

Council Meeting

Monday 24 September 2007

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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.

Corporate & Works Committee Meeting held on Monday 17 September 2007

- D1 Confirmation of Minutes of Meeting held on 3 September 2007
- D2 Monthly Financial Report - August 2007

Development Control Committee Meeting held on Monday 17 September 2007

- D1 Confirmation of Minutes of Meeting held on 3 September 2007
- D2 DA10/2007 – 32 Roslyndale Avenue, Woollahra – Substantial alterations & additions to dwelling including a new 1st floor & garage 4/1/2007
- D3 DA29/2007 – 10 Military Road, Watsons Bay – Alterations & additions to existing mixed use development including the increase in the number of storeys from 3 to 4, the number of dwellings from 1 to 2 & the number of off-street carparking spaces from 2 to 4 – 16/1/2007
- D4 DA250/2007 – 8 Longworth Avenue, Point Piper – Alterations & additions to dwelling – 23/4/2007
- D5 Register of Current Land and Environment Court Appeals for Development Applications

Urban Planning Committee Meeting held on Monday 10 September 2007

- D1 Confirmation of Minutes of Meeting held on 27 August 2007

Community & Environment Committee Meeting held on Monday 10 September 2007

- D1 Confirmation of Minutes of Meeting held on 27 August 2007
- D2 Woollahra Traffic Committee Minutes - 4 September 2007
 - Y1 Parking Restrictions Changes
 - Y2 Gurner Lane, Paddington – Changes to Traffic Conditions
 - Y3 Point Piper Marina - Application For Loading / No Parking Zones
 - Y4 21 Carrington Avenue, Bellevue Hill – Works Zone
 - Y5 88-88A Bellevue Road, Bellevue Hill – Works Zone
 - Y6 19 Broughton St, Paddington (Unnamed Lane at Rear of Property) – Works Zone
- D3 Woollahra Bike Plan - Bicycle Working Party Minutes - 21 August 2007
- D4 Advertising on Road Pavements
- D5 Car Share Locations



Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council
held at the Council Chambers, Double Bay, on
Monday 24 September 2007 at 8.00pm.**

Present: His Worship the Mayor, Councillor Geoff Rundle
Councillors Anthony Boskovitz
John Comino
Claudia Cullen
Tanya Excell
Wilhelmina Gardner
Keri Huxley
Julian Martin
Isabelle Shapiro
David Shoebridge
Fiona Sinclair King
John Walker

Staff: A Coker (Director – Planning & Development)
G Clarke (A/General Manager)
Z Marolia (A/Director – Technical Services)
L Windle (Manager – Governance)

Also in Attendance: Nil

Confirmation of Minutes

(Shoebridge/Cullen)

- 1/19** THAT the Minutes of the adjourned Confidential Strategic & Corporate Committee held on 3 September 2007, reconvened Strategic & Corporate Committee held on 10 September 2007, Council Meeting held on 10 September 2007, Confidential Strategic & Corporate Committee held on 13 September 2007, Extraordinary Council Meeting (6.30pm) 17 September 2007 & Extraordinary Council Meeting (8.00pm) Minutes held on 17 September 2007 be taken as read and confirmed.

Adopted

Leave of Absence

(Boskovitz/Comino)

Resolved:

- 2/19** That leave of absence for all meetings of the Council and its Committees be granted to Councillor Christopher Dawson for the period Monday 24 September 2007 to Monday 1 October 2007, inclusive.

(Boskovitz/Comino)

Resolved:

- 3/19** That leave of absence for all meetings of the Council and its Committees be granted to Councillor Isabelle Shapiro for the period Wednesday 26 September 2007 to Saturday 13 October 2007, inclusive.

Adopted

Apologies

(Boskovitz/Comino)

- 4/19** Apologies were received and accepted from Councillors Marcus Ehrlich and Andrew Petrie and Leave of Absence granted.

Adopted

Declarations of Interest

Nil

Corporate & Works Committee

Items with Recommendations from the Committee Meeting of Monday 17 September 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Capital Project Status Report & Revotes**
Author: Michelle Phair, Team Leader Financial Services
File No: 331G 2006/2007
Reason for Report: To report on the status of capital projects in the 2007/2008 budget as at 31 August 2007 and recommend the revote of budget allocations for 2006/2007 projects not commenced before 30 June 2007

(Martin/Sinclair King)

Resolved without debate:

5/19 That the item be deferred for further consideration at the next Corporate and Works Committee.

