



WAVERLEY
COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 17 APRIL 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 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	Manager, Internal Ombudsman's Office

At the commencement of proceedings at 7.02PM, those present were as listed above.

Cr Burrill left the meeting at 10.40PM and did not return.

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

Apologies were received and accepted from Cr Nemesh.

CM/1.1/18.04 Leave of Absence

MOTION / DECISION

Mover: Cr Wakefield
Seconded: Cr Masselos

That Council grants leave of absence to Cr Wy Kanak for the period 17 April 2018 to 2 May 2018.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Goltsman declared a less than significant non-pecuniary interest in Item CM/7.13/18.04 - Venue Hire Grant Application - Russian Speaking Jewish Community Association and informed the meeting that as he is a Russian speaking Jewish person he probably knows some of the people involved.
- 2.2 Cr Masselos declared a less than significant non-pecuniary interest in Item CM/7.14/18.04 - Local Hero Awards 2018 and informed the meeting that she has an association with Plastic Free Bronte.
- 2.3 Cr Goltsman declared a less than significant non-pecuniary interest in Item CM/7.12/18.04 - Surf Club Buildings - Condition Assessment and Capital Renewal Funding Model and informed the meeting that he has participated in patrols with the Club and attended the Tamarama education program.

3. Addresses by Members of the Public

- 3.1 A Aaron (on behalf of the Diamond Bay Precinct) - CM/7.10/18.04 - Voluntary Planning Agreement - 17 Isabel Avenue, Vaucluse.
- 3.2 G Pallo - CM/7.10/18.04 - Voluntary Planning Agreement - 17 Isabel Avenue, Vaucluse.
- 3.3 T Longworth and A Farley (on behalf of Tamarama Surf Life Saving Club) - CM/7.12/18.04 Surf Club Buildings - Condition Assessment and Capital Renewal Funding Model.

- 3.4 R Rajaratnam (as a resident and on behalf of Bronte Beach Precinct) - CM/8.2/18.04 - 29 Macpherson Street, Waverley - Independent External Heritage Assessment.
- 3.5 H Lambropoulos - CM/8.5/18.04 - Outdoor Seating Trading Hours.

4. Confirmation and Adoption of Minutes

CM/4.1/18.04 Confirmation of Minutes - Council Meeting - 20 March 2018 (SF18/215)

MOTION / DECISION

Mover: Cr Copeland
Seconder: Cr Wakefield

That the minutes of the Council Meeting held on 20 March 2018 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting subject to the following correction:

1. The mover and seconder for item CM/4.1/18.03 shown as Burrill/Goltsman be corrected to read Goltsman/Burrill.

CM/4.2/18.04 Adoption of Minutes - Waverley Traffic Committee Meeting - 29 March 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 29 March 2018 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/V.01/18.03 Kippara Road, Dover Heights - Part Time 'No Stopping'.
2. TC/V.05/18.03 Francis Street, Bondi Beach - Installation of "No Stopping" Zone

And that these items be dealt with separately below.

CM/4.2.1/18.04 Adoption of Minutes - Waverley Traffic Committee Meeting - 29 March 2018 - TC/V.01/18.03 Kippara Road, Dover Heights - Part Time 'No Stopping' (A02/0637-02)

This matter was saved and excepted by Cr Lewis.

Subsequent to the meeting a motion to rescind this decision was lodged with the General Manager. The Rescission Motion will be considered by Council at its next meeting.

MOTION / DECISION

Mover: Cr Lewis
Seconder: Cr Wakefield

That, subject to technical advice and community consultation, the No Stopping sign commences on the

southern side of the road and shifts to the northern side of the road at the bend, and then reverts to the southern side thereafter.

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos, O'Neill and Wakefield.

Against the Motion: Crs Betts, Burrill, Goltsman and Kay.

CM/4.2.2/18.04 Adoption of Minutes - Waverley Traffic Committee Meeting - 29 March 2018 - TC/V.05/18.03 Francis Street, Bondi Beach - Installation of 'No Stopping' Zone (A02/0637-02)

This matter was saved and excepted by Cr Wakefield.

