



## 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, 16 MARCH 2021

#### 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:

Emily Scott	Acting General Manager
John Clark	Director, Customer Service and Organisation Improvement
Tony Pavlovic	Director, Planning, Environment and Regulatory
Shane Smith	Acting Director, Community, Assets and Operations
Darren Smith	Chief Financial Officer
Evan Hutchings	Executive Manager, Governance and Risk

*At the commencement of proceedings at 7.02 pm, those present were as listed above, with the exception of Cr Wakefield who arrived at 7.21 pm during addresses by members of the public, Cr O'Neill who arrived at 8.24 pm during item CM/6.1/21.03 and Cr Kay who arrived at 8.37 pm during item CM/7.2/21.03.*

*At 10.39 pm, Cr Burrill left the meeting and did not return.*

*At 11.00 pm, Cr Kay left the meeting and did not return.*

## **PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE**

The General Manager read the following Opening Prayer:

*God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.*

The Mayor read the following Acknowledgement of Indigenous Heritage:

*Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.*

### **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 Betts declared a pecuniary interest in item CM/7.10/21.03 – Use of Contractors Supporting Adani and informed the meeting that she has a bank account with the Commonwealth Bank and will leave the meeting for the consideration and vote on this item.
- 2.2 Cr Wy Kanak declared a less than significant non-pecuniary interest in item CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.02/21.02 – 40km/h Speed Limit Changes – Traffic Control Devices – Park Parade, Bondi and informed the meeting that he lives in Park Parade.
- 2.3 Cr Kay declared a pecuniary interest in item CM/7.10/21.03 – Use of Contractors Supporting Adani and informed the meeting that he has shares in the Commonwealth Bank and will leave the meeting for the consideration and vote on this item.
- 2.4 Cr Goltsman declared a less than significant non-pecuniary interest in Item CM/7.10/21.03 – Use of Contractors Supporting Adani and informed the meeting that he has a bank account with the Commonwealth Bank.

### **3. Obituaries**

Kathy Kum-Sing

*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. W Mouroukas (on behalf of Bondi Heights Precinct) – CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.02/21.02 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade, Bondi and TC/C.04/21.02 – 40 km/h Speed Limit Changes – Review of Treatments on Bourke Street, Bennett Street and Botany Street.
- 4.2. A resident of Park Parade – CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.02/21.02 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade, Bondi.
- 4.3. S Hoppe – CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.02/21.02 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade, Bondi.
- 4.4. A resident of Park Parade – CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.02/21.02 – 40 km/h Speed Limit Changes – Traffic Control Devices – Park Parade, Bondi.
- 4.5. A resident of Bennett Street – CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.04/21.02 – 40 km/h Speed Limit Changes – Review of Treatments on Bourke Street, Bennett Street and Botany Street.
- 4.6. A resident of Bennett Street – CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.04/21.02 – 40 km/h Speed Limit Changes - Review of Treatments on Bourke Street, Bennett Street and Botany Street.
- 4.7. A Shemesh – CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.04/21.02 – 40 km/h Speed Limit Changes – Review of Treatments on Bourke Street, Bennett Street and Botany Street.
- 4.8. J Waters – CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.04/21.02 – 40 km/h Speed Limit Changes – Review of Treatments on Bourke Street, Bennett Street and Botany Street.
- 4.9. A resident of Bennett Street – CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.04/21.02 – 40 km/h Speed Limit Changes – Review of Treatments on Bourke Street, Bennett Street and Botany Street.
- 4.10. A resident – CM/5.2/21.03 – Adoption of Minutes – Waverley Traffic Committee Meeting – 25 February 2021 – TC/C.04/21.02 – 40 km/h Speed Limit Changes – Review of Treatments on Bourke Street, Bennett Street and Botany Street.
- 4.11. B Fawcett – CM/8.1/21.03 – Waverley Mall Lighting.
- 4.12. R Mellon – CM/8.2/21.03 – Electric Vehicle Target.
- 4.13. N Mattock – CM/8.3/21.03 – Bondi Sand Body Excavation.
- 4.14. D Goldberg – CM/8.3/21.03 – Bondi Sand Body Excavation.
- 4.15. D Burgess – CM/8.3/21.03 – Bondi Sand Body Excavation.

**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/5.1/21.03 Confirmation of Minutes - Council Meeting - 16 February 2021.
- CM/7.1/21.03 Investment Portfolio Report - February 2021.
- CM/7.5/21.03 Venue Hire Grant Application - Eastern Suburbs Branch of the NSW Justices Association.
- CM/7.6/21.03 Venue Hire Grant Application - Pound Paws.
- CM/7.9/21.03 Petition - Beaumont Street, Rose Bay - Installation of Speed Humps.
- CM/7.11/21.03 Stronger Communities Fund - Progress Report.
- CM/7.14/21.03 Randwick Waverley Community Transport Group - Licence for Parking Spaces at Hollywood Avenue Car Park.

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

**5. Confirmation and Adoption of Minutes****CM/5.1/21.03 Confirmation of Minutes - Council Meeting - 16 February 2021 (SF21/279)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That the minutes of the Council Meeting held on 16 February 2021 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

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

**CM/5.2/21.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 25 February 2021 (SF21/282)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 25 February 2021 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. TC/C.02/21.02 – 40km/h Speed Limit Changes – Traffic Control Devices – Park Parade, Bondi.

