



WAVERLEY
COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 21 AUGUST 2018**

Present:

Councillor John Wakefield (Mayor) (Chair)	Bondi Ward
Councillor Dominic Wy Kanak (Deputy Mayor)	Bondi Ward
Councillor Sally Betts	Hunter 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 Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward

Staff in attendance:

Ross McLeod	General Manager
Rachel Jenkin	Acting Director Waverley Life
Peter Monks	Director Waverley Futures
Emily Scott	Director, Waverley Renewal
Jane Worthy	Manager, Internal Ombudsman's Office

At the commencement of proceedings at 7.03PM, those present were as listed above with the exception of Crs Nemesh and Betts who arrived at 7.34PM and 8.00PM respectively.

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.

Council has granted Cr Burrill 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 Goltsman declared a less than significant non-pecuniary interest in Item CM/8.1/18.08 - Lifeguard Service Risk Review Survey and informed the meeting that he is a member of the North Bondi Surf Club.
- 2.2 Cr Nemesh declared a significant non-pecuniary interest in Item CM/9.1/18.08 - Support for Waverley's Cultural Diversity and informed the meeting that he works for the NSW Jewish Board of Deputies.

3. Addresses by Members of the Public

1. J Hatsaturis - CM/4.2/18.08 - Adoption of Minutes - Waverley Traffic Committee Meeting - 26 July 2018
2. Resident of Tamarama - CM/8.5/18.08 - Tamarama Beach Pedestrian Crossing
3. L Menaker - CM/8.9/18.08 – Overnight Parking in Wellington Place Car Park
4. E and M Katz - CM /8.11/18.08 - Bondi Beach Resident Parking Scheme Area 8
5. M Berkovits - CM/8.12/18.08 - Proposed RMS extended clearway along Old South Head Road

4. Confirmation and Adoption of Minutes**CM/4.1/18.08 Confirmation of Minutes - Council Meeting - 17 July 2018 (SF18/215)****MOTION / DECISION**

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That the minutes of the Council Meeting held on 17 July 2018 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/4.2/18.08 Adoption of Minutes - Waverley Traffic Committee Meeting - 26 July 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 26 July 2018 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/V.04/18.07 - Onslow Street, Rose Bay - "No Parking" zones (A02/0637-02)

And that this item be dealt with separately below.

CM/4.2.1/18.08 Adoption of Minutes - Waverley Traffic Committee Meeting - 26 July 2018 - TC/V.04/18.07 - Onslow Street, Rose Bay - "No Parking" zones (A02/0637-02)

This item was saved and excepted by Cr Kay.

MOTION / UNANIMOUS DECISION

Mover: Cr Kay
Seconder: Cr Goltsman

That the Council Officer's Proposal be adopted subject to the addition of a clause 4 to read as follows:

4. 'installs lane dotted edge lines and driveway edge lines to RMS standards for the new No Parking zones referred to in clause 1'.

J Hatsatouris addressed the meeting on this item.

5. Mayoral Minute**CM/5.1/18.08 Bondi Pavilion (A15/0272)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

That Council, in regard to the Bondi Pavilion Restoration & Conservation project:

1. Acknowledges the approval by the Heritage Office of the Bondi Pavilion Conservation Management Plan (CMP).

2. Recognises that the next phase of planning for the conservation and restoration of Bondi Pavilion will require extensive community consultation over a period of several months.
3. Considers it desirable to undertake any maintenance and improvement work and any restoration preparation works that can be commenced consistent with the Bondi Pavilion Conservation Management Plan (CMP).
4. Prepares a report detailing permissible works to the internal, external and curtilage areas of the Pavilion.

6. Obituaries

GERARD MORVAN
VALERIE ROSENSTRAUSS

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

7. Reports

CM/7.1/18.08 Teachers Hollywood Car Park Permit - Results of Community Consultation (A18/0183)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council takes no action to introduce a Teachers Hollywood Car Park Parking Permit.

CM/7.2/18.08 Parking Meter Fees and Charges - Results of Public Exhibition (SF17/2867)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council amends the fees in the Parking Meter section of the Pricing Policy, Fees and Charges 2018-19 as detailed in Table 2 of this report.