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr O'Neill

That Council:

1. Develops a design concept for alternative treatment for the intersection of Francis Street and Campbell Parade to improve pedestrian safety, increase parking, improve landscaping and improve waste collection processes.
2. Temporarily installs 2 metres of 'No Stopping 5AM-7AM' on the northern side of Francis Street adjacent to 2-8 Campbell Parade to aid waste removal.
3. Consults the community in the immediate vicinity.

5. Mayoral Minute

CM/5.1/18.04 New Child Care Centre - Feasibility Study (A09/0290-02)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

That Council prepares a feasibility study for the construction of a new child care facility in Waverley. The study should analyse land acquisition, if required, and construction costs; any loan requirements and servicing; future demand and competitive supply issues; staffing; possible locations; child age and centre size recommendations; regulatory issues; and other issues staff believe important for Councillors' consideration.

CM/5.2/18.04 Additional Bus Shelters (A02/0225-02)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

That Council notes the current tender for the installation of bus shelters in Waverley expires in 2020 and, in preparing new tender documents for the future installation and maintenance of bus shelters, includes a requirement for additional bus shelters to be provided throughout Waverley than those at present.

6. Obituaries

Ronnie Glasel
Theodore Brooks

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

MOTION / UNANIMOUS DECISION

Mover: Cr Goltsman

Seconder: Cr Betts

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.

7. Reports

CM/7.1/18.04 Draft 2018/19 Budget and Long Term Financial Plan 5 (SF17/2658)

MOTION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council:

1. Adopts for the purposes of public exhibition:
 - (a) The draft budget estimates of income and expenditure, including capital expenditure, for the financial year 2018/19 as detailed in Attachments 1 and 2 to this report.
 - (b) The Draft Long Term Financial Plan (LTFP 5) for an 11-year period from 2018/19 to 2028/29 including Income Statement, Balance Sheet, Statement of Cash Flow, Reserve Balances, Assumptions and Sensitivity Analysis as detailed in Attachment 3 to this report.
2. Removes all allocation of funding to Hugh Bamford Reserve pending the proposed Plan of Management.

AMENDMENT

Mover: Cr Betts

Seconder: Cr Burrill

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

“That should changes be made to the parking policy at the May Council meeting, a revised Long Term Financial Plan be produced and placed on exhibition in order than residents are aware of any long term changes to Waverley’s financial position as a result of any changes”.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

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

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

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, O'Neill and Wakefield.

Against the Motion: Nil.

CM/7.2/18.04 Draft Waverley Community Plan 2018-2029, Draft Delivery Program 2018-2021, Draft Operational Plan 2018-19 and Proposed Pricing Policy, Fees and Charges 2018-19 (A17/0229)

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council:

1. Adopts the draft Community Strategic Plan 2018-2029, draft Delivery Program 2018-2021 and draft Operational Plan 2018-19, including the Statement of Revenue Policy, for placement on public exhibition as in Attachments 1,2 and 3 in accordance with the *Local Government Act 1993*, subject to the following changes:
 - (a) The first page of the Community Strategic Plan be the 'Community Vision', followed by 'Our Local Government Area Map' in softer colours, followed by the 'Waverley - Our Local Government Area'.
 - (b) The photo on page 22 of the Delivery Program and the Operational Plan be updated.
2. Adopts for placement on public exhibition the Rating Structure for 2018–19 contained on page 60 of the Operational Plan 2018–19 in Attachment 3 together with the proposed Pricing Policy, Fees and Charges 2018–19 as in Attachment 4 in accordance with sections 497, 516, 518, 529 (2)(d), 534, 535 and 548(3) of the *Local Government Act*, which proposes the following rates and charges for every parcel of rateable land within the Waverley Council Local Government Area for the period of 1 July 2018 to 30 June 2019:
 - (a) That an ordinary rate of zero point one one two eight four cents (0.11284) in the dollar subject to a minimum rate in accordance with section 548(3) of the Act, per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub categorised Ordinary in accordance with section 529 (2) (b) of the Act
 - (b) That an ordinary rate of zero point five three zero nine three cents(0.53093) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Ordinary in accordance with section 529 (2)(d) of the Act
 - (c) That an ordinary rate of zero point eight six four eight zero cents (0.86480) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Bondi Junction in accordance with section 529 (2)(d) of the Act
 - (d) That in accordance with section 496 of the *Local Government Act*, the charge for the Domestic Waste Management Service is set at \$548.00 per service per annum for the period 1 July 2018 to 30 June 2019.

