



WAVERLEY
COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 20 MARCH 2018**

Present:

Councillor John Wakefield (Mayor) (Chair)	Bondi Ward
Councillor Dominic Wy Kanak (Deputy Mayor)	Bondi Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor George Copeland	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Elaine Keenan	Lawson Ward
Councillor Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Will Nemes	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward

Staff in attendance:

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

At the commencement of proceedings at 7.03 pm, those present were as listed above.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

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.

The Mayor read the following Acknowledgement of Indigenous Heritage:

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

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Copeland declared a pecuniary interest in Item CM/8.5/18.03 – Bondi Pavilion Upgrade and Conservation Project – Outstanding Reports, and informed the meeting that he has part-time employment at the Pavilion, and will absent himself from the Chamber for this item.

3. Addresses to Council by Members of the Public

- 3.1 C Davitt – CM/4.2/18.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 22 February 2018 – TC/C.02/18.02 – Macpherson Street, Waverley – Proposed Relocation of Pedestrian Crossing and Bus Zone at St Catherine’s School.
- 3.2 L Kulakauskas – CM/7.2/18.03 – High Impact Events – Review.
- 3.3 S Blackadder (recruitment consultant) – CM/10.1/18.03 – CONFIDENTIAL MAYORAL MINUTE – Appointment of General Manager

4. Confirmation and Adoption of Minutes

CM/4.1/18.03 Confirmation of Minutes - Council Meeting - 20 February 2018 (SF18/215)

MOTION / UNANIMOUS DECISION

Mover: Cr Burrill
Seconder: Cr Goltsman

That the minutes of the Council Meeting held on 20 February 2018 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting, subject to Item CM/8.3/18.02 – Rodney Reserve – Radio Astronomy Memorial being amended to note that the mover and seconder of the motion accepted an amendment to clause 3, being the insertion of ‘and consults with the relevant Precinct’.

CM/4.2/18.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 22 February 2018 (SF18/241)

MOTION / DECISION

Mover: Cr Wakefield
Seconder: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 22 February 2018 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/C.02/18.02 – Macpherson Street, Waverley – Proposed Relocation of Pedestrian Crossing and Bus Zone at St Catherine’s School.
2. TC/C.05/18.02 – Bronte Cutting, Bronte – Pedestrian Walkway Barrier Trial.
3. TC/V.08/18.02 – Old South Head Road, Bondi Junction - Bon Accord Avenue and Victoria Road - Shared Path.

And that these items be dealt with separately below.

C Davitt addressed the meeting.

CM/4.2.1/18.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 22 February 2018 - TC/C.02/18.02 - Macpherson Street, Waverley - Proposed Relocation of Pedestrian Crossing and Bus Zone at St Catherine’s School (PD-16/2013)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council does not approve the following items as shown on drawing No. C15 ‘Macpherson Street – New Signage Plan’ revision P6 prepared by Taylor Thomson Whitting (TTW) attached to the report accompanying agenda item TC/C.02/18.02:

1. The proposed relocation of the raised pedestrian crossing.

2. Changes to the signage and line marking.
3. Changes to the bus zones.

CM/4.2.2/18.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 22 February 2018 - TC/C.05/18.02 - Bronte Cutting, Bronte - Pedestrian Walkway Barrier Trial (A03/0042-04)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That:

1. Council notes the officer's report to the Traffic Committee relating to the Bronte Cutting Pedestrian Project, including consideration of alternative options including a 10 km/h shared zone.
2. Council requests Council officers to report to the Strategic Planning and Development Committee with options for the improved pedestrian connection in the Bronte Cutting, consistent with the recommendations contained in the People, Movement and Places report and all the options in the draft Bronte Park and Beach Plan of Management.
3. The options presented to the Strategic Planning and Development Committee also include a stakeholder consultation strategy.

