

Council Meeting

Monday 25 May 2009

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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 18 May 2009

- D1 Confirmation of Minutes of Meeting held on 4 May 2009
- D2 Monthly Financial Report – April 2009 (See Item R4)
- D3 Impact of the 2009 Local Government Filming Protocol on Council's Filming Application Processes
- D4 Hopetoun Avenue, Vaucluse - Encroachments
- D5 SMS \ Email Notification (See Item R5)

Development Control Committee Meeting held on Monday 18 May 2009

- D1 Confirmation of Minutes of Meeting held on 4 May 2009
- D2 DA839/2007 – 59-73 Cascade Street, Paddington – Construction of five storey building (mixed use) including rebuilding of existing smash repair at ground floor level , parking & storage at 1st floor level, five terrace style units at levels 3 to 5, access stairs on the public domain & the amalgamation of the torrens title & strata subdivision into 5 residential & 1 light industrial lot – 12/12/2007 – (See Item R1)
- D3 DA606/2005 Part 3 – 54 Kings Street, Vaucluse – Section 96 Application – Proposed modification addition of plant room & sump room & extension of shower/toilet at the lower ground floor level 29/1/2009
- D4 DA692/2008 – 150 Fletcher Street, Woollahra – Alterations & additions to existing two storey attached dwelling including a new loft garage – 23/10/2008
- D5 DA421/2007 Part 3 – 10 Wolseley Road, Point Piper – Section 96 Application – Proposed modification changes to existing openings to the northern façade & existing window to change to bi-fold doors – 26/8/2008 – (See Item R2)
- D6 Register of Current Land and Environment Court Appeals for Development Applications
- D7 Register of SEPP 1 Objections

Urban Planning Committee Meeting held on Monday 11 May 2009

- D1 Confirmation of Minutes of Meeting held on 27 April 2009

Community & Environment Committee Meeting held on Monday 11 May 2009

- D1 Confirmation of Minutes of Meeting held on 27 April 2009
- D2 Woollahra Traffic Committee Minutes 5 May 2009
- D3 Community Services Management Plan Quarterly Report



Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council
held at the Council Chambers, Double Bay, on
Monday 25 May 2009 at 8.00pm.**

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

Staff: S Dunshea (Director – Corporate Services)
A Coker (Director – Planning & Development)
W Hatton (Director – Technical Services)
G James (General Manager)
P Robinson (Manager – Development Control)
K Walshe (Director – Community Services)
H Tola (Team Leader – Governance)

Also in Attendance: Nil

Confirmation of Minutes

(Carmichael/Wynne)

- 1/9** THAT the Minutes of the Council Meeting held on 11 May 2009 be taken as read and confirmed.

Adopted

(Carmichael/Wynne)

- 2/9** THAT the Minutes of the Confidential Council Meeting held on 11 May 2009 be taken as read and confirmed.

Adopted

Leave of Absence

(Shoebridge/Shapiro)

- 3/9** THAT leave of absence for all meetings of the Council and its Committees be granted to Councillor Greg Medcraft for the period Tuesday 26 May to Friday 5 June, 2009, inclusive.

Adopted

Apologies

Nil.

Declarations of Interest

Nil.

Suspension of Standing Orders

(Boskovitz)

- 4/9 THAT Standing Orders be suspended to allow a vote of thanks be expressed to the Mayor and staff assisting at the reception for Community Leaders held on Thursday 21 May 2009.

Adopted

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

Councillor Boskovitz advised:

That the reception for Community Leaders held on Thursday 21 May 2009 was a successful event and that he would like to pass on congratulations and thank you to the Mayor and staff assisting on the night, on behalf of all Councillors. Congratulations on a successful event.

The Council noted the information.

(Howe/Zeltzer)

- 5/9 THAT Standing Orders be suspended to compliment the Mayor and staff who organised the 'Relay for Life' event at Centennial Park.

