



# Urban Planning Committee

**Agenda:** *Urban Planning Committee*

**Date:** *Monday 14 July 2008*

**Time:** *6.30pm*

## **Outline of Meeting Protocol & Procedure:**

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

## **Delegated Authority (“D” Items):**

- To require such investigations, reports or actions as considered necessary in respect of matters contained with the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of Minutes of its Meeting.
- Any other matter falling within the responsibility of the Urban Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed below:

## **Recommendation only to the Full Council (“R” Items):**

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic matters, such as:-
  - Town Planning Objectives; and
  - major planning initiatives.
- Matters not within the specified functions of the Committee.
- Matters requiring supplementary votes to Budget.
- Urban Design Plans and Guidelines.
- Local Environment Plans.
- Residential and Commercial Development Control Plans.
- Rezoning applications.
- Heritage Conservation Controls.
- Traffic Management and Planning (Policy) and Approvals.
- Commercial Centres Beautification Plans of Management.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters reserved by individual Councillors, in accordance with any Council policy on "safeguards" and substantive changes.

## **Committee Membership:**

7 Councillors

## **Quorum:**

The quorum for a committee meeting is 4 Councillors.

# WOOLLAHRA MUNICIPAL COUNCIL

## Notice of Meeting

10 July 2008

To: His Worship The Mayor, Councillor Geoff Rundle, ex-officio  
Councillors                      John Comino      (Chair)  
   Claudia Cullen    (Deputy Chair)  
   Christopher Dawson  
   Wilhelmina Gardner  
   Keri Huxley  
   Julian Martin  
   David Shoebridge

Dear Councillors

### **Urban Planning Committee Meeting – 14 July 2008**

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Urban Planning Committee** to be held in the **Committee Room, 536 New South Head Road, Double Bay, on Monday 14 July 2008 at 6.30pm.**

Gary James  
General Manager

# **Additional Information Relating to Committee Matters**

**Site Inspection**

**Other Matters**

## Meeting Agenda

<b>Item</b>	<b>Subject</b>	<b>Pages</b>
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

### **Items to be Decided by this Committee using its Delegated Authority**

D1	Confirmation of Minutes of Meeting held on 23 June 2008	1
D2	Review of Notification Procedure arising from the processing of Development Applications and S96 Applications for 116 Queen Street, Woollahra – 900.G	2

### **Items to be Submitted to the Council for Decision with Recommendations from this Committee**

R1	Centre Management – Double Bay – 1178.G	21
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**Item No:** D1 Delegated to Committee  
**Subject:** **Confirmation of Minutes of Meeting held on 23 June 2008**  
**Author:** Les Windle, Manager – Governance  
**File No:** See Council Minutes  
**Reason for Report:** The Minutes of the Meeting of Monday 23 June 2008 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 Urban Planning Committee Meeting of 23 June 2008 be taken as read and confirmed.

Les Windle  
Manager - Governance

**Item No:** D2 Delegated to Committee  
**Subject:** **Review of Notification Procedure arising from the processing of DA & S96 Applications for 116 Queen Street, Woollahra**  
**Author:** Patrick Robinson – Manager Development Control  
Chris Bluett – Acting Director Planning & Development  
**File No:** 900.G Performance  
**Reason for Report:** For information

**Recommendation:**

- A. That the report on the review of the notification procedure arising from the processing of DA118/2004/1, 116 Queen Street, Woollahra be noted.

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**Background**

Council at its meeting of 12 November 2007 resolved as follows:

*That a report be brought to the appropriate committee reviewing and advising the appropriate area for notification of development applications regarding hotels in the Municipality. The report should note in particular the recent experience of the Woollahra Hotel DA, where many residents who regarded themselves as affected were outside the notification zone.*

On 14 September 2004 Council's AAP resolved to grant development consent to works to premises at 116 Queen Street, Woollahra involving alterations and additions to the existing "Woollahra Hotel and Restaurant".

