



Ordinary Council Meeting

Monday 22 August 2022
6.30pm

Minutes



Ordinary Council Meeting

Monday 22 August 2022

Table of Contents

	Page
1. Opening	661
2. Prayer	661
3. Acknowledgement of Country.....	661
4. Acknowledgement of the Sovereign of the Day (Queen Elizabeth II)	661
5. Apologies and Applications for a Leave of Absence or Attendance by Audio-Visual Link by Councillors	661
6. Confirmation of Minutes	661
6.1 Confirmation of Minutes - Council - 8 August 2022.....	661
7. Disclosures of Interest.....	662
8. Late Correspondence.....	662
9. Petitions Tabled	662
10. Public Forum.....	664
11. Mayoral Minute.....	664
11.1 Local Sisters Win Medals at Commonwealth Fencing Championship in London	664
12. General Manager and Officer's Report.....	665
12.1 Recommendation from Environmental Planning Committee 4 July 2022: Reconsideration of Item R3 - Draft Woollahra Active Transport Plan 2022.....	665
12.2 Local Government NSW Annual General Conference 2022 - Proposed Motions and Attendance	667
13.1 Environmental Planning Committee	1 August 2022..... 675
R1 Register of Clause 4.6 Variations	675
R2 Draft Litigation Protocol Policy.....	676
13.2 Finance, Community & Services Committee.....	1 August 2022..... 678
R1 Progress of the Youth Recreation Area at Rushcutters Bay Park.	678
R2 Monthly Financial Report - June 2022 Investments Held as at 31 July 2022.....	680
R3 Capital Works Program Status Report - June 2022 including 2021/22 Budget Revotes & Rollovers.....	681
14. Rescission Motions	Nil
15. Councillor Reports/Councillor Updates (Section 8.4).....	683
16. Notices of Motion	689
16.1 Notice of Motion - Public Whale Watching Binoculars	689
17. Questions With Notice.....	690
17.1 Questions with Notice - Rose Bay Centre Connectivity Program (RBCCP).....	690

Items Determined Under Delegated Authority by Council Committees

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

Environmental Planning Committee held on Monday 1 August 2022

- D1 Confirmation of Minutes of Meeting held on 4 July 2022
- D2 Woollahra Local Planning Panel Register of Planning Decisions and Analysis
- D3 Register of Current Land and Environment Court Matters for Development Applications and Register for Court Proceedings for Building, Environmental and Health Control Matters

Finance, Community & Services Committee held on Monday 1 August 2022

- D1 Confirmation of Minutes of Meeting held on 4 July 2022
- D2 Woollahra Local Traffic Committee Minutes - 5 July 2022
 - Y1 Norfolk Lane, Paddington - No Parking Restrictions
 - Y2 Weeroona Avenue, Woollahra - Give Way Control Intersection Treatment and Statutory No Stopping Restrictions
 - Y3 Birriga Road, Bellevue Hill - No Parking Electric Vehicles Excepted Only While Charging Restriction
 - Y4 Old South Head Road, Vaucluse - No Parking Electric Vehicles Excepted Only While Charging Restriction
 - Y5 Birriga Road, Bellevue Hill - Mobility Parking Zone
- D3 Bi-Annual Woollahra Gallery at Redleaf report

Ordinary Council Meeting

Minutes of the Meeting of Woollahra Municipal Council held at the Council Chambers, 536 New South Head Road, Double Bay, on 22 August 2022 at 6.30pm.

Present: Her Worship the Mayor, Councillor Susan Wynne ex-officio

Councillors: Isabelle Shapiro via Zoom

Sean Carmichael

Peter Cavanagh via Zoom

Luise Elsing

Nicola Grieve

Mary-Lou Jarvis

Harriet Price

Lucinda Regan (Open to Items 13.2 R1, 16 & 17)

Matthew Robertson

Richard Shields

Mark Silcocks

Sarah Swan

Merrill Witt

Toni Zeltzer

Staff: Emilio Andari (Manager – Engineering Services) – via Zoom

Paul Fraser (Manager Open Space & Trees) – via Zoom

Sue Meekin (Director – Corporate Performance)

Carolyn Nurmi (Governance Officer)

Patricia Occelli (Director – Community & Customer Experience)

Tom O'Hanlon (Director – Infrastructure & Sustainability)

Scott Pedder (Director – Planning & Place)

Craig Swift-McNair (General Manager)

Helen Tola (Manager – Governance & Risk)

Also in Attendance: Nil

1. Opening

The Mayor declared the Ordinary Council Meeting of 22 August 2022 open and welcomed Councillors, staff and members of the public who are watching and listening to this evenings meeting.

2. Prayer

The Mayor read the Prayer:

Almighty God, you have given us a beautiful place to live in. We pray for your gift of wisdom that the decisions of this Council may benefit those we serve.

Be with us in our deliberations that this Municipality may know your blessing. Amen.

3. Acknowledgement of Country (Gadigal People and Birrabirrigal People)

The Mayor read the following Acknowledgement of Country:

I would like to acknowledge that we are here today on the land of the Gadigal and Birrabirrigal people, the traditional custodians of the land. On behalf of Woollahra Council, I acknowledge Aboriginal or Torres Strait Islander people attending today and I pay my respects to Elders past, present and emerging.

4. Acknowledgement of the Sovereign of the Day (Queen Elizabeth II)

The Mayor read the following Acknowledgement of the Sovereign of the Day (Queen Elizabeth II):

I also acknowledge Queen Elizabeth II.

5. Apologies and Applications for a Leave of Absence or Attendance by Audio-Visual Link by Councillors

Councillor Cavanagh and Councillor Shapiro attended and participated in the meeting via audio-visual link.

6. Confirmation of Minutes

Item No:	6.1
Subject:	CONFIRMATION OF MINUTES - COUNCIL - 8 AUGUST 2022
Author:	Sue O'Connor, Governance Officer
File No:	22/156865
Purpose of the Report:	The Minutes of the Council of 8 August 2022 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.
Alignment to Delivery Program:	Strategy 11.1 Build an efficient organisation that places customers and the community at the heart of service delivery

(Robertson/Silcocks)

85/22 Resolved:

THAT the Minutes of the Council Meeting of 8 August 2022 be taken as read and confirmed.

