



**MINUTES OF THE WAVERLEY COUNCIL MEETING  
HELD AT THE BOOT FACTORY, SPRING STREET, BONDI JUNCTION ON  
TUESDAY, 29 APRIL 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 7.00 pm, those present were as listed above.*

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

*At 8.55 pm, during the consideration of item CM/6.3/25.04, the meeting adjourned for a short break. At 9.00 pm, the meeting resumed.*

*At 9.01 pm, following the vote on item CM/6.3/25.04, a procedural motion to shorten the duration of Councillors' speeches to three minutes at any one time, moved by Cr Nemesh and seconded by Cr Westwood, was put and declared carried on the casting vote of the chair.*

*At 9.45 pm, following the vote on item CM/7.7/25.04, the meeting adjourned for a short break. At 9.56 pm, the meeting resumed.*

*At 11.10 pm, following the vote on item CM/7.17/25.04, a procedural motion to adjourn the meeting to 6 pm Tuesday, 6 May 2025, moved by Cr Lewis and seconded by Cr Masselos, was put and declared lost. A procedural motion to extend the meeting to 12.00 am, moved by Cr Nemesh and seconded by Cr Spicer, was then put and declared carried.*

*At 11.47 pm, following the vote on item CM/12/25.04, Crs Lewis, Masselos, Fabiano, Merten and Spooner left the meeting and did not return.*

*At 11.51 pm, following the vote on item CM/8.1/25.04, Cr Wy Kanak left the meeting and did not return.*

*At 11.53 pm, the chair adjourned the meeting due to the absence of a quorum, to reconvene at 6 pm Tuesday, 6 May 2025, at the Boot Factory. The absence of quorum was caused by Crs Lewis, Masselos, Fabiano, Merten, Spooner and Wy Kanak leaving the meeting. Crs Lewis and Masselos advised that they left the meeting for health reasons. The Councillors present were Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.*

*At 6.00 pm Tuesday, 6 May 2025, the meeting reconvened, with those present as listed above. Crs Frazer, Townsend and Wy Kanak attended the reconvened meeting by audio-visual link.*

*At 7.05 pm, during the consideration of item CM/8.4/25.04, the meeting adjourned to allow the Finance, Operations and Community Services Committee meeting and the Strategic Planning and Development Committee meeting to commence. At 7.59 pm, the meeting resumed.*

*At 8.58 pm, during the consideration of item CM/8.9/25.04, the meeting adjourned for a short break. At 9.17 pm, the meeting resumed.*

## **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 Lewis declared a less than significant non-pecuniary interest in item CM/8.5/25.04 – Late Night Trading Hours in Bondi Junction – Extension and informed the meeting that his wife is a director of companies that own pubs that do not operate in the Waverley local government area.
- 2.2 Cr Lewis declared a less than significant non-pecuniary interest in item CM/8.7/25.04 – Blair Street and Wairoa Avenue Intersection, North Bondi – Pedestrian Crossing and informed the meeting that he owns properties on this corner and his son resides in one of those properties.
- 2.3 Cr Lewis declared a less than significant non-pecuniary interest in Item CM/7.16/25.04 – Petition – Wairoa Avenue and Blair Street Intersection – Pedestrian Crossing and informed the meeting that he owns properties on this corner and his son resides in one of those properties.
- 2.4 Cr Lewis declared a less than significant non-pecuniary interest in item CM/8.14/25.04 – Pedestrian Safety and In-Ground Lighting - Spring Street, Bondi Junction and informed the meeting that he owns a property adjacent to the crossing and his daughter resides in the property.
- 2.5 Cr Nemesh declared a less than significant non-pecuniary interest in item CM/6.3/25.04 – Hungarian Revolution of 1956 – Memorial and informed the meeting that he is a Hungarian citizen.
- 2.6 Cr Masselos declared a less than significant non-pecuniary interest in item CM/6.3/25.04 – Hungarian Revolution of 1956 – Memorial and informed the meeting that she is a Greek citizen.
- 2.7 Cr Wy Kanak declared a pecuniary interest in item CM/7.6/25.04 – Community and Cultural Grants Program – Nominated Organisation – Bondi and Districts Chamber of Commerce and informed the meeting that he is a current and paid member of the Bondi and Districts Chamber of Commerce, and that he will leave the meeting for the consideration and vote on this item.

### 3. Obituaries

Richard Heffer

*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 Brookes (on behalf of Sydney Roosters) – CM/6.2/25.04 – Sydney Roosters – Community Partnership.
- 4.2 M Makhlin (on behalf of Bondi and Districts Chamber of Commerce) – CM/6.2/25.04 – Sydney Roosters – Community Partnership.
- 4.3 E Constantinou (on behalf of Bondi and Districts Chamber of Commerce) – CM/7.6/25.04 – Community and Cultural Grants Program – Nominated Organisation – Bondi and Districts Chamber of Commerce.
- 4.4 E Constantinou (on behalf of Bondi and Districts Chamber of Commerce) – CM/7.13/25.04 – Footpath Seating Policy and Guidelines and Development Control Plan 2022 – Exhibition.
- 4.5 J Roach (on behalf of Consume) – CM/7.13/25.04 – Footpath Seating Policy and Guidelines and Development Control Plan 2022 – Exhibition.
- 4.6 C Morris (chief petitioner) – CM/7.15/25.04 – Petitions – Fig Tree at 28-30 Edward Street, Bondi.
- 4.7 N Udachina (chief petitioner) – CM/7.15/25.04 – Petitions – Fig Tree at 28-30 Edward Street, Bondi.
- 4.8 C Waugh (chief petitioner) – CM/7.16/25.04 – Petition – Wairoa Avenue and Blair Street Intersection – Pedestrian Crossing.
- 4.9 J Ryan (on behalf of Tea Gardens Hotel) – CM/8.5/25.04 – Late Night Trading Hours in Bondi Junction – Extension.
- 4.10 M Makhlin (on behalf of Bondi and Districts Chamber of Commerce) – CM/8.5/25.04 – Late Night Trading Hours in Bondi Junction – Extension.
- 4.11 S Hammond – CM/8.12/25.04 – Oxford Street and Ruthven Street Intersection, Bondi Junction – Safety Upgrades.
- 4.12 B Scaffidi (on behalf of Bronte Surf Life Saving Club) – CM/11.2/25.04 – CONFIDENTIAL REPORT – Bronte Surf Life Saving Club and Community Facilities Building Upgrade – Project Update and Project Agreement

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

Mover: Cr Nemesh  
Seconded: Cr Westwood

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

- CM/5.2/25.04 Adoption of Minutes – Waverley Traffic Committee Meeting – 20 March 2025.
- CM/7.1/25.04 Access and Inclusion Advisory Panel Meeting – 26 March 2025 – Minutes.
- CM/7.2/25.04 Arts, Culture and Creativity Advisory Committee Meeting – 10 March 2025 – Minutes.
- CM/7.3/25.04 Capital Works Review Committee Meeting – 27 February 2025 – Minutes.
- CM/7.4/25.04 Strategic Property Review Committee Meeting – 27 February 2025 – Minutes.
- CM/7.5/25.04 First Nations Advisory Committee – Name and Terms of Reference.
- CM/7.11/25.04 Delivery Program 2022-26 – Six-Monthly Progress Report.
- CM/7.12/25.04 Investment Portfolio Report – March 2025.
- CM/7.18/25.04 Tender Evaluation – Alexandria Integrated Facility (AIF) Wash Bay.
- CM/11.3/25.04 CONFIDENTIAL REPORT – Commercial Waste – Food Organics and Garden Organics (FOGO) Collection Fees.
- CM/11.4/25.04 CONFIDENTIAL REPORT – Procurement Exemption – BYD Electric Vehicles.

**5. Confirmation and Adoption of Minutes****CM/5.1/25.04 Confirmation of Minutes - Council Meeting - 18 March 2025 (A25/0081)****MOTION**

Mover: Cr Nemesh  
Seconded: Cr Westwood

That Council confirms the minutes of the Council meeting held on 18 March 2025 as a true record of the proceedings of that meeting.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CORRECT THE TITLE OF ITEM CM/10.1/25.03.

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

**UNANIMOUS DECISION**

That Council confirms the minutes of the Council meeting held on 18 March 2025 as a true record of the proceedings of that meeting, subject to the title of item CM/10.1/25.03 being corrected to read as follows: 'Mardi Gras Matter'.

**CM/5.2/25.04          Adoption of Minutes - Waverley Traffic Committee Meeting - 20 March 2025  
(A25/0078)**

**MOTION / DECISION**

Mover:        Cr Nemesh  
Seconder:    Cr Westwood

That Council adopts Part 1 of the minutes of the Waverley Traffic Committee meeting held on 20 March 2025.

**6.      Mayoral Minutes**

**CM/6.1/25.04          Affordable Housing Purchase - 49 Mitchell Street, Bondi Beach (A25/0571)**

**MOTION**

That Council:

1.    Notes the purchase of a six-unit apartment block at 49 Mitchell Street, Bondi Beach, as part of Council's Affordable Housing Program.
2.    Notes that the purchase is the first addition to Council's Affordable Housing Program since 2016 and the first addition within Waverley since 2004.
3.    Notes that the purchase is funded from developer contributions through Council's Affordable Housing Reserve.
4.    Congratulates Council officers involved in the purchase of 49 Mitchell Street.
5.    Requests the Mayor to write to Council's Precincts, the Member for Vaucluse, Kellie Sloane MP, the Member for Coogee, Marjorie O'Neill MP, and the Member for Wentworth, Allegra Spender MP, informing them of this motion.

**Background**

In March 2025, Council purchased a six-unit apartment block at 49 Mitchell Street, Bondi Beach, as part of Council's Affordable Housing Program. This is the most significant expansion of Council's affordable housing portfolio in almost a decade, with the last property for affordable housing purchased in 2016 and the first addition within Waverley since 2004.

The purchase of 49 Mitchell Street is a momentous acquisition for the community, gaining additional high-quality housing in a very convenient location, funded from developer contributions through Council's affordable housing reserve.

This purchase will directly address the growing demand for affordable housing within our community, providing much-needed housing options for low to moderate-income residents and families who can demonstrate a connection to the Waverley area.

The location of the property at Bondi Beach is strategically advantageous, offering proximity to essential services, public transport, and community amenities, ensuring residents have access to opportunities and support.

This initiative demonstrates Council's strong commitment to ensure our residents have housing availability irrespective of their economic circumstances. Council is proactively committed to creating a more inclusive and equitable future, delivering more affordable housing dwellings to the community than at any other time in the last decade.

