



WAVERLEY
COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 21 MARCH 2017**

Present:

Councillor Sally Betts (Mayor) (Chair)	Hunter Ward
Councillor Tony Kay (Deputy Mayor)	Waverley Ward
Councillor Joy Clayton	Bondi Ward
Councillor Andrew Cusack	Lawson Ward
Councillor Leon Goltsman	Hunter Ward
Councillor Miriam Guttman-Jones	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Bill Mouroukas	Waverley Ward
Councillor Ingrid Strewé	Waverley Ward
Councillor John Wakefield	Bondi Ward
Councillor Dominic Wy Kanak	Bondi Ward

Staff in attendance:

Cathy Henderson	Acting General Manager
Linda Bathur	Acting Director, Waverley Life
Peter Monks	Director, Waverley Futures
Emily Scott	Acting Director, Waverley Renewal
Jane Worthy	Internal Ombudsman

At the commencement of proceedings at 6.32 pm, those present were as listed above, with the exception of Cr Wakefield who arrived at 6.38 pm.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Mayor read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

1. Apologies/Leaves of Absence

Apologies were received and accepted from Cr Burrill.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest and none were received.

3. Addresses to Council by Members of the Public

- 3.1 M Worthington (on behalf of BIKEast) – CM/7.1/17.03 – Draft Bronte Park and Beach Plan of Management – Exhibition.
- 3.2 M Worthington (on behalf of BIKEast) – CM/7.2/17.03 – Bondi Junction Cycleway Project – Update.
- 3.3 M Cox – CM/8.3/17.03 – Bondi Pavilion Upgrade – Costs Report.

4. Confirmation and Adoption of Minutes

CM/4.1/17.03 Confirmation of Minutes - Council Meeting - 21 February 2017 (SF17/81)

MOTION / DECISION

Mover: Cr Mouroukas
Seconder: Cr Goltsman

That the minutes of the Council Meeting held on 21 February 2017 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/4.2/17.03 Confirmation of Minutes - Waverley Traffic Committee Meeting - 23 February 2017 (SF17/81)**MOTION / DECISION**

Mover: Cr Kay
Seconder: Cr Mouroukas

That:

1. Part 1 of the Minutes of the Waverley Traffic Committee Meeting held on 23 February be received and noted, and that the recommendations contained therein be adopted.
2. The recommendation contained in item TC/TEACV.01/17.02 – Multiple Streets – Installation of ‘No Stopping’ Zones, dealt with by the Committee at its meeting on 23 February 2017 as a Part 1 item, be adopted.

Cr Wakefield was not present for the vote on this item.

5. Mayoral Minutes

There were no mayoral minutes.

6. Obituaries

Arkady Lipovetsky

Margot Mary Duncan

Council rose for a minute's silence for the souls of people generally who have died in our Local Government Area.

7. Reports**CM/7.1/17.03 Draft Bronte Park and Beach Plan of Management - Exhibition (A16/0168)****MOTION / UNANIMOUS DECISION**

Mover: Cr Cusack
Seconder: Cr Mouroukas

That Council:

1. Places the draft Bronte Park and Beach Plan of Management (attached to this report) on public exhibition for the statutory period of 28 days, in accordance with section 38 of the *Local Government Act*, subject to the following amendments:
 - (a) Delete the proposed new path that runs from the east of the tram terminus to the children's playground through the small Norfolk Pine forest. Retain shaded grassed area under trees. Rationalise and improve paths around the bus terminus to link with the driveway. Install bubbler.

