



Council Meeting

Monday, 9 May 2022
6.30pm

Minutes



Ordinary Council Meeting

Monday 9 May 2022

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Ordinary Council Meeting

Minutes of the Meeting of Woollahra Municipal Council held at the Council Chambers, 536 New South Head Road, Double Bay, on 9 May 2022 at 6.32pm.

Present: Her Worship the Mayor, Councillor Susan Wynne ex-officio
Councillors: Isabelle Shapiro (Deputy Mayor)

Sean Carmichael
Peter Cavanagh - via Zoom
Luise Elsing
Nicola Grieve
Mary-Lou Jarvis (from Item 9.2)
Harriet Price - via Zoom
Lucinda Regan
Matthew Robertson
Richard Shields
Mark Silcocks
Sarah Swan
Merrill Witt
Toni Zeltzer

Staff: Sue Meekin (Director – Corporate Performance)
Carolyn Nurmi (Governance Officer)
Patricia Occelli (Director – Community & Customer Experience)
Tom O’Hanlon (Director – Infrastructure & Sustainability)
Scott Pedder (Director – Planning & Place)
Helen Tola (Manager – Governance & Council Support)

Also in Attendance: Nil

Note: Notice of Motion Item 16.3 (#standwithukraine) was considered prior to Mayoral Minute 10.1 (Update Home Indian Diner).

1. Opening

The Mayor declared the Ordinary Council Meeting of 9 May 2022 open and welcomed Councillors, staff and members of the public who are watching and listening to this evenings meeting.

2. Prayer

The Mayor read the Prayer:

Almighty God, you have given us a beautiful place to live in. We pray for your gift of wisdom that the decisions of this Council may benefit those we serve.

Be with us in our deliberations that this Municipality may know your blessing. Amen.

3. Acknowledgement of Country (Gadigal People and Birrabirrigal People)

The Mayor read the following Acknowledgement of Country:

I would like to acknowledge that we are here today on the land of the Gadigal and Birrabirrigal people, the traditional custodians of the land. On behalf of Woollahra Council, I acknowledge Aboriginal or Torres Strait Islander people attending today and I pay my respects to Elders past, present and emerging.

4. Acknowledgement of the Sovereign of the Day (Queen Elizabeth II)

The Mayor read the following Acknowledgement of the Sovereign of the Day (Queen Elizabeth II):

I also acknowledge Queen Elizabeth II.

5. Confirmation of Minutes

Item No:	5.1
Subject:	CONFIRMATION OF MINUTES COUNCIL - 26 APRIL 2022
Author:	Sue O'Connor, Governance Officer
File No:	22/84417
Purpose of the Report:	The Minutes of the Council of 26 April 2022 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.
Alignment to Delivery Program:	Strategy 11.1 Facilitate community led decision-making that is open, honest and ethical and benefits the broader community.

(Elsing/Shapiro)

1/22 Resolved:

THAT the Minutes of the Council Meeting of 26 April 2022 be taken as read and confirmed.

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

For the Motion

Against the Motion

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

Nil

14/0

6. Leave of Absence and Apologies

Nil.

7. Declarations of Interest

Councillor Robertson declared a Non-Significant, Non-Pecuniary interest in Item 16.4 (Notice of Motion - Lifeline) as Councillor Robertson has previously worked with Margaret Price who is currently the Quality Lead in the Crisis Services Quality and Knowledge Team at Lifeline. Councillor Robertson remained in the meeting, participated in debate and voted on the matter.

8. Late Correspondence

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

9. Petitions Tabled

Petition No: 9.1
From: Callum Weatherall of Bondi Lines Pty Ltd
Tabled by Councillor: Carmichael

The Petition was in terms,

"Petition the Councillors of Woollahra Municipal Council to Keep Indian Home Diner Open Until 3.00am".

(Carmichael/Robertson)

2/22 Resolved:

THAT the petition lie on the table for fourteen (14) days, be considered with Item 10.1 (Mayoral Minute - Update Home Indian Diner), and referred to the relevant Council department.

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

For the Motion

Against the Motion

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

Nil

14/0

Suspension of Standing Orders

(Elsing/Grieve)

3/22 Resolved:

THAT Standing Orders be suspended to allow Ilka Fomin to address Council in relation to Petition 9.2 for a period of four (4) minutes.

Adopted

The Mayor ruled and permitted the Suspension of Standing Orders.

Note: Standing orders were suspended at 6.35pm.

(Elsing/Grieve)

4/22 Resolved:

THAT Standing Orders be resumed.

Note: Standing orders resumed at 8.26pm.

