



Ordinary Council Meeting

Monday 13 February 2023
6.30pm

Minutes



Ordinary Council Meeting

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Ordinary Council Meeting

Minutes of the Meeting of Ordinary Council held at the Council Chambers, 536 New South Head Road, Double Bay, on 13 February 2023 at 6.30pm.

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

Councillors: Sean Carmichael
Peter Cavanagh
Luise Elsing
Nicola Grieve
Mary-Lou Jarvis
Harriet Price
Lucinda Regan
Matthew Robertson (via Zoom)
Richard Shields
Mark Silcocks
Toni Zeltzer

Staff:	Flynn Erich	(Meetings Officer)
	Rhys Johnson	(Governance Coordinator)
	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 13 February 2023 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 (King Charles III)

The Mayor read the following Acknowledgement of the Sovereign of the Day (King Charles III):

I also acknowledge the King of Australia, King Charles III.

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

An apology was received and accepted from Councillor Shapiro, Councillor Swan and Councillor Witt and leave of absence granted.

Councillor Robertson participated in the meeting using audio-visual link.

6. Confirmation of Minutes

Item No:	6.1
Subject:	CONFIRMATION COUNCIL MINUTES - 12 DECEMBER 2022
Author:	Sue O'Connor, Governance Officer
File No:	22/251267
Purpose of the Report:	The Minutes of the Council of 12 December 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 11.3 Ensure effective and efficient governance and risk management.

(Silcocks/Carmichael)

1/23 Resolved:

THAT the Minutes of the Council Meeting of 12 December 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

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

12/0

Against the Motion

Nil

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 Question with Notice Item 17.1.

9. Petitions Tabled

Petition No: 9.1
From: John Murray Junior from Derby Street, Vaucluse
Tabled by Councillor: The Mayor, Councillor Wynne

The Petition was in terms:

We, the undersigned residents adjacent to the Derby Street Reserve an surrounding Community are concerned about the proposal encouraging public access to the narrow northern apex of the Reserve abutting no.34 Derby Street, which will undermine safety, security and privacy. We also consider the proposed replacement lighting, seating, fencing and parking changes to be excessive.

We note that the following points have not been considered by the original applicant:

1. **Safety and security:** *There have been 3 burglaries at each of the three end houses over the years and a recent incident where a young teenage female was followed home via this pathway. It is a dead-end, away from the main activities of The Reserve and its thoroughfare and people should not be encouraged to go there. Troublemakers can gain access and escape without being caught. Extra foot-traffic will antagonise the surrounding residents and unfairly push safety concerns back onto them to monitor day and night. There is an increased trip hazard risk in the historical stormwater drain as the rock-ledge narrows.*
2. **Impact on Visual and Acoustic privacy for the adjacent neighbours if the area is activated.** *Residents generally don't use the northern tip. Who would feel comfortable sitting just a few metres away and in full view of a resident's living /dining/ kitchen area? Intimidating and anti-social behaviour in this small parcel of land at the end of The Reserve is not acceptable.*
3. **In the past, Council have confirmed that the police do not want The Reserve activated as it could generate anti-social behaviour.** *Surrounding residents don't want Reserve usage after-dark and consequently, lighting in The Reserve has not been desirable. Lighting also negatively impacts neighbouring residents affecting their ability to sleep and shining in view-lines.*
4. **The main Community benefits are enjoyed from the central part of The Reserve where the existing bench seating provides panoramic views** *and the open space can be enjoyed using deckchairs or picnic blankets without impacting neighbours. More bench-seating is likely to affect the recreation area for children to run around and may also add to anti-social behaviour at night.*
5. **The residents at no.34 Derby Street are aware that the northern tip of The Reserve is Council land** *but do not want another fence-line or more 2m high bushes in their view-line on their boundary. It is no fault to anyone that this property abuts The Reserve.*
6. **A native garden volunteer group** *have continued gardening through COVID in The Reserve and The Gully and have kept it a place of peace and a base for Community social connectedness.*
7. *We understand that the street parking next to The Reserve ramp was assessed by Woollahra Council's Traffic Committee in 2022 and after a Safety study, it confirmed there were no safety issues.*

Derby St Vaucluse, concerned with the proposal encouraging public access to the narrow northern apex of The Reserve, abutting 34 Derby St, which will undermine safety, security and privacy. We also consider the replacement lighting, seating, fencing and parking changes to be excessive.

We ask Woollahra Council not to facilitate increased public access to the northern tip of The Reserve for safety, security and privacy concerns and to consider the negative effect that lighting, seating, fencing and parking changes will have on adjoining properties.

There are 127 signatures on the petition, along with some accompanying letters.

