



W A V E R L E Y
C O U N C I L

OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING

A meeting of the OPERATIONS AND COMMUNITY SERVICES COMMITTEE will be held
in the **Randwick Council Chamber, First Floor,**
90 Avoca Street, Randwick at:

7.00 PM, TUESDAY 5 JUNE 2018

Peter Monks
Acting General Manager

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Delegations of the Waverley Operations and Community Services Committee

On 10 October 2017, Waverley Council delegated to the Waverley Operations and Community Services Committee the authority to determine any matter **other than**:

1. Those activities designated under s 377(1) of the *Local Government Act* which are as follows:
 - (a) The appointment of a general manager.
 - (b) The making of a rate.
 - (c) A determination under section 549 as to the levying of a rate.
 - (d) The making of a charge.
 - (e) The fixing of a fee
 - (f) The borrowing of money.
 - (g) The voting of money for expenditure on its works, services or operations.
 - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
 - (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
 - (j) The adoption of an operational plan under section 405.
 - (k) The adoption of a financial statement included in an annual financial report.
 - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
 - (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
 - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
 - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
 - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
 - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons,
 - (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
 - (s) The making of an application, or the giving of a notice, to the Governor or Minister.
 - (t) This power of delegation.
 - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.
2. The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403, and 404 of the *Local Government Act*.

Live Streaming of Meetings

Due to the change of location, this meeting will not be live streamed.

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair will 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

2. Declarations of Pecuniary and Non-Pecuniary Interests

3. Addresses by Members of the Public

4. Confirmation of Minutes

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5. Reports

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6. Urgent Business

7. Meeting Closure

CONFIRMATION OF MINUTES OC/4.1/18.06



Subject: Confirmation of Minutes - Operations and Community Services Committee Meeting - 1 May 2018

TRIM No.: SF18/245

Author: Natalie Kirkup, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Operations and Community Services Committee meeting held on 1 May 2018 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of the Operations and Community Services Committee meeting must be submitted to Operations and Community Services Committee for confirmation, in accordance with clause 266 of the *Local Government (General) Regulation 2005*.

Attachments

1. Operations and Community Services Committee Meeting Minutes - 1 May 2018



**MINUTES OF THE OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 1 MAY 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 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 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	Manager, Internal Ombudsman's Office

At the commencement of proceedings at 7.01PM, those present were as listed above with the exception of Cr Wakefield, Mr Bramis, and Cr Wy Kanak who arrived at 7.02PM, 7.09PM and 7.57PM respectively.

At 7.59PM, the meeting was adjourned to allow the Strategic Planning and Development Committee Meeting to be held. At 8.10PM, 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 Burrill and Cr Nemesh.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr COPELAND declared a pecuniary interest in Item OC/5.4/18.05 - Bondi Pavilion Stakeholder Committee - Theatre Recommendations Report and informed the meeting that he works for the locker company at Bondi Pavilion.

3. Addresses by Members of the Public

There were no addresses by members of the public.

4. Confirmation of Minutes

OC/4.1/18.05 Confirmation of Minutes - Operations and Community Services Committee Meeting - 10 April 2018 (SF18/245)

MOTION / UNANIMOUS DECISION

Mover: Cr Copeland

Seconder: Cr Masselos

That the minutes of the Operations and Community Services Committee meeting held on 10 April 2018 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

OC/5.1/18.05 Waverley Cemetery Conservation Management Plan (A16/0668)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Adopts the Waverley Cemetery Conservation Management Plan attached to this report for the purposes of guiding future works within the Cemetery, and publishes it on Council's website.
2. Includes a reference in the Crown Lands Act in the relevant section 4, 8.6, 'Statutory and Non-statutory Authorities'.
3. Submits the Waverley Cemetery Conservation Management Plan to the Office of Environment and Heritage for endorsement.

