



# Ordinary Council

Monday 13 May 2024  
6.30pm

## Late Correspondence

### Privacy Statement:

In accordance with the Privacy and Personal Information Protection Act 1988, late correspondence tabled at this meeting is published on Council's website subject to suppression of information private or personal in nature, such as telephone number, residential address or email, or containing commercial-in-confidence information.



## Late Correspondence

**Subject:** LATE CORRESPONDENCE - 13 MAY 2024  
**Author:** Carolyn Nurmi, Governance Officer  
**File No:** 24/82410  
**Purpose of the Report:** To table late correspondence as submitted for consideration by the Mayor and Councillors relevant to the Ordinary Council Meeting held on 13 May 2024.  
**Alignment to Delivery Program:** Strategy 11.3: Ensure effective and efficient governance and risk management.

### Recommendation:

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

Please find attached late correspondence relating to matters appearing on the Agenda for Council held on 13 May 2024. Correspondence received is listed below:

Item No.	Matter	Author	Page
12.1	Response to the Notice of Motion on Reduction in the Number of Councillors	Craig Swift-McNair, General Manager <a href="#">↓</a> 	3
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Memorandum

LATE CORR: Item <u>12.1</u>
Previously forwarded to Cirs Y / N
Meeting: <u>Council</u>
Date: <u>13 May 2024</u>

Date 13 May 2024

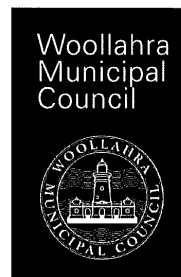
File No.

To The Mayor  
Councillor  
CC Directors

From General Manager

Subject LATE CORRESPONDENCE - ORDINARY COUNCIL MEETING -  
13 MAY 2024

**ITEM 12.1 RESPONSE TO THE NOTICE OF MOTION ON  
REDUCTION IN THE NUMBER OF COUNCILLORS**



ABN 32 218 483 245

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

Correspondence to  
General Manager  
PO Box 61  
Double Bay NSW 1360  
DX 3607 Double Bay  
records@woollahra.nsw.gov.au  
www.woollahra.nsw.gov.au  
Telephone (02) 9391 7000  
Facsimile (02) 9391 7044

Dear Mayor & Councillors,

In relation to the Item 12.1 – Response to the Notice of Motion on Reduction in the Number of Councillors, there was an error in the Office of Local Government data that was used to compile the tables included in the above-mentioned report.

The table in question is the last table on Page 56 of the Council meeting agenda for the Council meeting of Monday 13 May 2024. The table has Waverley Council as having 11 Councillors, when in fact this should read 12 Councillors. This then impacts on the Population / Number of Councillors column. A revised table is included below, with the Waverley data highlighted.

The key number that has changed is in the Population / Number of Councillors column. The table as it appears in the agenda states 6,308, however with the correction in the number of Waverley Councillors, this now reads 5,782.

**Southern Sydney Regional Organisation of Councils (SSROC):**  
(Shown by population / number of Councillors ascending)

Council	OLG Group	Council Area (km2)	Population	No. Councillors	Population/ Number of Councillors
Woollahra	2	12.3	53,891	15	3,593
Burwood	2	7.1	40,397	7	5,771
Waverley	3	9.4	69,388	12	5,782
Strathfield	2	14.0	45,930	7	6,561
Randwick	3	36.3	135,275	15	9,018
Canada Bay	3	19.9	89,667	9	9,963
Georges River	3	38.3	152,703	15	10,180
Bayside	3	50.6	176,061	15	11,737
Inner West	3	35.2	183,772	15	12,251
Sutherland	3	333.6	230,903	15	15,394
Sydney	1	26.7	214,851	10	21,485
Canterbury-Bankstown	3	110.2	372,322	15	24,821

Regards,

Craig Swift-McNair  
General Manager

LATE CORRO	Item: 12.1
Previously forwarded to Clrs <input checked="" type="checkbox"/> / N	
Meeting: Council	
Date: 13 / 5 / 2024	

**Sue O'Connor**

**From:** Amanda Stewart [REDACTED]  
**Sent:** Monday, 13 May 2024 9:57 AM  
**To:** Records  
**Subject:** Late Coorespondence: Council Meeting 13.5, 24 RE" Item 12

[REDACTED]

**Please Keep our Address and Contact details Confidential.**

Dear General Manager,

Please accept this late correspondence letter regarding Council's meeting tonight in relation to Item 12: Response to the Notice of Motion on the reduction in the number of Councillors.

