

# Council Meeting

Monday 27 August 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 20 August 2007

- D1 Confirmation of Minutes of Meeting held on 6 August 2007
- D2 Monthly Financial Report - July 2007 (See Item R3)
- D3 Minutes of the Floodplain Risk Management Committee (FPRMC) Meeting held on Wednesday 8 August and Recommendations

### Development Control Committee Meeting held on Monday 20 August 2007

- D1 Confirmation of Minutes of Meeting held on 6 August 2007
- D2 DA883/2006 – 80 Darling Point Road, Darling Point – Demolition of existing house & erection of new house & pool – 22/12/2006 – (See Item R2)
- D3 DA89/2006 – 14 Caledonia Street, Paddington – Section 82A Review of refusal of the Development Application – 23/2/2007
- D4 DA311/2007 – 7 Dudley Street, Paddington – New side boundary fence – 15/5/2007
- D5 DA32/2007 – 27 Chamberlain Avenue, Rose Bay – Alterations & additions to the existing dwelling-house – 17/1/2007
- D6 DA797/2002 Part 4 – 7 Fernleigh Gardens, Rose Bay – Section 96 Application – Proposed modification deletion of part of Condition No. 29 – 14/12/2006
- D7 DA498/2005 Part 3 – 592B New South Head Road, Rose Bay – Section 96 Application – Proposed modification Boat Shed position rotated – 23/3/2007
- D8 DA190/2002 Part 3 – 550 New South Head Road, Rose Bay – Internal & external modifications – 22/9/2006
- D9 Register of Current Land and Environment Court Appeals for Development Applications

### Urban Planning Committee Meeting held on Monday 13 August 2007

- D1 Confirmation of Minutes of Meeting held on 23 July 2007

### Community & Environment Committee Meeting held on Monday 13 August 2007

- D1 Confirmation of Minutes of Meeting held on 23 July 2007
- D2 Woollahra Traffic Committee Minutes - 7 August 2007
  - Y1 Parking Restrictions Changes
  - Y2 Bellevue Road, Bellevue Hill – Additional Parking Spaces in Shopping Centre
  - Y3 Edward Street, Woollahra – Request for Resident Permit Parking
  - Y4 Bayview Hill Road and Tivoli Avenue, Rose Bay - Resident Permit Parking
  - Y5 No. 12-16 Bundarra Road, Bellevue Hill – Works Zone
  - Y6 No. 24 Edward Street, Woollahra – Works Zone
  - Y7 Nos. 11A & 13-17 Fullerton Street, Woollahra – Works Zone
  - Y8 Proposed Barriers for Synagogues in The Woollahra Municipality during the Jewish High Holidays
  - Y9 Ocean Street / Queen Street / Nelson Street / Waimea Avenue, Woollahra – Proposed Resident Parking Permit Zone
  - Y10 Review of Resident Permit Parking in Resident Permit Parking Area Woollahra 1 at Bondi Junction
- D3 Community and Social Planning
- D4 Community Noticeboards
- D5 Woollahra - 40 kph Speed zones and shared zones
- D6 Planet Ark National Recycling Week
- D7 Proposed Naming of Bungaree Reserve



# Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council  
held at the Council Chambers, Double Bay, on  
Monday 27 August 2007 at 8.18pm.**

Present: Her Worship the Mayor, Councillor Keri Huxley  
Councillors Anthony Boskovitz  
John Comino  
Christopher Dawson  
Marcus Ehrlich (left 8.40pm)  
Tanya Excell  
Wilhelmina Gardner  
Julian Martin  
Andrew Petrie  
Geoff Rundle  
Isabelle Shapiro  
David Shoebridge  
Fiona Sinclair King  
John Walker

Staff: A Coker (Director – Planning & Development)  
G Clarke (Director – Corporate Services)  
W Hatton (Director – Technical Services)  
G James (General Manager)  
K Walshe (Director – Community Services)  
L Windle (Manager – Governance)  
D Johnston (Manager – Finance)

Also in Attendance: Nil

## Confirmation of Minutes

(Shoebridge/Gardner)

**1/15** THAT the Minutes of the Council Meeting held on 13 August 2007 be taken as read and confirmed.

**Adopted**

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## Leave of Absence

(Shoebridge/Comino)

**2/15** That leave of absence for all meetings of the Council and its Committees be granted to Councillor Tanya Excell for the period Monday 3 September 2007 to Tuesday 11 September 2007, inclusive.