(Wynne/Jarvis)

2/23 Resolved:

THAT the petition lie on the table for fourteen (14) days and referred to the Director Infrastructure & Sustainability.

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 Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

Nil

12/0

10. Mayoral Minute

Item No: 10.1
Subject: AUSTRALIA DAY HONOURS - 26 JANUARY 2023
Author: Susan Wynne, Mayor
File No: 23/16213
Purpose of the Report: To inform the Council of the local recipients of the 2023 Australia Day Honours.

(Wynne/Carmichael)

3/23 Resolved:

- A. THAT a letter of congratulations, signed by the Mayor, be forwarded to the local residents of the 2023 Australia Day Honours:
- i. The Hon James Leslie Allsop, AC
 - ii. Mr Anthony Bastic, AM
 - iii. Sir Michael David Bishop, AM
 - iv. Mr Richard James Evans, AM
 - v. Dr Lisa Joy O'Brien, AM
 - vi. Ms Nicola Wakefield-Evans, AM
 - vii. Ms Chantal Marie-Rose Abouchar, OAM
 - viii. Mrs Susan Jennifer Dadswell, OAM
 - ix. Dr Richard Gallagher, OAM
 - x. Mr Rodney Turner Halstead, OAM
 - xi. Mr Uri Windt, OAM.
- B. THAT a letter also be sent, signed by the Mayor, to Dr Gary Sheils sending Council's congratulations and acknowledging his inclusion in the 2023 Australia Day Honours.

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 Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

12/0

Against the Motion

Nil

11. Public Forum

Nil

12. General Manager and Officer's Report

Item No: 12.1
Subject: **AUDIT, RISK & IMPROVEMENT COMMITTEE (ARIC) MINUTES - 15 NOVEMBER 2022**
Author: Helen Tola, Manager - Governance & Risk
Approvers: Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 22/252481
Purpose of the Report: To present the Audit, Risk & Improvement Committee (ARIC) meeting minutes of 22 June 2022 for noting by Council.
Alignment to Delivery Program: Strategy 11.3 Ensure effective and efficient governance and risk management.

(Price/Grieve)

4/23 Resolved:

THAT the Minutes of the Audit, Risk & Improvement Committee Meeting of 15 November 2022 be noted.

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 Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

12/0

Item No: 12.2
Subject: **AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 2023 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA)**
Author: Helen Tola, Manager Governance & Risk
Approvers: Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 23/11849
Purpose of the Report: To provide Council with the opportunity to nominate motions and voting delegates for the upcoming Australian Local Government Association (ALGA) 2023 National General Assembly of Local Government (NGA) being held June 2023.
Alignment to Delivery Program: Strategy 11.3 Ensure effective and efficient governance and risk management.

Note: The Council deleted original Part C and Part D of the recommendation and added a new Part C to the Resolution.

(Elsing/Carmichael)

5/23 Resolved:

THAT Council:

- A. Give consideration to motions to be tabled at the Australian Local Government Association (ALGA) 2023 National General Assembly of Local Government (NGA).
- B. Request Councillors provide the General Manager with any proposed motions for the ALGA 2023 National General Assembly of Local Government (NGA) by close of business Friday 3 March 2023, for the purpose of the proposed motions being included in a report to the Monday 13 March 2023 Council meeting for the consideration of Council.
- C. Consideration of authorising attendance of Councillors and the nomination of one (1) Councillor as voting delegate be deferred and included in a report to the Monday 13 March 2023 Council meeting.

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 Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

12/0

Item No: 12.3
Subject: **WATSONS BAY FLOOD MITIGATION WORKS - PROJECT UPDATE**
Author: Emilio Andari, Manager Engineering Services
Approver: Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 23/21235
Purpose of the Report: To seek additional funding from Council to deliver project
Alignment to Delivery Program: Strategy 7.2 Support cleaner, healthier waterways including improved water quality and healthy water catchments, creeks and harbour.

(Jarvis/Grieve)

6/23 Resolved:

THAT Council contribute the remaining additional funds of \$384,527 from Council's s7.12 Contributions this financial year, in order to successfully deliver the Flood Mitigation Works in Cliff Street, Watsons Bay, and meet the Department of Planning and Environment's (DPE) expected timeframe.