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

7. Disclosures of Interest

Nil

8. Late Correspondence

Note Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item Mayoral Minute, GM Reports 12.1 & 12.2, FC&S (R1).

9. Petitions Tabled

Petition No: 9.1
From: John Blondin and Terry Wolfe
Tabled by Councillor: Councillor Jarvis

The Petition was in terms,

We support a temporary food vending trailer to be positioned on Military Road Watsons Bay opposite the shop while building works are undertaken to the premises.

By way of this communication we wish to support a proposal for the Watsons Bay Milk Bar in their application to provide a temporary and unique coffee cart to service local residents and those who come to our popular suburb.

The Milk Bar serves as a most significant communal hub. Most mornings you will find our group of up to six local residents, all senior citizens of our community, enjoying not only each- others company but also the exceptional service and warmth of the staff. And also the best coffee in Watsons Bay.

The venue is most important in our lives and whilst we solve the problems of the world each morning we all recognise the importance to maintain social interaction notwithstanding meeting other residents who also frequent this most important and significant communal hub.

You can't underestimate the social and health benefits this venue represents in the lives of many especially our group of long- time residents, mates.

We would request you positively receive and ratify their ongoing connection with their loyal customer base by affording the Milk Bar continuing and seamless dispensing of our favourite morning beverage whilst they improve the facility through their renovation.

(Jarvis/Wynne)

86/22 Resolved:

THAT the petition lie on the table for fourteen (14) days and referred to Council's Compliance team.

Note: In accordance with Council's adopted Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

10. Mayoral Minute

Item No: 10.1
Subject: **LOCAL SISTERS WIN MEDALS AT COMMONWEALTH FENCING CHAMPIONSHIP IN LONDON**
Author: Susan Wynne, Mayor
File No: 22/164201
Purpose of the Report: To inform Councillors Vaucluse sisters, Kambala students and Australian representative fencing athletes, Nawal and Neve O'Neil, secured medals with their team members at last week's 2022 Commonwealth Fencing Championships.

Note: Late correspondence was tabled by The Mayor, Councillor Wynne.

(Wynne)

87/22 Resolved:

THAT the Mayor, on behalf of Woollahra Council, write to Nawal and Neve O'Neil commending them on representing Australia at the 2022 Commonwealth Fencing Championships and congratulating them on their medals and dedication to their sport.

Note: In accordance with Council's adopted Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

15/0

Against the Motion

Nil

11. Public Forum

Nil

12. General Manager and Officer's Report

Item No:	12.1
Subject:	RECOMMENDATION FROM ENVIRONMENTAL PLANNING COMMITTEE 4 JULY 2022: RECONSIDERATION OF ITEM R3 - DRAFT WOOLLAHRA ACTIVE TRANSPORT PLAN 2022
Author:	Helen Tola, Manager - Governance & Council Support
Approvers:	Craig Swift-McNair, General Manager Sue Meekin, Director Corporate Performance
File No:	22/153437
Purpose of the Report:	To enable Council to make a decision in relation to a recommendation from the Environmental Planning Committee, specifically to seek Council's endorsement to place the Draft Woollahra Active Transport Plan on public exhibition.
Alignment to Delivery Program:	Strategy 6.3 Reduce traffic congestion, noise and speeding.

Note: Late correspondence was tabled by The Paddington Society & Andrew Moss BIKeast.

**Motion moved by Councillor Swan
Seconded by Councillor Grieve**

THAT Council:

- A. Endorse the Draft Woollahra Active Transport Plan 2022 for public exhibition for 28 days subject to reference to 30km/hr in the Walking Priority Projects being amended to read 30km/hr and/or 40km/hr.
- B. Note that a further report will be prepared for the Environmental Planning Committee following the close of the public exhibition period and assessment of submissions received has been undertaken.
- C. As part of the consultation the views of residents are sought with regards to 30km/hr and/or 40km/hr (noting that an explanation would be provided on each).
- D. As part of the Draft Woollahra Active Transport Plan 2022 Council includes as a 5th objective: *Maintain and improve the existing integrated walks that link with adjacent Council's including the Bondi to Manly Walk and others* and acknowledges the existing walking networks.

**Amendment moved by Councillor Price
Seconded by Councillor Elsing**

THAT Council:

- A. Endorse the Draft Woollahra Active Transport Plan 2022 for public exhibition for 28 days; and
- B. Note that a further report will be prepared for the Environmental Planning Committee following the close of the public exhibition period and assessment of submissions received has been undertaken.
- C. As part of the Draft Woollahra Active Transport Plan 2022 Council includes as a 5th objective: *Maintain and improve the existing integrated walks that link with adjacent Council's including the Bondi to Manly Walk and others* and acknowledges the existing walking networks.

The Amendment was put and lost.

For the Amendment

Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks

Against the Amendment

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Shapiro
Councillor Shields
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

6/9

The Motion was put and carried.

(Swan/Grieve)

88/22 Resolved:

THAT Council:

- A. Endorse the Draft Woollahra Active Transport Plan 2022 for public exhibition for 28 days subject to reference to 30km/hr in the Walking Priority Projects being amended to read 30km/hr and/or 40km/hr.
- B. Note that a further report will be prepared for the Environmental Planning Committee following the close of the public exhibition period and assessment of submissions received has been undertaken.
- C. As part of the consultation the views of residents are sought with regards to 30km/hr and/or 40km/hr (noting that an explanation would be provided on each).
- D. As part of the Draft Woollahra Active Transport Plan 2022 Council includes as a 5th objective: *Maintain and improve the existing integrated walks that link with adjacent Council's including the Bondi to Manly Walk and others* and acknowledges the existing walking networks.

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

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

15/0

Item No: 12.2
Subject: **LOCAL GOVERNMENT NSW ANNUAL GENERAL CONFERENCE 2022 - PROPOSED MOTIONS AND ATTENDANCE**
Author: Helen Tola, Manager - Governance & Council Support
Approvers: Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 22/154035
Purpose of the Report: To consider proposed motions and voting delegates for the upcoming 2022 Local Government NSW (LGNSW) Conference being held between 23 and 25 October 2022.
Alignment to Delivery Program: Strategy 11.1 Build an efficient organisation that places customers and the community at the heart of service delivery

Note: Late correspondence was tabled by Helen Tola, Council's Manager Governance & Risk & Councillor Merrill Witt.

