



Extraordinary Council



Agenda

Monday 6 April 2020

5.30pm

Meeting to be held using conferencing technology (refer to details over page)

Compliance with social distancing requirements to limit the spread of COVID-19 virus at Council and Committee Meetings:

Amendments have been made to the *Local Government Act 1993* to allow councils to meet remotely to reduce the risk of COVID-19 and ensure compliance with the Public Health Order.

Woollahra Council will be holding Council and Committee meetings remotely using conferencing technology. The Mayor, Councillors and staff will be participating in meetings by an audio-visual link instead of attending in person.

Members of the public are invited to listen to meetings by either using conferencing technology or by teleconference. Public participation online or by phone will be managed in accordance with meeting procedures.

Information on how to join the meeting will be available on Council's website www.woollahra.nsw.gov.au/council on the day of the meeting.

If you are experiencing any issues in joining the meeting please call (02) 9391 7001.

A recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

Disclaimer:

By speaking at a Council or Committee Meeting members of the public consent to their voice and personal information (including name and address) being recorded and publicly available on Council's website.

Accordingly, please ensure your address to Council is respectful and that you use appropriate language and refrain from making any defamatory statements or discriminatory comments.

Woollahra Council does not accept any liability for statements, comments or actions taken by individuals during a Council meeting.

Any part of the meeting that is held in closed session will not be recorded.

People connecting to this meeting by conferencing technology or teleconference are reminded that under the *Local Government Act 1993*, the recording of meetings by a member of the public using any electronic recording device including a mobile phone or video camera is not permitted. Any person found recording without the permission of Council may be expelled from the meeting.

The recording of each meeting will be retained on Council's website for a minimum period of 6 months. After that period has passed, recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

For further information please visit www.woollahra.nsw.gov.au

Ordinary and Extraordinary Council Meeting Membership: 15 Councillors (including the Mayor)

Woollahra Municipal Council

Notice of Meeting

2 April 2020

To: Her Worship the Mayor, Councillor Susan Wynne ex-officio
Councillors Richard Shields (Deputy Mayor)
Peter Cavanagh
Claudia Cullen
Luise Elsing
Mary-Lou Jarvis
Anthony Marano
Nick Maxwell
Megan McEwin
Harriet Price
Lucinda Regan
Matthew Robertson
Isabelle Shapiro
Mark Silcocks
Toni Zeltzer

Dear Councillors,

Extraordinary Council – 6 April 2020

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Extraordinary Council** meeting to be held remotely using conferencing technology, **on Monday 6 April 2020 at 5.30pm.**

Councillors and members of the public are advised that we will be holding Council and Committee meetings remotely using conferencing technology (until further notice). Information on how to join the meeting will be available on Council's website www.woollahra.nsw.gov.au/council on the day of the meeting.

A recording of the meeting will be uploaded to Council's website the next business day.

The safety of our community, Councillors and our staff is Council's number one priority and we thank you for your patience and understanding at this time.

If you have any difficulties accessing the meeting please contact (02) 9391 7001.

Gary James
General Manager

Extraordinary Meeting Agenda

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10. Mayoral Minute

Item No: 10.1
Subject: COUNCIL'S RESPONSE TO COVID-19
Author: The Mayor, Councillor Susan Wynne
File No: 20/55407
Reason for Report: To provide Council with an update on Council's response to community concerns in relation to COVID-19.

Note: The Mayoral Minute will be circulated separately prior to the Council Meeting.

13.1 Environmental Planning Committee

Items with Recommendations from the Committee Meeting of Monday 16 March 2020 Submitted to the Council for Determination

Item No:	R1 Recommendation to Council
Subject:	PLANNING PROPOSAL HERITAGE LISTING OF SYDNEY CROQUET CLUB, ROSE BAY
Author:	Shona Lindsay, Heritage Officer
Approvers:	Chris Bluett, Manager - Strategic Planning Allan Coker, Director - Planning & Development
File No:	20/38625
Reason for Report:	To respond to Council's resolution of 23 April 2018 to investigate the heritage listing of the Sydney Croquet Club. To obtain Council's approval to prepare a planning proposal to list the Sydney Croquet Club as a heritage item in Woollahra Local Environmental Plan 2014. To obtain Council's approval for the planning proposal to be referred to the Woollahra Local Planning Panel for advice.

