



# Ordinary Council

Monday 11 March 2024

6.30pm

## Minutes





# Ordinary Council Meeting

Monday 11 March 2024

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## **Items Determined Under Delegated Authority by Council Committees**

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

### **Finance, Community & Services Committee held on Monday 04 March 2024**

- D1 Confirmation of Minutes of Meeting held on 5 February 2024
- D2 Woollahra Local Traffic Committee Minutes - 6 February 2024
- D3 Confirmation of Minutes of the Woollahra Small Sculpture Prize Committee Meeting held on 13 February 2024

### **Environmental Planning Committee held on Monday 04 March 2024**

- D1 Confirmation of Minutes of Meeting held on 5 February 2024
- D2 Woollahra Local Planning Panel Register of Planning Decisions and Analysis
- D3 Register of Current Land & Environment Court Matters for Development Applications & Register for Court Proceedings for Building, Environmental & Health Control Matters

## Ordinary Council Meeting

### Minutes of the Meeting of Ordinary Council held at the Council Chambers, 536 New South Head Road, Double Bay, on 11 March 2024 at 6.32pm.

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

Staff: Paul Fraser (Manager - Open Space & Trees) via Zoom  
Rhys Johnson (Governance Coordinator)  
Zubin Marolia (Manager – Property & Projects)  
Alison McNamee (Meetings Support Officer)  
Sue Meekin (Director – Corporate Performance)  
Carolyn Nurmi (Governance Officer)  
Patricia Occelli (Director – Community & Customer Experience)  
Tom O’Hanlon (Director – Infrastructure & Sustainability)  
Scott Pedder (Director – Planning & Place)  
Micaela Hopkins (Team Leader, Environment & Sustainability) via Zoom  
Craig Swift-McNair (General Manager)  
Helen Tola (Manager – Governance & Risk)

Also in Attendance: Nil

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## 1. Opening

The Mayor declared the Ordinary Council Meeting of 11 March 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

An apology was received and accepted from Councillor Cavanagh and leave of absence granted.

**General Item No:** 5.1 Audio Visual Link

**(Wynne/Carmichael)**

20/24

**Resolved:**

THAT in accordance with clause 5.23 of Council's Code of Meeting Practice, Council approves the following Councillor participation in the Council Meeting of 11 March 2024 via Audio-Visual Link:

- Councillor Elsing

*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 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

**14/0**

## 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.

**(Silcocks/Swan)**

**21/24 Resolved:**

THAT the Minutes of the Council Meeting of 26 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***

***Against the Motion***

Councillor Carmichael  
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

**14/0**

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## 7. Late Correspondence

**Note:** Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda EP Items R1, FC&S Items R1, R2, R5, R6 and R7 and Questions with Notice 17.2.

## 8. Disclosures of Interest

The Mayor, Councillor Shields declared a Non-Significant, Non-Pecuniary Interest in Item 12.2 (Woollahra Local Planning Panel (WLPP) Community Representatives – Interim Period March 2024 to 30 June 2024) as Councillor Shields previously served with some of the candidates on Council. Councillor Shields remained in the meeting, participated in debate and voted on the matter.

The Deputy Mayor, Councillor Swan declared a Significant, Non-Pecuniary Interest in Item 12.2 (Woollahra Local Planning Panel (WLPP) Community Representatives – Interim Period March 2024 to 30 June 2024) as Councillor Swan knows one of the candidates. Councillor Swan left the meeting, did not participate in debate and did not vote on the matter.

Councillor Carmichael declared a Non-Significant, Non-Pecuniary Interest in Item 12.2 (Woollahra Local Planning Panel (WLPP) Community Representatives – Interim Period March 2024 to 30 June 2024) as Councillor Carmichael previously served with one of the candidates on Council. Councillor Carmichael remained in the meeting, participated in debate and voted on the matter.

Councillor Jarvis declared a Non-Significant, Non-Pecuniary Interest in Item 12.2 (Woollahra Local Planning Panel (WLPP) Community Representatives – Interim Period March 2024 to 30 June 2024) as Councillor Jarvis knows some of the candidates. Councillor Jarvis remained in the meeting, participated in debate and voted on the matter.

Councillor Price declared a Non-Significant, Non-Pecuniary Interest in Item 12.2 (Woollahra Local Planning Panel (WLPP) Community Representatives – Interim Period March 2024 to 30 June 2024) as some of the candidates are known to Councillor Price and The Residents' First Party. Councillor Price remained in the meeting, participated in debate and voted on the matter.

