



# WAVERLEY COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING  
HELD BY VIDEO CONFERENCE/AT WAVERLEY COUNCIL CHAMBERS,  
CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON TUESDAY, 8 DECEMBER 2020**

**Present:**

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor George Copeland	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Steven Lewis	Hunter Ward
Councillor Will Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward
Councillor John Wakefield	Bondi Ward
Councillor Dominic Wy Kanak	Bondi Ward

**Staff in attendance:**

Ross McLeod	General Manager
John Clark	Director, Customer Service and Organisation Improvement
Peter Monks	Director, Planning, Environment and Regulatory
Emily Scott	Director, Community, Assets and Operations
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer
Evan Hutchings	Executive Manager, Governance and Projects

*At the commencement of proceedings at 7.00 pm, those present were as listed above, with the exception of Cr Kay, who arrived at 7.07 pm, and Cr Wakefield, who arrived at 7.11 pm.*

*At 7.10 pm, Cr O'Neill 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.*

### **1. Apologies/Leaves of Absence**

There were no apologies.

### **2. Declarations of Pecuniary and Non-Pecuniary Interests**

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

- 2.1 Cr Goltsman declared a less than significant non-pecuniary interest in item CM/7.6/20.12 – Dover Heights Shule and Chanukah in the Park – Financial Assistance and informed the meeting that he has been a volunteer at Dover Heights Shule.
- 2.2 Cr Wy Kanak declared a less than significant non-pecuniary interest in item CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/C.01/20.11 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade and Dickson Street at Birrell Street, Bondi and informed the meeting that he lives in Park Parade.

### **3. Obituaries**

John Jamieson

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

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

- 4.1. N Barber – CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/C.01/20.11 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade and Dickson Street at Birrell Street, Bondi.
- 4.2. D Mitchell and S Chernishev – CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/C.01/20.11 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade and Dickson Street at Birrell Street, Bondi.

- 4.3. L Brignell – CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/C.01/20.11 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade and Dickson Street at Birrell Street, Bondi.
- 4.4. G Beard (on behalf of Bronte Precinct) – CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/C.01/20.11 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade and Dickson Street at Birrell Street, Bondi.
- 4.5. A resident – CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/C.01/20.11 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade and Dickson Street at Birrell Street, Bondi.
- 4.6. B Mouroukas (on behalf of Bondi Heights Precinct) – CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/C.01/20.11 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade and Dickson Street at Birrell Street, Bondi.
- 4.7. A resident – CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/C.01/20.11 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade and Dickson Street at Birrell Street, Bondi.
- 4.8. D Robinson (on behalf of the Francis Street and Community Traffic Committee) – CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/V.01/20.11 – Barracluff Avenue, Bondi Beach – Traffic Calming Scheme.
- 4.9. D Valente – CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/V.01/20.11 – Barracluff Avenue, Bondi Beach – Traffic Calming Scheme.
- 4.10. C Hamilford – CM/5.3/20.12 – Adoption of Minutes – Waverley Traffic Committee Meeting – 26 November 2020 – TC/V.03/20.11 – Rose Bay Secondary School – Temporary Drop-off/Pick-up Zones – Review.
- 4.11. R Solsky – CM/8.2/20.12 – Bondi Beach Regional Playground Upgrade.
- 4.12. M Dook – CM/8.2/20.12 – Bondi Beach Regional Playground Upgrade.
- 4.13. J Spatt – CM/8.2/20.12 – Bondi Beach Regional Playground Upgrade.
- 4.14. R Murphy – CM/8.2/20.12 – Bondi Beach Regional Playground Upgrade.
- 4.15. T Golan (on behalf of 'Mothers of Bondi') – CM/8.2/20.12 – Bondi Beach Regional Playground Upgrade.

#### ITEMS BY EXCEPTION

#### MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That the recommendations for the following items be adopted as recommended in the business paper:

CM/5.1/20.12 Confirmation of Minutes - Council Meeting - 17 November 2020.

CM/5.2/20.12 Confirmation of Minutes - Extraordinary Council Meeting - 1 December 2020.

- CM/7.2/20.12 Trade Debtors - Debt Write Off.
- CM/7.3/20.12 Audit, Risk and Improvement Committee - Extension of Appointment of Members.
- CM/7.4/20.12 Cultural Advisory Committee - Membership.
- CM/7.5/20.12 Draft Public Art Policy - Exhibition.
- CM/7.6/20.12 Dover Heights Shule and Chanukah in the Park - Financial Assistance.
- CM/7.7/20.12 Bondi Park, Beach and Pavilion Plan of Management - Exhibition.
- CM/7.13/20.12 Stronger Communities Fund - Progress Report.