**Adopted**

(Shoebridge/Comino)

**3/15** That leave of absence for all meetings of the Council and its Committees be granted to Councillor Keri Huxley for the period Saturday 29 September 2007 to Monday 22 October 2007, inclusive.

**Adopted**

(Shoebridge/Comino)

**4/15** That leave of absence for all meetings of the Council and its Committees be granted to Councillor Wilhelmina Gardner for the period Thursday 6 September 2007 to Thursday 13 September 2007, inclusive.

**Adopted**

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## Apologies

**5/15** Apologies were received and accepted from Councillor Claudia Cullen and Leave of Absence granted.

**Adopted**

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## **Declarations of Interest**

Nil

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## Mayoral Minute

**Mayoral Minute No:** 1

**Subject:** Mayoral Minute report to Councillors

**Author:** Councillor Keri Huxley, Mayor

**File No:**

**Reason for Report:** To commission an independent experts report that examines corporate governance procedures, with regard to decision making processes by councillors and staff.

**Note:** Councillor Petrie was not present during discussion of this item.

**Councillor Shapiro moved the recommendation of the Mayoral Minute.**

**The Mayor withdrew the Mayoral Minute so that the matters raised in the Mayoral Minute could be considered in conjunction with other related matters at a Strategic and Corporate Committee Meeting.**

**(Huxley/Walker)**

**6/15** That a Strategic and Corporate Committee meeting be held on Monday 3 September 2007 commencing at 5.00pm to consider matters raised in the Mayoral Minute and other related matters.

**Adopted**

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### Mayoral Minute Report and Recommendation:

- A.** That Woollahra Councillors endorse the commissioning of an independent experts report on the following matters;
  - An analysis of the provisions of the New South Wales State Government Minister's Order,
  - An analysis of the current financial 'rating' system so far as the rating system impacts on council decisions
- B.** That the report be drafted in consultation with a lawyer suitably qualified in financial services laws
- C.** That a revised investment policy based on underlying securities which will give greater certainty that there will be no erosion of capital value of any investment and certainty in relation to interest payments, and be in accordance with the requirements of the Local Government Act.
- D.** That we recognise this matter is in the public interest
- E.** That this report be brought to Council no later than 30<sup>th</sup> November 2007

**Background:**

This council supports the current Investment Policy but recognizes that given the potential impact of the current international financial crisis that Woollahra would be remiss if the ramifications and consequential impact on our investments was not thoroughly investigated.

Before any councillor springs to attack staff or other councillors I want to reiterate that we are all severally responsible for the decision made last year, as the public face of this council I accept responsibility for the current situation.

Woollahra Council has hitherto held to a conservative investment programme, ironically digression from the past occurred at the instigation of a review of Woollahra's investments. Until this policy review was proposed Woollahra had invested its money in a quite different range of bank deposits.

Cr Keri Huxley  
Mayor

## General Manager's Report

**General Manager's No:** 1

**Subject:** **Local Government Association of NSW - 2007 Annual Conference  
"Anchoring The Future" Coffs Harbour - 20 to 24 October 2007**

**Author:** Gary James, General Manager

**File No:** 53.G 2007

**Reason for Report:** For Council to review the Conference material and appoint delegates to attend the 2007 Local Government Association Conference.

**(Shoebridge/Martin)**

**Resolved:**

**7/15** That any Councillor wishing to attend the Local Government Association Annual Conference advise the Mayor and the Mayor be given authority to appoint Council's delegates and observer/alternate delegate.

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## Corporate & Works Committee

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### Items with Recommendations from the Committee Meeting of Monday 20 August 2007 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** Mitchell Road, Rose Bay Civil Infrastructure Works Stage 2  
**Author:** Joe Cavagnino – Purchasing Coordinator.  
**File No:** Tender No 07/11  
**Reason for Report:** To recommend to Council the acceptance of a Tender

(Martin/Shoebridge)

**8/15 Resolved without debate:**

- A. That Council enter into a Contract with Ozpave (Aust) Pty Ltd for the Mitchell Road, Rose Bay, Civil Infrastructure Works Stage 2 for the sum of \$180,280 (excluding GST).
- B. That successful and unsuccessful tenderers be advised accordingly.

