

Ordinary Council



Minutes

Monday 24 May 2021

Ordinary Council Meeting

Monday 24 May 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 10 May 2021

- D1 Confirmation of Minutes of Meeting held on 12 April 2021
- D2 Recognition for Business Sustainability in Woollahra
- D3 Register of Current Land and Environment Court Matters - Details of the Appeals relating to 20 The Crescent, Vacluse

Finance, Community & Services Committee held on Monday 10 May 2021

- D1 Confirmation of Minutes of Meeting held on 12 April 2021
- D2 Woollahra Local Traffic Committee Minutes - 6 April 2021
- D3 Woollahra Local Traffic Committee Minutes - 4 May 2021
- D4 Minutes of the Property Assets Working Party meeting held on 21 April 2021
- D6 Monthly Financial Report - April 2021
- D7 Capital Works Program - Quarterly Progress Report March 2021



Ordinary Council Meeting

**Minutes of the Meeting of Woollahra Municipal Council
held at the Council Chambers, 536 New South Head Road, Double Bay, on
24 May 2021 at 6.04pm.**

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

Councillors: Richard Shields (Item 12.1 to end)
Peter Cavanagh
Claudia Cullen
Luise Elsing
Mary-Lou Jarvis
Anthony Marano
Nick Maxwell
Megan McEwin (Item 12.1 (in part) to end)
Harriet Price
Lucinda Regan
Matthew Robertson
Isabelle Shapiro
Mark Silcocks
Toni Zeltzer

Staff: Nick Economou (Acting Director – Planning & Place)
Vicki Munro (Acting Director – Community & Customer Experience)
Sue Meekin (Acting Director – Corporate Performance)
Sue O'Connor (Governance Officer)
Tom O'Hanlon (Director – Infrastructure & Sustainability)
Richard Pearson (Development Manager)
Nabil Saleh (Chief Information Officer)
Craig Swift-McNair (General Manager)
Helen Tola (Manager – Governance & Council Support)

Also in Attendance: Wayne Redman (Consultant for Council – Item R5) – via zoom

Note: Item R5 (Cross Street Car Park Redevelopment Project - Shortlisting of Proponents (Confidential Report) was heard last.

Confirmation of Minutes

Item No: 5.1
Subject: CONFIRMATION OF MINUTES - 26 APRIL 2021
Author: Sue O'Connor, Governance Officer
File No: 21/90140
Reason for Report: The Minutes of the Council of 26 April 2021 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

(Jarvis/Zeltzer)

60/21 Resolved:

THAT the Minutes of the Council Meeting of 26 April 2021 be taken as read and confirmed, subject to the following amendments:

- *voting for Item S&C R1 (Edgecliff Planning Controls) being amended as Councillor Silcocks being for the final Motion.*
- *voting for Item 16.4 being amended to reflect Councillor Jarvis as not being present for the consideration of the final Motion.*
- *page 189 being amended to read Serviceman Devereaux rather than 'Bebro'.*

Leave of Absence and Apologies

Nil

Declarations of Interest

Councillor Elsing declared a non-pecuniary, non-significant interest in relation to Item R7 (Liverpool Street, Paddington - 90 Degree Angle Parking Design Plan) as she has an interest in a property located on Liverpool Street, Paddington. Councillor Elsing remained in the meeting and voted on the matter.

Councillor Price declared a non-pecuniary, non-significant interest in relation to Item R7 (Liverpool Street, Paddington - 90 Degree Angle Parking Design Plan) as Jacqueline Walker & Fiona Jennings are known to her from Glenmore Road School community. Councillor Price remained in the meeting and voted on the matter.

Councillor Regan declared a non-pecuniary, non-significant interest in relation to Item R7 (Liverpool Street, Paddington - 90 Degree Angle Parking Design Plan) as Fiona Jennings is known to her through the Kambala school community. Councillor Regan remained in the meeting and voted on the matter.

Late Correspondence

Note: Council resolution of 27 June 2011 to read late correspondence in conjunction with the relevant Agenda Items R2 & R4 (EP), Items R6, R7 & R8 (FC&S), NOM 1&2 & QWN 1 & 2.

Petitions Tabled

Nil

Public Forum

Nil

General Manager and Officer's Report

Item No: 12.1
Subject: **DRAFT WOOLLAHRA LIBRARIES STRATEGIC PLAN 2021-2026 - PUBLIC EXHIBITION**
Authors: Vicki Munro, Acting Director Community & Customer Experience
Corinna Pierce, Library Customer Service Coordinator
Approver: Craig Swift-McNair, General Manager
File No: 21/81491
Reason for Report: To seek Council approval to place the draft 'Woollahra Libraries Strategic Plan 2021-2026' on public exhibition for a period of 28 days.

