



WAVERLEY COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 18 APRIL 2023**

Present:

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Elaine Keenan (Deputy Chair)	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 Nemes	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 7.00 pm, those present were as listed above.

Cr Wy Kanak attended the meeting by audio-visual link.

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 was received:

- 2.1 Cr Kay declared a less than significant non-pecuniary interest in item CM/5.2/23.04 – Adoption of Minutes – Waverley Traffic Committee Meeting – 23 March 2023 – TC/V.03/23.03 – Griffith Avenue and Plowman Street, North Bondi – ‘No Stopping’ Zone Modification and informed the meeting that he lives in Plowman Street.

3. Obituaries

Yvette Deerness Mellis
Ruth Hessey
Linda Davidson

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 M Merten (on behalf of Bondi Beach Precinct) – CM/7.4/23.04 – International Beach Festival – High Impact Event.

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/5.1/23.04 Confirmation of Minutes – Council Meeting – 21 March 2023.
- CM/5.2/23.04 Adoption of Minutes – Waverley Traffic Committee Meeting – 23 March 2023.
- CM/7.3/23.04 Investment Portfolio Report – March 2023.
- CM/8.2/23.04 Tuckerroo Trees in Myuna Road, Dover Heights.
- CM/8.3/23.04 Reverse Vending Machine at Bondi Beach.

5. Confirmation and Adoption of Minutes**CM/5.1/23.04 Confirmation of Minutes - Council Meeting - 21 March 2023 (SF23/16)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That the minutes of the Council meeting held on 21 March 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/5.2/23.04 Adoption of Minutes - Waverley Traffic Committee Meeting - 23 March 2023 (SF23/19)

Cr Kay declared a less than significant non-pecuniary interest in item TC/V.03/23.03 – Griffith Avenue and Plowman Street, North Bondi – ‘No Stopping’ Zone Modification and informed the meeting that he lives in Plowman Street.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Part 1 of the minutes of the Waverley Traffic Committee meeting held on 23 March 2023 be received and noted, and that the recommendations contained therein be adopted.

6. Mayoral Minutes

There were no mayoral minutes.

7. Reports

CM/7.1/23.04 Draft Operational Plan 2023-24 including Budget and Statement of Revenue Policy - Exhibition (A22/0557)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Publicly exhibits for 28 days:
 - (a) The draft Operational Plan 2023–24, including the Budget and Statement of Revenue Policy, attached to the report.
 - (b) The rating structure for 2023–24 contained on page 80 of the draft Operational Plan 2023–24. In accordance with sections 497, 516, 518, 529 (2)(d), 534, 535 and 548(3) of the *Local Government Act 1993* (the Act), it is proposed that the following rates and charges be set for every parcel of rateable land within the local government area for the period 1 July 2023 to 30 June 2024:
 - (i) An ordinary rate of 0.076000 cents in the dollar subject to a minimum rate in accordance with section 548(3) of the Act per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub-categorised Ordinary in accordance with section 529(2)(b) of the Act.
 - (ii) An ordinary rate of 0.385566 cents in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub-categorised Ordinary in accordance with section 529 (2)(d) of the Act.
 - (iii) An ordinary rate of 0.784942 cents in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub-categorised Bondi Junction in accordance with section 529(2)(d) of the Act
 - (c) The Domestic Waste Management Service Charge being set at \$616 per service per annum for the financial year 2023–24 in accordance with section 496 of the Act.
 - (e) The Stormwater Management Service Charge contained on page 83 of the draft Operational Plan 2023–24 in accordance with section 496A of the Act for the financial year 2023–24 as follows:

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

2. Authorises the General Manager to make any necessary editorial and content changes to the draft Operational Plan and Budget for public exhibition in order to give effect to Council's resolution.

3. Officers prepare a report to Council following the exhibition period.

CM/7.2/23.04 Draft Pricing Policy, Fees and Charges 2023-24, Budget and Long Term Financial Plan 6.1 - Exhibition (SF22/3751)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Publicly exhibits for 28 days the draft Pricing Policy, Fees and Charges 2023–24, draft Budget and draft Long Term Financial Plan 6.1 attached to the report.
2. Notes that the Long Term Financial Plan (LTFP) 6.1:
 - (a) Will be reviewed annually in line with the Operational Plan and Annual Budget development.
 - (b) Sets out the projects and initiatives that Council intends to invest in and the associated resource requirements for the next 11 years. It considers and utilises a range of options for achieving balanced budgets over the life of LTFP 6.1 likely including realising efficiencies and cost reductions within Council operations, applying reserve funds earlier than forecast in LTFP 6.1, reducing or rescheduling the capital expenditure program and increasing revenue to fund specific programs and initiatives.
3. Authorises the General Manager to make any necessary editorial and content changes to the draft Pricing Policy, Fees and Charges 2023–24, Budget and LTFP for public exhibition to give effect to Council's resolution.
4. Officers prepare a report to Council following the exhibition period.

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

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

UNANIMOUS DECISION

That Council:

1. Publicly exhibits for 28 days the draft Pricing Policy, Fees and Charges 2023–24, draft Budget and draft Long Term Financial Plan 6.1 attached to the report, subject to the following amendment:
 - (a) The Capital Works Long Term Financial Plan be expanded to include the Capital Works Program Schedule as part of the exhibition documentation, excluding project level dollar figures.
2. Notes that the Long Term Financial Plan (LTFP) 6.1:
 - (a) Will be reviewed annually in line with the Operational Plan and Annual Budget development.
 - (b) Sets out the projects and initiatives that Council intends to invest in and the associated resource requirements for the next 11 years. It considers and utilises a range of options for achieving balanced budgets over the life of LTFP 6.1 likely including realising efficiencies and

cost reductions within Council operations, applying reserve funds earlier than forecast in LTFP 6.1, reducing or rescheduling the capital expenditure program and increasing revenue to fund specific programs and initiatives.

