



## WAVERLEY COUNCIL

### MINUTES OF THE WAVERLEY COUNCIL MEETING HELD AT THE BOOT FACTORY, SPRING STREET, BONDI JUNCTION ON TUESDAY, 21 OCTOBER 2025

#### **Present:**

Councillor Will Nemesh (Mayor) (Chair)	Hunter Ward
Councillor Keri Spooner (Deputy Mayor)	Waverley Ward
Councillor Ludovico Fabiano	Waverley Ward
Councillor Dov Frazer	Hunter Ward
Councillor Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Margaret Merten	Bondi Ward
Councillor Joshua Spicer	Waverley Ward
Councillor Michelle Stephenson	Bondi Ward
Councillor Lauren Townsend	Lawson Ward
Councillor Katherine Westwood	Lawson 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.*

*Crs Frazer and Wy Kanak attended the meeting by audio-visual link.*

*At 8.41 pm, following the vote on item CM/7.13/25.10, the meeting adjourned for a short break. At 8.48 pm, the meeting resumed.*

*At 10.13 pm, following the vote on item CM/8.9/25.10, the meeting adjourned for a short break. At 10.17 pm, the meeting resumed.*

*At 10.25 pm, following the vote on item CM/6.2/25.10, Cr Frazer left the meeting and did not return.*

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

The Mayor 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**

There were no apologies.

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

The Chair called for declarations of interest and the following were received:

- 2.1 Cr Stephenson declared a less than significant non-pecuniary interest in item CM/7.19/25.10 – Tender Evaluation – Bondi Beach Surf School Licence and informed the meeting that the preferred tenderer, Brenda Miley, is a former neighbour but that Cr Stephenson does not have a personal friendship with her and has since moved.

### **3. Obituaries**

David Frazer

*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 A Parnell (on behalf of Bondi Precinct) – CM/7.5/25.10 – Precinct Motions – February-July 2025.
- 4.2 M Blumenthal – CM/7.13/25.10 – Northern Coastal Reserves – Vegetation Management Program.
- 4.3 A Vigna – CM/7.13/25.10 – Northern Coastal Reserves – Vegetation Management Program.
- 4.4 P Franklyn – CM/7.13/25.10 – Northern Coastal Reserves – Vegetation Management Program.

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

Mover: Cr Nemesh

Seconded: Cr Spicer

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

- CM/5.2/25.10 Adoption of Minutes – Waverley Traffic Committee Meeting – 18 September 2025.
- CM/7.1/25.10 Audited Financial Statements 2024-25.
- CM/7.2/25.10 Investment Portfolio Report – September 2025.
- CM/7.4/25.10 Annual Returns Disclosing Interests – Councillors and Designated Persons.
- CM/7.5/25.10 Precinct Motions – February-July 2025.
- CM/7.6/25.10 Small Grants Program 2025-2026 - Round 1.
- CM/7.7/25.10 Ocean Lovers Festival 2026-2028 – Licence Agreement and Financial Assistance.
- CM/7.11/25.10 Apartment Diversity.
- CM/7.15/25.10 Bronte Surf Life Saving Club and Community Facilities Building Upgrade – Project Update and Stage 2 Proposal.
- CM/7.16/25.10 Rose Bay Shops (North) – Streetscape Upgrade.
- CM/7.17/25.10 Murriverie Road and Mitchell Street/Hardy Street Intersection – Pedestrian Safety Improvements.
- CM/7.18/25.10 Oxford Street Mall Market Licence – Post-Exhibition.
- CM/7.20/25.10 Tender Evaluation – SSROC Panel – Road Vehicle Brooms, Brushes and Spare Parts.
- CM/8.1/25.10 Parklets.
- CM/8.2/25.10 Waverley Summer Street Art Festival.
- CM/8.3/25.10 Charing Cross Streetscape Upgrade – Footpath Seating Fee Waivers.
- CM/8.5/25.10 Bronte Landslide and Sandstone.
- CM/8.6/25.10 Pop-Up Basketball Court – 18-Month Extension.
- CM/8.7/25.10 Public Domain Technical Manual Review.
- CM/8.8/25.10 Lamrock Avenue and Barracluff Avenue Intersection, Bondi Beach – Urgent Pedestrian Safety Improvements.

## 5. Confirmation and Adoption of Minutes

### CM/5.1/25.10 Confirmation of Minutes - Council Meeting - 16 September 2025 (A25/0081)

#### MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council confirms the minutes of the Council meeting held on 16 September 2025 as a true record of the proceedings of that meeting.

### CM/5.2/25.10 Adoption of Minutes - Waverley Traffic Committee Meeting - 18 September 2025 (A25/0078)

#### MOTION / UNANIMOUS DECISION

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council adopts Part 1 of the minutes of the Waverley Traffic Committee meeting held on 18 September 2025.

## 6. Mayoral Minutes

### CM/6.1/25.10 CONFIDENTIAL MAYORAL MINUTE - General Manager's Annual Performance Review (P01/054)

*Council dealt with this item in closed session.*

#### MOTION / DECISION

Mover: Cr Nemesh

That Council:

1. Treats the mayoral minute 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)(a) of the *Local Government Act 1993*. The mayoral minute contains personnel matters concerning particular individuals (other than Councillors).
2. Endorses the Performance Review Panel's assessment that the General Manager has 'met expectations', as set out in the General Manager's Performance Agreement 2024–25 attached to the mayoral minute, and that Council is pleased with her overall performance.
3. Notes that the General Manager's total remuneration package will increase on the anniversary of her commencement date by the percentage determined by the Statutory and Other Officers Remuneration Tribunal (SOORT).
4. Endorses the General Manager's Performance Agreement 2025–26 attached to the mayoral minute.

**CM/6.2/25.10            CONFIDENTIAL MAYORAL MINUTE - General Manager Reappointment (P01/054)**

*Council dealt with this item in closed session.*

**MOTION / UNANIMOUS DECISION**

Mover:     Cr Nemes

That Council:

1. Treats the mayoral minute 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)(a) of the *Local Government Act 1993*. The mayoral minute contains personnel matters concerning particular individuals (other than Councillors).
2. Reappoints Emily Scott as General Manager of Waverley Council for a further five-year term from 2 June 2026 in accordance with the Standard Contract of Employment for General Managers, with a total remuneration package as set out in the mayoral minute.
3. Authorises the Mayor and Deputy Mayor to complete negotiations and affix the Council seal to the new contract.

