



Ordinary Council

Monday 8 April 2024
6.30pm

Minutes



Ordinary Council Meeting

Monday 8 April 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 Tuesday 02 April 2024

- D1 Confirmation of Minutes of Meeting held on 4 March 2024
- D2 Woollahra Local Traffic Committee Minutes - 5 March 2024

Environmental Planning Committee held on Tuesday 02 April 2024

- D1 Confirmation of Minutes of Meeting held on 4 March 2024
- D2 Ecological Sustainability Taskforce Meeting Minutes 12 March 2024, Including Climate Change Risk Assessment and Adaptation Plan

Ordinary Council Meeting

Minutes of the Meeting of Ordinary Council held at the Council Chambers, 536 New South Head Road, Double Bay, on 8 April 2024 at 6.30pm.

Present:	His Worship the Mayor, Councillor Richard Shields ex-officio	
	Councillors Sarah Swan	(Deputy Mayor)
	Sean Carmichael	
	Peter Cavanagh	(via Zoom)
	Luise Elsing	
	Nicola Grieve	
	Mary-Lou Jarvis	
	Harriet Price	
	Lucinda Regan	
	Matthew Robertson	(via Zoom)
	Isabelle Shapiro	(via Zoom) (attended meeting at 6.36pm during Item 8)
	Mark Silcocks	
	Merrill Witt	
	Susan Wynne	(via Zoom)
	Toni Zeltzer	
Staff:	Jennifer Chenhall	(Manager – Governance & Risk)
	Rhys Johnson	(Governance Coordinator)
	Zubin Marolia	(Manager – Property & Projects)
	Sue Meekin	(Director – Corporate Performance)
	Carolyn Nurmi	(Governance Officer)
	Patricia Occelli	(Acting General Manager)
	Tom O’Hanlon	(Director – Infrastructure & Sustainability)
	Scott Pedder	(Director – Planning & Place)
	Jody Rodas	(Acting Director – Community & Customer Experience)
	Anne White	(Manager – Strategic Planning & Place) (via Zoom)

Also in Attendance: Nil

1. Opening

The Mayor declared the Ordinary Council Meeting of 8 April 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

General Item No: 5.1 Audio Visual Link

(Swan/Zeltzer)

23/24

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 8 April 2024 via Audio-Visual Link:

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

Nil

14/0

6. Confirmation of Minutes

Item No:	6.1
Subject:	CONFIRMATION OF COUNCIL MEETING HELD ON 25 MARCH 2024
Author:	Sue O'Connor, Governance Officer
File No:	24/44354
Purpose of the Report:	The Minutes of the Council of 25 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.

(Silcocks/Carmichael)

24/24 Resolved:

THAT the Minutes of the Council Meeting of 25 March 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 Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
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 EP Item R1 and FC&S Item R7.

8. Disclosures of Interest

The Deputy Mayor, Councillor Swan declared a Significant, Non-Pecuniary interest in Item 13.2 R3 (Holdsworth Community Funding Agreement for 2024/25) as Councillor Swan is currently on the Holdsworth Board of Directors. Councillor Swan left the meeting at this item, did not participate in debate and did not vote on the matter.

Councillor Carmichael declared a Non-Significant, Non-Pecuniary interest in Item 13.2 R7 (Consideration of Tender Responses for the Lease and Operation of the Cooper Park Tennis

Centre - Tender No. SC7818) as Councillor Carmichael knows a number of the persons named in the late correspondence submissions. 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 13.2 R7 (Consideration of Tender Responses for the Lease and Operation of the Cooper Park Tennis Centre - Tender No. SC7818) as Councillor Jarvis knows a number of the persons named in the late correspondence submissions. Councillor Jarvis remained in the meeting, participated in debate and voted on the matter.