*Cr O'Neill was not present for the consideration and vote on this item.*

## 5. Confirmation and Adoption of Minutes

### **CM/5.1/20.12 Confirmation of Minutes - Council Meeting - 17 November 2020 (SF20/42)**

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

Mover: Cr Masselos  
Seconder: Cr Keenan

That the minutes of the Council Meeting held on 17 November 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

*Cr O'Neill was not present for the consideration and vote on this item.*

### **CM/5.2/20.12 Confirmation of Minutes - Extraordinary Council Meeting - 1 December 2020 (SF20/45)**

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

Mover: Cr Masselos  
Seconder: Cr Keenan

That the minutes of the Extraordinary Council Meeting held on 1 December 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

*Cr O'Neill was not present for the consideration and vote on this item.*

### **CM/5.3/20.12 Adoption of Minutes - Waverley Traffic Committee Meeting - 26 November 2020 (SF20/45)**

#### **MOTION / DECISION**

Mover: Cr Masselos  
Seconder: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 26 November 2020 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/V.01/20.11 – Barracluff Avenue, Bondi Beach – Traffic Calming Scheme.
2. TC/C.01/20.11 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade and Dickson Street at Birrell Street, Bondi.
3. TC/CV.01/20.11 – Guide for Assessment of Construction Zone Applications.

And that these items be dealt with separately below.

*Cr O'Neill was not present for the consideration and vote on this item.*

*C Hamilford addressed the meeting.*

**CM/5.3.1/20.12      Adoption of Minutes - Waverley Traffic Committee Meeting - 26 November 2020 -  
TC/V.01/20.11 - Barracluff Avenue, Bondi Beach - Traffic Calming Scheme  
(A03/0042-04)**

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

**MOTION**

Mover: Cr Wakefield

Seconded: Cr Goltsman

That Council adopts option D with the following design modifications:

1. Replace current blisters and incorporate footpath extensions on all corners.
2. Move the proposed intersection treatment on the corner of Barracluff Avenue and Francis Street towards the south in order to create a safer pedestrian outcome.
3. Consider the reintroduction of parking for cars or dedicated motorcycle parking on the western side of Barracluff Avenue at the intersection of Francis Street.

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO THE MOTION.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION:**

That Council adopts option D with investigation of the following design modifications for community consultation:

1. Replace current blisters and incorporate footpath extensions on all corners.
2. Move the proposed intersection treatment on the corner of Barracluff Avenue and Francis Street towards the south in order to create a safer pedestrian outcome.
3. Consider the reintroduction of parking for cars or dedicated motorcycle parking on the western side of Barracluff Avenue at the intersection of Francis Street.

**Division**

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

**Against the Motion:** Cr Betts

*Cr O'Neill was not present for the consideration and vote on this item.*

*D Robinson (on behalf of the Francis Street and Community Traffic Committee) and D Valente addressed the meeting.*

**CM/5.3.2/20.12 Adoption of Minutes - Waverley Traffic Committee Meeting - 26 November 2020 - TC/C.01/20.11 - 40 km/h Speed Limit Changes - Traffic Control Devices - Park Parade and Dickson Street (A18/0579)**

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

*Cr Wy Kanak declared a less than significant non-pecuniary interest in this item and informed the meeting that he lives in Park Parade.*

**MOTION / UNANIMOUS DECISION**

Mover: Cr Kay

Seconder: Cr Burrill

That Council officers:

1. Subject to providing analyses of traffic and pedestrian flows, consults the community on, but not limited to, the following options for the intersections of Park Parade and Dickson Street at Birrell Street:
  - (a) Proposed kerb extensions, as set out in Attachments 1 and 2 of the Traffic Committee report.
  - (b) Proposed kerb extensions, as per Option 1 above, with a 'No Right Turn' traffic restriction on exit into Birrell Street.
  - (c) Traffic island (offset 'centre' refuge) similar to the design at the intersection of Wellington Street and Bondi Road, if technically feasible.
  - (d) No action.
2. Prepare a report on the community consultation for the Traffic Committee's consideration.