2. TC/C.04/21.02 – 40km/h Speed Limit Changes – Review of Treatments on Bourke Street, Bennett Street and Botany Street.

And that these items be dealt with separately below.

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

**CM/5.2.1/21.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 25 February 2021 - TC/C.02/21.02 - 40km/h Speed Limit Changes - Traffic Control Devices - Park Parade, Bondi (A18/0579)**

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

*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**

Mover: Cr Burrill  
Seconder: Cr Betts

That Council:

1. Approves the line-markings-only design (Option 1 of the February 2021 Traffic Committee report) on a 12-month trial basis.
2. Officers monitor traffic speeds after the 40 km/h speed limit reduction has been actioned and, where speeds remain unduly high, conduct further local community consultation for the introduction of speed humps.

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

‘Officers monitor traffic speeds after the 40 km/h speed limit reduction has been actioned and, where speeds remain unduly high, conduct further local community consultation for the introduction of speed cushions.’

**FORESHADOWED MOTION**

Mover: Cr Wakefield

That Council:

1. Approves the design of the traffic calming devices consisting of 75 mm rubber cushions as shown in Attachment 1 (Option 3) of the report, including a 12-month trial of the rubber speed cushions outside 10 and 32 Park Parade.
2. Delegates authority to the Executive Manager, Infrastructure Services, to modify the designs should on-site circumstances warrant changes.

THE MOTION WAS THEN PUT AND DECLARED LOST.

**Division:**

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

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

THE FORESHADOWED MOTION NOW BECAME THE MOTION AND WAS PUT AND DECLARED CARRIED.

**MOTION / DECISION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council:

1. Approves the design of traffic calming devices consisting of 75 mm rubber cushions as shown in Attachment 1 (Option 3) of the report, including a 12-month trial of the rubber speed cushions outside 10 and 32 Park Parade.
2. Delegates authority to the Executive Manager, Infrastructure Services, to modify the designs should on-site circumstances warrant changes.

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

*W Mouroukas (on behalf of Bondi Heights Precinct), S Hoppe and residents of Park Parade addressed the meeting.*

**CM/5.2.2/21.03 Adoption of Minutes - Waverley Traffic Committee Meeting - 25 February 2021 - TC/C.04/21.02 - 40km/h Speed Limit Changes - Review of Treatments on Bourke Street, Bennett Street and Botany Street (A18/0579)**

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

**MOTION**

Mover: Cr Burrill

Seconder: Cr Betts

That Council:

1. Installs the following traffic calming treatment:
  - (a) A mountable roundabout at the intersection of Botany Street and Allens Parade, Bondi Junction, as shown in Figure 2 of the report.
2. Notes the submissions from residents of Bourke Street and Bennett Street, and does not install rubber speed cushions at 13 Bourke Street, Queens Park, and 27 Bennett Street, Bondi.

**FORESHADOWED MOTION**

Mover: Cr Copeland

That Council:

1. Installs the following traffic calming treatments:
  - (a) A mountable roundabout at the intersection of Botany Street and Allens Parade, Bondi Junction, as shown in Figure 2 of the report.
  - (b) 75 mm rubber speed cushions at 27 Bennett Street, Bondi, as shown in Figure 3 of the report.
2. Notes the submissions from residents of Bourke Street and does not install rubber speed cushions at 13 Bourke Street, Queens Park.

THE MOTION WAS PUT AND DECLARED LOST.

**Division:**

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

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

THE FORESHADOWED MOTION NOW BECAME THE MOTION AND WAS MOVED AS FOLLOWS:

**MOTION**

Mover: Cr Copeland

Seconder: Cr Lewis

That Council:

1. Installs the following traffic calming treatments:
  - (a) A mountable roundabout at the intersection of Botany Street and Allens Parade, Bondi Junction, as shown in Figure 2 of the report.
  - (b) 75 mm rubber speed cushions at 27 Bennett Street, Bondi, as shown in Figure 3 of the report.
2. Notes the submissions from residents of Bourke Street and does not install rubber speed cushions at 13 Bourke Street, Queens Park.

**AMENDMENT**

Mover: Cr Burrill

Seconder: Cr Betts

That clause 1(b) be amended to read as follows:

'75 mm rubber speed cushions at 27 Bennett Street, Bondi, as shown in Figure 3 of the report, for a trial for 12 months.'

THE AMENDMENT WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

**Division**

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

**Against the Amendment:** Nil.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION:**

That Council:

1. Installs the following traffic calming treatments:
  - (a) A mountable roundabout at the intersection of Botany Street and Allens Parade, Bondi Junction, as shown in Figure 2 of the report.
  - (b) 75 mm rubber speed cushions at 27 Bennett Street, Bondi, as shown in Figure 3 of the report, for a trial for 12 months.

2. Notes the submissions from residents of Bourke Street and does not install rubber speed cushions at 13 Bourke Street, Queens Park.