Councillor Witt declared a Non-Significant, Non-Pecuniary interest in Item 13.2 R7 (Consideration of Tender Responses for the Lease and Operation of the Cooper Park Tennis Centre - Tender No. SC7818) as Councillor Witt plays tennis at the Cooper Park Tennis Centre. Councillor Witt 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 R7 (Consideration of Tender Responses for the Lease and Operation of the Cooper Park Tennis Centre - Tender No. SC7818) as Councillor Zeltzer knows a number of the persons named in the late correspondence submissions. Councillor Zeltzer 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

Nil

13. Reports of the Committees

13.1 Environmental Planning Committee

Items with Recommendations from the Committee Meeting of Tuesday 2 April 2024 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	PLANNING PROPOSAL TO LIST EIGHT LOCAL HERITAGE ITEMS AND ONE HERITAGE CONSERVATION AREA IN AND AROUND THE EDGECLIFF COMMERCIAL CENTRE - ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL
Authors:	Eleanor Banaag, Senior Strategic Heritage Officer Kristy Wellfare, Team Leader Heritage
Approvers:	Anne White, Manager Strategic Planning & Place Scott Pedder, Director Planning & Place
File No:	23/192929
Purpose of the Report:	To provide Council with the advice of the Woollahra Local Planning Panel. To obtain Council's approval to proceed with the planning proposal to list eight local heritage items and one heritage conservation area in, and around, the Edgecliff Commercial Centre in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014.
Alignment to Delivery Program:	Strategy 4.2: Conserving our rich and diverse heritage.

Note: Late correspondence was tabled by Esther Hayter.

Motion moved by Councillor Carmichael
Seconded by Councillor Swan

THAT Council:

- A. Note the advice provided by the Woollahra Local Planning Panel from 20 October 2023 regarding the planning proposal to list local heritage items and one heritage conservation area in, and around, the Edgecliff Commercial Centre.
- B. Endorse the planning proposal as contained at **Attachment 1** of the report to the Environmental Planning Committee of 2 April 2024 to list the following eight local heritage items and one heritage conservation area in Schedule 5 and on the Heritage Map of the *Woollahra Local Environmental Plan 2014* (subject to the removal of 4 Oswald Street/Lot 12, DP 3893 from the planning proposal) and resolves to forward this to the Department of Planning, Housing and Infrastructure with a request for Gateway Determination to allow public exhibition:
 - i. 'Gruzman House', including interiors at 6–8 Oswald Street, Darling Point (Lot 3, DP 1197166).
 - ii. 'Winston House', including interiors at 20 New South Head Road, Edgecliff (SP 20728, SP 31826).
 - iii. 'Portland Hall', including interiors and gardens at 48 New South Head Road, Edgecliff (Lot 1, DP 82089; Lot 1, DP 1107185; Lot 1, DP 921798).
 - iv. 'Cobham', including interiors and gardens at 166 New South Head Road, Edgecliff (SP 90371).
 - v. 'Brantwood Court', including interiors and gardens at 168 New South Head Road, Edgecliff (SP 11580)

- vi. 'Brantwood Hall', including interiors and gardens at 170 New South Head Road, Edgecliff (SP 86720)
 - vii. Victorian Georgian Terrace group – three cottages at 543–547 Glenmore Road, Edgecliff (Lots 34, 35 and 36, DP 255233).
 - viii. Phoenix Palms in Oswald Street Reserve, Oswald Street, Darling Point (Road Reserve).
 - ix. The Brantwood Heritage Conservation Area, comprising five buildings between 164-180 New South Head Road, Edgecliff:
 - a. 164 New South Head Road (SP 16897)
 - b. 166 New South Head Road (SP 90371)
 - c. 168 New South Head Road (SP 11580)
 - d. 170 New South Head Road (SP 86720)
 - e. 172-180 New South Head Road (SP 10535)
- C. Requests the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- D. Requests staff to organise a Councillor site visit for the property at 4 and 6-8 Oswald Street, Darling Point to allow Council to make a decision as to how to proceed with the heritage listing of 4 Oswald Street, Darling Point.

