



Ordinary Council

Tuesday 11 June 2024

6.30pm

Agenda



Council Meeting

Council will be holding Council (i.e. Ordinary and Extraordinary) meetings with the Mayor, Councillors and staff participating in person.

Members of the public are invited to attend the Council meeting in person on watch and/or listen live (via Council's website). Public participation online or by phone will be managed in accordance with meeting procedures.

Members of the public may also submit late correspondence. Instructions on how to do this are provided below:

- **To watch and/or listen to the meeting live (from 6.30pm)**
Details on how to watch and listen to the meeting live will be available at Council Agendas, Audio Recordings and Minutes.
<https://www.youtube.com/@woollahracouncil5355/streams>
- **To request to address the Council (pre-register by 10.00am on the day of the meeting)**
Pre-register to address the Committee by 10.00am on the day of the meeting by using the relevant registration form on Council's website - www.woollahra.nsw.gov.au
- **To submit late written correspondence (submit by 10.00am 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 10.00am on the day of the meeting.

The audio recording and late correspondence considered at the meeting will be uploaded to Council's website by 5.00pm on the next business day.

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By addressing a Council 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.

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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

6 June 2024

To: His Worship the Mayor, Councillor Richard Shields ex-officio
Councillors Sarah Swan (Deputy Mayor)
Sean Carmichael
Peter Cavanagh
Luise Elsing
Nicola Grieve
Mary-Lou Jarvis
Harriet Price
Lucinda Regan
Matthew Robertson
Isabelle Shapiro
Mark Silcocks
Merrill Witt
Susan Wynne
Toni Zeltzer

Dear Councillors,

Ordinary Council – 11 June 2024

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Ordinary Council** meeting to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Tuesday 11 June 2024 at 6.30pm.**

Members of the Public may:

- Register to address the meeting (via Zoom or in Person) by completing the relevant form available on Council's website: <https://www.woollahra.nsw.gov.au/files/assets/public/v/1/forms/code-of-meeting-practice-comp-public-forum-registration-form-items-not-on-the-agenda-2023-2024.pdf> and email the completed form to records@woollahra.nsw.gov.au **by 10.00am on the day of the meeting.**
- Submit late correspondence for consideration by Councillors by emailing records@woollahra.nsw.gov.au **by 10.00am on the day of the meeting.**

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.

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

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

Regards,

Craig Swift-McNair
General Manager

Ordinary Council Meeting Agenda

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6. Confirmation of Minutes

Item No:	6.1
Subject:	CONFIRMATION COUNCIL MINUTES - 13 MAY 2024
Author:	Sue O'Connor, Governance Officer
File No:	24/85471
Purpose of the Report:	The Minutes of the Council of 13 May 2024 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.
Alignment to Delivery Program:	Strategy 11.3: Ensure effective and efficient governance and risk management.

Recommendation:

THAT the Minutes of the Council Meeting of 13 May 2024 be taken as read and confirmed.

Executive Summary:

This report presents the Council Minutes of 13 May 2024 for confirmation. The Minutes of the meeting are presented as **Attachment 1** for adoption.

Discussion:

The Council Minutes are presented as a procedural matter. Any matter arising from the Minutes can be discussed. A copy of the Minutes are provided as **Attachment 1**.

Options:

Submission of Minutes to the Council Meeting is a procedural matter for the adoption of the Minutes.

Community Engagement and / or Internal Consultation:

No internal or external consultation has taken place in the preparation of this report.

Policy Implications:

There are no direct policy implications as a result of this report.

Financial Implications:

There are no direct financial implications as a result of this report.

Resourcing Implications:

There are no direct resourcing implications as a result of this report.

Conclusion:

The Minutes are presented for confirmation by the Council Meeting.

Attachments

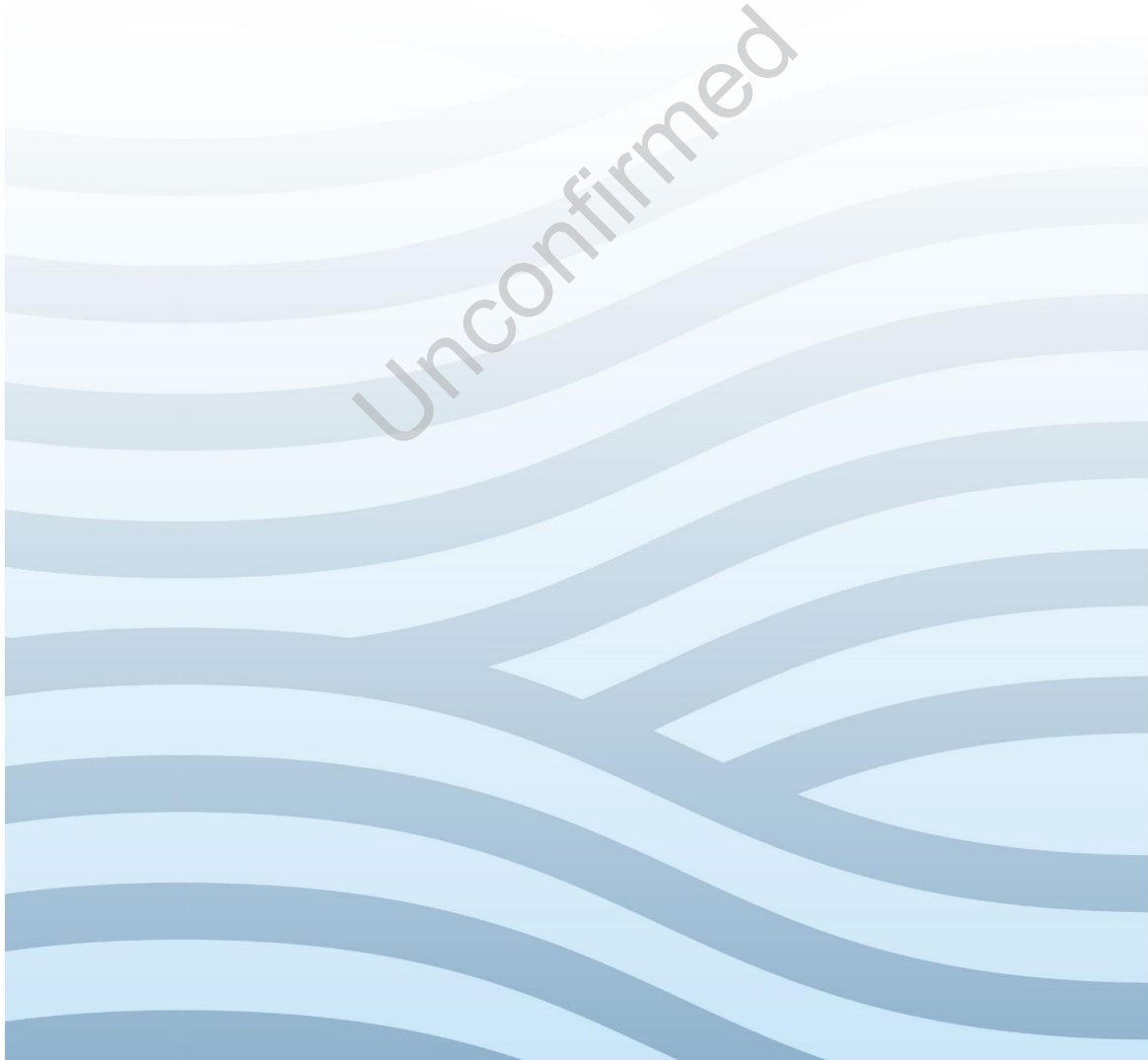
1. Unconfirmed Council Minutes - 13 May 2024 [↓](#) 



Ordinary Council

Monday 13 May 2024
6.30pm

Minutes



Ordinary Council Meeting

Monday 13 May 2024

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Unconfirmed

Woollahra Municipal Council
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13 May 2024

Items Determined Under Delegated Authority by Council Committees

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

Finance, Community & Services Committee held on Monday 06 May 2024

- D1 Confirmation of Minutes of Meeting held on 2 April 2024
- D2 Woollahra Local Traffic Committee Minutes - 2 April 2024
- D3 Confirmation of Minutes of the Inclusion (Disability, Aged & Carers) Advisory Committee held 18 March 2024
- D4 Confirmation of Minutes of the Public Art Panel Meetings held on 15 March and 19 April 2024
- D5 Confirmation of Minutes of Arts and Culture Advisory Committee Meeting held on 25 March 2024

Environmental Planning Committee held on Monday 06 May 2024

- D1 Confirmation of Minutes of Meeting held on 2 April 2024
- D2 Register of Current Land and Environment Court Matters for Development Applications and Register for Court Proceedings for Building, Environmental & Health Control Matters
- D3 Woollahra Local Planning Panel Register of Planning Decisions and Analysis

Woollahra Municipal Council
Ordinary Council Meeting Minutes

13 May 2024

Ordinary Council Meeting

**Minutes of the Meeting of Ordinary Council
held at the Council Chambers,
536 New South Head Road, Double Bay, on**

13 May 2024 at 6.30pm.

Present: His Worship the Mayor, Councillor Richard Shields ex-officio
Councillors Sarah Swan (Deputy Mayor) (via Zoom)
(joined meeting at 6.33pm during Item 5.1)
Sean Carmichael
Peter Cavanagh (via Zoom)
Luise Elsing
Nicola Grieve
Mary-Lou Jarvis
Harriet Price (via Zoom)
Lucinda Regan
Matthew Robertson (via Zoom)
Isabelle Shapiro (via Zoom) (left meeting at 8.10pm during Item 16.1)
Mark Silcocks
Merrill Witt
Susan Wynne (via Zoom)
Toni Zeltzer

Staff: Jennifer Chenhall (Manager – Governance & Risk)
Rhys Johnson (Governance Coordinator)
Sue Meekin (Director – Corporate Performance)
Carolyn Nurmi (Governance Officer)
Patricia Occelli (Director – Community & Customer Experience)
Tom O’Hanlon (Director – Infrastructure & Sustainability)
Scott Pedder (Director – Planning & Place)
Craig Swift-McNair (General Manager)

Also in Attendance: Nil

1. Opening

The Mayor declared the Ordinary Council Meeting of 13 May 2024 open and welcomed Councillors, staff and members of the public who are watching and listening to this evenings meeting.

2. Prayer

The Mayor read the Prayer:

Almighty God, you have given us a beautiful place to live in. We pray for your gift of wisdom that the decisions of this Council may benefit those we serve.

Be with us in our deliberations that this Municipality may know your blessing. Amen.

3. Acknowledgement of Country (Gadigal People and Birrabirragal People)

The Mayor read the following Acknowledgement of Country:

I would like to acknowledge that we are here today on the land of the Gadigal and Birrabirragal people, the traditional custodians of the land. On behalf of Woollahra Council, I acknowledge Aboriginal or Torres Strait Islander people attending today and I pay my respects to Elders past, present and emerging.

4. Acknowledgement of the Sovereign of the Day (King Charles III)

The Mayor read the following Acknowledgement of the Sovereign of the Day (King Charles III):

I also acknowledge, the King of Australia, King Charles III.

5. Apologies and Applications for a Leave of Absence or Attendance by Audio-Visual Link by Councillors

General Item No: 5.1 Audio Visual Link

(Elsing/Jarvis)

44/24 Resolved:

THAT in accordance with clause 5.23 of Council's Code of Meeting Practice, Council approves the following Councillor participation in the Council Meeting of 13 May 2024 via Audio-Visual Link:

- Councillor Cavanagh
- Councillor Price
- Councillor Robertson
- Councillor Shapiro
- Councillor Swan
- Councillor Wynne

Woollahra Municipal Council
Ordinary Council Meeting Minutes

13 May 2024

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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

6. Confirmation of Minutes

Item No: 6.1
Subject: CONFIRMATION OF COUNCIL MINUTES - 29 APRIL 2024
Author: Sue O'Connor, Governance Officer
File No: 24/74518
Purpose of the Report: The Minutes of the Council of 29 April 2024 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.
Alignment to Delivery Program: Strategy 11.3: Ensure effective and efficient governance and risk management.

(Elsing/Carmichael)

45/24 Resolved:

THAT the Minutes of the Council Meeting of 29 April 2024 be taken as read and confirmed.

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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

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Woollahra Municipal Council
Ordinary Council Meeting Minutes

13 May 2024

Item No: 6.2
Subject: **CONFIRMATION OF AUDIT, RISK & IMPROVEMENT COMMITTEE MINUTES - 14 MARCH 2024**
Author: Rhys Johnson, Coordinator Governance
File No: 24/78396
Purpose of the Report: The Minutes of the Audit, Risk and Improvement Committee of 14 March 2024 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.
Alignment to Delivery Program: Strategy 11.3: Ensure effective and efficient governance and risk management.

(Carmichael/Elsing)

46/24 Resolved:

THAT the Minutes of the Audit, Risk and Improvement Committee (ARIC) Meeting of 14 March 2024 be taken as read and confirmed.

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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

7. Late Correspondence

Note: Council resolution of 27 June 2011 to read Late Correspondence in conjunction with the relevant Agenda General Managers Report 12.1, EP Item 13.1 (R1) & FC&S 13.2 (R1) and Notice of Motion 16.1.

8. Disclosures of Interest

Councillor Jarvis declared a Significant, Non-Pecuniary Interest in Item 13.1 R1 (488-492 Old South Head Road and 30 Albemarle Avenue, Rose Bay - Draft Development Control Plan) as Councillor Jarvis is one of Council's representatives on the Sydney Eastern City Planning Panel. Councillor Jarvis left the meeting at this item, did not participate in debate and did not vote on the matter.

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13 May 2024

Councillor Robertson declared a Significant, Non-Pecuniary Interest in Item 13.1 R1 (488-492 Old South Head Road and 30 Albemarle Avenue, Rose Bay - Draft Development Control Plan) as Councillor Robertson is one of Council's representatives on the Sydney Eastern City Planning Panel. Councillor Robertson left the meeting at this item, did not participate in debate and did not vote on the matter.

Councillor Zeltzer declared a Significant, Non-Pecuniary Interest in Item 13.1 R1 (488-492 Old South Head Road and 30 Albemarle Avenue, Rose Bay - Draft Development Control Plan) as Councillor Zeltzer is one of Council's representatives on the Sydney Eastern City Planning Panel. Councillor Zeltzer left the meeting at this item, did not participate in debate and did not vote on the matter.

9. Petitions Tabled

Nil

10. Mayoral Minute

Nil

11. Public Forum

Nil

Unconfirmed

12. General Manager and Officer's Report

Item No:	12.1
Subject:	RESPONSE TO THE NOTICE OF MOTION ON REDUCTION IN THE NUMBER OF COUNCILLORS
Authors:	Jennifer Chenhall, Manager Governance & Risk Sue Meekin, Director Corporate Performance Craig Swift-McNair, General Manager
Approvers:	Sue Meekin, Director Corporate Performance Craig Swift-McNair, General Manager
File No:	24/78345
Purpose of the Report:	The purpose of this report is to respond to a Notice of Motion tabled at the 25 March 2024 Council Meeting.
Alignment to Delivery Program:	Strategy 10.1: Encourage inclusive community participation and build respectful relationships through engagement and input into decision making.

Note: Late Correspondence was tabled by Craig Swift-McNair, Council's General Manager, Amanda Stewart, Katherine Grinberg and Barbara Mortimer (Double Bay Residents Association), Esther Hayter (The Paddington Society), and Tony Bond (Edgecliff Residents Association).

Note: The Council amended Part B and added new Part C.

Motion moved by Councillor Shields Seconded by Councillor Zeltzer

THAT Council:

- A. Note this report on the response to the Notice of Motion on the reduction in the number of Councillors at Woollahra Council and related matters.
- B. Resolves to hold a Constitutional Referendum at the 14 September 2024 Local Government elections in order to seek a binding decision of the electors on a proposal to reduce the number of Councillors from 15 to 9.
- C. Resolves that the following question to be asked in the Constitutional Referendum;

Woollahra Municipal Council currently has 15 Councillors. Do you favour reducing the total number of Councillors from 15 to 9?

Please note that a reduction in the number Councillors will result in a reduction of Wards across the Woollahra Council Local Government Area, likely to be a reduction of 5 Wards to 3.

Amendment moved by Councillor Price Seconded by Councillor Elsing

THAT Council defers the decision until it seeks further legal advice on the question as to whether a Constitutional Referendum in also required to reduce the number of Wards.

Woollahra Municipal Council
Ordinary Council Meeting Minutes

13 May 2024

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

For the Amendment

Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks
Councillor Witt

Against the Amendment

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Shapiro
Councillor Shields
Councillor Swan
Councillor Wynne
Councillor Zeltzer

7/8

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

(Shields/Zeltzer)

47/24 Resolved:

THAT Council:

- A. Note this report on the response to the Notice of Motion on the reduction in the number of Councillors at Woollahra Council and related matters.
- B. Resolves to hold a Constitutional Referendum at the 14 September 2024 Local Government elections in order to seek a binding decision of the electors on a proposal to reduce the number of Councillors from 15 to 9.
- C. Resolves that the following question to be asked in the Constitutional Referendum;

Woollahra Municipal Council currently has 15 Councillors. Do you favour reducing the total number of Councillors from 15 to 9?

Please note that a reduction in the number Councillors will result in a reduction of Wards across the Woollahra Council Local Government Area, likely to be a reduction of 5 Wards to 3.

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

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Shapiro
Councillor Shields
Councillor Swan
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks
Councillor Witt

8/7

13. Reports of the Committees

13.1 Environmental Planning Committee

Items with Recommendations from the Committee Meeting of Monday 6 May 2024 Submitted to the Council for Determination

- Item No:** R1 Recommendation to Council
Subject: 488-492 OLD SOUTH HEAD ROAD AND 30 ALBEMARLE AVENUE, ROSE BAY - DRAFT DEVELOPMENT CONTROL PLAN
Authors: Charmaine Tai, Strategic Planner
Jacquelyne Della Bosca, Executive Planner
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 24/59351
Purpose of the Report: To obtain Council's approval to exhibit an amendment to the Woollahra Development Control Plan 2015 to add a site-specific chapter for land at 488-492 Old South Head Road and 30 Albemarle Avenue, Rose Bay
Alignment to Delivery Program: Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.
- Note:** Late Correspondence was tabled by Mark Skurnik (Rose Bay Action Group).
- Note:** Councillor Jarvis declared a Significant, Non-Pecuniary Interest in this item as Councillor Jarvis is one of Council's representatives on the Sydney Eastern City Planning Panel. Councillor Jarvis left the meeting at this item, did not participate in debate and did not vote on the matter.
- Note:** Councillor Robertson declared a Significant, Non-Pecuniary Interest in this item as Councillor Robertson is one of Council's representatives on the Sydney Eastern City Planning Panel. Councillor Robertson left the meeting at this item, did not participate in debate and did not vote on the matter.
- Note:** Councillor Zeltzer declared a Significant, Non-Pecuniary Interest in this item as Councillor Zeltzer is one of Council's representatives on the Sydney Eastern City Planning Panel. Councillor Zeltzer left the meeting at this item, did not participate in debate and did not vote on the matter.
- Note:** Councillor Jarvis left the meeting, the time being 7.42pm.
- Note:** Councillor Robertson left the meeting, the time being 7.42pm.
- Note:** Councillor Zeltzer left the meeting, the time being 7.42pm.
- Note:** The Council added new Part A and new Part B to the Resolution. Original Part A became Part C and original Part B became Part D with an additional point 'iv' added to Part D.

(Carmichael/Regan)

48/24 Resolved:

THAT Council:

- A. Further asserts its opposition to the planning proposal for 488-492 Old South Head Road and 30 Albemarle Avenue, Rose Bay, but acknowledges that Council is powerless under the relevant legislation to further object.
- B. Notes the objections to the planning proposal from Cr Jarvis (who is a member of the Sydney Eastern City planning panel) who recommended that the proposal should not be submitted for a Gateway determination as the proposal has not demonstrate strategic merit nor site specific merit.
- C. Receives and notes the report on provisions for Part G Site-Specific Controls of the Woollahra Development Control Plan 2015 applying to 488-492 Old South Head Road and 30 Albemarle Avenue, Rose Bay.
- D. Amends the Part G site-specific controls referred to in A above as set out in Attachment 1 to require the following in respect of development of the site:
 - i. implementation of a trolley wheel locking system to be installed at all exit points of the shopping centre to prevent trolleys being removed from the centre;
 - ii. installation of specific safety measures for pedestrians at all vehicular entry and exit points of the centre such as pedestrian crossing markings, speed humps and other suitable pedestrian safety measures; and
 - iii. to ensure that any fencing of garden or open area is open fencing such that the garden areas can be viewed substantially from the streetscape and contribute to the streetscape.
 - iv. the bicycle parking be required to be located within the Woolworths property and not in the buffer zone.
- E. Resolves to exhibit Draft Woollahra Development Control Plan 2015 (Amendment No 27) with changes as set out in paragraph B above, as contained at Attachment 1 of the report to the Environmental Planning Committee of 6 May 2024.

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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne

Nil

12/0

Woollahra Municipal Council
Ordinary Council Meeting Minutes

13 May 2024

- Item No:** R2 Recommendation to Council
Subject: **ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL - PLANNING PROPOSAL TO LIST TWO SCHOOL BUILDINGS IN ROSE BAY AS LOCAL HERITAGE ITEMS**
- Authors:** Eleanor Banaag, Senior Strategic Heritage Officer
Kristy Welfare, Team Leader Heritage
- Approvers:** Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
- File No:** 24/68571
- Purpose of the 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 two school buildings in Rose Bay as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014.
- Alignment to Delivery Program:** Strategy 4.2: Conserving our rich and diverse heritage.
- Note:** Councillor Jarvis returned to the meeting, the time being 7.56pm.
- Note:** Councillor Robertson returned to the meeting, the time being 7.56pm.
- Note:** Councillor Zeltzer returned to the meeting, the time being 7.56pm.

(Carmichael/Zeltzer)

49/24 Resolved without debate:

THAT Council:

- A. Note the advice provided by the Woollahra Local Planning Panel on 18 April 2024 regarding the planning proposal to list two school buildings in Rose Bay as local heritage items.
- B. Endorse the planning proposal as contained at **Attachment 1** of the report to the Environmental Planning Committee of 6 May 2024 to list the following two school buildings as local heritage items in Schedule 5 and on the Heritage Map of the *Woollahra Local Environmental Plan 2014* and resolves to forward this to the Department of Planning, Housing and Infrastructure with a request for Gateway Determination to allow public exhibition:
- i. 'Rose Bay Public School – Building E, including interiors' at 21 Wilberforce Avenue, Rose Bay (Lot 49-53, DP 4567).
 - ii. 'McAuley Catholic Primary School – former Christian Brothers College building, including interiors' at 12 Carlisle Street, Rose Bay (Lots A and B, DP 80580).
- 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 environment plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

Note: The following sentence is to be added to the Planning Proposal at page 13:

"Within the Lots containing Building E are two mature Palm Trees. Research undertaken suggests that the trees date from at least 1970 and possibly as early as 1955. While the trees are not historically associated with Building E, the Study recognises that they contribute to the landscape setting of the Building."

