

Council Meeting

Monday 17 December 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 3 December 2007

- D1 Confirmation of Minutes of Meeting held on 19 November 2007
- D2 Submission on the 2006/2007 Financial Reports
- D3 Gurner Lane Footpath Widening

Development Control Committee Meeting held on Monday 3 December 2007

- D1 Confirmation of Minutes of Meeting held on 19 November 2007
- D2 DA609/2007 – 46 Bundarra Road, Bellevue Hill – The installation of a wall mounted inverter air conditioning system – 20/9/2007
- D3 DA463/2007 – 20A Tivoli Avenue, Rose Bay – New dwelling-house, swimming pool & landscaping works – 16/7/2007
- D4 DA565/2007 – 2 Loch Maree Place, Vaucluse – Reconstruction of demolished walls & concrete slabs on the lower ground & ground floor levels (in the same location as the existing walls & concrete slabs – 3/9/2007
- D5 DA359/2007 – 2 Oxford Street, Woollahra – Alterations & additions to the Light Brigade Hotel, including creation of an external smoking area on the Oxford Street frontage, changes to windows & internal refurbishments – 4/6/2007
- D6 DA325/2007 – 18 Bathurst Street, Woollahra – Demolition of existing & erection of a new dwelling with swimming pool – 18/5/2007
- D7 DA663/2006 – 33 Elizabeth Street, Paddington – Alterations & additions to existing hotel – 28/9/2006 – (See Item R1)
- D8 Register of Current Land and Environment Court Appeals for Development Applications
- D9 DA323/2007 – 1 Wingadal Place, Point Piper – New single dwelling house including landscaping works & swimming pool – 18/5/2007

Corporate & Works Committee Meeting held on Monday 10 December 2007

- D1 Confirmation of Minutes of Meeting held on 3 December 2007
- D2 Monthly Financial Report - November 2007
- D3 Gurner Lane footpath Widening
- D4 3 Queens Ave, Vaucluse - Proposed Road Closure and Sale

Development Control Committee Meeting held on Monday 10 December 2007

- D1 Confirmation of Minutes of Meeting held on 3 December 2007
- D2 DA845/2004 Part 6 – 20 Ray Avenue, Vacluse – Relocation of solar panels & hot water enclosure, modifications to roof top lobby structure – 21/8/2007
- D3 DA660/2007 – 47 Russell Street, Vacluse – Demolition of existing residential flat building & construction of a new 3 storey residential flat building comprising 2x3 & 2x2 bedroom apartments & basement parking for 6 vehicles – 11/10/2007- **(See Item R2)**
- D4 DA196/2007 – 4 Wolseley Crescent, Point Piper – Substantial demolition of existing dwelling & construction of new dwelling house – 30/3/2007
- D5 DA320/2004 Part 2 – 112 Wolseley Road, Point Piper – Section 96 Application – Proposed Modification to conditions of consent to allow removal of trees required to be retained & their replacement with new plantings – 30/5/2007
- D6 Register of Current Land and Environment Court Appeals for Development Applications
- D7 DA325/2007 – 18 Bathurst Street, Woollahra – Demolition of existing & erection of a new dwelling with swimming pool – 18/5/2007
- D8 DA85/2007/1 – 88-90 Wolseley Road, Point Piper – Demolition of existing dwelling and construction of new three storey dwelling including swimming pool and landscaping - 6/11/2007

Urban Planning Committee Meeting held on Monday 26 November 2007

- D1 Confirmation of Minutes of Meeting held on 12 November 2007

Community & Environment Committee Meeting held on Monday 26 November 2007

- D1 Confirmation of Minutes of Meeting held on 12 November 2007
- D2 2007 Woollahra Small Sculpture Prize Evaluation Report



Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council
held at the Council Chambers, Double Bay, on
Monday 17 December 2007 at 7.10pm.**

Present: His Worship the Mayor, Councillor Geoff Rundle
Councillors Anthony Boskovitz
John Comino
Claudia Cullen (left 8.00pm)
Christopher Dawson
Marcus Ehrlich
Wilhelmina Gardner
Keri Huxley
Julian Martin
Andrew Petrie
Isabelle Shapiro
David Shoebridge
Fiona Sinclair King

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

Also in Attendance: Nil

Confirmation of Minutes

(Comino/Cullen)

- 1/44** THAT the Minutes of the Council Meeting held on 26 November 2007 be taken as read and confirmed.