Petition No: 9.2
From: Ivan Palenko, President of Svoboda Alliance NSW Inc
Tabled by Councillor: Elsing

Note: Mr Ilia Fomin addressed Council and presented the Petition.

The Petition was in terms,

“Petition the Councillors of Woollahra Municipal Council to rename street in Sydney (Woollahra NSW) Fullerton Street to Ukraine Heroes Street as solidarity with Ukrainian people in their war Putin’s Russia”.

(Elsing/Grieve)

5/22 Resolved:

THAT the petition lie on the table for fourteen (14) days, be considered with Item 16.3 (Notice of Motion #standwithukraine) and referred to the relevant Council department.

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

For the Motion

Against the Motion

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

Nil

14/0

Suspension of Standing Orders

(Wynne/Carmichael)

6/22 Resolved:

THAT Standing Orders be suspended to consider Item 16.3 (Notice of Motion #standwithukraine).

Adopted

The Mayor ruled and permitted the Suspension of Standing Orders.

Note: Standing orders were suspended at 6.46pm.

Note: Please refer to Item 16.3 for the relevant Council resolution.

(Wynne/Carmichael)

7/22 Resolved:

THAT Standing Orders be resumed.

Note: Standing orders resumed at 8.26pm.

10. Mayoral Minute

Item No: 10.1
Subject: UPDATE HOME INDIAN DINER
Author: Susan Wynne, Mayor
File No: 22/83210
Purpose of the Report: To update Councillors on this matter.

(Wynne/Carmichael)

8/22 Resolved:

THAT Council note the update and acknowledges that Councillors have no authority/power to approve/amend development application decisions.

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

For the Motion

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

15/0

Against the Motion

Nil

11. Public Forum

Nil.

12. General Manager and Officer's Report

Item No:	12.1
Subject:	FINDINGS FROM THE CENTRAL COAST COUNCIL INQUIRY 2022
Author:	Craig Swift-McNair, General Manager
File No:	22/59487
Purpose of the Report:	The purpose of this report is to detail findings of relevance to Woollahra Council that have come from the recent independent inquiry into Central Coast Council.
Alignment to Delivery Program:	Strategy 11.4: Maintain Council's strong financial position.

(Elsing/Silcocks)

9/22 Resolved:

THAT Council:

- A. Note this report titled Findings from the Central Coast Council Inquiry 2022.
- B. Council note the actions already taken by Council staff and ongoing in relation to:
 - ensuring that the community has a transparent view of Council's financial position, and
 - conducting an annual General Managers performance review including criteria for financial performance, and
 - Councillor induction training on governance, financial management and Councillor access to information.
- C. Request the General Manager ensure that all future Monthly Financial reports as tabled at the Finance, Community & Services Committee meetings, are to be tabled as Recommended matters to be referred to full Council for consideration.
- D. Note that the Draft Code of Meeting Practice (to be placed on public exhibition from May 2022), reinforces our commitment and focus on financial implications with regards to Notices of Motion.
- E. Note that the General Manager will investigate appropriate training programs and or courses for Councillors on local government finances.

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

For the Motion

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

Against the Motion

Nil

Councillor Wynne
Councillor Zeltzer

15/0

Item No: 12.2
Subject: **AUDIT, RISK & IMPROVEMENT COMMITTEE (ARIC) MINUTES - 22 MARCH 2022**
Author: Tremayne Lilly, Insurance & Risk Coordinator
Approver: Sue Meekin, Director Corporate Performance
File No: 22/83265
Purpose of the Report: To present the Audit, Risk & Improvement Committee (ARIC) meeting minutes of 22 March 2022.
Alignment to Delivery Program: Strategy 11.6 Minimise risk for Council and the community.

(Swan/Zeltzer)

10/22 Resolved:

THAT the Minutes of the Audit, Risk & Improvement Committee (ARIC) meeting held on 22 March 2022 be received and noted.

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

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Shapiro
Councillor Shields
Councillor Silcocks
Councillor Swan
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Witt

9/6

Item No: 12.3
Subject: **DRAFT CODE OF MEETING PRACTICE (COMP)**
Author: Helen Tola, Manager - Governance & Council Support
Approvers: Sue Meekin, Director Corporate Performance
Craig Swift-McNair, General Manager
File No: 22/77236
Purpose of the Report: To present the Draft Code of Meeting Practice for consideration by Council for the purpose of public exhibition.
Alignment to Delivery Program: Strategy 11.1: Facilitate community led decision-making that is open, honest and ethical and benefits the broad community.

