

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

***For the Motion***

***Against the Motion***

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

Nil

***15/0***

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**Item No:** R8 Recommendation to Council  
**Subject:** **ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL - PLANNING PROPOSAL - BUS SHELTER ADVERTISING AS EXEMPT DEVELOPMENT**  
**Authors:** Lady Afraku, Student Strategic Planner  
Kelly McKellar, Team Leader Strategic Planning  
**Approvers:** Anne White, Manager - Strategic Planning  
Scott Pedder, Director - Planning & Place  
**File No:** 21/178383  
**Reason for Report:** To provide Council with the advice of the Woollahra Local Planning Panel. To obtain Council's approval to proceed with the planning proposal to permit advertising on bus shelters as exempt development in the Woollahra Local Environmental Plan 2014.

**Note:** Councillor McEwin declared a Significant, Pecuniary Interest in this Item, as Councillor McEwin is Director of Policy at the AANA which is the Advertising Associations. Councillor McEwin left the meeting, did not participate in debate or vote on the matter.

**Note:** Councillor Jarvis declared a Non-Pecuniary, Non-Significant Interest in this Item, as AdShel will be a contender for the tender and was a client, however they are no longer a client and have been for many years, for at last a decade and I have had no contact with them. Councillor Jarvis remained in meeting, participated in debate and voted on the matter.

**Note:** Councillor Cullen declared a Non-Pecuniary, Non-Significant Interest in this, as Councillor Cullen advertises in the Adshel in the Woollahra and Waverley Local Government Areas (LGAs) through her capacity at Hungry Jacks. Councillor Cullen remained in meeting, participated in debate and voted on the matter.

**Note:** Late correspondence was tabled by Council's Manager Engineering Services, Aurelio Lindaya.

**Motion moved by Councillor Price  
Seconded by Councillor Elsing**

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 16 September 2021 for the planning proposal to permit advertising on bus shelters as exempt development in the Woollahra Local Environmental Plan 2014.
- B. THAT the planning proposal, as contained in **Annexure 3** of the report to the Environmental Planning Committee meeting of 11 October 2021 be forwarded to the Department of Planning, Industry and Environment with a request for gateway determination to allow public exhibition.
- C. THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environment plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- D. THAT Council requests staff to exclude from consideration:
  - i) all heritage styles bus shelters and heritage bus shelters regardless of their location, and
  - ii) any heritage style bus shelter and any bus shelters in heritage conservation areas excluding New South Head Road, and Old South Head Road.
  - iii) the Watsons Bay Bus Shelter (on Military Road at the Gap Park).
- E. THAT a further report on bus shelter advertising locations be reported to Council prior to the preparation of the Bus Shelter Advertising specifications and tender documentation.

**Amendment moved by Councillor Cullen  
Seconded by Councillor Wynne**

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 16 September 2021 for the planning proposal to permit advertising on bus shelters as exempt development in the Woollahra Local Environmental Plan 2014.
- B. THAT the planning proposal, as contained in **Annexure 3** of the report to the Environmental Planning Committee meeting of 11 October 2021 be forwarded to the Department of Planning, Industry and Environment with a request for gateway determination to allow public exhibition.
- C. THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environment plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- D. THAT Council requests staff to exclude from consideration:
  - i) all heritage styles bus shelters and heritage bus shelters regardless of their location, and any bus shelters in heritage conservation areas excluding New South Head Road, Ocean Street, Old South Head Road and Oxford Street.

- E. THAT a further report on bus shelter advertising locations be reported to Council prior to the preparation of the Bus Shelter Advertising specifications and tender documentation.

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

(Cullen/Wynne)

**135/21 Resolved:**

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 16 September 2021 for the planning proposal to permit advertising on bus shelters as exempt development in the Woollahra Local Environmental Plan 2014.
- B. THAT the planning proposal, as contained in **Annexure 3** of the report to the Environmental Planning Committee meeting of 11 October 2021 be forwarded to the Department of Planning, Industry and Environment with a request for gateway determination to allow public exhibition.
- C. THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environment plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- D. THAT Council requests staff to exclude from consideration:
- i. all heritage styles bus shelters and heritage bus shelters regardless of their location, and any bus shelters in heritage conservation areas excluding New South Head Road, Ocean Street, Old South Head Road and Oxford Street.
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Councillor Regan  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

***Against the Motion***

Councillor Elsing  
Councillor Price  
Councillor Robertson

***11/3***