Adopted

(Shoebridge/Shapiro)

- 2/44** THAT the Minutes of the Strategic & Corporate Committee Meeting held on 28 November 2007 & 4 December 2007 be taken as read and confirmed subject to the attendance record being amended to show that Councillor Shoebridge arrived at 6.15pm and not 6.45pm.

Adopted

(Shoebridge/Shapiro)

- 3/44** THAT the Minutes of the Extraordinary Council Meeting held on 10 December 2007 be taken as read and confirmed.

Adopted

Leave of Absence

(Huxley/Petrie)

- 4/44** That leave of absence for all meetings of the Council and its Committees be granted to Councillor Isabelle Shapiro for the period Wednesday 2 January 2008 to Friday 25 January 2008, inclusive.

Adopted

Apologies

(Shoebridge/Cullen)

- 5/44** Apologies were received and accepted from Councillors Tanya Excell and John Walker and Leave of Absence granted.

Adopted

Declarations of Interest

Councillor Petrie advised that in relation to Corporate and Works item R3 of the meeting held on 3 December 2007 (Proposed creation of a new easement for stormwater drainage, 9A Cooper Park Road, Bellevue Hill) that he lives at 17A Cooper Park Road, Bellevue Hill and has no conflict of interest in the matter whatsoever.

Corporate & Works Committee

Items with Recommendations from the Committee Meeting of Monday 3 December 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Budget Strategy**
Author: Don Johnston, Manager Finance
File No: 331G 2008/2009
Reason for Report: To provide the Committee with an overview of the continuing issues facing Council in preparing the 2008/2009 Budget and to propose a strategy for its preparation.

(Petrie/Boskovitz)

6/44 Resolved Without Debate:

That the 2008/09 Draft Budget be prepared on the following basis:

1. The key objectives of the budget strategy be to continue to:
 - attempt to, as far as possible, absorb the external impacts on Council's budget;
 - grow the amount of capital funding available from the operating budget;
 - maintain and enhance service delivery from the operating budget; and
 - fund the identified capital works program, including the infrastructure renewal strategy;
2. While endeavouring to achieve the key objectives, the 2008/2009 draft operating budget incorporate:
 - taking up the full amount of the general rate variation;
 - increasing fees and charges by at least the CPI;
 - providing for a 3.5% increase in salaries and wages (effective from the beginning of November) discounted by a 5% vacancy factor;
 - fully funding the increase in employee leave entitlements;
 - budgeting for the full withdrawal of the superannuation 'holiday';
 - repayment of the \$6.525m streetscapes program loan funded from the loan repayments reserve and \$40,000 from s94A levies.
3. The capital budget should be prepared to include:
 - an increase in Council's commitment to infrastructure renewal of at least the amount of the rate increase;
 - a \$960,000 program of works funded by section 94A levies;
4. That the internal working documents be updated for the 2008/2009 draft budget and reviewed by Council in conjunction with the cuts identified by Directors
5. That a further report be prepared on funding Council's leave liability to an optimum level of 40% canvassing an allocation from working funds as part of achieving the strategy.

Item No: R2 Recommendation to Council
Subject: **Tender for the Supply of Pavers**
Author: Joe Cavagnino – Purchasing Coordinator
File No: Tender 07/14
Reason for Report: The supply term contract for the acquisition of the “Double Bay Pavers”

(Petrie/Boskovitz)

7/44 Resolved Without Debate:

1. That Council enter into a Schedule of Rates contract for 36 months with Sam the Paving Man for the supply of pavers for the Double Bay public domain improvement works program.
 2. That successful and unsuccessful tenderers be advised accordingly.
-

Item No: R3 Recommendation to Council
Subject: **Proposed Creation of a new easement for stormwater drainage, 9A Cooper Park Road, Bellevue Hill.**
Author: Anthony Sheedy, Property Officer
File No: 620.G
Reason for Report: To seek Council’s endorsement for creation of a stormwater easement in favour of the owner of 72 Bellevue Rd, Bellevue Hill.