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 Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

Nil

12/0

13. Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Monday 5 December 2022 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	MONTHLY FINANCIAL REPORT - 31 OCTOBER 2022 INVESTMENTS HELD AS AT 30 NOVEMBER 2022
Author:	Abdullah Rayhan, Team Leader
Approvers:	Paul Ryan, Chief Financial Officer Sue Meekin, Director Corporate Performance
File No:	22/217302
Purpose of the Report:	To present the monthly financial report for October 2022 and to present a list of investments held as at 30 November 2022.
Alignment to Delivery Program:	Strategy 11.2 Secure Council's financial position.
(Zeltzer/Price)	

7/23 Resolved:

THAT the Committee:

- A. Receive and note the Monthly Financial Report – October 2022.
- B. Note that the Council's 12-month weighted average return for October 2022 on its direct investment portfolio of 2.64% (LM: 2.15%, LY: 0.47%) exceeds the benchmark 90-day AusBond Bank Bill Index of 2.18%.
- C. Note that the interest revenue for the year to date 31 October of \$609k, is exceeding our revised budget of \$168k for the same period.
- D. Receive and note the list of Council's investments held as of 30 November 2022 (provided as late correspondence).

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 Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

12/0

Against the Motion

Nil

Item No: R2 Recommendation to Council
Subject: **EVALUATION REPORT ON COMMUNITY LED DOG EVENTS HELD IN 2022**
Author: Maya Jankovic, Coordinator Community & Cultural Development
Approvers: Vicki Munro, Manager Community & Culture
Patricia Occelli, Director Community & Customer Experience
File No: 22/230273
Purpose of the Report: To provide Council with an evaluation report on the success of the community led dog events held in 2022
Alignment to Delivery Program: Strategy 1.1: Provide, promote and facilitate a range of community projects, programs and events that support an inclusive, thriving and sustainable community.

(Zeltzer/Price)

8/23 Resolved:

THAT:

- A. The report be received and noted.
- B. Council continue to encourage and support the community led dog-focused events planned for 2022/2023 and into the future.

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 Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

Nil

12/0

14. Rescission Motion

Nil

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 Turkiye - Syria Earthquake Crisis
Tabled by Councillor: The Mayor, Councillor Wynne

The Mayor, Councillor Wynne advised:

I would like to acknowledge what is occurring in Turkiye and Syria, and let everyone know that I have written to the Turkish Consul General and Syrian Honorary Consul General on behalf of the Woollahra community to express our absolute support and concern and love for their community. I think as of today there were over 33,000 people who have lost their lives. The worst thing is that 23 million people have been displaced and it is the most horrific humanitarian crisis we have seen in a long time. We have announced it and put a link on Council's website to the Red Cross appeal to support the work on the ground, but I just want to let everyone know that I have written on behalf of the community.

General Item No: 15.2 Thank you to Sebastian Goldspink
Tabled by Councillor: The Mayor, Councillor Wynne

The Mayor, Councillor Wynne advised:

I would like to acknowledge Sebastian Goldspink, Director Woollahra Gallery at Redleaf who leaves us on Wednesday 15 February 2023 and starts his new role on Thursday, and he has no break. Sebastian Goldspink came to us with the opening of the art gallery, and I cannot think of anyone better who has set the tone and culture of that gallery, and brought that entire place to life and work for those who follow in his footsteps have big shoes to fill. I am really confident that because of the work he has done and he has really created a fantastic model that succession, that we are in very good hands and I did say to Sebastian that he has to come and sit on our Woollahra Small Sculpture Award Committee and he said yes he would, so I'm going to hold him account to that, but I just want to say on behalf of the Councillors and Council that we wish him all the very best and that he has been an outstanding contributor to that very special place.

General Item No: 15.3 Tu Bishvat Tree Planting Morning at Vacluse
Tabled by Councillor: Councillor Regan

Councillor Regan advised:

Thank you, Madam Mayor. I want to thank the National Council of Jewish Women for inviting us to attend the Tu Bishvat Tree Planting morning last Sunday at Signal Hill at Vacluse. There were over 100 trees donated by Barbara at the National Council of Jewish Women, with Woollahra Council staff providing just as many shrubs for planting. I just want to thank Margaret from the Bushcare team of the Council and her team, who were very professional, good natured and provided great advice and assistance to all the attendees there.

Also, to thank the National Council of Jewish Women for hosting the event, which is a reminder of how important our nature corridors are, which is something that I found out which is celebrated in the Torah and it's an important thing to keep a green ring around where we live and to let nature have its course. The event was very well attended, with our local Federal Member for Wentworth, Ms Allegra Spender attending and Dr Marjorie O'Neill, Member for Coogee and various candidates for the upcoming NSW State Election including Karen Freyer, Dr Kylie von Muenster and I was very happy to be there on behalf of Council. Thank you.

The Mayor, Councillor Wynne in response:

Thank you Councillor Regan for being there. I did see a lovely photo of you with a friend of mine looking very cheery. I know you were there for a long time, so thank you very much.

