

Council Meeting

Monday 15 December 2014

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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 8 December 2014

- D1 Confirmation of Minutes of Meeting held on 1 December 2014
- D2 Minutes of the Property Assets Working Party Meeting Monday 17 November 2014
- D3 Monthly Financial Report - November 2014
- D4 Cross Street Carpark - Cinema Complex

Development Control Committee Meeting held on Monday 8 December 2014

- D1 Confirmation of Minutes of Meeting held on 1 December 2014
- D2 DA535/2013 part 2 – 10 Stafford Street, Paddington – Section 96 Application – Proposed Modifications to existing dwelling including new window to eastern elevation, larger garage, new skylight & an increase to the overall height to achieve greater floor & ceiling heights – 2/9/2014 – (See Item R1)
- D3 DA237/2014 part 2 - 53 Moncur Street, Woollahra – Section 96 Application – Proposed Modification – Extension of the market operations every Sunday from 1 January 2015 until 31 December 2018 & modifications of the approved hours of the market from 8.30am to 2.30pm (bump in from 7.30am & bump out until 3.30pm) to 8.30am to 1.30pm (bump in from 7am & bump out unit 3pm) – 15/10/2014
- D4 DA320/2014 - 23 Spencer Street, Rose Bay – The conversion of the existing heritage item cottage (with demolition of the rear wing) & the construction of a new two storey rear addition (effectively the construction of a new dwelling house) – 8/8/2014
- D5 DA271/2014 - 168 Oxford Street, Woollahra – Demolition of existing structures on the western side of the site (retention of the existing boarding house), Construction of a new 4 storey dwelling-house with car parking off Wallis Street & the Torrens title subdivision of the property into two lots – 2/7/2014
- D6 DA347/2014 - 102 Oxford Street, Paddington (Unicorn Hotel) – Use of the existing courtyard for outdoor dining area up until 10pm with a capacity for 42 patrons, also proposed is fixed timber bench seating to the north & western walls, new timber battens to the existing boundary walls & new awnings to the courtyard – 26/8/2014 – (See Item R2)

Corporate & Works Committee Meeting held on Monday 1 December 2014

- D1 Confirmation of Minutes of Meeting held on 17 November 2014
- D2 Kiaora Lands Development - Status Update
- D3 48 Cranbrook Road, Bellevue Hill - Proposed Road Closure and Sale

Development Control Committee Meeting held on Monday 1 December 2014

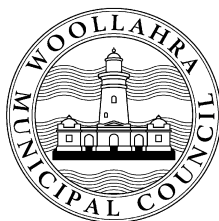
- D1 Confirmation of Minutes of Meeting held on 17 December 2014
- D2 DA120/2014 – 4 Fisher Avenue, Vaucluse – Alterations & additions, including a new roof level addition – 4/4/2014
- D3 DA103/2014 part 2 – 11 Gilliver Avenue, Vaucluse – Section 96 Application – Proposed modification to delete Condition No. C.1(a) – 20/10/2014 (See Item R1)
- D4 DA196/2014 – 29 Eastbourne Road, Darling Point – New addition to the north-eastern corner of the building incorporating a new bedroom, ensuite, study & sun-room – 16/5/2014
- D5 Register of Current Land and Environment Court Matters and Register of Court Proceedings for Building Control, Environmental Control & Health Control

Urban Planning Committee Meeting held on Monday 24 November 2014

- D1 Confirmation of Minutes of Meeting held on 10 November 2014

Community & Environment Committee Meeting held on Monday 24 November 2014

- D1 Confirmation of Minutes of Meeting held on 10 November 2014
- D2 Delivery Program 2013 to 2017 & Operational Plan 2014/15 (DPOP) Quarterly Progress Report September 2014 against Goal 1 - A connected & harmonious community, Goal 2 - A supported community, Goal 3 - A creative & vibrant community, Goal 5 - Liveable places, Goal 6 - Getting around, Goal 7 - Protecting our environment and Goal 8 - Sustainable use of resources.
- D3 Feasibility of Synthetic Turf Sportsfield in Woollahra



Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council
held at the Council Chambers, Double Bay, on
Monday 15 December 2014 at 7.47pm.**

Present Her Worship the Mayor, Councillor Toni Zeltzer

Councillors Ted Bennett
Anthony Boskovitz
Peter Cavanagh
Luise Elsing
James Keulemans
Greg Levenston (Chaired Item R1 (C&E))
Anthony Marano
Katherine O'Regan
Andrew Petrie
Matthew Robertson
Deborah Thomas
Jeff Zulman

Staff: Craig Bennett (Manager – Governance & Council Support)
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)

Also in Attendance: Nil

Confirmation of Minutes

(O'Regan/Elsing)

- 1/22** THAT the Minutes of the Council Meeting held on 24 November 2014 be taken as read and confirmed.

Adopted

Leave of Absence

(Robertson/Cavanagh)

- 2/22** THAT leave of absence for all meetings of the Council and its Committees be granted to Councillor James Keulemans from Friday 6 February 2015 to Friday 6 March 2015 inclusive.

Adopted

Apologies

(Robertson/Cavanagh)

- 3/22** Apologies were received and accepted from Councillors Elena Wise & Susan Wynne and Leave of Absence granted.

Adopted

Declarations of Interest

The Mayor Councillor Zeltzer declared a Non-Significant, Non-Pecuniary Interest in DCC Item R1 (11 Gilliver Avenue, Vaocluse), as John Comino representing an objector is a member of the Liberal Party. The Mayor remained in the meeting, participated in the debate and voted on this matter.

Councillor Marano declared a Non-Significant, Non-Pecuniary Interest in DCC Item R1 (11 Gilliver Avenue, Vaocluse), as John Comino representing an objector is a member of the Liberal Party. Councillor Marano remained in the meeting, participated in the debate and voted on this matter.

Councillor Levenston declared a Non-Significant, Non-Pecuniary Interest in DCC Item R1 (11 Gilliver Avenue, Vaocluse), as John Comino representing an objector is a member of the Liberal Party. Councillor Levenston remained in the meeting, participated in the debate and voted on this matter.

Councillor Petrie declared a Non-Significant, Non-Pecuniary Interest in DCC Item R1 (11 Gilliver Avenue, Vaocluse), as John Comino representing an objector is a member of the Liberal Party. Councillor Petrie remained in the meeting, participated in the debate and voted on this matter.

Councillor Boskovitz declared a Non-Significant, Non-Pecuniary Interest in DCC Item R1 (11 Gilliver Avenue, Vaocluse), as John Comino representing an objector is a member of the Liberal Party. Councillor Boskovitz remained in the meeting, participated in the debate and voted on this matter.

