



## WAVERLEY COUNCIL

### MINUTES OF THE WAVERLEY COUNCIL MEETING HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON TUESDAY 18 OCTOBER 2022

#### 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 Ludovico Fabiano	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Michelle Gray	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Steven Lewis	Hunter Ward
Councillor Tim Murray	Waverley Ward
Councillor Will Nemesh	Hunter Ward
Councillor Dominic Wy Kanak	Bondi Ward

#### Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czinner	Director, Corporate Services
Fletcher Rayner	Director, Planning, Sustainability and Compliance
Ben Thompson	Director, Community, Culture and Customer Experience

*At the commencement of proceedings at 7.02 pm, those present were as listed above.*

*Crs Burrill, Kay and Wy Kanak attended the meeting by audio-visual link.*

*At 8.02 pm, during item CM/7.11/22.10, Cr Burrill 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 none were received.

### **3. Obituaries**

There were no obituaries

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

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

- 4.1. D Berger (chief petitioner) – CM/7.5/22.10 – Petition – Avoca Street, Bondi – Resident Parking Scheme.
- 4.2. J Ruben – CM/7.5/22.10 – Petition – Avoca Street, Bondi – Resident Parking Scheme.
- 4.3. A Davy-Hou – CM/7.5/22.10 – Petition – Avoca Street, Bondi – Resident Parking Scheme.
- 4.4. L Holmes (chief petitioner) – CM/7.6/22.10 – Petition – Leichhardt Street, Bronte/Waverley – Safety Improvements.
- 4.5. A resident – CM/7.6/22.10 – Petition – Leichhardt Street, Bronte/Waverley – Safety Improvements.

**ITEMS BY EXCEPTION****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Murray

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

- CM/5.1/22.10 Confirmation of Minutes – Council Meeting – 20 September 2022.
- CM/5.2/22.10 Adoption of Minutes – Waverley Traffic Committee Meeting – 29 September 2022.
- CM/7.1/22.10 Investment Portfolio Report – September 2022.
- CM/7.2/22.10 Annual Returns Disclosing Interests of Councillors and Designated Persons.
- CM/7.3/22.10 Petition – Gipps Street, Bronte – Resident Parking Scheme Objection.
- CM/7.6/22.10 Petition – Leichhardt Street, Bronte/Waverley – Safety Improvements.
- CM/7.7/22.10 Reconciliation Action Plan (RAP) Advisory Committee – Community Membership.
- CM/7.8/22.10 Small Grants Program 2022-23 – Round 1.
- CM/7.10/22.10 Sydney WorldPride 2023 Bondi Beach Party – Fee Waiver and Licence Agreement.
- CM/11.1/22.10 CONFIDENTIAL REPORT – Shop 1, 276-278 Bronte Road, Waverley – Lease.
- CM/11.2/22.10 CONFIDENTIAL REPORT – Bronte House Gardening and Horticultural Services Tender – Negotiation Phase Outcome.

**5. Confirmation and Adoption of Minutes****CM/5.1/22.10 Confirmation of Minutes - Council Meeting - 20 September 2022 (SF21/6063)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Murray

That the minutes of the Council meeting held on 20 September 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

**CM/5.2/22.10 Adoption of Minutes - Waverley Traffic Committee Meeting - 29 September 2022 (SF21/6066)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Murray

That Part 1 of the minutes of the Waverley Traffic Committee meeting held on 29 September 2022 be received and noted, and that the recommendations contained therein be adopted.

## 6. Mayoral Minutes

### CM/6.1/22.10 Uluru Statement from the Heart and a Voice to Parliament (A14/0173)

#### MOTION

Mover: Cr Masselos

The Council:

1. Supports the Uluru Statement from the Heart as per Action 4 under the 'Respect' pillar of Council's Innovate Reconciliation Action Plan 2019–2021.
2. Notes that:
  - (a) The Federal government will be conducting a referendum on the Uluru Statement from the Heart in the near future.
  - (b) There is a need to build community awareness of the Uluru Statement from the Heart and the upcoming referendum on the Aboriginal and Torres Strait Islander Voice to Parliament.
3. Requests officers to:
  - (a) Develop a community education strategy to provide the facts and to build community awareness about the Uluru Statement from the Heart and the Voice to Parliament.
  - (b) Consult with the RAP Advisory Committee, the La Perouse Local Aboriginal Land Council and the Gujaga Foundation in the design of the information and community education strategy.
  - (c) Seek collaboration with other relevant and interested community and civil society organisations that have already been undertaking similar education programs.
  - (d) Consult with Inner West Council on its civic education program on the Uluru Statement.
4. Officers prepare a report to the December 2022 Council meeting with recommendations from the actions taken in clause 3 of this resolution.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSES 3(a) AND 3(b) AND THE ADDITION OF NEW CLAUSES 3(e) AND 3(f).