Motion moved by Councillor Swan

Seconded by Councillor Zeltzer

A. THAT Council endorses the Draft Woollahra Municipal Council Code of Meeting Practice for the purpose of public exhibition for a period of 42 days from 11 May 2022 to 22 June 2022, as presented as **Attachment 1**, subject to the following amendments:

1. Clauses 3.12 be amended to read:

A notice of motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;

a. identify the funding source;

or

b. include a request for a report identifying the funding source for the expenditure.

2. Addition of the following note below clause 3.16:

Note: In the event the General Manager or their nominee is unable to respond to a question with notice at the meeting and after the minutes from that meeting are confirmed, the answers must be published on Council's website together with the Agenda and Minutes from that meeting.

3. Clause 4.6 be amended to reference 10.00am.

4. Addition of a new clause 5.34 to allow public to address the meeting via Audio – Visual link.

5. Clause 9.10 be amended to read:

A Mayoral Minute for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;

(a) Identify the funding source; or

(b) Include a request for a report identifying the funding source for the expenditure.

6. Clause 9.14 be amended to reference 10.00am.

7. Clauses 10.9 be amended to read:

A motion or amendment to a motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;

- a. identify the funding source;*
 - or*
 - b. include a request for a report identifying the funding source for the expenditure.*
 8. Clause 10.22 references three (3) minutes and add reference to “A Councillor must not ask a question longer than one (1) minute at any one time”.
 9. Clause 10.23 references three (3) minutes.
 10. Clause 10.30 references to warning bells to align with changes to clauses 10.22 and 10.23 “warning bell once at two (2) minutes and once at three (3) minutes”.
 11. Clauses 18.1, 18.2, and 18.2 time be referenced as 10.30pm.
 12. Clause 18.3 add the following note:

Note: Standard practice at Woollahra Council is than any outstanding matters on the Agenda be referred to the next Council meeting.
 13. Clause 20.24 be amended to reference 10.00am.
 14. Clause 22.3 be revisited by staff during the exhibition period in relation to the tabling of petitions process and whether a it is appropriate to table a petition that reverse decision in a similar way to the City of Sydney.
- B. THAT a further report be prepared to Ordinary Council meeting on the 27 June 2022 following the close of the public exhibition period to consider public submissions received.

Amendment moved by Councillor Price
Seconded by Councillor Grieve

1. Clauses 3.12 be amended to read:

A notice of motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;
 - a. identify the funding source;*
 - or*
 - b. include a request for a report identifying the funding source for the expenditure.*
2. Addition of the following note below clause 3.16:

Note: In the event the General Manager or their nominee is unable to respond to a question with notice at the meeting and after the minutes from that meeting are confirmed, the answers must be published on Council's website together with the Agenda and Minutes from that meeting.
3. Clause 4.6 be amended to reference 12 noon.
4. Addition of a new clause 5.34 to allow public to address the meeting via Audio – Visual link.
5. Clause 9.10 be amended to read:

A Mayoral Minute for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must

either;

- (a) Identify the funding source; or*
- (b) Include a request for a report identifying the funding source for the expenditure.*

6. Clause 9.14 be amended to reference 12noon.

7. Clauses 10.9 be amended to read:

A motion or amendment to a motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;

a. identify the funding source;

or

b. include a request for a report identifying the funding source for the expenditure.

8. Clause 10.22 references five (5) minutes and add reference to "A Councillor must not ask a question longer than one (1) minute at any one time".

9. Clause 10.23 references five (5) minutes.

10. Clause 10.30 references to warning bells to align with changes to clauses 10.22 and 10.23 "warning bell once at four (4) minutes and twice at five (5) minutes".

11. Clauses 18.1, 18.2, and 18.2 time be referenced as 10.30pm.

12. Clause 18.3 add the following note:

Note: Standard practice at Woollahra Council is than any outstanding matters on the Agenda be referred to the next Council meeting.

13. Clause 20.24 be amended to reference 12noon.

14. Clause 22.3 be revisited by staff during the exhibition period in relation to the tabling of petitions process and whether a it is appropriate to table a petition that reverse decision in a similar way to the City of Sydney.

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 Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks
Councillor Witt

Against the Amendment

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Shapiro
Councillor Shields
Councillor Swan
Councillor Wynne
Councillor Zeltzer

(Swan/Zeltzer)

11/22 Resolved:

- A. THAT Council endorses the Draft Woollahra Municipal Council Code of Meeting Practice for the purpose of public exhibition for a period of 42 days from 11 May 2022 to 22 June 2022, as presented as **Attachment 1**, subject to the following amendments:

1. Clauses 3.12 be amended to read:

A notice of motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;

a. identify the funding source;

or

b. include a request for a report identifying the funding source for the expenditure.

