



Ordinary Council Meeting

Agenda: *Ordinary Council Meeting*

Date: *Monday 13 August 2007*

Time: *8.00pm*

Woollahra Municipal Council

Notice of Meeting

9 August 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 – 13 August 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 13 August 2007 at 8.00pm.**

Gary James
General Manager

Meeting Agenda

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1.	Confirmation of Minutes – Ordinary Meeting	23 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	6 August 2007
	R1 Transfer of the Council's Public Ferry Wharves to NSW Maritime	1
	R2 Tender for the Supply of Tree Removal, Tree Pruning and Associated Services	
	R3 Statutory Review of Policy - Payment of Expenses and Provision of Facilities to The Mayor, Deputy Mayor and Councillors Policy	
9.2	Development Control Committee – Nil R Items	6 August 2007
9.3	Urban Planning Committee – Nil R Items	23 July 2007
9.4	Community & Environment Committee	23 July 2007
	R1 Guidelines for Local Traffic Committees	3
	R2 Community Grants Program	
10.	Rescission Motion	Nil
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12.	Questions without Notice	7

9.1 Corporate & Works Committee

Items with Recommendations from the Committee Meeting of Monday 6 August 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Transfer of the Council's Public Ferry Wharves to NSW Maritime**
Author: Greg Stewart - Project Manager Strategic Projects and Policy
File No: 908.G
Reason for Report: To obtain Council's approval to the signing of the necessary documentation to effect the transfer of the ownership of the Council's public ferry wharves to NSW Maritime

Recommendation:

That Council's General Manager be authorised to sign the necessary documentation to effect the transfer of ownership of the Rose Bay, Double Bay and Darling Point public ferry wharves to NSW Maritime.

Item No: R2 Recommendation to Council
Subject: **Tender for the Supply of Tree Removal, Tree Pruning and Associated Services**
Author: Joe Cavagnino - Purchasing Co-ordinator
File No: Tender 07/08
Reason for Report: To recommend to Council the acceptance of a Tender

Recommendation:

- A. That Council enters into a panel contract arrangement with: Active Tree Services Pty Ltd, All Suburbs Tree Services Pty Ltd, Advanced Tree Services Pty Ltd and Plateau Tree Services Pty Ltd for various tree maintenance services for a period of 3 years.
 - B. That successful and unsuccessful tenderers be advised accordingly.
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Item No: R3 Recommendation to Council
Subject: **Statutory Review of Policy - Payment of Expenses and Provision of Facilities to The Mayor, Deputy Mayor and Councillors Policy**
Author: Les Windle - Manager Governance
File No: 18.G
Reason for Report: For Council to fulfil its statutory requirement to review and publicly exhibit a proposed policy for the Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors

Recommendation:

That the draft Payment of Expenses and Provision of Facilities to the Mayor, Deputy Mayor and Councillors Policy as contained in Annexure 3 of the report to the Corporate and Works Committee meeting on 6 August 2007 be placed on public exhibition for a period of not less than 28 days and a further report be submitted to the Committee at the conclusion of the exhibition period.

9.4 Community & Environment Committee

Items with Recommendations from the Committee Meeting of Monday 23 July 2007 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: Guidelines for Local Traffic Committees
Author: Frank Rotta – Traffic Engineer
File No: 595.G
Reason for Report: To inform Council of the recently adopted Guidelines for the operation of Local Traffic Committees

Recommendation:

- A. That the Traffic Committee agenda state that when members of the public, interested stakeholders, or the media indicate their interest in specific items on the agenda, those matters will be brought forward to the beginning of the meeting and interested parties will be permitted to address the Committee on the item of interest and will then be requested to leave during deliberations of the Traffic Committee on all matters on the agenda.
 - B. That this procedure be advertised on Council's website.
 - C. That the Traffic Committee agenda be circulated on the last Tuesday of the month.
 - D. That live minutes be recorded during the Traffic Committee meetings and that Traffic Committee members be requested to sign off on the minutes at the completion of the meeting.
 - E. That the minutes of the Traffic Committee be circulated to Councillors on the Thursday following each meeting.
 - F. That the minutes of the Traffic Committee be placed on the web-site on the Friday following each meeting.
 - G. That the minutes of the Traffic Committee record all decisions as being either unanimous support, majority support, split vote, minority support, or unanimous decline.
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Item No: R2 Recommendation to Council
Subject: **Community Grants Program**
Author: Kylie Walshe
File No: 30.G / 1142.G
Reason for Report: To give consideration to applications for Section 356 Community Grants from local community groups /services.

