEPP and the Woollahra planning controls. These residents believe the conciliated outcome disregarded advice from The Hon Rob Stokes, State Minister for Planning which stated that SEPP Seniors developments must comply absolutely with all SEPP requirements, whereas this development does not.⁵

The community is concerned about Council's role in litigation and the operation and transparency of its decision making process. The community is often provided with the opportunity to make further submissions in LEC Proceedings, however, the extent to which their further submissions are considered, is not apparent. Councillors are also not permitted to be involved in the conduct of such LEC Proceedings and therefore the community feel they have limited representation in relation to them, especially in relation to matters not recommended for approval by Council staff or the WLPP. The community is often at a loss to understand why developments are approved in conciliation by Council when neither Council or the WLPP have not recommended approval.

Council staff need direction as to their priorities in pursuing community objectives and the community needs to be satisfied of the voracity and consistency of the application of the planning controls.

⁵ SEPP Seniors O'Sullivan Road - DA 416/2020 - 117 O'Sullivan Pty Ltd v Woollahra Municipal Council [2021] NSWLEC 1426

Item No: 16.3
Subject: NOTICE OF MOTION - COUNCIL AS A COMMUNITY LEADER
From: Councillors Harriet Price, Luise Elsing and Lucinda Regan
Date: 17 August 2021
File No: 21/159594

THAT Council:

A. Notes that:

1. Australia's approved vaccines are very effective at preventing severe illness from COVID-19;
2. Up until 2017, it provided a free monthly Childhood Immunisation Clinic for babies and children at the Double Bay Early Childhood Centre;
3. Local Councils play an important role as community leaders and are trusted voice within their communities;
4. It took proactive steps to facilitate and promote COVID testing clinics throughout the LGA; and
5. It has provided limited information on COVID-19 vaccines.

B. Resolves to:

1. Take a strong and proactive leadership role in providing appropriate messaging of the importance of vaccinations via Council's communication channels;
2. Lead by example in promoting the vaccination program for the benefit of the community including (but not limited to):
 - a. Publishing links on its website to the Federal Government eligibility and vaccination booking platform;
 - b. Publishing links on its website to participating GPs and pharmacies and other clinics involved in vaccinations in the LGA;
 - c. Providing a free sharps collection service for all pharmacies in the LGA providing COVID19 vaccines;
 - d. Creating social media content and other messaging encouraging the community to get vaccinated; and
 - e. Liaising with the Holdsworth Centre and other providers to ascertain the viability of providing vaccination services via any number of Council's (vacant) public venues.

Background

We continue to live in extraordinary times. Since the World Health Organisation declared the Coronavirus (COVID19) a global pandemic, its impacts on the health of the Australian community and economy have been acute. The NSW Premier has recently described the current NSW situation as 'literally a war' and that 'the Delta strain is diabolical'.

Council has worked proactively to publicise and implement the stay at home orders and other measures in containing the spread of the virus to protect our community's health. Curiously, Council has not publicised the need to get vaccinated.

Both the Federal and State Government acknowledge that community leaders, businesses and other organisations play a vital role in encouraging the Australian public to receive their COVID19 vaccine.

Council has an important role to play in the current public health crisis and must show proactive leadership.

Item No: 16.4
Subject: NOTICE OF MOTION - PUPPIES IN THE PARK
From: Councillor Toni Zeltzer
Date: 17 August 2021
File No: 21/159814

- A. THAT the bi-annual event that was referred to as 'Puppies in the Park' be restored to the council calendar. This event is to be held twice a year in different local parks and along the same lines as when it took place up until 2012.
- B. THAT the first event take place in the first half of 2022 when the lockdowns will be over.

Background

'Puppies in the Park' was a very successful event held twice a year by Woollahra Council and which celebrated the positive impact of "man's best friend". There was always a big turnout for this event and sometimes it attracted people from neighbouring LGAs, who brought their dogs for an enjoyable day out.

Woollahra has numerous households of single occupancy and many of the residents in these homes have dogs as pets and companion animals. Woollahra residents have great pride in their dogs, as has been observed on the numerous occasions in which the previous 'Puppies in the Park' events took place. Even when the event was cancelled, local residents took up every possible other opportunity to showcase their pet, including at the French Market Place in Queen Street and the Paddington Day Out held by Charles Duthie at Five Ways some years ago. A dog show/ pet parade at these events was reported as the most enjoyable part of the event and strongly supported by locals with their pets.

In 2012, as Deputy Mayor, I officiated over the last 'Puppies in the Park' held at Rushcutters's Bay Park. It was a magnificent and joyous day outdoors, with crowds of people showcasing their animals and taking particular interest and pride in their four-legged friends. The many activities, contests and shows produced a great sense of fun keeping everyone in high spirits and engaged for hours. Sometime later, councillors received word that the event would no longer take place due to locals having moved away from events of this kind. There was never any concrete evidence presented to us for these claims about a lack of interest. The attendance at the last event in 2012 did not accord with the report of a lack of interest in such events. The attendance and participation at any event since then, where there has been any opportunity for a dog show/parade has been monumentous.

Opportunities to bring together community members who share a common interest, increases our 'social capital' across the LGA.

Improved 'social capital' has many possible flow-ons in the community, including reducing social isolation and improving mental health. COVID-19 has played havoc with the mental health of many and has increased social isolation.

For these reasons I call on the resumption of this much loved community event that provides an opportunity to bring our community together in the great 'Woollahra' outdoors.

Item No: 16.5
Subject: **NOTICE OF MOTION - COUNCIL ACQUISITION OF THE CHARLES WENTWORTH MEMORIAL CHURCH, VAUCLUSE**
From: Councillors Lucinda Regan, Luise Elsing and Harriet Price
Date: 17 August 2021
File No: 21/159881

THAT Woollahra Council staff urgently investigate the opportunity for Council to acquire the Charles Wentworth Memorial Church, Vacluse for use for community use, including investigating potential sources of funding for such an acquisition.

Background

We understand that Council resolved to prepare a report identifying suitable sites for purchase in the Municipality to be reused for community recreational activities, open space, the delivery of services or other desirable community purpose. At the time the report was produced, no available site had been identified.

Residents of Woollahra are concerned about over development and the impact of increased development on issues including infrastructure, open spaces and the provision of services. Residents also feel that their concerns are not being considered regarding the liveability, character and heritage of the Woollahra municipality.

The Charles Wentworth Memorial Church at 32b Fitzwilliam Road, Vacluse is currently for sale:

<https://www.domain.com.au/32b-fitzwilliam-road-vacluse-nsw-2030-2017191379>

This church is heritage listed and an integral part of the fabric of the Vacluse West precinct. It was designed by Donald Gazzard and is considered to have significant architectural merit. The interiors of this property are largely intact and would provide a wonderful space for community activities, concert and other artistic performances. Council acquisition of this site would ensure its proper preservation and use as a community asset.

There have been many calls in the community to preserve this asset:

<https://architectureau.com/articles/architects-call-to-halt-inappropriate-redevelopment-of-heritage-church/>

<https://themarketherald.com.au/fancy/5-3m-renovation-plans-for-vacluse-church-include-basement-lap-pool-and-suana/>

<https://thelocalproject.com.au/articles/wentworth-memorial-church-by-donald-gazzard-project-feature-the-local-project/>

<https://www.dailytelegraph.com.au/newslocal/wentworth-courier/heritagelisted-wentworth-memorial-church-is-for-sale-along-with-2000sq-m-of-prime-real-estate-in-vacluse/news-story/33010228922e512be1b025ed516614b1>

17. Questions With Notice

Recommendation:

THAT the Questions with Notice be received and noted.

Background:

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

The following Questions with Notice for the Council Meeting on 23 August 2021 have been received.

QWN: 17.1
From: Councillor Robertson
Subject: Questions with Notice - Rushcutter's Bay Youth Recreation Facility

Councillor Robertson asking:

As I reflect on this term of Council and what has been delivered for the community, I recall that the first notice of motion I moved related to the Rushcutter's Bay Youth Recreation Facility.