Note: Councillor Petrie advised that he lives at 17A Cooper Park Road, Bellevue Hill and has no conflict of interest in this matter whatsoever.

(Petrie/Boskovitz)

8/44 Resolved Without Debate:

- A. That Council agree to the granting of a new easement for stormwater drainage by transfer to the owner of 72 Bellevue Rd, Bellevue Hill as favouree in respect of a 1.575 metre wide portion of 9A Cooper Park Rd; subject to (B).
 - i) The owner of No 72 paying \$10,000 plus GST in compensation to Council.
 - ii) The owner of No 72 to financially compensate Council for all its costs based on a notional 375 mm stormwater pipe installation, including valuation, legal fees, surveyor fees, and any other unspecified costs related to the proposal.
 - B. That the Common Seal of Council be affixed to the 88B Conveyancing Act 1919 instrument for creation of the easement; subject to certification from Council’s solicitors that the document protects the Council’s interests.
-

Item No: R4 Recommendation to Council
Subject: **Minutes of the Floodplain Risk Management Committee (FPRMC) Meeting held on Thursday 8 November and recommendations**
Author: Myl Senthilvasan - Asset Management Engineer (Drainage)
File No: 626.G Committee
Reason for Report: To report on the outcomes of the Floodplain Risk Management Committee meeting, held Thursday, 8 November 2007, and recommend further actions.

(Petrie/Boskovitz)

9/44 Resolved Without Debate:

- A. That the minutes of the FPRMC meeting, 8 November 2007, be noted.
 - B. That Council adopt the Double Bay Catchment Flood Study prepared by Bewsher Consulting Pty Ltd.
 - C. That Council proceed to prepare a Floodplain Risk Management Study and Floodplain Risk Management Plan for the Double Bay Catchment subject to availability of further funding for these studies.
 - D. That Council commence with the Rushcutters Bay Catchment Floodplain Risk Management Study and Plan with the available funds.
 - E. That Webb McKeown & Associates Pty Ltd be commissioned to complete the Rushcutters Bay Catchment Floodplain Risk Management Study and Plan.
 - F. That Council continue to pursue grant funding from the NSW State and/ or the Commonwealth Governments for this project.
 - G. That Council renew membership of the Floodplain Risk Management Committee by calling expression of interest from community representatives and individuals.
 - H. That Council request the current members of the committee to continue to be in the Floodplain Risk management Committee.
 - I. That Council thank the current members of the Committee for their assistance and participation.
-

Corporate & Works Committee

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

Item No: R1 Recommendation to Council
Subject: **Drill Hall Accommodation Request**
Author: Jo Jansyn, Cultural Development Coordinator
File No: 787.G Drill Hall
Reason for Report: Proposal submitted for use of additional space by Critical Path at Drill Hall, Sir David Martin Reserve, Rushcutters Bay

Note: Late correspondence was tabled at the meeting from Council's Cultural Development Coordinator, Jo Jansyn.

(Petrie/Boskovitz)

10/44 Resolved Without Debate:

1. That the proposal for use of the Workshop Room in Drill Hall by Critical Path for the purpose of a video archive and video edit suite be endorsed.
2. That fees associated with hire of the Workshop Room be waived in return for a community benefit program associated with Critical Path's proposed use of the space.
3. That an agreement for an initial twelve month period expiring 31 December 2008 for use of the Workshop Room by Critical Path be formalised, and delegated to the General Manager for final approval.

Item No: R2 Recommendation to Council
Subject: **Fernleigh Avenue, Rose Bay – Road Reconstruction Project**
Author: Joe Cavagnino – Purchasing Coordinator
File No: Tender No 07/19
Reason for Report: To recommend to Council the acceptance of a Tender

(Petrie/Boskovitz)

11/44 Resolved Without Debate:

- A. That Council enter into a Contract with Tropic Asphalts for the Fernleigh Avenue Rose Bay Road Reconstruction project for the sum of \$246,181.40 (excluding GST).
- B. That successful and unsuccessful tenderers be advised accordingly.