2. Addition of the following note below clause 3.16:

Note: In the event the General Manager or their nominee is unable to respond to a question with notice at the meeting and after the minutes from that meeting are confirmed, the answers must be published on Council's website together with the Agenda and Minutes from that meeting.

3. Clause 4.6 be amended to reference 10.00am.

4. Addition of a new clause 5.34 to allow public to address the meeting via Audio – Visual link.

5. Clause 9.10 be amended to read:

A Mayoral Minute for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;

(a) Identify the funding source; or

(b) Include a request for a report identifying the funding source for the expenditure.

6. Clause 9.14 be amended to reference 10.00am.

7. Clauses 10.9 be amended to read:

A motion or amendment to a motion for the expenditure of funds on works and/or services, other than those already provided for in the council's current adopted operational plan, must either;

a. identify the funding source;

or

b. include a request for a report identifying the funding source for the expenditure.

8. Clause 10.22 references three (3) minutes and add reference to "A Councillor must not ask a question longer than one (1) minute at any one time".

9. Clause 10.23 references three (3) minutes.

10. Clause 10.30 references to warning bells to align with changes to clauses 10.22 and 10.23 "warning bell once at two (2) minutes and once at three (3) minutes".

11. Clauses 18.1, 18.2, and 18.2 time be referenced as 10.30pm.

12. Clause 18.3 add the following note:

Note: Standard practice at Woollahra Council is than any outstanding matters on the Agenda be referred to the next Council meeting.

13. Clause 20.24 be amended to reference 10.00am.

14. Clause 22.3 be revisited by staff during the exhibition period in relation to the tabling of petitions process and whether a it is appropriate to table a petition that reverse decision in a similar way to the City of Sydney.

B. THAT a further report be prepared to Ordinary Council meeting on the 27 June 2022 following the close of the public exhibition period to consider public submissions received.

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

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Jarvis
Councillor Shapiro
Councillor Shields
Councillor Swan
Councillor Wynne
Councillor Zeltzer

Against the Motion

Councillor Elsing
Councillor Grieve
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Silcocks
Councillor Witt

8/7

15. Councillor Reports/Councillor Updates (Section 8.4)

Note: Councillor Reports/Councillor Updates are to be confined to condolences, congratulations, presentations and matters ruled by the Chair to be of extreme urgency (in accordance with Section 8.4 of Council's Code of Meeting Practice).

General Item No: 15.1 Return of face-to-face citizenships
Tabled by Councillor: Shapiro

The Deputy Mayor, Councillor Shapiro advised:

Thank you, Madam Mayor. I was honoured to represent you at the first face-to-face Citizenship Ceremony there were two of them last week and it is always such a joyous occasion and I always remind the new citizens that I received my naturalisation in these Chambers over 30 years ago and I still get that thrill, I get a lump in my throat when the National Anthem is sung.

I was particularly touched this time in the first ceremony. There was a mother and her 8 year old daughter from Syria. This little girl made a speech, this 8 year old gorgeous girl dressed up in pink and had hand written a speech on cards about what it was like to leave war-torn Syria. They had to go via Iraq and at age 3 settled in Australia, in Sydney. Her mother had to work 15 hours per day to get her to child care where they were able to learn English and how Sydney is her safe home, and she kept on repeating it, Sydney is safe for us and they are so grateful and they are so happy to be here. I cannot tell you how wonderful it was, she was presented with flowers, and we took photographs of her but this gorgeous little girl talking of the importance of her escape from war-torn Syria to her safe home in Sydney and that was so special and I really wanted to share that all with you. We have photographs on our Facebook and I have her speech written, and that was very special.

The Mayor, Councillor Wynne in response:

I would like to thank Councillor Shapiro for stepping in. I think that was the only Citizenship Ceremony that I have missed. I can't believe it was the first one face-to-face and the mother reached out to me via LinkedIn about this and I am so delighted that our staff and yourself were able to make that happen. What I might do is actually send her poem to the Councillors, it is absolutely beautiful and I am jealous that I missed it.

The Deputy Mayor, Councillor Shapiro further advised:

I have since had an email from her mother and I am hoping that we will find an opportunity to involve the mother and the daughter in Council at some point.

The Mayor, Councillor Wynne in further response:

It is certainly a reminder what is important in life. It was the most beautiful story, so I will do that and I really appreciate you doing that, so thank you for sharing that with everyone and for filling in.