*Cr O'Neill was not present for the consideration and vote on this item.*

*N Barber, D Mitchell and S Chernishev, L Brignell, G Beard (on behalf of Bronte Precinct), B Mouroukas and two residents addressed the meeting.*

**CM/5.3.3/20.12 Adoption of Minutes - Waverley Traffic Committee Meeting - 26 November 2020 - TC/CV.01/20.11 - Guide for Assessment of Construction Zone Applications (A03/2514-04)**

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

**MOTION / UNANIMOUS DECISION**

Mover: Cr Kay  
Seconder: Cr Burrill

That the Traffic Committee's recommendation be adopted subject to the addition of a new clause 5, such that the recommendation now reads as follows:

That Council:

1. Notes the recommended process in the report for the assessment of construction zone applications.
2. Endorses the 'Guide for construction zones in Waverley' attached to the report.
3. Publishes the guide on Council's website.
4. Delegates authority to Executive Manager, Infrastructure Services, to adapt the assessment process or guide as deemed necessary.
5. Officers review the initial guidelines prior to publication for their terminology, grammar and internal Council feedback.

*Cr O'Neill was not present for the consideration and vote on this item.*

**6. Mayoral Minutes**

There were no mayoral minutes.

**7. Reports**

**CM/7.1/20.12 General Manager's Delegations (SF20/29)**

**MOTION / DECISION**

Mover: Cr Masselos  
Seconder: Cr Keenan

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 the report.
2. Emily Scott be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
3. Should Emily Scott be unable or unwilling to act as General Manager at any time, John Clark be appointed to act as General Manager if the General Manager is sick or otherwise absent from work

on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.

4. Should Emily Scott and John Clark be unable or unwilling to act as General Manager at any time, Darren Smith be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
5. Should Emily Scott, John Clark and Darren Smith be unable or unwilling to act as General Manager at any time, Karen Mobbs be appointed to act as General Manager if the General Manager is sick or otherwise absent from work on leave or business, with such appointment to cease upon the return to work of the General Manager or by other resolution of the Council.
6. Any person acting as General Manager pursuant to this resolution has all the functions, delegations and sub-delegations given to the General Manager by Council.
7. The General Manager reports to Councillors monthly by email on tenders accepted under delegation and any exemptions approved.
8. Council authorises the Mayor and Deputy Mayor to affix the Council Seal to the Instrument of Delegation to the General Manager.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.2/20.12            Trade Debtors - Debt Write Off (SF17/299)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Masselos  
Seconder:    Cr Keenan

That Council:

1. Writes off bad trade debts amounting to \$13,260.62 as set out in Table 1 of the report, in accordance with clause 213(3) of the *Local Government (General) Regulation 2005*.
2. Notes that \$2,281.57 of commercial waste and footpath seating debt has been written off by the General Manager for the period 17 June 2020 to 7 December 2020, in accordance with clause 213(3) of the *Local Government (General) Regulation 2005*.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.3/20.12            Audit, Risk and Improvement Committee - Extension of Appointment of Members (SF19/1020)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Masselos  
Seconder:    Cr Keenan

That Council confirms the appointment of Elizabeth Gavey, Kath Roach and John Gordon as members of the Waverley Audit, Risk and Improvement Committee until 31 December 2024.

*Cr O'Neill was not present for the consideration and vote on this item.*



**CM/7.4/20.12 Cultural Advisory Committee - Membership (A19/0092)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council appoints the following individuals to the Cultural Advisory Committee for a term of two years, from 2021 to 2023:

1. Members:
  - (a) Su Goldfish.
  - (b) Mark Gould.
  - (c) Jonathan Nolan.
  - (d) Sophia Thalís.
  - (e) Tessa Leong.
  - (f) Morwenna Collett.
  - (g) Sue Saxon.
2. Reserve members:
  - (a) Chris Bendall.
  - (b) Danella Bennett.
  - (c) Michaela Boland.
  - (d) Faith Wieland.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.5/20.12 Draft Public Art Policy - Exhibition (A20/0106)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council publicly exhibits the draft Public Art Policy attached to the report for 42 days.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.6/20.12            Dover Heights Shule and Chanukah in the Park - Financial Assistance (A20/0378)**

*Cr Goltsman declared a less than significant non-pecuniary interest in this item and informed the meeting that he has been a volunteer at Dover Heights Shule.*

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council, under section 356 of the *Local Government Act*, grants \$2,869.25 (excluding GST) in financial assistance to the Dover Heights Shule to cover event fees associated with holding the Chanukah in the Park event.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.7/20.12            Bondi Park, Beach and Pavilion Plan of Management - Exhibition (A14/0201)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Pending approval from Crown Lands, publicly exhibits the updated draft Bondi Park, Beach and Pavilion Plan of Management attached to the report for 42 days.
2. Authorises the Director, Community, Assets and Operations, to approve any amendments requested by Crown Lands prior to public exhibition.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.8/20.12            Inclusive Play Space Study (SF20/2230)****MOTION / DECISION**

Mover: Cr Kay

Seconder: Cr Burrill

That Council:

1. Adopts the Inclusive Play Space Study attached to the report (Attachment 1) as a supporting document to the Play Space Strategy 2014–2029, subject to the following amendment:
  - (a) The Action Plan be updated to include intergenerational play and equipment specifically designed for older people, where appropriate.
2. Notes that inclusive play space upgrades will occur in accordance with the individual play spaces priority listing in the adopted Play Space Strategy 2014–2029.
3. Notes the findings from the public exhibition period attached to the report (Attachment 2).

