



Ordinary Council Meeting

Agenda: *Ordinary Council Meeting*

Date: *Monday 11 August 2014*

Time: *8.00pm*

Woollahra Municipal Council

Notice of Meeting

7 August 2014

To: Her Worship the Mayor, Councillor Toni Zeltzer ex-officio
Councillors Ted Bennett
Anthony Boskovitz
Peter Cavanagh
Luise Elsing
James Keulemans
Greg Levenston
Anthony Marano
Katherine O'Regan
Andrew Petrie
Matthew Robertson
Deborah Thomas
Elena Wise
Susan Wynne
Jeff Zulman

Dear Councillors

Council Meeting – 11 August 2014

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 11 August 2014 at 8.00pm.**

Gary James
General Manager

Meeting Agenda

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4.	Late Correspondence Note Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item	
5.	Petitions Tabled	
6.	Mayoral Minute	Nil
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9.	Reports of the Committees	
9.1	Strategic & Corporate Committee	22 & 29 July & 5 August 2014
	R1 Draft Woollahra Local Environmental Plan 2014	
9.2	Corporate & Works Committee – Nil ‘R’ Items	4 August 2014
9.3	Development Control Committee	4 August 2014
	R1 DA142/2014 - 3/84-86 Wolseley Road, Point Piper – Construction of stair to the northern side of the site – 174/2014	8
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Leave of Absence

Item No: 1
From: Councillor Ted Bennett
Reason for Report: Seeking leave of absence for all meetings of the Council and its Committees from Monday 22 September 2014 to Wednesday 5 November 2014 inclusive.

Recommendation:

That leave of absence for all meetings of the Council and its Committees be granted to Councillor Bennett for the period from Monday 22 September 2014 to Wednesday 5 November 2014 inclusive.

General Manager's & Officer's Report

General Manager's No: 1

Subject: **Local Government NSW - 2014 Annual Conference at Coffs Harbour - Sunday 19 to Tuesday 21 October 2014**

Author: Stephen Dunshea, Acting General Manager

File No: 53.G 2014

Reason for Report: For Council to review the Conference material and authorise the Mayor to appoint delegates to attend the 2014 Local Government NSW Annual Conference.

Recommendation:

That the Mayor invite expressions of interest from Councillors interested in attending the 2014 Local Government NSW Annual Conference.

The 2014 Local Government NSW Annual Conference is to be held in Coffs Harbour from Sunday 19 to Tuesday 21 October 2014.

a. Draft Conference Program

Attached to this report for Councillors' information is a copy of the draft Conference Program for 2014 including guest speakers (Annexure 1).

b. Nomination of Delegates and Observers

Councils are entitled to nominate voting delegates on a population basis. Woollahra Council is entitled to four (4) delegates. Delegates' voting cards will be distributed to delegates only at the Conference on registration.

Where it is necessary before or during the Conference to change registered delegates, all changes must be made in writing.

c. Appointment of Delegates

Council is allowed four (4) voting delegates with delegates to be appointed by the Mayor, following a call of expressions of interest from interested Councillors.

The appointment of delegates and attendance at the Conference must be in accordance with Council's resolution of 30 November 1992 which was in terms:

B. THAT when more than four (4) Councillors wish to represent the Council at the Annual Local Government Association Conference the following will apply:

- 1. In the selection of voting Councillors priority be given to Councillors who have not previously represented the Council in a voting capacity at the Annual Local Government Association Conference.*
- 2. Councillors entitled to vote must adhere to and support Woollahra Municipal Council policies.*

3. *Councillors entitled to vote must attend all periods of the Conference except those taking part in elections.*
4. *Councillors attending as Observers or Alternate Delegates will be registered as Alternate Delegates.*

Further information can be found at the LG NSW website:
<http://lgsw.org.au/events-training/local-government-nsw-annual-conference>

Stephen Dunshea
Acting General Manager

Annexures:

Annexure 1: Copy of draft 2014 Conference Program (as at 29 July 2014)

9.1 Strategic & Corporate Committee

Items with Recommendations from the Committee Meeting of Tuesday 22 & 29 July & 5 August 2014 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	Draft Woollahra Local Environmental Plan 2014
Author:	Anne White – Senior Strategic Planner
File No:	1064.G (Principal LEP Draft Woollahra Plan)
Reason for Report:	To advise of the submissions received to the public exhibition of Draft Woollahra Local Environmental Plan 2013 and to provide an assessment of these submissions. To identify proposed changes to the exhibited version of the Draft LEP. To obtain a decision to proceed with Draft Woollahra Local Environmental Plan 2014 with amendments and submit the Draft LEP to the Minister to make the plan.

