



# Ordinary Council

Monday 11 March 2024

6.30pm

## Agenda



## Council Meeting

Council will be holding Council (i.e. Ordinary and Extraordinary) meetings with the Mayor, Councillors and staff participating in person.

Members of the public are invited to attend the Council meeting in person on watch and/or listen live (via Council's website). Public participation online or by phone will be managed in accordance with meeting procedures.

Members of the public may also submit late correspondence. Instructions on how to do this are provided below:

- **To watch and/or listen to the meeting live (from 6.30pm)**  
Details on how to watch and listen to the meeting live will be available at Council Agendas, Audio Recordings and Minutes.
- **To submit late written correspondence (submit by 10.00am on the day of the meeting)**  
Members of the public may submit late written correspondence on an agenda item being considered at the Council meeting. If you wish to make a written submission on an item on the agenda, please email your submission to [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au) by 10.00am on the day of the meeting.

Members of the public may also request to address Council meeting via the Public Forum mechanism as outlined in the Code of Meeting Practice, by using the relevant registration form available on Council's website – [www.woollahra.nsw.gov.au](http://www.woollahra.nsw.gov.au)

If you are experiencing any issues in joining the meeting please call (02) 9391 7001.

An audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

### Disclaimer:

By using conferencing technology or by teleconference, listening and/or speaking at Council meeting members of the public consent to their voice, image and personal information (including name and address) being recorded and publicly available on Council's website. Councillors, staff and members of the public are advised that meeting are being lived streamed, accessible via a link from Council's website.

By addressing a Council meeting, members of the public consent to their voice and personal information (including name and address) being recorded and publicly available on Council's website.

Accordingly, please ensure your address to Council is respectful and that you use appropriate language and refrain from making any defamatory statements or discriminatory comments.

Woollahra Council does not accept any liability for statements, comments or actions taken by individuals during a Council or Committee meeting.

Any part of the meeting that is held in closed session will not be recorded.

People connecting to this meeting by conferencing technology or teleconference are reminded that under the *Local Government Act 1993*, the recording of meetings by a member of the public using any electronic recording device including a mobile phone or video camera is not permitted. Any person found recording without the permission of Council may be expelled from the meeting.

The audio recording of each meeting will be retained on Council's website for a minimum period of 6 months. After that period has passed, recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

For further information please visit [www.woollahra.nsw.gov.au](http://www.woollahra.nsw.gov.au)

**Ordinary and Extraordinary Council Meeting Membership:** 15 Councillors (including the Mayor)

**Quorum:** The quorum for Council meeting is 8 Councillors

# Woollahra Municipal Council

## Notice of Meeting

7 March 2024

To: His Worship the Mayor, Councillor Richard Shields ex-officio  
Councillors Sarah Swan (Deputy Mayor)  
Sean Carmichael  
Peter Cavanagh  
Luise Elsing  
Nicola Grieve  
Mary-Lou Jarvis  
Harriet Price  
Lucinda Regan  
Matthew Robertson  
Isabelle Shapiro  
Mark Silcocks  
Merrill Witt  
Susan Wynne  
Toni Zeltzer

Dear Councillors,

### Ordinary Council – 11 March 2024

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Ordinary Council** meeting to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Monday 11 March 2024 at 6.30pm.**

Members of the Public may:

- Register to address the meeting (via Zoom or in Person) by completing the relevant form available on Council's website: [https://www.woollahra.nsw.gov.au/council/meetings\\_and\\_committees/having\\_your\\_say\\_at\\_meetings](https://www.woollahra.nsw.gov.au/council/meetings_and_committees/having_your_say_at_meetings) and email the completed form to [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au) **by 10.00am on the day of the meeting.**
- Submit late correspondence for consideration by Councillors by emailing [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au) **by 10.00am on the day of the meeting.**

Watch and listen to the meeting live via Council's website:

[https://www.woollahra.nsw.gov.au/council/meetings\\_and\\_committees/council\\_meetings/council\\_agendas\\_and\\_minutes](https://www.woollahra.nsw.gov.au/council/meetings_and_committees/council_meetings/council_agendas_and_minutes).

An audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

If you have any difficulties accessing the meeting please contact (02) 9391 7001.

Regards,

Craig Swift-McNair  
General Manager



# Ordinary Council Meeting

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## 6. Confirmation of Minutes

|                                       |   |
|---------------------------------------|---|
| <b>Item No:</b>                       | 6.1   |
| <b>Subject:</b>                       | <b>CONFIRMATION MINUTES OF COUNCIL HELD ON 26 FEBRUARY 2024</b>   |
| <b>Author:</b>                        | Sue O'Connor, Governance Officer  |
| <b>File No:</b>                       | 24/34062  |
| <b>Purpose of the Report:</b>         | The Minutes of the Council of 26 February 2024 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. |
| <b>Alignment to Delivery Program:</b> | Strategy 11.3: Ensure effective and efficient governance and risk management.   |

### Recommendation:

THAT the Minutes of the Council Meeting of 26 February 2024 be taken as read and confirmed.

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### Executive Summary:

This report presents the Council Minutes of 26 February 2024 for confirmation. The minutes of the meeting are presented as **Attachment 1** for adoption by the Council Meeting.

### Discussion:

The Council Minutes are presented as a procedural matter. Any matter arising from the Minutes can be discussed. A copy of the Minutes are provided as **Attachment 1**.

### Options:

Submission of minutes to the Council Meeting is a procedural matter for the adoption of the minutes.

### Community Engagement and / or Internal Consultation:

No internal or external consultation has taken place in the preparation of this report.

### Policy Implications:

There are no direct policy implications as a result of this report.

### Financial Implications:

There are no direct financial implications as a result of this report.

### Resourcing Implications:

There are no direct resourcing implications as a result of this report.

### Conclusion:

The minutes are presented for confirmation by the Council Meeting.

### Attachments

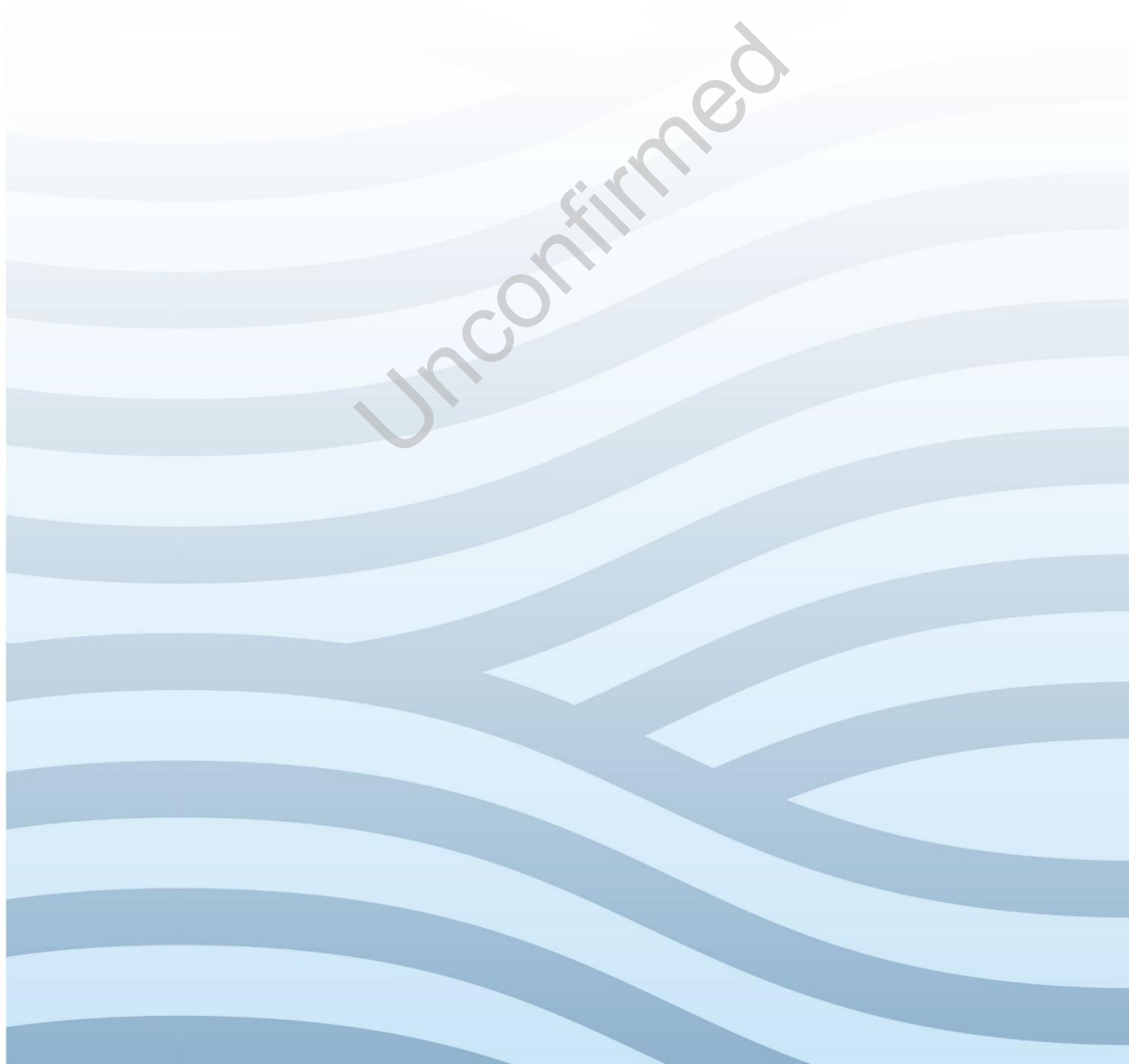
1. Unconfirmed Minutes - Council - 26 February 2024 [↓](#) 



# Ordinary Council

Monday 26 February 2024  
6.30pm

## Minutes





## Ordinary Council Meeting

Monday 26 February 2024

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Ordinary Council Meeting Minutes

26 February 2024

## Ordinary Council Meeting

### Minutes of the Meeting of Woollahra Municipal Council held using conferencing technology on, 26 February 2024 at 6.30pm.

Present: His Worship the Mayor, Councillor Richard Shields ex-officio  
Councillors Sarah Swan (Joined at 6.35pm during Item 12.1)  
Sean Carmichael  
Peter Cavanagh  
Luise Elsing  
Nicola Grieve  
Mary-Lou Jarvis  
Harriet Price (Joined at 6.34pm during Item 12.1)  
Lucinda Regan  
Matthew Robertson  
Isabelle Shapiro  
Mark Silcocks  
Merrill Witt  
Susan Wynne  
Toni Zeltzer

Staff: Fiona Aghili (Strategic Planner)  
Rhys Johnson (Governance Coordinator)  
Alison McNamee (Council Support Officer)  
Sue Meekin (Director – Corporate Performance)  
Tom O’Hanlon (Director – Infrastructure & Sustainability)  
Scott Pedder (Director – Planning & Place)  
Craig Swift-McNair (General Manager)  
Helen Tola (Manager – Governance & Risk)  
Anne White (Manager – Strategic, Planning & Place)

Also in Attendance: Jason Masters (Chair of Audit, Risk & Improvement Committee) was in attendance for consideration of Item 12.1 (Audit, Risk & Improvement Committee (ARIC) - Performance Report - 1 January 2023 to 31 December 2023).