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.9/20.12 Food Waste in Garden Organics Bins (A20/0600)****MOTION**

Mover: Cr Keenan

Seconder: Cr Masselos

That Council:

1. Notes the consideration of matters raised in resolution CM/8.4/20.10 as detailed in the report.
2. Commences an investigation to identify the optimal service arrangements for all waste and recycling collected from Waverley households in light of recent industry and regulatory changes, and reports back to Council at the August 2021 Council meeting.
3. Ensures that the investigation includes consideration of effective, best-practice solutions for food waste from households in Waverley to be diverted from landfill.
4. Defers the implementation of the three-bin domestic waste service until Council considers the findings of this investigation.
5. Works in partnership with Veolia and Plastic Oceans Australasia to implement an education program at a local school to drive behaviour change towards single-use plastics.
6. Conducts a further investigation to identify feasible, innovative circular economy reuse and recycling projects, including opportunities for improved systems for Council to increase the recovery and reuse of household problem waste, and opportunities for collaboration with neighbouring councils.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

**UNANIMOUS DECISION:**

That Council:

1. Notes the consideration of matters raised in resolution CM/8.4/20.10 as detailed in the report.
2. Commences an investigation to identify the optimal service arrangements for all waste and recycling collected from Waverley households in light of recent industry and regulatory changes, and reports back to Council at the August 2021 Council meeting.
3. Ensures that the investigation includes consideration of effective, best-practice solutions for food waste from households in Waverley to be diverted from landfill.
4. Conducts a Councillor workshop before the August 2021 Council meeting when the results of the investigation are known.
5. Defers the implementation of the three-bin domestic waste service until Council considers the findings of this investigation.
6. Works in partnership with Veolia and Plastic Oceans Australasia to implement an education program at a local school to drive behaviour change towards single-use plastics.
7. Conducts a further investigation to identify feasible, innovative circular economy reuse and recycling projects, including opportunities for improved systems for Council to increase the recovery and reuse of household problem waste, and opportunities for collaboration with neighbouring councils.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.10/20.12          Charing Cross Streetscape Upgrade - Design Options Analysis (A18/0541)**

**MOTION**

Mover:      Cr Masselos

Seconder:   Cr Keenan

That Council:

1.      Notes the findings of the stage 1 community consultation, as detailed in the background of the report.
2.      Endorses landscape Option 3 as the preferred option for the Charing Cross Streetscape Upgrade, as detailed in the report.
3.      Develops landscape Option 3 to a concept design suitable for community consultation.
4.      Receives a further report on the developed concept design and outcomes of the traffic and stormwater investigations prior to undertaking stage 2 community consultation.
5.      Investigates the following traffic measures in parallel to concept design development:
  - (a)     Impacts of removing the left-hand turn slip lane from Bronte Road (south-east approach) into Carrington Road.
  - (b)     Impacts on implementing a one-way travel direction for vehicles on Victoria Street between Campbell Street and Carrington Road (one-way travel direction toward Carrington Road), including an origin destination survey to determine impacts on neighbouring streets and vehicle travel times.
  - (c)     Opportunities to realign existing signalised pedestrian crossings at the intersection of Carrington Road, Bronte Road and Victoria Street to reduce crossing times.
  - (d)     Feasibility of incorporating a 40km/h High Pedestrian Activity Area (HPAA) along Bronte Road, with connection to surrounding school zones to be included in investigation.
  - (e)     Impact on existing parking of the above measures, noting that Option 3 results in no loss of parking for the incorporation of landscape treatments.
6.      Notes the traffic measures listed above are independent of the landscape options, with each measure able to be implemented or excluded in all landscape options.
7.      Applies for up to \$1 million in funding through the High Streets Grant Program as a contribution toward the construction cost.