OC/5.2/18.05 Military Road - Pinch Point Widening (A16/0524)

Immediately after the meeting, a notice of 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 Lewis

Seconder: Cr Wakefield

That Council:

1. Approves the widening of Military Road at Pinch Point Locations 1, 2 and 3, as shown in the attachment to this report.
2. Prior to the final design, consults all affected neighbours and the Diamond Bay, Dover Heights and North Bondi Precinct committees.
3. Notes that funding for the widening of Military Road will be considered in the future.

AMENDMENT (OUT OF ORDER)

Mover: Cr Betts

Seconder: Cr Kay

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

"That Council investigates implementing the upgrade of Williams Park at the same time as the proposed road widening at the bend opposite Wallis Parade and in the vicinity of 22–24 Military Road, as this area abuts the park, noting that works identified for Williams Park will be part of the Open Space and Recreation Strategy scheduled for completion in 2018/19".

AT THIS STAGE IN THE PROCEEDINGS CR LEWIS RAISED A POINT OF ORDER THAT THE AMENDMENT IS OUT OF ORDER BECAUSE IT LIES OUTSIDE THE SCOPE OF THE SUBJECT OF DEBATE. THE CHAIR UPHELD THE POINT OF ORDER AND RULED THE AMENDMENT OUT OF ORDER.

A MOTION OF DISSENT WAS THEN MOVED BY CR GOLTSMAN, SECONDED CR KAY, ON THE CHAIR'S RULING THAT THE AMENDMENT IS OUT OF ORDER.

THE MOTION OF DISSENT WAS PUT AND DECLARED LOST.

Division**For the Motion of Dissent:** Crs Betts, Goltsman and Kay.**Against the Motion of Dissent:** Crs Copeland, Keenan, Lewis, Masselos, O'Neill and Wakefield.**AMENDMENT**

Mover: Cr Betts

Seconder: Cr Kay

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

1. Notes that, in the 2017/18 financial year, major portions of Military Road were upgraded with road resurfacing, and new kerb and gutter from Old South Head Road to Oceanview Avenue.
2. In view of the clause above, gives consideration to delaying the widening of Military Road at Pinch Point 1 until 2020/21, and extending the widening of Pinch Point 3 for the entire length of Military Road from O'Donnell Street to Hastings Parade.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division**For the Amendment:** Crs Betts, Goltsman and Kay.**Against the Amendment:** Crs Copeland, Lewis, Masselos, O'Neill and Wakefield.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

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

DECISION: That the Motion be adopted.

At 7.32PM, during the consideration of the second amendment Cr Keenan left the meeting and did not return.

OC/5.3/18.05 Tamarama Gully and Paths (A05/2046-03)**MOTION / UNANIMOUS DECISION**

Mover: Cr O'Neill

Seconder: Cr Masselos

That Council:

1. Undertakes an Asset Condition Assessment Report, including cost estimates for repair or replacement, of the existing staircase and footpaths in Tamarama Park upper gully in 2018/19 in accordance with the Tamarama Plan of Management.
2. Includes the upper waterfall access trail and lookout project in the future Tamarama Park Master Plan and future Long Term Financial Plans for implementation, following completion of other priority/critical footpath and stairway upgrades in the gully.
3. Recommences investigations to implement upstream Gross Pollutant Traps to control litter, sediment and waterborne contaminants from entering the Tamarama gully waterfall area, and a report be submitted to Council on the findings.

4. Undertakes bush regeneration works in the waterfall area and continues to maintain and record historical access trails uncovered during works to inform future trail design.
5. Further advice on another path from the Birrell Street pathway to the upper lookout be provided.

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

**OC/5.4/18.05 Bondi Pavilion Stakeholder Committee - Theatre Recommendations Report
(A16/0431)**

Cr Copeland declared a pecuniary interest in this item, relinquished the Chair and was not at or in sight of the meeting for the consideration and vote. Cr Lewis assumed the chair for this item.

At 7.59PM the meeting was adjourned to allow the Strategic Planning and Development Committee meeting to be held. At 8.10PM the meeting reconvened with all Councillors present with the exception of Crs Burrill, Keenan and Nemesh.