Amongst other more minor changes, the consent was granted to the conversion of an existing first floor office to a kitchen and to extend the first floor over an existing single storey portion of the hotel on its northern side, and to use the new floor space for restaurant and office purposes. New first floor balconies were also approved on the first floor eastern elevations to Moncur Street.

Subsequent to this consent being granted, application was made for a series of modifications under s96 of the Act. The first s96 sought to modify certain internal arrangements consented to and sought to remove the enclosed restaurant and convert that floor space to an open terrace (above the existing "Bistro Moncur"). It is noted that in doing so the balcony to the originally approved first floor restaurant on Moncur Street was deleted. The open deck area was then inset from Moncur Street and enclosed on all sides by buildings. Consent was granted to this s96 application at AAP on 31 October 2006.

On 15 June 2007 a second s96 application was lodged with Council to alter the internal configuration of the approved development. Consent was granted to these modifications at the AAP of 25 September 2007.

On 12 July 2007 a third s96 application was lodged with Council to introduce a retractable awning to the first floor terrace. That s96 application was granted consent under delegation on 20 September 2007.

A new development application was lodged on 14 March 2007 which sought to carry out alterations and additions to the hotel involving a new third level to accommodate offices. That application was called to the Development Control Committee on 5 November 2007 which recommended refusal of the application for the following reasons:

1. *The intensification of use is considered unsatisfactory and unacceptable having regard to the cumulative impact of successive previous consents and the additional floor area proposed.*
2. *The Council is satisfied given the history of complaints by residents adjoining the hotel in relation to traffic impacts, parking impacts, noise impacts and anti-social behaviour, that it is not in the public interest to permit any further intensification of use or any increase in occupiable floor area.*
3. *The failure of the applicant to demonstrate through the provision of current traffic and parking reports, that the intensification of use would not have an adverse impact upon traffic and parking.*

Council, at its meeting of 12 November 2007 confirmed this recommendation and refused the application for those reasons.

An appeal was lodged on 29 May 2008 with the Land & Environment Court against Council's refusal of the application.

## **Report**

It is understood that Council is concerned as to whether or not sufficient notification was given to surrounding residents of the Woollahra Hotel during the processing of the development and modification applications.

### ***Relevant Documents***

The public advertising and notification of applications is governed by the *Woollahra Development Control Plan for Advertising and Notification of Development Applications and Applications to Modify Development Consents* (the DCP). This DCP first came into effect on 31 February 2001, but was amended on 19 March 2007. That amendment relates primarily to the introduction of site notices and does not relevantly affect the matters discussed here.

Officers responsible for notifying and advertising applications are provided more detailed direction by Council's *Development Assessment Advertising and Notification Procedure*. However, this procedure does not provide guidance on what properties should be notified.

### ***Notification of Relevant Applications***

Properties notified:

Application	Properties Notified	Objections Received
Original DA (No. 118/2004/1)	97 Queen Street, Woollahra 95 Queen Street, Woollahra 101 Queen Street, Woollahra 118 Queen Street, Woollahra 112 Queen Street, Woollahra	R Winfield – 61 Moncur Street, Woollahra

