



Community & Environment Committee

Agenda: *Community & Environment Committee*

Date: *Monday 10 April 2006*

Time: *6.00pm*

Outline Of Meeting Protocol & Procedure:

The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.

The Chairperson will commence the Order of Business as shown in the Index to the Agenda.

At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.

If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.

If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.

At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.

If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.

The Chairperson has the discretion whether to continue to accept speakers from the floor.

After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Delegated Authority (“D” Items):

Community Services and Programmes.

Health.

Liquor Licences.

Fire Protection Orders.

Residential Parking Schemes (surveillance and administration).

Traffic Management (Traffic Committee Recommendations).

Waverley/Woollahra Process Plant.

To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolution).

Confirmation of the Minutes of its Meeting.

Any other matter falling within the responsibility of the Community and Environment Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed below.

Library Services

Licensing.

Regulatory.

Waste Minimisation

Recommendation only to the Full Council (“R” Items):

Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.

Matters which involve broad strategic or policy initiatives within responsibilities of the Committee.

Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.

Matters delegated to the Council by the Traffic Authority of NSW.

Matters not within the specified functions of the Committee, or which are not the subject of a Business Agenda (current or past).

Matters reserved by individual Councillors, in accordance with any Council policy on "safeguards".

Parks and Reserve Plans of Management (Strategies, Policies and Objectives)

Residential Parking Schemes - Provision and Policies

Committee Membership:

7 Councillors

Quorum:

The quorum for a Committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

6 April 2006

To: The Mayor, Councillor Andrew Petrie, ex-officio
Councillors Anthony Boskovitz (Chair)
 John Walker (Deputy Chair)
 Claudia Cullen
 Marcus Ehrlich
 Tanya Excell
 Julian Martin
 Fiona Sinclair King

Dear Councillors

Community & Environment Committee Meeting – 10 April 2006

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Community and Environment Committee** to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 10 April 2006 at 6.00pm.**

Gary James
General Manager

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 27 March 2006	1
D2	Woollahra Traffic Committee Minutes – 4 April 2006	2
D3	Woollahra Bike Plan – Bicycle Working Party Minutes – 22 March 2006	9
D4	Minutes of the Environmental Levy Community Reference Group Meeting – 23 March 2006	14
D5	Woollahra Citizen of the Year Awards	21
D6	Draft Liquor Bill 2005 – 762.G	34

Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	Vaucluse Bowling Club – 329.80 VC	47
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Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 27 March 2006**
Author: Les Windle, Manager - Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 27 March 2006 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Community and Environment Committee Meeting of 27 March 2006 be taken as read and confirmed.

Les Windle
Manager – Governance

Item No: D2 Delegated to Committee
Subject: **Woollahra Traffic Committee Minutes- 4 April 2006**
Author: Warwick Hatton, Director – Technical Services
File No: See Traffic Committee Minutes
Reason for Report: For the Committee to consider the recommendations of the Woollahra Traffic Committee.

Recommendation:

THAT the Recommendations contained in the minutes of the Woollahra Traffic Committee meeting held on Tuesday 4 April 2006, Items Y1-Y6 be adopted.

Warwick Hatton
Director – Technical Services

Woollahra Local Traffic Committee Minutes

The meeting of the Woollahra Local Traffic Committee was held in the Council Committee Room, Double Bay, on Tuesday 4 April 2006 at 10.00am.

1. Attendances

Committee Members:

Present: Mr Warwick Hatton (Chairman) (Woollahra Municipal Council)
Mr Navin Prasad (Roads and Traffic Authority)
Ms Robyn Attuell (Clover Moore MP Representative)
Mr Scott Farlow (Peter Debnam MP Representative)
Mr Eric Yeung (Sydney Buses)

Staff: Mr Alan Opera (Woollahra Municipal Council)
Mr Frank Rotta (Woollahra Municipal Council)
Ms Armodee Reece (Woollahra Municipal Council)

Also in Attendance:

Mr John McDonagh (Harbour View Park Residents' Group)

Apologies:

Snr Const David Cattell (Rose Bay Police - Traffic)

2. Minutes of Previous Meeting

The minutes of Meeting No.2/06 held in Council Chambers, Double Bay, on Tuesday 7 March 2006 were confirmed by Ms Robyn Attuell and Mr Navin Prasad with the following amendment:

Item Y3 – 2-4 Pearce Street (Stafford Street), Double Bay – Works Zone

Part A (ii) The Works Zone is to operate between the hours of 7.00am-4.00pm Mon-Fri and 7.00am -1.00pm Sat, for a period of 26 weeks commencing 13 March, 2006.

3. Matters Arising from Minutes of Previous Meetings

Nil

4. Local Traffic Committee recommendations not adopted or amended by Woollahra Council Community & Environment Committee

Nil

5. Extraordinary Meetings

Nil

6. Traffic Matters on Local Roads – Recommendation to C&E for Consideration

Item No: Y1 Traffic Matters on Local Roads – Recommendation to C&E for Consideration
Subject: **Parking Restrictions Changes**
Author: Frank Rotta – Traffic Engineer
File No: (Refer to Table 1)
Reason for Report: Various parking restriction changes throughout the Woollahra Council area.

Recommendation:

Item Y1-1: Victoria Road / Birriga Road intersection, Bellevue Hill – Convert ‘Give Way’ to ‘Stop’ sign and linemarking

1. That the existing ‘Give Way’ for vehicles travelling northwards in Victoria Road and turning left into the adjoining leg of Victoria Road at its intersection with Birriga Road be changed to ‘Stop’ and the stop line be moved 2 metres in a southerly direction.

Item Y1-2: Stanley Street at its intersection with Chester Street, Woollahra – Provision of ‘Stop’ sign

1. That a ‘Stop’ sign and associated linemarking be provided in Stanley Street at its intersection with Chester Street, Woollahra.

Item Y1-3: Boundary Lane, Paddington – Relocation of existing signposting / Upgrade to signs

1. That the existing 2 Hour Permit Parking (Arrow Left) and No Standing (Arrow Right) sign and stem on the northern side of Boundary Lane, Paddington be moved from 28.9 metres east of Boundary Street to 24 metres east of Boundary Street.
2. That the ‘No Standing’ restrictions in Boundary Lane be altered to ‘No Stopping’ at its intersection with Boundary Street and the remainder of the existing ‘No Standing’ signs in Boundary Lane revert to ‘No Parking’.

Item Y1-4: Rawson Road, Rose Bay – Replacement of ‘No Stopping’ sign

1. That a ‘No Stopping’ (Arrow Right) sign be installed on the western side of Rawson Road (just south of its intersection with New South Head Road) 4.6 metres north of ELP No.SY00803.
2. That the existing ‘No Stopping’ (Arrow Both) be removed from the northern side of the driveway at this location.

Item Y1-5: Glenmore Road / Cascade Street / Hampden Street, Paddington – Sight distance & sign adjustments

1. That the proposal to install upsized 'Stop' signs on both legs of this intersection be deferred to the next WTC to obtain feedback from the Police relating to current driver behaviour at this location.
2. That the 'No Stopping' sign (Arrow Left) currently located on the northern side of Hampden Street just east of Glenmore Road on ELP No.SY08882 be relocated 5 metres in an easterly direction.
3. That the centre linemarking on both approaches to this intersection from Glenmore Road and Cascade Street be modified by extending the unbroken centre line right up to the splitter islands.

Item Y1-6: Walker Avenue, Edgecliff – Redundant 'No Parking' signposting

1. That this matter be deferred for consultation with the residents on future parking arrangements in the street.

Item Y1-7: Tivoli Avenue, Rose Bay – Provision of 'No Stopping' zone

1. That a 6 metre 'No Stopping 7.00am-9.00am Mon-Fri' zone be installed centrally in front of the fence opening for the temporary garbage collection area located approximately 30 metres south of the current zone.

Item No: Y2 Traffic Matters on Local Roads – Recommendation to C&E for Consideration.
Subject: Newcastle Street, Rose Bay – Temporary Road Closure
Author: Frank Rotta – Traffic Engineer, Traffic & Transport
File No: 328. Pt3
Reason for Report: Request by Rose Bay Greek Orthodox Church for temporary road closure during Greek Easter Midnight Service.

Recommendation:

- A. That subject to the following conditions being met, approval be granted to the temporary closure of Newcastle Street, Rose Bay, between Faraday Avenue and Old South Head Road, Rose Bay between 11.30pm Saturday 22 April and 12.30am Sunday 23 April 2006.
 - i. The applicant to submit a Traffic Management Plan to the Roads and Traffic Authority's Traffic Management Centre (via Council) for final approval.
 - ii. The applicant shall obtain the written approval from the NSW Police Department (Rose Bay Police Station) for the temporary closure of Newcastle Street, Rose Bay. If security personnel are used, NSW Police should be advised.
 - iii. The applicant shall comply with all directives of the NSW Police Department, either provided on the day or beforehand.
 - iv. The applicant shall be responsible for informing all residents of Newcastle Street and adjoining streets of the temporary road closure at least seven (7) days before the event via a letterbox drop and an advertisement in the local paper.