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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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

Item No: R3 Recommendation to Council
Subject: **POST EXHIBITION REPORT - UPDATES TO THE WOOLLAHRA DCP 2015 IN RESPONSE TO THE EMPLOYMENT ZONE REFORMS**
Authors: Joahna Doolan, Student - Strategic Planning & Place
Lyle Tamlyn, Acting Team Leader Strategic Planning
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 23/177988
Purpose of the Report: To report on the public exhibition of Draft Woollahra Development Control Plan 2015 (Amendment 24) for employment zone amendments, and seek Council's approval for finalisation.
Alignment to Delivery Program: Strategy 4.5: Ensure that planning and building requirements are complied with.

(Carmichael/Zeltzer)

50/24 Resolved without debate:

THAT Council:

- A. Receives and notes the post exhibition report on *Draft Woollahra Development Control Plan 2015 (Amendment 24)* that contains amendments in response to the employment zone reforms.
- B. Approves *Draft Woollahra Development Control Plan 2015 (Amendment 24)* as exhibited.

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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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

Unconfirmed

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13.2 Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Monday 6 May 2024 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: 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 CHILD AND FAMILY HEALTH NURSING SERVICE

Authors: Vicki Munro, Manager Community & Culture
Zubin Marolia, Manager Property & Projects

Approver: Patricia Occelli, Director Community & Customer Experience

File No: 24/32843

Purpose of the Report: To seek authorisation for the General Manager to enter into a licence of a section of Vaucluse Bowling Club & Community Facility with South Eastern Sydney Local Area Service (SESLHD) for the delivery of a Child and Family Health Nursing Service.

Alignment to Delivery Program: Strategy 2.1: Build strong and respectful connections with partners so that we can enhance and protect our local area and quality of life.

Note: Late Correspondence was tabled by Zubin Marolia, Council's Manager Property & Projects.

Note: The Council removed Part D of the Resolution.

(Jarvis/Elsing)

51/24 Resolved:

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.

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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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

Item No: R2 Recommendation to Council
Subject: CAPITAL WORKS PROGRAM - QUARTERLY PROGRESS REPORT MARCH 2024
Authors: Petrina Duffy, Coordinator Strategy & Performance
Henrietta McGilvray, Senior Corporate Accountant
Approvers: Sue Meekin, Director Corporate Performance
Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 24/72617
Purpose of the Report: To provide the Committee with an update on the status of the projects in the FY2023-24 Capital Works Program, for the quarter ended 31 March 2024
Alignment to Delivery Program: Strategy 11.2: Secure Council's financial position.
(Jarvis/Elsing)

52/24 Resolved without debate:

THAT the Capital Works Program – Quarterly Progress Report for the quarter ended 31 March 2024 be received and noted.

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

For the Motion

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

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Item No: R3 Recommendation to Council
Subject: **2023-24 BUDGET REVIEW FOR THE QUARTER ENDED 31 MARCH 2024**
Authors: Henrietta McGilvray, Senior Corporate Accountant
Esther Hii, Acting Senior Corporate Accountant
Paul Ryan, Chief Financial Officer
Approvers: Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 24/38670
Purpose of the Report: To report on the review of the 2023-24 budget forecast position as at the quarter ended 31 March 2024
Alignment to Delivery Program: Strategy 11.2: Secure Council's financial position.

(Jarvis/Elsing)

53/24 Resolved without debate:

THAT Council:

- A. Receive and note the report on the budget review for the quarter ended 31 March 2024.
- B. Note the statement from the responsible accounting officer, Council's Chief Financial Officer that the projected financial position at 31 March 2024, based on the forecasts outlined in this report, will remain satisfactory.
- C. Adopt the recommended variations to the 2023-24 budget as outlined in this report titled 2023-2024 Budget Review for the quarter ended 31 March 2024, resulting in a net operating deficit before capital grants and contributions of (\$2.299) million, a decrease of \$6.769 million from the quarter ended 31 December 2023 revised budget. The original approved 2023-24 budget after revotes for net operating result before capital grants & contributions was \$1.079m.
- D. Establish a new internally restricted reserve for the Urban Forest Strategy and approve a one off transfer of \$3m to this reserve.

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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

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Item No: R4 Recommendation to Council
Subject: **MONTHLY FINANCIAL REPORT - 31 MARCH 2024
INVESTMENT HELD AS AT 30 APRIL 2024**
Author: Abdullah Rayhan, Team Leader Financial Services
Approvers: Paul Ryan, Chief Financial Officer
Sue Meekin, Director Corporate Performance
File No: 24/68344
Purpose of the Report: To present the monthly financial report for March 2024 and to present a list of investments held as of 30 April 2024.
Alignment to Delivery Program: Strategy 11.2: Secure Council's financial position.

(Jarvis/Elsing)

54/24 Resolved without debate:

THAT Council:

- A. Receive and note the Monthly Financial Report – March 2024.
- B. Note that the Council's 12-month weighted average return for March 2024 on its direct investment portfolio of 5.20% (LM: 5.14%, LY: 4.11%) exceeds the benchmark 90-day AusBond Bank Bill Index of 4.42%.
- C. Note that the interest revenue for the year to date March 2024 is \$3.88M, exceeding our revised year to date budget of \$2.27M for the same period.
- D. Receive and note the list of Council's investments held as of 30 April 2024 (provided as late correspondence).

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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

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Item No: R5 Recommendation to Council
Subject: **GUGARA PARK - RESPONSE TO NOTICE OF MOTION TO CONSIDER TOILET FACILITIES IN GUGARA PARK, PADDINGTON**
Author: Paul Fraser, Manager Open Space & Trees
Approver: Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 24/67846
Purpose of the Report: To respond to Notice of Motion – Dillon Street Reserve aka Gugara Park
Alignment to Delivery Program: Strategy 5.1: Enhance council provided community facilities to foster connections between people and place and enhance quality of life.

(Jarvis/Elsing)

55/24 Resolved without debate:

THAT Council:

- A. Note the previous consultation undertaken prior to the redesign of Gugara Park and the recent requests raised by community members relating to the addition of a toilet in the park.
- B. Undertake community consultation on the proposed toilet and report those findings back to the Finance, Services and Community Committee.
- C. Request that staff propose two (2) or three (3) alternative feasible sites within the park for the placement of the toilets to be included as part of the public exhibition and consultation process.

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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

14. Rescission Motion

Nil

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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).

General Item No: 15.1 Congratulations to Anthony Tregoning
Tabled by Councillor: Councillor Silcocks, Councillor Grieve, Councillor Witt, the Mayor
Councillor Shields

Councillor Silcocks advised:

Thank you, Mr. Mayor.

I'd like to recognise Anthony Tregoning's contribution to our community. He's stepping down as President of the Double Bay Residents Association. So I'd like to congratulate him on a very successful three years as President. He was, if you like, an accidental President, having been forced by my election to Council and then Malcolm Young's retirement to take over in 2021. He said he would care-take the role for one year, and at the end of one year said he must find a successor within that year. And here we are three years later and he has finally stepped down. As we all know, it's been a very challenging time in Double Bay, endless development applications, planning proposals whilst we've debated our Strategic Plan.

Anthony has held that job and overseen countless submissions, endless panel appearances to ensure that the community's voice is being heard and worked very hard to bring all the various stakeholders together to reach some sort of agreement on our Strategic Plan. He is also this year is to get very professional forums for residents to meet their candidates at both the local and the State elections.

Undoubtedly his greatest achievement was the Clearway heading east along New South Head Road, which he pushed very hard and eventually succeeded in getting that extended to 7pm and over the weekends. So I'd like to thank Anthony for all his commitment and also note that he's going to stay on the DBRA (Double Bay Residents Association) Committee and we should also congratulate his successor, a lady called Katherine Grinberg, who is the new President of the Double Bay Residents Association and I'm sure we'll be seeing a lot more of her.

Thank you.

Councillor Grieve further advised:

Thank you, Mr. Mayor.

I'd like to follow on from that and say congratulations and thank you to Anthony Tregoning because we all might complain about the piddly amount of money that we're paid and the huge amount of work, but the conveners or Presidents of resident groups get paid nothing. He did an awful amount of work and I'd like to congratulate and acknowledge that Katherine Grinberg is the first female President of the Double Bay Residents Association and well may she reign and good luck with her presidency.

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Councillor Witt further advised:

Thank you.

I'd also like to thank Anthony Tregoning. I actually was on the Double Bay Residents Association Committee before I got onto Council and he actually motivated me to run for Council, encouraged me, very professional, very conscientious and very communicative with the public. I really enjoy getting his newsletters so yes, I wish him well. I think he deserves a good retirement.

Thank you.

The Mayor, Councillor Shields further advised:

I too would like to acknowledge Mr. Tregoning. He is a passionate representative of the community, and it's occasionally we have differing views but it's all done in a respectful way. I do respect Mr. Tregoning's intellect and his experience. The last 12 months we have been on the same side of many things. It's been joyful to be on the same side of him with the changes to the Double Bay Plan and also on the same page with the New South Wales Government's Planning Proposals. So, congratulations to Mr Tregoning. He is such an incredible and passionate advocate for the area and I'm sure he will still be around.

General Item No: 15.2 Congratulations to Roanne Knox
Tabled by Councillor: Councillor Jarvis

Councillor Jarvis advised:

Thank you worship.

On the subject of congratulations, I would like to congratulate Roanne Knox who was this week, selected and endorsed as the Liberal candidate for Wentworth at the coming election. She's a very strong, capable candidate and we look forward as Liberals to supporting her. I will note for the record too, that she is the first Liberal woman to be selected to run in the seat of Wentworth.

General Item No: 15.3 St. George's Day / German Cultural Day
Tabled by Councillor: Councillor Jarvis & the Mayor, Councillor Shields

Councillor Jarvis advised:

Your Worship, yesterday of course, we were at the Greek Orthodox Church, St. George's (Rose Bay) with Miss (Roanne) Knox, celebrating the first Sunday after Easter and St. George's Day. And I want to congratulate the congregation, the celebration really of so many things. And again, bringing together of community and their ability to make fabulous gyros, which I believe you would have enjoyed as well, your worship.

In the same vein and in terms of bringing people together, I may have mentioned this on the last occasion, the German Cultural Day. I want to congratulate those that came. Your Worship, Councillor Swan, Councillor Grieve, Councillor Elsing, myself, the Consulate General Felix Schwarz and Christoph Meucher (CEO Goethe Institute). It was great. We had music like you've never heard before. The music of the bells was fantastic. We had the German film producer who had arrived to launch the German Film Festival, who gave a very interesting talk to those that were interested. We enjoyed Bratwurst and all-in-all a great day, so I wish to say thank you to the Goethe Institute for inviting so many of us and allowing us to be here.

Thank you.

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The Mayor, Councillor Shields further advised:

I also want to say thank you to the organisers of the St George's Day yesterday.

General Item No: 15.4 Holocaust Memorial Day
Tabled by Councillor: The Mayor, Councillor Shields

The Mayor, Councillor Shields advised:

I want to talk about the Holocaust Memorial Day that I attended with Councillor Carmichael and Councillor Shapiro and also Roanne Knox. She's everywhere the new Liberal candidate for Wentworth. It was a moving tribute to the six million Jews that were killed in World War Two and it shames me to say that anti-Semitism is alive and well in our community. And when I talk about when my children are telling my wife not to use her name when she's ordering coffee, because she has an Israeli name, when I hear stories of children saying to their parents, "Please remove mezuzahs from doorways", there is a problem. And it is pertinent to remember what happens when anti-Semitism reaches its evil zenith, and that is what happened in Europe.

We must stamp out any form of racism, irrespective as to who it is. Racism is evil, anti-Semitism is evil. Sorry to finish on such a sour note, but it is something that I am feeling personally. I am feeling personally anti-Semitic attacks. And let me tell you, I will not falter. I will not be intimidated by anti-Semitic attacks.

Thank you.

16. Notices of Motion

Item No: 16.1
Subject: NOTICE OF MOTION - FEASIBILITY OF FURTHER MEASURES TO PROTECT TREE CANOPY ON PRIVATE LAND IN THE WOOLLAHRA LGA
From: Councillor Merrill Witt
Date: 15 April 2024
File No: 24/64894

Note: Late Correspondence was tabled by Alison Pert, Clare Crawford, David Jacobs, Kim Foltz and Rebecca Lynch.

Note: Councillor Shapiro left the meeting, the time being 8.10pm.

Note: The Council amended Part A and Part B of the Resolution.

(Witt/Regan)

56/24 Resolved:

THAT Council:

- A. Request staff prepare a report on the potential for further development controls requiring retention of established trees on private property when applicants are submitting development applications.
- B. Request staff recommend to Council any other measures that may be implemented, having regard to what other Councils are doing to arrest the decline of tree canopy cover on private properties proposed for redevelopment.

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 Carmichael
Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Zeltzer

Against the Motion

Councillor Cavanagh
Councillor Jarvis
Councillor Shields
Councillor Wynne

10/4

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Item No: 16.2
Subject: **NOTICE OF MOTION - CELEBRATE WOOLLAHRA POSTCODE 2025**
From: Councillors Sarah Swan, Luise Elsing and Nicola Grieve
Date: 01 May 2024
File No: 24/75854

(Swan/Elsing)

57/24 Resolved:

THAT Council staff prepare a report, for consideration by Council, setting out a plan with recommendations for celebrating Woollahra and its postcode "2025", in 2025, together with suggestions for grant funding to assist with local business and community events in Woollahra during that calendar year.

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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

14/0

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Item No: 16.3
Subject: **NOTICE OF MOTION - INTEGRITY IN LOCAL GOVERNMENT**
From: Councillor Sarah Swan
Date: 02 May 2024
File No: 24/76505

(Swan/Elsing)

58/24 Resolved:

THAT Council request the General Manager write to the NSW Office of Local Government (OLG) and the NSW Minister for Local Government, The Hon. Ron Hoenig affirming Council's support for increasing integrity in local government and seeking confirmation from the OLG on when they will release for consultation a draft Lobbying Policy following consultation undertaken by the OLG previously on lobbying guidelines in 2022.

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 Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

14/0

17. Questions With Notice

Nil

18. Supplementary Responses to Previous Questions with Notice

Nil

19. Confidential Matters

Nil

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20. Conclusion of the Meeting

There being no further business the meeting concluded at 8.42pm.

We certify that the pages numbered 232 to 259 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 13 May 2024 and confirmed by the Ordinary Meeting of Council on 11 June 2024 as correct.

General Manager

Mayor

Unconfirmed

10. Mayoral Minute

Item No: 10.1
Subject: **GENERAL MANAGERS CONTRACT OF EMPLOYMENT**
Author: Richard Shields, Mayor
File No: 24/55791
Purpose of the Report: To consider the General Manager's Contract of Employment in a confidential closed session.

Recommendation:

THAT Council, in accordance with Section 10A of the *Local Government Act 1993* resolve to enter into a closed, confidential session with the press and public excluded, to consider the confidential Mayoral Minute on the General Managers contract of employment. This matter is to be considered in closed session in accordance with Section 10A (a) *personnel matters concerning particular individuals (other than councillors)*.

Discussion:

The purpose of this Mayoral Minute is for Council to give consideration to a formal request for reappointment as the General Manager of Woollahra Council from the incumbent General Manager, Craig Swift-McNair.

As per the process detailed under Clause 5 of the General Manager's contract and as included in the *Guidelines for the Appointment and Oversight of General Managers* (the Guidelines), issued under s23A of the NSW Local Government Act 1993 (the Act), the General Manager has written to me as the Mayor of Woollahra, seeking reappointment to the role of General Manager.

It is the role of the governing body to give consideration to this request for reappointment by the General Manager. As detailed in the Act, one of the prescribed functions of the governing body of a Council is to determine the process for the appointment of the General Manager and to monitor their performance (s223).

The position of General Manager is pivotal in a Council, as it is the interface between the governing body and the administrative body of the Council, with the governing body setting the strategic direction of the Council and monitoring its performance and the General Manager implementing the decisions of the governing body.

Under s338 of the Act, General Managers of Councils must be employed under an employment contract based on a standard contract approved by the Office of Local Government (OLG). The standard contract ensures consistency and certainty in employment relationships at the General Manager level in local government and reflects community expectations by providing greater transparency and accountability.

The associated confidential Mayoral Minute provides further details around the process for the reappointment of the General Manager. This matter is being considered in a closed, confidential session of Council in line with the above-mentioned Guidelines issued by the OLG.

Attachments

Nil

12. General Manager and Officer's Report

Item No:	12.1
Subject:	AUDIT, RISK & IMPROVEMENT COMMITTEE (ARIC) - APPOINTMENT OF CHAIR & INDEPENDENT MEMBERS JULY 2024 TO JULY 2028
Author:	Jennifer Chenhall, Manager Governance & Risk
Approvers:	Sue Meekin, Director Corporate Performance Craig Swift-McNair, General Manager
File No:	24/96659
Purpose of the Report:	To appoint independent members to the Audit, Risk & Improvement Committee (ARIC).
Alignment to Delivery Program:	Strategy 11.1: Build an efficient organisation that places customers and the community at the heart of service delivery.

Recommendation:

THAT in accordance with Section 10A of the *Local Government Act 1993* the Committee resolve to enter into Closed Session with the press and public excluded to consider the Confidential Report. These matters are to be considered in Closed Session in accordance with (a) personnel matters concerning particular individuals (other than councillors)

Executive Summary:

In December 2023 the Local Government (General) Regulation 2022 (The Regulation) was amended to give statutory force to key elements of the Office of Local Government's (OLG) Guidelines for Risk Management and Internal Audit for Local Government NSW (the Guidelines). Noting that Council's Audit and Risk Committee (ARIC) (previously known as Audit & Assurance Committee) has been in operation since March 2012.

In order to comply with the Regulation and the new eligibility and selection criteria for ARIC members, Council undertook an Expression of Interest (EOI) process commencing on 18 April 2024, with the application process closing on 13 May 2024. As such the EOI process was undertaken for both the Chair and Independent Members.

The current Chair of ARIC, Mr Jason Masters is in-eligible for re-appointment, due to him having served an eight-year tenure. Mr Carl Millington and Ms Deborah Goodyer's tenure period as per the Resolution of Council at its Ordinary Meeting on 27 June 2022, will be reached in September 2024.

Discussion:

The EOI Process was to appoint independent members to the ARIC from 1 July 2024, including the recruitment and appointment of the Chair of ARIC. As a result of the EOI process, fifty four (54) applications were received by the closing date.

ARIC Composition and Tenure

The Regulation requires that from 1 July 2024 the ARIC is to consist of an independent chairperson and two independent members who have voting rights and one non-voting Councillor.

A report was considered by the ARIC at its meeting on 14 March 2024. In this report the following advice was obtained by staff from the Office of Local Government (OLG) in relation to the number of Councillors who can be appointed to the ARIC post 1 July 2024:

'As you have noted, the amendments to the Local Government (General) Regulation 2021 take effect from 1 July 2024. From that day, the composition of councils' audit risk and improvement committees (ARIC) must comply with the requirements prescribed under the Regulation.

As you have noted, section 216C of the Regulation only permits the appointment of one councillor to an ARIC as a non-voting member.'

The minutes of the ARIC in which the report was tabled were confirmed at the 13 May 2024 Ordinary Meeting of Council.

As such, under the Regulation that is effective as of 1 July 2024, only one (1) Councillor can be appointed to the ARIC as a non-voting member.

Under the ARIC Model Terms of Reference, the chair and two independent members are to be appointed for up to a four-year term. Members can be reappointed for one further term by Council Resolution without a further EOI process, but the total period of continuous membership cannot exceed eight years. This period includes any terms as the chairperson of the ARIC or as an independent member.

Members who have served an eight-year term in either capacity, must have a two-year break from serving on the committee before being appointed again. This means that resulting from the current Chair tenure concluding, Council in the EOI process also called for applications for the Chair of the committee.

The following information is provided by way of background for Council and community information:

Objective of the ARIC

As part of the overall governance framework Council's Audit, Risk & Improvement Committee (ARIC) plays an important role in strengthening risk management and corporate governance practices within Council. This is in line with the Regulation and the Office of Local Government (OLG) guidelines on Audit, Risk & Improvement Committees.

The objective of ARIC is to provide independent assurance to Council by monitoring, reviewing and providing advice about the Council's governance processes, compliance, risk management and control framework, external accountability obligations and provide Council with robust, objective and unbiased advice and assurance.

The ARIC will review and provide independent advice to Council regarding the following aspects of Council's operations:

- Compliance;
- Risk Management;
- Fraud control;
- Financial management;
- Governance;
- Implementation of the strategic plan, delivery program and strategies;
- Service reviews;
- Collection of performance measurements data by Council; and
- Any other matters prescribed by the Regulations.

As part of this objective, the ARIC will assess and advice whether there is 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 ARIC will also provide information to the Council for the purpose of improving Council's performance of its functions.

Resourcing Implications:

The ARIC reports, agendas and minutes are prepared by existing staff resources facilitated via Council's Coordinator Risk & Improvement.

Conclusion:

It is recommended that Council resolve into Closed Session to enable Council to consider and determine the Chair, the Independent Members and the one (1) non-voting Councillor on the ARIC, commencing 1 July 2024.

Attachments

Nil

Item No:	12.2
Subject:	COMMUNITY SATISFACTION RESEARCH 2024
Author:	Petrina Duffy, Coordinator Strategy & Performance
Approvers:	Sue Meekin, Director Corporate Performance Craig Swift-McNair, General Manager
File No:	24/78821
Purpose of the Report:	The purpose of this report is to present to Council the results of community research undertaken in March 2024 through a telephone survey with residents living in the Woollahra local government area.
Alignment to Delivery Program:	Strategy 10.1: Encourage inclusive community participation and build respectful relationships through engagement and input into decision making.

Recommendation:

THAT Council:

- A. Receive and note the 2024 Community Satisfaction Research Survey.
- B. Note the overall survey result, which demonstrates a very high level of 'satisfaction with Council performance' with 91% of residents being 'somewhat satisfied' to 'very satisfied' with the overall performance of Council, with this being an increase on the rating of 87% from the previous survey undertaken in 2021.

Executive Summary:

In March 2024, a telephone survey of 501 Woollahra Council residents was conducted by Micromex Research, on behalf of Council.

Overall, there is a very high level of 'satisfaction with Council performance' with 91% of residents stating that they are 'somewhat satisfied' to 'very satisfied' with the performance of Council – a significant increase in the rating of 87% from the previous survey undertaken in 2021.

The results indicate that Council is continuing to provide many of our services and facilities at a satisfactory level or above for those attributes rated as important.

In terms of the highest priority issues for the local government area over the next five years, congestion issues were ranked highest at 30% followed by managing development/population at 25%, parking at 23% and services/infrastructure to meet growth at 18%.

