



WAVERLEY  
COUNCIL

**MINUTES OF THE OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING  
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON  
TUESDAY, 7 NOVEMBER 2017**

**Present:**

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

**Staff in attendance:**

Cathy Henderson	Acting General Manager
George Bramis	Acting Director, Waverley Futures
Rachel Jenkin	Acting Director, Waverley Life
Emily Scott	Director, Waverley Renewal
Jane Worthy	Internal Ombudsman

*At the commencement of proceedings at 7.00 pm, those present were as listed above, with the exception of Cr Wakefield, who arrived at 7.03 pm, and Cr Burrill, who arrived at 7.12 pm.*

*At 7.55 pm, the meeting was adjourned to allow the Strategic Planning and Development Committee Meeting, scheduled to commence at 7.30 pm, to be convened.*

*At 7.58 pm, the meeting was reconvened following the adjournment of the Strategic Planning and Development Committee Meeting.*

*At 10.17 pm, Cr Burrill left the meeting and did not return.*

**PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE**

The Chair 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.*

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING MOTION WAS MOVED BY CR GOLTSMAN AND SECONDED BY CR KAY:

That the audio recording of this meeting be uploaded in its entirety to Council's website and made available to the public within seven days of the meeting.

THE MOTION WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

**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 was received:

- 2.1 Cr Lewis declared a pecuniary interest in Item OC/7.1/17.11 – CONFIDENTIAL REPORT – Confidential Legal Matter, and informed the meeting the he is a registered proprietor of an apartment in the Eastgate residential towers. Cr Lewis advised that he will leave the Chamber for the consideration and vote on this item.

**3. Addresses to Council by Members of the Public**

- 3.1 R Johnson – OC/5.1/17.11 – Community Engagement Strategy and Waverley Community Plan Engagement.
- 3.2 L Shine (chief petitioner) and a resident – OC/5.8/17.11 – Petition – One-Hour Parking in Porter Street, Bondi Junction.
- 3.3 R Sardi (chief petitioner) and J Irani – OC/5.11/17.11 – Petition – Parking Restrictions in Langlee Avenue, Waverley.
- 3.4 A resident – OC/5.12/17.11 – Petition – Residential Parking Zones in Military Road and O'Donnell Street, North Bondi.

#### 4. Confirmation of Minutes

There were no minutes to confirm.

#### 5. Reports

##### OC/5.1/17.11 Community Engagement Strategy and Waverley Community Plan Engagement (A17/0229)

##### MOTION

Mover: Cr Masselos  
Seconder: Cr Goltsman

That Council:

1. Adopts the Waverley Council Community Engagement Strategy attached to this report (Attachment 1).
2. Adopts the Waverley Community Plan: Community Engagement Strategy for implementation attached to this report (Attachment 2).
3. Names the plan the Waverley Community Strategic Plan.
4. Adopts the draft themes for community consultation, as set out in this report.
5. Appoints four councillors, comprising the Mayor, Cr Masselos, Cr Wy Kanak and Cr Betts, to form a Waverley Community Strategic Plan Councillor Reference Group to advise Council during the implementation phase of community engagement for the Waverley Community Strategic Plan, in accordance with Attachment 3 to this report.

*At this stage in the proceedings, at 9.43 pm, Council moved into Committee of the Whole.*

*At 10.02 pm, Council moved back into session.*

IN ACCORDANCE WITH CL 20.1(2) OF THE CODE OF MEETING PRACTICE, THE GENERAL MANAGER REPORTED THE COMMITTEE OF THE WHOLE'S RECOMMENDATIONS AS FOLLOWS:

That the Motion be adopted subject to:

1. Clause 4 being amended to read as follows:

'Council adopts the draft themes for community consultation, as set out in this report, subject to:

- (a) Consideration being given to renaming the themes "Community Assets" and "Transport Modes and Parking".
- (b) The addition of the theme "Knowledge and Innovation".'

2. The addition of the following clause:

'The Reference Group considers engagement activities with hard-to-reach groups, children and youth.'

