



Ordinary Council Meeting

Agenda: *Ordinary Council Meeting*

Date: *Monday 11 July 2011*

Time: *8.00pm*

Woollahra Municipal Council

Notice of Meeting

7 July 2011

To: Her Worship The Mayor, Councillor Isabelle Shapiro
Councillors Anthony Boskovitz
Sean Carmichael
Peter Cavanagh
Lucienne Edelman
Nicola Grieve
Chris Howe
Susan Jarnason
Greg Medcraft
Andrew Petrie
Ian Plater
David Shoebridge
Susan Wynne
Malcolm Young
Toni Zeltzer

Dear Councillors

Council Meeting – 11 July 2011

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 July 2011 at 8.00pm.**

Gary James
General Manager

Meeting Agenda

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R3	Installation of a lift at the Hugh Latimer Centre	
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R1	E J Ward Centre	
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Leave of Absence

Item No: 1
From: Councillor Peter Cavanagh
Reason for Report: Seeking leave of absence for all meetings of the Council and its Committees from Monday 11 July 2011 to Friday 5 August 2011, inclusive.

Recommendation:

That leave of absence for all meetings of the Council and its Committees be granted to Councillor Peter Cavanagh for the period Monday 11 July 2011 to Friday 5 August 2011, inclusive.

General Manager's Report

General Manager's No: 1

Subject: Acknowledgment of 40 years Service – Mr Greg Stewart

Author: Gary James, General Manager

File No: Staff Stewart G

Reason for Report: To recognise the service to Woollahra Municipal Council of Mr Greg Stewart, on the occasion of his retirement.

Recommendation:

- A. That Council formally acknowledge the exemplary service of Mr Greg Stewart over the period November 1970 to July 2011 and on behalf of the Woollahra community the Council convey its profound thanks to Mr Stewart for the extraordinary contribution he has made to our community.
- B. That Council present Mr Stewart with a token of appreciation in the form of an engraved gold watch and wish him a peaceful and happy retirement.

Background:

Greg Stewart joined Council as Junior Assistant Engineer in November 1970, one month after completing his Higher School Certificate at Glen Innes High School. In 1978 he was promoted to Assistant Engineer and in 1980 he became the District Engineer for Paddington. In 1982 he obtained the position of Design Engineer and in 1985 that of Works Engineer.

In 1993 Greg was appointed Acting Chief Engineer and in 1995 Manager of Design, Works and Infrastructure, a position responsible for all of the Engineering related functions of Council. In 2001, he was appointed to the role of Manager Public Infrastructure and in 2007 to his current role of Manager Strategic Policy and Projects. He has also acted as Director of Technical Services on many occasions.

Greg has devoted his entire working life, and a great deal of his spare time, to Woollahra Municipal Council. His commitment and contribution to our organisation and his work for the ratepayers of Woollahra cannot be overestimated. His achievements over 40 years are too numerous to mention in this report but suffice to say that there is not a road, footpath, pipe or park in Woollahra that hasn't been improved in some way by Greg's efforts. In any emergency Greg would be first to arrive and the last to leave.

Over the years Councillors, staff, client and the general public have all paid tribute to his courteous and professional approach taken in his dealings with them.

Greg is highly regarded at all levels of the Council organisation and is a valued member of the management team.

Greg formally retired from Council on Friday 8 July. His colleagues will miss his vast knowledge, experience and intelligence. I'm sure that the Council will join me in acknowledging the extraordinary contribution that Greg has made to Woollahra and in offering our profound thanks and best wishes for a peaceful and happy retirement.

Gary James
General Manager

General Manager's Report

General Manager's No: 2

Subject: Acknowledgment of 41 years service – Mr Greg Radford

Author: Gary James, General Manager

File No: Staff Radford, G

Reason for Report: To recognise the service to Woollahra Municipal Council of Mr Greg Radford, on the occasion of his retirement.

Recommendation:

- A. That Council formally acknowledge the exemplary service of Mr Greg Radford over the period May 1970 to July 2011 and on behalf of the Woollahra community the Council convey its profound thanks to Mr Radford for the extraordinary contribution he has made to our community.
- B. That Council present Mr Radford with a token of appreciation in the form of an engraved gold watch and wish him a peaceful and happy retirement.

