



Ordinary Council

Monday 22 July 2024

6.30pm

Minutes



Ordinary Council Meeting

Monday 22 July 2024

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Ordinary Council Meeting

Minutes of the Meeting of Ordinary Council held at the Council Chambers, 536 New South Head Road, Double Bay, on 22 July 2024 at 6.30pm

Present: His Worship the Mayor, Councillor Richard Shields ex-officio
Councillors Sarah Swan (via Zoom)
Sean Carmichael
Peter Cavanagh (via Zoom) (joined meeting at 6.35pm during item 6.2)
Nicola Grieve
Mary-Lou Jarvis
Harriet Price
Lucinda Regan
Matthew Robertson (via Zoom) (joined meeting at 6.32pm during item 6.1)
Isabelle Shapiro
Mark Silcocks
Merrill Witt
Susan Wynne (via Zoom)
Toni Zeltzer

Staff: Jim Allison (Senior Property Officer)
Jennifer Chenhall (Manager – Governance & Risk)
Rhys Johnson (Governance Coordinator)
Zubin Marolia (Manager Property & Projects)
Sue Meekin (Director – Corporate Performance)
Patricia Occelli (Director – Community & Customer Experience)
Sue O'Connor (Governance Officer)
Tom O'Hanlon (Director – Infrastructure & Sustainability)
Scott Pedder (Director – Planning & Place)
Craig Swift-McNair (General Manager)

Also in Attendance: Nil

1. Opening

The Mayor declared the Ordinary Council Meeting of 22 July 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. Leave of Absence, Apologies and Attendance by Audio-Visual Link by Councillors

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

General Item No: 5.1 Attendance by Audio-Visual Link

(Carmichael/Jarvis)

107/24

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 22 July 2024 via Audio-Visual Link:

- Councillor Cavanagh
- Councillor Robertson
- Councillor Swan
- Councillor Wynne

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

Nil

12/0

6. Confirmation of Minutes

Item No: 6.1
Subject: **CONFIRMATION OF COUNCIL MINUTES - 8 JULY 2024**
Author: Sue O'Connor, Governance Officer
File No: 24/123975
Purpose of the Report: The Minutes of the Council of 8 July 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.

(Shapiro/Silcocks)

108/24 Resolved:

THAT the Minutes of the Council Meeting of 8 July 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 Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Nil

13/0

Item No: 6.2
Subject: **CONFIRMATION OF THE AUDIT, RISK & IMPROVEMENT COMMITTEE MINUTES - 18 JUNE 2024**
Author: Rhys Johnson, Coordinator Governance
File No: 24/118018
Purpose of the Report: The Minutes of the Audit, Risk and Improvement Committee of 18 June 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.

(Carmichael/Jarvis)

109/24 Resolved:

THAT the Minutes of the Audit, Risk and Improvement Committee Meeting of 18 June 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 Cavanagh
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

7. Late Correspondence

Note: Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item 12.1.

8. Disclosures of Interest

Councillor Shapiro declared a Non-Significant, Non-Pecuniary Interest in Item 16.2 (Notice of Motion – Moore Park Golf Course), as Councillor Shapiro is Council's representative on the Greater Sydney Parklands Centennial Park and Moore Park Community Trustee Board. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

9. Petitions Tabled

Nil

10. Mayoral Minute

Nil

11. Public Forum

Nil

12. General Manager and Officer's Report

Item No: 12.1
Subject: **LEASE FOR COOPER PARK TENNIS CENTRE - MINISTERIAL APPROVAL**
Author: Jim Allison, Senior Property Officer
Approvers: Zubin Marolia, Manager Property & Projects
Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 24/124958
Purpose of the Report: To seek a Council resolution to apply to the Minister for Local Government for granting of a lease of the Tennis Centre in Cooper Park.
Alignment to Delivery Program: Strategy 11.2: Secure Council's financial position.

Note: Late correspondence was tabled by Mr Doron Argaman.

Note: Mr Doron Argaman addressed the Council.

(Grieve/Zeltzer)

110/24 Resolved:

THAT Council make an application to the Minister for Local Government under section 377(1)(s) of the Local Government Act 1993, for consent to grant the proposed lease over the community land described as part Lot 8 in DP215076 and located at 1 Bunna Place, Bellevue Hill to Young Aces Cooper Park Pty Ltd ABN 32 218 483 245 for a term of 7 years with an option to renew for a further period of 7 years for the purpose of operating a Tennis Court Centre under section 46(1)(b)(i) and in accordance with the procedure set under section 47 of the Local Government Act 1993.