THE MOVER AND SECONDER OF THE MOTION THEN ACCEPTED THE COMMITTEE OF THE WHOLE'S RECOMMENDATIONS SUCH THAT THE MOTION NOW READ AS FOLLOWS:

That:

1. Council adopts the Waverley Council Community Engagement Strategy attached to this report (Attachment 1).
2. Council adopts the Waverley Community Plan: Community Engagement Strategy for implementation attached to this report (Attachment 2).
3. Council names the plan the Waverley Community Strategic Plan.
4. Council adopts the draft themes for community consultation, as set out in this report, subject to:
  - (a) Consideration being given to renaming the themes 'Community Assets' and 'Transport Modes and Parking'.
  - (b) The addition of the theme 'Knowledge and Innovation'.
5. Council appoints four councillors, comprising the Mayor, Cr Masselos, Cr Wy Kanak and Cr Betts, to form a Waverley Community Strategic Plan Councillor Reference Group to advise Council during the implementation phase of community engagement for the Waverley Community Strategic Plan, in accordance with Attachment 3 to this report.
6. The Reference Group considers engagement activities with hard-to-reach groups, children and youth.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

**UNANIMOUS DECISION:** That the Motion be adopted.

*R Johnson addressed the meeting.*

**OC/5.2/17.11                  Parking Review (A17/0529)**

**MOTION**

Mover:        Cr Wakefield  
Seconder:    Cr Wy Kanak

That Council:

1. Publicly exhibits the proposed amendments to the Residential Parking Permit Fees section of the Pricing Policy, Fees and Charges 2017–18 as contained in Table B of this report for a period of 28 days, in accordance with section 610F of the *Local Government Act 1993*.
2. Notes that a report will be submitted to the December 2017 Council meeting outlining the implications of and options for the removal of the fee for the first residential parking permit, and that this report will include feedback from the public exhibition period.

FOLLOWING DEBATE ON THIS ITEM, AND IN ACCORDANCE WITH CL 11.15 OF THE CODE OF MEETING PRACTICE, CR LEWIS MOVED A PROCEDURAL MOTION THAT THE MOTION BE NOW PUT.

THE PROCEDURAL MOTION WAS PUT AND DECLARED CARRIED.

THE SUBSTANTIVE MOTION WAS THEN PUT AND DECLARED CARRIED.

**Division**

**For the Substantive Motion:** Crs Copeland, Keenan, Lewis, Masselos, O’Neill, Wakefield and Wy Kanak.

**Against the Substantive Motion:** Crs Betts, Burrill, Goltsman, Kay and Nemesh.

**DECISION:** That the Substantive Motion be adopted.

**OC/5.3/17.11 Innovation and Knowledge Hub - Boot Factory and Waverley Library (A17/0528)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Adopts the Waverley Innovation and Knowledge Hub Steering Group charter attached to this report.
2. Agrees to seek nominations from community members and industry experts to join the Waverley Innovation and Knowledge Hub Steering Group, noting that nominees will be appointed following a separate report to Council as soon as practicable.
3. Supports the primary objectives of the Waverley Innovation and Knowledge Hub Project as:
  - (a) Adaptive reuse of the heritage-listed Boot Factory suitable for an innovation hub.
  - (b) Establishing an innovation and knowledge hub at the Boot Factory and Waverley Library.
  - (c) Involvement of the local community in decision-making processes.
  - (d) Building partnerships and supporting local creative, professional, science and technology industries.
  - (e) Establish a place function around the Boot Factory and Waverley Library in accordance with place-making principles.

**OC/5.4/17.11 Vegetation Management Plan - Thomas Hogan Reserve (SF15/786)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Kay

Seconder: Cr Wakefield

That:

1. Council approves the Vegetation Management Plan (VMP) – Thomas Hogan Reserve (attached to this report) for public release in order to better inform the community consultation currently underway on the proposed Thomas Hogan Reserve works.
2. Council notes a consultation report will come back to Council following completion of community consultation on the proposed Thomas Hogan Reserve works, and will include issues identified with

the proposed works and the VMP.

