



WAVERLEY
COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION
ON TUESDAY, 16 OCTOBER 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 Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward

Staff in attendance:

Ross McLeod	General Manager
Rachel Jenkin	Acting Director, Waverley Life
Mitchell Reid	Acting Director, Waverley Futures
Emily Scott	Director, Waverley Renewal
Jane Worthy	Internal Ombudsman

At the commencement of proceedings at 7.01 PM, those present were as listed above, with the exception of Cr Lewis who arrived at 9.21 PM during Council's consideration of Item CM/8.3/18.10 - Sydney Football Stadium Traffic Study .

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 Wakefield declared a less than significant non-pecuniary interest in Item CM/4.2/18.10 - Adoption of Minutes - Waverley Traffic Committee Meeting - 27 September 2018 and informed the meeting that he knows the person addressing Council through their connection with the Labor Party.

3. Addresses by Members of the Public

- 3.1 N Callanan – Item CM/4.2/18.10 – Adoption of Minutes - Waverley Traffic Committee Meeting – 27 September 2018 in relation to TC/V.01/18.09 – North Bondi - Resident Parking Scheme Area 10 – Expansion.

4. Confirmation and Adoption of Minutes

CM/4.1/18.10 Confirmation of Minutes - Council Meeting - 27 September 2018 (SF18/215)

MOTION / UNANIMOUS DECISION:

Mover: Cr Wakefield
Seconder: Cr Masselos

That the minutes of the Council meeting held on 27 September 2018 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

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

CM/4.2/18.10 Adoption of Minutes - Waverley Traffic Committee Meeting - 27 September 2018 (SF18/241)

MOTION / UNANIMOUS DECISION: Mover: Cr Wakefield
Seconded: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 27 September 2018 be received and noted, and that the recommendations contained therein be adopted, with the exception of Item TC/C.04/18.09 – Bronte Cutting, Bronte – Pedestrian Walkway Barrier Trial, which was considered at the Strategic Planning and Development Committee meeting on 9 October 2018.

Save and except the following:

1. TC/C.02/18.09 - Ewell Street, Bondi - Resident Parking
2. TC/V.01/18.09 - North Bondi - Resident Parking Scheme Area 10 - Expansion

And that these items be dealt with separately below.

N Callanan addresses the meeting in relation to TC/V.01/18.09 – North Bondi - Resident Parking Scheme Area 10 - Expansion.

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

CM/4.2.1/18.10 Adoption of Minutes - Waverley Traffic Committee Meeting - 27 September 2018 - TC/C.02/18.09 - Ewell Street, Bondi - Resident Parking (A03/2581)

This item was saved and excepted by Cr O'Neill.

MOTION / DECISION: Mover: Cr O'Neill
Seconded: Cr Masselos

That the matter be deferred to the next Council meeting and information be provided on the extent and nature of the survey undertaken.

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

CM/4.2.2/18.10 Adoption of Minutes - Waverley Traffic Committee Meeting - 27 September 2018 - TC/V.01/18.09 - North Bondi - Resident Parking Scheme Area 10 - Expansion (A02/0750)

MOTION / DECISION: Mover: Cr O'Neill
Seconded: Cr Masselos

That the matter be deferred to the next Council meeting and information be provided on the extent and nature of the survey undertaken.

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

5. Mayoral Minute

There were no Mayoral Minutes.

6. Obituaries

There were no Obituaries.

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

7. Reports

CM/7.1/18.10 Investment Portfolio Report - September 2018 (A03/2211)

MOTION / UNANIMOUS DECISION: Mover: Cr Wakefield
Seconded: Cr Copeland

That Council:

1. Receives and notes the Investment Summary Report for September 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.

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

CM/7.2/18.10 Small Grants Program 2018-19 (Round 1) (A18/0436)

MOTION / UNANIMOUS DECISION: Mover: Cr Wakefield
Seconded: Cr O'Neill

That Council:

1. Approves grants to the value of \$56,650 to organisations and individuals as set out in Table 1 of this report, under its Small Grants Program (Round 1) 2018–19, with conditions where specified as attached to this report.
2. Confirms the provision of a one off Small Grant of \$4,050 to Sculpture by the Sea for the provision of a temporary transport service at Sculpture by the Sea 2018 as endorsed by the Operations and Community Services Committee at its meeting on 9 October 2018.
3. Notes the amount of funding available for Small Grants – Round 2 will be reduced as a result of the additional grant provided to Sculpture by the Sea.