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

### **UNANIMOUS DECISION**

That Council:

1. Notes the purchase of a six-unit apartment block at 49 Mitchell Street, Bondi Beach, as part of Council's Affordable Housing Program.
2. Notes that the purchase is the first addition to Council's Affordable Housing Program since 2016 and the first addition within Waverley since 2004.
3. Notes that the purchase is funded from developer contributions through Council's Affordable Housing Reserve.
4. Congratulates Council officers involved in the purchase of 49 Mitchell Street.
5. Requests the Mayor to write to the Minister for Housing, the Hon Rose Jackson MLC, the Minister for Local Government, the Hon Ron Hoening MP, Council's Precincts, the Member for Vacluse, Kellie Sloane MP, the Member for Coogee, Marjorie O'Neill MP, and the Member for Wentworth, Allegra Spender MP, informing them of this motion.

### **CM/6.2/25.04          Sydney Roosters - Community Partnership (A25/0632)**

#### **MOTION / DECISION**

Mover:      Cr Nemesh

That Council:

1. Notes recent discussions between the Council officers and the Eastern Suburbs District Rugby League Football Club (Sydney Roosters) about a potential community partnership/corporate sponsorship for the 2025-26 and 2026-27 seasons.
2. Gives in-principle support for a community partnership/corporate sponsorship between Council and the Sydney Roosters for the 2025-26 and 2026-27 seasons.
3. Officers enter negotiation with the Sydney Roosters to develop a draft memorandum of understanding (MoU) for consideration by Council.
4. Receives a report no later than May 2025 with a copy of the draft MOU and the potential budget impacts.

#### **Background**

The Sydney Roosters, founded in 1908 as the Eastern Suburbs District Rugby League Football Club, are one of the oldest and most successful clubs in the National Rugby League (NRL), having won 15

premierships and competing in every season since their inception.

The Sydney Roosters and Waverley Council have an enduring and special relationship founded in the Roosters' presence within the Waverley area, including their Leagues Club in Bondi Junction and their connection to the Easts Group.

Council and Easts are intrinsically linked as the then Eastern Suburbs Leagues Club officially moved to Waverley when Council granted it a lease on the first floor of the Bondi Pavilion in 1958.

The Sydney Roosters were founding members of Council's Net Zero Alliance, which aims to support Council in achieving its community target of net zero greenhouse gas emissions by 2035. Council has also recognised the Sydney Roosters as a sponsor for their Brightest and Best Business Awards.

The Roosters have been recognised as a local sporting hero in the Waverley area and have been instrumental in bringing the community together in celebration. The club is recognised for its success on the field and also its ongoing commitment to Waverley and the charitable contributions it makes to the community.

A community partnership with the Sydney Roosters will strengthen and formalise the longstanding relationship between the Roosters and Council, and provide opportunities for collaboration on community engagement, education and initiatives that inspire and support our people.

The partnership will focus on joint initiatives that create a positive and inclusive environment within the community, promoting positive health and wellbeing choices and building a stronger future through education and increased participation in community events and initiatives delivered in the local government area.

A community partnership with the Sydney Roosters will be a corporate sponsorship involving financial and/or in-kind contributions negotiated through the development of a memorandum of understanding, to achieve mutual benefits and address community needs. The partnership will foster business opportunities, economic development and assist community groups and programs. Randwick City Council has had a corporate partnership with Sydney Roosters for over 10 years.

#### **Division**

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

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

*A Brookes (on behalf of Sydney Roosters) and M Makhlin (on behalf of Bondi and Districts Chamber of Commerce) addressed the meeting.*

#### **CM/6.3/25.04 Hungarian Revolution of 1956 - Memorial (A23/0678)**

*A notice of motion to rescind this resolution has been submitted with the General Manager. The rescission motion will be considered at the Council meeting on 20 May 2025.*

*Cr Nemesh declared a less than significant non-pecuniary interest in this item informed the meeting that he is a Hungarian citizen.*

*Cr Masselos declared a less than significant non-pecuniary interest in this item and informed the meeting that she is a Greek citizen.*

#### **MOTION**



That Council:

1. Notes correspondence from the Trade and Consular Office of Hungary in Sydney to the Mayor seeking in-principle support to have a memorial placed within the Waverley local government area (LGA) to commemorate the 70th anniversary of the Hungarian Revolution of 1956.
2. Recognises the many Hungarian refugees who settled within the Waverley LGA, as referenced in Council's Cultural Diversity Strategy 2021-2031.
3. Recognises the suffering and sacrifices of the Hungarian people during the 1956 revolution and the ongoing contributions of Hungarian refugees and their descendants to Australian society.
4. Extends its support to the Hungarian community's efforts to preserve the memory of the 1956 revolution and inspire future generations to remember the sacrifices and lessons of that period.
5. Provides in-principle support for a memorial to be placed within Waverley Park.
6. Notes that funding will be provided by the Hungarian Government.
7. Notes the precedent of the Greek Government's Battle of Crete memorial within Waverley Park.
8. Officers liaise with Trade and Consular Office of Hungary in Sydney and prepare a report to Council on the design and installation of the proposed memorial.

**Background**

The Hungarian Revolution of 1956, also known as the Hungarian Uprising, was a nationwide revolt against the Soviet-controlled government of the Hungarian People's Republic, lasting from 23 October 1956 to 10 November 1956.

The uprising began as a spontaneous student demonstration in Budapest, which quickly grew into a widespread revolt against the Soviet-imposed government and its policies. The protesters demanded political freedom, democratisation, withdrawal of Soviet troops and an end to the government's dependence on the Soviet Union.

Initially, the Hungarian revolutionaries gained control of Budapest and other cities, but the Soviet Union intervened with military force to crush the uprising. Soviet tanks and troops were deployed to suppress the revolution, leading to intense street fighting and heavy casualties on both sides.

After the Soviet Union intervention, the Soviet repressed the Hungarian Revolution on 4 November 1956 and fought the Hungarian revolutionaries until Soviet victory on 10 November 1956.

Repression of the Hungarian Uprising killed 2,500 Hungarians and led to a major refugee crisis with 200,000 Hungarians seeking political refuge abroad.

Following the Hungarian Revolution of 1956, Australia welcomed around 14,000 Hungarian refugees. Of those refugees, many settled in Waverley as referenced in our Cultural Diversity Strategy.

Hungarian migrants who settled in Australia after the 1956 revolution have made significant contributions to Australian life and their ethnic community, maintaining cultural traditions and contributing to various aspects of Australian society.

Memorials to the Hungarian Revolution of 1956 exist globally to commemorate the spirit of resistance

and the sacrifices made by those who fought for freedom and independence. The memorials serve as a poignant reminder of the Hungarian people's courage in standing up against oppression and the Soviet Union's brutal suppression of the revolution.

In Australia, memorials commemorating the Hungarian Revolution of 1956 include the Hungarian Freedom Fighters memorial at College Crescent, Melbourne General Cemetery, in Carlton North, Victoria.

Other memorials in Australia include a commemorative art exhibition at the NSW Parliament in 2016. The exhibition was a commemorative event for the 60th anniversary of the Hungarian Revolution of 1956. Of significant note, 2026 will mark the 70th anniversary of the Hungarian Revolution of 1956, which began on 23 October 1956.

The Australian Hungarian community, particularly in NSW, has a strong connection to the events of 1956 and the struggles of the Hungarian people. The installation of a memorial in Waverley Park to commemorate the Hungarian Revolution of 1956 would be pivotal in recognising the struggles of the Hungarian people during the revolution and the role that Waverley played in providing a safe home for many Hungarian refugees. The installation of a memorial would also reinforce Council's strong commitment to building an inclusive, cohesive and resilient community for people of all cultural backgrounds.

#### **AMENDMENT 1 (RULED OUT OF ORDER)**

Mover: Cr Lewis

That clause 1 be amended to read as follows:

'Notes correspondence from the Trade and Consular Office of Hungary in Sydney to the Mayor at the request of the Mayor seeking in-principle support to have a memorial placed within the Waverley local government area (LGA) to commemorate the 70th anniversary of the Hungarian Revolution of 1956.

THE CHAIR RULED THE AMENDMENT OUT OF ORDER ON THE GROUNDS THAT IT WAS FACTUALLY INCORRECT AS THE LETTER WAS NOT SENT TO THE MAYOR AT HIS REQUEST.

#### **AMENDMENT 2**

Mover: Cr Lewis

Seconder: Cr Masselos

That clause 5 be amended to read as follows:

'Provides in-principle support for a memorial to be placed within Waverley Park on the basis that Council will have the final say on the wording to appear on the memorial.'

A PROCEDURAL MOTION THAT THE AMENDMENT BE NOW PUT, MOVED BY CR WESTWOOD AND SECONDED BY CR NEMESH, WAS THEN PUT AND DECLARED CARRIED.

#### **Division**

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

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

THE AMENDMENT WAS THEN PUT AND DECLARED LOST.

#### **Division**

**For the Amendment:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**Against the Amendment:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

**AMENDMENT 3**

Mover: Cr Lewis  
Seconder: Cr Spooner

That clause 6 be amended to read as follows:

Not accept any funding from the Hungarian Government.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

**For the Amendment:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**Against the Amendment:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

**AMENDMENT 4**

Mover: Cr Masselos  
Seconder: Cr Lewis

That clause 7 be deleted.

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

**For the Amendment:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**Against the Amendment:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

**AMENDMENT 5**

Mover: Cr Masselos  
Seconder: Cr Lewis

That the following clause be added to the motion:

'Consults with Bill Harrigan from the Bondi Junction RSL Sub-Branch to assist in determining the most appropriate location for the memorial.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

**For the Amendment:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**Against the Amendment:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

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

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

**DECISION**

That Council:

1. Notes correspondence from the Trade and Consular Office of Hungary in Sydney to the Mayor seeking in-principle support to have a memorial placed within the Waverley local government area (LGA) to commemorate the 70th anniversary of the Hungarian Revolution of 1956.
2. Recognises the many Hungarian refugees who settled within the Waverley LGA, as referenced in Council's Cultural Diversity Strategy 2021-2031.

3. Recognises the suffering and sacrifices of the Hungarian people during the 1956 revolution and the ongoing contributions of Hungarian refugees and their descendants to Australian society.
4. Extends its support to the Hungarian community's efforts to preserve the memory of the 1956 revolution and inspire future generations to remember the sacrifices and lessons of that period.
5. Provides in-principle support for a memorial to be placed within Waverley Park.
6. Notes that funding will be provided by the Hungarian Government.
7. Notes the precedent of the Greek Government's Battle of Crete memorial within Waverley Park.
8. Calls on local Australian Hungarian community groups to be consulted.
9. Officers liaise with Trade and Consular Office of Hungary in Sydney and prepare a report to Council on the design and installation of the proposed memorial.

