



WAVERLEY  
COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING  
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON  
TUESDAY, 18 JULY 2017**

**Present:**

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

**Staff in attendance:**

Cathy Henderson	Acting General Manager
Rachel Jenkin	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 6.30 pm, those present were as listed above, with the exception of Cr Wakefield, who arrived at 6.34 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 Masselos.

Cr Strewe was previously granted a leave of absence for this meeting

### **2. Declarations of Pecuniary and Non-Pecuniary Interests**

The Chair called for declarations of interest and the following were received:

- 2.1 Cr Guttman-Jones declared a pecuniary interest in Item CM/4.2/17.07 – Adoption of Minutes – Waverley Traffic Committee Meeting – 22 June 2017 (TC/V.05/17.06 – 8 Owen Street, North Bondi – Construction Zone), and informed the meeting that she is the owner of the property. Cr Guttman-Jones advised that she will leave the Chamber for this item.
- 2.2 Cr Guttman-Jones declared a pecuniary interest in Item CM/4.2/17.07 – Adoption of Minutes – Waverley Traffic Committee Meeting – 22 June 2017 (TC/V.06/17.06 – Owen Street, North Bondi – Construction Zone (421 Old South Head Road)), and informed the meeting that the property is across the road from where she lives. Cr Guttman-Jones advised that she will leave the Chamber for this item.
- 2.3 Cr Clayton declared a less than significant non-pecuniary interest in Item CM/4.2/17.07 – Adoption of Minutes – Waverley Traffic Committee Meeting – 22 June 2017 (TC/V.02/17.06 Multiple Streets – Installation of ‘No Stopping’ Zones), and informed the meeting that she lives nearby.

### **3. Addresses to Council by Members of the Public**

- 3.1 R Hyamson – CM/4.2/17.07 – Adoption of Minutes – Waverley Traffic Committee Meeting – 22 June 2017.
- 3.2 C Munro – CM/7.1/17.07 – Planning Proposal at 194–214 Oxford Street and 2 Nelson Street, Bondi Junction – Post-exhibition Report.
- 3.3 H Parry-Husbands – CM/7.1/17.07 – Planning Proposal at 194–214 Oxford Street and 2 Nelson Street, Bondi Junction - Post-exhibition Report.
- 3.4 E Kleiner – CM/8.5/17.07 – Clarifying the Facts on Bondi Pavilion.

- 3.5 M Cox – CM/8.5/17.07 – Clarifying the Facts on Bondi Pavilion.
- 3.6 A resident – CM/8.5/17.07 – Clarifying the Facts on Bondi Pavilion.

#### 4. Confirmation and Adoption of Minutes

##### **CM/4.1/17.07 Confirmation of Minutes - Council Meeting - 20 June 2017 (SF17/81)**

##### **MOTION**

Mover: Cr Goltsman  
Seconder: Cr Mouroukas

That the minutes of the Council Meeting held on 20 June 2017 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting, subject to 'a Councillor' being replaced with 'Cr Wakefield' at the bottom of page 14, so that the relevant paragraph now reads as follows:

'BEFORE CR BETTS ENTERED THE CHAMBER, CR WAKEFIELD LEFT THE CHAMBER, LEAVING THE MEETING WITHOUT A QUORUM. THE COUNCILLORS PRESENT WERE CRS KAY, BURRILL, CUSACK, GOLTSMAN, MASSELOS AND MOUROUKAS.'

##### **AMENDMENT**

Mover: Cr Wakefield  
Seconder: Cr Wy Kanak

That the Motion be adopted subject to the paragraph at the bottom of page 14 being amended to read as follows:

'BEFORE CR BETTS ENTERED THE CHAMBER, CR WAKEFIELD LEFT THE CHAMBER WHEN THE CONFIDENTIAL MEETING WAS PAUSED, AS THE DOOR WAS OPEN AND THE MEETING COULD NO LONGER FUNCTION AS A CONFIDENTIAL MEETING. THE COUNCILLORS PRESENT WERE CRS KAY, BURRILL, CUSACK, GOLTSMAN, MASSELOS AND MOUROUKAS.'