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Masselos

That Council:

1. Receives and notes the following unanimous recommendations from the Bondi Pavilion Stakeholder Committee in relation to the Bondi Pavilion Theatre:
 - (a) The orientation of the theatre remain as is.
 - (b) The obstructing columns on the stage be removed to widen the proscenium.
 - (c) The recommended orientation maximise the number of seats, and maximise the number of 'prime' seats.
 - (d) The primary uses are live performance (theatre, music, talks etc.) and cinema.
 - (e) In relation to technology, the venue be future proofed so far as possible to allow for best practice audio, video and lighting.
2. Thanks the Committee for its work.
3. Notes that recommendations from the Bondi Pavilion Stakeholder Committee, including these recommendations on the Bondi Pavilion Theatre, will inform the development of a revised brief for the Principal Design Consultant for the Bondi Pavilion Upgrade and Conservation Project, which will be presented to the Operations and Community Services Committee meeting on 5 June 2018.
4. Notes that the Committee will reconvene later in 2018 to advise on the development of future cultural programming and artistic direction at Bondi Pavilion.

6. Urgent Business

There were no items of urgent business

7. Meeting Closure

THE MEETING CLOSED AT 8.15PM.

.....
SIGNED AND CONFIRMED
CHAIR
5 JUNE 2018

REPORT
OC/5.1/18.06

Subject: Hollywood Car Park Teacher's Parking Permit

TRIM No: SF18/1675

Author: Tanya Potts, Acting Executive Manager, Customer First

Director: Rachel Jenkin, Acting Director, Waverley Life

RECOMMENDATION:

That Council:

1. Publicly exhibits the proposed amendments to the Car Parks Fees section of the Proposed Pricing Policy, Fees and Charges 2018–19 as contained in Table A of this report for a period of 28 days, in accordance with section 610F of the *Local Government Act 1993*.
2. Notes that a further report will be submitted to Council and will include feedback from the public exhibition period.

1. Executive Summary

On 20 March 2018, Council resolved to exhibit a new category of Beach Parking Permit for use by teachers employed at schools within the Waverley LGA and to further investigate the introduction of a teacher-only parking permit for use at Hollywood Avenue Car Park in Bondi Junction.

On 15 May 2018, Council resolved to introduce a new category of Beach Parking Permit for use by teachers employed at schools within the Waverley LGA for a trial period of 12 months at a fee of \$450 per annum with immediate effect.

Following further investigation regarding the feasibility of a similar permit at Hollywood car park, this report recommends that Council endorses the public exhibition of the changes to the Car Parks Fees section of the Proposed Pricing Policy, Fees and Charges 2018–19 as contained in Table A of this report in accordance with section 610F of the *Local Government Act 1993*.

This report notes that Council will receive a further report on the introduction of a 'teacher-only' parking permit for use at Hollywood Avenue Car Park following the public consultation period.

2. Introduction/Background

On 20 March 2018, Council resolved to exhibit a new category of beach parking permit on a 12-month trial basis. The permit category would be available only to teachers employed at schools located within the Waverley LGA, and valid only for weekdays during the school term and be valid for use in line with the terms and conditions of the existing Beach Parking Permit.

The proposed introduction of a Teacher's Beach Parking Permit was placed on public exhibition from 26 March to 26 April 2018. Council received 250 submissions, with 243 in support of the proposed permit and only seven opposed, representing a positive response rate of over 97%. Due to overwhelming support for

the introduction of a Teacher's Beach Parking Permit, officers recommended that Council introduce the permit on a 12-month trial basis.

The Teacher's Beach Parking Permit is now available and all schools within Waverley have been notified.