**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/6.4/25.04                      Condolence on Passing of His Holiness Pope Francis (1936-2025)  
(A02/0017)**

**MOTION / UNANIMOUS DECISION**

Mover:      Cr Nemesh

That Council:

1. Acknowledges the passing of His Holiness Pope Francis, Bishop of Rome, head of the Roman Catholic Church and the Holy See from 2013 to 2025, on 21 April 2025.
2. Recognises His Holiness Pope Francis for his strong advocacy for the poor and marginalised, his strong stances on social justice and climate change and his efforts to modernise the Catholic Church's governance and foster inclusivity.
3. Notes that His Holiness Pope Francis was a spiritual leader for Catholics across the world, with 12,850 residents identified as Catholic in the Waverley local government area (LGA) in 2021.
4. Expresses our deepest condolences to the Catholic community in the Waverley LGA and around the world for the passing of His Holiness Pope Francis.
5. Notes that as a mark of mourning and respect, and in accordance with protocol from the Department of the Prime Minister and Cabinet, Council flew its flags at half-mast on Saturday, 26 April 2025, to observe a Funeral Mass for His Holiness Pope Francis in St Peter's Square, Vatican City.
6. Requests the Mayor write to the Archbishop of Sydney, Most Rev Anthony Fisher OP, to inform him of this resolution and express condolences on behalf of the Waverley community.

**Background**

On behalf of all Councillors and officers of Waverley Council, I acknowledge the passing of His

Holiness Pope Francis. We extend our deepest condolences to our Catholic community in the Waverley local government area (LGA) and around the world.

His Holiness Pope Francis was Bishop of Rome, head of the Roman Catholic Church and the Holy See from 2013 to 2025. Pope Francis was born Jorge Mario Bergoglio on 17 December 1936 and died on 21 April 2025. Jorge Bergoglio was elected Pope in 2013 and took his papal name from St Francis of Assisi, reflecting his dedication to humility, simplicity and care for the poor.

Pope Francis was a global spiritual leader whose profound influence reached far beyond the boundaries of faith. Pope Francis is widely recognised for his strong advocacy for the poor and marginalized, his strong stances on social justice and climate change, and his efforts to modernise the Church's governance and foster inclusivity. He is lauded for his encyclical *Laudato Si'* ('Praise Be to You'; 2015), his outreach to the LGBTQ+ community, and his promotion of interfaith dialogue, all of which have significantly influenced global perspectives and actions.

The recognition of the passing of His Holiness Pope Francis and his life is important to many in our Waverley community. In the Waverley LGA in 2021, it was revealed that 12,850 residents were Western (Roman) Catholic, representing 18.7% of the population.

As a mark of mourning and respect, and in accordance with protocol from the Department of the Prime Minister and Cabinet, Waverley Council flew its flag at half-mast all day on Tuesday, 22 April 2025. Council will again fly its flags at half-mast on Saturday, 26 April 2025, to observe a Funeral Mass for His Holiness Pope Francis in St Peter's Square, Vatican City.

May this minute serve as a record of our sincere condolences.

## **7. Reports**

### **CM/7.1/25.04      Access and Inclusion Advisory Panel Meeting - 26 March 2025 - Minutes (A21/0096)**

#### **MOTION / DECISION**

Mover:      Cr Nemesh  
Seconded: Cr Westwood

That Council notes the minutes of the Access and Inclusion Advisory Panel meeting held on 26 March 2025 attached to the report.

### **CM/7.2/25.04      Arts, Culture and Creativity Advisory Committee Meeting - 10 March 2025 - Minutes (A23/0398)**

#### **MOTION / DECISION**

Mover:      Cr Nemesh  
Seconded: Cr Westwood

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

### **CM/7.3/25.04      Capital Works Review Committee Meeting - 27 February 2025 - Minutes (A25/0586)**

**MOTION / DECISION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council notes the minutes of the Capital Works Review Committee meeting held on 27 February 2025 attached to the report.

**CM/7.4/25.04 Strategic Property Review Committee Meeting - 27 February 2025 - Minutes (A25/0585)**

**MOTION / DECISION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council notes the minutes of the Strategic Property Review Committee meeting held on 27 February 2025 attached to the report.

**CM/7.5/25.04 First Nations Advisory Committee - Name and Terms of Reference (A25/0222)**

**MOTION / DECISION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council:

1. Changes the name of the Reconciliation Action Plan Advisory Committee to the First Nations Advisory Committee.
2. Adopts the terms of reference for the First Nations Advisory Committee attached to the report.
3. Continues to pay each community member a fee of \$200 per meeting.

**CM/7.6/25.04 Community and Cultural Grants Program - Nominated Organisation - Bondi and Districts Chamber of Commerce (A20/0375)**

*Cr Wy Kanak declared a pecuniary interest in this item and informed the meeting that he a current and paid member of the Bondi and Districts Chamber of Commerce. Cr Wy Kanak was not present at, or in sight of, the meeting for the consideration and vote on this item.*

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council:

1. Includes the Bondi and Districts Chamber of Commerce as a nominated organisation under the Community and Cultural Grants Program.
2. Grants up to \$15,000 per year to the Bondi and Districts Chamber of Commerce to support the delivery of partnership activities from July 2025 to June 2028, when the agreement will be

reviewed.

3. Requests the Mayor to write to the Waverley Business Forum informing them of this motion.

*E Constantinou (on behalf of Bondi and Districts Chamber of Commerce) addressed the meeting.*

**CM/7.7/25.04                      Pricing Policy, Fees and Charges 2025-26, Budget and Long Term Financial Plan 7 - Exhibition (SF24/4731)**

**MOTION**

Mover:        Cr Nemesh

Seconder: Cr Westwood

That Council:

1. Publicly exhibits the draft Pricing Policy, Fees and Charges 2025-26, draft Budget and draft Long Term Financial Plan 7 attached to the report for 28 days.
2. In accordance with sections 621 and 623 of the *Local Government Act 1993*, borrows \$18 million to fund the Bronte Surf Life Saving Club and Community Facilities Upgrade project.
3. Authorises the General Manager or delegate to source the most competitive interest rates for the loan from approved financial institutions, with officers to prepare a report to Council on the loan details in the first quarter of financial year 2025-26.
4. Notes that the Long Term Financial Plan (LTFP) 7:
  - (a) Will be reviewed annually in line with the Operational Plan and Annual Budget development.
  - (b) Sets out the projects and initiatives that Council intends to invest in and the associated resource requirements for the next 11 years. It considers and utilises a range of options for achieving balanced budgets over the life of LTFP 7, likely including borrowing, realising efficiencies and cost reductions within Council operations, applying reserve funds earlier than forecast in LTFP 7, reducing or rescheduling the capital expenditure program and increasing revenue to fund specific programs and initiatives.
5. Authorises the General Manager to make any necessary editorial and content changes to the draft Pricing Policy, Fees and Charges 2025-26, Budget and LTFP for public exhibition to give effect to Council's resolution.
6. Officers prepare a report to Council following the exhibition period.

**FORESHADOWED MOTION (LAPSED)**

Mover:        Cr Masselos

That Council defers this item to an extraordinary Council meeting to be held at 6 pm on Tuesday, 6 May 2025, to allow a number of questions about the budget to be addressed.

THE MOTION WAS PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Publicly exhibits the draft Pricing Policy, Fees and Charges 2025-26, draft Budget and draft Long Term Financial Plan 7 attached to the report for 28 days.
2. In accordance with sections 621 and 623 of the *Local Government Act 1993*, borrows \$18 million to fund the Bronte Surf Life Saving Club and Community Facilities Upgrade project.
3. Authorises the General Manager or delegate to source the most competitive interest rates for the loan from approved financial institutions, with officers to prepare a report to Council on the loan details in the first quarter of financial year 2025-26.
4. Notes that the Long Term Financial Plan (LTFP) 7:
  - (a) Will be reviewed annually in line with the Operational Plan and Annual Budget development.
  - (b) Sets out the projects and initiatives that Council intends to invest in and the associated resource requirements for the next 11 years. It considers and utilises a range of options for achieving balanced budgets over the life of LTFP 7, likely including borrowing, realising efficiencies and cost reductions within Council operations, applying reserve funds earlier than forecast in LTFP 7, reducing or rescheduling the capital expenditure program and increasing revenue to fund specific programs and initiatives.
5. Authorises the General Manager to make any necessary editorial and content changes to the draft Pricing Policy, Fees and Charges 2025-26, Budget and LTFP for public exhibition to give effect to Council's resolution.
6. Officers prepare a report to Council following the exhibition period.

**CM/7.8/25.04                      Community Strategic Plan 2025-2035, Delivery Program 2025-2029 and Operational Plan 2025-26 - Exhibition (A23/0574)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Nemesh  
Seconder:    Cr Stephenson

That Council:

1. Publicly exhibits for 28 days:
  - (a) The draft Community Strategic Plan 2025–2035 (Waverley 2035), the draft Delivery Program 2025–2029 (Waverley 2029) and the draft Operational Plan 2025–2026 (Waverley 2026), including the Budget and the Statement of Revenue Policy, attached to the report (Attachments 1, 2 and 3).
  - (b) The proposed Rating Structure for 2025–26 contained on page 79 of the draft Operational Plan 2025–26. 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 2025 to 30 June 2026:
    - (i) An ordinary rate of 0.082772 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 0.41992 cents in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and subcategorised Ordinary in accordance with section 529 (2)(d) of the Act.
- (iii) An ordinary rate of 0.854882 cents in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and subcategorised Bondi Junction in accordance with section 529(2)(d) of the Act.
- (c) The Domestic Waste Management Service Charge being set at \$647 per service per annum for the financial year 2025–26 in accordance with section 496 of the Act, which is no increase from the 2024-2025 financial year.
- (d) The Stormwater Management Service Charge contained on page 82 of the draft Operational Plan 2025–26 in accordance with section 496A of the Act for the financial year 2025–26 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. Notes the Community Engagement Outcomes Summary Report attached to the report (Attachment 4).
- 3. Authorises the General Manager to make any necessary editorial and content changes to the draft Community Strategic Plan 2025–2035, draft Delivery Program 2025–2029, draft Operational Plan 2025–2026, including the Budget, for public exhibition to give effect to Council's resolution.
- 4. Officer prepare a report to Council following the exhibition period.

#### **CM/7.9/25.04      Strategic Asset Management Plan 7 (SAMP 7) - Exhibition (A25/0597)**

#### **MOTION / DECISION**

Mover: Cr Nemesh  
 Secunder: Cr Spicer

That Council:

- 1. Publicly exhibits the draft Strategic Asset Management Plan 7 (SAMP 7) attached to the report for 28 days.
- 2. Officers prepare a report to Council following the exhibition period.