Would staff kindly outline for the public record:

1. The obstacles Council has faced in delivering this project over the last four years?
2. Indicate the next steps to be taken to deliver this much-needed facility for the young people of Paddington?

Manager Open Space & Trees in response:

Question 1:

The history of the project over the last 4 years is as follows:

- In May 2017, following consultation of the first concept (located at the northern edge of the park near the fitness equipment) the Council resolved to not progress with the project including the skate facility and basketball court and make representations to Centennial Parklands.
- Representations with Centennial Parklands were made with no definite timeframes provided on the possibility of constructing a facility on their land.
- A Notice of Motion noted the previous decision and requested staff to provide options to progress with the provision of facilities for Woollahra's 8-14yr olds with consideration to a new location.

- A further report was presented to Council which provided further location options. The south western part of the park was the approved site to develop a concept plan and exhibit to the community. This location addressed previous concerns of noise, anti-social behaviour, and loss of green space near the harbour.
- Concept plans were placed on exhibition in July/August 2018 and a total of 642 submissions were received in addition to 3 petitions (2 against, 1 for the proposal).
- Similar to the previous public exhibition, the key issues were:
 - Loss of Green Space
 - Loss of amenity
 - Should be in Centennial Parklands
- Council resolved to endorse the concept plan at the new location and undertake an Review of Environmental Factors (REF) for the project, noting that should the REF be approved, the project would proceed to detail design, tendering and construction.
- Staff engaged City Plan to undertake REF for the project.
- On 25 January 2019, the Heritage Council of NSW advised Council that it will be assessing the heritage significance for Rushcutters Bay Park, Yarranabbe Park and Sir David Martin Reserve. An Interim Heritage Order was gazetted.
- Consultation with Heritage NSW was regular both throughout the listing process and afterwards, regarding the ongoing management of this item. As part of this we identified our continuing intention to proceed with the projects and sought advice on how to best approach the issue of heritage impact on the parks.
- State Listing of Rushcutters Bay Park dated 19 June 2020.
- Staff wrote to the Executive Director of Heritage Division to outline the process as advised by Heritage NSW staff to progress Council's application for the project.
- Staff engaged GML Heritage to undertake a Conservation Management Strategy and Heritage Impact Statement for the project.

Question 2:

In relation to the next steps to deliver this project the Director Infrastructure and Sustainability emailed all Councillors an update on 6 August 2021.

That process is broken into 4 main parts as follows:

1. Preparation of a Conservation Management Strategy (CMS) for Rushcutters Bay Park, Yarranabbe Park and Sir David Martin Reserve.
2. Preparation of a Heritage Impact Statement (HIS) for the Youth Recreation Facility project.
3. Submission of an application under Section 60 of the NSW Heritage Act to undertake the project.
4. Preparation of a Review of Environmental Factors (REF) report for an activity under Part 5 of the Environmental Planning and Assessment Act 1979.

This process is informed by discussions with staff from Heritage NSW and which respects the State Heritage Listing of Rushcutters Bay Park.

We have received the final draft of the Conservation Management Strategy which was prepared by specialist consultants GML Heritage. That document is currently being reviewed by Council's Heritage staff.

GML Heritage have now been instructed to prepare the HIS for the project. The HIS will review the proposed concept design (as previously endorsed by Council) in light of the findings of the Conservation Management Strategy and will make recommendations as appropriate. If required, GML will work with Council staff and the designer of the Youth Recreation Facility (Convic) on recommended refinements to the design.

We're advised that the HIS will take 3-4 weeks to complete and any required amendments to the design will be done concurrently with or soon after completion of the HIS. We propose to bring the CMS and the HIS to Council for endorsement in October. Following endorsement by Council, a Section 60 application, which will include the endorsed CMS and HIS will be submitted to Heritage NSW.

Should the s60 application be approved, we are required to undertake a Review of Environmental Factors (REF) under Part 5 of the *Environmental Planning and Assessment Act 1979* for review by the Director – Planning & Place.

QWN: 17.2
From: Councillor Robertson
Subject: Questions with Notice - Eco-Playground at the Dillon Street Reserve

Councillor Robertson asking:

Works to create the new eco-playground at the Dillon Street Reserve are really starting to take shape and looking great. Would staff please update the community on the progress of works to date and the expected completion date (including the planting of new trees and landscaping) and opening of the new facilities to the people (and most importantly the kids!) of Paddington?

Please would staff also comment on the progress made towards involving the local community to select a new name for the Dillon St Reserve as an official park of the Woollahra Municipality pursuant to the notice of motion adopted in 2016.

Manager Open Space & Trees in response:

Progress of Works

The new playground at Dillon Street Reserve is progressing with the following works undertaken:

- Landscaping the site
- Creating new garden beds, pathway and retaining walls
- Irrigation installation and electrical work
- Establishment of areas for play equipment; and
- Purchase of all plants and trees for the site.

Over the next 3-4 weeks, Stage 1 will be complete which will include the play equipment installation, planting out the site and completion of pathways.

Stage 2 will then commence, which includes the southern part of the park including tree planting, swing set installation and garden beds. It is scheduled for completion in November 2021.

Naming Process for Dillon Street reserve

The naming process has included the following work:

- The work of Dr Paul Irish relating to Aboriginal significance of the area has been reviewed.
- Input from Council's Local History Librarian on the Aboriginal and European history relevant to the locality of Dillon Street Reserve.
- Consultation with the Gujaga Foundation and La Perouse Land Council for their Aboriginal language input.
- Consultation and input from the Paddington Society has been sought and received.

It is proposed that a short-list of new park name nominations from these stakeholder groups be exhibited on Council's Your Say website, allowing for the general community to nominate their preferences. The most preferred name will be presented to Council seeking formal approval to activate a formal name change via application to the NSW Geographical Names Board.

QWN: 17.3
From: Councillor Robertson
Subject: Questions with Notice - Homeless Week

Councillor Robertson asking:

Today marks the start of Homelessness Week and a national campaign to raise awareness about this complex and critical issue.

Would staff please outline:

1. the initiatives Council currently undertakes to address homelessness in Woollahra
2. provide comment on how effectively Council's strategic approach to providing social and affordable housing could reduce or eliminate homelessness in Woollahra into the future; and
3. advise on any other relevant considerations for Council.

Director Community & Cultural Experience in response:

The Commonwealth and State Governments have the primary responsibility to fund services and programs to assist people who are homeless. Local Governments and community organisations play an important part in preventing, reducing, and managing homelessness through monitoring homelessness and referral to local services. Council acknowledge the rights of all members of the community, including those who are homeless, to use Council services, programs and public spaces. (*Woollahra Council Homeless People Policy*)

1. Council undertakes the following initiatives to address homelessness in the Woollahra LGA.

Council:

- Partners with and is guided by the Eastern Suburbs Homelessness Assertive-outreach Collaboration (ESHAC) to provide a coordinated response to homeless people across Woollahra, Waverley and Randwick LGAs (Current members of ESHAC include – Department of Communities and Justice (DCJ), St Vincent's Homeless Health, Wesley Mission, Jewish House, Wayside, HOST, Missionbeat, Woollahra Council, Waverley Council and Randwick Council);

- Responds to reports of homeless made by residents and/or staff through the iConcierge (CRM system);
- Flags reports of homelessness to outreach services which cover the Woollahra LGA (St Vincent's Homeless Health and Wesley Mission) and communicates with the outreach teams to best support these individuals;
- Provides training and information to relevant Council staff so as to ensure a consistent approach regarding homelessness in the LGA;
- Coordinates the annual Eastern Suburbs Homeless Street Count in collaboration with Waverley and Randwick Councils; and
- Provides information about homelessness to our residents via our website - <https://www.woollahra.nsw.gov.au/community/services/homelessness>

Support for people sleeping rough has increased during COVID-19 and again in this latest lockdown. DCJ is working closely with ESHAC to coordinate the following:

- Regular outreach visits to individuals sleeping rough across the Eastern Suburbs who have been engaged with services, noting that some homeless people decline assistance;
- Additional patrols to the Woollahra area to all flagged locations;
- Extensions have been granted to people already housed in Temporary Accommodation (this is Sydney wide);
- Outreach teams continue to inform people sleeping rough about COVID, Public Health Orders and ways to minimise risk;
- Outreach teams have COVID screening questions to ensure that anyone sleeping rough who may be experiencing symptoms receive appropriate medical care; and
- The Department of Communities and Justice have advised that vaccination hubs are available across the Eastern Sydney District offering Pfizer or Astra Zeneca vaccines to anyone experiencing homelessness, at risk of homelessness or living in Public Housing.