**CM/6.3/25.10            Share Bikes and Micromobility Devices - Legislative Reforms (A17/0445)****MOTION / UNANIMOUS DECISION**

Mover:     Cr Nemes

That Council:

1. Notes the positive and collaborative partnership between Waverley Council and share bike operators working within the Waverley local government area (LGA), including all three operators signing a NSW-first memorandum of understanding to manage potential negative impacts of share bike operations within the LGA.
2. Notes that the partnership has operated successfully for over six months and has had a significant improvement on public safety and residential amenity through better management.
3. Notes that Transport for NSW is proposing legislative reform to improve the way in which shared e-bikes and micromobility devices are managed in public spaces (inclusive of share bikes) and that this legislative change could potentially put at risk the positive work undertaken by Council.
4. Requests the Mayor write to the Member for Coogee, Marjorie O'Neill MP, to ensure that any legislative changes do not negatively impact the existing agreements and improvements Council has delivered in partnership with share bike operators.

**Background**

Waverley Council has worked over the last eight years with other inner Sydney councils to coordinate voluntary guidelines for the existing share bike operators and to advocate directly with Transport for NSW (TfNSW) on the need for legislation to enable councils to better manage the demands from share bike schemes, beyond the limited powers available under the *Public Spaces (Unattended Property) Act 2021*.

TfNSW has acknowledged this need and over the past two years has engaged with Council, other

impacted councils and other stakeholders to develop legislation to support shared mobility.

The first public step from TfNSW towards new legislation was taken the week commencing Monday 13 October.

The proposed legislation which has been introduced to parliament, requires:

- Operators to be approved by TfNSW before entering into agreements to deliver services in NSW (with fees payable).
- Operators to be authorised by councils (or other land managers) with local conditions before devices can be deployed in public spaces.
- Councils to consider applications from operators and grant authorisations (unless they determine it is unreasonable to do so).

The proposed legislation enables penalties to be set for deploying devices without approval and/or an authorisation in place.

It also defines mandatory minimum requirements for operators and will provide powers for TfNSW to:

- Audit operators or carry out checks to ensure compliance with regulatory requirements without notice and without cause
- Revoke operator approvals for non-compliance with regulations.

It also includes mandatory requirements for councils and land managers to:

- Report community complaints and infringements issued to operators by councils (including infringements for standing bikes without helmets).
- Meet required time frames when considering applications for authorisation to operate.

Council will have the ability to set authorisation conditions such as:

- Go-slow and no-go zones.
- Parking arrangements.
- Numbers of devices, in line with regulatory requirements.
- Setting the fees payable by share bike operators to Council to recoup managements costs (up to the maximum defined by the legislation).

Whilst Council commends the work of the NSW government in legislating this change, there is concern that the proposed reforms could jeopardise the positive progress that Council and share bike operators have made through our existing partnership.

**CM/6.4/25.10          Flickerfest 2026 and 2027 (A25/0248)**

*This mayoral minute was signed by Crs Nemesh, Stephenson and Westwood in accordance with clause 17.7 of the Code of Meeting Practice.*

**MOTION**

Mover:      Cr Nemesh

That:

1. In accordance with section 356(2) of the *Local Government Act 1993*, Council publicly exhibits

for 28 days:

- (a) The proposal to grant \$155,435.60 (including GST) in financial assistance to Flickerfest Pty Ltd, as set out in the mayoral minute, to support the cost of Flickerfest 2026.
  - (b) The proposal to grant \$155,435.60 (including GST) in financial assistance to Flickerfest Pty Ltd, as set out in the mayoral minute and as adjusted by the Pricing Policy, Fees and Charges, to support the cost of Flickerfest 2027.
2. Any financial assistance is subject to:
- (a) Flickerfest Pty Ltd providing Council with professionally audited financial statements.
  - (b) Flickerfest Pty Ltd packing away chairs each evening so public access to the Guru Courtyard is maintained daily throughout the festivals.
3. Officers prepare a report to Council following the exhibition period.

### **Background**

Following further conversations after the last Council meeting, Flickerfest Pty Ltd has requested financial support to return the Flickerfest International Short Film Festival to Bondi Pavilion for the dates of 23 January-1 February 2026 and 22 January 2027-31 January 2027.

For the most recent festivals, Council provided in-kind and direct cost support to event organisers, notably through the installation of a temporary outdoor screening area in the Garu Courtyard and access to the Bondi Pavilion Theatre.

The Flickerfest International Short Film Festival has taken place at Bondi for 28 years. It features seven Australian Competitive Programs, five International Competitive Programs and two Documentary Competitive Programs (with Australian and international films).

As Flickerfest is a for-profit company, Council is required to publicly exhibit its proposal to grant financial assistance to the organisation for 28 days under section 356(2) of the *Local Government Act 1993*.

At its meeting in May 2025, Council resolved in part (CM/11.3/25.05) that it:

*May grant financial assistance (cash and/or in-kind support) to event organisers that are for-profit, subject to the following criteria:*

- (a) The financial assistance is no more than 20% of the cost of the event or activity.*
- (b) The event or activity supports Council's objectives and the Community Strategic Plan.*
- (c) The proposal is presented to Council and publicly exhibited in accordance with section 356(2) of the Local Government Act 1993.*

For the most recent festivals, Flickerfest made use of Bondi Pavilion Theatre and Garu Courtyard for the duration of their event. To accommodate their outdoor screenings and events, Flickerfest required Council (at Council's cost) to install a temporary screen, projector tower, lighting and fenced seating area in the courtyard. In addition, the Seagull Room, High Tide Room and Yalagang Room were used at various points as either wet weather options or to support events. The same level of access and support has been requested for 2026.

Table 1. Previous financial assistance to Flickerfest.

Flickerfest Short Film Festival							
Year	Location	Support provided by Council*			Contribution from Flickerfest		
		In-kind	Cash	Total	In-kind	Cash	Total
2021	Bondi Park	\$ -	\$ 175,754	\$ 175,754	\$ -	\$ -	\$ -
2022	Bondi Park	\$ -	\$ 208,567	\$ 208,567	\$ -	\$ -	\$ -
2023	Bondi Pavilion	\$ 130,995	\$ 63,275	\$ 194,270	\$ 20,000	\$ 8,000	\$ 28,000
2024	Bondi Pavilion	\$ 133,979	\$ 52,000	\$ 185,979	\$ 20,000	\$ 20,000	\$ 40,000
2025	Bondi Pavilion	\$ 142,644	\$ 50,360	\$ 193,004	\$ 21,000	\$ 20,000	\$ 41,000

\*Note: does not include general staff time required for planning and delivery, overtime etc.

