



WAVERLEY
COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 19 MARCH 2019**

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 Nemes	Hunter Ward

Staff in attendance:

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

At the commencement of proceedings at 7.04 pm, those present were as listed above, with the exception of Cr Wy Kanak, who arrived at 7.09 pm, and Cr Lewis, who arrived at 7.16 pm.

At 11.21 pm, Cr Kay left the meeting 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.

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING MOTION WAS MOVED BY CR GOLTSMAN AND SECONDED BY CR KAY:

That the recording of this meeting be made publicly available as soon as practical.

THE MOTION WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

1. Apologies/Leaves of Absence

Apologies were received and accepted from Cr O'Neill.

Cr Burrill was previously granted leave of absence by Council 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 Betts declared significant non-pecuniary interest in Item CM/8.8/19.03 – NSW Government Support in Waverley, and informed the meeting that she is on the management board of WAYS, and will leave the meeting for the consideration and vote on this item.
- 2.2 Cr Betts declared significant non-pecuniary interest in Item CM/8.10/19.03 – NSW Government Grants – Benefits to Waverley, and informed the meeting that she is on the management board of WAYS, and will leave the meeting for the consideration and vote on this item.
- 2.3 Cr Wy Kanak declared a less than significant non-pecuniary interest in Item CM/7.5/19.03 – Ocean Lovers Festival – Grant, and informed the meeting that he is the president of the Local Government Aboriginal Network and made a submission via Council's Have Your Say website. Cr Wy Kanak advised that he will leave the meeting for the consideration and vote on this item.
- 2.4 Cr Wy Kanak declared a less than significant non-pecuniary interest in Item CM/8.14/19.03 – Local Government Aboriginal Network Conference 2019, and informed the meeting that he is the president of the Local Government Aboriginal Network.

- 2.5 Cr Copeland declared a pecuniary interest in Item CM/5.1/19.03 – Bondi Pavilion Conservation and Restoration Project – Development Application, and informed the meeting that he has a part-time job at the Pavilion, and will leave the meeting for the consideration and vote on this item.

3. Addresses by Members of the Public

- 3.1 A resident – CM/8.1/19.03 – RESCISSION MOTION – CM/7.13/19.02 – Bronte Cutting Pedestrian Link Project.
- 3.2 I Ash – CM/8.4/19.03 – Bronte Cutting – Planting Plan for Burnt Vegetation.
- 3.3 T Golan – CM/8.9/19.03 – Bondi Beach Playground Improvements and Petition.

4. Confirmation and Adoption of Minutes

CM/4.1/19.03 Confirmation of Minutes - Council Meeting - 19 February 2019 (SF19/325)

MOTION / DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That the minutes of the Council Meeting held on 19 February 2019 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/4.2/19.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 28 February 2019 (SF19/328)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 28 February 2019 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/V.04/19.02 – Ramsgate Avenue, Bondi Beach – Temporary Loss of Parking for Site Compound.

And that this item be dealt with separately below.

**CM/4.2.1/19.03 Ramsgate Avenue, Bondi Beach – Temporary Loss of Parking for Site Compound
(A03/0042-04)**

This item was saved and excepted by Cr Kay.

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak

Seconder: Cr Kay

That that Council Officer's proposal be adopted subject to the word 'extend' in clause 2 being replaced with 'adjust', such that the proposal now reads as follows:

That Council:

1. Approves the installation of a temporary, on road compound and associated temporary loss of 16 angle parking spaces on Ramsgate Avenue, Bondi Beach subject to:
 - (a) A site meeting being held with Council, Councils contractor (once appointed), NSW Police and Sydney Buses to discuss traffic management during the works.
 - (b) A Traffic Control Plan being submitted to the Executive Manager, Creating Waverley prior to works commencing on the compound.
2. Delegates authority to the Executive Manager, Creating Waverley, to adjust the length and duration of, or remove, the site compound, as necessary.

5. Mayoral Minutes

**CM/5.1/19.03 Bondi Pavilion Conservation and Restoration Project - Development Application
(A15/0272)**

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

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

That:

1. Council notes the imminent lodgement of a development application for the Bondi Pavilion Conservation and Restoration Project is expected to be early April 2019.
2. Council undertakes a minimum 28-day period of community consultation on the development application, including a public forum and appropriate information materials, online and in print.
3. Council notes the requirement for the development application to be referred to the NSW Heritage Office for comment, prior to the determination of the DA.
4. Council notes that the town planning assessment will be undertaken by an external independent planning consultant.
5. Council notes that the Sydney Eastern City Planning Panel is the consent authority for the

development application.

6. Council anticipates that the development application will be determined by late 2019.
7. Council expects project commencement in February 2020 immediately after the peak summer period.
8. The Mayor and Deputy Mayor release a media statement on this mayoral minute.

