



Ordinary Council

Monday 25 March 2024

6.30pm

Minutes



Ordinary Council Meeting

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Ordinary Council Meeting

Minutes of the Meeting of Woollahra Municipal Council held using teleconferencing technology (Zoom) on, 25 March 2024 at 6.44pm.

Present: His Worship the Mayor, Councillor Richard Shields ex-officio
Councillors Sarah Swan (joined at 7.25pm during Item 16.1)
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

Staff: Alison McNamee (Meetings Support Officer)
Sue Meekin (Director – Corporate Performance)
Sue O'Connor (Governance Officer)
Patricia Occelli (Director – Community & Customer Experience) – via Zoom
Tom O'Hanlon (Director – Infrastructure & Sustainability)
Scott Pedder (Acting General Manager)
Helen Tola (Manager – Governance & Risk)

Also in Attendance: Nil

1. Opening

The Mayor declared the Ordinary Council Meeting of 25 March 2024 open and welcomed Councillors, staff and members of the public who are watching and listening to this evening's 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

6. Confirmation of Minutes

Item No: 6.1
Subject: CONFIRMATION OF MINUTES COUNCIL - 11 MARCH 2024
Author: Sue O'Connor, Governance Officer
File No: 24/49354
Purpose of the Report: The Minutes of the Council of 11 March 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.

Note: The Council amended the Resolution.

(Wynne/Carmichael)

20/24 Resolved:

THAT the Minutes of the Council Meeting of 11 March 2024 be taken as read and confirmed, subject to an administrative amendments to Item 15.12 requested by the Mayor, Councillor Shields at the Council Meeting of 25 March 2024.

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 Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

14/0

7. Late Correspondence

Note: Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item Notice of Motion 16.1.

8. Disclosures of Interest

Nil

9. Petitions Tabled

Nil

10. Mayoral Minute

Item No: 10.1
Subject: **COST SHIFTING ONTO LOCAL GOVERNMENT**
Author: Richard Shields, Mayor
File No: 24/37683
Purpose of the Report: To highlight the level of cost shifting onto local government in NSW

(Shields/Wynne)

21/24 Resolved:

THAT Council:

- A. Receive and note the findings of the Local Government NSW (LGNSW) cost shifting report for the 2021-2022 financial year.
- B. Request the General Manager place a copy of the LGNSW cost shifting report on Council's website so that the community has access to it.
- C. Note that the most recent cost shifting report for Woollahra Council (as tabled at the 15 November 2023 Council meeting) put the financial impact of cost shifting on Council for 2022-2023 at \$14.46 million.
- D. Note that the Mayor will write to the NSW Premier, the NSW Treasurer and the NSW Minister for Local Government requesting that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.

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 Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

14/0

Discussion:

The pressure on Councils to continue to provide services of appropriate standard to our communities is now extraordinary.

The unrelenting growth of cost shifting to Councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable local government in NSW and is risking the capacity of Councils to deliver services to the community and to be able to properly deliver and maintain vital local infrastructure.

Alarming, the latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW for the 2021-2022 financial year (www.lgnsw.org.au/costshifting), an amount of \$1.36 billion of expense has been passed on to Councils to fund. This is an increase of \$540 million since the last report from the 2017-2018 financial year and represents lost services, lost opportunity and lost amenity for all our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across NSW.

With Councils having to fund this ongoing subsidy for the State Government each and every year, it means our communities get less or go without. They go without better roads, they go without better parks and they go without important community services that only Councils provide, with Council and our ratepayers effectively paying hidden taxes to other levels of government.

Our communities deserve better and this and it must stop. Prior to the most recent State election, the then Minns Opposition wrote to LGNSW acknowledging that cost shifting had undermined the financial sustainability of the local government sector.

Now in 2024, it is important to Councils and communities that the NSW Government urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

11. Public Forum

Nil

12. General Manager and Officer's Report

Nil

13. Reports of the Committees

Nil

14. Rescission Motion

Nil

15. Councillor Reports/Councillor Updates (Section 8.4)

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

General Item No: 15.1 Acknowledgement of Helen Tola
Tabled by Councillor: Councillor Wynne, Councillor Shapiro, Councillor Zeltzer, Councillor Regan, Councillor Robertson and The Mayor, Councillor Shields

Councillor Wynne advised:

Thank you, Your Worship.

Through you, Your Worship. I want to acknowledge Ms Helen Tola who is sitting there. We got the very sad email that you are leaving us. When I read that, I thought you were part of the furniture, to be honest I was very sad that you were leaving and going to Bayside (Council) of all places but I understand, sometimes a change is as good as a holiday.

Having worked with you as the Mayor over the last four years, I just want to thank you so much for your incredible work and commitment to Woollahra Council. You are always on. Governance is one of the most important aspects of Woollahra Council and you always take on that role with absolute dedication and commitment and treat it with a level of seriousness that it deserves. So, you're leaving very, very, very big shoes to fill but I just wanted to thank you and wish you all the very best for your future.