CM/7.3/18.04 Draft Strategic Asset Management Plan 5 (SAMP5) (A18/0119)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconder: Cr Lewis

That Council:

1. Adopts the Draft Strategic Asset Management Plan 5 attached to this report for public exhibition.
2. Notes the inclusion of the Strategic Asset Management Plan as part of Council's Resourcing Strategy for the purposes of Integrated Planning & Reporting.

CM/7.4/18.04 Draft Environmental Action Plan 2018-2030 (A17/0306)**MOTION / UNANIMOUS DECISION**

Mover: Cr O'Neill
Seconder: Cr Copeland

That Council:

1. Adopts the draft Environmental Action Plan 2018–2030 attached to this report for the purpose of public exhibition for the period 25 April 2018 to 22 May 2018, subject to the following changes to the graphics within the document:
 - (a) Page 18: 'Zero increase of 2005/06 levels of mains water consumption by 2030' is for both the Council and the Waverley Community target.
 - (b) Page 25: The 2030 target for waste generation is 29,877 tonnes, we are currently at 26,876 tonnes per annum (16/17 data) and there is an interim target for resource recovery of 75% by 2020.
 - (c) Page 32: There is a council and community target of 70% reduction in GHG emissions by 2030, with an interim target of 30% by 2020. For Council this means reducing our emissions to 2,284 tonnes CO₂-e and for the community reducing emissions to 143,618 tonnes CO₂-e.
2. Notes the inclusion of the draft Environmental Action Plan 2018-2030 as part of Council's resourcing strategy for the purposes of integrated planning and reporting.

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

CM/7.5/18.04 Tender Evaluation - Waverley Cemetery Retaining Walls (A18/0110)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Keenan

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. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Hibernian Contracting Pty Ltd as the preferred tenderer for the Waverley Cemetery Retaining Walls project for the sum of \$953,911 excluding GST.
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Hibernian Contracting Pty Ltd.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.
5. Allocates \$500,000 to the project from SAMP Reserve in financial year 2017/18 and \$513,000 from the Waverley Cemetery Restoration Project (LTFP 5 Project 55) in financial year 2018/19.

CM/7.6/18.04 Tender Evaluation - Campbell Parade Design Services (A18/0162)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Lewis

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. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts ASPECT Studios Pty Ltd as the preferred tenderer for the supply of design services for the Campbell Parade Streetscape Upgrade for the sum of \$1,294,206 excluding GST.
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Aspect Studios Pty Ltd.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

CM/7.7/18.04 SSROC Energy Supply Tender (A17/0463)

MOTION / UNANIMOUS DECISION

Mover: Cr Copeland

Seconder: Cr Wakefield

That Council:

1. Notes that the SSROC Grid Delivered Electricity incorporating Renewable Energy and Large-scale Generation Certificates from a Large-scale Off-site Project Request for Tender T2017-13_2 closed on 9 April 2018 and SSROC will not complete the tender evaluation in time for its Preferred Tenderer and their prices to be available for this Council meeting.
2. Delegates authority to the General Manager under s377 (1) of the Local Government Act to accept

the Preferred Tenderer from the Grid Delivered Electricity incorporating Renewable Energy and Large-scale Generation Certificates from a Large-Scale Off-site Project Request for Tender T2017-13_2, noting that the Act does not permit the General Manager to reject a tender.

3. Authorises the General Manager to enter into contract on behalf of Council with the Preferred Tenderer for a period of 10 years from 1 July 2019, at an initial renewable energy component of between 25-50 % and subject to the General Manager's satisfaction.
4. Officers report back to Council on the terms of the executed contract including the proportion of renewable energy.

CM/7.8/18.04 Voluntary Planning Agreement - 67A Roscoe Street, Bondi Beach (DA-206/2015)

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Lewis

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 67A Roscoe Street, Bondi Beach, that provides a total contribution of \$431,000. Of this amount, \$387,900 is to be applied towards the upgrade of the park/plaza on the corner of O'Brien Street and Glenayr Avenue, or any other works for improvement and regeneration in the nearby vicinity, and \$43,100 (10%) towards affordable housing under Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

Division

For the Motion: Crs Burrill, Goltsman, Kay, Lewis, Masselos, O'Neill and Wakefield.