General Item No: 15.4 Chairperson Jason Masters Book launch
Tabled by Councillor: Councillor Grieve

Councillor Grieve advised:

Thank you Madam Mayor. Councillor Price and I had the pleasure of attending the Chairperson of Council's Audit Risk & Improvement Committee (ARIC), Mr Jason Masters book launch the other day down at the Burdekin Pub, which was my stomping ground from the eighties, so it brought back a lot of memories to a lot of people who were there that night.

It was a great honour to be there and to be a witness basically to a very moving story from Jason, who wrote about his quite late coming out journey and he was supported by his children which was really lovely and it was very moving and I went through full gamut of emotions. You know, from very happy to very sad to very cranky at various times and that we deal with people on a professional basis, but it was really nice to see the human side and it was a great honour.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Grieve.

Councillor Price further advised:

Thank you Madam Mayor. Thank you Councillor Grieve for mentioning about Mr Masters and his excellent book which I actually have now finished. You are right that it was a very moving story and especially in relation to his faith and the struggles he had and it was very eye-opening.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Price.

General Item No: 15.5 World Pride 2023
Tabled by Councillor: Councillor Price

Councillor Price advised:

Thank you, Madam Mayor. Moving onto World Pride and the beginning of the festivities for this event, I was really excited that a number of us attended the "Pride Amplified" exhibition at The Woollahra Gallery at Redleaf last week.

It was fantastic and it was really well received, Councillor Carmichael, Councillor Regan, Councillor Cavanagh, Councillor Grieve and Councillor Zeltzer were all in attendance. It was such a lovely way to kick things off and also say goodbye to Sebastian Goldspink, so that was lovely.

There were three exhibitions, with artists Michael Simms, Ian Thomas, Armando Chant, Justine Roche and Fiona Billyard, and I would encourage people to go and have a look. It is open to the end of March and also I would like to congratulate all the staff for curating the event and I look forward to the rest of the programme to come. Thank you.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Price.

Councillor Zeltzer advised:

Thank you, Madam Mayor. I would like to ditto the comments made by Councillor Price in regards to the current exhibition at the Woollahra Gallery at Redleaf. I can recall that it was not that long ago that I stood up in front of the Council building with Councillor Robertson, Councillor Elsing and Councillor Cavanagh and we raised the Rainbow Flag, and it was the first time it had ever been raised in Woollahra and the fact that we're going to this very special exhibition, I just think it speaks for our place and speaks about inclusion and I am just quite touched.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Zeltzer.

The Mayor, Councillor Wynne advised:

I don't know if you have looked down at Redleaf where we have the progress Pride Flags and I understand that we have some imagery in the shape of hearts appearing in Paddington and it's so exciting and also just speaking of wonderful colour, the laneways in Rose Bay from New South Head Road to Collins Avenue onto the beach and I don't know if you have seen them but please I would like to thank staff. They were previously dingy laneways, however they have really been activated and it's amazing what some colour and paint can do to activate the area and everyone is saying how amazing it is, it is fantastic. The big blocks of concrete that look out to the water, I have been sent so many photographs of people sitting on the blocks at the beach with their dogs, people sitting on there and if you have not been there please go and have a look.

I believe there is also another activation being installed on the wall in the car park today, so I think it's Scott Pedder, Director Planning & Place area and I would like to congratulate staff on that.

General Item No: 15.6 Park Bench - New South Head Road
Tabled by Councillor: Councillor Jarvis

Councillor Jarvis advised:

Thank you, Madam Mayor. I just want to start off with a small thing, but it's often the small things that we do in this Council that make a difference. A lady by the name of Mrs Nola Morris, who lives on Towns Road, turned 97 on 20th January and she contacted me and Tom O'Hanlon, Director Infrastructure & Sustainability over for some time about a park bench that we removed from New South Wales Road which she used to like to go to the bench and sit on in the greenery.

At 97 I think the fact that she could get down that far is quite impressive. But we lost a tree and in clearing it the bench went as well. Mrs Morris had been in hospital and one of her goals was to get to the bench. I would like to say thank you to Tom O'Hanlon, especially as this was one of those things where he could have easily said no, but he did find a spare park bench somewhere and relocated it so Mrs Morris can have the happy use of it and I'm sure it was a wonderful birthday present.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Jarvis.

General Item No: 15.7 Seniors Festival 2023
Tabled by Councillor: Councillor Jarvis

Councillor Jarvis advised:

Thank you, Madam Mayor. As we are talking about seniors, we had the Seniors Festival at the start of this month. I must congratulate the staff and the team who put this together because it was a wonderful programme and thank you as with you Madam Mayor, Councillor Regan, Councillor Price and myself attended. We were probably one of the youngest there apart from the grandparents with their children and it was just lovely. Such a lovely atmosphere out there on the lawns. It was quite hot and steamy, but there was the Woollahra Philharmonic String Quartet and also a wonderful Orchestra in the form of the SCEGGS Darlinghurst that played. It was a coming together of older people to enjoy each other's company, and it reminded me of how important that community is in this area. Only coincidentally around the same time, someone reported to me that Mother Teresa had said that the greatest scourge of the 20th century or the modern era was not Tuberculosis (TB) and Leprosy, but loneliness, and somebody a few days later said that it is estimated these days that 25 percent of people are actually lonely.