16. Notices of Motion

Item No: 16.1
Subject: NOTICE OF MOTION - LOCAL CHARACTER
From: Councillors Merrill Witt, Luise Elsing and Lucinda Regan
Date: 20 April 2022
File No: 22/84526

(Witt/Elsing)

12/22 Resolved without debate:

THAT Council:

- A. Note that in February 2019 the Department of Planning and Environment (DPE) prepared a Discussion Paper - Local Character Overlays which identified a proposed approach for introducing local character overlays in to the standard instrument Local Environmental Plan (LEP). <https://www.planning.nsw.gov.au/-/media/Files/DPE/Discussion-papers/Local-character-discussion-Paper-2019-02-26.pdf?la=en>
- B. Note that Council resolved on 11 November 2019 to undertake an investigation and prepare a report on the manner in which special local character areas could be identified and protected in the Woollahra Local Government area (WLGA), and that in response, a planning proposal was developed by WLGA and submitted to DPE in December 2020 for this purpose. https://www.woollahra.nsw.gov.au/data/assets/pdf_file/0018/210933/Council_Minutes_-_11_Nov_2019.pdf#page37
- C. Note that in November 2020 DPE placed a draft local character clause and overlay on public exhibition for comment. The proposed clause change would allow for the insertion of local character statements into LEPs using a standardised approach and could lead to partial exclusion of certain State Environmental Planning Policies (SEPPs).
- D. Write to the New South Wales Minister for Planning and Homes seeking:
- (i) clarification on the position in relation to the mechanism to insert local character overlays into the WLGA LEP, and for dealing with the exclusion of operation of relevant SEPPs on this matter; and
 - (ii) clarification on the status and likely date for approval of the WLGA planning proposal to define local character, which has been with the DPE since December 2020; and
 - (iii) confirmation from the Minister that the delay in New South Wales Government State-led reforms on local character matters will not prevent the WLGA from progressing this issue of local importance, consistent with WLGA's local strategic planning framework (noting that local issues are able to be refined at a later date should State-led initiatives supersede them).

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

For the Motion

Councillor Carmichael
Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price

Against the Motion

Nil

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

15/0

Item No: 16.2
Subject: NOTICE OF MOTION - IDAHOBIT
From: Councillors Matthew Robertson and Harriet Price
Date: 29 April 2022
File No: 22/82978

(Robertson/Price)

13/22 Resolved without debate:

THAT Council:

- A. Notes that International Day Against Homophobia, Transphobia, Biphobia and Interphobia (IDAHOBIT), is marked annually on 17 May to:
- i) recognise the World Health Organisation's removal of homosexuality from the Classification of Diseases and Related Health Problems on this day in 1990;
 - ii) celebrate LGBTQIA+ people globally;
 - iii) reflect on the important work done towards eradicating such phobias;
 - iv) acknowledge the challenges and discrimination experienced by many in the LGBTQIA+ community; and
 - v) raise awareness of the work still needed to combat such discrimination.
- B. Notes and reaffirms its resolution of 14 February 2022:
- i) That Council fly the Progress Pride Flag annually during Sydney Mardi Gras, in recognition and celebration of the vibrancy and diversity of our community.
 - ii) Recognises the Woollahra community and Council's long standing support for its local LGBTQIA+ community including our young transgender residents.
- C. Resolves to fly the Progress Pride Flag at Council Chambers on 17 May this year and each year thereafter in:
- i) recognition of IDAHOBIT;
 - ii) celebration of Woollahra's LGBTQIA+ community; and
 - iii) promotion of diversity and inclusion.
- D. Requests the Mayor and staff publicise this initiative through Council's communications and relevant media.
- E. Notes Council's long standing commitment to supporting the LGBTQIA+ community and work currently underway by Council's Community Services Division to develop a Diversity Strategy and requests staff incorporate IDAHOBIT in this plan.

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

For the Motion

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

Against the Motion

Nil

Councillor Silcocks
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

15/0

Item No: 16.3
Subject: NOTICE OF MOTION - #STANDWITHUKRAINE
From: Councillor Luise Elsing
Date: 30 April 2022
File No: 22/85624

Note: This item was considered prior to Item 10.1 (Mayoral Minute – Update Indian Home Diner).