3. Council notes that the Vegetation Management Plan (VMP) – Thomas Hogan Reserve is a supporting technical document that is used to guide the future management and design of the Reserve.
4. Council officers organise an on-site meeting with residents and Waverley Ward Councillors to discuss the VMP during the community consultation period.
5. Council officers erect informational signage in Thomas Hogan Reserve as soon as possible to provide clarity on the community consultation process and the proposal under consideration for the removal of 13 trees, including 12 camphor laurels (seven of which have been deemed a safety risk) and one palm tree.
6. Council receives and considers the arborist's and ecologist's reports, commissioned by residents, as part of the review process.

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

**OC/5.5/17.11                      Tender Evaluation - North Bondi Ocean Pool Pump and Bronte Pool Pump  
(A17/0434)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Masselos  
Seconder:    Cr Burrill

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential under section 10A(2) of the *Local Government Act 1993* as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
2. Enters into a contract under clause 178 of the *Local Government (General) Regulation 2005* with Trisley's Hydraulic Services Pty Ltd for hydraulic services for the sum of \$233,250 plus GST.
3. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

**OC/5.6/17.11                      Tender Evaluation - Bondi Beach Mobile Beach Equipment Hire Services  
(A17/0444)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Wakefield  
Seconder:    Cr Goltsman

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential under section 10A(2) of the *Local Government Act 1993* as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
2. Enters into a contract under clause 178 of the *Local Government (General) Regulation 2005* with

Dorajar Pty Ltd for the Bondi Beach Mobile Beach Equipment Hire Services for the sum of \$160,000 plus GST on the terms and conditions contained in this report.

3. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

**OC/5.7/17.11 Tender Evaluation - Mill Hill EEC HVAC Upgrade (A17/0279)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Burrill  
Seconder: Cr Masselos

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential under section 10A(2) of the *Local Government Act 1993* as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.
2. Enters into a contract under clause 178 of the *Local Government (General) Regulation 2005* with RCR Haden Pty Ltd for mechanical contracting services for the sum of \$242,374 including GST.
3. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

**OC/5.8/17.11 Petition - One-Hour Parking in Porter Street, Bondi Junction (A03/2581)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos  
Seconder: Cr Wakefield

That the petition requesting the introduction of parking restrictions on the southern side of Porter Street, Bondi Junction, be forwarded to the Executive Manager, Creating Waverley, for appropriate action.

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

*L Shine (chief petitioner) and a resident addressed the meeting.*

**OC/5.9/17.11 Petition - Review of Resident Parking Scheme in Fitzgerald Street, Queens Park (A03/2581)**

**MOTION**

Mover: Cr Burrill  
Seconder: Cr Keenan

That:

1. The petition requesting a review of resident parking in Fitzgerald Street, Queens Park, be forwarded to the Executive Manager, Creating Waverley, for appropriate action.
2. A report come back to Council with recommendations concerning the residential parking scheme

request.

**AMENDMENT**

Mover: Cr Kay  
Seconder: Cr Betts

That the Motion be adopted subject to the deletion of clause 2.

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

**For the Amendment:** Crs Betts, Burrill, Goltsman, Kay and Nemesh.

**Against the Amendment:** Crs Copeland, Keenan, Lewis, Masselos, O'Neill, Wakefield and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

**UNANIMOUS DECISION:** That the Motion be adopted.

**OC/5.10/17.11          Petition - Speed Limit and Footpath in Notts Avenue, Bondi Beach (A03/0764)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield  
Seconder: Cr Wy Kanak

That:

1. The petition requesting Council to reduce the speed limit, and cantilever the northern footpath, in Notts Avenue, Bondi Beach, to improve pedestrian safety be forwarded to the Executive Manager, Creating Waverley, for appropriate action.
2. Council prepares a report on the progress of the investigation into a 10 km/h speed zone, consistent with the 2008 resolution of Council.

**OC/5.11/17.11          Petition – Parking Restrictions in Langlee Avenue, Waverley (A03/2581)****MOTION / UNANIMOUS DECISION**

Mover: Cr O'Neill  
Seconder: Cr Wy Kanak

That the petition requesting the introduction of two-hour parking in Langlee Avenue, Waverley, from Monday to Friday, 8 am–6 pm, and Saturday, 8 am–12 pm, be forwarded to the Executive Manager, Creating Waverley, for appropriate action.