Recommendation:

- A. THAT a planning proposal be prepared to list the *Sydney Croquet Club (clubhouse, moveable heritage items and lawns)* as a heritage item in *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.
- D. THAT following the progress of the local heritage listing through the public exhibition process, a report be brought to the relevant Council committee addressing submissions received and also the nomination for State heritage listing.
- E. THAT a report on the leasing arrangements and maintenance of the Sydney Croquet Club be prepared for consideration by the relevant committee of Council.
- F. THAT Council commits to achieving grant funds from the NSW Heritage Office for the ongoing maintenance of the Croquet Club building and grounds.

Item No: R2 Recommendation to Council
Subject: **SHOPPING TROLLEY MANAGEMENT**
Authors: Colin DeCosta, Coordinator Regulatory Services
Jacquelyne Della Bosca, Executive Planner
Approver: Allan Coker, Director - Planning & Development
File No: 20/28445
Reason for Report: To respond to a notice of motion to undertake a review of measures to control and manage abandoned shopping trolleys in public streets in the Municipality.

Recommendation:

- A. THAT Council notes the report to the Environmental Planning Committee meeting of 16 March 2020 on measures that can be taken to control and manage abandoned shopping trolleys.
- B. THAT Council supports standard conditions of consent that require development for new supermarkets and other retailers with 20 or more shopping trolleys to install a trolley barrier system, and prepare a shopping trolley management plan to address matters regarding containment, tracking and collection of unattended trolleys.
- C. THAT Council make a submission to the NSW Government's review of the *Impounding Act 1993* outlining the following position and recommendations:
- the Impounding Act is not effective for dealing with unattended shopping trolleys
 - retailers with 20 or more trolleys be required to have the store/owner identification and contact details on every trolley, and
 - Councils be given the power to issue infringement notices to retailers if their trolleys are left unattended in a public place for longer than 24 hours.
1. Suggest the inclusion of a recommendation whereby the Government explores the installations and use of tracking technology for use by retailers of 20 or more trolleys as a means of tracking trolleys (i.e. adopting similar technology used by ShareBikes).

13.2 Finance, Community & Services Committee

Items with Recommendations from the Committee Meeting of Monday 16 March 2020 Submitted to the Council for Determination

Item No: R1 Recommendation to Council

Subject: **DOUBLE BAY CENTRE PARKING METERS**

Authors: Aurelio Lindaya, Manager Engineering Services
Emilio Andari, Traffic & Transport Team Leader

Approver: Tom O'Hanlon, Director - Technical Services

File No: 20/37901

Reason for Report: Response to Notice of Motion which seeks to investigate the provision of 30 minute or 1 hour free ticket parking in the metered parking areas of Double Bay.

Note: Late correspondence in relation to this matter will be circulated prior to the meeting.

Recommendation:

- A. THAT Council support the introduction of 30 minute free ticket on-street parking at Double Bay parking meters.
- B. THAT a further report be prepared in relation to parking technologies for Double Bay including exploration of number plate recognition infrastructure at Cross Street and Cosmopolitan car parks.
- C. THAT Council write to the Minister for Transport regarding the loophole of NSW Rule 207-3 (6) (b) regarding enforceability of parking without a free ticketing parking ticket.

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).

16. Notices of Motion

Item No: 16.1
Subject: NOTICE OF MOTION - STREET PLAY INITIATIVE
From: Councillors Matthew Robertson, Peter Cavanagh, Megan McEwin and Anthony Marano
Date: 16/03/2020
File No: 20/45062

THAT Council:

1. Notes Waverley Council's *Street Play Initiative* is currently being trialled in four streets on Sunday afternoons allowing children to play in the streets of their local community.
 2. Requests staff liaise with their Waverley counterparts and report to Council on the feasibility of undertaking a similar trial in Woollahra, giving priority to streets in the Paddington and Cooper Wards.
-

Item No: 16.2
Subject: NOTICE OF MOTION - 'PLAY STREETS AND LANEWAYS'
PILOT PROGRAM
From: Councillors Harriet Price and Luise Elsing
Date: 16/03/2020
File No: 20/44653

THAT Council:

1. Notes:
 - (a) Its Delivery Program 2018-2021 and Operational Plan 2019-2020, including its priority to 'Plan for community, cultural and recreational facilities to ensure they reflect community needs and aspirations'¹;
 - (b) Its prioritised action items to:
 - (i) complete a Recreational Needs Analysis; and
 - (ii) develop a LGA wide strategy for play spaces; and
 - (c) Recent initiatives by Inner West Council and Waverley Council to create 'Play Street and Laneways.'
2. Investigates trialling a pilot to create 'Play Streets and Laneways';
3. Identifies suitable trial locations for the pilot;
4. Determines suitable times and durations for the closure of streets and laneways;
5. Consults with the community to establish:
 - (a) suitable locations;
 - (b) clear goals and selection criteria (including but not limited to):
 - (i) prioritisation of streets in areas with small backyards and limited access to open space;
 - (ii) the minimisation of traffic impacts to residents, businesses and surrounding streets;
 - (iii) street surfaces and surrounds that are suitable and safe;
 - (iv) reasonable distribution of trial locations throughout the municipality;
 - (v) the willingness of one or more volunteers to locally organise and liaise with Council;
 - (vi) identify measurement processes to evaluate the success of the initiatives against the criteria;
6. Consults with relevant state authorities and stakeholders;
7. Allocates a suitable budget (including identifying any appropriate grant funding); and
8. Requests staff to provide a report detailing the above (including an implementation strategy).

¹ Delivery Program 2018-2021 and Operational Plan 2019-2020 at 5.1.1 p.56.

Background

Many communities in Britain and the United States have initiated ‘Playing Out’ programs, whereby roads and laneways are pedestrianised for an hour or two each week to allow children to play safely near their homes.²

These programs provide positive benefits for children and communities including that:

- Children like to play near home and have traditionally done so;
- Children need ample space to play energetically;
- Playing in the street increases community cohesion as well as creating a sense of security and belonging; and
- Streets constitute the vast majority of public space in urbanised environments.

The ‘Playing Out’ movement and play street model has inspired action internationally and locally. Inner West Council³ and Waverley Council⁴ have recently trialled similar pilot programs.

With open space becoming more contested and the urgent need to encourage more active outdoor play, Council needs to think creatively to deliver new open space and recreation facilities - including adopting spaces such as streets and laneways for shared recreation opportunities.

² www.playingout.net

³ www.innerwest.nsw.gov.au ‘This Sydney Council wants to block cars so kids can play in the street’ Sydney Morning Herald, 13 January 2019

⁴ www.waverley.nsw.gov.au ‘Playing Out: Waverley’s kids are reclaiming the streets from cars’ Sydney Morning Herald, 14 March 2020

Item No: 16.3
Subject: NOTICE OF MOTION - EMERGENCY DELEGATIONS
(COVID-19)
From: Councillor Toni Zeltzer
Date: 30/03/2020
File No: 20/54730

Note: Legal advice as to the appropriate wording for a Emergency Delegation is being sort by the General Manager and will be made available prior to the meeting.

THAT due to the fast changing environment, and daily upgrading of government regulations relating to the spread of Corona virus (COVID-19) the Mayor be given powers to make decisions on behalf of council without the need for a formal meeting of councillors either as a physical meeting or by phone.

Background

Delays in decisions making can impact on mitigating the spread of the virus. Such delays have the potential for spreading the infection and worse. The mayor has acted in a most diligent, expedient and considerate way thus far. Our faith, trust and confidence should be afforded to her to make the right decisions on behalf of council as we action limitations in the spread of the virus and initiate any programs or initiatives in direct response to the impact of the virus.

Currently the infection rates are doubling every 3-4 days, so a three day notification for an EGM of council in order to pursue any effective action is non-sensical.

Mayor Wynne has had long experience of 12 years on council, knows our community well and is across council processes. There is no doubt she will serve the best interests of our local people and the broader community.

Note: Councillor Zeltzer has indicated that she may vary the Notice of Motion subject to legal advice being sort by the General Manager.