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

*W Mouroukas (on behalf of Bondi Heights Precinct), A Shemesh, J Waters and residents of Bennett Street addressed the meeting.*

## 6. Mayoral Minutes

### CM/6.1/21.03 A Safe and Inclusive Workplace for All (A21/0125)

**MOTION** Mover: Cr Masselos

That Council:

1. Reaffirms its commitment to being a safe and inclusive workplace for all staff.
2. Notes the recent events at Federal Parliament highlighting gaps in reporting structures for staff who seek to report sexual assault in the workplace.
3. Notes that Council has in place family violence support and diversity and inclusion support policies, conflict resolution procedures, and that Council's code of conduct includes standards relating to discrimination and harassment, bullying and work health and safety.
4. Conducts an internal review of current reporting structures to ensure that all staff feel safe reporting sexual assault and discrimination in the workplace.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 4.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

### **DECISION:**

That Council:

1. Reaffirms its commitment to being a safe and inclusive workplace for all staff.
2. Notes the recent events at Federal Parliament highlighting gaps in reporting structures for staff who seek to report sexual assault in the workplace.
3. Notes that Council has in place family violence support and diversity and inclusion support policies, conflict resolution procedures, and that Council's code of conduct includes standards relating to discrimination and harassment, bullying and work health and safety.
4. Conducts a governance and operational review of current reporting structures to ensure that all staff feel safe reporting sexual assault and discrimination in the workplace.

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

**CM/6.2/21.03 Recognition of Pauline Menczer, World Surfing Champion (A02/0276)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

That Council:

1. Notes and acknowledges:
  - (a) The momentous achievement of unsung hero Pauline Menczer as the only world surfing champion from Bondi who achieved this important accolade in 1993.
  - (b) That Pauline grew up as one of the few girls surfing at Bondi beach, trailblazing a path for women in a male dominated world in the 1980s and 1990s.
2. Notes that 1993 was a year when there was no prize money for the world champion, only a trophy, and that a GoFundMe campaign set up in February this year raised over \$50,000 to provide a prize money purse for Pauline.
3. Notes that less than 5% of statues in Australia are of women and most of these are of British royalty.
4. Investigates options for the appropriate recognition of Pauline's achievement including:
  - (a) One of the stories in the Bondi Story Room.
  - (b) Being featured on the Bondi Seawall.
  - (c) A plaque, statue or other such suggestion which considers:
    - (i) Potential relevant locations.
    - (ii) Type of work including materiality that can survive in harsh environments.
  - (d) Partnerships or sponsorships for the full funding of this initiative.
5. Officers report back to Council in the near future detailing the outcomes of the investigation and funding sources.

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

**7. Reports****CM/7.1/21.03 Investment Portfolio Report - February 2021 (A03/2211)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Receives and notes the Investment Summary Report for February 2021 attached to the 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.

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

**CM/7.2/21.03                      Reconciliation Action Plan (RAP) Advisory Committee - Establishment (A14/0173)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Wy Kanak

Seconder:    Cr Masselos

That Council:

1.     Establishes a Reconciliation Action Plan Advisory Committee.
2.     Adopts the Terms of Reference for the Committee attached to the report.
3.     Sets a fee of \$200 per meeting to be paid to community members and community organisations/groups for attendance.
4.     Notes that funding of up to \$5,000 for the payment of the fees referred to in clause 3 above has been included in the draft 2021–22 Operational budget. This is to acknowledge the significant demands placed on Aboriginal and Torres Strait Islander people to share their knowledge, information, expertise and culture on an ongoing basis.

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

**CM/7.3/21.03                      Access and Inclusion Advisory Panel (A21/0096)**

**MOTION / DECISION**

Mover:        Cr Keenan

Seconder:    Cr Masselos

That Council:

1.     Thanks the following members of the Access Advisory Committee 2014–2021 for their contribution:
  - (a)    Nicola Sellman.
  - (b)    Mary Doyle.
  - (c)    Rachel Lazarov.
  - (d)    Ben Alexander.
  - (e)    Meredith Coote.
  - (f)    Ben Whitehorn.
2.     Adopts the Terms of Reference for the Access and Inclusion Advisory Panel (formerly Access Advisory Committee) attached to the report.

3. Notes that the development of the 2022–2026 Disability Inclusion Action Plan will be integrated into engagement activities of the new Community Strategic Plan.
4. Sets a fee of \$200 per meeting to be paid to community members and community organisations/groups for attendance.
5. Notes that funding of up to \$6,250 for the payment of the fees referred to in clause 3 above has been included in the draft 2021–22 Operational budget.

**CM/7.4/21.03                      Coronavirus (COVID-19) Business Support Package - Review and Conclusion  
(A20/0258)**

**MOTION / DECISION**

Mover:        Cr Masselos

Seconder:    Cr Keenan

That Council:

1. Notes the review of the COVID-19 Business Support Package and measures that have been delivered from 1 March 2020 through to 31 March 2021.
2. Concludes the Business Support Package on 31 March 2021.