- (b) Delete the proposed new path that runs from the bus terminus south-east around a picnic shelter to the centre of promenade. Retain the existing path on the actual desire line to the centre of the promenade.
 - (c) Delete proposed new concrete steps down into park from proposed crossing realignment. Retain grassed banks under palms for passive seating.
 - (d) As an accessible path is already provided in this position, the terminus, delete proposed new accessible path that runs from proposed new concrete steps west to the terminus and to the existing accessible path. Rationalise and improve the existing entrances and accessible path at the terminus that runs to centre of the promenade at beach.
 - (e) Delete the following text from page 61:

‘Replace timber arris rail fencing with more transparent balustrade to ensure walk recesses into the landscape thereby improving way finding on coast walk’.
 - (f) Investigate whether the path to the viewing area above the change rooms is accessible.
2. Notes that Crown Lands NSW will receive a copy of the draft Plan of Management.
 3. Notes that officers will provide a further report to Council following public exhibition.

M Worthington (on behalf of BIKEast) addressed the meeting.

CM/7.2/17.03 Bondi Junction Cycleway Project - Update (A14/0193)

MOTION

Mover: Cr Kay
Seconder: Cr Mouroukas

That Council:

1. Notes that all outstanding issues identified by key government, business and community stakeholders on the Bondi Junction Cycleway concept design have been resolved.
2. Notes that the Technical Working Group (comprising senior representatives from TfNSW, RMS, Sydney Buses, NSW Police, BIKEast and Council staff)-supported cycleway route is along Oxford Street between Bondi Road and York Road via Spring Street between Bronte Road and Denison Street.
3. Refers the Technical Working Group-supported concept design for the Bondi Junction Cycleway, between Adelaide Street and York Road, to the Waverley Traffic Committee for consideration.
4. Notes that a future Council report will consider recommendations by TfNSW to improve pedestrian safety at the Bronte Road/Spring Street intersection.
5. Updates key business and community stakeholders with project progress as detailed in this report.
6. Notes that RMS have agreed to fully fund the Bondi Junction Cycleway/Streetscape project from Bronte Road to York Road and part fund the cycleway/streetscape project from Adelaide Street to Bronte Road. A concept design for the interim and long-term cycleway solutions in Oxford Street, between Adelaide Street and Bondi Road, are currently being prepared and will support a funding

application to the RMS.

7. Approves the Mayor to write a letter to RMS/Transport for NSW seeking that they reconsider their funding proposal for the section of cycleway in Oxford Street, between Bronte Road and Adelaide Street, and agree to 100% funding on the basis that it is an integral connection between Bondi Junction and the Sydney CBD, as without it the Bondi Junction Cycleway could not proceed.
8. Notes that the proposed cycleway plans referred to Waverley Traffic Committee will include design treatments and proposed infrastructure that must prohibit cycling in Oxford Street Mall when the Bondi Junction Cycleway is implemented.
9. Notes that the Waverley Traffic Committee will consider traffic movements and impacts of proposed intersection treatments along Oxford Street as part of its assessment of the Technical Working Group-supported concept design for the Bondi Junction Cycleway, and decide whether further traffic modelling is needed to inform the detail design.
10. Convenes a meeting with RMS and Transport for NSW (TfNSW) to continue to pursue the investigation of a cantilevered separated cycleway along Syd Einfield Drive.

AMENDMENT

Mover: Cr Wy Kanak

Seconder: Cr Clayton

That the Motion be adopted subject to clause 8 being amended to read as follows:

‘Notes that the proposed cycleway plans referred to Waverley Traffic Committee will include design treatments and proposed infrastructure that must deter cycling in Oxford Street Mall when the Bondi Junction Cycleway is implemented.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Clayton, Guttman-Jones, Masselos and Wy Kanak.

Against the Amendment: Crs Betts, Cusack, Goltsman, Kay, Mouroukas, Strewe and Wakefield.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

Cr Clayton was not present for the vote on this item.

M Worthington (on behalf of BIKEast) addressed the meeting.

CM/7.3/17.03 Draft Central District Plan and Towards our Greater Sydney 2056 - Submission (A16/0717)

MOTION / DECISION

Mover: Cr Kay

Seconder: Cr Betts

That:

1. Council defers consideration of the draft submission to the Greater Sydney Commission on the Draft Central District Plan and ‘Towards our Greater Sydney 2056’ pending a Councillor workshop to be held on 28 March 2017 to discuss issues in the draft submission.