Against the Motion: Crs Betts, Copeland and Keenan.

CM/7.9/18.04 Voluntary Planning Agreement - 73-89 Ebley Street, Bondi Junction (DA-572/2015)

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 73-89 Ebley Street, Bondi Junction, that provides a total contribution of \$316,200. Of this amount, \$284,580 is to be applied towards Council's Complete Streets program in Bondi Junction and \$31,620 (10%) towards affordable housing under Waverley's Affordable Housing Program in accordance with Council's Planning Agreement Policy 2014.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

Division

For the Motion: Crs Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, O'Neill and Wakefield.

Against the Motion: Crs Betts and Keenan.

CM/7.10/18.04 Voluntary Planning Agreement - 17 Isabel Avenue, Vaucluse (DA-578/2015/A)

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Lewis

That Council undertakes public consultation with residents in the vicinity of 17 Isabel Avenue to distinguish the differences between a voluntary planning agreement and a development application.

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos, O'Neill and Wakefield.

Against the Motion: Crs Betts, Burrill, Goltsman and Kay.

A Aaron (on behalf of the Diamond Bay Precinct) and G Pallo addressed the meeting.

CM/7.11/18.04 Investment Portfolio Report - March 2018 (A03/2211)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis

Seconder: Cr Wakefield

That Council:

1. Receives and notes the Investment Portfolio Report for March 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/7.12/18.04 Surf Club Buildings - Condition Assessment and Capital Renewal Funding Model (A07/0046)

Cr Goltsman declared a less than significant non-pecuniary interest in this item and informed the meeting that he has participated in patrols with the Tamarama Surf Life Saving Club and attended the Tamarama education program.

MOTION / UNANIMOUS DECISION

Mover: Cr O'Neill

Seconder: Cr Wakefield

That Council:

1. Notes the report from Asset Technologies Pacific on the condition of the Waverley Surf Club buildings and the accompanying 10-year lifecycle expenditure cost plans, as detailed in Attachment 1 to this report.
2. Notes that the capital project funding for the upgrade to the four Waverley Surf Club buildings has been allocated in the 2018/19 draft budget, Long Term Financial Plan 5 and Strategic Asset Management Plan 5.
3. Officers investigate options for the best process for delivering the proposed capital projects for the upgrade of the Surf Club buildings, and report back to Council on the recommended delivery model.

T Longworth and A Farley (on behalf of Tamarama Surf Life Saving Club) addressed the meeting.

CM/7.13/18.04 Venue Hire Grant Application - Russian Speaking Jewish Community Association (A17/0227)

Cr Goltsman declared a less than significant non-pecuniary interest in this item informed the meeting that as he is a Russian speaking Jewish person he probably knows some of the people involved.

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis
Seconder: Cr Goltsman

That Council grants \$225 in financial assistance, under section 356 of the *Local Government Act 1993* and the Venue Hire Grants Program 2017-18, to the Russian Speaking Jewish Community Association.

CM/7.14/18.04 Local Hero Awards 2018 (A18/0198)

Cr Masselos declared a less than significant non-pecuniary interest in this item and informed the meeting that she has an association with Plastic Free Bronte.

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr O'Neill

That Council:

1. Receives and notes the report.
2. Endorses the recommendations of the Judging Panel for the Waverley Local Hero Awards 2018, Waverley Young Local Hero Award 2018, and Certificate of Commendation as follows:
 - (a) Local Hero Award – Strengthening Community: Efim Solove
Certificate of Commendation: Laya Slavin
 - (b) Local Hero Award – Community Volunteer: Leila Forde
Certificate of Commendation: Allan Scott
 - (c) Local Hero Award – Community Life: Sara Hawkins.
 - (d) Local Hero Award – Working Together: Mums for Mums and Friends of Waverley Cemetery
 - (e) Local Hero Award – Second Nature Champion: Glen Stevens
Certificate of Commendation: Robin Mellon
 - (f) Young Local Hero Award: Chloe Luu and Belinda Gao (joint award)
 - (g) Mayoral Certificate of Commendation: Plastic Free Bronte
3. Endorses the Panel's further recommendations as follows:
 - (a) That the Heroes receive a trophy, and that the commendations receive a framed certificate.
 - (b) That all other nominees receive a letter of appreciation from the Mayor.
 - (c) That the winners and commendation recipients be nominated by Council in the NSW Volunteer of the Year awards.