Adopted

The Mayor ruled Urgency and permitted the Suspension of Standing Orders

Councillor Howe advised:

That he wished to personally thank all staff involved in supporting the 'Relay for Life' at Centennial Park held on 16 and 17 May 2009. Councillor Howe advised that \$5,700 was raised by Woollahra, nearly double that of competing municipalities. Councillor Howe also complimented the Mayor and staff for organising the event and extended his congratulations.

Councillor Zeltzer advised:

That she also wished to extend her thanks personally to the following committed staff members for their hard work and congratulated them on a successful event:

- Laura Beattie (who convened the whole event)
- Vicki Munro
- Andrea Jenkins
- Susan Turner
- Jo Jansyn
- Patrick Robinson
- Christine Jenner
- Kirsten Mendola

Councillor Zeltzer also thanked the Mayor for his support and bidding on all items on the silent auction.

Councillor Howe further advised:

That he would also like to extend thanks to the businesses that supported the event especially businesses in Double Bay.

The Council noted the information.

Petitions

Petition No: 1
From: Concerned Residents
Table by Councillor: Jarnason
File No: 884G 2009

The Petition was in terms, in part

Woollahra Council has twice rejected its staff recommendation to refuse DA07/0839 for 59 – 73 Cascade Street, Paddington.

We, the local residents, welcome new developments in Paddington but do not approve of any project that blatantly disregards the standards of our building codes by greatly exceeding size, bulk and height restrictions, dismisses the preservation of the heritage and character of the area and negatively impacts/compromises the amenities of existing residents.

This proposal must be defeated or deferred for significant re-evaluation.

Motion moved by Councillor Jarnason
Seconded by Councillor Shoebridge

6/9 THAT the petition lie on the table for fourteen (14) days.

Adopted

Corporate & Works Committee

Items with Recommendations from the Committee Meeting of Monday 18 May 2009 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: **Dunbar House Lease Tender 09/02**
Author: Zubin Marolia – Manager Property & Projects
File No: Tender 09/02
Reason for Report: To recommend to Council the acceptance of a Tender

(Medcraft/Carmichael)

7/9 Resolved without debate:

- A. THAT Council enter into a lease agreement with The Tea Room Unit Trust for a seven (7) year initial term plus year (7) year renewal option, at a commencement rent of \$200,000 per annum plus GST, with annual rent reviews based on CPI, subject to (B).
- B. THAT the lease agreement include a refurbishment commitment of no less than \$1,000,000 plus GST, by The Tea Room Unit Trust, subject to obtaining necessary approvals.
- C. THAT successful and unsuccessful tenderers be advised.

Item No: R2 Recommendation to Council
Subject: **EJ Ward Community Centre - Licence Proposal from Sir Roden Cutler Charities**
Author: Kylie Walshe, Director Community Services
Zubin Marolia, Manager - Property and Projects
File No: 1152.G
Reason for Report: To seek Council approval to publicly advertise the proposed licence agreement for EJ Ward Community Centre with Sir Roden Cutler Charities

Note: Late correspondence was tabled by Leone Morrison of The Paddington Society and Patrick Condon, Chair Sir Roden Cutler Charities.

(Medcraft/Cavanagh)**8/9 Resolved:**

1. THAT Council approve the rental of \$104,000 per annum (excl GST) for EJ Ward Community Centre and grant financial assistance, under Section 356 of the Local Government Act, of \$88,000 per annum to Sir Roden Cutler Charities, thus approving a subsidised rental amount of \$16,000 per annum, with an annual rental increase in line with the Consumer Price Index.
2. THAT Council resolve to advertise the proposed licence agreement with Sir Roden Cutler Charities for the use of EJ Ward Community Centre for a period of 3 years, in accordance with Section 47 of the Local Government Act 1993.
3. THAT community use of the E J Ward Centre be monitored on a quarterly basis.
4. THAT a Public Meeting be held during the advertising period to explain the proposal to the community.

