



**WAVERLEY**  
COUNCIL

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

**Staff in attendance:**

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

*At the commencement of proceedings at 7.05 pm, those present were as listed above, with the exception of Cr Nemesh, who arrived at 9.15 pm.*

## **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.

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 none were received.

### **3. Addresses by Members of the Public**

- 3.1 J Gibney – CM/4.2/19.04 – Adoption of Minutes – Waverley Traffic Committee Meeting – 28 March 2019 – TC/C.01/19.03 – Busby Parade, Bronte – One Way Direction.
- 3.2 M de Souza – CM/4.2/19.04 – Adoption of Minutes – Waverley Traffic Committee Meeting – 28 March 2019 – TC/C.01/19.03 – Busby Parade, Bronte – One Way Direction.
- 3.3 T Matthews – CM/8.3/19.04 – Street Pedestrianisation Pilots.
- 3.4 T Murray – CM/8.4/19.04 – Jessie Street Reserve – Native Food Garden and Indigenous Learning Centre.
- 3.5 D Fleeting – CM/8.8/19.04 – Festive Lights, Decorations and Banners.
- 3.6 S Rogers – CM/8.9/19.04 – Traffic and Pedestrian Safety in Streets Bounded by Bondi Road, Old South Head Road and Flood Street.

#### 4. Confirmation and Adoption of Minutes

##### **CM/4.1/19.04 Confirmation of Minutes - Council Meeting - 19 March 2019 (SF19/325)**

###### **MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

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

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

##### **CM/4.2/19.04 Adoption of Minutes - Waverley Traffic Committee Meeting - 28 March 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 March 2019 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/C.01/19.03 – Busby Parade, Bronte – One Way Direction.

And that this item be dealt with separately below.

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

*J Gibney and M de Souza addressed the meeting.*

##### **CM/4.2.1/19.04 Busby Parade, Bronte - One Way Direction (A03/0042-04)**

*This item was saved and excepted by Cr Masselos.*

###### **MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council implements a one-way east bound in Busby Parade without speed humps subject to a traffic management plan, detailed design and consultation with residents in Busby Parade.

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

## 5. Mayoral Minutes

There were no mayoral minutes.

## 6. Obituaries

Brian O'Neill  
Peter Coleman  
Uncle MullenjaiWakka Lloyd Clive McDermott  
Aunty Merle Robertha Jackamos Morgan

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

## 7. Reports

### CM/7.1/19.04 Draft Operational Plan 2019-20 and Proposed Pricing Policy and Schedule of Fees and Charges 2019-20 (A18/0477)

#### MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield  
Seconder: Cr Wy Kanak

That Council adopts for public exhibition:

1. The draft Operational Plan 2019-20, including the Statement of Revenue Policy, at Attachment 1 in accordance with the *Local Government Act 1993*.
2. The Rating Structure for 2019–20 contained on page 63 of the draft Operational Plan 2019–20 at Attachment 1 together with the proposed Pricing Policy and Schedule of Fees and Charges 2019–20 at Attachment 2. In accordance with sections 497, 516, 518, 529 (2)(d), 534, 535 and 548(3) of the *Local Government Act*, the following rates and charges is set for every parcel of rateable land within the Waverley local government area for the period of 1 July 2019 to 30 June 2020:
  - (a) That an ordinary rate of zero point one one five eight nine cents (0.11589) in the dollar subject to a minimum rate in accordance with section 548(3) of the Act, per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub categorised Ordinary in accordance with section 529(2)(b) of the Act.
  - (b) That an ordinary rate of zero point five four five two seven cents (0.54527) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Ordinary in accordance with section 529 (2)(d) of the Act.
  - (c) That an ordinary rate of zero point eight eight eight one five cents (0.88815) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Bondi Junction in accordance with section 529(2)(d) of the Act.
3. The Domestic Waste Management Service Charge set at \$562 per service per annum for the period 1 July 2019 to 30 June 2020 in accordance with section 496 of the *Local Government Act*.
4. The Stormwater Management Service Charge contained on page 66 of the draft Operational Plan

2019–20 in accordance with section 496A of the *Local Government Act* for the period of 1 July 2019 to 30 June 2020 as tabled below:

<b>Stormwater Management Service Charge</b>		
Category	Unit	Fee or Charge
Residential property	per property	25.00
Residential strata property	per property	12.50
Business property	per 350 m2 (or part thereof)	25.00
Business strata property	per 350 m2 (or part thereof) levied equally to strata unit entitlement with a minimum of \$5	25.00

*Crs Nemesh and O'Neill were not present for the vote on this item.*

**CM/7.2/19.04                      Draft 2019-20 Budget and Long Term Financial Plan (LTFP 5.1) (SF18/4964)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Wakefield

Seconder:    Cr Wy Kanak

That Council:

1. Notes that the 2019–20 Draft Budget and the Long Term Financial Plan (LTFP 5.1) have been prepared in line with the objectives contained in the Community Strategic Plan (CSP), the 2019–20 Draft Operational Plan, the Financial Sustainability performance objective set for the organisation by Council, and the Integrated Planning and Reporting requirements within the *Local Government Act 1993* (including the requirement to run a ‘balanced budget’).
2. Notes that the LTFP will be amended annually as more accurate information comes to hand and program, income and expenditure forecasts become more accurate and that Council will consider and utilise a range of options for achieving balanced budgets over the life of LTFP 5.1 likely including realising efficiencies and cost reductions within Council operations, borrowing to fund capital expenditure items with intergenerational benefits, applying reserve funds earlier than forecast in LTFP 5, reducing or rescheduling the capital expenditure program and increasing revenue to fund specific programs and initiatives.
3. Notes the approach being included in LTFP 5.1 to signal the possible use of borrowing in future years to part fund some capital expenditure projects that provide significant intergenerational benefits.
4. Asks staff to explore options for the reintroduction of an Environment Levy to fund key environmental outcomes and initiatives, subject to a report coming back to Council on the merits and optimal timing and quantum of any such levy, and the pros and cons of other options, like recommendations from the Service and Funding Review, before any decision is considered to introduce such a levy.
5. Adopts, for the purposes of public exhibition, the draft budget estimates of income and expenditure, including capital expenditure, for the financial year 2019–20 as detailed in this report and in Attachments 1 and 2.
6. Adopts, for the purposes of public exhibition, the Draft Long Term Financial Plan (LTFP 5.1) for an 11-year period from 2019–20 to 2029–30 including Income Statement, Balance Sheet, Statement of Cash Flow, Reserve Balances, Assumptions and Sensitivity Analysis, as detailed in Attachment 3.

7. Authorises the General Manager to make any necessary editorial and content changes to the Operational Plan, draft 2019–20 Budget and LTFP documentation for public exhibition in order to give effect to Council resolutions.

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

**CM/7.3/19.04 Investment Portfolio Report - March 2019 (A03/2211)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield  
Seconder: Cr Copeland

That Council:

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

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

**CM/7.4/19.04 General Manager's Delegations (SF19/137)**

**MOTION**

Mover: Cr Wakefield  
Seconder: Cr Wy Kanak

That:

1. Council delegates/sub-delegates to the General Manager the Functions in accordance with the Instrument of Delegation to the General Manager attached to this report at Attachment 1.
2. Peter Monks be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
3. Should Peter Monks be unable or unwilling to act as General Manager at any time, Emily Scott be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
4. Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by the Council.
5. Authorises the Mayor and Deputy Mayor to affix the Council Seal to the Instrument of Delegation to the General Manager.
6. The delegations be reviewed in six months' time.

**AMENDMENT**

Mover: Cr Keenan  
Seconder: Cr Copeland

That the Motion be adopted subject to clause 1 being amended to read as follows:

‘Council delegates/sub-delegates to the General Manager the Functions in accordance with the Instrument of Delegation to the General Manager attached to this report at Attachment 1, subject to Policy Authorisation 14A Finance being limited to purchases under \$50,000.’

THE AMENDMENT WAS PUT AND DECLARED CARRIED.