3. Authorises the General Manager to make any necessary editorial and content changes to the draft Pricing Policy, Fees and Charges 2023–24, Budget and LTFP for public exhibition to give effect to Council's resolution.
4. Officers prepare a report to Council following the exhibition period.

CM/7.3/23.04 Investment Portfolio Report - March 2023 (A03/2211)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes the Investment Summary Report for March 2023 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/7.4/23.04 International Beach Festival - High Impact Event (A23/0011)

MOTION

Mover: Cr Masselos

Seconder: Cr Gray

That Council:

1. Notes that the applicant has withdrawn their application for the International Beach Festival event at Bondi Beach.
2. Notes the strong community opposition to high-impact events on the beach that involve alcohol and loss of public space and amenity for significant periods of time and are for commercial purposes.
3. Notes that Bondi Beach is an attractive, vibrant, international destination that is a popular location for events and promotions. The newly renovated Bondi Pavilion is further adding to this vibrancy offering interesting and engaging programming, activities and destination eateries.
4. Officers review the Events Policy to reflect these community concerns with a report to be prepared for Council.

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

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

UNANIMOUS DECISION

That Council:

1. Notes that the applicant has withdrawn their application for the International Beach Festival event at Bondi Beach.
2. Notes the report's recommendation to not approve the event for the reasons set out in the report.
3. Notes the strong community opposition to high-impact events on the beach that involve alcohol and loss of public space and amenity for significant periods of time and are for commercial purposes.
4. Notes that Bondi Beach is an attractive, vibrant, international destination that is a popular location for events and promotions. The newly renovated Bondi Pavilion is further adding to this vibrancy offering interesting and engaging programming, activities and destination eateries.
5. Officers review the Events Policy to reflect these community concerns with a report to be prepared for Council.

M Merten (on behalf of Bondi Beach Precinct) addressed the meeting.

8. Notices of Motions

CM/8.1/23.04 AUKUS (A02/0267)

MOTION

Mover: Cr Keenan
Secunder: Cr Fabiano

That Council:

1. Notes that:
 - (a) Council affirmed its opposition to the development of nuclear power in Australia in 1980 and again in 2006 when it resolved to re-erect 'Nuclear Free Zone' signs at suitable entry points to the local government area (LGA).
 - (b) These signs remain in place across the LGA.
 - (c) Peace and anti-nuclear groups, unions, the Greens and some former Labor leaders have expressed their opposition to AUKUS.
2. Calls on the Albanese Labor government to:
 - (a) Withdraw from the AUKUS pact and discontinue plans to build or purchase nuclear submarines.
 - (b) Redirect the hundreds of billions of dollars earmarked for AUKUS to addressing the urgent crises of climate catastrophe, affordable housing and the cost of living.
 - (c) Sign and ratify the Treaty on the Prohibition of Nuclear Weapons.
 - (d) Agree to legislation that would require Parliament to approve the sending of Australian troops to an overseas conflict.

3. Writes to the Prime Minister, Anthony Albanese, and the Member for Wentworth, Allegra Spender, expressing Council's distress and exasperation at the AUKUS plans and includes the wording of this resolution.
2. Writes to all other Mayors in NSW, and LGNSW, informing them of this resolution and requesting them to move a similar motion and write to the Federal Government outlining their communities' concerns with the AUKUS plan.

THE MOTION WAS PUT AND DECLARED LOST.

Division

For the Motion: Crs Fabiano, Gray, Keenan and Wy Kanak.

Against the Motion: Crs Betts, Burrill, Goltsman, Kay, Lewis, Masselos, Murray and Nemesh.

CM/8.2/23.04 Tuckeroo Trees in Myuna Road, Dover Heights (SF19/2986)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes that:
 - (a) The Tuckeroo tree (*Cupaniopsis anacardioides*) is listed in Council's Street Tree Master Plan.
 - (b) The Tuckeroo tree is a commonly used tree species for street planting throughout Dover Heights due to its survival rate and adaptability to soil and weather conditions.
 - (c) Tuckeroos trees were planted along the odd numbered (south) side of Myuna Road, Dover Heights, in or about 2007.
 - (d) A Merit request review of all properties in Myuna Road has identified only two residents in the street and one resident living nearby who have requested pruning in respect of views dating from 2014, 2015 and 2019.
2. Undertakes an inspection of the Tuckeroo trees on the south side of Myuna Road.
3. Officers prepare a report to Council identifying which of the Tuckeroo trees in Myuna Road require maintenance pruning and selective crown reduction that will assist the reinstatement of pre-existing views.

CM/8.3/23.04 Reverse Vending Machine at Bondi Beach (A17/0647)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes that local Bondi Beach residents are interested in having a Return and Earn set up in the Bondi Beach area.

2. Notes that a Return and Earn Express was installed in Bondi Junction in February 2023.
3. Contacts Tomra to assist with the introduction of an additional container collection point in the Waverley local government area.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

There was no urgent business.

11. Closed Session

There were no matters dealt with in closed session.

12. Meeting Closure

THE MEETING 8.11 PM.

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SIGNED AND CONFIRMED
MAYOR
16 MAY 2023