Council has made a significant contribution to Flickerfest over many years. The total hard cost (cash) contribution over five years has been \$549,956. The total cost to Council over five years including in-kind is \$957,574, noting that the actual cost would be more as this does not include significant officer time, and 2021 and 2022 figures do not include venue hire and staffing costs, which have not been calculated.

Flickerfest's cash contribution over five years has been \$48,000. Flickerfest's contribution including in-kind is \$109,000.

#### In-kind support requested by Flickerfest for 2026 and 2027

Table 2. In-kind support proposed for Flickerfest for 2026.

Service/Venue Hire Fee	Description	Amount
Bondi Pavilion venue hire (occupation 16 days)	<i>Garu Courtyard = 16 days</i> <i>Mirrar Atrium = 2 days</i> <i>Yalagang Room = 2 days</i> <i>High Tide Room = 2 days</i> <i>Bondi Pavilion Theatre, including Green Room= 16 days</i> <i>Box Office (18–26 Jan) = 9 days</i> <i>Seagull Room (8.00–11.00 pm 17, 18, 19, 20, 21, 22, 23, 24, 25, 26 Jan) = 10 days</i>	Garu Courtyard = 980m x \$11.50 = \$11,270 Yalagang = 2 x \$855 = \$1,710 High Tide = 2 x \$1,350 = \$2,700 Theatre = 16 x \$6,105 = \$9,768 Seagull = 10 x \$1,350 = \$13,500 Total = \$126,860
Parking passes for festival	\$117.50 per day x 2 x parking passes for 14 days	\$3,290
Resetting timers of courtyard lighting for festival	\$44 per hour, 3 hrs	\$132
Liaising and coordinating with commercial tenants to modify their daily waste management plans to ensure the evening screenings are not adversely affected by noise	\$44 per hr, 3 hrs	\$132

Promotional banner site rental fee	32 sites x \$128.50 x 3 weeks	\$12,336
Promotional application fee	Site application fee	\$165.50
Use of Bondi Pavilion forecourt to shoot Flickerfest trailer	\$476 per hour, maximum 4hrs	\$1,904
Film permit to shoot Flickerfest trailer	Medium impact permit	\$300
Use of Seagull Room to shoot Flickerfest trailer	\$465 per day	\$465
Use of Theatre, Bar Foyer, and Nandiri Balcony to shoot Flickerfest trailer	\$1,480 per half	\$1,480
Parking passes to shoot Flickerfest trailer	\$117.50 per day, 6 vehicles	\$705
	<b>Total</b>	<b>\$147,769.50</b>

### Hard/cash support proposed for Flickerfest for 2026

Table 3. Cash support proposed for Flickerfest in 2026.

Cost	Description	Amount
Outdoor screening area build	Projection tower, screen, fencing, lighting and seating (capacity 450)	\$45,000 (approx.)
Site Supervisor	\$142.50 per hr, 8 hr/day for bump in and bump out days only (3 days pre and 2 days post event)	\$5,700
Cleaning	Additional site cleaning costs	\$1,640

The total hard/cash cost for Council is \$52,340.

In return for the \$155,435.60 support from Council, it is proposed that Flickerfest contribute:

- \$30,000 cash.
- 200 tickets to the festival (in-kind value \$6,500).
- Up to five film programming for Council (in-kind value \$16,000).
- A Council film prize (in-kind value \$750).

The figures would be adjusted for 2027 based on the adopted Pricing Policy, Fees and Charges, and the cash contribution by Flickerfest would be adjusted by the same percentage in 2027.

This mayoral minute proposes to provide this level of support over the adopted policy of Council due to Flickerfest's longstanding history with Council.

As is required, this support will be publicly exhibited for 28 days, with a report to be provided to Council following this consultation.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 2(a).

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

### DECISION

That:

1. In accordance with section 356(2) of the *Local Government Act 1993*, Council publicly exhibits for 28 days:
  - (a) The proposal to grant \$155,435.60 (including GST) in financial assistance to Flickerfest Pty Ltd, as set out in the mayoral minute, to support the cost of Flickerfest 2026.
  - (b) The proposal to grant \$155,435.60 (including GST) in financial assistance to Flickerfest Pty Ltd, as set out in the mayoral minute and as adjusted by the Pricing Policy, Fees and Charges, to support the cost of Flickerfest 2027.
2. Any financial assistance is subject to:
  - (a) Flickerfest Pty Ltd providing Council with professionally audited financial statements, to be delivered by the end of October.
  - (b) Flickerfest Pty Ltd packing away chairs each evening so public access to the Guru Courtyard is maintained daily throughout the festivals.
3. Officers prepare a report to Council following the exhibition period.

**CM/6.5/25.10            Biddigal Reserve - Vegetation Management (A03/2212)**

**MOTION**

Mover:     Cr Nemesh

That Council:

1. Notes the recent vegetation management works undertaken by Council officers in Biddigal Reserve in September 2025.
2. Officers supplement these works with additional infill planting, hedging, edging and mulching across the site.
3. Officers assess the condition of existing playground equipment and replace any broken equipment.
4. Officers investigate opportunities to improve the existing irrigation system to improve turf condition and ongoing maintenance.
5. Establishes a Biddigal Reserve bushcare volunteer group in consultation with the local community and undertakes a call-out for volunteer participants prior to the start of summer.

**Background**

Council Open Spaces teams have been working closely with the residents adjoining Biddigal Reserve to complete vegetation management works within the Reserve. These works have recently been completed and consultation with residents has identified the need for additional minor vegetation upgrade works to occur. Residents have also expressed a desire for Council to establish a Bushcare volunteer program in the Reserve as part of the Waverley Bushcare Program.

The works are minor in nature and able to be funded through the 2025-26 operational budget.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 5.