THE MOTION AS AMENDED NOW READS AS FOLLOWS:

That:

1. Council delegates/sub-delegates to the General Manager the Functions in accordance with the Instrument of Delegation to the General Manager attached to this report at Attachment 1, subject to Policy Authorisation 14A Finance being limited to purchases under \$50,000.
2. Peter Monks be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
3. Should Peter Monks be unable or unwilling to act as General Manager at any time, Emily Scott be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
4. Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by the Council.
5. Authorises the Mayor and Deputy Mayor to affix the Council Seal to the Instrument of Delegation to the General Manager.
6. The delegations be reviewed in six months’ time.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

**UNANIMOUS DECISION:** That the Motion be adopted.

*Cr Nemesh was not present for the consideration and votes on this item.*

**CM/7.5/19.04 Council Accommodation (A04/1931)****MOTION**

Mover: Cr Wakefield  
Seconder: Cr Wy Kanak

That Council:

1. In regard to the existing Council Chambers building, notes the following:
  - (a) The evacuation of all staff and the closure of building for an extended period during 2018 due

to risk from asbestos.

- (b) Currently, the third floor Chambers room is closed due to a roof leak.
  - (c) Many of the major building elements are old and coming towards the end of useful life. This includes air conditioning, concrete spalling to the structural elements, water-proofing, electricals and plumbing.
  - (d) Is insufficient in size to accommodate related Council staff resulting in lease commitments and related costs, as well as inefficiency with Council's services and administration functions currently housed in multiple locations.
2. Further investigates the construction of a new Council Chambers on the Bondi Road site.
  3. Requests that a detailed Project Plan, including costings and a timeline, to deliver the new Council Chambers be presented to a future Council meeting.
  4. Investigates what amendments to the Waverley Local Environment Plan are required in order to facilitate the proposed redevelopment of the current site for a new Council Chambers, including the incorporation of the car park adjacent to the Chamber site within the proposed redevelopment, providing that full public access to the area is maintained as part of any redevelopment, and a report be presented to a future Council meeting to initiate any necessary amendments.

**AMENDMENT**

Mover: Cr Betts

Seconder: Cr Kay

That the Motion be adopted subject to clauses 2 and 3 being amended to read as follows:

2. Further investigates the construction of a new Council Chambers on the Bondi Road site subject to further consideration of the following matters, prior to Council making any final decision to proceed with the construction of a Council Chambers on the Bondi Road site:
  - (a) Clarification of the number of staff and which staff are to be accommodated in the new Chambers.
  - (b) Potential cost savings from staff being relocated from their current workplaces into a consolidated Chambers building.
  - (c) Funding options for the construction of the new Chambers.
  - (d) The retention of the Customer Service Centre in Spring Street, Bondi Junction.
  - (e) The specific amount of floor space required to be accommodated on the current Bondi Road site.
  - (f) The number of floors proposed to be built on the Bondi Road site to accommodate staff and Council requirements.
  - (g) Clarification of the facilities proposed for Councillors and the community in the new Chambers.
  - (h) The ability to accommodate the required floor space on the site given the exceedance of the floor space ratio requirements of the Waverley Local Environment Plan 2012.
  - (i) The alternative plan, should the amendments to the Waverley Local Environment Plan 2012,



foreshadowed in clause 4 below, not be successful.

3. Requests that a detailed Project Plan to deliver the new Council Chambers, including costings, a timeline and the matters raised in clause 2 above, be presented to a future Council meeting.

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 UNANIMOUSLY.

**UNANIMOUS DECISION:** That the Motion be adopted.

**CM/7.6/19.04 Code of Meeting Practice - Public Exhibition (SF17/3020)**

**MOTION / DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Endorses the draft Waverley Code of Meeting Practice attached to this report for the purposes of public exhibition for 28 days with a 42-day submission period, as required by section 361 of the *Local Government Act 1993*, subject to clause 5.22 being amended to read as follows:

'A recording of each meeting of the council and committee of the council is to be retained on the council's website for at least four years. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.'

2. Holds a Councillor briefing session on the proposed new Code during the exhibition period.
3. Receives a further report at the June Council meeting considering submissions received and presenting the final version of the Code for adoption.

**CM/7.7/19.04 Boat Trailer Parking (A17/0135)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Betts

That:

1. Council, in accordance with section 15A(1) of the *Impounding Act 1993*, declares all public roads and public land in the Waverley local government area a 'declared area' from 1 July 2019, as shown in the map attached to this report.
2. The General Manager be authorised to do all things necessary to give effect to this resolution.
3. Council informs residents of its decision.