AT THIS STAGE IN THE PROCEEDINGS, AND IN ACCORDANCE WITH CL 11.15 OF THE CODE OF MEETING PRACTICE, CR WAKEFIELD MOVED A PROCEDURAL MOTION THAT THE AMENDMENT BE NOW PUT.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED.

THE AMENDMENT WAS THEN PUT AND DECLARED LOST.

##### **Division**

**For the Amendment:** Crs Wakefield and Wy Kanak.

**Against the Amendment:** Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Kay and Mouroukas.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

##### **Division**

**For the Motion:** Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Kay, Mouroukas and Wakefield

**Against the Motion:** Cr Wy Kanak.

**DECISION:** That the Motion be adopted.

**CM/4.2/17.07 Adoption of Minutes - Waverley Traffic Committee Meeting - 22 June 2017 (SF17/98)**

*Cr Guttman-Jones declared a pecuniary interest in Item TC/V.05/17.06, and informed the meeting that she is the owner of the property. Cr Guttman-Jones also declared a pecuniary interest in Item TC/V.06/17.06, and informed the meeting that the property is across the road from where she lives. Cr Guttman-Jones was not present at, or in sight of, the meeting for the consideration and vote on the minutes.*

*Cr Clayton declared a less than significant non-pecuniary interest in Item TC/V.02/17.06, and informed the meeting that she lives nearby.*

**MOTION / DECISION**

Mover: Cr Kay  
Seconder: Cr Mouroukas

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 22 June 2017 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/V.01/17.06 – Wairoa Avenue, North Bondi – ‘P Motor Bikes Only’.

And that this item be dealt with separately below.

*R Hyamson addressed the meeting.*

**CM/4.2.1/17.07 Adoption of Minutes - Waverley Traffic Committee Meeting - 22 June 2017 - TC/V.01/17.06 - Wairoa Avenue, North Bondi - ‘P Motor Bikes Only’ (A02/0637-02)****MOTION / UNANIMOUS DECISION**

Mover: Cr Kay  
Seconder: Cr Mouroukas

That the matter be deferred for a reassessment by the Traffic Committee, and that the affected residents be notified of the meeting.

*Cr Guttman-Jones was not present for the consideration and vote on this item.*

**5. Mayoral Minutes**

There were no mayoral minutes.

## 6. Obituaries

Graham Endycott

Solomon Geller

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

## 7. Reports

### **CM/7.1/17.07 Planning Proposal at 194-214 Oxford Street and 2 Nelson Street, Bondi Junction - Post-exhibition Report (PP-1/2015)**

#### **MOTION / UNANIMOUS DECISION**

Mover: Cr Betts

Seconder: Cr Burrill

That Council:

1. Not supports the planning proposal at 194–214 Oxford Street and 2 Nelson Street, Bondi Junction, for the following reasons:
  - (a) The proposed height and floor space ratio will result in an overdevelopment of the site and will present an unacceptable built form scale, particularly to Oxford Street.
  - (b) The proposal has not sufficiently addressed the impacts of bulk and scale, and is not sympathetic to and does not provide an acceptable transition to the heritage items on the subject site (Norfolk Island Pine), in the surrounding area (Nelson Hotel) and Centennial Park.
  - (c) The majority of community feedback received opposes the proposal, with 69% of objections relating to increased traffic congestion, lack of parking and pedestrian safety.
  - (d) The value of the public benefits offered as part of the planning proposal are not aligned with the expected value uplift of the proposal and does not comply with the Council's Planning Agreement Policy 2014. No planning agreement has therefore been entered into as part of this planning proposal.
  - (e) The proposal does not provide affordable rental housing in accordance with the benchmarks stated in the draft District Plans, and is not consistent with Council's methodology for valuing uplift.
  - (f) The proposal is inconsistent with the recommendations of the Government Architect's Office Final Report on the West Oxford Street Precinct Plan.
  - (g) Inconsistency with the following directions under Waverley Together 3:
    - (i) L5a – Ensure planning controls for new buildings and building upgrades deliver high quality urban design that is safe and accessible, in which heritage and open space is recognised, respected and protected.
    - (ii) L5b – Protect and maintain heritage significant buildings while ensuring they are fit for

use.