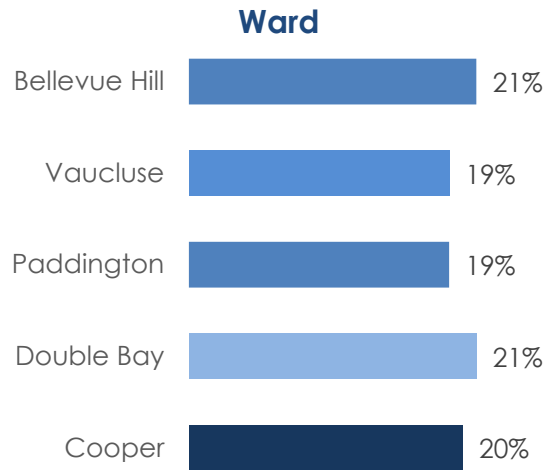
The scores for 'the LGA is a good place to live' were extremely high, with 95% of residents Agreeing/Strongly Agreeing. Residents consider the most important services of Council to be domestic garbage collection, recycling, condition/maintenance of local roads, parks and playgrounds, walkways and footpath accessibility. The highest satisfaction service areas are Library services, Woollahra Gallery at Redleaf, health inspections/food safety, community safety/crime prevention, bushland management and the appearance of local area/town centres.

Discussion:

Council is committed to regular community research and consultation to ensure the views and perceptions of the community are considered in planning and delivering services. The current survey was conducted between 12th and 20th March 2024 by Micromex Research. This is the fifth comprehensive survey of resident attitudes and opinions on Council services and facilities since 2009. A copy of the survey results is at **Attachment 1**.

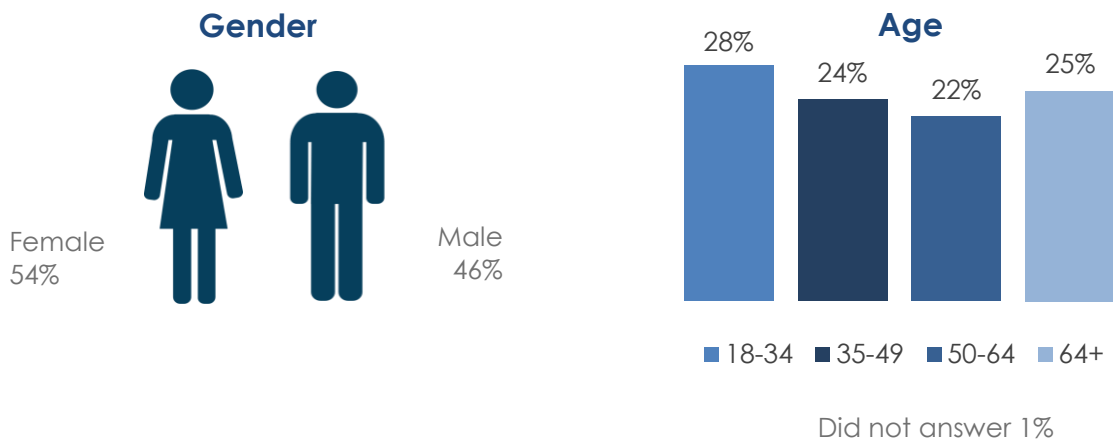
Survey Method

The survey was conducted via telephone of 501 Woollahra Council residents randomly selected across Council’s five wards as shown below, noting that all participants were over the age of 18 years.



A sample size of 501 residents provides a maximum sampling error of plus or minus 4.4% at 95% confidence. This means that if the survey was replicated with a new selection of 501 residents, 19 times out of 20 we would expect to see the same results.

The results were weighted by age and gender (2021 ABS Census) to ensure they are representative of the Woollahra community.



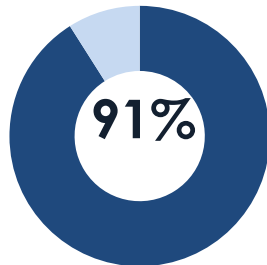
The survey questions were designed to:

- Identify the community’s overall level of satisfaction with Council performance
- Explore resident satisfaction with contacting Council and efforts to communicate
- Understand and identify community priorities for the Woollahra LGA and desired level of investment for community goals

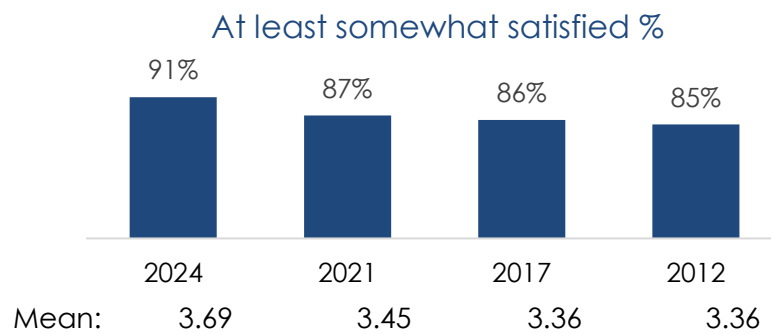
Key Findings

1. High overall satisfaction (**Attachment 1** Page 14)

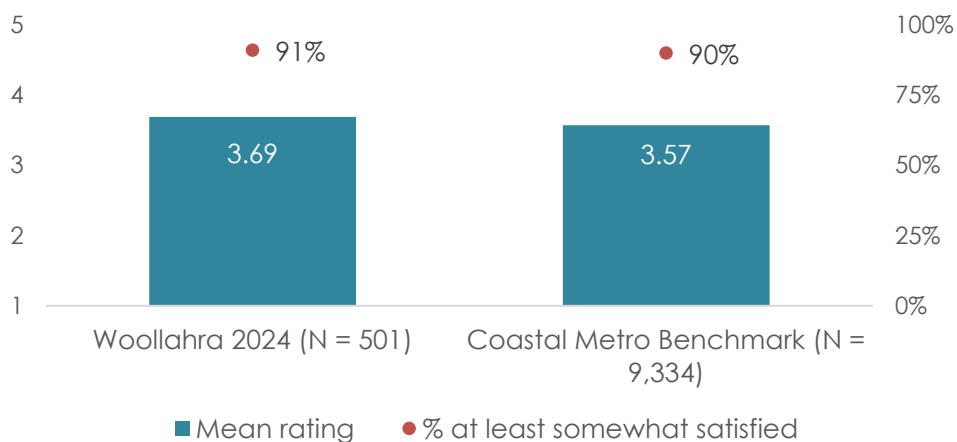
Resident satisfaction with Council’s overall performance continues to improve, with 91% stating they are at least somewhat satisfied. Results are significantly greater than 2021 (87% in 2021) and above the Coastal Metro Benchmark of 90% (comparable councils).



91% of Woollahra Municipal Council residents are at least somewhat satisfied with the performance of Council in the last 12 months



Comparison with Coastal Metro Council Benchmark:



The survey identified that key drivers of overall satisfaction tend to centre on governance and communication (particularly community input), financial responsibility, provision of information, management of development/ town planning and the DA process. Further analysis by Micromex Research showed communication with customer service and responsiveness as the top two drivers of overall satisfaction (**Attachment 1** Page 23).

Drivers of Satisfaction

The primary drivers of satisfaction revolve around Council governance/communication:



Community input to Council decision making



Financial responsibility

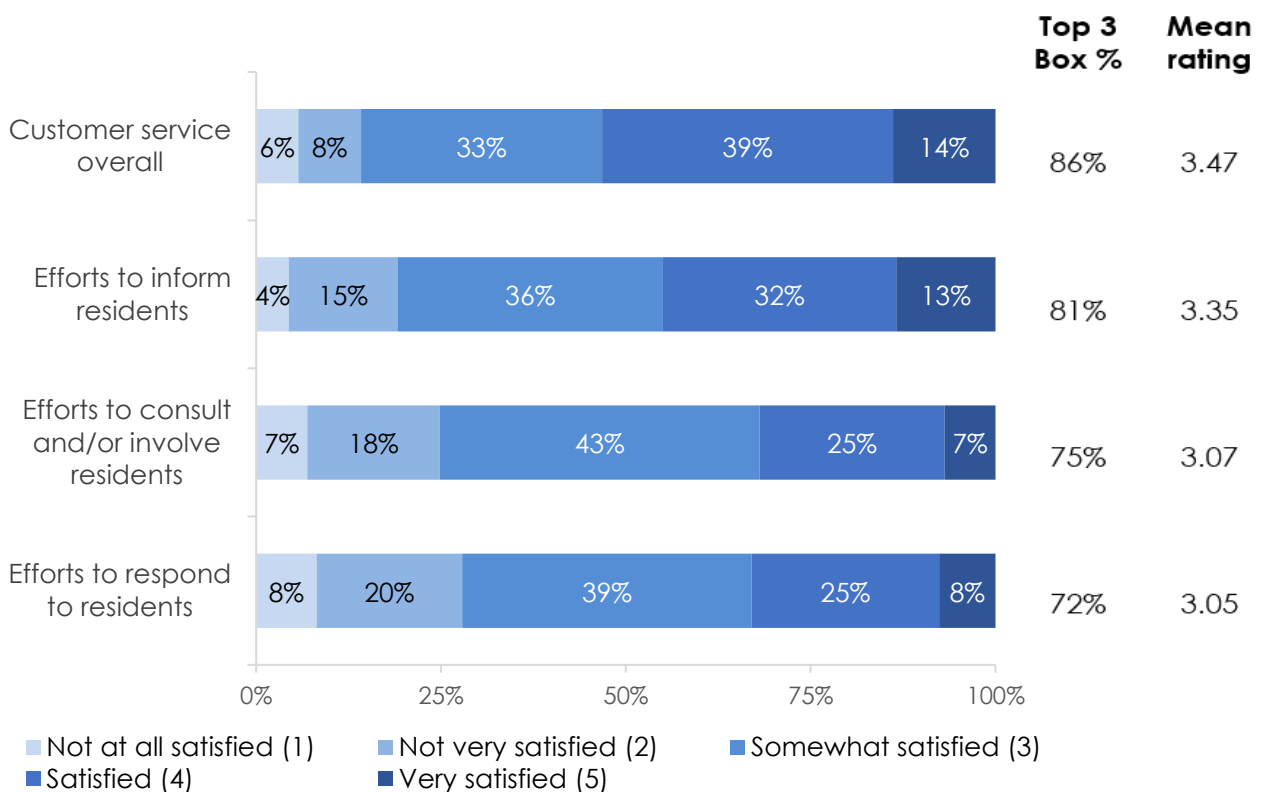


Provision of information

2. High Satisfaction with Council’s Communication Efforts (**Attachment 1** Page 15)

Within customer service metrics, residents are most satisfied with Council’s customer service overall, with 86% at least somewhat satisfied and closely followed by Council’s efforts to inform residents.

There is the opportunity to lift satisfaction with further consultation / involvement and responsiveness.



3. Top Importance & Satisfaction Areas (**Attachment 1** Pages 22 & 23)

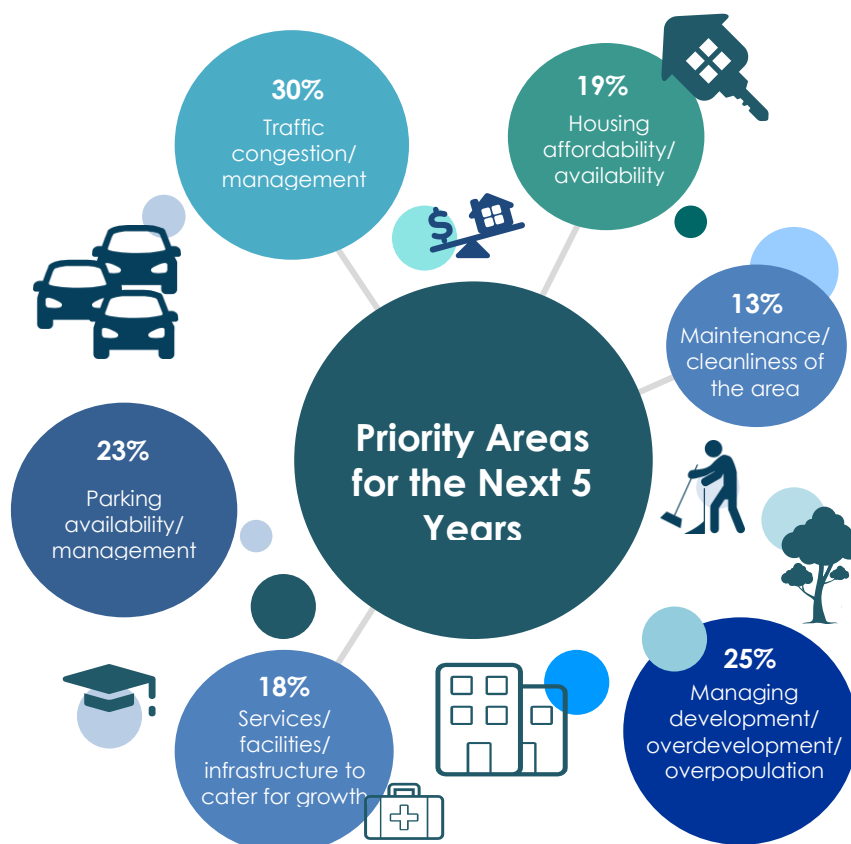
31 of Council’s 42 services and facilities had a satisfaction score of 80% or more, meaning that residents stated that they are ‘somewhat satisfied’ to ‘very satisfied’. Parking (availability and control of illegal parking) and bike paths/cycleways recorded a satisfaction score of less than 60%.

The top importance and satisfaction areas are:

Most important	High performers
Domestic garbage collection	Library services
Recycling	Woollahra Gallery at Redleaf
Condition/maintenance of local roads	Health inspections/food safety
Parks and playgrounds	Community safety/crime prevention
Walkways and footpath accessibility	Bushland management
	Appearance of local area/town centre

4. Highest Priorities for the Next Five Years (**Attachment 1** Page 6)

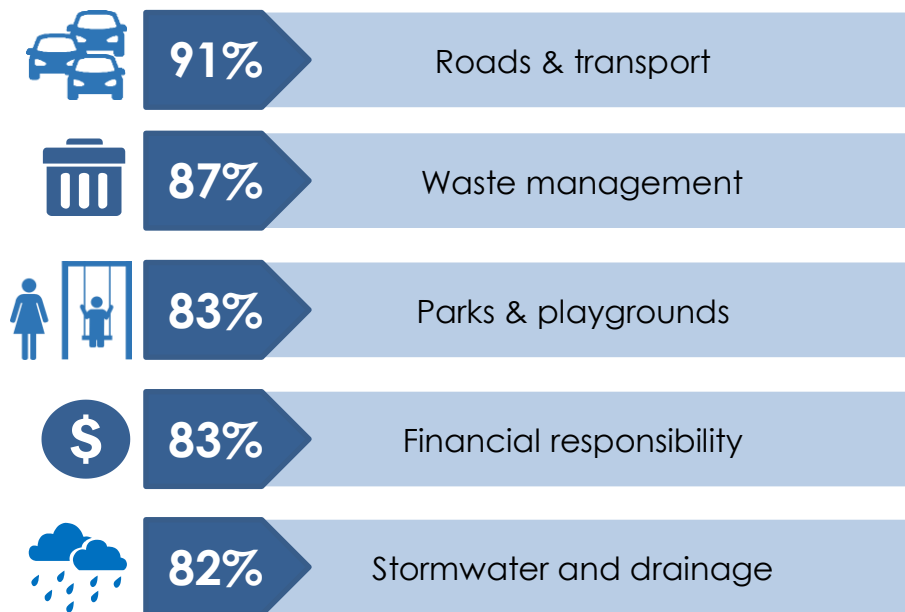
On an unprompted question, residents were asked what they believe will be the highest priority issues for the local area in the next 5 years. Congestion issues are apparent, with 30% stating traffic congestion and management will be an issue, followed by managing development / population, parking, housing and services / infrastructure to meet growth.



5. Planning for the Future (**Attachment 1** Page 8)

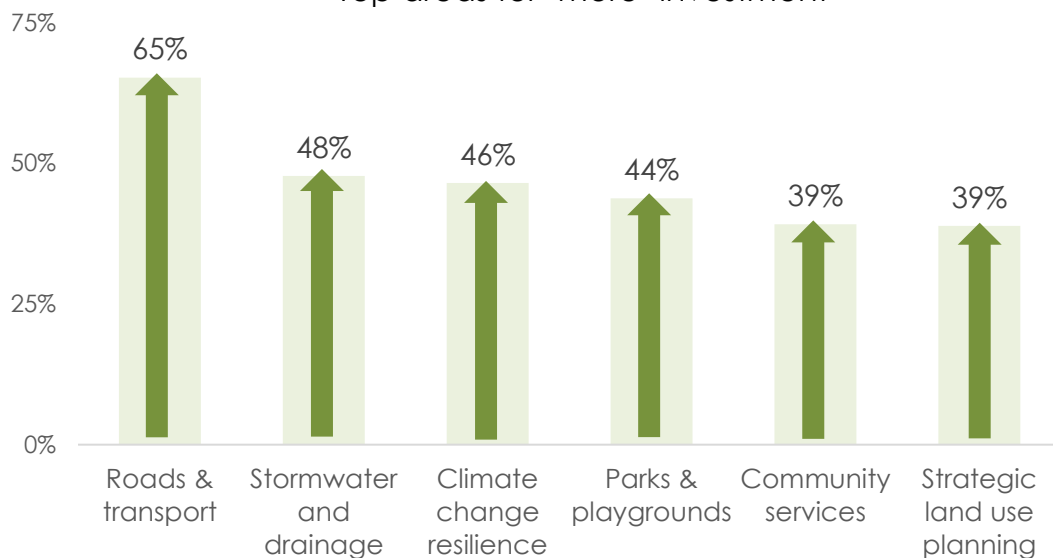
Overall, residents place a very high priority on roads & transport, with 91% stating this area is a priority for the local area and 65% would like to see Council invest more money into this area. Other high priority areas include: waste management, parks & playgrounds, financial responsibility, and stormwater and drainage. Stormwater and drainage was the second area identified that requires 'more' investment.

Top Priority Areas 'Yes' %



Level of investment

Top areas for 'more' investment



Some of these areas have been identified previously by Council as priority projects to be funded by Councils' Special Rate Variation. Specifically, over a 10 year period commencing 2023-24, Council is investing \$10.3million to improve parks and recreation areas and a further \$13.9million to mitigate the impacts of climate change on our stormwater networks.

Options:

This report is for noting by Council.

Community Engagement and / or Internal Consultation:

The survey that is the subject of this report was undertaken by Micromex Research on behalf of Council. It was conducted via telephone of 501 Woollahra Council residents randomly selected across Council's five wards.

A sample size of 501 residents provides a maximum sampling error of plus or minus 4.4% at 95% confidence. This means that if the survey was replicated with a new selection of 501 residents, 19 times out of 20 we would expect to see the same results.

The results were weighted by age and gender (2021 ABS Census) to ensure they were representative of the Woollahra community.

Policy Implications:

There are no direct policy implications as a result of this report, however the results of the survey will likely help to inform future policy decisions of Council.

Financial Implications:

The survey incurred a cost of \$52,400, which was covered by existing funds allocated in the 2023-2024 Operational Plan and budget, specifically earmarked for this purpose. The survey will help to inform Council's future budgets and investment in projects and works.

Some of the areas identified by the community that require 'more investment' were also identified by Council as part of its Special Rate Variation application as priority projects. Specifically, over a 10 year period commencing 2023-24, Council is investing \$10.3million to improve parks and recreation areas and a further \$13.9million to mitigate the impacts of climate change on our stormwater networks, with these works funded by Councils' Special Rate Variation.

Future investment decisions on other areas identified by the community will be considered by Council as part of the development of its annual Operational Plan. Council's Operational Plan identifies the projects, programs and activities that Council will undertake in the following year and also includes Council's budget.

Resourcing Implications:

There are no direct resourcing implications as a result of this report, however the results of the survey may help to inform future resourcing decisions of Council.

Conclusion:

In March 2024, a telephone survey of 501 Woollahra Council residents was conducted by Micromex Research on behalf of Council.

Overall, there is a very high level of 'satisfaction with Council performance' with 91% of residents stating that they are 'somewhat satisfied' to 'very satisfied' with the performance of Council, which is a significant increase in the rating of 87% from the previous survey undertaken in 2021.

Attachments

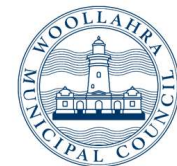
1. Community Research 2024 - Micromex Report [↓](#) 



Woollahra Municipal Council

Community Research 2024

Prepared by: Micromex Research
Date: April 2024





Research Objectives

Woollahra Municipal Council commissioned Micromex Research to conduct a random telephone survey with residents living in the Woollahra Municipal local government area (LGA).

Objectives (Why?)

- Understand and identify community priorities for the Woollahra Municipal LGA and desired level of investment for community goals
- Identify the community's overall level of satisfaction with Council performance
- Explore resident satisfaction with contacting Council and efforts to communicate

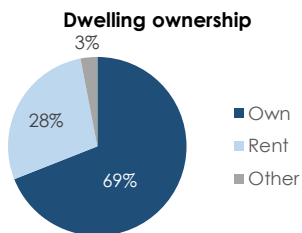
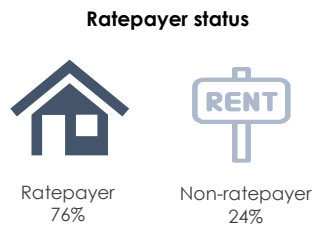
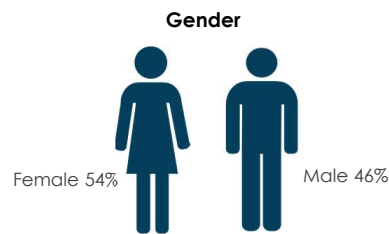
Sample (How?)

- Telephone survey (landline N=67 and mobile N=434) to N=501 residents
- 19 acquired through number harvesting
- We use a 5 point scale (e.g. 1 = not at all satisfied, 5 = very satisfied)
- Greatest margin of error +/- 4.4%

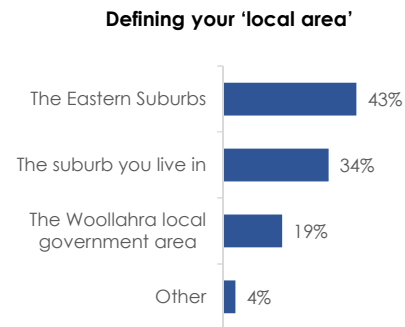
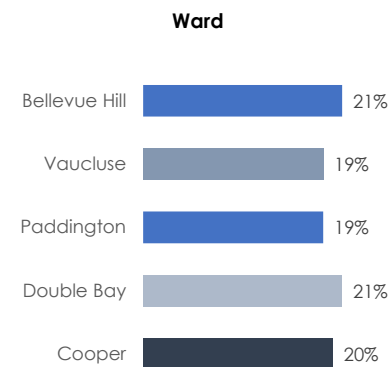
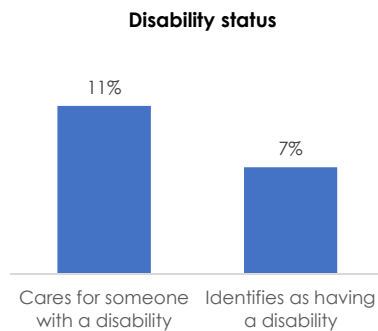
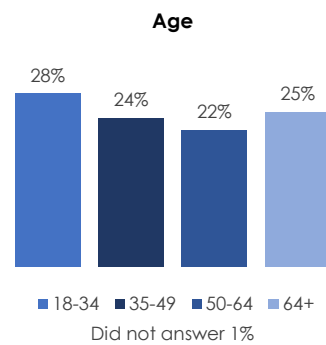
Timing (When?)

