



# Ordinary Council



# Minutes

Monday 14 December 2020

# Ordinary Council Meeting

Monday 14 December 2020

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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.**

### **Environmental Planning Committee held on Monday 30 November 2020**

- D1 Confirmation of Minutes of Meeting held on 2 November 2020
- D2 Small Business & Start-Ups Group - Minutes - 14 August 2020 & 9 October 2020

### **Finance, Community & Services Committee held on Monday 07 December 2020**

- D1 Confirmation of Minutes of Meeting held on 9 November 2020
- D2 Woollahra Local Traffic Committee Minutes - 3 November 2020
- D3 Cultural Committee Minutes - 18 November 2020
- D4 Monthly Financial Report - November 2020
- D5 Alcohol Free Zones for New Years Eve 2020 - 2025
- D6 Closing & Sale of Willara Lane to the adjoining owners of 49 & 53 Wunulla Road, Point Piper (SC5969)



## Ordinary Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council  
held at the Council Chambers, 536 New South Head Road, Double Bay, on  
14 December 2020 at 6.03pm.**

- Present: Her Worship the Mayor, Councillor Susan Wynne, *ex-officio*  
Councillors: Richard Shields (Not Item 12.1)  
Peter Cavanagh  
Claudia Cullen (Not Item EP R3, FC&S R1 & R3)  
Luise Elsing  
Mary-Lou Jarvis (Not Item FC&S R3)  
Anthony Marano  
Megan McEwin (Not Item EP R3)  
Harriet Price  
Lucinda Regan  
Matthew Robertson  
Isabelle Shapiro  
Mark Silcocks  
Toni Zeltzer
- Staff: Nick Economou (Acting Director – Planning & Development)  
Paul Fraser (Manager – Open Space & Trees)  
Lynn Garlick (Director – Community Services)  
Don Johnston (Director – Corporate Services)  
Aurelio Lindaya (Manager – Engineering Services)  
Sue O’Connor (Governance Officer)  
Tom O’Hanlon (Acting General Manager)  
Carolyn Nurmi (Governance Officer)  
Craig Swift-McNair (General Manager) – Item 12.1  
Helen Tola (Manager – Governance & Council Support)  
Anne White (Manager – Strategic Planning)

Also in Attendance: Nil

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**Note:** Item 12.1 (Jardine Lloyd Thompson Risk Solutions Class Action) was considered as the last item on the Agenda.

**Note:** The Mayor, Councillor Wynne thanked all Councillors and staff for their patience, support, hard work and dedication. The Mayor, thanked everyone and wished everyone a very Merry Christmas, Festive Season and a very happy 2021.

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## Confirmation of Minutes

(Elsing/Jarvis)

**162/20 Resolved:**

THAT the Minutes of the Ordinary Council Meeting held on 23 November 2020 be taken as read and confirmed.

(Robertson/Regan)

**163/20 Resolved:**

THAT the Minutes of the Extraordinary Council Meeting held on 3 December 2020 be taken as read and confirmed.

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## Leave of Absence and Apologies

Apologies were received and accepted from Councillor Nick Maxwell.

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## Declarations of Interest

Councillor Megan McEwin declared a Pecuniary Interest in EPC Item R3 (Proposed changes to the approval framework for A-frame signs on footways), as she works in the advertising industry. Councillor McEwin left the meeting and did not participate in debate or vote on the matter.

Councillor Richard Shields declared a Non-Significant, Non-Pecuniary Interest in Item 12.1 (Jardine Lloyd Thompson Risk Solution Class Action), as he works in the general insurance sector and the insurance organisation is not a member of the Insurance Council of Australia for who he works. Councillor Shields left the meeting before the matter was considered.

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## Late Correspondence

**Note:** Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda EP Item R1 (Post Exhibition Report - Planning Proposal - Paddington Floodplain Risk Management Study and Plan 2019) & R3 (Proposed changes to the approval framework for A-frame signs on footways) and FC&S Item R2 (Exhibition Policy for Woollahra Gallery at Redleaf).

