



WAVERLEY
COUNCIL

**MINUTES OF THE ORDINARY COUNCIL MEETING OF WAVERLEY COUNCIL
HELD AT WAVERLEY COUNCIL CHAMBERS
ON TUESDAY, 19 MAY 2015**

Present:

Councillor Sally Betts (Mayor) (Chair)	Hunter Ward
Councillor Joy Clayton	Bondi Ward
Councillor Dominic Wy Kanak	Bondi Ward
Councillor John Wakefield	Bondi Ward
Councillor Leon Goltsman	Hunter Ward
Councillor Miriam Guttman-Jones	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor Andrew Cusack	Lawson Ward
Councillor Paula Masselos	Lawson Ward
Councillor Bill Mouroukas	Waverley Ward
Councillor Ingrid Strewe	Waverley Ward

Staff in attendance:

Cathy Henderson	Acting General Manager, Waverley Corporate
Linda Bathur	Acting Director, Waverley Life
Peter Monks	Director, Waverley Futures
Mark Wood	Director, Waverley Renewal
Ian Roberts	Acting Internal Ombudsman, Waverley Corporate

At the commencement of proceedings at 6.30 pm, those present were as listed above, with the exception of Cr Wakefield, who arrived at 6.45 pm.

Opening Prayer and Acknowledgement of Local 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 / Leave of Absence

An apology was received and accepted from Cr Kay.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

1. Cr Kanak declared a less than significant, non-pecuniary interest in item CM/7.12/15.05 – Sydney Talmudical College Association (Yeshiva Centre) Commercial Waste Debt, and informed the meeting that he knows some of the people connected with the debt.

3. Addresses to Council by Members of the Public

1. M McAdam – CM/4.3/15.05 – Special Meeting of the Waverley Traffic Committee – 30 April 2015.
2. M McAdam – CM/7.5/15/05 – Vision for Bondi Junction.
3. K O'Brien – CM/8.2/15.05 – Centennial Parklands Fees.

4. Confirmation and Adoption of Minutes

CM/4.1/15.05 Council Meeting – 21 April 2015 (A08/1053)

MOTION / DECISION

Mover: Cr Burrill
Seconder: Cr Clayton

That the Minutes of the Council Meeting held on 21 April 2015 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/4.2/15.05 Waverley Traffic Committee Meeting – 23 April 2015 (A08/0077)**MOTION / DECISION**

Mover: Cr Betts
Seconder: Cr Burrill

That Part 1 of the Minutes of the Waverley Traffic Committee Meeting held on 23 April 2015 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. Waverley Traffic Committee Meeting Minutes – 23 April 2015 – TV.02/15.04 – O'Donnell Street, North Bondi – 'P Motor Bikes Only' Zone (A02/0637-2)

And that this item be dealt with separately.

CM/4.2.1/15.05 Waverley Traffic Committee Meeting Minutes – 23 April 2015 – TV.02/15.04 – O'Donnell Street, North Bondi – 'P Motor Bikes Only' Zone (A02/0637-2 and A08/0077)

This matter was saved and excepted by Cr Guttman-Jones.

MOTION / DECISION

Mover: Cr Guttman-Jones
Seconder: Cr Strewe

That the matter be deferred for clarification regarding the location of the 'P Motor Bikes Only' zone.

CM/4.3/15.05 Special Meeting of the Waverley Traffic Committee – 30 April 2015 (A08/0077)**MOTION / DECISION**

Mover: Cr Betts
Seconder: Cr Burrill

That Part 1 of the Minutes of the Special Meeting of the Waverley Traffic Committee Meeting held on 30 April 2015 be received and noted, and that the recommendations contained therein be adopted.

Save and except the following:

1. Special Meeting of the Waverley Traffic Committee Minutes – 30 April 2015 – TL.01/15.04S – Bondi Junction Cycleway / Streetscape – Drawing L003 Revision D – Oxford Street, west of Denison Street to west of Ruthven Street (A14/0193).
2. Special Meeting of the Waverley Traffic Committee Minutes – 30 April 2015 – TL.02/15.04S – Bondi Junction Cycleway / Streetscape – Drawing L005 Revision D – Intersection of Spring Street and Denison Street (A14/0193).
3. Special Meeting of the Waverley Traffic Committee Minutes – 30 April 2015 – TL.03/15.04S – Bondi Junction Cycleway / Streetscape – Drawing L008 Revision F attached to the agenda and L008 Revision G tabled at the meeting – Intersection of Bronte Road and Spring Street

(A14/0193).

