



# Ordinary Council



# Minutes

Monday 22 February 2021

# Ordinary Council Meeting

Monday 22 February 2021

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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 01 February 2021**

- D1 Confirmation of Minutes of Meeting held on 30 November 2020
- D2 Sydney Coastal Councils Group Minutes - 26 November 2020
- D3 Double Bay Working Party - Minutes - 26 November 2020
- D4 Oxford Street & Paddington Working Party - Minutes - 2 December 2020

### **Finance, Community & Services Committee held on Monday 08 February 2021**

- D1 Confirmation of Minutes of Meeting held on 7 December 2020
- D2 Woollahra Local Traffic Committee Minutes - 1 December 2020
  - Y1 Taylor Street, Paddington - Proposed Permit Parking Restrictions
  - Y2 Vernon Lane, Woollahra - Motor Bike Only Parking Zone
  - Y3 Windsor Lane, Paddington - No Parking Restrictions
  - Y4 Pacific Street, Watsons Bay - Timed Weekday Permit Parking Restrictions
- D3 Public Art Panel Meeting Minutes - 9 December 2020
- D4 Monthly Financial Report - December 2020
- D5 Monthly Financial Report - January 2021
- D6 New Licence Agreement for the Occupation of Percival Park Land Owned by Sydney Water
- D7 Capital Works Program - Quarterly Progress Report December 2020



## Ordinary Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council  
held at the Council Chambers, 536 New South Head Road, Double Bay, on  
22 February 2021 at 6.01pm.**

Present: Her Worship the Mayor, Councillor Susan Wynne, ex-officio

Councillors: Richard Shields  
Peter Cavanagh  
Claudia Cullen (Item 12.5 (in part) to end)  
Luise Elsing  
Mary-Lou Jarvis (Not EP - Item R3)  
Anthony Marano  
Nick Maxwell (Not Item 12.6)  
Megan McEwin  
Harriet Price  
Lucinda Regan  
Matthew Robertson  
Isabelle Shapiro  
Mark Silcocks  
Toni Zeltzer (Not EP - Item R3)

Staff: Don Johnston (Director – Corporate Services)  
Tom O’Hanlon (Director – Technical Services)  
Nick Economou (Acting Director – Planning & Development)  
Sue Meekin (Chief Financial Officer)  
Carolyn Nurmi (Governance Officer)  
Sue O’Connor (Governance Officer)  
Craig Swift-McNair (General Manager)  
Helen Tola (Manager – Governance & Council Support)  
Anne White (Manager – Strategic Planning)

Also in Attendance: Nil

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**Note:** Item 12.6 (Double Bay Bowling Club Litigation) was heard last on the Agenda.

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## Confirmation of Minutes

(Marano/Shields)

### 1/21 Resolved:

That the Minutes of the Ordinary & Confidential Council Meeting held on 14 December 2020 be taken as read and confirmed.

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## Leave of Absence and Apologies

Nil

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## Declarations of Interest

Councillor Zeltzer declared a Non-Pecuniary Non-Significant Interest in Environmental Planning Item R3 (Request for a Planning Proposal for 203-233 New South Head Road, Edgecliff) noting that should the applicant submit a Rezoning Review it is anticipated that it will be considered by the Sydney Eastern City Planning Panel (SECPP), of which Councillor Zeltzer is a member. Councillor Zeltzer left the meeting and did not participate in debate or vote on this matter.

Councillor Jarvis declared a Non-Pecuniary Non-Significant Interest in Environmental Planning Item R3 (Request for a Planning Proposal for 203-233 New South Head Road, Edgecliff) noting that should the applicant submit a Rezoning Review it is anticipated that it will be considered by the Sydney Eastern City Planning Panel (SECPP), of which Councillor Jarvis is a member. Councillor Jarvis left the meeting and did not participate in debate or vote on this matter.

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## Late Correspondence

**Note:** Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Item – Petition, EP – Items R3 & R6, NOM 1 & QWN.

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## Petitions Tabled

**Petition No:** 1  
**From:** Alessandra Gonella & Michael Penfold  
**Tabled by Councillor:** Councillor Robertson

The Petition was in terms, Residents are concerned about the removal of the Ficus Tree next to 23 Royston Street, Paddington.

*“This majestic tree is one of the most beautiful and significant trees in the Hampden Street enclave and indeed in the whole of Paddington.*

*We notice that Council’s reasons for removal could lead to the removal of most trees in the Hampden Street enclave, Paddington and the whole of Woollahra Council area (“thin end of the wedge”). We request that Council engage Engineers & Arborists to find solutions so the tree will not be removed and that we are provided with copies of these reports.*

*Some reasons for keeping the tree are:*

*Streetscape, shade, cooling, carbon sink, original native flora, healthy specimen, bird haven, the tree was here first, not unsafe, thin end of the wedge, no indigenous consultation, don’t sacrifice the tree for a minor building issue, alternatives should be sought.”*

**(Robertson/Elsing)**

### **2/21 Resolved:**

THAT the petition lie on the table for fourteen (14) days and referred to the Manager – Open Space & Trees

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## Public Forum

Nil

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## Mayoral Minute

**Item No:** 10.1  
**Subject:** AUSTRALIA DAY HONOURS - 26 JANUARY 2021  
**Author:** Susan Wynne, Mayor  
**File No:** 21/17643  
**Reason for Report:** To inform the Council of the local recipients of the 2021 Australia Day Honours.

(Wynne/Robertson)

### 3/21 Resolved:

THAT a letter of congratulations, signed by the Mayor, be forwarded to the following recipients of the 2021 Australia Day Honours.