Recommendation:

- A. That Draft Woollahra Local Environmental Plan 2014 provided at **Annexure 1** of the report to the Strategic and Corporate Committee meeting on 22 and 29 July 2014, is referred to the Director-General of the NSW Department of Planning and Environment under section 59 of the Environmental Planning and Assessment Act 1979 to allow the making of the LEP by the Minister, subject to the following changes:
1. Schedule 1 Additional permitted uses: Item 7 – use of certain land at Glenmore Road, Paddington, amend the property address to 241A and 241B Glenmore Road Paddington.
 2. Amend map series to refer to Gadens Reserve in Paddington.
 3. Remove the floor space ratio control from the Floor Space Ratio Map: Sheet 5 for the former Vaucluse High School site at 2 Laguna Street, Vaucluse.
 4. Insert in Schedule 1 Additional permitted uses: Use of certain land at Alma Street, Paddington:
 - (a) This clause applies to land at 30 Alma Street, Paddington being Lot 2 DP 1114604.
 - (b) Development for the purpose of a restaurant or café [is permitted with consent but only if the consent authority is satisfied that the activities proposed are ancillary to and associated with recreational facilities (indoor) or recreational facilities (outdoor)].
 5. Apply a 9.5 metres maximum height development standard for land zoned R2 Low Density Residential in the Paddington Heritage Conservation Area in accordance with the mapping protocol shown on the Draft Woollahra LEP 2014 Height of Buildings Map.
 6. In the Double Bay Commercial Centre the height controls be reduced from:
 - (a) 15m to 14.7m and
 - (b) 18.5 m to 18.1m
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7. In the Rose Bay Commercial Centre the height controls be reduced from:
 - (a) 14.5m to 14.1m and
 - (b) 17.5 m to 17.2m
 8. Increase the FSR control applying to 2 Short Street, Double Bay to 3:1
 9. Apply the B1 Neighbourhood Centre zone to 11 Military Road, Watsons Bay
 10. Insert in Schedule 1 Additional permitted uses: Use of certain land at 11 Ocean Street, Woollahra:
 - (a) This clause applies to land at 11 Ocean Street, Woollahra being Lot 2, DP 189813.
 - (b) Development for the purpose of a place of public worship is permitted with consent but only if the consent authority is satisfied that:
 - (i) the activities proposed will only have a minimal environmental impact, and
 - (ii) the activities proposed are ancillary to and associated with the Emanuel Synagogue at 7-9 Ocean Street, Woollahra.
- B. That a review of the White City DCP examine the maximum building height controls for the site at 30 Alma Street, Paddington and that the review be reported to Council's Urban Planning Committee within 3 months.
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9.3 Development Control Committee

Items with Recommendations from the Committee Meeting of Monday 4 August 2014 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	3/84-86 Wolseley Road, Point Piper – Construction of stair to the northern side of the site – 174/2014
Author:	Simon Taylor – Senior Assessment Officer
File No:	DA142/2014
Reason for Report:	In accordance with Council’s meeting procedures and policy this matter has been called to full Council by Councillor Wynne for the following reasons: <ul style="list-style-type: none">• Given the history of the matter in the Land & Environment Court• The interest from many Councillors not on the Development Control Committee

Recommendation:

THAT the Council, defer Development Application No. 142/2014 for the construction of a stair in the landscaped area to the northern side of the site on land at 3/84-86 Wolseley Road, Point Piper, to enable the applicant to submit a replacement application, the replacement application being notified to adjoining property owners in accordance with Council’s Advertising and Notifications DCP and the application be tabled to a future Development Control Committee.