And that these items be dealt with separately.

M McAdam addressed the meeting.

CM/4.3.1/15.05 Special Meeting of the Waverley Traffic Committee Minutes – 30 April 2015 – TL.01/15.04S – Bondi Junction Cycleway / Streetscape – Drawing L003 Revision D – Oxford Street, west of Denison Street to west of Ruthven Street (A14/0193 and A08/0077)

This matter was saved and excepted by Cr Cusack.

MOTION / DECISION

Mover: Cr Cusack

Seconder: Cr Strewe

That:

1. The matter be referred to the Executive Manager, Creating Waverley, so as to give wider community, Councillor and professional consultation and the serious consideration of alternative routes, and that a report comes back to Council.
2. If needed, consultation be undertaken with Woollahra Council.
3. Technical consideration be given to what use could be made of York Road North as an element of the bike lane.

Division

For the Motion: Crs Clayton, Cusack, Guttman-Jones, Kanak, Masselos, Strewe and Wakefield.

Against the Motion: Crs Betts, Burrill, Goltsman and Mouroukas.

CM/4.3.2/15.05 Special Meeting of the Waverley Traffic Committee Minutes – 30 April 2015 – TL.02/15.04S – Bondi Junction Cycleway / Streetscape – Drawing L005 Revision D – Intersection of Spring Street and Denison Street (A14/0193 and A08/0077)

This matter was saved and excepted by Cr Cusack.

MOTION / DECISION

Mover: Cr Cusack

Seconder: Cr Guttman-Jones

That:

1. The matter be referred to the Executive Manager, Creating Waverley, so as to give wider community, Councillor and professional consultation and the serious consideration of alternative routes, and that a report comes back to Council.
2. If needed, consultation be undertaken with Woollahra Council.

3. Technical consideration be given to what use could be made of York Road North as an element of the bike lane.

Division

For the Motion: Crs Clayton, Cusack, Guttman-Jones, Kanak, Masselos, Strewé and Wakefield.

Against the Motion: Crs Betts, Burrill, Goltsman and Mouroukas.

CM/4.3.3/15.05 Special Meeting of the Waverley Traffic Committee Minutes – 30 April 2015 – TL.03/15.04S – Bondi Junction Cycleway / Streetscape – Drawing L008 Revision F attached to the agenda and L008 Revision G tabled at the meeting – Intersection of Bronte Road and Spring Street (A14/0193 and A08/0077)

This matter was saved and excepted by Cr Cusack.

MOTION / DECISION

Mover: Cr Strewé
Seconder: Cr Clayton

That:

1. The matter be referred to the Executive Manager, Creating Waverley, so as to give wider community, Councillor and professional consultation and the serious consideration of alternative routes, and that a report comes back to Council.
2. If needed, consultation be undertaken with Woollahra Council.
3. Technical consideration be given to what use could be made of York Road North as an element of the bike lane.

Division

For the Motion: Crs Clayton, Cusack, Guttman-Jones, Kanak, Masselos, Strewé and Wakefield.

Against the Motion: Crs Betts, Burrill, Goltsman and Mouroukas.

5. Mayoral Minutes

There were no Mayoral Minutes.

6. Obituaries**CM/6/15.05 Obituaries – May 2015 (A02/0017)****MOTION / DECISION**

Mover: Cr Kanak
Seconder: Cr Clayton

Ray Jackson
Bob Randall
Moses Havini

That a letter of sympathy be forwarded to the families of the deceased named expressing the condolences of the Mayor, Councillors and staff in the bereavement they have experienced.

Council rose for a minute's silence as a mark of respect for the deceased and for the souls of people generally who have died in our Local Government area.

Cr Strewe was not present for the vote on this item.

7. Reports**CM/7.1/15.05 Rejected Agenda Business (A09/1010)****MOTION / DECISION**

Mover: Cr Goltsman
Seconder: Cr Clayton

That Council receives and notes this report.

Cr Strewe was not present for the vote on this item.

CM/7.2/15.05 3rd Quarter 2014/15 Budget Review – March 2015 (A03/0346)**MOTION / UNANIMOUS DECISION**

Mover: Cr Cusack
Seconder: Cr Burrill

That Council:

1. Receives and notes this report on the 3rd Quarter Budget Review for 2014/15.
2. Receives and notes the Quarterly Budget Review Statement (QBRs) for the 3rd quarter 2014/15.
3. Approves for the variations to the Operating and Capital works budget in accordance with the review documents.