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- v. The applicant shall supply and erect all barriers and traffic signs necessary for the road closure, and shall be responsible for the removal of any barriers and signs immediately after the completion of the event.
 - vi. The applicant to be responsible for the manning of the barriers and the directing of traffic around the temporary road closure.
 - vii. Vehicles having legitimate business within the closed section of roadway shall be allowed access. A warning sign should be displayed on Old South Head Road informing drivers of the road closure.
 - viii. The applicant shall be responsible for informing all Emergency Services of the proposed road closure.
 - ix. A clear passageway of 4 metres wide shall be maintained within the road closure for emergency access.
 - x. The applicant be responsible for the cost of repairing any damage caused to Council Infrastructure as a result of the temporary road closure.
- B. That the applicant provide Council with \$10,000,000 public liability insurance to cover any claims against Council which may occur as a result of this activity.
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Item No: Y3 Traffic Matters on State Roads – Recommendation to C&E for Consideration
Subject: 159 Victoria Road, Bellevue Hill - Works Zone
Author: Frank Rotta – Traffic Engineer
File No: 407.G Pt6
Reason for Report: Request for a Works Zone

Recommendation:

- A. That approval be granted for a Works Zone to be temporarily installed for No.159 Victoria Road, Bellevue Hill. The length of the proposed Works Zone is 15 metres, and it is to be located on the eastern side of Victoria Road across the entry frontage of this property as indicated in Condition 50 of the Development Consent for this property for a distance of 15 metres and is subject to the following conditions:
- i. Any directive provided by the NSW Police Department is to be complied with.
 - ii. The Works Zone is to operate between the hours of 7.00am-4.00pm Mon-Fri and 7.00am -1.00pm Sat, for a period of 12 weeks commencing 24 April, 2006.
 - iii. Existing unrestricted parking is to be maintained outside of the operational hours of the Works Zone.
 - iv. Suitable traffic control measures are to be put in place to manage truck movements to and from the excavation site.
 - v. The applicant must ensure that the traffic lanes, footpaths and driveways, adjacent to the Works Zone, remain free of obstruction at all times during the construction.
 - vi. The applicant must inform Council's Traffic Engineer when the project is completed and the Works Zone can be removed.
 - vii. This Works Zone is in a residential area. The fee payable shall be in accordance with Council's adopted fees and charges applying to the period for which the approval is given, and must be paid prior to the Works Zone being installed. Should the Works Zone be required for a shorter period, application may be made for a pro-rata refund.
 - viii. Failure to comply with any of these conditions may result in the cancellation of the Works Zone at Council's discretion.
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- ix. Should the Works Zone be required for a period longer than the approved period, permission from the Director of Technical Services is required to extend the Works Zone.
 - x. Should the Works Zone be required for additional hours of operation on any particular day, any amendment will require the approval of the Woollahra Traffic Committee.
- B. That the applicant notifies all adjacent residents and business owners by a letterbox drop of the conditions of the Works Zone.
- C. Should the applicant require the Works Zone to be shortened at a later date, a fresh application will be required and shall include a detailed construction management plan for this site.

Item No: Y4 Traffic Matters on Local Roads – Recommendation to C&E for Consideration.

Subject: **Traffic Calming – Bellevue Hill: Bike Route 9 – Victoria Road, Bike Route 34 – Bellevue Hill Road & Bike Route 38 – O’Sullivan Road**

Author: Lorna Oliver – Traffic & Transport Planner

File No: 256.G

Reason for Report: Plans adopted for implementation by Bicycle Working Party for consideration by Traffic Committee.

Recommendation:

- A. That the plans detailed in the following drawings be adopted for implementation:
- i. Route 9 – Drawings 14930/C01, 14930/C02, 14930/C03 and 14930/C04
 - ii. Route 34 – Drawings 14931/C01 and 14931/C02
 - iii. Route 38 – Drawings 14929/C01 and 14929/C02 with the addition of an unbroken centre line in O’Sullivan Road from the boundary between No.213-215 O’Sullivan Road to Boronia Road.

Item No: Y5 Traffic Matters on Local Roads – Recommendation to C&E for Consideration.
Subject: **Bike Route 4: Along Victoria Road Between Bellevue Park Road and Victoria Road/Old South Head Road Intersection, Bellevue Hill**
Author: Lorna Oliver – Traffic & Transport Planner
File No: 256.G
Reason for Report: Plans adopted for implementation by Bicycle Working Party for consideration by Traffic Committee

Recommendation:

- A. That the plans for Route 4 detailed in drawing 14928/C02 for the section of the route including the bus shelter on Victoria Road and through the Victoria Road/Old South Head Road intersection be adopted for implementation.
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Item No: Y6 Traffic Matters on Local Roads – Recommendation to C&E for Consideration.
Subject: **Bike Route 25: Alternative Route to Edgecliff Station**
Author: Lorna Oliver – Traffic & Transport Planner
File No: 256.G
Reason for Report: Plans adopted for implementation by Bicycle Working Party for consideration by Traffic Committee

Recommendation:

- A. That the plans for Route 25 detailed in drawing 14932/C01 be adopted for implementation subject to review of bike access to the pedestrian crossing opposite Cameron Street.
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7. Late Item/Correspondence

Nil

There being no further business, the meeting concluded at 11.00am.

Warwick Hatton
Chair

Item No: D3 Delegated to Committee
Subject: **Woollahra Bike Plan - Bicycle Working Party Minutes - 22 March 2006**
Author: Greg Stewart – Manager, Public Infrastructure
File No: 256.G Working Party
Reason for Report: For the Committee to consider the recommendations of the Bicycle Working Party.

Recommendation:

THAT the Recommendations contained in the minutes of the Woollahra Bike Plan – Bicycle Working Party meeting held on Wednesday 22 March 2006, be adopted.

Greg Stewart
Manager – Public Infrastructure

Woollahra Bike Plan – Bicycle Working Party Minutes

22 March 2005

The Woollahra Bike Plan – Working Party meeting was held in the Committee Room, Council Chambers, Double Bay on Tuesday 22 March 2006, at 10.00am.

1. Attendances

Committee Members:

Present:	Mr Greg Stewart (Chairman)	(Woollahra Municipal Council)
	Mr Warwick Hatton	(Woollahra Municipal Council)
	Ms Lorna Oliver	(Woollahra Municipal Council)
	Mr Alan Opera	(Woollahra Municipal Council)
	Mr Navin Prasad	(RTA)
	Mrs Hylda Rolfe	(Vaucluse Progress Association)
	Mr Adrian Boss	(BIKEast)
	Mr John O'Neill	(Bicycle NSW)
	Mr Eric Yeung	(Sydney Buses)
	Ms Armodee Reece	(Woollahra Municipal Council)
Apologies:	Cr D Shoebridge	(Woollahra Municipal Council)
	Cr C Dawson	(Woollahra Municipal Council)
	Mr Graeme McBarron	(Waverley Municipal Council)
	Mr Alex Unwin	(Bicycle NSW)

2. Confirmation of Minutes of Meeting held on 21 February 2006

The Minutes of the Bicycle Working Party meeting held on 21 February 2006 were confirmed by Adrian Boss of BIKEast and Hylda Rolfe of the Vaucluse Progress Association.

3. Matters Arising from Minutes of Previous Meeting

Nil

4. Late Correspondence

BIKEast tabled a revised and updated bicycle parking schedule. BIKEast advised they have excluded all the previously installed racks at Edgecliff and Queen Street, Woollahra and have added some new locations at other centres resulting from their March 2006 review totalling 50 locations in areas of relatively high activity.

Mr Greg Stewart, Manager Public Infrastructure, informed the Working Party that Council would like to install 20 racks this financial year subject to funds being available. He proposed that Council work with BIKEast to identify priority locations (including an obvious concentration in Oxford Street) for bicycle racks. It was recommended that a small number of racks be installed and monitored at locations where demand may designate an increase in racks. The focal points for bicycle racks will be shopping centres and transport hubs. A report will be brought back to the Committee identifying the priority locations.

Mr Adrian Boss, representing BIKEast, raised the issue of Council pamphlets on completion of each Bike Route to advertise the route to the public. He noted that Willoughby Council have issued a pamphlet with combined bike/walk route information. BIKEast would like to see this type of brochure considered in the 2006/2007 budget. BIKEast would like to use these pamphlets in promotional activities. BIKEast also suggested a brochure in conjunction with Waverley Council to cover bike routes from Bondi to the City. Adrian requested that this issue be added to the next Agenda.

5. Items from Previous meeting

Nil

6. Matters for consideration by the Working Party

Item No: 6.1 Traffic Matters on Local Roads – Recommendation to C&E for Consideration.
Subject: **Traffic Calming: Route 9 – Victoria Road, Bellevue Hill**
Author: Lorna Oliver - Traffic & Transport Planner
File No: 256.G
Reason for Report: Draft plans with comments from BIKEast, assessed by Council, for consideration by Bicycle Working Party

Recommendation:

- A. That the modified plans detailed in drawings 14930/C00, 14930/C01, 14930/C02, 14930/C03 and 14930/C04 for Route 9 be adopted for implementation subject to the following:
- i. The deletion of the bicycle storage boxes at the intersection of New South Head Road.
 - ii. The inclusion of L1 lines through the pedestrian crossing outside No.16 Victoria Road at the entrance to Cranbrook School
 - iii. The traffic lane widths between Rose Bay Avenue and the curve of the road before Aston Gardens being modified from 3.5m and 4.3m to 3.2m and 4.6m respectively.
 - iv. The C4 line at the Bus Zone at Aston Gardens being increased to 3.2m from the adjacent kerb line
 - v. That subject to the proposed changes to the traffic signals on Victoria Road between Aston Gardens and Ginahgulla Road:

The green bike lane on the eastern side of Victoria Road being moved towards the kerb

The bike lane line on the western side of Victoria Road being extended to the traffic signals and moved towards the kerb

- vi. The traffic lane widths at the bend outside No.55 Victoria Road being increased from 3.2m to 3.5m if possible to accommodate buses.
 - vii. The traffic lane widths at the bend outside No.97 Victoria Road being increased from 3.0m to 3.4m (this modification may require the removal of some parking)
 - viii. The deletion of the storage boxes at the intersections of Victoria Road and Birriga Road and at the intersection of Victoria Road and Bellevue Road, but retaining the bike logos as marked.
- B. That the two stormwater grates on the south-western side of Victoria Road between Mansion Road and March Street be replaced with bicycle safe grates.

Item No: 6.2 Traffic Matters on Local Roads – Recommendation to C&E for Consideration.