Item No:	R3 Recommendation to Council
Subject:	Goods and Services Tax Compliance Certification
Author:	Don Johnston, Manager Finance
File No:	329G
Reason for Report:	To seek a recommendation to Council in regard to Goods and Services Tax compliance certification.

(Medcraft/Carmichael)**9/9 Resolved without debate:**

THAT Council, having noted this report and the statement by the Responsible Accounting Officer, make the following resolution in regard to goods and services tax:

To assist compliance with Section 114 of the Commonwealth Constitution, Council certifies that:

- Voluntary GST has been paid by Woollahra Municipal Council for the period 1 May 2008 to 30 April 2009.
- Adequate management arrangements and internal controls were in place to enable Council to adequately account for its GST liabilities and recoup all GST input tax credits eligible to be claimed.
- No GST non-compliance events by the Council were identified by or raised with the Australian Taxation Office.

Item No: R4 Recommended to Council
Subject: **Monthly Financial Report – April 2009**
Author: Don Johnston, Manager Finance
File No: 349G
Reason for Report: To present the monthly financial report for April 2009

Note: Late correspondence was tabled by Don Johnston, Council's Manager Finance and Councillor Nicola Grieve.

(Medcraft/Plater)

10/9 Resolved:

- A. THAT the monthly financial report for April 2009 be received and noted.
- B. THAT the Working Party update provided as Confidential Annexure 1 to the report be received and noted.
- C. THAT matters the subject of the Confidential Annexure and Confidential Memorandums provided to Councillors dated 18 May and 21 May 2009 other than the Confidential legal advice contained within, be released to the public.
- D. THAT the Investments Working Party meet before the Council Meeting on Monday 25 May 2009 to review the draft Deed of Company Arrangement (DOCA) if it is available and a report be presented to the Council Meeting advising of the Working Party's recommendation in respect of the draft DOCA.
- E. If the DOCA is not available for review before the Council Meeting on 25 May 2009, then the Working Party be authorised to review the DOCA before the meeting of creditors to be held on 27 May 2009 and to instruct the General Manager in respect of the DOCA.
- F. THAT the Working Party's responsibilities and powers be extended to include an additional Part 4, being to manage any urgent legal aspects and other matters impacting on Council's CDO investment portfolio, where Council's meeting schedule does not permit prior referral to the Corporate and Works Committee.
- G. THAT the Supplementary Creditors report issued by PPB dated 18 May be received and noted.
- H. THAT in the absence of any further information or advice from its solicitors, Council, at the creditors meeting scheduled for 27 May 2009 or any adjournment of it, vote in favour of the liquidation of Lehman Brothers Australia.
- I. THAT the Investment Working Party receive updated legal advice in respect of potential litigation against both Lehman Brothers Australia and Oakvale Capital, and in respect of protecting Council's interests generally in this matter, having regard to current circumstances.

Item No: R5 Recommended to Council
Subject: SMS\Email Notification
Author: Nabil Saleh – Manager Information Systems
Stephen Dunshea – Director Corporate Services
File No: 6.G
Reason for Report: Response to adopted Notice of Motion

(Medcraft/Plater)

11/9 Resolved:

- A. That the Committee note the Actions included in the draft Delivery Program 2009 to 2013 and Operational Plan 2009/10 regarding the development of an online community engagement strategy and information technology strategy.
 - B. That detailed investigation of the email (push) technology for notification to subscription users be undertaken as part of the development of the online community engagement strategy.
 - C. That the Committee agree to detailed investigation being undertaken into the BounceBack SMS on demand (pull) technology for the provision of information on a range of Council services and events.
 - D. That a further report be presented on the BounceBack SMS technology detailing the specific services and events that could be supported through the use of this facility along with details of the resources required to maintain the system.
 - E. That the further investigation to be undertaken include reviewing tools and methods used to gather and store contact details for potential users.
 - F. That the rate notice for 2009/10 include an invitation to ratepayers, printed on the notice, to subscribe to 'What's on in Woollahra'.
-