CM/7.3/15.05 Investment Portfolio Report – March 2015 (A03/2211)**MOTION / DECISION**

Mover: Cr Cusack

Seconder: Cr Burrill

That Council:

1. Receives this report.
2. Notes 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.

Cr Strewe was not present for the vote on this item.

CM/7.4/15.05 Progress Report on Council's 2013-17 Delivery Program (A12/0729)**MOTION / DECISION**

Mover: Cr Burrill

Seconder: Cr Goltsman

That Council receives and notes progress to date with the Operational Plan 2014-2015 in delivering strategies as identified in Council's 2013-17 Delivery Program.

Cr Strewe was not present for the vote on this item.

CM/7.5/15.05 Vision for Bondi Junction (A13/0135)**MOTION / DECISION**

Mover: Cr Burrill

Seconder: Cr Cusack

That:

1. Council adopts the amended vision for Bondi Junction as below (also Attachment 2) to become Council's vision for Bondi Junction.

Revised vision for Bondi Junction – heartbeat of the East

Our vision for Bondi Junction is:

A world-class place within the greater Sydney area, a proud part of this great global city. A destination where people want to be – an accessible, safe place that meets our current and future needs, and exceeds our expectations.

To be the heartbeat of the east – bringing people together from all over the eastern suburbs, and from further afield to live, work, and connect in the 21st Century way.

To realise our vision for Bondi Junction we will:

- *Partner with the community to foster a strong sense of place and identity*
 - *Demonstrate environmental excellence and leadership, and deliver ambitious environmental targets through low carbon energy, efficient waste management, and recycled water infrastructure*
 - *Create a thriving, flourishing, accessible and liveable destination with great public spaces and buildings, public art, and walkable streets that engage and excite everyone*
 - *Preserve the heritage and historical landscapes*
 - *Enhance our parks and green our streets for everyone's health and wellbeing*
 - *Deliver an innovative and integrated mass transport solution, as well as separated bike paths for the centre, with improved transport efficiency to alleviate congestion on our roads*
 - *Build on our unique urban coastal lifestyle and climate to maintain a high quality of life for our current and future residents*
 - *Foster and look after our diverse community through affordable and accessible services*
 - *Build on the strategic and economic importance of Bondi Junction*
 - *Facilitate growth in the centre in a strategic, appropriate, and sustainable way.*
2. Council endorses the Communications and Engagement team to commence communication of the vision for Bondi Junction to the community through Council's Bondi Junction projects.
 3. Council receives and notes the report from the Australian Centre for Excellence in Local Government at the University of Technology, Sydney, 'Bondi Junction Vision Community and Stakeholder Engagement Process' as per Attachment 1.
 4. Council notes the name 'Bondi Junction – heartbeat of the East' as the successful entry from the naming competition in the Waverley in Focus Spring edition in September 2014.
 5. Council briefs the Bondi Junction Precinct as a matter of urgency before the mainstream community engagement strategy is implemented.
 6. Officers give consideration to replacing the word 'proud' with a more appropriate term in the following sentence of the revised vision: 'A world-class place within the greater Sydney area, a proud part of this great global city.'
 7. The phrase 'in the 21st Century way' be deleted from the revised vision.

Division

For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones and Mouroukas.

Against the Motion: Crs Kanak, Strewe, Masselos and Wakefield.

M McAdam addressed the meeting.

CM/7.6/15.05 Bondi Junction Civic Heart Project (A14/0299)**MOTION / DECISION**

Mover: Cr Burrill

Seconder: Cr Cusack

That Council:

1. Endorses the following project objectives and strategies in order to create an inviting community, cultural and civic heart in Bondi Junction:

Objectives

- Plan for Council's current and future cultural, service and community facilities needs in Bondi Junction ensuring library, seniors, community and children's services are delivered in appropriate locations in Bondi Junction with facilities that meet community needs;
- Attract civic related activities that are currently lacking in Bondi Junction or may add vitality and activity to the space;
- Adaptively reuse the Council owned heritage listed boot factory;
- Do not significantly increase traffic congestion and vehicle movements in Bondi Junction;
- Include best practice environmental sustainability initiatives.