**CM/7.8/19.04            Bus Stops and Shelters at 185 and 246 Military Road, Dover Heights (SF18/2209)****MOTION**

Mover:     Cr Wakefield

Seconder:  Cr Wy Kanak

That Council:

1.     Installs two bus shelters at existing bus stops outside 185 and 246 Military Road, Dover Heights.
2.     Approves the existing bus stop outside 246 Military Road, Dover Heights, to remain in the existing position.

THE MOTION WAS PUT AND DECLARED LOST.

**CM/7.9/19.04            Local Hero and Best of the Best Awards 2019 (A19/0200)****MOTION / UNANIMOUS DECISION**

Mover:     Cr Wakefield

Seconder:  Cr Goltsman

That Council:

1.     Endorses the recommendations of the judging panel for the Waverley Local Hero Awards 2019 and Certificate of Commendation as follows:
  - (a)    Local Hero Award – Strengthening Community – Peter Quartly.
  - (b)    Local Hero Award – Community Volunteer – Linda Deutsch.  
Certificate of Commendation – Community Volunteer – Irina Gilstein.
  - (c)    Local Hero Award – Community Life – Catherine Kara.
  - (d)    Local Hero Award – Second Nature Champion – Anne McArthur.
2.     Endorses the panel’s recommendation that a Local Hero ‘Best of the Best’ bronze plaque be installed on the ‘Recognising Our Community Leaders’ walk in honour of Audrey and Peter McCallum for their extensive community volunteering.
3.     Supports the panel’s recommendations that a report be prepared for Council to:
  - (a)    Review award frequency.
  - (b)    Review the Young Local Hero Award criteria.

**CM/7.10/19.04 Tender Evaluation - Civil Infrastructure Trade Services (SF18/3729)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Under clause 178 of the *Local Government (General) Regulation 2005*, declines to accept any of the tenders for the Civil Infrastructure and Trade Services tender and cancels the proposal for the contract.
2. Notifies all tenderers of the decision, in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

**CM/7.11/19.04 Tender Evaluation - Coastal Walk Fitness Station and Furniture Upgrade (SF19/466)****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. Increases the Coastal Walk Fitness Station and Furniture Upgrade project budget by \$70,000 to a total of \$170,000 this financial year to cover construction costs, furniture supply, contingency and project management fees, and that an adjustment be made at Q3 Budget Review.
3. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Design Landscapes Australia Pty Ltd as the preferred tenderer to carry out the Coastal Walk Fitness Station and Furniture Upgrade from Tamarama to Notts Avenue for the sum of \$462,910.54 (excluding GST).
4. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Design Landscapes Australia Pty Ltd for the Coastal Walk Fitness Station and Furniture Upgrade along Coastal Walk from Tamarama to Notts Avenue.
5. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

**8. Notices of Motion****CM/8.1/19.04 Voluntary Planning Agreements and Affordable Housing Program (A13/0099)**

*At 10.14 pm, during the consideration of this item, Council adjourned for a short break*

*At 10.19 pm, the meeting resumed.*

**MOTION / DECISION**

Mover: Cr Copeland  
Seconder: Cr Wy Kanak

That Council:

1. Notes that a Councillor workshop on strategic planning matters is now scheduled to be held on the 28 May 2019.
2. As part of the workshop, considers modification of the Planning Agreement Policy such that the proportion of contributions that is set aside for Waverley's Affordable Housing Program fund be increased from 10% to 25%.
3. Notes that Waverley Council Planning Agreement Policy 2014 applies to any development application that exceeds standards under Waverley Local Environment Plan (LEP) and is referred to by Waverley Development Control Plan (DCP).
4. Notes that housing is relatively very expensive in Waverley which mitigates against the population diversity of which Waverley has been historically supportive.
5. Notes that, although the coverage of State Environmental Planning Policy (SEPP) 70 (Affordable Housing) has been recently increased to all Councils in NSW, there are still a large number of steps and a lot of time required before SEPP 70 could be operational, and even then there are no guarantees; so a quicker route to increasing the amount of affordable housing is the above change to the Planning Agreement Policy.

**Division**

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

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

**CM/8.2/19.04 Taxi Rank outside the Former Bronte RSL Site, 113 Macpherson Street, Bronte (A04/0704)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos  
Seconder: Cr Keenan

That Council investigates the reinstatement of the taxi rank outside the former Bronte RSL site at 113 Macpherson Street, Bronte, and reports back to Council before referring the matter to the Waverley Traffic Committee.