Other Council funded initiatives include:

HomeShare:

In 2019, Council provided a seeding grant of \$50,000 to support Holdsworth Community's Homeshare program to establish and demonstrate success. In July 2021 Holdsworth was awarded a \$200,000 tender to pilot the Homeshare program across Sydney by the NSW Department of Communities and Justice

It is facilitated by one of Woollahra's key community organisation's Holdsworth Community. Their staff match older homeowners living alone with a spare room with affordable accommodation for younger people facing housing instability, close to their work, study and social needs. In exchange, the homeowner benefits from companionship, peace of mind and some extra help around the home.

Over the last 12 months, Holdsworth responded to 108 sharer enquiries and 79 owner enquiries about HomeShare, the majority being from women. 38 people were interviewed and 6 matches are currently in place, effective 30 June 2021. There are 7 sharers and 3 owners waiting to be matched. Noting the impact of COVID -19 on the delivery of this service.

The Woollahra Council Domestic and Family Violence Accommodation and Support Program:

This program was established by Woollahra Council and The Women's Housing Company (WHC) in February 2019. Council funds this program at a cost of \$360,000 each year, with the tenancy managed by WHC. This is a 3 year agreement and ends on 30 June 2022. Council currently supports 10 units (8 x 2 bedroom units and 2 x 3 bedroom units) with the tenancies ranging from 6 months to three years.

The clients of the Program are residents of the Woollahra local government area and are women with dependent children who are escaping domestic and family abuse. The Program enables women to remain affordably housed in the Woollahra LGA, to maintain community and support connections, while stabilising and improving their circumstances, with the aim of exiting the Program into sustainable private long-term housing. The Program is currently housing nine women and fourteen children.

2. Council's strategic approach to providing social and affordable housing

28 individuals were identified sleeping rough across the Woollahra, Waverley and Randwick LGA's in the Eastern Suburbs Homeless Street Count held in February 2021, with 3 of these individuals located in Woollahra. No data was included for people residing in temporary accommodation in this count due to the non-LGA specific nature of temporary accommodation placement during COVID. However, it is noted that there are currently no temporary accommodation / crisis housing solutions located in the Woollahra LGA.

To eliminate homelessness, which includes those sleeping rough, providing housing alone is not sufficient. Many individuals who are sleeping rough suffer from complex mental health or other health issues, and do not want to be housed. Other people remain homeless or at risk of homelessness due to a variety of issues that make sustaining unsupported housing situations difficult. It is essential that 'wrap around' support services must also be funded by State and Federal Governments to provide ongoing support for these individuals.

A report on a social housing shortage was recently submitted to the Finance, Community & Services Committee meeting held 9 August 2021 and as a result, Council has made a submission to the NSW Government enquiry into options to improve access to existing and alternate accommodation to address social housing shortage, on 13 August 2021.

Council recently adopted the Draft Woollahra Housing Strategy and Draft Woollahra Affordable Housing Policy 2021 on 28 June 2021, for the purpose of public exhibition.

Council is committed to protecting existing housing and facilitating new affordable housing to meet the needs of our community, particularly key and essential workers on low and moderate incomes. One of the five Housing Objectives listed in the Draft Woollahra Housing Strategy's aims to support the increased supply of accessible housing and affordable rental housing.

The Draft Strategy states that Council will work with neighbouring councils, the NSW Government, our community and industry to identify opportunities and innovative mechanisms to address increasing the supply of affordable housing and social housing.

More than 10 of the 32 specific actions in the Draft Strategy focus on addressing the issue of affordable housing. These actions include advocacy, policy development and investigation into opportunities for affordable housing on Council land.

A submission will be made to the NSW Government's draft new Housing State Environmental Planning Policy (Housing SEPP) which aims to facilitate the delivery of more diverse and affordable housing types. The proposed Housing SEPP will consolidate five existing housing-related SEPPs including State Environmental Planning Policy (Affordable Rental Housing) 2009. The proposed Housing SEPP is on exhibition until 9 September 2020 and Planning staff will make a submission.

3. Other relevant considerations for Council.

Rabbi Kastel from Jewish House recently approached Council regarding the MEND App, an App designed to enable residents to report homelessness in the community. The Mend App also includes a new Couch Surfing platform which aims to increase support to individuals 'couch surfing' and reduce the risk of continued homelessness in this vulnerable population. In its existing form, the App has some limitations and will require further discussion in the near future.

QWN: 17.4
From: Councillor Price
Subject: Questions with Notice - Conservation Management Strategy for Rushcutters Bay Park, Yarranabbe Park and Sir David Martin Reserve/Plantation Reserve

Councillor Price asking:

Manager Open Space & Trees in response in Italics:

1. The preparation of the Conservation Management Strategy for Rushcutters Bay Park, Yarranabbe Park and Sir David Martin Reserve/Plantation Reserve;

GML Heritage is engaged to undertake the Conservation Management Strategy for Rushcutters Bay Park, Yarranabbe Park and Sir David Martin Reserve/Plantation Reserve. The final draft Strategy has been received and is currently being reviewed by our Heritage staff.

2. The preparation of the Statements of Heritage Impact for the Youth Recreation Area (YRA) and the Yarranabbe Park Northern Plaza Upgrade (the Plaza Upgrade).

GML Heritage have now been instructed to prepare the Heritage Impact Statement (HIS) for the Youth Recreation Area. The HIS will review the proposed concept design (as previously endorsed by Council) in light of the findings of the Conservation Management Strategy (CMS) and will make recommendations as appropriate. If required, GML will work with Council staff and the designer of the Youth Recreation Facility (Convic) on recommended refinements to the design. We're advised that the HIS will take 3-4 weeks to complete and any required amendments to the design will be done concurrently with or soon after completion of the HIS.

The HIS for the Yarranabbe Park Northern Plaza Upgrade has not commenced.

3. Whether the above documentation will be provided to Council prior to lodgement with Heritage NSW?

It is proposed to bring the CMS and the HIS to Council for endorsement in October. Following endorsement by Council, a Section 60 application, which will include the endorsed CMS and HIS will be submitted to Heritage NSW.

4. The approximate timing of when the above documentation will be lodged with Heritage NSW.

The approximate timing for lodgement with Heritage NSW would be after Council endorsement which we envisage being October.

5. What (if any) further steps are required before construction of the YRA and Plaza Upgrade can commence.

YRA – Should the s60 application be approved, we are required to undertake a Review of Environmental Factors (REF) under Part 5 of the Environmental Planning and Assessment Act 1979 for review by the Director – Planning & Place.

Plaza Upgrade – Should the S60 application be approved, the next step would be an Integrated Development Application under Part 4 of the Environmental Planning and Assessment Act 1979.

QWN: 17.5
From: Councillor Regan
Subject: Questions with Notice - 9A Cooper Park Road, Bellevue Hill

Councillor Regan asking:

Thank you for responding to my question on notice regarding this development on 26 July 2021. After ordering a halt to construction last month due to defects, NSW Building Commissioner David Chandler has signalled out The Acre project at 9A Cooper Park Road, Bellevue Hill as demonstrating “almost every systemic failure” and as a “poorly governed project” - see article published in the Sydney Morning Herald on 9 August 2021-

<https://www.smh.com.au/national/nsw/massive-toll-sydney-apartment-buyers-languishing-years-after-paying-deposits-20210802-p58f5k.html>

1. Could Council please advise as to the reference in this article to stormwater running into neighbouring property, creating a large hole in a tennis court?