## 1. Opening

The Mayor declared the Ordinary Council Meeting of 26 February 2024 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 Birrabirragal 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 Birrabirragal 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

Nil

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26 February 2024

## 6. Confirmation of Minutes

**Item No:** 6.1  
**Subject:** **CONFIRMATION OF COUNCIL MEETING MINUTES DATED 12 FEBRUARY 2024**  
**Author:** Sue O'Connor, Governance Officer  
**File No:** 24/31522  
**Purpose of the Report:** The Minutes of the Council of 12 February 2024 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.

(Wynne/Silcocks)

### 20/24 Resolved:

THAT the Minutes of the Council Meeting of 12 February 2024 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 Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Witt  
Councillor Wynne  
Councillor Zeltzer

#### **Against the Motion**

Nil

13/0

## 7. Late Correspondence

**Note:** Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda General Manager & Officer Report Item 12.2.

## 8. Disclosures of Interest

Nil

## 9. Petitions Tabled

Nil

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26 February 2024

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**10. Mayoral Minute**

Nil

**11. Public Forum**

Nil

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Unconfirmed

Woollahra Municipal Council  
Ordinary Council Meeting Minutes

26 February 2024

## 12. General Manager and Officer's Report

**Item No:** 12.1  
**Subject:** **AUDIT, RISK & IMPROVEMENT COMMITTEE (ARIC) - PERFORMANCE REPORT - 1 JANUARY 2023 TO 31 DECEMBER 2023**  
**Author:** Helen Tola, Manager Governance & Risk  
**Approvers:** Sue Meekin, Director Corporate Performance  
Craig Swift-McNair, General Manager  
**File No:** 24/26840  
**Purpose of the Report:** To present the Annual Performance Report 2023 for noting by Council.  
**Alignment to Delivery Program:** Strategy 11.3: Ensure effective and efficient governance and risk management.

**Note:** Jason Masters, Chair of Audit, Risk & Improvement Committee was in attendance for this Item.

**Note:** Councillor Price attended the meeting at 6.34pm.

**Note:** Councillor Swan attended the meeting at 6.35pm.

**Note:** Councillor Witt left the meeting, the time being 6.37pm.

**Note:** Councillor Witt returned to the meeting, the time being 6.38pm.

**(Cavanagh/Zeltzer)**

**21/24 Resolved:**

THAT Council:

- A. Receive and note the Audit, Risk and Improvement Committee Chairperson's Annual Performance Report for the period 1 January 2023 to 31 December 2023.
- B. Thanks the Chair, Mr Jason Masters and Independent Members, Mr Carl Millington, and Mr Deborah Goodyer for their continued work on the Audit, Risk & Improvement Committee.
- C. Acknowledges the attendance and contribution of Councillor Carmichael, Councillor Grieve and Councillor Price as non-voting members on the Audit, Risk & Improvement Committee.

**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**

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**Item No:** 12.2  
**Subject:** **SUBMISSION TO THE 'EXPLANATION OF INTENDED EFFECT: CHANGES TO CREATE MORE LOW AND MID-RISE HOUSING'**  
**Authors:** Fiona Aghili, Strategic Planner  
Lyle Tamlyn, Acting Team Leader Strategic Planning  
**Approvers:** Anne White, Manager Strategic Planning & Place  
Scott Pedder, Director Planning & Place  
**File No:** 24/31810  
**Purpose of the Report:** To obtain Council's endorsement of the submission to the Department of Planning, Housing and Infrastructure's exhibition on the Explanation of Intended Effect: Changes to create low and medium-rise housing  
**Alignment to Delivery Program:** Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

- Note:** Late Correspondence was tabled by Double Bay Residents' Association, The Paddington Society and Lyle Tamlyn, Council's Acting Team Leader Strategic Planning.
- Note:** Council amended Part B by adding new parts i. and ii. added new Parts C, D, E, F and G to the Resolution.
- Note:** The Recommendation was dealt with in seriatim (Part H) and then (Parts to A to G).
- Note:** Councillor Silcocks left the meeting, the time being 7.28pm.
- Note:** Councillor Silcocks returned to the meeting, the time being 7.47pm.
- Note:** Councillor Wynne left the meeting, the time being 7.50pm.
- Note:** Councillor Wynne returned to the meeting, the time being 7.51pm.
- Note:** Councillor Silcocks left the meeting, the time being 8.08pm.
- Note:** Councillor Silcocks returned to the meeting, the time being 8.14pm.
- Note:** Councillor Jarvis left the meeting, the time being 8.08pm.
- Note:** Councillor Jarvis returned to the meeting, the time being 8.09pm.
- Note:** Councillor Wynne left the meeting, the time being 8.10pm.
- Note:** Councillor Wynne returned to the meeting, the time being 8.11pm.

**Motion moved by Councillor Witt  
Seconded by Councillor Carmichael**

THAT Council:

- A. Notes the report on the exhibition on the Explanation of Intended Effect: Changes to create low and medium-rise housing.
- B. Endorses the draft submission at **Attachment 1** of the report to the Council meeting of 26 February 2024 and requests it be submitted to the Department of Planning, Housing and Infrastructure, and:

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- i. Incorporate the minor amendments and enhancements suggested by Councillors during the Council meeting of 26 February 2024 and as circulated to staff via email;
  - ii. recognising the importance of keeping our community informed, plus reinforcing Council's strong opposition to the NSW State Government's proposed planning changes; that a Communication Strategy is developed to assist our community in further understanding the changes and how to engage with the NSW State Government.
- C. Opposes the NSW State Government's proposed changes to create low and mid-rise housing in its current proposed form (as set out in the Explanations of Intended Effects referred to in paragraph A) due to the issues raised in Council's draft submission (referred to in paragraph B), especially noting that the proposed "one size fits all" reforms:
  - i. fundamentally abandon best practice, place-based strategic planning;
  - ii. fail to consider the cumulative impacts of unplanned increased density on traffic, parking, heritage, infrastructure capacity, local character and the environment;
  - iii. do not address how the additional infrastructure and essential services, which are the responsibility of the NSW State Government to provide, required to support density and population growth will be adequately funded and delivered; and
  - iv. do not require the onsite delivery of a significant amount of affordable housing in perpetuity.
- D. Affirms that councils are best placed to appropriately plan for increased density in their municipalities in consultation with the NSW State Government and their local communities.
- E. Acknowledges that Woollahra Council is already meeting and exceeding NSW State Government housing targets, and already has a population density that is comparable to other global cities, and which is significantly higher compared to other areas in Greater Sydney.
- F. Writes to NSW Premier the Hon Chris Minns MP, the NSW Minister for Planning the Hon Paul Scully MP, the NSW Member for Vaucluse the Hon Kellie Sloane MP, the NSW Member of Sydney the Hon Alex Greenwich, the Federal Member for Wentworth the Hon Allegra Spender MP and the President of Local Government NSW Cr Darriea Turley AM, to:
  - i. express Council's strong opposition to the proposed changes as set out in the NSW State Government's Explanations of Intended Effects: changes to create low and mid-rise housing, for the reasons set out in Council's draft submission;
  - ii. request their support in ensuring that future planning reforms are developed in consultation with local government to ensure that they:
    - a. recognise and address infrastructure and traffic constraints, the importance of protecting residential amenity, heritage, local character, tree canopy and local natural environment; and
    - b. deliver genuinely affordable housing within a strategic, precinct-based framework supported by proper infrastructure planning; and
  - iii. release or request the release of the modelling and technical studies underpinning the proposed planning reforms for NSW.
- G. Send the draft submission referred to in paragraph B above in as a submission (with such changes as are deemed necessary by staff) to the NSW Legislative Council Inquiry into the development of the Transport Oriented Development Program commenced by the Terms of Reference published on 23 February 2024.
- H. Request the Department of Planning Housing and Infrastructure to hold a public meeting in the Woollahra LGA to inform residents of the consequences of the changes proposed by the Department and if the Department refuses that Woollahra Council hold its own public meeting for the same purpose.



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**Procedural Motion**

**Motion moved by Councillor Grieve  
Seconded by Councillor Robertson**

THAT Recommendation Part H, then Parts A to G together, were considered in seriatim.

**The Procedural Motion was put and carried.**

**Moved by Councillor Grieve  
Seconded by Councillor Robertson**

- H. Request the Department of Planning Housing and Infrastructure to hold a public meeting in the Woollahra LGA to inform residents of the consequences of the changes proposed by the Department and if the Department refuses that Woollahra Council hold its own public meeting for the same purpose.

**Part H of the Recommendation was put and lost.**

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

***For the Motion***

Councillor Grieve  
Councillor Regan  
Councillor Robertson  
Councillor Witt

***Against the Motion***

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

4/11

**Parts A to G of the Recommendation was put and carried.**

**(Witt/Carmichael)**

**22/24 Resolved:**

THAT Council:

- A. Notes the report on the exhibition on the Explanation of Intended Effect: Changes to create low and medium-rise housing.
- B. Endorses the draft submission at **Attachment 1** of the report to the Council meeting of 26 February 2024 and requests it be submitted to the Department of Planning, Housing and Infrastructure, and:
- i. Incorporate the minor amendments and enhancements suggested by Councillors during the Council meeting of 26 February 2024 and as circulated to staff via email;

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- ii. recognising the importance of keeping our community informed, plus reinforcing Council's strong opposition to the NSW State Government's proposed planning changes; that a Communication Strategy is developed to assist our community in further understanding the changes and how to engage with the NSW State Government.
- C. Opposes the NSW State Government's proposed changes to create low and mid-rise housing in its current proposed form (as set out in the Explanations of Intended Effects referred to in paragraph A) due to the issues raised in Council's draft submission (referred to in paragraph B), especially noting that the proposed "one size fits all" reforms:
- i. fundamentally abandon best practice, place-based strategic planning;
  - ii. fail to consider the cumulative impacts of unplanned increased density on traffic, parking, heritage, infrastructure capacity, local character and the environment;
  - iii. do not address how the additional infrastructure and essential services, which are the responsibility of the NSW State Government to provide, required to support density and population growth will be adequately funded and delivered; and
  - iv. do not require the onsite delivery of a significant amount of affordable housing in perpetuity.
- D. Affirms that councils are best placed to appropriately plan for increased density in their municipalities in consultation with the NSW State Government and their local communities.
- E. Acknowledges that Woollahra Council is already meeting and exceeding NSW State Government housing targets, and already has a population density that is comparable to other global cities, and which is significantly higher compared to other areas in Greater Sydney.
- F. Writes to NSW Premier the Hon Chris Minns MP, the NSW Minister for Planning the Hon Paul Scully MP, the NSW Member for Vaucluse the Hon Kellie Sloane MP, the NSW Member of Sydney the Hon Alex Greenwich, the Federal Member for Wentworth the Hon Allegra Spender MP and the President of Local Government NSW Cr Darriea Turley AM, to:
- i. express Council's strong opposition to the proposed changes as set out in the NSW State Government's Explanations of Intended Effects: changes to create low and mid-rise housing, for the reasons set out in Council's draft submission;
  - ii. request their support in ensuring that future planning reforms are developed in consultation with local government to ensure that they:
    - a. recognise and address infrastructure and traffic constraints, the importance of protecting residential amenity, heritage, local character, tree canopy and local natural environment; and
    - b. deliver genuinely affordable housing within a strategic, precinct-based framework supported by proper infrastructure planning; and
  - iii. release or request the release of the modelling and technical studies underpinning the proposed planning reforms for NSW.
- G. Send the draft submission referred to in paragraph B above in as a submission (with such changes as are deemed necessary by staff) to the NSW Legislative Council Inquiry into the development of the Transport Oriented Development Program commenced by the Terms of Reference published on 23 February 2024.

