



**MINUTES OF THE WAVERLEY COUNCIL MEETING  
HELD BY VIDEO CONFERENCE ON TUESDAY, 2 JUNE 2020**

**Present:**

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

**Staff in attendance:**

Ross McLeod	General Manager
John Clark	Director, Customer Service and Organisation Improvement
Peter Monks	Director, Planning, Environment and Regulatory
Emily Scott	Director, Community, Assets and Operations
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer
Jane Worthy	Internal Ombudsman

*At the commencement of proceedings at 7.05PM, those present were as listed above.*

**PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE**

The General Manager read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

*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.*

*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**

Apologies were received and accepted from Crs Lewis and O'Neill.

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

The Chair called for declarations of interest and none were received.

**3. Obituaries**

Barbara Fuller-Quinn  
Guz Merzi

*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 K Von Muenster – CM/7.4/20.06 – Dogs Off-leash in Mackenzies Bay.

**ITEMS BY EXCEPTION**

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING MOTION WAS MOVED, SECONDED AND DECLARED CARRIED UNDER PART 13 OF THE CODE OF MEETING PRACTICE:

**MOTION / DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

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

CM/5.1/20.06	Confirmation of Minutes - Council Meeting - 19 May 2020
CM/7.1/20.06	Waverley Local Environmental Plan 2012 - Housekeeping Amendment 2018 - Adoption
CM/7.5/20.06	Nib Literary Award Sponsorship

CM/7.6/20.06      Rose Bay Secondary College - Temporary Drop Off/Pick Up Zones following Relaxation of COVID-19 Restrictions

**5. Confirmation and Adoption of Minutes**

**CM/5.1/20.06      Confirmation of Minutes - Council Meeting - 19 May 2020 (SF20/42)**

**MOTION / DECISION**

Mover:      Cr Masselos

Seconder:      Cr Keenan

That the minutes of the Council Meeting held on 19 May 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

**6. Mayoral Minutes**

**CM/6.1/20.06      Infrastructure Funding (A18/0758)**

**MOTION / DECISION**

Mover:      Cr Masselos

That Council:

1. Notes the \$277,817 granted to Waverley Council as part of the Financial Assistance Grant program, which is part of the Local Road and Community Infrastructure Program.
2. Notes that this funding is calculated in a similar way to the Roads to Recovery program and considers road length and population in determining allocations with the focus on upgrades and maintenance of local roads and community infrastructure.
3. Notes that officers are submitting to the Commonwealth Government for approval, the Old South Head Road Pedestrian Crossing project being a project that can meet project criteria, timing and cost criteria, is aligned to Council transport strategies, and is additional to works programmed in the forthcoming year.
4. Writes to the Federal Government thanking them for the funding.

**CM/6.2/20.06      Signatory to Letter Supporting Asylum Seekers through COVID-19 Pandemic (A02/0436)**

**MOTION (WITHDRAWN)**

Mover:      Cr Masselos

That Council endorses the Mayor signing the letter supporting asylum seekers through the COVID-19 pandemic as tabled at the meeting.

**FORESHADOWED MOTION**

Mover:      Cr Goltsman

That this item be deferred until further information can be provided.

A PROCEDURAL MOTION, MOVED BY CR WAKEFIELD AND SECONDED BY CR BURRILL, TO LAY THE ITEM ON THE TABLE TO ALLOW THE DRAFTING OF A NEW MOTION, WAS PUT AND DECLARED CARRIED.

A PROCEDURAL MOTION, MOVED BY CR MASSELOS AND SECONDED BY CR WAKEFIELD, TO TAKE THE ITEM FROM THE TABLE, WAS PUT AND DECLARED CARRIED.

THE MOVER OF THE MOTION THEN WITHDREW THE MOTION AND MOVED THE FOLLOWING MOTION:

**MOTION**

That Council:

1. Supports the principle of providing people seeking asylum with access to Medicare, income support for those out of work, and valid visas through the COVID-19 pandemic as outlined in the open letter to the Prime Minister and signed by 35 local government mayors tabled at the meeting.
2. Authorises the Mayor to be a signatory to the open letter on behalf of Council.