We consider changing the number of councillors divisive, expensive and not in our best interests as a community. The current model has been working well and no changes are needed. Apart from being a waste of time and money, the current number of Councillors is appropriate. Each Councillor has a specific input when they live in their own ward and know its people and understand the local mentality and preoccupations.

We support Council rejecting any referendum on this matter as it is an unnecessary waste of Council resources and the current system and number of Councillors has been proven to work well.

Thank you for considering our submission.

Kind Regards,  
Amanda Stewart

LATE CORRO	Item: 12.1
Previously forwarded to Cllrs	Y/N
Meeting:	Council
Date:	13/5/2024

**Sue O'Connor**

**From:** Double Bay Residents' Association <dbrassoc@gmail.com>  
**Sent:** Monday, 13 May 2024 9:14 AM  
**To:** Records  
**Cc:** dbrassoc@gmail.com  
**Subject:** Late Correspondence Ordinary Council Meeting Item 12.1

## Double Bay Residents' Association Protecting Sydney's Stylish Bayside Village

The General Manager  
Woollahra Council  
PO Box 61  
Double Bay 1360

Monday 13<sup>th</sup> May 2024

Dear Sir,

RE: Item 12.1 the General Manager and Officers' Report:  
**Response to the Notice of Motion on the reduction in the number of Councillors.**

**Submission on behalf of Double Bay Residents' Association.**

Our Association considers this Notice of Motion to be very ill conceived and short sighted at this time of immense change and turmoil in the community.

- We consider changing the number of councillors divisive and not in our best interests as a community.
- We face the disruption of a new State Government still trying to come to terms with being in government.
- Our Municipality would be better served by all Councillors standing strong and representing us cooperatively and sharing the ever increasing workload.

We have had the privilege of interacting with most of our Councillors and each one has value added to our discussions even if we took a different view to them.  
Being able to talk directly to our busy ward councillors is the best means of communication and community consultation.

We should value what the community has built up and not change it as it is NOT BROKEN YET.

We strongly supported the Mayor Toni Zeltzer from July 2017 in her fight to stop the amalgamation process with Waverley and Randwick when she vehemently argued that Woollahra was harbourside and not ocean side and had many different issues to Waverley and Randwick which would be better dealt with as an independent council. We continue to strongly agree with that sentiment and believe that we have been better represented in these last few years than if the amalgamation had gone ahead.

We consider all the anti-amalgamation arguments apply equally to this proposal of amalgamating our wards. Each of our wards is unique. Each Ward is a microcosm of its section of Woollahra.

Each Councillor has a specific input when they live in their own ward and know its people and understand the local mentality and preoccupations.

Cooper is very different to Double Bay and again very different to Bellevue Hill and Paddington and Vaucluse.

Kind regards,

Katherine Grinberg  
President

Barbara Mortimer  
Vice President

Double Bay Residents' Association  
PO BOX 1684  
Double Bay 1360  
[REDACTED]  
[dbrassoc@gmail.com](mailto:dbrassoc@gmail.com)

**Sue O'Connor**

LATE CORR	Item: 12.1
Previously forwarded to: C/	Y / N
Meeting:	Council
Date:	13/5/2024
Shapiro; Lucinda Regan; Luise Elsing;	

**From:** hayter [REDACTED]  
**Sent:** Monday, 13 May 2024 9:58 AM  
**To:** Records; Richard Shields; Harriet Price; Isabelle Shapiro; Mark Silcocks; Mary-Lou Jarvis; Matthew Robertson; Merrill Witt; Nicola Grieve; Peter Cavanagh; Sarah Swan; Sean Carmichael; Susan Wynne; Toni Zeltzer; Craig Swift-McNair; Scott Pedder; Anne White  
**Subject:** Late Correspondence – Council meeting 13 May 2024, Item 12.1 NOM  
**Attachments:** Reduction Councillor Numbers 2024.05.13.pdf

Dear Records, General Manager, Councillors and senior staff

Attached on behalf of the Paddington Society and the Paddington community is the Society's submission re Item 12.1 - Notice of Motion for today's full Council meeting.