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*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**

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**13. Reports of the Committees**

Nil

**14. Rescission Motion**

Nil

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## 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).

**Note:** Councillor Silcocks left the meeting, the time being 8.15pm.

**Note:** Councillor Witt left the meeting, the time being 8.16pm.

**Note:** Councillor Witt returned to the meeting, the time being 8.18pm.

**Note:** Councillor Swan left the meeting, the time being 8.20pm.

**Note:** Councillor Carmichael left the meeting, the time being 8.21pm

**Note:** Councillor Zeltzer left the meeting, the time being 8.21pm

**Note:** Councillor Swan returned to the meeting, the time being 8.22pm.

**General Item No:** 15.1 Jewish Climate Network / Never Again is Now  
**Tabled by Councillor:** Councillor Shapiro & Councillor Jarvis

### **Councillor Shapiro advised:**

Thank you, Mr Mayor.

Last Wednesday night, 21 February 2024 I attended the Jewish Climate Network representing yourself. It's a local, not-for-profit organisation, which aims to educate the community and the new thing was the launch of Project Electrify. It was to teach the community and it was quite a large gathering there, how to electrify and what to do step-by-step. I was very happy to be there, both our State and Federal members were there and spoke. There were a lot of positive comments about Woollahra Council and our contribution to the debate, so I was very happy to be there.

On Sunday, 18 February 2024, together with Councillor Jarvis, and my family, I attended a rally of about 10 to 12,000 people, which was organised by the Christian community, called "Never Again is Now". It is a grassroots movement, a Christian grassroots movement to actively stand against anti-Semitism. This group believe that whatever people's views are on the war in Gaza, that all Australians should stand together in solidarity with the Jewish community. It was held at the Domain, there were people from all walks of life there, from all different communities. It was very comforting to me and to many others and I know there were a lot of many familiar faces from our local Woollahra Community. But it was very comforting to know that despite shocking anti-Semitism that we're seeing on the streets of Sydney and Melbourne, that there are still many decent peace-loving Australians who oppose anti-Semitism and want a safe, inclusive and cohesive society. So I thank Councillor Jarvis for joining me there and I think it was really an interesting event. Thank you.

### **The Mayor, Councillor Shields in response:**

Thank you, Councillor Shapiro.

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**Councillor Jarvis further advised:**

As Councillor Shapiro mentioned, there were at least over 10,000 people at "Never Again is Now" in relation to Christian communities supporting the Jewish community in relation to what is undoubtedly an increase in anti-Semitism. And we were saying "not, now, never". It was pleasing to see our locals there, including the Reverend Michael Jensen and other dignitaries, including various politicians such as Jacqui Lambie, who gave quite outstanding speeches, as did Scott Morrison and Senator Hollie Hughes. Thank you.

**The Mayor, Councillor Shields in response:**

Thank you, Councillor Jarvis.

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**General Item No:** 15.2 Marks Park Rise Memorial  
**Tabled by Councillor:** Councillor Swan

**The Deputy Mayor, Councillor Swan advised:**

Thank you, Your Worship.

On the 24 February 2024, I attended Marks Park Rise Memorial at that park, with Councillor Carmichael, as well as members of the Bronte Surf Lifesaving Club. It was a memorial organised by that club, to commemorate the sufferings of so many innocent people in our community and to celebrate the progress towards a stronger society, and to commit to ongoing vigilance against all forms of prejudice, hate crimes and family violence. It was a particularly moving morning given recent news of violence and murder in the home. For many in the community, this is deeply shocking, including for me. I just wanted to congratulate the Bronte Surf Lifesaving Club for an excellent organisation and moving ceremony.

**The Mayor, Councillor Shields in response:**

Thank you, Councillor Swan.

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**General Item No:** 15.3 Condolences to family and friends of Jesse Baird and Luke Davies  
**Tabled by Councillor:** Councillor Robertson and Councillor Witt

**Councillor Robertson advised:**

Thank you, Mr Mayor.

On behalf of my Paddington Ward colleagues, Councillor Cavanagh and Councillor Price, I would like to extend our deepest sympathies and condolences to the family and friends of Jesse Baird and Luke Davies, whose lives were tragically cut short just over a week ago. We would like to thank local residents for their cooperation with the ongoing police investigations, those who have led tributes at the Brown Street terrace, and donated to a GoFundMe page.

We would like to acknowledge that the ripple effects of this tragedy are far reaching and our hearts go out to all of those impacted, especially to the broader LGBTIQ+ community at this difficult time. Thank you, Mr Mayor.

**The Mayor, Councillor Shields in response:**

Thank you, Councillor Robertson.

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**Councillor Witt further advised:**

Thank you, Mr Mayor.

I would just like to support Councillor Robertson's acknowledgement of this terrible tragedy in Paddington and also to commend our Police Force. I know it must be incredibly trying time for them as well. I think most of us, I'm sure all of us would agree we're very well served by our Police in this area and my heart just goes out to everyone who's been impacted by this terrible tragedy. Thanks.

**The Mayor, Councillor Shields in response:**

Thank you, Councillor Witt.

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**General Item No:** 15.4 Acknowledgement of Woollahra Libraries / Author Vincent Silk  
**Tabled by Councillor:** Councillor Price

**Councillor Price advised:**

Thanks very much, Mr Mayor.

I just wanted to acknowledge Woollahra Libraries. On Saturday 25 February 2024, I attended an author talk. It was Vincent Silk, who did a piece with the Youth Librarian, Lillian Silk, and it was to discuss his novel "Sisters of Diversity". It was really great to attend. I just wanted to thank everyone else who attended especially a lot of the LGBTIQ+ community and also their families. Thanks, Mr Mayor.

**The Mayor, Councillor Shields in response:**

Thank you, Councillor Price.

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**General Item No:** 15.5 Condolences to the family of the Hon. Andrew Rogers / Rose Bay  
**Tabled by Councillor:** Beach Working Party  
Councillor Jarvis

**Councillor Jarvis advised:**

Thank you, Your Worship. There are a couple of things I wish to report on.

The funeral of the Honourable Andrew Rogers that was held with about 600 people present at St. Stephen's Church in the City on the 15th of February 2024. You, your Worship, myself and Councillor Swan I noticed were there where we went to support his family including his widow, the Honourable Helen Coonan. Officiating at the funeral was the Reverend Christopher Waterhouse, one of our locals, who is the rector at St. James. We heard from his daughters, Karen and Nicole, as well as the Chief Justice of the Supreme Court, the Honourable Justice Bell. I obviously extend all my condolences to Andrew's family. We were all touched by the fact that this was a remarkable man who had done much to improve the efficiency of law and mediation law in this State, and mediation around the world.

I want to report pleasingly, that today the Rose Bay Beach Working Party met for the first time since December 2022. A report I gathered will be coming up to the Environmental Planning Committee but relevantly, I think for all Councillors is the New South Wales Labor Government's proposal to pass the cost of Beachwatch, a program which monitors the state of our beaches and particulate pollution onto local Councils. We indicated our objection, which was twofold firstly, that Sydney Harbour knows no boundaries in terms of Council areas, and it really needs a whole-of-government approach. And secondly, in response to the Government's claims that the non-metropolitan Councils pay for the cost of Beachwatch.

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Of course, those regional Councils manage the sewerage and therefore they take responsibility as does the State Government in relation to sewerage in our local areas.

**The Mayor, Councillor Shields in response:**

Thank you, Councillor Jarvis.

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**General Item No:** 15.6 Ascham Primary School / Lysicrates Event / Pride Progress Flag  
**Tabled by Councillor:** The Mayor, Councillor Shields

**The Mayor, Councillor Shields advised:**

It was a pleasure for me to address the Ascham Primary School this morning talking about the role of the Mayor and the role of local Councillors in the very important third tier of government. I reinforced that we are a particularly progressive Council as far as gender representation. The girls were very excited when I said that the majority of Councillors of Woollahra are women. So, they are very excited by that. I also presented swimming awards.

Yesterday I went to the eighth Lysicrates event, which is attended by the Governor General, by the Governor, by the Premier, and other dignitaries. It's an amazing event, which goes through three plays that are done in a short period of time, and then you have to vote to see which is the best play in the traditional ancient Greek tradition, which was done thousands of years ago, so well done to the Chair, a fellow called John Azarias, who has led the way with this great artistic festival.

Also, a week and a half ago, I was accompanied by a number of Councillors to raise the Pride Progress flag. I did get a lot of apologies because it was done a little bit on short notice. I'll say that the people that were there were Kelly Sloane MP was there, Councillor Shapiro, Councillor Carmichael, I was there and I was also joined by David from Dayenu, which is a group that stands up for members of the Jewish LGBTQI+ community. I also had apologies from Councillor Robertson, Ms Spender MP, and Mr Greenwich MP. It was a particularly moving moment. I met a lady with a number "78-ers" on her t-shirt and I very embarrassingly said "Is that anything to do with the NBA?" And no, she was very proud to say that she first marched in the first gay and lesbian march in 1978. So it was a learning moment for me, I'm constantly learning. So it was good that I was educated in such a way.

I think we've touched on this before, we are blessed in that our members of the LGBTQI community predominantly are accepted and of course, there will always be an element of negativity. But we have progressed as a society, that if we look at where we've come from in 1978, to where we are now, we have moved along in leaps and bounds. It just further reinforces that any form of discrimination in our community is unacceptable and I was very proud to actually fly both the Israeli flag and the Pride Progress flag together. We can have debates about what's going on in the Middle-East but at this stage, with our community, the Jewish community experiencing in Australia a 738% rise in anti-Semitism, the Israeli flag represents a feeling of hope for Jewish people around the world that if anti-Semitism ever develops to such an extent as it did in World War Two, there is always a home for Jews. So I'm going to steer away from the tragedy that is happening in the Middle-East on both sides and I will just move towards the important democratic principles and the important safety principles, and tolerance principles that both flags represent.