THE MOVER OF THE MOTION THEN ACCEPTED THE DELETION OF CLAUSE 2 AND THE ADDITION OF A NEW CLAUSE.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION:**

That:

1. Council supports the principle of providing people seeking asylum with access to Medicare, income support for those out of work, and valid visas through the COVID-19 pandemic as outlined in the open letter to the Prime Minister and signed by 35 local government mayors tabled at the meeting.
2. Further information comes back to Council at the next Council meeting.

**7. Reports**

**CM/7.1/20.06                      Waverley Local Environmental Plan 2012 - Housekeeping Amendment 2018 - Adoption (A18/0623)**

**MOTION / DECISION**

Mover:        Cr Masselos  
Seconder:     Cr Keenan

That Council:

1. Notes the matters raised in the submissions made on the *Waverley Local Environment Plan 2012* (WLEP) Housekeeping Amendment 2018 planning proposal.
2. Supports the planning proposal to amend the WLEP in respect of the items raised in the Planning Proposal.
3. Amends the WLEP 2012 in accordance with the Planning Proposal in conjunction with Parliamentary Counsel under the delegation received from the Department of Planning, Industry and Environment.

4. Notifies any affected property owners of Council's decision.

**CM/7.2/20.06                      Waverley Local Housing Strategy - Adoption (A19/0332)**

**MOTION / DECISION**

Mover:        Cr Wakefield  
Seconder:    Cr Copeland

That Council:

1. Adopts the Waverley Local Housing Strategy attached to this report.
2. Forwards the Waverley Local Housing Strategy to the Department of Planning, Industry and Environment for assurance.

**Division**

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

**Against the Motion:**    Cr Wy Kanak.

**CM/7.3/20.06                      Hugh Bamford Reserve and Williams Park Plan of Management - Adoption (A19/0099)**

**MOTION**

Mover:        Cr Wakefield  
Seconder:    Cr Copeland

That Council:

1. Notes the feedback received from the Public Exhibition period during February and March 2020 for the Hugh Bamford and Williams Park Plan of Management.
2. Adopts the Hugh Bamford and Williams Park Plan of Management attached to this report pursuant to section 40 of the *Local Government Act* in accordance with section 3.23(6) of the *Crown Lands Management Act*.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 3.

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

**UNANIMOUS DECISION:**

That Council:

1. Notes the feedback received from the Public Exhibition period during February and March 2020 for the Hugh Bamford and Williams Park Plan of Management.
2. Adopts the Hugh Bamford and Williams Park Plan of Management attached to this report pursuant to section 40 of the *Local Government Act* in accordance with section 3.23(6) of the *Crown Lands Management Act*.
3. Subsequently explores collaboration methods with the La Perouse Local Aboriginal Land Council and

traditional owner stakeholders, including the possibility of a local treaty, with a report to come back to Council.

**CM/7.4/20.06                      Dogs Off-leash in Mackenzies Bay (A20/0275)**

**MOTION**

Mover:        Cr Copeland

Seconder:    Cr Masselos

That Council:

1.     Continues to prohibit dogs at Mackenzies Bay.
2.     Installs fencing around planted and remnant vegetation near the pedestrian pathway.
3.     Replaces the entrance sign and relocates it to the top of the Mackenzies Bay stairs.
4.     Continues assessing the suitability of other potential off-leash dog areas.
5.     Undertakes an education campaign to inform the community on why dogs are prohibited at Mackenzies Bay

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

‘Installs low fencing or loop barriers around planted and remnant vegetation areas near the pedestrian pathway’.