We remain extremely concerned at the implications of the reduction in the number of Councillors from 15 to 9 as proposed for Council's consideration, accompanied by the likely (seemingly inevitable) outcome that the 5 present Wards in the LGA would be reduced to 3.

Such a major reduction cannot be reconciled with the idea that any cost savings related to Councillor stipends and/or expenditure would be balanced by the additional administrative and staff costs of such a dramatic change.

The speed of proceeding with such a dramatic change to the LGA with no timely community consultation is a significant concern.

It is definitely not in the interests of the communities that Councillors are elected to represent.

Since one of the arguments for proposing such a change is efficiency (and reducing the duration of lengthy Council meetings) I have decided not to increase tonight's meeting time by addressing tonight's meeting.

The Society trusts that a majority of Councillors will not support this NOM.

Yours sincerely

Esther Hayter  
President, The Paddington Society  
[REDACTED]



THE PADDINGTON SOCIETY Inc.  
For Community and Heritage  
Est 1964

The General Manager  
Woollahra Municipal Council  
PO Box 61, Double Bay NSW 1360

Dear Records, General Manager, Councillors and senior staff

13 May 2024

**Late Correspondence – Council meeting 13 May 2024**

**Item 12.1 Notice of Motion: Reduction in the Number of Councillors.**

On behalf of the members of the Paddington Society and residents in the Paddington Community we must reaffirm and add to many of the concerns outlined in our correspondence to the 25 March Council meeting.

At the top of Item 12.1 in the Agenda, the General Manger and Officer's Report records that this matter aligns with the Delivery Program Strategy to: 'Encourage inclusive community participation and build respectful relationships through engagement and input into decision making'.

The Society's concern, previously noted and here repeated, is that reducing the number of Councillors from the present 15 to 9 would directly *contravene* that Strategy and the Objectives prominently set out in the current Community Participation Plan, adopted after extensive consultation with the Community.

**This proposal appears to be a diminution of meaningful Council engagement with the community.**

The General Manger and Officer's Report has answered, detailed and clarified many conjectures and queries raised by Councillors at the 25 March meeting. It was noted that all the Late Correspondence, mainly received from hastily informed community groups like ours, was *not* supportive of the Motion. The LGA community overall would have had no idea that such a major matter was in consideration.

**Significantly, the Report clarifies that:**

- A binding constitutional referendum must be held to action the change in Councillor numbers for the *'following term of office'* i.e. the term following the election.
- The referendum must be held at least 12 months prior to the next ordinary election of Council.
- A Council *must* proceed with the change if there is a majority yes vote by electors, or must *not* proceed if there is a majority no vote.
- Council's determination following the referendum outcome must occur in the Council term *preceding the term in which the change will take effect.*
- i.e. if there were to be majority support by electors for a reduction in Councillor numbers, then the reduction in Councillor numbers would take effect from the 2028 local government elections.
- It seems clear that a non-binding poll would also require a future constitutional referendum.
- It also seems clear that a reduction in the number of Councillors is *very* likely (i.e. not just *likely*) to result in the reduction of Wards in the LGA from 5 to 3.
- Potential unification of the Victorian precincts of Paddington and Woollahra could be an outcome of re-mapping Ward boundaries, but other Ward boundary changes have not been articulated.
- A resolution of Council will also be required as to the questions to be asked at the referendum.
- If Council resolves to hold a referendum at the 14 September 2024 Council election, the NSW Electoral Commission (NSWEC), appointed to run the election, would also run the referendum.
- All relevant information should be provided to the NSWEC by 30 June 2024, including a copy of the Council resolution and the question/s to be posed.

Juniper Hall • PO Box 99 Paddington 2021 • Telephone 9360 6159 • ABN 99 885 076 141



**Estimated Costs of holding the referendum / Potential Cost & resource Savings:**

- The cost estimate for holding the 2024 referendum is an additional \$52,760, some 10% of the cost of holding the election. A stand-alone referendum would cost: \$422,087. Both are subject to change.
- Reducing Councillor numbers would be an expected annual cost saving of \$208,000 in Councillor allowances and expenses, but the higher population to Councillor ratios may require (and has been foreshadowed to require) additional non-defined financial Councillor support (all post 2028 election).
- We note that staff workload reductions and, significantly, *additional* staff workload and administrative costs for necessary community and legislative consultation / re-documenting / re-mapping etc for the whole LGA have not been estimated in the Report to balance estimated cost savings and/or additional outlay for Councillor stipends and/or expenditure. Such costs should be estimated to allow all parties, including legislators, Councillors, staff *and the electorate*, to properly evaluate financial impacts.