The Mayor, Councillor Shields in response:

Beautiful words, Councillor Wynne. Thank you.

Councillor Shapiro further advised:

Thank you, Your Worship. I'd like to just endorse Councillor Wynne's words to Ms Helen Tola. We really will miss you. I've always felt so confident knowing you're there in that position. You've always responded so politely, so well, it's been such a pleasure to have you there. We just wish you well and you will be sorely missed. Thank you.

The Mayor, Councillor Shields in response:

Thank you, Councillor Shapiro.

Councillor Zeltzer further advised:

Thank you, Mr Mayor. I'd just like to ditto both of the two previous Councillors. I found that all dealings with Ms Helen Tola have been just exemplary in terms of her professionalism and the commitment she shows to the job. I've sent words out, when I heard the news. I was kind of a bit saddened but I actually spoke to Helen today. There's no grudges held against Helen. People need to look after their careers and what they want to do in the future. This always used to come up when I was general managing because I felt I didn't want to lose very important, worthy staff and certainly someone of Helen's calibre, she's actually part of what I consider the foundation stone of the organisation.

I agree with Councillor Wynne, Governance is a very big role and, and now that Helen is both, covering Governance and Risk, as I said, I couldn't be more confident in her commitment and endeavour for both of those roles. I've always had that confidence in her and I just feel that she's a great person to deal with on a one-to-one, but when she's answering questions at Council, when they come as questions to the organisation, I just think that her demeanour and her presence and her ability to answer the way she does just puts us in a very strong light in terms of the way we're perceived by community. So I thank her indeed for all those years and I know she's been with us twice, but I'm crossing my fingers and hoping at some time in the future we should cross paths again. So thank you so much Helen and it was a real pleasure being involved with you as a member of the staff, and I just wish you well for the future.

The Mayor, Councillor Shields in response:

Thank you, Councillor Zeltzer.

Councillor Regan further advised:

Thank you, Mr Mayor. I just want to say thank you, Helen, for all the help you've given me, especially as a new Councillor. You've always treated me with a lot of respect and I'm sure (also the other Councillors, you helped us settle in. You have always been there and always available, always happy and cheerful and very knowledgeable. So thank you and wishing you just all the best. Thank you very much.

The Mayor, Councillor Shields in response:

Thank you, Councillor Regan.

Councillor Robertson further advised:

Thank you Mr Mayor, and through you. I just want to add my thanks and congratulations to Ms Helen Tola for a fabulous contribution to Woollahra Council and I endorse everything that's been said by all the previous speakers, so I won't take up any more time of the meeting. Safe to say, that you have an unflappable ability to deal with people and put them at ease and that stood you very well in a complex and very important role for the organisation. It's such a rarity to deal with someone professionally who is 100 percent of the time courteous, polite and warm. So thank you very much, Helen, and best wishes for your future.

The Mayor, Councillor Shields in response:

Thank you, Councillor Robertson.

The Mayor, Councillor Shields further advised:

I would like to also reflect, on those comments. Ms Helen Tola, you're one of the unsung heroes of our Council. We have the Directors around us that get a little bit of the limelight, but Ms Tola, you're one of the people that doesn't necessarily get the accolades, but that doesn't mean that we don't appreciate the incredible work that you do and the critical role that you play in making sure that this Council functions.

There's another person who sits near you that also is one of those unsung heroes. I won't mention her name, but we really appreciate all the work you do. And I just want to report that even though Ms Tola is here and you can't see what she's doing, she is so professional that she's diligently writing down everything that is being said. She stands by one of her many jobs that she does that making sure that the sentiment of these meetings are correctly and accurately reported. So even when you're writing notes about what people are saying about you, you're still doing it. So it's a sign of your professionalism. As a very small token of our appreciation on behalf of the Councillors, I want to give you these flowers. Thank you for everything.

Helen Tola, Manager Governance & Risk in response:

Thank you very much Mr Mayor and Councillors.

It has been an absolute pleasure working here at Woollahra Council and I have really enjoyed getting to know you all and I do thank you for all your support through my time here. I do wish you all the very best in your personal and professional endeavours, and I hope to see you all around.

I will be here at the Committee meetings next week so I look forward to actually saying goodbye in person. Thank you very much for your beautiful words and the beautiful flowers. I do appreciate them. Thank you.

The Mayor, Councillor Shields in response:

Thank you, Ms Tola.

General Item No: 15.2 Acknowledgement of the Deputy Mayor, Councillor Swan /
Tabled by Councillor: Citizenship Ceremony
Councillor Jarvis and The Mayor, Councillor Shields

Councillor Jarvis advised:

Thank you, Your Worship. I just wish to report, that, we had another citizenship ceremony on the 13 March 2024 and I want to pay tribute to the Deputy Mayor, Councillor Swan in the way that she conducted the Citizenship Ceremonies. And yet again, it was a fabulous occasion to see what, people from all corners of the globe have done in coming to our area. And it's a thrill to see these young people, but mostly young people, become Australian citizens. Thank you. Thank you.