CM/4.2.3/18.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 22 February 2018 - TC/V.08/18.02 - Old South Head Road, Bondi Junction - Bon Accord Avenue and Victoria Road - Shared Path (SF17/1438)

MOTION

Mover: Cr Kay
Seconder: Cr Betts

That Council approves the upgrade of the southern path of Old South Head Road between Bon Accord Avenue and Victoria Road to a shared path for bicycles and pedestrians as per the drawings L.001 L.002, L101, L102, L201, L202, L301, L302 (issue 'D') prepared by Spackman Mossop Michaels attached to the report, subject to Council officers:

1. Including a footpath landscaped area adjacent to the resident gateway of 151 Old South Head Road to minimise the possibility of bike/pedestrian conflict when residents step out from their gateway, similar to the design approved by the May 2017 Waverley Traffic Committee meeting and in consultation with the property owner.
2. Working with Woollahra Council to:
 - (a) Install kerb ramps across the exit of Syd Einfeld Drive at Old South Head Road for access to the shared use path on the north side of Old South Head Road.
 - (b) Install and/or upgrade pavement markings and signage to improve the safety of the shared use path on the north side of Old South Head Road between Syd Einfeld Drive and Victoria Road.
 - (c) Develop a Code of Conduct for shared use path users on both sides of Old South Head Road.

FORESHADOWED MOTION

Mover: Cr Lewis

Seconder: Cr Kay

That Council:

1. Approves the upgrade of the southern path of Old South Head Road between Bon Accord Avenue and Victoria Road to a shared path for bicycles and pedestrians as per the drawings L.001 L.002, L101, L102, L201, L202, L301, L302 (issue 'D') prepared by Spackman Mossop Michaels attached to the report, including a footpath landscaped area adjacent to the resident gateway of 151 Old South Head Road to minimise the possibility of bike/pedestrian conflict when residents step out from their gateway, similar to the design approved by the May 2017 Waverley Traffic Committee meeting and in consultation with the property owner.
2. Works with Woollahra Council to:
 - (a) Install kerb ramps across the exit of Syd Einfeld Drive at Old South Head Road for access to the shared use path on the north side of Old South Head Road.
 - (b) Install and/or upgrade pavement markings and signage to improve the safety of the shared use path on the north side of Old South Head Road between Syd Einfeld Drive and Victoria Road.
 - (c) Develop a Code of Conduct for shared use path users on both sides of Old South Head Road.

THE MOTION WAS PUT AND DECLARED LOST.

Division**For the Motion:** Crs Betts, Burrill, Copeland, Goltsman, Kay and Nemesh.**Against the Motion:** Crs Keenan, Lewis, Masselos, O'Neill, Wakefield and Wy Kanak.

THE FORESHADOWED MOTION NOW BECAME THE SUBSTANTIVE MOTION, AND WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Substantive Motion be adopted.**5. Mayoral Minutes****CM/5.1/18.03 CONFIDENTIAL MAYORAL MINUTE - Appointment of General Manager
(A17/0616)***Council moved into closed session to deal with this item (see CM/10.1/18.03 below).***CM/5.2/18.03 Inclusion of Bondi Junction in the Property Council of Australia's Office Market
Report (A18/0181)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

That Council officers approach the Property Council of Australia to include the Bondi Junction Commercial Centre in the Property Council's regular Office Market Report (OMR), and report back to Council with a detailed proposal including timetable.

Background

The Property Council of Australia's OMR is a comprehensive survey of office market conditions in 24 office markets around Australia. The report is produced biannually and is a respected industry standard, which tracks the supply and demand of office space. The research is used by both industry and government as a gauge for tenant demand and a tool for trend analysis and forecasting.

Bondi Junction currently does not feature within this report, despite the fact that the Greater Sydney Commission (GSC) recognises Bondi Junction as a Strategic Centre, which 'underpins the success of Greater Sydney' (Draft Eastern City District Plan).

Presently, the development of residential floor space far outweighs that of commercial floor space in Bondi Junction. This may threaten the economic integrity of the area and undermine the Centre's capacity to deliver future employment targets. The draft Eastern City District Plan noted a range of key actions to safeguard the area, including the protection of job targets and the expansion of the Centre's floor space for health-focused businesses.