4. Officers give consideration to awarding cash prizes to future recipients of these awards.

CM/7.15/18.04 Hugh Bamford Reserve and Williams Park - Plan of Management (A18/0191)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Lewis

That Council:

1. Commences the preparation of a Plan of Management for Hugh Bamford Reserve and Williams Park, and that the heritage artillery emplacements under the reserve be included in the Plan.
2. Funds the preparation of the Plan of Management from the SAMP Reserve.
3. Notes that the Open Space Strategy scheduled for completion in 2018–19 will include a priority program of additional Plans of Managements that require review or drafting in order to comply with the new *Crown Lands Act 2016*.

8. Notices of Motion

CM/8.1/18.04 Boat Trailer Impounding Legislation (A17/0135)

MOTION / UNANIMOUS DECISION

Mover: Cr Kay

Seconder: Cr Betts

That Council officers:

1. Investigate the status of councils opting in to the provisions of the *Impounding Amendment (Unattended Boat Trailers) Act 2015* and progress with addressing the operational issues raised by these provisions.
2. Report back with outcomes from the above investigation, and recommendations on whether to introduce the new provisions, including results from any previous community consultation and experiences of other councils who have opted in.

CM/8.2/18.04 29 Macpherson Street, Waverley - Independent External Heritage Assessment (A13/0619)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That:

1. Council appoints an independent external heritage consultant, with experience in inter-war buildings, to undertake a preliminary heritage assessment of the inter-war units at 29 Macpherson Street, Waverley, as a matter of urgency.
2. If the assessment concludes that the block of units is likely to be found, on further inquiry and investigations, to be of local heritage significance, then an Interim Heritage Order be sought as a

matter of urgency.

3. A report come to Council detailing the report and steps taken.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, O'Neill and Wakefield.

Against the Motion: Nil.

R Rajaratnam (as a resident and on behalf of Bronte Beach Precinct).

CM/8.3/18.04 Sustainable Events (A11/0687)

MOTION

Mover: Cr Masselos

Seconder: Cr O'Neill

That:

1. Council reviews and updates Council's Events Policy and Sustainable Events Policy and Guidelines to stop the use of single-use plastic items and reduce waste generation at internal and externally run events.
2. Council merges the Events and Sustainable Events Policies so that sustainability is integrated into the policy.
3. Council develops an accountability system to ensure internally and externally run events are run according to the new merged policy.
4. The reviewed and merged Events Policy should apply to Council, its employees and contractors' activities when running events within the Waverley Local Government Area.
5. An information package on sustainable events and alternatives to single-use plastic is provided to all event organisers and venue hirers.
6. Training on running environmentally friendly events is delivered to all Council staff involved in co-ordinating or running Council events.

AMENDMENT

Mover: Cr Kay

Seconder: Cr Burrill

That the Motion be adopted subject to the deletion of clause 4.

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

CM/8.4/18.04 Status of Council Resolutions (SF18/691)**MOTION / UNANIMOUS DECISION**

Mover: Cr Keenan
Seconder: Cr Copeland

That:

1. Council officers provide a quarterly progress report to Council on all Councillor Notices of Motions and Mayoral Minutes adopted by Council during the 2012-2017 and the 2017-2020 Council terms.
2. The report provides a short summary on the progress of each resolution, and completed resolutions remain in the report for ease of reference.

CM/8.5/18.04 Outdoor Seating Trading Hours (A17/0250)**MOTION / DECISION**

Mover: Cr Betts
Seconder: Cr Goltsman

That Council conducts a councillor workshop to consider an amendment to the Waverley Development Control Plan 2012 (Part D3, Footpath Activity and Seating, section 3.3.1) to allow restaurants in the B1 Neighbourhood Centre Zone and R3 Medium Density Zone to continue trading under the old closing hours of 10 pm, rather than the recently changed hours of 9 pm, where no significant complaints regarding noise have been received.

H Lambropoulos addressed the meeting.