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO CLAUSES 2 AND 5.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

**UNANIMOUS DECISION:**

## That Council:

1. Notes the findings of the stage 1 community consultation, as detailed in the background of the report.
2. Endorses landscape Option 3 as the preferred option for the Charing Cross Streetscape Upgrade, as detailed in the report, with no loss of on-street parking.
3. Develops landscape Option 3 to a concept design suitable for community consultation.
4. Receives a further report on the developed concept design and outcomes of the traffic and stormwater investigations prior to undertaking stage 2 community consultation.
5. Investigates the following traffic measures in parallel to concept design development:
  - (a) The issues with the current design of the left-hand turn slip lane from Bronte Road (south-east approach) into Carrington Road, and impacts of its removal on pedestrian safety and vehicle turning movements.
  - (b) Impacts on implementing a one-way travel direction for vehicles on Victoria Street between Campbell Street and Carrington Road (one-way travel direction toward Carrington Road), including an origin destination survey to determine impacts on neighbouring streets and vehicle travel times.
  - (c) Opportunities to realign existing signalised pedestrian crossings at the intersection of Carrington Road, Bronte Road and Victoria Street to reduce crossing times.
  - (d) Feasibility of incorporating a 40km/h High Pedestrian Activity Area (HPAA) along Bronte Road, with connection to surrounding school zones to be included in investigation.
  - (e) Impact on existing parking of the above measures, noting that landscape Option 3 results in no loss of parking for the incorporation of landscape treatments, and creating additional on-street parking in the Charing Cross Village to offset any losses.
  - (f) The existing signal phasing and turning movements at the traffic lights intersection of Carrington Road, Bronte Road and Victoria Street to determine if improvements to level of service and safety of both pedestrians and vehicles is feasible.
  - (g) The Bronte/Albion intersection to improve the safety of pedestrians and vehicles.
6. Notes the traffic measures listed above are independent of the landscape options, with each measure able to be implemented or excluded in all landscape options.
7. Applies for up to \$1 million in funding through the High Streets Grant Program as a contribution toward the construction cost.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.11/20.12            Boot Factory Adaptive Reuse and Mill Hill Building Upgrade - Project Update  
(A19/0074)****MOTION / DECISION**

Mover:        Cr Masselos  
Seconder:    Cr Keenan

That Council:

1.    Endorses the reconfiguration of the ground floor of the Mill Hill building, as set out in the attachment to the report.
2.    Lodges a section 4.55 modification for the proposed reconfiguration of the ground floor of the Mill Hill building.
3.    Notes that, at its meeting on 17 March 2020, Council delegated authority to the General Manager to accept tenders other than tenders for contracts to provide services currently provided by members of staff.
4.    Notes that the General Manager, subject to a successful tender process, intends to award the tender for construction of the project under delegation in early January 2021.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.12/20.12            Voluntary Planning Agreement - 20-24 Llandaff Street, Bondi Junction  
(SF20/5035)****MOTION / DECISION**

Mover:        Cr Lewis  
Seconder:    Cr Copeland

That Council:

1.    Endorses the draft Planning Agreement attached to the report applying to land at 20–24 Llandaff Street, Bondi Junction. The draft Planning Agreement offers a total monetary contribution of \$311,758 in relation to the excess floor space over the permissible floor space ratio, of which \$280,582 (90%) is to be applied towards the Complete Streets Program and \$31,176 (10%) towards the Affordable Housing Program.
2.    Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

**Division**

**For the Motion:**        Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh and Wakefield.

**Against the Motion:**    Crs Keenan and Wy Kanak.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/7.13/20.12 Stronger Communities Fund - Progress Report (A19/0224)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council receives and notes the progress report on the Stronger Communities Fund.

*Cr O'Neill was not present for the consideration and vote on this item.*

**8. Notices of Motions****CM/8.1/20.12 RESCISSION MOTION - CM/4.1/20.12E - Planning Proposal - Bondi Junction Strategic Centre - Protecting and Promoting Non-Residential Floor Space - Post-exhibition (PP-3/2019)****MOTION (WITHDRAWN)**

That resolution CM/4.1/20.12E – Planning Proposal – Bondi Junction Strategic Centre – Protecting and Promoting Non-Residential Floor Space – Post-exhibition, passed at the Extraordinary Council meeting on 1 December 2020, be rescinded.

**CM/8.2/20.12 Bondi Beach Regional Playground Upgrade (SF19/5774)****MOTION**

Mover: Cr Burrill

Seconder: Cr Goltsman

That Council:

1. Notes that the upgrade to the Bondi Beach playground was identified as a high-priority, short-term action in the Waverley Play Space Strategy (2014–2029).
2. Notes that 18.3% of Waverley's residents were under the age of 17 in the 2016 census with that number predicted to grow, with under 17s representing 14.1% of the population in Bondi, 12.3% in Bondi Beach and 23.5% in North Bondi.
3. Notes that a minor upgrade is currently underway to replace dilapidated play equipment and infrastructure in the park.
4. Officers commence design work for the full upgrade to the Bondi Park regional playground within the 2021–22 Capital Works Program.
5. Funds the design work through the SAMP 5 Park and Playground Renewal and Upgrades program in 2021–22 allocation in the Long-Term Financial Plan 5.2.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE AND AMENDMENTS TO THE MOTION.

