



# Ordinary Council Meeting

**Agenda:** *Ordinary Council Meeting*

**Date:** *Monday 12 May 2008*

**Time:** *8.00pm*

# Woollahra Municipal Council

## Notice of Meeting

8 May 2008

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

Dear Councillors

### **Council Meeting – 12 May 2008**

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 12 May 2008 at 8.00pm.**

Gary James  
General Manager

## Meeting Agenda

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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	5 May 2008
	R1 Oxford St & Glenmore Rd Footpath, Kerb & Gutter Reconstruction, Paddington	
	R2 2007/2008 Budget Review for the Quarter ended 31 March 2008	2
9.2	Development Control Committee – <b>Nil R Items</b>	5 May 2008
9.3	Urban Planning Committee	28 April 2008
	R1 Centre Management - Double Bay	
	R2 Draft Paddington Heritage Conservation Area Development Control Plan	3
9.4	Community & Environment Committee – <b>No Meeting</b>	28 April 2008
10.	Rescission Motion	Nil
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## Leave of Absence

**Item No:** 1  
**From:** Councillor Christopher Dawson  
**Reason for Report:** Seeking leave of absence for all meetings of the Council and its Committees from 12 May 2008 to 23 May 2008 inclusive.

**Recommendation:**

That leave of absence for all meetings of the Council and its Committees be granted to Councillor Christopher Dawson for the period 12 May 2008 to 23 May 2008, inclusive.

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## 9.1 Corporate & Works Committee

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### Items with Recommendations from the Committee Meeting of Monday 5 May 2008 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** **Oxford St & Glenmore Rd Footpath, Kerb & Gutter Reconstruction, Paddington**  
**Author:** Trent Scrivener – Project Engineer  
**File No:** Tender No 08/01  
**Reason for Report:** To recommend to Council the acceptance of a Tender

**Recommendation:**

- A. That Council enter into a Lump Sum contract for \$280,567 (excl GST) with AYZ Landscapes & Civil (*subject to the results of a financial capability check*) for the footpath, kerb and gutter reconstruction along Oxford Street and Glenmore Road, Paddington.
- B. That Council note additional anticipated expenditure of \$19,350 for paver infills to service pit lids.
- C. That successful and unsuccessful tenderers be advised accordingly.

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**Item No:** R2 Recommendation to Council  
**Subject:** **2007/2008 Budget Review for the Quarter ended 31 March 2008**  
**Author:** Michelle Phair – Team Leader Financial Services  
**File No:** 331.G  
**Reason for Report:** To report on the review of the 2007/2008 Budget for the quarter ended 31 March 2008

**Recommendation:**

- A. THAT the report be received and noted and the variations to the Budget be adopted.
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## 9.3 Urban Planning Committee

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### Items with Recommendations from the Committee Meeting of Monday 28 April 2008 Submitted to the Council for Determination

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<b>Item No:</b>	R1 Recommendation to Council
<b>Subject:</b>	<b>Centre Management - Double Bay</b>
<b>Author:</b>	Allan Coker, Director Planning and Development
<b>File No:</b>	1178 & 1179.G
<b>Reasons for Report:</b>	<ol style="list-style-type: none"><li>1. To present for Council's adoption the Memorandum of Understanding between Council and the Double Bay Partnership.</li><li>2. To present for Council's information the draft Constitution and Rules of the Double Bay Partnership</li></ol>

#### Recommendation:

1. That Council note the Memorandum of Understanding (MOU) between Woollahra Council and the Double Bay Partnership committing both parties to work collaboratively together to advance Double Bay Commercial Centre through sustainable economic and social growth.
2. That the Mayor and General Manager be authorised to sign the MOU after the incorporation of the Double Bay Partnership.
3. That Council note the Constitution and Rules of the Double Bay Partnership.
4. That Council transfer matching funds, not exceeding \$200,000 to the Double Bay Partnership, when the General Manager, Mayor and the Double Bay Commercial Centre Working Party are satisfied as to the following:
  - a) that the Constitution and Rules of the Double Bay Partnership will provide a satisfactory framework for the operation of centre management under the umbrella of the MOU.
  - b) that the Double Bay Partnership has been incorporated as an association under the *Associations Incorporation Act 1984*
  - c) voluntary contributions by the business community of at least \$125,000 have been received and deposited into a bank account of the Double Bay Partnership Incorporated
  - d) that, in the event of termination of the Double Bay Partnership, the balance of any assets will be given to Council to be expended on activities for the benefit of the Double Bay commercial centre.
5. That Council establish a Review Committee with the roles and functions set out in clause 8 of the MOU.
6. That the Mayor appoint two Councillors to the Review Committee.
7. That the Double Bay Commercial Centre Working Party be wound up following the incorporation of Double Bay Partnership under the *Associations Incorporation Act, 1984*.

**Item No:** R2 Recommendation to Council  
**Subject:** **Draft Paddington Heritage Conservation Area Development Control Plan**  
**Author:** Chris Bluett - Manager Strategic Planning  
**File No:** 899.G  
**Reason for Report:** To report on the further public exhibition of the Draft DCP.  
To obtain the Council's approval of the Draft DCP.

**Recommendation**

THAT Draft Paddington Heritage Conservation Area Development Control Plan 2008 as contained in **annexure 2** of the report to the Urban Planning Committee meeting on 28 April 2008 and subject to alterations listed in that report (including **annexure 5**) be approved and come into effect on the date a public notice of Council's approval is placed in the newspaper.

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## Notices of Motion

**Item No:** 1  
**From:** Councillors Comino & Petrie  
**Date:** 5 May 2008  
**File No:** 900.G

That a report be brought to Community & Environment Committee setting out Council's Tree Policy and suggested amendments to make it an up to date document.