CM/7.3/18.08 Planning Agreement Policy 2014 - Review (A15/0046)

MOTION / DECISION

Mover: Cr Wakefield
Seconder: Cr Lewis

That Council:

1. Adopts the Waverley Planning Agreement Policy 2014 (Amendment No 2) attached to this report subject to the following amendment:
 - (a) The reference to a 25% allocation of funds to affordable housing in sections 2.4 and Appendix 6 of the policy being amended to 10% consistent with Council's current policy and noting that

a future workshop will be held with Councillors to discuss increasing the percentage (currently 10%) of VPA funds going towards the Waverley Affordable Housing Program.

2. Notes the purpose of this amendment to the Waverley Planning Agreement Policy 2014 is to implement pre-scheduled development contribution rates, implement and clarify the process for applying planning agreements to planning proposals in order to fund public infrastructure needs and housekeeping updates.
3. Notes that the proposed amendments relating to standardised, pre-scheduled development contribution rates are consistent with the value sharing principles that have been applied to Planning Agreements negotiated to date.
4. Notes that the proposed amendments relating to a planning proposal are consistent with the principles which have been applied to planning agreements negotiated for development applications, with the latter providing certainty for the community and development industry.

Division

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

Against the Motion: Crs Keenan and Wy Kanak.

CM/7.4/18.08 Voluntary Planning Agreement - 67-69 Penkivil Street, Bondi (DA-531/2015/A)

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Lewis

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 67-69 Penkivil Street, Bondi. The draft Planning Agreement offers a total monetary contribution of \$583,152 to Council with \$524,836.80 going towards public works for the improvement and regeneration of Waverley Park, and \$58,315.20 going towards 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 Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh, O'Neill and Wakefield.

Against the Motion: Crs Keenan and Wy Kanak.

CM/7.5/18.08 Voluntary Planning Agreement - 82-84 Curlewis Street, Bondi Beach (DA-334/2016)

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Lewis

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 82-84 Curlewis Street, Bondi Beach. The draft Planning Agreement offers a total monetary contribution of \$240,000 with \$216,000 to go towards public works for the improvement of the Seven Ways intersection and

10%, or \$24,000, to go to 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 Betts, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh, O'Neill and Wakefield.

Against the Motion: Crs Keenan and Wy Kanak.

CM/7.6/18.08 Voluntary Planning Agreement - 110-116 Bronte Road, Bondi Junction (DA-419/2015)

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Lewis

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 110-116 Bronte Road, Bondi Junction. The draft Planning Agreement offers a total monetary contribution of \$69,537 with \$62,583 going towards Council's Complete Streets Program and/or any other public purpose benefit for the improvement of Bondi Junction and \$6,954 going towards 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 Betts, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh, O'Neill and Wakefield.

Against the Motion: Crs Keenan and Wy Kanak.

CM/7.7/18.08 Building Futures - Grant (A17/0658)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Endorses grant matched funding of up to \$5,000 for the 7 buildings with under 100 apartments to undertake energy saving upgrades as part of the Building Futures program.
2. Endorses grant matched funding of up to \$10,000 for the 3 buildings with over 100 apartments to undertake energy saving upgrades as part of the Building Futures Program.

CM/7.8/18.08 Green/Socially Responsible Bonds Investment Options (A05/0197)**MOTION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council approves investment in “Green” or “Socially Responsible” bonds issued by Australian licensed banks where opportunity arises.

AMENDMENT

Mover: Cr Goltsman

Seconder: Cr Kay

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

“That Council approves investment in “Green” or “Socially Responsible” bonds issued by the four major Australian licensed banks where opportunity arises”.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

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

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

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

CM/7.9/18.08 Waverley Council Floodplain Management Committee (A17/0168)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Establishes the Waverley Council Floodplain Management Committee.
2. Adopts the Constitution and Terms of Reference for the Committee attached to this report subject to amending the Constitution by the addition of two more community members chosen by way of expressions of interest so that residents can have input into the process.
3. Appoints the Mayor, or their delegate, as Chair of the committee, and Crs Copeland and Betts as councillor members, and amends the constitution accordingly.