Subject: **Traffic Calming: Route 34 – Bellevue Road, Bellevue Hill**

Author: Lorna Oliver - Traffic & Transport Planner

File No: 256.G

Reason for Report: Draft plans with comments from BIKEast, assessed by Council, for consideration by the Bicycle Working Party

Recommendation:

- A. That the plans detailed in drawings 14931/C00, 14931/C01 and 14931/C02 for Route 34 be adopted for implementation subject to the following:
- i. The proposed PS-2 logos on the western side of Bellevue Road approaching the intersection with New South Head Road being relocated to outside the boundary of No.164 & No.166 Bellevue Road and be marked in both travel lanes.
 - ii. The inclusion of L1 lines through the pedestrian refuge at Tarrant Avenue.
 - iii. The PS-2 logo outside No.146 Victoria Road being relocated to the boundary between No.148 and No.150 Victoria Road.
 - iv. The addition of a painted chevron island opposite No. 114 Bellevue Road.
 - v. That all proposed R7-1-4 signs placed on Bellevue Road where the bike lane linemarking is continuous being deleted (eg. Yamba Road, Bulkara Road, Kamabala Road, Fairweather Street, Rosslyn Street)
 - vi. The proposed C4 line on the southern side of Bellevue Road between Yamba Road and New South Head Road being approved but not implemented until the existing asphalt shoulder of this section of roadway is resurfaced as part of Council's Infrastructure Renewal Works.
 - vii. The join between the concrete and asphalt pavement on the eastern side of Victoria Road between New South Head Road and Rivers Street being joint sealed prior to implementation.

Item No: 6.3 Traffic Matters on Local Roads – Recommendation to C&E for Consideration.

Subject: Route 38 – O’Sullivan Road, Bellevue Hill
Author: Lorna Oliver - Traffic & Transport Planner
File No: 256.G
Reason for Report: Draft plans with comments from BIKEast, assessed by Council, for consideration by Bicycle Working Party

Recommendation:

- A. That the plans detailed in drawings 14929/C00, 14929/C01, 14929/C02 for Route 38 be adopted for implementation subject to the following:
- i. The bike lane on the eastern side of O’Sullivan Road commencing at the intersection with New South Head Road.
 - ii. The bike lane on the western side of O’Sullivan Road near New South Head Road being extended, if possible, to the northern boundary of No.57 O’Sullivan Road in the kerb side lane immediately adjacent to the kerb with the provision of a suitable kerb ramp at this location.

7. Next Meeting

The next meeting of the Bicycle Working Party is scheduled for 10am on Tuesday 16 May, 2006.

Meeting concluded at 11:20am

Greg Stewart
Chair

Item No: D4 Delegated to Committee
Subject: **Minutes of the Environmental Levy Community Reference Group Meeting Thursday 23 March 2006**
Author: Jamie Howieson – Project Manager Environmental Works
File No: 1142.G
Reason for Report: To report on the outcomes of the Environmental Levy Community Reference Group meeting held on Thursday 23 March 2006

Recommendation:

- A. That the minutes of the Environmental Levy Community Reference Group meeting, held on Thursday 23 March 2006, be received and noted.
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Background:

The Minister for Local Government gave approval for Council to implement an Environmental Levy in 2002 for a three-year period. This allows Council to implement a range of environmental improvements, which aim to preserve and protect the natural beauty of the Woollahra Municipality.

The role of the ELCRG is to:

- receive and review progress reports on the implementation of the EWP;
- annually review the EWP;
- promote the EWP and its environmental objectives for the community;
- liaise with the community and provide feedback on the implementation of the EWP; and
- assist Council in seeking supplementary funding opportunities.

Purpose:

The purpose of this report is to provide the Community and Environment Committee with a copy of the minutes of the Environmental Levy Community Reference Group meeting held Monday 23 March 2005. The minutes will provide the Committee with an update on a variety of issues related to the implementation of the Environmental Works Program (EWP), with the main issue being extension of the Environmental Levy.

Conclusion:

Reporting on the minutes of the ELCRG will keep Council informed on the progress and main developments of the various projects and initiatives associated with implementing the EWP. The minutes include the actions recommended by the Group for the Committee's consideration for adoption.



Jamie Howieson
Project Manager - Environmental Works

Warwick Hatton
Director Technical Services

Annexures:

Minutes of the ELCRG meeting of Thursday 23 March 2006.

**ENVIRONMENTAL LEVY COMMUNITY
REFERENCE GROUP (ELCRG) MEETING
MINUTES 12 December 2006**

(File 1142.G)

The meeting of the Woollahra Environmental Levy Community Reference Group was held in the Committee Room, Double Bay, on Monday 12 December 2005, at 4.00pm.

GROUP MEMBERS

Present: Cr Tanya Excell (Woollahra Municipal Council)
Professor Don White (Harbourview Residents' Group)
Mr Michael Rolfe (Vaucluse Progress Association)

Apologies: Professor Bruce Thom (Friends of Parsley Bay)

Absent: Cr Wilhelmina Gardner (Woollahra Municipal Council)
Mr Steve Guo (Double Bay Chamber of Commerce)
Ms Catriona Simpson (Vaucluse Public School)

STAFF

Mr Warwick Hatton (Director Technical Services)
Mr Jamie Howieson (Project Manager - Environmental Works)

1.0 ADOPTION OF MINUTES - Minutes of Meeting 8 June 2005

Moved: Cr Excell and Mr Rolfe.

Adopted.

3.0 BUSINESS ARISING FROM PREVIOUS MEETING

3.1 Resolution from 8 June 2005

Submitted by Jamie Howieson – Manager Environmental Works Program

Recommendation:

- B. That there be a report to the Corporate & Works Committee on the Atlantis proposal outlining how it could be used to treat the stormwater as part of the upgrade works considered for The Crescent, Vaucluse.*
- C. That staff respond to comments raised by the Harbourview Residents' Group on the Harbourview Park Stormwater Management Option Report.*
- D. That staff investigate the option of a MOU with NSW Maritime detailing harbour foreshore cleaning arrangements on Maritime land under the project titled Harbour Foreshore Cleaning in next year's Environmental Works Program.*

Update:

- B. A consultant has been engaged to carry out hydraulic analysis and to scope the project to incorporate the Atlantis technology to treat stormwater flows in addition to meeting flood mitigation objectives. The Group have been notified that the application for \$125,000 was successful for grant funding under the Estuary Management Program for the water treatment component. Report to Council will follow investigation work.*
- C. Meeting proposed with Harbourview Residents' Group to discuss comments raised on the report and to table proposals received from CDS for Gross Pollutant devices surrounding the park.*
- D. A question on notice response was draft and presented to Council on 22 August 2005. Copy of the response can be found on Council's website and a hard copy will be available at the meeting. This will be further developed under project titled Harbour Foreshore Cleaning and further updates will be provided to the committee in due course.*

It was brought to the Group's attention that Item E was missing from the resolution of 8 June 2005. This item is added below and was discussed at the meeting.

- E. That a review be conducted of the membership of the Environmental Levy Reference Group as a consequence of the renewal of the Environmental Levy.*

RECOMMENDATION ADOPTED BY THE GROUP

1. That the recommendation in B be carried forward.
2. That a meeting with the Harbourview Park Residents' Group be arranged in the New Year to discuss stormwater management options.

3. That staff write to current Group members to confirm their continued membership and, if necessary, advertise for new members in the New Year.

4.0 ITEMS FOR NOTING

4.1 Program Developments Since Last Meeting

Submitted by Jamie Howieson – Project Manager Environmental Works

Achievements since the last meeting:

Contracts Awarded

Parsley Bay Bush Regeneration Works.

Investigation works for Fisher Ave and Boronia Rd Drainage Upgrade.

Projects complete and underway

Hampden and Cecil Streets Drainage Augmentation complete.

Double Bay Seawall Restoration (Steyne Park and Double Bay Beach) 90% complete

Darling Point Seawall Restoration 75% complete

Spring Water Quality Monitoring of Cooper Park, Parsley Bay and Woollahra Golf Course complete.

Street Sweeping and Pit Cleaning Activities Review 90% complete

Camp Street, Watsons Bay, drainage works and road lowering is currently out to tender.

Environment Education & Action Program Brief developed.

RECOMMENDATION ADOPTED BY THE GROUP

That the information be noted.

4.2 Sydney Water's Stormwater Environment Improvement Program

Submitted by Jamie Howieson – Project Manager Environmental Works

Progressive updates have been reported to Council on this program. These updates were reported to Community & Environment meetings on 27 June, 22 August and 14 November 2005.

The latest update from Sydney Water is that the works have now commenced on Woollahra Wetland at the golf course and the sediment trap at the lower end of Cooper Park.

RECOMMENDATION ADOPTED BY THE GROUP

That the information be noted.

4.3 New Stormwater Bill

Submitted by Jamie Howieson – Project Manager Environmental Works

Attached, is the second reading in parliament outlining the new stormwater bill. The new levy proposes to collect \$25 per residential property and approximately \$100 per commercial property. In the Woollahra Local Government Area (LGA), which consists of approximately 23,800 residential properties and 1,450 commercial properties, this equates to approximately \$740,000 that could potentially be collected to spend on treating stormwater.

The Department of Local Government (DLG) is preparing a circular to all councils explaining the process in broad terms. This is to be published on the DLG web site in the near future.

The next step is that the Parliamentary Council's office is drafting the regulation to the bill passed in parliament. This is due for completion at the end of the year. After that and in consultation with DLG, the DEC then drafts the guidelines. The timeframe for the guidelines to be published is early next year.

Councils with an Environmental Levy (EL), with a stormwater component, will not be able to charge this new levy. It is proposed that Councils will be able to charge this new levy in 2007/08, which overlaps our last approved year of the Environmental Levy.

It appears, from enquiries to date, that we could have both an environmental levy and the new stormwater levy, as long as we go back to the DLG with a modified EL program that separates the stormwater component and demonstrates we are not attempting to double dip for collecting levies with the same objectives. The final guidelines will set these objectives.

Further updates will be provided to the group when the information is made available.

RECOMMENDATION ADOPTED BY THE GROUP

That the information be noted.

4.4 Environmental Education & Action Plan

Submitted by Jamie Howieson – Project Manager Environmental Works

The draft Environment Education & Action Plan (EEAP) was first reported to the Group in June 2004. The group, after a presentation from the consultant, recommended that:

1. The Group accepts the general thrust of the management actions identified in the Environmental Education and Action Plan prepared by GEMS Pty Ltd.
2. Following finalisation and Council adoption of the EEAP, copies be provided to the Group members.
3. A report be prepared for the next meeting on how the EEAP will be incorporated into the Environmental Works Program.