Strategies

- Develop a plan for land which includes Council owned property contained within the block bound by Spring, Ebley, Newland and Denison Streets (The Site);
- Create activity on the site that contributes to the economy of Bondi Junction and improves Bondi Junction's performance as a lifestyle based urban centre;
- Investigate the construction of a landmark building/s with excellent design quality which instils pride and ownership by the community, and maintains the amenity of nearby residential properties; and
- Create outdoor plazas and ensure open space areas are safe and engaging.

2. Endorses the following staged approach to master planning for The Site:

- Stage 1: Project Initiation and Visioning
- Stage 2: Background Studies and Options
- Stage 3: Architectural Brief
- Stage 4: Concept Designs and Naming Competition
- Stage 5: Detailed Design
- Stage 6: Construction

3. Calls for open tenders for stage 2 of the project as detailed in Section 6.3.1 of this report.
4. Adopts the Community Engagement Plan Framework for Stage 2 of the project (Attachment 4) and prepares a community engagement plan for each stage of the project as it progresses.
5. Will not make a final decision on the consolidation of administrative functions and offices until after a decision about amalgamation is finalised.
6. Re-establishes the Investment Strategy Review Working Group to provide guidance as necessary.

Division

For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Mouroukas, Strewe and Wakefield.

Against the Motion: Crs Kanak and Masselos.

CM/7.7/15.05**Bondi Pavilion Conservation Management Plan (A14/0447)****MOTION / UNANIMOUS DECISION**

Mover: Cr Clayton
Seconder: Cr Goltsman

That:

1. Council adopts the Bondi Pavilion and Surroundings Conservation Management Plan for the purposes of:
 - a) Guiding future works to Bondi Pavilion and the surrounding area.
 - b) Submission to the NSW Heritage Branch (Office of Environment and Heritage) for endorsement.
 - c) Publishing on the Waverley Council website.
2. On page 148 of the Bondi Pavilion and Surroundings Conservation Management Plan, the following amendment is inserted after Policy 7:

‘Policy 8: All physical works affecting Aboriginal heritage conservation to be undertaken in consultation with the La Perouse Local Aboriginal Land Council.’

CM/7.8/15.05**Campbell Parade Design Review (A14/0512)****MOTION / DECISION**Mover: Cr Clayton
Seconder: Cr Goltsman

That:

1. Council notes the Campbell Parade Design Review project scope and process will be undertaken in two stages:
 - a) Implementation of a Pilot Project adjacent to the Pacific Bondi development at 180-186 Campbell Parade.
 - b) Design options for the remainder of Campbell Parade.
2. Council endorses the use of a Pilot Project for a 3 year period as a means to trial new footpath seating and shade structure design and engage with the community and stakeholders.
3. Council delegates authority to the General Manager to determine the details of the Pilot Project which involves variations from the DCP.
4. Council delegates authority to the General Manager to finalise commercial negotiations with the applicant in regards to the Pilot Project.
5. Council notes that a report will be presented to Council prior to the opening of the Pilot Project with proposed concept plans and policies for the remainder of Campbell Parade and a community engagement plan for the public exhibition period.
6. Vehicle and regulatory signage posts and parking meters do not obstruct pedestrian movement between the glass balustrade and the kerb edge.
7. Council, as a matter of urgency, consults businesses with current licences for outdoor seating on Campbell Parade about the design and intention of the Pilot Study.
8. Council seeks advice on its capacity to waive or vary the endorsed Operational Plan fee for outdoor seating in regard to this location.
9. Council seeks valuation of the in-kind contribution to the developer so as to arrive at a market-based decision on any reduction in rental given.
10. If any reduction in rent is negotiated from Council's standard footpath fee, a report must come back to Council for deliberation.

AMENDMENTMover: Cr Kanak
Seconder: Cr Wakefield

That the Motion be adopted subject to Clause 1 being amended to read as follows:

'Council notes the amended Campbell Parade Design Review project scope and process to be undertaken in two stages:

- a) Implementation of a Pilot Project along Campbell Parade.
- b) Design options for Campbell Parade be canvassed in a community-commercial consultation process.'

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Kanak, Masselos, Strewe and Wakefield.

Against the Amendment: Crs Betts, Burrill, Clayton, Cusack, Goltsman and Mouroukas.

Cr Guttman-Jones was not present for the vote on this amendment.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Mouroukas and Strewe.

Against the Motion: Crs Kanak, Masselos and Wakefield.

DECISION: That the Motion be adopted.