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

### **UNANIMOUS DECISION**

That Council:

1. Notes the recent vegetation management works undertaken by Council officers in Biddigal Reserve in September 2025.
2. Officers supplement these works with additional infill planting, hedging, edging and mulching across the site.
3. Officers assess the condition of existing playground equipment and replace any broken equipment.
4. Officers investigate opportunities to improve the existing irrigation system to improve turf condition and ongoing maintenance.
5. Establishes a Biddigal Reserve bushcare volunteer group in consultation with the local community, including First Nations bushcare volunteers, and undertakes a call-out for volunteer participants prior to the start of summer.

## **7. Reports**

### **CM/7.1/25.10 Audited Financial Statements 2024-25 (A24/0933)**

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

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. In accordance with section 419 of the *Local Government Act*, notes:
  - (a) The audited 2024-25 Financial Statements (including General and Special Purpose Financial Statements and Special Schedules) attached to the report.
  - (b) The auditor's report on the 2024-25 Financial Statements (including General and Special Purpose Financial Statements and Special Schedules) included in the attachment to the report.
2. In accordance with section 420 of the *Local Government Act*, any public submissions on the audited 2024-25 Financial Statements (including General and Special Purpose Financial Statements and Special Schedules) must be referred to the auditor.

**CM/7.2/25.10 Investment Portfolio Report - September 2025 (SF25/3747)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Notes the Investment Summary Report for September 2025 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/7.3/25.10 Code of Meeting Practice - Exhibition (SF25/332)****MOTION**

Mover: Cr Nemesh

Seconder: Cr Stephenson

That Council:

1. Publicly exhibits the draft Code of Meeting Practice attached to the report (Attachment 1) for 42 days, in accordance with section 361 of the *Local Government Act 1993*, subject to the following amendments:
  - (a) Page 116 of the attachments under separate cover – Add a new clause 3.11.1 to read as follows:

‘If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a general manager’s comment in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.’
  - (b) Page 122 of the attachments under separate cover, clause 5.19 – Amend to read as follows:

‘Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities, or other professional commitments (including travel).’
2. Officers prepare a report to Council following the exhibition period.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF NEW CLAUSES 1(c) and 1(d).

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

**That Council:**

1. Publicly exhibits the draft Code of Meeting Practice attached to the report (Attachment 1) for 42 days, in accordance with section 361 of the *Local Government Act 1993*, subject to the following amendments:
  - (a) Page 116 of the attachments under separate cover – Add a new clause 3.11.1 to read as follows:

‘If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a general manager’s comment in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.’
  - (b) Page 122 of the attachments under separate cover, clause 5.19 – Amend to read as follows:

‘Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee where they are prevented from attending the meeting in person because of ill-health or other medical reasons or because of unforeseen caring responsibilities, or other professional commitments (including travel).’
  - (c) Page 131 of the attachments under separate cover, clause 9.13 – Delete the reference to clause 3.12, such that the clause reads as follows:

‘A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clause 3.10, unless the council determines otherwise in accordance with this code.’
  - (d) Page 133 of the attachments under separate cover, clause 10.14 – Amend the note to read as follows:

‘All motions and amendments, including those foreshadowed, should where practical be submitted in writing to staff in the governance section prior to the meeting for the purposes of live minuting.’
2. Officers prepare a report to Council following the exhibition period.

**CM/7.4/25.10            Annual Returns Disclosing Interests - Councillors and Designated Persons  
(A25/0084)****MOTION / UNANIMOUS DECISION**

Mover:     Cr Nemesh

Seconder: Cr Spicer

That Council notes the returns of Councillors and designated persons disclosing interests for the period 30 June 2024 to 30 June 2025.

**CM/7.5/25.10 Precinct Motions - February-July 2025 (A25/0011)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Notes the status of Precinct Committee motions from February 2025 to July 2025 attached to the report.
2. Notes the update on Precinct activities, as set out in the report.

*A Parnell (on behalf of Bondi Precinct) addressed the meeting.*

**CM/7.6/25.10 Small Grants Program 2025-2026 - Round 1 (A25/0303)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council, under the Small Grants Program 2025–26 (Round 1), grants \$36,007 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/7.7/25.10 Ocean Lovers Festival 2026-2028 - Licence Agreement and Financial Assistance (A25/0207)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Enters into a three-year licence agreement with Ocean Lovers Alliance Incorporated for the Ocean Lovers Festival in 2026, 2027 and 2028.
2. In accordance with section 356 of the *Local Government Act 1993*, grants \$195,420 of in-kind support and \$28,225.62 in cash to Ocean Lovers Alliance Incorporated to support the cost of delivering the Ocean Lovers Festival 2026, and the equivalent amount in 2027 and 2028 as adjusted by Council's Pricing Policy, Fees and Charges.
3. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

**CM/7.8/25.10 Bondi Junction Vision (A25/0985)****MOTION**

Mover: Cr Nemesh

Seconder: Cr Westwood

That Council:

1. Publicly exhibits the draft Bondi Junction Vision attached to the report for 28 days.
2. Officers prepare a report to Council following the exhibition period, including next steps for the Bondi Junction Master Plan (Stage 2).

**FORESHADOWED MOTION (LAPSED)**

Mover: Cr Masselos

That Council defers this item to allow amendments to be made to the Bondi Junction Vision and for officers to prepare a report to Council.

**AMENDMENT**

Mover: Cr Masselos

Seconder: Cr Lewis

That clause 1 be amended to read as follows:

‘Publicly exhibits the draft Bondi Junction Vision attached to the report for 42 days.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOTION WAS THEN PUT AND DECLARED CARRIED ON THE CASTING VOTE OF THE CHAIR.

**DECISION**

That Council:

1. Publicly exhibits the draft Bondi Junction Vision attached to the report for 28 days.
2. Officers prepare a report to Council following the exhibition period, including next steps for the Bondi Junction Master Plan (Stage 2).

**Division**

**For the Motion:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

**Against the Motion:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**CM/7.9/25.10****Planning Proposal - Council Chambers (A25/0637)****MOTION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council defers this item to the December Council meeting after considering the outcomes of the community consultation on the four high-level test fit concept designs for the future use of the Council Chambers site.

CR MASSELOS THEN MOVED A MOTION OF DISSENT ON THE CHAIR'S RULING THAT CR MASSELOS HAD NOT IDENTIFIED THE PROVISION OF THE CODE OF MEETING PRACTICE THAT CR SPICER HAD BREACHED BY MAKING ALLEGEDLY INACCURATE STATEMENTS.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council defers this item to the December Council meeting after considering the outcomes of the community consultation on the four high-level test fit concept designs for the future use of the Council Chambers site.