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**Item No:** R2 Recommendation to Council  
**Subject:** Benelong Crescent, Bellevue Hill Civil Infrastructure Works Stage 3  
**Author:** Joe Cavagnino – Purchasing Coordinator.  
**File No:** Tender No 07/10  
**Reason for Report:** To recommend to Council the acceptance of a Tender

(Martin/Shoebridge)

**9/15 Resolved without debate:**

- A. That Council enter into a Contract with Kelbon Concrete & Paving Pty Ltd for the Benelong Crescent, Bellevue Hill, Civil Infrastructure Works Stage 3 for the sum of \$248,590 (excluding GST).
  - B. That successful and unsuccessful tenderers be advised accordingly.
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**Item No:** R3 Recommended to Council  
**Subject:** **Monthly Financial Report - July 2007**  
**Author:** Tracey Walker, Financial Accountant  
Michelle Phair, Team Leader Financial Services  
**File No:** 987G  
**Reason for Report:** To present the monthly financial report for July 2007

(Martin/Shoebridge)

**10/15 Resolved without debate:**

- A. THAT the monthly financial report for July 2007 be received and noted.
- B. That the General Manager prepare a report for the next Council meeting on the appointment of the independent advisor reviewing the Grange investment portfolio. The report to include information on the advisors credentials, the brief provided to the advisor and the status and timing of the report from the advisor.
- C. That the council be advised as to the steps that have been taken to identify, manage and limit the risk to the council of the Grange investments.

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**Note:** In relation to part B of the above Corporate and Works Committee Recommendation, the General Manager submitted the following supplementary report.

## **General Manager's Report**

**General Manager's No:** 1  
**Subject:** **Supplementary report to monthly Financial Report - July 2007**  
**Author:** Gary James, General Manager  
**File No:** 987.G  
**Reason for Report:** To provide a further report as required by the Corporate & Works Committee

(Rundle/Walker)

- 11/15** That the supplementary report be referred to the Strategic and Corporate Committee Meeting on 3 September 2007.

**Adopted**

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## General Manager's Supplementary Report and Recommendation

### Recommendation:

1. That the supplementary report be received
  2. That Council note Grange Securities and Lewis Securities will be in attendance at the next Corporate & Works Committee meeting to discuss the portfolio in detail
  3. That Council note its advisors have been directed not to place further investments in rated securities under items (k) or (l) of the Minister's investment Order
- 

### Background:

At its meeting on 20 August 2007 the Corporate & Works Committee considered Item D2, Monthly Financial Report – July 2007. The following recommendation was adopted and appears as R3 in Item 9.1 on the Council Agenda.

- A. *THAT the monthly financial report for July 2007 be received and noted.*
- B. *That the General Manager prepare a report for the next Council meeting on the appointment of the independent advisor reviewing the Grange investment portfolio. The report to include information on the advisors credentials, the brief provided to the advisor and the status and timing of the report from the advisor.*
- C. *That the council be advised as to the steps that have been taken to identify, manage and limit the risk to the council of the Grange investments.*

This report responds to parts B and C of the recommendation. Grange Securities and Lewis Securities will be in attendance at the next Corporate & Works Committee meeting to discuss the portfolio in detail.

### Discussion:

Lewis Securities Limited has been appointed as Council's independent advisor in this matter. Lewis Securities was established in 1985 by Tony Lewis to deal and advise in Australian fixed interest securities and is now the leading dealer in retail fixed interest in Australia. The company is not associated with any bank, stock broker or financial planning group and provides totally independent advice on specialist fixed interest dealing and portfolio management.

The initial brief was broad in terms of the resolution of the Corporate & Works Committee, that is, the advice sought was in regard to the exposure of our investments and to gain a better understanding of the securities. More specifically, advice was sought on the creditworthiness of the securities to give guidance in relation to the rating of the securities. Copies of the Grange Securities reports have been provided to Lewis Securities.

The brief does not extend to a 'due diligence' report on each of the securities. Each security has between 40 and 260 'reference entities'. The quality of these underlying portfolios is considered by the ratings agency in determining the rating of the security.

Tony Lewis met with the Mayor, Councillor Petrie and staff, including myself, last Monday. At this meeting broader strategic market advice was added to the brief. There are questions as to whether Council should divest itself of some or all of these securities. Mr Lewis advised on Friday last week that the report was nearing completion. It will be made available for the next Corporate & Works Committee meeting.

