

Council Meeting

Monday 8 February 2010

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Items Determined Under Delegated Authority by Council Committees

The following Items were determined under Delegated Authority. To see the delegated decisions of Council please refer to the individual Committee Meeting Minutes.

Corporate & Works Committee Meeting held on Monday 25 January 2010

- D1 Confirmation of Minutes of Meeting held on 23 November 2009
- D2 Monthly Financial Report – November 2009
- D3 Monthly Financial Report – December 2009
- D4 Disclosure of Interest Returns Submitted by Designated Employees During the Period October to December 2009
- D5 22 Cranbrook Road, Bellevue Hill - Proposed Road Closure and Sale

Development Control Committee Meeting held on Monday 25 January 2010

- D1 Confirmation of Minutes of Meeting held on 7 December 2009
- D2 DA558/2009 – 11-13 Royston Street, Paddington – Additional usage for a shop within an existing commercial space – 2/11/2009 – (See Item R1)
- D3 DA371/2005 Part 3 – 128 Bellevue Road, Bellevue Hill – Section 96 Application – Proposed Modifications various internal & external including additional floor area, addition car parking, new landscaping & additional pool to Unit No. 2 – 20/10/2009
- D4 DA640/2008 – 7 New South Head Road, Vaucluse – Demolition of existing dwelling (retention of some existing building fabric), construction of new dwelling-house, swimming pool & carport, landscaping works – 29/9/2008
- D5 DA362/2009 – 14 Village Lower Road, Vaucluse – Demolition of existing dwelling-house & ancillary structures & construction of a new dwelling-house, swimming pool & landscaping works – 16/7/2009
- D6 DA840/2004 Part 2 – 124 Bellevue Road, Bellevue Hill – Section 96 Application – Addition to the front and rear of the building and internal modifications – 26/10/2009
- D7 DA236/2009 – 7 Sheldon Place, Bellevue Hill – Demolition of existing building, construction of a new dwelling, pool, parking, landscaping & fences – 20/5/2009
- D8 DA678/2005 Part 2 – 44 Bathurst Street, Woollahra – Section 96 Application – Proposed modification internal & external modifications including new roof to rear deck – 19/10/2009
- D9 DA694/2008 – 48 Boronia Road, Bellevue Hill – Demolition of existing dwelling, construction of new dwelling-house, swimming pool & outbuilding, landscaping & siteworks – 24/10/2008
- D10 DA156/2009 – 20 Victoria Street, Watsons Bay – Alterations & additions – 3/4/2009
- D11 New or Replacement Guttering – Building Code of Australia – 900.G
- D12 Register of Current Land and Environment Court Appeals for Development Applications

Urban Planning Committee Meeting held on Monday 14 December 2009

- D1 Confirmation of Minutes of Meeting held on 30 November 2009

Community & Environment Committee Meeting held on Monday 14 December 2009

- D1 Confirmation of Minutes of Meeting held on 14 December 2009
- D2 Habitat Trees in Cooper Park
- D3 Consolidating Gaden Reserve and the Raoul Wallenberg Garden
- D4 Results of the Community Engagement Project
- D5 Lighting of Significant Trees in Public Spaces

Urban Planning Committee Meeting held on Monday 1 February 2010

- D1 Confirmation of Minutes of Meeting held on 14 December 2009

Community & Environment Committee Meeting held on Monday 1 February 2010

- D1 Confirmation of Minutes of Meeting held on 14 December 2009
- D2 Habitat Trees in Cooper Park
- D3 Consolidating Gaden Reserve and the Raoul Wallenberg Garden
- D4 Results of the Community Engagement Project
- D5 Lighting of Significant Trees in Public Spaces



Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council
held at the Council Chambers, Double Bay, on
Monday 8 February 2010 at 8.00pm.**

Present: Councillors Peter Cavanagh (Deputy Mayor - Chair)
Anthony Boskovitz
Lucienne Edelman
Nicola Grieve
Chris Howe
Susan Jarnason
Ian Plater
Isabelle Shapiro
David Shoebridge
Susan Wynne
Malcolm Young
Toni Zeltzer

Staff: Allan Coker (Director – Planning & Development)
Stephen Dunshea (Director – Corporate Services)
Gary James (General Manager)
Tom O’Hanlon (Director – Technical Services)
Kylie Walshe (Director – Community Services)
Les Windle (Manager – Governance)

Also in Attendance: Nil

Confirmation of Minutes

(Wynne/Zeltzer)

- 1/1 THAT the Minutes of the Council Meeting held on 14 December 2009 be taken as read and confirmed.