CM/5.2/19.03 Waverley Oval - Indoor Cricket Nets Facility (A19/0215)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

That Council:

1. Notes that Easts Cricket Club has recently approached Council with a proposal to build an indoor cricket practice net facility and associated amenities on the area immediately south of the Phil O’Sullivan–Bob Horsell Grandstand at Waverley Oval above the indoor sports facility and astrourfed tiered seating structure.
2. Requests officers to undertake discussions with representatives of Easts Cricket Club to examine the potential of building a cricket practice net facility and associated amenities, including a pre-feasibility study.
3. Notes that these discussions will be undertaken consistent with the recently adopted Capital Partnership Probity Guidelines for joint projects with community groups.
4. Considers the following important:
 - (a) The need for toilet and changing facilities that can be accessed by other sports activities at Waverley Park, with specific emphasis on adequate female facilities.
 - (b) The net area and associated space be usable for other purposes than cricket practice nets.
 - (c) The material of the structure be lightweight, and that the structure, when viewed from the oval and from public areas within the park, does not present as a bulky, intrusive or oversized addition to the Grandstand.
 - (d) The design does not impact on the current use of the existing indoor sports facility.
5. Notes that East Cricket Club is seeking sources of revenue and grants separate from Council and has the support of both Cricket NSW and Cricket Australia.
6. Notes that the indoor cricket practice net facility at the Sydney Cricket Ground will be reduced from 12 lanes to four lanes as part of the redevelopment of the precinct, known as the Sydney Football Stadium redevelopment.
7. Notes that the facility would be owned and managed by Waverley Council.
8. Requests that the plans be presented at a Councillor workshop, after which Council will release documentation to allow thorough public consultation.

9. Notes that a report will be submitted to Council detailing the architectural plans, budget elements and community impacts, including the results of the public consultation, at a future Council meeting for Council's consideration and deliberation.

6. Obituaries

The victims of the Christchurch mosque shootings.

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

7. Reports

CM/7.1/19.03 Status of Mayoral Minutes and Notices of Motion (SF18/691)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That:

1. Council receives and notes this report on the status of mayoral minutes and notices of motion adopted by Council from September 2012 to December 2018.
2. Finalised mayoral minutes and notices of motion from September 2012 to September 2017 be removed from future quarterly reports.

CM/7.2/19.03 Fees and Charges - New Fee for Planning Proposals - Post-exhibition (A18/0511)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council adopts following fees in the Rezoning: Local Environment Plans section of the Pricing Policy, Fees and Charges 2018–19:

1. Minor Planning Proposal: Local Planning Panel fee — \$2,200.
2. Major Planning Proposal: Local Planning Panel fee — \$2,200.
3. Complex Planning Proposal: Local Planning Panel fee — \$11,275.

CM/7.3/19.03 Investment Portfolio Report - February 2019 (A03/2211)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council:

1. Receives and notes the Investment Summary Report for February 2019 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/7.4/19.03 Campbell Parade Streetscape - Concept Design (A18/0718)**MOTION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That:

1. Council prepares concept designs for the Campbell Parade Streetscape upgrade based on a combination of the design approaches 'squeeze the street' and 'tweak the edges'.
2. Council prepares detailed plans for the Ben Buckler commercial area (also known as the North Bondi bus terminus), the corner of Francis Street and Campbell Parade. The detailed designs will articulate the concept design.
3. Council recognises the mixed residential/commercial nature of these locations, and design outcomes will consider outdoor seating for retail outlets, patrons and commercial waste management within the principle of minimisation of negative impacts on adjacent residential amenity.
4. The concept design for Campbell Parade, and the detailed plans for the Ben Buckler commercial area, the corner of Francis Street and Campbell Parade, be returned to Council for consideration separately as prepared.

AMENDMENT

Mover: Cr Goltsman

Seconder: Cr Kay

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

'Council officers, through the design process, seek to minimise an overall parking loss.'

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, Wakefield and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

CM/7.5/19.03 Ocean Lovers Festival - Grant (SF18/3733)

Cr Wy Kanak declared a less than significant non-pecuniary interest in this item, and informed the meeting that he is the president of the Local Government Aboriginal Network and made a submission via Council's Have Your Say website. Cr Wy Kanak was not present at, or in sight of, the meeting for the consideration and vote on this item.

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Goltsman

That Council grants \$16,435 in financial assistance to Avviso Public Relations for the use of Council facilities during the Ocean Lovers Festival 2019, in accordance with section 356 of the *Local Government Act 1993*.

CM/7.6/19.03 Bondi Winter Magic Ice Rink 2019-2021 - Licence (A18/0328)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That:

1. Council authorises the General Manager, or delegated representative, to negotiate and enter into a licence agreement on behalf of Council with Abundance International for the delivery of Event Management Services for the Bondi Winter Magic Ice Rink each year for three weeks during the July school holidays for the period 2019 to 2021 on the Bondi Pavilion forecourt. The licence fee for the event will be charged each year as the maximum amount under the Pricing Policy, Fees and Charges for off-peak season High Impact Events.
2. Council notes that the agreement will include a provision to vary the location of the ice rink during the Bondi Pavilion restoration project, and that officers will work with the event provider, in consultation with Ward Councillors, to identify a suitable location for the ice rink each year.
3. The General Manager work with Abundance International to mitigate any environmental impacts from the engines used to provide the ice facility.