Item No: R3 Recommendation to Council
Subject: **Holdsworth Community Centre - Annual Acquittal 2006/07**
Author: Kylie Walshe
File No: 126.G
Reason for Report: To report the annual acquittal of the funds provided to Holdsworth Community Centre for 2006/07 and the quarterly report for July - September 2007.

(Petrie/Boskovitz)

12/44 Resolved Without Debate:

- A. The Council note the financial performance of Holdsworth Community Centre in 2006/07.
- B. That Council agree to the revote of \$38,000 unspent operational funding provided to Holdsworth Community Centre in 2006/07, to be expended on the items requested.
- C. That consideration of requests 1 and 2 for reimbursement of Workers Compensation insurance and depreciation be deferred to later in the year when the financial position is clearer
- D. That a further report be presented to Council in early 2008 regarding opportunities for the reallocation of unspent operational funding provided to Holdsworth Community Centre in 2006/07.
- E. That Council note the quarterly report for Holdsworth Community Centre for the quarter ending 30 September 2007.

Item No: R4 Recommendation to Council
Subject: **Trumper Park Tennis Court Lease Tender 07/013**
Author: Warwick Hatton – Director Technical Services
File No: Tender 07/013
Reason for Report: To report on options available to Council with respect to the tenders for the lease of the Trumper Park Tennis Courts

(Petrie/Boskovitz)

13/44 Resolved Without Debate:

- A. That, having regard to all the circumstances, it appears to not be most advantageous to the Council to accept any of the tenders in their current form and, therefore, that Council resolve not to accept any of the tenders and invite, in accordance with clause 167 of the Local Government (General) Regulation, fresh tenders based on the same or difference details.

- B. That until such time a decision is reached on the granting of a lease for the Trumper Park Tennis Courts, the information contained in this report and in the current tenders be treated as Commercial In Confidence.
 - C. That the fresh tenders are to be assessed by an assessment panel of members not including any of the original panel.
-

Development Control Committee

Items with Recommendations from the Committee Meeting of Monday 3 December 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council

Subject: **33 Elizabeth Street, Paddington – Alterations & Additions to existing Hotel – 28/9/2006**

Author: Thomass Wong – Senior Assessment Officer

File No: DA663/2006

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 Committee's recommendation (refusal) to the Officer's recommendation (approval).

Note: Late correspondence was tabled at the meeting from Kathleen Johnson (2 items), Jim White, Mark Exter, Rob Stevens, David Jaroura, Ann Pederson, Michael McGrowdie, Margaret Yeow and Avrocorp Pty Ltd.

**Motion moved by Councillor Huxley
Seconded by Councillor Shoebridge**

THAT the Council, as the consent authority, refuse development consent to Development Application No. 663/2006 for alterations and additions to existing hotel on land at 33 Elizabeth Street Paddington, for to the following reasons:

1. Intensification of use
2. Significant increase of public floor space
3. Significantly increased patronage in a close urban environment
4. Potential for even more intensive use by a future occupant
5. Increased social impacts on adjoining residents
6. Increased noise impact on neighbouring properties
7. Traffic issues
8. Parking deficiencies
9. Impact on the local streets
10. Is not in the public interest.

**Amendment moved by Councillor Petrie
Seconded by Councillor Dawson**

That the matter be deferred and referred back to the Development Control Committee to consider the amended plans.

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

14/44 Resolved:

THAT the Council, as the consent authority, refuse development consent to Development Application No. 663/2006 for alterations and additions to existing hotel on land at 33 Elizabeth Street Paddington, for to the following reasons:

1. Intensification of use
2. Significant increase of public floor space
3. Significantly increased patronage in a close urban environment
4. Potential for even more intensive use by a future occupant
5. Increased social impacts on adjoining residents
6. Increased noise impact on neighbouring properties
7. Traffic issues
8. Parking deficiencies
9. Impact on the local streets
10. Is not in the public interest.

Note: A Division was called by Councillors Martin and Petrie.