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## Petitions Tabled

Nil

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## Public Forum

Nil

## General Manager and Officer's Report

**Item No:** 12.1  
**Subject:** **JARDINE LLOYD THOMPSON RISK SOLUTIONS CLASS ACTION**  
**Author:** Craig Swift-McNair, General Manager  
**File No:** 20/231429  
**Reason for Report:** To recommend that Council resolve into closed session to consider a confidential report.

**Note:** Councillor Richard Shields declared a Non-Significant, Non-Pecuniary Interest in this Item, as he works in the general insurance sector and the insurance organisation is not a member of the Insurance Council of Australia for who he works. Councillor Shields left the meeting before the matter was considered.

**Note:** This matter was considered last in the Agenda.

**(Robertson/Elsing)**

**Resolved:**

THAT in accordance with Section 10A of the *Local Government Act 1993* the Committee resolve to enter into Closed Session with the press and public excluded to consider the Confidential Report. These matters are to be considered in Closed Session in accordance with Section 10A subclause 2(g) of the LG Act as this matter involved advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.

**Adopted**

**In Closed Session**

**Note:** The Council discussed the confidential report and drafted a resolution.

**(Robertson/Jarvis)**

**Resolved:**

THAT the Council move into "Open Session".

**Adopted**

**In Open Session**

**(Shapiro/Robertson)**

**164/20 Resolved:**

- A. THAT in accordance with Section 10A of the *Local Government Act 1993* the Committee resolve to enter into Closed Session with the press and public excluded to consider the Confidential Report. These matters are to be considered in Closed Session in accordance with Section 10A subclause 2(g) of the LG Act as this matter involved advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- B. THAT following consideration of the confidential report, the resolution in Closed Session regarding the report on “Jardine Lloyd Thompson Risk Solutions Class Action” be adopted.
- C. THAT the confidential report and resolution remains confidential for a period of six (6) months or until the conclusion of the litigation, whichever occurs last.

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

***For the Motion***

Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor McEwin  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Silcocks  
Councillor Wynne

***Against the Motion***

Councillor Cavanagh  
Councillor Marano  
Councillor Price  
Councillor Zeltzer

***9/4***

**Item No:** 12.2  
**Subject:** NEW YEARS EVE MANAGEMENT  
**Author:** Paul Fraser, Manager - Open Space & Trees  
**Approver:** Tom O'Hanlon, Director - Technical Services  
**File No:** 20/232214  
**Reason for Report:** To seek Council endorsement of actions to manage open spaces and roads on New Year's Eve.

(Jarvis/Shapiro)

**165/20 Resolved:**

- A. THAT in relation to New Year's Eve management for 2020, the following sites be closed from 5pm on 31 December 2020 until 6am on 1 January 2021:
- i. Dumaresq Reserve
  - ii. Rose Bay Foreshore (close at Fernleigh stairs, Caledonian Road, Percival Park, Tingira Park)
  - iii. Duff Reserve
  - iv. Seven Shillings Beach
  - v. Redleaf
  - vi. McKell Park
  - vii. Yarranabbe Park
- B. THAT no road closures or other traffic restrictions be imposed on New Year's Eve.

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

***For the Motion***

***Against the Motion***

Councillor Cavanagh  
Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***14/0***



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## Environmental Planning Committee

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### Items with Recommendations from the Committee Meeting of Monday 30 November 2020 Submitted to the Council for Determination

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<b>Item No:</b>	R1 Recommendation to Council
<b>Subject:</b>	<b>POST EXHIBITION REPORT - PLANNING PROPOSAL - PADDINGTON FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN 2019</b>
<b>Author:</b>	Kelly McKellar, Team Leader Strategic Planning
<b>Approvers:</b>	Anne White, Manager - Strategic Planning Aurelio Lindaya, Manager Engineering Services Nick Economou, Acting Director Planning & Development
<b>File No:</b>	20/201204
<b>Reason for Report:</b>	To report on the public exhibition of a planning proposal to implement the recommendations of the Paddington Floodplain Risk Management Study and Plan 2019. To obtain Council's approval to proceed with the finalisation of the planning proposal and preparation of a draft LEP.