**CM/7.10/25.10      Development Contributions Plan (A23/0030)****MOTION / DECISION**

Mover: Cr Nemesh

Seconder: Cr Spooner

That Council:

1. Reviews the section 7.12 fixed rate levy with a view to increasing the rate to fund additional community infrastructure to meet forecast population growth.
2. Officers commence early engagement with the Department of Planning, Housing and Infrastructure.
3. Officers prepare a report to Council on the outcome of the review.

**CM/7.11/25.10      Apartment Diversity (A25/0767)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Notes that the market is currently delivering a high proportion of larger apartments, particularly three-bedroom dwellings, in response to strong demand from downsizers and high-income households.
2. Does not amend the Waverley Development Control Plan at this time to introduce new apartment mix controls, given that:
  - (a) 57% of newly approved apartments in the past 12 months are three-bedroom dwellings.
  - (b) There is limited demand for new one-bedroom apartments in the current market.
  - (c) The apartment mix is currently being shaped effectively by market preferences without need for regulatory intervention.
  - (d) The retention and adaptation of Inter-War Art Deco buildings is being comprehensively addressed via the Waverley Heritage Policy Implementation planning proposal (PP-2023-2373), currently with the Department of Planning, Housing and Infrastructure.

**CM/7.12/25.10 Illegally Blocked Driveways (A24/0856)****MOTION / UNANIMOUS DECISION**

Mover: Cr Stephenson

Seconder: Cr Nemesh

That Council:

1. Notes the ongoing and increasing issue of vehicles obstructing residential driveways, particularly in high-density areas, and the associated frustration for residents unable to access or exit their properties.
2. Approves in principle a 12-month trial for the relocation of vehicles obstructing driveways, as set out in the draft Illegally Blocked Driveway Policy attached to the report and in accordance with the *Road Rules 2014* and the *Public Spaces (Unattended Property) Act 2021*, subject to budget allocation as part of the Q1 budget review.

**CM/7.13/25.10 Northern Coastal Reserves - Vegetation Management Program (A22/0383)****MOTION / DECISION**

Mover: Cr Frazer

Seconder: Cr Nemesh

That Council:

1. Approves the vegetation management program in Diamond Bay, Bulga, Weonga, Rodney and Raleigh Reserves, as set out in the report.
2. Approves in principle the Stage 3 coral tree removal and thinning, subject to budget allocation as part of the Q1 budget review.
3. Notes that adjacent residents will be informed of the work in accordance with Council's Tree Management Guidelines.

*M Blumenthal, A Vigna and P Franklyn addressed the meeting.*

**CM/7.14/25.10 Prohibited Activities on Beaches (A25/1940)****MOTION / DECISION**

Mover: Cr Nemesh

Seconder: Cr Lewis

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)(g) of the *Local Government Act 1993*. The attachment contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Updates its existing signage in beach-front parks and beaches as a priority to replace the prohibition on bicycles, skateboards and rollerblades with 'no vehicles and no animals.'

3. Includes the prohibition above on any newly commissioned signage.
4. Officers provide an update at the November Councillor briefing session on the review of Council's Compliance Framework and the current approach to prioritising and responding to compliance complaints and requests.

**Division**

**For the Motion:** Crs Frazer, Lewis, Masselos, Merten, Nemesh, Spicer, Spooner, Stephenson, Townsend and Westwood

**Against the Motion:** Crs Fabiano and Wy Kanak.

**CM/7.15/25.10 Bronte Surf Life Saving Club and Community Facilities Building Upgrade - Project Update and Stage 2 Proposal (A20/0329)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Notes the project update on the Bronte Surf Life Saving Club and Community Facilities Upgrade, as set out in the report.
2. Notes the value engineering achieved and accepts the Stage 2 pricing from Belmadar Pty Ltd.
3. Notes that further value engineering will occur as part of detailed design finalisation and form part of Stage 3 pricing from Belmadar Pty Ltd.
4. Officers prepare a report to Council with Stage 3 pricing in early 2026.

**CM/7.16/25.10 Rose Bay Shops (North) - Streetscape Upgrade (A25/0272)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Subject to approval from Transport for NSW (TfNSW), approves Option 1 (upgrade with kerb extensions on Old South Head Road), as set out in the report, for the Rose Bay Shops (North) Streetscape Upgrade.
2. Approves Option 2 (upgrade within the existing kerb line of Old South Head Road) if TfNSW does not approve Option 1.
3. Authorises the Executive Manager, Infrastructure Services, to modify the design should on-site circumstances warrant changes.

**CM/7.17/25.10 Murriverie Road and Mitchell Street/Hardy Street Intersection - Pedestrian Safety Improvements (A25/0213)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Approves the concept design for the intersection of Murriverie Road and Mitchell Street/Hardy Street, North Bondi, as set out in the report (Option 2).
2. Notes that existing budget allocations are insufficient to cover the estimated \$970,000 project cost and that Council has applied to the current round of the Safer Local Road Infrastructure Program (SLRIP) grant funding stream for funding.
3. Continues to apply for grants under the Safer Local Road Infrastructure Program (SLRIP) and Get NSW Active programs as they become available, and depending on the outcome considers funding the project in the 2026–27 Capital Works Program.
4. Authorises the Executive Manager, Infrastructure Services, to modify the design should detailed design information and on-site circumstances warrant changes.

**CM/7.18/25.10 Oxford Street Mall Market Licence - Post-Exhibition (A19/0417)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Approves in principle the granting of a licence of up to five years for the operation of a market in Oxford Street Mall, Bondi Junction.
2. Invites expressions of interest from market operators on suitable operating models for the market.
3. Officers prepare a report to Council on the proposed operating model before undertaking a select tender process to seek a licensee.
4. Extends the licence with the current market operator, Blue Sky Events Pty Ltd, to 30 June 2026 to allow for the expression of interest and tender process.
5. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the extension.