While vacancy rates for office floor space are low, it is vital that Bondi Junction is recognised as a significant commercial centre and employment generator in the future. Ensuring Bondi Junction is included in a future Property Council OMR will assist in maintaining and publicising Bondi Junction's competitiveness amongst those delivering commercial office supply.

Inclusion of the Bondi Junction Commercial Centre into the Property Council of Australia's OMR from 2019 onwards will provide research on the following items:

- Total office stock.
- Vacancy: both direct and sublease.
- Disaggregation of stock and vacancy by quality grade.

The report will also include a comprehensive list of future supply (refurbishments and new supply) and development details including: construction type, completion year, project address, project name, development stage, owner and net lettable area (NLA).

A contribution is sought from Waverley Council towards the cost of conducting this research.

Funding requested:

2018/19 (pilot study and inaugural release)	\$16,000 incl. GST
January 2020 release	\$8,000 incl. GST
January 2021 release	\$9,000 incl. GST
January 2022 release	\$10,000 incl. GST
January 2023 release	\$11,000 incl. GST

The level of support required in 2019 is higher than in subsequent years due to the significant amount of work required in developing a comprehensive and accurate stocklist. The Property Council of Australia holds the copyright to the OMR, and data may be used by permission from the Property Council of Australia.

CM/5.3/18.03 Beach Amenity and Safety (A18/0182)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

That Council:

1. Reviews detailed signage at the approaches to Bondi Park and on the entrance to the ramps at Bondi Beach to include as a priority:
 - (a) Clear and prominent beach safety warnings.
 - (b) Standard regulatory advice regarding 'No dogs allowed', 'No smoking', 'No littering', 'No alcohol' and a ranger phone number.
 - (c) Positive messaging.
 - (d) International signage for non-English speakers.
2. Plans for the construction of additional outdoor shower stems associated with ramps along the Bondi Beach promenade and with extra stems in high demand areas, and ensures adequate water pressure is available.
3. Improves signage of the pedestrian crossing and shared zone on Queen Elizabeth Drive directly in front of the Bondi Pavilion
4. Officers consult staff, Councillors, surf clubs, and the community on the following:
 - (a) The current policy in regard to designated surf zone 'red and yellow' flag area including the potential for the introduction of flagged buffer zones on either side to preclude surf craft boards (with a fin).
 - (b) Review Council's current definition of surf boards to include 'soft' boards with fins.
 - (c) The need, under standard surf conditions, for a minimum of two sets of flags on Bondi Beach.
 - (d) Review current operations of lifeguards to ensure best practice risk minimisation.
 - (e) Prepare a policy for 'beach amelioration grading' to pre-emptively minimise 'rip and gutter' outcomes as a result of the formation of a beach berm.
 - (f) The issue of bike-riding and skateboarding on the promenade be considered.
 - (g) Consider the implications of implementation across Waverley's beaches.

CM/5.4/18.03 Teacher's Beach Parking Permit (A18/0183)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

That:

1. Council introduces a new category of Beach Parking Permit for use by teachers employed at schools within the Waverley LGA for a trial period of 12 months.

2. The new Teacher's Beach Parking Permit be valid Monday–Friday during school terms between the hours of 7.30 am–6 pm only, and valid for use in line with the terms and conditions of the existing beach parking permit.
3. Council publicly exhibits the proposed introduction of a Teacher's Beach Parking Permit to be included in the Beach Parking Permits Fees section of the Pricing Policy, Fees and Charges 2017–18 for a period of 28 days, in accordance with section 610F of the *Local Government Act 1993*, with the fee set at \$450 per annum.
4. Council officers investigate the introduction of a similar 'teacher-only' parking permit for use at Hollywood Avenue Car Park in Bondi Junction, and report back to Council.
5. A limit be placed on the total number of passes issued to teachers in each school in consultation with the school.

Background

A representative from Bondi Beach Public School P&C wrote to Council on 30 November 2017 requesting assistance with their current parking situation. This letter detailed the growth of enrolments at the school stating the school would have 700 students enrolled in 2018. To accommodate the increased enrolment numbers, there has been a need to convert playground area for use by demountable classrooms.

