



Ordinary Council Meeting

Agenda: *Ordinary Council Meeting*

Date: *Monday 23 July 2007*

Time: *8.00pm*

Woollahra Municipal Council

Notice of Meeting

19 July 2007

To: The Mayor, Councillor Keri Huxley
Councillors Anthony Boskovitz
 John Comino
 Claudia Cullen
 Christopher Dawson
 Marcus Ehrlich
 Tanya Excell
 Wilhelmina Gardner
 Julian Martin
 Andrew Petrie
 Geoff Rundle
 Isabelle Shapiro
 David Shoebridge
 Fiona Sinclair King
 John Walker

Dear Councillors

Council Meeting – 23 July 2007

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Ordinary Council Meeting** to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 23 July 2007 at 8.00pm.**

Gary James
General Manager

Meeting Agenda

		Page
1.	Confirmation of Minutes – Ordinary Meeting	9 July 2007
2.	Leave of Absence and Apologies	
3.	Declarations of Interest	
4.	Late Correspondence	
5.	Petitions Tabled	
6.	Mayoral Minute	Nil
7.	Public Forum	
8.	General Manager’s Report	Nil
9.	Reports of the Committees	
9.1	Corporate & Works Committee	16 July 2007
	R1 Review of Ward Boundaries	
	R2 Meal Service for Seniors	
	R3 Public Art Advisory Committee Minutes	
	R4 Gross Pollutant Devices Design & Construct Contract	
	R5 Stormwater Management Charge	
9.2	Development Control Committee	16 July 2007
	R1 38 Fitzwilliam Road, Vacluse – New dwelling-house, Basement garage & Swimming pool involving extensive unauthorised works – 10/10/2006	
	R2 47 Russell Street, Vacluse – Section 82A Review of entire proposal – 13/10/2005	
9.3	Urban Planning Committee	9 July 2007
	R1 Town Centre Management – Double Bay and Oxford Street - (Submitted to Council 9 July 2007 as a Matter of Urgency)	Nil
9.4	Community & Environment Committee	9 July 2007
	R1 Confirmation of Minutes of Meeting Held on 25 June 2007	
	R2 Woollahra Traffic Committee Minutes - 3 July 2007 (Submitted to Council 9 July 2007 as a Matter of Urgency)	
	R3 Women in Woollahra – Stage 2	
	R4 Woollahra Waste Management Working Party – Minutes of Meeting 14 Held on 7 June 2007	
10.	Rescission Motion	Nil
11.	Notices of Motion	Nil
12.	Questions without Notice	26

9.1 Corporate & Works Committee

Items with Recommendations from the Committee Meeting of Monday 16 July 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Review of Ward Boundaries**
Author: Les Windle - Manager Governance
File No: 12.G
Reason for Report: For Council to adopt changes to ward boundaries following public consultation

Recommendation:

- A. That the following adjustments to Councils ward boundaries be adopted:
- Transfer CCD's numbered 1440901 and 1441010 from Vaucluse Ward to Bellevue Hill Ward (South west of New South Head Road/Norwich Road/Newcastle Street, Rose Bay).
 - Transfer CCD's 1440704, 1440712 and 1440713 from Bellevue Hill Ward to Cooper Ward (South of Cooper Park, Bellevue Hill).
 - Transfer CCD 1440402 from Double Bay Ward to Paddington Ward (South west of Bowes Avenue/Cameron Street/Glebe Street/Thorne Street, Edgecliff).
- B. That the change to the ward boundaries be forwarded to the New South Wales Electoral Commission and Australian Statistician for implementation.
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Item No: R2 Recommendation to Council
Subject: **Meal Service for Seniors**
Author: Susan Turner – Manager Community Development
Kylie Walshe – Director Community Services
File No: 953.G
Reason for Report: To inform Councillors of proposed changes to the location of the meal service provided to seniors.

Recommendation:

- A. That Council endorse the changes to the meal service for seniors, including the change in location from EJ Ward Community Centre to Woollahra Seniors Centre.
- B. That Council delegate authority to the General Manager to sign a Memorandum of Understanding for the payment of Home and Community Care Funding to Woollahra Seniors Centre Welfare Association for the provision of meal services to seniors.
- C. That information be prepared for the Council meeting on the impacts on EJ Wards' existing clients of the proposal to move to Woollahra Senior Citizens including travel, access, social impacts and frequency of use and on any addition transport costs.
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Item No: R3 Recommendation to Council
Subject: **Public Art Advisory Committee Minutes**
Author: Jo Jansyn, Cultural Development Coordinator
File No: 1160.G Public Art
Reason for Report: To table the minutes of the Public Art Advisory Committee Meeting held on Thursday 28 June 2007

Recommendation:

1. That the minutes of the Public Art Advisory Committee meeting held on Thursday 28 June 2007 be noted.
2. That Council support the recommendation that a national open competition is staged for the design of the eastern and western gateways as part of the public domain improvements for Double Bay: and that a working party (of the Public Art Advisory Committee) be established to facilitate the competition, with invitations to key community members to become part of the working party.

Item No: R4 Recommendation to Council
Subject: **Gross Pollutant Devices Design & Construct Contract**
Author: Jamie Howieson – Project Manager – Environmental Works
File No: Tender 06/03
Reason for Report: To recommend to Council the acceptance of a Tender

Recommendation:

- A. That Council enter into a contract with Austexc Pty Ltd to carry out the design and construction work for new stormwater devices at Edgecliff Road, Woollahra and Queens Avenue, Vaucluse for the amount of \$182,740 excluding GST.
- B. Those successful and unsuccessful tenderers be advised accordingly.

Item No: R5 Recommendation to Council
Subject: **Stormwater Management Charge**
Author: Don Johnston, Manager Finance
File No: 331G 2007/2008
Reason for Report: To recommend capping the Stormwater Management Charge for Business rated properties

Recommendation:

That, for the five properties referred to in the report, the Stormwater management Charge be levied based on the land area occupied by the clubhouse, associated car parking and other hard surfaces, not total land area of the property.

9.2 Development Control Committee

Items with Recommendations from the Committee Meeting of Monday 16 July 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council

Subject: 38 Fitzwilliam Road, Vaucluse – New dwelling-house, Basement garage & Swimming pool involving extensive unauthorised works – 10/10/2006

Author: David Booth – Senior Assessment Officer

File No: BC67/2007

Reason for Report: In accordance with Council’s codes and policies this matter is referred to the Council Meeting of 23 July 2007 due to a substantive change in the Development Control Committee recommendation (refusal) to the Assessment Officers recommendation (deferral).

Recommendation: Pursuant to Section 149D(5) of the Environmental Planning and Assessment Act, 1979

THAT the Council, as the consent authority, refuse the Building Certificate BC67/2007 – 38 Fitzwilliam Road, Vaucluse – New dwelling-house, basement garage a swimming pool involving extensive unauthorised works and that the applicant lodge a new Building Certificate application with accurate survey plans within 14 days and should the applicant fail to lodge the new application within 14 days that our solicitors be instructed to commence Class 4 proceedings in relation to the unauthorised works.

