



WAVERLEY
COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 18 JUNE 2024**

Present:

Councillor Paula Masselos (Mayor) (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 Elaine Keenan	Lawson Ward
Councillor Steven Lewis	Hunter 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 7.01 pm, those present were as listed above, with the exception of Crs Keenan and Nemes who arrived at 7.02 pm during the prayer and acknowledgement of Indigenous heritage and Cr Burrill who arrived at 7.04 pm during obituaries.

Crs Burrill, Fabiano, Keenan, Lewis, Nemes and Wy Kanak attended the meeting by audio-visual link.

At 8.51 pm, after moving into closed session, the meeting adjourned for a short break.

At 9.00 pm, the meeting resumed.

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

Apologies were received from Cr Tim Murray.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

3. Obituaries

Con Mouroukas

Phemie Bostock

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 R Kroeger – CM/8.1/24.06 – Niblick Street and Brassie Street, North Bondi – Stormwater.

4.2 D Maher – CM/8.1/24.06 – Niblick Street and Brassie Street, North Bondi – Stormwater.

4.3 D Mitchell – CM/11.2/24.06 – CONFIDENTIAL REPORT – Drainage Reserve between Dickson Lane and Belgrave Street, Bronte – Update.

4.4 S Chernishev – CM/11.2/24.06 – CONFIDENTIAL REPORT – Drainage Reserve between Dickson Lane and Belgrave Street, Bronte – Update.

4.5 J Cook – CM/11.2/24.06 – CONFIDENTIAL REPORT – Drainage Reserve between Dickson Lane and Belgrave Street, Bronte – Update.

- 4.6 N Pouloukefalos – CM/11.2/24.06 – CONFIDENTIAL REPORT – Drainage Reserve between Dickson Lane and Belgrave Street, Bronte – Update.
- 4.7 T Pouloukefalos – CM/11.2/24.06 – CONFIDENTIAL REPORT – Drainage Reserve between Dickson Lane and Belgrave Street, Bronte – Update.
- 4.8 R Cameron – CM/11.2/24.06 – CONFIDENTIAL REPORT – Drainage Reserve between Dickson Lane and Belgrave Street, Bronte – Update.
- 4.9 A Cameron – CM/11.2/24.06 – CONFIDENTIAL REPORT – Drainage Reserve between Dickson Lane and Belgrave Street, Bronte – Update.
- 4.10 C Gibb – CM/11.2/24.06 – CONFIDENTIAL REPORT – Drainage Reserve between Dickson Lane and Belgrave Street, Bronte – Update.

ITEMS BY EXCEPTION

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Gray

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

- CM/5.1/24.06 Confirmation of Minutes – Council Meeting – 21 May 2024.
- CM/5.2/24.06 Adoption of Minutes – Waverley Traffic Committee Meeting – 23 May 2024.
- CM/7.2/24.06 Operational Plan 2024–25 including Budget and Statement of Revenue Policy – Adoption.
- CM/7.3/24.06 Investment Portfolio Report – May 2024.
- CM/7.5/24.06 Councillors' Fees – Local Government Remuneration Tribunal Determination 2024.
- CM/7.7/24.06 Internal Audit Charter – Adoption.
- CM/7.11/24.06 Arts, Culture and Creativity Advisory Committee Meeting – 24 April 2024 – Minutes.
- CM/7.12/24.06 Planning Proposal – Clause 4.4A – Post-Exhibition.
- CM/7.13/24.06 Draft Planning Agreement Policy (Amendment No. 5) – Exhibition.
- CM/7.15/24.06 Waverley Local Planning Panel – Appointment of Chair.
- CM/7.16/24.06 Resident Parking Scheme Review Committee – Community Membership.
- CM/7.17/24.06 Tender Evaluation – 2A Edmund Street, Queens Park – Construction Services.
- CM/7.18/24.06 Tender Evaluation – Recycling Services.

5. Confirmation and Adoption of Minutes

CM/5.1/24.06 Confirmation of Minutes - Council Meeting - 21 May 2024 (A23/0761)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Gray

That the minutes of the Council meeting held on 21 May 2024 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/5.2/24.06 Adoption of Minutes - Waverley Traffic Committee Meeting - 23 May 2024 (A23/0764)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Gray

That Part 1 of the minutes of the Waverley Traffic Committee meeting held on 23 May 2024 be received and noted, and that the recommendations contained therein be adopted.