**CM/7.19/25.10 Tender Evaluation - Bondi Beach Surf School Licence (A25/0283)**

*Cr Stephenson declared a less than significant non-pecuniary interest in this item and informed the meeting that the preferred tenderer, Brenda Miley, is a former neighbour but that Cr Stephenson does not have a personal friendship with her and has since moved.*

**MOTION**

Mover: Cr Stephenson

Seconder: Cr Nemesh

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 tender 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 section 178(1)(a) of the *Local Government (General) Regulation 2021*, accepts the preferred tenderer Let's Go Surfing for the operation of a surf school at Bondi Beach for the sum of \$678,642 (excluding GST).
3. Authorises the General Manager or delegate to enter a licence on behalf of Council with the preferred tenderer for a term of five years.
4. Notifies unsuccessful tenderers of the decision in accordance with section 179 of the *Local Government (General) Regulation 2021*.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 2.

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

**UNANIMOUS DECISION**

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 tender 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 section 178(1)(a) of the *Local Government (General) Regulation 2021*, accepts the preferred tenderer, Let's Go Surfing, which was successful through a competitive process, for the operation of a surf school at Bondi Beach for the sum of \$678,642 (excluding GST).
3. Authorises the General Manager or delegate to enter a licence on behalf of Council with the preferred tenderer for a term of five years.
4. Notifies unsuccessful tenderers of the decision in accordance with section 179 of the *Local Government (General) Regulation 2021*.

**CM/7.20/25.10 Tender Evaluation - SSROC Panel - Road Vehicle Brooms, Brushes and Spare Parts (SF17/2878)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

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 tender 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 section 178(1)(a) of the *Local Government (General) Regulation 2021*, accepts the following SSROC-approved supplier panel for the supply of road vehicle brooms, brushes and spare parts for three years with two one-year options at the discretion of SSROC and Council:
  - (a) Industrial Brushware Pty Ltd.
  - (b) Rylepair Pty Ltd (trading as BSB Brushware).
3. Note that SSROC will notify unsuccessful tenderers of the decision in accordance with section 179 of the *Local Government (General) Regulation 2021*.

**8. Notices of Motion****CM/8.1/25.10 Parklets (A25/0566)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Notes the feedback from patrons of businesses at 110 Ramsgate Avenue, Bondi, seeking a delay in removing the parklet from this location.
2. Acknowledges the public and commercial benefit the Parklet Program has for the public domain, including creation of new pedestrian-focussed spaces that are highly used and activated and contribute to long term vibrancy and business support.
3. Reviews the Parklets Policy, including a possible expansion, to support the growing demand from local businesses and residents. The review should ensure:
  - (a) Long-term financial sustainability, including options for leasing to businesses and transparency in allocation.
  - (b) The program is coordinated, equitable and responsive to community feedback.
4. Officers prepare a report to the December Council meeting.

**CM/8.2/25.10 Waverley Summer Street Art Festival (A25/1792)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Notes the longstanding cultural history of street art in Waverley.
2. Investigates options for a street art festival in Waverley to provide an opportunity for the creation of temporary street art, including on Council assets, that prioritises local artists.
3. Officers prepare a report to the December Council meeting on the outcome of the investigation, including the costs (artist costs and asset 'make good'), potential funding sources, dates and involvement of artists.

**CM/8.3/25.10 Charing Cross Streetscape Upgrade - Footpath Seating Fee Waivers (A23/0580)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Notes:
  - (a) The progress on the Charing Cross Streetscape upgrade.
  - (b) The delays in completing the upgrade due to external factors, and that works are tentatively due for completion this coming November.
  - (c) That Council has supported local businesses in Charing Cross with a locally based promotions campaign.
  - (d) That Council has previously waived fees for four business with footpath seating permits in Charing Cross for up to two months to recognise service disruptions.
2. Provides a credit to the value of 12 months of footpath seating fees (approximately \$7,400) to the five businesses whose outdoor seating areas were impacted by the works to assist their recovery.
3. Provides a credit to the value of 12 months to existing businesses that apply for footpath seating within the next three months as a result of the widening of the footpath outside their businesses.

**CM/8.4/25.10 Donations Policy - Philanthropic Partnerships (A20/0047)****MOTION**

Mover: Cr Spicer

Seconder: Cr Frazer

That Council:

1. Investigates the development of a philanthropic partnership policy to provide an effective framework for future partnership and sponsorship agreements that support the delivery of Council's Community Strategic Plan and capital works and infrastructure programs.
2. Officers prepare a report to Council by March 2026 outlining suitable options on how philanthropic partnership arrangements can be incorporated into existing Council policy.

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. Investigates the development of a philanthropic partnership policy to provide an effective framework for future partnership and sponsorship agreements that support the delivery of Council's Community Strategic Plan and capital works and infrastructure programs and community services.
2. Officers prepare a report to Council by March 2026 outlining suitable options on how philanthropic partnership arrangements can be incorporated into existing Council policy.

**CM/8.5/25.10 Bronte Landslide and Sandstone (SF25/5609)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Notes the recent landslide at north Bronte, which resulted in a large piece of native sandstone breaking away from the cliff.
2. Investigates options for site remediation of the immediate area by clearing the loose sandstone and stabilising the cliff edge under the supervision of a geotechnical engineer.
3. Investigates options to reuse and repurpose the sandstone within the Waverley local government area, with consideration to be given to the Bronte Pool pump stairs.
4. Officers prepare a report on the outcome to the December Council meeting.

**CM/8.6/25.10 Pop-Up Basketball Court - 18-Month Extension (A24/1050)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemes

Seconder: Cr Spicer

That Council:

1. Notes that it installed a pop-up basketball court beside the skatepark at Bondi Beach for the October 2025 two-week school holiday period with hours of 8 am to 8 pm.
2. Notes that this pop-up basketball court is compliant with the Bondi Beach Park Plan of Management.
3. Notes that the basketball court is extremely popular with locals and visitors.
4. Extends the pop-up basketball court for a further 18 months with the hours of 8 am to 8 pm, noting that the structure can be easily removed for major events such as New Year's Eve and Mardi Gras and reinstated swiftly.
5. Notes that extending the pop-up basketball court would require no additional budget.
6. Explores the option of painting court lines.
7. Officers prepare a report at the end of this period, reviewing the opportunity to make this pop-up basketball court permanent within the Bondi Beach Park Plan of Management.

**CM/8.7/25.10 Public Domain Technical Manual Review (A14/0270)****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemes

Seconder: Cr Spicer

That Council:

1. Notes that the most recent update to the Public Domain Technical Manual was in 2020.
2. Commences a review of the Public Domain Technical Manual relating to key elements, including:
  - (a) Stairs.
  - (b) Planting.
  - (c) Signage.
  - (d) Furniture and fixtures.
  - (e) Fences and barriers.
3. Officers prepare a briefing paper to the Capital Works Review Committee in November 2025 to enable consultation on these key elements.
4. Includes in the briefing paper consideration of function/location, material specification and

maintenance requirements for these key elements.