**Amendment moved by Councillor Silcocks
Seconded by Councillor Wynne**

THAT Council:

- A. Note the advice provided by the Woollahra Local Planning Panel from 20 October 2023 regarding the planning proposal to list local heritage items and one heritage conservation area in, and around, the Edgecliff Commercial Centre.
- B. Endorse the planning proposal as contained at **Attachment 1** of the report to the Environmental Planning Committee of 2 April 2024 to list the following eight local heritage items and one heritage conservation area in Schedule 5 and on the Heritage Map of the *Woollahra Local Environmental Plan 2014* (subject to the removal of 4 Oswald Street/Lot 12, DP 3893 from the planning proposal) and resolves to forward this to the Department of Planning, Housing and Infrastructure with a request for Gateway Determination to allow public exhibition:
- i. 'Gruzman House', including interiors at 6–8 Oswald Street, Darling Point (Lot 3, DP 1197166).
 - ii. 'Winston House', including interiors at 20 New South Head Road, Edgecliff (SP 20728, SP 31826).
 - iii. 'Portland Hall', including interiors and gardens at 48 New South Head Road, Edgecliff (Lot 1, DP 82089; Lot 1, DP 1107185; Lot 1, DP 921798).
 - iv. 'Cobham', including interiors and gardens at 166 New South Head Road, Edgecliff (SP 90371).
 - v. 'Brantwood Court', including interiors and gardens at 168 New South Head Road, Edgecliff (SP 11580)
 - vi. 'Brantwood Hall', including interiors and gardens at 170 New South Head Road, Edgecliff (SP 86720)
 - vii. Victorian Georgian Terrace group – three cottages at 543–547 Glenmore Road, Edgecliff (Lots 34, 35 and 36, DP 255233).
 - viii. Phoenix Palms in Oswald Street Reserve, Oswald Street, Darling Point (Road Reserve).
 - ix. The Brantwood Heritage Conservation Area, comprising three buildings between 164-172 New South Head Road, Edgecliff:

- a. 166 New South Head Road (SP 90371)
 - b. 168 New South Head Road (SP 11580)
 - c. 170 New South Head Road (SP 86720)
- C. Requests the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- D. Requests staff to organise a Councillor site visit for the property at 4 and 6-8 Oswald Street, Darling Point to allow Council to make a decision as to how to proceed with the heritage listing of 4 Oswald Street, Darling Point.

The Amendment was put and lost.

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

For the Amendment

Councillor Silcocks
Councillor Wynne

Against the Amendment

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Swan
Councillor Witt
Councillor Zeltzer

The Motion was put and carried.

(Carmichael/Swan)

25/24 Resolved:

THAT Council:

- A. Note the advice provided by the Woollahra Local Planning Panel from 20 October 2023 regarding the planning proposal to list local heritage items and one heritage conservation area in, and around, the Edgecliff Commercial Centre.
- B. Endorse the planning proposal as contained at **Attachment 1** of the report to the Environmental Planning Committee of 2 April 2024 to list the following eight local heritage items and one heritage conservation area in Schedule 5 and on the Heritage Map of the *Woollahra Local Environmental Plan 2014* (subject to the removal of 4 Oswald Street/Lot 12, DP 3893 from the planning proposal) and resolves to forward this to the Department of Planning, Housing and Infrastructure with a request for Gateway Determination to allow public exhibition:
 - i. 'Gruzman House', including interiors at 6–8 Oswald Street, Darling Point (Lot 3, DP 1197166).
 - ii. 'Winston House', including interiors at 20 New South Head Road, Edgecliff (SP 20728, SP 31826).

- iii. 'Portland Hall', including interiors and gardens at 48 New South Head Road, Edgecliff (Lot 1, DP 82089; Lot 1, DP 1107185; Lot 1, DP 921798).
 - iv. 'Cobham', including interiors and gardens at 166 New South Head Road, Edgecliff (SP 90371).
 - v. 'Brantwood Court', including interiors and gardens at 168 New South Head Road, Edgecliff (SP 11580)
 - vi. 'Brantwood Hall', including interiors and gardens at 170 New South Head Road, Edgecliff (SP 86720)
 - vii. Victorian Georgian Terrace group – three cottages at 543–547 Glenmore Road, Edgecliff (Lots 34, 35 and 36, DP 255233).
 - viii. Phoenix Palms in Oswald Street Reserve, Oswald Street, Darling Point (Road Reserve).
 - ix. The Brantwood Heritage Conservation Area, comprising five buildings between 164-180 New South Head Road, Edgecliff:
 - a. 164 New South Head Road (SP 16897)
 - b. 166 New South Head Road (SP 90371)
 - c. 168 New South Head Road (SP 11580)
 - d. 170 New South Head Road (SP 86720)
 - e. 172-180 New South Head Road (SP 10535)
- C. Requests the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- D. Requests staff to organise a Councillor site visit for the property at 4 and 6-8 Oswald Street, Darling Point to allow Council to make a decision as to how to proceed with the heritage listing of 4 Oswald Street, Darling Point.