**The Society remains greatly concerned that:**


- The reduction in Councillor numbers and the inevitable reduction in Ward numbers would be the most dramatic change to the LGA in decades, proposed during a period of major disruptive change imposed on Council, Councillors and affected communities by NSW Government's planning 'reforms.'
- There has been no community participation, engagement, consultation or input towards making such a major change in the LGA, one which will impact on all residents and property owners in Woollahra.
- The speed required for Council to satisfy the NSWEC 30 June 2024 date, means that such consultation to be notified and assessed in this abbreviated time-frame may be misinterpreted and questionable.
- We note the Office of Local Government requirement that it is 'critical that the referendum question/s must be clear, concise and carefully worded to ensure workable outcomes.'
- If the questions must be responded to with a 'yes' or 'no' answer, all electors in the community must be well and accurately informed beforehand of the reasoning and implications of either response.
- It is important that the community be informed in advance that further work will be required on the Ward boundaries 'post any binding result from a constitutional referendum', and also that 'any Ward boundary changes would be subject to consultation with the Electoral Commissioner and the Australian Statistician, and would include a community consultation process'.
- These are extremely significant, complex, staff workload and notification processes and must be publicised before the referendum, if the community is to be adequately presented with the facts.
- We agree that Council's preparation and publicity for the required explanatory material must 'present a balanced case both for and against any proposition' to be put to the referendum.
- It is difficult to believe that the 30 June 2024 date will allow for accurately and unambiguously informing the electorate to vote on what may seem (to some) to be a simple efficiency proposition.
- This Council and the electorate would be making a hasty decision which would be binding on future Councils yet to be elected four+ years hence - and with impacts for decades beyond.

**The proposal and proposed timing are not in the interests of the Woollahra community, greatly reducing engagement between Councillors and the communities they are elected to represent.**

**We trust that Councillors will therefore reconsider both the timing and the impacts on the LGA community of proceeding with a reduction in the Number of Councillors.**

Yours faithfully



Esther Hayter - President - The Paddington Society - 

Juniper Hall • PO Box 99 Paddington 2021 • Telephone 9360 6159 • ABN 99 885 076 141

**Sue O'Connor**

LATE CORR	Item: 12.1
Previously forwarded to Clrs	Y / N
Meeting:	Council
Date:	13/5/2024

**From:** hayter [REDACTED]  
**Sent:** Monday, 13 May 2024 10:50 AM  
**To:** Records; Harriet Price; Isabelle Shapiro; Lucinda Regan; Luise Elsing; Mark Silcocks; Mary-Lou Jarvis; Matthew Robertson; Merrill Witt; Nicola Grieve; Peter Cavanagh; Richard Shields; Sarah Swan; Sean Carmichael; Susan Wynne; Toni Zeltzer; Craig Swift-McNair; Scott Pedder; Anne White  
**Subject:** Supplementary Late Correspondence – Council meeting 13 May 2024, Item 12.1 NOM

Dear Records, General Manager, Councillors and senior staff

I hope that you will allow this very brief supplementary correspondence.  
I have just seen the submission from the Double Bay Residents Association re Item 12.1.

In the interests of brevity of tonight's discussion, I elected not to address the meeting, but please note that on behalf of the Paddington Society I would endorse all the comments made.

Our Society has also had the privilege of years of harmonious interaction and cooperation with staff and all the Councillors, not just those representing our Ward.

We are also aware of, commend and appreciate, the extensive hard work and lengthy hours committed by Councillors in representing their present Ward-electoral numbers. It seems clear that this workload burden would be increased if there were to be a higher population to Councillor ratio.

We also believe that we have been far better represented in recent years, thanks to the efforts and energies of all Councillors in recognising that our LGA is more diverse, therefore resisting amalgamation with others with which we have been compared on a population basis.