AT THIS STAGE IN THE PROCEEDINGS, CR BURRILL, SECONDED BY CR BETTS, MOVED A MOTION OF DISSENT ON THE CHAIR'S RULING THAT THE CHAIR DID NOT INTERRUPT CR BURRILL DURING HER CLOSING SPEECH.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION:**

That Council:

1. Notes that the upgrade to the Bondi Beach playground was identified as a high-priority, short-term action in the Waverley Play Space Strategy (2014–2029).
2. Notes that 18.3% of Waverley’s residents were under the age of 17 in the 2016 census with that number predicted to grow, with under 17s representing 14.1% of the population in Bondi, 12.3% in Bondi Beach and 23.5% in North Bondi.
3. Notes that a minor upgrade is currently underway to replace dilapidated play equipment and infrastructure in the park.
4. Notes that by bringing forward the design work will mean that funding may or may not be taken away from other playground designs and upgrades within the Waverley local government area, noting that there may be no impact on the 2021–22 financial year budget or playground works.
5. Council Officers provide a report to the March 2021 Council meeting at the latest on the consequences of the following:
  - (a) Officers commence design work for the full upgrade to the Bondi Park regional playground within the 2021–22 Capital Works Program.
  - (b) Funds the design work through the SAMP 5 Park and Playground Renewal and Upgrades program in 2021–22 allocation in the Long-Term Financial Plan 5.2.

**Division**

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

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

*Cr O’Neill was not present for the consideration and vote on this item.*

**CM/8.3/20.12                      Lots 1 and 2, 27-29 Kimberley Street, Vaucluse - Land Acquisition (A20/0639)**

**MOTION**

Mover: Cr Betts

Seconder: Cr Nemesh

That Council:

1. Investigates the possible acquisition of the portion of Lots 1 and 2 at 27–29 Kimberley Street, Vaucluse, identified in the Land Acquisitions Map of the Waverley Local Environment Plan 2012 (LEP) that is zoned as Local Open Space in the LEP, including but not limited to consultation with the local community and precinct.
2. Officers report back to Council on the merits or otherwise of commencing negotiations for the possible acquisition of this land.

**FORESHADOWED MOTION (WITHDRAWN)**

Mover: Cr Lewis



That this item be deferred to the next Council meeting to enable officers to provide cadastral maps to identify the land in question.

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

THE MOTION WAS THEN PUT AND DECLARED LOST.

**Division**

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

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

THE FORESHADOWED MOTION WAS THEN WITHDRAWN.

*Cr O'Neill was not present for the consideration and vote on this item.*

*At 10.05 pm, following the vote on this item, the meeting adjourned for a short break.*

*At 10.12 pm, the meeting resumed.*

**CM/8.4/20.12            Eat, Pray, Naches - Relaunch (A16/0401)**

**MOTION**

Mover: Cr Goltsman

Seconder: Cr Kay

That Council:

1. Relaunches the Eat, Pray, Naches series as part of the Bondi Story room project using existing and new material.
2. Officers locate the database of materials associated with the project and, as appropriate, contact the participants to assist in restoring the original stories and/or producing new and updated stories.
3. Reinstates a selection of the restored material on Council's website.

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO THE MOTION AND THE ADDITION OF A NEW CLAUSE.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

**UNANIMOUS DECISION:**

That Council:

1. Officers locate the database of materials associated with the project and, as appropriate, contact the participants to assist in restoring the original stories and/or producing new and updated stories.
2. Reinstates a selection of the restored material on Council's website.
3. Investigates the Eat, Pray, Naches series as part of the Bondi Story Room project using existing and new material.

4. Informs Councillors when the work is collated.

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/8.5/20.12 Cemetery Services - Financial Analysis (A20/0249)**

**MOTION**

Mover: Cr Betts

Seconder: Cr Burrill

That Council:

1. Officers prepare a report to Council detailing:
  - (a) The long-term financial analysis of Council's Cemetery Services based on the assumptions contained in the recently adopted Cemetery Services Strategic Business Plan. The report should include details on all income and expenditure projections, resourcing strategy and a risk analysis of the projected long-term financial sustainability of Council's Cemetery Services.
  - (b) The prioritisation of the short-term recommendations listed in the Strategic Business Plan (from page 63 of the document) identifying the locations within the cemetery.
  - (c) Investigates the use of volunteers for genealogy and grave site research to enable administration to focus on their work.
2. Notes that \$721,000 was allocated from the Cemetery Reserve and \$998,000 was allocated from the Cemetery Infrastructure Reserve for the repairs to the Coastal Walk. Consideration should be given to refunding this from the Investment Strategy Reserve at the earliest opportunity.
3. Investigate easing the prohibition of glyphosate use in view of the high cost and impracticality of hand-weeding in narrow corridors and the fact that the areas targeted can be cordoned off to avoid exposure to members of the community.