CM/7.7/19.03 Ewell Street, Bondi and North Bondi Area 10 Resident Parking Scheme Surveys - Additional Information (A03/2581)**MOTION (WITHDRAWN)**

Mover: Cr Wakefield

Seconder: Cr Copeland

That:

1. Council notes its previous decision to undertake a review of the policy, process and procedures for the creation of resident parking schemes to ensure that the concerns of residents are better balanced with the need to apply a strategic approach to parking scheme management.
2. Until the review is undertaken, Council does not:
 - (a) Introduce a resident parking scheme in Ewell Street, Bondi.

- (b) Proceed with expanding the boundaries of Resident Parking Scheme Area 10.

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Keenan

That this item be deferred to a future meeting.

CM/7.8/19.03 Voluntary Planning Agreement - 629-631 Old South Head Road, Rose Bay (DA-82/2016)**MOTION / DECISION**

Mover: Cr Lewis

Seconder: Cr Wakefield

That Council:

1. Notes that the development application for 629–631 Old South Head Road, Rose Bay, was approved by the Land and Environment Court on 27 March 2017 after Council’s planning department refused the application on 24 August 2016.
2. Endorses the draft Planning Agreement attached to this report applying to land at 629–631 Old South Head Road, Rose Bay. The draft Planning Agreement offers a total monetary contribution of \$439,356.17 with \$395,420.55 (90%) to go towards the improvement and regeneration of parks and reserves in the Rose Bay/Dover Heights area and \$43,935.62 (10%) to go to Waverley’s Affordable Housing Program, in accordance with Council’s Planning Agreement Policy 2014.
3. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.
4. Prepares a report outlining the proposed expenditure of this VPA in the vicinity of 629–631 Old South Head Road undertaking new capital works programs and/or general upgrade programs, which might include road, footpath, verge and landscape works.

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

At 9.34 pm, the meeting adjourned for a short break.

At 9.47 pm, the meeting resumed.

CM/7.9/19.03 SSROC Supplier Panel - Cleaning and Inspection of Gross Pollutant Traps and Ancillary Services (SF19/1171)**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)(d)(i) of the *Local*

Government Act 1993. The attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.

2. Adopts the SSROC-approved suppliers below as a supplier panel for the Cleaning and Inspection of Gross Pollutant Traps and Ancillary Services for a period of three years with two one-year options, commencing on 1 April 2019:
 - (a) Alford's Point Drain Inspections (subsidiary company: JJ Coleman Plumbing Pty Ltd).
 - (b) Ecosol Pty Ltd.
 - (c) Optimal Stormwater Pty Ltd.
 - (d) Pipe Management Australia Pty Ltd.
 - (e) R A Bell Environmental and Company (trading as Bell Environmental).
 - (f) Total Drain Cleaning Services Pty Ltd.
 - (g) ToxFree Australia Pty Ltd.

CM/7.10/19.03 Tender Evaluation - North Bondi Civil Infrastructure Asset Renewal (A19/0044)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

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 the Matrix relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Hibernian Contracting Pty Ltd as the preferred tenderer for the supply of contractor services at North Bondi Civil Infrastructure Asset Renewal for the sum of \$4,865,368.86 (excluding GST).
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Hibernian Contracting Pty Ltd for a six-month contract.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

CM/7.11/19.03 Tender Evaluation - Waverley Park Landscape Lighting (SF19/430)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Notes that no tenders were received in response to the Waverley Park Landscape Lighting Tender.
2. Under clause 178 of the *Local Government (General) Regulation 2005*, cancels the tender process for the Waverley Park Landscape Lighting Contract, and proceeds with a request for quotations.

8. Notices of Motion**CM/8.1/19.03 RESCISSION MOTION - CM/7.13/19.02 - Bronte Cutting Pedestrian Link Project (SF18/3282)****MOTION**

Mover: Cr Kay

Seconder: Cr Betts

That the Rescission Motion be adopted.

THE MOTION WAS PUT AND DECLARED LOST.

Division**For the Motion:** Crs Betts, Goltsman, Kay and Nemesh.**Against the Motion:** Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.*A resident addressed the meeting.***CM/8.2/19.03 Intersection of Blair Street and Wairoa Avenue, North Bondi - Pedestrian Safety (A03/0042-04)****MOTION**

Mover: Cr Wakefield

Seconder: Cr Lewis

That Council undertakes an investigation of measures to improve pedestrian safety in the vicinity of the intersection of Blair Street and Wairoa Avenue.

AMENDMENT

Mover: Cr Goltsman

Seconder: Cr Kay

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

'That Council undertakes an investigation of measures to improve pedestrian safety in the vicinity of the intersection of Blair Street and Wairoa Avenue, subject to a pedestrian count to validate the investigation.'