In response to (3), an environmental education project with a \$50,000 budget was incorporated in the revised EWP used in the application to extend the levy, which was approved by the Minister for another two financial years.

In response to (1) and (2), the next step now is to develop a program to be implemented this year and next. Using the EEAP as the source document, a consultant's brief for pricing is currently being developed. The EEAP sets specific projects covering six target groups with short, medium and long term priorities.

A draft brief will be tabled at the meeting for discussion. In support of this process, I propose that the group adopts the following recommendations:

RECOMMENDATION ADOPTED BY THE GROUP

1. That the Group supports the Conclusion of the EEAP of February 2004 and recommends that Council adopt the EEAP as the source document for future Environmental Education Programs.

2. That the Project Manager circulates the draft Environmental Education & Action consultants brief to Group members for comment.

5.0 GENERAL BUSINESS

No General Business Items were raised.

6.0 DATE AND TIME OF THE NEXT MEETING

March 2006, date and time to be advised.

Item No: D5 Delegated to Committee
Subject: **Woollahra Citizen of the Year Awards**
Author: Jo Jansyn, Cultural Development Coordinator
File No: 713.G
Reason for Report: Evaluation of 2006 Citizen of the Year Awards with recommendations for the future

Recommendation:

1. That the evaluation report on the 2006 Woollahra Citizen of the Year Awards be noted.
2. That the 2007 Woollahra Citizen of the Year Awards proceed as per the proposal outlined in this report.

Background:

At its 22 August 2005 meeting, the Community and Environment Committee elected to take part in the Australia Day Council 2006 NSW Local Citizen of the Year Awards in recognition of community members of Woollahra that have demonstrated excellent citizenship and contribution to the people of Woollahra.

A Citizen of the Year working party was established, including Councillors as nominated by the Mayor, key staff as nominated by the Director of Community Services and community representatives. In order to comply with the Australia Day Councils offer to provide the overall Citizen of the Year of each LGA with an Australia Post stamp sheet, the following timetable for the implementation of the Awards was as follows:

Date	Activity
June 2005	Interest registered with the Australia Day Council to participate in NSW Local Citizen of the Year Awards Program. There was no obligation to the program at this stage.
September 2005	Establishment of the Citizen of the Year Working Party. Working Party finalised judging criteria, categories and called for nominations through local media.
October 2005	Certificates and frames (free of charge) distributed by Australia Day Council.
November 2005	Nominations closed early November. Working Party assessed nominations and determined award recipients. Information to Australia Day Council for production of stamp.
30 January 2006	Woollahra Council's Citizen of the Year Award winners announced at the first Council meeting in 2006.

The Awards were advertised widely, with the assessment undertaken by the Citizen of the Year Working Party, consisting of Councillor Keri Huxley (Chair), Councillor Anthony Boskovitz, Kim O'Connor, Dr Mike Warczak and Jo Jansyn, Cultural Development Coordinator. Nominations were called for across the following categories;

Citizen of the Year
Young Citizen of the Year
Volunteer of the Year
Community Group of the Year
Sportswoman of the Year
Sportsman of the Year

A total of six nomination forms were received across only the categories of Citizen of the Year, Volunteer of the Year and Community Group of the Year. The one nomination for Community Group of the Year was deemed ineligible by the Working Party and another nominee in the Citizen of the Year category did not wish to accept the nomination. No nominations were received for the Young Citizen of the Year and Sportsman/woman of the Year categories.

Therefore, the final eligible nominations were for the Citizen and Volunteer of the Year categories and included;

Mr Ian Doyle of Double Bay - nominated by Constable John Rowe

Mr Lindsay Plowes of Watson's Bay – nominated by Paula Storey, Watson's Bay Neighbourhood Watch.

Mrs Elizabeth Warren of Bellevue Hill – nominated by Maree Walk, Benevolent Society.

Mrs Elizabeth Wolfe of Darling Point Road, Darling Point – nominated by Lurline Lane, Meals on Wheels Coordinator.

Nominees had all voluntarily undertaken activities that have enhanced the quality of community life and contributed to the well being of other people in the community.

At the meeting of Council on 30 January 2006, the Deputy Mayor presented Mrs Elizabeth Wolfe with the 2006 Woollahra Citizen of the Year Award and the remaining nominees were honoured with Certificates of Recognition.

Relationship to Management Plan/Cultural Plan

The adopted Management Plan (2005 – 2008) highlights the presentation of annual Woollahra Citizenship Awards as a core project for the sub-activity of Community Services Management. Goal 3 of the Woollahra Council Cultural Plan (November 2003) recognises *'that cultural programs within the community provide opportunities for community participation and fostering a sense of belonging, local identity and community well being.'* Recognition by Council of community members' contribution to the community also stimulates community spirit.

Evaluation

At a meeting of the Citizen of the Year Working Party on 16 November 2005, the following recommendations were made in relation to the future hosting of the Citizen of the Year Awards:

Review nomination form and categories,
Commence earlier promotion of Awards through Municipality to encourage more nominations. The Working Party suggested that adhering to the Australia Day Council timelines limited the amount of promotion that could be achieved locally.
Review benefits offered to recipients of the Awards.

Proposal:

It is recommended that Council continue with the presentation of the 2007 Woollahra Citizen of the Year Awards with guidelines reviewed and assessment undertaken by the current Working Party. At the time of writing of the report, the timeline and benefits of the Australia Day Councils NSW Local Citizen of the Year Awards Program are unconfirmed and it is not known whether the Australia Day Council will once again partner with Australia Post to offer a stamp sheet to each LGA. The benefits of linking with the Australia Day Councils include the provision of resources for the program at no cost such as frames and certificates, however the timing of the Australia Day Councils Program was found by the Working Party to be restrictive by not allowing enough time to promote the Awards Program locally.

It is recommended that Council proceed to promote the 2007 Woollahra Citizen of the Year Program according to the following timetable, and then link to the Australia Day Councils NSW Local Citizen of the Year Awards Program if appropriate.

Date	Activity
May 2006	Commence meeting of the Working Party to review judging criteria, nomination forms, categories and benefits to recipients.
July 2006	Nominations called through local media and community databases.
October 2006	Nominations close. Working Party assesses and determines award recipients.
January 2007	Woollahra Council's Citizen of the Year Award winners announced at time/activity to be determined.

The announcement of the Woollahra Citizen of the Year in close proximity to Australia Day was found to be appropriate, due to the significance of the meaning of Australia Day to many of our citizens. It also allows for the Woollahra Citizen of the Year to be invited to be a spokesperson at additional Council community events and/or citizenship ceremonies for the duration of the year. It is recommended that the timing of the announcement be held in January/February 2007, with the final decision to be determined through the Working Party.

Conclusion:

Through the Woollahra Citizen of the Year Program, Council will continue to recognise and honour the valuable contribution of community members of Woollahra.

Jo Jansyn
Cultural Development Coordinator

Kylie Walshe
Director, Community Services

Annexures:

1. Report to Community and Environment Committee on 22 August 2005

Item No: D6 Delegated to Committee
Subject: **DRAFT LIQUOR BILL 2005**
Author: Tim Tuxford, Manager - Compliance
File No: 762.G
Reason for Report: This report has been prepared in response to a Council 'Notice of Motion' adopted on 19 December 2005 which requested investigation of the impact of the draft Liquor Bill 2005 on the residents of the Municipality.

Recommendation:

That the Council writes to the Department of Gaming & Racing expressing the following views in relation to the draft *Liquor Bill 2005*;

1. There is a lack of information on how the community will be involved in the liquor licence application and disciplinary process. Liquor licence applications should be notified in a similar way to development applications, including direct notification of surrounding properties and the inclusion of public notices in local newspapers.
2. The Director of Liquor & Gaming's consideration of submissions on liquor licence applications and disciplinary action should not be limited.
3. Local government should be one of the stakeholders consulted with on the development of the requirements/regulations applying to social impact assessments.
4. The proposed standardised liquor trading hours are unacceptable and should be shortened, allowing extended trading hours only by exception.
5. The concept of "*order of occupancy*" must have regard to the nature of the occupancy and changes in the nature of occupancy as detailed in this report. The Director of Liquor & Gaming must not be able to set aside a complaint in relation to noise and disturbance solely on the concept of "*order of occupancy*" without having regard to all elements of the occupancy. The Director must be required to consider all submissions received, having regard to the above matters.
6. The standards set by Local Liquor Accords must be mandatory for both members and non-members of the Accord.

Notice of Motion:

At the Council meeting of 19 December 2005 the following notice of motion was adopted;

"That a report be brought to the Community & Environment Committee that investigates the impact of the proposed 'draft gaming and liquor legislation [Liquor Bill 2005] on the residents of Woollahra Municipality, particularly in relation to the following:

- (i) *investigates how the draft bill may impact on Council's current community consultation process,*
- (ii) *Hours of operation of licensed premises,*
- (iii) *Social impact on the local amenity in terms of vandalism, noise, potential drunken behaviour."*

Draft Liquor Bill 2005:

The consultation papers prepared by the Department of Gaming & Racing state that the draft *Liquor Bill 2005* implements the reforms recommended by the 2003 National Competition Policy review of the liquor and club management laws. It is a complete rewrite of the current liquor licensing laws and proposes comprehensive changes to the liquor regulatory framework to reduce complexity and costs. The Bill has been written in “Plain English” and reduces the number of sections of the previous legislation by 30% and the number of words by 40%.

The Government states that the “[R]eforms in the Liquor Bill support the Government’s program to reduce harm associated with alcohol abuse, and promote a culture of responsible service and consumption of alcohol. They also help to promote industry sustainability and integrity and enhance access to the liquor licensing system for industry and the community.”¹

Some of the more significant changes proposed by the draft Bill are discussed below.

A single new Act for the regulation of liquor sales

The proposed new Liquor Act would regulate all liquor sales, including those on licensed (registered) clubs. The *Registered Clubs Act 1976* would be renamed to *Clubs Management Act 1976* and would focus on the regulation of club management and governance issues.

Simplification of the liquor licence categories.