- i. The Honourable Malcolm Bligh Turnbull, AC
- ii. Emeritus Professor Christopher Joseph Fell, AO
- iii. Mr Michael Douglas Mann, AO
- iv. Dr Milton Edgeworth Osborne, AM
- v. Dr Tom Justin Playfair, AM
- vi. Mr Kerry Chisholm Roxburgh, AM
- vii. Ms Elizabeth Rose Swan, AM
- viii. Mr Peter Harry Wise, AM
- ix. Mrs Ellen Greenfield, OAM
- x. Mrs Lea Portrate, OAM
- xi. Mr Gregory Lauchlan Sanderson, OAM.

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

Nil

***14/0***



**Background:**

I am pleased to advise Council, that eleven Woollahra residents were honoured in this year's Australia Day Honours. Each award recipient has been publicly recognised for their unique and significant contribution to our local and wider community. These recipients are our quiet achievers who are doing what they can to bring positive change to the world.

**Companion (AC) in the General Division:**

- i The Honourable Malcolm Bligh Turnbull*  
For eminent service to the people and Parliament of Australia, particularly as Prime Minister, through significant contributions to national security, free trade, the environment and clean energy, innovation, economic reform and marriage equality, and to business and philanthropy.

**Officer (AO) in the General Division:**

- ii Emeritus Professor Christopher Joseph Fell AM*  
For distinguished service to science and engineering, particularly to nanotechnology research and fabrication, and to professional networks.
- iii Mr Michael Douglas Mann AM*  
For distinguished service to tertiary education through strategic development initiatives, and to Australia-South East Asia relations.

**Member (AM) in the General Division:**

- iv Dr Milton Edgeworth Osborne*  
For significant service to history as an author.
- v Dr Tom Justin Playfair*  
For significant service to ophthalmology, and to professional colleges.
- vi Mr Kerry Chisholm Roxburgh*  
For significant service to the financial sector, and to women in business.
- vii Ms Elizabeth Rose Swan*  
For significant service to the library and information sciences, and to professional associations.
- viii Mr Peter Harry Wise*  
For significant service to the Jewish community through a range of roles.

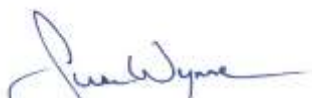
**Medal (OAM) in the General Division:**

- ix Mrs Ellen Greenfield*  
For service to the fashion and textiles industries, and to the community.
- x Mrs Lea Portrate*  
For service to the Jewish community of Sydney.
- xi Mr Gregory Lauchlan Sanderson*  
For service to the community through philanthropic and fundraising roles.

Each recipient provides an outstanding example of active community citizenship. We are grateful for their individual contribution to Woollahra and we acknowledge this collective reminder that we are fortunate to live in a community where so many people dedicate their time and energy to helping and inspiring others.

After a challenging 2020 it is good to be reminded of the many residents living in Woollahra who have dedicated their professional and personal time and energy to fostering community engagement, boosting our industries and social, cultural and economic advancement and providing such wonderful role models for us all and for future generations of Australians.

On behalf of Woollahra Council, I offer my congratulations to all of this year's Australia Day Honours recipients. I will be writing to each of the recipients to offer our congratulations and appreciation for their service.



Cr Susan Wynne  
Mayor of Woollahra

## General Manager and Officer's Report

**Item No:** 12.1  
**Subject:** COUNCIL AND COMMITTEE MEETING SCHEDULE 2021  
**Author:** Helen Tola, Manager - Governance & Council Support  
**Approvers:** Don Johnston, Director Corporate Services  
Craig Swift-McNair, General Manager  
**File No:** 20/214722  
**Reason for Report:** To present three options for the Council and Committee Meeting Schedule for the period March 2021 to the end of September 2021 for endorsement by Council.

**Motion moved by Councillor Shapiro**  
**Seconded by Councillor McEwin**

- A. THAT the Meeting Schedule for the 2021 calendar year presented as Option 3 be adopted for the period March 2021 to the end of September 2021.
- B. THAT a further report be prepared for consideration at the September Extraordinary Council Meeting to confirm the meeting dates for October, November and December 2021.

**Amendment moved by Councillor Jarvis**  
**Seconded by Councillor Marano**

- A. THAT the Meeting Schedule for the 2021 calendar year presented as Option 2 be adopted for the period March 2021 to the end of September 2021.
- B. THAT a further report be prepared for consideration at the September Extraordinary Council Meeting to confirm the meeting dates for October, November and December 2021.

**The Amendment 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 Amendment***

Councillor Jarvis  
Councillor Marano

***Against the Amendment***

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

**A Further Amendment by Councillor Elsing  
Seconded by Councillor Price**

- A. THAT the Meeting Schedule for the 2021 calendar year presented as Option 1 be adopted for the period March 2021 to the end of September 2021.
- B. THAT a further report be prepared for consideration at the September Extraordinary Council Meeting to confirm the meeting dates for October, November and December 2021.

**The further Amendment 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 further Amendment***

Councillor Elsing  
Councillor Marano  
Councillor Price  
Councillor Regan  
Councillor Silcocks

***Against the further Amendment***

Councillor Cavanagh  
Councillor Jarvis  
Councillor Maxwell  
Councillor McEwin  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Wynne  
Councillor Zeltzer

5/9

**Motion put and carried.**

**(Shapiro/McEwin)**

**4/21 Resolved:**

- A. THAT the Meeting Schedule for the 2021 calendar year presented as Option 3, be adopted for the period March 2021 to the end of September 2021.
- B. THAT a further report be prepared for consideration at the September Extraordinary Council Meeting to confirm the meeting dates for October, November and December 2021.