Item No: R2 Recommendation to Council
Subject: **47 Russell Street, Vaucluse – Section 82A Review of entire proposal – 13/10/2005**
Author: David Booth – Senior Assessment Officer
File No: DA25/2004
Reason for Report: In accordance with Council’s meeting procedures and policy this matter is referred to full Council due to the matter being called by Councillor Shoebridge for the following reasons:

1. Residential amenity
2. Overshadowing
3. Excessive FSR
4. Full and proper consideration required of the principles in Fodor Investments.

Recommendation: Pursuant to Section 82A of the Environmental Planning and Assessment Act, 1979

THAT the Council, as the consent authority, grant development consent to Development Application No. 25/2004 for the demolition of the existing two-storey residential flat building and the erection of a new three storey residential flat building containing four units over a basement carparking level on land at 47 Russell Street Vaucluse, subject to the following conditions:

1. New development

The development must be carried out in accordance with plans numbered DA01 D-03 D dated 21 June 2007 and DA10 B dated 21 June 2007 drawn by Joshua International Architects, including landscape plans numbered 1 and 2 of 2, dated 8 December 2003, drawn by Angela Maroney Urban and Rural Design, all of which carry a Council stamp “*Approved DA Plans*” and the signature of a Council officer, except where amended by the following conditions.

1a. The rear wall shall be set back at its northern and southern end to match the central wall alignment being not less than 1.4m from the cliff face. That is the wall will present as one single unarticulated wall with a minimum 1.4m setback to the rock cliff face to the east.

2. Provision of sandstone cladding to the front elevation

In order to ensure that the development relates appropriately to the local environmental context, sandstone cladding is to be applied to the front elevation of the ground floor level. Such is to be indicated on the plans submitted with the construction certificate application.

3. Privacy treatment of windows

In order to maintain the visual privacy of adjoining properties 45 and 49 Russell St and 34 and 36 Derby St the following windows are to consist of fixed translucent glazing to a height of 1.7m above the floor level on which they are located:

- the full-length bedroom windows to the side elevations at Level 1 (total of 4)
- all windows to both side elevations and the rear elevation at Level 2

Such is to be indicated on the plans submitted with the construction certificate application.

4. Privacy treatment of terraces

In order to maintain the visual privacy of adjoining properties 45 and 49 Russell St, 1.7 m high privacy screens consisting of fixed horizontal louvres angled at an incline of 45° to the horizontal plane, are to be permanently attached to the outer sides of the 2 Level 2 terraces. Such is to be indicated on the plans submitted with the construction certificate application.

5. Excavation limits

The rock face has been identified as a potential heritage item. There is to be no work to the rock face above that shown on Elevation & Sections plan by Joshua International Architects Dwg No DA10 Rev A dated 15/03/2007 (Based on Sections by Hill & Blume surveyors). All excavation is to be limited to the underground parking area and the ground floor above.

In Section 1 (closest to the boundary), excavation below the “cave” is limited to a vertical line 50mm west of the western site boundary. No excavation is permitted in Council property (Derby Street Reserve).

6. Treatment of metal roof to obviate glare

In order to maintain the visual amenity of the adjoining Derby Street properties to the rear the metal roofing is to be matt painted finished in a suitable colour, such that reflective glare is adequately mitigated. Such is to be indicated on the plans submitted with the construction certificate application.

7. Submission of a copy of the heritage assessment report and the photographic archival recording of buildings with little or no heritage significance that are to be demolished:

A photographic archival record of the building and landscape elements to be demolished is to be submitted, to the satisfaction of Council’s heritage officer, prior to the commencement of demolition work and prior to the issue of a Construction certificate.

The photographic archival recording is to be bound in an A4 format and is to include the following:

- Site plan at a scale of 1:200 (or 1:500) if appropriate of all structures and major landscape elements including their relationship to the street and adjoining properties.
- Postcard sized photographs of:
 - (i) each elevation,
 - (ii) each structure and landscape feature;
 - (iii) internal or external details if nominated in Council’s heritage officer’s assessment report; and
 - (iv) views to the subject property from each street and laneway or public space.

Each photograph to be mounted, labelled and cross-referenced in accordance with recognised archival recording practice.

One original coloured photographic set and a coloured photocopy are to be submitted to the satisfaction of Council’s heritage officer prior to the commencement of demolition work and prior to the issue of a construction certificate. The original will be retained by Council and the coloured photocopy will be provided to the Woollahra Local History Library.

A copy of the heritage assessment report is to be submitted to Council with the archival recording.

8. Stormwater Management Plan

A Stormwater Management Plan for the site must be submitted with the application for a Construction Certificate. This Condition is imposed to ensure site stormwater is disposed in a controlled and sustainable manner.

The Stormwater Management Plan must be in accordance with Council's Draft Stormwater Development Control Plan and Local Approval Policy (DCP-LAP), and generally in accordance with the Stormwater disposal concept report by Stormwater disposal concept plan prepared by Stormwater disposal concept plan prepared by Paulita Consulting Services plan No H-01, 02, 03 Rev DA dated 09/01/04.

Stormwater run-off from the proposed development must drain to 2 discharge points only to Russell St. New drainage systems must be designed having regard to the need to prevent stormwater from entering buildings in accordance with the Building Code of Australia (BCA).

The Stormwater Management Plan must be detailed by a suitably qualified civil or hydraulic engineer and must include the following specific requirements (as appropriate for the site and determined by the Hydraulic Consultant):

a) Layout plan

A detailed drainage plan at a scale of 1:100 based on drainage calculations prepared in accordance with the Institute of Engineers Australia publication, *Australian Rainfall and Run-off*, 1987 edition or most current version thereof. It must include:

- All pipe layouts, dimensions, grades, lengths and material specifications
- All invert levels reduced to Australian Height Datum (AHD)
- Location and dimensions and of all drainage pits
- Point of connection to Councils drainage infrastructure
- Overland flow paths over impervious areas.
- Copies of certificates of title, showing the creation or existence of private easements to drain water by gravity, if required.
- Subsoil drainage details (layout, grades, material), clean out points and discharge point.

b) Inspection and Certification of Existing System

Where it is proposed to connect to the existing site drainage system, the applicant must supply an inspection report for the affected site drainage system from a suitably qualified engineer. This inspection report must confirm:

- The point and method of discharge (by way of sketch or plan) for the existing stormwater drainage system,
- The satisfactory condition of the existing system,
- The satisfactory capacity for continued usage, and
- No deleterious effect on existing, adjacent or downstream properties as a result of the continued use of this existing system.

- c) Existing stormwater drainage systems that discharge to the sewer are not in compliance with Sydney Water or Council's requirements. The applicant must submit details of a stormwater drainage system that complies with Sydney Water's requirements and Council's Stormwater *draft* DCP-LAP.
- d) New or existing stormwater drainage systems that discharge to an approved Council drainage point after passing over other private properties will be required to provide evidence of the existence of a private drainage easement. Alternatively, evidence of the procurement of a private drainage easement over any intervening properties must be provided.
- e) Any new drainage works must incorporate a piped connection to an existing drainage system (satisfying the requirements of this Condition) or to an Approved Council discharge point. New drainage systems must be designed having regard to the need to prevent stormwater from entering buildings in accordance with the Building Code of Australia (BCA).