(Elsing/Robertson)

61/21 Resolved:

- A. THAT the draft Woollahra Libraries Strategic Plan 2021-2026 presented as **Annexure 1** to this report be approved for the purpose of public exhibition for a period of 28 days, subject to the inclusion of an action to continue the Paddington library agreement and maintain the partnership with the City of Sydney.
- B. THAT a further report be prepared following the public exhibition period detailing any submissions received and presenting the final Woollahra Libraries Strategic Plan 2021-2026 to Council for adoption.

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 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

Against the Motion

Nil

15/0

Environmental Planning Committee

Items with Recommendations from the Committee Meeting of Monday 10 May 2021 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: REQUEST FOR A PLANNING PROPOSAL - HERITAGE LISTING OF SUNNY BRAE AT 40 FITZWILLIAM ROAD, VAUCLUSE
Author: Flavia Scardamaglia, Strategic Heritage Officer
Approvers: Anne White, Manager - Strategic Planning
Nick Economou, Acting Director Planning & Place
File No: 21/74156
Reason for Report: To present the heritage significance assessment prepared by GBA Heritage for Sunny Brae at 40 Fitzwilliam Road, Vaucluse. To recommend that Council resolves to prepare a planning proposal to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vaucluse as a heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.

(Jarvis/Zeltzer)

62/21 Resolved without debate:

- A. THAT a planning proposal be prepared to list Sunny Brae, including interiors at 40 Fitzwilliam Road, Vaucluse as a local heritage item in Schedule 5 of the *Woollahra Local Environmental Plan 2014*.
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- C. THAT the advice of the Woollahra Local Planning Panel 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 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

Item No: R2 Recommendation to Council

Subject: **REVIEW OF PLANNING CONTROLS TO ADDRESS
HYDROGEOLOGICAL AND GEOTECHNICAL IMPACTS**

Author: Neda Vandchali, Strategic Planner

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

File No: 21/73541

Reason for Report: To respond to a Council resolution from 26 April 2021 to expand the application of draft amendments to Chapter E2 Stormwater and Flood Risk Management of the Woollahra DCP 2015.
To obtain Council's approval to exhibit a draft development control plan to amend the Woollahra DCP 2015.

Note: Late correspondence was tabled by Council's Manager Strategic Planning, Anne White.

(Jarvis/Zeltzer)

63/21 Resolved:

- A. THAT the report on the review to expand the application of draft amendments to Chapter E2 Stormwater and Flood Risk Management of the Woollahra Development Control Plan 2015 be received and noted.
- B. THAT Council resolve to exhibit Draft Woollahra Development Control Plan 2015 (**Amendment No 18**) as contained in the late correspondence tabled to Council Meeting on 24 May 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: R3 Recommendation to Council
Subject: **RESPONSE TO NOTICE OF MOTION - SINGLE USE PLASTICS**
Author: Micaela Hopkins, Team Leader Environment & Sustainability
Approvers: Paul Fraser, Manager - Open Space & Trees
Tom O'Hanlon, Director - Technical Services
File No: 21/52543
Reason for Report: To update Council about the review of the Single Use Plastics Policy.

(Price/Zeltzer)

64/21 Resolved:

- A. THAT the report on the review of the Single Use Plastics Policy be received and noted.
- B. THAT the revised Single Use Plastics Policy be adopted by Council, with the following addition under the heading 2;

Application, a further bullet point be added which reads 'Recipients of Council grants for events'

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: R4 Recommendation to Council

Subject: **DRAFT WOOLLAHRA SECTION 7.12 DEVELOPMENT CONTRIBUTIONS PLAN 2021**

Author: Anne White, Manager - Strategic Planning

Approver: Nick Economou, Acting Director Planning & Place

File No: 21/77927

Reason for Report: To propose a new Section 7.12 Development Contributions Plan to reflect updates to the Environmental Planning and Assessment Act 1979, an updated schedule and indexing.
To obtain Councils approval to exhibit a draft development contributions plan.

Note: Late correspondence was tabled by Council's Manager Strategic Planning, Anne White.

(Jarvis/Shapiro)

65/21 Resolved:

- A. THAT the report on the *Draft Woollahra Section 7.12 Development Contributions Plan 2021* be received and noted.
- B. THAT Council resolve to exhibit the *Draft Woollahra Section 7.12 Development Contributions Plan 2021* as contained in the late correspondence tabled to Council Meeting on 24 May 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

Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Monday 10 May 2021 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	GERMAN CULTURAL DAY
Author:	Jacky Hony, Team Leader - Community Development
Approvers:	Sharon Campisi, Manager - Community Development Vicki Munro, Acting Director Community & Customer Experience
File No:	21/57229
Reason for Report:	Report to Committee following Council's adoption of a Notice of Motion on 22 March 2021.