CM/7.10/18.08 Six Monthly Progress Report against Delivery Program (A17/0149)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council receives and notes progress to 30 June 2018 with respect to the deliverables detailed in the Delivery Program as per Attachment 1 to this report.

**CM/7.11/18.08 Petition - Removal of Roadside Guardrail in Bulga Road, Dover Heights
(A03/0603)****MOTION / DECISION**

Mover: Cr Lewis
Seconder: Cr Wakefield

That:

1. An officer be requested to inspect the site and email advice to ward councillors.
2. A copy of the petition be forwarded to ward councillors.

CM/7.12/18.08 Carry Over request from 2017/18 to 2018/19 (A03/0346)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council approves the carrying forward of budget funds from the 2017/18 financial year to the 2018/19 financial year, as presented in Attachment 1 to this report.

CM/7.13/18.08 Unattended Boat Trailers - Amendment to Impounding Act 1993 (A17/0135)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconder: Cr Lewis

That Council undertakes community consultation as outlined in this report to determine levels of support within the Local Government Area to opt in to the enforcement of unattended registered boat trailers following a ten day period for councillor feedback on the draft survey and frequently asked questions.

CM/7.14/18.08 Investment Portfolio Report - July 2018 (A03/2211)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council:

1. Receives and notes the Investment Summary Report for July 2018 attached to this report.
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/7.15/18.08 SSROC Suppliers Panel for Council Owned Lighting (Public Lighting) Tender
(SF18/3077)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council:

1. 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)(di) of the Local Government Act 1993. The report contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
2. Receives and notes this Tender Recommendation Report for the Council Owned Lighting (Public Lighting) tender, as per attachment 1 to this report.
3. Accept the preferred suppliers listed below as the successful tender respondents for the Council Owned Lighting (Public Lighting) tender, for a period of two (2) years, with commencement date of 1 August 2017. The panel comprises:

CATEGORY 1 Outdoor Lighting Design

- Beca Consultants Pty Ltd
- Electrolight Australia Pty Ltd
- GHD Pty Ltd
- Rubidium Light Pty Ltd
- Steensen Varming (Australia) Pty Ltd

CATEGORY 2 Electrical Design

- Ausgrid Operating Partnership T/A Ausgrid
- Beca Consultants Pty Ltd
- GHD Pty Ltd
- Grid Power Pty Ltd

CATEGORY 3 Luminaire Supply

- Form and Light Pty Ltd
- Gerard Lighting Pty Ltd
- HUB Pty Limited Pty Ltd
- Baker & McAuliffe Holdings Pty Ltd t/a JSB Lighting
- Light Culture Pty Ltd
- Orangetek Pty Ltd
- The Trustee for the Pecan Johnstone Unit Trust t/a Pecan Lighting
- Philips Lighting Limited

CATEGORY 5 Columns

- Urban Lighting Group Pty Ltd
- Bonnell's Supply Pty Ltd T/A International Poles
- GM Poles NSW Pty Ltd
- HUB Australasia Pty Ltd

CATEGORY 6 Installation & Maintenance

- Ausgrid Operating Partnership T/A Ausgrid
- Harnleigh Pty Ltd
- Sydney Data & Electrical Pty Ltd.

CM/7.16/18.08 Establishment of Place Managers (A04/2016)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Endorses the proposal for the establishment of a place management team within Waverley Renewal as detailed in this report.
2. Considers the most effective resourcing strategy for the establishment of a place management team as part of the broader organisational review being undertaken by the General Manager.

CM/7.17/18.08 Enterprise Risk Management Program (A17/0245)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Notes the approach to enterprise risk management being introduced to the organisation.
2. Notes the General Manager's intended program of work to improve rigour, coordination and coherence in the areas of enterprise risk management, probity, internal audit, management control environment and complaints management.
3. Notes that the Risk and Safety Manager and the General Manager will report to the Audit and Risk Committee on the work referred to in 1 and 2 above.
4. Notes the intention of the General Manager to schedule a Councillor's Workshop on Enterprise Risk.
5. Notes the additional level of resource and emphasis being added to the review of Beach Safety and Operational risk as the first operational area to be examined in detail within the newly introduced Enterprise Risk Management approach.