**CM/8.3/19.04 Street Pedestrianisation Pilots (A03/0042-04)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos  
Seconder: Cr Wakefield

That Council:

1. Notes its previous resolution of 20 February 2018 concerning street pedestrianisation.
2. Following Council endorsement of the report from the February 2018 resolution:
  - (a) Undertakes street pedestrianisation pilots for:
    - (i) St James Road, Bondi Junction.
    - (ii) Cox Avenue, Bondi.
    - (iii) Miller Street, Bondi.
    - (iv) Busby Parade, Bronte.
  - (b) Undertakes appropriate training of parents and residents to ensure the safety of children playing in the street.
3. Applies for any relevant funding that may support such a program.

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

*T Matthews addressed the meeting.*

**CM/8.4/19.04 Jessie Street Reserve - Native Food Garden and Indigenous Learning Centre (A19/0171)****MOTION**

Mover: Cr O'Neill  
Seconder: Cr Wy Kanak

That:

1. Council investigates developing Jessie Street Reserve (corner of Murray Street and Belgrave Street, Bronte) into a native food garden and indigenous learning centre to enhance local understanding of local indigenous culture and increase indigenous business and employment.
2. The investigation consider:
  - (a) The integration of the centre as part of the Waverley Council Reconciliation Action Plan.
  - (b) Plans and designs for a native garden with an education area that will require extensive landscaping to make the most of a small place.
  - (c) User safety, as it is located next to a busy road.
  - (d) Security, to ensure it is not misused at night and causes concern for neighbours.

- (e) Suitable local indigenous businesses with the capacity to plan, plant and maintain the garden.
  - (f) Resident feedback.
  - (g) Costings for the establishment and ongoing maintenance of this space.
3. Council consults elders and other relevant Aboriginal and Torres Strait Islander organisations.
  4. Council officers report back to Council on the outcome of the investigation.

**AMENDMENT 1**

Mover: Cr Kay  
Seconder: Cr Betts

That the Motion be adopted subject to clause 1 being amended to read as follows:

‘Subject to an initial community survey of adjacent residents, Council investigates developing Jessie Street Reserve (corner of Murray Street and Belgrave Street, Bronte) into a native food garden and indigenous learning centre to enhance local understanding of local indigenous culture and increase indigenous business and employment.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

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

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

*Cr Nemesh was not present for the vote on the amendment.*

**AMENDMENT 2**

Mover: Cr Goltsman  
Seconder: Cr Kay

That the Motion be adopted subject to clause 1 being amended to read as follows:

‘Council investigates developing Jessie Street Reserve (corner of Murray Street and Belgrave Street, Bronte), or other suitable locations in the Waverley local government area, into a native food garden and indigenous learning centre to enhance local understanding of local indigenous culture and increase indigenous business and employment.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

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

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

*Crs Keenan and Nemesh were not present for the vote on the amendment.*

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 2(f) OF THE MOTION SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That:

1. Council investigates developing Jessie Street Reserve (corner of Murray Street and Belgrave Street, Bronte) into a native food garden and indigenous learning centre to enhance local understanding of

local indigenous culture and increase indigenous business and employment.

2. The investigation consider:
  - (a) The integration of the centre as part of the Waverley Council Reconciliation Action Plan.
  - (b) Plans and designs for a native garden with an education area that will require extensive landscaping to make the most of a small place.
  - (c) User safety, as it is located next to a busy road.
  - (d) Security, to ensure it is not misused at night and causes concern for neighbours.
  - (e) Suitable local indigenous businesses with the capacity to plan, plant and maintain the garden.
  - (f) Resident and Bronte Precinct feedback.
  - (g) Costings for the establishment and ongoing maintenance of this space.
3. Council consults elders and other relevant Aboriginal and Torres Strait Islander organisations.
4. Council officers report back to Council on the outcome of the investigation.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

**Division**

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

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

**DECISION:** That the Motion be adopted.

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

*T Murray addressed the meeting.*

**CM/8.5/19.04 Tender Evaluation Criteria (A15/0533)**

**MOTION / DECISION**

Mover: Cr Copeland

Seconder: Cr Keenan

That Council:

1. Includes all relevant tender decision-making criteria within Council tender reports, including mandatory or pass/fail or gateway criteria.
2. Receives a report analysing approaches for giving greater consideration to sustainability/quadruple bottom line criteria and quality management within both Council procurement/tendering criteria and Council project selection, specification and design processes, including information on key sustainability elements of the new Procurement Policy and Procedure.