We reaffirm our belief that at this time of major disruption imposed on Council by the NSW Government, this is not the time for proposing such this radical future change in our Council's composition and administration.

Yours sincerely

Esther Hayter  
President, The Paddington Society



**Sue O'Connor**

---

**Subject:** FW: Late Correspondence Ordinary Council Meeting Item 12.1

**From:** tony bond [REDACTED]  
**Sent:** Monday, 13 May 2024 10:53 AM  
**To:** Records <Records@woollahra.nsw.gov.au>  
**Cc:** edgecliffresidentsassociationgroup@groups.outlook.com  
**Subject:** Late Correspondence Ordinary Council Meeting Item 12.1

LATE CORR	Item: 12.1
Previously forwarded to Cirs	Y / N
Meeting:	Council
Date:	13 / 5 / 24

The General Manager  
Woollahra Council  
Monday 13<sup>th</sup> May 2024

Dear Sir,

RE: Item 12.1 the General Manager and Officers' Report:

Response to the Notice of Motion on the reduction in the number of Councillors.

I write to express my opposition to the proposal to reduce the number of Councillors and thus the number of wards in the Woollahra municipality.

This proposal I believe to be short-sighted, verging on anti-democratic. Democracy requires not just a majority vote, as some have averred. Essential to the process is effective access to elected officials and a genuine plurality of views.

At the moment, Councillors struggle to deal with the volume of residents' concerns. Imagine that workload being amplified by 40%. Unacceptable. It would mean that issues go un-dealt with or that Council staff face an increased burden - a cost not factored into any analysis I have seen. The purported "savings" are highly speculative in any event. **And they are minimal when one considers them as a proportion of the Council's budget of \$134 million - around .02%**

The proposal heads us towards what I would describe as an organisational monoculture. Without speculating on motivations behind this proposal, one can simply say that reducing the diversity of points of view and in debate is a thoroughly bad idea. To do it in the supposed name of "efficiency" is just wrong, I would submit.

I agree with the Double Bay Association's view that each Ward is unique and "a microcosm of its section of Woollahra".

I would also submit that having 15 councillors rather than 9 is a huge advantage when we are under threat from overdevelopment and State Government incursions. It is good to have 15 informed, committed representatives to resist these attacks.

Please reconsider this proposal. Woollahra Council is not just a giant business enterprise - it is a living breathing organism which exists for the democratic benefit of the 54,460 people who reside here.

Yours sincerely  
TONY BOND  
Edgecliff Residents Association

[REDACTED]

Sue O'Connor

**From:** Mark Skurnik [REDACTED]  
**Sent:** Wednesday, 8 May 2024 11:39 AM  
**To:** Records; Lucinda Regan; Merrill Witt; Sean Carmichael  
**Subject:** EPC Monday 6 May 2024 - late correspondence

LATE CORRO	Item: R1
Previously forwarded to Cllrs	<input checked="" type="checkbox"/> Y / <input type="checkbox"/> N
Meeting:	Council (EP)
Date:	13 / 5 / 2024

Dear Councillors

The Rose Bay Action Group would like to submit late correspondence to the site-specific development control plan (DCP) for 488-492 Old South Head Road & 30 Albemarle Avenue, Rose Bay (item R1 on the agenda at the Environmental Planning Committee meeting held on Monday 6 May 2024).

The Rose Bay Action Group is a group of over 25 residents in the immediate vicinity of the subject land and is a growing group of local residents committed to protecting the character and amenity of our suburb – its streets, shops, schools, services, housing and shared spaces.

We have an objection to the creation of a publicly accessible space in the area that is meant to serve as the buffer zone between the R2 zoned residential properties and the commercial property. The proposed DCP outlines in section G8.2.5 that the majority of the buffer zone is fenced off and inaccessible to the public, however, C9 outlines an area approx 9m wide and 8m deep at the front of the buffer zone which will be open and the applicant has proposed in their plans for this to contain benches for seating and bike racks.

We believe all of this land should be fenced off and left as a buffer between the properties. The DCP proposal outlines in C5 that the minimum setback should be 9m and providing this publicly accessible space contradicts this requirement. The whole buffer zone should be used as a green space maintained by the owners to provide the necessary separation to the adjoining neighbours.