- Implementation 12th – 20th March 2024

Sample Profile



Base: N = 501



Employment status

Employment Status	Percentage
Employed full time	55%
Employed part time	15%
Household duties	3%
Retired	21%
Student	2%
Unemployed	2%
Other (freelance, contract, casual, etc.)	1%

N = 501

The sample was weighted by age and gender to reflect the 2021 ABS Census data for the Woollahra LGA. 3



Living in Woollahra

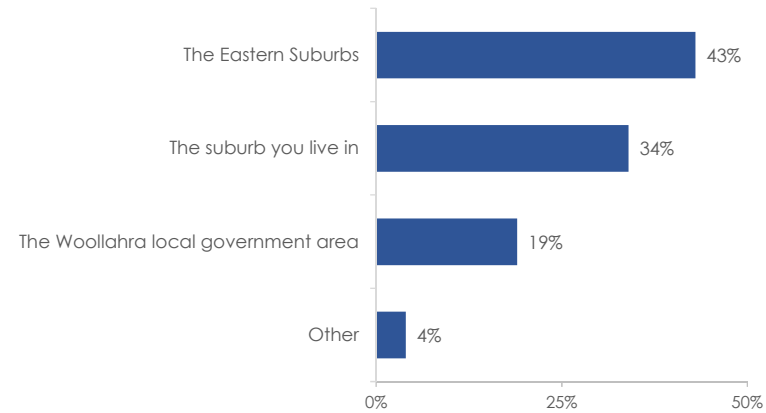
micromex
research



4

Defining the 'Local Area'

43% of residents consider their local area to be 'The Eastern Suburbs' (68% for those residing in the Bellevue Hill Ward) and 1 in 5 consider it to be the entire 'Woollahra local government area'.



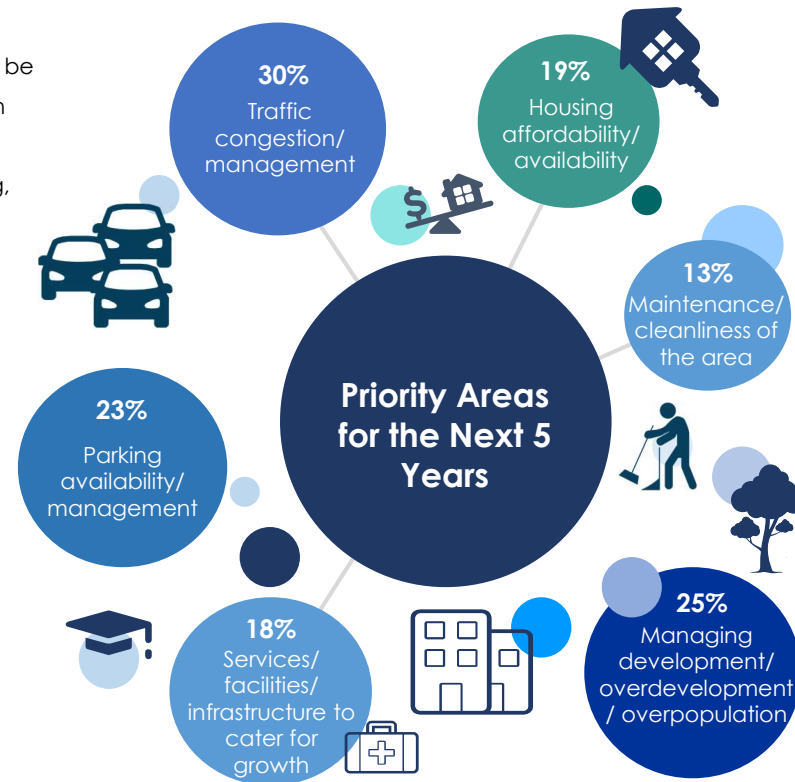
	Overall	Gender		Age				Ward					Ratepayer status	
		Male	Female	18 - 34	35 - 49	50 - 64	65+	Bellevue Hill	Vaucluse	Paddington	Double Bay	Cooper	Ratepayer	Non-ratepayer
The Eastern Suburbs	43%	46%	41%	55%	38%	41%	38%	68%	48%	37%	29%	35%	41%	52%
The suburb you live in	34%	35%	33%	29%	38%	34%	35%	16%	36%	40%	46%	33%	36%	28%
The Woollahra local government area	19%	15%	22%	11%	21%	21%	23%	15%	14%	13%	23%	28%	20%	16%
Other	4%	4%	4%	5%	3%	3%	5%	1%	2%	10%	3%	4%	4%	5%
Base	501	229	272	139	121	110	127	106	93	95	106	101	381	120

Q1a. Thinking about where you live, which one of the following best describes what you would consider to be your 'local area'?

A significantly higher/lower percentage (by group) 5

Highest Priorities for the Next 5 Years

On an unprompted question, residents were asked what they believe will be the highest priority issues for the local area in the next 5 years. Congestion issues are apparent with 30% stated traffic congestion and management will be an issue, followed by managing development/population, parking, housing and services/infrastructure to meet growth.



Verbatim Comments:

“Better traffic management regarding the shopping complex development”

“Overdevelopment. High buildings out of proportion to the area”

“Affordable housing, i.e. families that have lived here for a long time have been pushed due to pricing i.e. provide social housing options”

“Nature strips and street trees not being maintained adequately”

“Not enough public facilities to meet population growth”

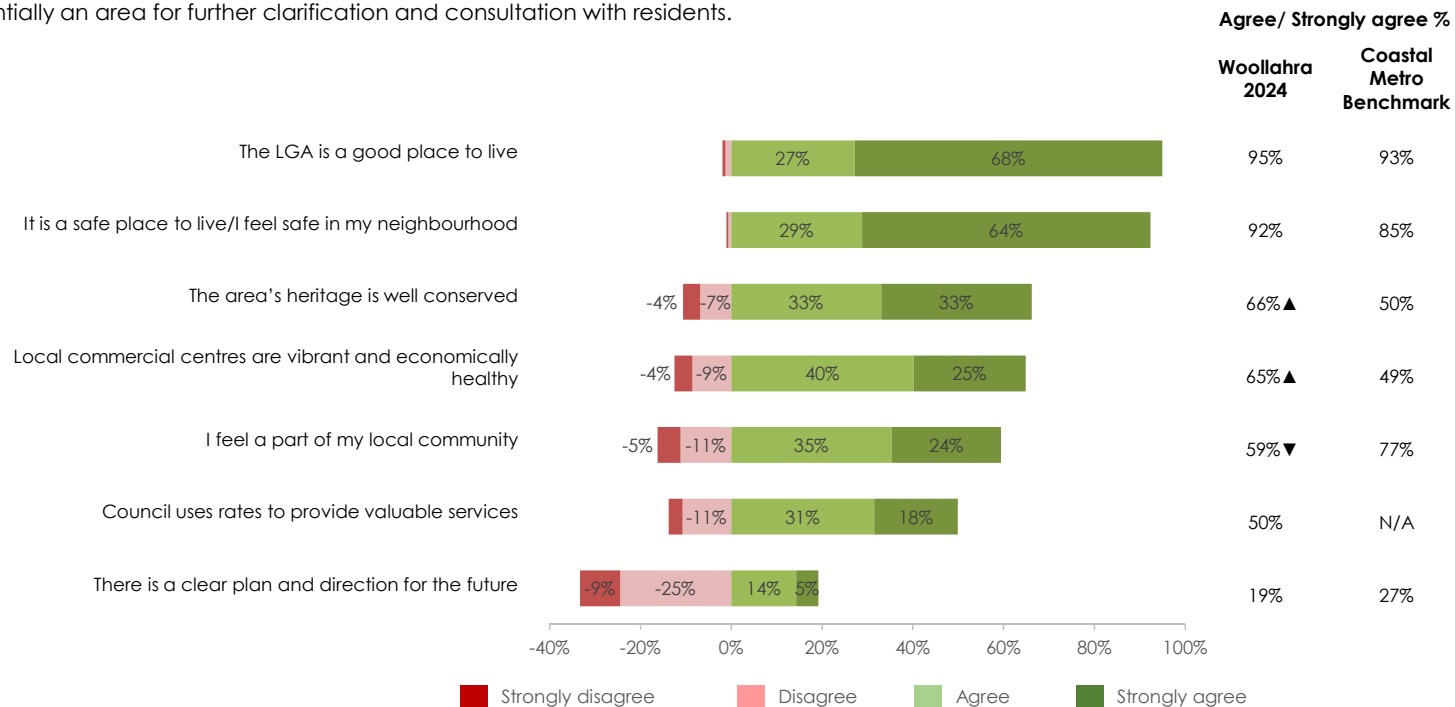
“Revitalising Double Bay Village”

Q1b. Thinking of the next 5 years and beyond, what do you believe will be the highest priority issues within the local area?

Please see Appendix 1 for complete list 6

Agreement with Liveability Statements

Agreement was extremely high for the LGA being a good, safe place to live. Compared to the Coastal Metro Benchmark, agreement was higher for heritage conservation and economic health and lower for feeling part of the community. Primarily neutral feelings towards future planning were noted, potentially an area for further clarification and consultation with residents.



Base: N=500-501

Note: Data labels of <4% have not been shown above

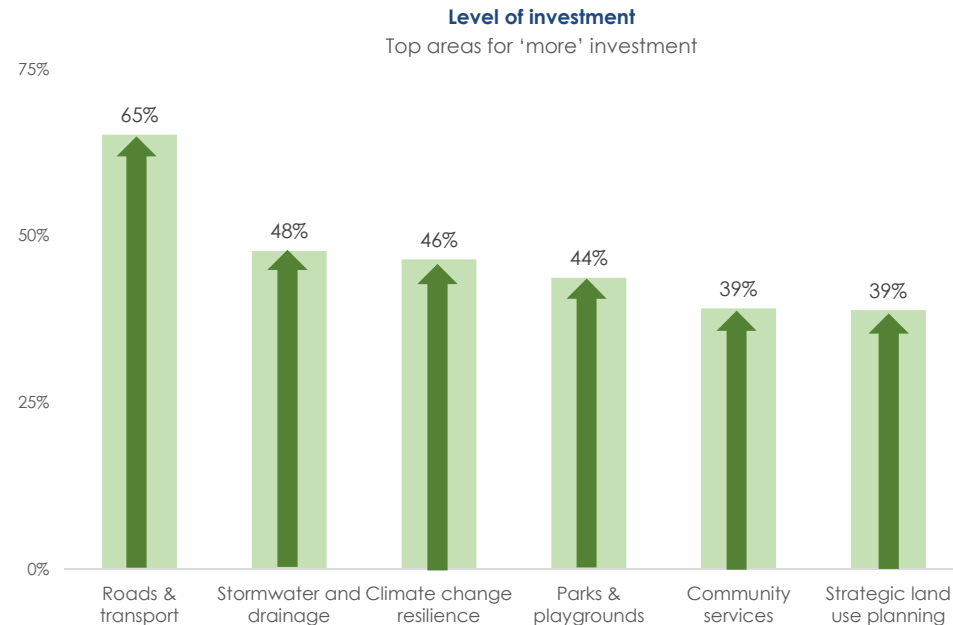
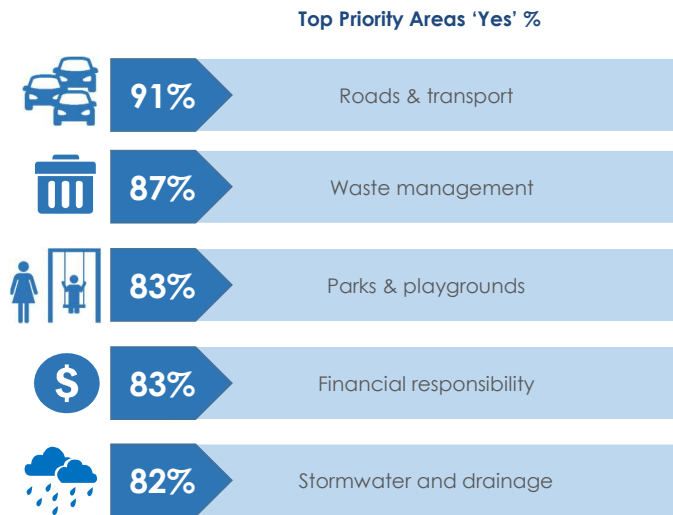
Q1c. Still thinking about living in the Woollahra local government area, I will read out a number of statements and or each of these could you please indicate your level of agreement with the statement?

Note: Benchmark differences are based on assumed variants of +/- 10%, with variants beyond +/- 10% more likely to be significant
▲/▼ = positive/negative difference equal to/greater than 10% from Benchmark.

Please see Appendix 1 for results by demographics 7

Planning for the Future – Summary

Overall, residents place a very high priority on roads & transport, with 91% stating this area is a priority for the local area and 65% would like to see Council invest more money into this area. Other high priority areas include; waste management, parks & playgrounds, financial responsibility, and stormwater and drainage. Stormwater and drainage was the second area identified that requires 'more' investment.

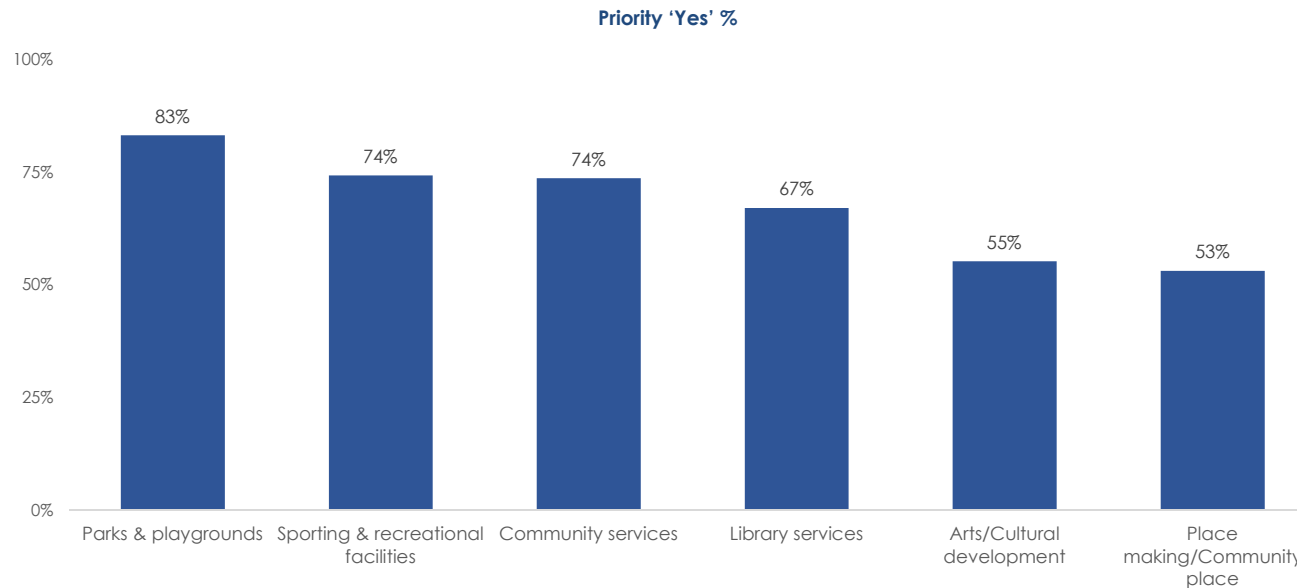


Base: N = 501

Q6a/b. To develop a delivery program that addresses current community needs and future community goals, Council is looking to understand what the community perceives to be the priority areas for the local area. I will read out a list of different topic areas and would like you to nominate the ones you think should be prioritised by Council, you can say as many or as few as you like. I will also ask if you think Council should be investing more, the same or less on each topic area.

Planning for the Future – Community

Within the 'Community' measures, parks & playgrounds is the highest priority with 83% of residents stating this area should be prioritised. Following parks & playgrounds, residents also placed a high priority in sporting & recreational facilities and community services. Residents of the Bellevue Hill ward were significantly more likely to state sporting & recreational facilities should be prioritised.



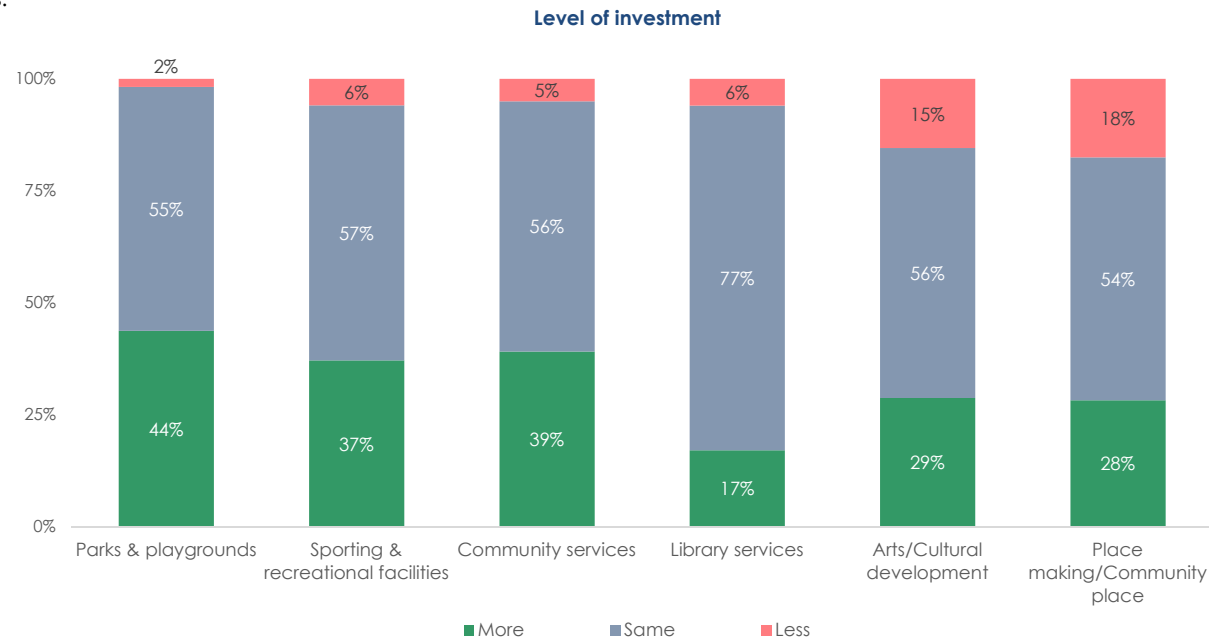
Base: N = 501

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Please see Appendix 1 for results by demographics 9

Planning for the Future – Community

As parks & playgrounds was identified to be the top priority area within the community measures, it is also the area with the greatest desired level of investment with 44% stating they would like to see Council invest 'more' into this area. The vast majority (77%) would like investment in library services to remain the same. Again, residents of the Bellevue Hill ward were significantly more likely to state they would like to see 'more' investment in sporting & recreational facilities.



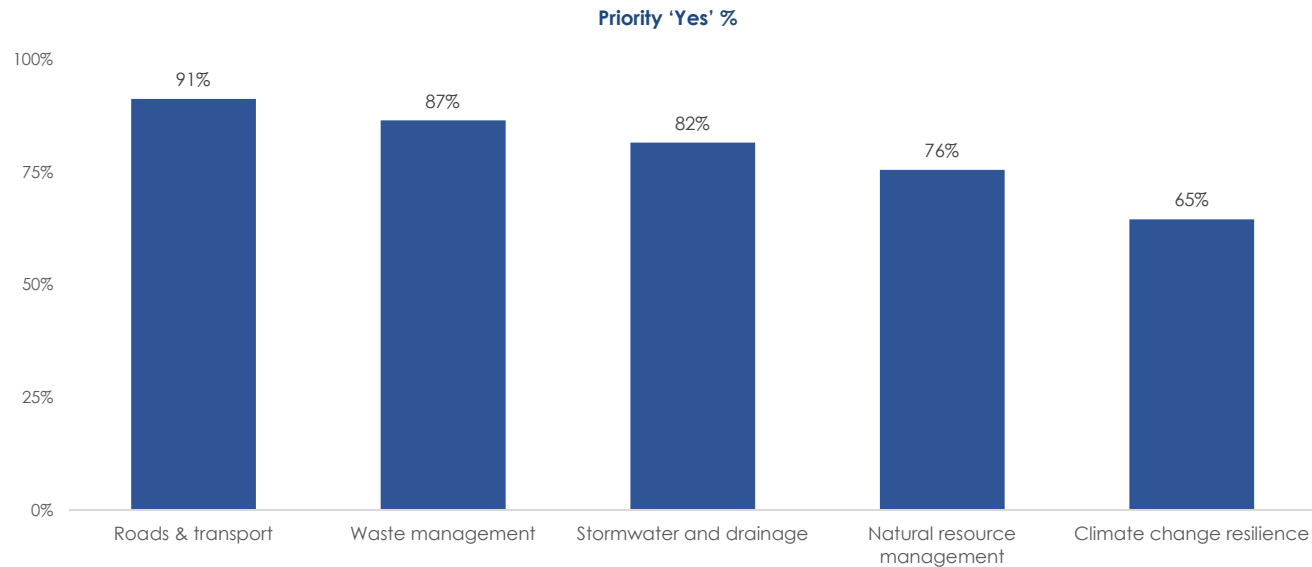
Base: N = 501

Q6a/b. To develop a delivery program that addresses current community needs and future community goals, Council is looking to understand what the community perceives to be the priority areas for the local area. I will read out a list of different topic areas and would like you to nominate the ones you think should be prioritised by Council, you can say as many or as few as you like. I will also ask if you think Council should be investing more, the same or less on each topic area.

Please see Appendix 1 for results by demographics 10

Planning for the Future – Infrastructure & Environment

Very high levels of priority were recorded for 'Infrastructure and Environment' measures, with 91% of residents stating roads & transport should be a priority area for Council to focus on, followed by waste management (87%) and stormwater and drainage (82%). Residents of the Vaucluse ward placed a significantly higher level of priority on roads & transport and waste management.