6. Mayoral Minutes

There were no mayoral minutes.

7. Reports

CM/7.1/24.06 Pricing Policy, Fees and Charges 2024-25, Budget and Long Term Financial Plan 6.2 - Adoption (SF23/3977)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Adopts the Pricing Policy, Fees and Charges 2024–25 attached to the report (Attachment 2).
2. Adopts the budget for 2024-25 attached to the report (Attachments 3 and 4).
3. Adopts the Long Term Financial Plan (LTFP) 6.2 attached to the report (Attachment 5), noting that the LTFP will be reviewed annually in line with the Operational Plan and annual budget development.
4. Officers prepare a report to Council on the following:
 - (a) The feasibility of providing discounted venue hire for the Pavilion for local residents.
 - (b) The financial budget impact of providing discounted venue hire for the Pavilion for local residents.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSES 4(a) AND (b).

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Adopts the Pricing Policy, Fees and Charges 2024–25 attached to the report (Attachment 2).
2. Adopts the budget for 2024-25 attached to the report (Attachments 3 and 4).
3. Adopts the Long Term Financial Plan (LTFP) 6.2 attached to the report (Attachment 5), noting that the LTFP will be reviewed annually in line with the Operational Plan and annual budget development.
4. Officers prepare a report to Council on the following:
 - (a) The feasibility of providing discounted venue hire for the Pavilion for local residents and local businesses.
 - (b) The financial budget impact of providing discounted venue hire for the Pavilion for local residents and local businesses.

CM/7.2/24.06 **Operational Plan 2024–25 including Budget and Statement of Revenue Policy - Adoption (A23/0573)**

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Gray

That Council:

1. Adopts the Operational Plan 2024–25, including the Budget and Statement of Revenue Policy, attached to the report including:
 - (a) The rating structure for 2024–25 contained on page 79 of the Operational Plan 2024–25. 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 2024 to 30 June 2025:
 - (i) An ordinary rate of 0.079800 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 0.404844 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 0.824189 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

- (b) The Domestic Waste Management Service Charge being set at \$647 per service per annum for the financial year 2024–25 in accordance with section 496 of the Act.
- (c) The Stormwater Management Service Charge contained on page 82 of the Operational Plan 2024–25 in accordance with section 496A of the Act for the financial year 2024–25 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 Operational Plan and Budget prior to publishing to give effect to Council’s resolution and to update any data as applicable.

CM/7.3/24.06 Investment Portfolio Report - May 2024 (SF23/4025)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
 Secunder: Cr Gray

That Council:

- Notes the Investment Summary Report for May 2024 attached to the report.
- 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/7.4/24.06 Schedule of Meeting Dates for Council and Council Committees 2024 - Amendment (A04/1869)

MOTION

Mover: Cr Keenan
 Secunder: Cr Lewis

That Council amends the schedule of meeting dates for Council and Council Committees for 2024 as follows:

- Cancels the ordinary Council meeting scheduled for Tuesday, 15 October 2024.
- Schedules an ordinary Council meeting on Tuesday, 29 October 2024.

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council amends the schedule of meeting dates for Council and Council Committees for 2024 as follows:

1. Cancels the ordinary Council meeting scheduled for Tuesday, 15 October 2024.
2. Schedules an ordinary Council meeting on Tuesday, 29 October 2024.
3. Cancels both the Finance, Operations and Community Services Committee meeting and Strategic Planning and Development Committee meeting scheduled for Tuesday, 5 November 2024 and reschedules them to Tuesday, 12 November 2024.

CM/7.5/24.06 Councillors' Fees - Local Government Remuneration Tribunal Determination 2024 (A03/1343)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconded: Cr Gray

That Council, in accordance with the Local Government Remuneration Tribunal's Annual Determination 2024 attached to the report, approves the annual fees payable to Councillors for the year 1 July 2024 to 30 June 2025 as follows:

1. All Councillors (including the Mayor): \$22,540.
2. Mayor: \$49,170 in addition to the Councillor fee.
3. Deputy Mayor: \$4,352 in addition to the Councillor fee, and that this amount be paid from the fees paid to the Mayor.