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

CM/7.3/18.10 Public Art Master Plan - Additional Sites and Next Site for Commission (2018-19) (A17/0660)

MOTION: Mover: Cr Wakefield
Seconded: Cr Masselos

That Council:

1. Endorses the next two sites for the commissioning and installation of public art in the Waverley local government area as Marks Park (Site 4) and Bondi Pavilion (Site 5).
2. Updates the Waverley Public Art Master Plan to include the two additional sites of Marks Park and Bondi Pavilion as per the draft site pages attached to this report, subject to the following amendments:
 - (a) A map of the suggested location be added to the Marks Park Site Page with a brief text description.
 - (b) The reference to the suggested location in the first paragraph of the draft Mark Park Site Page be amended to provide greater clarity on the position.
3. Notes the commissioning process for these two sites will be conducted in accordance with the processes outlined in the Waverley Public Art Policy for the procurement and approval of permanent public art works in Waverley.
4. Authorises the General Manager to commence formal negotiations with ACON about co-funding arrangements for a memorial artwork in Marks Park.

AMENDMENT: Mover: Cr Kay
Seconded: Cr Burrill

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

“Acknowledges the strong support from Sculpture by the Sea for a public memorial artwork in Marks Park, as indicated in the report”.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

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

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

AMENDMENT: Mover: Cr Kay
Seconded: Cr Burrill

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

“Officers consult with Sculpture by the Sea and ACON on the suggested location for the artwork in Marks Park”.

AT THIS STAGE IN THE PROCEEDINGS, AT 7.48PM, THE CHAIR ADJOURNED THE MEETING TO RESTORE ORDER AS PERMITTED UNDER S13.4 OF COUNCIL’S CODE OF MEETING PRACTICE.

THE MEETING RESUMED AT 7.52PM WITH ALL COUNCILLORS PRESENT.

AT 7.54PM THE CHAIR ADJOURNED THE MEETING A SECOND TIME TO RESTORE ORDER.

THE MEETING RESUMED AT 7.57PM WITH ALL COUNCILLORS PRESENT.

FORESHADOWED AMENDMENT

Mover: Cr Goltsman

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

“Officers invite feedback from Sculpture by the Sea and ACON on the suggested location for the artwork in Marks Park”.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division:

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

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

THE FORESHADOWED AMENDMENT THEN BECAME THE SUBSTANTIVE AMENDMENT.

THE SUBSTANTIVE AMENDMENT WAS NOT DEALT WITH AND THE MOVER AND SECONDER OF THE MOTION ACCEPTED AN AMENDED VERSION OF THE SUBSTANTIVE AMENDMENT, SUCH THAT THE MOTION NOW READS AS FOLLOWS:

MOTION:

That Council:

1. Endorses the next two sites for the commissioning and installation of public art in the Waverley local government area as Marks Park (Site 4) and Bondi Pavilion (Site 5).
2. Updates the Waverley Public Art Master Plan to include the two additional sites of Marks Park and Bondi Pavilion as per the draft site pages attached to this report, subject to the following amendments:
 - (a) A map of the suggested location be added to the Marks Park Site Page with a brief text description.
 - (b) The reference to the suggested location in the first paragraph of the draft Mark Park Site Page be amended to provide greater clarity on the position.
3. Notes the commissioning process for these two sites will be conducted in accordance with the processes outlined in the Waverley Public Art Policy for the procurement and approval of permanent public art works in Waverley.
4. Authorises the General Manager to commence formal negotiations with ACON about co-funding arrangements for a memorial artwork in Marks Park.
5. Officers invite feedback from Sculpture by the Sea on the suggested location for the artwork in Marks Park.