Item No: 16.4
Subject: **NOTICE OF MOTION - INCREASE BUDGET AMOUNT FOR THE PREVENTION OF DOMESTIC AND FAMILY VIOLENCE AND THE PROTECTION OF ITS VICTIMS DURING COVID 19**
From: Councillor Luise Elsing
Date: 31/03/2020
File No: 20/53749

THAT Council resolve to:

1. quadruple the current budget amount for the prevention of domestic and family violence and the protection of its victims, effective immediately,
2. that the benefits be applied under the established programme (to families with children) and be applied fairly,
3. write to state and federal government advising of this resolution, and
4. investigate federal and state government grants available to support the prevention of domestic and family violence and the protection of its victims.

Background

In April 2018 Council passed the following resolution:

THAT Council requests staff to prepare and submit a report on the prevention of domestic and family violence and the protection of its victims to the relevant Council committee which:

- 1 articulates Council's commitment to supporting the prevention of domestic and family violence and the protection of its victims,*
- 2 considers mechanisms for financial support including partnering with an existing provider to deliver support including providing temporary accommodation and other resources in the Woollahra Municipality, exclusively for domestic and family violence victims,*
- 3 recommends a budget allocation for the prevention of domestic and family violence and the support and protection of its victims for inclusion in the Council budget for 2018 / 2019 and subsequent years,*
- 4 Council writes to the State Government advising of this resolution.*

The 2018 resolution was passed in response to the levels experience of family and domestic violence in the Woollahra LGA, the recognition that Woollahra is not a priority for State Government and that Woollahra Council is best positioned and has the responsibility and the funds to provide services to the victims of family and domestic violence. Feedback has been that the programme works well and funding has been increased. We know that the reduction of family and domestic violence helps break the cycle of family violence.

COVID 19 has meant the following for victims of family and domestic violence:

1. families under more pressure including financial and increase in mental health issues,
2. families are forced to stay home,
3. “Family violence perpetrators using COVID-19 as 'a form of abuse we have not experienced before”,
4. “Domestic abuse advocates warn of an increase in violence amid coronavirus crisis”,
5. potential release of perpetrators from judicial system, and
6. community services are under pressure and less available.

Woollahra Council has the resources, an established programme of delivery and must increase and accelerate the provision of services to victims during COVID 19 on an urgent basis.

<https://www.abc.net.au/news/2020-03-29/coronavirus-family-violence-surge-in-victoria/12098546>

<https://www.abc.net.au/news/2020-03-20/domestic-violence-spike-amid-coronavirus-crisis/12074726>

<https://www.theguardian.com/world/2020/mar/28/covid-19-will-slam-the-door-shut-australias-family-services-brace-for-domestic-violence-spikecommunity>

Item No: 16.5
Subject: NOTICE OF MOTION - RESPONSE TO COVID-19
From: Councillor Harriet Price
Date: 1/04/2020
File No: 20/54962

THAT Council:

A. Notes:

1. that the COVID-19 pandemic (**the Pandemic**) is an unprecedented public health emergency causing an economic crisis;
2. its obligation to the community to respond appropriately to the Pandemic, (especially given that the Municipality has a significant proportion of our community in the age group regarded as most vulnerable);
3. the need to take a strong leadership role during the Pandemic and contribute to provide services and make decisions that are in the best interests of the community as a whole; and
4. that as at 6pm, 31 March 2020, the Woollahra Local Government Area has 81 confirmed cases of COVID-19.

B. Directs:

That staff prepare a report to the Finance Community and Services Committee addressing the budget implications, timing and practicalities of implementing the following Pandemic support measures and initiatives;

1. Increasing funding to the Holdsworth Centre to address the increase in demand for community services;
2. Establishing a hotline/concierge service run by specifically trained staff to handle inquiries and provide services to residents, small businesses and other community groups seeking information and support (including support available to them via the Council as well as State and Federal initiatives);
3. Reviewing and increasing funding for Council's Placemaking Grants and Community and Cultural Grants (including a review of extending submissions dates);
4. Developing a digital inclusion and social connection support service (including the creation of online support groups and other e initiatives);
5. Liaising with voluntary and non-government agencies to link offers of donations and volunteers with organisations or individuals requiring additional support;
6. Amending and Reviewing Council's Financial Hardship Policy and updating it terms and criteria to specifically address financial impacts caused by the Pandemic (including consideration of revised criteria for rate abatement, rate deferrals and structured payment plans);
7. Exploring ways of delivering key library services (such as author talks, tech talks, rhyme time etc) in a digital interactive format; and
8. Exploring ways in which library staff, kindergarten staff and any other staff members can 'pivot', be redeployed or re-skilled to assist with the implementation and roll out of any (or all) of the above measures.