3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council Meeting 15 May 2018	CM/7.4/18.05	<p>That:</p> <ol style="list-style-type: none"> 1. Council introduces a new category of Beach Parking Permit for use by teachers employed at schools within the Waverley LGA for a trial period of 12 months at a fee of \$450 per annum with immediate effect. 2. The Teacher's Beach Parking Permit be valid Monday to Friday during school terms between the hours of 7.30 am and 6:00 pm only, and valid for use in line with the terms and conditions of the existing Beach Parking Permit, with the exception of Bronte Cutting. 3. Council includes the new Teacher's Beach Parking Permit in the Beach Parking Permits Fees section of the Pricing Policy, Fees and Charges 2017–18 at a fee of \$450 per annum. 4. Council officers from Customer First contact all schools within the Waverley LGA to notify them of the introduction of the new permit. 5. Council notes that, as per the Council resolution of 20 March 2018, Council officers are currently investigating the introduction of a similar 'teacher-only' parking permit for use at Hollywood Avenue Car Park in Bondi Junction, and that a report will come back to Council in June.
Council Meeting 20 March 2018	CM/5.4/18.03	<p>That:</p> <ol style="list-style-type: none"> 1. Council introduces a new category of Beach Parking Permit for use by teachers employed at schools within the Waverley LGA for a trial period of 12 months. 2. The new Teacher's Beach Parking Permit be valid Monday to Friday during school terms between the hours of 7.30 am–6:00 pm only, and valid for use in line with the terms and conditions of the existing beach parking permit. 3. Council publicly exhibits the proposed introduction of a Teacher's Beach Parking Permit to be included in the Beach Parking Permits Fees section of the Pricing Policy, Fees and Charges 2017–18 for a period of 28 days, in accordance with section 610F of the Local Government Act 1993, with the fee set at \$450 per annum.

		<p>4. Council officers investigate the introduction of a similar 'teacher-only' parking permit for use at Hollywood Avenue Car Park in Bondi Junction, and report back to Council.</p> <p>5. A limit be placed on the total number of passes issued to teachers in each school in consultation with the school.</p>
Operations and Community Services Committee Meeting 6 February 2018	OC/5.3/18.02	That this item be deferred so the Mayor, Deputy Mayor and Ward Councillor Cr Goltsman can attend a meeting with the principal, parents and appropriate staff.

4. Discussion

Council further resolved in March 2018 that Council officers investigate the introduction of a similar 'teacher-only' parking permit for use at Hollywood Avenue Car Park in Bondi Junction.

Council currently offers a monthly car park parking permit for Hollywood Car Park at a fee of \$300 per month. This can be purchased by any member of the public and allows 24 hour access to the car park 7 days a week. The annual cost of this permit is \$3,600.

The introduction of a Teacher's Car Park Parking Permit in Hollywood Car Park will require a system upgrade of the car park access control equipment to allow access to the car park limited to the approved hours. The cost of the upgrade to the Car Park Access Control system is estimated at approximately \$1,500.

It is proposed that a Teacher's Car Park Parking Permit would provide eligible teachers with access to the Hollywood Car Park from Monday to Friday during school terms between the hours of 7.30 am and 6.00 pm for a trial period of 12 months. This is in line with the hours of operation of the new Teacher's Beach Parking Permit.

The proposed pro-rata fee for the Teacher's Car Park Parking Permit is \$1,900 per annum. This is based on the daily rate of the monthly car park parking permit and calculated by the number of school days per year.

- $\$3,600 / 365 \text{ days} = \9.86 per day.
- $\$9.86 \times 197 \text{ school days} = \$1,943 \text{ (rounded to } \$1,900 \text{ per annum).}$

This formula was used by Council officers to calculate the original proposed fee of \$872 for the Teacher's Beach Parking Permit, which was amended by Councillors to \$450 per annum.

It is recommended that Council publicly exhibits the proposed inclusion of a Hollywood Car Park Teacher's Parking Permit in the Car Parks Fees section of the proposed Pricing Policy, Fees and Charges 2018–19 as follows:

Category	Unit	2018/19 Fee or Charge \$	GST	Pricing Policy
Hollywood Car Park Teacher's Parking Permit	Per permit	\$1,900	Taxable	E

Table A. Recommended category and fee.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: L9 Parking, both on-street and off-street, is equitably accessed and effectively managed.
Strategy: L9a Ensure fair access to parking services through regular review of parking demand, fee structures, enforcement and facilities.