**Note:** Late correspondence was table by William & Linda James & Alison O'Connor.

**(Jarvis/Robertson)**

#### **166/20 Resolved without debate:**

- A. THAT the Paddington Floodplain Risk Management Study and Plan 2019 is amended based on the recommendations of Council's consultant floodplain risk management specialist to refine the flood planning area by removing the following nine properties:
- 180 Ocean Street, Edgecliff
  - 1 Hargrave Street, Paddington
  - 106 Hargrave Street, Paddington
  - 10 Harris Street, Paddington
  - 22 Hopewell Street, Paddington
  - 19 Paddington Street, Paddington
  - 34 Paddington Street, Paddington
  - 19 Sutherland Avenue, Paddington
  - 80 Ocean Street, Woollahra.
- B. THAT Council proceed with the planning proposal at **Annexure 1** of the report to the Environmental Planning Committee meeting of 30 November 2020, and prepare a draft local environmental plan to amend the Flood Planning Maps in the *Woollahra Local Environmental Plan 2014* subject to amending the planning proposal to remove nine properties identified in Schedule 3, and also contained on the Flood Planning Maps, consistent with the amended Paddington Floodplain Risk Management Study and Plan 2019 identified in part A of this recommendation which identifies 828 additional properties to be included in the flood planning area).

- C. THAT Council use its authorisation as the local plan-making authority to exercise the functions under Section 3.36 (2) of the *Environmental Planning and Assessment Act 1979* to make the LEP.

*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 Cavanagh  
Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***14/0***

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**Item No:** R2 Recommendation to Council  
**Subject:** **PROPOSED CHANGES TO THE APPROVAL FRAMEWORK FOR A-FRAME SIGNS ON FOOTWAYS**  
**Author:** Jacquelyne Della Bosca, Executive Planner  
**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development  
Craig Swift-McNair, General Manager  
**File No:** 20/201566  
**Reason for Report:** To respond to a recommendation of the Small Business Working Party to prepare a report on the approval framework for A-frame signs.

**Note:** Councillor Megan McEwin declared a Pecuniary Interest in this Item, as she works in the advertising industry. Councillor McEwin left the meeting and did not participate in debate or vote on the matter.

**Note:** Late correspondence was table by Council's Executive Planner, Jacquelyne Della Bosca.

**Motion moved by Councillor Jarvis  
Seconded by Councillor Regan**

- A. THAT Council amend the approval framework for A-frame signs and banner flags as identified at Option 1 in the report to the Environmental Planning Committee of 30 November 2020 by:
- i. Identifying A-frame signs and banner flags as exempt development under *Woollahra Local Environmental Plan 2014*.
  - ii. Requiring an application to Council for approval, consistent with an adopted local approvals policy.
- B. THAT a draft local approvals policy for A-frame signs and banner flags is prepared based on the draft criteria at **Annexure 1** of the report to the Environmental Planning Committee of 30 November 2020 subject to:
- i the inclusion of the additional criteria identified for banner flags in the late correspondence to the Council meeting of 14 December 2020.
  - ii excluding A-frame signs and banner flags as exempt development in the R2 Low Density Residential & R3 Medium Density Residential zones.
- C. THAT in the event Council adopts a local approvals policy for A-frame signs and banner flags, the operation and implementation of the policy is reviewed one (1) year from commencement.
- D. THAT a planning proposal is prepared to identify A-frame signs and banner flags as exempt development in *Schedule 2: Exempt development of Woollahra Local Environmental Plan 2014*.
- E. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- F. THAT the advice of the Woollahra Local Planning Panel and the draft local approvals policy for A-frame signs and banner flags be reported to the Environmental Planning Committee.

**Amendment moved by Councillor Price  
Seconded by Councillor Wynne**

- A. THAT Council amend the approval framework for A-frame signs and banner flags as identified at Option 1 in the report to the Environmental Planning Committee of 30 November 2020 by:
- i. Identifying A-frame signs and banner flags as exempt development under *Woollahra Local Environmental Plan 2014*.
  - ii. Requiring an application to Council for approval, consistent with an adopted local approvals policy.
- B. THAT a draft local approvals policy for A-frame signs and banner flags is prepared based on the draft criteria at **Annexure 1** of the report to the Environmental Planning Committee of 30 November 2020 subject to:
- i the inclusion of the additional criteria identified for banner flags in the late correspondence to the Council meeting of 14 December 2020.
  - ii excluding A-frame signs and banner flags as exempt development in the R2 Low Density Residential & R3 Medium Density Residential zones.