Adopted

Leave of Absence

(Shapiro/Wynne)

- 2/1 That leave of absence for all meetings of the Council and its Committees be granted to the Mayor Councillor Andrew Petrie for the period Tuesday 2 February 2010 to Tuesday 23 February 2010, inclusive.

Adopted

(Boskovitz/Shapiro)

- 3/1 That leave of absence for all meetings of the Council and its Committees be granted to Councillor Peter Cavanagh for the period Tuesday 13 July 2010 to Sunday 15 August 2010, inclusive.

Adopted

Apologies

(Boskovitz/Shapiro)

- 4/1 Apologies were received and accepted from Councillors Sean Carmichael and Greg Medcraft and Leave of Absence granted.

Adopted

Declarations of Interest

Nil

Mayoral Minute

Mayoral Minute No: 1

Subject: Donation Pledge to The Haiti Earthquake Appeal

Author: The Mayor of Woollahra, Councillor Andrew Petrie

File No: 61.G

Reason for Report: To notify Council that a donation of \$5000 has been made on behalf of Council and the community to the International Red Cross to support their efforts to assist those people affected by the tragic Haiti earthquake.

(Wynne/Howe)

5/1 Resolved without debate:

That Council endorse the donation of \$5000 to the International Federation of Red Cross and Red Crescent Societies as a contribution to their emergency appeal to deliver assistance to those affected by the devastating earthquake in Haiti on Tuesday 12 January 2010.

Mayoral Minute No: 2

Subject: Australia Day Honours – 26 January 2010

Author: The Mayor, Councillor Andrew Petrie

File No: 13.G/6

Reason for Report: To inform the Council of the local recipients of the Australia Day Honours

(Grieve/Zeltzer)

6/1 Resolved without debate:

That letters of congratulation, be forwarded to the following recipients of the 2010 Australia Day Honours:

- i. Mr Mark Johnson, AO
- ii. The Honourable David Daniel Levine, AO
- iii. Major General David Lindsay Morrison, AO
- iv. Dr Michael Joseph Boyer, AM
- v. Mr John Simon Curtis, AM
- vi. Professor Michael Henry Fraser, AM
- vii. Mr Peter James Hall, AM
- viii. Emeritus Professor Bruce Graham Thom, AM
- ix. Mr Leslie Nicholl Walford, AM
- x. Mr John Clement Fordham, OAM
- xi. Sister Anthea Mary Groves, OAM
- xii. Mr William Bruce Kirkpatrick, OAM
- xiii. Mr Alfred Stein, OAM

Suspension of Standing Orders

(Boskovitz)

- 7/1 That Standing Orders be suspended to acknowledge the 58th Anniversary of Her Majesty the Queen, Queen Elizabeth, Queen of Australia, taking over the throne.

Adopted

The Deputy Mayor ruled Urgency and permitted the Suspension of Standing Orders.

Councillor Boskovitz advised:

I would like Council to acknowledge, so that the whole of Woollahra knows, the 58th Anniversary of Her Majesty the Queen, Queen Elizabeth, Queen of Australia, taking over the throne and on behalf of the residents of Woollahra to congratulate her and wish her many more years on her throne.

The Council noted the information.

(Zeltzer)

- 8/1 That the Suspension of Standing orders continue to allow her to report on a little event held at Council last Thursday.

Adopted

The Deputy Mayor ruled Urgency and permitted the Suspension of Standing Orders to continue.