9. Compliance with the Stormwater Management Plan

The stormwater drainage system must be constructed in accordance with the Stormwater disposal concept plan prepared by Stormwater disposal concept plan prepared by Paulita Consulting Services plan No H-01, 02, 03 Rev DA dated 09/01/04.

10. Stormwater Certification and Work-As-Executed (WAE) Plans

Prior to the release of the Final Building Certificate, Certification and Work-As-Executed (WAE) plans must be submitted and approved by the Accredited Certifier demonstrating that the site drainage system has been provided according to the submitted calculations and/or approved plans.

Certifications must be provided by a suitably qualified engineer. WAE plans must be prepared and certified by a Registered Surveyor.

The following must be provided:

- a) Certification that:
 - The drainage system has been installed in accordance with the drainage Conditions of Development Consent and relevant Australian Standards.
 - That all drainage components are structurally adequate and have been installed in accordance with the relevant Codes and Standards and/or specifications.
- b) Work-As-Executed (WAE) plans showing:
 - Pipe and drainage system layout, including all pits, pipe diameters, grades, materials, invert levels and surface levels.
 - Details (exact point and method) of connection to Council system.

11. Erosion and sediment control

An erosion and sediment control plan, designed in accordance with the SSROC Soil and Water Management Brochures titled “Do it Right on Site” and the current version of the NSW Landcom publication “Managing Urban Stormwater: Soils and Construction” (*The Blue Book*), must be prepared to show erosion and sediment control measures which are to be installed. The Plan must be submitted to Council or the accredited certifier for approval before commencement of excavation or construction work.

12. Compliance with erosion and sediment control plan

The erosion and sediment control plan must be implemented during site works and construction activities. All controls in the Plan must be maintained at all times. A copy of the Plan must be kept on-site at all times and made available to the accredited certifier and Council officers on request.

13. Sediment removal from vehicle wheels

A vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, must be installed to prevent mud and dirt leaving the site and being deposited on the street.

14. Display of Council’s warning sign for soil and water management

Throughout the demolition, excavation and construction period, Council’s warning sign for soil and water management must be displayed on the most prominent point of the building site, visible both from the street and site. A copy of the sign is available from Council.

15. Stockpiles

Stockpiles of topsoil, sand, aggregate, soil or other material must not be located on any drainage line or easement, natural watercourse, footpath or roadway, or within the dripline of any Street Tree. Stockpiles within the construction site must be protected with adequate sediment controls, in accordance with Council’s Code for Sediment Control.

16. Location of building operations

Building operations such as brick cutting, washing tools or brushes and mixing mortar must not take place on public roadways or footways or in any other location which could lead to the discharge of materials into the stormwater drainage system.

Footpaths, gutters and roadways must be swept regularly to keep them free from sediment.

17. Temporary disposal of roof water

Stormwater from any roof areas must be linked, via a temporary downpipe, to a Council approved stormwater disposal system immediately upon completion of the roof installation.

18. Disposal of site water during construction

The disposal of site water (includes groundwater, seepage, dewatering and stormwater trapped in excavations) must be in accordance with the requirements contained within Council's "Stormwater Development Control Plan and Local Approvals Policy". Disposal of site water to Council's stormwater system is not permitted unless it is treated to a level acceptable for discharge to the receiving waters. Details to be submitted to Council and approved prior to the issue of the Construction Certificate.

19. Construction management

A construction management plan must be submitted for the approval of Council's Development Engineer before the commencement of demolition, excavation or construction works. The Plan must:-

a. describe the anticipated impact of the construction works on:

- local traffic routes
- pedestrian circulation adjacent to the building site
- and on-street parking in the local area, and;

b. describe the means proposed to:

- manage construction works to minimise such impacts,
- provide for the standing of vehicles during construction,
- provide for the movement of trucks to and from the site, and deliveries to the site, and;

c. show the location of:

- any site sheds and any anticipated use of cranes and concrete pumps,
- any areas of Council property on which it is proposed to install a construction zone, or to erect structures such as hoardings, scaffolding or shoring, or to excavate.

The Plan must make provision for all materials, plant, etc. to be stored within the development site at all times during construction. Structures or works on Council property such as hoardings, scaffolding, shoring or excavation need separate consent from Council. Standing of cranes and concrete pumps on Council property will need consent on each occasion.

Note: A minimum of eight weeks will be required for assessment. Work must not commence until the Construction Management Plan is approved. Failure to comply with this condition may result in fines and proceedings to stop work.

20. Compliance with the construction management plan

All excavation, demolition and construction work and traffic movements must be carried out in accordance with the approved construction management plan. All controls in the Plan must be maintained at all times. A copy of the Plan must be kept on-site at all times and made available to the PCA or Council on request.

21. Site fencing

The site must be appropriately secured and fenced to the satisfaction of Council during demolition, excavation and construction work to ensure there are no unacceptable impacts on the amenity of adjoining properties. Permits for hoardings and or scaffolding on Council land must be obtained and clearly displayed on site.

22. Hoarding

Class B (Overhead) Hoarding or Scaffolding is required for the full length of this development.. An application for the required Hoarding must be submitted to Woollahra Council prior to any Construction Certificate being issued. Prior to commencement of any demolition, land clearing, piling, piling, excavation, construction or like work or the issue of a Notice of Commencement, approval for the required Hoarding must be obtained and the required Hoarding erected.

Note: A minimum of two weeks is required for assessment of a Hoarding application. Failure to comply with this condition may result in fines and proceedings to stop work.

23. Damage security deposit

A security deposit of **\$ 42,000** for the cost of making good any damage to Council property caused as a consequence of the construction work, plus an administration fee of **\$158.00**, must be paid to Council prior to the issue of the Construction Certificate. The security deposit, which may be in the form of a bank guarantee, has been calculated in accordance with the following schedule.

Estimated cost of work	Deposit
Works up to \$50,000	\$2,000
Works in excess of \$50,000 & up to \$100,000	\$4,000
Works in excess of \$100,000	\$4,000+\$200/\$10,000 estimated cost>\$100,000

Council may use all or part of the Damage Security Deposit to complete damage restoration works if they do not meet Council's requirements.

24. Footpath levels

The existing footpath level and grade at the street alignment of the property must be maintained.

25. Protection of services

Prior to any excavation works, the location and depth of all services (telephone, cable TV, electricity, gas, water, sewer, drainage, etc.) must be ascertained. The developer must meet all costs of any adjustment, relocation or reinstatement of any services.

26. Road Opening Permit

Prior to the commencement of any excavation in Council controlled roadways or footpath areas, the developer must obtain a road opening permit from Council's Customer Services Counter. Restoration of roads, footpaths, retaining walls, kerbs and gutters must be carried out in accordance with the relevant clauses of the current edition of AUS-SPEC.