CM/7.6/24.06 Audit, Risk and Improvement Committee - Terms of Reference - Adoption (SF19/5469)

MOTION / DECISION

Mover: Cr Gray
Seconded: Cr Fabiano

That Council:

1. Adopts the terms of reference for the Audit, Risk and Improvement Committee attached to the report.
2. Appoints Cr Murray as the Councillor member of the Committee up to and including 13 September 2024.

CM/7.7/24.06 Internal Audit Charter - Adoption (SF20/3005)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Gray

That Council adopts the Internal Audit Charter attached to the report.

CM/7.8/24.06 General Manager's Delegations - Waverley Local Planning Panel (SF23/5215)**MOTION / UNANIMOUS DECISION**

Mover: Cr Gray

Seconder: Cr Fabiano

That Council:

1. Notes that the Waverley Local Planning Panel (WLPP) has delegated the following functions to the General Manager and other staff:
 - (a) The control and direction of Land and Environment Court (LEC) appeals against WLPP decisions under section s 8.15(4) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).
 - (b) The determination of applications to modify development consents granted by the LEC under section 4.56 of the EP&A Act unless the modification meets the criteria for conflict of interest, contentious development or departure from development standards.
2. Authorises the Mayor and Cr Lewis to affix the Council seal to the instrument of delegation to the General Manager attached to the report.

CM/7.9/24.06 Bondi Pavilion - Operational Report (A24/0428)**MOTION / UNANIMOUS DECISION**

Mover: Cr Gray

Seconder: Cr Wy Kanak

That Council notes the operations of Bondi Pavilion since reopening in September 2022, as set out in the report.

CM/7.10/24.06 Tender Evaluation - Community Housing Management Services (A24/0117)**MOTION / UNANIMOUS DECISION**

Mover: Cr Keenan

Seconder: Cr Fabiano

That Council:

1. Treats the tender evaluation attached to 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 evaluation 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 2021*, accepts the preferred

tenderer, Evolve Housing, for the supply of housing management services for the sum of \$114,725 (excluding GST) for the first year, with base management fees to be increased annually in the following years by the most recently published Annual Wage Price Index for NSW.

3. Authorises the General Manager or delegate to enter into a contract on behalf of Council with the preferred tenderer for three years with a three-year option, commencing 1 October 2024.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2021*
5. Authorises the General Manager or delegate to make administrative arrangements with Bridge Housing, consistent with the terms of the relevant deeds, for the common areas not included in the tender.

CM/7.11/24.06 Arts, Culture and Creativity Advisory Committee Meeting - 24 April 2024 - Minutes (A23/0398)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Gray

That Council notes the minutes of the Arts, Culture and Creativity Advisory Committee meeting held on 24 April 2024 attached to the report.

CM/7.12/24.06 Planning Proposal - Clause 4.4A - Post-Exhibition (PP-1/2024)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Gray

That Council:

1. Exercises the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* to finalise the planning proposal on clause 4.4A (exceptions to floor space ratio) attached to the report (Attachment 1) and to amend the *Waverley Local Environmental Plan 2012*.
2. Writes to all those who made submissions advising them of Council's decision.

Division

For the Motion: Crs Betts, Burrill, Fabiano, Goltsman, Gray, Kay, Keenan, Lewis, Masselos, Nemesh and Wy Kanak.

Against the Motion: Nil.

CM/7.13/24.06 Draft Planning Agreement Policy (Amendment No. 5) - Exhibition (SF23/1066)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Gray

That Council:

1. Publicly exhibits the draft Planning Agreement Policy (Amendment No. 5) attached to the report.
2. Officers prepare a report to Council following the exhibition period.

Division**For the Motion:** Crs Betts, Burrill, Fabiano, Goltsman, Gray, Kay, Keenan, Lewis, Masselos, Nemesh and Wy Kanak.**Against the Motion:** Nil.**CM/7.14/24.06 Subsidised Lease Program - Exhibition (A23/0388)****MOTION / DECISION**

Mover: Cr Masselos

Seconder: Cr Lewis

That Council:

1. Publicly exhibits the draft Subsidised Lease Program Policy attached to the report for a minimum of 42 days.
2. Officers prepare a report to Council following the exhibition period.