So anything we can do to bring the community together is really quite special and there are a whole lot of events on as part of seniors month if there are people thinking what they are going to do. We have walking groups, the fantastic grandparents story time, classes teaching some of the older residents to be technology savvy at Ascham and there is the yoga class or chair yoga, and there was a gallery tour as well which Sebastian Goldspink, Director Woollahra Gallery at Redleaf kindly gave my book group early in the month. Those sort of things are a really great opportunity for people to come and enjoy other people's company, then we have a whole series of events going on for this month for example Teaching us to be "Brain Fit", - we could probably all go to that! - and culminating with the Woolltones Community Choir, Still Art Photography, and some really fantastic stuff. So congratulations to the staff and Vicki Munro, Manager Community & Culture and everybody who is involved and putting that together. Thank you.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Jarvis.

General Item No: 15.8 Darling Point Society Annual Afternoon Tea and
Ms Charlotte Feldman
Tabled by Councillor: Councillor Silcocks

Councillor Silcocks advised:

Thank you, Madam Mayor. I would just like to mention the Darling Point Society Annual Afternoon Tea at Lindsay House which myself and Councillor Price and Councillor Regan attended. It is an annual event and Lindsay House was looking quite resplendent. It was a beautiful day, on Saturday and it was well supported by Darling Point members and residents, and quite a few budding politicians attended indicating there's an election coming up. So we should just congratulate the new president Mr Robert Pompei and also acknowledge Ms Charlotte Feldman who is stepping down and she has been the president for 16 years, so that is quite a lengthy service to the community and representing the Darling Point Society, so congratulations to her and a big thanks.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Silcocks.

Councillor Robertson further advised:

Thank you, Madam Mayor. I just want to add to what Councillor Silcocks said in relation to Ms Charlotte Feldman, and the head of the Darling Point Society. Over many years I have had the opportunity to collaborate with Ms Feldman on a range of matters, including heritage, and I came to experience the passion that she had, particularly for our Woollahra LGA. The longer I serve on this Council, the more I come to believe that our area is shaped by the efforts of our resident associations and the people that lead them. In that vein, I think it's very appropriate that we pay tribute to what is a very long period of service and the contribution to our community of Woollahra as well as in Darling Point. Thank you.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Robertson. I could not agree more.

General Item No: 15.9 Lindy Lee Sculpture
Tabled by Councillor: Councillor Zeltzer

Councillor Zeltzer advised:

Thank you, Madam Mayor. I would like to acknowledge, and I certainly attended the unveiling of the Lindy Lee Art Sculpture and it was amazing. I did say to Mr David Gonski, as I have previously been on the Committee that I really felt that our community and that Woollahra as a Council and as an organisation has really come of age in regards to our appreciation of the art, and this is an outstanding piece. I congratulate all of those who contributed to be able to afford and present such a piece, so I would like to thank the private contributors and the work that Council did to be able to achieve this and it was a very enjoyable evening and it was a piece of work that is outstanding. It was such a pleasure to be there.

The Mayor, Councillor Wynne in response:

Thank you, Councillor Zeltzer. It's one of our proudest moments, I think it's certainly one of mine, so when I think about the piece, you sort of take it for granted now cause it was made for that place. It was a very very special event and I do want to thank the staff as well, and I know that was no mean feat to get that into position and I do also have to thank one of our local residents Ms Liz Lewin who was instrumental in securing this piece and it would not have happened without her and we are very, very lucky to have her help.

16. Notices of Motion

Item No: 16.1
Subject: NOTICE OF MOTION - AUSTRALIA DAY
From: Councillor Susan Wynne
Date: 03 February 2023
File No: 23/19298

Note: The Council amended Part A and Part B of the Resolution.

(Wynne/Elsing)

9/23 Resolved:

THAT Council:

- A. From January 2024 onwards, no longer hold Citizenship Ceremonies on Australia Day.
- B. From January 2024 onwards, hold a Citizenship Ceremony/s on one of the three days before or after Australia Day (in line with the recently updated *Australian Citizenship Ceremonies Code 2022*), with the specific date of the Ceremony/s to be determined by the Mayor of the day in consultation with the General Manager.