Background

We are living in extraordinary times. The World Health Organisation has declared Coronavirus (COVID-19) a global pandemic, and its impacts on the health of the Australian community and economy have become acute.

As of 1 April 2020, there are 4707 COVID-19 confirmed cases of COVID 19 in Australia, 2182 in NSW (81 of which are in the Woollahra Local Government Area).

Our community is facing a very serious public health crisis. Council is working with State and Federal directives and guidelines, including through implementing physical distancing measures essential in containing the spread of the virus and to protect our community's health.

These extraordinary measures are having serious impact on the livelihoods of our community and our economy. We also face a mental health crisis as people lose their jobs, experience housing stress and uncertainty – as well as for many the loneliness in isolation.

The implications of physical distancing and isolation will have severe impacts on our mental health. With the increasing closure of essential services, a reduction in volunteers, and the disconnection of existing groups with limited digital access, our vulnerable community members are significantly at risk.

Council must support our community through this crisis, in a carefully planned and financially sustainable manner. A number of innovate measures should be considered, costed and implemented.

Item No: 16.6
Subject: NOTICE OF MOTION - COUNCIL AND COMMITTEE MEETING CYCLE (COVID-19)
From: Councillors Toni Zeltzer and Peter Cavanagh
Date: 2/04/2020
File No: 20/55420

- A. THAT Council move to once a month Council Meeting cycle until 30 September 2020 as a consequence of the impact of the Coronavirus guidelines on Council operations.
- B. THAT the General Manager, in liaison with the Mayor, be requested to review all Committee functions and meeting schedules to accommodate Council Business being limited to statutory, essential or urgent public interest decisions which require resolutions of the Council together with Committees meeting no more than once per month as well.

Background

A total of 4 Committee meetings plus 2 Council meetings a month conducted by teleconferencing is excessive in the current environment.

The workload on staff to produce reports, issue agendas and conduct teleconferencing meetings and produce meeting minutes on a WFH working environment is not reasonable, particularly 1st and 3rd Monday's where 2 Committee meetings are conducted.

WLPP meetings are still to occur on a teleconference basis which will further increase demand on staff time. DA determination is essential.

17. Questions With Notice

Recommendation:

THAT the Questions with Notice be received and noted.

Background:

A Councillor may, by way of notice, ask a question for response by the General Manager or their nominee, in accordance with Council's adopted Code of Meeting Practice. Where a response, or an update will be provided at the Council Meeting, a response of 'On Notice' is listed in the Council Agenda.

The following Questions with Notice for the Council Meeting on 6 April 2020 have been received.

QWN: 17.1
From: Councillor Price
Subject: Questions with Notice - COVID19 Virus

Councillor Price asking:

Can the General Manager please confirm what (if any):

- a. new cleaning regimes have been implemented for Council's highly utilised facilities (such as its libraries and the Woollahra Preschool);
- b. steps have been taken to increase public awareness and educate the community on the importance of hand washing (including the introduction of signage, website updates and the provision of hand sanitisers in its facilities); and
- c. advice Council has received concerning the utility (or otherwise) of disinfecting outdoor public spaces.

General Manager in response:

The safety of our community and our staff is Council's number one priority.

Sanitisation and cleaning regimes were increased at the following locations prior to their closure (i.e. Council Chambers, Libraries and the Woollahra Preschool). Public health announcements continue to be promoted via Council's website, social media and in Council facilities. Hand hygiene reminders are on display along with the provision of hand sanitisers for use by members of the public and staff at Council facilities.

Further details include a summary of the action we have taken to minimise the likely impact of the virus on the community and businesses continue to be updated and is available on Council's website: woollahra.nsw.gov.au

Following discussion with industry counterparts, Council staff formed the view that broad scale disinfecting of outdoor public spaces would not be feasible or an effective strategy for infection control. The only effective means by which members of the public can reduce their risk of infection while in the public domain is to practice regular hand hygiene and social distancing.

Political Donations: Matters to be considered by Councillors at Council and/or Committee Meetings