A publicly accessible space at the front will only allow for Woolworths workers to gather to smoke, eat their lunch and dump their rubbish and brings them much closer to the residential home of 28A Albemarle. It will effectively replace a canteen room that Woolworths should be providing for their staff on their own site rather than in the separation zone.

Additionally the bike rack should be moved inside of the property rather than left out front as we are concerned that it will become a dumping ground for shared bikes and not serve the purpose intended. Again by allowing this you are effectively giving the applicant more commercial property with which to use instead of creating the area within their existing site and taking away the buffer zone between properties.

We also agree with the risks that the Open Space & Trees team highlight in terms of anti-social behaviour and hence why they limited the open space to only a small area at street frontage. We would further argue that the whole area should be fenced off and if Woolworths really want to create public space as part of their proposal then have them find alternate areas within their footprint rather than within the council defined minimum setback.

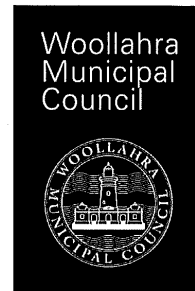
Thank you for your consideration

Rose Bay Action Group

## Late Correspondence

Date 10 May 2024  
File No. 24/81803  
To Mayor  
Councillors  
CC General Manager  
Directors  
From Zubin Marolia - Manager Property & Projects  
Subject LATE CORRESPONDENCE  
FC&S COMMITTEE MEETING 6 MAY 2024  
R1 - LICENCE FOR A SECTION OF VAUCLUSE BOWLING  
CLUB & COMMUNITY FACILITY WITH SOUTH EASTERN  
SYDNEY LOCAL HEALTH DISTRICT (SESLHD) CHILD AND  
FAMILY HEALTH FOR USE AS A CHILD AND FAMILY NURSING  
SERVICE

LATE CORRO	Item: 13.2 R1
Previously forwarded to Clrs	Y / N
Meeting:	COUNCIL
Date:	13 / 05 / 2024



ABN 32 218 483 246

Redleaf Council Chambers  
536 New South Head Road  
Double Bay NSW 2028  
Correspondence to  
General Manager  
PO Box 61  
Double Bay NSW 1360  
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Facsimile (02) 9391 7044

At the Finance Community & Services meeting held on May 6, 2024, late correspondence was presented to inform Councillors that the Woollahra Local Planning Panel had granted approval during their Public Meeting on May 2, 2024, regarding the Development Application (DA) for the south-western portion of Samuel Park, located at 80-82 New South Head Road, Vaucluse. This area includes the Vaucluse Bowling Club and Community Facility, intended for use as both a recreation facility (outdoor) and a community facility.

Now that the DA has been granted, it is suggested that the recommendation below be revised by removing part D, as follows:

*THAT Council:*

- A. Enters into a licence for a five (5) year term plus a further five (5) year option period at a peppercorn rent (\$1 if demanded) including the payment of associated outgoing costs for cleaning, electricity and water with South Eastern Sydney Local Health District (SESLHD) Child and Family Health for the provision of a Child and Family Health Nursing Service at the newly renovated Vaucluse Bowling Club & Community Facility at 80-82 New South Head Road, Vaucluse.*
- B. Accepts the financial contribution of \$200,000 excluding GST towards the development of the site which will be payable at the execution of the legal agreement.*
- C. Authorises the General Manager to execute all legal documents required to enter into a lease agreement with South Eastern Sydney Local Area Health Service.*
- D. Notes the Woollahra Local Planning Panel is considering the Development Application on 2 May 2024. The outcome will be provided through late correspondence.*

If you have any further queries, I will be happy to clarify any concerns you may have.

Zubin Marolia



LATE CORRO	Item: (b.1)
Previously forwarded to Clrs	(Y) / N
Meeting:	Council (NOM)
Date:	13 / 5 / 2024

**Sue O'Connor**

**From:** Alison Pert [REDACTED]  
**Sent:** Sunday, 5 May 2024 10:52 AM  
**To:** Records  
**Cc:** Merrill Witt  
**Subject:** Support for Cr Witt's notice of motion re tree canopy

Dear Mayor and Councillors,

I am writing to express my strong support for Cr Witt's notice of motion requesting that Council Staff prepare a report on the feasibility of requiring DA applicants to lodge reports of established trees on their properties before submitting a DA, where demolition or major renovations are proposed.