- (iii) L5c – Consider the use of planning controls and agreements to provide improvements to built infrastructure.
- (h) The 2013 Traffic Study (prepared by GTA Consultants) is inadequate as follows:
- (i) The modelling is not acceptable due to the length of time since the survey was carried out.
  - (ii) The intersection modelling, whilst acknowledging the existing congestion at the Oxford Street/Nelson Street intersections, does not provide any solutions.
  - (iii) The intersection models need to be modelled as a network rather than individual intersections.
  - (iv) The report fails to consider the impact of the proposed development on surrounding roads and local amenity.
  - (v) The report does not address the issue of vehicles exiting the Osmund Lane shared lane into Nelson Street
2. Agrees to forward this report and any other relevant information to the Department of Planning and Environment (DPE), acting as a delegate of the Greater Sydney Commission, to make a final decision regarding the planning proposal.
  3. Publishes an information sheet on Council's website explaining what actions developers have in regard to planning proposals.

**Division**

**For the Motion:** Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Kay, Mouroukas, Wakefield and Wy Kanak.

**Against the Motion:** Nil.

*C Munro and H Parry-Husbands addressed the meeting.*

**CM/7.2/17.07 Draft Waverley Creative Lighting Strategy (A16/0292)**

**MOTION / DECISION**

Mover: Cr Burrill  
 Seconder: Cr Cusack

That Council:

1. Authorises the public exhibition of the Draft Waverley Creative Lighting Strategy attached to this report for a period of 28 days.
2. Notes that a report will be presented to Council following the public exhibition period summarising the outcomes of the feedback and next steps.
3. Progresses the Bronte Cutting lighting concept (section 8.5.5 of the Draft Waverley Creative Lighting Strategy) to detailed design in accordance with design principles proposed in the Strategy, and then conducts a community consultation on the design, as lighting was identified as a safety priority

within the Bronte Park Plan of Management community consultation.

*Crs Guttman-Jones and Wakefield were not present for the vote on this item.*

**CM/7.3/17.07                      Evaluation of Tender - Gardiner Early Education Centre (EEC) Landscape Upgrade (A17/0074)**

**MOTION / DECISION**

Mover:        Cr Burrill  
Seconder:     Cr Cusack

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential in accordance with section 10A(2)(c) of the *Local Government Act 1993*. The attachment contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.
2. Enters into a contract under clause 178 of the *Local Government (General) Regulation 2005* with The Gardenmakers Pty Ltd for the Gardiner Early Education Centre Landscape Upgrade.

*Crs Guttman-Jones and Wakefield were not present for the vote on this item.*

**CM/7.4/17.07                      Operations Committee - Delegation to Determine Tenders (A02/0649)**

**MOTION / DECISION**

Mover:        Cr Mouroukas  
Seconder:     Cr Cusack

That Council:

1. Notes the amendment to s 377(1)(i) of the *Local Government Act 1993* that permits a council to delegate to the general manager or any other person or body the function of determining tenders other than those for the provision of services currently provided by council staff.
2. Delegates to the Operations Committee the authority to determine tenders, other than those for the provision of services currently provided by Council staff.
3. Notes that the Operations Committee has no authority under s 377(1) of the Act to vary Council's budget for the tendered service or product.

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

*Cr Wy Kanak requested that it be recorded in the minutes that he voted against the Motion.*

**CM/7.5/17.07 Trade Debtors Policy - Review (A16/0865)****MOTION / UNANIMOUS DECISION**

Mover: Cr Cusack  
Seconder: Cr Mouroukas

That Council:

1. Adopts the Trade Debtors Policy attached to this report.
2. Fixes \$2,500 (including GST) as the amount above which debts may be written off only by resolution of Council, in accordance with clause 213(2) of the *Local Government (General) Regulation*, noting that the General Manager can write off debts not greater than this amount.
3. For any future contracts with debt recovery agencies, considers inclusion of a contract requirement for notification of bad debts to a credit reporting agency at an earlier stage than is possible under current arrangements.
4. Receives a quarterly report outlining details of the debts written off by the General Manager.