*At 8.53 pm, following the vote on this item, the meeting adjourned for a short break.*

*At 9.05 pm, the meeting resumed.*

**CM/7.5/21.03                      Venue Hire Grant Application - Eastern Suburbs Branch of the NSW Justices  
Association (A20/0561)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Masselos

Seconder:    Cr Keenan

That Council, under section 356 of the *Local Government Act 1993* and the Venue Hire Grants Program 2020–21, grants \$523 in financial assistance to the Eastern Suburbs Branch of the NSW Justices Association for the hire of a meeting room at Waverley Library for the period up to 31 December 2021.

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

**CM/7.6/21.03                      Venue Hire Grant Application - Pound Paws (A20/0561)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Masselos

Seconder:    Cr Keenan

That Council, under section 356 of the *Local Government Act 1993* and the Venue Hire Grants Program 2020–21, grants \$6,195 in financial assistance to Pound Paws Incorporated for venue hire for its one-off market event in Bondi Park (North) on 16 May 2021.

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

**CM/7.7/21.03 NSW Shark Management Strategy Consultation (A09/0347)****MOTION**

Mover: Cr Masselos  
Seconder: Cr Keenan

That Council:

1. Supports shark management options that reduce or eliminate impacts on marine biodiversity.
2. Endorses the response to the NSW Shark Management Strategy survey attached to the report.

THE MOVER OF THE MOTION THEN ACCEPTED AND AMENDMENT TO CLAUSE 1 SUCH THAT IT NOW READS AS FOLLOWS:

‘Supports shark management options that provide the most effective means of protecting swimmers and that reduces or eliminates impacts on marine biodiversity.’

**AMENDMENT**

Mover: Cr Goltsman  
Seconder: Cr Betts

That clause 2 be deleted.

THE AMENDMENT WAS PUT AND DECLARED LOST.

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

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF NEW CLAUSES 3 AND 4.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION:**

That Council:

1. Supports shark management options that provide the most effective means of protecting swimmers and that reduces or eliminates impacts on marine biodiversity.
2. Endorses the response to the NSW Shark Management Strategy survey attached to the report.
3. Notifies all surf clubs, precincts and the Chamber of Commerce of the existence of the survey, including the link.
4. Arranges a Councillor workshop to discuss the outcomes of the Shark Management Strategy at an appropriate time.

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

**CM/7.8/21.03 Voluntary Planning Agreement - 80 Bronte Road, Bondi Junction (DA-435/2016/B)****MOTION / DECISION**

Mover: Cr Masselos

Seconder: Cr Lewis

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 80 Bronte Road, Bondi Junction. The draft Planning Agreement offers a total monetary contribution of \$149,682.00 with \$112,261.50 (75%) to go towards the Complete Streets Program and \$37,420.50 (25%) to go to Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.

**Division:****For the Motion:** Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, O'Neill and Wakefield.**Against the Motion:** Crs Keenan and Wy Kanak.*Cr Nemesh was not present for the vote on this item.***CM/7.9/21.03 Petition - Beaumont Street, Rose Bay - Installation of Speed Humps (A03/0569)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Refers the petition to install speed humps in Beaumont Street, Rose Bay, to the Acting Director, Community, Assets and Operations, for appropriate action.
2. Officers report back to Council on the action taken on the petition.

*Crs Kay and O'Neill were not present for the consideration and vote on this item.***CM/7.10/21.03 Use of Contractors Supporting Adani (A20/0453)***Cr Betts declared a pecuniary interest in this item and informed the meeting that she has a bank account with the Commonwealth Bank. Cr Betts was not present at, or in sight of, the meeting for the consideration and vote on this item.**Cr Kay declared a pecuniary interest in this item and informed the meeting that he has shares in the Commonwealth Bank. Cr Kay was not present at, or in sight of, the meeting for the consideration and vote on this item.**Cr Goltsman declared a less than significant non-pecuniary interest in this item and informed the meeting*

*that he has a bank account with the Commonwealth Bank.*

**MOTION / DECISION**

Mover: Cr Copeland

Seconder: Cr Keenan

That:

1. Council officers prepare a further report in relation to the processes and timeframes required to modify Council's procurement policies, procedures, documentation and any other relevant policy to allow for the implementation of a potential resolution that, for the purpose of assisting with the reduction of carbon emissions and mitigating climate change, when deciding on the award of a contract, where all other factors are equal, Council prefers an entity that is not itself identified as supplying goods or services, or having supplied goods and services, to the Adani Coal Project. This report is to include draft documents including policies and procedures that are the by-product of the research into the processes and time frames.
2. Council notes and considers the content of sections 2, 3 and 4 of the report in preparing the further report referred to in clause 1 above.
3. The further report referred to in clause 1 above include consideration of the possibility of modifying Council's procurement policies, procedures, documentation and any policy to allow for the implementation of a potential resolution outlined in clause 1 above that may extend to other coal and fossil fuel projects in addition to the Adani Coal Project.

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

**CM/7.11/21.03 Stronger Communities Fund - Progress Report (A19/0224)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council

1. Receives and notes the progress report on the Stronger Communities Fund.
2. Notes that the North Bondi Surf Life Saving Club, Clarke Reserve, Waverley Park cricket facilities and Bondi Beach playground projects are now complete and were finalised within agreed timelines and approved budgets.
3. Notes that the Marlborough Reserve, Bronte Surf Club and Community Facilities Building Upgrade (concept design) and Varna Park projects are in progress and due for completion by 30 June 2021.