27. Support for Council roads, footpaths, drainage reserves, etc

Council property adjoining the construction site must be fully supported at all times during all excavation, demolition and building construction works. Details of shoring, propping and anchoring of works adjoining Council property, prepared by a qualified Structural Engineer or Geotechnical Engineer, must be submitted for the approval of Council's Development Engineer, or certified as structurally adequate by the accredited certifier, before the commencement of the works.

Backfilling of excavations adjoining Council property, or any void remaining at completion of construction between the building and Council property, must be fully compacted prior to release of the Damage Security Deposit.

28. Earth/rock anchors

The use of permanent rock anchors under Council land is not permitted. Temporary rock anchors may be permitted, where alternative methods of stabilisation would not be practicable or viable, and where there would be benefits in terms of reduced community impact due to a shorter construction period, reduced disruption to pedestrian and vehicular traffic on adjacent public roads, and a safer working environment.

If temporary rock anchors under Council's public road proposed, a separate application, including payment of fees, must be made to Council under Section 138 of the *Roads Act* 1993. Should anchors be proposed under Council's adjoining Reserve then an application is to be submitted to Council's Public Open Space Department complying with Council's "Rock Anchor Policy"

Approval may be granted subject to conditions of consent. Four weeks should be allowed for assessment.

29. Storage of materials and plant on Council's footpath

Building, excavation or demolition materials and plant must not be stored on Council's footpath and/or roadway unless prior written approval has been obtained from Council's Development Engineer.

30. Public footpaths

A safe pedestrian circulation route a minimum of 1.5m wide and with a pavement free of trip hazards must be maintained at all times on or adjacent to the public footpaths fronting the construction site. Where the footpath is damaged, repair works must be carried when directed by Council officers and in accordance with the relevant clauses of the current edition of AUS-SPEC.

Where circulation is diverted on to the roadway clear directional signage and protective barricades must be installed in accordance with Aust AS1742-3 1996 "*Traffic Control Devices for Work on Roads*".

If pedestrian circulation is not satisfactorily maintained, and action is not taken promptly to rectify the defects, Council may carry out remedial works and deduct the cost from the Damage Security Deposit.

31. Completion of infrastructure work

All infrastructure works must be completed and be certified by the accredited certifier as meeting all Council requirements and as-built drawings are to be submitted to Council's Development Engineer, prior to the release of the Infrastructure Works Bond. Works generally must be in accordance with the relevant clauses of the current edition of AUS-SPEC.

32. Driveways and associated works

The following works must be undertaken at the applicant's expense prior to the final building inspection and the issuance of the Occupation Certificate.

- Construction of a new full width concrete driveway crossing and layback in accordance with Council's Standard Drawing RF2. Levels in the footpath area must match existing.

An "Application for permission to construct a vehicle and special crossing by private contractor" must be completed and submitted to Council's Customer Service Centre prior to commencement of construction of a new driveway. For any technical enquiries regarding alteration to existing footpath levels or alignments, please contact Council's Works Supervisor.

33. Works on Council land - Infrastructure works Bond

To ensure that works on Council property are carried out to Council's requirements, the developer must lodge a bond to the value of **\$ 3,000**. The Bond may be in the form of a bank guarantee and must be lodged prior to the issue of a Construction Certificate. The Bond will not be released until Council has inspected the site and is satisfied that the works have been carried out to Council's requirements. Council may use part or all of the Bond to complete the works to its satisfaction if the works do not meet Council's requirements.

34. Repair of Damaged Infrastructure

If Council's infrastructure is damaged during the course of works, Council's Development Engineer must be notified and necessary repairs must be undertaken within the time stipulated by Council, to Council's specifications, and at no cost to Council. Works generally must be in accordance with the relevant clauses of the current edition of AUS-SPEC.

If work is not undertaken to the satisfaction of the Development Engineer with regard to time or quality, Council may carry out remedial works and deduct the cost from the Damage Security Deposit.

35. Vehicular access and garaging

Driveways and access ramps must be designed not to scrape the underside of cars.

In all other respects, proposed garage/car park/basement car park, driveways and access ramps must be designed to comply with Australian Standard AS 2890.1 – "Off-Street car parking."

36. Driveway access to carpark

The driveway must accommodate two-way traffic. Alternatively, a traffic signal system must be installed on the driveway to ensure that vehicles do not reverse out on to the street or into the subject property.

37. Splay Corners at driveways

The areas each side of the driveway must be kept clear of obstructions for a distance of two metres from the property boundary. This is to ensure that the sight distance available to drivers exiting the property is sufficient to alert them of oncoming vehicles and/or pedestrians.

38. Car park signage

Signage must be installed at the car park entry to warn pedestrians of vehicles exiting the car park. Further signage must be installed near the car park exit to warn drivers of the presence pedestrians using the footpath.

39. Use of visitor parking spaces

An intercom system and all necessary signage must be provided to inform and enable visitors to use the designated visitor spaces inside the car park. The visitor spaces must be clearly signposted in the car park and notification of their existence and location must be provided at the property entrance.

40. Dilapidation Reports for existing buildings/structures

Dilapidation surveys must be conducted and dilapidation reports prepared by a *professional engineer* (structural) of all buildings on land whose title boundary abuts the site and of such further buildings located within the likely “zone of influence” of any excavation, dewatering and/or construction induced vibration.

These properties must include (but is not limited to):

- 45 Russell Street
- 49 Russell Street
- 34 Derby Street
- 36 Derby Street
- the existing cliff face above the development for the width of the property (to be prepared by a Geotechnical Engineer)

The dilapidation reports must be completed and submitted to *Council* with the *Notice of Commencement* prior to the commencement of any *development work*.

Where excavation of the site will extend below the level of any immediately adjoining building the *principal contractor* or *owner builder* must give the adjoining building owner(s) a copy of the dilapidation report for their building(s) and a copy of the *notice of commencement* required by s81A(2) of the *Act* not less than two (2) days prior to the commencement of any work.

41. Compliance with the recommendations of the geotechnical and hydrogeological reports

The development works are to be undertaken in accordance with the recommendations of the Geotechnical and Hydrogeological report/s prepared by

- Geotechnical Investigation by Jeffery & Katauskas P/L Ref No 18347VTrpt dated 25 February 2004
- Jeffery & Katauskas P/L dated 25 February 2004 Ref: 18347VTrpt.
- Geotechnical Opinion by Jeffery & Katauskas P/L Ref No 18347VT2Let2 dated 30 March 2007
- Additional Geotechnical advice by Jeffery & Katauskas P/L Ref No 18347VT2Fax3 dated 13 April 2007

42. Hydrogeological and Geotechnical Monitoring Program

Excavation works associated with the proposed development must be overseen and monitored by a qualified and practising geotechnical engineer. A Hydrogeological and Geotechnical Monitoring Program must be produced to ensure that all geotechnical matters are regularly assessed during the construction to prevent adverse effects resulting from the excavation.