Background:

Greg Radford commenced his employment with Woollahra Council on 13 May 1970 as a casual garbage collector. In late 1970, Greg was successful in obtaining a permanent appointment in the Council's Street Sweeping Section and Greg's long association with Woollahra Council was on its way.

Greg only worked in the Street Sweeping Section of Council for approximately 12 months before being transferred to an Animal Control position, then known as the Council 'Dog Catcher'. He held this position for about four (4) years and it was during this time that he commenced assisting on the civic side of Council's operations relieving as the Mayoral driver and Council Chambers caretaker.

In 1975 Greg was transferred to the position of 'By-laws/Ordinance Inspector' and was made a Special Constable, which was considered a significant achievement at that time. As an Ordinance Inspector/Special Constable Greg worked out of both the Health and Engineering Departments throughout the 1980's and continued to assist with the Mayoral driving duties. Also during this time Greg assisted with Council's Citizenship ceremonies and commenced his long term role as the Council Concierge at the Council and Committee meetings. In this latter role Greg was the friendly face at the front door that greeted everyone that attended the formal meetings of Council - a role that Greg became well known for.

In 1991 Greg was appointed as Council's Senior Ranger. Following a restructure in 1995, Greg was moved to the newly formed Regulatory and Health Section as the Head Ranger. During that time commercial parking responsibilities were transferred from the NSW Police to Council, with Council taking over all parking responsibilities in approximately 2001.

While Greg was largely responsible for the day-to-day running of the Council's Regulatory Section since 1995, Greg's position was reclassified in 2006 to Coordinator – Regulatory Services and this was the position Greg held at the time of his retirement on Friday 8 July 2011.

Greg is a true gentleman, in every sense of the word and an extremely committed employee who has provided Council with amazing service in a variety of roles over the past 41 years. Councillors and staff have the highest regard for Greg. He is always approachable, friendly and extremely professional in undertaking his Council duties. Greg has always been ready to help and nothing was ever "too hard". Greg's family, wife Lorraine and sons Glen and Mark should be very proud of what Greg has achieved during his long association with Woollahra Council.

I'm sure that the Council will join me in acknowledging the extraordinary contribution that Greg has made to Woollahra and offer our profound thanks and best wishes for a long and happy retirement.

Gary James
General Manager

9.1 Corporate & Works Committee

Items with Recommendations from the Committee Meeting of Monday 4 July 2011 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Paddington Business Partnership – Request for Funding**
Author: P Kauter Executive Planner
File No: 349.G
Reason for Report: To consider a request from the Paddington Business Partnership for funding for 2011

Recommendation:

- A. That the request by the Paddington Business Partnership (the Partnership) for Council to provide funding for 2011 to carry out the five priority actions as listed in its letter of 10/3/11 be supported in principle. The funding to comprise:
 - i. thirty thousand dollars (\$30,000.00) of monetary revenue, and
 - ii. the waiver of development application fees for development in the form of events by or on behalf of the Partnership
 - B. The Corporate & Works Committee support the inclusion of \$30,000 of funding to the Partnership as part of the quarterly review of the 2011/12 Budget in September
 - C. That prior to the Council providing the funding referred to in Part A an agreement between the Council and the Partnership is to be entered into which sets out the terms under which the funding is provided. The terms of the agreement are to include, but are not limited to, key performance indicators and accountability/acquittal to Council in respect of the funding, which the Partnership agrees to satisfy.
 - D. That the Mayor be authorised to enter into the agreement referred to in Part C on behalf of the Council
 - E. It be noted that Council would expect any funding in future years would likely be considered on a dollar for dollar basis with matching funding from the Paddington Business Partnership.
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Item No: R2 Recommendation to Council
Subject: **Royal Australian Navy Sailing Association (RANSA) Proposed Lease Extension, Sir David Martin Reserve, 1C New Beach Road, Darling Point**
Author: Anthony Sheedy, Property Officer
File No: 787.G
Reason for Report: To give consideration to the proposed new lease commencing 2015 for the Boatshed on Sir David Martin Reserve.