Councillor Zeltzer advised:

I say a little event because it involved our residents 4-5 and 6-12 years old, 150 of them. The Library and Information Services ran a summer reading program which encourages children to read books. It is like a competition and to read across the Christmas holidays starting about November and finishing at the end of January. 150 school children read 1255 books. The interesting thing about this is that each year there is a theme and this year it was "read on the wild side" and some of our very innovative staff, including Cherie Goldsmith and Michella McIntosh, connected it with the Taronga Park Zoo Mobile. We actually had indigenous fauna along our lawns so they were able to connect with the echidna and things that show great camouflage as part of our indigenous species. There were also stick insects and snakes and a wonderful turtle and the kids were just mesmerised. I think it was great combination of reading and developing a real appreciation of indigenous fauna done in the most spectacular setting. The kids were just taken aback by these creatures. I wish to really thank the staff for going well and truly over and beyond the call of duty.

The Council noted the information.

Corporate & Works Committee

Items with Recommendations from the Committee Meeting of Monday 25 January 2010 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Wallaroy Road – Road Safety Barrier**
Author: David Byatt – Purchasing Coordinator
File No: Tender No 09/14
Reason for Report: To recommend to Council the acceptance of a Tender

Note: Late correspondence was tabled at the meeting from Geoff Rundle and Alan Opera, Council's Manager Engineering Services.

(Boskovitz/Plater)

9/1 Resolved:

- A. That Council enter into a Contract with D.H. Holland Constructions Pty Ltd for the Wallaroy Road – Road Safety Barrier project for the lump sum of \$124,499 (excluding GST), and any provisional items used subject to a satisfactory financial capability assessment.
 - B. That successful and unsuccessful tenderers be advised accordingly.
-

Development Control Committee

Items with Recommendations from the Committee Meeting of Monday 25 January 2010 Submitted to the Council for Determination

Item No: R1 Recommendation to Council

Subject: **11-13 Roylston Street, Paddington – Additional usage for a shop within an existing commercial space – 2/11/2009**

Author: Thomass Wong – Senior Assessment Officer

File No: DA558/2009

Reason for Report: In accordance with Council's meeting procedures this matter is called to full Council by Councillor Edelman for the reasons that all Councillors should consider the broader impact of the development including the usage clauses of the WLEP 1995 in this area and the needs and conflicts of existing commercial operations with the amenity of existing residents particularly in the light of current parking and traffic congestion.

Note: Late correspondence was tabled at the meeting from Richard Chadwick, Anabelle Wilson, Ester Hayter and Andrew Price.

Motion moved by Councillor Howe
Seconded by Councillor Zeltzer

That the recommendation from the Development Control Committee for approval of the application be adopted.

Amendment moved by Councillor Edelman
Seconded by Councillor Grieve

That the application be refused.

The Amendment was put and lost.

Amendment moved by Councillor Young
Seconded by Councillor Grieve

That the recommendation from the Development Control Committee for approval of the application be adopted subject to the inclusion of the words “for the sale of home wares and office wares” after the word “shop” in the preamble.

The Amendment was put and lost.
The Motion was put and declared carried on the casting vote of the Deputy Mayor.

(Howe/Zeltzer)

10/1 Resolved: Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT the Council, as the consent authority, grant development consent to Development Application No. 558/2009 for additional usage for a shop within an existing commercial space on land at 11-13 Royston Street Paddington, subject to the following conditions:

A. General Conditions

A.1 Conditions

Consent is granted subject to the following conditions imposed pursuant to section 80 of the Environmental Planning & Assessment Act 1979 (“the *Act*”) and the provisions of the Environmental Planning and Assessment Regulation 2000 (“the *Regulation*”) such conditions being reasonable and relevant to the development as assessed pursuant to section 79C of the Act.

Standard Condition: A1

A.2 Definitions

Unless specified otherwise words have the same meaning as defined by the *Act*, the *Regulation* and the *Interpretation Act* 1987 as in force at the date of consent.

Applicant means the applicant for this Consent.

Approved Plans mean the plans endorsed by Council referenced by this consent as amended by conditions of this consent.

AS or ***AS/NZS*** means Australian Standard® or Australian/New Zealand Standard®, respectively, published by Standards Australia International Limited.

BCA means the Building Code of Australia as published by the Australian Building Codes Board as in force at the date of issue of any *Construction Certificate*.