CM/7.9/15.05 Annual Review of the Waverley Development Assessment Panel (WDAP) (A13/0229)

MOTION / DECISION

Mover: Cr Cusack

Seconder: Cr Burrill

That Council:

1. Endorses the changes recommended to the Waverley Development Assessment Panel (WDAP) Charter, Guidelines, Code of Conduct and MOU as indicated in Attachment 1.
2. Endorses changes to officer delegations in accordance with the WDAP Charter, as amended, as indicated in Attachment 1.
3. Endorses the continued membership of the WDAP without change.
4. Endorses the investigation of opportunities to further utilise the expertise of the Panel to enhance the built environment in Waverley.
5. Endorses the investigation of having the Waverley Panel replace the JRPP for relevant development matters be investigated and discussed with the NSW State Government.
6. Endorses that where Council projects and Council events have received Council endorsement via resolution of the Council, any subsequent development application may be determined by the Director Waverley Futures or delegate.
7. Continues the operation of the WDAP for an additional 4 years, and provides an annual performance review to Council.

Division

For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones and Mouroukas.

Against the Motion: Crs Kanak, Masselos, Strewé and Wakefield.

CM/7.10/15.05 Post-Exhibition Report on Planning Proposal to Amend Clause 6.7 ('Solar access to public places in Bondi Junction') and 'Height of Buildings Map' (PP-1/2014)

MOTION / DECISION

Mover: Cr Burrill

Seconder: Cr Cusack

That Council:

1. Notes the matters raised in the submissions during the public exhibition period relating to the planning proposal to amend Clause 6.7 – 'Solar access to public places in Bondi Junction' of the Waverley Local Environmental Plan 2012.
2. Supports the planning proposal for the following reasons:
 - a) Significant solar access will be maintained for Norman Lee Place and Oxford Street Mall; and
 - b) There will be no further overshadowing of Eora Park, Clementson Park, and Waverley Street Mall.
 - c) It removes unintended constraints to development in key areas of Bondi Junction;
 - d) New homes and jobs will be created in Bondi Junction;
 - e) It allows for the development of Rowe Street and improved access to the Bondi Junction Transport Interchange;
 - f) Consistency with local and State strategic policies including *Waverley Together 3* and *A Plan for Growing Sydney*.
3. Agrees to the following amendments to the planning proposal:
 - a) Leave Norman Lee Place and Oxford Street Mall in subclause (2) of Clause 6.7 but qualify the amount of overshadowing of these places that is acceptable (to allow development up to LEP heights); and
 - b) Adjust the building heights proposed for:
 - Spring Street as per the diagram 'Section 1 – Exhibited/proposed building height limits for sites directly north of Norman Lee Place'; and
 - Rowe Street to reflect the most appropriate building envelope for the site (a maximum of three stepped heights) as per the diagram 'Section 2 – Rowe Street Proposed Building Height Limits'.
4. Supports making the amendments to the Waverley Local Environmental Plan 2012 outlined in the planning proposal in conjunction with Parliamentary Counsel under the delegation received from the Department of Planning and Environment.
5. Notifies property owners of Council's decision.

Cr Kanak requested that it be recorded in the minutes that he voted against the Motion.

CM/7.11/15.05 A Plan for Growing Sydney – Submission (A10/0225)**MOTION / DECISION**

Mover: Cr Betts
Seconder: Cr Goltsman

That Council receives and notes this report and the matters raised in the attached submission relating to the preparation of the Central Subregional Plan.

CM/7.12/15.05 Sydney Talmudical College Association (Yeshiva Centre) Commercial Waste Debt (A05/1181)

Cr Kanak declared a less than significant, non-pecuniary interest in this item, and informed the meeting that he knows some of the people connected with the debt.

MOTION / DECISION

Mover: Cr Cusack
Seconder: Cr Guttman-Jones

That Council instructs its solicitors to issue a statement of liquidated claim against Yosef Feldman and Sydney Talmudical College Association for the debt owed plus costs and interest, and pursues a judgment in court and the enforcement of that judgment.

CM/7.13/15.05 Petition – Read Lane Safety (A03/0042-04 and A13/0100-03)**MOTION / DECISION**

Mover: Cr Burrill
Seconder: Cr Strewe

That the petition be received and noted and forwarded to the Executive Manager, Creating Waverley.