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

**CM/7.12/21.03 Tender Evaluation - Tamarama Surf Life Saving Club Building Upgrade (SF20/763)**

**MOTION / DECISION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council:

1. Treats the Tender Evaluation Matrix attached to the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as the Matrix relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Lloyd Group Pty Ltd as the preferred tenderer for the supply of head contractor services for the Tamarama Surf Life Saving Club Building Upgrade for the sum of \$3,938,900 excluding GST.
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Lloyd Group Pty Ltd.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

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

**CM/7.13/21.03          Tender Evaluation - Bondi Lifeguard Facilities Upgrade (A20/0231)**

**MOTION / DECISION**

Mover:      Cr Wy Kanak  
Seconder:   Cr Wakefield

That Council:

1. Treats the Tender Evaluation Matrix attached to the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as the Matrix relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The Matrix contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person(s) who supplied it.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Hibernian Contracting Pty Ltd as the preferred tenderer for the supply of head contractor services for the Bondi Lifeguard Facilities Upgrade for the sum of \$948,250 excluding GST.
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Hibernian Contracting Pty Ltd.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.
5. Increases the project budget by \$250,000 to be funded from the Centralised Reserve to cover the shortfall in the current budget for the upgrade of the Bondi Lifeguard Facilities.

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

**CM/7.14/21.03          Randwick Waverley Community Transport Group - Licence for Parking Spaces at Hollywood Avenue Car Park (A02/0249)****MOTION / UNANIMOUS DECISION**

Mover:      Cr Masselos

Seconder:   Cr Keenan

That Council:

1. Licenses six parking spaces at Hollywood Avenue Car Park to Randwick Waverley Community Transport Group Inc. on the terms and conditions contained in the report.
2. Authorises the General Manager to do all things necessary to finalise the documentation.

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

**8. Notices of Motions****CM/8.1/21.03          Waverley Mall Lighting (A16/0292)****MOTION / DECISION**

Mover:      Cr Burrill

Seconder:   Cr Kay

That Council officers report on:

1. How the implementation of recommendations from both the Bondi Junction Evening Strategy and Creative Lighting Strategy have been incorporated into capital works and public domain improvements in Bondi Junction and Waverley respectively over the last two years.
2. Whether Voluntary Planning Agreement money generated in Bondi Junction in the future can be used to implement urban interventions as recommended by the strategies.
3. Possible permanent urban installations or temporary urban interventions in Waverley Mall, as recommended by both these strategies, and an estimated cost for such proposals.
4. How any temporary urban interventions or pop-ups for Waverley Mall could appropriately mitigate noise and light impacts on adjoining residents and be tested as temporary urban interventions before any permanent options are implemented.

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

*B Fawcett addressed the meeting.*

**CM/8.2/21.03          Electric Vehicle Target (A11/0853)****MOTION**

Mover:      Cr Keenan

Seconder:   Cr Wy Kanak

That Council:

1. Notes that corporate and government fleets have the potential to drive the electric vehicle revolution in Australia, making up 52% of annual new vehicle sales.
2. Notes that commitments to fleet electrification are important as they can demonstrate vehicle demand to car makers, are an important source of supply to the second-hand market and provide impetus for the roll-out of charging infrastructure.
3. Notes the benefits of electric fleets:
  - (a) Environmental: fleet decarbonisation shows a commitment to sustainable practices and dedication to action on climate change. It is also a way to meet sustainability commitments such as the 2015 Paris Agreement on Climate Change.
  - (b) Economical: total cost of ownership calculations improve the business case for electric vehicles due to their lower operating costs.
  - (c) Social and health: electric vehicles can lead to improved driver experiences and reduced driver fatigue as a result of less noise, fumes and vibrations.
  - (d) Reputational: fleet electrification demonstrates an ethical and forward-thinking organisation that is on top of emerging technologies.
4. Sets a target of 100% of pool cars in Council's passenger fleet be transitioned to electric vehicles (not hybrid) by 2025 and this target be included as part of Council's new Environmental Action Plan.
5. Develops an electric vehicle policy by December 2021 that considers:
  - (a) Increasing the number of charging stations and placing them in highly visible areas to alert residents to their availability for community use.
  - (b) Placing charging stations at car share parking spaces.
  - (c) EV-only parking bays.
  - (d) Ensuring all of Council's EV passenger fleet is highly branded identifying it as an EV, as this will show leadership in our commitment to reduce carbon emissions in our local government area.
7. Develops fact sheets and other materials to promote EV use to the community.
8. Investigates amending the Waverley Local Environmental Plan to include the requirement to provide charging stations in new strata buildings (80% of current charging is done at home).
9. Reduces the staff vehicle selection list from 22 options to five hybrid/EV vehicles and four small vehicles over the next two years.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 8 AND THE ADDITION OF A NEW CLAUSE 10 SUCH THAT THE MOTION NOW READS AS FOLLOWS:

That Council:

1. Notes that corporate and government fleets have the potential to drive the electric vehicle revolution in Australia, making up 52% of annual new vehicle sales.
2. Notes that commitments to fleet electrification are important as they can demonstrate vehicle

demand to car makers, are an important source of supply to the second-hand market and provide impetus for the roll-out of charging infrastructure.