6. Financial impact statement/Timeframe/Consultation

The cost of programming the Car Park Access Control system by the supplier to restrict the hours of the Teacher's Hollywood Car Park Parking Permit is estimated at approximately \$1,500.

It is proposed that the new Teacher's Hollywood Car Park Parking Permit will cost \$1,900 per annum and it is unknown how many permits will be sold; however, the cost of reprogramming could be covered by the additional revenue.

Timeframe

Following the 28 day exhibition of fees, a further report will be presented to Council. If approved by Council, the amendment to the Fees and Charges and the introduction of a Teacher's Hollywood Car Parks Parking Permit could be implemented following the system upgrade.

Consultation

The proposed amendments to the Car Parks Fees section of the Proposed Pricing Policy, Fees and Charges 2018–19 as contained in Table A of this report will be placed on public exhibition for a period of 28 days, in accordance with section 610F of the *Local Government Act 1993*.

7. Conclusion

On 20 March 2018, Council resolved that Council officers investigate the introduction of a 'teacher-only' parking permit for use at Hollywood Avenue Car Park in Bondi Junction, and report back to Council.

This report recommends that Council endorses the public exhibition of the changes to the Car Parks Fees section of the Proposed Pricing Policy, Fees and Charges 2018–19 as contained in Table A of this report in accordance with section 610F of the *Local Government Act 1993*.

This report notes that Council will receive a further report on the introduction of a 'teacher-only' parking permit for use at Hollywood Avenue Car Park following the public consultation period.

8. Attachments

Nil.

REPORT
OC/5.2/18.06

Subject: Multicultural Advisory Committee - Terms of Reference - Review

TRIM No: A15/0509

Author: Rebecca Rodwell, Manager, Community Planning and Partnerships

Director: Rachel Jenkin, Acting Director, Waverley Life

RECOMMENDATION:

That Council adopts the Terms of Reference for the Waverley Multicultural Advisory Committee (MAC) attached to this report.

1. Executive Summary

Council officers, members of Waverley's Multicultural Advisory Committee (MAC)—including the Chair of the MAC, Cr Masselos—have reviewed and updated the Committee's Terms of Reference to provide a contemporary and consistent framework and structure for the committee in line with other Council committees.

The revised Terms of Reference are attached to this report.

2. Introduction/Background

Waverley Council's MAC was established on 26 October 1999 following a recommendation of the Community Services Committee in October 1999. Since its inception, the MAC has acted as an advisory body on multicultural matters relating to Council and has helped with providing links, information and engagement with some of Waverley's culturally and linguistically diverse (CALD) communities.

Since 2007, the MAC's functions were guided by the document entitled *Structure and Responsibility of Council Committee and Council Inspection Committee's*. From 2010 the MAC oversaw the implementation of Council's *Cultural Diversity Policy - Waverley Council's Commitment to Cultural Diversity 2010 – 2014*. This policy and action plan guided the activities of Council's Community Development Officer, Diversity, in relation to multicultural affairs and informed some of the work and projects Council has delivered in other departments. The MAC currently meets quarterly (on the first Thursday of the month) for two hours.

The Community Development Officer, Diversity, provides administrative support to the MAC. This role is three days per week and incorporates both multicultural and Aboriginal and Torres Strait Islander portfolios. The MAC is also supported by the Manager, Community Planning and Partnership, and the Executive Manager, Caring Waverley, and receives input as required from other relevant Council officers. In addition to developing ideas for community service support in relation to local multicultural communities, the functions of the MAC include:

- Information sharing and networking.
- Advice on best practice examples of working with multicultural communities.
- Advocacy and policy development.

- Input into event planning and consultative mechanisms.

The MAC currently consists of seven members made up of five community members and two service providers. Council received six responses to its Expressions of Interest for new members in April 2018. No applications were received from community representatives from Waverley's most common language groups. Officers are considering a more targeted recruitment approach in order to build MAC membership that is reflective of the multicultural profile of Waverley's community. This can occur after endorsement of the Terms of Reference.