The Mayor, Councillor Shields further advised:

Thank you, Councillor Jarvis.

I also wanted to share Councillor Jarvis' appreciation for the Deputy Mayor, Councillor Swan who is texting me at how frustrated she is that can see the screen but she can't actually be in the meeting. Her performance at the Citizenship Ceremonies, according to Ms Patricia Vella was exemplary. Also, the Deputy Mayor represented me at the Pound Paws Dog Day at the Golden Sheaf on Sunday the 17 March 2024.

General Item No: 15.3 Preschool Parent Welcome at Redleaf Gallery
Tabled by Councillor: The Mayor, Councillor Shields

The Mayor, Councillor Shields advised:

Some of the events that I attended as the Mayor was the Preschool Parent Welcome at the Gallery at Redleaf. I had a five-six page speech prepared, but when I saw 150-200 parents with young children that were out without their children, I read the room and I kept my speech very, very short and I think I got the biggest clap because I kept the speech short.

General Item No: 15.4 Sephardi Synagogue / Woollahra and Waverley SES Annual
Tabled by Councillor: Recognitions Awards
The Mayor, Councillor Shields

The Mayor, Councillor Shields advised:

I also addressed, the Sephardi Synagogue on Saturday the 16 March 2024 and last Thursday 21 March 2024, I hosted the Waverley / Woollahra SES. That was their evening where they did their Annual Recognition Awards. So that was a very good night and I was there co-hosting with the Mayor of Waverley, Councillor Paula Masselos.

Thank you.

16. Notices of Motion

Item No: 16.1
Subject: **NOTICE OF MOTION - REDUCTION IN THE NUMBER OF COUNCILLORS**
From: Councillors Richard Shields, Sean Carmichael, Sarah Swan, Mary-Lou Jarvis, Toni Zeltzer and Isabelle Shapiro
Date: 11 March 2024
File No: 24/43138

Note: Late correspondence was tabled by Councillor Carmichael, Esther Hayter of The Paddington Society, Robert Pompei of Darling Point Society, Anthony Tregoning of Double Bay Residents' Association, Tony Bond, David Chan, Ankeet Shah and Will Naughton.

Note: Councillor Swan joined the meeting, the time being 7.25pm.

Note: Councillor Swan left the meeting, the time being 7.35pm.

Note: Councillor Wynne left the meeting, the time being 7.35pm.

Note: Councillor Wynne returned to the meeting, the time being 7.36pm.

Note: Councillor Wynne left the meeting, the time being 7.39pm.

Note: Councillor Swan returned to the meeting, the time being 7.42pm.

Note: Councillor Wynne returned to the meeting, the time being 7.42pm.

Note: Councillor Wynne left the meeting, the time being 7.43pm.

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

Note: Councillor Zeltzer left the meeting, the time being 7.56pm.

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

Note: Councillor Zeltzer left the meeting, the time being 7.59pm.

Note: Councillor Zeltzer returned to the meeting, the time being 8.00pm.

Note: Councillor Zeltzer left the meeting, the time being 8.07pm.

Note: Councillor Zeltzer returned to the meeting the time being 8.09pm.

Note: Councillor Zeltzer left the meeting, the time being 8.09pm

Note: Councillor Zeltzer returned to the meeting the time being 8.10pm.

Note: Councillor Zeltzer left the meeting, the time being 8.11pm

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

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

(Shields/Carmichael)

22/24 Resolved:

THAT Council request the General Manager table a report at the 24 April 2024 Council meeting detailing the following:

- A. The processes and costs involved in holding a non-binding Council Poll of electors at the 14 September 2024 Council election, with the Council Poll aimed at seeking the views of the community on reducing the number of Woollahra Councillors from 15 to 9 in future terms of Council.
- B. The interplay between any reduction in the number of Councillors and the likely subsequent reduction in the number of wards and the processes involved in reducing the number of wards, and in doing so having regard for Woollahra's significant heritage conservation areas (i.e. that consideration be given to the unification of the Victorian precincts of Paddington and Woollahra).
- C. The potential cost and any resource savings that may result in a reduction in the number of Woollahra Councillors from 15 to 9, as well as any impact in cost of and/or support for a smaller number of Councillors.
- D. How Woollahra Council currently compares with other Councils in relation to the total number of Councillors and the number of Councillors per population.

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 Jarvis
Councillor Shapiro
Councillor Shields
Councillor Swan
Councillor Wynne
Councillor Zeltzer

Against the Motion

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

8/7

17. Questions With Notice

Nil

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 8.15pm.

We certify that the pages numbered 124 to 136 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 25 March 2024 and confirmed by the Ordinary Meeting of Council on 8 April 2024 as correct.

General Manager

Mayor