Councillor Cavanagh declared a Non-Significant, Non-Pecuniary Interest in DCC Item R1 (11 Gilliver Avenue, Vaocluse), as John Comino representing an objector is a member of the Liberal Party. Councillor Cavanagh remained in the meeting, participated in the debate and voted on this matter.

Councillor Keulemans declared a Non-Significant, Non-Pecuniary Interest in DCC Item R1 (11 Gilliver Avenue, Vaocluse), as John Comino representing an objector is a member of the Liberal Party. Councillor Keulemans remained in the meeting, participated in the debate and voted on this matter.

Councillor Bennett declared a Non-Significant, Non-Pecuniary Interest in DCC Item R1 (11 Gilliver Avenue, Vaocluse), as John Comino representing an objector is a member of the Liberal Party. Councillor Bennett remained in the meeting, participated in the debate and voted on this matter.

Councillor O'Regan declared a Non-Significant, Non-Pecuniary Interest in DCC Item R1 (11 Gilliver Avenue, Vaocluse), as John Comino representing an objector is a member of the Liberal Party. Councillor O'Regan remained in the meeting, participated in the debate and voted on this matter.

Councillor Thomas declared a Non-Significant, Non-Pecuniary Interest in DCC Item R1 (11 Gilliver Avenue, Vaocluse), as John Comino representing an objector is a member of the Liberal Party. Councillor Thomas remained in the meeting, participated in the debate and voted on this matter.

Councillor Boskovitz declared a Significant, Non-Pecuniary Interest in C&W Item R3 (Tender Report – SES Depot Relocation), due to him being a Director of a company that owns property in Grosvenor Street Woollahra. Councillor Boskovitz vacated the meeting and did not participate in the debate or vote on the matter.

Councillor Keulemans declared a Significant, Non-Pecuniary Interest in DCC Item R2 (102 Oxford Street, Paddington), due to his employment in the tobacco industry. Councillor Keulemans vacated the meeting and did not participate in the debate or vote on the matter.

Suspension of Standing Orders

Councillor Keulemans

4/22 THAT Standing Orders be suspended to allow Councillor Keulemans to advise Council of his attendance at the recent Double Bay Networking Group meeting and the Double Bay Primary School Prize-giving.

Adopted

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

Councillor Keulemans advised:

Double Bay Networking Group

Councillor Keulemans advised that the recent Double Bay Networking Group meeting was held at the new Intercontinental Hotel. Councillor Thomas was the guest speaker at the event and addressed the meeting on the topic of personal and public branding. Councillor Keulemans reported that there was a sense of excitement amongst group members about the opening of the hotel and the revitalisation of the Double Bay Village.

Double Bay Primary School

Councillor Keulemans also reported on his attendance at the Double Bay Primary School prize-giving evening and his presenting of the literary prize. It was wonderful to see the exceptional behaviour of the students. The school is a credit to the community.

The Council noted the information.

Councillor Robertson

5/22 THAT the Suspension of Standing Orders continue to allow Councillor Robertson to advise Council of his attendance at the Paddington Society's Christmas party and to report on Woollahra Council's success at the recent Keep NSW Beautiful Clean Beaches Award Ceremony.

Adopted

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

Councillor Robertson advised:

Paddington Society's Christmas Party

Councillor Robertson advised that he attended the Paddington Society's Christmas Party on Sunday 7 December at Juniper Hall and reported that it was a wonderful event. The Paddington Society celebrated its 50 year history in 2014 and Councillor Robertson took this opportunity to reflect on the Society's many achievements over the years and thanked Society and its members for the long partnership in working with Woollahra Council.

Keep NSW Beautiful Clean Beaches Award Ceremony

Councillor Robertson also reported on his attendance at the Keep NSW Beautiful Clean Beaches Award Ceremony on Friday 12 December where Woollahra Council was successful in winning the award for environmental education, and was also awarded a Judges Commendation for the Overall Clean Beach award. Councillor Robertson accepted the awards on Council's behalf and was pleased to display the framed awards to the Council and public gallery. The overall clean beach award went to Waverley Council for Bondi Beach.

The Council noted the information.

Adopted

Councillor O'Regan

6/22 THAT the Suspension of Standing Orders continue to allow Councillor O'Regan to reflect on some of Council's significant achievements in 2014.

Adopted

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

Councillor O'Regan advised:

Woollahra Council Staff Christmas Party

Councillor O'Regan reported that she attended the Council staff Christmas party on Friday 12 December and took the opportunity to discuss with staff some of Council's significant achievements during the year, such as the new Local Environmental Plan, Development Control Plan, the opening of Stage 1 of Kiaora Place, new recycling bins, the O'Dea Avenue Depot sale, and significant Development Application matters such as Quarry Street and Scots College. Councillor O'Regan acknowledged the hard work of Councillors and staff in working together to progress these matters and thanked staff for their efforts during the course of 2014.

The Council noted the information.

Councillor Levenston

7/22 THAT the Suspension of Standing Orders continue to allow Councillor Levenston to advise Council of his attendance at the recent Bellevue Hill Public School and the Scots College Rotary Scholarship Awards Presentation Day.

Adopted

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

Councillor Levenston advised:**Bellevue High Public School**

Councillor Levenston advised that he represented Council at a presentation day at the school.

Scots College Rotary Scholarship Awards

Councillor Levenston advised that he presented an award at the Scots College Rotary Scholarships Award Ceremony for their senior college students. The awards were held at the Opera House.

The Council noted the information.

Councillor Bennett

8/22 THAT the Suspension of Standing Orders continue to allow Councillor Bennett to advise Council of his attendance at the presentation nights for both Rose Bay and Vaucluse Public Schools.

Adopted

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

Councillor Bennett advised:

Councillor Bennett advised that he attended the presentation and leadership awards night for Rose Bay Public School and also the presentation night for Vaucluse Public School. Both were very enjoyable events

The Council noted the information.

Mayoral Minute

Mayoral Minute No: 1

Subject: Vale Kim O'Connor

Author: Councillor Toni Zeltzer, Mayor of Woollahra

File No: 61.G

Reason for Report: That Council place on public record the outstanding contribution Kim O'Connor made to journalism and our local community.

(Petrie/Zulman)

9/22 For more than 30 years Kim O'Connor worked as a journalist at the *Wentworth Courier* sharing local stories on a wide range of issues and people. During that time Kim developed a strong network of friends and contacts within our local community.

Kim reported on many Woollahra Council initiatives and attended many Council events and meetings to ensure she was well briefed. Her stories were always well written, balanced and engaging.

In addition to reporting many local stories, Kim volunteered on a range of Community and Council Committees. In 2009 Woollahra Council acknowledged Kim's contribution to the local community and her selfless dedication by presenting her with a 'Woollahra Citizen of the Year' Award. Kim was very humble when receiving the Award and was surprised that we had 'noticed her'. It was impossible not to notice Kim, she was radiant. When Kim walked into the room her presence was always noticed, she knew everyone and always shared her genuine compassion and interest with others.