**CM/8.6/19.04                    Parking Prevention Blister at the Intersection of Ocean Street and Birrell Street, Bondi (A03/0772)**

**MOTION / DECISION**

Mover:        Cr Copeland  
 Seconder:    Cr Wy Kanak

That Council:

1. Investigates the feasibility of establishing a blister on the western corner of Ocean Street at its junction with Birrell Street.
2. Notes that the blister is to be designed in such a way that prevents parking within approximately eight metres of the corner (Road Rules require 10 metres), as far as the tree which is planted in the roadway, to improve sight distances.
3. Notes that the blister could include planting of low shrubbery in the blister footprint and could include harder design features to prevent drivers parking on the blister.
4. Notes that the blister could incorporate the existing tree at its northern end.

**CM/8.7/19.04                    State of Climate Emergency (A02/0131)**

**MOTION**

Mover:        Cr Copeland  
 Seconder:    Cr Wy Kanak

That Council:

1. Recognises that we are in a state of climate emergency that requires urgent action by all levels of government, that human induced climate change represents one the greatest threats to civilisation, and other species and that it is still possible to prevent the most catastrophic outcomes if, and only if, societies take emergency action.
2. Declares a climate emergency and actively implements activities to drastically reduce greenhouse gas emissions of Council and the community so that global temperature rise can be limited to 1.5°C.
3. Congratulates the schoolchildren who went on strike on 30 November 2018 and 15 March 2019 in order to learn about and demonstrate their knowledge of the state of climate emergency, their democratic rights and their fears about the future, and who have learnt much more about civics and the political process than if they had stayed at school. And notes that they are showing more environmental and political nous than some of their destructive and selfish elders.
4. Informs the following State MPs in the table below of the contents of this motion:

The Hon. K.J. Anderson	Minister for Better Regulation and Innovation
The Hon. G.D Barilaro	Deputy Premier, Minister for Regional New South Wales, Industry and Trade
The Hon. G. Berejiklian	Premier
The Hon. A.J. Constance	Minister for Transport and Roads
The Hon. S.E. Hancock	Minister for Local Government
The Hon. M.J. Kean	Minister for Energy and Environment
The Hon. A.J. Marshall	Minister for Agriculture and Western New South Wales



The Hon. M.J Pavey	Minister for Water, Property and Housing
The Hon. R.G. Stokes	Minister for Planning and Public Spaces
Mr J. Dib	Education
Ms J.L. McKay	Transport & Roads
Ms T. Mihailuk	Planning & Housing
Mr C.J. Minns	Water
The Hon. P. T. Primrose	Local Government & Communities
The Hon. A. Searle	Energy & Climate Change
The Hon. P.G. Sharpe	Environment & Heritage
Ms C. M. Faehrmann	Environment
Mr J.T. Parker	Corruption, Urban Growth & Renewal
Mr D. M. Shoebridge	Local Govt, Planning & Heritage
Ms T.F. Smith	Renewable Energy
Ms D. E. Walker	Health, Forestry

**AMENDMENT 1**

Mover: Cr Goltsman

Seconder: Cr Betts

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

‘That “State of Climate Emergency” signs be added to the existing “Nuclear-free Zone” signs.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

**AMENDMENT 2**

Mover: Cr Wakefield

Seconder: Cr Masselos

That the Motion be adopted subject to clauses 1 and 2 being amended to read as follows:

1. Recognises that human-induced climate change represents one of the greatest threats to civilisation and other species, and that it is still possible to prevent the most catastrophic outcomes if, and only if, societies take urgent action.
2. Urgently implements activities to drastically reduce greenhouse gas emissions of Council and the community so that global temperature rise can be limited to 1.5°C.

THE AMENDMENT WAS PUT AND DECLARED CARRIED.