- iii. deletion of bullet point 3 in Draft criteria 2 and allow A-frame signs where premises have approved footway dining or are displaying goods on the footpath.
- C. THAT in the event Council adopts a local approvals policy for A-frame signs and banner flags, the operation and implementation of the policy is reviewed one (1) year from commencement.
- D. THAT a planning proposal is prepared to identify A-frame signs and banner flags as exempt development in *Schedule 2: Exempt development of Woollahra Local Environmental Plan 2014*.
- E. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- F. THAT the advice of the Woollahra Local Planning Panel and the draft local approvals policy for A-frame signs and banner flags be reported to the Environmental Planning Committee.

**The Amendment was put and lost.**

*Note: In accordance with Council's adopted Code of Meeting Practice voting for the Amendment is recorded as follows:*

***For the Amendment***

Councillor Marano  
Councillor Price  
Councillor Wynne

***Against the Amendment***

Councillor Cavanagh  
Councillor Elsing  
Councillor Jarvis  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Zeltzer

3/9

**The Motion was put and carried.**

**(Jarvis/Regan)**

**167/20 Resolved:**

- A. THAT Council amend the approval framework for A-frame signs as identified at Option 1 in the report to the Environmental Planning Committee of 30 November 2020 by:
  - i. Identifying A-frame signs as exempt development under *Woollahra Local Environmental Plan 2014*.
  - ii. Requiring an application to Council for approval, consistent with an adopted local approvals policy.
- B. THAT a draft local approvals policy for A-frame signs and banner flags is prepared based on the draft criteria at **Annexure 1** of the report to the Environmental Planning Committee of 30 November 2020 subject to:
  - i. the inclusion of the additional criteria identified for banner flags in the late correspondence to the Council meeting of 14 December 2020.

- ii. excluding A-frame signs and banner flags as exempt development in the R2 Low Density Residential & R3 Medium Density Residential zones.
- C. THAT in the event Council adopts a local approvals policy for A-frame signs, the operation and implementation of the policy is reviewed one (1) year from commencement.
- D. THAT a planning proposal is prepared to identify A-frame signs as exempt development in *Schedule 2: Exempt development of Woollahra Local Environmental Plan 2014*.
- E. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- F. THAT the advice of the Woollahra Local Planning Panel and the draft local approvals policy for A-frame signs be reported to the Environmental Planning Committee.

*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 Cavanagh  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***12/0***

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**Item No:** R3 Recommendation to Council  
**Subject:** **ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL - PLANNING PROPOSAL - DOUBLE BAY BOWLING CLUB AT 18 KIAORA ROAD, DOUBLE BAY**  
**Author:** Kelly McKellar, Team Leader Strategic Planning  
**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development  
**File No:** 20/215884  
**Reason for Report:** To give Council the advice of the Woollahra Local Planning Panel.  
To obtain Council's approval to proceed with the planning proposal to amend the Woollahra Local Environmental Plan 2014 for land known as the Double Bay Bowling Club at 18 Kiaora Road, Double Bay.

**Note:** Late correspondence was table by Council's Director Community Services, Lynn Garlick.

**(Jarvis/Robertson)**

**168/20 Resolved without debate:**

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 19 November 2020 for the planning proposal for the Double Bay Bowling Club at 18 Kiaora Road, Double Bay (Lot 101 DP 614016).
- B. THAT the planning proposal, as contained in **Annexure 1** of the report to the Environmental Planning Committee on 30 November 2020, which seeks the following amendments to *Woollahra LEP 2014*:
- Rezone the site from Zone R3 Medium Density Residential to Zone RE2 Private Recreation
  - Increase the minimum lot size for subdivision from 700m<sup>2</sup> to 8,800m<sup>2</sup>
- be forwarded to the Department of Planning, Industry and Environment requesting a gateway determination to allow public exhibition.
- C. THAT Council request 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*.