Kim was well informed, well connected, well respected and she will be well remembered.

I was pleased to see so many former Woollahra Mayors and community leaders at Kim's service at All Saints' Anglican Church on the 27th of November 2014. The service was a great tribute to Kim's life.

Kim's family is to be commended for the level of care they provided to Kim as her illness advanced in the last few years. I have written to Tom O'Connor and his family to extend our condolences.

My personal observation is that Kim lived her life to the fullest. I am so grateful we had the opportunity to work alongside such a positive role model.



Councillor Toni Zeltzer
Mayor

Corporate & Works Committee

Items with Recommendations from the Committee Meeting of Monday 8 December 2014 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **9 Fisher Road, Vacluse - Proposed Road Closure and Sale**
Author: Minnie Cai, Property Officer
File No: 166.9
Reason for Report: To give consideration to the closure and subsequent sale of road reserve portion adjoining the property.

(Thomas/Levenston)

10/22 Resolved without debate:

THAT consideration of the matter be deferred pending the Committee being provided with:

1. An assessment of the Floor Space Ratio (FSR) capacity of the property both exclusive and inclusive of the subject portion of road reserve.
2. An assessment of the subdivision potential of the property having regard to the new Local Environment Plan (LEP).
3. Details of the history of the subject encroachment.
4. Further advice regarding the proposed sale price.

Item No: R2 Recommendation to Council
Subject: **Cleaning and Sealing Footpaths and Pavers**
Author: Dave Byatt - Purchasing Coordinator
File No: Tender No 14/13
Reason for Report: To recommend to Council the acceptance of a tender

(Thomas/Levenston)

11/22 Resolved without debate:

- A. THAT Council accept tenders from Techni-Clean Australia Pty Ltd and Vernell Pty Ltd Trading as Select Stone Care as a panel of contractors to carry out Council's cleaning and sealing of footpath and pavers as required for a period of three years with two twelve month options subject to satisfactory service as per the schedule of rates tendered.
- B. THAT successful and unsuccessful tenderers be advised of the outcome of the tender process.

Item No: R3 Recommendation to Council
Subject: **Tender Report – SES Depot Relocation**
Author: Jake Matuzic – Manager Capital Projects
File No: Tender No SC2469
Reason for Report: To recommend to Council the acceptance of a Tender

Note: Councillor Boskovitz declared a Significant, Non-Pecuniary Interest in this Item due to him being a Director of a company that owns property in Grosvenor Street Woollahra. Councillor Boskovitz vacated the meeting and did not participate in the debate or vote on the matter.

(Thomas/Levenston)

12/22 Resolved without debate:

- A. THAT subject to a financial check, Council enter into a Contract with Carfax Commercial Constructions Pty Ltd for the Relocation of the Waverley Woollahra State Emergency Service Depot for the sum of \$1,373,676.09 (excluding GST), with both Waverley and Woollahra Council's contributing equal funding.
- B. THAT an increase to the budget of \$200,000 be funded from the proceeds of the sale of Woollahra Council's O'Dea Avenue Public Works Depot reported as part of the December quarter Capital Budget Review.
- C. THAT successful and unsuccessful tenderers be advised accordingly.

Item No: R4 Recommendation to Council
Subject: **Budget Strategy for 2015/16**
Author: Don Johnston, Chief Financial Officer
File No: 331.G 2015/16
Reason for Report: To seek adoption of the strategy to guide the preparation of the 2015/16 Budget.

Motion moved by Councillor O'Regan
Seconded by Councillor Zulman

THAT Council:

- A. Receive and note the report on the Budget Strategy for 2015/16.
- B. Note the principal strategy for the preparation of the draft 2015/16 Budget (which supports the Operational Plan and adopted four year Delivery Program), subject to the completion of management's comprehensive budget review process is to:
 - 1. Provide sufficient funding for all continuing services;
 - 2. Provide funding for recommended service expansions;
 - 3. Continue Council's commitment to asset renewal;
 - 4. Continue a program of capital improvements at similar budget levels and ratios;
 - 5. Maintain an adequate working funds balance

6. Work towards adopting a balanced operating budget, to be achieved within 3 years in keeping with the State Government's Fit for the Future Reform Program.
 7. Identify operating efficiency measures in the budget to a minimum of 3 per cent whilst not impacting on service delivery.
- C. Endorse the following economic parameters around which the draft 2015/16 Budget will be prepared:
1. That the Draft 2015/16 Budget be prepared on the basis of no new borrowings.
 2. That any transfers to and from Reserves be clearly shown in the Draft 2015/16 Budget.
 3. That fees and charges be increased by at least CPI (2.5%) where practical unless it would have an adverse impact on forecast revenue or users' capacity to pay.
 4. That the 2015/2016 draft salaries and wages Budget be prepared on the basis of a 2.7% Award increase and 4.5% vacancy rate.
 5. That the 2015/2016 budget be prepared on the basis of the continuation of higher employer contributions to the defined benefits superannuation scheme as notified by the scheme and a 9.5% contribution rate for the Superannuation Guarantee.
- D. Receive further progress reports in relation to the preparation of Council's 2015/16 Operational Plan and Budget, as well as the review of the Long Term Financial Plan, at future Corporate & Works Committee Meetings.
- E. Not proceed with a Special Rate Variation for 2015/16 and reconsider it as an option for future year budgets having regard to any developments arising from the State Government's 'Fit for the Future' Local Government Reform program.

**Amendment moved by Councillor Petrie
Seconded by Councillor Cavanagh**

THAT Council:

- A. Receive and note the report on the Budget Strategy for 2015/16.
- B. Note the principal strategy for the preparation of the draft 2015/16 Budget (which supports the Operational Plan and adopted four year Delivery Program), subject to the completion of management's comprehensive budget review process is to:
 1. Provide sufficient funding for all continuing services;
 2. Provide funding for recommended service expansions;
 3. Continue Council's commitment to asset renewal;
 4. Continue a program of capital improvements at similar budget levels and ratios;
 5. Maintain an adequate working funds balance
 6. Work towards adopting a balanced operating budget, to be achieved within 3 years in keeping with the State Government's Fit for the Future Reform Program.
- C. Endorse the following economic parameters around which the draft 2015/16 Budget will be prepared:
 1. That the Draft 2015/16 Budget be prepared on the basis of no new borrowings.
 2. That any transfers to and from Reserves be clearly shown in the Draft 2015/16 Budget.
 3. That fees and charges be increased by at least CPI (2.5%) where practical unless it would have an adverse impact on forecast revenue or users' capacity to pay.
 4. That the 2015/2016 draft salaries and wages Budget be prepared on the basis of a 2.7% Award increase and 4.5% vacancy rate.