It is proposed to reduce the number of liquor licence categories from 21 down to 8. The proposed categories are;

- Hotel licences
- Club licences
- On-premises licences
- Packaged liquor licences
- Producer/wholesaler licences
- Limited licences
- Special facility licences
- Special event licences

There will be separate forms of on-premises licences for restaurants, motels, public halls, theatres, universities, airports, vessels and caterers.

Simplification of the administrative-based liquor licensing system

There will no longer be a Liquor Administration Board (LAB) or the Licensing Court of NSW. The Director of Liquor & Gaming will take over from the Licensing Court of NSW and the LAB in determining liquor licence applications and disciplinary matters in the first instance.

Decisions of the Director of Liquor & Gaming will be appealable to the proposed new Liquor & Gaming Court and will be subject to the usual principles of procedural fairness that govern the use of statutory powers.

Flowcharts depicting the proposed Liquor Licence Application and Disciplinary Action processes are attached as Annexure “1” and “2”.

¹ Page 1 Liquor Bill 2005, Liquor and Gaming Court Bill 2005 Consultation Drafts Summary of Provisions, November 2005

Licensees and interested persons (including residents) can make submissions in applications and disciplinary matters.

This is a sound principle, however the effectiveness of this change will be in the detail.

The draft Bill states that an application for a licence must be advertised in accordance with the regulations, however there is no detail on how this will occur. Further, the Bill states that submissions must be in accordance with the regulations and the Director will only be “*required to consider submissions that relate to issues or matters that have not been addressed by a social impact assessment under Division 2.*”²

The City of Sydney submission on the Bill recommends that the Bill and its regulations must ensure greater community awareness of licence applications and Ms Clover Moore MP suggests that licence applications should be notified in a similar manner to local government development applications.

If residents are not aware of a licence application, they are unable to make submissions. Also, once a submission is made, the Director’s consideration of that submission should not be limited.

Extension of the social impact assessment process

*“A social impact assessment examines the social impact of the proposed licensed venue, or a proposed change to an existing venue. It is prepared by the applicant, and (in many cases) must be advertised and made available for public comment.”*³

The Social Impact Assessment (SIA) process is a primary tool for minimising harm to amenity and safety, including crime and neighbourhood disturbance. Different SIAs will apply to different types of licensed venues, with the comprehensiveness of the SIA relating to the level of potential alcohol related harm.

The draft Bill identifies when a SIA will be required and states that a relevant application can not be granted until a SIA has been provided to and approved by the Director. However, the draft Bill provides little information on what is required in a SIA, other than to state that it may be specified in the (yet to be drafted) regulations.

The consultation paper prepared by the Department of Gaming & Racing states that SIA requirements will be settled on in consultation with stakeholders. It is considered imperative that local government is included among these stakeholders and is provided an opportunity to comment on any draft regulations pertaining to social impact assessments.

Importantly, draft Clause 46 states that the Director may only approve a SIA when the Director is satisfied that the SIA complies with the Act and Regulations and “*the overall social impact of the application being granted by the Director will not be detrimental to the local community or the broader community.*”⁴

² Clause 40 (2) Liquor Bill (Consultation Draft) 2005

³ Page 9 Liquor Bill 2005, Liquor and Gaming Court Bill 2005 Consultation Drafts Summary of Provisions, November 2005

⁴ Clause 46 (1)(a) Liquor Bill (Consultation Draft) 2005

Standardisation of liquor trading hours

The draft Bill proposes to standardise the liquor trading hours for retail on and off-premises sales from 5.00am to midnight seven days a week, except where limitations have already been imposed by the Licensing Court or the Liquor Administration Board (LAB). Any extended trading hours past midnight currently approved under the Liquor Act will automatically remain in force as an extended trading authority.

The standardised trading hours will be achieved by the introduction of a “*standard trading period*” which means;

“(a) *the period from 5.00am to midnight, or*

(b) if the regulations prescribe a shorter period – the period as so described.”⁵

The above standard trading hours would apply to each day of the week other than Good Friday or Christmas Day, which are referred to as restricted trading days and 31 December where trading can occur up until 2.00am, unless otherwise approved.

Provisions also apply for “*special event*” days where extended trading hours may be prescribed.

The proposed changes to the trading hours would not override any existing conditions of development consent or limit Council’s right to enforce those conditions pursuant to the provisions of the *Environmental Planning & Assessment Act 1979*. In addition, Council could continue to impose development consent conditions that were more restrictive than the proposed standard trading hours, where it was considered appropriate and in the public interest.

However, there are a number of licensed premises operating in our Municipality that do not have any development consent conditions that limit their trading hours. Therefore the trading times of these licensed premises will be solely controlled by the Liquor Act.

To understand the possible impact of the proposed standardisation of trading hours the following table has been prepared. This table looks at the existing development consent and liquor licensing restrictions that apply to a sample number of licensed premises in our area. It also describes what could happen to the trading hours of each of these premises if the draft Bill was passed.

Premises	DA Consent Trading Hours	Liquor Licence Trading Hours	Possible Implications of ‘Standard Trading Period’
London Tavern 85 Underwood St PADDINGTON	Nil	5am – midnight, Mon – Sat 10am – 10pm, Sunday	Even though development application DA 371/2000 was refused for extension of trading hours on Fri, Sat & Sun, trading on Sunday could extend from 5am to midnight without approval unless limitations have already been imposed by the Licensing Court or the LAB.
Four in Hand Hotel 105 Sutherland St PADDINGTON	Nil	5am – midnight, Mon – Sat 10am – 10pm Sunday	Trading on Sunday could extend from 5am to midnight without approval unless limitations have already been imposed by the Licensing Court or the LAB.
Windsor Castle Hotel 72 Windsor St PADDINGTON	Nil	10am – 11pm, Mon – Sat Noon – 10pm, Sunday	Trading hours were restricted by the Licensing Court following a Section 104 complaint. Therefore it is assumed these hours would remain unchanged, without a further application.

⁵ Clause 6 (1) Liquor Bill (Consultation Draft) 2005

Premises	DA Consent Trading Hours	Liquor Licence Trading Hours	Possible Implications of 'Standard Trading Period'
Paddington Inn 338 Oxford St PADDINGTON	Nil	10am – 1am, Mon – Sat 10am – midnight, Sunday	Even though development applications DA 889/2002 & DA 840/2003 were refused for extended trading hours on Fri & Sat, trading could commence at 5am Mon – Sun without approval unless limitations have already been imposed by the Licensing Court or the LAB.
Unicorn Hotel 102 Oxford St PADDINGTON	Nil	5am – 3am, Mon – Sat 10am – midnight, Sunday	Trading on Mon – Sat would remain unchanged. Trading on Sunday could commence at 5am without approval unless limitations have already been imposed by the Licensing Court or the LAB.
Prunier's Chiswick Gardens 65 Ocean St WOOLLAHRA	Noon – 11.30pm, Mon-Sat Noon – 10.30pm, Sunday (Development Consent DA 366/2000 for Place of Public Entertainment)	Noon – midnight, Mon-Sat Noon – 10pm, Sunday	It may be possible for trading to commence at 5am on Mon – Sat and extent from 5am to midnight on Sunday without approval if there is no entertainment and limitations have not already been imposed by the Licensing Court or the LAB.
Golden Sheaf Hotel 427 New South Head Rd DOUBLE BAY	7am – 1am, Mon – Wed 7am – 2am, Thu – Sat 7am – midnight, Sunday	As per development consent DA 58/2002	Existing trading hours could not be changed without development consent.
Cheri Jam Night Club Level 1, 16 Cross St DOUBLE BAY	Noon – 3am, Mon - Sun	As per development consent DA 334/1998	Existing trading hours could not be changed without development consent.
Rose Bay Hotel 805 New South Head Rd ROSE BAY	5am – 1am, Mon – Sat 10am – 10pm, Sunday	As per development consent DA 2/1997	Existing trading hours could not be changed without development consent. A Section 96 application is currently pending.
Watsons Bay Hotel 10 Marine Pde WATSONS BAY	Nil	5am – midnight, Mon – Sat 10am – 10pm, Sunday	Trading on Mon – Sat would remain unchanged. Trading on Sunday could extend from 5am to midnight without approval unless limitations have already been imposed by the Licensing Court or the LAB.
Gap Tavern 27 Military Rd WATSONS BAY	Court issued consent DA 185/1995 states as per liquor licence conditions	No start time – midnight, Mon – Sat No start time – 10pm, Sunday	Trading on Mon – Sat could commence at 5am and trading on Sunday could extend from 5am – midnight without approval unless limitations have already been imposed by the Licensing Court or the LAB.

Of the 11 sample premises listed above, six (54.5%) do not have their trading hours limited by development consent. Of the remaining five, only the trading hours of three (27.3%) are fully controlled by development consent. The development consent of one property is conditioned to require its trading hours to comply with its liquor licence conditions and another the trading hours controlled by development consent only relate to the operation of a place of public entertainment.

Accordingly, it is considered that the trading hours of seven (63.6%) of the above premises may be able to be changed either by opening earlier or closing later on one or more days, if the draft Bill was passed, without the need for any referral to the Council or the local community. As is evident by the location of the sample premises, many of these changes could be occurring in closely settled residential neighbourhoods.

While the standardisation of trading hours may have merit, it is considered that the times proposed by the draft Bill are unacceptable, especially in residential areas. If standardised trading hours are to be implemented, they should be shortened, so early opening and late closing is the exception rather than the rule.

Neighbourhood harm issues

Liquor harm is stated to be a primary object of the draft Bill and neighbourhood harm issues are considered through the social impact assessment process and the noise/disturbance complaint mechanism. The complaint mechanism is similar to the current provisions, providing opportunity for local residents, businesses and councils to lodge a complaint in relation to noise and disturbance from a licensed premise. Such complaints are to be in writing.

Under the draft Bill it is proposed that noise/disturbance complaints will be considered by the Director of Liquor & Gaming instead of the LAB and aggrieved complainants can appeal the Director's decision to the proposed new Liquor & Gaming Court.

A flowchart comparing the noise/disturbance complaints mechanism under the existing and proposed legislations is attached as Annexure "3".