**Steps taken to identify, manage and limit risk to the Council of the Grange investments:**

Councillors will be aware that investments in securities are permitted under the Minister for Local Government's Investment Order with a limitation of being rated 'A2' or above (Moody's) or 'A' or above (Standard & Poor's and Fitch). A copy of the Investment Order is attached as ANNEXURE 1. Council's policy, adopted on 18 September 2006, enables investments to be made in accordance with the Investment Order. In addition, in regard to investments in corporate rated securities, Council's Investment Guidelines include a heightened ratings requirement of 'AA-', two notches above the Order requirement.

Notwithstanding the ratings of the securities in which Council funds have been invested, they have not afforded us the protection we desired. This will be considered further as part of the Investment Policy review required by the Corporate & Works Committee resolution of 6 August 2007.

Council continues to receive monthly valuation reports from its advisors. These reports as at 31 July were reported to the Corporate & Works Committee last week. These reports include Council's CDO holdings with a market value of \$9,043,612 compared to a total purchase price of \$10,487,165. One of these has been purchased on the advice of Oakvale Capital with the balance held as part of the Grange Securities Independently Managed Portfolio. The \$1,443,553 reduction in valuation represents 13.8% of the total purchase price, of which the Federation CDO contributes 2.9%.

Council has sought more recent valuations which will be reported to the next Corporate & Works Committee meeting. Preliminary advice indicates that valuations have moved downward by a less than 1% of total purchase price since 31 July which may be an indication of some relative stability returning to the market.

Grange Securities have indicated that they will attend this meeting to discuss the portfolio it manages on Council's behalf.

Council's Federation CDO has direct exposure to the US sub prime mortgage market. We are currently seeking clarification from Grange as to whether this security falls within our investment guidelines with a view to it being removed from our portfolio. Indications are that we will have a response in regard to this at the next Corporate & Works Committee meeting.

Our current advice is that there is no active secondary market for these securities which limits our short term options. What has been done to limit our exposure is to direct our advisors to not purchase any further rated securities under items (k) and (l) of the Minister's Investment Order. Looking forward, it is envisaged that we will move away from ratings as the primary determinant of investment decisions. Notwithstanding this, Grange has previously indicated that, to the extent of the current ratings, they anticipate interest will continue to be paid on a quarterly basis and principal in full on maturity, however, principal repayment is where the uncertainty lies. Council is reminded that the maturity dates for the CDO investments range from 2010 onwards.

**Conclusion:**

It is important to keep in mind that what is going on is a global phenomenon which is impacting on virtually every fixed income asset class and security. This is confirmed by the technical valuation of Council's portfolio where the contagion effect of the sub prime crisis is evident in the valuations of other securities without direct exposure to that market.

Council has sought independent advice in regard to the exposure of its investments. This report, along with Grange Securities portfolio update, will be provided to the next Corporate & Works Committee and will form the basis from which Council can continue to manage this exposure.

Gary James  
General Manager

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**Annexures:**

1. Minister's Investment Order

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## Development Control Committee

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### Items with Recommendations from the Committee Meeting of Monday 20 August 2007 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** **Proposed Deferral of Development Control Committee Agenda Items by Committee Chair**  
**Author:** Les Windle – Manager Governance  
**File No:** 900.G  
**Reason for Report:** Responding to a Notice of Motion adopted by Council on Tuesday 13 June 2006

(Comino/Petrie)

**Resolved without debate:**

**12/15** That no further action be taken in relation to the Notice of Motion.

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**Item No:** R2 Recommendation to Council  
**Subject:** **80 Darling Point Road, Darling Point – Demolition of existing house & erection of new house & pool – 22/12/2006**  
**Author:** Thomass Wong – Senior Assessment Officer  
**File No:** DA883/2006  
**Reason for Report:** In accordance with Council’s meeting procedures and policy this matter is referred to full Council due to a substantive change of the recommendation of the Development Control Committee Site Inspection (defer and confer) to the Committee’s recommendation (refusal).

**Note:** Late correspondence was tabled at the meeting from Council’s Manager Development Control, Brett Daintry and Lakos and Company Lawyers.

(Rundle/Petrie)

**Resolved:**

**13/15** That the matter be referred back to the Development Control Committee to consider the late correspondence with a staff report on the submission.