5. That the 2015/2016 budget be prepared on the basis of the continuation of higher employer contributions to the defined benefits superannuation scheme as notified by the scheme and a 9.5% contribution rate for the Superannuation Guarantee.
- D. Receive further progress reports in relation to the preparation of Council's 2015/16 Operational Plan and Budget, as well as the review of the Long Term Financial Plan, at future Corporate & Works Committee Meetings.
- E. Not proceed with a Special Rate Variation for 2015/16 and reconsider it as an option for future year budgets having regard to any developments arising from the State Government's 'Fit for the Future' Local Government Reform program.

The Amendment was put and lost

The Motion was put and carried

(O'Regan/Zulman)

13/22 Resolved:

THAT Council:

- A. Receive and note the report on the Budget Strategy for 2015/16.
- B. Note the principal strategy for the preparation of the draft 2015/16 Budget (which supports the Operational Plan and adopted four year Delivery Program), subject to the completion of management's comprehensive budget review process is to:
1. Provide sufficient funding for all continuing services;
 2. Provide funding for recommended service expansions;
 3. Continue Council's commitment to asset renewal;
 4. Continue a program of capital improvements at similar budget levels and ratios;
 5. Maintain an adequate working funds balance
 6. Work towards adopting a balanced operating budget, to be achieved within 3 years in keeping with the State Government's Fit for the Future Reform Program.
 7. Identify operating efficiency measures in the budget to a minimum of 3 per cent whilst not impacting on service delivery.
- C. Endorse the following economic parameters around which the draft 2015/16 Budget will be prepared:
1. That the Draft 2015/16 Budget be prepared on the basis of no new borrowings.
 2. That any transfers to and from Reserves be clearly shown in the Draft 2015/16 Budget.
 3. That fees and charges be increased by at least CPI (2.5%) where practical unless it would have an adverse impact on forecast revenue or users' capacity to pay.
 4. That the 2015/2016 draft salaries and wages Budget be prepared on the basis of a 2.7% Award increase and 4.5% vacancy rate.
 5. That the 2015/2016 budget be prepared on the basis of the continuation of higher employer contributions to the defined benefits superannuation scheme as notified by the scheme and a 9.5% contribution rate for the Superannuation Guarantee.
- D. Receive further progress reports in relation to the preparation of Council's 2015/16 Operational Plan and Budget, as well as the review of the Long Term Financial Plan, at future Corporate & Works Committee Meetings.

- E. Not proceed with a Special Rate Variation for 2015/16 and reconsider it as an option for future year budgets having regard to any developments arising from the State Government's 'Fit for the Future' Local Government Reform program.

Note: *Councillor Boskovitz called for a Division on this Item.*

For the Motion

Councillor Bennett
Councillor Boskovitz
Councillor Elsing
Councillor Keulemans
Councillor Levenston
Councillor Marano
Councillor O'Regan
Councillor Thomas
Councillor Zeltzer
Councillor Zulman

Against the Motion

Councillor Cavanagh
Councillor Petrie
Councillor Robertson

10/3

Corporate & Works Committee

Items with Recommendations from the Committee Meeting of Monday 1 December 2014 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **95 Drumalbyn Road, Bellevue Hill - Easement for Road Reserve Encroachment**
Author: Anthony Sheedy, Senior Property Officer
File No: 134.95
Reason for Report: To consider the formalisation of an existing encroachment on Council road reserve by granting of an easement.

(Thomas/Levenston)

14/22 Resolved without debate:

- A. THAT the encroachment on the road reserve adjoining the rear of 95 Drumalbyn Road, Bellevue Hill be formalised by granting an easement to permit existing structure to remain.
- B. The encroachment is to continue for the life of the building, or the redevelopment of the encroaching structure, whichever occurs first; subject to the payment of \$1024 per square metre (exclusive GST) in easement compensation for an estimated 18.8 square metres subject to final survey, and all Council's costs relating to this matter.
- C. THAT Council authorise the General Manager to execute all necessary documents required for the creation of this easement over Council road reserve.

Item No: R2 Recommendation to Council
Subject: **Paddington Business Partnership - Funding Submission 2014/2015**
Author: P Kauter, Executive Planner
File No:
Reason for Report: To consider the Paddington Business Partnership's 2014/2015 funding submission

**Motion moved by Councillor Elsing
Seconded by Councillor Boskovitz**

- A. THAT the Council agree to provide funding to the Paddington Business Partnership for the 2014/2015 financial year of an amount not exceeding \$45,000 (+ GST) for the purpose of undertaking the activities set out in its funding submission, Annexure 2 to this report.
- B. THAT 40% (\$18,000) of the approved funding be withheld pending the Paddington Business Partnership providing a satisfactory mid-stream report on its activities.

- C. The Paddington Business Partnership be requested to include in its business plan for 2015/2016 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.

**Amendment moved by Councillor Petrie
Seconded by Councillor Thomas**

- A. THAT the Council agree to provide funding to the Paddington Business Partnership for the 2014/2015 financial year of an amount not exceeding \$45,000 (+ GST) for the purpose of undertaking the activities set out in its funding submission, Annexure 2 to this report.
- B. THAT 20% (\$9,000) of the approved funding be withheld pending the Paddington Business Partnership providing a satisfactory mid-stream report on its activities.
- C. The Paddington Business Partnership be requested to include in its business plan for 2015/2016 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.

The Amendment was put and carried

The Amendment became the Motion

The Motion was put and carried

(Petrie/Thomas)

15/22 Resolved:

- A. THAT the Council agree to provide funding to the Paddington Business Partnership for the 2014/2015 financial year of an amount not exceeding \$45,000 (+ GST) for the purpose of undertaking the activities set out in its funding submission, Annexure 2 to this report.
- B. THAT 20% (\$9,000) of the approved funding be withheld pending the Paddington Business Partnership providing a satisfactory mid-stream report on its activities.
- C. The Paddington Business Partnership be requested to include in its business plan for 2015/2016 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.

Item No: R3 Recommendation to Council
Subject: **Tender 14/11 - The Double Bay Library Fit Out Works**
Author: Kylie Walshe, Director Community Services
Zubin Marolia, Manager Property and Projects
File No: Tender No 14/11
Reason for Report: To recommend to Council the acceptance of a Tender

Note: Councillor Boskovitz requested that the minutes record his voting against the motion.