Manager – Compliance in response:

The issue of stormwater runoff from the development site at 9A Cooper Park Road, Bellevue Hill has been recorded in Council’s Customer Request Management system, reference CRM5036. Unfortunately due to the current COVID-19 restrictions and the inspection protocols that must be followed, an inspection by Council’s Compliance staff had not been undertaken at the time of preparing this response.

2. Could Council please advise as to what damage is being done to its public assets and as to what public assets are being made available to the developer currently in relation to this project (for example for parking, storage or access purposes)? If public assets are being made available what is the position of Council in relation to them?

Manager – Engineering Services in response:

Council staff are aware of damages to the road reserve and are in discussions with the builders in relation to repairing the road reserve damages. There is a \$50k property damage security deposit associated with the development (imposed as a Condition of Consent under DA607/2015/2) and this security deposit will not be released until Council staff are satisfied that the damages to the road reserve have been addressed and repaired. There are no active Work Zones or Stand Plant permits associated with the site.

3. What is the position in relation to any Council land sold to the developer for the purpose of construction of facilities to service the development (e.g.: fire hydrants) and specifically in relation to security of payment for such land? What is the position if the developer cannot pay for this land - is Council able to break or repudiate any contractual arrangements in this regard?

Manager – Property & Projects in response:

Council resolved on 23 November 2020 to grant an Easement to the owners of 9A Cooper Park Road for the placement of the fire hydrant pump enclosure on the adjacent road reserve. This is subject to payment by the owner/developer of Easement compensation and costs incurred by Council. If they cannot pay these costs, the Easement will not be granted

4. Has Council any update in relation to this project from either the developer or the NSW Building Commissioner and has Council written to the Commissioner requesting an update?

Manager – Compliance in response:

At the beginning of August 2021 Council's Manager – Compliance attended a virtual meeting convened by LGNSW where the Building Commissioner, Mr David Chandler and members of his Office, presented to a Reference Group of Senior Council Building Officers. The Manager – Compliance had informal discussions with Mr Chandler before and after the meeting concerning the current actions initiated by the Building Commissioner's Office with regard to 9A Cooper Park Road, Bellevue Hill.

Following the meeting Mr Chandler sent photographs of the site to the Manager – Compliance and an email thread between the Solicitor representing the owners of 9A Cooper Park Road Bellevue Hill and the Building Commissioner. While the Building Commissioner highlighted that the issue of a replacement Principal Certifier was foremost in the mind of the owners, he considered the roadmap ahead is going to be complex and could include;

1. *Building Information Certificate(s) as part of the process;*
2. *New designs to address the remediation works, which would be the subject of the Design and Building Practitioners Act 2020, which commenced on the 1st July 2021; and*
3. *An 'Enforceable Undertaking'.*

With regard to the last item, by way of example, the Building Commissioner referred to the recently adopted 'Enforcement Undertaking' put in place on the 'Skyview' project with the developer Toplace to provide an ongoing inspection and maintenance program backed by financial guarantees. This first example of an enforceable undertaking is published on the NSW Fair Trading website at www.fairtrading.nsw.gov.au/help-centre/online-tools/rab-act-orders-register.

Discussions have been had with Council on taking over the Principal Certifier role for the development, but no agreement or contact has been entered into at this time.

QWN: 17.6
From: Councillor Elsing and Councillor Regan
Subject: Questions with Notice - Housing Targets

Councillor Elsing & Councillor Regan asking:

Can Council Staff please provide an update on progress with respect to Notice of Motion passed unanimously dated 26 April 2021 requesting:

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?

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.

Councillor in response:

On 26 April 2021, Council resolved to write to Rob Stokes MP, Minister for Planning and Public Spaces, the Greater Sydney Commission and others, advocating that the housing targets be withdrawn for the Woollahra LGA. Consistent with this resolution, Mayoral letters were sent on 17 May 2021.

In response, Council received a copy of a letter from Dave Sharma which was sent to the Greater Sydney Commission, indicating his strong support for the withdrawal of the targets.

The letter we received from Gabrielle Upton MP attached a copy of a letter from Minister Stokes

In the responses from Minister Stokes and the Greater Sydney Commission, both stated that withdrawing the targets is not supported, and instead encouraged Council to work with the *Department of Planning, Industry and Environment* to progress the Local Housing Strategy. We anticipate that the Draft Local Housing Strategy will be placed on public exhibition in late August / early September 2021.

Council Ref: SC4100, 21/92223
Your Ref:

Office
of the
Mayor

Woollahra
Municipal
Council



17 May 2021

The Hon. Rob Stokes MPs
Minister for Planning and Public Spaces
GPO Box 5341
SYDNEY NSW 2001

Dear Minister Stokes

Housing targets

Following a Council resolution at the meeting of 26 April 2021, I write to you in relation to the housing targets set in the *Greater Sydney Commission's (GSC) Eastern District Plan* dated March 2018 (the Plan).

The Plan identified a housing target of 300 additional new dwellings for the period of 2016 to 2021. Further to this, in a letter dated 12 March 2020, the GSC advised us that a minimum of 500-600 additional new dwellings were required in the Woollahra for the period of 2021-2026.

Council resolved to request *the target 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 construction has commenced, has been completed or approval has been given for at least 779 additional new dwellings (including complying development) in the LGA.
- As at November 2020, Woollahra Council has exceeded the target of 300 additional new dwellings by at least 259% or by over 479 additional new dwellings.

According to information produced by the Australian Bureau of Statistics released on 30 March 2021, Woollahra Council is already the seventh densest LGA in NSW with an estimated average population density of 4,840 people per km² and a total population of 59,431.

Located on the Eastern Suburbs peninsula, and serviced by only one train station, the LGA is unable to accommodate additional growth without significant upgrades to infrastructure. Council would like the GSC and the Department of Planning, Industry and Environment to identify what analysis of our existing infrastructure and services has been undertaken to ensure it can accommodate future housing growth.

Correspondence to:
PO Box 61
Double Bay NSW 1360

Redleaf Council Chambers
536 New South Head Road
Double Bay NSW 2028

t: (02) 9391 7000
f: (02) 9391 7044
e: records@woollahra.nsw.gov.au
www.woollahra.nsw.gov.au

DX 3607 Double Bay

Council staff are currently preparing the *Draft Woollahra Housing Strategy 2021* (the Strategy). The Strategy will set out where new housing will be located so that it is the right amount in the right area, and is located on suitable, highly accessible and well-serviced sites. This locally prepared Strategy should be the mechanism to set the target for our future growth, and we should not be guided by the artificial target identified in the letter from the GSC.

Please confirm:

- whether you support our request to have the housing target of 500-600 additional new dwellings withdrawn? and
- what analysis of our existing infrastructure and services has been undertaken?

I look forward to hearing from you at the earliest convenience.

Yours sincerely



Cr Susan Wynne
Mayor



The Hon. Gabrielle Upton MP

Member for Vacluse



7 July 2021

Cr Susan Wynne
Mayor
Woollahra Municipal Council
Email: susan.wynne@woollahra.nsw.gov.au
CC: patricia.vella@woollahra.nsw.gov.au

Dear Cr Wynne

Susan

Re: Housing Targets

Thanks again for your email on 17 May 2021 regarding housing targets set in the *Greater Sydney Commission's Eastern District Plan*.

I now attach a reply received 2 July 2021 from the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP. You may like to contact Ms Amanda Harvey, Executive Director of Local Strategies and Plan Making at the Department of Planning, Industry and Environment, on 8275 1128 for further information.

I hope this is of some assistance.