(Marano/Cullen)

66/21 Resolved without debate:

- A. THAT Council proceed with option 3 as outlined in report to celebrate German culture in the 2nd half of the calendar year of 2022 (i.e. July to December 2022) and to allocate the appropriate budget in the 2022/23 financial year.
- B. THAT Council staff investigate potential sponsorship opportunities for German Cultural Day celebrations.

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: ANNUAL MAYOR AND COUNCILLOR FEES - 2021/22
Author: Helen Tola, Manager - Governance & Council Support
Approvers: Craig Swift-McNair, General Manager
Sue Meekin, Acting Director Corporate Performance
File No: 21/69014
Reason for Report: The Local Government Act 1993 requires that each Council determine the annual fee payable to the Mayor and Councillors.

Note: Late correspondence was tabled by Helen Tola, Manager Governance & Council Support.

Note: The Mayor, Councillor Wynne stood down from the Chair to speak on the matter. Deputy Mayor, Councillor Shields assumed the Chair.

Note: The Council amended parts A & B and added part C & D to the resolution.

(Price/Elsing)

67/21 Resolved:

- A. THAT in accordance with Section 248 of the Local Government Act 1993, Council fix the annual fee for Councillors at an amount of \$20,690 per Councillor for the period 1 July 2021 to 30 June 2022.
- B. THAT in accordance with Section 249 of the Local Government Act 1993, Council fix the annual fee for the Mayor at an amount of \$45,110 for the period 1 July 2021 to 30 June 2022.
- C. THAT Council note the legislation has been passed by Parliament to introduce superannuation for the Mayor and Councillors from 1 July 2022.
- D. THAT a further report be prepared for consideration by Council in relation to superannuation contributions for the 2022/23 period (at the appropriate time).

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 Cullen
Councillor Elsing
Councillor Marano
Councillor Maxwell
Councillor Price
Councillor Shapiro
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Jarvis
Councillor McEwin
Councillor Regan
Councillor Robertson
Councillor Shields

Item No: R3 Recommendation to Council
Subject: **DRAFT COMPLAINTS AND UNREASONABLE COMPLAINANT POLICY (PUBLIC EXHIBITION)**
Author: Anthony Crimmings, Manager Customer Experience
Approvers: Sue Meekin, Acting Director Corporate Performance
Vicki Munro, Acting Director Community & Customer Experience
File No: 21/82600
Reason for Report: To consider the draft Complaints and Unreasonable Complainant Policy and to recommend public exhibition.

Note: Late correspondence was tabled by Anthony Crimmings, Manager Customer Experience.

(Marano/Cullen)

68/21 Resolved without debate:

THAT the Draft Complaints and Unreasonable Complainant Policy be adopted for the purpose of public exhibition for a period of 28 days.

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 MARCH 2021**
Author: Henrietta McGilvray, Acting Chief Financial Officer
Approvers: Sue Meekin, Acting Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 21/77644
Reason for Report: To report on the review of the 2020/21 Budget for the quarter ended 31 March 2021

Motion moved by Councillor Jarvis

Seconded by Councillor Zeltzer

- A. THAT the report on the Budget Review for the quarter ended 31 March 2021 be received and noted.
- B. THAT Council note the statement from the Responsible Accounting Officer, Council's Acting 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.
- E. THAT the recommended variations to the 2020/21 budget outlined in the report be adopted, noting the full year \$4.47M impact of the COVID-19 pandemic which has been managed through use of the Kiaora Place and Property Reserves.
- F. THAT the Council's intention is to work towards a balanced budget by 2022/2023 financial year.

Amendment moved by Councillor Price

Seconded by Councillor Elsing

- A. THAT the report on the Budget Review for the quarter ended 31 March 2021 be received and noted.
- B. THAT Council note the statement from the Responsible Accounting Officer, Council's Acting 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 \$4.47M impact of the COVID-19 pandemic which has been managed through use of the Kiaora Place and Property Reserves.

The Amendment was put and carried

The Amendment became the Motion

The Motion was put and carried

(Price/Elsing)

69/21 Resolved:

- A. THAT the report on the Budget Review for the quarter ended 31 March 2021 be received and noted.
- B. THAT Council note the statement from the Responsible Accounting Officer, Council's Acting 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 \$4.47M impact of the COVID-19 pandemic which has been managed through use of the Kiaora Place and Property Reserves.

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 Marano
Councillor McEwin
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks

Against the Motion

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

8/7

Item No: R5 Recommendation to Council
Subject: **CROSS STREET CAR PARK REDEVELOPMENT PROJECT - SHORTLISTING OF PROPONENTS**
Author: Richard Pearson, Development Manager
Approver: Tom O'Hanlon, Director - Infrastructure & Sustainability
File No: 21/76438
Reason for Report: To report to Council on the analysis of the Expressions of Interest (EOI) submissions

Note: This matter was moved to be heard last.