3. Notes the benefits of electric fleets:
  - (a) Environmental: fleet decarbonisation shows a commitment to sustainable practices and dedication to action on climate change. It is also a way to meet sustainability commitments such as the 2015 Paris Agreement on Climate Change.
  - (b) Economical: total cost of ownership calculations improve the business case for electric vehicles due to their lower operating costs.
  - (c) Social and health: electric vehicles can lead to improved driver experiences and reduced driver fatigue as a result of less noise, fumes and vibrations.
  - (d) Reputational: fleet electrification demonstrates an ethical and forward-thinking organisation that is on top of emerging technologies.
4. Sets a target of 100% of pool cars in Council's passenger fleet be transitioned to electric vehicles (not hybrid) by 2025 and this target be included as part of Council's new Environmental Action Plan.
5. Develops an electric vehicle policy by December 2021 that considers:
  - (a) Increasing the number of charging stations and placing them in highly visible areas to alert residents to their availability for community use.
  - (b) Placing charging stations at car share parking spaces.
  - (c) EV-only parking bays.
  - (d) Ensuring all of Council's EV passenger fleet is highly branded identifying it as an EV, as this will show leadership in our commitment to reduce carbon emissions in our local government area.
7. Develops fact sheets and other materials to promote EV use to the community.
8. Investigates amending the Waverley Local Environmental Plan and/or Waverley Development Control Plan to include the requirement to provide charging stations in new strata buildings (80% of current charging is done at home).
9. Reduces the staff vehicle selection list from 22 options to five hybrid/EV vehicles and four small vehicles over the next two years.
10. Officers report every six months, as per current practice, on the overall fuel efficiency of the passenger fleet as measured in average CO<sub>2</sub> (g/km) per vehicle as defined by the Australian Government green vehicle guide

**AMENDMENT 1**

Mover: Cr Goltsman

Seconder: Cr Kay

That clause 4 be amended to read as follows:

'Officers investigate whether it is realistic for a target of 100% of pool cars in Council's passenger fleet to be transitioned to electric vehicles (not hybrid) by 2025 and for this target to inform Council's Draft Sustainable Fleet Strategy and be part of Council's new Environmental Action Plan.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

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

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

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 9 SUCH THAT IT NOW READS AS FOLLOWS:

'Investigates reducing the staff vehicle selection list from 22 options by at least 50% (with electric/hybrid vehicles being given priority within the new list) and incentivising electric/hybrid vehicles as the preferred staff option, and undertakes consultation with senior staff to determine how this might be achieved without negative impacts to Council.'

**AMENDMENT 2**

Mover: Cr Goltsman

Seconder: Cr Kay

That the following clause be added to the motion:

'Officers convene a Councillor workshop to commence a conversation on electric/hybrid vehicles within Council covering at least the following matters:

- (a) The initiatives raised in the motion.
- (b) The assumptions made by the motion.
- (c) Any disadvantages of the approach being proposed, and how these disadvantages may be overcome.
- (d) How feasible, realistic, practical and achievable are the motion's targets and outcomes, and what might be alternatives for consideration.
- (e) How the Sustainable Fleet Strategy (with a draft currently being developed) broadly intends to increase the Council uptake of EVs, reduce the overall fleet size and reduce greenhouse gas emissions.
- (f) A comparison of 'whole of life' sustainability and cost of EVs, hybrid vehicles and the most environmental petrol/diesel vehicles.
- (g) Consultation with staff, the Environmental Sustainability Advisory Committee (ESAC), and the community.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

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

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

**AMENDMENT 3**

Mover: Cr Burrill

Seconder: Cr Betts

That clauses 5(b) and (c) be deleted.

AT THIS STAGE IN THE PROCEEDINGS, CR BETTS, SECONDED BY CR BURRILL, MOVED A MOTION OF DISSENT

ON THE CHAIR'S RULING THAT CR WAKEFIELD WAS NOT MAKING DEMEANING COMMENTS TO, NOR BULLYING, CR BURRILL.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

THE AMENDMENT WAS THEN PUT AND DECLARED LOST.

**Division**

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

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

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION:**

That Council:

1. Notes that corporate and government fleets have the potential to drive the electric vehicle revolution in Australia, making up 52% of annual new vehicle sales.
2. Notes that commitments to fleet electrification are important as they can demonstrate vehicle demand to car makers, are an important source of supply to the second-hand market and provide impetus for the roll-out of charging infrastructure.
3. Notes the benefits of electric fleets:
  - (a) Environmental: fleet decarbonisation shows a commitment to sustainable practices and dedication to action on climate change. It is also a way to meet sustainability commitments such as the 2015 Paris Agreement on Climate Change.
  - (b) Economical: total cost of ownership calculations improve the business case for electric vehicles due to their lower operating costs.
  - (c) Social and health: electric vehicles can lead to improved driver experiences and reduced driver fatigue as a result of less noise, fumes and vibrations.
  - (d) Reputational: fleet electrification demonstrates an ethical and forward-thinking organisation that is on top of emerging technologies.
4. Sets a target of 100% of pool cars in Council's passenger fleet be transitioned to electric vehicles (not hybrid) by 2025 and this target be included as part of Council's new Environmental Action Plan.
5. Develops an electric vehicle policy by December 2021 that considers:
  - (a) Increasing the number of charging stations and placing them in highly visible areas to alert residents to their availability for community use.
  - (b) Placing charging stations at car share parking spaces.
  - (c) EV-only parking bays.