A major difference, and potential for concern, is the introduction of the "*order of occupancy*" concept. In Clause 73 (12) of the draft Bill, it states the Director shall not make a decision on a complaint before considering the following;

- "(a) the order of occupancy between the licensed premises and the complainant,*
- (b) any changes in the licensed premises and the premises occupied by the complainant, including structural changes to premises,*
- (c) any changes in the activities conducted on the licensed premises over a period of time."*

"*Order of occupancy*" is not defined in the Bill and the Bill does not provide any guidance on the relative significance that should be attached to any of the above matters. However, the above provisions do imply rights based on prior occupancy and this could limit the redress available to residents where a licensed premises is already in operation.

While the draft legislation does acknowledge that the nature of occupancy may change over time, it only partly acknowledges the elements that could contribute to this change. It is difficult to know whether a simple increase in clientele or a change in clientele, which may impact on the amenity of surrounding residents and the "*quiet and good order*" of the neighbourhood, would constitute a change in activity or if any complaint that might be lodged under these circumstances would be set aside due to the "*order of occupancy*" concept.

The City of Sydney submission on the Bill recommends that "*order of occupancy*" should be determined by taking into account the nature of occupancy and changes in the nature of occupancy. In this regard the City of Sydney argues that any of the following matters could result in a change of the "*order of occupancy*";

- Changes in the physical structure of the licensed premises;
- Changes in the operation, management, marketing or promotion of the licensed premises;
- Changes in the trading hours of the licensed premises, even if they are still within the standardised trading hours;
- Changes in the intensity of use of the premises;

- Changes in the activities conducted on the premises; and
- Changes in the clientele of the licensed premises.⁶

The above position is supported and the Director should not be able to set aside a complaint solely on the concept of “*order of occupancy*” without having regard to all elements of the occupancy. The Director must be required to consider all submissions received, having regard to the above matters.

Local Liquor Accords

The draft Bill defines a local liquor accord as;

“any code of practice, memorandum of understanding or other arrangement:

- (a) that affects the supply of liquor, the opening and closing of licensed premises or other aspects of the management of or conduct of business on licensed premises, and*
- (b) that is entered into, in accordance with this Part, for the purpose of eliminating or reducing alcohol-related violence or anti-social behaviour or other alcohol-related harm.”⁷*

Local liquor accords may include licensees, a representative or nominee of the Department, Police representatives, Council representatives, commercial groups including Chambers of Commerce, community or resident groups or any other person or group prescribed by the regulations. An accord could, among other things, control by agreement the following;

- Trading hours, which could be more restrictive than the “*standard trading period*” provided for in the draft legislation;
- Use of glass containers;
- Provision of security;
- Installation of close circuit television;

The draft Bill provides that before an accord takes effect, it must be approved by the Commissioner of Police and the Director of Liquor & Gaming.

Local liquor accords are not mandatory and there is no obligation for licensed premises to be members of an accord. Further there is no obligation on non-members of a local liquor accord to comply with the standards that have been set by an accord. It is implied by the explanatory documentation prepared by the Department of Gaming & Racing that it would be open to an Accord to lodge a complaint with the Director of Liquor & Gaming to have action taken where recalcitrant venues undermine the success of liquor accords. The effectiveness of this approach is questionable.

Local liquor accords have the potential to reduce alcohol related crime and disorder for specific locations and they could provide a mechanism for local community groups to have direct input into what is considered an acceptable standard. Also, accords could be an effective mechanism to open the lines of communication between community groups and licensed premises.

However, the standards set by a local liquor accord needs to be mandatory for both members and non-members and this should be supported by the proposed legislation. If this was the case it is more likely that all licensed premises would become involved in a local liquor accord.

⁶ Page 8 City of Sydney Draft Liquor Bill 2005, Draft Liquor and Gaming Court Bill 2005 Submission

⁷ Clause 115 Liquor Bill (Consultation Draft) 2005

Consideration:

The previous section of this report details the proposed changes contained in the draft *Liquor Bill 2005* that are likely to specifically impact on the residents of the Woollahra Municipality. The following additional comments are provided to address the matters raised in the Council's notice of motion of 19 December 2005.

Impact of draft Bill on Council's current community consultation process

Council's current community consultation process on development applications is open and inclusive. Residents that may be directly affected by a proposed development are notified in writing and a public notice is also included in the local newspaper. Objectors to development applications are invited to attend either the Application Assessment Panel or the Development Control Committee and make verbal submissions, before a matter is determined.

Where a development application is required for a licensed premises, there will be no change to the above consultation process. The draft Bill does not change or alter the requirements of the *Environmental Planning & Assessment Act 1979* or Council's existing planning and development controls.

The draft Bill still provides for community involvement in liquor licence applications and disciplinary matters, however there is no detail at this time on how this might occur. Furthermore Clause 40 of the draft Bill limits the Director of Liquor & Gaming's consideration by stating that "*the Director is only required to consider submissions that relate to issues or matters that have not been addressed by a social impact assessment*"⁸. Such a limitation is considered inappropriate.

The expansion of the social impact assessment process will also provide for community involvement, as an SIA will, in many cases, be advertised and made available for public comment.

Hours of operation of licensed premises

As detailed previously, the draft Bill introduces a "*standard trading period*" and the potential impact of this change was illustrated in the earlier table that examined the existing development consent and liquor licensing restrictions that apply to a sample number of licensed premises in our area. The table described what may occur to the trading hours of each of the sample premises if the draft Bill was passed.

Of the 11 sample premises listed earlier in this report, it is considered that the trading hours of seven (63.6%) of them may be able to be changed either by opening earlier or closing later on one or more days, if the draft Bill was passed. It is likely that this would be able to occur without the need for any referral to the Council or the local community.

The Vaucluse Progress Association (VPA) state that "[T]he format of the legislative draft contemplates the reduction of trading hours by consent within the framework of a Liquor Accord, so resident groups like ours might perhaps anticipate participation in the making of such an accord locally."⁹ The VPA correctly states that the reduction of hours through this process would only occur after it has been shown that the extended trading hours are creating a nuisance and an unacceptable disturbance to the community.

Accordingly, as stated previously, if standardised trading hours were to be introduced they should be shorter than what is currently proposed in the draft Bill.

⁸ Clause 40 (2) Liquor Bill (Consultation Draft) 2005

⁹ Page 7 Vaucluse Progress Association Newsletter 3 January 2006

Social impact on the local amenity in terms of vandalism, noise, potential drunken behaviour

If trading hours of licensed premises were to be increased it is considered that there would be a definite social impact on the local amenity. The Department of Gaming & Racing may argue that this has been contemplated by the draft legislation and changes have been proposed to address this concern. However, the changes would only apply once it was demonstrated that there was an adverse impact on the local amenity.

Interestingly, it was reported in the Sydney Morning Herald on 2 February 2006 that “*a government plan to extend opening hours for pubs may be overturned after a big leap in assaults was linked to the irresponsible service of alcohol.*” The article reported that the Premier, Morris Iemma said that allowing pubs to stay open may have been a factor in increasing assault rates and the NSW Government may change a draft law to further extend trading hours.

The draft Bill describes how the social impact of a ‘licensed premises’ operations should be assessed on a site by site basis or at a micro level. However, there is no indication that there has been a full assessment of the social impact of the proposed legislation at a macro level. Has the government considered the broader social impact?

Simply, there would be a greater availability of alcohol and with the increasing numbers of gaming machines in hotels, greater access to gambling. What will this lead to - increased violence or other crime; increased addiction; increased underage drinking; increased family break-up? It is unclear whether the State Government has fully addressed these issues

Conclusion:

While the period for submissions on the draft Bill closed on 20 January 2006, it is recommended that the Council writes to the Department of Gaming & Racing expressing the following views;

1. There is a lack of information on how the community will be involved in the liquor licence application and disciplinary process. Liquor licence applications should be notified in a similar way to development applications, including direct notification of surrounding properties and the inclusion of public notices in local newspapers.
2. The Director of Liquor & Gaming’s consideration of submissions on liquor licence applications and disciplinary action should not be limited.
3. Local government should be one of the stakeholders consulted with on the development of the requirements/regulations applying to social impact assessments.
4. The proposed standardised liquor trading hours are unacceptable and should be shortened, allowing extended trading hours only be exception.
5. The concept of “*order of occupancy*” must have regard to the nature of the occupancy and changes in the nature of occupancy as detailed in this report. The Director of Liquor & Gaming must not be able to set aside a complaint in relation to noise and disturbance solely on the concept of “*order of occupancy*” without having regard to all elements of the occupancy. The Director must be required to consider all submissions received, having regard to the above matters.
6. The standards set by Local Liquor Accords must be mandatory for both members and non-members of the Accord.

Tim Tuxford
Manager - Compliance

Allan Coker
Director - Planning & Development

Annexures:

1. Flowchart developed by the Department of Gaming & Racing comparing the current and proposed liquor licence application system.
2. Flowchart developed by the Department of Gaming & Racing comparing the current and proposed disciplinary action process.
3. Flowchart developed by the Department of Gaming & Racing comparing the current and proposed noise/disturbance complaints process.

Item No: R1 Recommendation to Council
Subject: **Vaucluse Bowling Club**
Author: Kylie Walshe
File No: 329.80VC
Reason for Report: To outline a new proposal for Council to sub-lease the facility at Vaucluse Bowling Club.

Recommendation:

- A. That Council approve the preparation of the legal documentation required for a sub-lease or licence agreement with Vaucluse Bowling Club for the management of the Vaucluse Bowling Club facility by Council for a period of 5 years.
- B. That the terms of this sub-lease or licence include an annual fee of \$35,000 per annum to Vaucluse Bowling Club, adjusted per annum for CPI, and the terms listed in this report.
- C. That the legal documents be presented back to Council for adoption.

This report details a new proposal for Councils consideration that will secure a community facility for use by the people of Woollahra on a longer tenure than the agreement adopted by Council in October 2005.

This report is in two sections, the first detailing the proposal and the community need that it will address, and the second outlining the recommended implementation should the proposal be adopted by Council.