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**16. Notices of Motion**

Nil

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## 17. Questions With Notice

(Wynne/Robertson)

23/24 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 Cavanagh  
Councillor Elsing  
Councillor Grieve  
Councillor Jarvis  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Swan  
Councillor Witt  
Councillor Wynne

Nil

12/0

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**QWN:** 17.1  
**From:** Councillor Price  
**Subject:** Questions with Notice - White City Development

**Councillor Price asking:**

To the Director of Planning and Place:

I refer to the White City development, Paddington (the Development). Further to my Questions with Notice of 27 March 2023, can the Director please particularise:

1. All complaints that Council has received about the Development since construction began;
2. What (if any) steps Council and /or the Hakoah Club has taken to resolve these complaints;
3. The extent to which any Penalty Infringement Notices or any other fines have been issued to Parkview Constructions and/or the Hakoah Club since construction began;
4. The outcome of complaints made by various residents to Council concerning construction works alleged to have occurred on Sunday, 24 December between approximately 7am to 10.30am?

**Director of Planning & Place in response:**

1. *All complaints that Council has received about the Development since construction began;*

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A table is provided below.

| Reference Number | Service Request Category                 | Action Officer Department | Action Officer Section  | Status                             | Service Request Received Date | Service Request Finalised Date |
|------------------|--|---------------------------|-------------------------|------------------------------------|-------------------------------|--------------------------------|
| 80744            | Building Sites Hours of Work             | Building and Compliance   | Regulatory Services     | Finalised                          | 2/02/2024                     | 5/02/2024                      |
| 78418            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 10/01/2024                    | 13/01/2024                     |
| 77085            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 27/12/2023                    | 27/12/2023                     |
| 77007            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 24/12/2023                    | 2/01/2024                      |
| 77006            | Other                                    | Customer Experience       |                         | Finalised                          | 24/12/2023                    | 27/12/2023                     |
| 76558            | Building Sites Hours of Work             | Building and Compliance   | Regulatory Services     | Finalised                          | 19/12/2023                    | 19/12/2023                     |
| 76533            | Building Sites Hours of Work             | Building and Compliance   | Regulatory Services     | Finalised                          | 19/12/2023                    | 19/12/2023                     |
| 76503            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 18/12/2023                    | 19/12/2023                     |
| 76499            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 18/12/2023                    | 19/12/2023                     |
| 76307            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 18/12/2023                    | 18/12/2023                     |
| 76306            | Building Sites Hours of Work             | Building and Compliance   | Regulatory Services     | Finalised                          | 18/12/2023                    | 18/12/2023                     |
| 76296            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 18/12/2023                    | 18/12/2023                     |
| 76295            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 18/12/2023                    | 18/12/2023                     |
| 76293            | Operational development consent breaches | Building and Compliance   | Building and Compliance | Finalised                          | 18/12/2023                    | 31/01/2024                     |
| 76267            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 16/12/2023                    | 18/12/2023                     |
| 76266            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 16/12/2023                    | 18/12/2023                     |
| 75634            | Building Sites Hours of Work             | Building and Compliance   | Regulatory Services     | Finalised                          | 12/12/2023                    | 23/12/2023                     |
| 75409            | Building sites - Air pollution           | Building and Compliance   | Regulatory Services     | Finalised                          | 11/12/2023                    | 12/12/2023                     |
| 75352            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 9/12/2023                     | 12/12/2023                     |
| 73718            | Building Sites Hours of Work             | Building and Compliance   | Regulatory Services     | Finalised                          | 24/11/2023                    | 25/11/2023                     |
| 73150            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 20/11/2023                    | 20/11/2023                     |
| 69829            | Building Sites Hours of Work             | Building and Compliance   | Regulatory Services     | Finalised                          | 18/10/2023                    | 23/10/2023                     |
| 69828            | Building Sites Hours of Work             | Building and Compliance   | Regulatory Services     | Finalised                          | 18/10/2023                    | 23/10/2023                     |
| 68870            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 6/10/2023                     | 9/10/2023                      |
| 68784            | Building Sites Noise                     | Building and Compliance   | Regulatory Services     | Finalised                          | 6/10/2023                     | 17/10/2023                     |
| 68746            | Building sites - Water pollution         | Building and Compliance   | Regulatory Services     | Finalised                          | 5/10/2023                     | 5/10/2023                      |
| 67663            | Operational development consent breaches | Building and Compliance   | Compliance              | Awaiting final engineers report re | 21/09/2023                    |                                |

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|       |  |                         |                     |                             |            |            |
|-------|--|-------------------------|---------------------|-----------------------------|------------|------------|
| 66492 | Unauthorised use private property            | Building and Compliance | Compliance          | sediment controls Finalised | 8/09/2023  | 21/09/2023 |
| 66411 | Air pollution                                | Building and Compliance | Regulatory Services | Finalised                   | 7/09/2023  | 14/09/2023 |
| 66342 | Building Sites Sediment Control              | Building and Compliance | Regulatory Services | Finalised                   | 6/09/2023  | 6/09/2023  |
| 66313 | Air pollution                                | Building and Compliance | Regulatory Services | Finalised                   | 6/09/2023  | 14/09/2023 |
| 66270 | Unauthorised building works private property | Building and Compliance | Regulatory Services | Finalised                   | 6/09/2023  | 28/09/2023 |
| 66137 | Building Sites Noise                         | Building and Compliance | Regulatory Services | Finalised                   | 5/09/2023  | 5/09/2023  |
| 66124 | Building Sites Noise                         | Building and Compliance | Regulatory Services | Finalised                   | 4/09/2023  | 5/09/2023  |
| 66123 | Building Sites Noise                         | Building and Compliance | Regulatory Services | Finalised                   | 4/09/2023  | 5/09/2023  |
| 65971 | Building sites - Air pollution               | Building and Compliance | Regulatory Services | Finalised                   | 2/09/2023  | 3/09/2023  |
| 65962 | Building sites - Air pollution               | Building and Compliance | Regulatory Services | Finalised                   | 2/09/2023  | 5/09/2023  |
| 65902 | Stormwater runoff private property           | Civil Operations        | Fletcher St Depot   | Finalised                   | 1/09/2023  | 3/10/2023  |
| 65164 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services | Finalised                   | 24/08/2023 | 15/11/2023 |
| 61636 | Building sites - Air pollution               | Building and Compliance | Regulatory Services | Finalised                   | 14/07/2023 | 15/07/2023 |
| 61320 | Building Sites Damage to Adjoining           | Building and Compliance | Compliance          | Finalised                   | 11/07/2023 | 17/07/2023 |
| 60852 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services | Finalised                   | 4/07/2023  | 6/07/2023  |
| 60795 | Building Sites Noise                         | Building and Compliance | Regulatory Services | Finalised                   | 4/07/2023  | 5/07/2023  |
| 59282 | Building Sites Noise                         | Building and Compliance | Regulatory Services | Finalised                   | 15/06/2023 | 15/06/2023 |
| 56109 | Building Sites Noise                         | Building and Compliance | Regulatory Services | Finalised                   | 9/05/2023  | 9/05/2023  |
| 54584 | Building Sites Noise                         | Building and Compliance | Regulatory Services | Finalised                   | 21/04/2023 | 21/04/2023 |
| 54043 | Operational development consent breaches     | Building and Compliance | Compliance          | Finalised                   | 14/04/2023 | 24/05/2023 |
| 53881 | Building Sites Sediment Control              | Building and Compliance | Regulatory Services | Finalised                   | 12/04/2023 | 17/07/2023 |
| 53654 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services | Finalised                   | 11/04/2023 | 13/04/2023 |
| 53653 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services | Finalised                   | 11/04/2023 | 11/04/2023 |
| 53517 | Building Sites Noise                         | Building and Compliance | Regulatory Services | Finalised                   | 6/04/2023  | 7/04/2023  |
| 52888 | Building Sites Noise                         | Building and Compliance | Regulatory Services | Finalised                   | 29/03/2023 | 1/04/2023  |
| 52616 | Unauthorised building works private property | Building and Compliance | Compliance          | Finalised                   | 27/03/2023 | 31/03/2023 |

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|---|--|----------------------------|------------------------|-----------|------------------|------------|
| 52400   | Building Sites<br>Hours of Work                    | Building and<br>Compliance | Regulatory<br>Services | Finalised | 24/03/2023       | 24/03/2023 |
| 51987   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 21/03/2023       | 22/03/2023 |
| 51985   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 21/03/2023       | 22/03/2023 |
| 51280   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 14/03/2023       | 14/03/2023 |
| 51277   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 14/03/2023       | 15/03/2023 |
| 50965   | Building Sites<br>Hours of Work                    | Building and<br>Compliance | Regulatory<br>Services | Finalised | 10/03/2023       | 10/03/2023 |
| 50932   | Other  | Building and<br>Compliance | Regulatory<br>Services | Finalised | 9/03/2023        | 10/03/2023 |
| 50923   | Building sites -<br>Air pollution                  | Building and<br>Compliance | Regulatory<br>Services | Finalised | 9/03/2023        | 14/03/2023 |
| 50922   | Road /<br>Footpath<br>Obstruction                  | Building and<br>Compliance | Regulatory<br>Services | Finalised | 9/03/2023        | 20/03/2023 |
| 50787   | Building Sites<br>Damage to<br>Adjoining           | Building and<br>Compliance |                        | Finalised | 9/03/2023        | 9/03/2023  |
| 50513   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 7/03/2023        | 10/03/2023 |
| 48405   | Building Sites<br>Damage to<br>Adjoining           | Building and<br>Compliance | Compliance             | Finalised | 13/02/2023       | 22/02/2023 |
| 46750   | Operational<br>development<br>consent<br>breaches  | Building and<br>Compliance | Compliance             | Finalised | 27/01/2023       | 1/02/2023  |
| 46728   | Building Sites<br>Hours of Work                    | Building and<br>Compliance | Regulatory<br>Services | Finalised | 25/01/2023       | 25/01/2023 |
| 46696   | Building site<br>Road /<br>Footpath<br>Obstruction | Building and<br>Compliance | Regulatory<br>Services | Finalised | 25/01/2023       | 25/01/2023 |
| 46259   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 19/01/2023       | 24/01/2023 |
| 46038   | Unauthorised<br>building works<br>private property | Building and<br>Compliance | Compliance             | Finalised | 18/01/2023       | 10/02/2023 |
| 46008   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 17/01/2023       | 20/01/2023 |
| 45050   | Private Trees<br>TPO Breach                        | Open Space<br>and Trees    | Tree<br>Management     | Finalised | 5/01/2023        | 16/01/2023 |
| 41454   | Building sites -<br>Air pollution                  | Building and<br>Compliance | Regulatory<br>Services | Finalised | 22/11/2022       | 23/11/2022 |
| 40948   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 17/11/2022       | 28/11/2022 |
| 40501   | Other  | Customer Experience        |                        | Finalised | 14/11/2022       | 14/11/2022 |
| 40256   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 10/11/2022       | 10/11/2022 |
| 40194   | Building Sites<br>Hours of Work                    | Building and<br>Compliance | Regulatory<br>Services | Finalised | 9/11/2022        | 3/11/2023  |
| 40129   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 9/11/2022        | 9/11/2022  |
| 40025   | Unauthorised<br>building works<br>private property | Building and<br>Compliance | Compliance             | Finalised | 8/11/2022        | 10/02/2023 |
| 39978   | Building Sites<br>Noise                            | Building and<br>Compliance | Regulatory<br>Services | Finalised | 8/11/2022        | 8/11/2022  |