**FORESHADOWED MOTION**

Mover: Cr Keenan

That Council notes:

1. That Council officers are currently undertaking further detailed financial analysis of the recommendations of the recently adopted Cemetery Services Strategic Business Plan.
2. Funds will be sought as part of the next quarterly budget review or 2021–22 budget process to commence work on putting the Cemetery Service on a sustainable financial footing.

THE MOVER OF THE MOTION THEN ACCEPTED THE DELETION OF CLAUSES 1(c) AND 3.

AT THIS STAGE IN THE PROCEEDINGS, A PROCEDURAL MOTION TO LAY THE ITEM ON THE TABLE, MOVED BY CR WAKEFIELD AND SECONDED BY CR LEWIS, WAS PUT AND DECLARED CARRIED.

LATER IN THE MEETING, A PROCEDURAL MOTION TO TAKE THE ITEM FROM THE TABLE, MOVED BY CR MASSELOS AND SECONDED BY CR BETTS, WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED LOST.

THE FORESHADOWED MOTION NOW BECAME THE MOTION.

**FORESHADOWED MOTION**

Mover: Cr Keenan  
Seconded: Cr Lewis

That Council notes:

1. That Council officers are currently undertaking further detailed financial analysis of the recommendations of the recently adopted Cemetery Services Strategic Business Plan.
2. Funds will be sought as part of the next quarterly budget review or 2021–22 budget process to commence work on putting the Cemetery Service on a sustainable financial footing.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 1.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

**UNANIMOUS DECISION:**

That Council notes:

1. That Council officers are currently undertaking further detailed financial analysis of the recommendations of the recently adopted Cemetery Services Strategic Business Plan, and that a report come back to Council at the earliest possible time.
2. Funds will be sought as part of the next quarterly budget review or 2021–22 budget process to commence work on putting the Cemetery Service on a sustainable financial footing.

*Cr O'Neill was not present for the consideration and vote on this item.*

*During the consideration of this item, a procedural motion to extend the meeting by 15 minutes, moved by Cr Masselos and seconded by Cr Betts, was put and declared carried.*

**9. Questions with Notice**

There were no questions with notice.

**10. Urgent Business**

**CM/10.1/20.12 CONFIDENTIAL REPORT - Senior Staff Appointment**

*At the time of issuing the agenda, this report was not available. It was intended to be considered as urgent business, subject to satisfactory progress with the process. However, the process was not completed in time for the meeting.*

**CM/10.2/20.12 COVID-19 Testing Clinic at Bondi Beach - Relocation**

Cr Goltsman requested that the following motion be dealt with as an item of urgent business:

That Council:

1. Notes that a petition of over 415 signatures has been lodged with Council requesting that the beach parking be returned to residents.
2. Investigates ways to restore the approximately 150 parking spaces in Park Drive North to the community and Beach Parking Permit Holders in time for the peak holiday period, noting that this space is currently taken up by the drive-through COVID-19 testing clinic.
3. Identifies an alternative location, such as the median strip in Campbell Parade and Wairoa Avenue, where COVID-19 testing facility can effectively be carried out within the Waverley local government area or moving the testing station to the south-west of Park Drive North to release at least 50 parking spaces closest to Queen Elizabeth Drive back to the public.
4. Investigates discounting or reimbursing part of the annual fee for the Beach Parking Permit as an offer to the community for the current loss of parking availability in Bondi Park.

AT THIS STAGE IN THE PROCEEDINGS, A PROCEDURAL MOTION TO LAY THE ITEM ON THE TABLE, MOVED BY CR WAKEFIELD AND SECONDED BY CR LEWIS, WAS PUT AND DECLARED CARRIED.

The Chair ruled that the proposed business was not of great urgency because this is an important State Government service and that Council has started communications with the Department of Health to liberate some parking spaces and/or to relocate the service.

**11. Closed Session****CM/11/20.12 Closed Session****MOTION / DECISION**

Mover: Cr Masselos  
 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/11.1/20.12 CONFIDENTIAL REPORT - Sculpture by the Sea 2020**

This matter is considered to be confidential in accordance with section 10A(2)(d)(i), (d)(ii), (d)(iii) 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 commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of Council; and reveal a trade secret.