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## Urban Planning Committee

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### Items with Recommendations from the Committee Meeting of Monday 13 August 2007 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** Centre Management - Double Bay and Oxford Street  
**Author:** John Davies - Strategic Planner  
**File No:** 1178 & 1179.G  
**Reason for Report:** To present to Council a preferred Centre Management model

**(Rundle/Shoebridge)**

**14/15 Resolved without debate:**

1. That the Council endorse for discussion, with the Double Bay business community, the model for centre management set out in section 5 of the report on Centre Management to the Urban Planning Committee on 13 August 2007.
2. That the Council engage in dialogue with the Council of the City of Sydney regarding a centre management model for Oxford Street, Paddington and its financing.
3. That Council agrees in principle to match funds raised by the business community (up to \$200,000) as seed funding for centre management in Double Bay for year 1 only.
4. That a special rates levy to fund centre management in Double Bay be further considered following discussions with the Double Bay business community.
5. That Council develop a draft service agreement for maintenance in Double Bay to be used as a basis for discussion with the Double Bay business community.
6. That Council write to the Double Bay business community, via the Chamber of Commerce, suggesting that a business plan to address the marketing requirements of the centre is prepared.

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**Item No:** R2 Recommendation to Council  
**Subject:** Rezoning Proposal at 4A Nelson Street, Woollahra  
**Author:** John Davies - Strategic Planner  
**File No:** 1064.1G  
**Reason for Report:** To respond to issues raised at the site inspection on 2 July 2007

**Note:** Late correspondence was tabled at the meeting from JewishCare and GSA Planning.

**Motion moved by Councillor Shapiro**

**Seconded by Councillor Boskovitz**

- A. THAT a draft local environmental plan be prepared to amend Woollahra Local Environmental Plan 1995, to change the zoning of 4A Nelson Street from Special Use 5 (Integrated Housing for Aged Persons/Community Facility) to Residential 2(a).
- B. THAT in order to retain the heritage significance of the site, the current allotment size be retained and no minimum allotment size be set under the Woollahra LEP 1995. All subdivision proposals are subject to development consent and will be assessed with regard to impact on heritage significance.
- C. THAT in resolving to prepare a draft local environmental plan the Council is not indicating its acceptance of a development proposal or building works on the site or other sites from which Jewish Care (the owner) operates or intends to operate. These matters will need to be assessed separately through the development application process.
- D. THAT as required by the Council’s adopted Fees and Charges, the applicant is to pay all costs incurred by Council for the preparation and exhibition of the amending local environmental plan, including the assessment of the rezoning application report.
- E. That a report be submitted to the Urban Planning Committee on an amendment to the Brougham DCP to adopt appropriate fencing between lots 2 and 3 and the protection of the curtilage to Brougham.

**Amendment moved by Councillor Rundle**

**Seconded by Councillor Shoebridge**

That the recommendation from the Urban Planning Committee be adopted.

**The Amendment was put and carried**

**The Amendment became the Motion**

**The Motion was Adopted**

**Resolved:**

- 15/15** That the matter be referred back to the Urban Planning Committee to explore the possibility of obtaining a binding planning agreement, investigation of whether the public benefit is enforceable and the protection of the curtilage of the heritage property.

**Note:** A Division was called by Councillors Petrie and Rundle.

**For the Motion**

Councillor Gardner  
 Councillor Martin  
 Councillor Excell  
 Councillor Dawson  
 Councillor Rundle

**Against the Motion**

Councillor Comino  
 Councillor Petrie  
 Councillor Walker  
 Councillor Shapiro  
 Councillor Sinclair King

Councillor Shoebridge  
Councillor Huxley

Councillor Boskovitz

**7/6**

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## Community & Environment Committee

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### Items with Recommendations from the Committee Meeting of Monday 13 August 2007 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** **Woollahra Noxious Weeds Policy and Strategy**  
**Author:** Jeff Hill Team Leader Bushland  
**File No:** 836.G  
**Reason for Report:** To advise Council on amendments to the *Noxious Weeds Act 1993*,  
To recommend Council adopt the Woollahra Noxious Weeds Policy and  
Noxious Weeds Strategy

(Boskovitz/Excell)

**16/15 Resolved without debate:**

- A. That Council note the amendments to the *Noxious Weeds Act 1993* and the recently declared Noxious Weeds list for the Woollahra LGA
- B. That Council adopt the Noxious Weeds Policy
- C. That Council adopt the Noxious Weeds Strategy
- D. That the education program include a focus on the eradication of Asthma Weed on private property.