3. Relevant Council Resolutions

Nil.

4. Discussion

Updating the Terms of Reference provides clear guidance around the purpose and function, roles and responsibilities for Council and MAC members. The development of this document was guided by Council's recent endorsement of the Public Art Committee Terms of Reference, and has had input from Internal Ombudsman, Governance and Civic. The updated version provides:

- A clear explanation on the key functions and structure of the MAC, including meetings, minutes, agendas, and staff resourcing.
- Expanded objectives and aims of the MAC.
- Expanded list of membership criteria and responsibilities.
- Inclusion of section on principles that underpin the MAC.
- Inclusion of information about the Committee's limited authority.
- Timeframes for review of terms of reference and membership.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: C1 Waverley's cultural heritage and diversity is recognised, protected and respected.

Strategy: C1a Support programs that celebrate and strengthen our multiculturalism and indigenous culture and cultivate a sense of community appreciation of our cultural heritage and diversity.

Deliverable: Planning for a Diverse and Tolerant Community.

6. Financial impact statement/Timeframe/Consultation

Financial impact

There are no financial implications in adopting the proposed Terms of Reference. Officers' involvement in facilitating and supporting meetings as described in the document will be covered in operational budgets. Recommendations from the MAC relating to specific projects or large scale events may be considered by Council on a case-by-case basis to determine resource allocations.

Timeframe

The Terms of Reference will take effect upon adoption by Council.

Consultation

The updated draft Terms of Reference have been developed in consultation with:

- Current MAC members and Chairperson.
- Community development staff in Caring Waverley.
- Internal Ombudsman, Governance and Civic.

7. Conclusion

Council officers, MAC members and the Chair of the MAC (Cr Masselos) have reviewed and updated the committee Terms of Reference to provide a framework and structure for the committee moving forward. In order to achieve consistency, a similar format to the Public Art Committee's Terms of Reference—recently adopted by Council—was developed for the MAC.

8. Attachments

1. Multicultural Advisory Committee - Terms of Reference - Updated [↓](#) .

Multicultural Advisory Committee (MAC) – Terms Of Reference (Updated May 2018)

Introduction / Preamble

Waverley Council acknowledges the Bidjigal and Gadigal people who traditionally occupied the Sydney Coast and is committed to progressing actions in Council's Reconciliation Action Plan.

Waverley is a culturally diverse community with 38% of our residents born overseas. Over many decades Waverley's migration history has shaped this vibrant and dynamic community. We value Waverley's multiculturalism and the languages, traditions, religious and spiritual practices of its people.

The Local Government Act 1993 requires Council to represent the diverse needs of the local community, address the health and wellbeing needs of community members and foster community cohesion by encouraging active participation of civic life. Waverley Council values and respects the diverse range of identities, backgrounds, experiences and lifestyles of the communities who live, work in and visit the area and advocates for a cohesive, inclusive and welcoming community for everyone.

Key objective

The MAC has been established in support of Council's vision and strategies that:

- promote human rights, address discrimination and mitigate disadvantage
- actively encourage participation, social connections and a sense of belonging
- deliver fair and equitable services, facilities and resources to culturally diverse communities
- promote relationships based on understanding and respect.

Principles

The following principles of good governance¹ will guide the functions of the MAC:

- Participatory and consensus oriented
- Respectful, accountable and transparent
- Responsive
- Effective and efficient
- Equitable and inclusive
- Law abiding.

Advisory Committee's limited authority

The MAC is an advisory committee of Waverley Council.

The MAC is not an executive body. It does not have the authority to:

- Make decisions on behalf of Council
- Expend money on behalf of Council
- Commit the Council to any actions or arrangements
- Direct Council officers in the performance of their duties, or
- Represent the Council in any communication with the public or media.