**CM/11.2/20.12 CONFIDENTIAL REPORT - Tamarama Surf Life Saving Club Building Upgrade - Project Update**

This matter is considered to be confidential in accordance with section 10A(2)(g) 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 advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CM/11.3/20.12 CONFIDENTIAL REPORT - Rowe Street - Heads of Agreement

This matter is considered to be confidential in accordance with section 10A(2)(c) 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 person with whom Council is conducting (or proposes to conduct) business.

CM/11.4/20.12 CONFIDENTIAL REPORT - Commercial Waste - Fees and Charges 2020-21

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 sections 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*.

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

*At 11.13 pm, Council moved into closed session.*

#### **CONFIDENTIAL ITEMS BY EXCEPTION**

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

Mover: Cr Masselos

Seconder: Cr Keenan

That the recommendations for the following confidential items be adopted as recommended in the business paper:

CM/11.1/20.12 CONFIDENTIAL REPORT - Sculpture by the Sea 2020

CM/11.4/20.12 CONFIDENTIAL REPORT - Commercial Waste - Fees and Charges 2020-21

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

**CM/11.1/20.12            CONFIDENTIAL REPORT - Sculpture by the Sea 2020 (A19/0736)****MOTION / UNANIMOUS DECISION**

Mover:        Cr Masselos

Seconder:    Cr Keenan

That Council:

1. Treats the 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), (d)(ii) and (d)(iii) of the *Local Government Act 1993*. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it; confer a commercial advantage on a competitor of Council; and reveal a trade secret.
2. Notes the advice in the report regarding the status of the 2020 Sculpture by the Sea Event.

*Cr Burrill and O'Neill were not present for the consideration and vote on this item.*

**CM/11.2/20.12            CONFIDENTIAL REPORT - Tamarama Surf Life Saving Club Building Upgrade - Project Update (A19/0445)****MOTION / DECISION**

Mover:        Cr Masselos

Seconder:    Cr Lewis

That Council:

1. Treats the 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)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Endorses the updated Heads of Agreement (HOA) attached to the report (Attachment 4), which reflects the capital contribution proposed between Council and Tamarama Surf Lifesaving Club (TSLSC).
3. Notes the DA-approved drawings attached to the report (Attachments 1 and 2).
4. Notes the project update provided in the report, including the draft tender plans attached to the report (Attachment 3).
5. Endorses the project proceeding to open tender, with construction to commence at the earliest in late April 2021.

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

**CM/11.3/20.12            CONFIDENTIAL REPORT - Rowe Street - Heads of Agreement (A13/0061)****MOTION**

Mover:        Cr Masselos  
Seconder:    Cr Wakefield

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Endorses the Heads of Agreement between Zondaro and Council for the Rowe Street Interchange Access Project issued under separate confidential cover.
3. Appoints Blare Management as project managers for the project.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 4.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION:**

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Endorses the Heads of Agreement between Zondaro and Council for the Rowe Street Interchange Access Project issued under separate confidential cover.
3. Appoints Blare Management as project managers for the project.
4. Delegates authority to the General Manager and the Mayor to make any amendments required to conclude the Heads of Agreement.

*Cr Wy Kanak requested that it be recorded in the minutes that he voted against the Motion.*

*Cr O'Neill was not present for the consideration and vote on this item.*

**CM/11.4/20.12            CONFIDENTIAL REPORT - Commercial Waste - Fees and Charges 2020-21 (A02/0162)****MOTION / UNANIMOUS DECISION**

Mover:        Cr Masselos  
Seconder:    Cr Keenan

That Council:

1. Treats the 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 commercial waste services as set out in the table in the report for the period 1 January 2021 to the 30 June 2021, noting that there is no increase to the current fees and charges.

*Cr O'Neill was not present for the consideration and vote on this item.*

**12. Resuming in Open Session**

**CM/12/20.12 Resuming in Open Session**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos  
Seconder: Cr Goltsman

That Council resumes in open session.

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

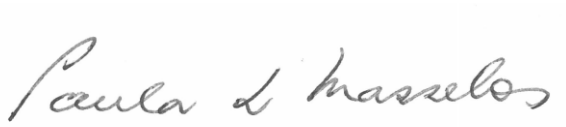
*At 11.41 pm, Council resumed in open session.*

***Resolutions from closed session made public***

*In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumed in open session the chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.*

**13. Meeting Closure**

**THE MEETING CLOSED AT 11.53 PM.**



.....  
**SIGNED AND CONFIRMED**  
**MAYOR**  
**16 FEBRUARY 2021**