8. Notices of Motion**CM/8.1/18.08 Lifeguard Service Risk Review Survey (A18/0453)**

Cr Goltsman declared a less than significant non-pecuniary interest in this item and informed the meeting that he is a member of the North Bondi Surf Club.

MOTION

Mover: Cr Goltsman

Seconder: Cr Betts

That Council:

1. Requests Mayor Wakefield and Cr. O'Neill to apologise unreservedly to the North Bondi Surf Club, the Bondi Surf Club, Lets Go Surfing, Bondi Longboard Club, Bondi Girls Surfriders, Icebergs, the Bondi Amateur Swimming club, Surf Life Saving Australia and all the regular users of Bondi Beach for the unfortunate July 2018 Council survey (in response to a Mayoral Minute) implying that changes could take place on the beach whereby all users, including children, of any surf craft could be forced to use the unsafe southern side of the beach.

2. Further requests Mayor Wakefield to apologise to the Waverley Lifeguards for stating that they do an unsatisfactory job.
3. Encourages Cr. O'Neill to stand down as Chair of the Surf Club Committee for failing to consult with the members of the Committee prior to the release of the survey.
4. Agrees to consult with all stakeholders in future, prior to any public survey being released.

FORESHADOWED MOTION

Mover: Cr Wakefield

Seconder: Cr O'Neill

That Council:

1. Notes item CM/7.17/18.08 Enterprise Risk Management Program in particular the additional level of resource and emphasis being added to the review of Beach Safety and Operational risk as the first operational area to be examined in detail within the newly introduced Enterprise Risk Management approach.
2. Further notes the release of the Lifeguard Service Risk Profile September 2015, the Lifeguard Service Risk Profile September 2016, and the Operational Risk Profile 2017 all contained in Item CM/7.17/18.08 Enterprise Risk Management.
3. Notes that these documents had not been received by Council in the previous term under the Mayoralty of Cr Betts.

THE MOVER AND SECONDER OF THE MOTION THEN ACCEPTED THE ADDITION OF A CLAUSE 5 AND AN AMENDMENT TO CLAUSE 5 SUCH THAT THE MOTION NOW READS AS FOLLOWS:

MOTION

That Council:

1. Requests Mayor Wakefield and Cr. O'Neill to apologise unreservedly to the North Bondi Surf Club, the Bondi Surf Club, Lets Go Surfing, Bondi Longboard Club, Bondi Girls Surfriders, Icebergs, the Bondi Amateur Swimming club, Surf Life Saving Australia and all the regular users of Bondi Beach for the unfortunate July 2018 Council survey (in response to a Mayoral Minute) implying that changes could take place on the beach whereby all users, including children, of any surf craft could be forced to use the unsafe southern side of the beach.
2. Further requests Mayor Wakefield to apologise to the Waverley Lifeguards for stating that they do an unsatisfactory job.
3. Encourages Cr. O'Neill to stand down as Chair of the Surf Club Committee for failing to consult with the members of the Committee prior to the release of the survey.
4. Agrees to consult with all stakeholders in future, prior to any public survey being released.
5. Notes the General Manager's comment as set out in the Agenda as follows:
 1. *The survey questionnaire referred to was commissioned by the Executive Manager Safe Waverley and developed by independent risk consultant Paul Chivers in conjunction with the Executive Manager. Mr Chivers has worked with the Council on the operational risk profiles for Lifeguard Services and the Lifeguard Operations Manual since 2012.*