Development Control Committee

Items with Recommendations from the Committee Meeting of Monday 18 May 2009 Submitted to the Council for Determination

Item No: R1 Recommendation to Council

Subject: **59-73 Cascade Street, Paddington – Construction of five storey building (mixed use) including rebuilding of existing smash repair at ground floor level, parking & storage at 1st floor level, five terrace style units at levels 3 to 5, access stairs on the public domain & the amalgamation of the torrens title & strata subdivision into 5 residential & 1 light industrial lot – 12/12/2007**

Author: Thomass Wong – Senior Assessment Officer

File No: DA839/2007

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.

Note: A division of votes is required to be recorded for this planning decision.

Note: Late correspondence was tabled by Thomass Wong, Council’s Senior Assessment Officer, Hugh Williamson (3 pieces), Rohan McJannet & Carline Bouihet, Cecile Hunt, Alexander Cuthbert, Trevor & Esther Hayter, Adam Weir and Robyn Attuell of The Paddington Society.

**Motion moved by Councillor Howe
Seconded by Councillor Zeltzer**

THAT the Council, as the consent authority, being satisfied that the objection under SEPP No. 1 is well founded and also being of the opinion that the granting of consent to Development Application No. 839/2007 is consistent with the aims of the Policy, grant development consent to Development Application No. 839/2007 for construction of a five storey building (mixed use) including the rebuilding of the existing smash repair at the ground floor level (Royston Lane), parking & storage at first floor level, five terrace style units at levels 3 to 5 (4 x 3 bedroom units and 1x 4 bedroom unit), access stairs on the public domain and the amalgamation of the torrens title and strata subdivision into 5 residential and 1 light industrial lot; also included is the remediation of the site on land at 59-73 Cascade Street Paddington, subject to the following amendments:

- That the building height be reduced to the building height as proposed in the amended Plans submitted by the applicant dated the 8 May 2009.
- That the planter boxes continue for the full length of the development as outlined in the previous development application to alleviate overlooking into the neighbouring property.
- Additional Condition C.19 relating to Spray Painting be included as per the late correspondence tabled by Thomass Wong, Council’s Senior Assessment Officer.

**Amendment moved by Councillor Wynne
Seconded by Councillor Jarnason**

THAT Council, as the consent authority, refuse development consent to Development Application No. 839/2007 for construction of a five storey building (mixed use) including the re-building of the existing smash repair at the ground floor level (Royston Lane), parking and storage at first floor level, five terrace style units at levels 3 to 5 (4 x 3 bedroom units and 1x 4 bedroom unit), access stairs on the public domain and the amalgamation of the torrens title and strata subdivision into 5 residential and 1 light industrial lot. Also included is the remediation of the site on land at 59-73 Cascade Street, Paddington, for the following reasons:

1. The proposal does not comply with the floor space ratio control prescribed in Clause 11 under the Woollahra Local Environmental Plan 1995. The Objection made under State Environmental Planning Policy No.1 to this control is not well found as the proposed floor space ratio will not satisfy the objectives of the floor space ratio control set out in Clause 11AA under the Woollahra Local Environmental Plan 1995. The proposal will result in excessive height, bulk and scale and will detrimentally impact upon the character of the Paddington Heritage Conservation Area as well as the amenity of neighbouring properties.
2. The proposal does not comply with the building height control prescribed in Clause 12 under the Woollahra Local Environmental Plan 1995. The Objection made under State Environmental Planning Policy No.1 to this control is not well found as the proposed height will not satisfy the objectives of the height control set out in Clause 12AA under the Woollahra Local Environmental Plan 1995. The proposal will result in excessive height, bulk and scale and will detrimentally impact upon the character of the Paddington Heritage Conservation Area as well as the amenity of neighbouring properties.
3. The proposal is not considered satisfactory with regard to the Principles set out in *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development*. The proposal does not respond to adequately the Principles in terms of context, scale, built form and density.
4. The proposal is considered unacceptable with regard to Objective O4, O5, O6 and O7 and Controls G3, G4 and G5 under Part 5.1.7 – Building height, bulk and scale of the Paddington Development Control Plan 1999 as the proposal will result in excessive height, bulk and scale impacting upon existing view, solar access and conformity with adjoining buildings on the Royston Lane level.
5. The proposal is considered unacceptable with regard to Objective O2 and Controls G1, G4 and G5 under Part 5.4 – Infill development of the Paddington Development Control Plan 1999 as the proposed proposal does not respond appropriately to the character of the neighbourhood.
6. The proposal is considered unacceptable with regard to Objective O1 and Control G1 under Part 5.5 – Intrusive development of the Paddington Development Control Plan 1999 as the proposal does not mitigate adverse impact of intrusive development or improve the relationship with the streetscape (Royston Lane).
7. The proposal is not in the public interest.
8. The smash repair use and high quality residential use are incompatible to each other which will result in inherent conflict between the two uses.

9. The bulk and scale of the proposed development will result in loss of views and vistas from the public domain.

The Amendment was put and carried.

The Amendment became the Motion.

The Motion was put and carried.

(Wynne/Jarnason)

12/9 Resolved:

THAT Council, as the consent authority, refuse development consent to Development Application No. 839/2007 for construction of a five storey building (mixed use) including the re-building of the existing smash repair at the ground floor level (Royston Lane), parking and storage at first floor level, five terrace style units at levels 3 to 5 (4 x 3 bedroom units and 1x 4 bedroom unit), access stairs on the public domain and the amalgamation of the torrens title and strata subdivision into 5 residential and 1 light industrial lot. Also included is the remediation of the site on land at 59-73 Cascade Street, Paddington, for the following reasons:

1. The proposal does not comply with the floor space ratio control prescribed in Clause 11 under the Woollahra Local Environmental Plan 1995. The Objection made under State Environmental Planning Policy No.1 to this control is not well found as the proposed floor space ratio will not satisfy the objectives of the floor space ratio control set out in Clause 11AA under the Woollahra Local Environmental Plan 1995. The proposal will result in excessive height, bulk and scale and will detrimentally impact upon the character of the Paddington Heritage Conservation Area as well as the amenity of neighbouring properties.
2. The proposal does not comply with the building height control prescribed in Clause 12 under the Woollahra Local Environmental Plan 1995. The Objection made under State Environmental Planning Policy No.1 to this control is not well found as the proposed height will not satisfy the objectives of the height control set out in Clause 12AA under the Woollahra Local Environmental Plan 1995. The proposal will result in excessive height, bulk and scale and will detrimentally impact upon the character of the Paddington Heritage Conservation Area as well as the amenity of neighbouring properties.
3. The proposal is not considered satisfactory with regard to the Principles set out in *State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development*. The proposal does not respond to adequately the Principles in terms of context, scale, built form and density.
4. The proposal is considered unacceptable with regard to Objective O4, O5, O6 and O7 and Controls G3, G4 and G5 under Part 5.1.7 – Building height, bulk and scale of the Paddington Development Control Plan 1999 as the proposal will result in excessive height, bulk and scale impacting upon existing view, solar access and conformity with adjoining buildings on the Royston Lane level.
5. The proposal is considered unacceptable with regard to Objective O2 and Controls G1, G4 and G5 under Part 5.4 – Infill development of the Paddington Development Control Plan 1999 as the proposed proposal does not respond appropriately to the character of the neighbourhood.