*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 Cavanagh  
Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***14/0***

**Item No:** R4 Recommendation to Council

**Subject:** **ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL - PLANNING PROPOSAL - INTERPRETATION OF DESIRED FUTURE CHARACTER IN WOOLLAHRA LEP 2014**

**Author:** Kelly McKellar, Team Leader Strategic Planning

**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development

**File No:** 20/206632

**Reason for Report:** To give Council the advice of the Woollahra Local Planning Panel. To obtain Council's approval to proceed with a planning proposal to amend the Woollahra Local Environmental Plan 2014 to introduce provisions clarifying the interpretation of desired future character.

(Jarvis/Robertson)

**169/20 Resolved without debate:**

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 19 November 2020.
- B. THAT the planning proposal, as contained in **Annexure 1** of the report to the Environmental Planning Committee on 30 November 2020, be forwarded to the Department of Planning, Industry and Environment requesting a gateway determination to allow public exhibition.
- C. THAT Council request 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*.

*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 Cavanagh  
Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

**14/0**

**Item No:** R5 Recommendation to Council  
**Subject:** **SMALL BUSINESS WORKING PARTY TERMS OF REFERENCE**  
**Author:** Kate Burgess, Temp Coordinator Placemaking  
**Approvers:** Anne White, Manager - Strategic Planning  
Craig Swift-McNair, General Manager  
**File No:** 20/200014  
**Reason for Report:** To report to Council on the Draft Small Business Working Party Terms of Reference.

**(Jarvis/Robertson)**

**170/20 Resolved without debate:**

- A. THAT Council adopt the revised Terms of Reference for the Small Business Working Party.
- B. THAT Council note that the revised Terms of Reference for the Small Business Working Party will replace the Terms of Reference for the Small Business & Start-Ups Group, including a name change to the Small Business Working Party.

*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 Cavanagh  
Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***14/0***



**Item No:** R6 Recommendation to Council  
**Subject:** **DRAFT WOOLLAHRA INTEGRATED TRANSPORT STRATEGY**  
**Authors:** Aurelio Lindaya, Manager Engineering Services  
Emilio Andari, Traffic & Transport Team Leader  
**Approver:** Tom O'Hanlon, Director - Technical Services  
**File No:** 20/221782  
**Reason for Report:** To seek Council's endorsement to place the Draft Woollahra Integrated Transport Strategy on public exhibition.

**(Jarvis/Robertson)**

**171/20 Resolved without debate:**

- A. THAT the Draft Woollahra Integrated Transport Strategy be updated to include the following key signature projects:
- i. *The Paddington Greenway (Paddington Greenway Feasibility Study)*
  - ii. *The Knox Street Plaza (Double Bay Pedestrianisation Study)*
  - iii. *Transvaal Avenue Pedestrianisation (Double Bay Pedestrianisation Study)*
  - iv. *30km/hr or 40km/hr zone for Double Bay*
- B. THAT the updated Draft Woollahra Integrated Transport Strategy be placed on public exhibition for 28 days.
- C. THAT a further report be prepared for the Environmental Planning Committee following the close of the public exhibition period and assessment of submissions received.

*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 Cavanagh  
Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***14/0***

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## Finance, Community & Services Committee

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### Items with Recommendations from the Committee Meeting of Monday 7 December 2020 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** **NEW LICENCE DEED FOR PERCIVAL PARK - LAND OWNED BY SYDNEY WATER**  
**Author:** Zubin Marolia, Manager - Property & Projects  
**Approver:** Tom O'Hanlon, Director - Technical Services  
**File No:** 20/204970  
**Reason for Report:** To seek approval to enter into a license agreement with Sydney Water Corporation for Percival Park Rose Bay.