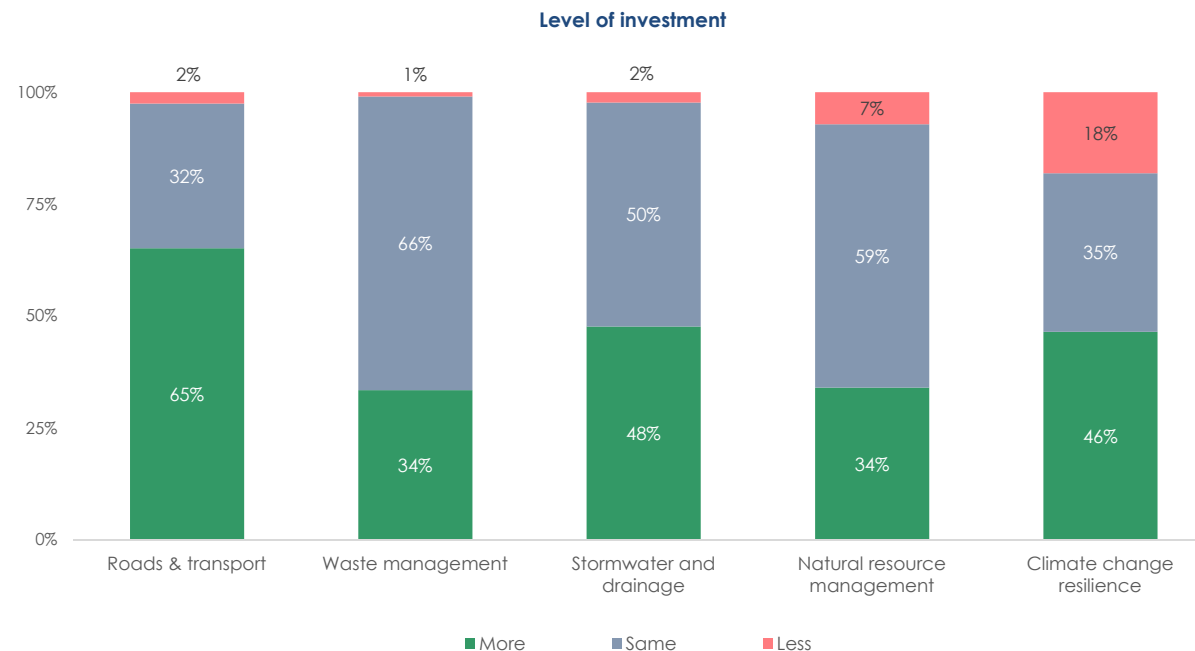
Base: N = 501

Q6a/b. To develop a delivery program that addresses current community needs and future community goals, Council is looking to understand what the community perceives to be the priority areas for the local area. I will read out a list of different topic areas and would like you to nominate the ones you think should be prioritised by Council, you can say as many or as few as you like. I will also ask if you think Council should be investing more, the same or less on each topic area.

Please see Appendix 1 for results by demographics 11

Planning for the Future – Infrastructure & Environment

Increased investment is greatest for roads & transport, with 65% of residents wanting to see 'more' investment in this area. Almost half of residents would also like to see 'more' investment in stormwater and drainage (48%) and climate change resilience (46%).



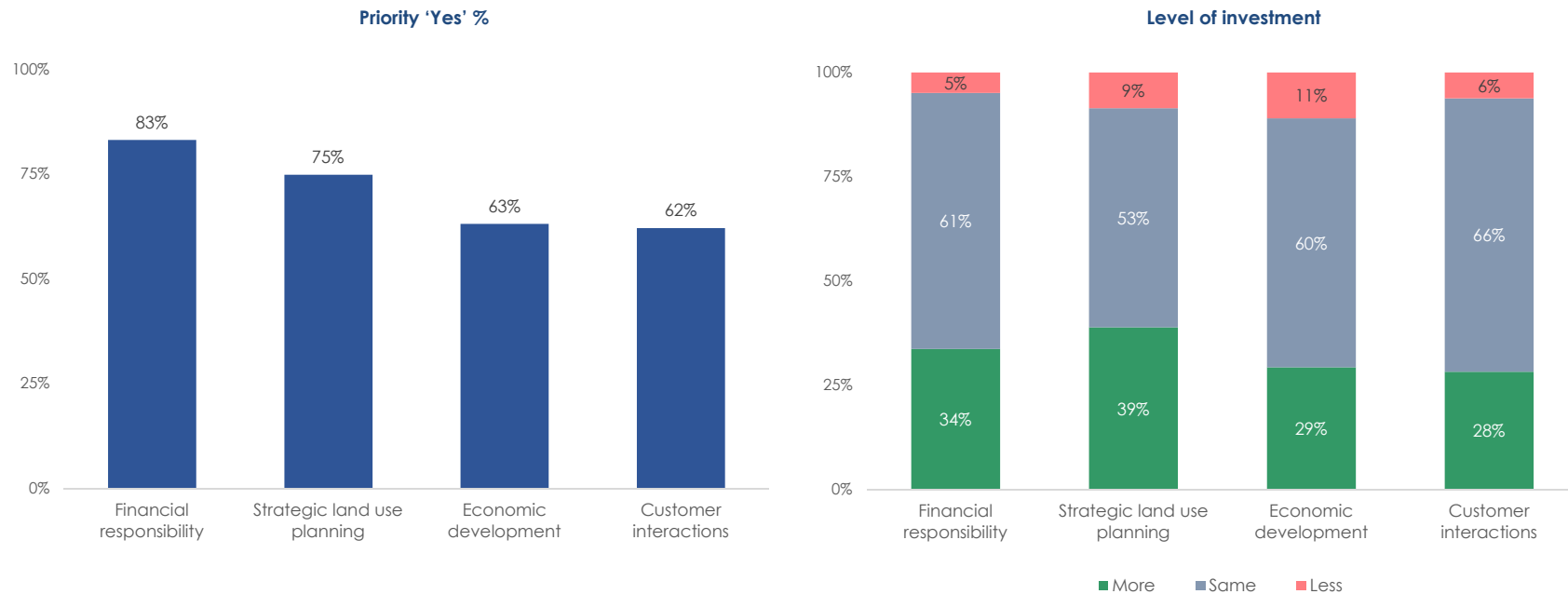
Base: N = 501

Q6a/b. To develop a delivery program that addresses current community needs and future community goals, Council is looking to understand what the community perceives to be the priority areas for the local area. I will read out a list of different topic areas and would like you to nominate the ones you think should be prioritised by Council, you can say as many or as few as you like. I will also ask if you think Council should be investing more, the same or less on each topic area.

Please see Appendix 1 for results by demographics 12

Planning for the Future – Governance & Planning

Amongst 'Governance & Planning' measures, residents placed a higher level of priority on financial responsibility (34% wanting to see more investment here) and strategic land use planning (39% stating Council should invest 'more' in this area). Ratepayers were significantly more likely to prioritise financial responsibility.



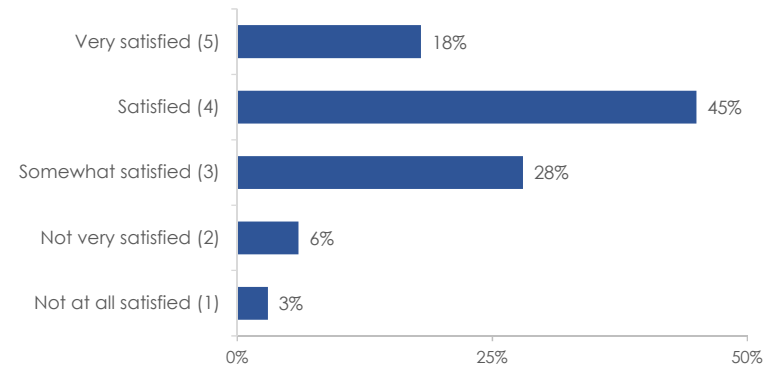
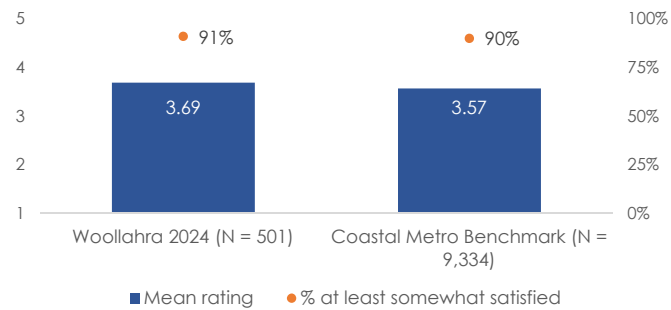
Base: N = 501

Q6a/b. To develop a delivery program that addresses current community needs and future community goals, Council is looking to understand what the community perceives to be the priority areas for the local area. I will read out a list of different topic areas and would like you to nominate the ones you think should be prioritised by Council, you can say as many or as few as you like. I will also ask if you think Council should be investing more, the same or less on each topic area.

Please see Appendix 1 for results by demographics 13

Overall Satisfaction

Resident satisfaction with Council's overall performance continues to improve, with 91% stating they are at least somewhat satisfied. Results are significantly greater than 2021 and above the Coastal Metro Benchmark (comparable councils).



	2024	2021	2017	2012	2009
Top 3 Box %	91%	87%	86%	85%	88%
Mean rating	3.69	3.45	3.36	3.36	3.56
Base	501	402	604	600	800

	Overall	Gender		Age				Ward					Ratepayer status	
		Male	Female	18 - 34	35 - 49	50 - 64	65+	Bellevue Hill	Vaucluse	Paddington	Double Bay	Cooper	Ratepayer	Non-ratepayer
Top 3 Box %	91%	90%	92%	95%	91%	89%	89%	93%	90%	93%	87%	92%	89%	98%
Mean rating	3.69	3.60	3.77	3.87	3.59	3.60	3.69	3.62	3.64	3.92	3.54	3.76	3.65	3.81
Base	501	229	272	139	121	110	127	106	93	95	106	101	381	120

Note: Question wording has changed and therefore results should be viewed from an interest point only

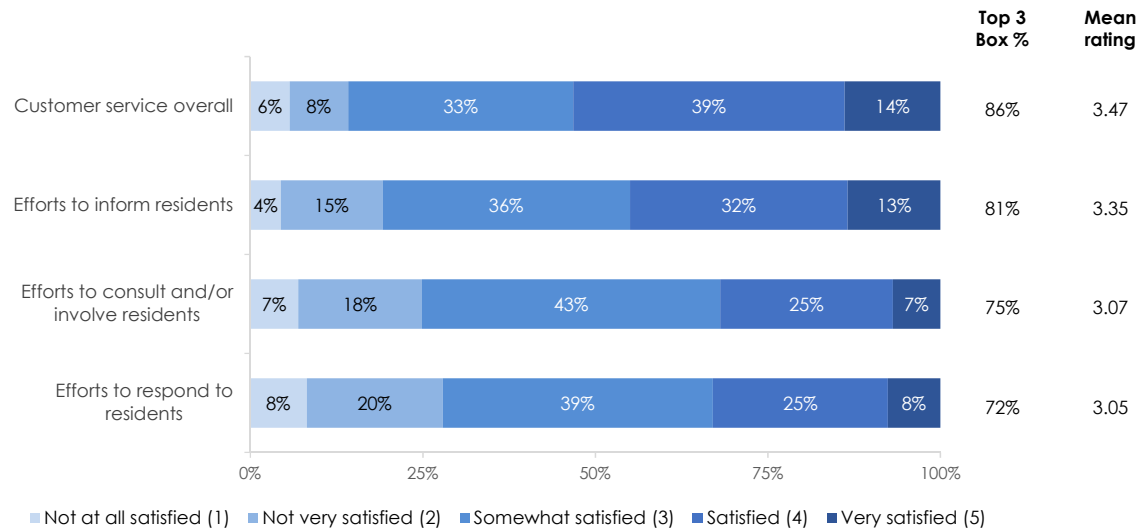
Q4. Overall, for the last 12 months, how satisfied have you been with the performance of Council in delivering essential services and infrastructure across all areas of responsibility?

Scale: 1 = not at all satisfied, 5 = very satisfied
A significantly higher/lower level of satisfaction (by group) 14

Satisfaction with Communication Efforts

Within customer service metrics, residents are most satisfied with Council's customer service overall, with 86% at least somewhat satisfied. Closely followed by Council's efforts to inform residents.

There is the opportunity to lift satisfaction with consultation/involvement and responsiveness.



Top 3 Box %	Overall	Gender		Age				Ward					Ratepayer status	
		Male	Female	18 - 34	35 - 49	50 - 64	65+	Bellevue Hill	Vaucluse	Paddington	Double Bay	Cooper	Ratepayer	Non-ratepayer
Customer service overall	86%	85%	87%	85%	87%	86%	86%	90%	78%	91%	83%	87%	85%	89%
Efforts to inform residents	81%	78%	83%	77%	79%	79%	88%	80%	80%	91%	70%	85%	83%	74%
Efforts to consult/ involve residents	75%	76%	74%	71%	75%	71%	83%	76%	76%	73%	71%	80%	77%	69%
Efforts to respond to residents	72%	72%	72%	74%	69%	71%	76%	77%	68%	74%	68%	73%	72%	73%
Base (minimum)	498	226	272	137	121	109	127	106	93	95	104	101	380	118

Q5. Can you please rate the following criteria regarding Council's efforts to communicate with residents?

Scale: 1 = not at all satisfied, 5 = very satisfied
A significantly higher/lower level of satisfaction (by group) 15

Importance & Satisfaction – Highest/Lowest Rated Services/Facilities

A core element of this community survey was the rating of 43 facilities/services in terms of Importance and Satisfaction. The analysis below identifies the highest and lowest rated services/facilities in terms of importance and satisfaction.

Importance

The following services/facilities received the highest T2 box importance ratings:

Higher importance	T2 Box	Mean
Domestic garbage collection	96%	4.79
Recycling	92%	4.62
Condition/maintenance of local roads	93%	4.59
Parks and playgrounds	91%	4.57
Walkways and footpath accessibility	91%	4.55

The following services/facilities received the lowest T2 box importance ratings:

Lower importance	T2 Box	Mean
Bike paths/cycleways	44%	3.18
Woollahra Gallery at Redleaf	47%	3.39
Woollahra Preschool	49%	3.22
Events and programs run or funded by Council	51%	3.54
Community buildings/halls	60%	3.71

T2B = important/very important
Scale: 1 = not at all important, 5 = very important

Satisfaction

The following services/facilities received the highest T3 box satisfaction ratings:

Higher satisfaction	T3 Box	Mean
Library services	98%	4.41
Woollahra Gallery at Redleaf	96%	4.08
Health inspections/food safety	96%	3.96
Community safety/crime prevention	95%	3.99
Bushland management	95%	3.89
Appearance of local area/town centre	95%	3.86

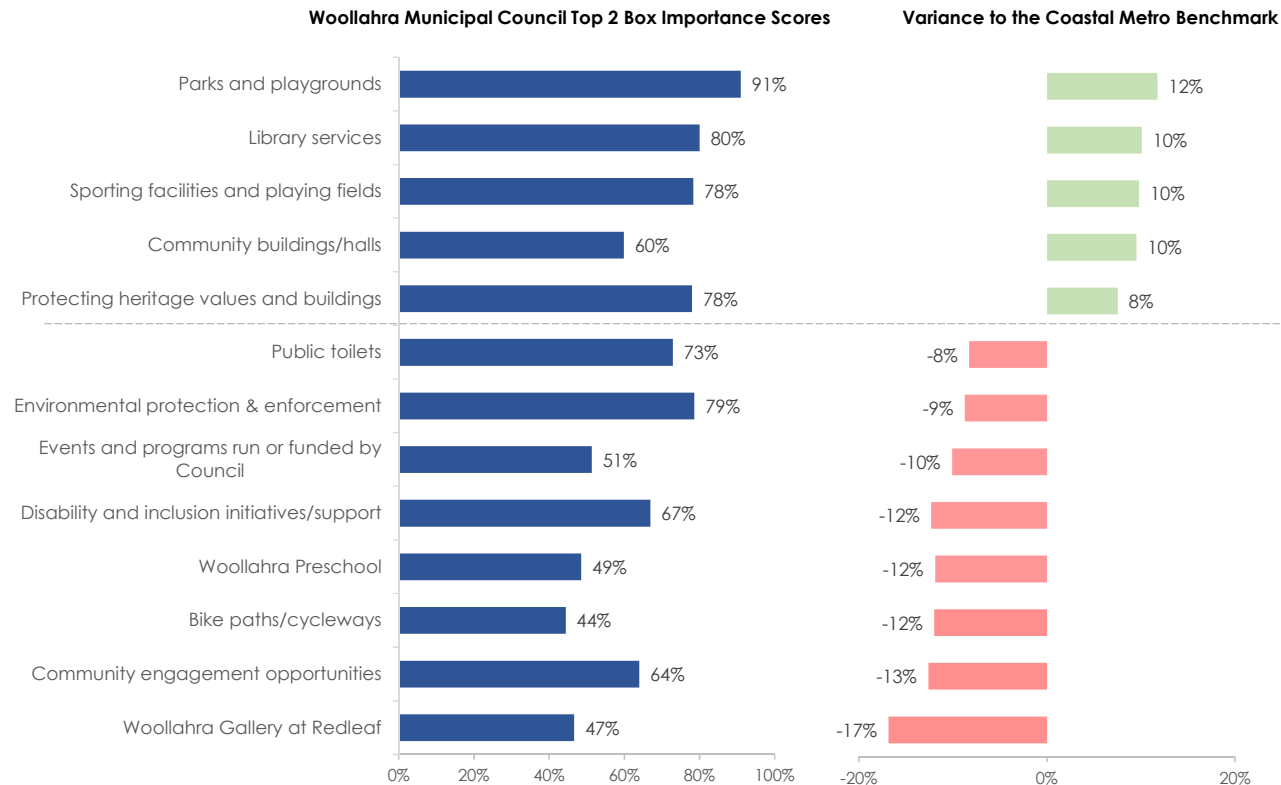
The following services/facilities received the lowest T3 box satisfaction ratings:

Lower satisfaction	T3 Box	Mean
Car parking availability	49%	2.55
Bike paths/cycleways	56%	2.68
Control of illegal parking	59%	2.77
Councils' development assessment process	64%	2.80
Managing residential development	64%	2.82

T3B = somewhat satisfied/satisfied/very satisfied
Scale: 1 = not at all satisfied, 5 = very satisfied

Summary Importance Comparison to the Coastal Metro Benchmark

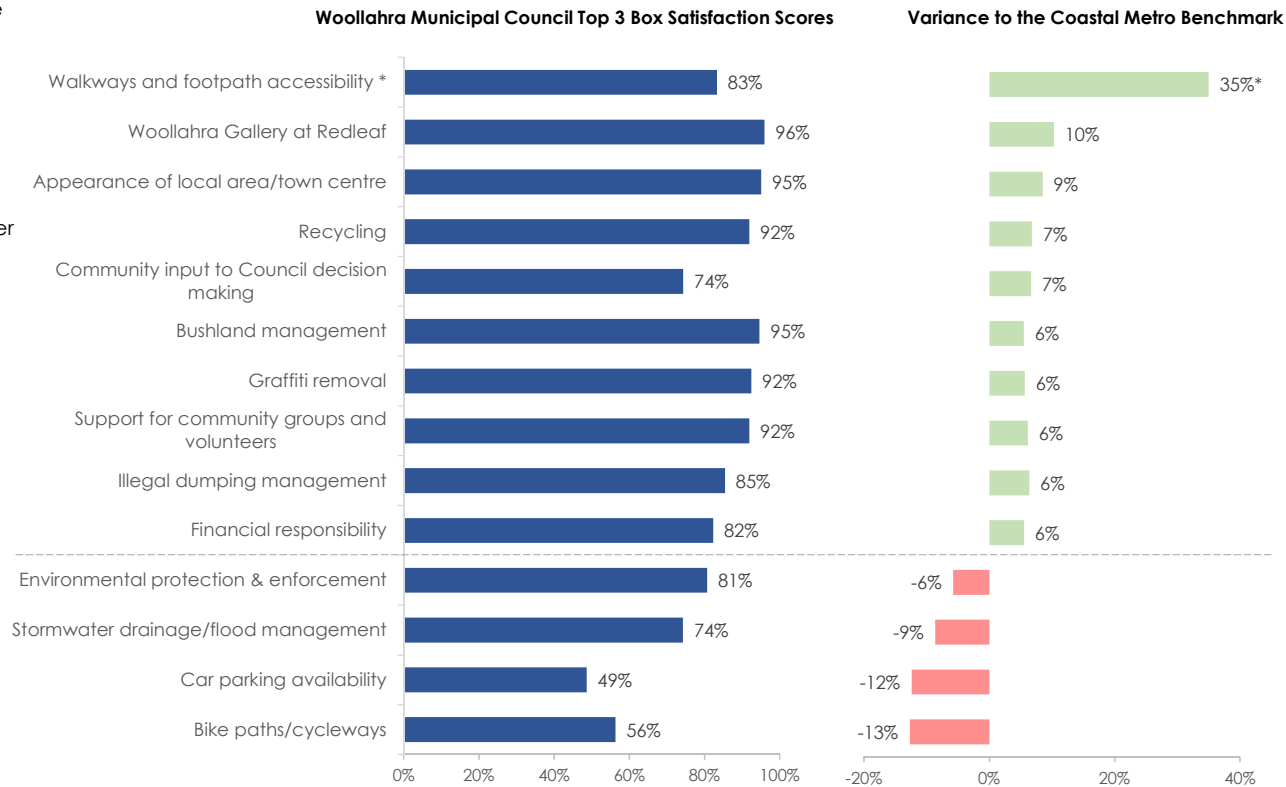
The chart to the right shows the variance between the Woollahra Municipal Council top 2 box importance scores and the Micromex Benchmark. Services/facilities shown in the below chart highlight larger positive and negative gaps.



Note: Only services/facilities with a variance of +/- 8% to the Benchmark have been shown above. Please see Appendix 1 for detailed list
Top 2 box = important/very important

Summary Satisfaction Comparison to the Coastal Metro Benchmark

The chart to the right shows the variance between Woollahra Municipal Council top 3 box satisfaction scores and the Micromex Benchmark. Services/facilities shown in the chart to the right highlight larger positive and negative gaps.



Note: Only services/facilities with a variance of +/- 5% to the Benchmark have been shown above. Please see Appendix 1 for detailed list
Top 3 box = at least somewhat satisfied - * Walkways and footpath accessibility is a partial fit benchmark measure

Performance Gap Analysis

When we examine the largest performance gaps, we can identify that all of the services or facilities have been rated as high in importance, whilst resident satisfaction for all of these areas is between 49% and 74%.

Connectivity (parking, roads and traffic) and planning and development are areas with the largest performance gaps overall, with the largest gap of 35% being for car parking availability in the LGA.