1 <sup>st</sup> s96 Application (No. 118/2004/2)	97 Queen Street, Woollahra 61 Moncur Street, Woollahra 110 Queen Street, Woollahra 112 Queen Street, Woollahra 118 Queen Street, Woollahra 93 Queen Street, Woollahra 95 Queen Street, Woollahra 101 Queen Street, Woollahra	R Winfield – 61 Moncur Street, Woollahra S Tonello – 65 Moncur Street, Woollahra N Bradshaw – 67 Moncur Street
<b>Application</b>	<b>Properties Notified</b>	<b>Objections Received</b>
2 <sup>nd</sup> s96 Application (No. 118/2004/3)	97 Queen Street, Woollahra 61 Moncur Street, Woollahra 110 Queen Street, Woollahra 112 Queen Street, Woollahra 118 Queen Street, Woollahra 93 Queen Street, Woollahra 95 Queen Street, Woollahra 101-103 Queen Street, Woollahra	R Winfield – 61 Moncur Street, Woollahra
3 <sup>rd</sup> s96 Application (No. 118/04/4)	63 Moncur Street, Woollahra 65 Moncur Street, Woollahra 67 Moncur Street, Woollahra 108 Queen Street, Woollahra 110 Queen Street, Woollahra 112 Queen Street, Woollahra 118 Queen Street, Woollahra 89 Queen Street, Woollahra 91 Queen Street, Woollahra 93 Queen Street, Woollahra 95 Queen Street, Woollahra 101-103 Queen Street, Woollahra 105 Queen Street, Woollahra 107 Queen Street, Woollahra	Nil
DA No. 0166/2007/1	61 Moncur Street, Woollahra 63 Moncur Street, Woollahra 65 Moncur Street, Woollahra 67 Moncur Street, Woollahra 60 Moncur Street, Woollahra 64 Moncur Street, Woollahra 66 Moncur Street, Woollahra 68 Moncur Street, Woollahra 93 Queen Street, Woollahra 95 Queen Street, Woollahra 97 Queen Street, Woollahra 101 Queen Street, Woollahra 108 Queen Street, Woollahra 110 Queen Street, Woollahra 112 Queen Street, Woollahra 118 Queen Street, Woollahra	R Winfield – 61 Moncur Street, Woollahra N Bradshaw – 67 Moncur Street, Woollahra S Gallagher – 35 Rush Street, Woollahra S Tonello – 65 Moncur Street, Woollahra Petition: Head Petitioners: S Tonello P & R Winfield and J Karman There were 83 petitioners in total.

### ***Compliance with the DCP***

Clause 4.4 of the DCP sets out the requirements for notification of a development application and says:

1. *Subject to clause 4.2 (cl4.2 sets out circumstances where notification is NOT required) the Council must provide notification of a development application to which this plan applies before it determines that application.*
2. *The Council must not determine a development application that is the subject of a notification before the completion of the period for public inspection specified in the notice.*

The original development application did not fall into the exclusions set out in clause 4.2 and was therefore notified between 17 March and 3 April 2004. The application was determined on 15 September 2004 well outside the notification period set down in the notification letter. Consequently, the notification complied with Clause 4.4 of the DCP.

Clause 4.4 of the DCP sets out those persons and authorities to be notified of a development application and states;

1. *In circumstances where notification of a development application to which this plan applies is required, that notification must be sent to;*
  - (a) *the owners of adjoining land; and*
  - (b) *the owners of neighbouring land; and*
  - (c) *any public authority that in the opinion of the responsible Council officer may have an interest in, or may be affected by, the development proposal.*

On review of the area notified Council may be satisfied that the provisions of this clause were satisfied.

### ***Compliance with the Procedure***

Development Control has a procedure in place which sets out how the development control plan for notification and advertising of development should be applied.

Whilst the mechanics of the process are set out in considerable detail, the document provides limited guidance in respect of the extent of notification.

Under the heading *Procedure* Clause 1 states:

*Whether or not an application is to be advertised/notified and the nature of that advertising/notification is determined by the Team Leader after the application has been considered by the DARC (Development Application Review Committee – a committee of staff from Development Control, Technical Services, and Strategic Planning).*

Under the heading *Notification/summary* the procedure states:

*Notification occurs to ensure that those persons potentially affected by a development proposal are given the opportunity to let us know what they think before a decision on the application is made.*

On review of the documents, insofar as the mechanics are concerned, Council may be satisfied that the procedure was complied with.