For the Motion

Councillor Gardner
Councillor Huxley
Councillor Martin
Councillor Sinclair King
Councillor Ehrlich
Councillor Shapiro
Councillor Cullen
Councillor Shoebridge
Councillor Rundle

Against the Motion

Councillor Boskovitz
Councillor Comino
Councillor Dawson
Councillor Petrie

9/4

Development Control Committee

Items with Recommendations from the Committee Meeting of Monday 3 December 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **4-8 Patterson Street, Double Bay – Review of Prospects of Success – Demolition of 3 dwellings & Construction of 7 townhouses with underground parking & Associated landscaping – 23/10/2006**
Author: Joseph La Posta – Senior Assessment Officer
File No: DA734/2006
Reason for Report: In accordance with Council’s meeting procedures and policy this matter is submitted to Council as the refusal was previously determined by Council.

Note: Confidential late correspondence was tabled at the meeting from Council’s Director Planning and Development, Allan Coker.

(Petrie/Huxley)

15/44 THAT the Council resolve to enter into closed session with the press and public excluded to consider the confidential late correspondence in accordance with the provisions of Section 10A(2)(g) of the Local Government Act 1993.

Adopted

In closed session

Note: The Committee discussed the confidential late correspondence.

(Shoebridge/Huxley)

Recommendation:

That Council resist the appeal to Development Application No. 734/2006 for the demolition of 3 dwellings and construction of seven townhouses with underground parking and associated landscaping on land at 4-8 Patterson Street, Double Bay.

(Shoebridge/Huxley)

16/44 That the Council move into “Open Session”.

Adopted

In Open Session**(Shoebridge/Huxley)****17/44 Resolved:**

That Council resist the appeal to Development Application No. 734/2006 for the demolition of 3 dwellings and construction of seven townhouses with underground parking and associated landscaping on land at 4-8 Patterson Street, Double Bay.

Item No: R2 Recommendation to Council
Subject: **47 Russell Street, Vaucluse – Demolition of existing residential flat building & construction of a new 3 storey residential flat building comprising 2x3 & 2x2 bedroom apartments & basement parking for 6 vehicles – 11/10/2007**
Author: David Booth – Senior Assessment Officer
File No: DA660/2007
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 Committee’s recommendation (refusal) to the Officer’s recommendation (approval).

Note: Late correspondence was tabled at the meeting from Doug and Janet Greensall.

(Huxley/Shoebridge)**18/44 Resolved Without Debate:**

That Council, as the consent authority, refuse development consent to Development Application No. 660/207 for demolition of existing residential flat building and construction of new 3 storey residential flat building comprising 2 x 3 and 2 x 2 bedroom apartments and basement parking for 6 vehicles on land at 47 Russell Street, Vaucluse for the following reasons:

1. Excessive FSR in building bulk;
 2. Overshadowing of neighbouring residents;
 3. Poor solar access and ventilation to the rear of the development;
 4. Lack of appropriate setbacks especially to the cliff face;
 5. Inappropriate present (sic) of a 3 storey development in a 2 storey residential precinct;
 6. Unreasonable sense of enclosure in relation to the adjoining residents;
 7. Unreasonable impact on No 49 Russell Street, as a potential heritage item;
 8. Non-compliance with the car-parking DCP;
 9. Excessive height;
 10. Lack of deep soil and excavation beyond the building footprint;
 11. The potential impact of the excavation on the cliff face, and
 12. The lack of certainty of the material provided by the applicant on the relationship of the height of the building to the height of the cliff.
-

Urban Planning Committee

Items with Recommendations from the Committee Meeting of Monday 26 November 2007 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	The Work of John R Brogan (Architect) in the Woollahra Municipality and 17 Ian Street, Rose Bay
Author:	Jodi Ayre, Strategic Heritage Officer
File No:	1080.G [BH]
Reason for Report:	<ol style="list-style-type: none">1. To respond to the Council decision made on 9 October 2006 regarding the work of John R Brogan in the Municipality.2. To respond to the Council decision made on 13 December 2004 deferring the consideration of the heritage significance of 17 Ian Street Rose Bay, to allow for further information.3. To obtain a decision to list 17 Ian Street Rose Bay as a heritage item.