CM/7.14/15.05 Request for Leave of Absence – Cr Kay (A03/0029)**MOTION / DECISION**

Mover: Cr Burrill
Seconder: Cr Clayton

That Council grants a leave of absence to Cr Kay for the period 28 April 2015 to 6 June 2015 inclusive.

CM/7.15/15.05 Request for Leave of Absence – Cr Strewe (A03/0029)

The Request for Leave of Absence was withdrawn by Cr Strewe.

8. Notices of Motion**CM/8.1/15.05 2015 Local Government Aboriginal Network Conference (A03/0027)**

Notice of Motion submitted by Cr Kanak.

MOTION / DECISION

Mover: Cr Kanak
Seconder: Cr Clayton

That Council and its administration support:

1. The attendance of Indigenous Greens Councillor Dominic Wy Kanak boondiboondi at the 2015 Local Government Aboriginal Network Conference.
2. The attendance of Waverley Councillors and officers at the 2015 Local Government Aboriginal Network Conference.

CM/8.2/15.05 Centennial Parklands Fees (A05/0837)

Amended Notice of Motion submitted by Cr Kanak.

MOTION / UNANIMOUS DECISION

Mover: Cr Kanak
Seconder: Cr Betts

That Council works with Centennial Parklands and the Public School Sports Association to encourage Centennial Parklands to offer ongoing affordable access to sports fields at Centennial Parklands for public school inter-school sports competitions.

K O'Brien addressed the meeting.

CM/8.3/15.05 Planning proposal to change zoning of 109–113 Macpherson Street, Bronte, under the WLEP (2012) (PP-4/2013)

Notice of Motion submitted by Cr Masselos.

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Cusack

That Council, as part of its annual review of the WLEP, investigates changing the zoning of 109–113 Macpherson Street, Bronte, from B1 Neighbourhood Centre to R3 medium density residential, to be consistent with the adjoining zoning; and which should also consider including a new clause under Part 6, Additional Provisions, that requires the ground floor use of any future development on the land at 109-113 Macpherson Street to be retained as an RSL club. In the instance that an RSL club is no longer financially viable for the site, the ground floor use is to revert to a use permissible in the R3 zone.

Cr Wakefield was not present for the vote on this item.

**CM/8.4/15.05 Urgent submission to IPART on Fit for the Future assessment criteria
(A12/0619)**

Notice of Motion submitted by Cr Kanak.

MOTION / DECISION

Mover: Cr Kanak
Seconder: Cr Betts

That Council:

1. Makes an urgent submission to the Independent Pricing and Regulatory Tribunal ('IPART') seeking the need for more specific, objective and realistic criteria to be applied to IPART's Fit for the Future assessment methodology.
2. Urgently requests that the IPART submission deadline for methodology assessment criteria be extended from 25 May 2015 to allow Councils, in consultation with their community, adequate time to make quality submissions on the methodology assessment criteria.
3. Consults with Waverley precincts before finalising a submission to IPART on methodology assessment.
4. Receives and includes comment from Waverley councillors and precincts in Council's submission to IPART on the methodology assessment, and provides all Waverley councillors and precincts with a copy of Council's final submission to IPART on the methodology assessment criteria.

Cr Wakefield was not present for the vote on this item.

**CM/8.5/15.05 Mayor's Message in Wentworth Courier and other media regarding Sorry
Day and Reconciliation Week (A07/0432)**

Notice of Motion submitted by Cr Kanak.

MOTION / DECISION

Mover: Cr Kanak
Seconder: Cr Goltsman

That the Mayor's Message in the Wentworth Courier Column and other media include explanations on the significance of Sorry Day (26 May) and Reconciliation Week (27 May–3 June).

Cr Wakefield was not present for the vote on this item.

9. Urgent Business

There were no items of Urgent Business.

10. Closed Session**CM/10/15.05 Closed Session (A01/0649)**

Before the motion to close the meeting was put, the Chair provided an opportunity for members of the public to make representations as to whether this part of the meeting should be closed. No representations were received.