1. THE PROPOSAL

Background:

Vaucluse Bowling Club (the Club) is located at 80 New South Head Road, Vaucluse. It is on Crown Land, reserved for public recreation and zoned General Recreation. The Bowling Club is a voluntary run, non-profit organisation. The club has a lease with the Department of Lands due to expire on 31 December 2011, with an option to continue in this lease for an additional 25 years.

As reported to Council on 10 October 2005 (Annexure 1), Council has entered into an agreement to use the club facility of Vaucluse Bowling Club to conduct community activities. The resolution was:

- a) *That a partnership arrangement be entered into with Vaucluse Bowling Club, with the execution of this agreement delegated to the Mayor.*

Following this resolution an agreement was drafted to provide the Club with a payment and, in return, the facility to be available for use by Council three days per week for community activities. Council then provided this funding in October 2005 (\$12,000) and began the development of activities at the facility.

Update on Activities at the Club

Council has not commenced any community activities at the Club facility to date due to a number of reasons, as outlined below.

The Club experienced difficulties with the caterer at the facility, resulting in the Club giving notice to this caterer for breach of the agreement. Due to the conflict around this action in January, Community Services put off the commencement of activities until February or March, 2006. The caterer left the facility on 31 January 2006, leaving the Club facility in a state that made it unable to be used for community purposes.

At the time that the caterer quit the facility the Management Committee of the Club met to discuss the future operation of the Club and the severe financial difficulties that it was experiencing. The Director Community Services was invited to discuss various management options with this Committee, with the Committee determining to offer the facility to the Council through a sub-lease, with the Council managing and operating the facility for a period of up to 5 years, which is when the lease with the Department of Lands is up for renewal. See attached letter from the Club in Annexure 2. This sub-lease would be in return for some financial payment by Council, to ensure the continued financial viability of the Club to maintain the bowling greens and surrounding areas for the purpose of lawn bowls activities.

Proposal:

The proposal is that Council enter into a sub-lease or licence agreement with Vaocluse Bowling Club to manage and operate the Club facility, for a period of five years. The lease held by the Club with the Department of Lands allows for sub-leasing of the site, with approval from the Minister required prior to the execution of any sub-lease. Discussions have been held with the appropriate officer in the Department of Lands who, whilst unable to commit to the approval of the Minister, is supportive of the proposal. This sub-lease would be for the majority of the facility, excluding a small caretakers flat that is currently occupied and the small Club office within the building. The caretakers flat would remain the responsibility of the Club until such time as the current occupant vacates the premises. At this time Council could renegotiate for the sub-lease of the entire building.

In order to pursue this proposal further, legal documentation would need to be drafted and executed, with the following terms included:

Organisation	Responsibility
Vaocluse Bowling Club	Continues to hold the lease with the Department of Lands Sub-leases or licences facility to Woollahra Municipal Council for an agreed fee. Maintains the facility external structure and fabric. Maintains all external areas, bowling greens etc Manages the arrangement regarding the tennis courts. Has exclusive use of the facility on designated days and times, as detailed in the lease agreement.
Woollahra Municipal Council	Holds a sub-lease or licence with Vaocluse Bowling Club for the facility only, not external areas. Pays sub-lease fee to the Club, amount to be agreed between Council and the Club. Manages facility, including facility hire for private parties, activities and use for community and recreation purposes. Collects and retains all hire fees, with a small percentage of the fee from private functions to be provided to the Club.

Organisation	Responsibility
	Cleans and manages facility to required level for public use. Maintains the internal areas of the facility, including painting, carpets, furniture etc. Is responsible for outgoings for the building, including water, electricity, telephone, gas, security, general contracts, cleaning etc.

The current usage of the facility by Club members is generally restricted to Tuesday and Saturday between the hours of 11am and 3 pm. This use is mainly on the first bowling green, and access to the facility is required at these times. It is recommended that the sub-lease agreement include an upper limit on the amount of days or hours that the facility is used by the Club, allowing Council the opportunity to program activities and functions at all other times.

Should Council approve this proposal it is recommended that during the 5 year sub-lease period that Council negotiate a longer term leasehold securing the land for community purposes well into the future.

Options – Vacluse Bowling Club:

When considering the future relationship with Council the Management Committee of the Club considered four options, the proposal as outlined above and the three below.

- a. Hire agreement or license the facility to Council for use at set times and days, with a caterer or agent to manage at other times.
- b. Hire agreement or license the facility to Council for use at set times and days, with Vacluse Bowling Club committee managing the facility.
- c. Sub-lease for management of the whole site to Woollahra Municipal Council.

The option proposed in this report was chosen by the Club as it allows the Club to retain overall control and management of the entire site, whilst divesting their responsibilities in the management and operation of the facility. It is also unknown whether Option C would be approved by the Minister for Lands.

Demonstrated Community Need for Community Facilities:

The Social Needs Study adopted by Council in August 2005 demonstrated that there is a shortage of community facilities to conduct community and recreational programs in Vacluse Ward for a range of target groups, including young children, families and older people.

It is shown on the Map of Community Facilities (Annexure 3) that Council has two facilities in operation in Vacluse Ward. These are the library space within Dunbar House and the Gunyah, Watsons Bay. These are both suitable for certain activities but are unsuitable for use by some target groups, namely older people, people with disabilities and families with young children. These limitations were set out in the report to Community & Environment of 10 October 2005.

The main generalist community facilities are all located in the other Wards, with the use of these facilities predominantly by residents that live in close proximity to these facilities. The shortage of public transport from one end of the Municipality to the other and limited parking throughout the area also limits the catchment areas of these facilities and supports the need for an accessible community space in Vacluse Ward. Annexure 3 highlights the location of Vacluse Bowling Club in relation to other community facilities.

The proposal of this report has been assessed to determine whether it will meet the identified gap in the provision of community facilities in the suburbs of Rose Bay, Vaucluse and Watsons Bay. This assessment included a review of existing community facilities and whether they are adequate or have the potential to be adequate for the community they serve.

In the Vaucluse Ward existing facilities that provide community, recreation and social activities and are hired for use for community purposes, include:

- Watsons Bay Branch Library, Dunbar House
- The Gunyah, Watsons Bay
- Vaucluse Bowling Club, Vaucluse
- Diamond Bay Bowling Club, Vaucluse
- Rose Bay RSL, Rose Bay
- Woollahra Golf Club, Rose Bay
- Eastern Suburbs Rugby Club, Rose Bay
- Rose Bay Croquet Club, Rose Bay
- Rose Bay Cottage, Rose Bay

A number of these have the potential to provide improved community space through partnerships, renovations and/or promotion and marketing, but Vaucluse Bowling Club provides the only opportunity for an accessible multi-purpose community facility.

A number of government agencies have produced benchmarks for the provision of community facilities, with the benchmarks ranging from 1 community centre per 10,000 people (Department of Community Services) to 1 community centre per 10,000 - 20,000 people (Commonwealth Department of Housing and Regional Development). As Vaucluse Ward has 18,028 residents, based on the 2001 Census, it could be said that the provision of a multi-purpose community facility, such as this proposal, would meet community need in this area.

It should be noted, however, that there are limitations when using benchmarking to assess need and that the needs of specific communities should also be taken into consideration when assessing the adequate provision of community facilities. It is recommended that this further analysis be undertaken through the proposed Property Assets Study. However, this benchmarking and the ability for this proposal to meet demonstrated community need indicate that this proposal should be adopted and implemented. With the adoption of this proposal it is also recommended that no other new facilities be pursued by Council in Vaucluse Ward until the Property Study is complete.

2. IMPLEMENTATION OF THE PROPOSAL

Options - Management of the Facility

Should this proposal be adopted there are a number of models that could be used by Council in the management of the facility. These include:

- a) Manage the facility off-site through the hall hire management system currently used for the hiring out of other Council facilities. This will require the establishment of a secure system to hire the facility out for private functions and activities, such as bond deposits, security surveillance and a system for inspections of the facility by potential hirers.
- b) Manage the facility on-site using a management structure similar to that of EJ Ward Community Centre. This model has a full time Centre Coordinator, part time cleaner/ caretaker and a part/time activities officer.

Should Council approve this proposal it is proposed that the facility be managed off-site in the first instance, with a review of the management of the facility by Council undertaken in 12 months. This will allow sufficient time to promote the facility and gauge the ongoing demands for the facility.

Use of the Facility

Whilst negotiations have been continuing regarding the tenure of the facility research into the types of activities and uses of the facility has been undertaken. Based on the number of enquires received by the Club for private functions it is anticipated that a minimum of two (2) private functions per week is a conservative estimate. The types of enquires for the facility include functions such as bar mitzvahs, birthday parties, anniversaries and functions for groups such as Probus. Once the facility is promoted and in good condition it is anticipated that this use will increase, bringing in an income of approximately \$25,000 per annum.

In regards to community use, the Activities Officer, currently providing activities at EJ Ward Community Centre and Canonbury Cottage, will commence a minimum of 2 activities for older residents. These will be offered at cost recovery and include gentle exercise, cards, book club and dance activities to be held on weekdays. Holdsworth Street Community Centre has also expressed a desire to commence the programming of activities at the facility, starting with an arts and crafts activity for seniors on Thursdays and playgroups a couple of times a week.

To further determine the potential use of the facility, a survey of all residents in Vaucuse Ward will be undertaken as a matter of urgency should this proposal be adopted by Council. Discussions will also be held with key service providers regarding potential use of the facility.

Identification of Income & Expenditure:

It is recommended that Council enter into a sub-lease or licence with Vaucuse Bowling Club, with an estimated cost of \$50,000 per annum. This has been accounted for in the 2006/07 draft budget. This amount will include a fee to the Club, with \$35,000 per annum requested by the Club to cover the rent fee to the Department of Lands for each year and basic maintenance of the external areas of the site. The remaining funds will be used by Council to maintain the interior of the building and cover items such as security, general contracts and cleaning. If Council wishes to employ a full time centre coordinator and provide a drop-in type centre it is anticipated that this cost could increase. However, this increased cost may be ameliorated in some way by increased usage and hire income.