Council means Woollahra Municipal Council

Court means the Land and Environment Court

Local native plants means species of native plant endemic to Sydney’s eastern suburbs (see the brochure titled “Local Native Plants for Sydney’s Eastern Suburbs published by the Southern Sydney Regional Organisation of Councils).

Stormwater Drainage System means all works, facilities and documentation relating to:

- The collection of stormwater,
- The retention of stormwater,
- The reuse of stormwater,
- The detention of stormwater,
- The controlled release of stormwater; and
- Connections to easements and public stormwater systems.

Owner means the owner of the *site* and successors in title to the *site*.

Owner Builder has the same meaning as in the *Home Building Act 1989*.

PCA means the *Principal Certifying Authority* under the *Act*.

Principal Contractor has the same meaning as in the *Act* or where a *principal contractor* has not been appointed by the *owner* of the land being developed *Principal Contractor* means the *owner* of the land being developed.

Professional Engineer has the same meaning as in the *BCA*.

Public Place has the same meaning as in the *Local Government Act 1993*.

Road has the same mean as in the *Roads Act 1993*.

SEE means the final version of the Statement of Environmental Effects lodged by the *Applicant*.

Site means the land being developed subject to this consent.

WLEP 1995 means *Woollahra Local Environmental Plan 1995*

Work for the purposes of this consent means:

- the use of land in connection with development,
- the subdivision of land,
- the erection of a building,
- the carrying out of any work,
- the use of any site crane, machine, article, material, or thing,
- the storage of waste, materials, site crane, machine, article, material, or thing,
- the demolition of a building,
- the piling, piling, cutting, boring, drilling, rock breaking, rock sawing or excavation of land,
- the delivery to or removal from the *site* of any machine, article, material, or thing, or
- the occupation of the *site* by any person unless authorised by an *occupation certificate*.

Note: Interpretation of Conditions - Where there is any need to obtain an interpretation of the intent of any condition this must be done in writing to Council and confirmed in writing by Council.
Standard Condition: A2

A.3 Approved Plans and supporting documents

Those with the benefit of this consent must carry out all work and maintain the use and works in accordance with the plans and supporting documents listed below as submitted by the Applicant and to which is affixed a Council stamp "Approved DA Plans" unless modified by any following condition. Where the plans relate to alterations or additions only those works shown in colour or highlighted are approved.

Reference	Description	Author/Drawn	Date(s)
DA1.01 (Issue C)	Architectural Plans	Jake Dowse Architects	8/12/2009

Note: Warning to Accredited Certifiers – You should always insist on sighting the original Council stamped approved plans. You should not rely solely upon the plan reference numbers in this condition. Should the applicant not be able to provide you with the original copy Council will provide you with access to its files so you may review our original copy of the approved plan.

Note: These plans and supporting documentation may be subject to conditions imposed under section 80A(1)(g) of the *Act* modifying or amending the development (refer to conditions which must be satisfied prior to the issue of any *Construction Certificate*.)

Standard Condition: A5

A.4 Prescribed Conditions

Prescribed conditions in force under the *Act* and *Regulation* must be complied with.

Note: It is the responsibility of those acting with the benefit of this consent to comply with all prescribed conditions under the *Act* and the *Regulation*. Free access can be obtained to all NSW legislation at

www.legislation.nsw.gov.au

Standard Condition: A30

A.5 Development Consent is not granted in relation to these matters

This approval does not give consent to Signage. A separate Development Consent or Complying Development Certificate and Part 4A Certificates, as appropriate, will need to be obtained prior to the such development work commencing.

Standard Condition: A9

B. Conditions which must be satisfied prior to the demolition of any building or construction

No condition

C. Conditions which must be satisfied prior to the issue of any construction certificate

No condition

D. Conditions which must be satisfied prior to the commencement of any development work

No condition

E. Conditions which must be satisfied during any development work

No condition

F. Conditions which must be satisfied prior to any occupation or use of the building (Part 4A of the Act and Part 8 Division 3 of the Regulation)

F.1 Occupation Certificate (section 109M of the Act)

A person must not commence occupation or use of the whole or any part of a new building (within the meaning of section 109H (4) of the *Act*) unless an occupation certificate has been issued in relation to the building or part.