(Thomas/Robertson)

16/22 Resolved

- A. THAT Council accept the tender from FDC Construction and Fitout Pty Ltd for the Double Bay Library Fit out Works for the sum of \$4,896,277 (excluding GST).
 - B. THAT the successful and unsuccessful tenderers be advised accordingly.
 - C. THAT Council allocate \$806,379 from the Property Reserve to the Double Bay Library Fit out project.
-

Item No: R4 Recommendation to Council
Subject: **Long Term Financial Plan**
Author: Don Johnston, Chief Financial Officer
Stephen Dunshea, Director - Corporate Services
File No: 331.G 2014/15
Reason for Report: To provide the Committee with an update on the review of Council's Long Term Financial Plan (LTFP) following the recent sale of two strategic council assets and to proposed a Supplementary Capital Works Program for inclusion in the 2014/15 Delivery Program and Operational Plan (DPOP).

Note: Councillor Robertson requested that the minutes record his voting against the motion.

Motion moved by Councillor Robertson
Seconded by Councillor Petrie

THAT Council:

- A. Note the revised Long Term Financial Plan models presented as **Annexures A & B** to the report which present Council's positive and sustainable financial position against NSW Treasury Corporation's benchmark Local Government Financial Indicators.
- B. Endorse the financial strategies supporting the Long Term Financial Plan modelling presented in the report that aim to maintain our capacity for effective and efficient service delivery and long term financial sustainability.
- C. Note that the Long Term Financial Plan will be further progressed in conjunction with the development of the 2015/16 Budget and preparation of Council's 'Fit for the Future' submission to the State Government.
- D. Note the revised forecasts presented in the report for transfers to the Property Reserve resulting from the sale of the O'Dea Avenue Depot Site and 9A Cooper Park Road.
- E. Note that the future report to be presented to the Corporate & Works Committee in relation to the allocation of 9A Cooper Park Road funds will result from the Assets Working Party's deliberations on a range of property related matters, including the future use of St Brigid's, the Rose Bay Car-park study and other community/recreational facilities.
- F. Note the recommendation in the Library Fitout Tender report, also on tonight's business paper, to approve a budget variation of \$806,379 for the fit-out of the new Double Bay Library to be funded from the Property Reserve.

Amendment moved by Councillor Boskovitz
Seconded by Councillor Thomas

THAT Council:

- A. Note the revised Long Term Financial Plan models presented as **Annexures A & B** to the report which present Council's positive and sustainable financial position against NSW Treasury Corporation's benchmark Local Government Financial Indicators.

- B. Endorse the financial strategies supporting the Long Term Financial Plan modelling presented in the report that aim to maintain our capacity for effective and efficient service delivery and long term financial sustainability.
- C. Note that the Long Term Financial Plan will be further progressed in conjunction with the development of the 2015/16 Budget and preparation of Council's 'Fit for the Future' submission to the State Government.
- D. Note the revised forecasts presented in the report for transfers to the Property Reserve resulting from the sale of the O'Dea Avenue Depot Site and 9A Cooper Park Road.
- E. Note that the future report to be presented to the Corporate & Works Committee in relation to the allocation of 9A Cooper Park Road funds will result from the Assets Working Party's deliberations on a range of property related matters, including the future use of St Brigid's, the Rose Bay Car-park study and other community/recreational facilities.
- F. Note the recommendation in the Library Fitout Tender report, also on tonight's business paper, to approve a budget variation of \$806,379 for the fit-out of the new Double Bay Library to be funded from the Property Reserve.
- G. Adopt the proposed Supplementary Capital Works Program presented in the report to the value of \$1.345m as additional projects to be included in the 2014/15 Delivery Program and Operational Plan, plus an additional \$30,000 allocation for the investigation and implementation of digital city guides for Oxford Street.

The Amendment was put and carried.

The Amendment became the Motion.

The Motion was put and carried.

(Boskovitz/Thomas)

17/22 Resolved:

THAT Council:

- A. Note the revised Long Term Financial Plan models presented as **Annexures A & B** to the report which present Council's positive and sustainable financial position against NSW Treasury Corporation's benchmark Local Government Financial Indicators.
- B. Endorse the financial strategies supporting the Long Term Financial Plan modelling presented in the report that aim to maintain our capacity for effective and efficient service delivery and long term financial sustainability.
- C. Note that the Long Term Financial Plan will be further progressed in conjunction with the development of the 2015/16 Budget and preparation of Council's 'Fit for the Future' submission to the State Government.
- D. Note the revised forecasts presented in the report for transfers to the Property Reserve resulting from the sale of the O'Dea Avenue Depot Site and 9A Cooper Park Road.

- E. Note that the future report to be presented to the Corporate & Works Committee in relation to the allocation of 9A Cooper Park Road funds will result from the Assets Working Party's deliberations on a range of property related matters, including the future use of St Brigid's, the Rose Bay Car-park study and other community/recreational facilities.
 - F. Note the recommendation in the Library Fitout Tender report, also on tonight's business paper, to approve a budget variation of \$806,379 for the fit-out of the new Double Bay Library to be funded from the Property Reserve.
 - G. Adopt the proposed Supplementary Capital Works Program presented in the report to the value of \$1.345m as additional projects to be included in the 2014/15 Delivery Program and Operational Plan, plus an additional \$30,000 allocation for the investigation and implementation of digital city guides for Oxford Street.
-

Development Control Committee

Items with Recommendations from the Committee Meeting of Monday 8 December 2014 Submitted to the Council for Determination

Item No: R1 Recommendation to Council

Subject: **10 Stafford Street, Paddington – Section 96 Application – Proposed Modifications to existing dwelling including new window to eastern elevation, larger garage, new skylight & an increase to the overall height to achieve greater floor & ceiling heights – 2/9/2014**

Author: Thomass Wong – Senior Assessment Officer

File No: DA535/2013 part 2

Reason for Report: In accordance with Council’s meeting procedures and policy this matter is referred to full Council due to the Committee being divided between the Motion and the Amendment and the Committee resolved that both the Motion and the Amendment be submitted to Council for consideration.

Note: Late correspondence was tabled by Council’s Team Leader, George Fotis & Adrian Culey.

**Motion moved by Councillor Robertson
Seconded by Councillor Elsing**

Staff recommendation for approval with Window W18 on the first floor being deleted.

**Amendment moved by Councillor Keulemans
Seconded by Councillor Bennett**

Staff recommendation for approval with the inclusion of Window W18 on the first floor.