Service Area	Service/Facility	Importance T2 Box	Satisfaction T3 Box	Performance Gap (Importance – Satisfaction)
Transport & Connectivity	Car parking availability	84%	49%	35%
Planning & Development	Managing residential development	87%	64%	22%
Transport & Connectivity	Condition/maintenance of local roads	93%	74%	18%
Transport & Connectivity	Traffic management	83%	66%	17%
Service Delivery & Asset Management	Stormwater drainage/flood management	89%	74%	15%
Planning & Development	Management of development/town planning	83%	71%	12%
Planning & Development	Councils' development assessment process	74%	64%	10%

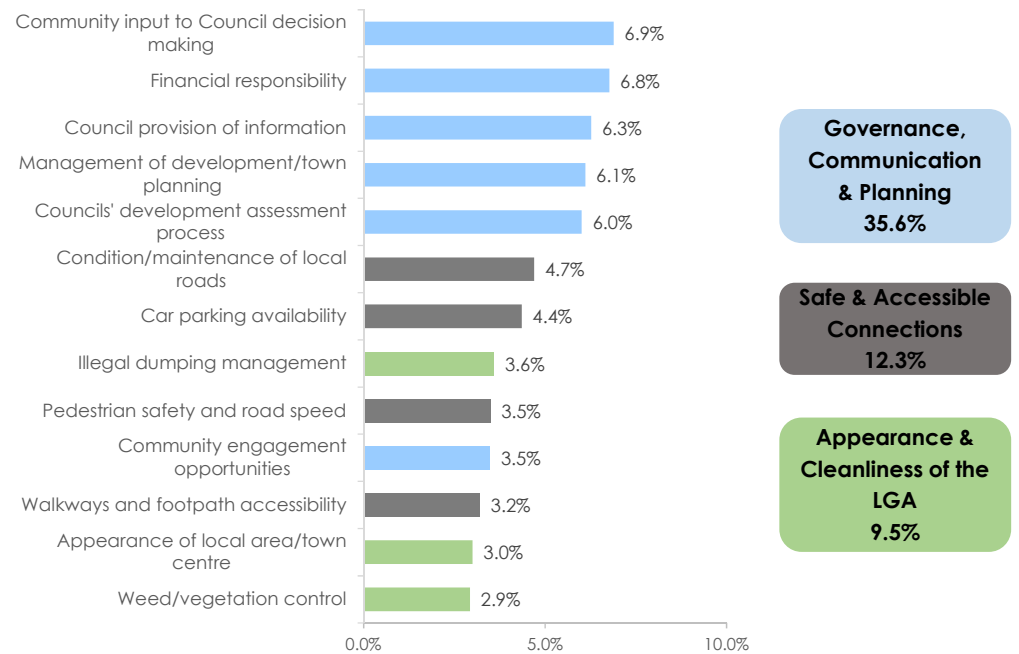
Note: Performance gap is the first step in the process, we now need to identify comparative ratings across all services and facilities to get an understanding of relative importance and satisfaction at an LGA level. This is when we undertake step 2 of the analysis.

Please see Appendix 1 for full Performance Gap Ranking

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Key Drivers of Overall Satisfaction with Council

The score assigned to each area is not a measure of satisfaction/dissatisfaction – rather, it indicates the percentage of influence each measure contributes to overall satisfaction with Council. All services/facilities are important – but if Council can increase satisfaction in these key driver areas, they will likely see an improvement in overall community satisfaction.



These top 13 services/facilities (so 30% of the 43 services/facilities) account for over 60% of the variation in overall satisfaction.

Investigating the measures separately, 'Community input to Council decision making' is the most vital driver of overall satisfaction, followed by 'financial responsibility' and 'Council provision of information'.

However, after summarising them into 3 thematic groups, governance, communication and planning is the most important driver category. Further, safe and accessible connections and appearance and cleanliness of the LGA are also important drivers.

Barriers R² value = 0.46%
Optimisers R² value = 0.42%

Note: Please see Appendix 1 for complete list

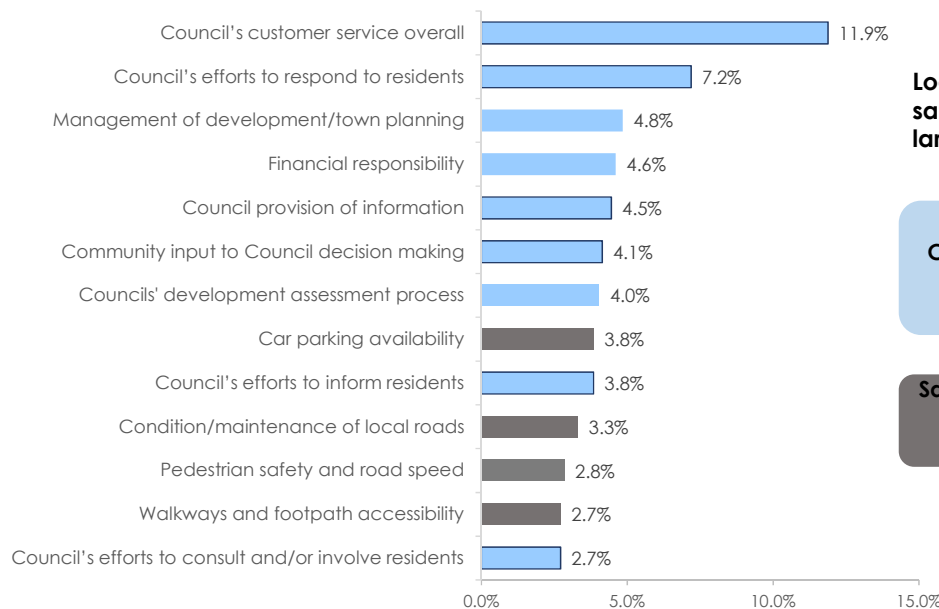
Dependent Variable: Q4. Overall, for the last 12 months, how satisfied have you been with the performance of Council in delivering essential services and infrastructure across all areas of responsibility?

20

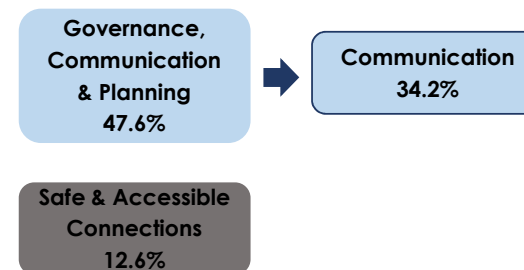
Key Drivers of Overall Satisfaction with Council – Expanded Model

We did the initial regression analysis using the 43 services/facilities, now we have conducted the same analysis including the 4 communication/customer service measures. The below chart is a re-run of the key drivers contributing to overall satisfaction (shown on slide 33), but expanding to include “Q5. Can you please rate the following criteria regarding Council’s efforts to communicate with residents?” (see below) as potential drivers.

- Council’s efforts to inform residents
- Council’s efforts to consult and/or involve residents
- Council’s efforts to respond to residents
- Council’s customer service



Looking at this expanded model we can see that, satisfaction with Council’s customer service is the largest driver of overall satisfaction



Barriers R² value = 0.52%
Optimisers R² value = 0.47%

Note: Please see Appendix 1 for complete list




Dependent Variable: Q4. Overall, for the last 12 months, how satisfied have you been with the performance of Council in delivering essential services and infrastructure across all areas of responsibility?

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Satisfaction Scorecard

31 of the 42 services and facilities had a top 3 box score (at least somewhat satisfied) of 80% or more.

Parking (availability and control of illegal parking) and bike paths/cycleways recorded a satisfaction score of less than 60%.

-  **Good performance**
(T3B sat score ≥80%)
-  **Monitor**
(T3B sat score 60%-79%)
-  **Needs improvement**
(T3B sat score <60%)

Governance, Leadership & Communication	Transport & Connectivity	Service Delivery & Asset Management
Community input to Council decision making	Car parking availability	Health inspections/food safety
Community engagement opportunities	Control of illegal parking	Weed/vegetation control
Council provision of information	Pedestrian safety and road speed	Stormwater drainage/flood management
Environmental and sustainability initiatives	Traffic management	Illegal dumping management
Environmental protection & enforcement (building site inspections, rubbish dumping, etc.)	Bike paths/cycleways	Green waste collection
Financial responsibility	Walkways and footpath accessibility	Domestic garbage collection
	Condition/maintenance of local roads	Recycling
	Service Delivery & Asset Management	Bushland management
	Library services	Protecting the natural environment
	Sporting facilities and playing fields	Tree management
	Events and programs run or funded by Council	Management of harbour foreshore facilities
	Woollahra Gallery at Redleaf	Community Support
	Parks and playgrounds	Woollahra Preschool
	Community buildings/halls	Disability and inclusion initiatives/support
	Street cleaning	Support for community groups and volunteers
	Public toilets	
	Graffiti removal	
	Community safety/crime prevention	
	Appearance of local area/town centre	
Management of development/town planning		
Managing residential development		

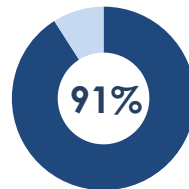
Summary Findings

Residents of the Woollahra Municipal Council area are very satisfied with Council's overall performance and with Council's delivery of services across the LGA, with the majority of service areas achieving a satisfaction score of 80% or more. Satisfaction with Council's communication efforts is also high.

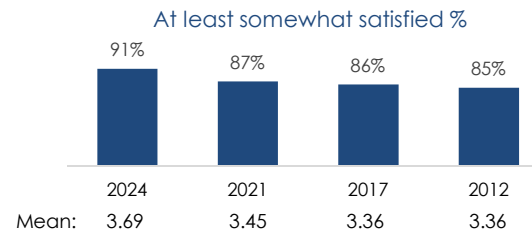
Key drivers of overall satisfaction tend to centre on governance and communication, particularly community input, financial responsibility, provision of information, management of development/ town planning and the DA process. Expanding the regression model, results further emphasise communication with customer service and responsiveness being the top two drivers overall.

Areas to further investigate include community expectations around responsiveness, connectivity measures (such as parking availability, bike paths/ cycleways, local roads and traffic) and development measures (such as residential management, town planning and DAs). Roads was selected as a top priority area by 91% of residents, with 65% stating they would like Council to invest more in this area.

Overall Satisfaction



91% of Woollahra Municipal Council residents are at least somewhat satisfied with the performance of Council in the last 12 months.



Top importance and satisfaction areas

Most important	High performers
Domestic garbage collection	Library services
Recycling	Woollahra Gallery at Redleaf
Condition/maintenance of local roads	Health inspections/food safety
Parks and playgrounds	Community safety/crime prevention
Walkways and footpath accessibility	Bushland management
	Appearance of local area/town centre

Drivers of Satisfaction

The primary drivers of satisfaction revolve around Council governance/communication:



Community input to Council decision making



Financial responsibility



Provision of information

Item No: 12.3
Subject: **PERMIT PARKING GUIDELINES - REQUEST FOR FEEDBACK ON PROPOSED AMENDMENT**
Author: Tom O'Hanlon, Director Infrastructure & Sustainability
Approver: Craig Swift-McNair, General Manager
File No: 24/97447
Purpose of the Report: To seek a resolution of Council prior to providing feedback to Transport for NSW on an amendment to the NSW Permit Parking Guidelines
Alignment to Delivery Program: Strategy 6.2: Management of public parking on-street and off-street.

Recommendation:

THAT Council request the General Manager write to Transport for NSW, objecting to the proposed amendment to the NSW Permit Parking Guideline that would require that any permit holder exception to a parking restriction must have a permissive parking limit of not less than one hour, as outlined in correspondence received by Council on 31 May 2024.

Executive Summary:

The General Manager has received a request from Transport for NSW (TfNSW) to provide feedback on a proposed amendment to the NSW Parking Permit Guidelines (the Guidelines). The proposed amendment would require that any permit holder exception to a parking restriction must have a permissive parking limit of not less than one hour.

The permit parking scheme at Watsons Bay (which was endorsed by Council in November 2023 for a six month trial period), includes a permissive parking limit of 15 minutes. If the proposed amendment to the Guidelines is adopted by TfNSW, the Watsons Bay permit parking scheme would not be able to continue in its current form.

It is therefore recommended that Council object to the proposed amendment to the Guidelines and request that Council continue to be permitted to set a minimum permissive parking limit that suits specific local circumstances.

Discussion:

On 15 November 2023, following significant community input and legal advice, Council considered a report on the Permit Parking Scheme for Watsons Bay and resolved as follows;

Noting there are 984 available parking spaces in Watsons Bay and that 65 have an existing parking restriction 'No Parking, Permit Holders Excepted', that Council:

- A. *Approves a permit parking trial scheme, for a period of up to 6 months in Watsons Bay which replaces all "No Parking Permit Holders Excepted Area WB1" and resident only spaces with "P15minute Permit Holders Excepted Area WB1" spaces.*
- B. *Note that corflute signs will be displayed on-site and/or letterbox-drop notification letters will be sent to local residents and businesses within 50 metres of new parking restrictions for notification purposes only.*
- C. *Note that Council's Regulatory Services will continue to proactively monitor and enforce on-street parking in Watsons Bay, particularly during the summer and Easter peak period, in order to improve parking compliance in the area.*

- D. *Note that a further report following the permit parking trial scheme, be presented to Council prior to the end of the proposed permit parking trail scheme to consider a long-term permit parking scheme for Watsons Bay in March 2024.*
- E. *Council staff continue discussions with NPWS and formally offers Council services to regulate the existing free parking in the carpark adjacent to Camp Cove to amongst other things provide for disabled access to the beach from the closest available car park spaces.*
- F. *That in the event that the disabled parking space by 5 Pacific Street Watsons Bay is no longer required by the permit holder, a "P15minute Permit Holders Excepted Area WB1" is approved as the replacement sign.*

New signage, consistent with Part A of the recommendation, was installed on 1 December 2023. Over the summer trial period, staff have been recording parking occupancy data and in recent weeks have conducted a survey of affected residents in relation to the trialled parking changes. The results of the survey (which only closed on 7 June 2024), had not been collated at the time of writing this report, noting that it has been the intention of Council staff that a report on the trial, with recommendations for longer term arrangements, would be brought to the Local Traffic Committee and Council in July 2024.

On the evening of Friday 31 May 2024, the General Manager received correspondence from TfNSW seeking feedback on a proposed amendment to the NSW Permit Parking Guidelines (Attachment 1). The correspondence requested that feedback be provided by Monday 10 June 2024. In response, TfNSW has been advised that feedback will be provided after the elected Council has had an opportunity to consider the matter, with the first available opportunity being this Council meeting of 11 June 2024.

The proposed amendment would insert the following words in the Guidelines under the heading 'Parking Signs'.

Signage displaying permit holder exceptions must have a permissive parking limit of not less than one hour. Permits must not be issued if this minimum time is not met.

As noted in legal advice previously provided to Council, the Permit Parking Guidelines are referenced in the NSW Road Transport (General) Regulation 2021, as follows;

120 Parking permits

- (1) *A parking authority may issue a permit authorising the parking of a vehicle without charge or time restrictions in a parking space—*
 - (a) *located within a parking area or road specified in the permit, and*
 - (b) *designated by the parking authority for use by holders of the permit.*
- (2) *The permit may be issued in electronic or printed form.*
- (3) **Transport for NSW may issue TfNSW guidelines from time to time for the issuing of parking permits.**
- (4) *Transport for NSW must publish the TfNSW guidelines—*
 - (a) *on a publicly accessible website maintained by Transport for NSW, or*
 - (b) *if the website referred to in paragraph (a) is not available—on a publicly accessible government website.*
- (5) **A parking authority must not issue a permit except in accordance with the TfNSW guidelines.**

It follows that should the proposed amendment to the Guidelines be approved, the current 15 minute permissive parking limit at Watsons Bay would be in breach of the Regulation and therefore could not be continued permanently. In light of this, it is recommended that the General Manager provide feedback to TfNSW that Council objects to the proposed amendment to the Permit Parking Guidelines as it would limit Council's ability (as the Roads Authority), to manage local parking in accordance with specific local circumstances.

Options:

Council may resolve in line with the recommendations as included in this report or Council may choose to resolve in some other manner.

Community Engagement and / or Internal Consultation:

There has not been an opportunity to consult with the community on the specific changes to the Guidelines as proposed by TfNSW. A survey on the changes implemented as part of the above-mentioned trial at Watsons Bay over the summer months of 2023-2024 concluded on Friday 7 June, with the results of that survey not yet having been collated at the time of writing this report. It may be possible for staff to provide a verbal overview of feedback received from the survey during this Council meeting.

It is noted that, based on extensive community feedback received throughout 2023, staff believe that the local Watsons Bay community are unlikely to be in favour of an amendment to the Guidelines that requires a minimum permissive parking limit of an hour or more.

Policy Implications:

There are no specific policy implications arising from this report, although it is noted that the proposed change to the Permit Parking Guideline would impact future Council decision making in relation to Permit Parking Schemes.

Financial Implications:

Should the amendment to the Parking Permit Guidelines be adopted, a number of parking signs at Watsons Bay would become unlawful and would need to be amended or replaced. This cost is unlikely to be material and could be managed within existing budgets.

Resourcing Implications:


There are no resourcing implications as a result of this report.

Conclusion:

TfNSW have sought feedback on a proposed amendment to the NSW Parking Permit Guidelines which would require that any permit holder exception to a parking restriction must have a permissive parking limit of not less than one hour. This would have the effect of preventing the retention in the long term, of the permit parking scheme currently being trialled at Watsons Bay.

It is recommended that the General Manager write to TfNSW objecting to the proposed amendment.

Attachments

1. Draft NSW Parking Permit Guidelines - issued by Transport for NSW - May 2024 [↓](#) 

Transport
for NSW

Permit Parking Guidelines

transport.nsw.gov.au



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- Figure 1.** Examples of permissive parking signs
Figure 2. Examples of special event parking signs

Introduction

Parking permits help to improve amenity for road users in locations where there is insufficient off-street parking and where on-street parking is restricted. Permit parking also helps to balance the needs of the local community in areas of high demand.

The provisions of the Road Transport (General) Regulation 2021 have replaced the six previously existing classes of permit parking with the general concept of a 'parking permit'.

The intention is to provide for greater flexibility in the operation of permit parking schemes and reduce the administrative load on parking authorities.

Parking authorities (local councils and declared organisations) are under no obligation to establish permit parking in their areas of operations. However, if they do propose to establish a permit parking scheme, it must comply with the Regulation and this guideline.



Legislation

The following legislation (available at www.legislation.nsw.gov.au) provides the framework for permit parking schemes.

Transport Administration Act 1988	Section 31 gives TfNSW the authority to delegate functions to an authorised person.
Transport Administration (General) Regulation 2018	Section 19-20 prescribes additional classes of people to whom TfNSW may delegate functions.
Road Transport Act 2013	Sections 121 to 126 set out the requirements relating to traffic control devices and the authority for installing, displaying or removing them.
Road Transport (General) Regulation 2021 (made under the Road Transport Act 2013)	<p>Sections 120-127 provide for the issue of parking permits and special event parking schemes.</p> <p>Sections 161 and 162 provide offence provisions for failing to comply with requirements or giving false or misleading information, for example, misuse of permits.</p> <p>Schedule 2 lists declared organisations.</p> <p>Schedule 4 prescribes authorised officers for the purposes of the Regulation.</p> <p>Schedule 5 prescribes penalty notice offences for the purposes of the Act.</p>
Road Rules 2014 (made under the Road Transport Act 2013)	Rules 204 to 207, 317 and 318 describe the application of signs and driver responsibilities relating to permissive parking signs and fees.

Definitions and abbreviations used in this manual

Area of operations	<p>a) A council's local government area</p> <p>b) A declared organisation's area of operations as specified in Schedule 2 of the Regulation.</p>
Car share operations	<p>Car share schemes may operate on the basis of fixed parking spaces or non-fixed parking spaces, or a mixture of both. In order to comply with regulations, fixed and non-fixed parking spaces are administered differently:</p> <ul style="list-style-type: none"> • Fixed space – vehicle is picked up from and returned to the same designated car space. Parking is administered by signage • Non-fixed space – operates without designated parking spaces. Depending on the terms and conditions of the scheme, vehicles may have to be returned to a designated neighbourhood or they may be used for one way journeys. Parking is administered by permit. <p>Refer to TfNSW Technical Direction TDD 2018/001 Guidelines for on-street fixed space car share parking (see References).</p>
Classified road	Roads declared under Part 5 of the <i>Roads Act 1993</i> and published from time to time on the TfNSW website.
Council	Local government authority
Declared organisation	An organisation that has been declared the parking authority for an area of operations in Schedule 2 of the Regulation.
Household	A house, home-unit, flat or apartment where one person resides alone or a group of people reside together. A hotel is not considered a household.
Motor vehicle	A vehicle (other than a bicycle) that is built to be propelled by a motor that forms part of the vehicle.
Park, parking or parked	As defined in the <i>Road Rules 2014</i> , where a driver stops a vehicle and allows the vehicle to stay (whether or not the driver leaves the vehicle).

Parking area	<p>As defined in the Regulation, means the following:</p> <ul style="list-style-type: none"> • Pay parking area • Permissive parking area • Special event parking area.
Parking authority	A council or declared organisation.
Parking permit	<p>A permit authorises the parking of a vehicle without charge or time restrictions in a parking space:</p> <ul style="list-style-type: none"> • Located within a parking areas or roads specified in the permit • Designated by the parking authority for use by the holders of the permit. <p>A permit might be issued in printed or electronic form.</p>
Pay parking area	Is a parking area designated by one or more permissive parking signs where information on or with the sign indicates that a fee is payable for parking in the area.
Permissive parking area	The part of a road to which a permissive parking sign applies.
Permissive parking sign	The part of a road to which a permissive parking sign applies.
Permissive parking space	Means a parking bay in a permissive parking area.
Special event parking schemes	The Regulation (section 127) allows Transport for NSW to establish and operate a special event parking scheme for a road and may set aside the whole or part of a road as a special event parking area.
TfNSW	Transport for NSW
Road and road related area	Has the same meaning as rules 12 and 13 of the <i>Road Rules 2014</i> . References to a road also include a road related area unless otherwise stated.
The Regulation	The Road Transport (General) Regulation 2021.
Trailer	As defined in the <i>Road Rules 2014</i> : a vehicle that is built to be towed, or is towed, by a motor vehicle, but does not include a motor vehicle that is being towed.
Truck	As defined in the <i>Road Rules 2014</i> : a motor vehicle with a GVM over 4.5 tonnes, except a bus, tram or tractor.

Responsibilities

Transport for NSW

TfNSW is responsible for the control of traffic on all roads in New South Wales. Traffic is controlled by the installation of prescribed traffic control devices, such as regulatory signs for parking, or traffic control facilities, such as medians. Certain aspects of the control of traffic have been delegated to councils of local government areas and other organisations as prescribed by legislation.

The Regulation provides that TfNSW may issue guidelines relating to the issue of parking permits (these guidelines) and, if it does so, must publish the guidelines on a publicly accessible website. Parking authorities must not issue permits except in accordance with the TfNSW guidelines.

TfNSW will provide advice on matters relating to traffic management, traffic efficiency and road safety, including proposals involving parking schemes on roads and road related areas. Parking authorities may engage with TfNSW either directly or through the local traffic committee.