CM/7.15/24.06 Waverley Local Planning Panel - Appointment of Chair (A13/0229)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Gray

That Council appoints the following chairperson and alternate chairpersons to the Waverley Local Planning Panel for a term of three years in accordance with the Minister's direction attached to the report and section 2.18 of the *Environmental Planning and Assessment Act 1979*:

1. David Ryan – Chairperson.
2. Jacqueline Townsend – Alternate chairperson.
3. Helen Lochhead – Alternate chairperson.

**CM/7.16/24.06 Resident Parking Scheme Review Committee - Community Membership
(A02/0750)**

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconded: Cr Gray

That Council:

1. Treats the attachment to 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 attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Appoints the following individuals to the Resident Parking Scheme Review Committee for a term of up to two years from August 2024:
 - (a) Sylvia Hrovatin.
 - (b) Garret O'Connor.
 - (c) James Organ.
3. Appoints the following individuals to the Committee as Precinct representatives:
 - (a) Di Robinson.
 - (b) Bill Stavrinou.

**CM/7.17/24.06 Tender Evaluation - 2A Edmund Street, Queens Park - Construction Services
(A24/0298)**

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconded: Cr Gray

That Council:

1. Treats the tender evaluation attached to 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 evaluation contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Declines to accept any of the tenders for construction services for the 2A Edmund Street Social Housing Project, in accordance with section 178(1)(b) of the *Local Government (General) Regulation 2021*.
3. Declines to invite fresh tenders or applications as referred to in section 178(3)(b)–(d) of the *Local Government (General) Regulation 2021*, as Council has tested the market with an open tender process.
4. In accordance with section 178(3)(e) of the *Local Government (General) Regulation 2021*, authorises the General Manager or delegate to enter into negotiations with one or more of the top ranked tenderers with a view to entering into a contract for the construction services, as these tenderers

scored highly and had quality submissions, with the issues of price inclusions and project staging to be clarified during negotiations.

5. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.
6. Notifies unsuccessful tenderers of the decision in accordance with section 179 of the *Local Government (General) Regulation 2021*.

CM/7.18/24.06 Tender Evaluation - Recycling Services (A20/0360)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Gray

That Council:

1. Declines to invite fresh tenders or applications as referred to in section 178(3)(b)–(d) of the *Local Government (General) Regulation 2021* for the processing of collected recyclables, as Council, as part of a regional procurement process, has tested the market with an open tender and did not receive any tenders.
2. In accordance with section 178(3)(e) of the *Local Government (General) Regulation 2021*, authorises the General Manager or delegate to enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract for the processing of collected recyclables, as the initial tender process did not yield any submissions and it is expected that negotiating with selected qualified providers will result in a competitive and favourable outcome for the recycling processing services required.
3. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

8. Notices of Motions

CM/8.1/24.06 Niblick Street and Brassie Street, North Bondi - Stormwater (A24/0331)

MOTION

Mover: Cr Betts

Seconder: Cr Nemesh

That Council:

1. Notes that the current 18-month Flood Risk Management Plan is scheduled to be completed in July 2025, when detailed investigation of hot spots will commence and after which funding for any remedial action will be sought.
2. Notes that Council aims to make the community more flood resilient by identifying, managing and, where possible, reducing flooding and flood impacts.
3. Notes that the precinct containing Warners Avenue, Blair Street, Niblick Street and Brassie Street, North Bondi, has already been identified as a hot spot for further detailed investigation.

4. Investigates urgent interim measures to reduce the flood risk impact of heavy water flows down Niblick Street and Brassie Street prior to the completion of the Flood Risk Management Plan in view of the significantly increased flooding in this area such as, but not limited to:
 - (a) Increasing the stormwater pipe size in Niblick Street (currently 300-374 mm wide), especially at the corner of Griffith Avenue—understanding that the stormwater pipe in Griffith Avenue is 450-499 mm wide, which obviously causes a backup and overflow of water in Niblick Street as larger flows in Griffith Avenue are attempting to flow into smaller stormwater pipes in Niblick Street.
 - (b) Investigating how to redirect water from Niblick Street to the larger ‘red’ pipe under the narrow laneway running between Niblick and Brassie streets.
 - (c) Changing the gradient of Warners Avenue at the intersections of Niblick Street and Brassie Street to prevent stormwater overflow excess water being directed down these streets in any downpour.
 - (d) Changing the gradient of Warners Avenue to direct stormwater overflow along the southern side of Warners Avenue rather than on the northern side so that the overall impact to residents is reduced.
 - (e) Increasing leaf clearance rates in Niblick Street Reserve and Barracluff Park to prevent leaves from clogging the stormwater drains in the area.
 - (f) Investigating how stormwater overflow in Warners Avenue can be better redirected to the underground holding tank in Barracluff Park.
5. Officers consult the Floodplain Management Committee on the results of the investigation and its recommendations.
6. Receives a report on the above investigation with recommendations by November 2024.