**CM/7.6/17.07 Rates and Charges Policy - Review (A16/0865)****MOTION / UNANIMOUS DECISION**

Mover: Cr Kay  
Seconder: Cr Cusack

That Council:

1. Adopts the Rates and Charges Policy attached to this report.
2. Fixes \$100 as the amount above which rates and charges may be written off only by resolution of Council, in accordance with clause 131(1) of the *Local Government (General) Regulation*, noting that the General Manager can write off rates and charges not greater than this amount.

**CM/7.7/17.07 Investment Portfolio Report - June 2017 (A03/2211)****MOTION / UNANIMOUS DECISION**

Mover: Cr Cusack  
Seconder: Cr Burrill

That Council:

1. Receives the Investment Portfolio Report – June 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/7.8/17.07          Petition - Waverley Multi-purpose Courts and Parking for Residents (A02/0638)****MOTION / UNANIMOUS DECISION**

Mover:      Cr Mouroukas

Seconder:   Cr Kay

That the petition requesting the extension of parking restrictions and patrols by parking officers in streets adjacent to the Waverley multi-purpose courts, Bondi Junction, be forwarded to the Executive Manager, Creating Waverley, and the Executive Manager, Customer First, for appropriate action.

**8.      Notices of Motion****CM/8.1/17.07          Bronte Park Plan of Management - SAMP Funding for Maintenance (A16/0168)****MOTION**

Mover:      Cr Burrill

Seconder:   Cr Cusack

Given the POM is a 10-year action plan with funding allocated through SAMP and the LTFP for its implementation, that an allocation is made from the approved SAMP Parks budget from 2017/18 in order to undertake high priority repair/maintenance works within Bronte Park including:

1.      Painting of picnic shelters within park.
2.      General repair, painting and/or varnishing of any damaged/aged seats within the park.
3.      Replacement of worn 'Welcome' signs at major entry points and on the promenade.

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING PROCEDURAL MOTION WAS MOVED BY CR WAKEFIELD AND SECONDED BY CR WY KANAK:

'That this item be deferred, without further debate, to the next Council meeting.'

THE PROCEDURAL MOTION WAS PUT AND DECLARED LOST.

**Division**

**For the Procedural Motion:**      Crs Clayton, Guttman-Jones, Wakefield and Wy Kanak.

**Against the Procedural Motion:**      Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

CR BURRILL AND CR CUSACK, AS MOVER AND SECONDER OF THE SUBSTANTIVE MOTION, THEN ACCEPTED AN AMENDMENT TO THE MOTION BY CR KAY SUCH THAT IT NOW READ AS FOLLOWS:

'That Council agrees that, due to the Bronte Park Plan of Management consultation and community feedback, the existing commitment from operations staff to undertake high priority repair/maintenance works in Bronte Park in 2017/18 using the funds already allocated from the Strategic Asset Management Plan budget be pursued, including:

1.      Painting of picnic shelters within park.
2.      General repair, painting and/or varnishing of any damaged / aged seats within the park.
3.      Replacement of worn "Welcome" signs at major entry points and on the promenade.'

**UNANIMOUS DECISION:** That the Substantive Motion be adopted.

**CM/8.2/17.07            Violence Prevention, Intervention and Respectful Relationships (A15/0451)****MOTION / UNANIMOUS DECISION**

Mover:        Cr Burrill  
Seconded:    Cr Goltsman

That Council:

1. Prepares and implements an internal communication campaign for employees informing them of the tools and resources available on violence prevention, intervention and respectful relationships.
2. Reviews relevant HR policies and procedures to promote and ensure gender equality in the workplace and to strengthen Council's stance in relation to anti-bullying legislation.
3. Identifies smaller projects or activities which demonstrate Council's support of White Ribbon both internally and externally with users of Council's services.
4. Identifies opportunities for collaboration with relevant organisations and/or neighbouring Councils to hold combined community events or activities or to provide support to organisations offering relevant support services in this area.
5. Officers prepare a report for Council consideration that identifies outcomes achieved and actions recommended.