Item No: R2 Recommendation to Council
Subject: **Proposed release of an existing easement and creation of a new easement for stormwater drainage, Moncur St Reserve, Woollahra.**
Author: Anthony Sheedy, Property Officer
File No: 317.103
Reason for Report: To seek Council's endorsement for the release of an existing easement and grant of a new easement in favour of the owners of 103 Moncur St, in regards to the Moncur St Reserve, Woollahra.

(Martin/Sinclair King)

6/19 **Resolved without debate:**

- A. That Council agree to the release of an existing easement by agreement with the owners of 103 Moncur St, Woollahra in respect of a 150mm wide portion of Moncur St Reserve, Woollahra, subject to the said owners paying all Council's costs.
- B. That Council agree to the granting of a new easement for sewer and stormwater drainage by transfer to the owners of 103 Moncur St, Woollahra as favouree in respect of a 1 metre wide portion of Moncur St Reserve, Woollahra, subject to the said owners paying all Council's costs.
- C. That the Common Seal of Council be affixed to the Section 47 (6A) Real Property Act, 1900 and 88B Conveyancing Act 1919 instruments, subject to certification from Council's solicitors that the document protects the Council's interests.

Item No: R3 Recommendation to Council
Subject: Meeting dates for January 2008
Author: Les Windle - Manager Governance
File No:
Reason for Report: To consider options for meeting dates in January 2008

(Martin/Sinclair King)

Resolved without debate:

7/19 That Council determine that opinion 1 (existing procedure – recommencing Monday 21 January 2008) be adopted as the meeting schedule for January 2008.

Urban Planning Committee

Items with Recommendations from the Committee Meeting of Monday 10 September 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Draft East Subregional Strategy**
Author: Chris Bluett - Manager Strategic Planning
File No: 1205.G
Reason for Report: To inform Council of the Draft East Subregional Strategy
To obtain Council's approval of a submission on the Draft East Subregional Strategy

(Comino/Huxley)

8/19 Resolved without debate:

- A. That consideration of the submission be deferred to the Urban Planning Committee meeting on 24 September 2007 to enable a further report to be submitted to the Committee and a revised submission that includes comments raised by the Committee.
- B. That the Committee's recommendation on 24 September 2007 be referred to the Council Meeting on 24 September 2007 as a matter of urgency.

Item No: R2 Recommendation to Council
Subject: **Draft City of Sydney Late Night Trading Premises Development Control Plan 2007**
Author: John Davies – Strategic Planner
File No:
Reason for Report: To provide a submission to the City of Sydney Council on their Draft Late Night Trading Premises Development Control Plan

(Comino/Huxley)

9/19 Resolved without debate:

- A. That the submission on Draft Late Night Trading Premises Development Control Plan 2007 be submitted to the Chief Executive Officer at the City of Sydney Council subject to deletion of the following paragraph:

“With the above two points in mind, I feel that the Local Centre Area should be extended to all properties on Oxford Street, Paddington currently zoned No. 10 Mixed Uses in the South Sydney Local Environment Plan 1998. This will complement the retail services and hotels on the Woollahra side of Oxford Street. I also feel that the Paddington Town Hall should also be included in the Local Centre area (annexure 2).”

- B. That a report be submitted to the Urban Planning Committee identifying locations in the Woollahra Municipality that could benefit from the adoption of a similar DCP.
 - C. That the report also consider reasonable and achievable requirements for low impact Place of Public Entertainment (POPE) approvals.
-

Urban Planning Committee Matter of Urgency

Items with Recommendations from the Committee Meeting of Monday 24 September 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: Draft East Subregional Strategy
Author: Chris Bluett - Manager Strategic Planning
File No: 1205.G
Reason for Report: To respond to a recommendation from the Urban Planning Committee meeting on 10 September 2007- To provide a revised submission on the Draft East Subregional Strategy

(Comino/Huxley)

- 10/19** That in accordance with Council's Code of Meeting Practice, Item R1 of the Urban Planning Committee Meeting held on 24 September 2007 be brought forward as a Matter of Urgency.

Adopted

The Mayor ruled urgency.

(Comino/Huxley)

Resolved:

- 11/19** That the Council endorse the submission on the Draft East Subregional Strategy contained in **annexure 2** of the report to the Urban Planning Committee meeting on 24 September 2007.
-

Community & Environment Committee

Items with Recommendations from the Committee Meeting of Monday 10 September 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: Guidelines for Local Traffic Committees
Author: Frank Rotta – Traffic Engineer
File No: 595.G
Reason for Report: Follow-up report in relation to the Guidelines for the operation of Local Traffic Committees and public attendance at meetings

(Excell/Huxley)

Resolved without debate:

- 12/19** That Council write to the RTA and the Minister for Roads to indicate its objection to the changes proposed by the RTA in relation to the attendance of the public at Local Traffic Committee meetings.