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 Wynne
Councillor Zeltzer

Against the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Shields

8/4

Item No: 16.2
Subject: **NOTICE OF MOTION - A SWIMMABLE HARBOUR**
From: Councillors Harriet Price, Lucinda Regan and Luise Elsing
Date: 06 February 2023
File No: 23/20735

Note: Councillor Cavanagh left the meeting, the time being 7.30pm.

Note: Councillor Cavanagh returned to the meeting, the time being 7.33pm.

Note: Councillor Robertson left the meeting, the time being 7.48pm.

Note: Councillor Robertson returned to the meeting, the time being 7.50pm.

Note: The Council added new Part A (8), amended Part B (1) and deleted original Part B (2) of the Resolution.

(Price/Elsing)

10/23 Resolved:

THAT Council:

A. Notes:

1. That its harbour beaches and pools (including Camp Cove Beach, Parsley Bay, Murray Rose Pool/Redleaf Beach and Watsons Bay Baths) are much adored and well utilised Council facilities;
2. The popularity of swimming throughout the LGA (as identified in Council's draft Recreation Strategy (dated January 2023));
3. That the LGA has:
 - i. no public indoor or outdoor swimming centres;
 - ii. picturesque waterways, extending approximately 16km from Rushcutters Bay to Watsons Bay; and
 - iii. a rich history of providing public access to the harbour for swimming.
4. The improvement to water quality in the harbour and advances in technology to monitor pollution and water quality;
5. That the harbour and its waterways are a valuable public asset;
6. The importance of exercise for physical and mental health and wellbeing;
7. The recent decisions by the:
 - i. Canada Bay Council to open Bayview Park on the Parramatta River;
 - ii. City of Sydney to open Pirrama Park, Pyrmont; and
 - iii. the NSW State Government to:
 - a. open Marrinawi Cove, Barangaroo for bathers and swimmers; and
 - b. explore opening a floating swimming pool at Nawi Cove, Barangaroo.
8. That the harbour and its adjacent waterfront areas provide residents with respite from the impacts of the warming climate change.

B. Resolves:

1. To commission a report subject to funding being considered and approved as part of the 2023/24 Budget process to investigate the feasibility (or otherwise) of creating a more accessible, safe and swimmable harbour, including identifying potential locations, with the focus of the report to be on the western harbour area of the LGA;
2. That Council staff also:
 - i. explore and apply for any relevant grant funding to deliver such a report; and
 - ii. liaise with relevant City of Sydney Council officers to explore the possibility of a joint investigation of the potential for swimming opportunities at Rushcutters Bay and surrounds.
3. To advance and amend Action Item 4.7 in the draft Recreation Strategy to: 'provide improved facilities (including accessible access) at our harbour beaches, bays and inlets to support swimming and relaxation, including seating, showers and safety facilities'.

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 Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

12/0

Against the Motion

Nil

17. Questions With Notice

Note: Late correspondence was tabled by Emilio Andari, Council's Manager Engineering.

(Carmichael/Silcocks)

11/23 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

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

Against the Motion

Nil

12/0

QWN: 17.1
From: Councillor Carmichael
Subject: Questions with Notice - Bellevue Road & New South Head Road Intersection

Councillor Carmichael asking:

I refer to my Question on Notice to Council and staff response about the inappropriate queuing of traffic after turning left onto New South Head Road from Bellevue Road, Double Bay as a result of the installation of the now not so new traffic light with red arrow outside Petbarn.

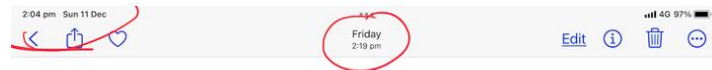
Nearly a year on, cars are still wrongly and regularly banking up on New South Head Road outside the post office in all southbound lanes after turning left from New South Head Road. They are often free to keep going in the second and third lane with no cars in front, but do not do so. The pedestrian signal on Kiaora Road is not always green to justify the first lane banking up either.

I have attached an image of this to illustrate one example, and can supply plenty more upon request.

The consequence is unnecessarily long traffic queuing on Bellevue Road. More locals have been complaining to me in email, in social media forums, in Liberal Party branch meetings, on the street, and by telephone.

It is really clear motorists are struggling to interpret the signals as provided. This issue has also been raised by Bellevue Hill Ward colleague Cr Regan as problematic in email correspondence since. It is a ridiculous and unnecessary situation.

- What has TfNSW's and any Council monitoring in the prior answer revealed in nearly a year since I first posed the question?
- Can Council and TfNSW please somehow resolve this so we can have clear and unambiguous traffic signalling - which will maximise pedestrian and vehicular safety, and also flow, at this intersection?



QWN: 17.2
From: Councillor Carmichael
Subject: Questions with Notice - Traffic Signalling

Councillor Carmichael asking:

I refer to recent traffic signalling installed outside the Double Bay post office on New South Head Road (NSHR) and Kiaora Road.