**AMENDMENT 1**

Mover:        Cr Kay

Seconder:    Cr Betts

That clause 5 be amended to read as follows:

‘Undertakes community consultation for a trial of a timed off-leash dog beach at Mackenzies Bay, with a further report to come back to Council following the consultation.’

THE AMENDMENT WAS PUT AND DECLARED CARRIED.

**AMENDMENT 2**

Mover:        Cr Keenan

Seconder:    Cr Wy Kanak

That clause 2 be deleted.

THE AMENDMENT WAS PUT AND DECLARED CARRIED.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION:**

That Council:

1.     Continues to prohibit dogs at Mackenzies Bay.

2. Replaces the entrance sign and relocates it to the top of the Mackenzies Bay stairs.
3. Continues assessing the suitability of other potential off-leash dog areas.
4. Undertakes community consultation for a trial of a timed off-leash dog beach at Mackenzies Bay, with a further report to come back to Council following the consultation.

*K Von Muenster addressed the meeting.*

**CM/7.5/20.06                      Nib Literary Award Sponsorship (A20/0129)**

**MOTION / DECISION**

Mover:        Cr Masselos  
Seconder:     Cr Keenan

1. Treats the attachment to this report as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2)(d)(i) of the Local Government Act 1993. The attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Approves the sponsorship proposal as outlined in this report.
3. Authorises Council officers to enter into an agreement with the party that submitted the proposal to be the Principal Sponsor of The Nib Literary Award for the years 2020 – 2022.

**CM/7.6/20.06                      Rose Bay Secondary College - Temporary Drop Off/Pick Up Zones Following Relaxation of COVID-19 Restrictions (A14/0145)**

**MOTION / DECISION**

Mover:        Cr Masselos  
Seconder:     Cr Keenan

That Council:

1. Installs a 20 metre 'No Parking, 8 AM–9 AM, 2:30 PM–4:00 PM, School Days Only' on the eastern side of Hardy Street zone north of the No Stopping Zone on the approach to the marked pedestrian crossing as shown in Figure 4.
2. Extends the existing 14.5 metres of 'No Parking, 8 AM–9 AM, 2:30 PM–4:00 PM, School Days Only' on the western side of Hardy Street by an additional 25 metres to the south as shown in Figure 4.
3. Converts 21 metres of the 94 metre 'Bus zone, 8 AM–9 AM, 2:30 PM–4:00 PM, School Days Only' bus zone to 'No Parking, 8 AM–9 AM, 2:30 PM–4:00 PM, School Days Only'.
4. Notifies the immediately affected residents and the school of the temporary changes.
5. Delegates authority to the Executive Manager, Infrastructure Services, to adjust the length and duration of, or remove the additional No Parking restrictions, and reinstate current restrictions, as necessary.
6. Requires Council Officers to complete a review of the operation of the parking 3 months after implementation and prepare a report for the traffic committee reviewing the status of the parking demand at that time and advise whether some or all of the additional 'No Parking' should be

removed, and current restrictions reinstated.

## 8. Notices of Motions

### CM/8.1/20.06 Animal Registration Fees (A06/0149)

#### MOTION / DECISION

Mover: Cr Nemesh  
Seconder: Cr Goltsman

That Council:

1. Notes the surge in animal adoptions during the coronavirus period.
2. Notes that animal registrations are statutory fees and charges and are set by NSW State Government.
3. Writes to the Minister for Local Government, the Hon Shelly Hancock MP, requesting the State Government review and reduce the statutory fees and charges associated with animal adoption.
4. Investigates the allocation of up to \$20,000 from the fees collected from the registration of animals within the *Companion Animals Act* to deliver obedience training of animals adopted by Waverley residents.

## 9. Questions with Notice

There were no questions with notice.

## 10. Urgent Business

There were no items of urgent business.

## 11. Closed Session

There were no matters dealt with in closed session.

## 12. Meeting Closure

THE MEETING CLOSED AT 9.30PM.



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SIGNED AND CONFIRMED  
MAYOR  
16 JUNE 2020