Note: new building includes an altered portion of, or an extension to, an existing building.
Standard Condition: F1

G. Conditions which must be satisfied prior to the issue of any Subdivision Certificate

No condition

H. Conditions which must be satisfied prior to the issue of a Final Occupation Certificate (s109C(1)(c))

No condition

I. Conditions which must be satisfied during the ongoing use of the development

I.1 Hours of use

The hours of use are limited to the following:

Monday to Friday:	9am – 6pm
Saturday:	9am – 6pm
Sunday:	Closed

This condition has been imposed to mitigate amenity impacts upon the neighbourhood.

Note: Deliveries to or dispatches from the site must not be made outside these hours. Trading Hours may be more onerous than these general hours of use. This condition does not apply to activities such as cleaning which takes place wholly within the building and which are not audible within any adjoining residential dwelling. If internal activities are audible within any adjoining residential dwelling such that they cause a nuisance to the occupiers of such dwelling than such internal activities must not occur outside these hours of use. This condition does not restrict the operation of noise pollution laws.
Standard Condition: I1

I.2 Noise Control

The use of the premises must not give rise to the transmission of *offensive noise* to any place of different occupancy. *Offensive noise* is defined in the *Protection of the Environment Operations Act 1997*.

This condition has been imposed to protect the amenity of the neighbourhood.

Note: Council will generally enforce this condition in accordance with the *Noise Guide for Local Government* (<http://www.environment.nsw.gov.au/noise/nglg.htm>) and the *Industrial Noise Guidelines* (<http://www.environment.nsw.gov.au/noise/industrial.htm>) published by the Department of Environment and Conservation. Other state government authorities also regulate the *Protection of the Environment Operations Act 1997*.

Useful links:

Community Justice Centres—free mediation service provided by the NSW Government (www.cjc.nsw.gov.au).

Department of Environment and Conservation NSW, Noise Policy Section web page (www.environment.nsw.gov.au/noise).

New South Wales Government Legislation home page for access to all NSW legislation, including the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Noise Control Regulation 2000* (www.legislation.nsw.gov.au).

Australian Acoustical Society—professional society of noise-related professionals (www.acoustics.asn.au/index.php).

Association of Australian Acoustical Consultants—professional society of noise related professionals (www.aaac.org.au).

Department of Gaming and Racing - (www.dgr.nsw.gov.au).
Standard Condition: I50

I.3 Noise to Street

No music is to be directed out over the footpath of Cecil Street.

I.4 Display of Goods

No goods shall be displayed in the front windows on the ground floor of the premises

J. Miscellaneous Conditions

No condition

K. Advisings**K.1 Criminal Offences – Breach of Development Consent & Environmental laws**

Failure to comply with this development consent and any condition of this consent is a **criminal offence**. Failure to comply with other environmental laws is also a criminal offence.

Where there is any breach Council may without any further warning:

- a) Issue Penalty Infringement Notices (On-the-spot fines);
- b) Issue notices and orders;
- c) Prosecute any person breaching this consent; and/or
- d) Seek injunctions/orders before the courts to restrain and remedy any breach.

Warnings as to potential maximum penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

Warning as to enforcement and legal costs

Should Council have to take any action to enforced compliance with this consent or other environmental laws Council's policy is to seek from the Court appropriate orders requiring the payments of its costs beyond any penalty or remedy the Court may order.

This consent and this specific advice will be tendered to the Court when seeking costs orders from the Court where Council is successful in any necessary enforcement action.

Note: The payment of environmental penalty infringement notices does not result in any criminal offence being recorded. If a penalty infringement notice is challenged in Court and the person is found guilty of the offence by the Court, subject to section 10 of *the Crimes (Sentencing Procedure) Act 1999*, a criminal conviction is recorded. The effect of a criminal conviction beyond any fine is serious. You can obtain further information from the following web sites:

<http://www.theshopfront.org/documents/ConvictionsCriminalRecords.pdf> and the Attorney General's www.agd.nsw.gov.au.