2. *The survey was developed in response to the unanimous resolution of Council from March 2018 that resolved to consult with the community on a number of items relating to beach safety and amenity including buffer zones, hard boards, and cycling and skateboarding along the Bondi Beach promenade. It was incorporated into the development of the operational risk profile for 2018.*
3. *Neither the Mayor, Councillor O'Neill nor any other Councillor was involved in the preparation of the survey questionnaire. No Councillor sighted or had input into the survey before it was issued, and no Councillor was consulted over its issue. It appears that there was an insufficiently robust process for checking and signing off on the survey questionnaire before it was issued.*
4. *A review of Council's email system shows that the survey was sent to targeted stakeholder groups, including Councillor email addresses, on Friday 13 July 2018, prior to its issue to the public on Wednesday 18 July 2018. It appears that media outlets obtained a copy of the survey questionnaire during this initial distribution phase. Media comment focussed on wording in the survey questionnaire that implied the possibility of restrictions on surfing at Bondi Beach. Council staff are not aware of any Council proposal to ban surfing at Bondi Beach.*
5. *Inquiries to date indicate that frontline Lifeguard staff were not consulted regarding specific wording of the survey nor were they advised prior to its issue. The survey questionnaire was however commissioned by the manager responsible for managing beach safety and the lifeguard team.*
6. *The wording of the survey did not reflect the intention of the Council resolution and has since been corrected. As General Manager, I must take responsibility for the organisational failures that led to this situation. Steps are being taken to ensure a similar occurrence does not occur again. On behalf of this organisation, I apologise for the reputational damage caused.*

subject to noting that in relation to clause 4 that not all councillors received the survey on Friday 13 July 2018 as indicated.

At 9.27pm, the Chair adjourned the meeting to restore order as permitted under s13.4 of Council's Code of Meeting Practice.

At 9.36pm, the meeting resumed with all councillors in attendance present.

At 9.39pm, the Chair adjourned the meeting to restore order as permitted under s13.4 of Council's Code of Meeting Practice.

At 9.41pm, the meeting resumed with all councillors in attendance present.

AT THIS STAGE IN THE PROCEEDINGS, A PROCEDURAL MOTION THAT THE MOTION BE NOW PUT, MOVED BY CR COPELAND, WAS PUT AND DECLARED CARRIED.

THE MOTION WAS THEN PUT AND DECLARED LOST.

THE FORESHADOWED MOTION NOW BECAME THE SUBSTANTIVE MOTION.

AT THIS STAGE IN THE PROCEEDINGS CR GOLTSMAN, SECONDED CR KAY, MOVED A MOTION OF DISSENT IN THE CHAIR'S RULING THAT THE FORESHADOWED MOTION IS NOT SUBSTANTIALLY DIFFERENT TO THE MOTION LISTED ON THE AGENDA.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

AMENDMENT

Mover: Cr Goltsman

Seconder: Cr Betts

That the Substantive Motion be adopted subject to clause 3 being amended to read as follows:

“Notes that these documents had not been received by Council in the previous term under the Mayoralty of Cr Betts and former Councillor Clayton as Chair”.

THE AMENDMENT WAS PUT AND DECLARED LOST.

AMENDMENT

Mover: Cr Goltsman

Seconder: Cr Betts

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

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

DECISION: That Council:

1. Notes item CM/7.17/18.08 Enterprise Risk Management Program in particular the additional level of resource and emphasis being added to the review of Beach Safety and Operational risk as the first operational area to be examined in detail within the newly introduced Enterprise Risk Management approach.
2. Further notes the release of the Lifeguard Service Risk Profile September 2015, the Lifeguard Service Risk Profile September 2016, and the Operational Risk Profile 2017 all contained in Item CM/7.17/18.08 Enterprise Risk Management.
3. Notes that these documents had not been received by Council in the previous term under the Mayoralty of Cr Betts.

CM/8.2/18.08 Establishment of Perpetual Fund for ongoing maintenance of monuments and graves within Waverley and South Head Cemeteries (A02/0658-06)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Lewis

That Council:

1. Investigates the establishment of a perpetual fund that is used to fund ongoing maintenance of the Waverley Cemetery and South Head monuments and graves.
2. Analyses the benefits and weaknesses of each option.
3. Reports back to Council with a recommendation.

CM/8.3/18.08 UNESCO Status for Waverley Cemetery (A02/0658-06)**MOTION (WITHDRAWN)**

That Council officers investigate the requirements for UNESCO heritage status for Waverley Cemetery and report back to Council.

CM/8.4/18.08 Macpherson Street Pedestrian Crossing - Improved Lighting (A03/0539)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Investigates the level of lighting over the marked pedestrian crossing in Macpherson Street, Bronte just west of St Thomas Street, Bronte.
2. Works with Ausgrid to upgrade the lighting of the pedestrian crossing to improve safety as a matter of urgency.