CM/8.6/18.04 Thomas Hogan Reserve - Landscaping and Maintenance of Private Property Open Space (A03/0092-02)**MOTION**

Mover: Cr Kay
Seconder: Cr Betts

That Council officers:

1. Investigate the landscaping and maintenance of the private property open space at the western side boundary of Thomas Hogan Reserve's upper level in consultation with the strata management/body corporate of the property at 11-13 Martins Avenue, Bondi.
2. Report back to Council about how this can be done, and if there is scope to incorporate the work within revegetation works already scheduled for Spring 2018.

THE MOTION WAS PUT AND DECLARED LOST.

Division

For the Motion: Crs Betts, Burrill, Goltsman and Kay.

Against the Motion: Crs Copeland, Keenan, Lewis, Masselos, O'Neill and Wakefield.

CM/8.7/18.04 Council Amalgamations - Benefits to Waverley from Amalgamation Processes (A16/0248)**MOTION**

Mover: Cr Kay
Seconded: Cr Betts

That Council officers prepare a report from the Waverley, Randwick, and Woollahra amalgamation team processes that identifies key improvements to productivity, services and costs that could be achieved for Waverley through:

1. Our own operational and delivery mechanism.
2. A collaboration with neighbouring councils.
3. Southern Sydney Regional Organisation of Councils (SSROC).
4. Any other measure.

FORESHADOWED MOTION

Mover: Cr Masselos
Seconded: Cr Wakefield

That Council:

1. Writes to the Member for Vaucluse, the Hon. Gabrielle Upton, and requests that the KPMG report on the costs and benefits of council amalgamations be made publicly available in its entirety.
2. Expended significant effort and cost in preparation of operational and financial plans for the forced merger of Waverley with Woollahra and Randwick Councils. The NSW State Government has refused to refund Council the cost of these aborted plans, so therefore the cost continues to be borne by Waverley Council and the ratepayers of Waverley.
3. Informs the Local Government NSW Association of Council's action.

AT THIS STAGE IN THE PROCEEDINGS CR GOLTSMAN RAISED A POINT OF ORDER ON THE GROUNDS THAT THE FORESHADOWED MOTION IS OUT OF ORDER BECAUSE IT IS SUBSTANTIALLY DIFFERENT TO THE MOTION. THE CHAIR DID NOT UPHOLD CR GOLTSMAN'S POINT OF ORDER AND CR GOLTSMAN SUBSEQUENTLY MOVED A MOTION OF DISSENT AGAINST THE CHAIR'S RULING.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

Division

For the Motion of Dissent : Crs Betts, Goltsman and Kay.
Against the Motion of Dissent: Crs Copeland, Keenan, Lewis, Masselos, O'Neill and Wakefield.

THE MOTION WAS THEN PUT AND DECLARED LOST.

Division

For the Motion: Crs Betts, Goltsman and Kay.
Against the Motion: Crs Copeland, Keenan, Lewis, Masselos, O'Neill and Wakefield.

THE FORESHADOWED MOTION NOW BECAME THE SUBSTANTIVE MOTION.

THE MOVER AND SECONDER OF THE SUBSTANTIVE MOTION THEN ACCEPTED AN ADDITIONAL CLAUSE

(CLAUSE 4) TO THE MOTION SUCH THAT THE SUBSTANTIVE MOTION NOW READ AS FOLLOWS:

That Council:

1. Writes to the Member for Vacluse, the Hon. Gabrielle Upton, and requests that the KPMG report on the costs and benefits of council amalgamations be made publicly available in its entirety.
2. Expended significant effort and cost in preparation of operational and financial plans for the forced merger of Waverley with Woollahra and Randwick Councils. The NSW State Government has refused to refund Council the cost of these aborted plans, so therefore the cost continues to be borne by Waverley Council and the ratepayers of Waverley.
3. Informs the Local Government NSW Association of Council's action.
4. Lodges an application under the Government Information (Public Access) Act if the KPMG report is not forthcoming.

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION: That the Substantive Motion be adopted.

At 10.40pm, during Council's consideration of this item, Cr Burrill left the meeting and did not return. Cr Burrill was not present for the votes on this item.