2. If Council cannot for any reason hold the workshop, that the Director, Waverley Futures, be delegated to lodge the attached submission on behalf of Council.

Division

For the Motion: Crs Betts, Clayton, Cusack, Goltsman, Guttman-Jones, Kay, Masselos, Mouroukas, Strewe and Wakefield.

Against the Motion: Cr Wy Kanak.

CM/7.4/17.03 Proposed Changes to the Environmental Planning and Assessment Act 1979 - Submission (A11/0500)

MOTION / DECISION

Mover: Cr Betts

Seconder: Cr Kay

1. Council defers consideration of the draft submission to the Department of Planning and Environment on the proposed changes to the *Environmental Planning and Assessment Act 1979* pending a Councillor workshop to be held on 28 March 2017 to discuss issues in the draft submission.
2. If Council cannot for any reason hold the workshop, that the Director, Waverley Futures, be delegated to lodge the attached submission on behalf of Council.

Division

For the Motion: Crs Betts, Clayton, Cusack, Goltsman, Guttman-Jones, Kay, Masselos, Mouroukas, Strewe and Wakefield.

Against the Motion: Cr Wy Kanak.

CM/7.5/17.03 Transition Project Unit - Update (A16/0054)

MOTION / UNANIMOUS DECISION

Mover: Cr Goltsman

Seconder: Cr Mouroukas

That Council receives and notes this report.

CM/7.6/17.03 Investment Portfolio Report - January 2017 (A03/2211)

MOTION / DECISION

Mover: Cr Cusack

Seconder: Cr Kay

That Council:

1. Receives the Investment Portfolio Report – January 2017.
2. Notes that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders and Council's Investment Policy.

CM/7.7/17.03 Investment Portfolio Report – February 2017 (A03/2211)**MOTION / UNANIMOUS DECISION**

Mover: Cr Cusack
Seconder: Cr Kay

That Council:

1. Receives the Investment Portfolio Report – February 2017.
2. Notes that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders and Council's Investment Policy.
3. Formally thanks the Executive Manager, Financial Waverley, and the Finance section for including in the report on page 277 of the agenda a comparison between non-fossil fuel lending and fossil fuel lending.

8. Notices of Motion**CM/8.1/17.03 Ausgrid - Tree Pruning and Overhead Wires (A16/0670)****MOTION / UNANIMOUS DECISION**

Mover: Cr Strewe
Seconder: Cr Kay

That Council:

1. Receives a report on progress with the implementation of the motion that Council agreed to on 15 November 2016 concerning the manner in which Ausgrid advises on and manages tree pruning in the Waverley LGA.
2. Requests that Ausgrid enter into discussion with Council on a plan for enhanced overhead wire bundling in the LGA.

CM/8.2/17.03 Waverley Environmental Sustainability Advisory Committee - Extension of Term (A10/0022)**MOTION / UNANIMOUS DECISION**

Mover: Cr Goltsman
Seconder: Cr Kay

That Council:

1. Extends the term of the Waverley Environmental Sustainability Advisory Committee for a period up to twelve months from 21 March 2017.
2. Reviews and amends the current charter as required.

CM/8.3/17.03 Bondi Pavilion Upgrade - Costs Report (A15/0272)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Masselos

That:

1. In regard to the Bondi Pavilion project, a report be prepared for Councillors and any future Council detailing:
 - (a) The costs to date of consultants to prepare plans and reports.
 - (b) Future estimates costs for consultants.
2. Non-confidential aspects of the report be made public.
3. Commentary be provided by Council officers on the level of staffing involved in this project.

*M Cox addressed the meeting.***9. Urgent Business**

There were no items of urgent business.

10. Closed Session

There were no matters dealt with in closed session

11. Meeting Closure**THE MEETING CLOSED AT 8.26 PM.**

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SIGNED AND CONFIRMED
MAYOR
12 APRIL 2017