¹ Good Governance Advisory Board (2004) *Good Governance Guide*

Key aims

The MAC aims to provide a forum to:

- foster ongoing dialogue, discussion and advocacy in relation to multicultural Waverley
- contribute creative and innovative ideas in support of Council's access and inclusion strategies
- provide feedback and advice on community issues and concerns
- participate in and source funding for activities and events that promote community harmony and social cohesion
- develop networks, build relationships and establish community partnerships
- provide input to enhance inclusion and accessibility of Waverley's infrastructure, facilities, events, services, programs, systems and information for a culturally diverse community.

Chairperson and Committee Structure

Chairperson	The Mayor or the Mayor's delegate
Committee Members	Up to 8 community representatives Up to 4 subject matter experts/ representatives of relevant services
Administrative Support	Waverley Council Officer

Waverley Councillors and the Executive Leadership Team are welcome to attend. From time to time relevant Council staff will attend to provide information and advice.

Membership

Council will appoint community and expert members who represent a mix of relevant skills, expertise, background and experiences, including:

- Representing a diverse community or language group that is significant in the Waverley LGA
- Interest in and passion for promoting culturally diverse communities
- Being a local resident of Waverley LGA or having close connections to the area through work, study or volunteering
- Facilitating, delivering or supporting services, programs and events
- Experience working with community groups
- Experience in advocacy, sourcing funding or developing partnerships
- Interest or expertise in government programs, policy development or media/promotions

The term for community and expert members will be a two year term. Nominations for positions on the Committee will be invited through Council's website.

Membership responsibilities

Committee members will have the following key functions:

- Attend at least 75% of Committee meetings
- Contribute positively to Committee discussions and raise emerging issues
- Assist the MAC in identifying suitable funding sources and potential partnership opportunities
- Support the aims and objectives of the Committee and its endorsed activities and events
- Assist in raising the profile of the MAC
- Committed to EEO, OH&S, risk management, environmental protection and ethical principles
- Promote access and equity for people from culturally and linguistically diverse backgrounds

Meetings

- Meetings of the Committee will be held once every three months, usually on the 3rd Thursday of the month. Depending on resources and members' availability, additional meetings (eg of Committee working groups) may be called at the discretion of the Chair
- Notice of Committee meetings will be provided by email by the relevant Council officer at least two weeks before the Committee meeting specifying the time and place
- Meetings will not proceed unless the Chairperson, relevant Council officer and at least two of the community representatives are in attendance
- A quorum for a meeting will be a majority of Committee members one of whom must be a Councillor
- Recommendations at meetings will be by way of consensus. Otherwise decisions will be made by majority vote
- All councillors can attend meetings. However only the appointed councillor members have voting rights
- At the discretion of the Chair, members of the public, government representatives or subject matter experts may be invited to inform/advise the Committee on the issues it considers

Agenda & Minutes

- Committee agendas and minutes are public documents and are published on Council's website.
- Committee minutes are reported to Council or Council Committee for information, and may include recommendations for Council's consideration.

Review

The Terms of Reference will be reviewed every four years.

REPORT
OC/5.3/18.06**Subject:** Tender Evaluation - Irrigation and Small Park Upgrades**TRIM No:** A18/0036**Author:** Robert Sabato, Senior Project Manager**Director:** Emily Scott, Director, Waverley Renewal

RECOMMENDATION:

That Council:

1. Treats the Tender Evaluation Matrix attached to 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)(c) of the *Local Government Act 1993*. The report 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. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Never Stop Irrigation Pty Ltd as the preferred tenderer for the Irrigation and Small Park Upgrades project for the sum of \$[TO BE INSERTED BY COUNCIL AT THE MEETING].
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Never Stop Irrigation Pty Ltd.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

1. Executive Summary

The purpose of this report is to seek Council's approval for the appointment Never Stop Irrigation Pty Ltd to design and construct several irrigation installations within small parks and minor landscape upgrades in Eastern Reserve (at Eastern Avenue cul-de-sac), as recommended by the Tender Evaluation Committee (TEC).