*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 Jarvis  
Councillor Maxwell  
Councillor McEwin  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Wynne  
Councillor Zeltzer

***Against the Motion***

Councillor Elsing  
Councillor Marano  
Councillor Price  
Councillor Regan  
Councillor Silcocks

9/5

**Item No:** 12.2  
**Subject:** **WOOLLAHRA LOCAL PLANNING PANEL - REAPPOINTMENT OF CHAIR, ALTERNATE CHAIRS & EXPERTS**  
**Authors:** Helen Tola, Manager - Governance & Council Support  
Nick Economou, Acting Director Planning & Development  
**Approver:** Don Johnston, Director Corporate Services  
**File No:** 21/25248  
**Reason for Report:** To seek the reappointment of the Woollahra Local Planning Panel Chair, Alternate Chairs and Experts to 30 June 2021.

(Jarvis/Shapiro)

**5/21 Resolved:**

- A. THAT Council reappoints the current chairs, alternate chairs and expert pool members of the Woollahra Local Planning Panel (WLPP) to the 30 June 2021.
- B. THAT Council notes that the Department is currently seeking applications from candidates to be approved by the Minister for the roles of chair and/or expert member, for councils to appoint to their Local Planning Panels before 1 July 2021.
- C. THAT a further report be prepare to appoint a Panel Chair, Alternate Chairs and Experts from 1 July 2021.

*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 Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Councillor Elsing

***13/1***

**Item No:** 12.3  
**Subject:** **RESPONSE TO NOTICE OF MOTION - FINANCIALS**  
**Author:** Sue Meekin, Chief Financial Officer  
**Approvers:** Don Johnston, Director Corporate Services  
Craig Swift-McNair, General Manager  
**File No:** 21/26860  
**Reason for Report:** To provide further information in response to the Council resolution from 14 December 2020 regarding Notice of Motion – Financials.

**Motion moved by Councillor Zeltzer**  
**Seconded by Councillor Shapiro**

THAT Council note and receive the report.

**Amendment moved by Councillor Elsing**  
**Seconded by Councillor Price**

THAT Council note and received the report including that information available will be expanded and made available through a more sophisticated online portal, noting that a plain English short form explanation will be provided in May 2021.

**Amendment 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 Amendment***

Councillor Elsing  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Silcocks

***Against the Amendment***

Councillor Cavanagh  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor Shapiro  
Councillor Shields  
Councillor Wynne  
Councillor Zeltzer

6/8

**Motion was put and carried.**

**(Zeltzer/Shapiro)**

**6/21 Resolved:**

THAT Council note and receive the report.

*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 Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor McEwin  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

***Against the Motion***

Councillor Elsing  
Councillor Price

***12/2***

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**Item No:** 12.4  
**Subject:** **DELIVERY PROGRAM 2018 - 2022 & OPERATIONAL PLAN 2020/21 PROGRESS REPORT JULY - DECEMBER 2020**  
**Authors:** Petrina Duffy, Coordinator Integrated Planning & Reporting  
Sue Meekin, Chief Financial Officer  
**Approvers:** Don Johnston, Director Corporate Services  
Craig Swift-McNair, General Manager  
**File No:** 21/28072  
**Reason for Report:** To review the status of the Priorities and Actions in Council's Delivery Program 2018 to 2022 and Operational Plan 2020/21 for the six months ending 30 December 2020.

**Note:** Council added new Part B to the resolution.

**(Robertson/Zeltzer)**

**7/21 Resolved:**

- A. THAT the December 2020 Progress Report of Council's Delivery Program 2018 to 2022 and Operational Plan 2020/21 be received and noted.
- B. THAT the report be referred to the Environmental Planning Committee and Finance, Community & Services Committee for further discussion and review.

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

Nil

***14/0***



**Item No:** 12.5  
**Subject:** **NSW PUBLIC SPACES LEGACY PROGRAM - PROJECTS**  
**Author:** Tom O'Hanlon, Director - Technical Services  
**Approver:** Craig Swift-McNair, General Manager  
**File No:** 21/26338  
**Reason for Report:** To seek Council endorsement of preferred projects for funding under the NSW Govt. Public Spaces Legacy Program

**Motion moved by Councillor Shapiro**  
**Seconded by Councillor Zeltzer**

THAT Council endorse the following projects for inclusion in the application for funding under the NSW Public Spaces Legacy Program:

- i. Creation of a pedestrianised public plaza in Knox Street, Double Bay.
- ii. Redleaf Access Project.

**Amendment moved by Councillor Jarvis**  
**Seconded by Councillor Robertson**

- A. THAT Council endorse the following projects for inclusion in the application for funding under the NSW Public Spaces Legacy Program:
  - i. Creation of a pedestrianised public plaza in Knox Street, Double Bay.
  - ii. Guilfoyle Park, Double Bay
  - iii. Bellevue Park, Bellevue Hill
- B. THAT staff undertake further analysis of options to achieve the Redleaf Access Project in line with the approved Redleaf MasterPlan to achieve those objectives and report back to the most appropriate Committee.

**Councillor Shapiro withdrew moving the Motion.**  
**Councillor Zeltzer assumed moving of the Motion.**  
**Councillor Shields seconded the Motion.**

**The Amendment 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 Amendment***

Councillor Jarvis  
Councillor Maxwell  
Councillor McEwin  
Councillor Robertson  
Councillor Shapiro

***Against the Amendment***

Councillor Cavanagh  
Councillor Cullen  
Councillor Elsing  
Councillor Marano  
Councillor Price  
Councillor Regan  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

**Further Amendment by Councillor Cullen  
Seconded by Councillor Jarvis**

- A. THAT Council endorse the following projects for inclusion in the application for funding under the NSW Public Spaces Legacy Program:
- i. Creation of a pedestrianised public plaza in Knox Street, Double Bay.
  - ii. Marine Parade, Watsons Bay
- B. THAT staff undertake further analysis of options to achieve the Redleaf Access Project in line with the approved Redleaf MasterPlan to achieve those objective and report back to the most appropriate Committee.