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, Wakefield and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division**For the Motion:** Crs Copeland, Kay, Keenan, Lewis, Masselos, Nemesh, Wakefield and Wy Kanak.**Against the Motion:** Crs Betts and Goltsman.**DECISION:** That the Motion be adopted.**CM/8.3/19.03 Beautification of Roundabouts, Traffic Islands and Other Traffic Devices (A05/0530)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Prepares a concept plan for the beautification of the traffic islands on the corner of Macpherson Street and Evans Street, Bronte, incorporating suitable landscaping.
2. Provides costings to undertake the work.
3. Officers prepare a report for consideration by Council prior to submission to the Traffic Committee.

CM/8.4/19.03 Bronte Cutting - Planting Plan for Burnt Vegetation (A18/0246)**MOTION / DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Develops a comprehensive planting plan for the burnt vegetation area in Bronte Cutting that includes:
 - (a) Clearing details, including which trees will be cut down.
 - (b) Interim steps to stop erosion and slippage during works.
 - (c) Timetable for works.
 - (d) Planting schedule.
2. Undertakes a community information campaign before any works commences, including any cutting down of existing trees.

Division**For the Motion:** Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.

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

I Ash addressed the meeting.

CM/8.5/19.03 Bronte Beach - Installation of External Showers (A02/0337)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Investigates the installation of outdoor cold-water showers at Bronte Beach.
2. Makes recommendations as to suitable locations.
3. Considers this within the Bronte Park Plan of Management, including ensuring risk reduction such as no water runoff on to the promenade or beach.
4. Officers report to Council, detailing options, budget and timelines.

CM/8.6/19.03 Jessie Street Reserve - Native Food Garden and Indigenous Learning Centre (A19/0171)

This Notice of Motion was withdrawn at the meeting by Cr Masselos.

MOTION (WITHDRAWN)

That Council:

1. Develops Jessie Street Reserve (corner of Murray Street and Belgrave Street, Bronte), in partnership with the La Perouse Local Aboriginal Land Council, into a native food garden and indigenous learning centre to enhance local understanding of local indigenous culture and increase indigenous business and employment. To be used by local students and residents.
2. Plans and designs a native garden with an education area that will require extensive landscaping to make the most of a small place. Consideration be given to safety, as it is located next to a busy road, and to security, to ensure it is not misused at night and causes concern for neighbours.
3. Employs the services of a local indigenous business like Indigigrow, a newly established native nursery in La Perouse, with the capacity to plan, plant and maintain the garden.
4. Makes an initial concept available to residents for feedback.

CM/8.7/19.03 Pedestrian Safety in Hewlett Street, Bronte (A03/0543)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council investigates improving the safety of pedestrians crossing at the intersection of Hewlett Street and Alfred Street at Hewlett Street Park, with a report to be prepared for consideration by the Waverley Traffic Committee.

CM/8.8/19.03 NSW Government Support in Waverley (A03/2167-02)

Cr Betts declared significant non-pecuniary interest in this item, and informed the meeting that she is on the management board of WAYS. Cr Betts was not present at, or in sight of, the meeting for the consideration and votes on this item.

MOTION

Mover: Cr Goltsman

Seconder: Cr Nemesh

That Council:

1. Notes the following grants and additional services delivered to the Waverley local government area from the NSW State Government in:
 - (a) February 2019 for \$100,000 for upgrades to Clark Reserve, Vaucluse, playground and planting along coastal fencing.
 - (b) February 2019 for \$300,000 for the upgrade to Bondi Beach playground.
 - (c) December 2018 of \$500,000 for North Bondi Surf Life Saving Club for their Advanced Lifesaving Facility.
 - (d) 2018 of \$20,000 to Jewish House for front garden landscaping and painting.
 - (e) 2017 of \$15,000 to Jewish House for new fencing and relocation of security cameras.
 - (f) 2018 of \$20,000 to B'Nei Akiva Sydney for pathway construction and kitchen renovations.
 - (g) 2017–2018 of \$35,000 to Our Big Kitchen for office upgrade for a volunteer common area.
 - (h) 2018 of \$20,000 to WAYS for an after-school care bus.
 - (i) 2017 for \$15,000 to The Wayside Chapel Bondi to install a new lift.
 - (j) 2017 for \$20,000 for new carpets at John Saunders function centre at The Central Synagogue.
 - (k) November 2016 of \$225,000 for Waverley Council to develop a flood management plan.
 - (l) 2017 of \$5,000 for Eastern Suburbs Cricket Club Inc for wicket covers and hessian undercovers.
 - (m) 2017 of \$5,000 to Bondi Surf Bathers Life Saving Club for surf sports equipment.
 - (n) September 2018 for the 333 turn-up-and go bus service from North Bondi to Circular Quay.