Recommendation:

- A. That subject to the Minister's consent, Council agree to enter into an Agreement for Lease with RANSA granting a new lease for the Boatshed of twenty (20) years, commencing on 1 June 2015 and expiring 31 May 2035, including a five (5) year option period upon expiration of the Boatshed lease, commencing 1 June 2035 and expiring 31 May 2040.
- B. That the rent at the start of the new Lease 1 June 2015 be subject to a market review, and the rent payment be reviewed to market thereafter every 5 years, with annual CPI in the intervening years; provided that the new rent will not be less than that paid during the preceding 12 month period.
- C. That the Lessee (RANSA) pay all Council's costs in regards to preparation of the Agreement to Lease and the new Lease.
- D. That Council investigate opportunities to improve the Sayonara Slipway in conjunction with neighbouring properties.
- E. That any moves to extend the liquor licence on the site be referred to the Corporate & Works Committee.

Item No: R3 Recommendation to Council
Subject: **Installation of a lift at the Hugh Latimer Centre**
Author: Zubin Marolia – Manager Property & Projects
Mary Boyd – Director Preschool
File No: 329.512
Reason for Report: Requirement to upgrade the access to the Preschool at the Hugh Latimer Centre.

Recommendation:

- A. That Council approve the installation of a lift at the Hugh Latimer Centre Woollahra Preschool, to comply with Disability Discrimination Act and Department of Education funding agreement.
- B. That the sum of \$75,000 from the Preschool reserve be utilised to fund the installation of a lift and Council continue to seek grant funding for this project, when they become available.

9.3 Urban Planning Committee

Items with Recommendations from the Committee Meeting of Monday 27 June 2011 Submitted to the Council for Determination

Item No: R1 Recommendation to Council

Subject: **The Impact of Changes to the definition of gross floor area and floor space ratio in The *Standard Instrument - Principal Local Environmental Plan On Dwelling Yield***

Author: Brendan Metcalfe – Strategic Planner

File No: 1064.G Principal LEP

Reason for report: To respond to part of a decision Council made on 2 May 2011 requiring a report on the impact of changes to the definition of gross floor area and floor space ratio under the *Standard Instrument – Principal Local Environmental Plan* in terms of dwelling yield.

Recommendation:

- A. That Council receive and note the report.
 - B. That the Urban Planning Committee is concerned about the effect of the Gross Floor Area definition if it is adopted in the way it currently is as there is no doubt that it will increase building bulk which is not the intention on the Standard Instrument.
 - C. That this information, being that the changed Gross Floor Area definition in the Standard Instrument produces approximately 20% additional building bulk, be taken into account when the translation to the Standard Instrument is undertaken to retain existing local character and controls on building bulk.
 - D. That staff are encouraged to circularise other Councils who are in SSROC in relation to the issue of the extra bulk that is generated by the definition of Gross Floor Area in the Standard Instrument and seek to get support from other Councils to persuade the Department of Planning to amend that definition so that it more closely matches that in the Woollahra LEP 1995.
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Item No: R2 Recommendation to Council
Subject: **Planning Proposal for *Duntrim*, 37 Darling Point Road**
Author: Sara Reilly Strategic Heritage Officer
File No: 1064.G (Amend 69)
Reason for Report: To present the assessment of submissions received during public exhibition of the planning proposal.
To obtain Council's decision to proceed with the planning proposal process.
To make recommendations on amendments to the heritage inventory sheet

Recommendation

- A. That the planning proposal for *Duntrim*, 37 Darling Point Road, Darling Point be referred to the Department of Planning. The planning proposal aims to list '*Duntrim* – house and grounds' as a heritage item.
 - B. That the updated heritage inventory sheet contained in **annexure 3** of the report to the Urban Planning Committee meeting on 27 June 2011 be endorsed and used in the assessment of development applications for the subject property.
 - C. That staff consider the appropriate measures for further investigation and protection of the historic garden and grounds.
 - D. That Council note that any significant development application for the site will require a Conservation Management Plan or a Statement of Heritage Impact.
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9.4 Community & Environment Committee

Items with Recommendations from the Committee Meeting of Monday 27 June 2011 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: E J Ward Centre
Author: Susan Turner A/Director Community Services
File No: 900.G
Reason for Report: In response to a Notice of Motion requesting information on the future management model for E J Ward.