**The further Amendment was put & lost.**

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

***For the further Amendment***

Councillor Cullen  
Councillor Elsing  
Councillor Jarvis  
Councillor Robertson  
Councillor Silcocks  
Councillor Wynne

***Against the further Amendment***

Councillor Cavanagh  
Councillor Marano  
Councillor Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Shapiro  
Councillor Shields  
Councillor Zeltzer

6/9

**The Motion was put & carried.**

**(Zeltzer/Shields)**

**8/21 Resolved:**

THAT Council endorse the following projects for inclusion in the application for funding under the NSW Public Spaces Legacy Program:

- i. Creation of a pedestrianised public plaza in Knox Street, Double Bay.
- ii. Redleaf Access Project.

*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 Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor McEwin  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

***Against the Motion***

Councillor Cullen  
Councillor Elsing  
Councillor Price  
Councillor Regan  
Councillor Robertson

10/5

**Item No:** 12.6  
**Subject:** **DOUBLE BAY BOWLING CLUB LITIGATION**  
**Author:** Tom O'Hanlon, Director - Technical Services  
**Approver:** Craig Swift-McNair, General Manager  
**File No:** 21/29288  
**Reason for Report:** To recommend that Council resolved into closed session to consider a confidential report.

**Note:** This matter was heard last on the Agenda.

**(Robertson/Price)**

THAT the Council resolve to enter into closed session with the press and public excluded to consider the confidential report and legal advice on this matter in accordance with provisions of Section 10A(2)(g) of the Local Government Act 1993.

**Adopted**

**In Closed Session**

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

**(Silcocks/Elsing)**

THAT the Council move into "Open Session".

**In Open Session**

**(Price/Shapiro)**

**9/21 Resolved:**

- A. THAT following consideration of the confidential report, the resolution in Closed Session regarding the report "Double Bay Bowling Club Litigation" be adopted.
- B. 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***

***Against the Motion***

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

Councillor Jarvis  
Councillor McEwin  
Councillor Robertson

***11/3***

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## Environmental Planning Committee

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### Items with Recommendations from the Committee Meeting of Monday 1 February 2021 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 - GEORGE S. GRIMLEY PAVILION AND THE SYDNEY CROQUET CLUB, ROSE BAY - HERITAGE LISTING</b>
<b>Author:</b>	Shona Lindsay, Heritage Officer
<b>Approvers:</b>	Anne White, Manager - Strategic Planning Nick Economou, Acting Director Planning & Development
<b>File No:</b>	20/237587
<b>Reason for Report:</b>	To report on the public exhibition of the planning proposal to list the George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay as individual local heritage items in Schedule 5 of Woollahra Local Environmental Plan 2014. To obtain Council's approval to proceed with the finalisation of the planning proposal and preparation of a draft LEP.

(Jarvis/Zeltzer)

#### 10/21 Resolved without debate:

- A. THAT Council proceed with the planning proposal at **Annexure 1** of the report to the Environmental Planning Committee of 1 February 2021, and proceed with the preparation of a draft local environmental plan to amend Schedule 5 of Woollahra LEP 2014 to list the *George S. Grimley Pavilion (1926 building and eastern single storey 1930s extension, including interiors) and forecourt on the southern side at Woollahra Park, off O'Sullivan Road, Rose Bay and the Sydney Croquet Clubhouse (including the interiors), moveable heritage items (including rustic benches, timber lockers, opening plaque, honour boards, pennants, historical photographs and trophies), lawns, timber shelters and 3 Hill's Weeping Figs, 3 Norfolk Island Pines, a Washingtonia Palm, 3 Yellowwoods, 2 Eucalyptus sp. and 2 Brush Box located within and adjoining the boundaries of the Clubhouse facility at Woollahra Park, off O'Sullivan Road, Rose Bay as individual local heritage items.*
- B. 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.
- C. THAT Council proceed with submitting the nomination application to Heritage NSW to list the *Sydney Croquet Clubhouse (exterior and interior)* on the State Heritage Register.

*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 Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

*15/0*

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**Item No:** R2 Recommendation to Council  
**Subject:** **PLANNING PROPOSAL - HILLCREST - 780-786 NEW SOUTH HEAD ROAD, ROSE BAY**  
**Author:** Kristy Wellfare, Strategic Heritage Officer  
**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development  
**File No:** 20/242751  
**Reason for 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 Hillcrest, including interiors and gardens at 780-786 New South Head Road, Rose Bay, as a local heritage item in Woollahra Local Environmental Plan 2014.

**Motion moved by Councillor Silcocks  
Seconded by Councillor Cullen**

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 17 December 2020 for the planning proposal to list Hillcrest, excluding interiors and gardens at 780-786 New South Head Road, Rose Bay, as a local heritage item in Woollahra Local Environmental Plan 2014.
- B. THAT the planning proposal, as contained in **Annexure 1** of the report to the Environmental Planning Committee meeting on 1 February 2021 be forwarded to the Department of Planning, Industry and Environment with a request for 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*.