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

(Keulemans/Bennett)

18/22 Resolved: Pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979

THAT the Council, as the consent authority, modify development consent to Development Application No. 535/2013 for extensive alterations and additions to existing terrace house including ground and first floor extension to the rear; new enlarged garage with terrace above; new roof material (slate) and works to the facade of the building on land at 10 Stafford Street Paddington, subject to the following conditions:

The following condition is added:**A.5 Approved Amended (s96) Plans and supporting documents**

Those acting upon or under this amended consent must carry out all work and maintain the use and works in accordance with the approved plans and supporting documents listed in the original consent, as amended by the amended approved plans and supporting documents as submitted by the Applicant and to which is affixed a Council stamp “Approved Section 96 Plans” listed below otherwise than modified by further condition(s). Where the plans relate to amendments, alterations or additions only those works shown in colour or highlighted are approved.

| Reference | Description | Author/Drawn | Date(s) |
|--|--|--|-------------------------|
| 116 (Issue K),117 (Issue K) 118 (Issue K),120 (Issue K) 121 (Issue K),122 (Issue K) 123 (Issue K),130 (Issue K) | Architectural Plans | All by Annabelle Chapman Architect Pty Ltd | All dated 8/10/2014 |
| S01 to S19 (inclusive) | Structural details drawings and notes | All by Peninsula Consulting Engineers | All dated 15/10/2014 |
| A175182_04 | BASIX Certificate | NSW Department of Planning and Infrastructure | 27/8/2014 |
| J0095A | Geotechnical Input | White Geotechnical Group | 16/10/2014 |
| #14-0722 | Structural Statement (letter) | Peninsula Consulting Engineers | 15/10/2014 |

Note: These plans and supporting documentation may be subject to conditions modifying the development imposed under section 80A(1)(g) of the *Act* (refer to conditions which must be satisfied prior to the issue of any *Construction Certificate*.)
Standard Condition: A6

AND

Condition No. C.1, C.3, H.1 and I.1 are amended and shall be replaced with the following:

C.1 Modification of details of the development (s80A(1)(g) of the Act)

The *approved plans* and the *Construction Certificate* plans and specification, required to be submitted to the *Certifying Authority* pursuant to clause 139 of the *Regulation*, must detail the following amendments:

- a) All reference to the proposed glazed privacy screens located along the eastern side of the roof terrace above the garage are to be deleted and replaced with fixed timber privacy screens to a minimum height of 1.8m as measured from the finished floor level in order to avoid direct overlooking onto the adjoining property.
- b) The garage entrance is to be widened to a minimum of 3.5m.
- c) In order to comply with Objective O2 and Control C2 of Clause 4.2.3 of the DCP, reduce the width of the first-floor French doors of the street-facing elevation to 800mm, so that the doorway matches the width of the corresponding doorways to the terrace houses at Nos. 6 and 8 Stafford Street.
- d) The whole of Window W18 on the first floor shall be permanently fixed and fitted with frosted glazing.

Note: The effect of this condition is that it requires design changes and/or further information to be provided with the *Construction Certificate* drawings and specifications to address specific issues identified during assessment under section 79C of the *Act*.

Note: Clause 146 of the *Regulation* prohibits the issue of any *Construction Certificate* subject to this condition unless the *Certifying Authority* is satisfied that the condition has been complied with.

Note: Clause 145 of the *Regulation* prohibits the issue of any *Construction Certificate* that is inconsistent with this consent.

Standard Condition: C4

C.3 BASIX commitments

The *applicant* must submit to the *Certifying Authority* *BASIX Certificate* No. A175182_04 with any application for a *Construction Certificate*.

Note: Where there is any proposed change in the BASIX commitments the applicant must submit of a new *BASIX Certificate* to the *Certifying Authority* and Council. If any proposed change in the BASIX commitments are inconsistent with development consent (See: Clauses 145 and 146 of the *Regulation*) the applicant will be required to submit an amended development application to *Council* pursuant to section 96 of the *Act*.

All commitments in the *BASIX Certificate* must be shown on the *Construction Certificate* plans and specifications prior to the issue of any *Construction Certificate*.

Note: Clause 145(1)(a1) of the *Environmental Planning & Assessment Regulation 2000* provides: "A certifying authority must not issue a construction certificate for building work unless it is satisfied of the following matters: (a1) that the plans and specifications for the building include such matters as each relevant BASIX certificate requires,"

Standard Condition: C7

H.1 Fulfillment of BASIX commitments – Clause 154B of the Regulation

All BASIX commitments must be effected in accordance with the BASIX Certificate No. A175182_04.

Note: Clause 154B(2) of the *Environmental Planning & Assessment Regulation 2000* provides: "A *certifying authority* must not issue a final occupation certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled."

Standard Condition: H7

I.1 Maintenance of BASIX commitments

All BASIX commitments must be maintained in accordance with the BASIX Certificate No. A175182_04.

Note: This condition affects successors in title with the intent that environmental sustainability measures must be maintained for the life of development under this consent.

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 Bennett
Councillor Boskovitz
Councillor Elsing
Councillor Keulemans
Councillor Levenston
Councillor Marano
Councillor Petrie
Councillor O'Regan
Councillor Thomas
Councillor Zeltzer
Councillor Zulman

Against the Motion

Councillor Cavanagh
Councillor Robertson

11/2

Item No: R2 Recommendation to Council

Subject: **102 Oxford Street, Paddington (Unicorn Hotel) – Use of the existing courtyard for outdoor dining area up until 10pm with a capacity for 42 patrons, also proposed is fixed timber bench seating to the north & western walls, new timber battens to the existing boundary walls & new awnings to the courtyard – 26/8/2014**

Author: Renee Coull – Assessment Officer

File No: DA347/2014

Reason for Report: In accordance with Council’s meeting procedures and policy the matter is referred to full Council due to a substantive change of the Committee’s recommendation (refusal) to the Officer’s recommendation (approval).

Note: Councillor Keulemans declared a Significant, Non-Pecuniary Interest in this Item due to his employment in the tobacco industry. Councillor Keulemans vacated the meeting and did not participate in the debate or vote on the matter.

Note: Late correspondence was tabled by David Mattick.

**Motion moved by Councillor Marano
Seconded by Councillor O’Regan**

THAT the Development Control Committee recommendation for refusal be adopted.

**Amendment moved by Councillor Boskovitz
Seconded by Councillor Petrie**

THAT the Council, approve this matter, for a trial period of 12 months in order to consider any impacts.