The combination of the growing student numbers and the restriction on the available outdoor space has raised a number of issues, which includes the safety of children in the crowded school grounds and demountable classrooms in close proximity to vehicles. As the school community has decided to separate the cars and students, the 35 staff who currently park on the school grounds will no longer be able to.

Council should consider introducing a new type of beach parking permit into the Fees and Charges Policy on a 12-month trial basis. The Permit type would be available only to teachers employed at schools located within the Waverley LGA, and valid only for weekdays during the school term and be valid for use in line with the terms and conditions of the existing Beach Parking Permit.

The introduction of a new fee into the Fees and Charges Policy would require public exhibition for a period of 28 days.

6. Obituaries

Reinier Jessurun

Ross Marshall

MOTION / UNANIMOUS DECISION

Mover: Cr Betts

Seconder: Cr Goltsman

That a letter of sympathy be forwarded to the families of the deceased named expressing the condolences of the Mayor, Councillors and staff in the bereavement they have experienced.

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

7. Reports

CM/7.1/18.03 Market Operations in Oxford Street Mall, Bondi Junction - Interim Management by Council (A10/0384)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That:

1. Council treats the attachment to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The attachment contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
2. Council assumes direct control of the Oxford Street Mall markets for an interim period of up to six months, in accordance with the management process set out in this report.
3. Pursuant to section 610E of the *Local Government Act 1993*, Council, on the basis of hardship, reduces the stall hire fee in Council's Pricing Policy, Fees and Charges for existing stallholders during the interim period, so their fees are maintained at the rates currently charged by the licensee, as attached to this report.
4. The General Manager be given the authority to sign the licence agreements with stallholders on Council's behalf, and to do all things necessary to facilitate the continuation of the current market operation.

CM/7.2/18.03 High Impact Events - Review (A11/0687)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council :

1. Notes the review undertaken of high impact events between October 2015 and December 2017.
2. Notes the list of high impact events for 2018 that have been previously delivered or scheduled.
3. Approves the proposed changes to the event-reporting process for all future events.
4. Notes a review of Council's Events Policy will be undertaken with a report submitted by September 2018, and consideration be given to the following:
 - (a) Minimising cumulative effects of events occurring concurrently and/or consecutively.
 - (b) Establishing more stringent selection criteria to determine if events are consistent with Council's Community Strategy and placemaking vision (including cultural, climatic and natural considerations) for event locations that include iconic and sensitive beachside environments.
 - (c) Improving the monitoring of events while underway for noise, waste management and other compliance issues.

- (d) Ensuring best practice outcomes for events in Waverley consistent with relevant laws and regulations.
- (e) Analysing the 117 complaints over the past three years generated by the Sculptures by the Sea event.

Crs Kay and Nemesh were not present for the vote on this item.

L Kulakauskas addressed the meeting.

CM/7.3/18.03 Ocean Lovers Festival (A17/0607)

MOTION / UNANIMOUS DECISION

Mover: Cr Goltsman

Seconder: Cr Burrill

That:

1. Following the additional information provided by the organisers, Council enters into an Event Venue Hire Agreement with Avisso Public Relations to hold the Ocean Lovers Festival at Bondi Beach, Bondi Park and Bondi Pavilion over four days in April 2019, subject to the deletion of the bonfire element of the event.
2. All First-Nation-related components of the festival to be the subject of further consultation between the Ocean Lovers event organiser and Aboriginal traditional owners.
3. This resolution be communicated to the La Perouse Local Aboriginal Land Council and referred to the Eastern Region Local Government Aboriginal and Torres Strait Islander Forum (ERLGATSIF).
4. The event organiser makes a presentation to the Bondi Beach Precinct.
5. A further report come back to Council in four months on the progress of the event organiser's event management and delivery plan, and its processes to put in place cultural protocols and permissions based in Aboriginal sovereignty.
6. No events take place at Ben Buckler and MacKenzie Point.