Councillor Regan declared a Non-Significant, Non-Pecuniary Interest in Item 12.2 (Woollahra Local Planning Panel (WLPP) Community Representatives – Interim Period March 2024 to 30 June 2024) as Councillor Regan personally knows one of the candidates. Councillor Regan remained in the meeting, participated in debate and voted on the matter.

Councillor Robertson declared a Non-Significant, Non-Pecuniary Interest in Item 12.2 (Woollahra Local Planning Panel (WLPP) Community Representatives – Interim Period March 2024 to 30 June 2024) as Councillor Robertson previously served with one of the candidates. Councillor Robertson remained in the meeting, participated in debate and voted on the matter.

Councillor Shapiro declared a Non-Significant, Non-Pecuniary Interest in Item 12.2 (Woollahra Local Planning Panel (WLPP) Community Representatives – Interim Period March 2024 to 30 June 2024) as Councillor Shapiro previously served with some of the candidates on Council. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

Councillor Witt declared a Non-Significant, Non-Pecuniary Interest in Item 12.2 (Woollahra Local Planning Panel (WLPP) Community Representatives – Interim Period March 2024 to 30 June 2024) as Councillor Witt knows a number of the candidates. Councillor Witt remained in the meeting, participated in debate and voted on the matter.

Councillor Wynne declared a Non-Significant, Non-Pecuniary Interest in Item 12.2 (Woollahra Local Planning Panel (WLPP) Community Representatives – Interim Period March 2024 to 30 June 2024) as Councillor Wynne previously served with some of the candidates on Council and knows some of the other candidates. Councillor Wynne remained in the meeting, participated in debate and voted on the matter.

Councillor Carmichael declared a Non-Significant, Non-Pecuniary Interest in Item 13.1 R1 (Advice of the Woollahra Local Planning Panel - Planning Proposal - 8-10 New McLean Street, Edgecliff) as Councillor Carmichael was once a resident at 8-10 New McLean Street, Edgecliff in 2014 to 2015 but has no current connection to the site. Councillor Carmichael left the meeting, did not participate in debate and did not vote on the matter.

Councillor Jarvis declared a Non-Significant, Non-Pecuniary Interest in Item 13.1 R1 (Advice of the Woollahra Local Planning Panel – Planning Proposal 8-10 New McLean Street, Edgecliff) as Councillor Jarvis is Council’s representative on the Sydney Eastern City Planning Panel. Councillor Jarvis left the meeting, did not participate in debate and did not vote on the matter.

Councillor Robertson declared a Non-Significant, Non-Pecuniary Interest in Item 13.1 R1 (Advice of the Woollahra Local Planning Panel - Planning Proposal - 8-10 New McLean Street, Edgecliff) as Councillor Robertson is Council’s representative on the Sydney Eastern City Planning Panel. Councillor Robertson left the meeting during this item, did not participate in debate and did not vote on the matter.

Councillor Grieve declared a Non- Significant, Non-Pecuniary Interest in Item 13.2 R1 (Rose Bay Community Garden Licence Renewal) as Councillor Grieve is a member of the Rose Bay Community Garden. Councillor Grieve remained in the meeting, participated in debate and voted on the matter.

The Mayor, Councillor Shields declared a Non-Significant, Non-Pecuniary Interest in Item 13.2 R6 (Woollahra Oval 2 & 3 Usage Agreement with Cranbrook School) as Councillor Shields’ son is currently attending Cranbrook School. Councillor Shields remained in the meeting, participated in debate and voted on the matter.

Councillor Price declared a Non-Significant, Non-Pecuniary Interest in Item 13.2 R6 (Woollahra Oval 2 & 3 Usage Agreement with Cranbrook School) as Councillor Price’s son is currently attending Cranbrook School. Councillor Price remained in the meeting, participated in debate and voted on the matter.

Councillor Zeltzer declared a Non-Significant, Non-Pecuniary Interest in Item 13.2 R6 (Woollahra Oval 2 & 3 Usage Agreement with Cranbrook School) as Councillor Zeltzer was formerly the Vice President of the Parents Association at Cranbrook School and both her children attended the school in the past. Councillor Zeltzer remained in the meeting, participated in debate and voted on the matter.

## **9. Petitions Tabled**

Nil

## 10. Mayoral Minute

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

(Shields/Silcocks)

### 22/24 Resolved:

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.

*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 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

**14/0**

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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.

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## **11. Public Forum**

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 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.

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

**(Zeltzer/Grieve)**

**23/24 Resolved:**

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

**Note:** Councillor Mary-Lou Jarvis (is to be the substitute attendee in the event of a nominated attendee being unavailable to attend)

- C. Nominate the Mayor, *Councillor Richard Shields* as the one (1) voting delegate for the ALGA 2024 National General Assembly of Local Government (NGA), in the event that the Mayor, Councillor Shields is unavailable to attend, that the voting rights be delegated to one of the other attendees as determined by the Mayor, Councillor Shields.