**The Amendment was put and lost
The Motion was put and carried**

(Marano/O’Regan)

19/22 Resolved:

THAT the Council, refuse Development Application No. 347/2014 for use of the existing courtyard for outdoor dining area up until 10pm with a capacity for 42 patrons, also proposed is fixed timber bench seating to the north and western walls, new timber battens to the existing boundary walls and new awnings to the courtyard on land at 102-106 Oxford Street Paddington, for the following reasons:

- Not in the public and community interest
- The inability to enforce the number of patrons in the courtyard
- Police recommending refusal of the application
- Potential for Noise impacts on locals due to proximity to residential premises
- Concentrated exposure to cigarette smoking

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 Bennett
Councillor Cavanagh
Councillor Elsing
Councillor Keulemans
Councillor Marano
Councillor O'Regan
Councillor Robertson
Councillor Thomas
Councillor Zeltzer
Councillor Zulman

Against the Motion

Councillor Boskovitz
Councillor Levenston
Councillor Petrie

10/3

Development Control Committee

Items with Recommendations from the Committee Meeting of Monday 1 December 2014 Submitted to the Council for Determination

- Item No:** R1 Recommendation to Council
- Subject:** **11 Gilliver Avenue, Vaucluse – Section 96 Application – Proposed modification to delete Condition No. C.1(a) – 20/10/2014**
- Author:** David Booth – Senior Assessment Officer
- File No:** DA103/2014 part 2
- Reason for Report:** In accordance with Council’s meeting procedures and policy this matter is referred to full Council due to a substantive change of the Committee’s recommendation (refusal) to the Officer’s recommendation (approval).
- Note:** The Mayor Councillor Zeltzer declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. The Mayor remained in the meeting, participated in the debate and voted on this matter.
- Note:** Councillor Marano declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor Marano remained in the meeting, participated in the debate and voted on this matter.
- Note:** Councillor Levenston declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor Levenston remained in the meeting, participated in the debate and voted on this matter.
- Note:** Councillor Petrie declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor Petrie remained in the meeting, participated in the debate and voted on this matter.
- Note:** Councillor Boskovitz declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor Boskovitz remained in the meeting, participated in the debate and voted on this matter.
- Note:** Councillor Cavanagh declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor Cavanagh remained in the meeting, participated in the debate and voted on this matter.
- Note:** Councillor Keulemans declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor Keulemans remained in the meeting, participated in the debate and voted on this matter.
- Note:** Councillor Bennett declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor Bennett remained in the meeting, participated in the debate and voted on this matter.
- Note:** Councillor O’Regan declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor O’Regan remained in the meeting, participated in the debate and voted on this matter.

Note: Councillor Thomas declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor Thomas remained in the meeting, participated in the debate and voted on this matter.

Note: Late correspondence was tabled by John Comino.

Motion moved by Councillor Boskovitz

THAT the Council, approve this matter as per staff recommendation.

The Motion lapsed for want of a seconder.

(Bennett/O'Regan)

20/22 Resolved: Pursuant to Section 96 of the Environmental Planning and Assessment Act, 1979

THAT the Council, refuse to modify development consent to Development Application No. 103/2014 - part 2 for the demolition of the existing dwelling-house and swimming pool, the construction of a new dwelling-house/swimming pool and landscaping works on land at 11 Gilliver Avenue Vacluse for the following reasons:

- View affectation
- Sense of containment
- Bulk
- Amenity impacts

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 Bennett
Councillor Cavanagh
Councillor Elsing
Councillor Keulemans
Councillor Levenston
Councillor Marano
Councillor Petrie
Councillor O'Regan
Councillor Robertson
Councillor Thomas
Councillor Zeltzer
Councillor Zulman

Against the Motion

Councillor Boskovitz

12/1

Urban Planning Committee

Items with Recommendations from the Committee Meeting of Monday 24 November 2014 Submitted to the Council for Determination

| | |
|---------------------------|---|
| Item No: | R1 Recommendation to Council |
| Subject: | Planning Proposal for 83 and 83A Yarranabee Road, Darling Point |
| Author: | Brendan Metcalfe - Strategic Planner |
| File No: | 1064.G Plan Prop 8 |
| Reason for Report: | To report on the planning proposal prepared by City Plan Strategy and Development and Tzannes Associates for 83 and 83A Yarranabee Road. To obtain Council's approval to prepare an amended planning proposal and forward it to the Department of Planning and Environment for a gateway determination. |

(O'Regan/Elsing)

21/22 Resolved without debate:

- A. That the planning proposal prepared by City Plan Strategy and Development and Tzannes Associates for 83 and 83A Yarranabee Road, Darling Point, as contained in Annexure 1 of the report to the Urban Planning Committee meeting of 24 November 2014 be forwarded to the Minister for Planning requesting a gateway determination so that it can be placed on public exhibition subject to the building heights being expressed as height above ground level (existing) in metres rather than reduced levels.
- B. That the planning proposal controls are:
- floor space ratio of 1.2:1 over both lots
 - maximum building height of 15.2m and a second height of 5.7m over 83 Yarranabee Road
 - maximum building height of part 10.5m and part 15.2m over 83A Yarranabee Road
 - foreshore building line of 18m for residential flat building development.
- C. That when requesting a gateway determination for the planning proposal at point A above, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.
- D. That the applicant meets all costs associated with the preparation and completion of the planning proposal as set out in the Council's fees and charges.

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 Bennett
Councillor Boskovitz
Councillor Cavanagh
Councillor Elsing
Councillor Keulemans
Councillor Levenston
Councillor Marano
Councillor Petrie
Councillor O'Regan
Councillor Robertson
Councillor Thomas
Councillor Zeltzer
Councillor Zulman

Nil

13/0

Item No: R2 Recommendation to Council
Subject: **The Double Bay Place Plan**
Author: Allan Coker – Director Planning and Development
File No: 1262.G
Reason for Report: To present the minutes of the last Double Bay working party meeting held on 13 November 2014 and to present and explain the draft Double Bay Place Plan for adoption.

(O'Regan/Elsing)

22/22 Resolved without debate:

- A. THAT Council note the minutes of the Double Working Party meeting held on 13 November 2014.
- B. THAT Council adopt the draft Double Bay Place Plan, noting that actions will be considered for inclusion in the Delivery Program and Operational Plan on an annual basis in accordance with Council's annual budget process.
- C. THAT Council thank all the members of the Double Bay Working Party for their positive contributions to the preparation of the Double Bay Place Plan, in particular Prof. Ed Blakely who's advice and guidance has been invaluable during the process.

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 Bennett
Councillor Boskovitz
Councillor Cavanagh
Councillor Elsing
Councillor Keulemans
Councillor Levenston
Councillor Marano
Councillor Petrie
Councillor O'Regan
Councillor Robertson
Councillor Thomas
Councillor Zeltzer
Councillor Zulman

Nil

13/0

Matter of Urgency Urban Planning Committee

**Item with Recommendation from the Committee Meeting of Monday 15 December 2014
submitted to the Council for Determination**

| | |
|---------------------------|--|
| Item No: | R1 Recommendation to Council |
| Subject: | White City Planning Proposal, Development Control Plan Review and Height Control Review |
| Author: | Chris Bluett – Manager Strategic Planning |
| File No: | 7.30 |
| Reason for Report: | To respond to decisions of Council made on 11 August 2014 and 24 November 2014. To inform Council about the progress of the White City Planning Proposal |

(Elsing/Levenston)

Resolved:

- 23/22** THAT in accordance with Council’s Code of Meeting Practice, Item R1 of the Urban Planning Committee Meeting held on 15 December 2014 be brought forward as a Matter of Urgency to enable the public exhibition of the draft Development Control Plan (DCP) on the 27 January 2015, for a period of 28 days.