As Cr Witt notes, the standard procedure at the moment seems to be that an architect treats the site as a blank canvas and designs a building that will utilise as much of the site as possible. Little if any effort is made to accommodate existing trees on the site. Once the design reaches the stage of submission as a DA, so much time and money has been invested that it is practically impossible to change the design even if Council expresses concern about the removal of trees. The existing planning controls are clearly unable to prevent this.

If the procedure were reversed, so that the client is required to explore what design could be built around as many of the existing trees as possible, any decent architect would respond to this. Every site that is the subject of a DA already has a building on it, so accommodating existing trees is obviously possible - that should be the starting point of a design, not a blank canvas.

Council needs to send a clear signal to architects and developers that retaining, and increasing, the tree canopy is not just wishful thinking but imperative. Action to stop the current rate of tree destruction must be taken now.

I hope you will support the notice of motion.

Kind regards

Alison Pert  
[REDACTED]

**Carolyn Nurmi**

LATE CORR Item: 16.1  
Previously forwarded to Ctrs Y / N  
Meeting: Council (NOM)  
Date: 13/5/2024

**From:** Clare Crawford  
**Sent:** Sunday, 12 May 2024 8:11 PM  
**To:** Records  
**Subject:** Late Correspondence and Registration to speak at Council Meeting 13 May 2024  
**Attachments:** Register to speak for 13 May Council meeting.pdf

Hello Council,

I'd like to register to speak in support of Cnr Merrill Witt's Motion To request a report on the feasibility of further measures to protect tree canopy on private land in the Woollahra LGA , at the Council meeting to be held on Monday 13 May 2024. My registration form is attached.

In the event that, as a member of the public, I am not permitted to speak in support of Councillor Witt's motion, I would like to submit the following as Late Correspondence regarding this issue:

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Late Correspondence for Council Meeting 13 May 2024  
Motion - To request a report on the feasibility of further measures to protect tree canopy on private land in the Woollahra LGA, By Councillor Merrill Witt

From: Clare Crawford, 31 Olola Avenue Vacluse 2030

I am grateful for the opportunity to support Councillor Witt's motion in the strongest possible terms. I am a Woollahra resident who volunteers with Council's Bushcare, Nielsen Park (NPWS) Bush regeneration, and the Birdlife International Powerful Owl Project in this LGA. Protecting the immense value to both humans and wildlife of the trees of Woollahra is a very high priority to me.

Councillor Witt's Motion recognises that despite Council's recent actions to strengthen protection of canopy trees in its LEP and DCP, developers continue to treat trees simply as obstacles to development - and Council's current process considers trees only as part of the DA process. This means that the needs of the trees are balanced against those of the developer - when in fact the trees were there first and the developer needs to work around them.

My own recent experience of the development of the site next to my home is illustrative. When they purchased the site, the developers applied to Council to remove two mature Angophora costatas which impinged on their development plans. Council refused permission.

The developers ignored this and submitted a DA proposing to remove these trees (along with several other mature native trees). On referral, Council's Trees and Landscape Team required that the Angophoras be retained, but the developers continued to submit designs which included removal of one or both of the trees. They engaged four different arborists, seeking to get a different outcome. Over a year later, the current situation is that the trees are required to be retained - but the proposed building has been allowed to intrude into their root and canopy zones substantially. In addition, the extent of proposed excavation is such that the ecosystem currently supporting them will be fundamentally altered. It is to be expected that despite being 'retained', these trees will die, as have several other large canopy trees 'retained' on development sites at 24 Olola Avenue and 42-44 Hopetoun Avenue in the last year.

Councillor Witt's proposal seeks to investigate practical options to rebalance the DA process so that it better supports the stated aims of the DCP and LEP with respect to the protection of canopy trees. Built form must compromise to protect valuable pre-existing trees and support Council's Urban Forest Strategy.

I very much hope this Motion will be supported.  
Yours sincerely,  
Clare Crawford.