**Amendment moved by Councillor Zeltzer**

**Seconded by Councillor Elsing**

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 17 December 2020 for the planning proposal to list Hillcrest, including interiors and gardens at 780-786 New South Head Road, Rose Bay, as a local heritage item in Woollahra Local Environmental Plan 2014.
- B. THAT the planning proposal, as contained in **Annexure 1** of the report to the Environmental Planning Committee meeting on 1 February 2021 be forwarded to the Department of Planning, Industry and Environment with a request for 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*.

**The Amendment was put and carried.**

*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 Price  
Councillor Silcocks

***Against the Motion***

Councillor Cavanagh  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor McEwin  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Wynne  
Councillor Zeltzer

***3/11***

**The Amendment became the Motion.**

**The Motion was put and carried.**

(Zeltzer/Elsing)

**11/21 Resolved:**

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 17 December 2020 for the planning proposal to list Hillcrest, including interiors and gardens at 780-786 New South Head Road, Rose Bay, as a local heritage item in Woollahra Local Environmental Plan 2014.
- B. THAT the planning proposal, as contained in **Annexure 1** of the report to the Environmental Planning Committee meeting on 1 February 2021 be forwarded to the Department of Planning, Industry and Environment with a request for 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 Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

***For the Motion***

Councillor Cavanagh  
Councillor Elsing  
Councillor Jarvis  
Councillor Marano  
Councillor Maxwell  
Councillor McEwin  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Wynne  
Councillor Zeltzer

***Against the Motion***

Councillor Cullen  
Councillor Price  
Councillor Silcocks

***12/3***

- Item No:** R3 Recommendation to Council
- Subject:** **REQUEST FOR A PLANNING PROPOSAL FOR 203-233 NEW SOUTH HEAD ROAD, EDGECLIFF**
- Author:** Deeksha Nathani, Strategic Planner
- Approvers:** Kelly McKellar, Team Leader Strategic Planning  
Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development
- File No:** 20/234778
- Reason for Report:** To report on a request for a planning proposal for 203-233 New South Head Road, Edgecliff which seeks to amend the maximum Height of Buildings and Floor Space Ratio standards in the Woollahra Local Environmental Plan 2014.  
To recommend that Council does not support the request for a planning proposal for 203-233 New South Head Road, Edgecliff.
- Note:** Councillor Zeltzer declared a Non-Pecuniary Non-Significant Interest in this Item, noting that should the applicant submit a Rezoning Review it is anticipated that it will be considered by the Sydney Eastern City Planning Panel (SECPP), of which Councillor Zeltzer is a member. Councillor Zeltzer left the meeting and did not participate in debate or vote on this matter.
- Note:** Councillor Jarvis declared a Non-Pecuniary Non-Significant Interest in this Item, noting that should the applicant submit a Rezoning Review it is anticipated that it will be considered by the Sydney Eastern City Planning Panel (SECPP), of which Councillor Jarvis is a member. Councillor Jarvis left the meeting and did not participate in debate or vote on this matter.
- Note:** Late correspondence was tabled by Ethos Urban.

(Maxwell/Shapiro)

**12/21 Resolved:**

- A. THAT Council resolves not to support the request for a planning proposal for 203-233 New South Head Road, Edgecliff, which seeks to amend the *Woollahra Local Environmental Plan 2014* in the following manner:
- i. Increase the maximum Height of Buildings standard from part 6 metres/part 26 metres to RL 195 metres AHD.
  - ii. Increase the maximum Floor Space Ratio (FSR) standard from 2.5:1 to 9:1.
  - iii. Introduce a minimum Non-Residential FSR of 3:1.
- B. THAT Council notify the Applicant that it does not support the request for a planning proposal for the following reasons:
- i. The request is inconsistent with the objectives and planning priorities of the *Greater Sydney Region Plan, Eastern City District Plan, Woollahra Local Strategic Planning Statement 2020* and *Woollahra 2030: Community Strategic Plan* as it:
    - a. does not sufficiently address future infrastructure and community needs that future development on the site would generate or how this key location will contribute to the needs of the centre and the surrounding area;
    - b. does not provide affordable housing;



- c. is inconsistent with the scale and role of a local centre and the desired future character of the precinct; and
- d. does not provide sufficient public benefit.
- ii. The request is inconsistent with the objectives for Land Use Zone, Height of Buildings and FSR in the *Woollahra Local Environmental Plan 2014*.
- iii. The requested Height of Buildings and FSR standards are inappropriate and would create a building envelope which has an excessive bulk and scale.
- iv. The request is inconsistent with the desired future character as set out in the *Woollahra Development Control Plan 2015*.
- v. The requested building envelope will result in adverse impacts on the local centre and the surrounding area with regard to streetscape, public domain, heritage, views, traffic, residential amenity, sustainability and prescribed airspace.

C. THAT the Applicant is notified that Council does not support the request for a planning proposal in accordance with clause 10A of the *Environmental Planning and Assessment Regulation 2000*.

*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 Marano  
Councillor Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne

Nil

***13/0***

**Item No:** R4 Recommendation to Council  
**Subject:** **POST EXHIBITION REPORT - DRAFT WOOLLAHRA DEVELOPMENT CONTROL PLAN 2015 (AMENDMENT NO.12) - PROVISIONS FOR PUBS IN THE PADDINGTON HERITAGE CONSERVATION AREA**  
**Author:** Flavia Scardamaglia, Strategic Heritage Officer  
**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development  
**File No:** 20/230624  
**Reason for Report:** To report on the public exhibition of the Draft Woollahra Development Control Plan 2015 (Amendment No. 12).  
To obtain Council's approval of the Draft DCP to enhance the provisions for pubs in the Paddington Heritage Conservation Area.