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**Item No:** R2 Recommendation to Council  
**Subject:** **Declaration of Privet as a Noxious Weed in the Woollahra LGA**  
**Author:** Jeff Hill Team Leader Bushland  
**File No:** 836.G  
**Reason for Report:** To recommend the inclusion of Privet as a declared Noxious Weed in the  
Woollahra LGA

(Boskovitz/Excell)

**17/15 Resolved without debate:**

- A. That Council support the aims and objectives of the Sydney Regional Privet Management Plan 2005 – 2010

- B. That Council endorse the declaration of Privet (inclusive of Small-leaf Privet *Ligustrum sinense* and Large-leaf Privet *Ligustrum lucidum*) as a Class 4 noxious weed under the *Noxious Weeds Act 1993* within the Woollahra Local Government Area.

**Item No:** R3 Recommendation to Council  
**Subject:** **Water Craft Storage Policy**  
**Author:** David Sheils - Manager Public Open Space  
**File No:** 871.G  
**Reason for Report:** To provide a framework to facilitate the management of privately owned water craft on Council managed land including the newly installed Rose Bay dinghy storage facility.

**Note:** Late correspondence was tabled at the meeting from Council’s Manager Public Open Space, David Sheils and the Vaucluse Progress Association.

**(Shoebridge/Boskovitz)**

**18/15 Resolved:**

- A. That Council adopt the Water Craft Storage Policy (Annexure 6).  
 B. That Council adopt for exhibition the fee scale outlined in the report being:

	Permit type	
	Annual	Three years
Resident / ratepayer	\$80 / yr	\$200
Non resident	\$150 / yr	\$400

- C. That the fees outlined in (B) be publicly exhibited for at least 28 days in accordance with the requirements of the Local Government Act (1993), with a following report to be presented for Council’s consideration.  
 D. That Council notify Rose Bay swing mooring holders of the need to apply for use of the newly installed storage facility if they wish to store water craft in Rose Bay Park.  
 E. That following the installation of fixing points along Marine Parade, Council notify Watsons Bay mooring holders of the need to apply for use of Marine Parade for water craft storage.  
 F. That adjoining residents and property owners be consulted regarding proposed dinghy storage facilities located in Tingira Memorial Park and Gibsons Beach Reserve, and following this consultation a further report be prepared for Council’s consideration.

## **Suspension of Standing Orders**

### **Motion moved by Councillor Petrie**

- 19/15** That Standing Orders be suspended to allow a motion to be put to Council to hold a special Councillor Briefing so that the Councillors can be briefed on the background to the matters that will be submitted to the Strategic and Corporate Committee meeting on 3 September 2007.

### **Adopted**

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

### **Motion moved by Councillor Petrie Seconded by Councillor Shoebridge**

That a special Councillor Briefing be held at 7.30am on Friday 31 August 2007 so that the Councillors can be briefed by staff on the background to the matters that will be submitted to the Strategic and Corporate Committee on Monday 3 September 2007.

### **Adopted**

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## Notice of Motion

**Item No:** 1  
**From:** Councillors Shoebridge, Cullen & Excell  
**Date:** 13 August 2007  
**File No:** 900.G

(Shoebridge/Excell)

- 20/15** That Council arrange a meeting with Waverley Council to consider joint funding and development of a Bondi Beach to Rose Bay Ferry Wharf bus link for tourists and commuters.

**Adopted**

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**Item No:** 2  
**From:** Councillors Tanya Excell & David Shoebridge  
**Date:** 21 August 2007  
**File No:** 900.G

**21/15** (Excell/Shoebridge)

1. That the Manager Strategic Planning bring a report to the Urban Planning Committee to amend our Development Control Plan for Exempt and Complying Development to permit the erection of solar panels for the purpose of electricity generation in the same way that solar hot water heaters are currently exempt from the need for development consent.
2. That as part of the report staff investigate the feasibility of all DA fees associated with independent solar panel installation for electricity generation and all DA fees associated with independent solar hot water heater installation be waived.

**Adopted**

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**Item No:** 3  
**From:** Councillor Shoebridge  
**Date:** 23 August 2007  
**File No:** 900.G

(Shoebridge/Excell)

That Council immediately:

1. Make a submission to our local member Malcolm Turnbull, Minister for the Environment, stating that Council, on the information available to date, opposes Gunns Ltd's Tasmanian pulp mill, on the following basis:
  - a. It will lead to unacceptable long term destruction of Tasmania's high conservation value forests;
  - b. It will lead to unacceptably high levels of dioxins in the marine environment; and

- c. It will lead to unacceptably high levels of air pollutants.
2. In Council's submission that Council call for our local member Malcolm Turnbull, Minister for the Environment, to immediately put in place a full and open public hearing process to allow for a proper and accountable assessment of Gunns Ltd's proposed pulp mill.