The Hydrogeological and Geotechnical Monitoring Program for the construction works must be in accordance with the recommendations of the Geotechnical and Hydrogeological Report prepared by:

- Geotechnical Investigation by Jeffery & Katauskas P/L Ref No 18347VTrpt dated 25 February 2004
- Jeffery & Katauskas P/L dated 25 February 2004 Ref: 18347VTrpt.
- Geotechnical Opinion by Jeffery & Katauskas P/L Ref No 18347VT2Let2 dated 30 March 2007
- Additional Geotechnical advice by Jeffery & Katauskas P/L Ref No 18347VT2Fax3 dated 13 April 2007

Prior to the issue of a Construction Certificate, the applicant must submit to the Accredited Certifier details of the proposed Hydrogeological and Geotechnical Monitoring Program. A suitably qualified and practising geotechnical engineer must prepare the Program which must consist of the following;

- Recommendations as contained within the Geotechnical and Hydrogeological Report prepared by
 - ▶ Geotechnical Investigation by Jeffery & Katauskas P/L Ref No 18347VTrpt dated 25 February 2004
 - ▶ Jeffery & Katauskas P/L dated 25 February 2004 Ref: 18347VTrpt.
 - ▶ Geotechnical Opinion by Jeffery & Katauskas P/L Ref No 18347VT2Let2 dated 30 March 2007
 - ▶ Additional Geotechnical advice by Jeffery & Katauskas P/L Ref No 18347VT2Fax3 dated 13 April 2007
- Recommended hold points to allow for inspection by a geotechnical engineer during the following construction procedures;
 - ▶ Excavation of the site (face of excavation, base, etc)
 - ▶ Installation and construction of temporary and permanent shoring/ retaining walls.
 - ▶ Foundation bearing conditions and footing construction.

- ▶ Installation of sub-soil drainage.
- Location, type and regularity of further geotechnical/hydrogeological investigations and testing.

43. Compliance with the Hydrogeological and Geotechnical Monitoring Program

Excavation and construction works must be undertaken in accordance with the “Geotechnical and Hydrogeological Monitoring Program” submitted as required by condition of consent.

A qualified and registered geotechnical engineer shall provide certification to the Accredited Certifier that all earth works have been carried out;

- In accordance with the relevant Australian Standards and Codes of Practise.
- In a manner that does not compromise the structural integrity of all adjacent structures, property and infrastructure.
- In accordance with the Hydrogeological and Geotechnical Monitoring Program.

The certification and a complete record of inspections, testing and monitoring (with certifications) must be submitted in report form to the Accredited Certifier for approval, prior to the issue of a Final Building Certificate.

44. Vibration Monitoring Program

Vibration resulting from construction activities can adversely affect surrounding property and infrastructure. To ensure that vibration created by the method of construction does not adversely impact on the existing building, surrounding property and infrastructure, a Vibration Monitoring Program must be implemented.

Prior to the issue of the Construction Certificate, the applicant must submit to the Accredited Certifier details of the proposed Vibration Monitoring Program. A qualified and practising geotechnical and/or hydrogeological engineer must prepare the Vibration Monitoring Program and undertake all associated investigations. Details to be included in Vibration Monitoring Program to include:

- a) pre-set acceptable limits for the variation of:
 - settlement
 - deflection or movement of retaining mechanisms such as shoring and bracing and
 - vibration in accordance with AS 2187.2 1993 Appendix J, including acceptable velocity of vibration.
- b) the location and type of monitoring systems to be used
- c) recommended hold points to allow for inspection and certification by a geotechnical engineer and
- d) a contingency plan should the pre-set acceptable limits be exceeded.

45. Certification of Vibration Monitoring

A record of inspections and monitoring of vibration in accordance with the Vibration Monitoring Program must be submitted in a report form to the Accredited Certifier prior to release of the Certificate of Occupancy or final building inspection as appropriate. A qualified and practising geotechnical and/or hydrogeological engineer must prepare certification.

46. Construction Methodology Statement

The builder must submit a method statement for construction of the in-ground works (including proposed excavation methodology, plant and sequencing, vibration monitoring procedures, control of groundwater seepage, retention walls, ground anchors/props, and contingency plans, etc). This method statement should also nominate hold points throughout the various stages of the works, consistent with those recommended in the 2004 geotechnical reports and recent additions. The builder's statement is to be reviewed and approved by the geotechnical engineer prior to excavation commencing. The report must be submitted with the application for a Construction Certificate.

Each activity must be satisfactorily completed before the next one is commenced. Note that the builder should keep on-site a log of daily activities (e.g. retention system, bulk excavation, groundwater seepage, face treatment, footing excavation, etc). The daily log must be provided if requested by the geotechnical engineer.

The excavation in this area of the site will require demolition of existing pavements, removal of vegetation and careful removal of the toe retaining wall. The masonry wall should be progressively demolished in panels, 3m maximum width, and the obscured sandstone inspected by a geotechnical engineer, who should nominate rock face treatment works should these be deemed necessary.

47. Compliance with the Construction Methodology Statement

The development works are to be undertaken in accordance with the recommendations of the Construction Methodology statement prepared in accordance with requirements of the relevant condition.

48. Check Surveys - boundary location, building location, building height and stormwater drainage system relative to Australian Height Datum

The *Principal Contractor* or *Owner Builder* must ensure that a surveyor registered under the *Surveying Act 2002* carries out check surveys and provides survey certificates confirming the location of the building(s) and the extent of excavation for the underground carpark and limits of excavation relative to the boundaries of the *site* and that the height of buildings and drainage systems relative to Australian Height Datum complies with this consent at the following critical stages.

The *Principal Contractor* or *Owner Builder* must ensure that work must not proceed beyond each of the following critical stages until compliance has been demonstrated to the *PCA's* satisfaction:

- a) Upon the completion of excavation for the underground carpark, any trimming of the rock and prior to the pouring of concrete in association with the carpark;
- b) Upon the completion of foundation walls prior to the laying of any floor or the pouring of any floor slab and generally at damp proof course level;
- c) Upon the completion of formwork for floor slabs prior to the laying of any floor or the pouring of any concrete and generally at each storey;

- d) Upon the completion of formwork or framework for the roof(s) prior to the laying of any roofing or the pouring of any concrete roof;
- e) Upon the completion of formwork and steel fixing prior to pouring of any concrete for any ancillary structures, swimming pool or spa pool or the like;
- f) Driveway transitions and crest thresholds prior to pavement of driveways;
- g) Stormwater Drainage Systems prior to or post construction confirming location, height and capacity of works.

Note: This condition has been imposed to ensure that development occurs in the location and at the height approved under this consent.

49. Provision of an Electricity Sub-Station

An electricity sub station may be required on the site. The owner shall provide an area with the basement of the building for the substation to the appropriate energy authority, free of cost, to enable an electricity substation to be established, if required. The size and location of the electricity substation is to be in accordance with the requirements of the appropriate energy authority and Council. The opening of any access doors are not to intrude onto the public road reserve.