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 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

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 NAIDOC Week
Tabled by Councillor: Councillor Grieve & The Deputy Mayor, Councillor Swan

Councillor Grieve advised:

I wish to congratulate the staff and all of the presenters and participants in our NAIDOC Day event. Councillor Swan did a wonderful opening, we had a fantastic day. We did basket weaving, I nearly brought mine along to show you my crafting, we did a walk, which was a little bit slow for me, but I did it. We even had a Tawny Frogmouth (owl) visiting the tree, giving their blessings to us, so it was an extraordinarily fabulous fun-filled day with all the kids' activities outside, and the mobile library that was set up. So congratulations to all those that put their effort into it, it was well worthwhile and it was fantastic.

The Deputy Mayor, Councillor Swan further advised:

I wish to thank staff for their excellent organisation of the NAIDOC Week celebration at Cooper Park Community Hall where I represented you and as Councillor Grieve said, we were there together dancing along to Green Hand Band. It was an excellent day, lots of families there, and I know that many of the children enjoyed the weaving. So thank you very much to the staff. It was great that we could use our Council asset for such an important occasion.

General Item No: 15.2 Club Rose Bay Garden Clubs Australia
Tabled by Councillor: Councillor Jarvis

Councillor Jarvis advised:

It was my honour to represent you last week at Club Rose Bay, where the Gardens Clubs of Australia held a lunch. I discovered that Garden Clubs of Australia have 801 Garden Clubs nationally and 54,000 members, it has arguably more members than all of the political parties around this table combined. It was established 74 years ago by Margaret Davis OBE and what I was pleased to hear was that the current National President, Lorraine Emerson actually lives locally in Rose Bay and she also heads up the Vaucluse Gardens Club.

They showed us the Margaret Davis Camellia, which for anyone interested in Camellias, it has got a little pink blossom on the end, beautiful. The speaker who was talking to us about Margaret Davis, is Judy Horton and for anyone that is a gardener would know, she is an ABC radio commentator about gardens and what to do.

All in all, it was a fantastic day. There were people from the Caringbah and Concord Garden Clubs that covered all of Sydney, but I was particularly pleased to be told that her Margaret Davis Camellia has won awards both nationally and internationally. The occasion was to launch and support one of their newest projects, fundraising for the Remembrance Driveway Memorial Project to honour the four latest VCs (Victoria Cross) for their valor serving in Afghanistan. Should anyone want to make a donation, you can do that at www.remembrancedriveway.org.au. Every little bit helps.

General Item No: 15.3 Congratulations to Councillor Elsing / Blasé
Tabled by Councillor: Councillor Witt, Councillor Zeltzer &
The Deputy Mayor, Councillor Swan

Councillor Witt advised:

Just briefly, I'd like to congratulate one of our own, Councillor Louise Elsing, who is not here tonight, but had an exhibition last week on the ground floor of the Art Gallery of her considerable work of crochet, that she has done over many years. It was sort of the culmination of quite a tremendous effort and a really, really terrific show. It was terrific to see so many other Councillors there and a big crowd. I think we all had a really fun night, we had the Mayor of Mosman, Carolyn Corrigan speaking, so just well done. Thank you.

Councillor Zeltzer further advised:

I also ditto the commendation for Councillor Elsing's exhibition of the most stunning works in crochet. When I was a kid, crochet was usually reserved for grannies and doilies, but it has been elevated to an absolute fine art. I have to congratulate Councillor Elsing. I am sure most of us can recall that on occasion, she has brought the crochet into Council and she believes it makes her concentrate better and perhaps it does. But I think that she did develop the actual exhibition over a period of two decades and the works have got such intricate detail in them. Some of them almost speak of our indigenous population and others have got a very whimsical verdant and garden feel about them.

It is really worth going to see them, there was part of her verbal presentation related to the fact that we all have some kind of creative spirit, but it expresses itself differently in different people and if crochet is your bent, you should work with it and do the best you can with it. On another level, it also improves mental health outcomes and other things. So there is a lot of positives that come out of crochet work, the community vibe where people are interacting and talking about their different styles and it enables your fingers as you get older to remain nimble and then it produces these most beautiful works. So I'd really like to congratulate her for a stunning exhibition and it is wonderful to be using our old library building in that way.