Note: Late correspondence was tabled by Stefan Romaniw OAM and Kateryna Argyrou of Australian Federation of Ukrainian Organisations, Daniel Wolody, President of Ukrainian Council of NSW Inc, Simon Tideswell, Lesia Rudewych of Association of Ukrainians in Victoria, Terry Bodnaruk (2 pieces), Helen Martha Majer, Alex Ilkin, Lina Vitkauske, Luba Kaye, Cassandra Matwisyk, Jim McKay, Ivan Rymovskyy, Liudmila Menetrey, Jurgita Cernaускаite, Michael and Anna Parasyn, Gianni Bercich, Yurii Butkovski, Haran KsnMoba, Nataliya Kozhushna, Diana McParland, Matthew Girvan, Tim O’Keefe, Amy Wong, Anne Marie Griffin, Julian Knysh, Anna Sadovaya, Marta Smerechuk, Linda Cameron, Nataliya Kot, Maria Lubczyk, Oyla Mencinsky, Olena Kozak-King, David McKay, Matt Kofman, Juan Carlos Flores, Katarzyna Fredericks, Kateryna Kich, Andrew Stefanychyn (2 pieces), Kateryna Andrych, Cassandra Matwisyk, Lina Vitkauske, Maksym Chamula, Ilya Fomin President of Svoboda Alliance NSW Inc., Ivan Pavlenko, Nataliia Rocheva, Anna Bourova, Maksym Kozlenko, Natalka Lysenko, Sonia Magdalene, Mark Mindlin, Slava Grigoriev President Svoboda Alliance NSW Inc., Lesia Ilkiw, John Majer, John Berehowyj, Olena Rizk, E Gerasemenko, Andrew Wasiowych, Bohdan Kucheruk, Nataliia Shknieieva, Nader Naderi Torshizi, Helen Samaryan, Vladimir Antropov, Tanja Mikhno (Wilson), Andre Berehovy, Andrew Mencinsky, Kristina Rupsys, K Pondgornna (2 pieces), Jacki Janis, Maria Havryliv, Stefan Mychno, Nina Zaytseva, Sonce Moje, Yuriy Kripak, Zina Kripak, Jin Song, Markian Stefanychyn, Michelle Witton, Jane Malcolm, Tomas Donela, Natalie Trotnar, Kateryna Andrych, Emma Finn, Silviya Kicheva, Anatoliy Tatarow, Daria Struts, Sophie Abbott, Lana Venckus, Irene Flunt, Larissa Hansen, Kateryna Korneva, Peter Shanahan, Michael Trotnar, Trish Kroll, Irene Berehowyj, Kerry Darcovich, Yaryna Martyniuk, Mary Kret, Katherine Smolynec, Vitali Bebekh, Roman Yurchenko, Aleksandr Sabishchykov, Mariya Popovchenko, Olena Kulyk, Dmytro Khokholkov, Tamara Dodd, Nadia Namuren, Olga Igudina, Valeriy Berlet, Tanya Dus, Oksana Hrubskyj, Volodymyr Monastyrskyy, Olga Pavlova, Viktoriya Nenke, Markian Stefanychyn, Taras Mencinsky, Olia Borzyak, Roman Melnyshyn, Vitality Podstreshniy, Robert Layton, Daryna Sarana, Myroslava Padalytsia, Daniel Phillips, Helen and Ian Waldren, Patricia Darcovich, Vera Green & William Green (2 pieces), Mark Orlievsky, Anastasiya Lovovskaya, Marta Mencinskyj, Anastasia Iwanec, Antonia Bondarchuk, Vitalli Vitko, Ksenia Pavluk, Adam Havryliv, Sunny Haslinger, Irina Konstantynyuk, Lev Havryliv, Ihor Konstantunuk, Max Mikhov, Sonia Keda, Simone Haslinger, Irina Skrypnychuk, Peter Tonello, Michael Venis, Helen Havryk, Nick Bramich, Sergey Turyatko, Yaniv Weintraub Elia, Maria Clarke, Olga Weintraub Elia, Andrew Mykhaylyk, Artiom Molchanov, Ruslan Osmonov, Mahendra Singh, Jill Hutchison, Greg Lvoff, Mark Sywak, Alexander Zaytsev, Yuriy Staryk, Mikhail Pereiaslavski, Lilia Kalchenko, Lara Pereiaslavski, Larissa Naumova, Natallia Yakovchuk, Kateryna Kovalyshyn, Yuliya Taranova, Allan Li, Anna Ivanova, Elena Kelareva, Ivan Pavlov, Dmytro Rogozin, Jenny Boyko, Roman Kostenetsky, Oksana Wainwright, V.Shalkivskyi – Embassy of Ukraine, Franko Bradica, Anton Gorlin, Margaret Bowman, Nikolai Matiouk, Simon Mykolajenko, Radan Kocourek, Alina Kirievsky, Mayya Podsosonnaya, Natalya Dawson (Bahn), Jen O’Meara, Andrei Frolov, Tetayana Pyanova, Diahn Armstrong, Christina Orysia Borec, Valerei and Sergei Burov, Natalie Karp, Stephany Berehowyj, Olga Voronina, Orysia Spinner, Dr