Special attention to trees that cause view loss, including Council's own trees.

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**Item No:** 2  
**From:** Councillors Excell and Comino  
**Date:** 5 May 2008  
**File No:** 900.G

That having regard to the major waste problem created by the manufacture and disposal of plastic bottled water containers, Council investigate the feasibility of installing bubblers at all public venues where people gather, such as parks, children's playgrounds, sports fields, beaches, ferry wharves and at all public lavatories.

That a report be presented to the relevant committee, listing venues by priority, the cost, and a time line for the installation of bubblers.

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**Item No:** 3  
**From:** Councillors Comino & Petrie  
**Date:** 5 May 2008  
**File No:** 900.G

A report be brought forward to the appropriate Committee of Council investigating any current controls covering road reserve areas and whether Council should develop a strategic plan for the public/private management of our road reserves, dealing with private encroachments onto Council's road reservations as well as the need to protect the streetscape and rockfaces where they exist at the streetscape within such road reservations.

**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 28 April 2008 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.

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**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 28 April 2008 are as follows:

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**Councillor Comino asking:**

What are the public liability issues for the Council posed by the installation of bollards on the public domain? Would Council be entitled to seek any indemnity from adjoining land owners requesting installation of bollards on public footpaths and other areas of the public domain?

**Manager Engineering Services in response:**

This will be considered in conjunction with the report on Notice of Motion 1 adopted at the Council Meeting dated 28 April 2008.

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**Councillor Comino asking:**

Would you convey the thanks and appreciation of the Committee and parishioners of St George Church, Rose Bay to your staff who provided assistance in the form of barriers and other traffic measures during the recent Easter celebrations?

**Director Technical Services in response:**

Yes, I would be happy to do that.

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**Councillor Comino asking:**

What advances have been taken to activate The Gunyah for community use?

**Director Community Services in response:**

The Gunyah is advertised widely through the website, brochures and word of mouth. This has resulted in steady community use of the venue, with it used most week days and used approximately every second weekend. Once the fence and ramp are installed it is anticipated that this weekend use will increase significantly.

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**Councillor Gardner asking:**

Could Council please correct these two problems in Watsons Bay:

On the ground at the start of the beach promenade entrance along Doyle's Restaurant are two circular steel disks between two bollards. One steel disk has a couple of bolts sticking out, up to a height of 3cm. They are hazardous, as people could trip over them. Could Council please remove these obstacles?

**Manager Property & Projects in response:**

The removable bollard has been replaced.

**Councillor Gardner asking:**

The pedestrian wharf to the ferry is used by delivery vans for off loading goods onto large Charter Boats. At times the vans travel along the wharf while passengers get on and off the ferry. This is dangerous. Could Council please install notices stating that vehicles are not to drive on the wharf?

**Director Technical Services in response:**

The wharf is not Council's but we can discuss that with NSW Maritime.

**Manager Public Open Space further in response:**

We have raised this issue with NSW Maritime and Councillors will be provided a copy of any response received.

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**Councillor Gardner asking:**

I ventured out along the Hermitage shore walk from Nielsen Park to Bayview Hill Road. I found the pathway most hazardous and at places almost inaccessible. Could Council please clear this track so that this magnificent route along the foreshore can be enjoyed without the need of pruners?

**Manager Public Open Space in response:**

The walk is the responsibility of NSW National Parks and Wildlife Service the need for track maintenance has been forwarded to the Area Manager.

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**Councillor Gardner asking:**

Nowhere along this demanding path are any drinking water fountains. Could Council please install one? It may reduce the litter of empty bottles and cans.

**Manager Parks & Street Trees in response:**

The walk is the responsibility of NSW National Parks and Wildlife Service the need for track maintenance has been forwarded to the Area Manager.

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**Councillor Gardner asking:**

Could Council also prune the overgrowing vegetation along the Strickland House fence in Vacluse Road?

**Manager Parks & Street Trees in response:**

The Property Manager for Strickland House has advised that the vegetation encroaching on the Vacluse Road footpath will be trimmed by their garden maintenance contractor.

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**Councillor Huxley asking:**

Will the Director Planning and Development please organise a briefing on the White City application sooner rather than later? I really don't believe we need to wait weeks for you to have look at it. I think we would benefit by having one within the next couple of weeks and I ask the Mayor, if he would, to organise that please?

**Mayor in response:**

Arrangements are being made to brief Councillors on the White City Development Application on Monday 26 May 2008 at 5.00pm before the commencement of the Urban Planning and Community and Environment Committees.

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**Councillor Dawson asking:**

Despite all the plaudits, one resident has complained about the lack of height of the heritage wall along Rose Bay. Does the great wall of Woollahra meet all safety requirements?

**Director Technical Services in response:**

The balustrade is a heritage item which has been restored. The height of the balustrade has not been altered. Prior to reconstruction of the deteriorated footpath adjacent to the balustrade, measurements were taken at various points and the average level of the footpath was established as the level for the reconstructed footpath. If a new balustrade were to be constructed now, it would be required to be higher than the existing balustrade, constructed in 1926, which is listed as a heritage item in Council's LEP and therefore can be exempted from meeting current standards.

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**Councillor Shapiro asking:**

Some months ago I requested that we investigate a pedestrian crossing across Old South Head Road near the corner of Wilberforce Avenue, Rose Bay. This is a busy corner and a woman had just been knocked down. Please can I have an update?

**Director Technical Services in response:**

This will be investigated and reported to the Traffic Committee.

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Gary James  
General Manager

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**Annexures:**

Nil

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