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

Nil

15/0

Item No: R2 Recommendation to Council
Subject: **HERITAGE SIGNIFICANCE ASSESSMENT OF COOPER PARK GARAGE AT 104 MANNING ROAD, DOUBLE BAY**
Authors: Sagar Chauhan, Temp Heritage Officer
Kristy Wellfare, Team Leader Heritage
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 24/21279
Purpose of the Report: To respond to a Council resolution of 14th June 2022 to undertake an assessment of the potential heritage significance of Cooper Park Garage at 104 Manning Rd, Double Bay
Alignment to Delivery Program: Strategy 4.2: Conserving our rich and diverse heritage.

(Carmichael/Swan)

26/24 Resolved without debate:

THAT Council:

- A. Note the recommendations contained in the Assessment of Heritage Significance prepared at **Attachment 1** of the Environmental Planning Committee report to 2 April 2024, which concludes that 'Cooper Park Garage,' at 104 Manning Rd Double Bay does not meet the threshold for listing as a heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.
- B. Take no further action to progress listing of Cooper Park Garage, Double Bay in the Woollahra Local Environmental Plan 2014.
- C. Note that this resolution (initiated by a Notice of Motion) is now closed.

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

Nil

15/0

Item No: R3 Recommendation to Council
Subject: **PROPOSED LOCAL PLANNING CONTROLS FOR BASKETBALL AND SPORTS COURTS**
Author: Eleanor Smith, Strategic Planner
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 24/35176
Purpose of the Report: To respond to a resolution requesting staff to investigate new controls for basketball courts.
Alignment to Delivery Program: Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

(Carmichael/Swan)

27/24 Resolved:

THAT Council:

- A. Receive and note the report on proposed local planning controls for basketball and sports courts.
- B. Resolve to exhibit *Draft Woollahra Development Control Plan 2015 (Amendment No. 26)* as contained at **Attachment 1** of the report to the Environmental Planning Committee of 2 April 2024, subject to making the terminology consistent by referring to “sports courts”.

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 Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt

Against the Motion

Councillor Jarvis
Councillor Wynne
Councillor Zeltzer

12/3

13.2 Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Tuesday 2 April 2024 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	UPDATE ON THE WOOLLAHRA DOMESTIC AND FAMILY VIOLENCE ACCOMMODATION AND SUPPORT PROGRAM
Author:	Vicki Munro, Manager Community & Culture
Approver:	Patricia Occelli, Director Community & Customer Experience
File No:	24/45501
Purpose of the Report:	To provide an update on the Woollahra Domestic and Family Violence Accommodation and Support Program provided by Women's Housing Company.
Alignment to Delivery Program:	Strategy 2.2: Understand needs of our community so that we can facilitate access to support and services.

(Zeltzer/Grieve)

28/24 Resolved without debate:

THAT Council:

- A. Receive and note the Update on the Woollahra Domestic and Family Violence Accommodation and Support Program – 2023/24 report.
- B. Request the Mayor write to NSW Government Minister of Communities and Justice to advocate on behalf of women escaping domestic and family violence that the rental subsidy applied under the Rent Choice Start Safely Program be increased to better reflect current rental prices, especially for the Eastern Suburbs.

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

For the Motion

Against the Motion

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

Nil

15/0

Item No:	R2 Recommendation to Council
Subject:	PROPOSED OUTGOING SPONSORSHIP PROGRAM TO SUPPORT THE ARTS, COMMERCE, EVENTS AND OTHER CULTURAL ACTIVITIES
Authors:	Vicki Munro, Manager Community & Culture Helen Tola, Manager Governance & Risk
Approver:	Patricia Occelli, Director Community & Customer Experience
File No:	24/48683
Purpose of the Report:	To present a draft Outgoing Sponsorship Program to support the arts, commerce, events and other cultural activities for Council's consideration responding to the Notice of Motion adopted 12 February 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/Grieve)

29/24 Resolved without debate:

THAT Council:

- A. Notes the report detailing how Council could establish a mechanism for the granting of outgoing sponsorship to organisations and/or events that meet certain criteria.
- B. Considers the endorsement of the creation of an Outgoing Sponsorship Program including appropriate resourcing.
- C. Endorses the draft changes to Council's existing Donations and Sponsorship Policy **Attachment 1** and proposed draft Outgoing Sponsorship Program **Attachment 2** in order to establish an Outgoing Sponsorship Program and that these documents be placed on public exhibition for 28 days with a further report to be presented to the Finance, Community & Services Committee and Council following the exhibition period.
- D. Notes the financial and resource implications as detailed in the report including \$50,000 for program funding and \$6,578 for casual staff resources to administer the program.
- E. Supports the budget to deliver the Outgoing Sponsorship Program be considered by Council as part of the development of the 2024-2025 budget, noting that due to the timing of the budget process this will be post public exhibition of the draft budget and as part of final budget consideration in June 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 Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Witt

Against the Motion

Councillor Price

Councillor Wynne
Councillor Zeltzer

14/1

Item No: R3 Recommendation to Council
Subject: **HOLDSWORTH COMMUNITY FUNDING AGREEMENT FOR 2024/25**
Authors: Emma Rodgers-Wilson, Development Officer, Community & Culture
Maya Jankovic, Coordinator Community & Culture
Approvers: Vicki Munro, Manager Community & Culture
Patricia Occelli, Director Community & Customer Experience
File No: 24/19477
Purpose of the Report: This report is to consider Holdsworth Community's 2024/25 funding proposal.
Alignment to Delivery Program: Strategy 2.1: Build strong and respectful connections with partners so that we can enhance and protect our local area and quality of life.

Note: The Deputy Mayor, Councillor Swan declared a Significant, Non-Pecuniary interest in this item as Councillor Swan is currently on the Holdsworth Board of Directors. Councillor Swan left the meeting at this item, did not participate in debate and did not vote on the matter.

Note: The Deputy Mayor, Councillor Swan left the meeting, the time being 6.58pm.

(Zeltzer/Grieve)

30/24 Resolved:

THAT Council:

- A. Notes the Holdsworth accountability report for the period of 18 months (2022-23 and 6 month July 2023-December 2024), and funding proposal for 2024 -25 Financial year.
- B. Endorses the 2024/25 funding proposal for Holdsworth Community, totalling \$ 935,272 to be considered in the draft 2024/25 budget as follows:
 - i. Navigating the MAC System \$ 227,327
 - ii. Aged Care Wellness Hub trial \$ 250,475
 - iii. Woollahra Dementia Alliance – Action Plan \$ 54,524
 - iv. Woollahra Connect Program \$ 198,220
 - v. Family Services \$ 204,726.

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

Against the Motion

Nil

Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Witt
Councillor Wynne
Councillor Zeltzer

14/0

Item No: R4 Recommendation to Council
Subject: **WATSONS BAY LIBRARY - ACCESS HOURS PROJECT**
Author: Jody Rodas, Manager Woollahra Libraries
Approver: Patricia Occelli, Director Community & Customer Experience
File No: 24/47070
Purpose of the Report: To seek support for installation of equipment that will allow community access to Watsons Bay Library during unstaffed times.
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: The Deputy Mayor, Councillor Swan returned to the meeting, the time being 7.02pm.

(Zeltzer/Grieve)

31/24 Resolved without debate:

THAT Council:

- A. Note the results of the community engagement carried out from 5 November 2023 - 11 December 2023 to implement community access hours at Watsons Bay Library in accordance with the Special Rates Variation funding granted.
- B. Agree for staff to proceed with the installation of equipment to enable extended community access to Watsons Bay Library during non-staffed times for a further 19 hours per week within the framework of the current development consent.
- C. Request a report be brought to Council following the operational trial between the period June 2024 – December 2024, to consider any further need for extension of community access hours beyond those proposed in this report.

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 Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Silcocks

Nil

Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

15/0

Item No: R5 Recommendation to Council
Subject: **MONTHLY FINANCIAL REPORT - 29 FEBRUARY 2024
INVESTMENT HELD AS AT 31 MARCH 2024**
Author: Abdullah Rayhan, Team Leader Financial Services
Approvers: Paul Ryan, Chief Financial Officer
Sue Meekin, Director Corporate Performance
File No: 24/49873
Purpose of the Report: To present the monthly financial report for February 2024 and to present a list of investments held as of 31 March 2024.
Alignment to Delivery Program: Strategy 11.2: Secure Council's financial position.