Stephen Duma, Julia Gudz, Galina Aleshin, Elena, Paul Springthorpe, Oleksiy Volkov, Oksana Grynevych, Vitaliy Ryk, Marta Blows, Mykola Pinkevych, Elena Atroshchenko, Olga Pinkevych, Tatianna Kopychynski, Marina Zeider, Darya Moldavska, Yuri Kuhta, Sophia Trotnar, Chrystyna Wowk, Raymond Wowk, Andrew Gillies, Vitalii & Gana Mykytenko (2 pieces), Andriy Antonov, Roman Menshov, Yuri Shukost, Bogdan, Dr Alexandra Sidorenko, Anna Aires, Maria Czornecki, Tetyana Kovalchuk, Natalia Poloziuk, Anna Fedorova, Daniel Flunt, Tanya Karliychuk, Kieran Doyle, Ed Kovalev, Tanya Unterberger, Anatol Romanov, Ludmila Soboleva, Mark Mindlin, Andrei Patrushev, Alice Messere, Radan Kocourek, Julia Semeniuk and Luda Popenhagen.

Note: The Council amended Part A, Part B and added new Part C of the recommendation.

(Elsing/Robertson)

14/22 Resolved:

THAT Council undertake the necessary processes to:

- A. As a matter of urgency Council commences community consultation with residents of Fullerton Street, Woollahra and prepare a further report advising on progress and feedback regarding renaming of Fullerton Street to Ukraine Street
- B. Simultaneously with part A, Council initiates the application with the Geographical Names Board to change the name of Fullerton Street to Ukraine Street
- C. Mayor writes to all candidates contesting for the seat of Wentworth (in the Federal Election) to request that the number of humanitarian visas be increased.

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

Councillor Jarvis

13/1

Item No: 16.4
Subject: NOTICE OF MOTION - LIFELINE
From: Councillors Sean Carmichael and Isabelle Shapiro
Date: 03 May 2022
File No: 22/83794

Note: Councillor Robertson declared a Non-Significant, Non-Pecuniary interest in this Item as Councillor Robertson has previously worked with Margaret Price who is currently the Quality Lead in the Crisis Services Quality and Knowledge Team at Lifeline. Councillor Robertson remained in the meeting, participated in debate and voted on the matter.

(Carmichael/Shapiro)

15/22 Resolved without debate:

THAT Council:

- A. Note Lifeline is opening its first crisis support centre in the Eastern Suburbs (located in Westfield Bondi Junction);
- B. Recognise the value a locally based Lifeline centre brings to our own community; and
- C. Explore how Woollahra can best help the centre successfully establish itself, with a report brought to a future Council meeting detailing opportunities and recommended action.

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

For the Motion

Against the Motion

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

Nil

15/0

Item No: 16.5
Subject: NOTICE OF MOTION - UPPER COOPER DOG OFF LEASH
From: Councillors Nicola Grieve and Sarah Swan
Date: 04 May 2022
File No: 22/84743

Note: The Council amended part A and Part B of the Resolution.

(Grieve/Swan)

16/22 Resolved:

- A. As part of the LGA wide review of dog controls, that staff undertake community consultation to determine community views on the :
1. Changing the current status of "Dogs On Leash" to "Dogs Off Leash" on the Upper Cooper Field (the amphitheater flat field) in Cooper Park.
 2. Creating a designated 'Fenced off dog area' for part of Cooper Park.
- B. THAT a further report and recommendation be prepared following the community consultation within an aim to table the report to the FC&S Committee in August 2022.

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

For the Motion

Against the Motion

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

Nil

15/0

17. Questions With Notice

(Shapiro/Robertson)

17/22 Resolved:

THAT the Questions with Notice be received and noted.

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

For the Motion

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

Against the Motion

Nil

15/0

QWN: 17.1

From: Councillor Price

Subject: Questions with Notice - Recent announcement by Dave Sharma MP concerning federal funding of \$500,000 to 'improve disability access to Redleaf Beach'.

Councillor Price asking:

Can the General Manager please provide particulars of the funding and:

1. Confirm when Council made an application for funding and provide details of the terms of the Commonwealth Grant Scheme;
2. Confirm if the funding is contingent on a Council contribution and if so, the quantum of that contribution;
3. Detail the scope and timing of the works and confirm if the works will include wheelchair access to the Murray Rose Pool; and
4. If Council did not apply for funding, please provide details of how the funding was secured.

Acting General Manager in response:

Responses the questions raised are provided in italics below.

1. Confirm when Council made an application for funding and provide details of the terms of the Commonwealth Grant Scheme;

On 11 April 2022, Council's General Manager was advised in a letter from the Deputy Prime Minister, in his capacity as Minister for Infrastructure, Transport and Regional Development, that up to \$500,000 would be made available to Woollahra Municipal Council under the Community Development Grants Programme, for the Redleaf Access Project.