#### **Division**

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

**CM/7.10/25.04 Environmental Action Plan 2025-2035 - Exhibition (A08/1210)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council:

1. Publicly exhibits the draft Environmental Action Plan 2025-2035 attached to the report for 28 days
2. Officers prepare a report to Council following the exhibition period.

**CM/7.11/25.04 Delivery Program 2022-26 - Six-Monthly Progress Report (A23/0573)**

**MOTION / DECISION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council notes the progress report on the Delivery Program 2022–2026 attached to the report.

**CM/7.12/25.04 Investment Portfolio Report - March 2025 (SF24/3676)**

**MOTION / DECISION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council:

1. Notes the Investment Summary Report for March 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/7.13/25.04 Footpath Seating Policy and Guidelines and Development Control Plan 2022 - Exhibition (A08/0935-02)**

**MOTION**

Mover: Cr Stephenson  
Seconder: Cr Westwood

That Council:

1. Publicly exhibits the draft Footpath Seating Policy and Guidelines and associated amendments

to the Waverley Development Control Plan 2022 attached to the report for 42 days.

2. Notes the following key amendments are proposed to the current Waverley Development Control Plan 2022:

- (a) Removing the requirement for adherence to a seating plan, in favour of only prescribing the area available for seating.
- (b) Removing requirement for strict compliance with the National Construction Code for sanitary facilities for the purpose of calculating the number of outdoor dining seats/patrons.
- (c) Reducing the minimum kerb setback from 1.5 m to 1 m where footpath seating is located adjacent to the roadway, increasing the space available for footpath seating while ensuring adequate access to parked cars.
- (d) Adopting a 1.5 m setback from building corners, as opposed to the current '45-degree splayed setback', to simplify interpretation.
- (e) Simplifying the hours of operation for footpath seating, including expanding the maximum hours in Local and Commercial Centres (E1 and E2) as well as Mixed Use (MU1) zones from 7 am-9 pm to 6 am-10.00 pm.
- (f) Detailed guidance on the application process to assist business operators.
- (g) Updated graphics and diagrams to reflect public domain improvements and interpretation.

3. Requests the Mayor to inform the following stakeholders of the exhibition of the draft Footpath Seating Policy and Guidelines

- (a) Waverley Business Forum.
- (b) Bondi and Districts Chamber of Commerce.
- (c) Member for Vaucluse, Kellie Sloane MP.
- (d) Member for Coogee, Marjorie O'Neill MP.
- (e) Member for Wentworth, Allegra Spender MP.

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

**AMENDMENT**

Mover: Cr Masselos  
Seconder: Cr Lewis

That clause 2(a) be amended to read as follows:

'Notes that on 19 March 2024, Council resolved to change the footpath seating plan in favour of only prescribing the area available for seating.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

**For the Amendment:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**Against the Amendment:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF NEW CLAUSES 3(f) AND 3(g).

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

## **UNANIMOUS DECISION**

That Council:

1. Publicly exhibits the draft Footpath Seating Policy and Guidelines and associated amendments to the Waverley Development Control Plan 2022 attached to the report for 42 days.
2. Notes the following key amendments are proposed to the current Waverley Development Control Plan 2022:
  - (a) Removing the requirement for adherence to a seating plan, in favour of only prescribing the area available for seating.
  - (b) Removing requirement for strict compliance with the National Construction Code for sanitary facilities for the purpose of calculating the number of outdoor dining seats/patrons.
  - (c) Reducing the minimum kerb setback from 1.5 m to 1 m where footpath seating is located adjacent to the roadway, increasing the space available for footpath seating while ensuring adequate access to parked cars.
  - (d) Adopting a 1.5 m setback from building corners, as opposed to the current '45-degree splayed setback', to simplify interpretation.
  - (e) Simplifying the hours of operation for footpath seating, including expanding the maximum hours in Local and Commercial Centres (E1 and E2) as well as Mixed Use (MU1) zones from 7 am-9 pm to 6 am-10.00 pm.
  - (f) Detailed guidance on the application process to assist business operators.
  - (g) Updated graphics and diagrams to reflect public domain improvements and interpretation.
3. Requests the Mayor to inform the following stakeholders of the exhibition of the draft Footpath Seating Policy and Guidelines:
  - (a) Waverley Business Forum.
  - (b) Bondi and Districts Chamber of Commerce.
  - (c) Member for Vaucluse, Kellie Sloane MP.
  - (d) Member for Coogee, Marjorie O'Neill MP.
  - (e) Member for Wentworth, Allegra Spender MP.
  - (f) Minister for Small Business, the Hon Stephen Kamper MP.

- (g) Minister for Local Government, the Hon Ron Hoenig MP.

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

*E Constantinou (on behalf of Bondi and Districts Chamber of Commerce) and J Roach (on behalf of Consume) addressed the meeting.*

**CM/7.14/25.04      Affordable Housing Contribution Scheme Funding and Planning Agreement Policy (Amendment No. 6) - Exhibition (A15/0046)**

**MOTION**

Mover: Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Publicly exhibits the draft Planning Agreement Policy (Amendment No. 6) attached to the report (Attachment 1) for 28 days, with the following amendments:
  - (a) Deleting the 25% maximum standard affordable housing allocation.
  - (b) Deleting the Waverley Public Benefit Register and instead relying on works identified in Council's Development Contributions Plan.
  - (c) Clarifying that planning agreements can be approved by Council or Council Committee, and that affixing the Council seal is not required.
2. Requests the Mayor to write to the following stakeholders of the exhibition:
  - (a) Member for Vaucluse, Kellie Sloane MP.
  - (b) Member for Coogee, Marjorie O'Neill MP.
  - (c) Member for Wentworth, Allegra Spender MP.
3. Officers prepare a report to Council following the exhibition period.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF NEW CLAUSES 2(e) AND 2(f).

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Publicly exhibits the draft Planning Agreement Policy (Amendment No. 6) attached to the report (Attachment 1) for 28 days, with the following amendments:
  - (a) Deleting the 25% maximum standard affordable housing allocation.
  - (b) Deleting the Waverley Public Benefit Register and instead relying on works identified in Council's Development Contributions Plan.

- (c) Clarifying that planning agreements can be approved by Council or Council Committee, and that affixing the Council seal is not required.
2. Requests the Mayor to write to the following stakeholders of the exhibition:
- (a) Member for Vaucluse, Kellie Sloane MP.
  - (b) Member for Coogee, Marjorie O'Neill MP.
  - (c) Member for Wentworth, Allegra Spender MP.
  - (d) Minister for Housing, the Hon Rose Jackson MLC.
  - (e) Minister for Local Government, the Hon Ron Hoenig MP.
3. Officers prepare a report to Council following the exhibition period.

**CM/7.15/25.04      Petitions - Fig Tree at 28-30 Edward Street, Bondi (A25/0630)**

*A notice of motion to rescind this resolution has been submitted with the General Manager. The rescission motion will be considered at the Council meeting on 20 May 2025.*

**MOTION**

Mover: Cr Nemesh  
Seconder: Cr Spicer

That Council:

1. Treats the attachments to the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as they relate to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*, except for Attachment 1 (Epic Engineers report). The attachments contain information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Notes the following observations from the Epic Engineers report from 2018:
  - (a) A large Ficus tree was observed to be growing against the kerb with obvious tree roots affecting the road, kerb, gutter, driveway and surrounds.
  - (b) The street tree was found to have a large root system spanning over 30 metres up the driveway and this had caused significant cracking and movement of the driveway and caused a lean on the right-side boundary retaining wall.
  - (c) Cracking was found throughout the driveway traversing in two different tangents which lead the author to believe the roots were traversing below the slab in numerous directions.
  - (d) Cracking to the driveway was noted to run approximately 30 metres up the driveway from the origin of the tree trunk and was believed to be working its way around the foundation system of the building.
  - (e) The report stated that it was inevitable that the tree roots will eventually find their way into the building's garage area. This has now occurred.

- (f) The tree roots could eventually begin to damage the foundations of the building, which is considered an unacceptable structural risk for such a large block of units.
  - (g) The driveway was found to be extensively cracked causing the driveway to work as numerous concrete segments instead of one larger sheet as it would have been originally designed to do.
  - (h) The cracking to the right-hand driveway adjacent to the retaining wall has caused the slab to lift and the retaining wall to crack, move and lift in various directions and this will cause a loss in the structural adequacy of the wall.
  - (i) The location of the street tree root system is now very close if not already at the building footings and this may eventually cause upheaval of the footing system.
  - (j) Another problem with tree roots growing close to building foundation material is that the roots have the ability to suck the moisture out of the surrounding soil which causes the soil to shrink and this can cause subsidence of the surrounding structures
  - (k) The report concluded that the subject street tree is too close to the existing property and the roots have spread beneath the driveway.
  - (l) The report author is of the opinion that over time the tree trunk and the roots will cause further structural damage and that the tree should be removed in its entirety to prevent any further root growth and any further damage to the property.
3. Notes the petitions opposing the planned removal of the fig tree in front of 28-30 Edward Street, Bondi.
4. Removes the tree in front of 28-30 Edward Street in accordance with the Tree Officers' assessment and tree removal notice dated 10 March 2025.
5. Writes to the following stakeholders informing of this resolution:
- (a) The owners corporation of 28-30 Edward Street.
  - (b) The Member for Vaucluse, Kellie Sloane MP.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSE 1 SUCH THAT IT NOW READS AS FOLLOWS:

'Treats the attachments to the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as they relate to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*, except for Attachment 1 (Epic Engineers report), Attachment 5 (monetary tree valuation, subject to the figures in the table being redacted) and Attachment 6 (notice of tree removal dated 10 March 2025). The attachments contain information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.'