Note: Council amended Part A, Part B and added new Part C.

(Silcocks/Zeltzer)

89/22 Resolved:

- A. Authorise the attendance of five (5) Councillors and the General Manager to the LGNSW 2022 Conference, being:
- *Councillor Peter Cavanagh*
 - *Councillor Luise Elsing*
 - *Councillor Nicola Grieve*
 - *Councillor Harriet Price*
 - *Councillor Lucinda Regan*
- B. Nominate five (5) Councillors as voting delegates for Motions before the LGNSW 2022 Conference, being:
- *Councillor Peter Cavanagh*
 - *Councillor Luise Elsing*
 - *Councillor Nicola Grieve*
 - *Councillor Harriet Price*
 - *Councillor Lucinda Regan*
- C. THAT the Mayor and General Manager be authorised to make minor editorial amendments to the adopted motions before they are submitted to LGNSW.
- D. THAT Council give consideration to the proposed motions to be tabled at the Local Government NSW (LGNSE) 2022 Annual Conference that relate to primary issues affecting the Woollahra Local Government Area and resolved to consider each proposed motion in seriatim.

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

(Silcocks/Zeltzer)

90/22 Resolved:

THAT Council submits the following motion for consideration by the 2022 Local Government NSW Conference:

Climate change impacts and resilience

THAT LGNSW requests urgent access and availability of funding to assist councils to prepare and respond to extreme climate events and infrastructure damage, outside of Natural Disaster declarations, and that State and Federal Government agencies are held accountable to commitments to mitigate the impacts of climate-related disruptions on local communities across the state.

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

(Swan/Grieve)

91/22 Resolved:

THAT Council submits the following motion for consideration by the 2022 Local Government NSW Conference:

Better Waste and Recycling Fund

THAT LGNSW requests the NSW Government to urgently reinstate the non-contestable waste and recycling grant program funding under the Better Waste and Recycling Fund, so that councils have secure funding for waste and recycling education programs to drive waste minimisation, cleaner waste streams and more efficient resource recovery.

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

(Elsing/Silcocks)

92/22 Resolved:

THAT Council submits the following motion for consideration by the 2022 Local Government NSW Conference:

SEPP Seniors

THAT Local Government NSW:

- (a) acknowledges concerns regarding changes made by the Department of Planning and Environment (DPE) without consultation and without advance notice to the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) on 1 July 2022;*
- (b) notes the significant amendments relating to seniors housing in the R2 low density residential zone and seniors housing in heritage conservation areas;*
- (c) notes, in particular, the deletion of the requirement that seniors housing development in R2 low density residential zones be carried out by either the Land and Housing Corporation or operators under the Retirement Villages Act 1999 (which ensures that such development is fit for the intended social purpose if it is to override Council strategic planning);*

- (d) *notes that many seniors housing developments in R2 low density residential zones and heritage conservation areas may result in built form outcomes that are inconsistent with the desired character of those zones in that they allow development of multi-storey luxury residential flat buildings in R2 low density residential zones that are not ordinarily permitted or planned for in those zones, without ensuring the desired social outcome of those developments actually being managed for seniors use and living;*
- (e) *calls on the Premier of NSW and the Minister for Planning and Homes to immediately reinstate the requirement that any development of seniors housing in R2 low density residential zones under the Housing SEPP be permitted only if carried out by the Land and Housing Corporation or operators under the Retirement Villages Act 1999; and*
- (f) *calls on the Premier of NSW and the Minister for Planning and Homes to permanently exclude Seniors Housing under the Housing SEPP from applying to heritage conservation areas in local municipalities.*

Note: *In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

15/0

(Elsing/Regan)

93/22 Resolved:

THAT Council submits the following motion for consideration by the 2022 Local Government NSW Conference:

Stormwater capture and recycling

THAT Local Government NSW:

- (a) *acknowledges the need for Councils to become better managers of stormwater to ensure resilience in planning outcomes for local communities and better environmental outcomes for catchment areas and waterways; and*
- (b) *requests the NSW State Government to establish an appropriate long term funding mechanism to assist Councils to implement large-scale stormwater channel naturalisation and stormwater harvesting projects to achieve better environmental outcomes for ever growing populations and communities.*

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Jarvis

14/1

(Robertson/Zeltzer)

94/22 Resolved:

THAT Council submits the following motion for consideration by the 2022 Local Government NSW Conference:

Constitutional recognition of local government

THAT LGNSW:

- 1) *Notes that local Councils and Shires, as the level of government closest to people, are best placed to address and service the needs, as well as advance the values and aspirations of communities across NSW.*
- 2) *Reaffirms its commitment to recognising local government in the Commonwealth Constitution.*
- 3) *Notes concern that without recognition in the Commonwealth Constitution, local governments are:*
 - (i) *subject to state legislation and extinguishment by the State government of the day;*
 - (ii) *ineligible to receive financial funding and support directly from the federal government.*
- 4) *Request the federal Albanese government commit to a referendum process to progress constitutional change to protect local governments, enable direct federal funding and acknowledge the critical role they play in Australia's democracy.*

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Carmichael

14/1

(Witt/Elsing)

95/22 Resolved:

THAT Council submits the following motion for consideration by the 2022 Local Government NSW Conference:

Environmental Planning & Assessment Act 1979

THAT Local Government NSW calls on the NSW state government to:

- A. Reintroduce the following Objects in the Environment Planning and Assessment Act 1979 that were removed when the Act was amended in 2017:*
- the provision of land for public purposes, and*
 - the provision and coordination of community services and facilities;*
- B. Prioritise the provision of public open space in the NSW planning system;*
- C. Develop and adopt a numerical ratio for the provision of public open space per person of population as a mandatory baseline for areas identified for higher density including greenfield development, industrial/commercial to residential rezonings and other urban renewal projects;*
- D. Ensure that the impact on existing public open spaces is assessed when residential areas are considered for density uplifts; and*
- E. Establish a substantial and dedicated source of state government funding to assist local councils in the provision of new and enhanced public open spaces.*

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Zeltzer

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Shapiro
Councillor Shields
Councillor Wynne

9/6

Procedural Motion

(Zeltzer/Robertson)

Resolved:

THAT the matter in relation to proposed Item 6 be recommitted for the vote.