(Cullen/Elsing)

Resolved:

THAT the Committee 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 the provision so Section 10A(2)(g) of the Local Government Act 1993.

Adopted

In Closed Session

Note: The Committee discussed the confidential report and legal advice and drafted resolution.

(Shields/Robertson)

Resolved:

THAT the Committee move into “Open Session”.

Adopted

In Open Session

(Zeltzer/Shields)

70/21 Resolved:

THAT the recommendation moved in closed session be adopted.

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 Shapiro
Councillor Shields
Councillor Wynne
Councillor Zeltzer

Against the Motion

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

8/7

Item No: R6 Recommendation to Council
Subject: **GOODHOPE STREET, PADDINGTON - 'NO PARKING ELECTRIC VEHICLES EXCEPTED ONLY WHILE CHARGING' RESTRICTION**
Author: Caitlin Bailey, Traffic & Transport Engineer
Approvers: Emilio Andari, Team Leader - Traffic & Transport
Aurelio Lindaya, Manager Engineering Services
File No: 21/94805
Reason for Report: To provide electric vehicle charging stations to the local community
Note: Late correspondence was tabled by The Paddington Society.

**Motion moved by Councillor Marano
Seconded by Councillor Zeltzer**

- A. THAT Council approves the installation of (2) two 90 degree angle ‘No Parking Electric Vehicles Excepted Only While Charging’ parking spaces on the western side of Goodhope Street, Paddington, north of its intersection with Glenmore Road, and adjacent to property No. 16-18 Goodhope Street, as shown in Annexure 1, pending preparation of an electric vehicle policy.
- B. THAT staff develop a policy on the placement of public electric vehicle charging stations.

**Amendment moved by Councillor Price
Seconded by Councillor Regan**

THAT Council:

- A. Notes its role as a first mover on EV technology and as a leader for other local government areas.
- B. Notes its role in providing residents with highly visible charging infrastructure to alleviate concerns about recharging and ‘range anxiety.’
- C. Notes the importance of understanding the driving habits of EV drivers as well as local residents before installing EV charges at optimum locations.
- D. Acknowledges that local businesses should be consulted to investigate how the chargers can boost tourism and shopping in the local business area.
- E. Acknowledges that EV charges and their operation will not adversely impact upon the amenity of the public domain.
- F. Acknowledges that where appropriate, the location of EV charging stations should not be located in premium, high demand parking spaces that would encourage non-EVs to occupy the charging bay.
- G. Defers the approval of installing any new EV charging stations (including the proposal for Goodhope Street, Paddington) pending;
 - i. completion of Council’s resolution of 11 November 2019, to prepare a report to the EP Committee identifying how EV charging systems can be integrated into the public realm to make them more accessible to the community;
 - ii. circulation of the annual report(s) on the progress of EV technology (including but not limited to the current usage rates of the current EV charging stations at Double Bay, Rose Bay and at Council Chambers); and
 - iii. the preparation of an EV Policy (incorporating (but not limited to) paragraphs 1-6 above).

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 Price
Councillor Regan
Councillor Shields

Against the Motion

Councillor Cavanagh
Councillor Jarvis
Councillor Marano
Councillor Maxwell
Councillor McEwin
Councillor Robertson
Councillor Shapiro
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

5/10

**The Amendment was put and Lost
The Motion was put and carried**

(Marano/Zeltzer)

71/21 Resolved:

- A. THAT Council approves the installation of (2) two 90 degree angle 'No Parking Electric Vehicles Excepted Only While Charging' parking spaces on the western side of Goodhope Street, Paddington, north of its intersection with Glenmore Road, and adjacent to property No. 16-18 Goodhope Street, as shown in Annexure 1, pending preparation of an electric vehicle policy.
- B. THAT staff develop a policy on the placement of public electric vehicle charging stations.

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 Robertson
Councillor Shapiro
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Cullen
Councillor Price
Councillor Regan
Councillor Shields

11/4

Item No: R7 Recommendation to Council
Subject: **LIVERPOOL STREET, PADDINGTON - 90 DEGREE ANGLE PARKING DESIGN PLAN**
Author: Emilio Andari, Team Leader - Traffic & Transport
Approver: Aurelio Lindaya, Manager Engineering Services
File No: 21/94819
Reason for Report: Investigation to provide additional on-street parking.

Note: Councillor Elsing declared a non-pecuniary, non-significant interest in relation to this Item, as she has an interest in a property located on Liverpool Street, Paddington. Councillor Elsing remained in the meeting and voted on the matter.

Note: Councillor Price declared a non-pecuniary, non-significant interest in relation to this Item, as Jacqueline Walker & Fiona Jennings are known to her from Glenmore Road School community. Councillor Price remained in the meeting and voted on the matter.