(Zeltzer/Grieve)

32/24 Resolved without debate:

THAT Council:

- A. Receive and note the Monthly Financial Report – February 2024.
- B. Note that the Council's 12-month weighted average return for February 2024 on its direct investment portfolio of 5.14% (LM: 5.12%, LY: 3.69%) exceeds the benchmark 90-day AusBond Bank Bill Index of 4.43%.
- C. Note that the interest revenue for the year to date February 2024 is \$3.44M, exceeding our revised year to date budget of \$1.96M for the same period.
- D. Receive and note the list of Council's investments held as of 31 March 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

Against the Motion

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

Nil

Councillor Zeltzer

15/0

Item No: R6 Recommendation to Council
Subject: **REQUEST FOR TENDERS FOR THE LEASE AND OPERATION OF WATSONS BAY TEA ROOMS AT 8 MARINE PARADE, WATSONS BAY**
Author: Jim Allison, Senior Property Officer
Approvers: Zubin Marolia, Manager Property & Projects
Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 24/53427
Purpose of the Report: To inform Council of Officers' intention to invite Tenders for the lease and operation of Watsons Bay Tea Rooms
Alignment to Delivery Program: Strategy 11.2: Secure Council's financial position.

(Zeltzer/Grieve)

33/24 Resolved without debate:

THAT Council resolves to initiate a Request for Tenders for the lease and operation of Watsons Bay Tea Rooms at 8 Marine Parade, Watsons Bay as a café.

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

For the Motion

Against the Motion

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

Nil

15/0

Item No: R7 Recommendation to Council
Subject: **CONSIDERATION OF TENDER RESPONSES FOR THE LEASE AND OPERATION OF THE COOPER PARK TENNIS CENTRE - TENDER NO. SC7818**
Author: Jim Allison, Senior Property Officer
Approvers: Zubin Marolia, Manager Property & Projects
Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 24/46698
Purpose of the Report: To consider the tender for the Lease and Operation of the Cooper Park Tennis Courts, tender no. SC 7818
Alignment to Delivery Program: Strategy 11.2: Secure Council's financial position.

Note: Late correspondence was tabled by Alexandra Wenderoth, Evelyn & Mash, Jake Wakil, Fleur Lazarus, Kieran Newton, Nicki Waldner, Nick O'Sullivan, Alan Schliemann, Inken Martin, Neil Midalia, Cooper Park Tennis Team, Amanda Richardson, Sally Goodchild, Marianne Lacey, Andrew Parson, Colleen Kent, William Painter, Rudi Bakti, Judith Schulz, Michael & Mary Ann Buhagiar, Titto Chu, Amnon Gale, Brian Haddock, Jeremy Resnik, Philip Palmer, Larissa Cook, Barbara & Mark Tindale, Ralph Hilmer, Roger Sebel, Liberty Waldner, Michael McMahon, Alexander Berney, Michael Scarf, Merrill Du Boisee, Marcus Fantl, Friends of Cooper Park, Zephyr Bloch-Jorgensen, Gary Donnison, Jill Jones, Mark Ridalgh, Antonela Masiello, Nimali Silva, Giuliana Testa, Caroline O'Brien, John & Sue Heffernan, David Goldstein, Stephen Fenton, Michelle O'Brien, Gerhard Benz, Christa Pritchard, Stephen Farrer, Sylvia Enfield, Graham Bookallil, Gill Nabarro, Nicholas Lucas, Lesley & Alan Goulburn, Mark Pritchard, Anthony Gleeson, Michael Ellis, Michael Bodey, Phil & Deborah Moliver, Philip Sewell, Annie Iredale, Dr Bruce Lackenby, Beatrice & Manfred Zimmer, Waverley College, Honza Cabejsek, Janice Eldershaw, Dr Shalini Loomba, Nathan Heazlewood, Wayne Mason, Don Livingstone, Lucy Walker, Shauna Anderson, Julie-Anne Scott, Sophie Macpherson, Harvey Carter, Keith Maloon, Irene Grootendorst, Michael Gottlieb, Phil Mendoza Jones, Theresa Power, Michael Fabian, Matthew Butler, Edmund Walkley, Marjorie Maydwell, Jane Prout, Mark Sheldon, Catherine Reitz, Sarah Morante, Mark Forstmann, Rebecca Caldwell, Tom Hodson, Richard Sebel, Carmel Doherty, and Doran Argaman.