**FORESHADOWED MOTION (LAPSED)**

Mover: Cr Lewis

That Council:

1. Treats the attachments to the report as confidential in accordance with section 11(3) of the

*Local Government Act 1993*, as they relate to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*, except for Attachment 1 (Epic Engineers report), Attachment 5 (monetary tree valuation, subject to the figures in the table being redacted) and Attachment 6 (notice of tree removal dated 10 March 2025). The attachments contain information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

2. Notes the following observations from the Epic Engineers report from 2018:

- (a) A large Ficus tree was observed to be growing against the kerb with obvious tree roots affecting the road, kerb, gutter, driveway and surrounds.
- (b) The street tree was found to have a large root system spanning over 30 metres up the driveway and this had caused significant cracking and movement of the driveway and caused a lean on the right-side boundary retaining wall.
- (c) Cracking was found throughout the driveway traversing in two different tangents which lead the author to believe the roots were traversing below the slab in numerous directions.
- (d) Cracking to the driveway was noted to run approximately 30 metres up the driveway from the origin of the tree trunk and was believed to be working its way around the foundation system of the building.
- (e) The report stated that it was inevitable that the tree roots will eventually find their way into the building's garage area. This has now occurred.
- (f) The tree roots could eventually begin to damage the foundations of the building, which is considered an unacceptable structural risk for such a large block of units.
- (g) The driveway was found to be extensively cracked causing the driveway to work as numerous concrete segments instead of one larger sheet as it would have been originally designed to do.
- (h) The cracking to the right-hand driveway adjacent to the retaining wall has caused the slab to lift and the retaining wall to crack, move and lift in various directions and this will cause a loss in the structural adequacy of the wall.
- (i) The location of the street tree root system is now very close if not already at the building footings and this may eventually cause upheaval of the footing system.
- (j) Another problem with tree roots growing close to building foundation material is that the roots have the ability to suck the moisture out of the surrounding soil which causes the soil to shrink and this can cause subsidence of the surrounding structures
- (k) The report concluded that the subject street tree is too close to the existing property and the roots have spread beneath the driveway.
- (l) The report author is of the opinion that over time the tree trunk and the roots will cause further structural damage and that the tree should be removed in its entirety to prevent any further root growth and any further damage to the property.

3. Notes the petitions opposing the planned removal of the fig tree in front of 28-30 Edward Street, Bondi.



4. Writes to the following stakeholders informing of this resolution:

- (a) The Owners Corporation of 28-30 Edward Street.
- (b) The Member for Vacluse, Kellie Sloane MP.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 1 AND THE ADDITION OF A NEW CLAUSE 5(c).

CR FABIANO THEN MOVED A MOTION OF DISSENT ON THE CHAIR'S RULING THAT HIS RULINGS WERE CONSISTENT.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

### **Division**

**For the Motion of Dissent:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**Against the Motion of Dissent:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

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

### **DECISION**

That Council:

1. Treats the attachments to the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as they relate to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*, except for Attachment 1 (Epic Engineers report dated 8 October 2018), Attachment 5 (monetary tree valuation, subject to the figures in the table being redacted) and Attachment 6 (notice of tree removal dated 10 March 2025). The attachments contain information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Notes the following observations from the Epic Engineers report from 2018:
  - (a) A large Ficus tree was observed to be growing against the kerb with obvious tree roots affecting the road, kerb, gutter, driveway and surrounds.
  - (b) The street tree was found to have a large root system spanning over 30 metres up the driveway and this had caused significant cracking and movement of the driveway and caused a lean on the right-side boundary retaining wall.
  - (c) Cracking was found throughout the driveway traversing in two different tangents which lead the author to believe the roots were traversing below the slab in numerous directions.
  - (d) Cracking to the driveway was noted to run approximately 30 metres up the driveway from the origin of the tree trunk and was believed to be working its way around the foundation system of the building.
  - (e) The report stated that it was inevitable that the tree roots will eventually find their way into the building's garage area. This has now occurred.
  - (f) The tree roots could eventually begin to damage the foundations of the building, which is

considered an unacceptable structural risk for such a large block of units.

- (g) The driveway was found to be extensively cracked causing the driveway to work as numerous concrete segments instead of one larger sheet as it would have been originally designed to do.
  - (h) The cracking to the right-hand driveway adjacent to the retaining wall has caused the slab to lift and the retaining wall to crack, move and lift in various directions and this will cause a loss in the structural adequacy of the wall.
  - (i) The location of the street tree root system is now very close if not already at the building footings and this may eventually cause upheaval of the footing system.
  - (j) Another problem with tree roots growing close to building foundation material is that the roots have the ability to suck the moisture out of the surrounding soil which causes the soil to shrink and this can cause subsidence of the surrounding structures
  - (k) The report concluded that the subject street tree is too close to the existing property and the roots have spread beneath the driveway.
  - (l) The report author is of the opinion that over time the tree trunk and the roots will cause further structural damage and that the tree should be removed in its entirety to prevent any further root growth and any further damage to the property.
3. Notes the petitions opposing the planned removal of the fig tree in front of 28-30 Edward Street, Bondi.
4. Removes the tree in front of 28-30 Edward Street in accordance with the Tree Officers' assessment and tree removal notice dated 10 March 2025.
5. Writes to the following stakeholders informing of this resolution:
- (a) The Owners Corporation of 28-30 Edwards Street, Bondi.
  - (b) The Member for Vaucluse, Kellie Sloane MP.
  - (c) The Minister for the Environment, the Hon Penny Sharpe MLC.

**Division**

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

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

*C Morris and N Udachina (chief petitioners) addressed the meeting.*

**CM/7.16/25.04      Petition - Blair Street and Wairoa Avenue Intersection, North Bondi - Pedestrian Crossing (A03/0579)**

*Cr Lewis declared a less than significant non-pecuniary interest in this item and informed the meeting that he owns properties on this corner and his son resides in one of those properties.*

**MOTION / UNANIMOUS DECISION**

Mover: Cr Stephenson

Seconder: Cr Merten

That Council:

1. Notes the petition requesting the installation of a pedestrian crossing at the intersection of Blair Street and Wairoa Avenue, North Bondi.
2. Notes that the Blair Street and Wairoa Avenue intersection and the lack of comfortable pedestrian crossings have been identified as part of the Bondi Local Area Traffic Management project, that treatment concepts are in development and that Council considers the petition within that project as a priority location.
3. Installs wayfinding signage at this location.

*C Waugh (chief petitioner) addressed the meeting.*

**CM/7.17/25.04      Transport for NSW Draft Permit Parking Guidelines and Pay Parking and Controlled Loading Zone Guidelines - Submission (SF19/2988)**

**MOTION**

Mover: Cr Nemesh

Seconder: Cr Stephenson

That Council approves the submission to Transport for NSW attached to the report (Attachment 4) on the draft Permit Parking Guidelines and draft Pay Parking and Controlled Loading Zone Guidelines, noting:

1. Council's concerns with the guidelines, particularly regarding potential impacts on established local parking schemes and management practice.
2. Council's preference to maintain reasonable local discretion in permit eligibility and pricing and Council's capacity to set policy based on local conditions.
3. Council is currently reviewing its resident parking scheme, with the next meeting of the Resident Parking Scheme Review Committee scheduled for June 2025.
4. Requests the Mayor to write to the following individuals informing them of Council's submission:
  - (a) Member for Vaucluse, Kellie Sloane MP.
  - (b) Member for Coogee, Marjorie O'Neill MP.
  - (c) Mayor of Woollahra, Cr Sarah Swan.
  - (d) Mayor of Randwick, Cr Dylan Parker.

- (e) Mayor of Mosman, Cr Ann Marie Kimber.
- (f) Mayor of Bayside, Cr Ed McDougall.
- (g) Mayor of Sutherland Shire, Cr Jack Boyd.
- (h) Mayor of Northern Beaches, Cr Sue Heins.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF A NEW CLAUSE 4(i).

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

### **UNANIMOUS DECISION**

That Council approves the submission to Transport for NSW attached to the report (Attachment 4) on the draft Permit Parking Guidelines and draft Pay Parking and Controlled Loading Zone Guidelines, noting:

1. Council's concerns with the guidelines, particularly regarding potential impacts on established local parking schemes and management practice.
2. Council's preference to maintain reasonable local discretion in permit eligibility and pricing and Council's capacity to set policy based on local conditions.
3. Council is currently reviewing its resident parking scheme, with the next meeting of the Resident Parking Scheme Review Committee scheduled for June 2025.
4. Requests the Mayor write to the following individuals informing them of Council's submission:
  - (a) Member for Vacluse, Kellie Sloane MP.
  - (b) Member for Coogee, Marjorie O'Neill MP.
  - (c) Mayor of Woollahra, Cr Sarah Swan.
  - (d) Mayor of Randwick, Cr Dylan Parker.
  - (e) Mayor of Mosman, Cr Ann Marie Kimber.
  - (f) Mayor of Bayside, Cr Ed McDougall.
  - (g) Mayor of Sutherland Shire, Cr Jack Boyd.
  - (h) Mayor of Northern Beaches, Cr Sue Heins.
  - (i) The Lord Mayor of Sydney, Clover Moore.

**CM/7.18/25.04      Tender Evaluation - Alexandria Integrated Facility (AIF) Wash Bay  
(A24/1081)**

**MOTION / DECISION**

Mover:      Cr Nemesh  
Seconder: Cr Westwood

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. Declines to accept any of the tenders for the design and construction of a wash bay at the Alexandria Integrated Facility, 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 via specialised contractors.
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 the top ranked tenderer with a view to entering into a contract for the design and construction of a wash bay at the Alexandria Integrated Facility, as the top ranked tenderer scored highly and had a high-quality submission, but the various options put forward in the tender submission and the final location of the wash bay need to be further discussed and 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*.

**8. Notices of Motion**

**CM/8.1/25.04      Tree Vandalism - Increased Penalties (A22/0383)**

**MOTION / DECISION**

Mover:      Cr Westwood  
Seconder: Cr Stephenson

That Council:

1. Recognises the increasing incidents of tree vandalism, which leads to environmental degradation, loss of biodiversity and disputes between residents.
2. Acknowledges the importance of protecting trees under the *Environmental Planning and Assessment Act 1979*, the *Biodiversity Conservation Act 2016* and local tree preservation orders made under the *Local Government Act 1993*.
3. Notes the following:

- (a) Penalties for tree vandalism under the *Environmental Planning and Assessment Regulation 2021* and the *Environmental Planning and Assessment Act 1979* are currently inadequate as a deterrent.
  - (b) The monetary penalty is \$3,000 for an individual and \$6,000 for a company, as prescribed in schedule 5 of the *Environmental Planning and Assessment Regulation 2021*.
  - (c) Council has no discretion to vary the penalty amount.
4. Officers prepare a submission, to be considered at the May Council meeting, on the State Government's Explanation of Intended Effect (EIE) – Changes to Deter Illegal Tree and Vegetation Clearing, which seeks to protect urban tree canopy by proposing stronger penalties for illegal tree removal, with the submission to include increased fines for tree vandalism and greater enforcement powers for Council to impose penalties.
5. Officers prepare a report to Council no later than June 2025 outlining:
- (a) The current penalties imposed for tree vandalism under the *Environmental Planning and Assessment Regulation 2021* and the *Environmental Planning and Assessment Act 1979*.
  - (a) Reported cases of tree vandalism and illegal pruning/removal reported in the Waverley local government area since 2024.
  - (b) Recommendations for additional enforcement mechanisms.
  - (c) A proposal for a media communication plan to inform the Waverley community of:
    - (i) The importance of Waverley's tree canopy for urban cooling, habitat and beautification.
    - (ii) Information regarding penalties for the illegal removal of trees.
    - (iii) Education on reporting mechanisms to report incidences of vandalism.
    - (iv) Promoting resident engagement with groups such as Bushcare.
    - (v) Creative ideas to encourage community engagement with tree conservation.
6. Informs the following stakeholders of this motion:
- (a) Federal Member for Wentworth, Allegra Spender MP.
  - (b) State Member for Vaucluse, Kellie Sloane MP.
  - (c) State Member for Coogee, Marjorie O'Neill.
  - (d) The Mayor of Woollahra, Cr Sarah Swan.
  - (e) The Mayor of Randwick, Cr Dylan Parker.