Arguably the original development application notifications in 2004 and subsequent notification of related s96 applications may not have been sufficiently broad. It is important to note that the procedure was established in May 2005 and thus was not in effect at the time of the original notification of DA118/2004. It is also the case that notification is not an exact science and relies on judgement and an element of prediction of the likely impact that a development will have within its immediate and extended built environment. Therefore on balance, and despite any argument raised in hindsight that a more extensive notification area may have been warranted, this review finds that compliance was achieved with the procedure for advertising and notification to the extent that this procedure came into being only after the original application was submitted and notified.

### ***Improvements to Council's Procedure***

The procedure on advertising and notification was first created in May 2005 by the then Manager of Development Control. Since that time the procedure has been reviewed, refined and expanded on some 19 occasions, with the last revision done in September 2006. Therefore, the procedure is a living document which is continually being reviewed to ensure that Council's notification and advertising procedures are consistent with best practice and community expectations.

It is therefore appropriate, given the issues arising from the processing of the various development applications and s96 applications associated with the Woollahra Hotel at 116 Queen Street, Woollahra that the performance of the procedure be reassessed .

It is not proposed, however, to revisit the detail of the mechanics of the notification process in the procedure, as this aspect is set out clearly and comprehensively in a step by step format. Rather it is considered appropriate to introduce further guidance to officers charged with determining the extent of notification. It is important, however, to ensure that such guidance does not compromise the discretion of officers when making a decision on the extent of notification.

On this basis it is proposed to introduce the following new part to the *Procedure for Advertising and Notification*.

### **Recommended Amendment to Council's Notification Procedure**

#### ***Objectives***

*The primary purpose of notifying development proposals including development applications, applications to modify existing consents, or applications for review of a determination, is to ensure that public participation is facilitated in an orderly and transparent manner when Council deals with a development proposal. In carrying out the advertising and notification of development applications and related matters the team leaders charged with this responsibility must bear in mind the following objectives when determining the extent of the notification area:*

- a) *To provide an opportunity for public participation in the development application and related application process and invite comment on such matters.*
- b) *To ensure that the extent of notification takes into account the likely impacts of development including, but not limited to;*
  - *overshadowing,*
  - *privacy,*
  - *traffic generation,*
  - *on-street parking congestion,*
  - *noise, both internal and external to the premises and site,*
  - *view corridor obstruction,*
  - *streetscape,*
  - *tree preservation,*
  - *excavation, and*
  - *heritage conservation.*
- c) *To ensure that the extent of notification is consistent for similar applications.*

### ***Guidelines for Notification***

*To assist and inform decision making on the extent of notification the following guidelines are provided:*

1. *Development which is likely to give rise to **no or negligible** impacts and need **not** be advertised.*

### ***Examples***

- *Change of use of non-residential land uses within a non-residential zone which do not involve external building works other than a compliant under awning sign or give rise to additional car parking under the relevant control, but **excluding** convenience stores, sex industry premises, premises trading beyond 10pm, places of public entertainment, licensed premises, amusement arcades, change of use of a dwelling to another use, land uses which are not permitted in the zone and are relying on existing use rights.*
  - *Minor, miscellaneous development and modifications to consents which will have no or negligible impact upon surrounding land uses or increase impacts in comparison to the previous approval, **but excluding** building works that alter the configuration and location of windows and doors or alter the existing envelope of the building in a conservation area or a heritage item.*
  - *Internal modifications to a unit within a residential flat building, where there are no changes to the exterior of the building particularly in relation to fenestration.*
2. *Development which is minor or routine and is likely to give rise to **minor** impacts. Such development should be notified to **one property either side, and three properties to the rear**. Depending on the circumstances of the case this notification area may be expanded but should not be reduced.*

**Examples**

- *Single storey structures to the rear of a residential property.*
  - *Single store extensions to the rear of an existing dwelling.*
  - *Swimming pools, spas and other associated structures.*
  - *Rear decks at ground level.*
3. *Development which is likely to give rise to **moderate impacts** which should be notified to adjoining and nearby properties including across the road. As a guide, such development should be notified to **two properties either side, four properties to the rear and four properties across the road.** Depending on the circumstances of the case this notification area may be expanded but should not be reduced.*