Recommendation:

- A. That Council adopt the recommendation for the allocation of Community Grants for 2007/08 under Section 356 of the Local Government Act, and in accordance with Council's adopted policy objectives and selection criteria.
 - B. That Council adopt the recommendation for the allocation of Community *Environmental* Grants for 2007/08 under Section 356 of the Local Government Act, and in accordance with the selection criteria.
 - C. That a review of the Policy and Guidelines for the grants program be undertaken and reported to Council in early 2008.
 - D. That Council consider the allocation of additional funds to Community Grants in future years.
 - E. That a function be organised to present and celebrate the awarding of the Community Grants and Community *Environmental* Grants to successful organisations.
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Notices of Motion

Item No: 1
From: Councillor Shoebridge
Date: 24 July 2007
File No: 900.G

That Council move this motion for adoption at the upcoming NSW LGA Conference

RE: Planning Laws

1. Conference notes:
 - (a) that changes to the Environmental Planning and Assessment Act since 2004 have resulted in a reduction in protection of environmentally sensitive sites, a reduced role for local councils in determining development applications, an increase in the powers of the Minister for Planning, an increase in the complexity of development approval processes and a decrease in community involvement in decision making about development applications,
 - (b) that the Minister for Planning, the Urban Taskforce and the Property Council have launched a concerted media campaign to attack councils in order to justify removal of all powers to determine development applications from elected councils,
 - (c) the call by the LGA 2006 Conference for the NSW government to reinstate Environmental Impact Assessment and community consultation processes for all development activity and guarantee that councils will retain the power to determine development within their municipality has been rebuffed by the Minister for Planning.
2. Conference re-affirms its commitment to the central role of elected councilors, as representatives of their communities, in the determination of development applications that will have a significant impact on the community.
3. Accordingly Conference calls on:
 - (a) the LGA Executive to coordinate as a matter of urgency a political campaign in opposition to the latest moves to reduce the role of councils and their communities in determining development applications and to produce materials to publicly rebut the claims being made by developer lobby groups and the Planning Minister that seek to blame councils for slow approval processes,
 - (b) all NSW councils to support the LGA campaign.

Item No: 2
From: Councillor Tanya Excell
Date: 8 August 2007
File No: 900.G

That the format of the new "Development Application Site Notices" be slightly amended to include a brief description of the proposed development.

That the description be the same as that written on the first page of the Officers Application Assessment Report titled "Proposal".

Item No: 3
From: Councillor Tanya Excell
Date: 8 August 2007
File No: 900.G

That Council develop a policy for the hanging of banners on poles in the public domain.

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 23 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 23 July 2007 are as follows:

Councillor Comino asking:

Have there been any discussions with Council from any representatives of Valad Property Group regarding their proposals for the Stamford Hotel site in Cross Street, Double Bay?

Is so, can Council be advised of the nature of any proposals?

Director Planning and Development in response:

There have been no discussions. If discussions are undertaken, we will certainly advise Councillors.

Councillor Comino asking:

Has a DA been lodged as yet for the Vaucluse High School site?

Director Planning and Development in response:

A DA on that site has not as yet been submitted. We did have a further meeting with the new owners last week. They addressed a number of issues which were raised in our initial Pre DA meeting. They have not addressed those issues to our satisfaction to date but it is moving in the right direction.

Councillor Petrie asking:

When are we going to address the dangerous ongoing problems of the 2 right turns at Kiaora Road and Bellevue Road from New South Head Road, Double Bay?

Traffic Engineer in response:

A letter was sent 18 June, 2007 to the RTA requesting them to examine possible adjustment to the phasing of the lights to allow for right hand turns. The RTA's Network Operations Section was contacted on 26 June 2007 and advised that the letter has recently been referred to their Traffic Management Branch for response. Council officers have sent a follow-up email to this section of the RTA requesting a response at the earliest available opportunity.

Councillor Petrie asking:

I note the Daily Telegraph 23/7/07 headed "Ratepayers Funds in Jeopardy". Does this Council have any investments in "collateralised debt obligation (CDOs), and what rating are our investments in?

General Manager in response:

In response to the first question, I cannot tell you the amount. We would have a small amount invested with those but they would be in compliance with the Ministers instrument and they would also have the appropriate rating as per our Investment Policy.

Councillor Petrie asking:

When did this Council, according to the same Daily Telegraph article, agree through SSROC to pool our funds and seek a manager to manage 1 billion dollars? Tell me it is not true.

General Manager in response:

There is no intention of SSROC managing our funds. What SSROC is doing is going through an expression of interest process to see whether there are any investment benefits from the pooling of funds but the Council is not committed any funds to SSROC at this point in time.

Councillor Dawson asking:

Should not the Public Art Advisory Committee tell us where precisely the western gateway to Double Bay is? Where do they propose to place the public art work on New South Head Road?

Mayor in response:

The Public Art Advisory Committee is currently preparing a brief for the Expression of Interest stage (also referred to as an open competition model) for the public art/design project located at the eastern gateway of Double Bay. The brief is being prepared, with significant input from Council staff, as a response to the eastern and western gateway treatments that were identified in the Public Domain Improvement - Double Bay Commercial Centre report, adopted by full Council on 25 June 2007. A successful concept will be selected by the Public Art Advisory Committee and recommended to Council for final adoption prior to entering into commissioning.

Gary James
General Manager

Annexures: Nil