CM/7.4/18.03 Petition - Busby Parade, Bronte - Conversion to One-way Street (A03/0042-04)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That the petition requesting that Busby Parade, Bronte, be converted to a one-way street with a reduced speed limit, be forwarded to the Executive Manager, Creating Waverley, for appropriate action, and referred to Council's traffic engineer to prepare a concept design.

CM/7.5/18.03 Investment Portfolio Report - February 2018 (A03/2211)**MOTION / UNANIMOUS DECISION**

Mover: Cr Copeland

Seconder: Cr Lewis

That Council:

1. Receives and notes the Investment Portfolio Report for February 2018.
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/7.6/18.03 Tender Evaluation - Bronte Picnic Shelters Upgrade Works (A18/0089)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Burrill

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report 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. Increases the Bronte Picnic Shelter project budget by \$50,000 to a total of \$300,000 to cover construction costs, contingency and project management fees, and that an adjustment be made at Q3 Budget Review.
3. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Facilities Fix Pty Ltd as the preferred tenderer for Bronte Picnic Shelters Upgrade Works for the sum of \$269,210 (excluding GST).
4. Authorises the General Manager, or delegated representative, to enter into a contract on behalf of Council with Facilities Fix Pty Ltd.
5. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

- (a) There is ongoing research into Waverley, eastern suburbs households, organisations, and colonial charities having historically been connected with, and most likely benefitted from, what has become known as the 'Stolen Generations', in that Aboriginal women/girls were indentured to colonial households as domestic servants under what has been termed 'The Lousy Little Sixpence' stolen wages issue.
- (b) Research is ongoing into the context of the Benevolent Society's 'Scarba House' as a place where Stolen Generation young Aboriginal girls who became pregnant while in domestic servitude were taken to have their babies as 'mothers out of wedlock'.
- (c) Waverley Council has previously, under former mayor Cr George Newhouse, proposed a plaque at Bondi Pavilion, Bondi Beach, as an acknowledgement/memorial of/for the Stolen Generations.
- (d) Deputy Mayor, Cr Wy Kanak, in his capacities as chairman of the Eastern Region Local Government Aboriginal Torres Strait Islander Forum, President of the NSW Local Government Aboriginal Network and Secretary of the NSW Reconciliation Council has assisted/supported Stolen Generation eastern suburbs Aboriginal elders to attend the 2018 10-year anniversary of 'The Apology' speech by former Prime Minister Kevin Rudd, hosted at Price Waterhouse Coopers, Barangaroo.
- (e) Council's program at the Bondi Pavilion Community Cultural Centre has hosted art exhibitions and public awareness raising nights for the Stolen Generation Aboriginal men who were taken and sent to Kinchela Boys Home at Kempsey NSW.
- (f) Jeanie Bartley, a recently locally living Stolen Generation member, has presented her story as part of the curriculum at Kesser Torah College, Dover Heights, before taking up a carer's role for Aboriginal elder Uncle Cec Bowden, who was taken from his family while his father was overseas serving in the WW2 Australian Military Forces.
- (g) Local community Stolen Generation Aboriginal elders continue to support Council's ERLGATSIF Reconciliation Week Awards Ceremony, in remembrance and celebration of the life of Pauline McLeod, former eastern suburbs resident, and Australia's first Aboriginal storyteller regularly appearing on the ABCTV program 'Play School'.

Crs Burrill and Nemesh were not present for the vote on this item.

CM/8.4/18.03 Voluntary Planning Agreements (VPAs) (A13/0099)

MOTION

Mover: Cr Keenan
Seconder: Cr Wy Kanak

That Council officers prepare a report setting out all voluntary planning agreements (VPAs) adopted by Council from June 2012 to March 2018, with the following detail for each VPA:

1. The excess floor space.
2. The excess height.
3. The total dollar amount received by Council.
4. A summary of expenditure of income received as a result of the VPA against the purpose for which it

is was obtained.

AMENDMENT

Mover: Cr Goltsman

Seconder: Cr Kay

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

‘Council notes that the Planning Agreement Register on Council’s website contains much of the information that is required within the above report.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Betts, Goltsman, Kay and Nimesh.