Note: Councillor Regan declared a non-pecuniary, non-significant interest in relation to this Item, as Fiona Jennings is known to her through the Kambala school community. Councillor Regan remained in the meeting and voted on the matter.

Note: Late correspondence was tabled by Fiona Jennings, Meredith Phelps, Anne Held & Mark Williams, Prof Theo Farrell, Harriet Sheard, Melissa Gribble, Robert Kaufmann, Josephine Revai, Sharon McCarthy & The Paddington Society.

Motion moved by Councillor Robertson
Seconded by Councillor McEwin

THAT the matter not proceed and the status quo remain.

Amendment moved by Councillor Price
Seconded by Councillor Silcocks

THAT Council:

- A. Notes the extensive community consultations, staff time and costs involved with the proposal to introduce angled parking to Liverpool Street Paddington;
- B. Notes that Council officers cannot compel motorists parking in Liverpool Streets (or in any location throughout the Municipality) to provide information on where they live or what their destination(s) is.
- C. Approves the design plan for the introduction of 90 degree angled, rear to kerb parking with associated signs, line marking and landscaped kerb blisters for Liverpool Street, Paddington (as per Annexure 1 at p.25 of the Traffic Committee Agenda of 6 April 2021) (the Project);
- D. Notes:
 - i. the beautifully community created and maintained kerb gardens on the corner of Glenview Street and Liverpool Street and resolves to protect those gardens and ensure they are not impacted in any way by the Project;

- ii. Council's 2020/21 Capital Works Program that includes the introduction of traffic calming measures at the intersection of Liverpool Street and Glenmore Road (the TC Works) and resolves that the TC Works be carried out at the same time as the Project;
- iii. that all new kerb extensions and kerb blisters associated with the Project and the TC Works are constructed to provide for landscaping that will complement and enhance the existing gardens and streetscape;
- iv. that Council's Traffic and Transport Engineers resolve to work with Council's Compliance team to coordinate a higher level of enforcement in the local area; and
- v. residents' concerns about the lack of dedicated space for motorcycle parking and resolves to investigate introducing motorcycling parking to the corner of Liverpool Street and MacDonald Street (at the cul-de-sac).

For the Motion

Councillor Cullen
Councillor Jarvis
Councillor Maxwell
Councillor Price
Councillor Silcocks
Councillor Zeltzer

Against the Motion

Councillor Cavanagh
Councillor Elsing
Councillor Marano
Councillor McEwin
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Wynne

6/9

The Amendment was put and lost
Further Amendment moved by Councillor Regan
Seconded by Councillor Zeltzer

THAT the design plan for 90 degree angle, rear-to-kerb parking with associated signs and line marking in Liverpool Street, Paddington be approved with 6 spaces on the Eastern side only between Glenview Road and McDonald Street.

For the Motion

Councillor Cullen
Councillor Maxwell
Councillor Price
Councillor Regan
Councillor Silcocks
Councillor Zeltzer

Against the Motion

Councillor Cavanagh
Councillor Elsing
Councillor Jarvis
Councillor Marano
Councillor McEwin
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Wynne

6/9

The Further Amendment was put and lost.
The Motion was put and carried.

(Robertson/McEwin)

72/21 Resolved:

THAT the matter not proceed and the status quo remain.

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 Marano
Councillor McEwin
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Cullen
Councillor Jarvis
Councillor Maxwell
Councillor Price
Councillor Silcocks

10/5

Item No: R8 Recommendation to Council
Subject: **CLOSING AND SALE OF ROAD RESERVE ADJOINING 5-7 EASTBOURNE ROAD, DARLING POINT (SC6058)**
Author: Anthony Sheedy, Senior Property Officer
Approvers: Zubin Marolia, Manager - Property & Projects
Tom O'Hanlon, Director - Infrastructure & Sustainability
File No: 21/41645
Reason for Report: To consider the closing and sale of road reserve adjoining 5-7 Eastbourne Road, Darling Point.

Note: Late correspondence was tabled by Council's Senior Property Officer, Anthony Sheedy, Patrick Keenan (2 pieces), Neil Cartwright, Suzanne Phillips, Diane Singer, Tom Gutman, Garry & Bettina Davis & Andrew Wilkinson.

(Zeltzer/Shapiro)

73/21 Resolved:

- A. THAT the proposal to close and sell the road reserve adjoining 5-7 Eastbourne Road, Darling Point be subject to a stormwater pipe easement and restrictive covenants for limiting tree heights and building structures.
- B. THAT the proposal be publically advertised.
- C. THAT a further report be submitted to Committee following completion of the advertising period.