CM/8.8/18.04 Increasing Trees in Waverley (A02/0760-03)

MOTION

Mover: Cr Copeland
Seconder: Cr Keenan

That Council:

1. Notes that increased tree canopy and foliage provides shade for footpaths, improves local air quality, reduces peak summer temperature and provides much needed habitat for native animals.
2. Notes that studies have shown that living near a decent amount of trees/foilage makes people feel healthier, happier and younger.
3. Notes that, by setting and measuring tree/foilage targets, Council can protect our urban forests and put new trees into the hot concrete spaces created by urban development.
4. Sets specific targets to increase urban tree canopy/foilage in our local government area by a 25% increase in public street trees/foilage every five years.
5. Sets guidelines for suitable plantings, with a focus on the extent of tree/foilage cover, encouraging native flora and fauna, and asset protection.
6. Ensures that an assessment of the environmental, social, health, financial and spiritual benefits of trees/foilage (private and public) is undertaken before tree/foilage removal.
7. Includes an 'if remove one, then plant three' trees policy, similar to Sutherland Shire Council's policy.
8. Writes to the Minister for Local Government and Minister for Planning to advise them of this

resolution, and to recommend that enforceable tree/foliage targets are set for all metropolitan areas.

9. Creates a tree-planting schedule in accordance with the five-year tree-planting target.
10. Plants native species such as 'food' species; for example, Lemon Myrtle and Illawarra Plums.
11. Avoids over-reliance on smallish/shorter-lived/sparse shade trees with preference for semi-mature trees.
12. Creates a residents' tree-planting program that would provide one tree free to plant locally from a specially selected list of plants.
13. Investigates options to measure and report on Waverley's urban tree canopy cover.

AMENDMENT

Mover: Cr Goltsman
Second: Cr Betts

That the Motion be adopted subject to clause 4 being amended to read as follows:

'Sets specific targets to increase tree-plantings in our Local Government Area by 10% every five years.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Betts, Goltsman and Kay.

Against the Amendment: Crs Copeland, Keenan, Lewis, Masselos, O'Neill and Wakefield.

THE MOVER AND SECONDER OF THE MOTION THEN ACCEPTED SOME AMENDMENTS, INCLUDING TO THE FORMATTING OF THE MOTION, SUCH THAT THE MOTION NOW READS AS FOLLOWS:

MOTION:

That Council:

1. Notes the following:
 - (a) Increased tree canopy and foliage provides shade for footpaths, improves local air quality, reduces peak summer temperature and provides much needed habitat for native animals.
 - (b) Studies have shown that living near a decent amount of trees/foliage makes people feel healthier, happier and younger.
 - (c) That, by setting and measuring tree/foliage targets, Council can protect our urban forests and put new trees into the hot concrete spaces created by urban development.
2. Officers investigate and report back to Council on:
 - (a) Setting specific targets to increase urban tree canopy/foliage in our Local Government Area by a 25% increase in public street trees/foliage every five years.
 - (b) Setting guidelines for suitable plantings, with a focus on the extent of tree/foliage cover, encouraging native flora and fauna, and asset protection.

- (c) Ensuring that an assessment of the environmental, social, health, financial and spiritual benefits of trees/foliage (private and public) is undertaken before tree/foliage removal.
- (d) The feasibility, cost and community support for an 'if remove one, then plant three' trees policy.
- (e) Creating a tree-planting schedule in accordance with the five-year tree-planting target.
- (f) Planting natives species such as 'food' species; for example, Lemon Myrtle and Illawarra Plums.
- (g) Avoiding over-reliance on smallish, shorter-lived, sparse shade trees with a preference for semi-mature trees.
- (h) Creating a residents' tree-planting program that would provide one tree free to plant locally from a specially selected list of plants.
- (i) Options to measure and report on Waverley's urban tree canopy cover.

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/8.9/18.04 Hunter Park - Condition of Artworks (A03/2480)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That:

1. Council undertakes a review and condition report of the public artworks in Hunter Park.
2. The review include recommendations for remediation and decommissioning of any of the works, if required.
3. The Public Art Committee be consulted throughout the process.
4. The special needs of Hunter Park as Council's designated sculpture park be considered in the development of Council's Open Space Strategy.

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

CM/8.10/18.04 Aboriginal Cultural Heritage Bill (A07/1307-02)

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Copeland

That this item be deferred.

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

9. Urgent Business

There were no items of urgent business.

11. Meeting Closure

THE MEETING CLOSED AT 11.24PM.

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SIGNED AND CONFIRMED
MAYOR
15 MAY 2018