Documentary evidence of compliance, including correspondence from the energy authority is to be provided to the Principal Certifying Authority prior to issue of the Construction Certificate. The Principal Certifying Authority must be satisfied that the requirements of energy authority have been met prior to issue of the Construction Certificate.

50. Requirement for a Construction Certificate

In accordance with the provisions of Section 81A of the *Environmental Planning and Assessment Act 1979*, the erection of the building must not be commenced until:

- (a) detailed plans and specifications of the building have been endorsed with a Construction Certificate by:
 - (i) Council; or
 - (ii) an accredited certifier; and
- (b) a principal certifying authority (PCA) has been appointed and the Council has been notified in writing of the appointment, and
- (c) at least two days notice, in writing, has been given to Council of the intention to commence work.

51. Materials

Details of the colour, texture and substance of all external materials must be submitted to Council or the accredited certifier prior to the issue of a Construction Certificate and are to be to the satisfaction of an authorised Council assessment officer or the accredited certifier

52. Drawings to show levels and heights

The reduced levels of the ground floor, first floor and the overall height of the roof in relation to Australian Height Datum must be shown on the drawings submitted with the Construction Certificate Application to ensure that building construction complies with the development consent.

53. Structural details

Structural engineering details and design calculations, prepared and certified by a qualified practising Structural Engineer, must be submitted with Construction Certificate application, for all reinforced concrete work, structural steel work, retaining walls, brick fences, shoring and underpinning, isolated piers, chimneys, parapets and other structural members. This condition is imposed to ensure the structural integrity of the proposed building work.

54. Services and electrical sub-station

All electrical and telephone services to the subject property must be placed underground. If an electrical sub-station is required, it must be situated within the boundaries of the subject property and suitably screened.

55. Layout of buildings

The layout of all external walls, including retaining walls and contiguous piling must be checked and verified by survey prior to the commencement of construction to ensure that building construction complies with the development consent and does not encroach beyond the boundaries of the site.

56. Demolition, excavation and construction hours

Demolition, excavation and construction work must not take place outside the hours of 7.00am to 5.30pm Monday to Friday and 7.00am to 1.00pm Saturday. No work and no deliveries are to take place on Sundays and public holidays. Noise from construction activities associated with the development must comply with the guidelines contained in the NSW EPA *Environmental Noise Control Manual* Chapter 171.

57. Machine excavation

Excavation or removal of any materials involving the use of machinery of any kind, including compressors and jack hammers, must be limited to between 9.00am and 4.00 pm Mondays to Fridays, with regular breaks of 15 minutes each hour. This condition is imposed to ensure reasonable standards of amenity for occupants of neighbouring properties.

58. Levels

For the purpose of indicating relative levels in terms of Australian Height Datum and boundary clearances, and to ensure that building construction complies with the development consent, survey certificates must be provided to the PCA in respect of the building/s layout and ground floor level/s prior to pouring of concrete or laying of timber floor boards.

59. Building Inspections

The Applicant, Owner and Builder, jointly and severally, must ensure that they call their Principal Certifying Authority ("the PCA") to carry out such critical phase building inspections required by the PCA, the PCA Service Agreement and that the PCA is satisfied with the level of compliance achieved before the Builder proceeds to the next phase of construction. Ample notice of required inspections must be given to the PCA in accordance with the PCA Service Agreement. The Applicant, Owner and Builder must comply with the PCA Service Agreement (Service Contract) and any lawful direction given by the Principal Certifying Authority.

Note: It is the responsibility of the PCA to ensure that critical phase building inspections are undertaken in accordance with a PCA Service Agreement and issue to the Applicant, Owner and Builder appropriate Notice under Section 109L of the Environmental Planning & Assessment Act 1979 ("the Act") where any breach of this consent occurs. Failure of the PCA to issue such notice may result in Council taking action under Section 109V of the Act. Failure of the Applicant, Owner and Builder to comply with a PCA Service Agreement and comply with lawful directions of the PCA under this condition may result in Council issuing fines, notices, orders and commencing legal proceedings. Council will only enter into PCA Agreements with the Owner of the land being developed. Council, if appointed as the PCA, will report to the owner of the land being developed.

60. Occupation of premises

A person must not commence occupation or use of the whole or any part of a *new building* (within the meaning of section 109H (4) of the *Act*) unless an occupation certificate has been issued in relation to the building or part.

61. Wet areas

All floors of wet areas are to be constructed and finished so as to be impervious to water and graded to a sufficient number of floor drains.

62. External Service Pipes and the like prohibited

Proposed water pipes, waste pipes, stack work, duct work, mechanical ventilation plant and the like must be located within the building. Details confirming compliance with this condition must be shown on construction certificate plans and detailed with construction certificate specifications. Required external vents or vent pipes on the roof or above the eaves must be shown on construction certificate plans and detailed with construction certificate specifications. External vents or roof vent pipes must not be visible from any place unless detailed upon development consent plans. Where there is any proposal to fit external service pipes or the like this must be detailed in an amended development (S96) application and submitted to Council for determination.

Vent pipes required by Sydney Water must not be placed on the front elevation of the building or front roof elevation. The applicant, owner and builder must protect the appearance of the building from the public place and the appearance of the streetscape by elimination of all external services excluding vent pipes required by Sydney Water and those detailed upon development consent plans.

63. Details of External structures

Details of any external vents or structures on the roof or above the eaves must be submitted to Council for approval with or before the application for a Construction Certificate.

64. Fire safety

A schedule of all proposed safety measures within the building must be submitted to Council with or before the application for a Construction Certificate.

65. Long Service Levy Payment

A Long Service Levy under Section 34 of the *Building & Construction Industry Long Service Payment Act, 1986*, must be paid and proof of payment provided prior to the issue of a Construction Certificate. The Levy can be paid directly to the Long Services Payments Corporation or to Council.

66. Water conservation

Water saving showerheads must be fitted to all showers within the development to reduce water consumption and promote energy efficiency.

67. Energy efficiency

The development must be designed and constructed so that each dwelling achieves a performance rating of 3.5 stars (NatHERS or equivalent). A NatHERS certificate, or equivalent, is to be submitted by an accredited NatHERS assessor. (A list of accredited assessors is available from Council's Customer Services Counter or from the Sustainable Energy Development Authority).

68. Standard for demolition

All demolition work must be undertaken in accordance with the provisions of *Australian Standard AS2601-2001: The Demolition of Structures*.

69. Compliance with Building Code of Australia

- (a) All building work must be carried out in accordance with the provisions of the *Building Code of Australia*.
- (b) This condition does not apply to the extent to which an exemption is in force under Clause 187 or 188, of the *Environmental Planning and Assessment Regulation 2000*, subject to the terms of any condition or requirement referred to in Clause 187 (6) or 188 (4) of the Regulation.

