



**MINUTES OF THE OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING  
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON  
TUESDAY, 6 MARCH 2018**

**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 Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Will Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward

**Staff in attendance:**

Peter Monks	Acting General Manager
Linda Bathur	Acting Director, Waverley Life
George Bramis	Acting Director, Waverley Futures
Emily Scott	Director, Waverley Renewal
Jane Worthy	Internal Ombudsman

*At the commencement of proceedings at 7.01 pm, those present were as listed above with the exception of Cr Nemesh who arrived while the meeting was in adjournment. Cr Nemesh was present when the meeting reconvened at 8.36 pm.*

*At 8.00 pm, the meeting was adjourned to allow the Strategic Planning and Development Committee Meeting to be held.*

*At 8.36 pm, the meeting was reconvened.*

**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.*

**1. Apologies/Leaves of Absence**

Apologies were received and accepted from Cr Keenan.

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

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

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

There were no addresses to Council by members of the public.

**4. Confirmation of Minutes**

**OC/4.1/18.03 Confirmation of Minutes - Operations and Community Services Committee Meeting - 6 February 2018 (SF18/245)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis

Seconder: Cr Wy Kanak

That the minutes of the Operations and Community Services Committee Meeting held on 6 February 2018 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING MOTION MOVED BY CR GOLTSMAN, SECONDED BY CR WY KANAK WAS DECLARED CARRIED UNANIMOUSLY:

That the meeting recording be made available on Council's website within seven days of the meeting.

## 5. Reports

### OC/5.1/18.03 Market Operations in Oxford Street Mall, Bondi Junction - Interim Arrangements (A10/0384)

#### MOTION / UNANIMOUS DECISION

Mover: Cr Masselos  
Seconder: Cr Wakefield

That:

1. Council notes the progress in seeking alternative options for managing the Oxford Street Mall markets and that a further report detailing the proposed model for Council to assume direct control of the markets on an interim basis will be brought to the 20 March 2018 Council meeting.
2. The Mayor and General Manager be delegated to resolve any outstanding issues prior to the next Council meeting, and that the issues and resolutions be included in the above report.

### OC/5.2/18.03 New Councillor Expenses and Facilities Policy (A17/0452)

*Immediately after the meeting, a motion to rescind this decision was lodged with the General Manager. The Rescission Motion will be considered by Council at its next meeting.*

#### MOTION

Mover: Cr Wakefield  
Seconder: Cr Wy Kanak

That Council:

1. Adopts the attached draft Councillor Expenses and Facilities Policy for the purposes of public exhibition pursuant to s 253(1) of the *Local Government Act 1993*, subject to the following amendments:
  - (a) Pg9/23 of agenda: Special Requirement and Carer Expenses: Section 6.39 and summary table on pg3/17 of agenda: Increase carer expenses from \$35 per hour to \$40 per hour.
  - (b) Pg9/23 of agenda: Section 6.39: add 'for the purposes of this clause' before the words 'official business is'.
  - (c) Pg9/23 of agenda and summary table on pg4/18 of agenda – Home Office Expenses, including stationery: Section 6.42: Increase \$1,000 to \$1,200 per councillor.
  - (d) Pg8/22 of agenda – Information and Communications Technology (ICT) expenses: Section 6.33 – Change the phrase 'Only the following ICT devices are covered...' to 'Only the following ICT devices and related items are covered...'
  - (e) Pg4/18 of agenda – Add 'One councillor parking permit per councillor' to the summary table for completeness.
  - (f) Pg4/18 of agenda – The second sentence under the summary table be amended to change 'three' to 'six' so that it reads 'Councillors must provide claims for reimbursement within six months of an expense being incurred.'
  - (g) Pg12/26 of agenda – Timeframe for Reimbursement: Section 11.15: Replace 'three months' with 'six months'.

2. Receives a further report following the closure of the exhibition period.

**AMENDMENT**

Mover: Cr Kay  
Seconder: Cr Goltsman

That the Motion be adopted subject to the draft policy being amended as follows:

1. Pg3/17 of agenda (General Travel Expenses) and Pg6/20 (section 6.2): Increase \$750 to \$1,000 per councillor, and for the Mayor.

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

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

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

**AMENDMENT**

Mover: Cr Kay  
Seconder: Cr Goltsman

That the Motion be adopted subject to the draft policy being amended as follows:

1. Pg9/23 of agenda – Special Requirement and Carer Expenses: Section 6.39: Add the following penultimate bullet point 'Attendance at miscellaneous events to a maximum of 48 hours per year' for attendance at events like the NIB awards, Business Forum, Business Awards, Sculpture by the Sea, citizenship ceremonies.

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

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

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

**AMENDMENT**

Mover: Cr Kay  
Seconder: Cr Goltsman

That the Motion be adopted subject to the draft policy being amended as follows:

1. Pg8/22 of agenda: Section 6.33: Add briefcase to the list of term-related items.

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

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

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

**AMENDMENT**

Mover: Cr Kay  
Seconder: Cr Goltsman

That the Motion be adopted subject to the draft policy being amended as follows:

1. Pg13/27 of agenda – Section 13 – In alignment with the currently endorsed Councillor Expenses and Facilities Policy, this section and any other related sections be rewritten to state that where Councillors' purchase IT equipment and related items, either outright or under a plan, the equipment

and related items remain the property of the councillor.