- (o) September 2018 for BRIDJ on-demand bus service transporting residents from Bondi and Dover Heights to Rose Bay Ferry Wharf.
2. Further notes the NSW Government support for our local schools:
 - (a) Since 2011, over \$1.5 million in funding was provided to Bondi Public School, including upgrades to playground and sports fields and new solar PV system.
 - (b) Since 2011, over \$1.2 million in funding was provided to Bondi Beach Public School, including fencing, out-of-hours care Services and green room.
 - (c) Since 2011, over \$3 million was provided to Rose Bay Secondary College for the newly completed upgrade to the school façade and administration area, and the recent announcement to fully fund replacement of the two multi-use sports courts.
 - (d) Since 2011, over \$4 million was provided to Wairoa School for the art room upgrade and the installation of 14 new classrooms.
 3. Writes to Member for Vaucluse, Gabrielle Upton MP, to thank and acknowledge her efforts, and to express its appreciation for the valuable contribution these grants and services are delivering for the Waverley community

AMENDMENT

Mover: Cr Wakefield
 Seconder: Cr Lewis

That the Motion be adopted subject to:

1. The addition of the following clauses before clause 3:
 - (a) 'Respectfully points out that the NSW Government refused to refund over \$1 million in direct expenses incurred by Council in the failed amalgamation attempt.'
 - (b) 'Notes that the Member for Vaucluse was the Minister for Local Government when the NSW Government refused to refund this money.'
2. The amendment of clause 3 to read as follows:

'Writes to Member for Vaucluse, Gabrielle Upton MP, to thank and acknowledge her efforts, and to express its appreciation for the valuable contribution these grants and services are delivering for the Waverley community, and requests that the Minister reconsider refunding Council's wasted expenditure on the amalgamation process.'

THE AMENDMENT WAS PUT AND DECLARED CARRIED.

Division

For the Amendment: Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.

Against the Amendment: Crs Goltsman, Kay and Nemesh.

THE MOTION AS AMENDED NOW READS AS FOLLOWS:

That Council:

1. Notes the following grants and additional services delivered to the Waverley local government area

from the NSW State Government in:

- (a) February 2019 for \$100,000 for upgrades to Clark Reserve, Vaucluse, playground and planting along coastal fencing.
- (b) February 2019 for \$300,000 for the upgrade to Bondi Beach playground.
- (c) December 2018 of \$500,000 for North Bondi Surf Life Saving Club for their Advanced Lifesaving Facility.
- (d) 2018 of \$20,000 to Jewish House for front garden landscaping and painting.
- (e) 2017 of \$15,000 to Jewish House for new fencing and relocation of security cameras.
- (f) 2018 of \$20,000 to B'Nei Akiva Sydney for pathway construction and kitchen renovations.
- (g) 2017–2018 of \$35,000 to Our Big Kitchen for office upgrade for a volunteer common area.
- (h) 2018 of \$20,000 to WAYS for an after-school care bus.
- (i) 2017 for \$15,000 to The Wayside Chapel Bondi to install a new lift.
- (j) 2017 for \$20,000 for new carpets at John Saunders function centre at The Central Synagogue.
- (k) November 2016 of \$225,000 for Waverley Council to develop a flood management plan.
- (l) 2017 of \$5,000 for Eastern Suburbs Cricket Club Inc for wicket covers and hessian undercovers.
- (m) 2017 of \$5,000 to Bondi Surf Bathing Life Saving Club for surf sports equipment.
- (n) September 2018 for the 333 turn-up-and go bus service from North Bondi to Circular Quay.
- (o) September 2018 for BRIDJ on-demand bus service transporting residents from Bondi and Dover Heights to Rose Bay Ferry Wharf.

2. Further notes the NSW Government support for our local schools:

- (a) Since 2011, over \$1.5 million in funding was provided to Bondi Public School, including upgrades to playground and sports fields and new solar PV system.
- (b) Since 2011, over \$1.2 million in funding was provided to Bondi Beach Public School, including fencing, out-of-hours care Services and green room.
- (c) Since 2011, over \$3 million was provided to Rose Bay Secondary College for the newly completed upgrade to the school façade and administration area, and the recent announcement to fully fund replacement of the two multi-use sports courts.
- (d) Since 2011, over \$4 million was provided to Wairoa School for the art room upgrade and the installation of 14 new classrooms.

3. Respectfully points out that the NSW Government refused to refund over \$1 million in direct expenses incurred by Council in the failed amalgamation attempt.

4. Notes that the Member for Vaucluse was the Minister for Local Government when the NSW

Government refused to refund this money.

- Writes to Member for Vaucluse, Gabrielle Upton MP, to thank and acknowledge her efforts, and to express its appreciation for the valuable contribution these grants and services are delivering for the Waverley community, and requests that the Minister reconsider refunding Council's wasted expenditure on the amalgamation process.

THE MOTION WAS THEN PUT AND DECLARED LOST.

Division

For the Motion: Crs Goltsman, Kay and Nemesh.

Against the Motion: Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.