Standard Advising: K1

K.2 Appeal

Council is always prepared to discuss its decisions and, in this regard, please do not hesitate to contact Caroline Owen, Assessment Officer, on (02) 9391 7150

However, if you wish to pursue your rights of appeal in the Land & Environment Court you are advised that Council generally seeks resolution of such appeals through a Section 34 Conference, site hearings and the use of Court Appointed Experts, instead of a full Court hearing.

This approach is less adversarial, it achieves a quicker decision than would be the case through a full Court hearing and it can give rise to considerable cost and time savings for all parties involved. The use of the Section 34 Conference approach requires the appellant to agree, in writing, to the Court appointed commissioner having the full authority to completely determine the matter at the conference.

Standard Condition: K14

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Councillor Boskovitz
Councillor Wynne
Councillor Shapiro
Councillor Zeltzer
Councillor Plater
Councillor Howe

Against the Motion

Councillor Edelman
Councillor Jarnason
Councillor Young
Councillor Shoebridge
Councillor Grieve
Councillor Cavanagh

6/6

The Deputy Mayor used his casting vote to declare the motion carried.

Urban Planning Committee

Items with Recommendations from the Committee Meeting of Monday 1 February 2010 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Overview of the latest Strategic Planning Working Party Meetings on Woollahra's New Principal LEP**
Author: Anne White - Senior Strategic Planner
File No: 1067.G WP
Reason for Report: To provide an overview of the latest Strategic Planning Working Party meetings held on the preparation of Woollahra's new Principal LEP. These meetings focused on addressing the State Government's housing targets.

(Plater/Howe)

11/1 Resolved:

- A. THAT the overview of the Strategic Planning Working Party meetings, held on the 18 June 2009, 9 July 2009, 6 August 2009 and 5 November 2009, be received and noted.
- B. THAT the progress on addressing the State Government's housing targets be received and noted.

Item No: R2 Recommendation to Council
Subject: **Draft Woollahra Section 94A Development Contributions Plan 2009**
Author: Anne White – Senior Strategic Planner
File No: 1180.G
Reason for Report: To report on the public exhibition of the Draft Development Contributions Plan and obtain Council's approval of the Draft Plan which will repeal the Woollahra Section 94A Development Contributions Plan 2005.

(Shoebridge/Grieve)

12/1 Resolved:

1. That the Draft Woollahra Section 94A Development Contributions Plan 2009 contained in annexure 1 of the report to the Urban Planning Committee meeting of 1 February 2010 be approved, subject to the inclusion of 5 additional projects in the work schedule. These being:
 - Cooper Park:
 1. Establish new community garden, short term - \$50,000
 2. Interpretive signage, medium term - \$50,000
 3. Install playground shade structure, short term - \$40,000

- Trumper Park
 4. Install kerb, gutter, line marking, drainage to Quarry St Carpark, short term - \$70,000
 - Municipality – wide
 5. Drinking fountain roll out, short term - \$40,000
2. That the Woollahra Section 94A Development Contributions Plan 2009 come into effect on the date notice of the approval is published in the Wentworth Courier.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Boskovitz
 Councillor Wynne
 Councillor Shapiro
 Councillor Edelman
 Councillor Zeltzer
 Councillor Young
 Councillor Jarnason
 Councillor Plater
 Councillor Shoebridge
 Councillor Howe
 Councillor Grieve.
 Councillor Cavanagh

12/0

Item No: R3 Recommendation to Council
Subject: **Obscure glazing to upper Floor Windows & Screening for Privacy**
Author: Jacquelyne Jeffery—Team Leader Strategic Planning
File No: 900.G
Reason for Report: To respond to a Notice of Motion seeking a review of the DCP controls relating to privacy

(Howe/Boskovitz)

13/1 Resolved without debate:

That consideration of this matter be deferred and a further report be submitted to the Urban Planning Committee meeting on 22 February 2010 addressing the matters discussed at the Urban Planning Committee meeting on 1 February 2010.