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|       |  |                         |                       |           |            |            |
|-------|--|-------------------------|-----------------------|-----------|------------|------------|
| 39690 | Building Sites Noise                         | Engineering Services    | Traffic and Transport | Finalised | 4/11/2022  | 4/08/2023  |
| 39641 | Building Sites Damage to Adjoining           | Building and Compliance | Compliance            | Finalised | 3/11/2022  | 7/11/2022  |
| 39071 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services   | Finalised | 27/10/2022 | 28/10/2022 |
| 38565 | Building Sites Noise                         | Building and Compliance | Regulatory Services   | Finalised | 21/10/2022 | 22/10/2022 |
| 37955 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services   | Finalised | 14/10/2022 | 19/10/2022 |
| 37848 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services   | Finalised | 14/10/2022 | 14/10/2022 |
| 37835 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services   | Finalised | 13/10/2022 | 18/10/2022 |
| 37495 | Building Sites Noise                         | Building and Compliance | Regulatory Services   | Finalised | 10/10/2022 | 10/10/2022 |
| 37491 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services   | Finalised | 10/10/2022 | 10/10/2022 |
| 37387 | Private Trees TPO Breach                     | Open Space and Trees    | Tree Management       | Finalised | 10/10/2022 | 20/10/2022 |
| 37269 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services   | Finalised | 7/10/2022  | 7/10/2022  |
| 37030 | Building Sites Noise                         | Building and Compliance | Regulatory Services   | Finalised | 5/10/2022  | 10/10/2022 |
| 36115 | Building Sites Noise                         | Building and Compliance | Regulatory Services   | Finalised | 23/09/2022 | 23/09/2022 |
| 36109 | Building Sites Noise                         | Building and Compliance | Regulatory Services   | Finalised | 23/09/2022 | 24/09/2022 |
| 36107 | Building Sites Noise                         | Building and Compliance | Regulatory Services   | Finalised | 23/09/2022 | 24/09/2022 |
| 33555 | Building Sites Noise                         | Building and Compliance | Regulatory Services   | Finalised | 22/08/2022 | 23/08/2022 |
| 31663 | Unauthorised building works private property | Building and Compliance | Compliance            | Finalised | 25/07/2022 | 28/07/2022 |
| 31544 | Unauthorised building works private property | Building and Compliance | Compliance            | Finalised | 22/07/2022 | 28/07/2022 |
| 31273 | Building Sites Hours of Work                 | Building and Compliance | Regulatory Services   | Finalised | 19/07/2022 | 19/07/2022 |
| 24460 | Building Sites Noise                         | Building and Compliance | Regulatory Services   | Finalised | 14/04/2022 | 14/04/2022 |
| 24382 | Illegal parking                              | Building and Compliance | Regulatory Services   | Finalised | 13/04/2022 | 13/04/2022 |

2. *What (if any) steps Council and /or the Hakoah Club has taken to resolve these complaints*

- Council staff have attended the site in response to each complaint. Penalty notices have been issued where appropriate. Formal warnings have also been given.
- Rangers have undertaken forty seven proactive checks of the site.
- Senior Council staff have met with representatives of Parkview Construction, the Hakoah Club and the private certifier for the site in late 2022. At this meeting issues at the site were discussed and improvements were agreed.
- Notably, Council staff have worked with Parkview Construction to improve their dust suppression system and sediment and erosion controls. Including the rebuilding of the cattlegird and a new drain to direct runoff from the existing pit to mitigate dust and sediment spillage.

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3. *The extent to which any Penalty Infringement Notices or any other fines have been issued to Parkview Constructions and/or the Hakoah Club since construction began*

Penalty notices issued to Parkview Construction

| Date of Offence | Offence Short Title   | Suburb     | Street      | Penalty Amount |
|-----------------|---|------------|-------------|----------------|
| 23/01/2023      | Development not accord consent - any other case - Corporation | PADDINGTON | ALMA STREET | \$6,000        |
| 3/07/2023       | Development not accord consent - any other case - Corporation | PADDINGTON | ALMA STREET | \$6,000        |
| 6/09/2023       | Development not accord consent - any other case - Corporation | PADDINGTON | ALMA STREET | \$6,000        |
| 17/10/2023      | Development not accord consent - any other case - Corporation | PADDINGTON | ALMA STREET | \$6,000        |
| 23/11/2023      | Development not accord consent - any other case - Corporation | PADDINGTON | ALMA STREET | \$6,000        |
| 7/12/2023       | Development not accord consent - any other case - Corporation | PADDINGTON | ALMA STREET | \$6,000        |
| 16/12/2023      | Development not accord consent - any other case - Corporation | PADDINGTON | ALMA STREET | \$6,000        |
| 18/12/2023      | Development not accord consent - any other case - Corporation | PADDINGTON | ALMA STREET | \$6,000        |
| 24/12/2023      | Development not accord consent - any other case - Corporation | PADDINGTON | ALMA STREET | \$6,000        |

4. *The outcome of complaints made by various residents to Council concerning construction works alleged to have occurred on Sunday, 24 December between approximately 7am to 10.30am?"*

Rangers attended the site and a penalty notice was issued for \$6,000.

**QWN:** 17.2  
**From:** Councillor Price  
**Subject:** Questions with Notice - Mulch & Other Garden Supplies

**Councillor Price asking:**

Can the Director please outline Council's arrangements for purchasing mulch and other garden supplies. What (if any) steps does Council take to ensure that mulch purchased is free from any contaminants?

**Manager Open Space & Trees in response:**

Following on from my e-mail to all Councillors on 15 February 2024 regarding WMC mulch usage we have been monitoring the situation since early January following the Rozelle Parklands issue and are ensuring proper processes are in place when dealing with third party products such as garden and playground mulch.

The majority of mulch that we utilise comes from our own Arborist team or a Council contracted Arborist company (therefore no third party is involved).

On those occasions that we do use externally supplied mulch, it is usually in sealed bag quantities therefore limiting contamination risks. For recent projects where externally supplied mulch was used our trained staff undertook visual inspections of the mulch at the time of spreading and no contamination was found. In addition, we have re-inspected those sites since January 2024.

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I can confirm that checks carried out to date with our external suppliers have identified no association with mulch being sourced from the Greenlife Resource Recovery Facility and importantly we do not utilise recycled mulch products. In light of media reporting today, we will now be asking our suppliers to more thoroughly check their supply chains.

Our staff are highly aware of asbestos matters and do visual inspections of these products as they are used. If any suspect material was found appropriate actions would be taken at the time.

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**QWN:** 17.3  
**From:** Councillor Price  
**Subject:** Questions with Notice - Watsons Bay Trial Parking Arrangements

**Councillor Price asking:**

I refer to the trial 15 minute parking arrangements in Watsons Bay (the Trial Parking Arrangements) and the article in the Guardian dated 3 January 2024 stating that:

*'... the government is now pursuing amendments to the overarching guidelines to ensure parking time limits cannot be set for less than one hour in these circumstances.'*

Can the Director of Infrastructure and Sustainability please outline what (if any) knowledge Council has of these proposed amendments and the impact any changes will have to the Trial Parking Arrangements?

**Director Infrastructure & Sustainability in response:**

TfNSW staff have verbally advised Council staff that they are currently reviewing the TfNSW Permit Parking Guidelines and will advise Councils of the updated Permit Parking Guidelines when published. There was no information provided to indicate what type of changes may be made, and therefore whether this will impact the current restrictions being trialled in Watsons Bay.

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**QWN:** 17.4  
**From:** Councillor Price  
**Subject:** Questions with Notice - Making the Harbour more Swimmable

**Councillor Price asking:**

Can the Director of Infrastructure and Sustainability please provide an update on the status of the Feasibility Study into making the harbour more swimmable (including but not limited to any water testing results).

**Manager Open Space & Trees in response:**

Late last year water testing was undertaken by Sydney Water through the Urban Plunge Program. Various tests were conducted including Microbial Quality, Bacteria, Algae, Temperature, Chemical and Turbidity. The three locations that were tested were Yarranabbe Park, McKell Park and Steyne Park.

The results have been received and rate McKell Park and Yarranabbe Park with the best water quality, meeting the primary contact guidelines for swimming. These are the two locations that we will move forward with.

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We have now been briefed on the results and the next step is to engage a suitable consultant to undertake some further feasibility studies (including ecological, physical hazards, heritage) and develop some broad concept designs and project costings. This request for quotation closes on 23 February 2024.

If reference to the original Notice of Motion, the City of Sydney will be consulted as part of the feasibility study.

We hope to be in a position to present the findings to Council in July 2024.

---

**QWN:** 17.5  
**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 to discuss their priorities and vision for the former Paddington Bowling Club 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.

Can the Director please outline how this resolution has been actioned?

**Director of Community and Customer Experience in response:**

Council continues to work collaboratively with La Perouse Aboriginal Land Council and meets regularly to discuss opportunities.

On the 20 February 2024, CEO Chris Ingreby advised the Director of Community and Customer Experience in respect to the former Paddington Bowling Club Site "We are waiting the outcome of the court proceedings before we consider any future use of the site. If the land is transferred to La Perouse we will be in touch with Woollahra to meet."

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**18. Supplementary Responses to Previous Questions with Notice**

Nil

**19. Confidential Matters**

Nil

**20. Conclusion of the Meeting**

There being no further business the meeting concluded at 8.30pm.

**We certify that the pages numbered 61 to 84 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 26 February 2024 and confirmed by the Ordinary Meeting of Council on 11 March 2024 as correct.**

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**General Manager**

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**Mayor**

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## 10. Mayoral Minute

**Item No:** 10.1  
**Subject:** **ACKNOWLEDGEMENT OF SERVICE TO WOOLLAHRA - COLIN COUSENS**  
**Author:** Richard Shields, Mayor  
**File No:** 24/39383  
**Purpose of the Report:** To acknowledge Colin Cousens's 43 years of service to Council and the Woollahra Community on his retirement.

**Recommendation:**

THAT Woollahra Municipal Council formally acknowledges the exemplary, loyal service of Colin Cousens during 43 years of employment and thanks him for his commitment to our local community.

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**Discussion:**

Colin (Col) Cousens joined Woollahra Municipal Council in 1980, progressing to the role of Waste Services Team Leader in 2001, a position he has held ever since.

During his long career with us, Colin has witnessed quite a lot of change in the way we collect waste and he has acquired an incredible amount of local knowledge that he has used to fulfil his duties to a very high standard and to work with his colleagues to provide excellent service and solutions to a wide range of waste-related issues.