(Jarvis/Zeltzer)

**13/21 Resolved without debate:**

THAT Council approve the *Draft Woollahra Development control Plan 2015 (Amendment No. 12)* as attached at **Annexure 4** of the report to the Environmental Planning Committee meeting of 1 February 2021.

*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 Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***15/0***

**Item No:** R5 Recommendation to Council  
**Subject:** **UPDATE - PLANNING PROPOSAL TO INTRODUCE AN 800SQM MINIMUM LOT SIZE FOR ATTACHED DUAL OCCUPANCIES**  
**Author:** Kelly McKellar, Team Leader Strategic Planning  
**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development  
**File No:** 21/4597  
**Reason for Report:** To report the advice from the Department of Planning, Industry and Environment regarding Council's planning proposal seeking to introduce an 800sqm minimum lot size for attached dual occupancies.

(Jarvis/Zeltzer)

**14/21 Resolved:**

- A. THAT the report on the planning proposal to introduce an 800sqm minimum lot size for attached dual occupancies to the Environmental Planning Committee meeting of 1 February 2021 be received and noted.
- B. THAT a written request be sent to the Minister for Planning and Public Spaces to formally proceed with an amended planning proposal seeking to introduce an 1,200sqm minimum lot size for attached dual occupancies in the R2 Low Density Residential Zone.

*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 Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***15/0***

**Item No:** R6 Recommendation to Council  
**Subject:** **PROPOSED AMENDMENTS TO THE WOOLLAHRA  
COMMUNITY PARTICIPATION PLAN 2019**  
**Author:** Kelly McKellar, Team Leader Strategic Planning  
**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Development  
**File No:** 21/2444  
**Reason for Report:** To obtain Council's approval for an amendment to the Woollahra  
Community Participation Plan 2019. The amendment seeks to facilitate  
the Council resolution of 23 November 2020 to no longer publish  
development applications in the local paper.

**Note:** Late correspondence was tabled by Kelly McKellar, Council's Team Leader Strategic  
Planning.

**Note:** Part B of the resolution was amended as per late correspondence tabled Kelly  
McKellar.

(Jarvis/Zeltzer)

**15/21 Resolved:**

- A. THAT Council rescind the part resolution of Council adopted on 23 November 2020 which  
reads as follows:
- D. *THAT Council no longer publish Development Applications in the local paper in  
accordance with the amendments to the Environment Planning & Assessment  
Regulation 2000 which enable notification online via the NSW Planning Portal or  
Council's website.*
- B. THAT Council approve the amendments to the Woollahra Community Participation Plan  
(CPP) 2019, as contained in Table 1 of the late correspondence to the Council Meeting of 22  
February 2021 to include the word "must" so as to ensure that all Development Applications,  
applications to modify a Development Consent, Planning Proposals, Development Control  
Plans, Contribution Plans, draft policies and any other planning matters to which the CPP  
applies must be published in a newspaper that circulates weekly in the Woollahra  
Municipality.
- C. THAT Council investigate and report on how Council can best disseminate other relevant  
information (including notifications for road works etc) to residents.
- D. THAT Council continue to consider and evaluate options for the efficient and effective  
delivery of information to residents.

*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 Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***15/0***



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## Finance, Community & Services Committee

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### Items with Recommendations from the Committee Meeting of Monday 8 February 2021 Submitted to the Council for Determination

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**Item No:** R1 Recommendation to Council  
**Subject:** **PROPOSAL FOR AN INCLUSION (DISABILITY, AGED AND CARERS) ADVISORY COMMITTEE**  
**Author:** Jacky Hony, Team Leader - Community Development Officer  
**Approvers:** Sharon Campisi, Manager - Community Development  
Lynn Garlick, Director - Community Services  
**File No:** 20/221775  
**Reason for Report:** Response to Council resolution.

(Marano/Price)

#### 16/21 Resolved without debate:

- A. THAT Council establish an Inclusion (Disability, Aged and Carers) Advisory Committee *in lieu* of a Disability Advisory Committee.
- B. THAT Council notes the Terms of Reference and requests that staff amend the Terms of Reference for consideration by Council at the meeting on 22 February 2021:
- Community Representatives be referenced as “Four local residents of the municipality”;
  - Sitting Fee and changes to the Sitting Fees be decided by the Finance, Community & Services Committee each year and included in the Terms of Reference; and
- C. Circulate a copy of the updated Terms of Reference to all Councillors prior to the Council meeting on 22 February 2021.

*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 Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

15/0

**Item No:** R2 Recommendation to Council  
**Subject:** **WOOLLAHRA GALLERY AT REDLEAF EXHIBITION POLICY**  
**Author:** Sebastian Goldspink, Art Gallery Coordinator  
**Approver:** Lynn Garlick, Director - Community Services  
**File No:** 21/15777  
**Reason for Report:** Adoption of draft Woollahra Gallery at Redleaf Exhibition Policy

(Marano/Price)

**17/21 Resolved without debate:**

THAT the Woollahra Gallery at Redleaf Exhibition Policy be adopted, subject to the following:

- Clarification of information relating to decision making in terms of ‘Expressions of Interest’;
- The addition of references to related policies and procedures;
- Checking of definitions and review of language use in the Policy to ensure consistency;
- Review the Art Gallery Policy to ensure reference to the decisions with regard to expressions of interest, removal of the definition of ‘artistic merit’ from the policy, clarification of the role of the various Committees mentioned in the Policy as raised by Councillors at the Finance, Community & Services Committee meeting; and
- Circulate a copy of the revised Policy to Councillors prior to the Council Meeting on 22 February 2021.