**CM/8.8/25.10            Lamrock Avenue and Barracluff Avenue Intersection, Bondi Beach - Urgent Pedestrian Safety Improvements (A03/0042-04)**

**MOTION / UNANIMOUS DECISION**

Mover:     Cr Nemesh

Seconder: Cr Spicer

That Council:

1.    Notes that:
  - (a)   In June 2025, Council refreshed the line markings at the Barracluff Avenue and O'Brien Street intersection, Bondi Beach.
  - (b)   The line marking refreshing did not include Lamrock Avenue and Barracluff Avenue.
  - (c)   A raised pedestrian crossing is included in future Local Area Traffic Management project works, along with traffic calming works in O'Brien Street.
2.   Refreshes the 'Stop' line marking in Lamrock Avenue and Barracluff Avenue as a matter of priority.
3.   Installs a second 'Stop' sign on the central pedestrian island in Lamrock Avenue near the Barracluff Avenue intersection as a matter of priority.
4.   Places a variable message board at the Lamrock Avenue and Barracluff Avenue intersection with the advance messaging of 'Stop Sign Ahead' or other appropriate wording, as an interim safety measure from October 2025 to April 2026.
5.   Prioritises the Local Area Traffic Management safety upgrades at this location by progressing with the community consultation of possible solutions.

**CM/8.9/25.10            Environmental Planning and Assessment (Planning System Reforms) Bill 2025 (A11/0500)**

**MOTION**

Mover:     Cr Fabiano

Seconder: Cr Wy Kanak

That Council:

1.    Notes with concern the introduction of the Environmental Planning and Assessment Amendment (Planning System Reforms) Bill 2025 and its potential to reduce local planning control and transparency and community confidence in planning decisions for all forms of development, not just housing.
2.    Notes with concern the fundamental changes to the *Environmental Planning and Assessment Act 1979* arising from amendments to the objects of the Act and to section 4.15, including significant weakening of requirements to consider cumulative impacts, environmental impacts, site suitability and the public interest in decision-making.

3. Notes that the Bill has been described as ‘the biggest planning reform in 50 years’, yet has proceeded with minimal public consultation and limited engagement with local government.
4. Notes with concern that the proposed Development Coordination Authority centralises powers within the Department of Planning and reduces the independent and specialist input previously provided by agencies such as the Environment Department and Rural Fire Service, with no clear mechanisms to ensure transparent or arms-length decision-making.
5. Acknowledges the critical role that metropolitan councils play in managing housing density, infrastructure capacity, transport networks and environmental sustainability through locally informed, place-based planning processes.
6. Writes to the Premier, the Minister for Planning and Public Spaces, the Member for Coogee and the Member for Vaucluse:
  - (a) Seeking retention of local Community Participation Plans, ensuring meaningful and inclusive community engagement in local planning processes.
  - (b) Highlighting the value of voluntary planning agreements (VPAs) in delivering infrastructure, public benefit, and affordable housing outcomes for local communities—and the significant loss that would occur if councils were prevented from negotiating VPAs.
  - (c) Raising concern about the administrative burden and cost-shifting to councils that will result from the new time frames and referral processes, leading to poorer planning outcomes and reduced accountability.
  - (d) Highlighting broad concerns about governance, environmental assessment and the public interest arising from the Bill, while acknowledging that recent Legislative Assembly amendments—such as the introduction of a 28-day minimum consultation period for targeted assessments, the exclusion of designated development (e.g. coal mines, power stations, concrete works), and the retention of bush-fire-prone-land provisions—represent partial but insufficient improvements.
7. Writes to the President and CEO of Local Government New South Wales (LGNSW) to express concern that the statement issued by LGNSW on 18 September 2025 welcoming these reforms is not consistent with the LGNSW policy platform and was released without consultation with the Board.
8. Advocates through the Southern Sydney Regional Organisation of Councils for a coordinated response to these reforms.
9. Requests staff workshops outlining the likely implications of the Bill for Council, including potential impacts on housing density, infrastructure planning, environmental and social safeguards and community consultation as further information becomes available.

**FORESHADOWED MOTION**

Mover: Cr Nemesch

Seconder: Cr Stephenson

That Council:

1. Reaffirms its support for the ongoing reform of the NSW planning system, consistent with Council’s position expressed in the mayoral minute adopted by Council at its meeting on 15 July 2025, which called for a comprehensive review of the *Environmental Planning and Assessment*

*Act 1979* to reduce complexity, improve efficiency and transparency and strengthen alignment with strategic planning objectives.

2. Acknowledges that the Environmental Planning and Assessment Amendment (Planning System Reforms) Bill 2025 represents a significant and evolving reform package aimed at addressing long-standing challenges in the planning system, particularly the delivery of housing and infrastructure.
3. Notes that the Bill has already passed the NSW Legislative Assembly with amendments and is currently at the Second Reading stage in the Legislative Council.
4. Supports the continuation of the legislative process, including further Parliamentary debate and refinement of the Bill, and encourages the NSW Government and Opposition to work collaboratively to ensure that any final reforms balance the need for housing delivery with the maintenance of strong environmental and community safeguards.
5. Writes to the Premier, the Minister for Planning and Public Spaces and local State Members of Parliament, reaffirming Council's previous advocacy for planning reform and encouraging continued collaboration with local government to deliver effective planning outcomes.

THE MOTION WAS PUT AND DECLARED LOST.

THE FORESHADOWED MOTION THEN BECAME THE MOTION.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

## **DECISION**

That Council:

1. Reaffirms its support for the ongoing reform of the NSW planning system, consistent with Council's position expressed in the mayoral minute adopted by Council at its meeting on 15 July 2025, which called for a comprehensive review of the *Environmental Planning and Assessment Act 1979* to reduce complexity, improve efficiency and transparency and strengthen alignment with strategic planning objectives.
2. Acknowledges that the Environmental Planning and Assessment Amendment (Planning System Reforms) Bill 2025 represents a significant and evolving reform package aimed at addressing long-standing challenges in the planning system, particularly the delivery of housing and infrastructure.
3. Notes that the Bill has already passed the NSW Legislative Assembly with amendments and is currently at the Second Reading stage in the Legislative Council.
4. Supports the continuation of the legislative process, including further Parliamentary debate and refinement of the Bill, and encourages the NSW Government and Opposition to work collaboratively to ensure that any final reforms balance the need for housing delivery with the maintenance of strong environmental and community safeguards.
5. Writes to the Premier, the Minister for Planning and Public Spaces and local State Members of Parliament, reaffirming Council's previous advocacy for planning reform and encouraging continued collaboration with local government to deliver effective planning outcomes.