Yours sincerely

Gabrielle Upton MP
Member for Vacluse

Phone: (02) 9326 1856 Fax: (02) 9328 1132 Mail: PO Box 560 Double Bay NSW 1360
Electorate Office: 330 New South Head Road, Double Bay NSW 2028 Email: vacluse@parliament.nsw.gov.au
Website: www.gabrieleupton.com.au



The Hon. Rob Stokes MP
Minister for Planning and Public Spaces

MDPE21/1408

The Hon. Gabrielle Upton MP
Member for Vacluse
PO Box 560
DOUBLE BAY NSW 1360

Via email: vacluse@parliament.nsw.gov.au

Dear Ms Upton

Thank you for your correspondence on behalf of Cr Susan Wynne, Mayor of Woollahra Municipal Council (Council), regarding local housing targets.

I note Mayor Wynne is concerned about housing targets in the Woollahra local government area (LGA). I understand the Greater Sydney Commission (the Commission) has been in contact with Council regarding its request to withdraw the housing target of 500-600 additional dwellings and has recently provided a detailed response.

While I acknowledge Council's work to deliver new dwellings, it remains essential that the individual housing targets for each council are met, as these contribute to the overall district and regional housing targets in place. The objectives in the Eastern City District Plan (as with all the District Plans) together with the actions of Local Strategic Planning Statements (LSPSs), will ensure the Greater Sydney Region Plan is delivered for our communities.

The 6-10 year (2021-2026) housing supply targets outlined in the Commission's Letter of Support for Council's LSPS were developed based on multiple sources and evidence, including the Department of Planning, Industry and Environment's (the Department's) dwelling projections and housing supply forecasts, as well as consideration of infrastructure capacity. The target was also developed in close consultation with Council.

I am pleased to note Council is now progressing its Local Housing Strategy. The development of the strategy is the most appropriate means for identifying capacity within the LGA to meet the housing supply target, and I encourage Council to work closely with the Department in this regard.

It is the Department's role to assess and approve Local Housing Strategies for all councils in Sydney. This will in turn help reinforce the intended direction set by a Council's LSPS. The Department is expecting Council to submit its Local Housing Strategy for assessment of the strategy soon.

I can assure you that the Department will assess Council's Local Housing Strategy carefully, particularly in the context that these strategies reinforce the intended direction set by each council's LSPS.

GPO Box 5341 Sydney NSW 2001 • P: (02) 8574 6707 • F: (02) 9339 5554 • W: nsw.gov.au/ministerstokes

Should Council have any questions, they are welcome to contact Ms Amanda Harvey, Executive Director, Local Strategies and Plan Making, at the Department of Planning, Industry and Environment on 8275 1128.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Rob Stokes'.

The Hon. Rob Stokes MP
Minister for Planning and Public Spaces



DAVE SHARMA MP

Federal Member for Wentworth

25 May 2021

Mr Geoff Roberts AM
Chief Commissioner

Greater Sydney Commission PO
Box 257

PARRAMATTA NSW 2124

Dear Mr Roberts AM

I write in support of Woollahra Council's request to the Greater Sydney Commission (GSC) to withdraw the Council's 2021-2026 housing targets set in the GSC, Eastern District Plan (March 2018).

As the local federal Member of Parliament, I frequently receive correspondence from Wentworth constituents sharing their frustrations and concerns regarding the pressure on public infrastructure, facilities and services such as roads, schools and parking due to the continually increasing housing and population growth in the Woollahra Council LGA. Much of the Woollahra Council LGA is geographically a peninsular and as such there are limited options for road expansion and additional public infrastructure. The area is close to capacity in terms of the number of dwellings and population it can accommodate with the current infrastructure and facilities.

Noting that Woollahra Council has already exceeded their housing target, with 779 additional new homes approved between November 2016 and October 2020, I strongly support Woollahra Council's request to GSC to withdraw the target of 500-600 additional new dwellings between 2021-2026.

I hope that the Greater Sydney Commission will look favourably upon Woollahra Council's submission, and reconsider the Council's near-term housing targets.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Dave Sharma'.

Dave Sharma MP
Member for Wentworth

Ground Floor, 287 New South Head Road, Edgecliff NSW 2027 Phone 02 9327 3988

Email dave.sharma.mp@aph.gov.au Web davesharmawentworth.com.au Facebook [DaveSharmaMP](https://www.facebook.com/DaveSharmaMP)



Ref: 21/5283

Clr Susan Wynne Mayor
Woollahra Municipal Council PO Box 61,
Double Bay NSW 1360

Dear Clr Wynne,

Thank you for your letter dated 17th May 2021 to the Greater Sydney Commission in relation to the housing targets for Woollahra Council. The CEO has asked me to reply on behalf of the Commission.

I note the Council resolution which requests withdrawal of the Woollahra LGA housing target of 500-600 additional dwellings. Additionally, Council would like to understand what analysis of existing infrastructure and services has been undertaken to ensure future housing growth can be accommodated.

The Greater Sydney Region Plan (GSRP) is a legally binding strategic planning instrument that is delivered through objectives in district plans and the actions of Local Strategic Planning Statements (LSPS). In 2018 the GSRP, which was adopted by the NSW Government, set a district housing target for the Eastern City District of 46,550 dwellings for the five-year period to 2021 and 157,500 dwellings for the 20-year period to 2036. The individual housing targets for each council in the District contribute to the overall district and regional targets.

The GSRP housing supply targets were developed with reference to a number of different data and information sets including the NSW Department of Planning, Industry and Environment's (DPIE's) dwelling projections and housing supply forecasts; the NSW Intergenerational Report; Housing Market Demand Areas; housing market preferences; and a robust analysis of existing and future State and local infrastructure capacity.

As you have noted in your letter, the Commission's letter of support for the Woollahra LSPS provided an indicative range for the 6 – 10 year housing target, for the period 2021/22 to 2025/26, of 500 – 600 dwellings. This was to be tested and verified through DPIE's Local Housing Strategy approval process. It is considered that the indicative range for Woollahra LGA is low, relative to the established transport infrastructure in the area.

The Council's target should also consider demands on state and local infrastructure, and the ability to support future growth. The Commission's Letter of Support requested that Council test the indicative range through a preliminary assessment including the impacts of any relevant NSW Government investment decisions in consultation with State agencies.



The development of a Local Housing Strategy is the appropriate process for identifying the capacity within the LGA to meet the housing supply target and the Commission encourages Woollahra Council to work closely with DPIE in relation to this.

It is DPIE's role to assess and approve Local Council's housing strategies. This will in turn help reinforce the intended direction set by a Council's Local Strategic Planning Statement. Council is expected to submit its Local Housing Strategy to DPIE to enable the Department to fully assess the strategy.

If you require any further information, please contact Therese Hoy, Director, City Planning Strategy at the Commission on (02) 8289 6251 or by email Therese.Hoy@gsc.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "E. Mildwater".

Elizabeth Mildwater Chief Executive Officer
18 June 2021

QWN: 17.7
From: Councillor Price
Subject: Questions with Notice - Land and Environment Court Proceedings - Hakoah Club Ltd v Woollahra Municipal Council

Councillor Price asking:

I refer to the recent Land and Environment Court Proceedings - Hakoah Club Ltd v Woollahra Municipal Council [2021] NSWLEC 1458 in which the Applicant and Council agreed to conditions of consent for the approval of DA No.477/2019 (the Approval).

Can the Director please:

1. Confirm what (if any) advice was obtained from Council's compliance staff and the licensing police of the Eastern Suburbs Police Area Command (ESPAC) with respect to conditions I.2A and I.3(e) of the Approval?
2. Confirm what (if any) licensed premises in the Woollahra local government area are permitted to trade:
 - i. to midnight;
 - ii. to midnight 7 nights a week; and
 - iii. outdoors (without food being served and seated for dining) until midnight?