The Procedural Motion was put and carried.

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

15/0

(Witt/Elsing)

96/22 Resolved:

THAT Council submits the following motion for consideration by the 2022 Local Government NSW Conference:

Environmental Planning & Assessment Act 1979

THAT Local Government NSW calls on the NSW state government to:

- A. *Reintroduce the following Objects in the Environment Planning and Assessment Act 1979 that were removed when the Act was amended in 2017:*
- *the provision of land for public purposes, and*
 - *the provision and coordination of community services and facilities;*
- B. *Prioritise the provision of public open space in the NSW planning system;*
- C. *Develop and adopt a numerical ratio for the provision of public open space per person of population as a mandatory baseline for areas identified for higher density including greenfield development, industrial/commercial to residential rezonings and other urban renewal projects;*
- D. *Ensure that the impact on existing public open spaces is assessed when residential areas are considered for density uplifts; and*
- E. *Establish a substantial and dedicated source of state government funding to assist local councils in the provision of new and enhanced public open spaces.*

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks
Councillor Swan
Councillor Witt

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Shapiro
Councillor Shields
Councillor Wynne
Councillor Zeltzer

8/7

Environmental Planning Committee

Items with Recommendations from the Committee Meeting of Monday 1 August 2022 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	REGISTER OF CLAUSE 4.6 VARIATIONS
Author:	Nick Economou, Manager Development Assessment
Approver:	Scott Pedder, Director - Planning & Place
File No:	22/130454
Purpose of the Report:	To provide full Council with a register of Clause 4.6 variations supported for the period April 2022 to June 2022 to comply with Planning Circular PS20-002
Alignment to Delivery Program:	Strategy 4.6: Ensure that planning and building requirements are complied with.

(Jarvis/Robertson)

97/22 Resolved without debate:

THAT the attached register of Clause 4.6 variations supported or the period between April 2022 to June 2022 be received and noted.

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

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

15/0

Against the Motion

Nil

Item No: R2 Recommendation to Council
Subject: **DRAFT LITIGATION PROTOCOL POLICY**
Author: Patrick Brown, Governance
Approvers: Helen Tola, Manager - Governance & Council Support
Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 22/120352
Purpose of the Report: To present to Council a Draft Litigation Protocol Policy to apply to legal proceeding involving Council including planning matters before the Land and Environment Court for the purpose of public exhibition.
Alignment to Delivery Program: Strategy 11.1: Facilitate community led decision-making that is open, honest and ethical and benefits the broad community.

Note: Late correspondence was tabled by Nick Economou, Council's Manager Development Assessment and Patrick Brown, Coordinator Governance.

(Jarvis/Carmichael)

98/22 Resolved:

THAT Council:

- A. Endorse the revised Draft Litigation Protocol Policy as contained in **Attachment 1** and the Community Fact sheet relating to appeals to the Land & Environment Court contained in **Attachment 2** for the purpose of public exhibition for a period of 28 days, subject to the following amendments:

Draft Litigation Protocol Policy

1. Paragraph 1.2, second bullet point - delete "Mayor and";
2. Paragraph 2.1, second paragraph, last sentence change "may" to "must" and add the word "written" before "legal advice".
3. Paragraph 2.1, following the final bullet point, add the word "written" before "legal advice".
4. Paragraph 2.1, delete the second last paragraph.

Fact Sheet

5. Under the paragraph entitled "Purpose", delete the words "the legalities and requirements".
6. Under the paragraph entitled "The s34 conference", amend the second bullet point to read "The Land and Environment Court Act 1979 and the Court's policies only permit the parties (generally only the applicant and the Council) to participate in the conference."
7. Under the paragraph "the s34 conference" amend the second last bullet point to read "you will be told" (rather than "may").
8. Under the heading "further comments on your role", add a third bullet point that reads:

“You will be informed of the ultimate decision made (including at a section 34 conference) without undue delay. A case outcome report will also be published on Council’s website as soon as practical (subject to protecting information identified as privileged).”

- B. Note that a further report will be prepared for the Environmental Planning Committee following the close of the public exhibition period and assessment of submissions received has been undertaken.

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

For the Motion

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Monday 1 August 2022 Submitted to the Council for Determination

- Item No:** R1 Recommendation to Council
- Subject:** **PROGRESS OF THE YOUTH RECREATION AREA AT RUSHCUTTERS BAY PARK.**
- Authors:** Paul Fraser, Manager Open Space & Trees
Roger Faulkner, Team Leader - Open Space & Recreation Planning
Kristy Welfare, Senior Strategic Heritage Officer
- Approver:** Tom O'Hanlon, Director - Infrastructure & Sustainability
- File No:** 22/139167
- Purpose of the Report:** To further progress the proposed Rushcutters Bay Park Youth Recreation Area within the State Heritage Listed site.
- Alignment to Delivery Program:** Strategy 5.2: Provide and maintain safe, clean, serviceable public infrastructure including roads, footpaths, bicycle facilities, parks, open spaces, stormwater drains and seawalls.
- Note:** As the voting on the Amendment was 4 votes for the Amendment and 4 votes against the Amendment, in accordance with Council's Codes and Policies, both the Motion and the Amendment are referred to Council for consideration.
- Note:** Late correspondence was tabled by Gabrielle Upton MP, Anna Waldmann, Luke Whittington (2 pieces), Luigi Palombi, Antonia Hoddle Kitching, Pia Larsen (2 pieces), Christopher Barnard, Mary Richard, Timothy Mak, Hilary Levine, Mervyn Levine (2 pieces), J, Michele Palmer, Luke Gamulin, Tom Boycott & Jessica Bokey, Sancha Dickson, Taylor Family, Beryl Leeb-du Toit, Annie Greenberg, Mary Ashton, Roy Cohen, Jillian Blackall, Doreen Cheong, Perdita Morgan, Maria Bradley, Robyn & Colin Manoy, Scott McEwan, Hugh Morgan, Claire May, Karin Olah, Henrietta Ashton, Andrew Hardy, Verity Gibson, Simon Maughan Wright, Geoff Jones, Pamela Hardy, Colleen 'Chickey' Bray, John Walton, Don P Wood, Pamella Regan-Fox, Dr June Donsworth, Ericka for SCPAG, Charlotte Feldman of Darling Point Society, Judith Taylor, Joanne O'Callaghan, Barbara Comer, David Slessar, Rowena Hamilton, Alice Ilich, Roanna Hinksman & Nicole Bernard, Susan Diver, Dianne Cassen, Sarah Scott, Yanir, Warren Duncan, Jim & Willna McCann, Skye Davidson-Wallace, Sean & Isla Wallace, Sarita England & Pauline & Alan Weeks.