Against the Amendment: Crs Copeland, Keenan, Lewis, Masselos, O’Neill, Wakefield and Wy Kanak.

THE MOVER AND SECONDER OF THE MOTION THEN ACCEPTED AMENDMENTS TO THE MOTION SUCH THAT IT NOW READ AS FOLLOWS:

That Council officers:

1. Prepare a report setting out all voluntary planning agreements (VPAs) adopted by Council from June 2012 to March 2018, with the following detail for each VPA:
 - (a) The excess floor space.
 - (b) The excess height.
 - (c) The total dollar amount received by Council.
 - (d) A summary of expenditure of income received as a result of the VPA against the purpose for which it is was obtained.
2. Add additional height sought to the Planning Agreement Register.
3. Conduct a Councillor workshop on the report and the Planning Agreement Policy prior to the report coming back to Council.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

Cr Burrill was not present for the consideration and vote on this item.

**CM/8.5/18.03 Bondi Pavilion Upgrade and Conservation Project - Outstanding Reports
(A15/0272)**

Cr Copeland declared a pecuniary interest in this item, and informed the meeting that that he has part-time employment at the Pavilion. Cr Copeland was not present at, or in sight of, the meeting for the consideration and vote on this item.

MOTION / UNANIMOUS DECISION

Mover: Cr Betts
Seconder: Cr Goltsman

That Council officers report to Council on the progress and/or relevance of the following reports:

1. Fair Use Policy.
2. Cultural and community impact assessment.
3. Report on redesign of existing theatre to improve functionality and sightlines.
4. Policy on the programming and hire of the theatre.
5. Report on future technology for the theatre, music studios and the building more widely.
6. Process for tendering commercial tenancies.
7. Footpath seating in front of the Pavilion.
8. Financial aspects of the building in terms of income and outgoings.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.6/18.03 Make Arden Street Safe (A03/0496)**MOTION / DECISION**

Mover: Cr Keenan
Seconder: Cr Masselos

That Council:

1. Undertakes a safety review of Arden Street, between Macpherson Street and Boundary Street, and which runs in front of Clovelly Public School (1 Arden Street, Waverley), to assess the use and speed of vehicles on that section of road, and the potential safety impact on students of Clovelly Public School and residents.
2. Approaches Randwick City Council to assess the use and speed of vehicles on Arden Street, between Boundary Street and Clovelly Road, and the potential safety impact on students of Clovelly Public School and residents.
3. Develops a joint submission with Randwick City Council for the introduction of a 40 km/h zone on Arden Street, between Macpherson Street and Clovelly Road.
4. Sends the joint submission to the Waverley Traffic Committee for endorsement.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.7/18.03 Support the Uptake of Electricity Microgrids (A17/0645)**MOTION / UNANIMOUS DECISION**

Mover: Cr Copeland
Seconder: Cr Wy Kanak

That Council:

1. Notes that Waverley Council was accepted into the second round offer of the Cities Power Partnership in January 2018, and officers are investigating options for inclusion into the (minimum) five pledges required by the Partnership. There are now a total of 70 councils that have been accepted.
2.
 - (a) Supports the development of microgrids and promotes the implementation of this technology within Waverley and across the broader community.
 - (b) Works with relevant stakeholders to build support for policy updates to encourage and enable a decentralised energy model, and continues to investigate the potential for standalone and embedded microgrids in Waverley.
 - (c) Officers prepare a report on the opportunities and barriers to the implementation of standalone and embedded microgrids in a brownfields urban area.
3. Notes that microgrids are powered by renewable energy (generally using smart grid technology to balance loads), mainly from rooftop solar photo voltaic cells in an urban environment, but possibly also from other local renewable sources; wind, wave energy or ocean temperature gradients might be a possibility.
4. Notes that microgrids in the Council area is innovative and will increase the resilience of the community by decentralising electricity production and control, by reducing greenhouse gas emissions via using renewable energy, and by reducing electricity costs via removing the need for extra wires and poles to handle peak periods.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.8/18.03 International Women's Day 2019 (A06/1761)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Hosts a civic event for International Women's Day 2019.
2. Invites a high-profile, inspiring female speaker to address the gathering.
3. Officers prepare a report to Council detailing logistics, budget, possible speaker and categories of possible invitees.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.9/18.03 Cycleway and Bike Facilities Advisory Committee - Establishment (A11/0612)**MOTION / UNANIMOUS DECISION**