(Zeltzer/Regan)

**172/20 Resolved:**

- A. THAT, subject to paragraph B, Council enters into a 50 year licence agreement with Sydney Water Corporation for the use of part of Percival Park, Collins Avenue Rose Bay as a public reserve including the approval for construction and ongoing use of an amenity block.
- B. THAT the prior to the Council authorising the General Manager to execute all legal documents required to enter into a licence agreement with Sydney Water Corporation that the final agreement is referred to the Finance, Community & Services Committee for consideration.

*Note: In accordance with Council's adopted Code of Meeting Practice voting for the Motion is recorded as follows:*

***For the Motion***

Councillor Cavanagh  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Silcocks  
Councillor Zeltzer

***Against the Motion***

Councillor Shapiro  
Councillor Shields  
Councillor Wynne

***10/3***

*Note: Councillor Cullen via phone only (unable to vote).*

**Item No:** R2 Recommendation to Council

**Subject:** **EXHIBITION POLICY FOR WOOLLAHRA GALLERY AT REDLEAF**

**Authors:** Sebastian Goldspink, Art Gallery Coordinator  
Maria Lacey, Public Art Coordinator  
Jo Jansyn, Cultural Development Coordinator

**Approvers:** Craig Swift-McNair, General Manager  
Lynn Garlick, Director - Community Services

**File No:** 20/221608

**Reason for Report:** For Council to adopt an Exhibition Policy for Woollahra Gallery at Redleaf.

**Motion moved by Councillor Marano**  
**Seconded by Councillor Cullen**

- A. THAT Council place the draft Exhibition Policy for Woollahra Gallery at Redleaf on public exhibition commencing on 16 December 2020 until 3 February 2021.
- B. THAT Council note that a further report will be tabled at a future meeting of Council for consideration of any submissions received during the public exhibition period.
- C. THAT a round-table informal discussion be convened in February 2021 to allow for questions between Councillors and staff members involved in the Gallery (including Sebastian Goldspink).

**Amendment moved by Councillor Jarvis**  
**Seconded by Councillor Regan**

- A. THAT Council place the draft Exhibition Policy for Woollahra Gallery at Redleaf on public exhibition commencing on 16 December 2020 until 3 February 2021.
- B. THAT Council note that a further report will be tabled at a future meeting of Council for consideration of any submissions received during the public exhibition period.
- C. THAT as a matter of urgency a round-table discussion be convened in February 2021 to allow for questions between Councillors and staff members involved in the Gallery (including Sebastian Goldspink) including details on the model and finances).

**Amendment was put and carried.**

*Note: In accordance with Council's adopted Code of Meeting Practice voting for the Amendment is recorded as follows:*

***For the Amendment***

Councillor Cavanagh  
Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne

***Against the Amendment***

Councillor Marano  
Councillor Zeltzer

*12/2*

**The Amendment became the Motion.  
The Motion was put and carried.**

**(Jarvis/Regan)**

**173/20 Resolved:**

- A. THAT Council place the draft Exhibition Policy for Woollahra Gallery at Redleaf on public exhibition commencing on 16 December 2020 until 3 February 2021.
- B. THAT Council note that a further report will be tabled at a future meeting of Council for consideration of any submissions received during the public exhibition period.
- C. THAT as a matter of urgency a round-table discussion be convened in February 2021 to allow for questions between Councillors and staff members involved in the Gallery (including Sebastian Goldspink) including details on the model and finances).

*Note: In accordance with Council's adopted Code of Meeting Practice voting for the Motion is recorded as follows:*

***For the Motion***

Councillor Cavanagh  
Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

***Against the Motion***

Nil

*14/0*

**Item No:** R3 Recommendation to Council  
**Subject:** **COMMUNITY AND CULTURAL GRANTS PROGRAM -  
RECOMMENDATIONS FOR ROUND 2, 2020/21**  
**Authors:** Rachel Bangoura, Community Development Officer  
Jacky Hony, Team Leader - Community Development Officer  
**Approvers:** Sharon Campisi, Manager - Community Development  
Lynn Garlick, Director - Community Services  
**File No:** 20/219380  
**Reason for Report:** To recommend grants from Round 2 of the 2020/21 Community and  
Cultural Grants Program.