CM/8.9/19.03 Bondi Beach Playground Improvements and Petition (A02/0621)

MOTION / UNANIMOUS DECISION

Mover: Cr Goltsman

Seconder: Cr Betts

That:

- Council officers consult stakeholders, Ward Councillors and Cr Burrill on an interim upgrade of the existing or new play equipment and the priority of which equipment should be upgraded to generally make the playground safer, and that these works take place as soon as possible.
- Additionally, officers report back to Council with a future concept plan.
- A representative of the recent 'Mothers of Bondi' petition, Ms Talia Golan or her alternate, be included within the stakeholder group.
- Council notes that the NSW Government has recently given Council \$300,000 under the Stronger Communities Fund to fund priority upgrade works as an interim measure in the Bondi Beach playground.
- Council notes that a full upgrade of the playground to a regional playground is due to commence in 2021–22, following the completion of the Bondi Pavilion Conservation Upgrade project.
- Council notes the recent online petition by the 'Mothers of Bondi' addressing urgent safety issues and upgrades to existing equipment.

T Golan addressed the meeting.

CM/8.10/19.03 NSW Government Grants - Benefits to Waverley (A03/2167-02)

Cr Betts declared significant non-pecuniary interest in this item, and informed the meeting that she is on the management board of WAYS. Cr Betts was not present at, or in sight of, the meeting for the consideration and votes on this item.

MOTION

Mover: Cr Goltsman

Seconder: Cr Kay

That Council:

1. Notes secured funding since late October's announcement of State Government funding for the Bondi Junction Cycleway of:
 - (a) \$5,300,000 to Waverley Council for construction of the Bondi Junction Cycleway.
 - (b) \$400,000 to Waverley Council for the upgrade of Marlborough Park at Bronte.
 - (c) \$345,000 to the Bronte Surf Club as a contribution towards a new club house.
 - (d) \$280,000 to Waverley Council for the upgrade of Varna Park playground at Waverley.
 - (e) \$150,000 to Tamarama Surf Club for the second stage of redevelopment.
 - (f) \$75,000 to Easts Cricket Club for the upgrade of cricket facilities at Waverley Park.
 - (g) \$30,000 to WAYS for refurbishment of the WAYS Youth Training and Wellness Centre.
 - (h) \$20,000 to Bronte Bowling Club for the installation of solar panels.
 - (i) \$9,490 to Jewish House for capital equipment purchases for Accommodation Vacluse.
 - (j) \$6,000 to Waverley Men's Shed for enrolment of members in mental health courses.
 - (k) \$5,000 to Double Bay Diamonds Netball Club for subsidised registration fees for players.
 - (l) \$5,000 to Easts Cricket Club for the purchase of four sight screen covers.
 - (m) \$5,000 to Waverley Rugby Football and Sporting Club for the purchase of shirts for Fluoro Rugby Day.
 - (n) \$4,000 to Waverley SES for mental health and first aid training.
 - (o) \$3,480 to Eastern Suburbs Soccer Club Inc for the purchase of shirts for Fluoro Rugby Day.
 - (p) \$2,500 to Eastern Suburbs Soccer Club Inc for subsidising uniforms and equipment.
 - (q) \$2,000 to Easts Cricket Club for the upgrade of the club's website to drive participation.
 - (r) \$2,000 to Eastern Suburbs Soccer Club Inc for the provision of opportunities for junior referees to gain accreditation.
 - (s) \$1,950 to Waverley Rugby Football and Sporting Club for the provision of foundation and developing coach courses.

(t) \$1 million to Easts Rugby Club for new women's change facilities.

2. Writes to the Member for Coogee, Bruce Notley-Smith MP, to thank and acknowledge his efforts, and to express its appreciation for the valuable contribution these grants and services are delivering for the Waverley community.

AT THIS STAGE IN THE PROCEEDINGS, CR LEWIS MOVED A PROCEDURAL MOTION, SECONDED BY CR MASSELOS, THAT THE ITEM LAY ON THE TABLE.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED.

Division

For the Procedural Motion: Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.

Against the Procedural Motion: Crs Goltsman and Kay.

Cr Nemesh was not present for the vote on the procedural motion.

LATER IN THE MEETING, CR WAKEFIELD MOVED A PROCEDURAL MOTION, SECONDED BY CR KEENAN, THAT THE ITEM BE TAKEN FROM THE TABLE.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED.

THE MOTION WAS THEN PUT AND DECLARED LOST.

Division

For the Motion: Crs Goltsman, Kay and Nemesh.

Against the Motion: Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.

CM/8.11/19.03 Diamond Bay Road and Old South Head Road, Vaucluse - Intersection Improvement (A03/0639)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis

Seconder: Cr Wakefield

That Council investigates improving the vehicle safety of the left and right hand turn out of Diamond Bay Road into Old South Head Road. This might be achieved by the construction of a roundabout, or by squaring off the corner and through improved line marking.

CM/8.12/19.03 South Head Cemetery (A02/0151)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis

Seconder: Cr Wakefield

That Council:

1. Undertakes an improvement program around the perimeter of South Head Cemetery, including tidying current plantings, extra plantings as appropriate, weeding, lawn patching and re-turfing.
2. Notes that it has spent approximately \$400,000 since 2011 on replacing the cemetery wall along

Burge Street and the removal of all the trees and their replacement along the street frontage of Burge Street.