Mover: Cr Keenan
Seconder: Cr Wy Kanak

That:

1. Council establishes a Cycleway and Bike Facilities Advisory Committee.
2. The Committee consist of:
 - (a) Three Councillors (Mayor or delegate, two Councillors).
 - (b) Two nominees representing BIKEast (one male, one female).
 - (c) Five community members.
3. Council officers establish Terms of Reference for the Committee, which will include, but not be limited to, the purpose of the committee, which is to enhance consultation between Council and the bike-riding community, including:
 - (a) Reviewing and providing advice on proposed Council bike-related capital work projects.
 - (b) Yearly draft budget process by recommending appropriate bike-related projects.
 - (c) Cycleway and bike facility issues involving significant planning proposals and development applications before Council.
 - (d) The Waverley Council bike plan.
 - (e) Regional Cycle Strategy with neighbouring Councils.
 - (f) Promoting and encouraging cycling at schools.
4. Council officers report back to Council.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.10/18.03 Resident Parking Scheme Area 10 - Extension (A03/2581)**MOTION / DECISION**

Mover: Cr Wakefield
Seconder: Cr Lewis

That Council investigates the extension of Resident Parking Scheme Area 10, and surveys the residents in the adjacent streets.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.11/18.03 Support for Homeless at Bondi Pavilion (A02/0464)**MOTION / UNANIMOUS DECISION**

Mover: Cr Betts
Seconded: Cr Goltsman

That Council:

1. Acknowledges that the *Crown Lands Act* and the *Crown Lands Management Act* prohibit a person from residing on Crown Land, and that the 2009 Court of Appeal decision, endorsed by the High Court, provided a crucial precedent as to the statutory regime of the *Crown Lands Act*.
2. Provides the information from the *Crown Lands Act* and the Court ruling to the Bondi Pavilion Stakeholders Group.
3. As a matter of priority, works with Mission Australia and other agencies to provide assistance to the homeless living in the colonnade area behind the Pavilion to find alternative appropriate housing.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.12/18.03 Venue Hire Grant Program - Outdoor Space (A13/0273)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconded: Cr Betts

That:

1. Council investigates how Council's current indoor Venue Hire Grant Program can be extended to the hire of outdoor spaces.
2. Council officers prepare a report to come to Council with recommendations that include, but are not limited to:
 - (a) Feasibility.
 - (b) The outdoor locations that would be appropriate.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.13/18.03 Road and Pavement Works - Communication with Residents and Schools (A18/0152)**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh
Seconded: Cr Betts

That Council:

1. In addition to the standard notification process, provides the following information on its website for easy access by residents:
 - (a) All road and pavement works with an approved commencement date and being currently

undertaken by Council, contractors or agencies such as RMS, Ausgrid, Energy Australia or Sydney Water, where that information is available.

- (b) Road closures relating to development applications.
2. Provides all relevant dates, times and contact phone numbers.
3. As part of its standard processes, ensures that it consults with local schools before nearby road and pavement works are commenced so that the works are scheduled to minimise any undue impact on school operations. Council must not schedule works outside school premises that generate undue noise, such as concrete drilling, during school exam periods with specific reference to HSC trials, HSC and school certificate examinations.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.14/18.03 Centennial Parklands Plan of Management - Response to Draft (A03/0943)

MOTION / UNANIMOUS DECISION

Mover: Cr O'Neill
Seconder: Cr Wakefield

That Council officers, in responding to consultation on the Draft Centennial Parklands Plan of Management, raise the following as areas of concern to be addressed or considered:

1. Every effort is made to not increase commercialisation of the park, including a return to a proportion of recurrent funding from the state government, due to the negative implications such increases have on the remaining natural environment.
2. Centennial Parklands works with Council on repairing and building new wild life corridor linkages with the Waverley Local Government Area.
3. Expresses concerns about the loss of significant trees along Dacey Avenue as part of the Moore Park Master Plan 2040.