**Motion moved by Councillor Shoebridge
Seconded by Councillor Sinclair King**

- A. THAT report on the work of John R Brogan within the Woollahra Municipality be received and noted.
- B. THAT a draft local environmental plan be prepared to amend Woollahra Local Environmental Plan 1995 by including the following property as a heritage item in Schedule 3:
Ian Street 17 Rose Bay House and grounds

**Amendment moved by Councillor Cullen
Seconded by Councillor Boskovitz**

That the recommendation from the Urban Planning Committee to not list 17 Ian Street, Rose Bay as a heritage item be adopted.

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

19/44 Resolved:

- A. THAT the report on the work of John R Brogan within the Woollahra Municipality be received and noted.
- B. THAT no further action be taken in relation to listing 17 Ian Street, Rose Bay as a heritage item in the Woollahra Local Environmental Plan 1995.

Note: A Division was called by Councillors Shoebridge and Martin

For the Motion

Councillor Boskovitz
 Councillor Comino
 Councillor Gardner
 Councillor Martin
 Councillor Dawson
 Councillor Shapiro
 Councillor Cullen
 Councillor Petrie
 Councillor Rundle

Against the Motion

Councillor Huxley
 Councillor Sinclair King
 Councillor Shoebridge
 Councillor Ehrlich

9/4

Note: Councillor Ehrlich abstained from voting. In accordance with the Local Government (General) Regulation 2005, Clause 251(1), Councillor Ehrlich has been recorded as voting against the motion.

Item No: R2 Recommendation to Council

Subject: Centre Management - Double Bay

Author: Allan Coker, Director Planning and Development

File No: 1178 & 1179.G

Reason for Report: To update Council on the current position in relation to centre management for Double Bay and to make recommendations on how the matter should be progressed.

(Comino/Huxley)

20/44 Resolved Without Debate:

1. That Council support the establishment of a *Double Bay Centre Management Working Party* with a specific charter to oversight the preparation of the documentation required for centre management, including:
 - the rules for the Incorporated Association
 - the Memorandum of Understanding between Council and the persons who will form the Association
 - the proposed service agreement for maintenance
 - the business plan
 - committee membership of the Association for its first year.
2. That the working party consist of 2 Councillors, The Director of Planning, 3 business community members and consultant Jo Kelly.
3. That the working party be wound up immediately following the commencement of operation of the Incorporated Association.

4. That the documents required for incorporation, the service level agreement and the memorandum of understanding be the subject of a report to the Urban Planning Committee and consideration by Council where required, prior to lodgement with the Department of Fair Trading.
5. That following commencement of the operation of the Incorporated Association and subject to 4 above, Council agree to set aside its funds, up to \$200,000 for use by the Incorporated Association on a \$ for \$ basis as those funds are contributed by the business community of Double Bay and be released based on an agreed program.
6. That Council defer the request for a further year's funding and the issue of a rates levy commencing 1 July 2009 until the Incorporated Association has been established and has operated for a period of 6 months.

Item No: R3 Recommendation to Council
Subject: **Paddington Heritage Conservation Area Development Control Plan - Controls for Lofts over garages**
Author: Chris Bluett - Manager Strategic Planning
File No: 899.G
Reason for Report: To respond to a decision of Council on 29 October 2007
To obtain Council's agreement to new controls for the Paddington Heritage Conservation Area DCP

(Comino/Huxley)

21/44 Resolved Without Debate:

- A. THAT the matter of the controls for lofts over garages in the Paddington Heritage Conservation Area DCP be deferred and referred to the Paddington DCP Working Party for consideration.
- B. THAT the Royal Australian Institute of Architects be requested to nominate a registered architect, practicing in the Woollahra Municipality, to be a member of the working party for this project.
- C. THAT the working party meet prior to early February 2008 to consider the matter.
- D. THAT the recommendations from the working party be referred back to the Urban Planning Committee for consideration.