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

Councillor Price

13/1

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**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.

**Note:** The Mayor, Councillor Shields declared a Non-Significant, Non-Pecuniary Interest in this Item as The Mayor, Councillor Shields previously served with some of the candidates on Council. Councillor Shields remained in the meeting, participated in debate and voted on the matter.

**Note:** The Deputy Mayor, Councillor Swan declared a Significant, Non-Pecuniary Interest in this Item as The Deputy Mayor, Councillor Swan knows one of the candidates. Councillor Swan left the meeting, did not participate in debate and did not vote on the matter.

**Note:** Councillor Carmichael declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Carmichael previously served with one of the candidates on Council. Councillor Carmichael remained in the meeting, participated in debate and voted on the matter.

**Note:** Councillor Jarvis declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Jarvis knows some of the candidates. Councillor Jarvis remained in the meeting, participated in debate and voted on the matter.

**Note:** Councillor Price declared a Non-Significant, Non-Pecuniary Interest in this Item as some of the candidates are known to Councillor Price and The Residents' First Party. Councillor Price remained in the meeting, participated in debate and voted on the matter.

- Note:** Councillor Regan declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Regan personally knows one of the candidates. Councillor Regan remained in the meeting, participated in debate and voted on the matter.
- Note:** Councillor Robertson declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Robertson previously served with one of the candidates on Council. Councillor Robertson remained in the meeting, participated in debate and voted on the matter.
- Note:** Councillor Shapiro declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Shapiro previously served with some of the candidates on Council. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.
- Note:** Councillor Witt declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Witt knows a number of the candidates. Councillor Witt remained in the meeting, participated in debate and voted on the matter.
- Note:** Councillor Wynne declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Wynne previously served with some of the candidates on Council and knows some of the other candidates. Councillor Wynne remained in the meeting, participated in debate and voted on the matter.
- Note:** Councillor Swan left the meeting, the time being 6.59pm.
- Note:** The Council amended Part A of the Resolution.

**(Grieve/Carmichael)**

**Resolved:**

THAT the Council resolve to enter into closed session at 7.00pm with the press and public excluded to consider the confidential attachment on this matter in accordance with the provisions of Section 10A of the Local Government Act 1993.

**Adopted**

**In closed session**

**Note:** The Council discussed the confidential attachment.

**(Grieve/Carmichael)**

THAT the Council move into "Open Session" at 7.14pm.

**Adopted**

**In Open Session**

**(Zeltzer/Carmichael)**

**24/24 Resolved:**

THAT Council:

- A. Determine and select two additional Applicants to be considered and appointed as Community Representatives subject to their availability for the interim period of March 2024 to June 2024, being:

- *Mr Ronald Schaffer*
- *Mr Malcom Young*

**Note:** In the event of Mr Ronald Schaffer or Mr Malcom Young being unavailable to serve on the WLPP Panel as a Community Representative, Ms Vivienne Skinner be appointed as a Community Representative.

- 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.
- C. 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.

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

***For the Motion***

***Against the Motion***

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

Nil

**13/0**

## 13. Reports of the Committees

### 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 - PLANNING PROPOSAL - 8-10 NEW MCLEAN STREET, EDGECLIFF</b>
<b>Authors:</b>	Charmaine Tai, Strategic Planner Lyle Tamlyn, Acting Team Leader Strategic Planning
<b>Approvers:</b>	Anne White, Manager Strategic Planning & Place 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.
<b>Note:</b>	Late correspondence was tabled by Ben Miller & William Clark of Barker Ryan Stewart, Margaret Smyth, Ruth Law and Sam Jaffray.
<b>Note:</b>	Councillor Carmichael declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Carmichael was once a resident at 8-10 New McLean Street, Edgecliff in 2014 to 2015 but has no current connection to the site. Councillor Carmichael left the meeting, did not participate in debate and did not vote on the matter.
<b>Note:</b>	Councillor Jarvis declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Jarvis is Council's representative on the Sydney Eastern City Planning Panel. Councillor Jarvis left the meeting, did not participate in debate and did not vote on the matter.
<b>Note:</b>	Councillor Robertson declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Robertson is Council's representative on the Sydney Eastern City Planning Panel. Councillor Robertson left the meeting, did not participate in debate and did not vote on the matter.
<b>Note:</b>	Councillor Jarvis left the meeting, the time being 7.12pm.
<b>Note:</b>	Councillor Robertson left the meeting, the time being 7.13pm.
<b>Note:</b>	Councillor Sarah Swan returned to the meeting, the time being 7.13pm.
<b>Note:</b>	The Council added Part E to the Resolution.