**Lost**

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**Item No:** 4  
**From:** Councillor Sinclair King  
**Date:** 22 August 2007  
**File No:** 900.G

**Note:** Councillor Sinclair King withdrew the Notice of Motion so that it could be considered on conjunction with other related matters at the Strategic and Corporate Committee meeting on Monday 3 September 2007.

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## 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 13 August 2007 and for Councillors to ask Questions without Notice in accordance with Council's Code of Meeting Practice.

**Motion moved by Councillor Martin**  
**Seconded by Councillor Comino**

22/15 That the responses to previous Questions without Notice be noted.

**Adopted**

**The following questions were asked:-**

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**Councillor Comino asking:**

Regarding the removal of dinghies and other water craft from the Rose Bay Seawall and Rose Bay Park, what action has Council taken in regard to temporary storage and disposal/return of impounded dinghies and watercraft?

**Director Technical Services in response:**

We gave 6 weeks for owners to reclaim the dinghies from our depot. This period is over and we will be arranging disposal of those unclaimed.

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**Councillor Comino asking:**

Will Council place flashing warning lights at regular intervals on the chain wire safety fencing lining the works zone along Rose Bay promenade?

**Director Technical Services in response:**

I will look at that to see that what is necessary under the Traffic Management Plan is in place.

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**Councillor Comino asking:**

Have the issues raised by David Caldwell to bus shelters in the Municipality been actioned? If so, in what way?

**Director Technical Services in response:**

I believe the issues have been comprehensively addressed in a response to Mr Caldwell.

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**Councillor Martin asking:**

To the Director Planning and Development

When will you complete your answer to my question of last time, re City Rail's role in expediting the north south pedestrian pathway through White City.

**Director Planning and Development in response:**

We have had a meeting with Sydney Grammar School about the establishment of the pathway. There are three other owners that we also need to consult in order to achieve the right of way. Sydney Grammar have indicated a willingness to participate in negotiations but only when we get advice from the other land owners that the other land owners are also willing to participate in the discussions. You would be aware that the land ownership of a substantial part of the land changed only about three weeks ago and what we propose to do now is to draw the land owners together and put the proposal to them in a meeting so we can get all the parties together to see if we can get agreement on it.

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**Councillor Martin asking:**

What will the time frame be for this meeting to take place?

**Director Planning and Development in response:**

I will put action in place to get that meeting running as soon as possible, hopefully within the next three weeks. I would anticipate that I may not be able to get all those land owners to the table at short notice but we will get the invitation out this week.

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**Councillor Martin asking:**

You said that Sydney Grammar have said that they would only participate in this subject to other parties. That is not my understanding of the undertakings they took when we approved their development.

**Director Planning and Development in response:**

They have reiterated the commitment they gave to the Council when their development application was determined by the Council. But the ability of us to achieve this is dependant on the contiguous land owners also being agreeable to a similar arrangement. As I have indicated, the owners that we need to discuss that with has only been known to us in the last three weeks because of the change in land ownership in relation to the land which contains the White City Tennis Courts.

**Councillor Excell asking:**

To the Mayor

Recently in the Village Voice you stated that the Greens Councillors myself and David Shoebridge as the first Green Councillors on Woollahra Council were guilty of political stunts and not good policy while portraying yourself as a lone environmental campaigner struggling against the “conservatism” that is Council.

For the record, following is a list of the 25 environmentally progressive Notices of Motion that myself and David Shoebridge as Greens Councillors have put forward over the last 3.5 years of which three quarters have been adopted by this Council.