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

#### UNANIMOUS DECISION

That Council:

1. Supports the Uluru Statement from the Heart as per Action 4 under the Respect pillar of Council's Innovate Reconciliation Action Plan 2019–2021.
2. Notes that:
  - (a) The Federal government will be conducting a referendum on the Uluru Statement from the Heart in the near future.
  - (b) There is a need to build community awareness of the Uluru Statement from the Heart and the upcoming referendum on the Aboriginal and Torres Strait Islander Voice to Parliament.

3. Requests officers to:
  - (a) Develop a community education strategy to provide the facts and to build community awareness about the Uluru Statement from the Heart and the Voice to Parliament and the call for a Makarrata Commission.
  - (b) Consult with the RAP Advisory Committee, the La Perouse Local Aboriginal Land Council and the Gujaga Foundation and representatives of the traditional owners of the Sydney area with connection to Waverley in the design of the information and community education strategy.
  - (c) Seek collaboration with other relevant and interested community and civil society organisations that have already been undertaking similar education programs.
  - (d) Consult with Inner West Council on its civic education program on the Uluru Statement.
  - (e) Display the Uluru Statement in the atrium of the Bondi Pavilion.
  - (f) Investigate potential sources of funding for a local Waverley campaign.
4. Officers prepare a report to the December 2022 Council meeting with recommendations from the actions taken in clause 3 of this resolution.

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

## 7. Reports

### **CM/7.1/22.10 Investment Portfolio Report - September 2022 (A03/2211)**

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

Mover: Cr Masselos

Seconder: Cr Murray

That Council:

1. Receives and notes the Investment Summary Report for September 2022 attached to the report.
2. Notes that the Executive Manager, Finance, as the responsible accounting officer, advises that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

### **CM/7.2/22.10 Annual Returns Disclosing Interests of Councillors and Designated Persons (A21/0564)**

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

Mover: Cr Masselos

Seconder: Cr Murray

That Council notes the returns of Councillors and designated persons disclosing interests for the period 1 July 2021 to 30 June 2022.

**CM/7.3/22.10            Petition - Gipps Street, Bronte - Resident Parking Scheme Objection (A02/0750)****MOTION / UNANIMOUS DECISION**

Mover:     Cr Masselos

Seconder:  Cr Murray

That Council considers the petition objecting to the proposed resident parking scheme in Gipps Street, Bronte, as part of its review of resident parking scheme Area C, which will be reported to the November 2022 Traffic Committee meeting.

**CM/7.4/22.10            Petition - Clyde Street, North Bondi - Parking Restrictions Objection (DA-314/2021)****MOTION**

Mover:     Cr Gray

Seconder:  Cr Murray

That Council:

1. Refers the petition objecting to the new parking restrictions in Clyde Street, North Bondi, to the Director, Assets and Operations, for consideration.
2. Officers prepare a report to Council on the consideration of the petition.

**AMENDMENT**

Mover:     Cr Betts

Seconder:  Cr Goltsman

That the motion be amended to read as follows:

That:

1. Council refers the petition objecting to the new parking restrictions in Clyde Street, North Bondi, to the Director, Assets and Operations, for consideration.
2. Council officers, with some immediacy, prepare a report to the Waverley Traffic Committee on the consideration of the petition, in particular:
  - (a) Time and length restricted parking in the new angled parking spaces at the east end of Clyde Street.
  - (b) Passing bays in Clyde Street east of Hardy Street.
3. The report be considered at the Traffic Committee meeting on 27 October 2022 or, if this is not feasible, at an electronic meeting of the Traffic Committee.
4. The Traffic Committee's recommendation be considered at the Council meeting on 15 November 2022.

THE AMENDMENT WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

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

**UNANIMOUS DECISION**

That:

1. Council refers the petition objecting to the new parking restrictions in Clyde Street, North Bondi, to the Director, Assets and Operations, for consideration.
2. Council officers, with some immediacy, prepare a report to the Waverley Traffic Committee on the consideration of the petition, in particular:
  - (a) Time and length restricted parking in the new angled parking spaces at the east end of Clyde Street.
  - (b) Passing bays in Clyde Street east of Hardy Street.
3. The report be considered at the Traffic Committee meeting on 27 October 2022 or, if this is not feasible, at an electronic meeting of the Traffic Committee.
4. The Traffic Committee's recommendation be considered at the Council meeting on 15 November 2022.