THE MOTION WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

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

CM/7.4/18.10 Licence Agreement for Delivery of Skateboard Competition at Bondi Skate Park 2019-2021 (A18/0472)

MOTION / UNANIMOUS DECISION: Mover: Cr Wakefield
Seconded: Cr Goltsman

That Council

1. Authorises the General Manager, or delegated representative, to enter into a three year license agreement on behalf of Council with Frontside Events for the delivery of Event Management Services for the Outdoor Skate Competition Event 2019-2021 at Bondi Skate Park.
2. Request the event organiser to have a more substantial element of Acknowledgement of Country within the event including referencing the nearby rock engravings.

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

CM/7.5/18.10 Tender Evaluation - Recyclable Materials Acceptance and Processing Services (A18/0361)

MOTION / UNANIMOUS DECISION: Mover: Cr Wakefield
Seconded: 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 Visy Recycling as the preferred tenderer for the supply of Recyclable Materials Acceptance and Processing Services.
3. Authorises the General Manager, or delegated representative, to negotiate and enter into a contract on behalf of Council with Visy Recycling for three years with two, one-year options to extend that term at the sole discretion of Council.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

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

CM/7.6/18.10 Annual Returns Disclosing Interests of Councillors and Designated Persons (A17/0655)

MOTION / UNANIMOUS DECISION: Mover: Cr Wakefield
Seconded: Cr Wy Kanak

That Council receives and notes the returns by Councillors and Designated Persons disclosing interests.

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

8. Notices of Motion**CM/8.1/18.10 Children and Young People Summit (A18/0629)**

MOTION: Mover: Cr Masselos
Seconded: Cr O'Neill

That:

1. Council convenes a Children and Young People Summit to:
 - (a) Commence a formal dialogue between Waverley LGA's children and young people and Council.
 - (b) Identify key matters of concern for our children and young people.
 - (c) Develop ideas about how Council can ensure engagement takes place with children and young people for the long term across Council's diverse range of services and activities.
2. A report come to Council that outlines a plan for the summit including:
 - (a) The size of the summit.
 - (b) How children and young people are identified to be able to participate in the summit.
 - (c) Possible summit themes and speakers.
 - (d) Venue.
 - (e) Budget.
3. A steering committee be established including Councillor Masselos (Chair) and Councillor O'Neill, staff and four students from selected primary and secondary schools in Waverley LGA.

AMENDMENT: Mover: Cr Nemesh
Seconded: Cr Goltsman

That the Motion be adopted subject to:

1. The deletion of Clause 1.
2. Clause 2 being amended to read as follows:

“A report come to Council that outlines a plan for a children and young people summit including:

- (a) The size of the summit.
- (b) How children and young people are identified to be able to participate in the summit.
- (c) Possible summit themes and speakers.
- (d) Venue.
- (e) Budget”.

3. Clause 3 being amended to read as follows:

“A steering committee be established including Councillor Masselos (Chair), Councillor O’Neill and one other Councillor, staff and selected students from all primary and secondary schools in the Waverley LGA”.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division:

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

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

THE MOVER AND SECONDER OF THE MOTION THEN ACCEPTED SEVERAL MINOR AMENDMENTS, SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council :

1. Investigates convening a Children and Young People Summit that would:
 - (a) Commence a formal dialogue between Waverley LGA’s children and young people and Council.
 - (b) Identify key matters of concern for our children and young people.
 - (c) Develop ideas about how Council can ensure engagement takes place with children and young people for the long term across Council’s diverse range of services and activities.
2. Receives a report that outlines a plan for the summit including:
 - (a) The size of the summit.
 - (b) How children and young people are identified to be able to participate in the summit.
 - (c) Possible summit themes and speakers.
 - (d) Venue.
 - (e) Budget.
3. Establishes a steering committee consisting of Councillor Masselos (Chair), Councillor O’Neill, Councillor Nemes, staff and six students from primary and secondary schools in Waverley LGA.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION: That the Motion be adopted.

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

CM/8.2/18.10 Wild Play Area in Clementson Park (A09/0368-02)

MOTION / DECISION: Mover: Cr Masselos
Seconded: Cr Keenan

That Council:

1. As part of the officers' annual play space safety audit of playgrounds, include the following for consideration:
 - (a) An investigation be undertaken to identify the opportunity for a wild play area in Clementson Park detailing:
 - (i) Feasibility.
 - (ii) Options including accessibility options.
 - (iii) Budgets.
 - (iv) Community consultation strategy which includes consulting with children and families who would be potential users.
 - (v) And providing recommendations including Bondi Park or any alternative parks for consideration.
 - (b) Arguments for and against reprioritising Clementson Park as a regional park.
2. A report comes to Council addressing the above issues.