CM/8.5/18.08 Tamarama Beach Pedestrian Crossing (A03/0845)**MOTION / UNANIMOUS DECISION**

Mover: Cr O'Neill

Seconder: Cr Copeland

That Council investigates the introduction of a pedestrian crossing and speed calming measures near the intersection of Tamarama Marine Drive and Pacific Avenue, Tamarama.

A resident of Tamarama addressed the meeting.

CM/8.6/18.08 Inter-War Buildings Heritage Assessment (A13/0648)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Wakefield

That Council:

1. Notes the recent heritage assessment report from John Oultram Heritage and Design concerning 27-29 Macpherson Street.
2. Recognises the current heritage audit of buildings throughout the municipality presently being conducted by Council officers.
3. Ensures that this audit considers and identifies Inter-War buildings that should be considered for heritage listing.
4. If this research reveals other Inter-War buildings that should be heritage listed, then Council commences a process to have these identified Inter-War buildings listed.

CM/8.7/18.08 Public Notice of Planning Agreements (A15/0046)**MOTION / UNANIMOUS DECISION**

Mover: Cr Keenan
Seconder: Cr Wy Kanak

That all public notices in relation to Planning Agreements contain both the FSR and the actual square metres of space that will be provided as part of the planning agreement.

Division

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

Against the Motion: Nil.

CM/8.8/18.08 Creation of Animal Advisory Committee (A18/0499)**MOTION / DECISION**

Mover: Cr Keenan
Seconder: Cr Copeland

That Council Officers prepare a report examining the creation of an Animal Advisory Committee and report back to Council by the end of year. The purpose of such a committee would be to serve as an advisory body to Council to assist with the development of policies, programmes, services and plans in relation to both companion and native animals.

CM/8.9/18.08 Investigate Overnight Parking in Wellington Place Car Park (A02/0146)**MOTION / UNANIMOUS DECISION**

Mover: Cr Kay
Seconder: Cr Goltsman

That Council:

1. Notes the report to Council's Operations Committee on 4 March 2014, and the resolution of the Committee for the matter to be deferred.
2. Officers further investigate the operation of the Wellington Place Car Park, Bondi and its relationship to the adjoining property at 46-48 Ocean Street (north), including document research and consultation with Housing NSW and the residents of 46-48 Ocean Street, to determine:
 - (a) Any conditions in the original development consent or elsewhere for:
 - i. overnight parking to not be permitted from 10pm - 8am.
 - ii. no resident parking being permitted.
 - (b) How overnight parking and/or resident parking could be facilitated in relation to existing conditions of consent, and whether any conditions of consent need to be varied or deleted.
 - (c) Whether extended hours of operation are warranted for the car park, and what may be the up-take of users for overnight parking.
3. Officers prepare a report for Council consideration.

L Menaker addressed the meeting.

CM/8.10/18.08 Completion of Coastal Walk (A03/1331-05)**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis
Seconder: Cr Wakefield

That Council

1. Investigates and reports back on options to provide coastal and near coastal walking routes linking Raleigh Park, Dover Heights to Ben Buckler, Bondi Beach. The report is to consider a route incorporating Hugh Bamford Reserve and Williams Park and identify possible solutions to ensure safety of passage through Williams Park which is currently used as a golf course. The report is to also identify the significant cultural, physical and natural locations along the possible routes.
2. As part of the investigation, undertakes a cliff top coastal walk feasibility study and allocate a budget of \$50,000 in the Q1 amendment to the current capital works program 2018/19.

CM/8.11/18.08 Bondi Beach Resident Parking Scheme Area 8 (A03/2581)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council officer's report on the current parking arrangements in Bondi Beach Resident Parking Scheme Area 8 in regard to subsidiary permits, such as the Short Term Visitors Parking Permit, for Council's consideration.

E and M Katz addressed the meeting.