**CM/7.5/22.10                      Petition - Avoca Street, Bondi - Resident Parking Scheme (A02/0750)**

**MOTION**

Mover:        Cr Murray  
Seconder:    Cr Fabiano

That Council considers the petition requesting a resident parking scheme in Avoca Street, Bondi, as part of the wider resident parking scheme survey scheduled for February 2023.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF A NEW CLAUSE 2.

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

**UNANIMOUS DECISION**

That Council:

1. Considers the petition requesting a resident parking scheme in Avoca Street, Bondi, as part of the wider resident parking scheme survey scheduled for February 2023.
2. Officers consider bringing forward the survey timing to the earliest feasible date.

*D Berger (chief petitioner), J Ruben and A Davy-Hou addressed the meeting.*

**CM/7.6/22.10            Petition - Leichhardt Street, Bronte/Waverley - Safety Improvements (A03/0042-04)****MOTION / UNANIMOUS DECISION**

Mover:     Cr Masselos  
Seconded: Cr Murray

That Council:

1. Refers the petition requesting safety improvements to Leichhardt Street, Bronte/Waverley, from Macpherson Street to Varna Street, to the Director, Assets and Operations, for consideration.
2. Officers prepare a report to Council on the consideration of the petition.

*L Holmes (chief petitioner) and a resident addressed the meeting.*

**CM/7.7/22.10            Reconciliation Action Plan (RAP) Advisory Committee - Community Membership (A14/0173)****MOTION / UNANIMOUS DECISION**

Mover:     Cr Masselos  
Seconded: Cr Murray

That Council appoints Damien Barnes to the Reconciliation Action Plan (RAP) Advisory Committee for a two-year term from October 2022 to October 2024.

**CM/7.8/22.10            Small Grants Program 2022-23 - Round 1 (A22/0205)****MOTION / UNANIMOUS DECISION**

Mover:     Cr Masselos  
Seconded: Cr Murray

That Council, under the Small Grants Program 2022–23 (Round 1), grants \$35,747 to the individuals and organisations as recommended in Table 1 of the report, subject to any conditions specified in Attachment 1 of the report.

**CM/7.9/22.10            Waverley Garden Awards 2022 (A05/1736)****MOTION**

Mover:     Cr Masselos  
Seconded: Cr Keenan

That Council appoints Crs Masselos and Fabiano to participate on the judging panel for the Waverley Garden Awards 2022.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 1 AND THE ADDITION OF A NEW CLAUSE 2.

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

**UNANIMOUS DECISION**



That Council:

1. Appoints Crs Masselos, Fabiano and Kay to participate on the judging panel for the Waverley Garden Awards 2022.
2. Officers consider including balcony gardens in future Garden Awards.

**CM/7.10/22.10 Sydney WorldPride 2023 Bondi Beach Party - Fee Waiver and Licence Agreement (A19/0568)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Murray

That Council:

1. Approves the Sydney WorldPride 2023 Bondi Beach Party at Bondi Beach and Park on Saturday, 4 March 2023.
2. In accordance with section 610E of the *Local Government Act 1993*, waives \$77,000 (excluding GST) in event fees to support Sydney WorldPride in holding the event.
3. Authorises the General Manager or delegate to complete negotiations and execute a licence agreement with Sydney WorldPride.

**CM/7.11/22.10 Centennial Parklands Community Trustee Board - Community Representative (A03/0943)**

**MOTION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council nominates Cr Masselos as its community representative on the Centennial Parklands Community Trustee Board of the Greater Sydney Parklands Trust.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF A NEW CLAUSE 2.

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

**UNANIMOUS DECISION**

That Council:

1. Nominates Cr Masselos as its community representative on the Centennial Parklands Community Trustee Board of the Greater Sydney Parklands Trust.
2. Nominates Crs Nemesh and Wy Kanak as alternative representatives on the condition that the Greater Sydney Parkland Trust is in agreement.

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

**CM/7.12/22.10 Float to Survive (A21/0023)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Endorses a pilot of the 'Float to Survive' water safety campaign in collaboration with Randwick City Council.
2. Notes the \$8,000 budget is allocated from the existing operations budget.
3. Officers prepare a report to Council on the outcome of the pilot.