**CM/8.2/25.04      Bondi Road Streetscape Beautification (A25/0484)****MOTION / DECISION**

Mover: Cr Spicer  
Seconded: Cr Nemesh

That Council:

1. Undertakes beautification initiatives along Bondi Road (between Park Parade and Denham Street), focused on enhancing public amenity, improving visual appeal and increasing the pedestrian experience.
2. Notes the beautification program may include:
  - (a) High-pressure cleaning of footpaths and public infrastructure.
  - (b) Repairing footpaths where required.
  - (c) Planter boxes and verge greenery.
  - (d) Improvements to street furniture.
  - (e) Creative lighting, which may include fairy lights.
  - (f) Tidying up street signage.
3. Allocates \$80,000 in the 2025-26 budget to support the beautification initiative.
4. Initiates the preparation of a Bondi Road scoping study, with a report to be prepared to Council by the October 2025 Council meeting, and allocates \$20,000 in the 2025-26 budget to fund its preparation.
5. Notes that the scoping study is to identify the planning, transport, heritage, safety and beautification considerations required to support future upgrades along the Bondi Road corridor, and to ensure alignment with broader strategic initiatives.
6. Requests that the scoping study include, but not be limited to, consideration of the following:
  - (a) Planning implications.
  - (b) Transport and traffic management improvements.
  - (c) Heritage considerations.
  - (d) Streetscape and beautification opportunities.
  - (e) Safety upgrades.
  - (f) Urban built form.
  - (g) Cost estimates, time frames and resourcing requirements to implement recommendations of the scoping study.

**CM/8.3/25.04          Planning Proposal - Council Chambers (A24/0987)****MOTION**

Mover:      Cr Nemesh

Seconder: Cr Spicer

That Council:

1. Notes that the current zoning of the Council Chambers on Bondi Road is SP2 Infrastructure.
2. Notes that any future uses for the Council Chambers site are to be limited to land uses compatible with the location and surrounding recreational and open space zoning.
3. Initiates a planning proposal to rezone the Council Chambers site from SP2 Infrastructure to RE1 Public Recreation.
4. Officers prepare a report to Council no later than July 2025 on a draft planning proposal to rezone the Council Chambers site from SP2 Infrastructure to RE1 Public Recreation.

**AMENDMENT**

Mover:      Cr Lewis

Seconder: Cr Masselos

That:

1. Clauses 3 and 4 be deleted.
2. The following clause be added to the motion:  
  
‘Officers prepare a report to Council no later than July 2025 on options available to Council to rezone the Council Chambers site.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 4.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Notes that the current zoning of the Council Chambers on Bondi Road is SP2 Infrastructure.
2. Notes that any future uses for the Council Chambers site are to be limited to land uses compatible with the location and surrounding recreational and open space zoning.
3. Initiates a planning proposal to rezone the Council Chambers site from SP2 Infrastructure to RE1 Public Recreation.
4. Officers prepare a report to Council no later than July 2025 on a draft planning proposal to rezone the Council Chambers site from SP2 Infrastructure to RE1 Public Recreation and other options available to Council to rezone the site.

**Division****For the Motion:**      Crs Fabiano, Frazer, Lewis, Merten, Nemesh, Spicer, Spooner, Stephenson,



Townsend, Westwood and Wy Kanak.

**Against the Motion:** Crs Masselos.

**CM/8.4/25.04          RESCISSION MOTION - ME/7.2/24.10 - Casual Vacancies (SF24/2400)**

*A notice of motion to rescind this resolution has been submitted with the General Manager. The rescission motion will be considered at the Council meeting on 20 May 2025.*

**MOTION**

Mover: Cr Spicer

Seconder: Cr Westwood

That Council:

1. Rescinds resolution ME/7.2/24.10 – Casual Vacancies, passed at the extraordinary Council meeting (mayoral election) on 10 October 2024.
2. Notifies the NSW Electoral Commission of Council's decision.

CR LEWIS THEN MOVED A MOTION OF DISSENT ON THE CHAIR'S RULING THAT THE MOTION WAS LAWFUL AND THAT THE RESOLUTION COULD BE RESCINDED EVEN IF IT HAD BEEN CARRIED INTO EFFECT.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

**Division**

**For the Motion of Dissent:** Crs Fabiano, Lewis, Masselos, Merten, Spooner and Wy Kanak.

**Against the Motion of Dissent:** Crs Frazer, Nemesh, Spicer, Stephenson, Townsend and Westwood.

A PROCEDURAL MOTION THAT THE MOTION BE NOW PUT, MOVED BY CR WESTWOOD, WAS THEN PUT AND DECLARED CARRIED.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Rescinds resolution ME/7.2/24.10 – Casual Vacancies, passed at the extraordinary Council meeting (mayoral election) on 10 October 2024.
2. Notifies the NSW Electoral Commission of Council's decision.

**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/8.5/25.04 Late Night Trading Hours in Bondi Junction - Extension (A16/0262)**

*A notice of motion to rescind this resolution has been submitted with the General Manager. The rescission motion will be considered at the Council meeting on 20 May 2025.*

*Cr Lewis declared a less than significant non-pecuniary interest in this item and informed the meeting that his wife is a director of companies that own pubs that do not operate in the Waverley local government area.*

**MOTION**

Mover: Cr Nemesh  
Seconder: Cr Westwood

That Council:

1. Amends the Late Night Trading Area Map included in Part D (Commercial and Retail Development), section 1.3 (Hours of Operation) of the Waverley Development Control Plan (DCP), which sets base trading hours of Sunday to Saturday, 6 am to 3 am, by including the Tea Gardens Hotel (4A Bronte Road, Bondi Junction).
2. Incorporates this DCP map amendment into the next DCP housekeeping review.
3. Informs the Tea Gardens Hotel of this motion.

A PROCEDURAL MOTION THAT THE MOTION BE NOW PUT, MOVED BY CR WESTWOOD AND SECONDED BY CR NEMESH, WAS THEN PUT AND DECLARED CARRIED.

**Division**

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

**Against the Procedural Motion:** Crs Lewis and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Amends the Late Night Trading Area Map included in Part D (Commercial and Retail Development), section 1.3 (Hours of Operation) of the Waverley Development Control Plan (DCP), which sets base trading hours of Sunday to Saturday, 6 am to 3 am, by including the Tea Gardens Hotel (4A Bronte Road, Bondi Junction).
2. Incorporates this DCP map amendment into the next DCP housekeeping review.
3. Informs the Tea Gardens Hotel of this motion.

**Division**

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

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

*J Ryan (on behalf of Tea Gardens Hotel) and M Makhlin (on behalf Bondi and Districts Chamber of Commerce) addressed the meeting.*

**CM/8.6/25.04      Bondi Beach Beautification (A25/0484)****MOTION**

Mover: Cr Stephenson

Seconder: Cr Frazer

That Council:

1. Notes that some streetscape areas within the Bondi Basin are in poor condition and in need of an upgrade.
2. Installs fairy lights in:
  - (a) Hall Street, between Glenayr Avenue and Campbell Parade.
  - (b) Roscoe Street, between Gould Street and Campbell Parade
3. Funds the installation of the fairy lights from existing 2025-26 capital works budget allocation for the Campbell Parade streetscape upgrade.
4. Officers investigate the cost of, and prepare a report to Council on, replacing dilapidated pavers, fixing the walls and replanting the garden beds to improve natural landscape at the corner of O'Brien Street and Glenayr Avenue.
5. Plants appropriate native vegetation within Biddigal Reserve to improve the natural landscape and amenity, to be funded through the existing budget allocation for tree planting in 2025-26.
6. Informs the following stakeholders of this motion:
  - (a) Bondi and Districts Chamber of Commerce.
  - (b) Businesses in Hall Street and Roscoe Street.
  - (c) Friends of Biddigal Reserve.
  - (d) Bondi Ward Precincts.

**AMENDMENT**

Mover: Cr Merten

Seconder: Cr Lewis

That clause 4 be deleted.

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 6(b).

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

**UNANIMOUS DECISION**

That Council:

1. Notes that some streetscape areas within the Bondi Basin are in poor condition and in need of an upgrade.

2. Installs fairy lights in:
  - (a) Hall Street, between Glenayr Avenue and Campbell Parade.
  - (b) Roscoe Street, between Gould Street and Campbell Parade.
3. Funds the installation of the fairy lights from existing 2025-26 capital works budget allocation for the Campbell Parade streetscape upgrade.
4. Officers investigate the cost of, and prepare a report to Council on, replacing dilapidated pavers, fixing the walls and replanting the garden beds to improve natural landscape at the corner of O'Brien Street and Glenayr Avenue.
5. Plants appropriate native vegetation within Biddigal Reserve to improve the natural landscape and amenity, to be funded through the existing budget allocation for tree planting in 2025-26.
6. Informs the following stakeholders of this motion:
  - (a) Bondi and Districts Chamber of Commerce.
  - (b) Businesses in Hall Street, Roscoe Street and Glenayr Avenue in the vicinity of Hall Street.
  - (c) Friends of Biddigal Reserve.
  - (d) Bondi Ward Precincts.

**CM/8.7/25.04          Blair Street and Wairoa Avenue Intersection, North Bondi - Pedestrian Crossing (A03/0579)**

*Cr Lewis declared a less than significant non-pecuniary interest in this item and informed the meeting that he owns properties on this corner and his son resides in one of those properties.*

**MOTION / UNANIMOUS DECISION**

Mover: Cr Merten  
Seconder: Cr Lewis

That Council:

1. Notes that Council has received a petition with over 500 signatures calling for a pedestrian crossing at the corner of Blair Street and Wairoa Avenue, North Bondi.
2. Notes that Council has received the Bondi Local Area Traffic Management (LATM) Study's recommendations for:
  - (a) Holistic safety and amenity upgrades.
  - (b) Priority locations for enhancing pedestrian safety.
3. Notes that officers have advised that the upcoming Walking Strategy, to be presented to Council, identifies Blair Street and Wairoa Avenue as a location requiring a safety upgrade.
4. Includes Blair Street and Wairoa Avenue in the list of priority locations for funding and upgrades in the LATM works.