THE MOTION WAS PUT AND DECLARED LOST.

Division

For the Motion: Crs Betts, Burrill, Kay, Nemesh and Wy Kanak.

Against the Motion: Crs Fabiano, Goltsman, Gray, Keenan, Lewis and Masselos.

R Kroeger and D Maher addressed the meeting.

9. Questions with Notice

CM/9.1/24.06 Long Term Financial Plan - Council Accommodation (SF23/3977)

QUESTION

The following question was submitted by Cr Betts:

Will the documents for the end of financial year 2023–24, including the new Long Term Financial Plan (LTFP), state that there is an expected \$40 million spend (to be quantified once a decision is made) that will need to be accommodated in future budgets and LTFPs to fund the building of new Council Chambers?

Background

My question with notice (CM/9.3/24.05) on the 21 May 2024 Council agenda was only partially answered.

The part unanswered was: how will the community be advised that there is no funding for any new Council accommodation in the existing Long Term Financial Plan, but that up to \$40 million may be required to provide for it?

General Manager's answer

The draft LTFP 6.2 recently on public exhibition includes \$4.3 million that will cover the final stages of the Council accommodation projects, as well as demolition and make good of the Council Chambers site. It is clear in this draft that no further allowance for Council accommodation is made in this iteration of the LTFP. No feedback was received on this during the public exhibition period. In addition, this and the May 2024 question with notice, which are on the public record, make this clear.

It is also noted that there are no opportunity income or expenditure assumptions relating to Council's investment and commercial property portfolio in the draft LTFP 6.2 other than the current rental income and maintenance and renewal allowances.

In this coming financial year, 2024-25, Council officers, working closely with the new Council, will commence the development of a new Property Strategy. This will include consideration of further Council accommodation needs and clear agreed actions relating to Council's investment and commercial property portfolio. As presented at the Councillor briefing, options for Council accommodation at both the current Chambers site and in Bondi Junction would require investment of the order of \$31m (construction costs only). Full development costs of the high-level options presented are likely to be in the order of \$40m. These options need further development and costings. The community will be consulted in the development of this new Property Strategy. These assumptions both relating to Council accommodation and Council's investment and property portfolio will be included in the development of LTFP 7.0.

Sharon Cassidy
Director, Assets and Operations

CM/9.2/24.06 Staff Numbers (SF23/5219)

QUESTION

The following question was submitted by Cr Betts:

Could officers supply the figures for all full-time equivalents (FTEs) and vacant staff positions on the following dates: each year from 1 July 2017 until now, including anticipated figures on 1 July 2024.

General Manager's answer

Financial year ending 30 June	Occupied positions	Vacant positions	Total number of approved positions	Notes
2017	585	54	639	Positions unfunded in staff establishment and recruitment freeze due to amalgamations
2018	583	60	643	Positions unfunded in

				staff establishment and recruitment freeze due to amalgamations
2019	605	80	685	
2020	612	70	682	Positions unfunded in staff establishment to manage COVID economic response
2021	632	65	697	Positions unfunded in staff establishment to manage COVID economic response
2022	600	97	697	
2023	627	91	718	Work commenced on funding full staff establishment post COVID
2024 (anticipated as at 30 June)	617	105	722	ELT reviewing the staff establishment including long standing vacancies.

The staffing numbers from 30 June 2017 to 30 June 2024 are presented in the table above. Both amalgamation planning and our COVID response resulted in unfunding staff establishment positions. Work has commenced in 2023-24 to review the staff establishment, targeting the full list of vacant roles particularly those that have been vacant for long periods.