THE MOTION AS AMENDED NOW READS AS FOLLOWS:

That Council:

1. Recognises that human-induced climate change represents one of the greatest threats to civilisation and other species, and that it is still possible to prevent the most catastrophic outcomes if, and only if, societies take urgent action.
2. Urgently implements activities to drastically reduce greenhouse gas emissions of Council and the community so that global temperature rise can be limited to 1.5°C
3. Congratulates the schoolchildren who went on strike on 30 November 2018 and 15 March 2019 in order to learn about and demonstrate their knowledge of the state of climate emergency, their

democratic rights and their fears about the future, and who have learnt much more about civics and the political process than if they had stayed at school. And notes that they are showing more environmental and political nous than some of their destructive and selfish elders.

4. Informs the following State MPs in the table below of the contents of this motion:

The Hon. K.J. Anderson	Minister for Better Regulation and Innovation
The Hon. G.D Barilaro	Deputy Premier, Minister for Regional New South Wales, Industry and Trade
The Hon. G. Berejiklian	Premier
The Hon. A.J. Constance	Minister for Transport and Roads
The Hon. S.E. Hancock	Minister for Local Government
The Hon. M.J. Kean	Minister for Energy and Environment
The Hon. A.J. Marshall	Minister for Agriculture and Western New South Wales
The Hon. M.J. Pavey	Minister for Water, Property and Housing
The Hon. R.G. Stokes	Minister for Planning and Public Spaces
Mr J. Dib	Education
Ms J.L. McKay	Transport & Roads
Ms T. Mihailuk	Planning & Housing
Mr C.J. Minns	Water
The Hon. P. T. Primrose	Local Government & Communities
The Hon. A. Searle	Energy & Climate Change
The Hon. P.G. Sharpe	Environment & Heritage
Ms C. M. Faehrmann	Environment
Mr J.T. Parker	Corruption, Urban Growth & Renewal
Mr D. M. Shoebridge	Local Govt, Planning & Heritage
Ms T.F. Smith	Renewable Energy
Ms D. E. Walker	Health, Forestry

#### AMENDMENT 3

Mover: Cr Goltsman

Seconder: Cr Betts

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

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.

#### AMENDMENT 4

Mover: Cr Goltsman

Seconder: Cr Betts

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

'Congratulates the schoolchildren who went on strike on 30 November 2018 and 15 March 2019 in order to learn about and demonstrate their knowledge of the state of climate emergency, their democratic rights and their fears about the future, and who have learnt much more about civics and the political process than if they had stayed at school.'

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 MOVER OF THE MOTION AS AMENDED THEN ACCEPTED THE ADDITION OF A NEW CLAUSE SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council:

1. Recognises that human-induced climate change represents one of the greatest threats to civilisation and other species, and that it is still possible to prevent the most catastrophic outcomes if, and only if, societies take urgent action.
2. Urgently implements activities to drastically reduce greenhouse gas emissions of Council and the community so that global temperature rise can be limited to 1.5°C
3. Notes that there are many environmental programs run by Council that children within the local government area can involve themselves with for the improvement of the Waverley community.
4. Congratulates the schoolchildren who went on strike on 30 November 2018 and 15 March 2019 in order to learn about and demonstrate their knowledge of the state of climate emergency, their democratic rights and their fears about the future, and who have learnt much more about civics and the political process than if they had stayed at school. And notes that they are showing more environmental and political nous than some of their destructive and selfish elders.
5. Informs the following State MPs in the table below of the contents of this motion:

The Hon. K.J. Anderson	Minister for Better Regulation and Innovation
The Hon. G.D Barilaro	Deputy Premier, Minister for Regional New South Wales, Industry and Trade
The Hon. G. Berejiklian	Premier
The Hon. A.J. Constance	Minister for Transport and Roads
The Hon. S.E. Hancock	Minister for Local Government
The Hon. M.J. Kean	Minister for Energy and Environment
The Hon. A.J. Marshall	Minister for Agriculture and Western New South Wales
The Hon. M.J Pavey	Minister for Water, Property and Housing
The Hon. R.G. Stokes	Minister for Planning and Public Spaces
Mr J. Dib	Education
Ms J.L. McKay	Transport & Roads
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Mr C.J. Minns	Water
The Hon. P. T. Primrose	Local Government & Communities
The Hon. A. Searle	Energy & Climate Change
The Hon. P.G. Sharpe	Environment & Heritage
Ms C. M. Faehrmann	Environment
Mr J.T. Parker	Corruption, Urban Growth & Renewal
Mr D. M. Shoebridge	Local Govt, Planning & Heritage
Ms T.F. Smith	Renewable Energy