- (d) Ensuring all of Council's EV passenger fleet is highly branded identifying it as an EV, as this will show leadership in our commitment to reduce carbon emissions in our local government area.
7. Develops fact sheets and other materials to promote EV use to the community.
  8. Investigates amending the Waverley Local Environmental Plan and/or Waverley Development Control Plan to include the requirement to provide charging stations in new strata buildings (80% of current charging is done at home).
  9. Investigates reducing the staff vehicle selection list from 22 options by at least 50% (with electric/hybrid vehicles being given priority within the new list) and incentivising electric/hybrid vehicles as the preferred staff option, and undertakes consultation with senior staff to determine how this might be achieved without negative impacts to Council.
  10. Officers report every six months, as per current practice, on the overall fuel efficiency of the passenger fleet as measured in average CO<sub>2</sub> (g/km) per vehicle as defined by the Australian Government green vehicle guide.

**Division**

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

**Against the Motion:** Cr Betts.

*At 10.39 pm, during the consideration of this item, Cr Burrill left the meeting and did not return.*

*R Mellon addressed the meeting.*

**CM/8.3/21.03                      Bondi Sand Body Excavation (A02/0787-02)****MOTION**

Mover: Cr Wy Kanak

Seconder: Cr Keenan

That Council:

1. Notes the repeated problems of building collapses in the Waverley local government area following excavation on adjacent sites and includes enhanced provisions in the next Local Environmental Plan (LEP) that consider the structural integrity of adjoining buildings.
2. Notes the inappropriate shoring practices that featured in the recent 21 Curlewis Street, Bondi, sand slide related to the building collapse at 19 Curlewis Street, Bondi.
3. Reviews the LEP to produce standard conditions of consent relating to excavation that prohibit Bondi-Rose Bay sand body excavation deeper than the currently allowed state complying development certificate 3 m depth.
4. Reviews the LEP to produce standard conditions of consent that are consistent with the introduction of the Design and Building Practitioners Regulation from 1 July 2021.

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO CLAUSES 3 AND 4.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION:**

That Council:

1. Notes the repeated problems of building collapses in the Waverley local government area following excavation on adjacent sites and includes enhanced provisions in the next Local Environmental Plan (LEP) that consider the structural integrity of adjoining buildings.
2. Notes the inappropriate shoring practices that featured in the recent 21 Curlewis Street, Bondi, sand slide related to the building collapse at 19 Curlewis Street, Bondi.
3. Reviews section 6.2(3) of the LEP to strengthen the development consent for earthworks relating to excavation that prohibit Bondi-Rose Bay sand body excavation deeper than the currently allowed state complying development certificate 3 m depth.
4. Reviews the WLEP and DCP to produce standard conditions of consent that are consistent with the introduction of the Design and Building Practitioners Regulation from July 1, 2021.

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

*N Mattock, D Goldberg and D Burgess addressed the meeting.*

*At 10.57 pm, following the vote on this item, the meeting adjourned for a short break.*

*At 11.00 pm, Cr Kay left the meeting and did not return.*

*At 11.01 pm, the meeting resumed.*

**9. Questions with Notice**

There were no questions with notice.

**10. Urgent Business****CM/10.1/21.03 Remote Attendance by Councillors at Council Meetings (SF20/3852)**

*The Chair ruled that this matter was urgent.*

**MOTION / DECISION**

Mover: Cr Masselos  
Seconder: Cr Goltsman

That Council deals with this matter as an item of urgent business

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos  
Seconder: Cr Keenan

That Council:

1. Permits Councillors to attend meetings of Council and Committees of Council remotely by audio-visual link in exceptional circumstances.

2. Notes that clause 1 above will apply from the date upon which the Regulation is amended to amend the Model Code of Meeting Practice until 31 December 2021.
3. Notes that members of the public will be permitted to physically attend the gallery (Tamarama Room) at meetings of Council and Committees of Council, with the number of attendees to be up to 25.
4. Makes a submission in response to the Office of Local Government consultation paper titled 'Remote Attendance by Councillors at Council Meetings' in support of continuing the ability of Councillors to attend meetings of Council and Committees of Council remotely by audio-visual link in exceptional circumstances.

*Crs Burrill and Kay were not present for the consideration and vote on this item.*

## 11. Closed Session

**CM/11/21.03**                      **Closed Session**

### MOTION / DECISION

Mover:        Cr Masselos  
 Seconder:    Cr Lewis

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/11.1/21.03      CONFIDENTIAL REPORT - Surfsh Cafe, Shop 1A, Bondi Pavilion - Lease - Post-exhibition

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/11.2/21.03      CONFIDENTIAL REPORT - Alexandria Integrated Facility - Deed of Agreement for Easement with Ausgrid - Lot 1/DP 270785

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/11.3/21.03      CONFIDENTIAL REPORT - Alexandria Integrated Facility - Deed of Agreement for Easement with Ausgrid - Lot 15/DP 270785

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/11.4/21.03 CONFIDENTIAL REPORT - Alexandria Integrated Facility - Deed of Agreement for Easement with Ausgrid - Lot 18/DP 270785

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.