Adopted

The Mayor ruled Urgency.

(O’Regan/Boskovitz)

24/22 Resolved:

- A. That Council prepare a draft development control plan to amend Woollahra DCP 2014.
- B. That the Draft DCP Chapter C4 White City as contained in annexure 3 of the report to the Urban Planning Committee meeting on 15 December 2014 be endorsed by Council for the purpose of public exhibition, subject to the following amendments:
- (i) That the words “to retain and enhance significant views” wherever occurring be changed to “to retain significant existing views...”
 - (ii) That the changes proposed by the proponent and conceded by the Director of Planning be adopted.
 - (iii) That the words in 4.4.2 C2 (a) and (b) “with a building” be removed.
 - (iv) That the hours “8.00 am to 9.00 am and 3 pm to 4 pm weekdays” referred to in 4.4.5 C3 be amended to “7.00 am to 9.00 am and 3.00 pm to 4.00 pm weekdays”.
 - (v) That the words “as shown in figure 3” be deleted from 4.4.6 C1.

- (vi) That the words “must be provided” in 4.4.6 C2 be amended to “should be considered” and the words “it should have a minimum width of 3 metres” be deleted.
 - (vii) That the words “to the extent possible so as to prevent the reasonable development of the site” be inserted into the appropriate place within 4.4.4 C4 and C5.
- C. That a planning proposal be prepared for the White City site with the intention of amending Woollahra LEP 2014 in the following manner:
- (i) deleting the maximum height development standards for land at 30 Alma Street Paddington, and
 - (ii) deleting clause 4.3B.
- D. That Council place the draft DCP on public exhibition the 1st business day after the Australia Day Public Holiday, for a period of 42 days

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 Bennett
Councillor Boskovitz
Councillor Elsing
Councillor Keulemans
Councillor Levenston
Councillor Marano
Councillor O’Regan
Councillor Petrie
Councillor Thomas
Councillor Zeltzer
Councillor Zulman

Against the Motion

Councillor Cavanagh
Councillor Robertson

11/2

Community & Environment Committee

Items with Recommendations from the Committee Meeting of Monday 24 November 2014 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Trumper Park Dog Regulations – Review of Public Exhibition**
Author: Paul Fraser, Manager - Open Space and Trees
File No: 271.G
Reason for Report: To report on the public exhibition of changes to dog off-leash regulations in Trumper Park.

Note: Councillor Levenston assumed the chair for this Item (The Mayor wished to speak from the floor on the item).

Note: Late correspondence was tabled by Megan McEwin, Petra O'Neill & John Ellis.

**Motion moved by Councillor Petrie
Seconded by Councillor Thomas**

- A. That the dog regulations in Trumper Park be amended to permit dogs off leash from 3.30 pm to 10.30 am daily for a trial period of 12 months (Excluding the playground and the oval).
- B. Council Rangers to continue enforcement of dog regulations in Trumper Park through patrols and issuing of fines for noncompliance of regulations.
- C. That staff install dog-bag dispensers at the entrances to Trumper Park.

**Amendment moved by Councillor Marano
Seconded by Councillor Boskovitz**

- A. That the dog regulations in Trumper Park remain unchanged as follows:
 - i. Dog on-leash at all times (except Trumper Oval)
 - ii. Dogs prohibited at all times on Trumper Oval playing surface.
- B. Council Rangers to continue enforcement of dog regulations in Trumper Park through patrols and issuing of fines for noncompliance of regulations.
- C. That staff install dog-bag dispensers at the entrances to Trumper Park.

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

(Marano/Boskovitz)**25/22 Resolved:**

- A. That the dog regulations in Trumper Park remain unchanged as follows:
- i. Dog on-leash at all times (except Trumper Oval)
 - ii. Dogs prohibited at all times on Trumper Oval playing surface.
- B. Council Rangers to continue enforcement of dog regulations in Trumper Park through patrols and issuing of fines for noncompliance of regulations.
- C. That staff install dog-bag dispensers at the entrances to Trumper Park.

Note: Councillor Boskovitz called for a Division on this Item.

For the Motion

Councillor Bennett
Councillor Boskovitz
Councillor Cavanagh
Councillor Elsing
Councillor Levenston
Councillor Marano
Councillor O'Regan
Councillor Robertson

Against the Motion

Councillor Keulemans
Councillor Petrie
Councillor Thomas
Councillor Zeltzer
Councillor Zulman

8/5

Notice of Motion

Item No: 1
From: Councillors Bennett & Marano
Date: 9 December 2014
File No: 900.G

(Bennett/Marano)

26/22 THAT a report be prepared by the Traffic Committee to evaluate the feasibility of changing the traffic flow in Richmond Road, Rose Bay from two way to one way heading in a westerly direction into Norwich Road.

Background

This would help alleviate the already congested streets which are expected to get worse with the opening of the new Woolworths supermarket and childcare centre in Rose Bay.

Adopted

Questions for 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 allow Councillors to ask Questions for Next Meeting in accordance with Council's Code of Meeting Practice.

(Boskovitz/O'Regan)

27/22 That Councillors ask Questions for Next Meeting in accordance with Council's Code of Meeting Practice.

Adopted

The following questions were asked:-

Councillor Boskovitz asking:

Please provide the Council in writing an update of where Council is at with the approval of the Local Environment Plan by the Department of Planning and Environment and its subsequent gazettal.

Director, Planning in response :

On notice.

Councillor Zulman asking:

Following on from last month's meeting, why can't Council simply impose a penalty system on trailers and boats to prevent them simply being left parked indefinitely in our Council Streets?

Director, Technical Services in response:

Madam Mayor, I will seek to be brief on this but it is not a simple question. A registered trailer whether it is carrying a boat or any other object is considered a registered vehicle under the Roads Act. So any permit that we apply to those vehicles will apply to all other vehicles as well.

Councillor Elsing asking:

Has there ever been any fines for dogs off leashes in the Pat Thompson and Moncur Reserves?

Director, Technical Services in response:

Can I take it that you are asking has there ever been any fines issued in those reserves before and if not can we up the monitoring? On Notice.

There being no further business the meeting concluded at 9.47 pm.

We certify that the pages numbered 4333 to 4371 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 15 December 2014 and confirmed by Council at the ordinary Meeting of Council on 9 February 2015 as correct.

General Manager

Mayor