Recommendation:

- A. That consideration of the matter be deferred pending investigation into costs estimates for the works and potential funding opportunities that would enable the works to commence immediately.
 - B. That further advice on this matter be provided by the end of July 2011.
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Item No: R2 Recommendation to Council
Subject: Proposed Temporary Closure of Double Bay Library
Author: Vicki Munro, Acting Director Community Services
File No: 329.548
Reason for Report: This report is to request Council's support for the temporary closure of Double Bay Library from Saturday 30 July 2011 until Sunday 4 September 2011 to allow for the implementation of new technology and minor renovation works.

Recommendation:

- A. That Double Bay Library be temporarily closed from Saturday 30 July 2011 until Sunday 4 September 2011, reopening on Monday 5 September 2011 to allow for the implementation of new technology and minor renovations.
 - B. That Paddington and Watsons Bay Libraries hours of opening be extended on a temporary basis, during the period of Double Bay Library's closure.
 - C. That Councillors be provided with a copy of the cost/benefit analysis relating to the implementation of the Radio Frequency Identification (RFID) Technology.
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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 27 June 2011 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 27 June 2011 are as follows:

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Councillor Boskovitz asking:

A number of parking spots have been made “No Stopping” spots along New South Head Road, Vaucluse specifically across the road from Kambala but also further down the road:

1. Has Council been notified about these change?
2. Are these changes due to road works being undertaken by the RTA? If so a temporary change is totally acceptable if works are being undertaken.

Manager Engineering Services in response:

The RTA representative has indicated no knowledge of the new signposting and will be inspecting the site with Council's traffic engineer Friday 8 July 2011. Further advice will be provided following that meeting.

Councillor Boskovitz asking:

From the diagram provided during the 14 Pacific Street, Watsons Bay debate it can be seen that there is a large pothole at the corner of Victoria Street and Pacific Street, Watsons Bay. Can the staff undertake to repair this?

Manager Civil Works & Infrastructure in response:

Inspection and repair of all potholes in Pacific Street and Victoria Street Watsons Bay completed week ending 8 July 2011.

Councillor Boskovitz asking:

The entrance to Transvaal Avenue, Double Bay has become quite hazardous for vehicles entering. In fact, a car was recently damaged on entering Transvaal Avenue.

Can our Traffic staff please go and look at the road and determine whether the slope entering Transvaal Avenue is too steep and whether we need to act on this matter.

Manager Engineering Services in response:

The road has been inspected and it has been determined that there may be an issue with the camber of the road. This will require further investigation as a solution may require significant resources.

Councillor Petrie asking:

One thing I hate in this world is when, on the rare occasion, Waverley Council does something better than Woollahra. When it comes to Public Art (excuse the pun) they are streets ahead.

At least 20 sites to our one – is Woollahra Council serious about Public Art?

Mayor in response:

Yes we are serious about art. And yes, as you are maybe aware, I've been working together with the Acting Director of Community Services together with the Director of Technical Services together with the General Manager to establish a public art trust. That would enable us, I believe, that once we get tax deductibility, to raise funds for public art and importantly to receive gifts and loans of public art which would enable the person giving or loaning art to Council to get tax deductibility.

At this stage we are going through the structure of getting a ruling from the Australian Taxation Office to get that tax deductibility. I believe once that trust is in place we will be really serious about art. I have already had one person in the Municipality who is prepared to gift a large sculpture and I am sure there would be others, as what has happened at Mosman Council. Mosman Council has an Art Trust tax deductibility and they have recently been given, I have been told by the Mayor of Mosman, works to the value of, supposedly, \$1 million but now they have been properly valued, they are actually valued at \$2 million. That will open us up to that kind of gifting.

Councillor Jarnason asking:

Is there a reason why the picnic setting bench has been removed from the reserve near Roslyndale Avenue on Edgecliff Road? As there is no other place to sit, to enjoy this vista and reserve will there be a replacement bench forthcoming?

Coordinator Assets & Parks Maintenance in response:

The picnic bench was removed after it was damaged, a replacement bench will be installed during the park furniture roll out in 2011-2012 budget year.

Gary James
General Manager

**POLITICAL DONATIONS DECISION MAKING FLOWCHART
 FOR THE INFORMATION OF COUNCILLORS**