**(Carmichael/Swan)**

**25/24 Resolved:**

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.
- E. Request that the General Manager make this decision available on Council's website, via social media and advises all residents and members of the community who had a submission of Council's decision.

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

**For the Motion**

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

**Against the Motion**

Nil

**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.

**Note:** Councillor Jarvis returned to the meeting, the time being 7.23pm.

**Note:** Councillor Robertson returned to the meeting, the time being 7.23pm.

**(Robertson/Zeltzer)**

**26/24 Resolved without debate:**

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*.

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

**For the Motion**

**Against the Motion**

Councillor Carmichael  
Councillor 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

**14/0**

## 13.2 Finance, Community & Services Committee

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

**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.

**Note:** Late correspondence was tabled by Micaela Hopkins, Council's Team Leader Environment & Sustainability.

**Note:** Councillor Grieve declared a Non- Significant, Non-Pecuniary Interest in this Item as Councillor Grieve is a member of the Rose Bay Community Garden. Councillor Grieve remained in the meeting, participated in debate and voted on the matter.

**(Zeltzer/Swan)**

**27/24 Resolved:**

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.

*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 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

**14/0**

**Against the Motion**

Nil

**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.

**Note:** Late correspondence was tabled by Paul Ryan, Council's Chief Financial Officer.

**Note:** The Council amended the Resolution.

**(Zeltzer/Swan)**

**28/24 Resolved without debate:**

THAT Council endorse the draft Restricted Funds Policy for the purpose of placing the Policy on public exhibition for a period of 28 days, subject to the amendments listed in the late correspondence.

*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 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

**14/0**

**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.

**(Zeltzer/Swan)**

**29/24 Resolved without debate:**

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).

*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 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

**14/0**

**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 Ocelli, 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.

(Zeltzer/Swan)

**30/24 Resolved without debate:**

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.

*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 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

**14/0**

**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.

**Note:** Late correspondence was tabled by Tom O'Hanlon, Council's Director of Infrastructure & Sustainability.

**Note:** The Council amended Part A of the Resolution.

**(Zeltzer/Price)**

**31/24 Resolved:**

THAT Council:

- A. Approve the exhibition of the revised *Leasing and Licensing of Council Controlled Land Policy (Draft March 2024)*, as attached to late correspondence, for a period of 28 days.
- B. Note that a further report will be tabled following the conclusion of the exhibition period.

**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 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

**14/0**

**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:** Late correspondence was tabled by Paul Fraser, Council's Manager Open Space & Trees.

**Note:** The Mayor, Councillor Shields declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Shields' son is currently attending Cranbrook School. Councillor Shields remained in the meeting, participated in debate and voted on the matter.

**Note:** Councillor Price declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Price's son is currently attending Cranbrook School. Councillor Price remained in the meeting, participated in debate and voted on the matter.

**Note:** Councillor Zeltzer declared a Non-Significant, Non-Pecuniary Interest in this Item as Councillor Zeltzer was formerly the Vice President of the Parents' Association at Cranbrook School and both her children attended the school in the past. Councillor Zeltzer remained in the meeting, participated in debate and voted on the matter.

**(Zeltzer/Silcocks)**

**32/24 Resolved:**

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.

*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 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  
**13/1**

**Against the Motion**

Councillor Swan

**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:** Late correspondence was tabled by Tom O'Hanlon, Council's Director of Infrastructure & Sustainability.

**(Jarvis/Wynne)**

**33/24 Resolved:**

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.

**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 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  
**14/0**

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 7.56pm.

**Note:** Councillor Silcocks returned to the meeting, the time being 7.58pm.

**Note:** Councillor Shapiro left the meeting, the time being 8.00pm.

**Note:** Councillor Shapiro returned to the meeting, the time being 8.02pm.

**Note:** Councillor Robertson left the meeting, the time being 8.02pm.

**Note:** Councillor Robertson returned to the meeting, the time being 8.05pm.

**Note:** Councillor Elsing left the meeting, the time being 8.06pm.

**Note:** Councillor Elsing returned to the meeting, the time being 8.07pm.

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**General Item No:** 15.1 Festival of Fun  
**Tabled by Councillor:** Councillor Elsing & The Mayor, Councillor Shields

**Councillor Elsing advised:**

Thank you, Mr Mayor.

I just wanted to jump in and congratulate staff and yourself. You were at the 'Festival of Fun' opening night, picnic and concert together with my colleagues, Councillor Price, Councillor Witt and Councillor Regan.