Motion moved by Councillor Zeltzer
Seconded by Councillor Robertson

THAT Council:

- A. Notes the further progress of the Youth Recreation Area at Rushcutters Bay Park, which includes the preparation of a Conservation Management Strategy for the State Heritage Listed site and a Heritage Impact Statement for the project.
- B. Note the minor changes of the design to the Youth Recreation Area recommended by GML Heritage that address heritage impact on the site.
- C. Proceed to submit an application for approval under Section 60 of the Heritage Act 1977 (Heritage Act) to undertake the project.

- D. Continue with the preparation of the Review of Environmental Factors under Part 5 of the Environmental Planning and Assessment Act 1979 which would include an Aboriginal Heritage Impact Assessment, if Heritage approval is granted.

**Amendment moved by Councillor Witt
Seconded by Councillor Elsing**

THAT Council:

- A. Defers progression of the approval process for the proposed Youth Facility until the new Conservation Master Plan (CMP) is developed for the entire State Heritage Register (SHR) listed Rushcutters Bay Park and Yarranabbe Park area, including Sir David Martin Reserve.
- B. Works closely with the City of Sydney Council and the relevant foreshore authorities to develop a coordinated approach to the development of a site-wide CMP.
- C. Ensures that the CMP is informed by the overarching goal of respecting, restoring and maintaining the unique heritage values of the SHR listed Parks and Reserves.
- D. Explores, in the course of developing the CMP, alternative options for the location of the Youth Facility both within the SHR listed Parks and Reserve areas and in other locations.

The Amendment was put and lost.

For the Motion

Councillor Carmichael
Councillor Elsing
Councillor Silcocks
Councillor Swan
Councillor Witt

Against the Motion

Councillor Cavanagh
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Wynne
Councillor Zeltzer

5/10

The Motion was put and carried.

(Zeltzer/Robertson)

99/22

Resolved:

THAT Council:

- A. Notes the further progress of the Youth Recreation Area at Rushcutters Bay Park, which includes the preparation of a Conservation Management Strategy for the State Heritage Listed site and a Heritage Impact Statement for the project.
- B. Note the minor changes of the design to the Youth Recreation Area recommended by GML Heritage that address heritage impact on the site.
- C. Proceed to submit an application for approval under Section 60 of the Heritage Act 1977 (Heritage Act) to undertake the project.

- D. Continue with the preparation of the Review of Environmental Factors under Part 5 of the Environmental Planning and Assessment Act 1979 which would include an Aboriginal Heritage Impact Assessment, if Heritage approval is granted.

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Councillor Cavanagh
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Carmichael
Councillor Elsing
Councillor Regan*
Councillor Silcocks
Councillor Swan
Councillor Witt

9/6

Note: Councillor Regan abstained and was recorded against the Motion.

Item No: R2 Recommendation to Council
Subject: **MONTHLY FINANCIAL REPORT - JUNE 2022
INVESTMENTS HELD AS AT 31 JULY 2022**
Author: Toby Andreassen, Financial Accountant
Approvers: Paul Ryan, Chief Financial Officer
Sue Meekin, Director Corporate Performance
File No: 22/134902
Purpose of the Report: To present the monthly financial report for June 2022 and to present a list of investments held as at 31 July 2022.
Alignment to Delivery Program: Strategy 1.1: Provide and facilitate a range of community projects, programs and events.

Note: Councillor Regan left the meeting, the time being 8.10pm.

(Zeltzer/Silcocks)

100/22 Resolved without debate:

THAT the Committee:

- A. Receive and note the Monthly Financial Report – June 2022.
- B. Note that Council's 12-month weighted average return for June 2022 on its direct investment portfolio of 1.41% exceeds the benchmark 90 day AusBond Bank Bill Index of 0.28%.
- C. Note that the interest income for the full year to 30 June of \$482k exceeded our March revised forecast of \$410k.
- D. Receive and note the list of Council's investments held as at 31 July 2022.

Note: *In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

14/0

Item No: R3 Recommendation to Council
Subject: **CAPITAL WORKS PROGRAM STATUS REPORT - JUNE 2022
INCLUDING 2021/22 BUDGET REVOTES & ROLLOVERS**
Authors: Henrietta McGilvray, Senior Corporate Accountant
Petrina Duffy, Coordinator Strategy & Performance
Paul Ryan, Chief Financial Officer
Approvers: Sue Meekin, Director Corporate Performance
Tom O'Hanlon, Director - Infrastructure & Sustainability
Craig Swift-McNair, General Manager
File No: 22/132444
Reason for Report: To provide the Committee with an update on the status of projects in the 2021/22 Capital Works Program and to report on the 2021/22 Budget revotes and rollovers.

Note: Councillor Regan left the meeting meeting at not present at time of voting.

(Zeltzer/Silcocks)

101/22 Resolved without debate:

THAT Council:

- A. Note and receive the Quarterly Progress Report – Capital Works Program for June 2022
- B. Approve the items identified as “Revote” in Attachments 1 and 2 to the 2022/23 Budget.
- C. Note that the net impact of the operational rollovers is an increase in Council's 2022/23 deficit of \$1k to a deficit of \$259k.

Note: *In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

For the Motion

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

14/0

Note: Councillor Regan returned to the meeting, the time being 8.14pm.

15. Councillor Reports/Councillor Updates (Section 8.4)

Note: Councillor Reports/Councillor Updates are to be confined to condolences, congratulations, presentations and matters ruled by the Chair to be of extreme urgency (in accordance with Section 8.4 of Council's Code of Meeting Practice).