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 Cullen
Councillor Jarvis
Councillor Marano
Councillor Maxwell
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Elsing
Councillor McEwin
Councillor Price
Councillor Regan
Councillor Robertson

10/5

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 Citizenship
Tabled by Councillor: Jarvis

Councillor Jarvis advised:

Great news we are back in terms of Citizenship, Councillor Marano and I were at that Citizenship with you Madam Mayor for those of you who did not get there you missed the star attraction who was George Miller and the new citizens of course who were excited as I was that their welcome to country was from George Miller. I always make a point to get to these as it makes you feel like you are a part of the community and make it something special and they are all so excited, they love the area, they love being here. I just want to say congratulations and long may they continue.

The Mayor, Councillor Wynne advised:

We had about 50 people here and maybe will be having another super Saturday.

Notices of Motion

Item No: 16.1
Subject: NOTICE OF MOTION - PROHIBITION ON SMOKING
From: Councillor Harriet Price
Date: 19 May 2021
File No: 21/94151

Note: Late correspondence was tabled by Tim Thomson & Trish Sherbon.

(Price/Robertson)

74/21 Resolved:

THAT Council,

- A. Acknowledges the:
- i) Dangers of smoking and second hand smoke; and
 - ii) Devastating consequences of problem gambling.
- B. Notes:
- i) Council's commitment to creating and maintaining a safe and comfortable environment for residents, workers and visitors;
 - ii) That smoking within licenced establishments is regulated by the Smoke Free Environment Act 2000 and the Smoke Free Environment Regulation 2016 (the Smoke Free Legislation); and
 - iii) The Smoke Free Legislation provides that smoking is not permitted in a public space that is at least 75% enclosed by ceiling and wall surfaces.
- C. Resolves:
- i) To investigate and prepare a report to Council concerning what (if any) steps Council could take to amend its Local Environmental Plan (LEP) to prohibit smoking in licenced premises within its Local Government Area (including but not limited to preparing a planning proposal seeking an LEP amendment).

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 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

15/0

Against the Motion

Nil

Item No: 16.2
Subject: NOTICE OF MOTION - HILLS FIG TREES LINING HAMPDEN STREET, PADDINGTON
From: Councillors Matthew Robertson, Megan McEwin and Anthony Marano
Date: 19 May 2021
File No: 21/94155

Note: Late correspondence was tabled by The Paddington Society & Dr Helen Armstrong.

(Robertson/McEwin)

75/21 Resolved:

THAT Council:

- A. Notes that residents in the local precinct place a high value on the avenue of Hills Fig trees lining Hampden Street, Paddington in addition to their intrinsic botanical value and magnificence, their provision of leafy-green character and urban greening.
- B. Expresses regret at the imminent removal of the Hills Fig at 23 Hampden Street, a magnificent specimen and opening canopy tree of the Hampden Street Avenue planting, noting all options to retain this tree have been exhausted.
- C. Requests that the Director Infrastructure & Sustainability investigate and report back to Council as soon as practicable on the possibility of replacing the Hills Fig tree at 23 Hampden Street, Paddington, with another Hills Fig tree that is sited in the vicinity of the existing specimen, in such a manner (including if necessary the installation of barriers to direct root growth) and maintained on a regular basis, to ensure it does not ultimately grow and encroach upon and put at risk public or private infrastructure.
- D. Requests that the siting of the replacement tree include provision of a new curb blister and landscaping.
- E. Requests staff to give consideration to amending the Street Tree Masterplan to reflect Hills Figs as the preferred species for Hampden Street, Paddington.
- F. Notes Council's resolution to develop an Urban Forest Strategy and affirms Council's commitment to the ongoing care and maintenance of its street tree canopy.

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

Questions With Notice

(Robertson/Shields)

76/21 Resolved:

THAT the Questions with Notice be received and noted.

QWN: 17.1
From: Councillor Price
Subject: Questions with Notice - Survey/Surveillance of Liverpool Street, Paddington

Councillor Price asking:

Can the Director please:

1. Provide an estimate of the staff time and costs involved in investigating, reporting and consulting with the community with respect to:
 - i the proposal to introduce angled parking to Liverpool Street, Paddington; and
 - ii Council's review of resident parking in Paddington.
2. Confirm if Council has the power to carry out a survey and/or surveillance of people parking in Liverpool Street, Paddington.
3. (If Council has such a power) estimate the costs, time and logistics involved with such a survey and/or surveillance.
4. Provide comment on the utility (or otherwise) of Council staff undertaking such a survey and/or surveillance.

Manager Engineering Services in Response:

1. *Provide an estimate of the staff time and costs involved in investigating, reporting and consulting with the community with respect to:*

(i) the proposal to introduce angled parking to Liverpool Street, Paddington; and

Approximately 50 hours of staff time was required to undertake site inspections, community consultations, design preparations and preparation of reports to Traffic Committee and FCS. It should be noted that the total time allocated to this matter includes both the previous investigation undertaken in 2020 and the most recent investigation in March/April 2021.