It was a fantastic night. It really celebrated the physicality of the harbour and the reference point to the building, and the generosity and the style of the layout of the terrace was just stunning. I also wanted to extend my appreciation to the music provided, particularly to the Kambala (School) Jazz Band and the Orchestra. It was just lovely supporting our local schools.

I was just wondering if it's appropriate to write a letter to the schools thanking them for that. I mean, there was a big effort on their part so that's up to you, Mr Mayor, but I just wanted to go on the record and thank staff and the schools and everyone involved in that event. It was one of the most delightful events I have been to this year so far. Thank you.

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

Excellent idea. I will write that letter in gratitude. Thank you, Councillor Elsing.

**The Mayor, Councillor Shields further advised:**

I wanted to also talk about the 'Festival of Fun'. It was an amazing evening and testament to how good the evening was, it was a sold out event. It's definitely an event that people should go to next year as Councillor Elsing said, it was an idyllic environment with incredible entertainment and it was just such a picturesque place to spend the evening.

**General Item No:** 15.2 Congratulations to Alethea Gold OAM  
**Tabled by Councillor:** Councillor Swan

**Councillor Swan advised:**

Thank you, Your Worship.

I would like to extend my very warm congratulations to Alethea Gold OAM for receiving the 2024 Vaucluse Woman of the Year (Award). It was my honour to nominate her for that and I know that Councillor Shapiro has a close connection with Angel Alethea in that her mother and Alethea's mother were best friends, so Councillor Shapiro grew up with Alethea and also I know that Councillor Grieve wishes to extend her congratulations too and Councillor Zeltzer, but in particular Councillor Grieve because she worked with Alethea particularly back in the day as she says, in providing foreign aid which is one of the things that Alethea is most known for, but Alethea is also known for working in the shadows of our community. You don't always know that she's there, but she is constantly helping residents and local businesses. And that is why I nominated her for her ongoing and tireless work for our community. And I would be most grateful, Your Worship, if you would consider writing a letter congratulating her on this reward. She is entirely selfless.

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

Excellent idea, I will write a letter to Alethea. Thank you, Councillor Swan.

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

Thank you, Councillor Swan.

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**General Item No:** 15.3. Congratulations to Julia Booth  
**Tabled by Councillor:** Councillor Swan

**Councillor Swan advised:**

And secondly and finally I want to congratulate Julia Booth on her appointment as the new Honorary Consul for Bhutan. The Honorary Consul is in Holt Street in Double Bay and I had the privilege of attending her induction ceremony. It was a beautiful and auspicious occasion attended by the Ambassador for Bhutan. I didn't know very much about Bhutanese culture previously but I do now and it was a wonderful and warm event.

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

Thank you, Councillor Swan.

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**General Item No:** 15.4 Clean Up Australia Day  
**Tabled by Councillor:** Councillor Regan, Councillor Grieve, Councillor Jarvis, The Mayor, Councillor Shields

**Councillor Regan advised:**

Thank you, Mr Mayor.

I would like to congratulate the staff, particularly Michelle Rose (Council's Environmental Education Officer) and Micaela Hopkins (Council's Team Leader Environmental & Sustainability) for putting on the Council's contribution to Clean Up Australia Day on 3 March 2024.

I think it's a great community event. It had a lot of community supporters from the little Cranbrook Primary School boys there and a lot of members from the community picking up rubbish. I understand from the Chair of Clean Up Australia, Pip Kiernan that the Rose Bay Tingara Clean Up was a hero and it was terrific to see her there along with a myriad of politicians giving me TV coverage. I noticed you were there Mr Mayor and I did see Councillor Jarvis and Councillor Grieve and passed Councillor Price and a Councillor from the City of Sydney, Adam Worling.

We also had Kerry Potter, who's the Ambassador for Clean Up Australia Day, Tanya Plibersek MP, the Member for Sydney and the Environment Minister and more than that, we had Kellie Sloane MP, Member for Vacluse, we had Marjorie O'Neill, Member for Coogee, we had Mr Paul Nicolaou from Business Sydney. So it was very well attended and I just think it's a great day.

I think it is important in particular that we all, every one of us who picked up rubbish and I know all us Councillors did, the importance of seeing the impact that we have on our environment when we just disposed of rubbish. I think just spending a day like that is a good reminder to ourselves. Again, just thank the staff, they always put on a great day every year.

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

Thank you, Councillor Regan.