*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 Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***15/0***



**Item No:** R3 Recommendation to Council  
**Subject:** **RELEASE OF EXPOSURE DRAFT BILL ON LOCAL GOVERNMENT RATING REFORM**  
**Author:** Sue Meekin, Chief Financial Officer  
**Approver:** Don Johnston, Director Corporate Services  
**File No:** 21/14667  
**Reason for Report:** To note Council's submission to the Office of Local Government in regard to the Exposure Draft Bill on Local Government Rating Reform.

(Marano/Price)

**18/21 Resolved without debate:**

- A. THAT Council note the submission to the Office of Local Government in regard to the Exposure Draft Bill on Local Government Rating Reform, presented as **ANNEXURE 1**.
- B. THAT a copy of our submission is provided to Alex Greenwich MP and Gabrielle Upton MP.

*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 Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***15/0***

**Item No:** R4 Recommendation to Council  
**Subject:** **2020/21 BUDGET REVIEW FOR THE QUARTER ENDED 31 DECEMBER 2020**  
**Authors:** Henrietta McGilvray, Senior Corporate Accountant  
Sue Meekin, Chief Financial Officer  
**Approvers:** Don Johnston, Director Corporate Services  
Craig Swift-McNair, General Manager  
**File No:** 21/12817  
**Reason for Report:** To report on the review of the 2020/21 Budget for the quarter ended 31 December 2020.

(Marano/Price)

**19/21 Resolved without debate:**

- A. THAT the report on the Budget Review for the quarter ended 31 December 2020 be received and noted.
- B. THAT Council note the statement from the Responsible Accounting Officer, Council's Chief Financial Officer, that the projected financial position at 30 June 2021, based on the forecasts outlined in this report, will remain satisfactory however Council's ability to mitigate the impact of pressures on its budget as outlined in the report will reduce and will need to be addressed longer term.
- C. THAT the recommended variations to the 2020/21 budget outlined in the report be adopted, noting the full year \$4.29M impact of the COVID-19 pandemic which has been managed through use of the Kiaora Place and Property Reserves.
- D. THAT Council note the general improvement in economic conditions being experienced by Council's tenants and therefore Council's COVID-19 program of rent relief does not continue beyond 31 March 2021.

*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 Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***15/0***

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## **Councillor Reports/Councillor Updates (Section 8.4)**

**General Item No:** 15.1 Rainbow Flag  
**Tabled by Councillor:** Councillor Robertson

**Councillor Robertson advised:**

Thank you Madam Mayor. I would like to congratulate you Madam Mayor for the raising of the Rainbow flag last Wednesday 17 February 2021 along with Councillor Cavanagh, Councillor Elsing, Councillor Price, our Local State Member for Sydney, Mr Alex Greenwich MP. I also have to congratulate you Madam Mayor and Councillor Price on your rainbow skirts they looked smashing. On a serious note it is very important to me and to all our residents and supporters in the Municipality that our Council undertakes this flag raising to signal the start of the Mardi Gras Festival and to show Council's ongoing support for the LGBTQI+ Community.

**The Mayor in response:**

Thank you Councillor Robertson it was actually a lot of fun and on a serious note we had incredible feedback from the community about how important it is and that we fly the flag out the front of Council.

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**General Item No:** 15.2 Australia Day 2021  
**Tabled by Councillor:** Councillor Jarvis

**Councillor Jarvis advised:**

Thank you Madam Mayor. Similarly I would like to extend my congratulations to you Madam Mayor and the staff involved in relation to the most fabulous Australia Day Ceremony held on Australia Day this year. It was actually the first one that I have attended on the day and I would like to acknowledge Councillor Marano who was present with you, me, the Member for Wentworth, Mr Dave Sharma MP, Member for Vacluse, Ms Gabrielle Upton MP, and the Member for Sydney, Mr Alex Greenwich MP. It was, as I said before, one of the most happy of occasions.

Being Australia Day, we had mini-pavlova and lamingtons and there was so much delight on the faces of everyone that was made Australian including the partner of Paul in our Open Space and Trees department and then there were families that have been here forever, so many different nationalities, it's always a fabulous event.

Congratulations to everyone involved in the day, it was an honour to be in attendance.

**The Mayor in response:**

As you are all aware Citizenship ceremonies have been a challenge during COVID-19 and it is probably my most favourite thing to do as Mayor. We are looking at how we can bring more people through and we are looking at bringing 15 people through per session and holding a "Super Saturday" so we will keep you posted where we will run I think about 4 in a row back to back so at least we can clear the backlog and make it a really special occasion for our new citizens.

## Notices of Motion

**Item No:** 16.1  
**Subject:** **NOTICE OF MOTION - STATE ENVIRONMENTAL PLANNING POLICY (SEPP) HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY 2004**  
**From:** Councillors Lucinda Regan and Luise Elsing  
**Date:** 10 February 2021  
**File No:** 21/23479

**Note:** Late correspondence was tabled by Beverley Baychek, Ronald Porter, Helen Porter, Elizabeth Foley, Zena Zaks, Catherine Bourke, Catherine De Giorgio & Robbie Burns, Edwin & Merlyn Jankelowitz, Maria Judd, Anita Patel, Hugh Woodgate, John Polland, Aviva Levine, Jessica Stark, Jane Foley, Julian Gold, Yianoula Morris, Rosalie & Peter Fuzes, Jamie Fox, Jason Bailey, Jochen Bonitz, Kate Hayward, Reina Nicholls, Double Bay Residents Association & Merrill Witt.