Cr Burrill was not present for the consideration and vote on this item.

CM/8.15/18.03 Muscular Dystrophy NSW's Big Red Ride (A17/0021)

MOTION / UNANIMOUS DECISION

Mover: Cr Betts
Seconder: Cr Wy Kanak

That Council:

1. Continues to support Muscular Dystrophy NSW's Big Red Ride in conjunction with other Sydney to Blue Mountains councils by:
 - (a) Facilitating the opening of the Pavilion toilets early on the day of the ride.
 - (b) Advertising the ride in the Mayoral Column and other Council publications.
2. Continues to add items to its library stock that promote the achievements of people with muscular

dystrophy (such as Aboriginal illustrator Dion Beasley's children's books, *Too Many Cheeky Dogs* and *Go Home Cheeky Animals*) and items that educate our Community about muscular dystrophy.

Cr Burrill was not present for the consideration and vote on this item.

9. Urgent Business

There were no items of urgent business.

10. Closed Session

CM/10/18.03 Closed Session

Before the motion to close the meeting was put, the Chair provided an opportunity for members of the public to make representations as to whether this part of the meeting should be closed. None were received.

MOTION / DECISION

Mover: Cr Wakefield
Seconder: Cr Goltsman

That:

1. Council moves into closed session to deal with the matter listed below, which is classified as confidential under section 10A(2) of the *Local Government Act 1993* for the reason specified:

CM/10.1/18.03 CONFIDENTIAL MAYORAL MINUTE - Appointment of General Manager

This matter is considered to be confidential in accordance with section 10A(2)(a) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than Councillors).

2. Pursuant to section 10A(1), 10(2) and 10A(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the *Local Government Act 1993*.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act 1993*.

At 9.07 pm, Council moved into closed session.

**CM/10.1/18.03 CONFIDENTIAL MAYORAL MINUTE - Appointment of General Manager
(A17/0616)**

The Mayor tabled a Confidential Mayoral Minute about the appointment of a General Manager.

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

That:

1. Council treats this mayoral minute as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(a) of the *Local Government Act 1993*. The mayoral minute contains personnel matters concerning particular individuals (other than Councillors).
2. Council notes the information included in the recruitment consultant's confidential report attached to the mayoral minute at Attachment 1 regarding the process undertaken to appoint the General Manager.
3. Council appoints the selection panel's preferred candidate to the position of General Manager on a five-year performance-based contract in accordance with the recommendations contained in Attachment 1.
4. The formal written offer and contract modelled on the OLG Standard Contract of Employment for General Managers of Local Councils in NSW be forwarded to the preferred candidate.
5. The Mayor, in conjunction with the Deputy Mayor, be delegated the authority to finalise negotiations and do all remaining things necessary to appoint the General Manager.
6. Council establishes a Performance Review Committee made up of Crs Betts, Keenan, Masselos, Wakefield and Wy Kanak.
 - (a) Develop and negotiate a performance agreement with the General Manager within three months of appointment.
 - (b) Undertake the General Manager's annual performance reviews.

S Blackadder (recruitment consultant) addressed the meeting.

CM/11/18.03 Resuming in Open Session

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Goltsman

That Council resumes in open session.

At 9.27, Council resumed in open session and adjourned for a short break.

At 9.31, the meeting resumed.

Resolutions from closed session made public

In accordance with clause 253 of the Local Government (General) Regulation 2005, when the meeting resumed in open session the Chair announced the resolutions made by Council, including the names of the movers and seconders, while the meeting was closed to members of the public and the media.

12. Meeting Closure

THE MEETING CLOSED AT 11.20 PM

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SIGNED AND CONFIRMED
MAYOR
17 APRIL 2018