General Item No: 15.1 Troy Guyatt
Tabled by Councillor: The Mayor, Councillor Wynne

The Mayor, Councillor Wynne advised:

Troy Guyatt, Senior Executive Support Officer is leaving this week, Thursday 25 August 2022 is his last day. No one is more upset than Teddy and myself. I just have to speak of Troy, like I'm losing a big brother, a younger brother actually, but I cannot speak highly enough of Troy. He is just a gentle giant, nothing is too much, I'm so sad he is leaving. He is going to do a similar job at City of Sydney where his wife also works, so it is a family decision. I did say am I a bad Mayor making you drive me everywhere and he assured me that it is not, and that it is not my fault and its not Council's fault as he loves being here, but as I said it is a family decision.

I hope you'll have the opportunity to say goodbye. For those of you that have worked with Troy or come into contact with Troy (as he also works in Governance and does an extraordinary job there) but as I said, for me being the Mayor, you become very close to the period who is driving me around and he listens to all sorts of conversations from me fighting with my children or managing those sorts of things, dealing with residents, chatting to Councillors. He is a vault and I just want to go on record my sadness that he is leaving and my immense gratitude for his commitment and hard work to Woollahra Council and to myself. I know Councillor Cavanagh who is also nodding that he drove you a lot around as well and you formed a very close bond and I'm sure you will also reinforce that Councillor Cavanagh.

General Item No: 15.2 City to Surf 2022
Tabled by Councillor: The Mayor, Councillor Wynne

The Mayor, Councillor Wynne advised:

I want to acknowledge the hard work the staff had put in for the City to Surf. Sadly it was the first time I wasn't here, as I left to go to my daughters Graduation and had to leave early so I didn't get stuck, but I did see everyone working very hard very early in the morning. The feedback I got from the residents was *"Wow you almost wouldn't of known that the event was on"*, it was so well managed, you think everyone is out of practice, it was just so smooth and so incredible, and probably the best management event I have ever seen.

I would like to congratulate staff through the Director, Mr O'Hanlon if you could pass that on.

Councillor Swan further advised:

I also want to extend my congratulations to the staff, I ran the City to Surf, not very fast, but I still got there and as I was jogging along Double Bay I gave a big wave to a lot of the staff who were cleaning up and cheering on the crowd it was very encouraging and I just want to extend my congratulations for their very good organisation of that event.

The Mayor, Councillor Wynne:

Thank you Councillor Swan. Congratulations to staff all round tonight.

General Item No: 15.3 National Tree Planting Day
Tabled by Councillor: The Mayor, Councillor Wynne

The Mayor, Councillor Wynne advised:

I wanted to advised about National Tree Planting Day. Wow what a fabulous day it drummed up so much support from the community I was astounded how many people turned up. The staff were so engaged, they were so excited, there was one child who has been to every planting since he was one year old and he brought his friends along, I think he is twelve now, and the trees that were planted, we all learnt something. I walked past there today to see how a few of my little trees were going and they look quite good, happy to say, because I was worried as I definitely don't have a green thumb, yet again I cannot thank staff enough and there was also a little kind of enclosure of someone showing lizards, which I actually have a fear of, but the kids were thoroughly enjoying, it wasn't a snake it was a blue tongue lizard and something else scaly, but the kids loved it so thank you for organising all of that.

Councillor Grieve further in response:

I hope you learnt at the National Tree Planting Day that "a depressed plant is a happy plant", which is the Bushcare team line. I want to commend staff and speak about plants as well. I am sad I missed the tree day and it was the first tree planting day that I have missed but I was away.

Councillor Jarvis further advised:

Again National Tree Day was fantastic. Councillor Cavanagh, I went and reflected on the trees that we planted in 2019 and on the left side of Macquarie Lighthouse and in fact they have thrived and I am looking forward to them thriving again and what was also good about National Tree Day was the community, Madam Mayor where a friend of mine, that I hadn't seen for some time, Angus Hudson told me that the new environmental initiative to remove slurry out of our waterways and I met Allegra Splender for the first time and I was pleased to introduce Angus Hudson to her and guess what, he ended up on her Instagram feed for a minute so, there you go it was a case of collaboration between all fields and all level of Government.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Jarvis.

General Item No: 15.4 165th year anniversary on the loss of Dunbar
Tabled by Councillor: The Mayor, Councillor Wynne

The Mayor, Councillor Wynne advised:

On Saturday I also attended the 165th year Anniversary of the loss of Dunbar, the ship that crashed into the cliffs. That was organised by the Watsons Bay Residents Association very last minute and he organised something, it was really amazing, we had Monsignor Tony Doherty provided context to the disaster and also gave a blessing we had James Hanson who was the great great great "something" of the sole survivor of 123 people and he spoke about how it has been through his family that they actually have been involved in Surf Rescue, in the lifesaving and it has almost come through their DNA and that they actually give back and support the community in the ocean. I learnt a lot. We had Larry Writer who has written a book about the events and we had a wonderful woman who spoke about some of the Jewish people who lost their lives as well and one thing that struck me, apart from the fact that he was one of the worst maritime disasters in our history.

There was 123 people on board and 122 of them passed away and spoke about the seas and the swells and the clouds that shrouded Macquarie Lighthouse, and what happened was the Captain was very experienced he thought, he had navigated and was turning into the heads but he actually hadn't come out far enough and instead crashed into the cliffs, as a result of that, this is all about coming to Australia from England to a safe destination and that caused them to go into damage control. So very quickly the Hornby Lighthouse was erected to actually provide that safe passage through the heads, and I did wonder and I said to the group on Saturday how I'm not sure if we would of managed to get up a lighthouse so quickly in this day and age, however one aspect of this which struck me was the importance of celebrating and remembering the history of our area and the more people that understand and know that the more likely we are to protect that and we all know how important Watsons Bay.

So I cannot thank Roger Bayliss enough for organising that and as I said James Hanson who laid a wreath with me, he spoke about his relative, long distant relative, wasn't seen as a survivor but he spoke about that fact that he was rescued because it was about the community spirit that rescued him and that he wouldn't be here today. I think that community spirit is still with us and that what I love about Woollahra, I just wanted to share that with you.