**Examples**

- *Works to residential or ancillary structures which are no greater than two storeys in height, **excluding** works which are likely to give rise to view corridor obstructions or are on a foreshore location.*
  - *Construction or demolition of a dwelling-house no greater than two storeys in height, that is not likely to give rise to a view corridor obstruction, or is on a foreshore location.*
  - *Additions to an existing residential flat building which is no greater than two storeys in height excluding works which are likely to give rise to a view corridor obstruction or are in a foreshore location.*
  - *Minor works to a listed heritage item or a building located in a conservation area which do not significantly impact on the streetscape presentation of that building, and in the case of a heritage item do not significantly alter the fenestration or envelop of the building.*
  - *Subdivisions to create an easement or right-of-way.*
4. *Development which is likely to give rise to potentially **significant impacts** which should be notified to an extended area taking into account likely impacts to the streetscape, built environment, view corridors, traffic and on-street parking. As a guide, these types of development should be advertised to at least **five properties either side, six properties to the rear direction and six properties across the street.** Depending on the circumstances of the case this notification area may be expanded but should not be reduced.*

**Examples**

- *Works to residential property which alter the height or footprint of a building within a foreshore location or where it is likely that the works will impact on a significant view corridor.*

- *Alterations and additions to, a residential dwelling or construction of a new residential dwelling that is three storeys in height.*
  - *Alterations and additions to or construction of a new residential flat building three storeys in height.*
  - *Alterations and additions to a commercial development or a new commercial development greater than two storeys in height.*
  - *Alterations and additions to a heritage item, or building within a conservation area which will alter their streetscape presentation, or in the case of a heritage item, significantly alter fenestration or the building envelop or roof form.*
  - *Alterations and additions to a licensed premises or a place of public entertainment which will not materially increase its intensity of use.*
  - *Change of use to professional consulting rooms.*
  - *Change of use to a café or a restaurant.*
  - *Development within the public domain.*
  - *Change of use to a sex industry premises.*
  - *Change of use to convenience stores.*
  - *Change of use to an amusement arcade.*
  - *Change of use of a dwelling to another use, or a non residential use in a residential zone.*
  - *Land subdivision involving the creation of new lots.*
5. *Development likely to **have substantive impacts or likely to engender broad public interest.** As a guide, such development should be notified extensively to at least **nine properties in any direction and nine properties across the road.** Depending on the circumstances of the case, this notification area may be expanded but should not be reduced.*

### **Examples**

- *Additions or construction of a new residential flat building which is greater than three storeys in height.*
- *Alterations and additions or construction of a new non residential or mixed use building greater than three storeys in height.*
- *Substantial demolition works or construction works to a building in a heritage conservation area,*
- *Development that substantially affects an item of heritage.*

- *Alterations and additions to, a change of use to, or construction of child care centres, community centres, schools, sporting facilities, health care centres.*

**6** *Development where impacts have the potential to affect the amenity of an entire neighborhood or precinct.*

*Such development should be notified extensively and such notification may range from entire suburban blocks, multiple blocks or to entire visual catchment areas which might include the majority of - or the entire surrounding precinct. In determining the notification area for these major types of developments the officer must have regard to the potential impacts that the development will have in terms of, but not limited to;*

- *increased traffic generation on surrounding street networks,*
- *likely impacts to on-street parking congestion within walking distance of the subject property (walking distance is usually held to be 500m),*
- *increased noise disturbance by users of the subject development, both as a result of noise generation within the premises and likely noise of persons attending and leaving the property, and*
- *the impact of substantive new development within the general visual catchment of the property, both in terms of the public and private domain.*