3. Explain what (if any) precedent value the Approval will have for other licensed premises seeking similar trading hours (as outlined in paragraph 2 (above))?
4. Confirm that each owner at Nos. 14, 16, 18, 20, 22 and 24 Walker Ave will not be prevented from making any complaints to the Applicant, Council, the Eastern Suburbs Police Area Command and Liquor and Gaming NSW with respect to any operations at the Premises.

Director Planning & Place in response:

On Notice.

QWN: 17.8
From: Councillor Regan
Subject: Questions with Notice - Heritage Projects Status

Councillor Regan asking:

Response by Manager Strategic Planning in italics.

During this term of Council there have been a number of significant steps taken in response to Notices of Motion to protect heritage and heritage assets in the municipality. Whilst a great many have been acted upon, could the General Manager provide an update on the following Notices of Motion?

It is anticipated that a Heritage Gap Analysis will be presented to Council by December 2021,

The Heritage Gap Analysis will allow Councillors to identify the priorities and plan for future heritage studies, in light of Council's current resource limitations.

With this in mind, staff can provide the following response:

- (a) Heritage listing of Californian Bungalows and arts and crafts residences NOM
16.4 https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0005/210587/Council_Agenda_-_11_Nov_2019.pdf

It is anticipated that a report on the Bungalow Study will be presented to EPC in September or October 2021.

The Arts and Crafts heritage study is at a preliminary stage, with a working list of properties for investigation to be finalised.

This project will be included in the Heritage Gap Analysis seeking direction from Council. Earlier this year Council staff made an application to Heritage NSW seeking grant funding to progress this project. However, we were unsuccessful.

- (b) Heritage listing of Rose Bay sites NOM 11.2 and places of worship NOM
11.3 https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0003/200829/Council_Agenda_-_8_Apr_2019.pdf

The work on the places of worship heritage study has substantially commenced. Once the draft report is completed, and where we are recommending heritage listing, we will be circulating this to land owners for comment and also seeking assistance to complete the assessment of social significance.

The work associated with the educational establishments study has not commenced, and will be included in the Heritage Gap Analysis seeking direction from Council.

(c) Audit of Street inlays NOM 16.3

https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0006/217392/Council_Agenda_-_25_May_2020_v2.pdf

As part of Council's 2021/22 budget, funding has been allocated to engage a consultant to undertake an audit of Council's heritage listed street inlays. This project has been included in the 2021/22 Delivery Program and Operational Plan (DPOP) and will be reported to Council once the audit is complete.

(d) Double Bay heritage NOM 16.5

https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0019/240553/Council-Agenda-26-Apr-2021-v2.pdf

The work on this study has not commenced, and will be included in the Heritage Gap Analysis seeking direction from Council.

Further in response to a question on notice put to the Council meeting on November 2019, staff advised that they proposed the creation of an online map (using a social pin point) where the community could nominate items that they would like to consider for heritage listing. Is this system operational and, if not, when might it be publicised to the community in general? Further staff advised that the Strategic Planning Team had initiated heritage assessments - a Contemporary Building Study (for modern architecture on buildings spanning 1950- 1980), a Leslie Wilkinson Heritage Study and a White City Heritage Assessment. Could an update be provided on these studies and assessments?

The Heritage Gap Analysis will propose a strategy and action plan to fill the gaps in Schedule 5 of the Woollahra LEP 2014. The social pinpoint strategy is one option that will be discussed.

All outstanding heritage work, including the Leslie Wilkinson Heritage Study, will be included in the Heritage Gap Analysis.

With regards to White City, we can advise that on 28 November 2016, Council resolved:

- A. That Council discontinue the planning proposal to list the White City site as a heritage item in Woollahra LEP 2014.*
- B. That Council discontinue the planning proposal to remove the maximum height development standards applying to 30 Alma Street Paddington.*
- C. That Council request the Minister for Planning determine that the planning proposals not proceed.*
- D. That Council not proceed with the preparation of site-specific DCP provisions in Woollahra DCP 2015 for 30 Alma Street, Paddington.*

QWN: 17.9
From: Councillor Regan
Subject: Questions with Notice - 46 Vacluse Road Vacluse - Interim Heritage Order (IHO)

Councillor Regan asking:

Manager Planning & Place in response in Italics:

- 1. Can Council please explain why the Section 4.55 for 46 Vacluse Road was approved on 30 July 2019, about six months before the Council applied for the Interim Heritage Order?**

The subject s4.55 Application was lodged on 21st May 2019 and approved under Staff Delegation on 30th July 2019.

At the time the s4.55 Application was before and determined by Council, the status of the subject site was such that it was not located within a Heritage Conservation Area nor identified as a heritage or potential heritage item and furthermore, the initial DA had consented to the demolition of the existing dwelling-house.

As such, the merit assessment of the s4.55 Application was limited to the scope of the proposed modifications, being internal and external modifications to the approved dwelling-house and bound by the initial DA consent and current planning legislation (including heritage status).

The matter relating to the heritage significance of the property and the subsequent making of an IHO was borne by a Council Notice of Motion on 26th August 2019 which was after date the s4.55 had been determined.

- 2. Can Council confirm if the documentation on file for the 2015 DA was reviewed by the Planning Staff before the Section 4.55 was approved?**

The 2015 DA documentation which was relevant and reviewed by the Planning Staff in the assessment of the s4.55 Application was limited to DA Assessment Report, Approved Plans and DA Consent.

- 3. Can Council explain why a very detailed report on the property's heritage aspects, commissioned by the owner of 46 Vacluse Road in 2014 and authored by heritage expert Ruth Daniell, was mislabelled as a "Demolition Report"?**

Council's DA Guide sets out what information is required to be submitted with a Development Application. Attachment 3 of Council's DA Guide is titled 'Demolition Report' and sets out the parameters when a Demolition Report is required to be lodged with a DA. Of relevance are the following extracts:

Why is a demolition report required?

A demolition report is required to provide information about the potential heritage significance of an existing building. This information is used to assist the Council with its assessment and determination of a development application.

A building may be of potential heritage significance even though it is currently not listed in the schedule of heritage items or contained within a heritage conservation area.

Therefore, in addition to undertaking heritage studies, the Council assesses the potential heritage significance of a building proposed for demolition as part of its development application process.

When is a demolition report required?

A demolition report must be submitted with a development application that seeks consent for the total or substantial demolition of a building or work. Substantial demolition comprises the demolition of 50% or more of a building's fabric.

Note: An application that involves the demolition of a building currently listed or proposed to be listed as a heritage item or a building located within a heritage conservation area must be accompanied by a statement of heritage impact (refer to Council's guideline for preparing a statement of heritage impact).

Who should prepare a demolition report?

A demolition report should be prepared by a qualified and experienced heritage consultant.

Requirement for further information

After the report has been examined and a site inspection has been carried out by one of Council's Heritage Officers, further information may be requested from the applicant to determine whether the property has heritage significance.

Based on the above information, the Demolition Report prepared by Ruth Danniell and submitted with the DA was consistent with the above parameters and correctly labelled as a "Demolition Report".

4. Can Council confirm if the above report was referred to the Council's Heritage Officer during the assessment process for the 2015 DA?

The initial DA including the accompanying Demolition Report (referenced above) was formally referred to Council's Heritage Officer for comment/assessment.

Provided below are extracts from Council's Heritage Referral Response:

Documentation

The following documentation provided by the applicant has been examined for this referral response:

- Drawing set by Uri T Design, dated 13 May 2015 and numbered DA-001B – DA-010B.*
- Statement of Environmental Effects by GSA Planning, dated May 2013.*
- Survey plan by Kevin Brown & Associates, reference S-22763, dated 25 June 2013.*
- Demolition Report by Ruth Daniell, dated May 2014.*

Heritage Framework

- The subject building is not located in or adjoining a heritage conservation area.*
- The subject building is within the vicinity of three heritage items, namely: Strickland House, a State-listed item at No. 52 Vacluse Road, Vacluse; a Swamp Mahogany at No. 40 Vacluse Road, Vacluse; and two Sydney Pink Gums at No. 42 Vacluse Road, Vacluse.*
- The subject building is not a heritage item in the Woollahra Local Environmental Plan 1995 and is not listed on the State Heritage Register.*

Description of Proposal

The proposal is to demolish the existing two-storey dwelling and detached garage and to construct a three-storey dwelling with parking for two cars on the lower-ground-floor.