**(Marano/Shapiro)**

**174/20 Resolved without debate:**

THAT Council approve the selection panel's recommendations for large and small grants under the second round of the 2020/21 Community and Cultural Grants Program.

*Note: In accordance with Council's adopted Code of Meeting Practice voting for the Motion is recorded as follows:*

***For the Motion***

***Against the Motion***

Councillor Cavanagh  
Councillor Elsing  
Councillor Marano  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***12/0\****

***Note:*** *Councillor Jarvis not present at time of voting.  
Councillor Cullen via phone only (unable to vote).*



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## 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 Queen Street West Woollahra Christmas Windows  
**Tabled by Councillor:** Wynne

**The Mayor, Councillor Wynne advised:**

I would like to congratulate Queen Street West Woollahra Association on 5 December 2020 and it was an absolute privilege to judge the Christmas window display accompanied by Councillor Elsing and Councillor Marano and our member for Wentworth Dave Sharma came as well. I have to say if you have not been to Queen Street and surrounding businesses go because it is fabulous. It was a 2 hour walk and was absolutely fantastic. Thank you for the company and amusement Councillors it was an entertaining time and seeing Placemaking come together in such a wonderful way.

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**General Item No:** 15.2 Macquarie Lighthouse to Wollongong Walk  
**Tabled by Councillor:** Wynne

**The Mayor, Councillor Wynne advised:**

I would like to commend one of our local residents on the same day walked from the Macquarie Lighthouse to Wollongong to raise money for St Vincents Hospital, because he had a heart attack and was treated there. I stupidly agreed as the Mayor to see them off at 2am and walked for 2 hours. One of our staff Tim Tuxford joined them for a 4 hour walk which was truly impressive which was almost 17 hours a local resident Gary Meyers who lives in Vaucluse. I just want to commend him and Tim for their involvement

## Notices of Motion

**Item No:** 16.1  
**Subject:** NOTICE OF MOTION - FINANCIALS  
**From:** Councillor Luise Elsing  
**Date:** 7/12/2020  
**File No:** 20/229975

(Elsing/Robertson)

### 175/20 Resolved without debate:

A. THAT Council notes the:

- Central Coast Council Interim Administration Report dated 3 December 2020<sup>1</sup>, and
- Woollahra Council “Budget Review for the Quarter Ended 30 September 2020” Report presented to the Finance, Community & Services Committee on 9 November 2020<sup>2</sup>.

B. THAT Council resolves that:

Council staff prepare a report outlining mechanisms in place or steps to be taken to address the following areas identified in the Central Coast Council Interim Administrators Report dated 3 December 2020<sup>3</sup>:

- Woollahra Council budgeting and financial reporting systems which ensure that not only Council is aware of relevant financial condition information, but that the community also have a transparent view of Council’s financial position, and
- the process and details of an annual CEO Performance Review including the criteria for financial performance, and
- mechanisms by which Council has the power to get whatever information it requests with reference to process and the relevant provisions of the Local Government Act, and
- any other mechanisms that would ensure that the community is kept informed in plain English terms of information relevant to the financial circumstances of Woollahra Council.

*Note: In accordance with Council’s adopted Code of Meeting Practice voting for the Motion is recorded as follows:*

***For the Motion***

***Against the Motion***

Councillor Cavanagh  
Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

**14/0**

<sup>1</sup> <https://www.centralcoast.nsw.gov.au/council/news/media-releases/office-administrator-media-release-administrator-delivers-damning-5>

<sup>2</sup> [https://www.woollahra.nsw.gov.au/\\_data/assets/pdf\\_file/0009/226269/FC-and-S-Agenda-9-Nov-2020.pdf](https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0009/226269/FC-and-S-Agenda-9-Nov-2020.pdf)

<sup>3</sup> <https://www.centralcoast.nsw.gov.au/council/news/media-releases/office-administrator-media-release-administrator-delivers-damning-5>



There being no further business the meeting concluded at 8.00pm.

**We certify that the pages numbered 730 to 753 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 14 December 2020 and confirmed by the Ordinary Meeting of Council on 22 February 2021 as correct.**

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**General Manager**

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**Mayor**