**CM/8.3/17.07            Reservoir Perimeter Plantings (A08/0562-03)****MOTION / UNANIMOUS DECISION**

Mover:        Cr Mouroukas  
Seconded:    Cr Kay

That Council:

1. Undertakes an assessment of existing planting on the boundary of the Sydney Water reservoir bordering Council Street, St James Street and Waverley Park in Bondi Junction.
2. Prepares a simple landscape plan for appropriate trees/shrubs to screen the infrastructure, in consultation with Sydney Water and seeking approval where necessary.
3. Implements the planting program in 2017/18 using funds allocated to Waverley Park.

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

**CM/8.4/17.07            Review of Council's Approach to Illegal Dumping (A06/1732)****MOTION / UNANIMOUS DECISION**

Mover:        Cr Kay  
Seconded:    Cr Goltsman

That:

1. Council reviews our existing approach to illegal dumping throughout the LGA from both a responsive (customer complaint led) and a proactive (planning) basis with a view to improving street cleanliness and the overall look and feel of Waverley, without compromising our strategic waste targets. The

review should consider the current approach to illegal dumping from waste collection, education and compliance perspectives, benchmark Waverley against best practice approaches by other Councils and identify opportunities for improvement.

2. Council officers report back to Council with recommendations for improvement that include instant impact 'quick wins' and longer-term changes on how we can better address illegal dumping and clean up our municipality.
3. Council notes previous motions relating to illegal dumping, and officers incorporate the suggested changes from the review into previous motions and current practice.

**CM/8.5/17.07 Clarifying the Facts on Bondi Pavilion (A15/0272)**

**MOTION**

Mover: Cr Goltsman  
Seconder: Cr Cusack

That:

1. In the light of the misinformation which has unfortunately affected community understanding of the Bondi Pavilion Upgrade and Conservation Project, the General Manager prepares an urgent report for the next Council meeting outlining a plan of how Council can ensure that the community has the correct information.
2. Council notes the fact that at no time has it been Council's intention to privatise or demolish the Bondi Pavilion.
3. Council notes that it is also Council's intention to ensure current community useable space is retained or enhanced in the upgraded Bondi Pavilion.

**AMENDMENT 1**

Mover: Cr Wy Kanak  
Seconder: Cr Wakefield

That the Motion be adopted subject to clause 1 being amended to read as follows:

'In the light of the misinformation which has unfortunately affected community understanding of the Bondi Pavilion Upgrade and Conservation Project, the General Manager prepares an urgent report for the next Council meeting outlining a plan of how Council can ensure that the community has the correct information, and that this plan includes taking into consideration submissions from members of the community that outline incorrect information in that provided by Council to the community, and that the process also includes releasing information requested by the community under the *Government Information (Public Access) Act*, including all the original option plans that were proposed for the Bondi Pavilion upgrade.'

AT THIS STAGE IN THE PROCEEDINGS, AND IN ACCORDANCE WITH CL 11.15 OF THE CODE OF MEETING PRACTICE, CR BURRILL MOVED A PROCEDURAL MOTION THAT THE AMENDMENT BE NOW PUT.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED.

THE AMENDMENT WAS THEN PUT AND DECLARED LOST.