Item No: R2 Recommendation to Council
Subject: Organics Trial Results
Author: Mark Ramsay – Manager Depot and Waste Services
File No: 588.G
Reason for Report: To inform Councillors of the results of the organics trial

(Excell/Huxley)

13/19 **Resolved without debate:**

- A. That the trial continue until the end of December 2007.
 - B. That, subject to a further report and confirmation that a suitable facility is available to process the product after that time, the service become permanent.
 - C. That, where feasible, the service then be expanded into other areas of the municipality
-

Item No: R3 Recommendation to Council
Subject: Management of Woollahra Seniors Centre
Author: Kylie Walshe, Director Community Services
File No: 74.G
Reason for Report: To seek Council's approval to directly manage the Woollahra Seniors Centre.

(Excell/Huxley)

Resolved without debate:

- 14/19** That upon a resolution of the Woollahra Senior Citizens Welfare Association requesting Council to directly manage the Woollahra Seniors Centre:
- A. Council revoke the delegation (care, control and management) given by Woollahra Municipal Council to the Woollahra Senior Citizens Welfare Association for the management of Woollahra Seniors Club on 17 July 1957.
 - B. Council commence direct management of the community centre at the corner of Queen St and Edgecliff Road, Woollahra, at a date agreed by WSCWA and the General Manager.
 - C. Council continue to provide club activities, including a meal service and recreation activities, for seniors at the Centre and that this be reviewed and amended by Council as required.
 - D. The employees of Woollahra Senior Citizens Welfare Association are offered employment by Council, with length of service and entitlements transferred to Council, if accepted.
 - E. Council establish a Liaison Committee to assist in the development of programs and activities provided to seniors at and from the Centre. Membership of this Committee to consist of Councillors, Council staff and voluntary representatives of Centre members / users.
-

Notice of Motion

Item No: 1
From: Councillor Huxley
Date: 13 September 2007
File No: 900.G

(Huxley/Shapiro)

15/19 That Woollahra's planning and development staff prepare a report on an appropriate community consultation process for the Rose Bay and Point Piper Marina DAs, that includes;

- A briefing and information forum for the community
- That the forum include presentations by Woollahra Senior staff, and independent experts,
- And a question and answer session be conducted on all the relevant planning and environmental issues, traffic and parking reports, impacts on marine ecology and users of the public waterways, visual impact and the public domain, and other areas of the public interest
- That a suitable venue be identified to accommodate the number of people who may wish to participate in this process
- That Woollahra requests a representative of NSW Waterways be invited to attend the briefing and information forum and be available to respond to questions

Adopted

Note: A Division was called by Councillors Huxley and Shapiro

For the Motion

Councillor Gardner
Councillor Huxley
Councillor Martin
Councillor Excell
Councillor Shapiro
Councillor Cullen
Councillor Shoebridge

Against the Motion

Councillor Boskovitz
Councillor Comino
Councillor Sinclair King
Councillor Walker
Councillor Rundle

7/5

Item No: 2
From: Councillor Cullen
Date: 19 September 2007
File No: 900.G

(Cullen/Huxley)

- 16/19** That a report be submitted to the Corporate & Works Committee with a view to varying Council's Code of Meeting Practice to limit the casting vote of Chairman of Committees to circumstances that progress the matter but do not finally determine the matter and in all circumstances where a casting vote would (if exercised) finalise the matter, the recommendations or alternate recommendations receiving equal votes be referred to the Council for its decision.
-

Item No: 3
From: Councillors Comino & Shapiro
Date: 20 September 2007
File No: 900.G

(Comino/Shapiro)

- 17/19** That a Report be brought to the appropriate Committee of Council addressing proposed improvement works, such to include a kiosk, to the Lyne Park Change Shed and Toilet Block and incorporating a program for implementation (subject to any DA requirements) by November 2007.
-

Questions Without Notice Tabled Answers

Item No: 11
Subject: Questions Without Notice
Author: Gary James, General Manager
File No: 467.G/Q01
Reason for Report: To provide a response to Questions without Notice from Council Meeting of 10 September 2007 and for Councillors to ask Questions without Notice in accordance with Council's Code of Meeting Practice.

Motion moved by Councillor Comino
Seconded by Councillor Walker

18/19 That the responses to previous Questions without Notice be noted.