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

*R Sardi (chief petitioner) and J Irani addressed the meeting.*



**OC/5.12/17.11          Petition - Residential Parking Zones in Military Road and O'Donnell Street, North Bondi (A03/2581)****MOTION / UNANIMOUS DECISION**

Mover:      Cr Wy Kanak  
Seconder:   Cr Wakefield

That the petition requesting the introduction of residential parking zones on the southern side of Military Road on either side of the bus stop (close to O'Donnell Street) and the western side of O'Donnell Street, North Bondi, be forwarded to the Executive Manager, Creating Waverley, for appropriate action.

*A resident addressed the meeting.*

**6.      Urgent Business****OC/6.1/17/11          Bus Routes 378, 379, 389 and 440 (A03/0189)**

*Council resolved to deal with this matter as an item of urgent business.*

**MOTION / UNANIMOUS DECISION**

Mover:      Cr Masselos  
Seconder:   Cr Lewis

That:

1. Council writes to the Minister for Transport and Infrastructure, and the Members for Vaucluse and Coogee to:
  - (a) Affirm Waverley Council's support for public transport.
  - (b) Request that the 378 Bronte to Railway Square Bus route be urgently reinstated in order to:
    - (i) Provide bus commuters presently using the 440 a direct bus route into the city without having to change at Bondi Junction, which is what will occur with the introduction of the 379 bus service.
    - (ii) Ensure that bus commuters do not have more travel time added to their commute because there is no longer a direct route to the city.
    - (iii) Ensure that the total present cost of the journey for bus users does not increase as a result of having to change the mode of transport at Bondi Junction to get to the city.
  - (c) Request that the 389 or an equivalent bus service allow for passengers from North Bondi via St Vincent's Hospital to the city as a direct service.
2. Council writes to the Department of Transport urgently requesting that an education campaign be immediately instituted to inform current users of the 440 bus route about the changes to the 440 bus route and introduction of the 379 bus route, which are due to be commence on 26 November, and any changes to the 389 bus route.

## Background

The 440 bus service is part of the Region 6 that is being privatised.

As a result, the 440 will run to and from Rozelle to Bondi Junction and cease to run to and from Bronte Beach after 25 November. Instead, a new bus route will be introduced on 26 November, the 379, which will run from Bronte to North Bondi. There will no longer be a direct route for bus commuters from Bronte to the city, which is a route that has been well used over the years.

## 7. Closed Session

### OC/7/17.11 Closed Session

*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. None were received.*

### MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Masselos

That:

1. Council moves into closed session to deal with the matter listed below, which is classified as confidential under the provisions of section 10A(2) of the *Local Government Act 1993* for the reason specified:

OC/7.1/17.11 CONFIDENTIAL REPORT - Confidential Legal Matter

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

2. Pursuant to sections 10A(1), 10(2) and 10A(3) of the *Local Government Act 1993*, the media and public be excluded from the meeting on the basis that the business to be considered is classified 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*.

*At 10.07 pm, Council moved into closed session.*

**OC/7.1/17.11 CONFIDENTIAL REPORT - Confidential Legal Matter (SF17/2593)**

*Cr Lewis declared a pecuniary interest in this item, and informed the meeting the he is a registered proprietor of an apartment in the Eastgate residential towers. Cr Lewis was not present at, or in sight of, the meeting for the consideration and vote on this item.*

**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield  
Seconder: Cr Goltsman

That:

1. Council treats this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(g) of the *Local Government Act 1993*. The report contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Council receives and notes this report and the confidential legal advice received to date.
3. Council officers commence negotiations with ISPT regarding the operations of Eastgate Car Park.

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

**8. Resuming in Open Session**

**OC/8/17.11 Resuming in Open Session**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield  
Seconder: Cr Nemesh

That Council resumes in open session.

*Cr Burrill was not present for the consideration and vote on this item.*

*At 10.27 pm, Council resumed 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.*

**9. Meeting Closure**

**THE MEETING CLOSED AT 10.28 PM.**

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**SIGNED AND CONFIRMED**  
**CHAIR**  
**6 FEBRUARY 2018**