Ms D. E. Walker

Health, Forestry

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

**Division****For the Motion:** Crs Copeland, Keenan, Lewis, Masselos, O'Neill, Wakefield and Wy Kanak.**Against the Motion:** Crs Betts, Goltsman, Kay and Nemesh.**DECISION:** That the Motion be adopted.**CM/8.8/19.04 Festive Lights, Decorations and Banners (A18/0548)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That:

1. Council implements an enhanced and improved festive celebration of Hanuka and Christmas for this year, 2019, which may include:
  - (a) Low voltage LED lighting of selected trees, buildings and landmarks.
  - (b) Banners.
  - (c) Festive decorations.
2. Identifies key sites, such as Campbell Parade, Norman Lee Place, Charing Cross Village and Bondi Junction Mall, while being cognisant of RMS rules concerning state roads, traffic signals and pedestrian crossings.
3. A timely report come to Council concerning purchase and set up of this festive celebration.
4. A festive celebration strategy be developed for subsequent years based on learnings from this year.

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

*D Fleeting addressed the meeting.*

**CM/8.9/19.04 Traffic and Pedestrian Safety in Streets Bounded by Bondi Road, Old South Head Road and Flood Street (A03/0042-04)****MOTION / UNANIMOUS DECISION**

Mover: Cr Kay

Seconder: Cr Wakefield

That Council:

1. Investigates the intersection of Paul Street and Kenilworth Street to address pedestrian and vehicle safety.
2. Identifies alternative solutions to prohibit large vehicles, including articulated vehicles (semi-trailers

and truck trailer combinations), in Paul Street and the western end of Kenilworth Street.

3. Prepares a report for Waverley Traffic Committee consideration.

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

*S Rogers addressed the meeting.*

## 9. Urgent Business

There were no items of urgent business.

## 10. Closed Session

### CM/10/19.04 Closed Session

#### MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield  
Seconder: Cr Goltsman

That:

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

CM/10.1/19.04 CONFIDENTIAL REPORT - Crowded Space Safety - Hostile Vehicle Mitigation

This matter is considered to be confidential in accordance with section 10A(2)(e) 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 information that would, if disclosed, prejudice the maintenance of law.

CM/10.2/19.04 CONFIDENTIAL REPORT - Waverley Cemetery - Fees and Charges 2019-20

This matter is considered to be confidential in accordance with section 10A(2)(d)(ii) 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 information that would, if disclosed, confer a commercial advantage on a competitor of Council.

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/10.1/19.04            CONFIDENTIAL REPORT - Crowded Space Safety - Hostile Vehicle Mitigation  
(A02/0421)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Wakefield  
Seconder:     Cr Betts

That Council:

1. 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)(e) of the *Local Government Act 1993*. The report contains information that would, if disclosed, prejudice the maintenance of law.
2. Receives and notes the Hostile Vehicle Assessment and Options for Control Measures report by RiskGroup attached to this report.
3. Authorises the General Manager to proceed to concept development and engineering design on public safety measures (including infrastructure and amenity works) recommended in the RiskGroup report.
4. Authorises the General Manager to seek grant funding from State and Commonwealth Governments as appropriate to assist in funding recommended public safety measures.
5. Authorises the General Manager to commence any necessary heritage and regulatory processes required to implement the recommended public safety measures and to proceed with priority works identified through this project commensurate with funding available from Council and governmental sources.

**CM/10.2/19.04            CONFIDENTIAL REPORT - Waverley Cemetery - Fees and Charges 2019-20  
(A14/0165)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Wakefield  
Seconder:     Cr Masselos

That Council:

1. 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)(d)(ii) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a competitor of Council.
2. Adopts the fees and charges for cemetery services attached to this report for the 2019–20 financial year.
3. Amends the 2018–19 fees and charges for cemetery services from 17 April 2019 to align with the 2019–20 fees and charges attached to this report.

**11. Resuming in Open Session**

**CM/11/19.04 Resuming in Open Session**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council resumes in open session.

*At 11.20 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 11.22 PM.**

.....  
**SIGNED AND CONFIRMED**  
**MAYOR**  
**21 MAY 2019**