70. Residential building work

- (a) Building work that involves residential building work (within the meaning of the *Home Building Act 1989*) must not be carried out unless the principal certifying authority (PCA) for the development to which the work relates:
 - in the case of work to be done by a licensee under that Act:
 - (i) has been informed in writing of the licensee's name and contractor license number; and
 - (ii) is satisfied that the licensee has complied with the requirements of Part 6 of that Act; or

- in the case of work to be done by any other person:
 - (iii) has been informed in writing of the person's name and owner-builder permit number; or
 - (iv) has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of that Act,

and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: The amount referred to in paragraph (a) (iv) above is prescribed by regulations under the *Home Building Act 1989*. As at the date on which this Regulation was Gazetted, that amount was \$3,000. As those regulations are amended from time to time, so that amount may vary.

- (b) A certificate purporting to be issued by an approved insurer under Part 6 of the *Home Building Act 1989* that states that a person is the holder of an insurance policy issued for the purposes of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

71. Excavations and backfilling

- (a) All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.
- (b) All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

72. Retaining walls and drainage

If the soil conditions require it:

- (a) retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil must be provided; and
- (b) adequate provision must be made for drainage.

73. Support for neighbouring buildings

- (a) If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:
 - (i) must preserve and protect the building from damage; and
 - (ii) if necessary, must underpin and support the building in an approved manner; and
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

- (b) The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this condition, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.
- (c) In this condition, allotment of land includes a public road and any other public place.

74. Protection of public places

- (a) If the work involved in the erection or demolition of a building:
 - (i) is likely to cause pedestrian or vehicular traffic on a public place to be obstructed or rendered inconvenient, or
 - (ii) building involves the enclosure of a public place;a hoarding or fence must be erected between the work site and the public place.
- (b) If necessary, an awning must be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.
- (c) The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- (d) Any such hoarding, fence or awning must be removed when the work has been completed.

Note: Prior to the erection of any hoarding, fence or the like on any footpath or other property owned or controlled by Council, permission must be sought and obtained from Council and the prescribed rental fee paid.

75. Signs to be erected on building and demolition sites

- (a) A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - (i) stating that unauthorised entry to the work site is prohibited; and
 - (ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
- (b) Any such sign must be removed when the work has been completed.
- (c) This clause does not apply to:
 - (i) building work carried out inside an existing building; or
 - (ii) building work carried out on premises that must be occupied continuously (both during and outside working hours) while the work is being carried out.

76. Toilet facilities

- (a) Toilet facilities must be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.
- (b) Each toilet provided:

- (a) must be a standard flushing toilet; and
- (b) must be connected:
 - (i) to a public sewer; or
 - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council; or
 - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.
- (c) The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.
- (d) In this condition:

accredited sewage management facility means a sewage management facility to which Division 4A of Part 3 of the Local Government (Approvals) Regulation 1993 applies, being a sewage management facility that is installed or constructed to a design or plan the subject of a certificate of accreditation referred to in Clause 95B of the Regulation.

approved by the Council means the subject of an approval in force under Division 1 of Part 3 of the *Local Government (Approvals) Regulation 1993*.

public sewer has the same meaning as it has in the *Local Government (Approvals) Regulation 1993*.

sewage management facility has the same meaning as it has in the Local Government (Approvals) Regulation 1993.

77. Residential building work over \$12,000 in value

Council must be provided with the following information prior to the commencement of any works;

- (a) the proposed builder's details (in writing); and
- (b) proof of payment of the required insurance premium pursuant to Part 6 of the *Home Building Act 1989*.

78. Compliance Certificate from Sydney Water

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92. Following application, a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to Council or the accredited certifier prior to the issue of an occupation or subdivision certificate.

9.4 Community & Environment Committee

Items with Recommendations from the Committee Meeting of Monday 9 July 2007 Submitted to the Council for Determination

Item No: R1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting Held on 25 June 2007**
Author: Les Windle – Manager Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of 25 JUNE 2007 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Community and Environment Committee Meeting of 25 JUNE 2007 be taken as read and confirmed.

Item No: R3 Delegated to Committee
Subject: **Women in Woollahra – Stage 2**
Author: Jane Britten and Libby Watters – Local History Librarians
File No: 474.G
Reason for Report: To report on the progress and status of the Women in Woollahra project .

Recommendation:

1. That Council note the commencement of Stage 2 of the Women in Woollahra project as detailed in this report.
 2. That the public art component of the Women in Woollahra project be managed by Council staff in consultation with the Public Art Advisory Committee.
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Item No: R4 Delegated to Committee
Subject: **Woollahra Waste Management Working Party – Minutes of Meeting 14 Held on 7 June 2007**
Author: Pamela Mina
File No: 1183.G
Reason for Report: For the Committee to note the items discussed and recommended actions from the Waste Management Working Party.

Recommendation:

- A. That the Minutes of the Woollahra Waste Management Working Party meeting held on Thursday 7 June 2007 be noted.
 - B. That the recorded actions contained in the minutes of the meeting be adopted.
-

Item No: 12
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 9 July 2007 and for Councillors to ask Questions without Notice in accordance with Council's Code of Meeting Practice.

Recommendation:

That the responses to previous Questions without Notice be noted.

Background:

The provision for Councillors to ask Questions Without Notice is contained in Section 3 of Council's Code of Meeting Practice which states:

- (1) *As a standard practice, "Questions Without Notice" shall be listed in all agendas of Ordinary Meetings of Council*
- (2) *Questions shall be in writing.*
- (3) *The Mayor shall direct the question to the General Manager or responsible Division Head; or if the question is directed to another Councillor, the Councillor concerned. There shall be no requirement to answer the question immediately.*
- (4) *If the answer to a question can be given immediately then such shall be done and a record made in the Minutes of the Meeting. If an answer can be given, but not immediately, then the Mayor shall indicate to whom the question is to be directed and the basis upon which the answer is to be provided (whether in writing and direct to the Enquirer, or by means of a report to an appropriate Committee, or otherwise.)*
- (5) *In the spirit of achieving the expeditious discharge of Council business the agenda item "Questions Without Notice" shall generally be limited to not more than 30 minutes duration unless the Council determines otherwise, on the evening in question and by way of specific resolution.*

Questions Without Notice should be asked in accordance with the Code of Meeting Practice.

Responses to Councillors Questions Without Notice on 9 July 2007 are as follows:

Councillor Comino asking:

Would you write to Minister Sartor and the Premier to ascertain the proposals and policy of the Government in relation to extending the role of IHAP's and reducing the involvement of Councillors in the development application process?

I note Minister Sartors statement to the media last week: "part of the problem was Councillors "meddling" in the process at the request of constituents."

Mayor In response:

Yes I will.

Councillor Comino asking:

Having regard to the experience and re-structure of local government in Victoria and now the Queensland Local Government Reform Commission Hearings which are expected to ground amalgamation and boundary change legislation and in that state, significantly reducing the number of Councils in Queensland. Are you aware of similar proposals regarding NSW Councils?

General Manager in response:

I am not aware of any proposals and I understand the very first statement the Minister made after being appointed was that there would be no forced amalgamations, that the State Government was sticking with their policy of pursuing amalgamations or mergers where there was agreement between the Councils.