5. Applies for funding from the Active Transport program in December 2025 to deliver pedestrian safety at Blair Street and Wairoa Avenue.
6. Urgently installs clear signage as an interim measure at the intersection, with signs showing how to get to Bondi Beach (like the signs at the northern end of Blair Street).

**CM/8.8/25.04            Tree Maintenance and Preservation (A22/0383)**

**MOTION**

Mover:        Cr Merten  
Seconded:   Cr Spooner

That Council:

1. Notes that Council undertook an extensive Public Domain Tree Audit in 2022.
2. Creates a Strategic Tree Management Report based on the survey data.
3. Proposes a management plan for identified high-risk trees or those coming to end of life and requiring replacement in the next three years, as part of the Strategic Tree Management Report.
4. Includes the costs for replacing end-of-life/failing trees with mature trees as part of the Strategic Tree Management Report.
5. Schedules a Councillor briefing on the outcomes of the Public Domain Tree Audit.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO THE MOTION.

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

**UNANIMOUS DECISION**

That Council:

1. Notes the 32 recommendations within the 2022 Public Domain Tree inventory and canopy analysis in 2022 and specifically recommendations 11, 12, 13, 15, 16, 17 and 22, which seek to create proactive plans for tree maintenance.
2. Officers undertake an operational assessment of the recommendations and prepare a strategy tree management plan which includes:
  - (a) Identification of high-risk trees or those coming to end of life and requiring replacement in the next three years.
  - (b) Investigation of costs for replacing end-of-life/failing trees with mature trees.
  - (c) Proactive assessments to inform tree maintenance activities and schedules to promote tree health and reduce tree loss.
3. Schedules a Councillor briefing on the outcomes and recommendations of the Public Domain Tree inventory and canopy analysis.

**CM/8.9/25.04            Campbell Parade, Gould Street and Hall Street, Bondi Beach -  
Revitalisation (A25/0484)**

**MOTION**

Mover:        Cr Merten  
Seconder: Cr Spooner

That Council:

1.    Notes the dilapidated and unattractive state of Hall Street, Campbell Parade and Gould Street, Bondi Beach.
2.    Notes that Council has received the Bondi Local Area Traffic Management (LATM) Study's recommendations for safety and amenity upgrades in a separate report.
3.    Notes that Council has approved the Campbell Parade Streetscape Master Plan and that this is funded in the Long Term Financial Plan (LTFP) 6.2, including upgrades to the North Bondi bus terminus and the remaining sections of Campbell Parade.
4.    Notes that the LTFP 6.2 includes funding for a streetscape upgrade of Hall Street.
5.    Includes \$100,000 in the 2025-26 capital works budget as part of the draft LTFP 7 for a beautification upgrade of Hall Street, with consideration given to new streetscape elements like:
  - (a)    Seating.
  - (b)    Creative lighting.
  - (c)    Planting/planter boxes.
  - (d)    Outdoor dining areas.
  - (e)    Public art.
6.    Undertakes these upgrades within the 2025 calendar year.

**AMENDMENT 1**

Mover:        Cr Stephenson  
Seconder: Cr Spicer

That clause 5 be amended as follows:

‘Includes \$10,000 in the 2025-26 capital works budget as part of the draft LTFP 7 for a beautification upgrade of Hall Street, with consideration given to new streetscape elements like:

- (a)    Seating.
- (b)    Creative lighting.
- (c)    Planting/planter boxes.
- (d)    Outdoor dining areas.
- (e)    Public art.’

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

**Division**

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

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

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 5 SUCH THAT IT NOW READS AS FOLLOWS:

‘Includes \$90,000 in the 2025-26 capital works budget as part of the draft LTFP 7 for a beautification upgrade of Hall Street, with consideration given to new streetscape elements like:

- (a) Seating.
- (b) Creative lighting.
- (c) Planting/planter boxes.
- (d) Outdoor dining areas.
- (e) Public art.’

**AMENDMENT 2**

Mover: Cr Stephenson

Seconder: Cr Spicer

That clause 5 be amended as follows:

‘Includes \$20,000 in the 2025-26 capital works budget as part of the draft LTFP 7 for a beautification upgrade of Hall Street, with consideration given to new streetscape elements like:

- (a) Seating.
- (b) Creative lighting.
- (c) Planting/planter boxes.
- (d) Outdoor dining areas.
- (e) Public art.’

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

**Division**

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

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

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Notes the dilapidated and unattractive state of Hall Street, Campbell Parade and Gould Street,

Bondi Beach.

2. Notes that Council has received the Bondi Local Area Traffic Management (LATM) Study's recommendations for safety and amenity upgrades in a separate report.
3. Notes that Council has approved the Campbell Parade Streetscape Master Plan and that this is funded in the Long Term Financial Plan (LTFP) 6.2, including upgrades to the North Bondi bus terminus and the remaining sections of Campbell Parade.
4. Notes that the LTFP 6.2 includes funding for a streetscape upgrade of Hall Street.
5. Includes \$65,000 in the 2025-26 capital works budget as part of the draft LTFP 7 for a beautification upgrade of Hall Street, with consideration given to new streetscape elements like:
  - (a) Seating.
  - (b) Creative lighting.
  - (c) Planting/planter boxes.
  - (d) Outdoor dining areas.
  - (e) Public art.
6. Undertakes these upgrades within the 2025 calendar year.

**CM/8.10/25.04      Tree Vandalism - Prevention (A22/0383)**

**MOTION**

Mover:      Cr Fabiano  
Seconder: Cr Spooner

That Council:

1. Reaffirms its commitment to the protection and preservation of public trees as vital urban assets contributing to environmental sustainability, public amenity and community wellbeing.
2. Notes the ongoing issue of deliberate tree vandalism within the Waverley local government area, particularly in coastal and high-value property areas, where mature trees are targeted to improve views or increase development potential.
3. Calls for the development and implementation of a strengthened Anti-Tree Vandalism Strategy, including but not limited to:
  - (a) Increased surveillance in high-risk areas, including the use of CCTV, motion-sensor cameras and enhanced patrols.
  - (b) Public signage at sites of vandalism outlining penalties and stating that the tree will not be removed.
  - (c) Higher penalties and active pursuit of prosecutions for offenders under applicable legislation.



- (d) A tree protection awareness campaign engaging local schools, community groups and residents in valuing and protecting trees.
  - (e) A Tree Guardianship Program enabling community members to take part in tree monitoring and care.
  - (f) The creation of an online reporting tool or app for easier reporting of suspected vandalism.
  - (g) Transparent reporting of tree vandalism incidents through Council's website and social media channels.
4. Officers prepare a report to Council within three months outlining the scope, budget and timeline for implementation of the above actions.
5. Advocates for the NSW Government to introduce stronger legislative provisions and penalties to deter tree vandalism, requests that fines for breaches of the legislation be increased (\$3,000 is not enough) and calls on the NSW Government for tougher enforcement, including mandatory replanting requirements and expanded investigative powers for councils.

THE MOTION WAS PUT AND DECLARED LOST.

**Division**

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

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

**CM/8.11/25.04 Victoria Street, Charing Cross - Angle Parking and Tree Planting (A18/0541)**

**MOTION**

Mover: Cr Fabiano

Seconder: Cr Wy Kanak

That Council:

1. Notes that in some areas of Waverley, the demand for parking spaces on the streets exceeds the available supply on most days. Waverley's parking system comprises paid and permit parking, as well as residential zones, and is regularly reviewed and adjusted to ensure fair and equal access to spaces for residents, visitors, commuters and business operators.
2. Investigates the possibility of implementing angle parking in Victoria Street, including the planting of canopy trees in the parking lanes.
3. Officers prepare a report to Council within six months, outlining a timeline and allocated budget for the project.

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. Notes that in some areas of Waverley, the demand for parking spaces on the streets exceeds

the available supply on most days. Waverley's parking system comprises paid and permit parking, as well as residential zones, and is regularly reviewed and adjusted to ensure fair and equal access to spaces for residents, visitors, commuters and business operators.

2. Investigates the possibility of implementing angle parking in Victoria Street once the Charing Cross Streetscape works have been completed.
3. Officers prepare a report to Council within six months, outlining a timeline and allocated budget for the project.

**CM/8.12/25.04      Oxford Street and Ruthven Street Intersection, Bondi Junction - Safety Upgrades (A20/0069)**

**MOTION**

Mover:      Cr Masselos  
Seconder: Cr Merten

That Council:

1. Notes that:
  - (a) The intersection of Oxford Street and Ruthven Street, Bondi Junction, was upgraded as part of the cycleway installation, but as a result the intersection is now much wider.
  - (b) As a result of this widening, residents have reported the intersection as being unsafe for pedestrians trying to cross and for vehicles and cyclists trying to navigate the intersection.
2. Investigates strategies for making the intersection safe, including but not limited to:
  - (a) Installing temporary structures (such as planter boxes) on both sides of the northern edge of the pedestrian crossing and any line marking as appropriate. This is expected to reduce turning radius, which may help slow down turning vehicles and improve pedestrian safety. This would be implemented as a trial measure subject to ongoing monitoring, with a view to the implementation of a more permanent solution.
  - (b) Subject to the outcome of the monitoring of the temporary structures, other measures to reduce speed with which traffic traverses this intersection.
  - (c) Relocating the traffic lights at the intersection of Oxford Street and Nelson Street back to the southern side of the intersection of Ruthven Street and Oxford Street.
3. Officers prepare a report to Council by July 2025 detailing options, timelines and the upgrade's inclusion as a priority in the Strategic Asset Management Plan (SAMP) budget.

THE MOVER OF THE MOTION ACCEPTED THE DELETION OF CLAUSE 2(c).

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

**UNANIMOUS DECISION**

That Council:

1. Notes that:

- (a) The intersection of Oxford Street and Ruthven Street, Bondi Junction, was upgraded as part of the cycleway installation, but as a result the intersection is now much wider.
  - (b) As a result of this widening, residents have reported the intersection as being unsafe for pedestrians trying to cross and for vehicles and cyclists trying to navigate the intersection.
2. Investigates strategies for making the intersection safe, including but not limited to:
- (a) Installing temporary structures (such as planter boxes) on both sides of the northern edge of the pedestrian crossing and any line marking as appropriate. This is expected to reduce turning radius, which may help slow down turning vehicles and improve pedestrian safety. This would be implemented as a trial measure subject to ongoing monitoring, with a view to the implementation of a more permanent solution.
  - (b) Subject to the outcome of the monitoring of the temporary structures, other measures to reduce speed with which traffic traverses this intersection.
3. Officers prepare a report to Council by July 2025 detailing options, timelines and the upgrade's inclusion as a priority in the Strategic Asset Management Plan (SAMP) budget.