Based on local reports received and my own subsequent observations, it appears some motorists are confused by these new signals.

After turning left onto New South Head Road from Bellevue Road, some now seem unsure whether they have the right to continue along passed the Kiaora Road intersection towards the NSHR and Knox Street intersection.

Some also seem unsure whether they are still allowed to turn left into Kiaora Road after having just turned left from Bellevue Road onto NSHR.

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As a result, some cars are stopping in response to these lights, and others are continuing on. Is Council aware of this issue? If so, what is Council's response to the matter?

Manager Engineering Services in response:

As you may already know, New South Head Road is an arterial road and all arterial roads and traffic signalised intersections fall under the care and control of Transport for NSW (TfNSW).

Over the recent years, Council's Traffic and Transport Engineers have made requests to TfNSW on behalf of the community, to improve pedestrian and motorist safety at the intersection of New South Head Road / Kiaora Road / Cross Street / Bellevue Road, Double Bay. Having received requests from both Council staff and the local community, TfNSW installed 'left arrow' traffic signals on New South Head Road for motorists turning into both Bellevue Road and Kiaora Road. The 'left arrow' traffic signals were installed to improve safety for both motorists and pedestrians crossing at Bellevue Road and Kiaora Road. A motorist using the kerbside traffic lane on New South Head Road must stop if there is a 'left arrow' traffic signal and this is due to the pedestrian signal phase in either Bellevue Road and/or Kiaora Road.

TfNSW have advised Council's Traffic and Transport Engineers that these recent traffic signal changes will be monitored, and investigations on the intersection of New South Head Road / Kiaora Road / Cross Street / Bellevue Road, Double Bay, are ongoing.

Manager Engineering Services in response:

Council's Traffic & Transport Engineers will coordinate an on-site meeting with Transport for NSW (TfNSW) representatives in February/March 2023 to explore further improvements to the intersection of Bellevue Road, Cross Street, Kiaora Road, and New South Head Road, Double Bay. Noting that the additional 'left turn' signal for New South Head Road into Kiaora Road was installed for some months, Council's Traffic & Transport Engineers will request feedback on the intersection performance and seek further improvements, where necessary. An update following the on-site investigation, together with feedback from TfNSW representatives, will be presented to Councillors.

QWN: 17.2
From: Mayor Wynne
Subject: Questions with Notice - Double Bay Planning and Urban Design Strategy

Councillor Wynne asking:

Can the Director Planning & Place please provide an update on when the Double Bay Planning and Urban Design Strategy will be tabled at a Committee / Council meeting for the consideration of Council and the likely timing of when this Strategy will be finalised and implemented?

Manager Strategic Planning & Place in response:

Following the completion of the exhibition period for the *Draft Double Bay Planning and Urban Design Strategy* (the Strategy), and in response to issues raised in the submissions, we commissioned a heritage study of the whole of the Double Bay Centre.

This was finalised late last year and reported to the Woollahra Local Planning Panel in December 2022. It is anticipated that the advice of the Woollahra Local Planning Panel will be reported to a meeting of Council in the first half of 2023.

Council staff have reviewed all the issues raised in the submissions, and we have engaged a consultant to amend the Strategy in response to the issues raised. They will also be responsible for managing updates to the accompanying *Double Bay Transport Study* and *Draft Community Impact Statement*.

We anticipate that it will take 2-3 months for the consultant to complete this work, after which Council staff will prepare a report to a meeting of the Strategic and Corporate Committee. Accordingly, it is anticipated that this matter will come before a meeting of the Council prior to mid-2023.

QWN: 17.3
From: Councillor Shapiro
Subject: Questions with Notice - Creative Hoardings

Councillor Shapiro asking:

1. In 2020 Council adopted a Notice of Motion for Creative Hoardings, and the Cultural Committee chose artworks as well historical images.

The historical images took extra time to finalise. However, as yet, I have only seen one case of a creative hoarding which was for a short time period at the Vet Hospital in Rose Bay.

There are so many new developments being undertaken in Double Bay and yet not one of these sites has a creative hoarding, and it is such a missed opportunity.

Please can you follow up and indicate why none of the current developments in Double Bay (or elsewhere) have creative hoardings and what is the reason?

2. As part of the DA process, developments in commercial centres over a certain value require a public art component. Please can you provide details as to how many and which DAs are in the process of providing the required public art component?