Jason Petroni, Waste Services Coordinator, Mark Ramsay, Manager Civil Operations and Tom O'Hanlon, Director Infrastructure and Sustainability are very grateful for Colin's loyalty and will miss having such a reliable, likeable and knowledgeable staff member.

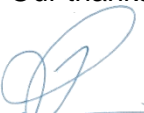
Col is well respected amongst his peers and is liked for his ability to get on with the job at hand with a minimum of fuss and a positive approach. Col has made many friends at Woollahra Council and has always been keen to mentor new staff and make them feel welcome.

With admirable commitment to our community, Col and his colleagues work all year, through weekends, public holidays and regular holiday periods in all sorts of weather and conditions to provide an outstanding level of service to our residents and ratepayers.

On behalf of Council and the community, I would like to formally recognise Col's long service.

We hope Col takes with him immense pride in the contribution he has made to one of our most important service areas and some fond memories and friendships that will last a lifetime.

Our thanks and best wishes go to Col for a long, happy and well-deserved retirement.



Cr Richard Shields  
Mayor of Woollahra

**Attachments**

Nil



## 12. General Manager and Officer's Report

|                                       |   |
|---------------------------------------|---|
| <b>Item No:</b>                       | 12.1  |
| <b>Subject:</b>                       | <b>AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (ALGA) 2024 NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT (NGA) - CONSIDERATION OF MOTIONS AND COUNCILLOR ATTENDANCE</b>   |
| <b>Author:</b>                        | Helen Tola, Manager Governance & Risk   |
| <b>Approvers:</b>                     | Craig Swift-McNair, General Manager<br>Sue Meekin, Director Corporate Performance   |
| <b>File No:</b>                       | 24/9648   |
| <b>Purpose of the Report:</b>         | To consider draft motions presented by Councillors for inclusion at the upcoming Australian Local Government Association (ALGA) 2024 National General Assembly of Local Government (NGA) and to nominate Councillor attendance following an expression of interest process. |
| <b>Alignment to Delivery Program:</b> | Strategy 11.3: Ensure effective and efficient governance and risk management.   |

### Recommendation:

THAT Council:

- A. Note that no motions have been submitted to the General Manager for the Australian Local Government Association (ALGA) 2024 National General Assembly of Local Government (NGA) to be held in Canberra in July.
- B. Authorise the attendance of up to five (5) Councillors and the General Manager to the ALGA 2024 National General Assembly of Local Government (NGA), from 2 to 4 July 2024 and the Australian Council of Local Government (ACLG) on 5 July 2024 being the following Councillors who expressed an interest in attending:
  - Mayor, Councillor Richard Shields
  - Councillor Luise Elsing
  - Councillor Harriet Price
  - Councillor Lucinda Regan
  - Councillor Isabelle Shapiro
  - General Manager, Craig Swift-McNair
- C. Nominate Councillor *[Insert Councillor Name]* as the one (1) voting delegate for the ALGA 2024 National General Assembly of Local Government (NGA).

---

### Executive Summary:

The purpose of this report is to present to Council for consideration, proposed motions to be tabled at the upcoming 2024 Australian Local Government Association (ALGA) 2024 National General Assembly (NGA) of Local Government being held in July 2024 and to make a determination as to which Councillors will attend the ALGA Conference, with one of the attending Councillors to be the voting delegate.

### Discussion:

The ALGA is the national voice of local government, representing 537 councils across the country. In terms of structure, the ALGA are a federation of state and territory local government associations.

ALGA recently called for Councils to submit motions for the 2024, which will be held at the National Convention Centre in Canberra from 2 to 4 July 2024. The theme for this year's NGA is "Building Community Trust". This theme aims to explore the critical importance of trust in governments, between governments, its institutions, and its citizens. This trust is a fundamental building block of our nation's democracy.

### **Proposed Motions**

The Mayor and Councillors were invited to submit potential motions for consideration by Council by Wednesday 28 February 2024 in a similar way to the calling of motions in the previous year. At the time of preparing this report, no motions were submitted by Councillors.

### **Nomination of Councillor Attendance**

With regard to delegates and voting delegates, whilst there is no limit to the number of delegates Council can determine to send to the ALGA, Council has been advised that as a member Council we are able to nominate only one (1) voting delegate for the ALGA 2024 NGA.

At the time of preparing this report, the following Councillors have expressed an interest in attending the ALGA:

| <b>Councillor</b>             | <b>EOI requesting Attendance</b> | <b>Nominate as Voting Delegate</b> |
|-------------------------------|----------------------------------|------------------------------------|
| The Mayor, Councillor Shields | Yes                              |                                    |
| Councillor Elsing             | Yes                              |                                    |
| Councillor Price              | Yes                              |                                    |
| Councillor Regan              | Yes                              |                                    |
| Councillor Shapiro            | Yes                              |                                    |

In light of the expressions of interest received, staff are recommending that all Councillors who expressed an interest as listed above be authorised to attend the ALGA NGA, along with Council's General Manager.

Further, it is recommended that Councillors determine which of the attending Councillors will be the Woollahra Council voting delegate, noting that none of the nominating Councillors submitted a nomination to be the voting delegate.

### **Australian Council of Local Government (ACLG)**

In addition to the NGA, Councillors are advised that the 2024 Australian Council of Local Government (ACLG) will be held at the National Convention Centre in Canberra on Friday 5 July, immediately following the 2024 NGA.

The ACLG will be a valuable opportunity for all Australian Councils to hear from the Prime Minister and speak directly to Federal Ministers about the key issues and opportunities for our communities. According to the ALGA, holding the ACLG immediately after the NGA will ensure it is informed by our discussions during the week.

Unlike 2023, this year, there will be no limit to the number of Councillors who can attend the ACLG, noting that attendance at the ACLG dinner will be limited to one Councillor per Council.

### **Options:**

Council can resolve in line with the recommendations included in this report or resolve in some other manner.

**Community Engagement and / or Internal Consultation:**

Consultation in relation to this report has taken place between the General Manager, Director Corporate Performance, Manager Governance & Risk and EA to the Mayor & General Manager.

No external consultation has taken place in the development of this report.

**Policy Implications:**

There are no policy implications as a result of this report.

**Financial Implications:**

Attendance at the ALGA NGA can be in person (at a cost of approx. \$945 per delegate if registered by 7 June 2024) or alternatively virtually (at a cost of approx. \$739 per delegate). In the event that all five Councillors who have nominated attend in person, this would equate to \$4,725, plus accommodation costs based 3 nights being \$900 per attendee, plus travel expenses.

A budget allocation has been included in the current 2023/24 operational budget for the purpose of enabling interested Councillors and the General Manager to attend the 2024 ALGA NGA.

**Resourcing Implications:**

There are minimal resourcing implications as a result of this report, with the resourcing being around the arrangement of conference registrations, travel and accommodation for the delegates.

**Conclusion:**

As per the recommendations included in this report, Council is requested to give consideration to Councillor and General Manager attendance at the 2024 ALGA NGA and to authorise a Councillor to be Councils one voting delegate at the NGA.

**Attachments**

Nil



**Item No:** 12.2  
**Subject:** **WOOLLAHRA LOCAL PLANNING PANEL (WLPP) COMMUNITY REPRESENTATIVES - INTERIM PERIOD MARCH 2024 TO 30 JUNE 2024**  
**Authors:** Nick Economou, Manager Development Assessment  
Helen Tola, Manager Governance & Risk  
**Approvers:** Scott Pedder, Director Planning & Place  
Craig Swift-McNair, General Manager  
**File No:** 24/37417  
**Purpose of the Report:** To appoint additional Community Representatives to the WLPP for Interim Period – March 2024 to 30 June 2024.  
**Alignment to Delivery Program:** Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

**Recommendation:**

THAT Council:

- A. Determine and select the number of Applicants to be considered and appointed as Community Representatives subject to their availability for the interim period of March 2024 to June 2024.
- (The names of the selected Community Representatives to be listed here as part of the final resolution of Council)*
- B. Based on their availability, delegates authority to the General Manager to appoint Community Representatives for the interim period of March 2024 to 30 June 2024.
- D. Request the General Manager advise the Department of Planning, Housing and Infrastructure (DPH&I) of the appointed Community Representatives, in accordance with the Panel Member Selection Guide for Councils as provided by the DPH&I.

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**Executive Summary:**

The purpose of the report is to respond to Council's resolution of 12 February 2024 and to appoint additional Community Representatives to the WLPP for the interim period being March 2024 to 30 June 2024.

**Discussion:**

Council at its meeting of 12 February 2024 resolved (in part) as follows:

- F. *Seeks advice to give consideration to inviting members that have applied as community representatives previously (during the most recent Expression of Interest process of the 23 May 2022).*

Attachment 2 is a copy of the confidential report tabled to Council on 12 February 2024.

On 26 February 2024, Council staff emailed the Department of Planning, Housing and Infrastructure (DPH&I) to seek their advice on the above mentioned resolution and specifically whether it was possible for Council to appoint a Community Representative from the previous Expression of Interest (EOI) process which Council undertook in May 2022.

A copy of the staff email as forwarded to the Department is shown as Attachment 1.  
On 27 February 2024, the DPH&I advised as follows:

*“We’re not aware of any limitations that prevent Council from appointing community members from that May 2022 Expression of Interest, as long as the appointment process follows Council’s internal procedures and the six year limit is complied with”.*

Based on the above advice, it is recommended that Council:

1. Review the confidential report (at Attachment 2), which was tabled to Council on 23 May 2022, which presented a list of all Applicants and suitable Community Representatives from the Expression of Interest Process undertaken in 2022.
2. Determine and select the number of Applicant to be approached and appointed as Community Representatives subject to their availability for the interim period of March 2024 to 30 June 2024

Note: The Interim Period, being from March 2024 to 30 June 2024 equates to approximately 8 meetings. Currently only one Community Representative, Mr Kenneth Raphael has been appointed for this period.

### **Options:**

Council can appoint additional Community Representatives for the interim period or alternatively maintain the recently approved status of only one Community Representative.

### **Community Engagement and / or Internal Consultation:**

Internal consultation in relation to the preparation of this report was undertaken with the General Manager, Director Planning & Place, Manager Development Assessment and Manager Governance & Risk.

### **Policy Implications:**

There are no policy implications as a result of this report.

### **Financial Implications:**

There are no financial implications as a result of this report, noting that existing budget for the operation of the Woollahra Local Planning Panel is in place for the 2023/24 financial year.

### **Resourcing Implications:**

There are no resourcing implications as a result of this report.

### **Conclusion:**

The continuation of the WLPP is essential in ensuring that determination of development applications and planning proposals are conducted as required by legislation. It is therefore recommended that Council review the confidential report which was tabled to Council on 23 May 2022 and determine and select the number of Applicants to be approached and appointed as Community Representatives subject to their availability for the interim period.