It is estimated that the total cost to investigate the angle parking in Liverpool Street is in the order of \$5k - \$6k, which includes staff time and administration costs (i.e. printing, letter distribution and corflute's).

(ii) Council's review of resident parking in Paddington;

Council completed a comprehensive review of the resident parking scheme in Paddington in 2018. It is estimated that this review cost Council in the order of \$50k - \$60k, which includes reviewing all Paddington Resident Parking Zones 1-6.

2. *Confirm if Council has the power to carry out a survey and/or surveillance of people parking in Liverpool Street, Paddington.*

Council has the power to undertake parking surveys in local roads. In terms of determining origin/ destination(s) of motorists parking in Liverpool Street, Council Officers cannot compel motorists to provide this type of information.

3. *(If Council has such a power) estimate the costs, time and logistics involved with such a survey and/or surveillance.*

Until further detail surrounding the survey and/or surveillance is determined, it is very difficult to estimate costs and time it would take to complete survey. Costs could range anywhere between \$2k-\$30k depending on the scope of works.

4. *Provide comment on the utility (or otherwise) of Council staff undertaking such a survey and/or surveillance.*

A parking survey could broadly ascertain the number of residents parking in the street by assessing the total number of parked vehicles with resident parking permits. Staff do not recommend undertaking surveillance of motorists parking in the street as these people may be parking legally in accordance with the signposted restrictions.

QWN: 17.2
From: Councillor Price
Subject: Questions with Notice - EV Charging System

Councillor Price asking:

I note Council's resolution of 11 November 2019:

- C. THAT a further report be brought to the Environmental Planning Committee identifying how EV charging systems can be integrated into the public realm to make them more accessible to our community.
- D. THAT an annual update report is brought to the Ecological Sustainability Task Force on the progress of EV technology and relevant EV provisions.

Can the Director please:

1. Direct me to where I can find;
 - (i) a copy of the report in paragraph (C) and also to the annual update report(s) in paragraph (D) (above); and
 - (ii) copies of the minutes of the Ecological Sustainability Task Force (ESTF) on Council's website;
2. Confirm:
 - (i) when the ESTF's terms of reference were last reviewed; and
 - (ii) if the ESTF has any delegated power and if so, the terms of that delegation.
3. Identify the usage rates of the current EV charging stations at Double Bay, Rose Bay and at Council chambers.

Team Leader Environment & Sustainability response:

In response to Question 1:

There has not been a stand-alone report to the Environmental Planning Committee identifying how EV charging systems can be integrated into the public realm to make them more accessible to our community. However, integration of public electric vehicle charging infrastructure, the progress of electric vehicle technology and relevant EV provisions has been discussed at a number of Ecological Sustainability Taskforce meetings since 2016. In addition, the provision of public electric vehicle charging was adopted as an action in the report to Council about the response to the Climate Emergency. The minutes of the Ecological Sustainability Taskforce are reported to the Environmental Planning Committee (formerly Community and Environment Committee). Links to the minutes of relevant meetings are below:

- Ecological Sustainability Taskforce Meeting 8 September 2016: Presentation about EVs in the Eastern Suburbs. Goodhope Street in Paddington was included as a high priority site. Minutes reported to Community and Environment Committee 16 December 2016. The link to the minutes is: https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0006/172824/dec12-16ceage.pdf (pages 19-66)
- Ecological Sustainability Taskforce Meeting 25 September 2018: Update on the Public EV Charging program roll-out, minutes reported to EP on 19 November: https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0010/195346/EP_Agenda_-_19_Nov_2018.pdf (pages 19-24)
- Ecological Sustainability Taskforce Meeting 19 June 2019: Agenda item 'Electric Vehicles: Supporting Uptake'. The minutes were reported to EP on 19 August 2019: https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0010/206947/EP_Agenda_-_19_Aug_2019.pdf (pages 9-13)
- Ecological Sustainability Taskforce Meeting 25 November 2019: Agenda item 'Electric Vehicles Update', including discussion on the need for expediting the roll out of public chargers. Reported to EP on 3 February 2020: https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0020/213518/EP_Agenda_-_3_Feb_2020.pdf (pages 31-36).
- Ecological Sustainability Taskforce 26 May 2020: Climate Emergency Briefing including proposed action to install public EV charging and discussion of intention to install further chargers in line with demand. Reported to EP 6 July 2020: https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0007/218446/EP_Agenda_-_6_Jul_2020.pdf (pages 9-35).
- Environmental Planning Committee 6 July 2020 and Council 27 July 2020: Report on Council's Response to the Climate Emergency Declaration - included as an action item 'Public electric vehicle charging – install additional on-street public electric vehicle charging stations.' https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0007/218446/EP_Agenda_-_6_Jul_2020.pdf (pages 369-378)
https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0004/218974/Council_Agenda_-_27_Jul_2020.pdf (page 11)
- Ecological Sustainability Taskforce Meeting 16 November 2020: Agenda item 'EV Charging in Woollahra'. Included action item for staff to investigate additional on-street public EV charging noting Paddington as a priority area. Minutes reported to EP 8 March 2021: https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0004/238234/EP-Agenda-8-Mar-2021.pdf (pages 23-41)