Manager Legal, Compliance & Enforcement in response to (question 1):

Council officers have issued approvals for creative hoardings for a number of sites in Double Bay. There has been delay with the installation of the artwork on site for various reasons, set out below for each site. Council Officers are continuing monitor and take necessary enforcement action for these sites:

- 357-359 New South Head Road, hoarding reference 5/2022. After numerous emails from Building and Compliance staff since August 2022, no artwork print has been installed on site. On 1 February 2023, a Breach of consent condition D.7 relating to creative hoarding was issued. No representations from the owner or contractor has been received to date. Council Officers are continuing monitor and take necessary enforcement action for this the site.

- 55 Bay Street, hoarding reference 21/2022. Hoarding permit has been issued and artwork selection finalised in January 2023. However no creative hoarding has been installed on site. Council Officers are continuing monitor this site
- 19 Bay Street, hoarding reference 28/2022. Council Officers have been notified that a new contractor has control of the site. Council Officers are working with the contractor to have the artwork approval finalised.
- 2-10 Bay Street, hoarding reference 29/2022. Hoarding permit issued on 06/09/2022. Cultural Development staff granted a 12-week dispensation for the artwork requirement. The artwork has recently been approved by Cultural Development.
- 24 Bay Street, hoarding reference 32/2022. Hoarding permit issued on 21/12/2022. Creative artwork was approved and referenced in the permit. The contractor is organising artwork prints.
- 19-27 Cross Street, hoarding reference 39/2022. Hoarding permit assessment has been finalised. The permit has not been issued as payment is still outstanding. Creative artwork has been approved by Cultural Development staff. Once the permit is issued, a condition requires the artwork prints be that installed within 2 weeks.

Finally, for consents granted during or before 2020, the condition requiring a creative hoarding would not have been applied.

Manager Development Assessment in response (to question 2):

Amendment No 11 (Public Art in Major Developments) to Woollahra Development Control Plan was approved 24 February 2020 and commenced on 16 March 2020.

Amendment No 11 to Woollahra DCP established requirements for major development on land zoned B2 within the Double Bay, Rose Bay or Edgecliff centres to include public art when the development has a Capital Investment Value (CIV) of \$15M or more.

Since the commencement of Public Art requirement for Major Development, a total of two (2) DAs have been approved that fall within the parameters requiring the provision of Public Art.

These include:

Address	DA Number	Status	Cost of Works	Relevant Imposed Public Art Condition/(s)
2-10 Bay Street & 294-296 New South Head Road, Double Bay	DA2021/69/1	Approved (17/11/2021)	\$24,691,393	C.21, F.12 & I.16
19-27 Cross Street, Double Bay	DA2020/32 1/1	Approved (26/07/2021)	\$40,434,422	C.2, F.11, I.13

In terms of being in the process of providing the required public art, only **19-27 Bay Street, Double Bay** is currently seeking approval for the public art as dictated by the relevant imposed DA conditions.

The process/conditions, in summary are follows:

- Prior to the issue of a Construction Certificate, the submission of a Public Art Plan to Council's Public Art Coordinator and subsequently to Council's Public Art Panel for approval (Condition C2)

- Prior to the issue of any Occupation Certificate, evidence that the public art has been completed and installed in accordance with the approved Public Art Plan (Condition F11)
- The public art being maintained in accordance with the development consent and consistent with the endorsed manual for the ongoing maintenance of the public art (Condition I13)

It should also be acknowledged that any current undetermined or future DAs which are subject to the provisions of Amendment 11 of WDCP 2015 and subsequently approved, will include Council's standard conditions relating to the provision of providing public art.

QWN: 17.4
From: Councillor Price
Subject: Questions with Notice - Former Paddington Bowling Club Site

Councillor Price asking:

On 14 February 2022, Council resolved to initiate dialogue with the La Perouse Local Aboriginal Land Council (LALC) to discuss their priorities and vision for lot 3 and lot 5 in deposited plan 1156846 (known as the former Paddington Bowling Club (the Site)) and offer any appropriate support (including):

1. Seeking Federal or State funding and/or other grant opportunities for Aboriginal site conservation and education; and
2. Exploring other means of enhancing and protecting the heritage sensitivity of the Site.

I understand that Council staff have initiated dialogue with the LALC but substantive discussions have been deferred pending the formal transfer of the Site to the LALC.

Can the Director please provide an update on the current status of the transfer?

Director of Infrastructure and Sustainability in response:

Staff are advised by representatives of Crown Lands that the transfer of the site to the La Perouse Local Aboriginal Land Council has been delayed as the previous lease holder has sought a judicial review of the land claim decision. A hearing on the matter in the Land and Environment Court is set for May 2023.

There being no further business the meeting concluded at 8:00pm.

We certify that the pages numbered 24 to 50 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 13 February 2023 and confirmed by the Ordinary Meeting of Council on 27 February 2023 as correct.

General Manager

Mayor