This offer of funding is the culmination of discussions which took place in October and November 2021 between The Mayor, the General Manager and David Sharma MP, Member for Wentworth. Further to those discussions, Council staff prepared a list of suitable projects which could attract grant funding from the Australian Government. The Redleaf Access project was one of the projects on that list.

2. Confirm if the funding is contingent on a Council contribution and if so, the quantum of that contribution;

It is not clear from the information provided in the letter of 11 April whether the grant is contingent on a Council contribution. In the coming weeks, Council staff will be liaising with officers of the Department of Infrastructure, Transport and Regional Development to clarify this and other details of the funding offer. It is noted that the estimated cost of the Redleaf Access Project is in the order of \$1.2 - \$1.4m and our understanding at this stage is that the grant funding is limited to \$500k. Completion of the project will therefore require additional funding of approximately \$700k - \$900k.

3. Detail the scope and timing of the works and confirm if the works will include wheelchair access to the Murray Rose Pool; and

The Redleaf Access Project will be known to some Councillors as it is essentially the same as a project endorsed by Council in February 2021 for submission to the NSW Government Public Spaces Legacy Program. The broad scope of the project is to enhance accessibility from New South Head Road, through Blackburn Gardens to the Redleaf café area providing wheelchair/pram access. The scope will include regrading and widening of the existing pathway from the St Brigid's lift, leading down to a new lift which will allow people access to the promenade to utilise the Redleaf Café and change rooms. Other landscaping works including retaining walls and changes to footpath connections are also proposed. A viewing platform with seating will be constructed adjacent to the new lift.

The current scope of the project does not provide for wheelchair access to the water but this is envisaged as a possible future link. It is anticipated that the project would be completed within 12 months of the full funding for the project being available.

4. If Council did not apply for funding, please provide details of how the funding was secured.

See response to Q1.

QWN: 17.2
From: Councillor Grieve
Subject: Questions with Notice - DAs for demolitions

Councillor Grieve asking:

How many DAs for demolitions without a plan for the replacement building have been approved in the last 5 years?

1. How many of these demolitions were approved under staff delegation?
2. How many of these were for RFBs?
3. How many of these were interwar RFBs?

Manager Development Control in response:

The table below indicates the number of Development Applications including Complying Development Certificates consented to/issued in the last 5 years where the scope of the development was for **demolition only**.

	2017	2018	2019	2020	2021	2022
Development Applications (DAs)	0	1	0	0	1	0
Complying Development Certificates (CDCs)	1	1	5	2	5	4

Note: The CDCs for **demolition only** have been facilitated via SEPP (Exempt and Complying Code) 2008 and been issued by Private Certifiers.

In total, only 2 DAs were approved where the scope of the development was for **demolition only**.

These DAs are listed below and were approved under Staff Delegation.

1. DA 296/2021/1 - 590 New South Head Road and 2A Wunulla Road, Point Piper (Inter-War flat Buildings not listed as heritage items nor considered to meet the threshold for heritage listing by Council's Heritage Officer)
2. DA 29/2018/1 - 590 New South Head Road and 2A Wunulla Road, Point Piper (Inter-War flat Buildings not listed as heritage items nor considered to meet the threshold for heritage listing by Council's Heritage Officer).

QWN: 17.3
From: Councillor Grieve
Subject: Questions with Notice - DA Approvals

Councillor Grieve asking:

When will we receive the advice on what restrictions we can impose on the delegation from the General Manager to staff to approve Development Applications (DAs) at S34 conference that was committed to in the first meeting of the Council on the 5 January 2022?

Manager Governance & Council Support in response:

The Council at its Extraordinary Council Meeting on the 5 January resolved in part that:

C. THAT Council:

- (i) notes in accordance with statutory requirements a further review and report to Council of the delegations to the Mayor and General Manager will be undertaken within 12 months of the 4 December 2021 local government election; and*
- (ii) requests that in that review the General Manager give consideration to the introduction of criteria for the exercise of the delegation to resolve and settle section 34 conferences in the Land and Environment Court; and*
- (iii) requests the General Manager to present the further review to Council by 30 June 2022.*

In line with the resolution it is anticipated that a report will be presented to Council for consideration by 30 June 2022.

There being no further business the meeting concluded at 10.15pm.

We certify that the pages numbered 1 to 26 inclusive are the Minutes of the Ordinary Meeting of Woollahra Municipal Council held on 9 May 2022 and confirmed by the Ordinary Meeting of Council on 23 May 2022 as correct.

General Manager

Mayor