6. The proposal is considered unacceptable with regard to Objective O1 and Control G1 under Part 5.5 – Intrusive development of the Paddington Development Control Plan 1999 as the proposal does not mitigate adverse impact of intrusive development or improve the relationship with the streetscape (Royston Lane).
7. The proposal is not in the public interest.
8. The smash repair use and high quality residential use are incompatible to each other which will result in inherent conflict between the two uses.
9. The bulk and scale of the proposed development will result in loss of views and vistas from the public domain.

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

For the Recommendation

Councillor Wynne
 Councillor Medcraft
 Councillor Cavanagh
 Councillor Jarnason
 Councillor Plater
 Councillor Shaprio
 Councillor Grieve
 Councillor Young
 Councillor Shoebridge

Against the Recommendation

Councillor Boskovitz
 Councillor Edelman
 Councillor Howe
 Councillor Zeltzer
 Councillor Carmichael
 Councillor Petrie

9/6

Item No: R2 Recommendation to Council
Subject: **10 Wolseley Road, Point Piper – Section 96 Application – Proposed modification changes to existing openings to the northern façade & existing window to change to bi-fold doors – 26/8/2008**
Author: Thomass Wong – Senior Assessment Officer
File No: DA421/2007 Part 3
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 to the Officer’s recommendation.

Note: A division of votes is required to be recorded for this planning decision.

(Howe/Shoebridge)

13/9 Resolved:

- A. That the Manager Compliance undertake an audit of compliance in relation to Development application No. 113/2008 and consider appropriate action.

- B. That the matter be deferred for the applicant to provide evidence of appropriate and lawful consent by ordinary resolution from the Owners Corporation in relation to the Development.
- C. THAT the neighbour at No. 14 Wolseley Road be invited to present any further submissions in regards to the form and the extent of the boundary wall.
- D. THAT subject to the receipt of and satisfaction of the Owners Corporation consent to the development the Staff be delegated authority to approve the application generally in accordance with the Officer's recommendation to the Development Control Committee meeting held on 18 May 2009.

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

For the Recommendation

Against the Recommendation

Councillor Boskovitz
Councillor Edelman
Councillor Wynne
Councillor Medcraft
Councillor Cavanagh
Councillor Jarnason
Councillor Howe
Councillor Plater
Councillor Zeltzer
Councillor Shapiro
Councillor Carmichael
Councillor Grieve
Councillor Young
Councillor Shoebridge
Councillor Petrie

Nil

15/0

Urban Planning Committee

Items with Recommendations from the Committee Meeting of Monday 11 May 2009 Submitted to the Council for Determination

Item No: R1 Recommendation to Council

Subject: **Floor Space Ratio Controls and The Woollahra Principal LEO—A Change In Policy Direction**

Author: Jacquelyne Jeffery—Team Leader Strategic Planning

File No: 1067.G WP and 1064.G Principal LEP

Reason for Report: To explain the translation of floor space ratio standards in the Woollahra LEP 1995 to the new Principal LEP.
To seek Council's endorsement of a new approach to control built form in residential areas that involves using building envelope controls instead of floor space ratio standards.

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

(Zeltzer/Boskovitz)

14/9 Resolved without debate:

- A. THAT Council approve the following approach to control built form on land zoned as Residential in the new Woollahra Principal LEP and Comprehensive DCP—
- i) Maximum building height to be included in the draft Woollahra Principal LEP
 - ii) Building envelope controls to be included in the draft Woollahra Comprehensive DCP.
- B. THAT, subject to the above, floor space ratio controls are not applied to residential zoned land in the draft Woollahra Principal LEP.
- C. THAT further to the issues raised at the Urban Planning Committee Meeting on 11 May 2009, that the staff consider further research in respect to other planning provisions regarding the control of bulk and scale which may be used in conjunction with the proposed building envelope controls.