*S Hammond addressed the meeting.*

**CM/8.13/25.04      North Bondi Bus Terminus - Upgrade (A22/0183)**

**MOTION (WITHDRAWN)**

That Council:

- 1. Notes community consultation feedback on the North Bondi bus terminus upgrade, as well as the importance of the project.
- 2. Commits to undertaking the recommendations for the project based on this feedback.
- 3. Investigates costings around reviewed options in preparation for moving forward with the project.
- 4. Informs the following stakeholders of this motion:
  - (a) Bondi and Districts Chamber of Commerce.
  - (b) Businesses at the North Bondi terminus and surrounds.
  - (c) Transport for NSW.
  - (d) Bondi Ward Precincts.

**CM/8.14/25.04      Pedestrian Safety and In-Ground Lighting - Spring Street, Bondi Junction  
(A14/0193)**

*Cr Lewis declared a less than significant non-pecuniary interest in this item and informed the meeting that he owns a property adjacent to the crossing and his daughter resides in the property.*

**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis  
Seconder: Cr Masselos

That Council:

1. Investigates the installation of in-ground LED safety tactile lighting at the pedestrian crossing in Spring Street, Bondi Junction, between Bronka Arcade and Eastgate Shopping Centre.
2. Officers prepare a report to Council:
  - (a) On the suitability and costs of installing of LED safety tactile lighting at the Spring Street crossing.
  - (b) Identifying other high-risk intersections and pedestrian crossings within the local government area where such in-ground lighting would improve pedestrian safety.

**9. Questions with Notice**

**CM/9.1/25.04      Development Application Performance (A21/0573)**

**QUESTION**

The following questions were submitted by Cr Nemesh:

1. In relation to the NSW Government's league table for development application assessment performance by NSW councils, what is Council's current year to date performance compared with actuals for the previous 2023-2024 financial year?
2. In relation to the Southern Sydney Regional Organisation of Councils (SSROC), of which there are 12 member councils, how does Waverley rank in comparison with the average assessment time frame?

**Background**

In March 2025, NSW councils received advice from the Department of Planning, Housing and Infrastructure (DPHI) regarding the Ministerial Statement of Expectations Order, which set out (in part) performance targets for development application assessment by councils. The NSW Government has published a league table, whereby council assessment time frames are tracked on a monthly basis.

For councils not meeting assessment expectations, the NSW Government has outlined a range of powers to compel improvements to assessment processes and decrease average assessment times to deliver more homes in the community.

**General Manager's answer**

In the 2023-24 financial year, Council assessed 356 development applications with an average

assessment time frame of 122 days. Current year to date performance in the 2024-25 financial year is 246 development applications assessed with an average assessment time frame of 115 days, consistent with the Expectations Order.

In relation to the ranking of average assessment time frames in the SSROC, Waverley is the seventh best-performing council. Average assessment times of the five worst-performing councils exceed 161 days.

**Fletcher Rayner**  
**Director, Planning, Sustainability and Compliance**

## **10. Urgent Business**

There was no urgent business.

## **11. Closed Session**

**CM/11/25.04          Closed Session**

### **MOTION / DECISION**

Mover:      Cr Nemesh  
Seconder: Cr Spicer

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/11.1/25.04      CONFIDENTIAL REPORT - New Year's Eve Event at Bondi Beach - Expression of Interest Evaluation

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.

CM/11.2/25.04      CONFIDENTIAL REPORT - Bronte Surf Life Saving Club and Community Facilities Building Upgrade - Project Update and Project Agreement

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 11.13 pm, Council moved into closed session.*

**CM/11.1/25.04      CONFIDENTIAL REPORT - New Year's Eve Event at Bondi Beach - Expression of Interest Evaluation (A25/0280)**

**MOTION**

Mover: Cr Stephenson

Seconder: Cr Frazer

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. Notes the evaluation of expressions of interest for a suitably qualified organisation to be granted a licence to deliver a New Year's Eve event at Bondi Beach, as set out in the report.
3. Grants a licence to Fuzzy Operations to deliver the New Year's Eve event at Bondi Beach on 31 December 2025.
4. Notes the following inclusions as part of the Fuzzy Operations submission:
  - (a) Free, family-friendly community event, adjacent to the 18+ ticketed event, from 6 pm to 9 pm.
  - (b) 9 pm fireworks and midnight countdown with fireworks.
  - (c) Local community presale access.
  - (d) Local creatives engagement for paid event performance opportunities.
  - (e) Partnerships with local businesses for dining/attendance packages.
  - (f) Community charity fundraising opportunities.
  - (g) First Nations engagement and accessibility and inclusion attendance provisions.
  - (h) Well-known international festival partnership will carry multiple levels of audience engagement from locals to visitors to internationals.
5. Authorises the General Manager or delegate to complete negotiations and execute a licence agreement with Fuzzy Operations to deliver the New Year's Eve event at Bondi Beach in 2025 and 2026, with an option for one further year, subject to Fuzzy Operations complying with the terms and conditions of the licence.

**AMENDMENT**

Mover: Cr Masselos

Seconder: Cr Spooner

That the following clause be added to the motion:

‘Undertakes a comprehensive evaluation based on key performance indicators, in consultation with Fuzzy Operations, to determine indicators of success, what worked, what did not work and what could be improved upon.’

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. 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. Notes the evaluation of expressions of interest for a suitably qualified organisation to be granted a licence to deliver a New Year’s Eve event at Bondi Beach, as set out in the report.
3. Grants a licence to Fuzzy Operations to deliver the New Year’s Eve event at Bondi Beach on 31 December 2025.
4. Notes the following inclusions as part of the Fuzzy Operations submission:
  - (a) Free, family friendly community event, adjacent to the 18+ ticketed event, from 6 pm to 9 pm.
  - (b) 9 pm fireworks and midnight countdown with fireworks.
  - (c) Local community presale access.
  - (d) Local creatives engagement for paid event performance opportunities.
  - (e) Partnerships with local businesses for dining/attendance packages.
  - (f) Community charity fundraising opportunities.
  - (g) First Nations engagement and accessibility and inclusion attendance provisions.
  - (h) Well-known international festival partnership will carry multiple levels of audience engagement from locals to visitors to internationals.
5. Authorises the General Manager or delegate to complete negotiations and execute a licence agreement with Fuzzy Operations to deliver the New Year’s Eve event at Bondi Beach in 2025 and 2026, with an option for one further year, subject to Fuzzy Operations complying with the terms and conditions of the licence.

**CM/11.2/25.04      CONFIDENTIAL REPORT - Bronte Surf Life Saving Club and Community Facilities Building Upgrade - Project Update and Project Agreement (A24/0641)**

*A notice of motion to rescind this resolution has been submitted with the General Manager. The rescission motion will be considered at an extraordinary Council meeting on 13 May 2025.*

**MOTION**

Mover: Cr Westwood

Seconder: Cr Spicer

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. Enters into contract with Belmadar Pty Ltd for head contracting services for the Bronte Surf Life Saving Club and Community Facilities Upgrade Project
3. Notes the progress made on funding initiatives identified in the Sustainable Funding Action Plan for the project, as set out in the report.
4. Enters into the Project Agreement with the Bronte Surf Life Saving Club attached to the report.
5. Notes that the project budget of \$32,349,000 comprises two main components, with the building component costing \$23,614,770 and the public domain component costing \$8,734,230.
6. Notes that the project budget includes \$679,373 in professional fees and \$2,893,319 in contingency costs.
7. Notes that the following funding contributions have been agreed:
  - (a) Bronte Surf Life Saving Club: up to a maximum of \$4,250,000.
  - (b) Already secured Federal and State grants: \$3,345,000.
8. Notes that additional grant funding is being sought for the project in accordance with the Sustainable Funding Action Plan.
9. Publishes information about the project's funding sources on Council's website.
10. Authorises the General Manager or delegate to execute all necessary documentation.

**FORESHADOWED MOTION (LAPSED)**

Mover: Cr Lewis

That Council defers this item to an extraordinary Council meeting to be held at 6 pm on Tuesday, 13 May 2025.

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

**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)(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. Enters into contract with Belmadar Pty Ltd for head contracting services for the Bronte Surf Life Saving Club and Community Facilities Upgrade Project
3. Notes the progress made on funding initiatives identified in the Sustainable Funding Action Plan for the project, as set out in the report.
4. Enters into the Project Agreement with the Bronte Surf Life Saving Club attached to the report.
5. Notes that the project budget of \$32,349,000 comprises two main components, with the building component costing \$23,614,770 and the public domain component costing \$8,734,230.
6. Notes that the project budget includes \$679,373 in professional fees and \$2,893,319 in contingency costs.
7. Notes that the following funding contributions have been agreed:
  - (a) Bronte Surf Life Saving Club: up to a maximum of \$4,250,000.
  - (b) Already secured Federal and State grants: \$3,345,000.
8. Notes that additional grant funding is being sought for the project in accordance with the Sustainable Funding Action Plan.
9. Publishes information about the project's funding sources on Council's website.
10. Authorises the General Manager or delegate to execute all necessary documentation.

**Division**

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

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

*B Scaffidi (on behalf of Bronte Surf Life Saving Club) addressed the meeting.*

**CM/11.3/25.04      CONFIDENTIAL REPORT - Commercial Waste - Food Organics and Garden Organics (FOGO) Collection Fees (A02/0162)**

*Council dealt with this item in open session.*

**MOTION / UNANIMOUS 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)(d)(ii) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a competitor of Council.

2. Adopts the fees for commercial food organics and garden organics (FOGO) collection services, as set out in the report, for the period 1 January 2025 to 31 December 2025.

**CM/11.4/25.04            CONFIDENTIAL REPORT - Procurement Exemption - BYD Electric Vehicles (A24/0841)**

*Council dealt with this item in open session.*

**MOTION / UNANIMOUS 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)(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 purchase 11 BYD electric vehicles.
3. Authorises the General Manager or delegate to complete negotiations and execute all necessary documentation to finalise the matter.

**12. Resuming in Open Session**

**CM/12/25.04            Resuming in Open Session**

**MOTION / DECISION**

Mover:     Cr Nemesh  
Seconder: Cr Spicer

That Council resumes in open session.

*At 11.45 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 RECONVENED MEETING CLOSED AT 9.40 PM.**

.....  
**SIGNED AND CONFIRMED**  
**MAYOR**  
**20 MAY 2025**