Community & Environment Committee

Items with Recommendations from the Committee Meeting of Monday 1 February 2010 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: Woollahra Small Sculpture Prize
Author: Jo Jansyn, Cultural Development Coordinator
File No: 20.G
Reason for Report: To provide a detailed evaluation of the 2009 Woollahra Small Sculpture Prize and recommendations for the 2010 Woollahra Small Sculpture Prize

**Motion moved by Councillor Boskovitz
Seconded by Councillor Howe**

- A. That the 2009 Woollahra Small Sculpture Prize Evaluation Report be noted.
- B. That the Woollahra Small Sculpture Prize exhibition be extended by a seven day period, inclusive of an additional weekend, to support and celebrate the tenth anniversary year of the Woollahra Small Sculpture Prize in 2010.
- C. That the proposal to tour Woollahra Small Sculpture Prize acquisitions as part of the Woollahra Small Sculpture Prize tenth anniversary be noted and endorsed.
- D. That the Small Sculpture Prize Advisory Committee start to investigate the possibility of introducing a naming rights sponsor and other corporate sponsorship for the 2011 Woollahra Small Sculpture Prize and beyond.

**Amendment moved by Councillor Shapiro
Seconded by Councillor Grieve**

- A. That the 2009 Woollahra Small Sculpture Prize Evaluation Report be noted.
- B. That the Woollahra Small Sculpture Prize exhibition be extended by a seven day period, inclusive of an additional weekend, to support and celebrate the tenth anniversary year of the Woollahra Small Sculpture Prize in 2010.
- C. That the proposal to tour Woollahra Small Sculpture Prize acquisitions as part of the Woollahra Small Sculpture Prize tenth anniversary be noted and endorsed.

**The Amendment was put and carried.
The Amendment became the Motion.
The Motion was adopted.**

(Shapiro/Grieve)

14/1 Resolved:

- A. That the 2009 Woollahra Small Sculpture Prize Evaluation Report be noted.
 - B. That the Woollahra Small Sculpture Prize exhibition be extended by a seven day period, inclusive of an additional weekend, to support and celebrate the tenth anniversary year of the Woollahra Small Sculpture Prize in 2010.
 - C. That the proposal to tour Woollahra Small Sculpture Prize acquisitions as part of the Woollahra Small Sculpture Prize tenth anniversary be noted and endorsed.
-

Community & Environment Committee

Items with Recommendations from the Committee Meeting of Monday 14 December 2009 Submitted to the Council for Determination

Item No: R2 Recommendation to Council
Subject: **Redleaf Pool During Summer**
Author: Paul Fraser - Team Leader - Open Space & Recreation Planning
File No: 145.G, 900.G
Reason for Report: Investigation of the possibility of allowing an acoustic band at Redleaf Pool and the hire of beach umbrellas at Redleaf Pool and Camp Cove Beach during summer.

(Wynne/Grieve)

15/1 Resolved without debate:

THAT consideration of this matter be deferred until the next meeting of the Community & Environment Committee.

Notice of Motion

Item No: 1
From: Councillor Boskovitz
Date: 25 January 2010
File No: 900.G

(Boskovitz/Young)

That the Mayor write a letter, on behalf of the residents of Woollahra Municipal Council, to the Premier, Kristina Kennelly, and the leader of the opposition Barry O'Farrell as well as to the member for Vaucluse Peter Debnam calling on each of these individuals and their respective parties to amend s633 Local Government Act 1993 to remove Lady Bay (Lady Jane) Beach from its list of designated nude bathing beaches.

In addition the Mayor should write letters to National Parks and Wildlife requesting that they:

- 1) Remove Lady Jane Beach from its register of Nude Beaches;
- 2) Rebrand Lady Jane Beach as a family friendly beach.

Lost

Item No: 2
From: Councillors Susan Jarnason, David Shoebridge & Nicola Grieve
Date: 28 January 2010
File No: 900.G

Note: Councillors Jarnason, Shoebridge & Grieve withdrew the Notice of Motion.

There being no further business the meeting concluded at 9.42pm.

We certify that the pages numbered 123 to 142 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 8 February 2010 and confirmed by Council at the ordinary Meeting of Council on 22 February 2010 as correct.

General Manager

Mayor