9.4 Urban Planning Committee

Items with Recommendations from the Committee Meeting of Monday 28 July 2014 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	Report on The Revitalisation/Reinvention of Oxford Street, Paddington
Author:	P Kauter, Acting Manager-Development Control
File No:	349. Activate Oxford Street
Reason for Report:	To report on: <ul style="list-style-type: none">• the findings of the consultant's (Village Well) report into the revitalisation/reinvention of Oxford Street, Paddington• The activities of the Oxford Street Working Party

Recommendation:

1. In relation to the Village Well report, that:
 - a. Council support the Vision Statement for Oxford Street as contained in part 3.0 of the Village Well report
 - b. Council support the Implementation Program for 'Quick Wins' as contained in **Annexure D** of this report
 - c. The Paddington Business Partnership be requested to include in its business plan for 2014/2015 the manner in which it intends to undertake the 'Quick Wins' for which it is responsible as set out in the Implementation Program, including proposed priorities and specific actions
 - d. Council prepare a more detailed implementation strategy for the 'Quick Wins' once the Paddington Business Partnership has provided its new business plan to the satisfaction of Council
 - e. Having regard to the complex nature and the funding implications of the Priority Initiatives, the Council consult with the relevant stakeholders with the object of establishing a collaborative approach to giving them effect
 2. That the minutes of the Oxford Street Working Party meetings held on 1/4/14 and 28/5/14, as contained in **Annexures B** and **C** to this report, be received and noted.
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9.5 Community & Environment Committee

Items with Recommendations from the Committee Meeting of Monday 28 July 2014 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Woollahra Plaques Advisory Committee - Minutes of Meeting 5 June 2014**
Author: Joan Ruthven - Library Community Programs Team Leader
File No: 474.G Plaques
Reason for Report: To table the minutes of the Woollahra Plaques Advisory Committee meeting held on Thursday 5 June 2014.

Recommendations:

- A. That the minutes of the Woollahra Plaques Advisory Committee meeting held on Thursday 5 June 2014 be noted and endorsed.
 - B. The recommendations of the Woollahra Plaques Advisory Committee regarding the selection of nominations for 2014 Woollahra Council Plaque Scheme be adopted - Sir Daniel Cooper, Sir John Hay, Rose Scott and Christina Stead.
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Rescission Motion

Item No: 1
From: Councillors Petrie, Keulemans & O'Regan
Date: 28 July 2014
File No: 900.G

That the motion carried at the Council Meeting held on 28 July 2014 being Item Number R2 of the Urban Planning Committee dealing with Woollahra Design Excellence Awards be rescinded.

Note: Council's resolution of 28 July 2014 was as follows:

That the report be noted, no further action taken and the Woollahra Design Excellence Awards be put on hold for now.

Notices of Motion

Item No: 1
From: Councillors Petrie, Keulemans & O'Regan
Date: 28 July 2014
File No: 900.G

Note: In the event the Rescission Motion is adopted by Council, the following Notice of Motion is submitted for consideration.

- A. That scope of the Woollahra Conservation Awards be expanded to incorporate additional categories for contemporary design and sustainability.
- B. The name of the awards should be updated to the Woollahra Design Excellence Awards.
- C. That the "Judging Criteria" include a provision that no award would need to be issued where award criteria could not be met.
- D. That winning nominations be recognised at an awards ceremony to be held in May/June 2015.

Item No: 2
From: Councillors Robertson, Levenston
Date: 7 August 2014
File No: 900.G

That Council:

1. Requests staff to prepare a short report outlining a list of past councils by reference to their terms of years served.
2. Recommend a logical nomenclature for the naming of council terms.

Rationale:

Woollahra has no formal nomenclature for past terms of council. Referring to the 'last term', or the 'term before the last term' tends towards cumbersome, and prohibits easy reference to council's history, both recent and not so recent.

There is a strategic value in developing a logical nomenclature through endeavouring a change of thinking around the longevity of council's decisions, by more easily-referenced examples of the past and enhanced analysis.

This project may stimulate interest in local history in the Woollahra area.

Questions for the Next Meeting

Item No: 13
Subject: Questions for Next Meeting
Author: Gary James, General Manager
File No: 467.G/Q 10
Reason for Report: To provide a response to Questions for Next Meeting from Council Meeting of 28 July 2014 and for Councillors to ask Questions for Next Meeting in accordance with Council's Code of Meeting Practice.

Recommendation:

That the responses to previous Questions for Next Meeting be noted.