**AMENDMENT 2**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the Motion be adopted subject to the addition of the following clause:

‘Council notes that over 700 residents opposed the initial plans.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

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

**Against the Amendment:** Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

**AMENDMENT 3**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the Motion be adopted subject to clause 1 being amended to read as follows:

‘In the light of the misinformation which has unfortunately affected community understanding of the Bondi Pavilion Upgrade and Conservation Project, the General Manager prepares an urgent report for the next Council meeting outlining a plan of how Council can ensure that the community has the correct information. The General Manager is instructed that only new information be put into this report.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

**AMENDMENT 4**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the Motion be adopted subject to the addition of the following clause:

‘Council notes that the initial motions in regard to the Pavilion met with unanimous support of Council, and only after the budget and the plans for the Pavilion were extended to \$40 million, and the level of community opposition became evident, did Council’s position require the casting vote of the Mayor to be frequently used to pass motions.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

**AMENDMENT 5**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the Motion be adopted subject to the addition of the following clause:

‘Council notes that no decision has been made in regard to level one, so no statistics as to one type of space versus another can be accurate.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

**AMENDMENT 6**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the Motion be adopted subject to the deletion of clause 3.

THE AMENDMENT WAS PUT AND DECLARED LOST.

**AMENDMENT 7**

Mover: Cr Wakefield  
Seconder: Cr Wy Kanak

That the Motion be adopted subject to clause 1 being amended to read as follows:

'In the light of the misinformation which has unfortunately affected community understanding of the Bondi Pavilion Upgrade and Conservation Project, the General Manager prepares an urgent report for the next Council meeting outlining a plan of how Council can ensure that the community has the correct information, which includes disclosure of the general nature about the financial impacts of revenue to Council versus costs to Council of Stage 1.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

**For the Amendment:** Crs Guttman-Jones, Wakefield and Wy Kanak.

**Against the Amendment:** Crs Betts, Burrill, Cusack, Goltsman, Kay and Mouroukas.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

**Division**

**For the Motion:** Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Kay and Mouroukas.

**Against the Motion:** Crs Wakefield and Wy Kanak.

**DECISION:** That the Motion be adopted.

*E Kleiner, M Cox and a resident addressed the meeting.*

**CM/8.6/17.07 Waverley Public Art Plan - Inclusion of Bondi Pavilion (A05/0416)****MOTION**

Mover: Cr Burrill  
Seconder: Cr Goltsman

That:

1. As endorsed by the Public Art Committee, the Bondi Pavilion be included in the Waverley Public Art Masterplan as the next site for the commissioning and installation of public art in the Waverley LGA.
2. The work specifically addresses local indigenous themes and stories, and the work must include an indigenous artist, commissioned in consultation with the La Perouse Local Aboriginal Land Council.
3. The Public Art Masterplan be updated to reflect the new priority order.
4. Council refers Council's resolution to the Eastern Region Local Government Aboriginal and Torres Strait Islander Forum (ERLGATSIF) for information.

**AMENDMENT (WITHDRAWN)**

Mover: Cr Wy Kanak  
Seconder: Cr Wakefield

That the Motion be adopted subject to clause 2 being amended to read as follows:

'The work specifically addresses local indigenous themes and stories, and the work must include an indigenous artist, commissioned in consultation with the La Perouse Local Aboriginal Land Council, and best

practices outlined by organisations such as Artists in the Black, the Indigenous Art Code and Create NSW.'

CR BURRILL AND CR GOLTSMAN, AS MOVER AND SECONDER OF THE SUBSTANTIVE MOTION, THEN ACCEPTED AN AMENDMENT TO THE MOTION BY CR WY KANAK SUCH THAT IT NOW READ AS FOLLOWS:

'That:

1. As endorsed by the Public Art Committee, the Bondi Pavilion be included in the Waverley Public Art Masterplan as the next site for the commissioning and installation of public art in the Waverley LGA.
2. The work specifically addresses local indigenous themes and stories, and the work must include an indigenous artist, commissioned in consultation with the La Perouse Local Aboriginal Land Council.
3. The Public Art Masterplan be updated to reflect the new priority order.
4. Council refers Council's resolution to the Eastern Region Local Government Aboriginal and Torres Strait Islander Forum (ERLGATSIF) for information.
5. Council's processes observe best practices as outlined by organisations such as Artists in the Black, the Indigenous Art Code and Create NSW.'

**UNANIMOUS DECISION:** That the Substantive Motion be adopted.

**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 9.54 PM.**

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**SIGNED AND CONFIRMED**  
**MAYOR**  
**8 AUGUST 2017**