### **Attachments**

1. Email seeking advice on Community Representatives sent to the Department [!\[\]\(32d80ecefdca755418ad4c38cd582e9c\_img.jpg\) !\[\]\(05865bdbc551fee6362f7cb0bc0af977\_img.jpg\)](#)
2. CONFIDENTIAL Report - Woollahra Local Planning Panel (WLPP) Community Representatives - 23 May 2022 (*circulated under separate cover*) - **Confidential**



## Helen Tola

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**From:** Helen Tola  
**Sent:** Monday, 26 February 2024 10:53 AM  
**To:** Planning Panels Mailbox  
**Cc:** Nick Economou  
**Subject:** Urgent Advice requested from Woollahra Municipal Council - Community Representatives (on the Local Planning Panel)

**Importance:** High

Dear Panel Secretariat,

We write to seek advice from the Department on the following resolution of Council (in part) at its meeting of 12 February 2024:

- F. *Seeks advice to give consideration to inviting members that have applied as community representatives previously (during the most recent Expression of Interest process of the 23 May 2022).*

Of relevance is Direction 2.3 of the Ministerial Direction (Local Planning Panel Direction – Interim Appointment of Members) which reads as follows:

*2.3 Any panel member who has served two terms on a specific local planning panel cannot be re-appointed, this includes community representatives. In this case, a Council to whom this Direction applies must appoint a new Panel member from the approved pool.*

Woollahra Council previously appointed four community representatives all of which bar one has served two terms. This leaves Council with only one community representative for the interim period 28 February 2024 to 30 June 2024.

Based on the above, it is possible for Council to appoint a community representative from the previous Expression of Interest (EOI) process which Council undertook in May 2022. This EOI, put forward thirteen (13) names as suitable community representatives at the time. Council however at the time only elected to appoint four (4).

We would appreciate your earliest advice.

Should you have any questions in relation to such, please contact Nick Economou (02) 9391 7081 or via email [nick.economou@woollahra.nsw.gov.au](mailto:nick.economou@woollahra.nsw.gov.au) or myself on (02) 9391 7012 or via email [helen.tola@woollahra.nsw.gov.au](mailto:helen.tola@woollahra.nsw.gov.au)

Kind regards,

Helen



**Helen Tola**  
**Manager Governance & Risk**

Woollahra Municipal Council  
536 New South Head Road, Double Bay NSW 2028  
t: 02 9391 7012 m: 0481 913 096  
e: [helen.tola@woollahra.nsw.gov.au](mailto:helen.tola@woollahra.nsw.gov.au) w: [www.woollahra.nsw.gov.au](http://www.woollahra.nsw.gov.au)

**Our Values:** Respect | Open | Accountable | Responsive | Excellence

*We acknowledge the Gadigal and Birrabirragal people as the traditional custodians of the land in our local area.*



## 13.1 Environmental Planning Committee

### Items with Recommendations from the Committee Meeting of Monday 4 March 2024 Submitted to the Council for Determination

|                                       |   |
|---------------------------------------|---|
| <b>Item No:</b>                       | R1 Recommendation to Council  |
| <b>Subject:</b>                       | <b>ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL -<br/>PLANNING PROPOSAL - 8-10 NEW MCLEAN STREET, EDGECLIFF</b>   |
| <b>Authors:</b>                       | Charmaine Tai, Strategic Planner<br>Lyle Tamlyn, Acting Team Leader Strategic Planning  |
| <b>Approvers:</b>                     | Anne White, Manager Strategic Planning & Place<br>Scott Pedder, Director Planning & Place   |
| <b>File No:</b>                       | 24/30993  |
| <b>Purpose of the Report:</b>         | To provide Council with the advice of the Woollahra Local Planning Panel on the planning proposal request for 8-10 New McLean Street, Edgecliff, and to recommend that Council refuse the request to prepare a planning proposal. |
| <b>Alignment to Delivery Program:</b> | Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.  |

#### Recommendation:

THAT Council:

- A. Note the advice provided by the Woollahra Local Planning Panel on 22 February 2024 regarding the planning proposal for 8-10 New McLean Street, Edgecliff.
- B. Refuse the request to prepare a planning proposal for 8-10 New McLean Street, as contained at Attachment 1 of the Environmental Planning Committee report dated 4 March 2024 as it does not demonstrate strategic or site-specific merit as detailed in the staff assessment, and for the following key reasons:
  - i. That the site is not identified for inclusion in the Draft Edgecliff Commercial Centre planning and urban design strategy which was extensively considered, researched and exhibited.
  - ii. That the proposal does not demonstrate any strategic merit to justify the scale of change sought by the proponent.
  - iii. That the proposal reduces current affordable housing that is existing and has insurmountable traffic issues that haven't been specifically addressed.
  - iv. That Woollahra Municipal Council has already achieved, and is overachieved against its established housing targets, and that any uplift to this area has already been considered in the Draft Edgecliff Commercial Centre planning and urban design strategy, and that this proposal is not consistent with that.
  - v. That the proposal hasn't specifically looked at the environmental impacts to wildlife and the corridor leading from Edgecliff ridge line to Trumper Park.
  - vi. The significant impact that the proposed excavation will cause not only to the environment, but to surrounding properties in the area.
  - vii. There will be a significant impact with the interface with surrounding properties in the heritage conservation area.
  - viii. That there is no additional need for commercial floor space on this site, and any further commercial floor space would undermine the commercial floor space in the Edgecliff commercial centre.

- C. Notify the proponent that Council has refused the planning proposal request in accordance with Clause 9 of the *Environmental Planning and Assessment Regulation 2021*.
- D. Note that should a Gateway determination be received:
- i. Any planning agreement proposed by the proponent be prepared in accordance with the adopted *Woollahra Voluntary Planning Agreement Policy 2020*. Any affordable housing should be dedicated at 5% of the total gross floor area instead of 5% of residential gross floor area afforded by the uplift.
  - ii. The planning proposal and any draft voluntary planning agreement should be exhibited concurrently.
  - iii. The proponent pays the relevant site specific development control plan fee as identified in Council's adopted Fees and Charges for 2023/24.

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**Item No:** R2 Recommendation to Council  
**Subject:** **POST EXHIBITION REPORT - ENVIRONMENTAL SUSTAINABILITY ACTION PLAN**  
**Author:** Micaela Hopkins, Team Leader Environment & Sustainability  
**Approver:** Tom O'Hanlon, Director Infrastructure & Sustainability  
**File No:** 24/20103  
**Purpose of the Report:** To present the Environmental Sustainability Action Plan 2023-2028 to Council for adoption.  
**Alignment to Delivery Program:** Strategy 8.3: Prepare for and adapt to the impacts of climate change.

**Recommendation:**

THAT Council:

- A. Receive and note the Post Exhibition Report for the Environmental Sustainability Action Plan.
- B. Adopt the *Environmental Sustainability Action Plan 2023-2028*.

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## 13.2 Finance, Community & Services Committee

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### Items with Recommendations from the Committee Meeting of Monday 4 March 2024 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** **ROSE BAY COMMUNITY GARDEN LICENCE RENEWAL**  
**Authors:** Michelle Rose, Environmental Education Officer  
Micaela Hopkins, Team Leader Environment & Sustainability  
**Approver:** Tom O'Hanlon, Director Infrastructure & Sustainability  
**File No:** 24/26804  
**Purpose of the Report:** To support the continuation of the Rose Bay Community Garden and propose an additional Deed of Licence (User Agreement) for three years with an option for Council to extend for two years.  
**Alignment to Delivery Program:** Strategy 5.1: Enhance council provided community facilities to foster connections between people and place and enhance quality of life.

**Recommendation:**

THAT Council:

- A. Enter into a Deed of Licence (User Agreement) between Woollahra Municipal Council and the Rose Bay Community Garden Inc. to be prepared for three years with an option for Council to extend the agreement for a further two year period, subject to the public liability insurance being increased to \$20,000,000 as part of the new agreement.
- B. Congratulate and thank the Rose Bay Community Garden Inc. volunteers for creating, maintaining and enhancing a valuable and vibrant space for the Woollahra community.
- C. Authorise the General Manager to execute a new Deed of Licence in similar terms to the existing Deed of Licence.

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**Item No:** R2 Recommendation to Council  
**Subject:** **DRAFT RESTRICTED FUNDS POLICY**  
**Authors:** Henrietta McGilvray, Senior Corporate Accountant  
Paul Ryan, Chief Financial Officer  
**Approver:** Sue Meekin, Director Corporate Performance  
**File No:** 24/33416  
**Purpose of the Report:** To provide the Finance, Community & Services Committee with an opportunity to review Council's Draft Restricted Funds Policy  
**Alignment to Delivery Program:** Strategy 11.3: Ensure effective and efficient governance and risk management.

**Recommendation:**

THAT Council endorse the draft Restricted Funds Policy for the purpose of placing the Policy on public exhibition for a period of 28 days.

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**Item No:** R3 Recommendation to Council  
**Subject:** **MONTHLY FINANCIAL REPORT - 31 JANUARY 2024  
INVESTMENT HELD AS AT 29 FEBRUARY 2024**  
**Author:** Abdullah Rayhan, Team Leader Financial Services  
**Approvers:** Paul Ryan, Chief Financial Officer  
Sue Meekin, Director Corporate Performance  
**File No:** 24/29883  
**Purpose of the Report:** To present the monthly financial report for January 2024 and to present a list of investments held as of 29 February 2024.  
**Alignment to Delivery Program:** Strategy 11.2: Secure Council's financial position.

**Recommendation:**

THAT Council:

- A. Receive and note the Monthly Financial Report – January 2024.
- B. Note that the Council's 12-month weighted average return for January 2024 on its direct investment portfolio of 5.12% (LM: 4.98%, LY: 3.52%) exceeds the benchmark 90-day AusBond Bank Bill Index of 4.41%.
- C. Note that the interest revenue for the year to date January 2024 is \$3.02M, exceeding our revised year to date budget of \$1.67M for the same period.
- D. Receive and note the list of Council's investments held as of 29 February 2024 (provided as late correspondence).

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**Item No:** R4 Recommendation to Council  
**Subject:** **REQUEST FOR FEE WAIVER FOR THE PADDINGTON SOCIETY TO  
HOLD MONTHLY MEETINGS AT EJ WARD PADDINGTON  
COMMUNITY CENTRE**  
**Author:** Susan Murray, Venue Coordinator  
**Approvers:** Vicki Munro, Manager Community & Culture  
Patricia Occelli, Director Community & Customer Experience  
**File No:** 24/28032  
**Purpose of the Report:** To request Council to waive the venue hire fees for the hire of EJ Ward Paddington Community Centre for The Paddington Society for monthly meetings during the period March to November 2024.  
**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.

**Recommendation:**

THAT Council approve the waiver of venue hire fees at EJ Ward Paddington Community Centre for The Paddington Society from March to November 2024 at a value of \$732.00.

**Item No:** R5 Recommendation to Council  
**Subject:** **REVIEW OF COUNCIL POLICY FOR MANAGING LEASING & LICENSING OF COUNCIL CONTROLLED LAND**  
**Authors:** Zubin Marolia, Manager Property & Projects  
Tom O'Hanlon, Director Infrastructure & Sustainability  
**Approver:** Tom O'Hanlon, Director Infrastructure & Sustainability  
**File No:** 24/30490  
**Purpose of the Report:** To seek Council endorsement to publicly exhibit a revised policy  
**Alignment to Delivery Program:** Strategy 11.3: Ensure effective and efficient governance and risk management.