MOTION / DECISION

Mover: Cr Goltsman

Seconder: Cr Cusack

That:

1. Council moves into closed session to deal with the matters listed below, which are classified as confidential under the provisions of Section 10A(2) of the Local Government Act 1993 for the reasons specified:

CM/10.1/15.05 CONFIDENTIAL REPORT – Lease – Spotlight, Upper Floor, 65 Ebley Street, Bondi Junction

This matter is considered to be confidential under Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

CM/10.2/15.05 CONFIDENTIAL REPORT – Balcony Air Space Lease – 38 Campbell Parade, Bondi

This matter is considered to be confidential under Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

CM/10.3/15.05 CONFIDENTIAL REPORT – Evaluation of Tender – North Bondi and Marks Park Amenities Upgrade

This matter is considered to be confidential under Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

CM/10.4/15.05 CONFIDENTIAL REPORT – 67A Bourke Road, Alexandria

This matter is considered to be confidential under Section 10A(2)(c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a

commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

2. Pursuant to Section 10A(1), 10(2) and 10A(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) of the Local Government Act 1993.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the Local Government Act 1993.

Pursuant to section 10A(4) of the Act and clause 252 of the Local Government (General) Regulation, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

Cr Wakefield was not present for the vote on this item.

At 10.54 pm, Council moved into closed session and resumed in open session at 10.59 pm.

CM/10.1/15.05 CONFIDENTIAL REPORT – Lease – Spotlight, Upper Floor, 65 Ebley Street, Bondi Junction (A02/0257)

MOTION / DECISION

Mover: Cr Cusack

Seconder: Cr Burrill

That:

1. The report be treated 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) of the Local Government Act 1993.
2. Council approves a new two year lease with Spotlight Pty Ltd on the key terms and conditions outlined in this report.
3. The Mayor and General Manager be authorised to finalise negotiations, sign and execute the necessary documentation.

Cr Wakefield was not present for the vote on this item.

CM/10.2/15.05 CONFIDENTIAL REPORT – Balcony Air Space Lease – 38 Campbell Parade, Bondi (A02/0380)**MOTION / DECISION**

Mover: Cr Cusack
Seconder: Cr Clayton

That:

1. The report be treated 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) of the Local Government Act 1993.
2. Council approves a new lease to George Hay Pty Ltd & Cranbrook Holdings Pty Ltd for the lease of Stratum Air Space associated with the balcony at 38 Campbell Parade Bondi on the terms and conditions contained in this report.
3. The Mayor and General Manager are authorised to complete negotiations, sign and execute the necessary documents.

Cr Kanak requested that it be recorded in the minutes that he voted against the Motion.

Cr Wakefield was not present for the vote on this item.

CM/10.3/15.05 CONFIDENTIAL REPORT – Evaluation of Tender – North Bondi and Marks Park Amenities Upgrade (A15/0036)**MOTION / DECISION**

Mover: Cr Clayton
Seconder: Cr Goltsman

That:

1. The report be treated 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) of the Local Government Act 1993.
2. Council endorses the recommendation to enter into contract with the preferred tenderer, Grindley Constructions Pty Ltd, for both the North Bondi and Marks Park Amenities.
3. The successful and unsuccessful tenderer be notified of the decision.
4. The design for the North Bondi amenities be amended:
 - a) To remove the wood wall treatment from the area surrounding the wash bays and replace it with round cutouts to complement the roof treatment and add mirrors.
 - b) The wood cladding be whitewashed to complement the neighbouring North Bondi Surf Club.
 - c) Further consideration be made to the wall finish of the pumping station to provide some interest and pattern.

Cr Wakefield was not present for the vote on this item.

CM/10.4/15.05 CONFIDENTIAL REPORT – 67A Bourke Road, Alexandria (A12/0075 and A12/0627)

MOTION / DECISION

Mover: Cr Betts
Seconded: Cr Cusack

That:

1. The report be treated 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) of the Local Government Act 1993.
2. Council agrees to sell up to a 41% share of the Alexandria Integrated Facility located at Lots 12-16, 67A Bourke Road, Alexandria to Woollahra Municipal Council.
3. The Mayor and General Manager be authorised to negotiate the final sale price from Woollahra Council, and to execute any necessary documents under seal.

Cr Wakefield was not present for the vote on this item.

11. Resuming in Open Session

CM/11.1/15.05 Resuming in Open Session (A02/0649)

MOTION / DECISION

Mover: Cr Goltsman
Seconded: Cr Cusack

That Council resumes in Open Session.

Resolutions from Closed Session made public

In accordance with Clause 253 of the Local Government (General) Regulation 2005, when the meeting resumed in open session the Chair announced the resolutions made by Council, including the names of the movers and seconders, while the meeting was closed to members of the public and the media.

12. Meeting Closure

THE MEETING CLOSED AT 11.00 PM.

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SIGNED AND CONFIRMED
MAYOR
16 JUNE 2015