Councils

Councils are responsible for:

- Referring all proposed permit parking schemes to the local traffic committee for consideration
- Ensuring that parking permit schemes comply with TfNSW guidelines
- Establishing and operating permit parking schemes on roads and road related areas within their area of operations, except on classified roads if approved by TfNSW
- Developing a parking strategy that includes proposed permit parking schemes, supported by parking studies and community consultation
- Installing and maintaining parking control signs associated with the permit parking scheme
- Installing parking control signs associated with declared organisations' permit parking schemes, if and as required
- Installation, maintenance, enforcement and other administrative costs associated with the permit parking scheme
- Keeping records of the types of traffic control devices installed, time and date of installation, and display, alteration or removal of signs.

For more information on TfNSW delegation to councils and the operation of traffic committees, refer to A Guide to the Delegation to Councils for the Regulation of Traffic (see References).

Declared organisations

Declared organisations are listed in Schedule 2 of the Regulation. As parking authorities, declared organisations are able to issue parking permits in accordance with the Regulation and these guidelines.

However, declared organisations are **not** delegated the authority to install, display, alter or remove prescribed traffic control devices. Accordingly, declared organisations must work with local council/s or TfNSW to implement a parking scheme in their area of operations.

Declared organisations are responsible for:

- Establishing and operating permit parking schemes on roads and road related areas within their area of operations, except on classified roads unless approved by TfNSW
- Developing a parking strategy that includes proposed permit parking schemes, supported by parking studies and community consultation
- Liaising with local council/s to install and maintain parking control signs associated with the permit parking scheme. This will involve referral to the local traffic committee
- Bearing all installation, maintenance, enforcement and other administrative costs associated with the permit parking scheme
- Keeping records of the types of traffic control devices installed, time and date of installation, and display, alteration or removal of signs.

Parking strategies

Key to the NSW Government's congestion management, urban planning and liveability strategies are the promotion of public transport use and the encouragement of walking and cycling. A parking strategy is one of the tools available to local authorities to realise these objectives and to meet the local community's needs for mobility, access and equity. In NSW, there are no areas set aside exclusively for permit parking.

Parking authorities should develop their parking strategies to align with State government and other planning and transport strategies. In addition, strategies should include:

- reference to Australian Standard 2890: Parking facilities, the Austroads Guide to Traffic Management Part 11: Parking
- reference to TfNSW supplements to the Australian Standard and Austroads Guide
- evidence of consultation with stakeholders.

In developing parking strategies, councils and declared organisations are encouraged to work together where parking operations may benefit from cross boundary policies.

Parking authorities may be required from time to time to share parking information with TfNSW. This will help the development of evidence-based traffic and transport plans and strategies.

Parking authorities and car share operators may be required from time to time to share parking information with TfNSW. This will help the NSW Government develop evidence-based traffic and transport plans and strategies.

Parking permits

For the purposes of this guideline, a parking permit may be:

- a virtual product held in an electronic or other database that contains all relevant information about the permit, permit holder and vehicle (such as class of permit, applicant's name, residential or business address, vehicle registration, area or road to which the permit applies, expiry date, unique alpha-numeric code, any other relevant information, terms or conditions of use).
- A printed permit with sufficient information to ensure that it can be understood by the user and allow effective enforcement.

Long term parking permits may be issued where an extended length of stay is expected or frequency of use is high.

Short term parking permits may be issued for casual or one-off uses, for durations of a few hours to a maximum of 30 days. Short term permits may be issued directly to a user or in bulk to a resident or business which can issue permits to visitors or business services.

Examples of long and short term permit formats are in Appendix A.

Eligibility criteria and features of a permit parking scheme

- There must be high demand for parking in the area
- There is inadequate off-street parking and no potential to modify premises or create off-street parking in the area
- There is little or no unrestricted on-street parking close by
- A vehicle, for the purposes of a permit, is not a truck, bus, tram, tractor or trailer (boat or caravan)
- A vehicle must be registered in NSW or classified as a vehicle temporarily in NSW under Schedule 1 of the Road Transport (Vehicle Registration) Regulation 2017
- Parking authorities have discretion over the total number of permits issued in their areas of operations
- A permit parking scheme that operates solely within a council's or declared organisation's area of operations must be distinct from other parking authorities' schemes

- A permit parking scheme that crosses council or declared organisation boundaries may have a common identification code across all areas of operation, but must be distinct from other permit parking schemes
- A permit parking scheme must be established and administered so users can readily identify which scheme applies to their vehicle
- Scheme identification codes must be displayed on permissive or pay parking signs

Reasons for issuing parking permits

The Regulation no longer specifies different permit classes. This is to allow parking authorities flexibility in the types of permits that are issued. Nevertheless, there are certain criteria which will help determine the basis for permit issue in the parking authority's area of operation.

Parking permit criteria include:

- Business needs where there is inadequate on-street parking to allow local businesses (principals and employees) to pick up or deliver goods and/or provide services
- Business needs where tradespeople require short term access to areas of high demand
- Needs of car share operations using non-fixed parking spaces where vehicles may have to be returned to a designated neighbourhood or used for one way journeys¹
- Needs of commuters accessing public transport who may or may not reside in the parking authority's area of operations but who can demonstrate public transport travel needs
- Needs of residents who live in areas of high parking demand and can demonstrate that they have access to a registered vehicle which they own or use. Household permit issue to residents (including those for boarding houses) should take into account:
 - o Access to off street parking
 - o Number of available on street parking spaces
 - o Number of permits already on issue to household.
- Determining the issue of permits: where the number of requests exceeds the number of available on-street parking spaces, parking authorities should ensure that only residents who do not have access to unrestricted parking along the kerbside are eligible to apply for a permit. Applications should be prioritised as follows:



- o No off-street parking space
- o One off-street car space
- o Two or more off-street car spaces
- Needs of residents of short term rental accommodation who can demonstrate to the satisfaction of the parking authority that they are residents
- Needs of residents' visitors for permit issue where:
 - o There is no off street parking at the resident's address
 - o There are no unrestricted on-street parking spaces in front of the residence or along the kerbside
 - o The visitor is a carer of a resident who can provide:
- Written consent of the resident or their representative
- The resident's address
- Information about the duration and frequency of the use of the permit
- Needs of residents or businesses where parking is affected by special events (see definition of Special Event Parking Schemes). These permits may be:
 - o issued for individual events and the permit should include information to facilitate enforcement such as the date/s and location of the special event
 - o issued for longer periods according to the requirements of the parking authority.
- Needs of employees or contractors in the area of operation of declared organisations where suitable parking is not available or is in high demand (for example, for hospital staff).

Fees

A parking authority may charge fees for its permit parking schemes at its own discretion. Pricing should be based on cost recovery, for example, for administration of the scheme/s and the provision of infrastructure, taking into account the parking authority's return on investment policy.

Fees levied by councils should be fixed by a council resolution.

Terms and conditions

Instructions and conditions of use must be made available to the permit holder. Terms and conditions should include:

- Eligibility requirements
- Requirements for displaying printed permits where appropriate
- Conditions for use of the permit including:
 - o printed permits are not transferrable
 - o driver or rider must ensure that permit is valid
 - o renewal requirements on expiry of permit
 - o where eligibility changes, the permit must be returned to the parking authority
 - o penalties for misuse of a permit
- Notice that exemptions from time restrictions and parking fees only when parked in an area to which the permit applies
- Notice that a parking permit does not guarantee a parking space within a permit parking area
- Reminder that a parking permit does not provide exemptions from other parking restrictions.

¹For further information, see [Guidelines for on-street fixed space car share parking 26 October 2018 TTD 2018/01 \(nsw.gov.au\)](#)

Enforcement

Parking authorities are responsible for the enforcement of permit parking schemes in their areas of operation and should not rely on the NSW Police for enforcement.

Schedule 4 of the Regulation sets out the relevant classes of officers that are authorised by councils and declared organisations as enforcement officers.

Parking signs

Section 26 of the Regulation authorises traffic signs while Road Rule 204 describes the information which must be included on signs in relation to permit parking schemes.

Signage displaying permit holder exceptions must have a permissive parking limit of not less than one hour. Permits must not be issued if this minimum time is not met.

For all **new** permit parking schemes, the permissive parking signs must have the words PERMIT HOLDERS EXCEPTED and an area identifier - to allow permit holders to be excepted from the period restrictions or charges for parking.

For **existing** permits issued for resident and resident's visitor parking scheme, permissive parking signs displaying the words AUTHORISED RESIDENTS VEHICLES EXCEPTED

While these old AUTHORISED RESIDENTS VEHICLES EXCEPTED parking signs remain enforceable, they should be replaced through normal maintenance practice with new signs using the words PERMIT HOLDERS EXCEPTED. Refer to Figure 1 for examples of permissive parking signs.

Special event parking signs will include the words SPECIAL EVENT PARKING AREA. Refer to Figure 2 for examples of special event parking signs.



Figure 1
Examples of permissive parking signs

Sign	Number	Use
	R5-60-4	Entrance to scheme from major arterials
	R5-207-2	
	R5-61-4	All other entrances to scheme
	R5-207-1B	
	R5-62-4	Internal or repeater, with scheme
	R5-207-1A	
	R5-63-4	Exit from scheme

Notes:
① Time panels are removable to suit event and to display 'NOT CURRENTLY IN USE' panel, sample only

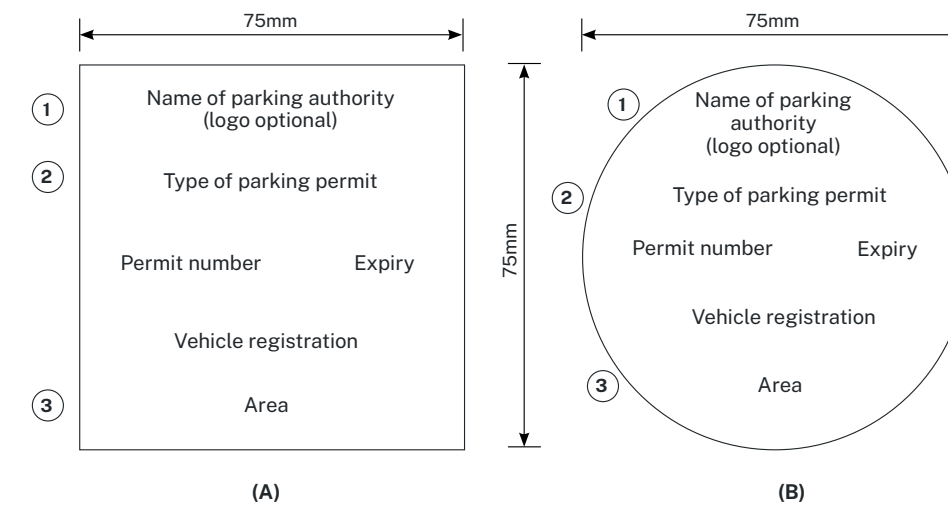
Figure 2
Examples of special event parking signs

References

Document	Location	Comment
Australian Standard 2890: Parking facilities	SAI Global	This series (5 parts) has been adopted as practice by TfNSW except as modified by the associated Supplement (see following).
RMS Supplement to AS 2890	https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/documents/guidelines/australianstandardsupplement-as2890-version2b.pdf	This Supplement defines TfNSW practice for parking facilities against the requirements of AS 2890 series.
Australian Standard 1742: Manual of uniform traffic control devices	SAI Global	This series (15 Parts) has been adopted as practice by TfNSW except as modified by the associated Supplements (see following). Part 11 of this series is relevant to parking facilities.
RMS Supplement to AS 1742	https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/document-types/supplements-australian-standards.html#sec1	Supplement series which defines TfNSW practice for traffic control devices against the requirements of the AS 1742 series.
Austroads Guide to Traffic Management Part 11: Parking Permit Parking Guidelines	Austroads website	This document has been adopted as practice by TfNSW except as modified by the associated Supplement (see following)
RMS Supplement to the Austroads Guide to Traffic Management Part 11	https://roads-waterways.transport.nsw.gov.au/business-industry/partners-suppliers/documents/austroads-supplements/austradssupplement_gtm_part11.pdf	Supplement which defines TfNSW practice for parking against the requirements of Austroads Guide to Traffic Management Part 11.
A guide to the delegation to councils for the regulation of traffic (TfNSW)	A Guide to the delegation to councils for the regulation of traffic Including the operation of Traffic Committees (nsw.gov.au)	These guidelines provide the policy and framework for Councils to exercise the traffic functions delegated to them by TfNSW.
Technical direction TTD 2018-001 Guidelines for on-street fixed space car share parking	https://roads-waterways.transport.nsw.gov.au/trafficinformation/downloads/ttd_2018-001.pdf	This technical direction provides the guiding principles for implementing on-street car share parking facilities for fixed space car share parking.

Appendix A

Long term permit example



Notes:

- ① The parking authority is responsible for the final design, layout and colour of the permit. The colour should be different from the registration label (still required on some vehicles), which follows a 6 year cycle: orange – blue – red – purple – brown – green. The permit may be either a label or a card.
- ② Type of permit, ie business, resident, resident’s visitor, commuter, special event or declared organisation.
- ③ Area identifier/s may be preceded by an alphabetic code to identify the parking authority.

Short term permit card example

①	Name of parking authority (logo optional)					
②	Type of parking permit					
	Permit number			Expiry		
③	Area					
④	Space for vehicle registration					
Scratch date, month and year:						
Date						
1	2	3	4	5	6	
7	8	9	10	11	12	
13	14	15	16	17	18	
19	20	21	22	23	24	
25	26	27	28	29	30	
31						
Date						
Jan	Feb	Mar	Apr	May	Jun	
Jul	Aug	Sep	Oct	Nov	Dec	
Year	2019	2020	2021			

Notes:

- ① The parking authority is responsible for the final design, layout and colour of the permit.
- ② Type of permit, ie business, resident, resident’s visitor, commuter, special event or declared organisation. Or a generic term, eg Visitor Permit, Temporary Permit, as long as the class of permit is recorded in the permit database.
- ③ Area identifier/s may be preceded by an alphabetic code to identify the parking authority.
- ④ A blank space may be provided so the vehicle registration can be written on the permit as required for all permits other than resident’s visitor permits.

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May 2024

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Transport for NSW
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Item No: 12.4
Subject: **GRANTING OF A LEASE OF THE COOPER PARK TENNIS CENTRE**
Author: Jim Allison, Senior Property Officer
Approvers: Zubin Marolia, Manager Property & Projects
Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 24/94533
Purpose of the Report: To report the proposed grant of a lease of the Cooper Park Tennis Centre
Alignment to Delivery Program: Strategy 11.2: Secure Council's financial position.

Recommendation:

THAT Council:

- A. Enters into a lease agreement with Young Aces Cooper Park Pty Ltd ACN 677 560 128 for a seven (7) year initial term plus a seven (7) year option term, at a commencement rent of \$295,000 per annum excl. GST, with CPI annual increases and a review to market upon exercise of the option.
- B. Ensures the lease agreement includes a capital refurbishment commitment of \$913,641.86 including ancillary costs excl. GST, subject to any necessary development approval.
- C. Authorises the General Manager to execute all legal agreements required to enter into a lease agreement with Young Aces Cooper Park Pty Ltd.

Executive Summary:

On 8 April 2024, Council considered the responses to tenders for the lease and operation of the Cooper Park Tennis Centre and resolved to decline all of the Tender submissions. It further resolved to enter into negotiations with one of the Tenderers which submitted under the name Young Aces Cooper Park with a view to reaching agreement for a lease on similar terms to those envisaged under Tender SC7818.

Officers have since negotiated with the representatives of Young Aces who have now formed an entity called Young Aces Cooper Park Pty Ltd ACN 677 560 128.

It is recommended that Council enters into a lease with Young Aces Cooper Park Pty Ltd on the terms that have been negotiated.

Discussion:

The Cooper Park Tennis Centre has been the subject of two recent Requests for Tender for its lease and operation. On 15 November 2023, Council declined to accept any of the submissions received under Tender SC7193 and resolved to invite new submissions via another tender process. It further resolved that the new tender should be based on the same specification as Tender SC7193, but excluding that Tender's allowance of multi-sports use of the Centre and with consideration to be given to engendering a sense of community.

The results and recommendations arising from the new Tender, being Tender SC7818 were considered by Council on 8 April 2024 and gave rise to the following resolution:

THAT Council:

1. *In accordance of s178 1 (b) of the NSW Local Government (General) Regulation 2021, declines to accept any of the tender submissions for the lease of the Cooper Park Tennis Courts and Café, known as Tender SC7818.*
2. *Resolves in accordance with section 178 (3) (e) of the NSW Local Government (General Regulation) 2021 to enter into negotiations with Young Aces Tennis with a view to entering into a contract in relation to the lease and operation of the Cooper Park Tennis Centre on similar specifications as Tender SC7818 for reasons including the following:*
 - i. *Young Aces was ranked second in tender SC7818, which respects the tender process and responds to community sentiment; and*
 - ii. *It is a small-medium local business rather than a large organisation.*
3. *In accordance with section 178 ((4) of the NSW Local Government (General) Regulation 2021, declines to invite fresh tender submissions as two tender processes have failed to determine an acceptable tenderer for Council.*
4. *Affirms its resolution of 15 November 2023 there be no multi-use sports use of the Centre and that this be specified in the draft lease.*
5. *Places great consideration on the successful tenderer engendering a sense of community i.e. for our local community, and for future as well as current users, no matter what their proficiency or age.*

Accordingly, Officers entered into negotiations with the representatives of Young Aces Cooper Park.

Prior to the commencement of the negotiations, the independent Probity Adviser who oversaw the running of tender SC7818 - being John Pinhorn from The Procure Group – was engaged to provide probity advice and oversight, and his report is attached as confidential Annexure 1.

The negotiations and the outcomes are summarised in the confidential Annexure 2.

Options:

Council may resolve in line with the recommendations as included in this report or, Council may choose to resolve in some other manner.

Community Engagement and / or Internal Consultation:

Numerous written representations about the leasing of the Cooper Park Tennis Centre were received as a result of the two tender processes undertaken by Council. In addition, Council heard submissions from many members of the community who registered to speak at the Finance, Community and Services Committee meeting of 2 April 2024. It is considered that the views expressed have been given due consideration during the process of negotiation and in arriving at the recommendations that are submitted to Council in this report.

Consultation about some aspects of the negotiation was undertaken with Council's Open Space and Recreation Planning Team Leader.

Policy Implications:

There are no policy implications as a result of this report.

Financial Implications:

The rental offer from Young Aces Cooper Park was the highest received after the property was exposed to the market via Tender (SC7818) and will provide an income to Council of \$295,000 excl. GST per annum from the commencement of the lease. The offer also includes a commitment to capital refurbishments of the property that have been costed by Young Aces Cooper Park and its intended contractors at \$913,641.86 including ancillary costs excl. GST.

Resourcing Implications:

Property & Projects staff will continue to manage the process of completing the new lease with assistance from the external lawyers who prepared the draft lease that was included as part of documentation of Tender (SC7818).

Conclusion:

The Cooper Park Tennis Centre has been exposed to the market and thorough negotiations have subsequently been undertaken with the representatives of Young Aces Cooper Park, which submitted the highest rental offer of \$295,000 excl. GST per annum. Those representatives have indicated that they are not in a position to increase the rental offer but have reaffirmed their commitment to engendering a sense of community and accepted lease terms requiring such commitment.

Accordingly, it is recommended the Council enters into a lease agreement with Young Aces Cooper Park Tennis Pty Ltd for a seven (7) year initial term plus a seven (7) years option term, at a commencing rent of \$295,000 per annum plus GST, with annual CPI increases and a review to market upon exercise of the option.

Attachments

1. Independant probity advisors report - Procure Group (*circulated under separate cover*)
- **Confidential**
2. Summary of negotiations with representatives of Young Aces Cooper Park (*circulated under separate cover*) - **Confidential**

13.1 Environmental Planning Committee

Items with Recommendations from the Committee Meeting of Monday 3 June 2024 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	SUBMISSION ON PRECINCTS FOR LOW AND MID-RISE HOUSING REFORMS
Authors:	Lyle Tamlyn, Acting Team Leader Strategic Planning Fiona Aghili, Strategic Planner
Approver:	Scott Pedder, Director Planning & Place
File No:	24/90932
Purpose of the Report:	To inform Council of the submission provided to the Department of Planning, Housing and Infrastructure on precinct selection for the low and mid-rise housing reforms.
Alignment to Delivery Program:	Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

Recommendation:

THAT Council:

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

Item No: R2 Recommendation to Council
Subject: **HYDROGEOLOGICAL AND GEOTECHNICAL STUDY OF THE ROSE BAY AREA AND PROPOSED DCP AMENDMENTS**

Author: Jacquelyne Della Bosca, Executive Planner
Approvers: Kristy Welfare, Acting Manager Strategic Planning & Place
Emilio Andari, Manager Engineering Services
Tom O'Hanlon, Director Infrastructure & Sustainability
Scott Pedder, Director Planning & Place

File No: 24/74056
Purpose of the Report: To report on the findings of the hydrogeological and geotechnical study of the Rose Bay area undertaken by GHD Pty Ltd
To obtain Council's approval to exhibit an amendment to the Woollahra Development Control Plan 2015.

Alignment to Delivery Program: Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

Recommendation:

THAT Council:

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

Item No: R3 Recommendation to Council
Subject: **THE APPLICATION AND EFFECTIVENESS OF THE VOLUME OF EXCAVATION CONTROLS AND RECOMMENDATIONS TO REDUCE EXCAVATION IN DEVELOPMENT APPLICATIONS**
Author: Eleanor Smith, Executive Planner
Approvers: Kristy Wellfare, Acting Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 24/85921
Purpose of the Report: To respond to an Environment Planning Committee resolution seeking a staff report on the application and effectiveness of current excavation controls and recommendations to mitigate the impacts of development applications with increasingly large volumes of excavation.
Alignment to Delivery Program: Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

Recommendation:

THAT Council:

- A. Receive and note the report on the application and effectiveness of the volume of excavation controls and recommendations to reduce excavation in development applications.
- B. Resolve to exhibit *Draft Woollahra Development Control Plan 2015 (Amendment No. 31)* as contained at **Attachment 1** of the report to the Environmental Planning Committee of 03 June 2024.
- C. Subject to B, undertake the amendment to the *Woollahra Development Control Plan 2015* concurrently with another DCP amendment, having regard to the nature of the amendment and the resources involved in amending the DCP.

13.2 Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Monday 3 June 2024 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **DRAFT CHILDREN, YOUTH & FAMILIES STRATEGY AND 4 YEAR ACTION PLAN**
Authors: Jamie Adams, Development Officer, Community & Culture
Maya Jankovic, Coordinator Community & Culture
Approvers: Vicki Munro, Manager Community & Culture
Patricia Occelli, Director Community & Customer Experience
File No: 24/15017
Purpose of the Report: To present the Draft Children, Youth & Families Strategy and Action Plan to Council to be placed on public exhibition for a period of 28 days.
Alignment to Delivery Program: Strategy 2.2: Understand needs of our community so that we can facilitate access to support and services.