Councillor Grieve and I went many, many years ago to the Art Exhibition Centre in Manly. We took the ferry over and looked at how they did it there and we thought, gosh, I wish we could do it here and I think we have done it. So I thank the Council and the Councillors for using the old library in that way, and I also applaud the fact that one of our own has been able to have an exhibit of that quality there.

The Deputy Mayor, Councillor Swan further advised:

I also wish to extend my congratulations to Councillor Elsing. I was in awe of her creativity at her exhibition called Blasé. I did not realise that I liked crochet, it was really astounding and I was so impressed with her creativity and her passion and it was really just a joy to be there and with so many other Councillors as well. So my deepest congratulations to Councillor Elsing on her success.

General Item No: 15.4 Service at Emanuel Synagogue / Upcoming Events
Tabled by Councillor: The Mayor, Councillor Shields

The Mayor, Councillor Shields advised:

Councillor Shapiro and I on Tuesday 9 July, went to the Emanuel Synagogue and we attended 'An Evening with Josh Frydenberg' in which he headlined his documentary "Never Again, the Fight Against Antisemitism". It was a powerful speech that Josh Frydenberg gave and he was also answering questions from a former ABC journalist and I would like to acknowledge Councillor Shapiro's presence there, as well as Kellie Sloane MP and Roanne Knox.

Also, I would like to remind Councillors of some upcoming exciting events being the renaming of Gugara Park on the 27 July and also the National Tree Planting Day at Christison Park on Sunday the 28 July.

Thank you.

16. Notices of Motion

Item No: 16.1
Subject: **NOTICE OF MOTION - BOATS, TRAILERS AND ADVERTISING**
From: Councillors Sarah Swan, Mary-Lou Jarvis and Susan Wynne
Date: 09 July 2024
File No: 24/119773

Note: The Council amended Part A of the Resolution.

(Swan/Jarvis)

111/24 Resolved:

THAT Council staff prepare a report to be tabled at the Traffic Committee and referred to the Finance, Community & Services Committee with a view to:

- A. Reduce the number of boats and trailers parked in our LGA;
- B. Consider whether and where "No parking, motorised vehicles excepted" signage can be implemented across the whole LGA;
- C. Review, and if possible, truncate, the process followed arising from long term parking of boats, trailers and advertising and the impact on amenity;
- D. Note that the State Government reviewed this issue for New South Head Road Vaucluse however no change occurred despite the further increase in boats and trailers;
- E. Request the Mayor write to the relevant Ministers and the Member for Vaucluse and Member for Sydney seeking their support to implement restrictions on State Roads where required.

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 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 - MOORE PARK GOLF COURSE**
From: Councillors Richard Shields, Sean Carmichael, Sarah Swan, Susan Wynne, Peter Cavanagh, Mark Silcocks, Merrill Witt, Lucinda Regan, Mary-Lou Jarvis and Toni Zeltzer
Date: 11 July 2024
File No: 24/121331

Note: Councillor Shapiro declared a Non-Significant, Non-Pecuniary Interest in this item as Councillor Shapiro is Council's representative on the Greater Sydney Parklands Centennial Park and Moore Park Community Trustee Board. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

Note: The Council added new Part D to the Resolution.

(Carmichael/Silcocks)

112/24 Resolved:

THAT Council:

- A. Notes recent representations made to Woollahra Council by representatives of the Moore Park Golf Club regarding the NSW Government proposal to reduce the Moore Park Golf Course from 18 holes to 9 holes.
- B. Notes in particular the following information provided by the Club;
- Of the more than 500,000 visits to the Moore Park Golf facilities each year, 82 percent are by people who live within 10kms.
 - Around 10% of users of the Moore Park facilities reside in the Woollahra LGA.
 - A petition to retain the 18 hole course has been signed by 27,000 individuals, 2430 of whom live in the Woollahra LGA.
- C. That the Mayor writes to NSW Premier Chris Minns and Paul Scully M.P., Minister for Planning and Public Spaces, requesting urgent re-consideration of the proposal to reduce the Moore Park Public Golf Course from 18 holes to 9 holes.
- D. Requests that Councillor Shapiro, on behalf of Woollahra Council present the result of this Notice of Motion to the Centennial Park and Moore Park Community Trustee Board.