Item 1	15 September 2005	ethical investments	adopted
Item 2	10 November 2004	40 km/h zones	adopted
Item 1	9 September 2004	the effects on Woollahra of climate change	
Item 1	16 June 2004	recycled paper	adopted
Item 1	4 June 2004	waterless urinals	adopted
Item 5	10 February 2005	reduction in water consumption	adopted
Item 1	29 April 2005	re-cycling computers	
Item 2	29 April 2005	BASIX	adopted
Item 3	29 April 2005	Nathers	adopted
Item 3	26 March 2007	shared traffic zones	
Item 2	26 March 2007	40 km zone Woollahra heritage areas	adopted
Item 2	12 June 2007	Adopt a whale	
Item 2	26 February 2004	Mobile phone deposit boxes	adopted
Item 1	27 November 2006	metered parking Syd Einfield Drive	
Item 2	13 November 2006	Call on Government to enable WARR Act	adopted
Item 5	14 November 2005	Cat curfew	adopted
Item 3	13 March 2006	View obstruction device	
Item 5	15 May 2006	Improving BASIX	adopted
Item 1	15 May 2006	Asbestos	
Item 2	13 March 2006	Dead tree screen	adopted
Item 1	28 August 2006	Community Garden	adopted
Item1	11 September 2006	climate change	
Item 1	24 March 2006	Sliding scale for parking fees	
Item 2	25 September 2006	Climate change	
Item 6	26 June 2006	Nuclear fee zones	

Could the Mayor please supply us with a list of the environmental initiatives that she has tried to implement over the last 3.5 years?

You also stated in the article that you had difficulty shifting “the organisation into a carbon neutral organisation”. Could you please explain, exactly what these aims are and how it is that you tried to achieve these aims?

Also in the article you stated that we, the Greens Councillors, had proposed to measure carbon emissions produced by the Woollahra Municipality. I believe this is a figment of your imagination. If I am mistaken please show us where we said it?

**Mayor In response:**

I have no idea if what you are saying is correct. I have not seen the article. I have no idea whether this is totally fallacious, made up or what ever. I will take it On notice.

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**Councillor Dawson asking:**

There are dinghies and kayaks at the other end of Rose Bay that lie irregularly at Tingara Reserve. Do we have a policy to tidy up the storage of watercraft on this area of public park and beach?

**Director Technical Services in response:**

Yes, the Council recently adopted it.

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**Councillor Walker asking:**

Some months ago a roundabout sign in the median strip leading to the roundabout at Latimer Road and O'Sullivan Road (north side) was knocked down and removed. When will it be replaced?

**Director Technical Services in response:**

On Notice

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**Councillor Rundle asking:**

Does Council have a policy of reviewing parking restrictions in small shopping centres? I have been approached by shopkeepers in Queen Street who are concerned that the current restrictions are not encouraging turnover of vehicles. Is it possible for consideration of 15 minute parking on the northern side of Queen Street from Moncur Street to Holdsworth Street and half hour parking instead of one hour parking on the southern side in that area?

**Director Technical Services in response:**

We can investigate that through a submission to the Traffic Committee.

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**Councillor Sinclair King asking:**

I understand that someone has offered to buy the Paddington Bowling Club. Are you aware of this?

**General Manager in response:**

I am not aware of that offer. It certainly has not been conveyed to me in any way but I am happy to investigate that. I will take it On notice.

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**Councillor Sinclair King asking:**

I like our Humpback Whale banner but I am wondering whether you could put somewhere on it what "Bo-a-Millie" means?

**Director Community Services in response:**

I will have a look at that.

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**Councillor Boskovitz asking:**

I recently received a letter from a resident in Hopetoun Avenue Vaucluse which raised concerns about the footpath view across the road from Petrach Avenue. The resident lists a number of reasonable suggestions that could be undertaken to improve the situation. I will hand up the letter and could you please respond and hopefully, if necessary, undertake the works.

**Director Technical Services in response:**

On notice

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**Councillor Shoebridge asking:**

When will the issue of amended proposed hours of construction activity for Sydney Grammar School Playing Fields come before the Development Control Committee?

**Director Planning and Development in response:**

There is a Section 96 application seeking to extend the construction hours. I will take the question  
On notice.

**Mayor further in response:**

I have called this to the Development Control Committee.

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**Councillor Shoebridge asking:**

A resident of 36 Adelaide Street Woollahra has raised concerns about an application said to have been made to Council to fix issues with a sewerage line running near or through her property. Could you please advise what, if any, steps have been taken in relation to this issue?

**Director Technical Services in response:**

On notice

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**Councillor Shoebridge asking:**

I have been provided with correspondence raising concerns about the build up of rubbish at Rose Bay Beach. Could you please advise Council and the resident as to any schedule for cleaning the beach?

**Director Technical Services in response:**

On notice

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There being no further business the meeting concluded at 10.05pm.

*We certify that the pages numbered 2116 to 2143 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 27 August 2007 and confirmed by Council at the ordinary Meeting of Council on 10 September 2007 as correct.*

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**General Manager**

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**Mayor**