Recommendation:

THAT Council:

- A. Endorse the Draft Children, Youth & Families Strategy and Action Plan presented as **Attachment 1** for the purpose of public exhibition for a period of 28 days.
- B. Notes that a further report will be tabled at a future meeting of Council on submissions received to the Draft Children, Youth & Families Strategy and Action Plan.
- C. Note that Council's preschool is in high demand with up to 100 eligible children remaining on the list after each intake.
- D. Requests that the General Manager prepare a report on the feasibility (or otherwise) of expanding the provision of pre-school services places (and that this action is included in the 2024/2025 Operational Plan).

Item No: R2 Recommendation to Council
Subject: **PROPOSED APPROACH FOR THE SIR DAVID MARTIN RESERVE BUILDINGS**
Authors: Vicki Munro, Manager Community & Culture
Zubin Marolia, Manager Property & Projects
Approvers: Patricia Occelli, Director Community & Customer Experience
Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 24/69345
Purpose of the Report: To seek Council support to negotiate with existing lessees or licensees of the Sir David Martin Reserve buildings for the Drill Hall, Sail Loft and the Cottage to extend their existing leases or licenses for a further 3 years with an option for a further 3 year period.
Alignment to Delivery Program: Strategy 2.1: Build strong and respectful connections with partners so that we can enhance and protect our local area and quality of life.

Recommendation:

THAT Council:

- A. Support entering into negotiations with existing lessees or licensees of the Drill Hall, the Sail Loft and the Cottage at Sir David Martin Reserve, namely Sailability NSW Inc. (Rushcutters Bay), Making Waves Foundation Inc., Critical Path Inc. and South Eastern Community Connect Inc. to progress the formation of extending their existing leases and or licenses, for 3 years with an option for a further 3 year period.
- B. Note that a further report on the outcomes of the negotiations will be presented to a future Council meeting.

Item No: R3 Recommendation to Council
Subject: **DONATIONS AND SPONSORSHIP POLICY AND DRAFT OUTGOING SPONSORSHIP GUIDELINES - PUBLIC EXHIBITION FEEDBACK**
Author: Vicki Munro, Manager Community & Culture
Approver: Patricia Occelli, Director Community & Customer Experience
File No: 24/90716
Purpose of the Report: To review public exhibition comments and adopt the amended Donations and Sponsorship Policy and Outgoing Sponsorship Guidelines.
Alignment to Delivery Program: Strategy 1.1: Provide, promote and facilitate a range of community projects, programs and events that support an inclusive, thriving and sustainable community.

Recommendation:

THAT Council:

- A. Notes the submissions received in relation to the Donations and Sponsorship Policy and draft Outgoing Sponsorship Guidelines that was placed on public exhibition from 29 April to 27 May 2024.
- B. Having considered the submissions, adopts the amended Donations and Sponsorship Policy (**Attachment 1**) and Outgoing Sponsorship Guidelines (**Attachment 2**) for implementation in the 2024/25 financial year.
- C. Allocates in the draft 2024/25 budget, \$50,000 for the Outgoing Sponsorship Program and \$6,578 for staffing resources per annum.

Item No: R4 Recommendation to Council
Subject: **GRANTS PROGRAM 2024/25 RECOMMENDED PROJECTS FOR FUNDING**

Authors: Emma Rodgers-Wilson, Development Officer, Community & Culture
Maya Jankovic, Coordinator Community & Culture
Michelle Rose, Environmental Education Officer
James Granter, Coordinator Economic Development
Micaela Hopkins, Team Leader Environment & Sustainability

Approvers: Vicki Munro, Manager Community & Culture
Patricia Occelli, Director Community & Customer Experience
Scott Pedder, Director Planning & Place
Tom O'Hanlon, Director Infrastructure & Sustainability

File No: 24/83111

Purpose of the Report: To give consideration to the proposed funding recommendations under Council's Grants Program including Community and Cultural Grants, Environmental Grants, Placemaking Grants and Business Sector Support.

Alignment to Delivery Program: Strategy 2.1: Build strong and respectful connections with partners so that we can enhance and protect our local area and quality of life.

Recommendation:

THAT Council:

- A. Approve the staff selection committee's recommendations for large and small grants under the 2024/25 Council's Grants Program as detailed in this report and related attachments excluding, Lumiere Sculpture Festival Incorporated from the Placemaking Grants recommended projects for funding of \$7,500, subsequent to the removal of funding for Pound Paws Dog Day at Double Bay of \$3,500.
- B. Approve two additional Placemaking projects be approved for funding from the Placemaking Grants. These were recommended subject to funding becoming available:
 - i. Art House Gallery Australia - John Prince Siddon and Mangkaja Arts Resource Agency Exhibition at Woollahra Gallery at Redleaf for NAIDOC week 2024 – amount recommended \$4,500.
 - ii. The Mito Foundation – The Bloody Long Walk East Sydney - amount recommended \$3,000
- C. Note that successful grant recipients will be invited to a Grants Awards presentation to be held on Wednesday 24 July, 2024 at 2:00pm, hosted by the Mayor.
- D. Note total unspent funds are \$4,006.25 as a result of: Community and Cultural (\$1,398.25 unspent funds); Placemaking (\$108 unspent funds) and Business Sector Support (\$2,500 unspent funds).

Item No: R5 Recommendation to Council
Subject: **MAYOR AND COUNCILLOR FEES 2024/25 FINANCIAL YEAR**
Author: Rhys Johnson, Coordinator Governance
Approvers: Jennifer Chenhall, Manager Governance & Risk
Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 24/91507
Purpose of the Report: To determine the fees payable to the Mayor and Councillors for the 2024/25 Financial Year, following the release of the Local Government Remuneration Tribunal determination.
Alignment to Delivery Program: Strategy 11.3: Ensure effective and efficient governance and risk management.

Recommendation:

THAT Council:

- A. In accordance with Section 248 of the Local Government Act 1993, fix the annual fee for Councillors at a maximum amount of \$22,540 for the period 1 July 2024 to 30 June 2025.
- B. In accordance with Section 249 of the Local Government Act 1993, fix the annual fee for the Mayor at a maximum amount of \$49,170 for the period 1 July 2024 to 30 June 2025, which is a fee in addition to the fee paid to the Mayor as a Councillor.

Item No: R6 Recommendation to Council
Subject: **DRAFT RESTRICTED FUNDS POLICY**
Author: Paul Ryan, Chief Financial Officer
Approver: Sue Meekin, Director Corporate Performance
File No: 24/79246
Purpose of the Report: To report on the public exhibition of the Draft Restricted Funds Policy and to seek Council adoption
Alignment to Delivery Program: Strategy 11.3: Ensure effective and efficient governance and risk management.

Recommendation:

THAT Council:

- A. Note that no submissions were received in relation to the draft Restricted Funds Policy in response to public exhibition.
- B. Adopt the Restricted Funds Policy at **Attachment 1**.

Item No: R7 Recommendation to Council
Subject: **MONTHLY FINANCIAL REPORT - 30 APRIL 2024
INVESTMENT HELD AS AT 31 MAY 2024**
Author: Abdullah Rayhan, Team Leader Financial Services
Approvers: Paul Ryan, Chief Financial Officer
Sue Meekin, Director Corporate Performance
File No: 24/90302
Purpose of the Report: To present the monthly financial report for April 2024 and to present a list of investments held as of 31 May 2024.
Alignment to Delivery Program: Strategy 11.2: Secure Council's financial position.

Recommendation:

THAT Council:

- A. Receive and note the Monthly Financial Report – April 2024.
- B. Note that the Council's 12-month weighted average return for April 2024 on its direct investment portfolio of 5.26% (LM: 5.20%, LY: 4.16%) exceeds the benchmark 90-day AusBond Bank Bill Index of 4.40%.
- C. Note that the interest revenue for the year to date April 2024 is \$4.33M, exceeding our revised year to date budget of \$3.07M for the same period.
- D. Receive and note the list of Council's investments held as of 31 May 2024 (provided as late correspondence).

Item No: R8 Recommendation to Council
Subject: **REQUEST FOR TENDERS FOR THE LEASE AND OPERATION OF
TRUMPER PARK TENNIS CENTRE, TRUMPER PARK, 1 QUARRY ST,
PADDINGTON NSW 2021**
Author: Michelle Perez, Senior Property Officer
Approvers: Zubin Marolia, Manager Property & Projects
Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 24/83478
Purpose of the Report: To inform Council of Officers' intention to invite Tenders for the lease and operation of Trumper Park Tennis Centre
Alignment to Delivery Program: Strategy 11.2: Secure Council's financial position.

Recommendation:

THAT Council:

- A. Resolves to initiate a Request for Tender for the lease and operation of Trumper Park Tennis Centre at 1 Quarry St, Paddington, comprising the six courts and operation of the Kiosk in connection with use of the courts.
- B. Includes provisions in the tender to allow for multi-sport use of two courts, ensuring diverse activities can take place to optimise usage of the courts.

Item No: R9 Recommendation to Council
Subject: **REVIEW OF POLICY FOR LEASING & LICENSING OF COUNCIL CONTROLLED LAND**

Authors: Zubin Marolia, Manager Property & Projects
Tom O'Hanlon, Director Infrastructure & Sustainability

Approver: Tom O'Hanlon, Director Infrastructure & Sustainability

File No: 24/88564

Purpose of the Report: To seek endorsement of a revised policy following a public exhibition process

Alignment to Delivery Program: Strategy 11.3: Ensure effective and efficient governance and risk management.

Recommendation:

THAT Council endorse the draft Leasing and Licensing of Council Controlled Land Policy, as shown at Attachment 1 of this report, for adoption.

Item No: R10 Recommendation to Council
Subject: **STARDUST CIRCUS - PROPOSAL FOR HIRE OF LYNE PARK MAIN FIELD IN JANUARY 2025**

Authors: Roger Faulkner, Team Leader - Open Space & Recreation Planning
Paul Fraser, Manager Open Space & Trees

Approver: Tom O'Hanlon, Director Infrastructure & Sustainability

File No: 24/90665

Purpose of the Report: To seek Council approval for the proposed financial agreement with Stardust Circus to run a circus in January 2025 at Lyne Park, Rose Bay, subject to DA consent for the event.

Alignment to Delivery Program: Strategy 3.1: Promote opportunities for innovative, creative and cultural initiatives that support the community.

Recommendation:

THAT Council:

- A. Note the pending submission of a Development Application from Stardust Circus to conduct a circus for three weeks in January 2025 at Lyne Park, Rose Bay.
- B. Approve a reduced fee of \$34,496 (incl GST) for Stardust Circus to conduct a circus for three weeks in January 2025 at the Lyne Park main field, subject to DA consent.

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: **FORMER PADDINGTON BOWLING CLUB SITE**
From: Councillor Harriet Price
Date: 22 May 2024
File No: 24/88377

Recommendation:

- A. THAT Council Notes:
1. The former Paddington Bowling Club Site (the Site) has a long and chequered history.
 2. That since the Paddington Bowling Club closed in 2015, the community has expressed disappointment that the Site was not utilised and that important green open space remained closed to the community.
 3. That it welcomed and applauded the 2021 decision by the former New South Wales Government to recognise the Aboriginal Land Claim made pursuant to the Aboriginal Lands Right Act 1993 (NSW) and lodged by the La Perouse Local Aboriginal Land Council (La Perouse LALC).
 4. Its resolution to initiate appropriate dialogue with La Perouse LALC to discuss their priorities and vision for the Site and to offer to seek funding or grant opportunities for Aboriginal site conservation or any other means of enhancing and protecting the significance of the Site.
 5. That these actions were held in abeyance pending the outcome of a challenge to the Minister's decision in the Land and Environment Court and later, the NSW Court of Appeal.
 6. The New South Wales Court of Appeal decision (Quarry Street Pty Ltd v Minister Administering the Crown Land Management Act 2016 [2024] NSWCA 107), compelling the Minister to refuse the land claim (the Judgment).
 7. The future of the Site is (yet again) uncertain.
- B. Resolves that the General Manager writes to the relevant Minister to ascertain what steps the Government intends to take following the Judgment (including that in the event the Judgment is not challenged, ask the Minister what:
- (i) assurances the Government will give to the community that the land will be reactivated for community use?
 - (ii) action the Government will take to ensure compliance with the terms of the lease and in particular, that the land is used in accordance with its permitted use (ie. for 'community and sporting club facilities, tourist facilities and services, access').
- C. (Upon confirmation that the Judgment remains unchallenged), reaffirms its commitment to helping ensure the land is returned to public hands and made available for community use.
-

Item No: 16.2
Subject: **NOTICE OF MOTION - UKRAINE JUNE 2024**
From: Councillors Richard Shields and Sarah Swan
Date: 04 June 2024
File No: 24/97202

Recommendation:

THAT Council:

- A. Note that the Mayor and General Manager met on Monday 13 May 2024 with representatives of the Ukrainian Council of NSW to discuss ways in which Woollahra Council might be able to show continued support of the Ukraine.
- B. Request the General Manager table a report to the 24 June Council meeting that details how Council could further support the Ukraine community in Australia following the ongoing invasion of Ukraine over 2 years ago. The report should include suggested initiatives and any budgetary implications for the further consideration of Council.

Background

On 14 June 2022, Council resolved as follows in relation to support for Ukraine:

- A. THAT Council reaffirms its condemnation of the Russian invasion of Ukraine on 24 February 2022 and its support of Ukrainians and the local Australian-Ukrainian community;
- B. THAT the Mayor writes to the Member for Wentworth and the Minister for Immigration, Citizenship and Multicultural Affairs to request that the number of humanitarian visas (arising from the conflict in Ukraine) be increased.
- C. THAT Council staff investigate and work with the Australian - Ukrainian community to identify and implement other ways to demonstrate community support for Ukraine, for example through art work, flying the Ukrainian flag or similar action.
- D. THAT Council having regard to the strong opposition from residents of Fullerton Street, Woollahra (and surrounding streets) to rename Fullerton Street to Ukraine Street, take no further action on the renaming of Fullerton Street.

In accordance, with Part C of this resolution and in consultation with Ukrainian community leaders, Council delivered a range of supports including but not limited to:

- installation of street sign blades expressing support for the Ukrainian cause
- diplomatic car parking spaces outside the Russian Consulate in Fullerton Street were removed.
- A range of relevant information was included on Councils web site in relation to support for Ukraine and the Australian-Ukrainian community.
- The use of the Gallery was provided to the community for a photographic exhibition of Holodomor and Ukrainian community in Australia (titled Ukraine undefeated – Holodomor to Invasion exhibition).
- Flying of the Ukraine Flag at the Council Chambers to commemorate the Ukraine Independence Day.

These initiatives were at a minimal cost, through Council facilitating and supporting.

The Ukrainian Council of NSW, has approached Council for support of displaced Ukrainians. Noting that the ongoing war is having an impact on continuing new arrivals, the need for ongoing moral support so that the Ukrainian community does not feel that they have been forgotten and the ongoing settlement needs of a new arrival community are being addressed.

Supports requested by the Ukrainian Council of NSW include the following opportunities that will form part of the report being requested of Council staff:

1. Family Fun Day 2024 to support, community building, cultural preservation and exchange, support of mental health and well-being and supporting positive community relations.
 2. Swimming program for displaced Ukrainians
 3. Raising the Ukrainian flag over WMC Chambers on 24th of August 2024, to mark Ukrainian independence day
 4. Lighting up Woollahra Council assets (i.e. the Council Chambers or Woollahra Gallery at Redleaf) in Ukrainian colours on key dates
 5. Support of sporting opportunities through soccer
-

Item No: 16.3
Subject: **NOTICE OF MOTION - ESTABLISHMENT OF A DESIGN REVIEW PANEL**
From: Councillors Toni Zeltzer, Susan Wynne and Sean Carmichael
Date: 05 June 2024
File No: 24/97599

Recommendation:

That a report be brought to councillors expediently, on the formation of a Woollahra Design Review Panel. The panel is to include experts and independent design professionals appointed by Council for the purpose of providing constructive feedback on the design quality of development proposals and their affinity to local context. Development proposals may include those:

- mixed use or multi-unit residential flat buildings higher than 4 storeys;
- captured by SEPP 65;
- likely to have a significant impact on the public domain;
- considered significant development (ie CIV over \$20 Million);
- relevant to planning proposals and other matters deemed appropriate by senior planning managers.

The report should cover the cost, scope and representation for the panel.

Rationale:

The aim of a Design Review Panel is to assist applicants and Council by providing expert, context specific, design advice that will contribute to improving the design quality of our built environment, provide better amenity in the public domain but also assist in facilitating a smooth assessment process.

With the recent adoption of the Double Bay and Edgecliff Planning Strategies, and with an imminent decision of the Government on the Low and Mid Rise Planning Reforms, we are likely see an increase in new significant proposals and greater pressure on council's development assessment team. To ensure that we continue to promote and encourage the highest quality architecture and design of new development and to ensure new buildings respect and complement the local vernacular, the assistance of a well selected design panel to advise staff and applicants on proposals would be helpful. It would also lead to more positive outcomes for streetscapes and for the public domain. While the aim of the panel is to achieve design excellence, this step can be built into an efficient, and timely assessment process.

Note that the establishment of a Woollahra Design Review Panel was anticipated in the most recent amendment to Council's WLEP for the significant development site at 136-148 New South Head Road which incorporates the following clause:

- (6) *Development consent must not be granted to development on land to which this clause applies unless—*
(a) *a design review panel has reviewed the development, and.....*

The Government Architect produced an excellent Manual for the formation, structure and governance of Design Review Panels, which can inform the report to Councillors.

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 11 June 2024 have been received.

QWN: 17.1
From: Councillor Regan
Subject: Questions with Notice - Breach of the Hours of Work Conditions Specified in Development Approvals

Councillor Regan asking:

Residents have reported an increasing number construction sites where builders are performing work in breach of the hours of work conditions specified in development approvals. This work often involves vibration, light and noise impacts to neighbours, amongst other things, and interferes with their amenity especially at night time. Often the breaches occur after Council ranger patrols and well into the night. Whilst fines can be issued by rangers, residents have reported that these fines are often not a deterrent to work being conducted out of hours, resulting in significant impact on neighbouring property as a consequence of these breaches.

Could the Director please outline:

1. the remedies available to Council to ensure that construction work occurs as legally permitted by the relevant development consent;
2. when and how Council will act on breaches of development consent conditions when there are works conducted out of hours on a regular basis; and
3. the steps that should be taken by residents if out of hours work occurs including details of relevant contact points at Council for residents in such circumstances.

Director Planning & Place in response:

1. *The remedies available to Council to ensure that construction work occurs as legally permitted by the relevant development consent?*

Construction work is legally required to comply with the development consent under the *Environmental Planning and Assessment Act 1979* (the Act). Council's enforcement decisions are guided by its Enforcement Policy. Where a breach of the development consent is substantiated following an investigation, the following remedies are available to Council under the Enforcement Policy:

Informal warnings – this is appropriate where the breach is of a minor nature, and it is determined that no formal enforcement action is necessary.

Official caution - A formal caution under the Fines Act 1996 may be used when a penalty notice could be issued for the breach. This may include instances where the seriousness of the breach is low and a person has no history of non-compliance.

Penalty notice / fine - A penalty notice is a financial penalty issued for specific, minor breaches of legislation. A penalty notice may be appropriate where this is no ongoing harm for a specific breach of the conditions of development consent, such a breach of approved working hours.

Civil enforcement – Orders and notices - A range of notices and orders are available to Council under the Act. Council will issue these instruments to address the harm which has occurred or is about to occur, they are not punitive. It is an offence not to comply with the requirements of these instruments.

Prosecution - Prosecutions are taken for the most serious offences where there is sufficient evidence, there is a significant breach and the reason to prosecute serves the public interest.

2. *When and how Council will act on breaches of development consent conditions when there are works conducted out of hours on a regular basis?*

Council Rangers will generally issue penalty notices to the relevant offender when works are conducted out of hours. Each breach must be considered in its own circumstances. If evidence is able to be collected to demonstrate a case for sustained and clearly intentional breaches of working hours, Council could seek further fines in the Local Court. However, this would be an extremely rare course of action that would only be taken in the most serious of cases.

3. *The steps that should be taken by residents if out of hours work occurs including details of relevant contact points at Council for residents in such circumstances.*

Resident's should report working outside of approved construction hours by calling (02) 9391 7000 and a Council Ranger will attend, if one is available.

QWN: 17.2
From: Councillor Regan
Subject: Questions with Notice - Park n Pay App

Councillor Regan asking:

Could Council please provide an update in relation to the Notice of Motion that was passed on 15 November 2023 in relation to the Park n Pay app (see below). Specifically could Council:

1. confirm that the actions contemplated in item B and item C of the resolution were initiated and whether any feedback was received as a result; and
2. provide an estimate of timing for production of the report contemplated in item A of the resolution; and
3. provide an update on the current status of the Park n Pay app including as to whether it is still in operation, whether Council is still utilising it, how extensively it is used by Council and whether there is any update from the State Government as to the ongoing status of operation and use of the Park n Pay app.

[[Swan/Shapiro]]

Resolved without debate:

THAT Council:

- A. Request that staff provide a report and costing to continue to utilise the Park n Pay, or similar, application in [Woollahra](#) Municipality. The report should also consider options of other providers and/or multiple providers, and the costs/benefits associated with these additional providers.
- B. Request that the Mayor confer with the Mayors at the next scheduled General Manager (GM) and Mayoral meeting about the utilisation of Park n Pay in Waverly, [Randwick](#), [Bayside](#) and [Woollahra](#) Council.
- C. Request that the Mayor write to the Mayors of each Southern Sydney Regional Organisation of Councils (SSROC) seeking their support to continue the utilisation of Park n Pay application across their respective Councils.

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 Carmichael
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor [Silcocks](#)
Councillor Swan
Councillor Witt
Councillor [Zeltzer](#)

Nil

13/0

Manager Engineering & Services in response:

Council staff have commenced preliminary investigations on the types of smart parking systems in which the public may use to pay for on-street parking. This investigation also considers the current utilisation of Park'n'Pay and the costs/benefits associated with this application. To complete the investigation and prepare a report on the various types of smart parking systems will take approximately 3-4 months.

Discussions between Council staff and other Councils on whether the Park'n'Pay application is still being served within their communities have been raised and it was noted that many of the other Councils in which have the Park'n'Pay application, still use this application. A decision has not yet been made by NSW Government on when Park'n'Pay will no longer be a government initiative. A request put forward from the Councils part of SSROC has not been made as yet, however at the last roundtable event held between Council staff and NSW Government representatives, the insights from various Councils raised were;

- Clear support for continuation of Park'n'Pay
- Use of parking data from the Park'n'Pay app informs broader council opportunities
- Importance of new accessibility features
- One single application preference between LGAs to help customers
- Several councils have parking strategies tied to Park'n'Pay
- Uncertainty regarding future of Park'n'Pay limiting ability to get next horizon of greater onboarding

As for the Woollahra Municipality, the Park'n'Pay application is still effectively utilised. Since the launch of the application to Woollahra in 2022 the use of this application has been steady with an approximation of 10% for all transactions made through Park'n'Pay for our metered parking areas.