Councillor Comino asking:

Many sectors of our community agree Woollahra Municipality faces a crisis in aged care and urgently needs to set meaningful strategies for managing the needs of its ageing population. Will you examine the work of the City of Whitehorse in Melbourne resulting in the "Planning to Age Well in Whitehorse Positive Ageing Strategy 2006-2011" and the Reference Group that guided the development of that strategy?

Director Community Services in response:

Yes I will.

Councillor Petrie asking:

The Council has done a magnificent job with the two pedestrian crossings in the Bellevue Hill Shopping Centre. It is still dark and therefore have you considered an overhead lighting of the pedestrian crossing?

Team Leader Infrastructure Asset Manager in response:

Lighting of the two pedestrian crossings at Riddell and Buller Streets and the one at Victoria Road slip lane was inspected as part of a Road Safety Audit conducted prior to the construction. The RSA indicated that lighting at the Victoria Road slip lane required upgrading. This work has still to be done. It is proposed, as a precautionary measure to have an audit done by a lighting engineer at all three locations, and if necessary appropriate upgrading will be undertaken.

Councillor Petrie asking:

The road surface between the two pedestrian crossings is in very bad shape. Is there any money in the current budget to make the appropriate repairs? If so, when?

Director Technical Services in response:

There is money in the current budget, both for repairs and also for streetscape upgrading projects which is currently being designed.

Manager Civil Works further in response:

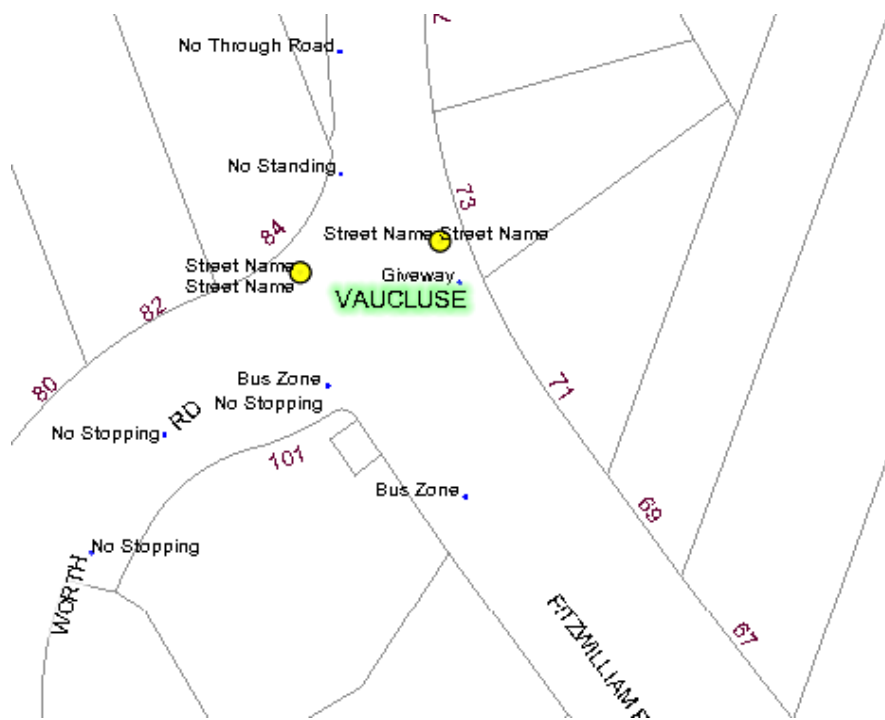
Inspector, Civil Works inspected this location on 13 July 2007 and raised a works order to carry out minor repairs to the road surface.

Councillor Dawson asking:

There is a street in Vacluse which has different names on either side – Wentworth and Fitzwilliam – which causes confusion to visiting taxi drivers and visitors. Can such naming be changed? Which is the body responsible for the naming of streets?

Manager Property & Projects in response:

This situation arises because there is a short cul-de-sac extension of Fitzwilliam Road in which properties on the western side of the street are numbered in sequence with Wentworth Road and properties on the east are numbered as part of Fitzwilliam Road. The street sign on the western side reads 86 & 88 Wentworth Road and the street sign on the eastern side reads Fitzwilliam Road. A map is attached. It is considered that changing the street addresses would cause inconvenience to residents.



Councillor Dawson asking:

Random advertising signs have been appearing on light poles and the lights in Bellevue Hill. These are wrapped round with celotape. Is it possible to counter this poster attack with a sign saying “cancelled”?

Manager Compliance in response:

Council's Business Centre Teams have a program in place to remove bill posters from light poles as quickly as possible so as to limit any benefit from such activities. It is considered the success of this program along the main roads and in shopping centres may have lead to bill posters being installed in other areas. This issue has been discussed with Council's Manager - Depot & Waste Services and Council's Business Centre Teams will ensure the Bellevue Hill area is regularly monitored.

Councillor Rundle asking:

Re Wingadal Place. During the construction of the Aussie Palace a chicken wire fence was installed along the side of the concrete steps leading down to the waterfront and Scots Boat Shed. Significant planting and landscaping has occurred however the fence remains on the side of the steps. Where is the boundary between this unmade road and the Palace?

Property Officer in response:

The wire fence was placed on Council land by the owner of 2 Wingadal Place during the recent residential construction. Have requested Council Compliance to issue a notice to owner of 2 Wingadal Place to have it removed off Council road reserve.

Councillor Rundle asking:

Do I need a Notice of Motion to ask for the imposition of speed restrictions on Cooper Park Road between Lough Park and Cooper Park? A dog was the subject of a hit and run last week. With the increased number of cars being parked in this area it is only time before a child might suffer the same fate.

Traffic Engineer in response:

Investigation is underway. Possible traffic alternative designs being prepared for September Traffic Committee.

Councillor Shapiro asking:

I am grateful for the prompt response to my question of last Council Meeting regarding the extra pram bays in the Cross Street Car Park. However, I note today that only two extra bays were provided giving a total of 4 pram bays for the entire car park compared with 8 disabled spaces. Please can we investigate some extra pram bays on the lower ground floor?

Director Technical Services in response:

I suggest that might be investigated with our response to the golf buggy proposal.

Councillor Shoebridge asking:

Can we please have an answer to Dr Vaegan's concerned correspondence about traffic management devices on Ocean Street near Jersey Road that have caused damage to some residents motor vehicles?

Traffic Engineer in response:

Letter forwarded to Dr Vaegan 18 July 2007. Raised Pavement Markers to be installed as soon as possible.

Councillor Shoebridge asking:

Can we please ensure regular cleaning of the stair wells in Cross Street Car Park is undertaken to stop them smelling like a four level urinal?

Property Services Coordinator in response:

Site meeting has taken place with Premier Parking and a number of issues were discussed including cleaning of stairwells. Action plan has been put in place and Premier have agreed to improve standard of cleaning along with a number of maintenance issues. Premises are being monitored to ensure standard is maintained.

Gary James
General Manager

Annexures: Nil