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

**8. Notices of Motions****CM/8.1/22.10 West Oxford Street and Mill Hill Conservation Zone - Local Area Traffic Study (A14/0193)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes that:
  - (a) The development at 194 Oxford Street and 2 Nelson Street, Bondi Junction, has now been approved for more than 90 units.
  - (b) There will be a commensurate increase in vehicles and consequently traffic as a result of this development.
  - (c) The intersection of York Road and Oxford Street is a very busy intersection in Bondi Junction, being one of the main entries into Waverley.
  - (d) Residents are anecdotally reporting an increase in traffic on their local streets given the perceived impact of the separated cycleway.
  - (e) The local area traffic study for Bondi Junction is scheduled for delivery in the 2023–24 financial year.
2. Seeks to:
  - (a) Extend the Bondi Junction Local Area Traffic study into the Mill Hill conservation zone to include the area bounded by Oxford Street, York Road, Birrell Street, Bronte Road and Grafton Street.
  - (b) Consider the impact of the new development on local traffic.
3. Receives a report that considers potential options to address identified local traffic issues.

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

**CM/8.2/22.10                      Bondi Pavilion - Bike Parking Options (A11/0267)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Goltsman

Seconder:    Cr Nemesh

That Council:

1. Notes that officers are installing 20 bike hoops along Queen Elizabeth Drive, on either side of the central stairs to Bondi Beach, over the coming months.
2. Monitors the occupancy of the 20 bike hoops, which can facilitate up to 40 bikes over the upcoming summer months.
3. Investigates opportunities to incorporate additional bike parking as part of the renewal of the Park Drive and Beach Road exit at the rear of the Pavilion, which is due to be constructed in winter 2023.

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

**CM/8.3/22.10                      Strategic Communications to Inform the Community of Council Activities (A22/0187)**

**MOTION**

Mover:        Cr Keenan

Seconder:    Cr Fabiano

That Council:

1. Investigates the reinstatement of *Waverley in Focus*, a quarterly newsletter distributed via letterbox drop to all Waverley households that updates residents on recent Council news and achievements, upcoming projects and consultations, and any relevant customer service information.
2. Assesses the feasibility of developing a six-month forward program of upcoming community consultations to be made available on Council's website.
3. Investigates the development of a Council meeting wrap-up summary on Council's website after each Council meeting with a short video that summarises the decisions of Council.
4. Officers prepare a report to Council on the cost implications of these initiatives, possible time frames for implementation and potential funding sources.

**FORESHADOWED MOTION (LAPSED)**

Mover:        Cr Goltsman

That Council defers this item until it has thoroughly identified its organisational marketing key messages, clearly defined goals and objectives and carefully planned activities across mixed marketing channels to meet those goals and objectives.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSES 1 AND 4.

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

### UNANIMOUS DECISION

That Council:

1. Investigates the reinstatement of *Waverley in Focus*, a quarterly newsletter distributed via letterbox drop to all Waverley households that updates residents on recent Council news and achievements, upcoming projects and consultations, and any relevant customer service information, including a breakdown of how their rates have been spent.
2. Assesses the feasibility of developing a six-month forward program of upcoming community consultations to be made available on Council's website.
3. Investigates the development of a Council meeting wrap-up summary on Council's website after each Council meeting with a short video that summarises the decisions of Council.
4. Officers prepare a report to Council on the staffing and cost implications of these initiatives, possible time frames for implementation and potential funding sources.

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

### CM/8.4/22.10 Bondi Road Beautification (A03/0586)

#### MOTION

Mover: Cr Fabiano  
Seconder: Cr Murray

That Council:

1. Notes that from the corner of Penkivil Street to Wellington Street on Bondi Road, Bondi, there is a minimal amount of greenery.
2. Officers investigate and provide a report to Council on the feasibility of increasing the number of suitable trees and/or planter boxes along the route to provide shade and soften the surrounding areas from the hard surfaces.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 2 AND THE ADDITION OF A NEW CLAUSE 3.

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

### UNANIMOUS DECISION

That Council:

1. Notes that from the corner of Penkivil Street to Wellington Street on Bondi Road, Bondi, there is a minimal amount of greenery.
2. Officers, as part of the Local Village Beautification program evaluation and report to Council scheduled for the December 2022 Council meeting, investigate increasing the number of suitable trees, tree planters, hanging baskets and/or planter boxes along the route to provide shade and soften the surrounding areas from the hard surfaces.

- Notes the General Manager's comment that tree planting is not easily facilitated in the Bondi Road corridor due to awnings, heavy bus movements within the zone and the need for sightlines not to be obstructed. However, officers will still aim to maximise the greening program in this section of Bondi Road.