Note: Councillor Carmichael declared a Non-Significant, Non-Pecuniary interest in this item as Councillor Carmichael knows a number of the persons named in the late correspondence submissions. 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 a number of the persons named in the late correspondence submissions. Councillor Jarvis 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 plays tennis at the Cooper Park Tennis Centre. Councillor Witt 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 knows a number of the persons named in the late correspondence submissions. Councillor Zeltzer remained in the meeting, participated in debate and voted on the matter.

**Motion moved by Councillor Zeltzer
Seconded by Councillor Price**

THAT Council:

- A. Accepts the tender submitted by SSMG Voyager Operations Pty Ltd and enters into a lease agreement for a seven (7) year initial term plus a seven (7) years option term, at a commencement rent of \$290,000 per annum plus GST, with CPI annual increases and a review to market upon exercise of the option.
- B. Ensures the lease agreement includes a refurbishment commitment of \$926,408 plus GST, subject to any necessary development approval.
- C. Authorises the General Manager to execute all legal agreements required to enter into a lease agreement with SSMG Voyager Operations Pty Ltd.

The Motion was put and lost.

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

For the Motion

Councillor Cavanagh
Councillor Price
Councillor Shields
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Carmichael
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Silcocks
Councillor Swan
Councillor Witt

5/10

**A Foreshadowed Motion was advised by Councillor Jarvis
Seconded by Councillor Swan**

THAT Council:

1. In accordance of s178 (1) (b) of the *Local Government (General) Regulation 2021*, declines to accept any of the tender submissions for the lease of the Cooper Park Tennis Courts and Café, known as Tender SC7818.
2. Resolves in accordance with section 178 (3) (e) of the *Local Government (General) Regulation 2021* to enter into negotiations with Young Aces Cooper Park with a view to entering into a contract in relation to the lease and operation of the Cooper Park Tennis Centre on similar specifications as Tender SC7818 for reasons including the following:
 - i. Young Aces Cooper Park was ranked second in tender SC7818, which respects the tender process and responds to community sentiment; and
 - ii. It is a small-medium local business rather than a large organisation.

3. In accordance with section 178 (4) of the *Local Government (General) Regulation 2021*, declines to invite fresh tender submissions as two tender processes have failed to determine an acceptable tenderer for Council.
- 4 Affirms its Resolution of 15 November 2023 that there be no multi-use sports use of the Centre and that this be specified in the draft lease.
5. Places great consideration on the supplier engendering a sense of community i.e. for our local community, and for future as well as current users, no matter what their proficiency or age.

The Foreshadowed Motion was put and carried.

The Foreshadowed Motion became the Motion.

The Motion was put and carried.

(Jarvis/Swan)

34/24 Resolved:

THAT Council:

1. In accordance of s178 (1) (b) of the *Local Government (General) Regulation 2021*, declines to accept any of the tender submissions for the lease of the Cooper Park Tennis Courts and Café, known as Tender SC7818.
2. Resolves in accordance with section 178 (3) (e) of the *Local Government (General) Regulation 2021* to enter into negotiations with Young Aces Cooper Park with a view to entering into a contract in relation to the lease and operation of the Cooper Park Tennis Centre on similar specifications as Tender SC7818 for reasons including the following:
 - i. Young Aces Cooper Park was ranked second in tender SC7818, which respects the tender process and responds to community sentiment; and
 - ii. It is a small-medium local business rather than a large organisation.
3. In accordance with section 178 (4) of the *Local Government (General) Regulation 2021*, declines to invite fresh tender submissions as two tender processes have failed to determine an acceptable tenderer for Council.
- 4 Affirms its resolution of 15 November 2023 there be no multi-use sports use of the Centre and that this be specified in the draft lease.
5. Places great consideration on the supplier engendering a sense of community i.e. for our local community, and for future as well as current users, no matter what their proficiency or age.