Community & Environment Committee

Items with Recommendations from the Committee Meeting of Monday 26 November 2007 Submitted to the Council for Determination

Item No:	R1	Recommendation to Council
Subject:	The Way Forward : Woollahra Library and Information Services Strategic Plan	
Author:	Vicki Munro, Manager, Library and Information Services	
File No:	48.G (Strategic)	
Reason for Report:	To present to Council the outcomes of The Way Forward: Woollahra Library and Information Services Strategic Plan and to seek Council's principle endorsement of the Strategy.	

(Shapiro/Cullen)

22/44 Resolved Without Debate:

1. That Council endorse in principle the strategies outlined in The Way Forward: Woollahra Library and Information Services Strategic Plan 2007.
 2. That Council actively pursue opportunities to relocate the Central Library into the Double Bay Town Centre.
-

Notice of Motion

Item No: 1
From: Councillors Cullen & Comino
Date: 19 November 2007
File No: 900.G

(Cullen/Comino)

- 23/44** That a report be provided on progress with the “Lyne Park” bus shelter design and on how the design of the “Towns Road” style bus shelters, where installed on slopes, could be modified to provide better protection against surface run-off and “wet feet”.

Adopted

Item No: 2
From: Councillors Excell & Shoebridge
Date: 26 November 2007
File No: 900.G

Note: As Councillor Excell was not able to attend the Council Meeting the Notice of Motion was withdrawn at her request.

Item No: 3
From: Councillors Huxley & Martin
Date: 5 December 2007
File No: 900.G

(Huxley/Martin)

- 24/44** That a report be submitted to the Development Control Committee regarding Council's delegations relating to the determination of development applications being amended to provide that development applications for hotels be determined by the Development Control Committee.

And that discretionary consent be permitted, by staff, with regard to minor internal changes such as, positioning of airconditioning units, minor internal modifications to toilets, kitchens and the like and that do not have heritage impacts, external works, and any impacts on public amenity.

Adopted

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

Motion moved by Councillor Boskovitz

Seconded by Councillor Comino

25/44 That the responses to previous Questions without Notice be noted.

Adopted

The following questions were asked:-

Councillor Comino asking:

What is the nature of the more extensive works (now notified to Councillors and in last weeks Wentworth Courier) to the concrete balustrade at Rose Bay Promenade that will now delay completion till at least February 2008?

Director Technical Services in response:

The more extensive works are simply additional repair works greater in scope than were originally envisaged but the same in nature and it is not, strictly speaking, the additional repair works which are delaying the overall completion date. It is more to do with the initial stages of the work where a great number of tree roots and underground services had to be worked around.

Councillor Comino asking:

In respect to Council's beach cleaning contracts, when will Council conduct a review of the current contracts, particularly having regard to:

- (a) techniques used for beach cleaning,
- (b) impact of mechanical compaction on ecology,
- (c) impact of mechanical aeration on sand loss,
- (d) effective recovery and removal of hypodermic needles, glass fragments etc?

Director Technical Services in response:

On notice

Councillor Comino asking:

What is the purpose of the brick building structure near the south eastern corner of Lyne Park, opposite the Tennis Centre?

Director Technical Services in response:

The brick building on the south eastern corner of the Tennis Centre is part of the Tennis Centre lease. It used to be a toilet. I think if it is used for anything at the moment it is only for storage purposes.

Councillor Comino asking:

Can it be returned to use as a public toilet?

Director Technical Services in response:

There is a toilet in Lyne Park already.

Councillor Huxley asking:

Would staff provide a written update on the progress of the investigation into to role of the Private Certifier on 20a, 20b and 18 Tivoli Avenue, Rose Bay?

Director Planning and Development in response:

On notice.

Councillor Huxley asking:

When will the Legal Committee meet to review the performance and status of Council's agreements with the preferred law firms?

Mayor in response:

On notice

Councillor Huxley asking:

Will staff please investigate the drinks and glasses being left outside hotels in Paddington?

Director Planning and Development in response:

On notice.

Councillor Huxley asking:

Would Technical Services staff please investigate removing the loading zone outside Andrea Conolly's Salon in the lane beside the Cosmo?

Director Technical Services in response:

On notice.