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 Regan
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Grieve
Councillor Price
Councillor Robertson

11/3

Item No: 16.3
Subject: **NOTICE OF MOTION - 40KM WOOLLAHRA**
From: Councillors Nicola Grieve, Sarah Swan and Luise Elsing
Date: 15 July 2024
File No: 24/124106

(Grieve/Swan)

113/24 Resolved:

THAT Council:

- A. Notes the report on the Queen Street, Woollahra 40km/h High Pedestrian Activity Area which was tabled at the Woollahra Local Traffic Committee meeting of 2 July 2024.
- B. Notes that the QSWWA have regularly requested a 40km zone, most recently at the Cooper Ward Meeting on 18 June 2024.
- C. Requests staff to prepare a report outlining the process required to implement a 40km/h speed limit for all non-arterial roads in the suburb of Woollahra.

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

For the Motion

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

Against the Motion

Councillor Carmichael

13/1

Item No: 16.4
Subject: **NOTICE OF MOTION - INTERNATIONAL HOLOCAUST
REMEMBRANCE ALLIANCE (IHRA) WORKING DEFINITION OF
ANTISEMITISM**
From: Councillors Isabelle Shapiro, Sean Carmichael and Richard Shields
Date: 16 July 2024
File No: 24/124769

Note: The Council added new Part B to the Resolution.

(Shapiro/Carmichael)

114/24 Resolved:

THAT Council:

- A. Endorses and formally adopts in full the International Holocaust Remembrance Alliance (IHRA) working definition of Antisemitism including each of its examples of contemporary antisemitism (all as contained in the background provided with this Notice of Motion) as an important tool in identifying and combating manifestations of antisemitism.
- B. Requests the Mayor write to Ms Jillian Segal AO congratulating her on her appointment as Special Envoy to Combat Anti-Semitism in Australia, and sends Ms Jillian Segal AO a copy of this Notice of Motion.

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 Regan
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Grieve*
Councillor Price*
Councillor Robertson*

11/3

Note: *Councillor Grieve, Councillor Price and Councillor Robertson abstained from voting and is recorded as being against the Motion.

17. Questions With Notice

(Silcocks/Jarvis)

115/24 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 Cavanagh
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

QWN: 17.1
From: Councillor Grieve
Subject: Questions with Notice - Dog On/Off Leash Plan of Management

Councillors Grieve & Robertson asking:

Could I please have an update on the status of the Plans of Management with the updated regulations for dog on/off leash.

Manager Open Space & Trees in response:

The review of dog regulations in parks and beaches has been undertaken, including community consultation. Through the exhibition process, Council staff received advice of the requirement to undertake a Review of Environmental Factors (REF) for any change of use to open space. Staff are currently investigating what options are available to progress the changes and what will be required (funding and resources).

At a minimum, an environmental assessment for 8 parks and/or beaches which have environmental sensitivities will be required, which will feed into individual REF's. A further 11 REF's are being developed for those parks that do not have environmental sensitivities. A report will be presented to the relevant Committee in Q2 FY24/25.

QWN: 17.2
From: Councillor Jarvis
Subject: Questions with Notice - Celebrating Spring in our Streets

Councillor Jarvis asking:

Noting spring is around the corner what steps can the Council take to brighten up our streets with spring foliage?

How might we encourage/permit businesses with shop fronts in our local centres to brighten up their street by including flowers or greenery next to their fronts, whether this be a display of temporary pot plants or hanging baskets?

London streets do this well in Spring.

By way of example the photos below from Ladbrokes Grove in London from last year showing flowers and greenery.



Ladbrokes Grove



These are residential examples - the first around Brompton area near the V&A museum



One the way to the Wallace collection

Manager Strategic Planning & Place in response:

From a place making perspective, we support road and footway diversification, interest and incremental urban greening. However, currently certain works (not carried out on behalf of Council) would require a development application (DA), including approval under the Local Government Act.

Council staff are currently in the process of preparing a local approvals policy which could facilitate the type of hanging basket and urban greening identified in this question (without the need for a DA). It would also address and include A frame signs and banner flags.

We are working towards presenting this policy to a meeting of Council by the end of this calendar year.

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 8.02pm.

We certify that the pages numbered 421 to 439 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 22 July 2024 and confirmed by the Ordinary Meeting of Council on 12 August 2024 as correct.

General Manager

Mayor