Background:

The provision for Councillors to ask Questions for Next Meeting is contained in Section 3.2 of Council's Code of Meeting Practice which states:

3.2 QUESTIONS FOR NEXT MEETING – No previous notice of questions required

- 1) *As a standard practice, "Questions for Next Meeting" shall be listed in all agendas of Ordinary Meetings of Council. The agenda item shall contain a report of the questions asked at the last Council Meeting and the responses to those questions and provide an opportunity for the Councillors to ask questions for the next Council Meeting.*
- 2) *Questions asked at a Council Meeting shall also be submitted in writing.*
- 3) *The Councillor must put every question directly, succinctly and without argument.*
- 4) *The Mayor shall refer 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.*
- 5) *If the answer to a question can be given immediately, and it makes sense to do so, 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.*
- 6) *In the spirit of achieving the expeditious discharge of Council business the agenda item "Questions for Next Meeting" 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 for Next Meeting should be asked in accordance with the Code of Meeting Practice.

Responses to Councillors Questions for Next meeting on 28 July 2014 are as follows:

Councillor Boskovitz asking:

I note in Technical Services answer to my question regarding Rose Bay traffic refuges that Council staff support the traffic refuges and thus the loss of significant parking.

I put to you that the community are up in arms about the loss of parking outside Coles.

I request that the Council pursue the removal of the traffic refuges and specifically the one that pushes the bus stop into the former parking spots outside Coles.

Manager Engineering Services in response:

In order to pursue this matter further, Council would need to formally resolve to request RMS remove the traffic refuge on Old South Head Road, at Coles.

Councillor Thomas asking:

To the General Manager

I received a letter about the Woollahra Library and you also received the same letter.

Are you responding to the letter dated 16 July from Gunter Hojdsysek regarding the future use of the Woollahra Library and can we please be copied in so we can also respond

General Manager in response:

If we haven't already responded we will be. The response will be that it is part of the Assets Working Party's review. There is a consultant giving us some feasibility studies in relation some options, there has been no decision made. I will be happy to provide the response to Councillors.

Director Technical Services further in response:

The letter has been drafted and will be sent and distributed to Councillors this week.

Councillor Elsing asking:

I refer to the answer provided to my question on 28 July 2014 about the funding for the Paddington Business Partnership.

It appears that \$9,000 of the \$45,000 is being held back in the 2013/14 year subject to receiving a mid-stream report.

What is the date that the mid-stream report is expected to be received from PBP to Council?
Can we have confirmation that \$9,000 has not been paid in that financial year and does that go forward to the following financial year?

Was it expected that the mid-stream report be provided mid-way through financial year ended 30 June 2014

General Manager in response:

Payment of the \$9,000 would be subject to what comes in the mid-stream report, we may create it as a debtor at the end of the year. If they don't produce what we want in the mid-stream report it would not be paid to them.

Mayor further in response:

The report has been asked for a number of times.

Councillor Robertson asking:

What contact, if any, have staff had with City of Sydney staff in relation to the tabling of the petition calling on both Councils to work together towards a safer traffic arrangement at the intersection of Boundary, Glenview and Liverpool Streets, Paddington?

At this stage, has a way forward been agreed upon, to remedy community concerns about pedestrian safety.

Traffic & Transport Team Leader in response:

Cathy Edwards-Davis provided the following update in May when the petition was received:-
"An email was sent to the Ward Councillors on 29 May 2014 as follows:

Dear Councillors

I refer to the petition which was tabled at Council on Monday in relation to the pedestrian crossing at the above location.

Council staff have already investigated this pedestrian crossing. A report went to the Traffic Committee on the 3 December 2013 (attached).

As you can see from the report, the key recommendation is to install a kerb blister. This will significantly improve sight distance to the pedestrians.

A kerb blister at this location is currently identified for funding in the draft budget for 2014/15.

This is subject to Council adoption of the budget.

Please let me know if you require any further information".

Since the above update, the City of Sydney's Traffic Manager North has been in contact with me in relation to the petition and community concerns. I am meeting with the Traffic Manager on site to discuss and investigate the issues raised by the community. I will update Councillor Robertson once we have completed our investigations and agreed on a way forward. The installation of a kerb blister at this pedestrian crossing to improve sight distance has been included in the Traffic Capital Works program from this year.

Gary James
General Manager

Political Donations – matters to be considered by Councillors at Meetings