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

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

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

**AMENDMENT**

Mover: Cr Kay

Seconder: Cr Goltsman

That the Motion be adopted subject to the addition of the following clause:

'Obtains independent legal advice before conducting a further workshop for all Councillors on the draft policy before the end of the public exhibition period to resolve outstanding matters, especially on ownership, and to ensure the workability and appropriateness of the policy'.

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

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

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

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

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

*At 8.00pm the meeting was adjourned to allow the Strategic Planning and Development Committee meeting to be held. At 8.36pm the meeting reconvened with all Councillors present with the exception of Cr Keenan.*

**OC/5.3/18.03 Ocean Lovers Festival (A17/0607)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Wy Kanak

Seconder: Cr Wakefield

That the item be deferred to the next Council meeting for an updated report that emphasises environmental issues and other issues raised by Councillors.

**OC/5.4/18.03 Appointment of Councillor Members to Committees (A04/0335)**

*Immediately after the meeting, a motion to rescind this decision was lodged with the General Manager. The Rescission Motion will be considered by Council at its next meeting.*

**MOTION**

Mover: Cr Wakefield

Seconded: Cr Wy Kanak

That Council appoints the following councillors to replace Cr Kay on the groups below for the remainder of the term ending on 27 September 2018:

1. Cr Wy Kanak as alternate member of the Sydney Coastal Council Group.
2. Cr Masselos as member of the Waverley Surf Life Saving Club Committee.
3. Cr Goltsman as Deputy Chair of the Waverley Access Committee.

**AMENDMENT**

Mover: Cr Goltsman  
Seconded: Cr Kay

That the Motion be adopted subject to Cr Goltsman being appointed as alternate member of the Sydney Coastal Council Group, and Cr Wy Kanak being appointed as Deputy Chair of the Waverley Access Committee.

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

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

**Division**

**For the Motion:** Crs Copeland, Lewis, Masselos, O'Neill, Wakefield and WyKanak.  
**Against the Motion:** Crs Betts, Burrill, Goltsman, Kay and Nemesh.

**OC/5.5/18.03 Bondi Pavilion Community Stakeholder Committee Report - Forecourt and Curtilage (A16/0431)**

*Prior to the Amendment being moved, the Chair, Cr Copeland, declared a pecuniary interest in this item, vacated the Chair, and was not present at, or in sight of, the meeting for the remaining consideration and vote. The Alternate Chair, Cr Lewis, assumed the chair for the remainder of this item.*

**MOTION**

Mover: Cr Wakefield  
Seconded: Cr Wy Kanak

That Council:

1. Receives and notes the attached report from the Bondi Pavilion Stakeholder Committee on the recommended uses and functions of the forecourt and curtilage of the Bondi Pavilion, and thanks the Committee for its work in preparing the report.
2. Notes that the recommendations will inform the development of a revised brief for the architects subject to:
  - (a) Ensuring that the western side curtilage and colonnade, including any new or improved waste facilities, prioritises safe pedestrian access to the Pavilion from Beach Road.
  - (b) The Heritage Council being consulted on whether the glass bubble at the north-eastern corner of the Pavilion be retained or removed.

3. Notes that further reports will come to Council on:
- (a) The Bondi Pavilion Theatre.
  - (b) Phase two of the Committee's program, including a vision statement and advice on the development of future cultural programming and artistic direction at the Bondi Pavilion.

**AMENDMENT**

Mover: Cr Betts  
Seconder: Cr Nemesh

That the Motion be adopted subject to the addition of the following clause 2(c):

"The Southern Dolphin Court being available for commercial and free events where practical".

THE AMENDMENT WAS PUT AND DECLARED LOST.

**AMENDMENT (Cr Betts)**

That the Motion be adopted subject to the addition of the following clause 2(c):

"Acknowledges that the Crown Lands Act prohibits a person from residing on Crown Land and provides this information to the Stakeholder Committee and, as a priority, works with agencies such as Mission Australia and the homeless to find them alternate accommodation".

THE CHAIR RULED THE AMENDMENT OUT OF ORDER ON THE GROUNDS THAT IT DEALS WITH A SEPARATE SUBJECT MATTER TO THAT OF THE MOTION.

THE MOVER OF THE AMENDMENT THEN MOVED A MOTION OF DISSENT ON THE CHAIR'S RULING THAT THE AMENDMENT WAS OUT OF ORDER.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

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

**Division**

**For the Motion:** Crs Goltsman, Lewis, Masselos, Nemesh, O'Neill, Wakefield and WyKanak.

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

**6. Urgent Business****Homelessness at Bondi Pavilion**

*Cr Betts raised a matter of urgent business about homelessness at Bondi Pavilion. The Chair did not agree that the matter was urgent and therefore ruled that the matter could not be dealt with at the meeting.*

CR GOLTSMAN, SECONDED CR KAY, THEN MOVED A MOTION OF DISSENT ON THE CHAIR'S RULING THAT THE MATTER WAS NOT URGENT.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

**Division**

**For the Motion:** Crs Betts, Burrill, Goltsman, Kay and Nemes.

**Against the Motion:** Crs Copeland, Lewis, Masselos, O'Neill, Wakefield and WyKanak.

**7. Meeting Closure**

**THE MEETING CLOSED AT 9.28PM.**

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**SIGNED AND CONFIRMED**  
**CHAIR**  
**10 APRIL 2018**