Emily Scott
General Manager

CM/9.3/24.06 Boonara Avenue and Imperial Avenue, Bondi - Left Turn Only Restriction - Update (A21/0178)

QUESTION

The following questions were submitted by Cr Kay:

1. Can Council officers provide a brief update on the history, current status and implementation timetable on the Council-endorsed left turn only restrictions for northbound traffic from Boonara Avenue and Imperial Avenue at their intersections with Bondi Road, which was recommended by the Waverley Traffic Committee (WTC) in June 2023 and endorsed by Council in July 2023, and also answer the following specific questions?
2. Why it is now almost 12 months since Council endorsed the WTC recommendation and there is no sign of the left turn only traffic restrictions being implemented? In particular, can Council officers confirm my understanding, and that of Boonara Avenue and Imperial Avenue residents, that implementation of the intended left turn only restrictions for northbound traffic at the Bondi Road intersections with Boonara Avenue and Imperial Avenue is being held up by Transport for NSW (TfNSW) because they are linking the Boonara/Imperial Council-endorsed proposal with the TfNSW proposal for a left in/left out vehicular movement at the intersection of Wellington Street and Bondi Road?

3. What alternatives exist for Council to not wait for further TfNSW support of Council's 18 July 2023 resolution (noting that the proposal has already been formally supported by the TfNSW representative on the WTC in June 2023), such as bringing the matter back to the WTC under delegation, Councillors lodging a rescission motion to achieve the same effect and—as the Council resolution only requires 'That Council applies to Transport for NSW—just proceeding with the implementation?

Background

Residents in Boonara Avenue and Imperial Avenue have been waiting patiently over many years for the implementation of restrictions to northbound traffic at Bondi Road to maximise safety and traffic movement. More recently, the community has been waiting for almost a year for implementation of the left turn only proposal following its unanimous recommendation by the Waverley Traffic Committee in June 2023 and then endorsement by July 2023 Council.

I understand from Council officers, as do members of the community, that TfNSW are linking the left turn only proposal to their proposal for left in/left out traffic movements at the intersection of Wellington Street and Bondi Road. It is also understood that TfNSW were due to brief Councillors at one of the Councillor briefing sessions but cancelled and instead briefed the Mayor on the issues.

TfNSW responded to a submission from a Boonara Avenue resident with:

Thank you for your correspondence to Transport for NSW regarding an update to changes to the intersection of Boonara Avenue and Bondi Road, Bondi. Transport would like to advise that Transport is still working with Waverley Council to meet the objective of this project to reduce crashes and to ensure that it is operating both as safely and as efficiently as possible.

Surely, the left turn only restrictions will maximise safety and traffic movement for Boonara Avenue, Imperial Avenue (south) and Bondi Road.

General Manager's answer

Update on status/background and link to Wellington Street traffic movements

The proposal for the left turn only restrictions at both Boonara Avenue and Imperial Avenue are indirectly linked to the separate consideration that Transport for NSW (TfNSW) has been considering at Wellington Street.

Ongoing discussions between Council officers and TfNSW staff has highlighted that the implementation of the left turn only in Boonara Avenue and Imperial Avenue would result in an increase in vehicles turning right from Bondi Road into Wellington Street. This is likely to occur due to no alternative right turn options between Boonara Avenue and Wellington Street when heading west on Bondi Road.

There have been several incidents at the Wellington Street and Bondi Road intersection. Any increase in movements at this intersection would not be supported by TfNSW. As such, there is a need to address both proposals concurrently. Council officers agree on the technical merits of the joint resolution.

TfNSW has previously presented to Council the proposal to make Wellington Street a left in/left out street at the intersection of Bondi Road. This means drivers would not be able to turn right into or out of Wellington Street.

It is acknowledged that this change would result in inconvenience to parents dropping off their children at Bondi Public School and Montessori School. This inconvenience cannot, however, take precedence over the

significant safety deficiencies of the current allowable turns both into and out of Wellington Street at Bondi Road.

To improve safety at this intersection, TfNSW intends to proceed with the changes by building a pedestrian median and implementing signage changes. Council officers support this proposal on its technical and safety merits. Officers intend on discussing design options for improved pedestrian crossing facilities at this intersection should that be supported by TfNSW.

Consequently, TfNSW supports the implementation of the Boonara Ave and Imperial Ave proposal to be implemented concurrently. It is anticipated that works/implementation on both proposals will be finalised in the current calendar year.

Alternative Boonara Avenue and Imperial Avenue options

Council officers are not aware of any alternative options for proceeding with the proposal at Boonara Avenue and Imperial Avenue. Given that Bondi Road is a State Road and the Traffic Management Plan delegations are the responsibility of TfNSW, Council does not have the ability to proceed.

Sharon Cassidy
Director, Assets and Operations

10. Urgent Business

There was no urgent business.