Councillor Grieve, further advised:

I am very sad that I wasn't invited to that as I am the great granddaughter of the original pilot.

The Mayor, Councillor Wynne in response:

I will let Roger Bayliss know about that.

General Item No: 15.5 Ukraine Flag Raising Ceremony
Tabled by Councillor: The Mayor, Councillor Wynne

The Mayor, Councillor Wynne advised:

I wish to thank staff and everyone involved in Ukraine, the raising of the Ukrainian Flag. We raised that flag today and hearing the stories, I spoke to one women, she brought her son out and is living in Woollahra I can't remember where, I think its Paddington but imagine living in this war torn country and she has now come to Woollahra that in itself is a process.

I spoke to people who have families fighting and the inability of contacting them, they don't know what's happening, the sense of guilt that they are living in the beautiful pristine area in Woollahra or living in Australia were they are free and so there are so many challenges and what the community are doing and I think it is very special and quite extraordinary and I want to thank everyone involved for the continuation on really raising awareness and making people not forget that this is 6 months on, and it is still going on and raising the flag, while it seems like a small act, is a massive act that every person driving by will remember that this war is still going on and such injustice and that we standby Ukraine. I just want to thank everyone involved.

Councillor Robertson further advised:

Thank you Madam Mayor. I just wanted to thank you, staff and everyone that made that event this afternoon possible where we raised the flag, the Ukrainian flag in the recognition of Ukrainian Independence Day. I was extremely moved by the event and especially seeing so many young children there who have been displaced from the homeland and just meeting members of the Ukrainian community brought home to me the most tangible way that none of us really have any concept of what these poor people have been through.

For our Council to stand in solidarity with that community means a great deal to them. That's what the Consul General made the point of and so many other representatives made the point to me so many times so I am extremely proud of what we have done and what we will continue to do to show support for the people of Ukraine.

I have said before that we are very proud people and of the Ukrainian people and I think that was demonstrated today when they spontaneously burst into song and the singing of the National Anthem which certainly completely gave me goose bumps. So for us to be standing with that community in their time of greatest need is a real honour and a real privilege and I thank you Madam Mayor for conveying that on behalf of our Municipality.

The Mayor, Councillor Wynne in response:

I do have to thank Pat for pulling that all together and finding those special Ukrainian biscuits and all the rest of it.

Councillor Witt further advised:

I just wanted to thank the staff for a really moving event and also thank them for the blades, that's what I learnt they called them, that the Stand with Ukraine on Fullerton Street on the street sign. One of the gentlemen said that he was driving the Polish Consul General home and said I'm just going to visit the Russian Consulate and she said, "*are you sure?*" and he said "*I really want to see the Blades*", so they were so appreciative of them and so enthusiastic, it was such a great outcome, so thank you.

The Mayor, Councillor Wynne in response:

It really was extraordinary, wasn't it. Thank you Councillor Witt.

Councillor Jarvis further advised:

Thank you Madam Mayor. I just want to thank everyone for today for the recognition of the flying of the Ukrainian Flag and to your point most extraordinary mother, Anna, who comes from Kyiv and whose parents live in Dibrovne and her husband is back in Kyiv and she has bought this little boy to Australia arrived in May this year and she is sending him to Glenmore Public School and she can speak English, she's trying but she's not quite up to speed yet, she has a part time job and is on 6 month probation as a bookkeeper and I did try and find you, Ms Meekin, to say have we got any positions as we have a staffing issue, perhaps you might be able to help, but the personal connections from that, I was not in favour of us putting the signs up or basically changing the names, I think this was completely perfect, right down to the biscuits.

Councillor Swan further advised:

Thank you Madam Mayor. I would like to reinforce the comments in relation to this afternoon's event of the raising of the Ukrainian Flag and in particular I want to draw your attention to the story of Olga and her brother. Olga's brother is fighting on the front line and that is terrifying. I have 4 brothers with whom I'm very close and to think that one of my brothers might be in that situation or a sister, but I don't have any sisters, I don't think I can actually imagine it, but I just want to raise that as something that we take a moment to reflect on that because the enthusiasm that both she and her husband got from the raising of the flag, and the importance of that to them and knowing that they will be sending those photos and the videos from this afternoon literally to the front line is extremely encouraging and it makes me very glad that we have taken this action. Symbolic as it maybe we all know how boosting moral can be in times of war and think this is a perfect example of were something symbolic may have a very important impact.

General Item No: 15.6 Bush Regeneration Team and Landcare - Planting of plants in
Woollahra Golf Course
Tabled by Councillor: Councillor Grieve

Councillor Grieve advised:

The Bush Regeneration Team and the Sustainability Team from Council along with Landcare have planted 350 plants on Woollahra Golf Course those of the Councillors that were on here previously, would note we did a Plan of Management for Woollahra Golf course and involved a whole bunch of plantings on the Golf course to build the Green connections and the greenways and this was 10 years later it has come to fruition with a massive amount of trees that have been planted and the staff have worked really co-operatively within these two Sustainability and the Bush Regeneration teams with Landcare and planted massive amounts of trees and I might add, unlike other golf courses, they didn't cut down one tree to do it and so I just want to commend them.

When I woke up on Thursday morning and drew the curtains and saw all the little green protective sleeves on these trees it was just so exciting and on the back of that an 'Powerful Owl' has been spotted hanging out on the Woollahra Golf Course, so its super cool and it's been reported on our Council App website where you can report any of these sightings so that we track them so it's like a citizens science thing, so that's it.

The Mayor, Councillor Wynne in response:

Thank you Councillor Grieve.

General Item No: 15.7 Sydney Hatzolah Emergency Medical Response
Tabled by Councillor: Carmichael

Councillor Carmichael advised:

Thank you Madam Mayor. I just wanted to rise to thank the Sydney Hatzolah for the services they rendered to a neighbour of mine over the weekend as she was having a mental health crisis. She asked me to call them and they were very prompt and very responsive and extremely helpful, Mendy and Yosi, they are all volunteers, they are the first responders to the Jewish Community and triaging them for the ambulance service. I found out that 1 in 3 calls are coming from Mental Health related and it is particularly problematic in the Eastern Suburbs, as I said I just want to thanks and acknowledge them for their work.