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

For the Recommendation***Against the Recommendation***

Councillor Boskovitz
Councillor Edelman
Councillor Wynne
Councillor Medcraft
Councillor Cavanagh
Councillor Jarnason
Councillor Howe
Councillor Plater
Councillor Zeltzer
Councillor Shapiro
Councillor Carmichael
Councillor Grieve
Councillor Young
Councillor Shoebridge
Councillor Petrie

Nil

15/0

Notices of Motion

Item No: 1
From: Councillor Boskovitz
Date: 13 May 2009
File No: 900.G

(Boskovitz/Wynne)

15/9 That a report be brought to the appropriate committee outlining the feasibility of placing “dog Dropping” bins in all our major dog parks which:

- 1) Allow dog owners to throw away their dog droppings easily
- 2) Provides bags for dog owners to use to collect their dog’s droppings.

The report should also outline:

- a) The feasibility of collecting this waste everyday or provide an appropriate solution to collecting this waste
- b) The possibility of selling advertising on the bags we provide to dog owners to pick up their droppings which would serve to offset the cost of installing the bins and any other work involved in the administration of this service

Adopted

Item No: 2
From: Councillors Howe, Zeltzer and Cavanagh
Date: 18 May 2009
File No: 900.G

(Howe/Zeltzer)

16/9 That Council immediately cease the purchasing and supply at all Council premises or Council functions of commercially produced bottled water in plastic containers.

Adopted

Item No: 3
From: Councillors Zeltzer and Grieve
Date: 20 May 2009
File No: 900.G

(Zeltzer/Grieve)

- 17/9** That Council investigate the feasibility of providing a service to locals (such as standard tenders or standard purchasing arrangement) which facilitates the bulk purchase of solar panels and water tanks. The aim of bulk buys is to produce significant cost savings for local applicants thus increasing the incentive to install these items in both new and existing development.

Adopted

Item No: 4
From: Councillors Jarnason, Grieve and Shoebridge
Date: 20 May 2009
File No: 900.G

(Jarnason/Grieve)

- 18/9** That Woollahra Council raises awareness of the urgency of climate change by notifying the community in the following ways of an upcoming "Climate Emergency Rally" in the Sydney CBD on Saturday June 13:
- i) A mention in the Mayoral column (at the discretion of the Mayor)
 - ii) A notification on the council website under council news
 - iii) for a notice to be posted in all council buildings where appropriate to notify the public of the event (posters to be supplied by the event organisers).

Adopted

Questions Without Notice Tabled Answers

Item No: 11
Subject: Questions Without Notice
Author: Gary James, General Manager
File No: 467.G/Q01
Reason for Report: To provide a response to Questions without Notice from Council Meeting of 11 May 2009 and for Councillors to ask Questions without Notice in accordance with Council's Code of Meeting Practice.

Motion moved by Councillor Boskovitz
Seconded by Councillor Medcraft

19/9 That the responses to previous Questions without Notice be noted.

Adopted

The following questions were asked:-

Councillor Boskovitz asking:

Mr Coker in relation to my question about Double Bay regarding the issue of occupancy, when will the formal reply be ready?

Director Planning and Development in response:

On notice.

Councillor Boskovitz asking:

There have been some concrete barriers installed on Old South Head Road adjoining Newcastle Street. It is obvious that the barriers are there for safety of vehicles travelling along Old South Head Road. The problem is that people turning out of Newcastle Street into Old South Head Road are almost totally blinded by the barrier.

Can we determine a solution to this problem because if we do not I fear there will be an accident between vehicles moving out of Newcastle Street and with people driving along Old South Head Road?

Director Technical Services in response:

On notice.

Councillor Boskovitz asking:

I understand there was a resolution of the Community & Environment Committee stating that no more works on bike lanes should be undertaken until we determine to continue works.

However two notices that bike lanes and bikes insignia have been painted on Hopetoun Avenue where work had been conducted for the last 6 months.

Why were these works undertaken contrary to the resolution of the Community & Environment Committee?

Director Technical Services in response:

The only works that have been undertaken relate to the restoration of the line markings. No new works have been conducted.