CM/8.13/19.03 Clarke Reserve - Grant Funding (A04/2119)

MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh

Seconder: Cr Betts

That Council:

1. Notes and acknowledges that:
 - (a) The NSW Government has provided Council a \$100,000 grant to make further improvements to Clarke Reserve in Vacluse.
 - (b) This money is in addition to the \$150,000 already allocated by Council bringing the total investment of \$250,000.
 - (c) The upgrade of the Reserve is due to commence in the second half of 2019.
2. Writes to the Member for Vacluse, Gabrielle Upton MP, thanking her for the contribution of the grant, which will be used to improve local amenity.
3. Officers consult the Diamond Bay/Vacluse Precinct and nearby residents within the Diamond Bay/Vacluse Precinct catchment area, notifying them of the additional funding being provided and seeking feedback.

CM/8.14/19.03 Local Government Aboriginal Network Conference 2019 (A03/0027)

Cr Wy Kanak declared a less than significant non-pecuniary interest in this item, and informed the meeting that he is the president of the Local Government Aboriginal Network.

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak

Seconder: Cr Wakefield

That Council:

1. In consultation with First Nations Peoples and through a motion at the 2019 Local Government Aboriginal Network (LGAN) Conference, requests Local Government New South Wales (LGNSW) to lobby the NSW Government to effectively resource and re-create a specialist identified position within the State public service, in the department of what is currently called the Office of Local Government, to enhance and develop the capacity within NSW local government for the employment and access of Aboriginal Torres Strait Islander Peoples.
2. Continues to fund and support the Eastern Region Local Government Aboriginal and Torres Strait Islander Forum (ERLGATSIF), the Local Government Aboriginal Network Annual Conference, and the Policy Officer (Aboriginal) role within the administration of LGNSW.
3. In consultation with First Nations Peoples, promotes the 'Collaborate' program currently featured on the LGNSW website <<http://collaboratensw.org/>>, especially those initiatives within 'Collaborate',

which seek to interest and train more Aboriginal and Torres Strait Islander peoples in the process of being candidates for the 2020 NSW local government elections.

4. Receives and notes the following short report on the recent activities of LGAN by Cr Wy Kanak, President, LGAN:

1. Introduction

Working as a First Nations Waverley boondiboondi Bondi Ward Councillor in NSW local government and chairman of the Eastern Region Local Government Aboriginal Torres Strait Islander Forum (ERLGATSIF), Cr Wy Kanak has become the president of the NSW Local Government Aboriginal Network (2017–2019).

2. Context

Through the Policy Officer (Aboriginal) position at Local Government New South Wales (LGNSW), Cr Wy Kanak has been working with the President of LGNSW, Cr Linda Scott (City of Sydney), on First Nations Aboriginal community-related matters across NSW Local Government.

3. Discussion

One of the ongoing matters of discussion has been the NSW Local Government Aboriginal Network, of which Cr Wy Kanak is currently President. LGAN seeks to hold an annual conference to bring together a community of interest, including Aboriginal Torres Strait Islander peoples working as councillors at NSW councils, or in or with these councils. The 2018 Conference was hosted by Narrabri Shire Council at the Crossing Theatre.

4. LGNSW

The meeting with the President of LGNSW covered topics such as:

- *The future duties and relationship of the LGNSW Policy Officer (Aboriginal) position with LGAN.*
- *The 'Collaborate' program, accessible through the LGNSW website: <<http://collaboratensw.org/>>.*
- *An element of 'Collaborate' is encouraging more First Nations Aboriginal Torres Strait Islander peoples to put their hand up as candidates for NSW elected councillor positions in the lead-up to the 2020 NSW local government elections.*
- *Re-engaging the NSW Aboriginal Lands Council (NSWALC) as potential members of LGNSW.*
- *Re-engaging with the NSW Office of Local Government (OLG) to perhaps, upon consultation, reinstate a previous identified Aboriginal position that used to be part of an arrangement whereby the former Department of Local Government resourced this internal position and also funded and supported the LGAN. President Scott suggested a motion from a Council to be discussed at the 2019 Annual Conference along the lines of potentially reinstating this kind of support to LGAN would be an explorable option.*

5. Recommendation

That Council:

1. *In consultation with First Nations Peoples and through a motion at the 2019 Local Government Aboriginal Network (LGAN) Conference, requests Local Government New South Wales (LGNSW) to lobby the NSW Government to effectively resource and re-create a specialist identified position within the State public service, in the department of what is currently called the Office of Local Government, to enhance and develop the capacity within NSW local government for the employment and access of Aboriginal Torres Strait Islander Peoples.*
2. *Continues to fund and support the Eastern Region Local Government Aboriginal and Torres Strait Islander Forum (ERLGATSIF), the Local Government Aboriginal Network Annual Conference, and the Policy Officer (Aboriginal) role within the administration of LGNSW.*
3. *In consultation with First Nations Peoples, promotes the 'Collaborate' program currently featured on the LGNSW website <<http://collaboratensw.org/>>, especially those initiatives within 'Collaborate', which seek to interest and train more Aboriginal and Torres Strait Islander peoples in the process of being candidates for the 2020 NSW local government elections.*