11. Closed Session

CM/11/24.06 **Closed Session**

MOTION / DECISION

Mover: Cr Masselos
 Secunder: Cr Gray

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* for the reasons specified:

CM/11.1/24.06 CONFIDENTIAL REPORT - Flickerfest 2025 - Financial Assistance - Consultation Outcomes

This matter is considered to be confidential in accordance with section 10A(2)(c) of the *Local Government Act 1993*, 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/11.2/24.06 CONFIDENTIAL REPORT - Drainage Reserve between Dickson Lane and Belgrave Street, Bronte - Update

This matter is considered to be confidential in accordance with section 10A(2)(g) of the *Local Government Act 1993*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

CM/11.3/24.06 CONFIDENTIAL REPORT - 28-36 Ebley Street, Bondi Junction - Public-Private Partnership

This matter is considered to be confidential in accordance with section 10A(2)(c) of the *Local Government Act 1993*, 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*.

At 8.51 pm, Council moved into closed session.

CM/11.1/24.06 CONFIDENTIAL REPORT - Flickerfest 2025 - Financial Assistance - Consultation Outcomes (A22/0540)

MOTION / DECISION

Mover: Cr Gray
 Seconder: Cr Wy Kanak

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. In accordance with section 356 of the *Local Government Act 1993*, grants \$142,644 of in-kind support and \$50,360 in cash to Flickerfest Pty Ltd to support the cost of Flickerfest 2025, subject to Flickerfest Pty Ltd:
 - (a) Providing Council with audited financial statements in a timely manner following the end of financial year, including itemised salaries of directors and key management personnel.
 - (b) Agreeing to pack up all chairs following each outdoor screening to provide daytime public access to the grassed area of the Garu Courtyard.
 - (c) Acknowledging that the Pavilion's commercial tenants are able to operate as per the conditions of the tenant's lease or licence agreement.

- (d) Being responsible for funding grass remediation (if required), daily event venue cleaning costs and banner installation/deinstallation costs.
 - (e) Having ongoing compliance with all relevant employment, industrial and Award legislation and requirements.
3. Notes that Flickerfest Pty Ltd is a for-profit enterprise.
 4. Authorises the General Manager or delegate to execute an event licence with Flickerfest Pty Ltd to deliver Flickerfest 2025.

CM/11.2/24.06 CONFIDENTIAL REPORT - Drainage Reserve between Dickson Lane and Belgrave Street, Bronte - Update (A17/0243)

MOTION

Mover: Cr Masselos
Seconder: Cr Fabiano

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Lodges a request to register Council on title as the registered proprietor of the drainage reserve between Dickson Lane and Belgrave Street, Bronte, noting that officers will prepare a report to Council on the outcome of the application and the potential reopening of the drainage reserve.
3. Authorises the General Manager or delegate to do all things necessary to finalise the matter.

AT THIS STAGE IN THE PROCEEDINGS, A PROCEDURAL MOTION TO LAY THE ITEM ON THE TABLE TO CONSIDER AN AMENDMENT, MOVED BY CR MASSELOS AND SECONDED BY CR KEENAN, WAS PUT AND DECLARED CARRIED.

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

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(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. Lodges a request to register Council on title as the registered proprietor of the drainage reserve between Dickson Lane and Belgrave Street, Bronte, noting that officers will prepare a report to

Council on the outcome of the application and the potential reopening of the drainage reserve.

3. Officers prepare a report to Council on the classification of the land and permitted use, including the option for use as a public thoroughfare, should Council be registered on title.
4. Authorises the General Manager or delegate to do all things necessary to finalise the matter.

D Mitchell, S Chernishev, J Cook, N Pouloukefalos, T Pouloukefalos, R Cameron, A Cameron and C Gibb addressed the meeting.

CM/11.3/24.06 CONFIDENTIAL REPORT - 28-36 Ebley Street, Bondi Junction - Public-Private Partnership (A24/0432)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(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. Considers the proposed public-private partnership for the development of 28–36 Ebley Street, Bondi Junction, in its review of the Property Strategy early in the new Council term.

12. Resuming in Open Session

CM/12/24.06 Resuming in Open Session

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Goltsman

That Council resumes in open session.

At 10.08 pm, Council resumed in open session.

Resolutions from closed session made public

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

13. Meeting Closure

THE MEETING CLOSED AT 10.12 PM.

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SIGNED AND CONFIRMED
MAYOR
16 JULY 2024