**Examples**

- *Increase to the hours of operation of a licensed premises or a place of public entertainment.*
- *Extensions of trial periods for late night or 24 hour trading.*
- *Alterations and additions to licensed premises, or place of public entertainment which will materially increase the intensity of use of that premises.*
- *Major alterations and additions, or change of use to, or construction of a place of public worship, schools, higher education centres, significant recreational or sporting facilities, and hospitals or the like.*
- *Development for a marina or similar water/land interface development.*
- *Any application where the value of works exceed \$50m.*
- *Major DAs; Stage 1 DAs for sites greater than 1000m<sup>2</sup> and masterplans*

***It is important for the officer to note that the list of examples provided in this section are not exhaustive and there will always be development proposals which will not fit neatly into the categories cited. Equally, notification will always entail elements of judgement and impact prediction. If any doubt arises as to the appropriate level of notification please seek further guidance from either the Manager of Development Control, or if unavailable the Director of Planning and Development.***

## **Conclusion**

On reviewing the notification procedures surrounding the various development and modification applications for the premises at 116 Queen Street, Woollahra, known as the Woollahra Hotel, it was found that compliance was achieved with both the Woollahra Development Control Plan for Advertising and Notification of Development Applications and Applications to Modify Development Consents and the Council's Advertising and Notification Procedure.

It was also found, however, that whilst the procedure provides extensive guidance to officers in respect to the administrative steps to be followed when notifying and advertising a matter, the procedure could be improved by providing guidance to officers as to how extensive that notification should be.

Hence the procedure will be modified to provide a new section devoted entirely to guiding those officers charged with deciding the appropriate extent to notify particular classes of development matters. The benefit of setting out criteria in this way will be a consistent approach to notification which is both reasonable operationally whilst meeting the objective of:

- Ensuring notification meets community expectations
- Ensures the reasonable opportunity for surrounding residents and land holders to be informed, and afforded the opportunity to make submissions on matters likely to affect them.

Accordingly the procedure has now been amended in draft form and is attached to this report.

Patrick Robinson  
**Manager Development Control**

Chris Bluett  
**Acting Director Planning and Development**

**Item No:** R1 Recommendation to Council  
**Subject:** **CENTRE MNAAGEMENT - DOUBLE BAY**  
**Author:** Chris Bluett - Manager Strategic Planning  
**File No:** 1178.G  
**Reason for Report:** To provide a progress report on actions following the Council's decision on 12 May 2008.

### **Recommendation**

That the progress report on the Centre Management for Double Bay be noted.

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### **Background**

Several reports on centre management proposals for the Double Bay Commercial Centre have been considered by the Urban Planning Committee. The last report was submitted on 28 April 2008 (**annexure 1**) and resulted in the following decision by the Council on 12 May 2008.

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*.

### **Double Bay Centre Management Working Party**

The fifth meeting of the Working Party took place on 6 June 2008. The minutes of that meeting are attached as **annexure 2**. Under item 7 of the Council's decision on 12 May 2008 the Working Party will cease upon incorporation of the Double Bay Partnership.

### **Double Bay Partnership information evening**

An information evening, organised by the Double Bay Chamber of Commerce, was held on Friday 20 June 2008. The purpose of the event was to inform business operators and property owners about the Double Bay Partnership.

### **Double Bay Partnership Constitution and Rules**

Further discussions on the Draft Constitution and Rules were held with Lindsay Taylor Lawyers and the General Manager to address matters raised at the Working Party meeting. Consequently, a revised Draft Constitution and Rules was referred to the Department of Fair Trading. At the time of writing this report no response has been received from the Department.

### **Conclusion**

The process of centre management for the Double Bay Commercial Centre has reached an important stage. Following incorporation of the Double Bay Partnership, actions set out in items 4, 5 and 6 of the Council's decision on 12 May 2008 may be commenced. A further progress report will be submitted once notice of incorporation has been received.

Chris Bluett  
Manager Strategic Planning

### **ANNEXURES**

1. Report to Urban Planning Committee 28 April 2008
2. Minutes of Double Bay Centre Management Working Party – 6 June 2008