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

**CM/8.5/22.10                    RESCISSION MOTION - CM/7.10/22.09 - Waverley Park Play Space Concept Design  
- Stage 2 Consultation Outcomes (A21/0103)**

**MOTION**

Mover:        Cr Kay  
Seconder:    Cr Betts

That Council rescinds resolution CM/7.10/22.09 – Waverley Park Play Space Concept Design – Stage 2 Consultation Outcomes, passed at the Council meeting on 20 September 2022.

**FORESHADOWED MOTION (LAPSED)**

Mover:        Cr Kay

That Council:

- Approves the Waverley Park Play Space Concept Designs for Stage 1 (Central Play Space), Stage 2 (Adventure/Nature Play Space), and Stage 3 (Picnic and Intergenerational Fitness Area) of the project attached to the 20 September 2022 Council report (Attachment 3) to proceed to detailed design.
- Proceeds to tendering for Stage 1, Stage 2 and Stage 3 in a combined tender, allowing for Stage 3 to be a provisional component pending funding allocation.
- Notes that the current construction schedule will now result in the project being delivered over two financial years, with estimated construction for Stages 1 and 2 to commence in late February 2023 and be completed by August/September 2023.
- Officers identify options to source funds for Stage 3 of the Waverley Park Play Space project, so that all three stages can be completed consecutively, and present funding recommendations to Councillors at the earliest opportunity.

THE MOTION WAS PUT AND DECLARED LOST.

**Division:**

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

**Against the Motion:**    Crs Fabiano, Gray, Keenan, Lewis, Masselos, Murray and Wy Kanak.

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

**CM/8.6/22.10            Citizenship Ceremonies (A22/0240)****MOTION / DECISION**

Mover:     Cr Wy Kanak

Seconder: Cr Lewis

That Council defers this item to the November 2022 Council meeting.

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

**CM/8.7/22.10            Affordable Housing - Purchase of Stock (A07/0597)****MOTION / UNANIMOUS DECISION**

Mover:     Cr Keenan

Seconder: Cr Murray

That Council:

1.     Develops criteria for the purchase of affordable housing to increase Council's affordable housing stock.
2.     Investigates options to engage a buyer's agent to investigate and provide recommendations to Council of suitable properties for Council to purchase.
3.     Continues to work to establish a partnership with a community housing provider to facilitate the provision of affordable housing.
4.     Officers prepare a report on the above actions for the December 2022 meeting of the Finance, Operations and Community Services Committee.

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

**9.     Questions with Notice**

There were no questions with notice.

**10.    Urgent Business****CM/10.1/22.10            Motion for the 2022 LGNSW Conference - National Sorry Day - Flags at Half-Mast (A13/0314)**

*The Chair ruled that this matter was urgent.*

**MOTION / UNANIMOUS DECISION**

Mover:     Cr Wy Kanak

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

**MOTION / DECISION**

Mover:     Cr Wy Kanak

Seconder: Cr Murray

That Council submits the following motion for consideration by the 2022 Local Government NSW Conference:

‘That LGNSW requests all Councils to lower all flags to half-mast annually for National Sorry Day (26 May).’

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

## 11. Closed Session

### CM/11.1/22.10            **CONFIDENTIAL REPORT - Shop 1, 276-278 Bronte Road, Waverley - Lease (A16/0481)**

*Council dealt with this item in open session.*

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

Mover:        Cr Masselos

Seconder:    Cr Murray

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. Grants a lease to Deidre De Bruyn (trading as Bronte GP) for Shop 1, 276–278 Bronte Road, Waverley, for one year with a one-year option, on the terms and conditions set out in the report.
3. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

### CM/11.2/22.10            **CONFIDENTIAL REPORT - Bronte House Gardening and Horticultural Services Tender - Negotiation Phase Outcome (SF22/3267)**

*Council dealt with this item in open session.*

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

Mover:        Cr Masselos

Seconder:    Cr Murray

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) 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.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2021*, accepts Green Options Pty Ltd as the preferred tenderer for the supply of gardening and horticultural services at Bronte House for the sum of \$317,566.29 (excluding GST).
3. Authorises the General Manager or delegate to enter into a contract on behalf of Council with Green

Options Pty Ltd for a term of three years with two one-year options.

4. Notifies the unsuccessful participant of the decision.

## **12. Meeting Closure**

**THE MEETING CLOSED AT 9.08 PM.**

.....  
**SIGNED AND CONFIRMED**  
**MAYOR**  
**15 NOVEMBER 2022**