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

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Silcocks

Against the Motion

Councillor Price
Councillor Shields
Councillor Zeltzer

Councillor Swan
Councillor Witt
Councillor Wynne

12/3

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 Neighbour Day / Congratulations to Belinda Johnson and
Tabled by Councillor: Michelle Rose
Councillor Grieve

Councillor Grieve advised:

Thank you, Mr Mayor.

I have one brief congratulations. I'd like to congratulate the President of Rose Bay Community Garden, Belinda Johnson, all of her team and the executive team on delivering what is being spoken about as the most successful Neighbour Day with thanks to Woollahra Council for their sponsorship, for their help with providing some food for the barbeque, and also provided the wonderful Michelle Rose (Environmental Education Officer), who was in attendance all day and contributed a fantastic amount to the day. There were children, there was over 80 people there across the day. Everyone had a great time. Eight people signed up on the day and there were more who were coming who said they would commit and come and join us. So it was a fantastic day. It's what, I would say apart from the fun activities it was the best example of community and also the principles behind Neighbour Day. So thank you to all, especially to the executives down there.

The Mayor, Councillor Shields in response:

Thank you, Councillor Grieve.

General Item No: 15.2 Congratulations to Staff
Tabled by Councillor: Councillor Witt

Councillor Witt advised:

Just briefly, I did express this to Tom O'Hanlon (Director – Infrastructure & Sustainability), but I would like to would lay on the record because I was up at Christison Park on Saturday, and as everyone knows, we had torrential downpour and there was an incident where a big brick wall had fallen down. I just want to congratulate the staff because they're up there this morning addressing the issue. I phoned the out-of-hours line, I called it in and they were really gracious on the phone. I know they would have been incredibly busy. So I just really just wanted to thank the staff for what I'm sure was a really busy weekend for a lot of them addressing the problems in the Municipality. Thank you.

Thank you, Councillor Witt.

The Mayor, Councillor Shields further advised:

I will also reinforce the comments of Councillor Witt.

I felt like it was a damaging weekend with a couple of very important observations around my new home in Vaucluse. But all jokes aside, one being a very serious concern, which was a live wire on the road at Old South Head Road. I called Mr O'Hanlon and within the course of half an hour there were emergency services vehicles, SES, electricity providers, utilities companies, and the area was cordoned off and within a few hours it was all complete. To Councillor Witt's point about the brick structure near the grandstand that had actually fallen down and torrents of water, these

have been reported to Sydney Water but some of these problems take a while to address. But my point is that Mr O'Hanlon and his team and the SES acted very efficiently in addressing these and making safety measures the most important thing.

General Item No: 15.3 Local Government NSW
Tabled by Councillor: The Mayor, Councillor Shields

The Mayor, Councillor Shields advised:

I had a meeting with the Local Government NSW President and the CEO of Local Government NSW, with staff as well in which we raised a number of key issues impacting our Council including the low to medium rise proposals by the New South Wales Government. Also we spoke about cost shifting and the position that this Council took, which was in alignment with Local Government NSW.

General Item No: 15.4 Easts Rugby Union Club Season Launch
Tabled by Councillor: The Mayor, Councillor Shields

The Mayor, Councillor Shields advised:

On Friday I attended the East Rugby Season Launch which was a great event.

General Item No: 15.5 JCA Fundraising Event
Tabled by Councillor: The Mayor, Councillor Shields

The Mayor, Councillor Shields advised:

Councillor Shapiro and I attended a JCA (Jewish Communal Appeal) event at the Opera House yesterday and the focus of that was to raise money to address ostensibly a huge rise in anti-Semitism that has impacted this community since October 7. JCA is a body that raises money for all different elements of the Jewish community. There was some fascinating speakers talking about anti-Semitism and the rise of anti-Semitism after October 7. And also, addressing that was a presentation by the former Minister for Foreign Affairs, Alexander Downer, and the former Prime Minister of Canada. So that was a very powerful event that Councillor Shapiro and I attended. Thank you.

16. Notices of Motion

Nil

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 8.44pm.

We certify that the pages numbered 137 to 163 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 8 April 2024 and confirmed by the Ordinary Meeting of Council on 24 April 2024 as correct.

General Manager

Mayor