**Recommendation:**

THAT Council:

- A. Approve the exhibition of the revised *Leasing and Licensing of Council Controlled Land Policy* for a period of 28 days, subject to the policy being revised to include a mechanism for Council to:
- i. Review and define the use under a Lease or License over Community and Crown Land, as per 5.i of the draft revised Policy, prior to tenders being called;
  - ii. Review and define the use under a Lease or License over Community, Crown or Operational Land, as per 5.iii of the draft revised Policy, prior to Expressions of Interest being called; and
  - iii. Review any proposal to enter into a new Lease or License with an incumbent without reference to an Expression of Interest process, as per 5.iii of the draft revised Policy, prior to negotiations with the incumbent commencing.
- B. Note that a further report will be tabled following the conclusion of the exhibition period.
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**Item No:** R6 Recommendation to Council  
**Subject:** **WOOLLAHRA OVAL 2 & 3 USAGE AGREEMENT WITH CRANBROOK SCHOOL**

**Authors:** Roger Faulkner, Team Leader - Open Space & Recreation Planning  
Paul Fraser, Manager Open Space & Trees

**Approver:** Tom O'Hanlon, Director Infrastructure & Sustainability

**File No:** 24/32680

**Purpose of the Report:** To address Part B of the Council Resolution dated 8 May 2023, which addresses the future maintenance of Woollahra Oval 2 & 3 following the expiry of the Cranbrook Agreement.

**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.

**Note:** In accordance with Council's meeting procedures and policy this matter is referred to full Council due to voting on the Motion was 3 votes for the Motion and 3 votes against the Motion and is referred to Council for consideration on 11 March 2024.

**Motion to Council:**

THAT Council:

- A. Notes the formal agreement between Council and Cranbrook School for the use and maintenance of Woollahra Ovals 2 & 3 expires on Sunday 31 March 2024.
- B. Advises Cranbrook School of the requirement to remove the turf cricket wicket and replace it with a new synthetic turf cricket wicket, as required under Clause 7 of the Project Agreement at least eight weeks before the commencement of the 2024/25 summer cricket season.



**Item No:** R7 Recommendation to Council  
**Subject:** **CONSIDERATION OF TENDER RESPONSES FOR THE LEASE & OPERATION OF DUNBAR HOUSE - TENDER NO. SC7377**  
**Author:** Jim Allison, Senior Property Officer  
**Approvers:** Zubin Marolia, Manager Property & Projects  
Tom O'Hanlon, Director Infrastructure & Sustainability  
**File No:** 24/19475  
**Purpose of the Report:** To consider the tender for the lease and operation of Dunbar House  
**Alignment to Delivery Program:** Strategy 11.2: Secure Council's financial position.

**Note:** In accordance with Council's meeting procedures and policy this matter is referred to full Council due to voting on the Motion was 3 votes for the Amendment and 3 votes against the Amendment and are referred to Council for consideration on 11 March 2024.

### **Motion to Council**

THAT Council:

- A. Pursuant to section 178(1)(b) of the Local Government Regulations 2005, declines the tender submitted by Athol Hall Pty Ltd on the basis that Athol Hall proposes that the lease be entered into by a different entity rather than by Athol Hall itself;
- B. Enters into negotiations with the three equal shareholders in Athol Hall Pty Ltd, namely Christopher Drivas, Jacqueline Worrall and Philip Beauchamp with a view to agreeing lease terms with a newly formed entity in the form envisaged by the Request for Tenders;
- C. To satisfy section 178(4) of the Local Government Regulation 2021, declares that its reason for declining to invite fresh tenders and to negotiate with the persons identified at recommendation (B) is that, while no tender was received that was both capable of acceptance without negotiation and provided best commercial return for the Council, a submission was received that with negotiation is likely to be an offer capable of acceptance by Council;
- D. Provided that negotiations with the persons identified at recommendation (B) produce an agreement that is the equal of, or better than the lease offer contained in Athol Hall Pty Ltd's tender, authorises the General Manager to execute all legal documents required to enter into the lease.

### **Amendment to Council**

THAT Council defer the decision on this tender until such time that more information is provided to Councillors on the requirements for a change of use at this site.



## **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).

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## 16. Notices of Motion

**Item No:** 16.1  
**Subject:** NOTICE OF MOTION - INTEGRITY IN LOCAL GOVERNMENT  
**From:** Councillors Sarah Swan, Susan Wynne, Mary-Lou Jarvis and Isabelle Shapiro  
**Date:** 21 February 2024  
**File No:** 24/31517

### Recommendation:

THAT Council:

- A. Request the General Manager table a report at the 13 May 2024 Council meeting, detailing how Woollahra Council can incorporate into its Code of Conduct, a requirement for all Woollahra Councillor's to publicly disclose their meetings with resident's associations, registered lobbyists and property developers.
  - B. Note that if Council resolves into the future to have Councillors publicly disclose their meetings with resident's associations, registered lobbyists and property developers that a Councillor Association, Lobbyist and Property Developer Register be established and made publicly available on Council's website in a similar way to the current disclosures of interests made at Council and/or Committee meetings.
  - C. Request that the Mayor writes to the NSW Minister for Local Government and the NSW Office of Local Government affirming Council's support for increasing integrity in local government by the NSW government adopting the ICAC's previous recommendations in relation to lobbyists.
-



**Item No:** 16.2  
**Subject:** **NOTICE OF MOTION - BEST STREET IN WOOLLAHRA**  
**From:** Councillors Lucinda Regan, Sean Carmichael, Isabelle Shapiro, Merrill Witt, Susan Wynne, Sarah Swan and Matthew Robertson  
**Date:** 05 March 2024  
**File No:** 24/38988

**Recommendation:**

THAT Council investigate and report back on the feasibility and method of implementing a “Best Street in Woollahra” yearly competition to seek to engender pride in the streets of the municipality in which people live and / or work, with a prize granted each year to the selected street residents.

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**Background**

This has come to Council as a suggestion from a resident who took time to provide feedback to Council’s public exhibition of its Environmental Sustainability Action Plan 2023-2028 between 16 November 2023 and 21 December 2023.

That resident requested Council to look at introducing a best street in Woollahra competition to encourage people old to take pride in where they live and work, where neighbours would sweep paths, collect rubbish, repot graffiti, keep the nature strip trimmed and tidy and generally contribute to good street appearance.

It is understood that a Notice of Motion has been put forward in relation to an “adopt a tree” initiative, and perhaps this initiative could be done in conjunction with this, or as a stand alone project.

This was considered at the meeting of the Environmental Planning Committee on 4 March 2023 and the members of that committee believe it is appropriate that this suggestion be investigated.

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## 17. Questions With Notice

### Recommendation:

THAT the Questions with Notice be received and noted.

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### Background:

A Councillor may, by way of notice, ask a question for response by the General Manager or their nominee, in accordance with Council's adopted Code of Meeting Practice. Where a response, or an update will be provided at the Council Meeting, a response of 'On Notice' is listed in the Council Agenda.

The following Questions with Notice for the Council Meeting on 11 March 2024 have been received.

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**QWN:** 17.1  
**From:** Councillor Robertson  
**Subject:** Questions with Notice - Smoking Ban

### Councillor Robertson asking:

Residents continue to report concerning examples of marine pollution from cigarette butts and packaging in Sydney harbour and at Woollahra's beaches.

Over the course of the summer just gone, how many fines have been issued for breach of Woollahra's beach smoking ban?

Does Woollahra's beach smoking ban extend to jetties and wharves located on public beaches?

### Coordinator Regulatory Services in response:

Since the introduction of the ban in 2014, Council records indicate 12 customer requests have been logged, including 3 service requests for smoking on beaches and parks in the last three years.

No fines have been issued in the past year, Council's Regulatory staff do not pro-actively patrol Council's beaches to enforce the smoking ban, noting that it is largely self-regulating. If Regulatory staff are required to attend any beach in response to a smoking issue they would seek compliance rather than enforce. Council's lifeguards at Camp Cove Beach are more likely to speak with patrons when they are on duty.

If a jetty or wharf is correctly signposted with a Council notice, under s632 of the *Local Government Act 1993*, then the ban extends to that jetty or wharf. Examples would be Council owned structures at Murray Rose Pool and Watsons Bay Baths.

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**QWN:** 17.2  
**From:** Councillor Robertson  
**Subject:** Questions with Notice - Urban Forest Strategy

**Councillor Robertson asking:**

UFS next steps

In December 2023, following years of careful development, Council endorsed its Urban Forest Strategy - an overarching policy that will guide the greening of our LGA over coming decades.

Will the General Manager please outline the next steps in the implementation of the Urban Forest Strategy, including the review of the Street Tree Master Plan, and a timeline of key milestones?

**Manager Open Space & Trees in response:**

On Notice.

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**QWN:** 17.3  
**From:** Councillor Grieve  
**Subject:** Questions with Notice - Clean Up Australia Day

**Councillor Grieve asking:**

I attended Council's Clean Up Australia Day effort at Rose Bay on Sunday 3 March 2024.

Though not immediately obvious to the untrained eye, staff members guiding the clean-up identified and commented that there was a high degree of polystyrene present in the sand on the beach.

Would the General Manager please confirm what measures are currently in place to manage this issue and the associated impacts to marine health, as well as outline any further initiatives or actions Council may take, including public education and awareness efforts?

**Team Leader Environment & Sustainability in response:**

The NSW Plastic Reduction and Circular Economy Bill 2021 prohibited the use of polystyrene food packaging. Since this time, there has been a noticeable reduction in the amount of polystyrene on our beaches. At the Clean Up Australia Day event at Rose Bay Beach some polystyrene was collected, mostly in small fragments.

Council initiatives to reduce litter, including polystyrene, on our beaches includes: pollution traps, mechanically raking beaches, hand litter picks by staff, street sweeping to remove litter from gutters, supporting volunteer clean-ups through the HarbourCare Program, and educating our community about the impact of litter. Council also liaises with Transport for NSW who manage clean-ups of the waterway to prevent litter from the upper catchment washing onto our beaches. In addition, Council staff have worked with the Sydney Coastal Councils Group (SCCG) to develop a Litter Prevention Strategy for Sydney Harbour. This is focussed on reducing litter loads Sydney harbour wide. We will continue to work with the SCCG and other harbour councils on this issue.

Staff recently made a submission to the NSW Government EPA paper *NSW Plastics - Next Steps*, emphasising the importance of extending the phase-out of polystyrene to include other packaging, for example use in packaging of fragile goods. The *NSW Plastics: Next Steps* paper outlines proposed further action on plastic in NSW to continue the EPA's work of phasing out problematic plastic items.

## Political Donations: Matters to be considered by Councillors at Council and/or Committee Meetings