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

CM/8.3/18.10 Sydney Football Stadium Traffic Study (A03/0943)

Cr Lewis arrived at the meeting during Council's consideration of this item and was present for the vote on the Motion.

MOTION: Mover: Cr O'Neill
Seconded: Cr Wakefield

That Council writes to Infrastructure NSW and the NSW Department of Planning and Environment requesting:

1. Infrastructure NSW conducts a Traffic study for the Waverley Council area as the impact of a 55,000 capacity stadium will be much greater on local amenity than the existing stadium.

2. Infrastructure NSW conducts a presentation to Council on the proposal and for any information on traffic patterns both during construction and afterwards when the stadium is operating.
3. The Department of Planning and Environment imposes a condition on any consent they are considering issuing for the Sydney Stadium proposal requiring the applicant to undertake the traffic study referred to in clause 1 above.

AMENDMENT:

Mover: Cr Kay
Seconder: Cr Betts

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

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOVER AND SECONDER OF THE MOTION THEN ACCEPTED SEVERAL AMENDMENTS SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council writes to Infrastructure NSW and the NSW Department of Planning and Environment requesting:

1. Infrastructure NSW conducts a traffic study for the Waverley Council area as the impact of a 55,000 capacity stadium may have a greater impact on local amenity than the existing stadium, noting that the seating capacity remains the same at 45,000 and the proposed capacity for concert style events has increased from 48,000 to 55,000.
2. Infrastructure NSW conducts a presentation to Council on the proposal and for any information on traffic patterns both during construction and afterwards when the stadium is operating.
3. The consent authority imposes a condition on any consent they are considering issuing for the Sydney Stadium proposal requiring the applicant to undertake the traffic study referred to in clause 1 above.

THE MOTION WAS PUT AND DECLARED CARRIED UNANIMOUSLY ON A SHOW OF HANDS 12/0.

UNANIMOUS DECISION: That the Motion be adopted.

9. Urgent Business**CM/9.1/18.10 Support for Waverley's Multicultural Society (A15/0517)**

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

MOTION / UNANIMOUS DECISION:

Mover: Cr Masselos
Seconder: Cr Wy Kanak

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

1. Condemns Senator Hanson's racist, incendiary and inappropriate notice of motion "It's OK to be white".
2. Rejects in the strongest terms Senator Hanson's use of 'it's OK to be white' given its association with alt-right, neo Nazi and white supremacist' movements understanding the extreme distress, anguish,

fear and disgust such a statement elicits, especially within Australia’s multicultural community and all fair minded Australians.

- 3. Rejects in the strongest terms Senator Hanson’s racist views understanding there is no place that such views should be allowed or supported.
- 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 racism and uninformed position evident in Senator Hanson’s speech.
- 5. Condemns the Liberal Party Senators who initially voted with Senator Hanson in support of her notice of motion.
- 6. Notes the reversal of the Liberal Party Senators’ support for Senator Hanson’s notice of motion in a re-vote on Tuesday 16th October.
- 7. Reaffirms that the Waverley LGA is an open, strong, inclusive, resilient and fair multicultural community.
- 8. Writes to Senator Hanson stating our condemnation for her racist stance and policies, and attaching this motion.
- 9. Writes to all federal parliamentary leaders of all parties seeking an undertaking that their members will not support any such racist notices of motion in the future, and attaching this urgency motion.
- 10. Issues a media release stating Waverley’s support for our culturally diverse community and multiculturalism and their important contribution to our society.
- 11. Notes the existing motion for Waverley’s Walk for Respect, an event in support of multiculturalism and our various culturally and linguistically diverse communities, which will be held in early March 2019.

10. Closed Session

Nil.

11. Meeting Closure

THE MEETING CLOSED AT 9.47 PM.

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SIGNED AND CONFIRMED
MAYOR
20 NOVEMBER 2018