Adopted

The following questions were asked:-

Councillor Comino asking:

Has Council considered an alternative venue such as the main function room of The Stamford Hotel in Cross Street, Double Bay as the forum for holding the Strategic & Corporate Committee dealing with the DA's for the Rose Bay and Point Piper Marinas?

This is so as to cater for the wide public interest that has been generated on this issue and the large numbers of the public that are expected to attend and the constraints of Redleaf Council Chambers to accommodate the public wishing to attend and speak on these DA's?

Acting General Manager in response:

Yes, we have considered that location and a number of other locations.

Mayor in further response:

On that question Councillors I will be asking if we can hold the meeting on a Saturday.

Councillor Comino asking:

Will Council investigate and replace the missing steel handrail on the upper level of steps on the Fernleigh Steps, this railing is currently missing and poses a major risk to public safety.

Acting Director Technical Services in response:

On notice

Councillor Comino asking:

When is NSW Maritime actioning its belated decision relating to the removal of the “Rose Bay Afloat” floating restaurant?

Director Planning and Development in response:

We have received advice from NSW Maritime that they have given the owners of that vessel, I think until the end of this month but I will confirm that date, to remove the vessel.

Councillor Excell asking:

How many and what events, campaigns, promotions, prizes etc over the last four years has Council agreed to participate in, endorse and support in some way that was organised by an outside entity?

How many and which of these joint events were required to be presented to Committee before Council agreed to join in the venture?

Acting General Manager in response:

On notice

Councillor Shapiro asking:

Can Council arrange another Public Transport Forum with representatives from Sydney Buses (STA) and possibly Sydney Ferries? Can this be done before the year end so our residents' requests can be included in Sydney Bus Review early next year?

Acting Director Technical Services in response:

On notice

Councillor Shapiro asking:

Today I witnessed an elderly women knocked over in Old South Head Road at the corner of Wilberforce Avenue. It is an extremely busy corner where people regularly cross Old South Head Road. Please can Council investigate a pedestrian crossing at that corner?

Acting Director Technical Services in response:

On notice

Councillor Martin asking:

Thank you again for writing to landowners re the White City north/south pathway. It is frustrating the lack of response to your invitation thus far. Is this usual in these matters?

Director Planning and Development in response:

Unfortunately there is a degree of that with the public authorities, being the NSW Rail Corporation and Sydney Water. In fact I experienced a high level of personal frustration dealing with Rail Corp in getting them to come to a meeting or even to understand what the issues are. On the other hand, I do believe there is positive co-operation and that we will get that from Sydney Grammar School and the John Alexander Clubs and most likely Macabbi. I indicated in my response to Councillor Martin that I have a meeting with John Alexander Clubs this week and I will put on the table as a key issue in discussing their proposed DA for the White City site the need to ensure that their site planning provides for public access in accordance with the DCP.

Councillor Sinclair King asking:

To the Director Planning and Development

In regard to the Notice of Motion that was passed this evening, you indicated that the applicant would need to be involved in some way and I am wondering how you are intending to have the applicant put their perspective of what's involved, with the Notice of Motion. You indicated that the applicants view would need to be heard in some way, how do you see they will get that to happen.

Director Planning and Development in response:

We will deal with that in our report because what the resolution of Council has asked me to do tonight is to come back with a report on these matters. We will work through those issues very carefully and deal with it in our report.

Councillor Shoebridge asking:

At the recent Harbour View Residents meeting in Council it was proposed to consider a roundabout on the corner of Wallis Street and Edgecliff Road, to improve safety at the intersection and reduce speeding traffic on Edgecliff Road. How and/or when will this progress?

Acting Director Technical Services in response:

On notice

Councillor Shoebridge asking:

When will the community garden in Trumper Park commence?

Acting Director Technical Services in response:

On notice

Councillor Shoebridge asking:

How many 6 cylinder and/or 8 cylinder cars does Council own/lease in our car fleet and why?

Acting Director Technical Services in response:

On notice

Councillor Shoebridge asking:

When will you please replenish my supply of QWN papers as I am tired of borrowing them from my neighbours?

Acting General Manager in response:

Immediately

Councillor Shoebridge asking:

Can the staff memo on 18 Bathurst Street please be provided to the Harbourside Residents Group Committee who raised this issue at their last meeting?

Director Technical Services in response:

Yes

There being no further business the meeting concluded at 9.07pm.

We certify that the pages numbered 2531 to 2547 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 24 September 2007 and confirmed by Council at the ordinary Meeting of Council on 8 October 2007 as correct.

General Manager

Mayor