The facility also requires some up front capital costs, as identified in a detailed risk assessment conducted in early 2006. This assessment found that the facility is below standard for the operation of a community facility. Approximately \$50,000 is required to provide the necessary fire safety equipment and signs, appropriate furniture and to provide a safe environment for community use. This capital cost has also been included in the draft 2006/07 budget, should this proposal be accepted by Council.

CONCLUSION:

This proposal provides Council with an opportunity to provide appropriate community space in Vaucuse Ward, with the potential for a large community return for a relatively modest investment. Using benchmarks it is also considered that by securing this facility Council is moving towards meeting community need and best practice in the provision of facilities for community purposes in Vaucuse Ward.

Kylie Walshe
Director Community Services

- Annexure 1: Report to Community & Environment, 10 October 2005
- Annexure 2: Correspondence from Vaocluse Bowling Club, 2 March 2006
- Annexure 3: Map of Community Facilities in Woollahra

ANNEXURE 1

Item No: R Recommendation to Council
Subject: vaocluse bowling club
Author: Kylie Walshe
File No: 329.80VC
Reason for Report: To outline the opportunity for Council to enter into a partnership with Vaocluse Bowling Club.

Recommendation:

- a) That a partnership arrangement be entered into with Vaocluse Bowling Club, with the execution of this agreement delegated to the Mayor.
- b) That this resolution be referred to full Council as a matter of urgency.

Background:

This report details an opportunity to assist a worthy community organisation and secure Vaocluse Bowling Club as a community facility for use by the people of Woollahra.

Vaocluse Bowling Club is located at 80 New South Head Road, Vaocluse. It is on Crown Land, reserved for public recreation and zoned General Recreation. The Bowling Club is a voluntary run, non-profit organisation. The club provides facilities for a large cross section of the community, operating similar to a seniors club providing bowls as a healthy recreation activity. The club has a lease with the Department of Lands due to expire in 2016, with an option to continue in this lease for an additional 25 years.

The current usage of the facility by Club members is generally restricted to Tuesday, Wednesday and Saturday between the hours of 11am and 3 pm. This use is mainly on the first bowling green, not inside the clubhouse, although the bowlers do need access to some area of the clubhouse during these hours. Initiatives are currently being taken to promote the club as a venue for younger groups, with barefoot bowls days conducted for all ages and school groups. The second bowling green is used socially on an irregular basis and is not kept at the required standard for competition lawn bowls. The clubhouse is also used for functions at nights and weekends, as organised through a contract with a catering company.

The Club has approached Council requesting support to keep this community facility viable. It is experiencing financial difficulty, with income barely able to cover expenditure in the past. The financial accounts for the 2004/05 year have been provided and show that the Club been just able to remain solvent during this period.

Unfortunately, this is not the present case as the rent for 2005 to the Department of Lands has been increased by 30% over the rent charged in 2004. *At this point in time the Club has approximately \$6,000 in funds available to pay the rent of \$14,795, due on 31 October 2005.*

Proposal:

At a meeting held on 13 September 2005 with the Club President, Shankar Lal and the Director Community Services, Kylie Walshe, a future partnership arrangement between the Club and Council was discussed. This meeting was pursued as it is a strategy within the adopted Children's Services and Ageing & Disability Services Strategies to investigate partnerships with owners/managers of non-Council owned community facilities. This strategy will assist in the provision of facilities and community space to the people of Woollahra without the need for Council to develop new facilities of its own.

At this meeting the President indicated that he is very motivated to come to some arrangement with Council to ensure the financial viability of the Club and provide a facility for use by the general community. The Club is concerned that if they are unable to remain financially viable the Bowling Club site may be taken back by the Crown and lost to the community as a public facility.

It is recommended that Council negotiate a partnership arrangement with the Club for use of the clubhouse. This facility consists of a large room, toilets, change rooms, commercial kitchen and bar area. The facility would then be available to meet the community needs expressed in the Social Needs Study 2005.

It is recommended that Council enter into a partnership agreement with Vacluse Bowling Club which could consist of the following:

- Council to pay a lump sum to the club of \$9,000 - \$15,000 per annum. Alternatively, Council could agree to meet the rental fee to the Crown per annum. (\$14,795 in 2005). By meeting this fee the other income streams will be sufficient to meet the operational costs of the Club, including greenkeeper fees, repairs, insurances etc.

- Council to have use of the facility on negotiated days for activities or providing the facility for use by community organisations and activities. (This is similar to Canonbury Cottage which is only available for community use during weekdays from dawn to dusk.)

- Council to manage the use of the facility at the above times through the Community Services Division using the same system used to manage Rose Bay Cottage, Cooper Park Hall, Canonbury Cottage.

- The Bowling Club to have use of the facility on negotiated days and evenings, with the Club able to contract this to a contractor to manage functions and catering activities.

- The Bowling Club to manage and maintain the bowling greens and surrounding areas.

The final details to be negotiated with the Club and approved by the Mayor prior to execution.

The lump sum payment by Council would secure this arrangement with the Bowling Club. It will also secure the site for public purposes into the future. This will ensure the financial viability of the Club and that the Clubhouse is used for community recreation purposes for the general community.

Potential Usage

The Social Needs Study recently carried out by Council demonstrates that there is a shortage of community facilities to conduct community and recreational programs in the Vacluse/ Watsons Bay area for a range of target groups, including young children, families and older people. The Vacluse Ward currently has only two facilities. The main generalist community facilities are all located in the other Wards, with the use of these facilities predominantly by residents that live in close proximity to these facilities. The shortage of reliable public transport from one end of the Municipality to the other and parking throughout the area also limits the catchment areas of these facilities and supports the need for an accessible community space in Vacluse Ward.

The Children's Services Strategy and the Ageing and Disability Services Strategy, adopted August 2005, both include strategies to identify additional space for community activities. For example, space is required for activities ranging from playgroups and family support services to discussion groups and recreation activities for older residents.

In the Vaocluse /Watsons Bay area the two existing community facilities are the small library space within Dunbar House and the Gunyah, Watsons Bay. These are both suitable for certain activities but are unsuitable for use by some target groups, namely older people, people with disabilities and families with young children. Recent discussions have also been held in relation to the use of the Tea Gardens, Watsons Bay for community purposes. When comparing the Tea Gardens facility to the Vaocluse Bowling Club it is clear that the bowling club is a preferable site for a community facility due to:

- location close to local shops;
- location on a public transport route;
- it is able to be occupied immediately; and
- the size is more appropriate for many community activities.

Information about the other facilities in Vaocluse Ward is detailed below.

Watsons Bay Branch Library, Dunbar House

This space within Dunbar House will be assessed through the Property Assets Study, due to commence in the near future. However, the space is limited in size and if the library is closed the most appropriate use would most probably be the extension of the lease to the restaurant.

The Gunyah, Watsons Bay

This facility is currently leased to the Scouts Association of Australia and used by Vaocluse Scouts. The Scouts have exclusive use of the facility, with all subleasing managed by the Scouts. Under the current management arrangement it is not available for extensive community use. When the lease is up for renewal we will negotiate for greater use by the general community for community and private purposes.

Even after this negotiation, this site has limitations due to its high cultural significance, as detailed in the Watsons Bay Public School Conservation Plan. It is inaccessible, with steps to both entrances, and has outside toilets. As the whole site is a significant heritage item in the Watsons Bay Heritage Conservation Area DCP, it is limited in the alterations and renovations that could be achieved in the building. It is not considered feasible or possible to convert the Gunyah into an accessible facility for general community use. It is, however, suitable for some community purposes, such as the historical use as a Scout Hall and groups that don't require an accessible facility.

Planning for Community Facilities in Woollahra

In order to strategically plan for community facilities in Woollahra, the 2005-08 Management Plan includes the preparation of a Property Assets Study. This study will use the findings of the Social Needs Study and investigate options for the future of all properties and facilities owned or managed by Council.

It was resolved to commence this study at the Corporate & Works Committee meeting of 26 September, with the draft aims of the study including:

- Identify future property needs in relation to the operational needs of the Council and community needs of Woollahra residents.

Assess operational properties and community facilities owned and/or managed by Council to determine the appropriate use of these in relation to the operational and community needs of the Council area. It is proposed to exclude sports buildings and public amenity blocks as they either have long term leases or cannot be adapted for any other use. The Cosmopolitan Center has been excluded as it is currently subject of negotiations.

Provide financially viable options and recommendations regarding the future of the properties. This could include, but not be limited to; renovations, relocation of services, partnerships with other facility owners, development of new facilities or rationalisation of existing properties. This will also include indicative capital and operational costs of each option and recommendation.

This project will include a review of all existing community facilities and could include the assessment of Vaocluse Bowling Club and recommend a strategy for the future of this facility, taking into account the requirements of the Bowling Club members and the general community. It should also be noted that the Tea Gardens, Dunbar House and the Gunyah will also be included in this study, ensuring that well researched options for the use of each facility in Vaocluse Ward are considered.

Identification of Income & Expenditure:

It is recommended that Council enter into a partnership arrangement with Vaocluse Bowling Club, with a cost between \$9,000 and \$15,000 per annum, the final amount still to be negotiated. This has not been accounted for in the 2005/06 budget. It will be found from within existing Community Services budget allocations and reported to Council at the next quarterly financial review.

Challenges:

The Club has a memorandum of understanding with a company to hire out the facility for functions and catering activities. Should Council negotiate an agreement to use the facility at certain times, this contract will need to be taken into consideration.

Another challenge is that the facility is inaccessible, so that key target groups in the community (older persons, people with disabilities) would find it difficult to access without some minor modifications to the building, such as a ramped entrance. This could be a consideration for Council in the future, with the building accessible to the majority of residents, albeit that some older residents may require assistance down 8 steps to the club entrance and up 3 steps into the building. A handrail could be placed at these steps to assist those with limited mobility in the short term.

Conclusion:

If Council wishes to provide an appropriate community space in the Watsons Bay/ Vaocluse end of the Municipality a partnership with Vaocluse Bowling Club is an opportunity for a large community return for a relatively modest investment.

As the rental fee is due by the Bowling Club on 31 October 2005, it is recommended that Council accept this opportunity and complete negotiations as a matter of urgency with Vaocluse Bowling Club.

Kylie Walshe
Director Community Services