The Mayor, Councillor Wynne:

Thank you so much for that, I totally agree.

General Item No: 15.8 Woollahra App - Potholes
Tabled by Councillor: Jarvis

Woollahra App - Potholes

Councillor Jarvis advised:

Thank you Madam Mayor. The thing I really want to say is to compliment to the Woollahra App and how fantastic it is after those storms we had we had lots of pot holes that were created in our area and I have become and I don't know how, the pothole queen fixer, so I want to say thank you to the staff that the number of potholes have been fixed, in some instances not once but twice because the cars have made them even worse again so it's been a busy month for all of us, so thank you very much to the staff for being so responsive.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Jarvis.

Notices of Motion

Item No: 16.1
Subject: NOTICE OF MOTION - PUBLIC WHALE WATCHING BINOCULARS
From: Councillors Nicola Grieve and Matthew Robertson
Date: 16 August 2022
File No: 22/160469

(Grieve/Robertson)

102/22 Resolved:

THAT Council:

A. Notes its delight at:

- i. The increase in whale numbers travelling up and down Australia's eastern seaboard.
- ii. The removal of Humpback whales from Australia's threatened species list in February 2022.
- iii. Our community's interest in local biodiversity, and that Council-run whale watching walk held four times annually for groups of 28 people are regularly at capacity.
- iv. The provision of numerous, spectacular vantage points for whale watching along the Woollahra-council section of the eastern beaches 'coastal walk'.

B. Request staff to investigate installation of free, public binoculars and signage detailing whale species and migration patterns at strategic vantage points along the coastal walk, noting that such improvements will not only provide enhanced opportunities for interaction with biodiversity, but that activation of this area will aid in self-harm prevention.

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

15/0

Questions With Notice

(Zeltzer/Robertson)

103/22 Resolved:

THAT the Questions with Notice be received and noted.

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

15/0

QWN: 17.1
From: Councillor Regan
Subject: Questions with Notice - Rose Bay Centre Connectivity Program (RBCCP)

Councillor Regan asking:

1. Would you please direct us to where we can find a copy of the application for grant funding made by Council for Rose Bay under the streets as shared spaces program of the NSW State Government which resulted in Council being awarded \$480,000 to deliver the Rose Bay Centre Connectivity Program (RBCCP)?
2. Is there a copy of the RBCCP that is readily accessible from Council's website?
3. It is understood that the RBCCP was based on the draft Rose Bay Place Plan 2022-2025 and that it will enable Council to trial multiple projects with a view to more permanent works down the track. In this regard, was the application for funding based on 30km traffic and pedestrian zones in Rose Bay?
4. Are treatments set out in the application for grant funding in the RBCCP, which I understand include footpath extensions, temporary shared zones, street greening, temporary seating and temporary retail (amongst other things) based on 30km traffic and pedestrian zones in Rose Bay?

5. As a general questions, are road and footpath treatments such as raised pedestrian crossings / chicanes designed to slow traffic flow down/ footpath extensions and street greening in identified pedestrian zones only permissible if 30km speed limits are set, or can these treatments (which aim at favouring pedestrians over cars) also be implemented in areas with 40km speed limit zones?
6. Are there any road and footpath treatments that can only be achieved in 30km speed limit areas that are not able to be achieved if the speed limit is over 30km?

Manager Strategic Planning & Place in response:

1. Would you please direct us to where we can find a copy of the application for grant funding made by Council for Rose Bay under the streets as shared spaces program of the NSW State Government which resulted in Council being awarded \$480,000 to deliver the Rose Bay Centre Connectivity Program (RBCCP)?

The application to deliver the RBCCP made by Woollahra Council is summarised at this location. <https://www.dpie.nsw.gov.au/premiers-priorities/great-public-spaces/streets/streets-as-shared-spaces-program>

2. Is there a copy of the RBCCP that is readily accessible from Council's website?

*No, there is not currently a copy of the RBCCP on Council's website.
The proposed program is a work in progress subject to ongoing consultation with internal teams (revised budgets due to the impacts of the COVID-19 pandemic on costs) and requires consent from relevant land owners as well as statutory approvals.*

3. It is understood that the RBCCP was based on the draft Rose Bay Place Plan 2022-2025 and that it will enable Council to trial multiple projects with a view to more permanent works down the track. In this regard, was the application for funding based on 30km traffic and pedestrian zones in Rose Bay?

One of the objectives of the application for the funding is to:

Road test pedestrian walking and streetscape projects identified in the Draft Woollahra Active Transport Plan and Draft Rose Bay Place Plan.

In this regards, the application is not reliant on a 30km speed limit and can be progressed regardless of a 30km or a 40km speed limit.

4. Are treatments set out in the application for grant funding in the RBCCP, which I understand include footpath extensions, temporary shared zones, street greening, temporary seating and temporary retail (amongst other things) based on 30km traffic and pedestrian zones in Rose Bay?

The primary objectives of the treatments identified in the RBCCP seek to improve and enhance the connections and pedestrian accessibility between Rose Bay Centre to Rose Bay Beach/harbour and around Rose Bay Centre. The application is not reliant on a 30km speed limit.

Manager Engineering Services in response:

5. As a general questions, are road and footpath treatments such as raised pedestrian crossings / chicanes designed to slow traffic flow down/ footpath extensions and street greening in identified pedestrian zones only permissible if 30km speed limits are set, or can these treatments (which aim at favouring pedestrians over cars) also be implemented in areas with 40km speed limit zones?

Traffic calming treatments such as raised pedestrian crossings, chicanes, and footpath extensions are implemented to reduce traffic speed and improve safety for all road users. These traffic calming treatments can apply to both 30km/h and/or 40km/h speed control areas.

6. Are there any road and footpath treatments that can only be achieved in 30km speed limit areas that are not able to be achieved if the speed limit is over 30km?

All traffic calming treatments implemented within 30km/h speed control areas can also be implemented within speed control areas over 30km/h.

There being no further business the meeting concluded at 9.40pm.

We certify that the pages numbered 658 to 692 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 22 August 2022 and confirmed by the Ordinary Meeting of Council on 12 September 2022 as correct.

General Manager

Mayor