CM/8.15/19.03 Neighbour Day 2019 - Challenging Loneliness (A19/0173)

MOTION

Mover: Cr Wy Kanak
 Seconder: Cr Copeland

That:

1. Council promotes and supports, with a program of social media activity, 'Neighbour Day' on Sunday, 31 March 2019, which focuses this year on 'Challenging Loneliness'.
2. The 'Challenging Loneliness' program is to include:
 - (a) Inviting the community of Waverley to engage through social media with Neighbour Day's website and suggested activities attached to this motion.
 - (b) Continuing to support programs and activities through the Mill Hill Seniors Centre focused on 'Challenging Loneliness'.
3. The Mayor and Deputy Mayor release a joint media statement alerting the community to this year's Neighbour Day theme and activity focus.

AMENDMENT

Mover: Cr Goltsman
 Seconder: Cr Betts

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

'Officers facilitate a Mayor's Neighbourhood Day event at 10 am on Sunday, 31 March, or other suitable date, at a Council venue.'

THE AMENDMENT WAS PUT AND DECLARED CARRIED.

THE MOTION AS AMENDED NOW READS AS FOLLOWS:

That:

1. Council promotes and supports, with a program of social media activity, 'Neighbour Day' on Sunday,

31 March 2019, which focuses this year on 'Challenging Loneliness'.

2. The 'Challenging Loneliness' program is to include:
 - (a) Inviting the community of Waverley to engage through social media with Neighbour Day's website and suggested activities attached to this motion.
 - (b) Continuing to support programs and activities through the Mill Hill Seniors Centre focused on 'Challenging Loneliness'.
3. The Mayor and Deputy Mayor release a joint media statement alerting the community to this year's Neighbour Day theme and activity focus.
4. Officers facilitate a Mayor's Neighbourhood Day event at 10 am on Sunday, 31 March, or other suitable date, at a Council venue.

THE MOVER AND SECONDER OF THE MOTION AS AMENDED THEN ACCEPTED AMENDMENTS TO CLAUSE 4 SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That:

1. Council promotes and supports, with a program of social media activity, 'Neighbour Day' on Sunday, 31 March 2019, which focuses this year on 'Challenging Loneliness'.
2. The 'Challenging Loneliness' program is to include:
 - (a) Inviting the community of Waverley to engage through social media with Neighbour Day's website and suggested activities attached to this motion.
 - (b) Continuing to support programs and activities through the Mill Hill Seniors Centre focused on 'Challenging Loneliness'.
3. The Mayor and Deputy Mayor release a joint media statement alerting the community to this year's Neighbour Day theme and activity focus.
4. Officers facilitate a Mayor's Neighbourhood Day event on Sunday, 31 March, or other suitable date, at Waverley Library.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION: That the Motion be adopted.

9. Urgent Business

CM/9.1/19.03 Bus Stops and Shelters at 185 and 246 Military Road, Dover Heights (SF18/2209)

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

MOTION / UNANIMOUS DECISION

Mover: Cr Betts
Seconder: Cr Nemesh

That:

1. Council notes that there is a difference of opinion between Council and Sydney Buses and local residents about the actual location of the fatality in Military Road on 26 December 2018.
2. Council notes that there is photographic proof that the fatality took place near Lancaster Road and not Myuna Road, therefore having negligible impact on where bus stops and shelters are placed two or three blocks away, as stated by Sydney Buses.
3. Council agrees that all construction and installation works to install bus stops and shelters at 185 and 246 Military Road be postponed until further investigation takes place in view of the incorrect assumptions used by Sydney Buses in its decision-making process regarding the relocation of these two bus stops and shelters.
4. A report comes back to Council with a recommendation.

10. Closed Session

CM/10/19.03 Closed Session

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Goltsman

That:

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

CM/10.1/19.03 CONFIDENTIAL REPORT - General Manager's Report - Senior Staff Appointments - Process and Consultation

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

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

At 11.14 pm, Council moved into closed session.

CM/10.1/19.03 CONFIDENTIAL REPORT - General Manager's Report - Senior Staff Appointments - Process and Consultation (SF19/1377)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Masselos

That:

2. Council treats 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)(a) of the *Local Government Act 1993*. The report contains personnel matters concerning particular individuals (other than councillors).
3. Council receives and notes this report.
4. The General Manager give consideration to comment and feedback provided at the meeting on the proposed senior staff appointments.

At 11.21 pm, during the consideration of this item, Cr Kay left the meeting and did not return.

11. Resuming in Open Session

CM/11/19.03 Resuming in Open Session

MOTION / DECISION

Mover: Cr Wakefield
Seconder: Cr Goltsman

That Council resumes in open session.

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

At 11.22 pm, Council resumed in open session.

Resolutions from closed session made public

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

12. Meeting Closure

THE MEETING CLOSED AT 11.23 PM.

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SIGNED AND CONFIRMED
MAYOR
16 APRIL 2019