**Councillor Grieve further advised:**

I would like to say some politicians turned up for the photo and others put their gloves on and got dirty with the staff and sorted. That was actually the most interesting part, seeing what was collected and working out what's increased and what hasn't increased. Some of the things that came out was decreased smoking cigarette butts on the beach, increased smoking cigarette butts outside certain restaurants and the ferry wharf. So we do need to do something about that because there were a lot of cigarette butts from there, and a huge, massive increase in vapes which was really distressing. So that was great. It was a really good day and everyone had fun. And yes, Mr Mayor, it was good to see you getting your hands dirty.

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

Thank you, Councillor Grieve.

**Councillor Jarvis further advised:**

I am pleased to say that representing Vacluse Ward, I attended the Clean Up Australia Day with you on 3 March 2024, and I think, Your Worship, as we went on for a couple of hours, I think you won the award for the greatest haul. For the benefit of the other Councillors, we found behind the utility station below Rose Bay Police Station, a huge amount of rubbish, which I haven't gone back to inspect, but I suspect has been fixed up since.

On Monday, 4 March 2024, I then went to Watson's Bay where under the leadership of Commander Aaron Scott, the Naval Base cleaned up around Camp Cove. So, I want to thank all the community that was involved, because it is dirty work. But I also want to particularly thank those people that you see from time to time that pick up rubbish on a daily basis, rather than just on Clean Up Australia Day.

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

Thank you, Councillor Jarvis.

**The Mayor, Councillor Shields further advised:**

The Clean Up Australia Day, yes, it was fun. What was interesting was that when we all went to Rose Bay Beach, we discovered that there actually wasn't a lot of litter. And I think that's also a testament to the Council staff and to the clean-up that naturally happens. Councillor Jarvis and I went hunting for rubbish so we went to the other Rose Bay Beach, under Rose Bay Police Station, and we did find quite a bit of rubbish.

Also, Councillor Regan forgot to mention that there was a gentleman called Sam Fricker there as well who is an Olympic diver and I only know him because my youngest daughter was very jealous because he is a YouTube extraordinaire. And she was very jealous that I met him. I did not know who he was until I met him and he claimed that he was a celebrity on Instagram that has millions and millions of followers. So that was great to meet him as well and we wish him well for the upcoming Olympics.

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**General Item No:** 15.5 City of Sydney Affordable Housing Forum  
**Tabled by Councillor:** Councillor Regan

**Councillor Regan further advised:**

Thank you, Mr Mayor.

I wanted to mention was the City of Sydney Affordable Housing Forum, which Councillor Grieve and Councillor Elsing attended on the 7th of March. It was an eye opener, you know I wish that we were City of Sydney with a lot of land and a lot of resources to provide affordable housing. So, it was very good to meet with the community housing providers and get some information from them and I have relayed some of that and I'd like to perhaps maybe look at engaging with them as a Council just to see what they have to say about managing affordable accommodation in our area. Thank you.

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

Thank you, Councillor Regan.

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**General Item No:** 15.6 Dayenu Annual Shabbat Mardi Gras Dinner  
**Tabled by Councillor:** Councillor Carmichael

**Councillor Carmichael advised:**

Thank you, Mr Mayor.-Actually I have three things.

On 1 March 2024 I attended the Dayenu Annual Shabbat Mardi Gras dinner which was a great event. That was 1st of March just leading into Mardi Gras. Fully sold out. I went basically because I saw this group being a double minority, you know, gay and Jewish and under pressure to withdraw from Mardi Gras because they're Jewish and other events by some people and I decided to go and basically provide a support for these people, and to encourage them to keep going. But you might remember when we raised the Pride Flag that the President of Dayenu was there with Wanda, who was here last year at World Pride.

The President actually invited Wanda, who's a 78er, and also a Polish Jew to come and speak. It was a magnificent event, the way just basically giving confidence to these people and to keep going. I thought it was a great night.

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

Thank you, Councillor Carmichael.

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**General Item No:** 15.7 South Head Anglican Church Parish Luncheon  
**Tabled by Councillor:** Councillor Carmichael

**Councillor Carmichael advised:**

Last Wednesday, 6 March 2024, I represented you at South Head Anglican Church, the parish luncheon. Woollahra Council had given \$7,000 to these people to basically allow them, you know, a group of older people to come together and have a monthly lunch for \$5. It was very well attended, I must say, very vibrant. Former Mayor of Woollahra, Graham Crouch, his wife is an attendee there, a lovely lady but he was Mayor in the 1960s. That's essentially combating isolation, and I just think that was a really good event, so thank you.

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

Thank you, Councillor Carmichael.