**Note:** Part A was added to the resolution.

**(Regan/Elsing)**

### 20/21 Resolved:

- A. THAT Council, with supporting planning evidence, write to the Minister for Planning & Public Spaces including the Department of Planning, Industry and Environment seeking an exemption from the provision of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 in the R2 Low Density Residential and R3 Zones in the Woollahra Local Government Area.
- B. THAT staff provide a report to Council as soon as reasonably practicable:
- i. Outlining the number of developments that have been approved in the Woollahra Local Government Area (“**WLGA**”) under the SEPP Seniors since it was enacted and the location of these developments;
  - ii. Outlining measures taken by any government agency to ensure compliance with the intent of the SEPP Seniors, including as to owners and occupiers of competed developments ;
  - iii. Outlining the average purchase price for each approved dwelling in such developments including an average price per square meter and comparing this to the average purchase price of other multi-unit dwellings in the WLGA; and
  - iv. Detailing measures whereby the WLGA can amend its current Local Environmental Plan 2014 (“**LEP**”) and/or other planning instruments to:
    - a. prevent new applications for development of housing for seniors or people with a disability (“**Seniors Housing**”) under the SEPP Seniors on land in R2 Low Density Residential Zones and R3 Zones in the WLGA; and
    - b. exclude the development of Seniors Housings under the SEPP Seniors on land in R2 Low Density Residential zones and R3 Zones in the WLGA.
    - c. reference particularly to late correspondence as provided by local residents to the Council Meeting on the 22 February 2021.

*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 Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***15/0***

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**Item No:** 16.2  
**Subject:** NOTICE OF MOTION - WORLDWIDE PRIDE 2023  
**From:** Councillors Harriet Price and Luise Elsing  
**Date:** 15 February 2021  
**File No:** 21/27326

**(Price/Robertson)**

**21/21 Resolved:**

THAT Council:

A. Notes:

- i. Its key goals outlined in ‘Woollahra- 2030 Our Community, our Place our Plan’:
  - a connected, harmonious and engaged community;
  - a creative and vibrant community; and
  - community focused economic development.
- ii. Its ‘Delivery Program 2018-2021 and Operational Plan 2020/21’ (the DPOP) with strategies to:
  - plan a range of activities and events that celebrate members of our community;
  - lead, produce and promote community cultural programs and celebrations; and
  - encourage economic development in business and retail centres.
- iii. Its ‘Oxford Street and Paddington Place Plan 2019-2023’ (the OSPPP) with strategies to make Paddington a:
  - destination of choice for locals, visitors and tourists;
  - place of festivals and events; and
  - retail, dining and heritage destination.

B. Resolves that:

- i. Staff prepare a report (including budget implications) on how best to plan for cultural and economic opportunities associated with WorldPride 2023 (including but not limited to):
  - hosting a welcome and WorldPride flag raising event at Council Chambers;
  - hosting and curating cultural events with a LGBTQI theme at Paddington Library (including history and author talks);
  - allocation of exhibition space at the Woollahra Gallery for LGBTQI themed exhibitions (including artist talks and workshops);
  - assistance and support to small business to maximise visitor and tourist opportunities (including ‘mini’ festivals and promotions);
  - banner and other promotional installations;
  - liaising and collaborating with WorldPride 2023, Tourism Australia, Sydney Mardi Gras, the City of Sydney and other relevant organisations; and
  - consideration of a staged budget allocation approach over 3 years (2021/22, 2022/23 and 2023/24) including utilising funds from the Oxford Street Place Making Reserve.

*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 Maxwell  
Councillor McEwin  
Councillor Price  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Silcocks  
Councillor Wynne  
Councillor Zeltzer

Nil

***15/0***

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## Questions With Notice

(Price/Shapiro)

**22/21 Resolved:**

THAT the Questions with Notice be received and noted.

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**QWN:** 17.1  
**From:** Councillor Price  
**Subject:** Questions with Notice - Paddington Bowling Club

**Note:** Late correspondence was tabled by Tom O'Hanlon.

**Councillor Price asking:**

I refer to Council's resolution of 25 May 2020 concerning the former Paddington Bowling Club site (the Site).

Can the Directors please:

- a. provide a detailed update on what (if any) communications have taken place between Council staff, officers of Crown Lands, Ministerial staff and the Lessee since Council's resolution; and

**Director of Technical Services in response:**

In July 2021, the Director Technical Services met with Crown Lands Executive Director Commercial to discuss the Paddington Bowling Club Site, in particular the lease with Quarry Street Limited. The following key information was imparted at that meeting.

1. Crown Lands had committed to undertake an external legal review of the two assignments of the lease which have taken place since 2010. Note: As at February 22, 2021, WMC staff have been advised by officers of Crown Lands that the review has determined that both transfers were validly approved and registered. No further detail is available at time of writing but staff will seek additional information from Crown Lands.
2. As at the time of that meeting, Crown Lands had not received any new DA for the site.
3. Crown Lands officers were of the opinion that the activity which was occurring on the site at the time was not in contravention of the lease provisions.

Council staff have had no communication with Ministerial staff or the Lessee on this matter. It is noted the Mayor requested staff to organise a meeting with herself, staff and the Lessee to discuss the future of the site, but this is yet to occur.

- b. confirm whether a Development Application has been lodged for the Site (and if so, whether the relevant Minister has provided consent to such lodgement).

**Director of Technical Services in response:**

As of 22 February 2021, Council has not received a Development Application for the site. Staff have confirmed with Crown Lands that they have no record of receiving a request for owner's consent to lodge a DA.



There being no further business the meeting concluded at 9.15pm.

**We certify that the pages numbered 26 to 65 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 22 February 2021 and confirmed by the Ordinary Meeting of Council on 22 March 2021 as correct.**

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**General Manager**

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**Mayor**