Councillor Boskovitz asking:

The cleanliness of the Municipality commercial centres, streets, parks and garden is at a crossroads. The condition they are in are close to the worst they have been in my time on Council. Why is this so?

Cleanliness of the Municipality is a core business of Council and we have no one else to blame for this but ourselves.

Can we please look carefully at our systems that are in place and make sure that our staff work with a fine tooth comb to ensure that our Municipality is clean and tidy?

Mayor in response:

That is your opinion and not necessarily everyone else's. It's your observation.

Councillor Wynne asking:

Could I please have an update regarding the possibility of implementing signage at Nielsen Park which would prohibit camping overnight?

Director Technical Services in response:

We are currently installing signage in Nielsen Park and New Beach Road.

The Mayor in further response:

We have written to the Department of National Parks and Wildlife, however they have not responded to us. We will proceed to install the signage regardless.

Councillor Medcraft asking:

What progress are we making in identifying a suitable bin for household organic waste for Paddington?

Director Technical Services in response:

The matter was raised at a Committee meeting and is being investigated and we do have a few options.

Councillor Shapiro asking:

As I have been involved in the Gap Park Masterplan from the very beginning, I was angry and frustrated that the Federal Government has refused to provide any funds. I find it difficult to believe that a Cricket Pavilion and Fruit Fly Circus obtained funds but our plan which could save numerous lives has received nothing. How has Council responded to this?

Mayor in response:

In your absence we have done as much as we can, radio interviews, press releases etc, we are disappointed that the press has not picked up as much as we would have liked, but the Wentworth Courier certainly did. I have done some radio interviews but at the end of the day we are now at a point we are writing a letter to Prime Minister Rudd and we will be setting out in detail in a very nice fashion exactly why we think the project should be funded and if I don't get a reply or whatever comes back in that time, I will report back in a couple weeks time and we will then work out what we will do after that.

Councillor Carmichael asking:

Mr Mayor are you aware after the last Council Meeting in the carpark, objectors of Villa Rossa verbally harassed the applicant?

As the Mayor could you please comment on your views regarding this sort of behaviour?

Mayor in response:

It was brought to my attention the next day, I was also subject to abuse in the car park, this is now the third time this has occurred, I find this astonishing, I find these people coming with clean hands and then to behave the way they have. I have never experienced in 18 years of Council anything like the performance of those residents ever and I think they should all be ashamed of themselves quite frankly.

Councillor Carmichael asking:

Are you aware the keep left sign on the pedestrian crossing near the corner of Riddell Street and Bellevue Road is very loosely flapping in the wind and could Council seek to repair the sign?

Director Technical Services in response:

We will attend to it, Mr Mayor.

Councillor Shoebridge asking:

Have we had any advance on the pedestrian crossing at New South Head Road at the dangerous crossing point at Rushcutters Bay Park?

Director Technical Services in response:

Yes, we believe work is about to be undertaken by the RTA, however no date has been supplied.

Councillor Shoebridge asking:

Is it true that we have had a substantial reduction in the number of Land & Environment Court appeals this year compared to last year? If so, to what extent?

Director Planning and Development in response:

On notice.

Councillor Shoebridge asking:

Is it true that the Community & Environment Committee resolved to stop all work on our local bike paths? If so, when and when will work recommence?

General Manager in response:

I'll take that on notice, I believe the resolution passed was to not commence any new works but I will need to check with the Director of Technical Services in terms of works that were in train at time.

Director Technical Services further in response:

The resolution was to proceed with quarterly review and to do no new work on the local bike plan, until the review of the bike plans has been finalised.

Councillor Shoebridge further asking:

When do we expect that report to be submitted?

Director Technical Services further in response:

As soon as we get an acceptable draft from the consultants.

There being no further business the meeting concluded at 10.13pm.

We certify that the pages numbered 2069 to 2092 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 25 May 2009 and confirmed by Council at the ordinary Meeting of Council on 15 June 2009 as correct.

General Manager

Mayor