CM/8.12/18.08 Proposed RMS extended clearway along Old South Head Road (A03/0526)**MOTION / UNANIMOUS DECISION**

Mover: Cr Kay
Seconder: Cr Nemesh

That Council:

1. Notes the unanimous Council decision to not support the RMS proposal for an extended Clearway on Old South Head Road, between Flood Street and Victoria Road, and the RMS proposal to convert the 'left turn only buses excepted' lane in Old South Road at Flood Street into a shared left turn / straight through lane.
2. Notes community dissatisfaction with the RMS relocation of the bus stop on Old South Head Road from the approach to the departure side of Flood Street as per representations to councillors and the Member for Vacluse, and the undue impacts that have resulted.
3. Employs the services of a specialised traffic consultant to review the RMS data for the proposed extended Clearway along Old South Head Road, between Curlewis Street and Syd Einfeld Drive, and report on the impact of the following intersections and pinch points on Old South Head Road travel times:
 - (a) Old South Head Road/Bondi Road/ Oxford Street/ Syd Einfeld Drive, and
 - (b) Old South Head Road/Curlewis Street/O'Sullivan Road/Birriga Road.
 - (c) The right turn from Old South Head Road into Victoria Road after 10am weekdays, and the benefit of introducing a green right turn arrow.

- (d) The current 'left turn only, buses excepted' nearside lane at the Flood Street traffic lights that immediately follows the bus lane from Penkivil Street, and if there is any benefit to the RMS proposal to convert this nearside lane to a shared left turn / straight through movement.
4. Undertakes the traffic review expeditiously so that outcomes and recommendations may be submitted to the RMS for inclusion in their considerations.
 5. Notes funding confirmation will be provided during Council's Quarter 1 financial review.

M Berkovits addressed the meeting.

CM/8.13/18.08 Street Libraries and Book Sharing Initiatives (A18/0503)

MOTION / UNANIMOUS DECISION

Mover: Cr Goltsman

Seconder: Cr Kay

That Council:

1. Prepares a report detailing what changes to Council's current regulations and policies would be needed to allow businesses and community organisations in Waverley to give away books on condition that the placement of the books on the pavement does not create a safety hazard for pedestrians or unduly impede pedestrian flow and legitimate footpath use, complies with relevant regulations and that the containers of books are brought into the store overnight.
2. Continues to promote the establishment of community based 'Street Libraries' aimed at encouraging more local participation of free book sharing services.

9. Urgent Business

CM/9.1/18.08 Support for Waverley's Cultural Diversity (A15/0517)

Council decided to deal with this matter as an item of urgent business.

Midway through this item Cr Nemesh declared a significant non-pecuniary interest and informed the meeting that he works for the NSW Jewish Board of Deputies. Cr Nemesh was not present at, or in sight of, the meeting for the remainder of the debate and vote on this item.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Lewis

That Waverley Council recognises and supports our multicultural society and as such:

1. Condemns Senator Fraser Anning's inflammatory and racist maiden speech and writes to him expressing this condemnation.
2. Rejects in the strongest terms Senator Anning's reference to the 'final solution,' understanding the extreme distress, anguish and fear such a statement elicits, especially within the Jewish community.
3. Rejects in the strongest terms Senator Anning's reference to the discredited White Australia policy of the past by calling for ending all further Muslim immigration, understanding the reasons given by Senator Anning are untrue, vexatious, distressing and alienating of hard working and committed

Australians of the Muslim faith.

4. Believes all tiers of Australian government should be providing enlightened leadership that supports and enhances an inclusive and dynamic multicultural society that does not tolerate the prejudice evident in Senator Anning's speech.
5. Congratulates the Prime Minister, Leader of the Opposition and the Leader of the Australian Greens for joining together in condemning Senator Anning's speech.
6. Reaffirms that the Waverley LGA is an open, strong, inclusive, resilient and fair multicultural community.
7. Notes the existing motion for Waverley's Walk for Respect, an event in support of multiculturalism and our various culturally and linguistically diverse communities, and aims to hold the event in November 2018.
8. Writes to the Executive Council of Australian Jewry, NSW Jewish Board of Deputies and the Australian Federation of Islamic Councils (also known as Muslims Australia) condemning Senator Anning's sentiment and supporting our Jewish and Muslim communities.
9. Issues a media release stating Waverley's support for our culturally diverse community and multiculturalism and their important contribution to our society.

10. Closed Session

Nil.

11. Meeting Closure

THE MEETING CLOSED AT 10.47PM.

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SIGNED AND CONFIRMED
MAYOR
27 SEPTEMBER 2018