Recommendation

Consent. No heritage conservation conditions are required.

The initial DA was approved by Council's Application Assessment Panel on 20th October 2015.

5. Can Council explain if it questioned the SEE prepared by GSA Planning for the 2015 DA given that didn't mention the property's heritage aspects?

It is Council's adopted practice that at the lodgement stage of any DA, the Planning Team Leader reviews all the information including plans and specialist reports (i.e. SEE, Demolition Report, etc.). If Council's Team Leader is not satisfied with the information/documentation submitted with the DA, a 'Stop the Clock' letter requesting further or additional information is sent to the Applicant.

In the circumstances of this DA, Council's Team Leader was satisfied with the DA information including the SEE submitted.

Upon a subsequent review of the SEE prepared by GSA for the 2015 DA, it should be noted that the SEE does state the subject site is not a heritage item or located within a HCA, and also, includes a section which addresses the relevant heritage provisions under Council's LEP, at that time (Clause 26 -27 of LEP 1995).

QWN: 17.10
From: Councillor Price
Subject: Questions with Notice - White City Sporting Complex Redevelopment (Hakoah Club)

Councillor Price asking:

To the General Manager:

On 21 March 2021, the Hon Michael McCormack MP and Mr Dave Sharma MP made the following joint announcement:

"The Australian Government will invest \$7.5million for the Hakoah at White City sporting complex redevelopment in Sydney, delivering new sporting facilities and a community hub."

Can the General Manager please ascertain from either the Hakoah Club, Mr Sharma MP or Mr McCormack MP how the:

- A. \$7.5million of public funds will be spent; and
- B. Community will access the Club's facilities and community hub. In particular, the terms and cost of membership and the basis on which members of the community will be permitted to use the Club's facilities.

Director Planning & Place in response:

On Notice.

QWN: 17.11
From: Councillor Elsing
Subject: Questions with Notice - Infrastructure Contributions System

Councillor Elsing asking:

Can staff please provide an update on the proposed changes to the Environmental Planning and Assessment Act 1979 in relation to the infrastructure contributions system, proposed to come into effect in July 2022?

Property developers pay infrastructure contributions to the State government and councils, helping with the cost of providing needed infrastructure. This helps fund public spaces, footpaths, cycleways, roads, stormwater drainage and other social and community facilities.

Contributions are collected using a suite of tools, including special infrastructure contributions, planning agreements and local sections 7.11 and 7.12 contributions:

- *Section 7.11 contributions: Charged where there is a demonstrated link between the development and the infrastructure to be funded. Councils prepare contributions plans which specify what infrastructure will be provided and approximately how much it will cost. This is used to calculate a contribution rate, usually charged per dwelling or per square metre. Councils that want to charge a contributions rate above the threshold set by the Minister must submit their plans to IPART for independent review. Section 7.11 was previously known as section 94.*
- *Section 7.12 levies: An alternative to s7.11 contributions, charged as a percentage of the estimated cost of the development. The maximum percentage that can be charged in most areas is 1%, although there are a small number of areas that charge a higher percentage. Section 7.12 was previously known as section 94A.⁶*

I understand that the proposed changes include reducing and or deferring contributions.

Commentary has suggested that Planning Minister Rob Stokes has indicated he wants to push ahead with the changes, that the Department of Planning has not adequately consulted with developers, local government or landowners on the proposed changes and that the changes would give the state government unfettered powers in relation to the contributions.⁷

⁶ <https://www.planning.nsw.gov.au/Policy-and-Legislation/Infrastructure/Infrastructure-Funding/Local-infrastructure-contributions-policy>

⁷ https://www.governmentnews.com.au/report-recommends-pause-on-nsw-developer-levy-reform/?utm_medium=email&utm_campaign=Newsletter%2013821&utm_content=Newsletter%2013821+CID_33be9

The reason this information is critical to residents in Woollahra Council is that there is already a significant shortfall in infrastructure (including parks and recreational facilities) supporting additional development. Negative changes to infrastructure contributions will accelerate that shortfall making new development even more unpalatable for residents and the contest over public amenity even more acute.

Please include in the update details of the proposed changes, the amount currently received by Woollahra Council in infrastructure contributions (including s7.11 and 7.12 contributions), the possible impact on Woollahra Council revenue/budget/financial position, any other impacts and whether Woollahra Council has opposed the proposed changes.

Manager Strategic Planning in response:

On 16 July 2021, we made a Mayoral submission to the *Environmental Planning and Assessment Amendment (infrastructure Contributions) Bill 2021* which included the following statement:

In summary, given the importance and the ramifications of this Draft Bill, I strongly request that the Draft Bill is withdrawn and deferred to allow a proper, robust and complete exhibition to occur. Without this, the community cannot fully understand the financial and administrative implications of the proposed reforms.

A full copy of Council's submission is included.

In response to the issues raised during the inquiry, the *Upper House Infrastructure Contributions Bill Inquiry Committee Report* recommended the Bill's proposed changes to infrastructure contributions not proceed until the draft regulations have been developed and released for consultation.

It response to the question raised in this QWN, it is noted that over the past 5 years, Section 7.12 Contributions have funded approximately 20% of capital works in the Woollahra LGA.

Council Ref: Planning & Place Division
SC4115 - 21/136541

Office
of the
Mayor

Woollahra
Municipal
Council



16 July 2021

The Director
Portfolio Committee No. 7 - Planning and Environment
Parliament House
6 Macquarie Street
SYDNEY NSW 2000

PortfolioCommittee7@parliament.nsw.gov.au

Dear Sir/Madam

**Submission to the Environmental Planning and Assessment Amendment
(Infrastructure Contributions) Bill 2021**

Woollahra Council thanks you for the opportunity to comment on this important, albeit a very limited time, into the *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 (Draft Bill)*. Our detailed submission in response to the exhibition is attached.

In summary, given the importance and ramifications of this Draft Bill, I strongly request that the Draft Bill is withdrawn and deferred to allow a proper, robust and complete exhibition to occur. Without this, the community cannot fully understand the financial and administrative implications of the proposed reforms.

If you require any further information about our submission please contact Anne White, Manager - Strategic Planning on (02) 9391 7086.

Yours sincerely

Cr Susan Wynne
Mayor

Enc

Correspondence to:
PO Box 81
Double Bay NSW 1360

Redleaf Council Chambers
536 New South Head Road
Double Bay NSW 2028

t: (02) 9391 7000
f: (02) 9391 7044
e: records@woollahra.nsw.gov.au
www.woollahra.nsw.gov.au

DX 3607 Double Bay



Submission to the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021

Woollahra Council staff support a review of the infrastructure contributions process. We support an efficient and effective infrastructure funding system which appropriately leverages monies, whilst giving Council sufficient flexibility to apply these. However, we have identified the following key concerns with the *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021* (Draft Bill) and the manner in which it has been placed on public exhibition.

1. Exhibition

The timeframe provided to digest and understand the implications of the information on exhibition is inadequate. Furthermore, the information on exhibition is not sufficient for us to make a proper and informed assessment. The full suite of supporting regulations, ministerial directions and draft legislation have not been included in the public exhibition material.

Accordingly, it is impossible to understand the full financial and operational impacts of the proposal. Indeed, it may be that for Woollahra Council, the proposed reforms will lead to a reduction in contributions and this will have a consequential impact on our ability to service our community

We recommend that the Draft Bill is withdrawn and deferred to allow a proper, robust and complete exhibition to occur, to allow the community to fully understand the financial and administrative implications of the proposed reforms.