- Ecological Sustainability Taskforce Meeting 15 February 2021 – progress report on Council’s response to the climate emergency. Discussion of action taken to install additional public EV charging, commencement of investigations in Paddington. Minutes reported to EP 8 March 2021: https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0004/238234/EP-Agenda-8-Mar-2021.pdf (pages 42-55)

In response to Question 2:

The Ecological Sustainability Taskforce Terms of Reference were last reviewed in 2017 and reported with the Ecological Sustainability Taskforce minutes to the Community and Environment Committee on 12 March 2018. No changes were made at this time.

https://www.woollahra.nsw.gov.au/_data/assets/pdf_file/0003/187068/C_and_E_Agenda_-_12_Mar_2018.pdf

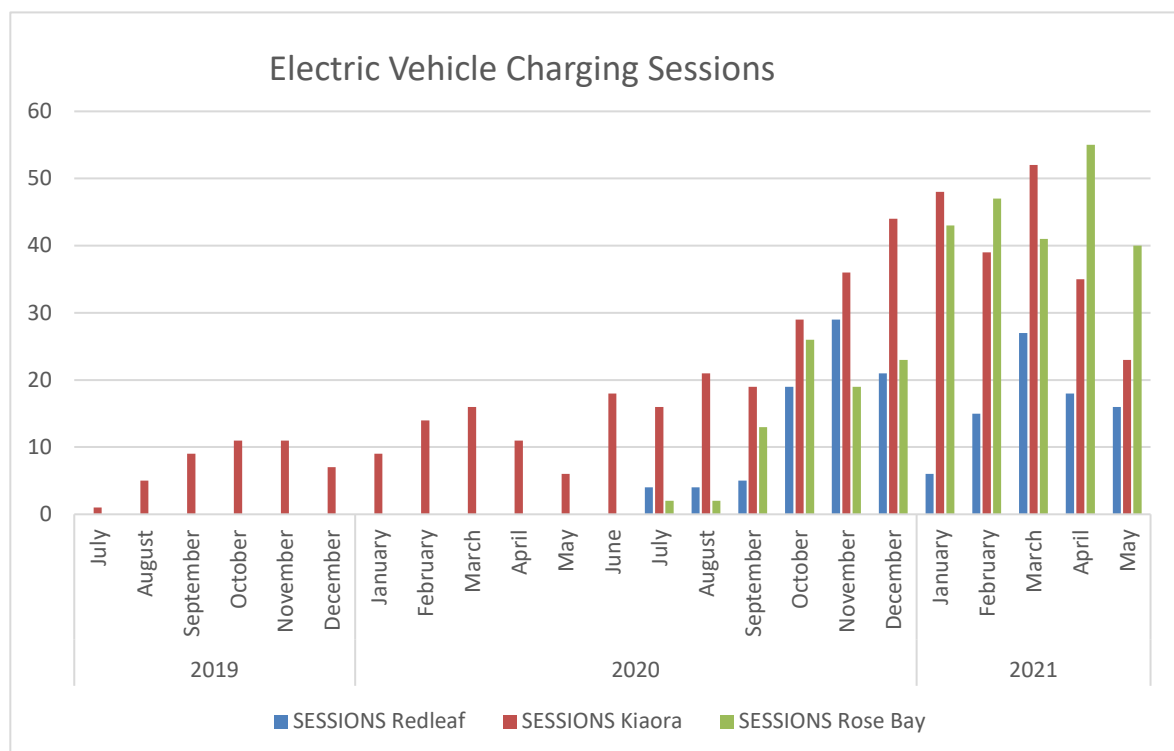
The Ecological Sustainability Taskforce has no delegated power.

In response to Question 3:

Usage at the three chargers has increased significantly since they were installed. The following data is from 1 June 2020 – 19 May 2021:

Site	Number of Charging Sessions	Number of Hours
Double Bay – Kiaora Carpark	380	349
Rose Bay – Norwich Road	311	440
Redleaf – Council carpark	164	342

The following graph shows the uptake in use over time. Note that Redleaf and Rose Bay chargers were installed in July 2020, hence the lack of earlier data.



There being no further business the meeting concluded at 9.00pm.

We certify that the pages numbered 243 to 273 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 24 May 2021 and confirmed by the Ordinary Meeting of Council on 28 June 2021 as correct.

General Manager

Mayor