## **Division**

- For the Motion:** Crs Frazer, Lewis, Masselos, Merten, Nemesh, Spicer, Spooner, Stephenson, Townsend and Westwood.
- Against the Motion:** Crs Fabiano and Wy Kanak.

## 9. Questions with Notice

### CM/9.1/25.10 Council Chambers Future (A25/0945)

#### QUESTION

The following questions were submitted by Cr Merten:

1. Given that the September Council meeting resolution on the Council Chambers redevelopment concept options states that 'the Boot Factory in Spring Street, Bondi Junction, is the current Waverley Council Chambers', can the General Manager confirm whether Council has ever resolved to designate the Boot Factory as the permanent Council Chambers?
2. If not, on what basis or authority is the Boot Factory currently being referred to as the 'Waverley Council Chambers?'
3. What are the current plans or proposals, if any, to identify or develop a permanent Council Chambers for Council?
4. Has Council considered or shortlisted any alternative sites or long-term options for a permanent Council Chambers beyond the Boot Factory?
5. What process, consultation and funding considerations will guide future decisions regarding the establishment of a permanent Council Chambers?

#### General Manager's answer

1. The Cloud Room at the Boot Factory has been used as Council's Chamber's since 4 February 2025. The Cloud Room was intended to be used in the medium-term while the Council Chambers building was to undergo a major refurbishment. Council resolved not to proceed with that project in December 2023. The Boot Factory was confirmed as the current Council Chambers through resolution of Council at the September Council meeting (see resolution CM/7.13/25.09).
2. As the dedicated location where Council meetings are held, the Boot Factory is deemed to be Council Chambers. The building's connection to the Mill Hill Centre, which accommodates Council staff, Waverley Seniors Centre and Norman Lee place courtyard and café, acts as a municipal community hub for Waverley.
3. The Boot Factory will be Council Chambers until such time as Council makes an alternative decision. The current consultation regarding the future use of the Chambers building on Bondi Road includes an option to refurbish the existing building, including the Council Chambers.
4. No decisions have been made for an alternative location to the Boot Factory, at this stage. Should Council wish to consider alternative options, it would occur through the work on the Waverley Property Strategy, the Councillor Strategic Property Review Committee, and ultimately the decision sitting with Council.

5. As discussed above, Council has resolved that the Boot Factory is our designated Council Chambers. Should Council wish to make an alternative decision or investigate other options, it would occur through the work of the Waverley Property Strategy, the Councillor Strategic Property Review Committee, and ultimately the decision sitting with Council.

**Sharon Cassidy**  
**Director, Assets and Operations**

**CM/9.2/25.10            2025 Australian Mayors Summit Against Antisemitism (SF25/4514)**

#### **QUESTION**

The following question was submitted by Cr Wy Kanak:

Can the Mayor and/or General Manager please explain the costs that allowed the Mayor, Councillors and General Manager to attend the recent Gold Coast conference on antisemitism?

#### **General Manager's answer**

Councillors' travel and accommodation was funded by the conference organiser, as approved by the General Manager under the Sponsorship Policy, except for:

- One Councillor who paid for the travel.
- One Councillor who paid for part of the travel and was reimbursed by Council in accordance with the Councillor Expenses and Facilities Policy at a cost of \$95.95.

Not all Councillors attended.

The General Manager's travel and accommodation was funded by Council. The cost was \$1,178.74.

**Emily Scott**  
**General Manager**

#### **10. Urgent Business**

There was no urgent business.

#### **11. Closed Session**

**CM/11/25.10            Closed Session**

#### **MOTION / DECISION**

Mover:        Cr Nemesh  
Seconder:    Cr Lewis

That:

1. Council moves into closed session to deal with the matters listed below, which are classified as confidential under section 10A(2) of the *Local Government Act* for the reasons specified:

CM/6.1/25.10 CONFIDENTIAL MAYORAL MINUTE - General Manager's Annual Performance Review

This matter is considered to be confidential in accordance with section 10A(2)(a) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

CM/6.2/25.10 CONFIDENTIAL MAYORAL MINUTE - General Manager Reappointment

This matter is considered to be confidential in accordance with section 10A(2)(a) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

CM/11.1/25.10 CONFIDENTIAL REPORT - Procurement and Adani Considerations

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

CM/11.2/25.10 CONFIDENTIAL REPORT - Procurement Exemption - Asset Management Specialist Services

This matter is considered to be confidential in accordance with section 10A(2)(d)(i) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

2. Pursuant to sections 10A(1), 10(2) and 10A(3) of the *Local Government Act*, 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*.
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*.

At 10.22 pm, Council moved into closed session.

**CM/11.1/25.10            CONFIDENTIAL REPORT - Procurement and Adani Considerations  
(A18/0557)**

**MOTION / DECISION**

Mover:     Cr Nemesh  
Seconder: Cr Westwood

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. Removes the Adani considerations from Council's Procurement Policy and Procedure and all procurement documents and templates.

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

*Cr Wy Kanak requested that his vote against the motion be recorded in the minutes.*

**CM/11.2/25.10            CONFIDENTIAL REPORT - Procurement Exemption - Asset Management  
Specialist Services (A25/0973)**

**MOTION / DECISION**

Mover:     Cr Nemesh  
Seconder: Cr Spooner

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. Approves a procurement exemption to engage Ascentral Asset Services Pty Ltd to undertake asset management specialist services to support the roll-out of the WavOne Asset Management System module, as set out in the report.
3. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

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

**12. Resuming in Open Session**

**CM/12/25.10            Resuming in Open Session**

**MOTION / DECISION**

That Council resumes in open session.

At 10.32 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 10.35 PM.**

.....  
**SIGNED AND CONFIRMED**  
**MAYOR**  
**18 NOVEMBER 2025**