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 Kay were not present for the consideration and vote on this item.*

*At 11.04 pm, Council moved into closed session.*

CM/11.1/21.03 CONFIDENTIAL REPORT - Surfsh Cafe, Shop 1A, Bondi Pavilion - Lease - Post-exhibition (A06/1246)

**MOTION / DECISION**

Mover: Cr Wakefield  
 Seconder: Cr Wy Kanak

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)(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. In accordance with section 47(4) of the *Local Government Act 1993*, has considered all submissions duly made to it in relation to the notification and exhibition of Council's proposal to grant a further five-year lease of Shop 1A, Bondi Pavilion, to Posidon Pty Ltd trading as Surfsh Café.
3. Grants a five-year lease of Shop 1A, Bondi Pavilion, to Posidon Pty Ltd trading as Surfsh Café.
4. Authorises the General Manager to take all necessary steps to finalise negotiations, agree terms and execute all necessary documentation in relation to the further five-year lease of Shop 1A, Bondi Pavilion.

*Crs Burrill and Kay were not present for the consideration and vote on this item.*

**CM/11.2/21.03            CONFIDENTIAL REPORT - Alexandria Integrated Facility - Deed of Agreement for Easement with Ausgrid - Lot 1/DP 270785 (A12/0075)**

**MOTION / DECISION**

Mover:        Cr Masselos

Seconder:    Cr O'Neill

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. Notes that in September 2018, Council approved entering into a Deed of Agreement for Easement with Ausgrid Operator Partnership (Ausgrid) over part of the common property known as Lot 1 DP 270785, 67A Bourke Road, Alexandria.
3. Notes that Ausgrid now requires an additional area of land over Lot 1 DP 270785 as part of the same easement.
4. Notes that the easements are to be used for the installation of underground electrical cables and associated purposes.
5. Notes that Waverley Council is a member of the Community Association Scheme DP 270785 along with Woollahra Council and City of Sydney.
6. Approves the amount of compensation to be paid by Ausgrid to the Community Association Scheme DP 270785 being increased from \$50,000 to \$55,000 to cover the additional land required.
7. Authorises the common seal of the Community Association Scheme DP 270785 to be affixed to the Deed of Agreement for Easement.
8. Authorises the General Manager to do all things necessary to give effect to the Deed of Agreement and to finalise the documentation.

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

*Crs Burrill and Kay were not present for the consideration and vote on this item.*

**CM/11.3/21.03            CONFIDENTIAL REPORT - Alexandria Integrated Facility - Deed of Agreement for Easement with Ausgrid - Lot 15/DP 270785 (A12/0075)**

**MOTION / DECISION**

Mover:        Cr Masselos

Seconder:    Cr O'Neill

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. Enters into a Deed of Agreement for Easement with Ausgrid Operator Partnership (Ausgrid) over the property known as part Lot 15 DP 270785, 67A Bourke Road, Alexandria.
3. Notes that the easement is to be used for the installation of underground electrical cables and associated purposes.
4. Approves the amount of \$1,000 compensation to be paid by Ausgrid to Waverley and Woollahra Council as joint owners.
5. Authorises the General Manager to do all things necessary to give effect to the Deed of Agreement for Easement and to finalise the documentation.

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

*Crs Burrill and Kay were not present for the consideration and vote on this item.*

**CM/11.4/21.03                      CONFIDENTIAL REPORT - Alexandria Integrated Facility - Deed of Agreement for Easement with Ausgrid - Lot 18/DP 270785 (A12/0075)**

**MOTION / DECISION**

Mover:            Cr Masselos

Seconder:       Cr O'Neill

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. Notes that in November 2018, Council approved entering into a Deed of Agreement for Easement with Ausgrid Operator Partnership (Ausgrid) over the property known as part Lot 18 DP 270785, 67A Bourke Road, Alexandria.
3. Notes that Ausgrid now requires an additional area of land over part Lot 18 DP 270785 as part of the same easement.
4. Notes that the easements are to be used for the installation of underground electrical cables and associated purposes.
5. Notes the amount of compensation to be paid to Waverley and Woollahra Council as joint owners from Ausgrid Operator Partnership (Ausgrid) has been increased from \$10,000 to \$15,000 to cover the additional land required.
6. Authorises the General Manager to do all things necessary to give effect to the Deed of Agreement for easement and to finalise the documentation.

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

*Crs Burrill and Kay were not present for the consideration and vote on this item.*

**12. Resuming in Open Session**

**CM/12/21.03 Resuming in Open Session**

**MOTION / DECISION**

Mover: Cr Masselos  
Seconder: Cr Goltsman

That Council resumes in open session.

*At 11.05 pm, Council resumed in open session.*

*Crs Burrill and Kay were not present for the consideration and vote on this item.*

***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 11.12 PM.**



.....  
**SIGNED AND CONFIRMED**  
**MAYOR**  
**20 APRIL 2021**