2. Introduction/Background

The purpose of this report is to seek Council's approval for the appointment of Never Stop Irrigation Pty Ltd to design and construct a series of irrigation systems within the following parks:

- North Bondi (near SLSC).
- Dickson Park.
- Wairoa Reserve.
- Clementson Park.

Further minor landscape works in Eastern Reserve (at Eastern Avenue cul-de-sac) will be undertaken.

The tender was called due to reported ongoing maintenance issues with the upkeep of lawn areas within small parks.

The minor landscape works near Eastern Avenue will serve to upgrade infrastructure to current PDTM standards.

3. Relevant Council Resolutions

Nil.

4. Discussion

Invitation to tender

A Tender Evaluation Panel was established to evaluate the tenders. The Panel consisted of:

- Robert Sabato – Senior Project Manager, Project Waverley.
- Jack Farag – Project Officer, Project Waverley.
- Richa Bohara – Project Manager, Project Waverley.

An RFT Evaluation and Probity Plan was developed and approved by the Evaluation Panel. Tenders for the Irrigation and Small Park Upgrades project were called on 16 April 2018.

Tenders closed on 8th May 2018.

The Evaluation Panel used the RFT Evaluation and Probity Plan to determine which tender offered the best value for money in the provision of Irrigation and Small Parks works to Council.

Tenders Received

The following tenders were received:

- GJ's Landscapes Pty Ltd.
- Never Stop Irrigation Pty Ltd.

Late Tenders

Nil.

Non-conforming Tenders

Nil.

Alternative Tenders

Nil.

Tender Evaluation

Conforming tenders were evaluated in accordance with Council's Purchasing Procedures and RFT Evaluation and Probity Plan; the Tendering Guidelines for NSW Local Government 2009 issued by the Office of Local Government; and the provisions of the *Local Government Act 1993* and *Local Government (General) Regulation 2005*.

The Evaluation Panel agreed on the following weightings to be used against the advertised selection criteria:

Advertised Evaluation Criteria	Weighting
Demonstrate Capability and capacity	8%
Demonstrated project understanding and methodology	8%
Demonstrated relevant experience, past performance and key personnel	8%
Detail of program	8%
Risk Management plan	8%
Price	60%
Total	100%

Tenders were given a score on each of the evaluation criteria, resulting in a total score out of 100. Tenders were ranked in accordance with their scores. Final scores and rankings are shown in the confidential Tender Evaluation Matrix attached to this report.

Evaluation Panel's Recommendation

Following a rigorous evaluation of the tenders, the Evaluation Panel recommends that the services/product offered by Never Stop Irrigation Pty Ltd provides the best value to Council. Never Stop Irrigation Pty Ltd provided the best value to Council based on the price criteria assessment.

5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: C7 Health and quality of life are improved through a range of recreation and leisure opportunities.

Strategy: C7a Retain, protect and improve the quality, flexibility and useability of parks, reserves and other green spaces to meet recreational needs, whilst considering and ameliorating any negative environmental impacts.

Deliverable: Sustainable, well maintained and well used recreation facilities.

6. Financial impact statement/Timeframe/Consultation

Financial impact statement

The budget for Irrigation and Small Parks Upgrades project is \$270,788 is from C0420.

The preferred tenderer's price is included in the confidential Tender Evaluation Matrix attached to this report.

The total anticipated funding required for Irrigation and Small Parks Upgrades project is \$210,000

The total budget allocation for the Irrigation and Small Parks Upgrades project is currently \$270,788.

There are sufficient funds to cover the price tendered by the recommended tenderer.

Timeframe

The project will commence on site in July 2018 for a duration of 12 weeks.

Consultation

Consultation has taken place with internal stakeholders to date. Consultation with site specific stakeholders is yet to be undertaken.

7. Conclusion

The Tender Evaluation Panel recommends Council enter into contract with Never Stop Irrigation Pty Ltd for Irrigation and Small Park Upgrades project.

8. Attachments

1. Tender Evaluation Matrix (confidential)