**Sue O'Connor**

LATE CORRO	Item: <u>16.1</u>
Previously forwarded to Cllrs	<u>10/11</u>
Meeting:	<u>Council (NoM)</u>
Date:	<u>13 / 5 / 2024</u>

**From:** David Jacobs [REDACTED]  
**Sent:** Saturday, 4 May 2024 10:34 AM  
**To:** Records  
**Cc:** Merrill Witt  
**Subject:** Notice of Motion - To request a report on the feasibility of further measures to protect tree canopy on private land in the Woollahra LGA

I would like to support Councillor Witt's notice of motion. Unfortunately I am committed when this will be heard and so cannot attend in person to support the NoM. Councillor Witt has expressed the reasons more succinctly than I can and so I endorse all she has said. I only wish to add that one of the great beauties of Woollahra is the abundant canopy which is being whittled away by the demotion of the existing canopy and being replaced by smaller, "more fashionable" flora.

Kind regards

David Jacobs

David Jacobs  
[REDACTED]

**Sue O'Connor**

**From:** Kim Foltz [REDACTED]  
**Sent:** Sunday, 5 May 2024 6:40 PM  
**To:** Records  
**Subject:** May 13 2024: Notice of Motion - To request a report on the feasibility of further measures to protect tree canopy on private land in the Woollahra LGA

LATE CORRO Item: 16.1  
Previously forwarded to Cllrs  Y /  N  
Meeting: Council (NOM)  
Date: 13 / 5 / 2024

Dear Sir/Madam,

I fully support the NOM proposed by Cr. Witt to protect tree canopy on private land in Woollahra. I believe this is a concrete step toward protecting and promoting the importance of tree canopy throughout the municipality.

If it is indeed true that "Woollahra Council's Urban Forest Strategy is focused on protecting and enhancing its urban forest to ensure that the unique leafy character of its municipality is maintained and that established canopy cover is preserved and improved for future generations," we need to put the cart before the horse, i.e., ensure that all proposed developments begin with the existing landscape and support modifications only if they will further contribute to the landscape's "leafy character."

We must put a stop to the current practice of prioritizing hard development over landscape which has resulted in every suburb experiencing a loss of canopy cover.

We owe it to future generations.

Thank you,  
Kim Foltz  
[REDACTED]

Sue O'Connor

Subject:

FW: Support for Councillor Witt's Notice of Motion to request a report on the feasibility of further measures to protect tree canopy on private land in the Woollahra LGA

LATE CORRO Item: 16.1  
Previously forwarded to Cllrs O/N  
Council (NOM)  
Meeting: \_\_\_\_\_  
Date: 13/5/2024

From: Rebecca Lynch [REDACTED]

Sent: Monday, 6 May 2024 2:00 PM

To: Records <Records@woollahra.nsw.gov.au>

Subject: Support for Councillor Witt's Notice of Motion to request a report on the feasibility of further measures to protect tree canopy on private land in the Woollahra LGA

Dear Mayor and Councillors,

I have become aware of Cr Witt's Notice of Motion referred to above requesting that Council Staff prepare a report on the feasibility of requiring DA applicants to submit a pre-DA assessment of established trees on or adjacent to the subject property AND for recommendations of other measures to arrest the decline of the tree canopy cover on private properties in the Woollahra LGA.

I understand that the motion will be debated at the Council meeting on Monday 13 May 2024.

I strongly support the motion as there is an obvious need to try to arrest the reduction of the tree canopy and the deep soil areas in the Woollahra LGA.

It appears that often DA developments result in the reduction of both the existing tree canopy and the existing area of deep soil on the subject properties often resulting is less than the requirements of the General Development Controls due to arguments seeking non compliance.

The reduction of the existing tree canopy and the area of deep soil result in not only the loss of the existing tree canopy but the inability to restore the canopy due to lack of available deep soil area on the subject properties.

There appears to be reliance on borrowed canopy from adjoining properties to justify the removal of existing trees even when there is little prospect of replacement trees due to the lack of remaining deep soil areas.

If this continues it is hard to imagine the existing tree canopy being maintained in the Woollahra LGA.

The preparation of the pre DA report would emphasise the valuing by Council and the LGA community of the importance of the tree canopy. It may also highlight that it is the responsibility of all private land owners in the LGA to contribute to the amenity and the environmental benefit of the tree canopy.

I hope that you will support the Notice of Motion.

Kind regards

Rebecca Lynch  
[REDACTED]