Councillor Huxley asking:

When will the Strategic Planning Working Party next meet?

Director Planning and Development in response:

It won't be until the New Year. I will confer with the Mayor and members of the Working Party as to a suitable date, sometime in January.

Councillor Martin asking:

Re the White City North/South pedestrian pathway.

Has there been any progress in negotiations with the parties to effect the reinstatement of the pathway in time for the completion of the Sydney Grammar playing field works?

Director Planning and Development in response:

The short answer to that is no. I am keeping you up to date on progress on that issue through the Councillor Bulletin.

Councillor Martin asking:

Do you know when you might have some progress as time is moving on?

Director Planning and Development in response:

I have reported that the Sydney Rail Corporation is favourably disposed to furthering discussions with Council in relation to public access. They have asked for a concept plan to be prepared. I need to follow that up with my colleagues as to the state of play with the concept plan. They have indicated they are not prepared to have further discussions with us until we've been able to prepare that plan.

Councillor Sinclair King asking:

Could Howard Tanner, Heritage Architect, be invited to give a presentation to Councillors and residents of the Municipality in early 2008 on the benefits of heritage listing properties and to address further developments that this Council could take to protect unlisted potential heritage properties?

General Manager in response:

On notice.

Councillor Sinclair King asking:

I understand a DA was submitted to Woollahra Council to upgrade the Double Bay Marina. Could Council defer advertising this DA and placing it on public exhibition until after the January holiday period so the maximum number of residents can be informed? Will the same procedures be put in place as per the hearing and information sessions for the Rose Bay Marina DA? Can a true scale model of the marina be requested?

Director Planning and Development in response:

In relation to advertising, it being the 17th December, it will not be advertised until the new year and that will not take place at least until the 2nd and perhaps the 3rd week of January. We will ensure there is a broad notification of that development application also bearing in mind it is probably designated development under the Act. As far as the model is concerned, the applicant has informed us that a model will be provided, albeit it is not in our possession at the moment and we have indicated to them that we will not advertise it until the model is here. I understand that the model is likely to be with us in the next few days, if not before Christmas then early in the new year.

Councillor Shapiro asking:

Can Council investigate the use of movable barriers for cafes with outdoor seating on the edge of the pavement? These barriers should be between the seating and the edge of the pavement, thereby improving both safety and amenity.

Director Planning and Development in response:

On notice.

Councillor Shoebridge asking:

Can we please have someone look at the long-standing footpath blocking vegetation growing from the front of 230 Edgecliff Road and the quite damaged footpath in front of that property?

Director Technical Services in response:

Yes, we will look at that.

Councillor Petrie asking:

To the Mayor

I note that today there are reports that at least 3 Councils, including Manly, are considering legal action against Grange/Lehman. Are you aware of these reports?

Mayor in response:

No

Councillor Petrie asking:

To the Mayor

You will remember that 4 weeks ago I mentioned to you that there is a group that are offering to fund Councils in a legal action against Grange/Lehman to recover their losses if Councils realised these losses. Will you see this group?

Mayor in response:

Yes

Councillor Petrie asking:

To the Mayor

When will you respond to Grange/Lehman's letter of at least 3 weeks ago, which terminated their current financial arrangements with Woollahra Council and when will Councillors be informed of the contents of the letter/response?

Mayor in response:

There is no response to that letter at the moment as I wrote another letter to the Managing Director last Friday. You can have a copy of that letter but the letter you are asking for has not been written.

Councillor Petrie asking:

To the Mayor

You will be aware that Paddington Bowling Club is still trying to buy the lands talking directly to the Minister. Can you write a letter to the Minister pointing out this Council's very strong objections to this occurring?

Mayor in response:

As far as I am aware that was a suggestion in the course of evidence before the Commissioner. I have written to the Minister for clarification. I will arrange for you to be provided with a copy along with the attachments.

There being no further business the meeting concluded at 8.30pm.

We certify that the pages numbered 3466 to 3492 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 17 December 2007 and confirmed by Council at the ordinary Meeting of Council on 29 January 2008 as correct.

General Manager

Mayor