2. Reforms to 7.12 Contributions

The Draft Bill proposes to amend the way that Section 7.12 Contributions are levied on development. Currently, we authorise conditions on development consents under Section 7.12 requiring the applicant to pay Council a maximum levy of 1% of the proposed cost of carrying out the development. This system has been in operation for a number of years. It is efficient, easily understood and easy to administer. Over the past 5 years, Section 7.12 Contributions have funded approximately 20% of capital works in the Woollahra LGA.

The Draft Bill proposes a “local levy condition”. This will comprise a capped monetary levy based on the number of additional dwellings in a development or gross floor area.

What this proposed “local levy condition” appears to ignore is development that comprises alterations and additions. An amendment of this type could have significant financial implication to Woollahra Council, where the majority of development comprises alterations and additions.

Further information is required on this proposal before we can fully understand the financial and administrative implications.

We recommend that the Draft Bill is re-exhibited with additional information to identify how the “local levy condition” will operate, and its financial implications.

3. Land Value Contributions

The Draft Bill introduces a new “land value contribution” charge to enable value capture resulting from rezonings or development.

This charge would be imposed when the land is rezoned, and collected when the land is sold. In terms of administration, this new framework would require the vendor or purchaser to apply for a “land value contribution certificate” from Council. Council would then determine the contribution in accordance with the regulations and the contributions plan concerned.

We support the proposed new mechanism for value capture. It simplifies and addresses the issue of capturing a portion of the windfall gain resulting from increased development potential or rezoning’s which we would otherwise collect via a voluntary planning agreement. Value sharing is a reasonable and equitable approach. A simple and consistent approach is greatly supported by Council staff to avoid the requirement to negotiate voluntary planning agreements on a site by site basis.

However, the mechanism to apply and administer this new charge are unclear. What administrative burden and additional internal resources will be required to implement these changes? For example, who can issue land value certificates? Once the monies are received, what types of infrastructure can this be spent on? Monies received should be spent on new infrastructure projects or upgrading existing facilities and Council should have the flexibility to determine the priorities.

We recommend that the Draft Bill is re-exhibited with additional information to identify how the “land value contributions” will operate.

4. Regional Infrastructure Contributions (RIC)

The Draft Bill proposes to repeal the special infrastructure contributions (SICs) and replace them with provisions for a new *regional infrastructure contributions* (RICs). RICs are contributions required in respect of development for public amenities or public services (including infrastructure that enhances public open space or the public domain), affordable housing, transport infrastructure, regional or State roads, and measures to conserve or enhance the natural environment. The contributions may be applied to a region or parts of a region, with funds collected in the region to be spent on infrastructure within the region.

However, will these new RICs be applied in addition to local development contribution levies? In the Woollahra LGA, where the majority of development is for alterations and additions, we question the value of this additional levy which could undermine the contributions levied and then spent at the local scale.

We do not support two tiers of contributions that will add to the complexity and administrative burden of development contributions. At all times, the local development contributions should be prioritised over the RICs to ensure that Councils have sufficient funding to augment and improve infrastructure in the local area.

We do not support two tiers of contributions. We recommend that the Draft Bill is re-exhibited with additional information to identify how the RICs will apply and operate

5. Deferral of Contribution Payments

The deferral of contribution payments to occupation certificate was a temporary measure due to the impacts of COVID-19. The Draft Bill proposes to formalise this temporary arrangement. We are concerned that by delaying the payment of contributions, this will delay the delivery of infrastructure. Council's will then have less scope to plan for infrastructure delivery and infrastructure will fall behind. Greater flexibility is required to ensure Council's can adequately align income streams.

We do not support deferring contribution payments to the occupation certificate stage.

6. Review of local strategic planning statements (LSPS)

The Draft Bill seeks to amend the timing for the review of the LSPS from 7 years to at least every 5 years. However, the current provisions allow councils to undertake reviews as required which could be 7 years or sooner. We see no reason or justification to change this. The proposed two year reduction in time frame will undoubtedly have resource implications to councils.

Unless a clear justification is provided, no change should be made to the review period for an LSPS.

QWN: 17.12
From: Councillor Zeltzer
Subject: Questions with Notice - Notice of Motions

Councillor Zeltzer asking:

I ask for a response on the status of these motions resolved from previous Council Meetings.

Item 16.5 meeting 25/5/2020 'Streets and shared zones' (dealt with 16.1)

Item 16.2 meeting 22/6/2020 'Management Plan for Street Figs in the Municipality.'

Item. 16.6 meeting 27/7/2020 'Private Certifiers'

Manager Engineering in response to 25/5/2020 'Streets and shared zones':

As previously advised to Councillors, an application was made to the Department of Planning, Industry and Environment (DPIE) for grant funding under their Streets and Shared Spaces Grant Program. Under Category 1, Council applied for grant funding to deliver the O'Sullivan Road Pop-Up Cycleway Project and under Category 2, Council applied for grant funding to deliver the Woollahra Pedestrianisation Program - Pedestrianisation of Commercial Centres in Double Bay, Rose Bay & Paddington. Subsequently, Council was informed by DPIE that we were not successful in attracting grant funding for the abovementioned funding submissions.

Following on from the grant application made to DPIE under their Streets as Shared Spaces Program, Council has been successful in attracting grant funding from DPIE and Transport for NSW (TfNSW) for projects such as the Knox Street Pedestrianisation Project, the Double Bay 40km High Pedestrian Activity Area (HPAA), the Gurner Street Shared Zone and raising a number of existing pedestrian crossings within school zones across the municipality and these projects are currently in progress. The O'Sullivan Road Pop-up Cycleway was a project managed by TfNSW and they have advised that the project will not be going ahead at this time due to issues relating to the loss of parking on O'Sullivan Road.

Manager Open Space & Trees in response to 22/6/2020 'Management Plan for Street Figs in the Municipality.':

On Notice

Manager Compliance in response to 27/7/2020 'Private Certifiers':

On Notice.

QWN: 17.13
From: Councillor Robertson
Subject: Questions with Notice - Intergovernmental Panel on Climate Change

Councillor Robertson asking:

Noting that Council recently resolved to advocate for adoption of a net zero carbon emission by 2050 target by Australia's Commonwealth government (to bring Australia into line with the NSW government, the Group of 7 nations and the OECD), what are the implications of the United Nations Intergovernmental Panel on Climate Change (IPCC) report released last week, characterised as a 'code red' for humanity, in terms of:

- the local government sector broadly, and opportunities to reduce emissions and work towards a safe climate future
- the appropriateness of the 2050 target in light of the IPCC findings and the timetable for action to mitigate the most dramatic impacts of climate change already underway

Team Leader Environment & Sustainability in response:

On Notice.

QWN: 17.14
From: Councillor Robertson
Subject: Questions with Notice - Woollahra Parks & Open Space

Councillor Robertson asking:

How would staff describe the increase in activity in Woollahra's parks and open space given the continuing lockdown restrictions and the high urban density in our local government area? Noting the benefits of exercise and being in nature has for mental health, what steps are staff taking to manage this increased demand on open space, and what further opportunities could be explored to provide increased access for our community?

Manager Open Space & Trees in response:

On Notice.

QWN: 17.15
From: Councillor Regan
Subject: Questions with Notice - Woollahra Park Plan of Management

Councillor Regan asking:

Could Council please advise as to when the Woollahra Park Plan of Management dated January 2013 is to be reviewed and updated and what the process for this will be, including the process regarding community consultation.

Manager Open Space & Trees in response:

Council staff are currently prioritising the review of the Crown Lands Plans of Management. Noting there is a further Notice of Motion (dated 26/10/20) which requires Council to prepare a report outlining the strategic approach and timeline to the remaining Plans of Management for parks not Crown Land. This report will be presented in conjunction with the final review of the Crown Lands Plans of Management (after the exhibition process).

Woollahra Park Plan of Management will be included in this review. Given this Plan was adopted in 2013, there are other Plans which may require more urgent review. This will be further presented and discussed in the Council report.

Political Donations: Matters to be considered by Councillors at Council and/or Committee Meetings