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**General Item No:** 15.8 Jewish Food Festival  
**Tabled by Councillor:** Councillor Carmichael

**Councillor Carmichael advised:**

Yesterday, my partner and I also attended the Jewish Food Festival held by Shalom, a part of JCA (Jewish Communal Appeal) that was at Moore Park. That was an annual celebration of Jewish cuisine, culture, and food sustainability, again, extremely well attended this year I believe. My partner had some matzo ball soup, I declined, but he enjoyed it, so thank you.

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

Thank you, Councillor Carmichael.

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**General Item No:** 15.9 Thanks to Councillor Sylvie Ellsmore from the City of Sydney  
**Tabled by Councillor:** Councillor Grieve  
**Councillor Grieve advised:**

Thank you, Mr Mayor.

I want to thank Councillor Sylvie Ellsmore from the City of Sydney for pulling together the affordable housing, or driving the affordable housing forum. It was really good as Councillor Regan said and, Councillor Elsing was there, it was quite exciting. The City of Sydney do have an advantage over us because they've been given permission by the State Government to levy developers every single development. We haven't got that and that's not from want of asking. We asked and we were knocked back. So that is a problem and puts us behind the eight ball.

But the thing that I think I said earlier, the most important thing was that we get the affordable housing in perpetuity because these developers are getting a benefit, a public benefit, and we need to keep that benefit that we get back. Rents to be set at 30 percent of household income, not 20 percent less than the market rates. That was another really important point that I think Councillor Carmichael made in his discussion.

One of the things I said was, we need to identify lands that we have, find a public housing provider, join up with them, and just build it, and look for funding through HAFF (Housing Australia Future Fund) and NHAF (National Housing Accord Facility). They were the key points that came out of it. Thank you.

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

Thank you, Councillor Grieve.

**General Item No:** 15.9 Vigil for Jessie Baird & Luke Davies  
**Tabled by Councillor:** Councillor Price

**Councillor Price advised:**

Thank you, Mr Mayor.

I just wanted to note that on Mardi Gras Eve, I attended the Vigil for the late Jesse Baird and late Luke Davies. It was held at Green Park, just opposite St Vincent's Hospital. It was a very solemn occasion especially on the eve of Mardi Gras. It was very well attended by the community. There was a condolence book that was set up for family and friends and really, just the community.

A lot of people who I spoke to there didn't really know Jesse or Luke, but were very pleased to be there. And it was done with the blessing of their families. I understand those condolence books are still available for people to sign if they would like. Alex Greenwich MP and the City of Sydney arranged the evening at very short notice, and I'd like to congratulate them both for that. The New South Wales Minister of Police was there, the Federal Minister for the Environment, Tanya Pliibersek was there. But I think what was most lovely was just the amount of community that was there in support of this horrible tragedy and loss. Thank you, Mr Mayor.

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

Thank you, Councillor Price.

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**General Item No:** 15.10 Sydney Water Blue Backyard  
**Tabled by Councillor:** Councillor Jarvis

**Councillor Jarvis advised:**

I was very pleased to attend an information session on Saturday, 24 February 2024, conducted by Sydney Water, at Parsley Bay, about cleaning up our Blue Backyard. It was a great information session and it really explained in detail the proposal for Parsley Bay including the new toilet block and the improvements to the kiosk. And I want to say thank you to Mr O'Hanlon (Director Infrastructure & Sustainability) because I missed him, but I understand he was there as well and also Councillor Grieve. But it's effectively removing our waste from our area and taking it over to Diamond Head and will be the first time that we have removed the direct outfalls of sewerage into the Sydney oceans.

So I think that has to be a good thing. It led me to have a meeting the following week, last Wednesday with residents of Carlisle Street, who are concerned about where the pumping station pipes are going to go. And as a result of that, they agreed to have a community information session probably at St Andrew's Presbyterian Church later in the year. Works are anticipated to start in 2025, so some time away, but I just want to congratulate Sydney Water because it makes our job easier when things are explained.

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

Thank you, Councillor Jarvis.

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**General Item No:** 15.11 International Women's Day / Portrait for Brenda "Dutchie"  
**Tabled by Councillor:** Backhouse  
Councillor Shields

**The Mayor, Councillor Shields advised:**

I attended the Woollahra Council International Women's Day event. In our religion we call it 'Erev', which is "the night before", so we did it the night before International Women's Day and I was there with Councillor Swan and there was a panel of extraordinary women which were acting as role models to future women. It was an amazing evening.

Councillor Swan and I unveiled the portrait of Brenda "Dutchie" Backhouse. I did not want to politicise this, but she was from the old Woollahra Action Committee, for those of us with very long memories. It was a great night and I also just wanted to thank Ms Patricia Ocelli (Director Community & Customer Experience) Ms Maria Lacey (Public Art Coordinator) Ms Justine Henderson (Manager Communications & Engagement) and Ms Patricia Vella (EA to the Mayor & General Manager) for implementing the idea of doing a portrait for Woollahra's first female Mayor. It is very easy to come up with an idea, but the implementation is hard. So I just wanted to thank staff for moving that idea into a reality.

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**General Item No:** 15.12 New South Wales Planning Reform Proposal  
**Tabled by Councillor:** The Mayor, Councillor Shields

**The Mayor, Councillor Shields advised:**

Also, I wanted to quickly talk about the New South Wales Planning Reform Proposal.

Council staff submitted our Woollahra Council submission and I also implemented the communications plan, if you remember, two weeks ago we added a communications plan to our resolution condemning the reform plan. That communication plan is now in full swing with videos, social media and an opinion page as well. We're definitely getting the message out and I just wanted to acknowledge the incredible hard work of Mr Scott Pedder (Director Planning & Place) and Ms Anne White (Manager Strategic Planning & Place) on the policy side, so well done to you, Mr Pedder and your team, and also Ms Justine Henderson from the Communications team for coming up with the communications plan and implementing it, Matt Frilingos from Communications who has been critical in this work, and also Mr Alex McClintock, who is in the Communications team as well, who does the social media and who makes our rich talent look very good. So a thank you to staff at a difficult time and putting our position under extreme pressure but doing it in an incredibly professional way, but also a very timely way as well.

## 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, Isabelle Shapiro and Toni Zeltzer  
**Date:** 21 February 2024  
**File No:** 24/31517

**Note:** Councillor Elsing left the meeting, the time being 8.18pm.

**Note:** Councillor Elsing returned to the meeting, the time being 8.21pm.

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

**(Swan/Wynne)**

### 34/24 Resolved:

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 registered lobbyists and property developers and residents' associations.
- B. Note that if Council resolves into the future to have Councillors publicly disclose their meetings with registered lobbyists, property developers and residents' associations that a Residents' 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.

**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 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

**14/0**

#### ***Against the Motion***

Nil

**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

**(Regan/Carmichael)**

**35/24 Resolved without debate:**

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.

*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 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

**14/0**

## 17. Questions With Notice

(Wynne/Robertson)

**36/24 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 Carmichael  
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

**14/0**

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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 of 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.

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

**Note:** Late correspondence was tabled by Paul Fraser, Manager Open Space & Trees.

**Councillor Robertson asking:**

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:**

*The next key steps in the implementation of the Urban Forest Strategy follow the recommendations noted in the Strategy (Part 4);*

<b>Next Steps</b>	<b>Detail</b>	<b>Draft Timeline</b>
Engagement of the UFS team.	Engagement of the three roles to support the implementation of the Urban Forest Strategy being the UFS Program Manager, Program Support Officer and a Stakeholder Communication / Engagement Support Officer.  All position descriptions are complete with the advertising for the UFS Program Manager to commence this week.  Once the recruitment process has been finalised for the UFS Program Manager the other two positions will be advertised.	Currently underway  Complete by July 2024
Review of Street Tree Masterplan	Review the Street Tree Master Plan as identified in the UFS Action Plan; 'Review species list within Street Tree Master Plan with consideration to climate risk and increased diversity based on current best practice and research'.	Complete by September 2024
Commence development of Tree Champions	Further to the community engagement activities outlined in the Urban Forest Strategy, commence development of a program of community 'Tree Champions' who can assist with the ongoing monitoring, care and maintenance of new trees. The program, which will involve induction and training of community members, will seek to draw on and expand Council's existing network of volunteers.	Program developed by December 2024
Tree Asset Management	Improve the current Tree Asset Management System to allow for further analysis of urban forest data and to increase efficiency of management operations.	Currently underway  Implemented by September 2024

<b>Next Steps</b>	<b>Detail</b>	<b>Draft Timeline</b>
<i>Consultation Strategy</i>	<i>Prepare a public consultation strategy for public tree plantings and legacy species renewals.</i>	<i>Implemented by December 2024</i>
<i>Tree stock investigation</i>	<i>Secure tree stock and ensure availability by providing long lead times to suppliers</i>	<i>Currently underway</i>
<i>Tree planting locations</i>	<i>Prioritise the tree planting locations and establishment of trees to assist with our canopy targets.</i>  <i>Prepare Tree Planting Plans for iconic parks and priority locations (planting locations /maintenance).</i>	<i>Currently underway</i>  <i>Our current planting programs are in line with the UFS</i>

**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.

## **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 85 to 123 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 11 March 2024 and confirmed by the Ordinary Meeting of Council on 25 March 2024 as correct.**

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**General Manager**

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**Mayor**