



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 at Waverley Council Chambers, Cnr Paul Street and Bondi Road, Bondi Junction at:

7.00PM, TUESDAY 7 MAY 2019

A handwritten signature in grey ink, appearing to read 'R. McLeod'.

Ross McLeod
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

This meeting is streamed live via the internet and an audio visual recording of the meeting will be publicly available on Council's website.

By attending this meeting you consent to your image and/or voice being live streamed and publicly available.

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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OC/5.2/19.05	Public Place Cleansing Depot under Syd Einfield Drive - Lease Option	12

6. Urgent Business

7. Meeting Closure

CONFIRMATION OF MINUTES OC/4.1/19.05



Subject: Confirmation of Minutes - Operations and Community Services Committee Meeting - 2 April 2019

TRIM No.: SF19/326

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Operations and Community Services Committee Meeting held on 2 April 2019 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 - 2 April 2019



**MINUTES OF THE OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 2 APRIL 2019**

Present:

Councillor George Copeland (Chair)	Waverley Ward
Councillor John Wakefield (Mayor)	Bondi Ward
Councillor Dominic Wy Kanak (Deputy Mayor)	Bondi 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
Rachel Hensman	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 7.01 pm.

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 Crs Betts and Nemesh.

Cr Burrill was previously granted leave of absence by Council for this meeting.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Copeland declared a pecuniary interest in Item OC/5.1/19.04 – Bondi Pavilion Restoration and Conservation Project – Early Works with Heritage Exemption, and informed the meeting that he has a casual job at the Pavilion, and will leave the meeting for the consideration and vote on this item.

3. Addresses by Members of the Public

There were no addresses by members of the public.

4. Confirmation of Minutes

OC/4.1/19.04 Confirmation of Minutes - Operations and Community Services Committee Meeting - 5 March 2019 (SF19/326)

MOTION / UNANIMOUS DECISION

Mover: Cr Copeland
Seconded: Cr Lewis

That the minutes of the Operations and Community Services Committee Meeting held on 5 March 2019 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting, subject to the deletion of clause 3 in Item OC/5.8/19.03 – Verge/Nature Strip Maintenance Program, such that the decision now reads as follows:

That Council:

1. Investigates the possibility of Council maintaining additional nature strips across the local government area.

2. Officers report back to Council on the feasibility of such a proposal, with recommendations as to the following:
 - (a) Cost and resourcing needed.
 - (b) Frequency of maintenance schedule.
 - (c) Additional locations, including whether the maintenance of verges in local village areas be extended alongside commercial properties into residential streets.
3. Reports back to Council as soon as practical and then initiates community consultation.

5. Reports

OC/5.1/19.04 Bondi Pavilion Restoration and Conservation Project - Early Works with Heritage Exemption (A15/0272)

Cr Copeland declared a pecuniary interest in this item, and informed the meeting that he has a casual job at the Pavilion. Cr Copeland vacated the chair and was not present at, or in sight of, the meeting for the consideration and vote on this item. Cr Lewis assumed the chair.

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council further investigates the program and budget feasibility of re-roofing the Gatehouse and/or undertaking external and/or internal repair and refurbishment of the Gatehouse with heritage exemption.

OC/5.2/19.04 Bus Stops and Shelters at 185 and 246 Military Road, Dover Heights (SF18/2209)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Kay

That this item be deferred to the April Council meeting.

OC/5.3/19.04 Bondi Winter Magic Ferris Wheel 2019-2021 - Licence (A18/0329)

MOTION / UNANIMOUS DECISION

Mover: Cr Goltsman
Seconder: Cr Kay

That Council:

1. Authorises the General Manager, or delegated representative, to negotiate and enter into a licence agreement on behalf of Council with Joyland Amusements Pty Limited for the delivery of event management services for the Bondi Winter Magic Ferris Wheel each year for four weeks during and after the July school holidays for the period 2019 to 2021 at the Bondi Pavilion Dolphin Court.
2. Notes that the agreement will include a provision to vary the location of the Ferris wheel or, if

needed, and with fair notice, cancel or vary the licence agreement, during the Bondi Pavilion restoration project, and that officers will work with the event provider, in consultation with Ward Councillors, to identify a suitable location for the Ferris wheel each year.

OC/5.4/19.04 Tender Evaluation - Marks Park Playground and Landscape Upgrade (SF19/454)

MOTION / UNANIMOUS DECISION

Mover: Cr Copeland
Seconder: Cr Wakefield

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)(d)(i) of the *Local Government Act 1993*. The Matrix contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts GJs Landscapes Pty Ltd as the preferred tenderer to carry out playground and landscape upgrade works for the sum of \$727,936.33 (including GST).
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with GJs Landscapes Pty Ltd for playground and landscape upgrade works at Marks Park, Tamarama.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

6. Urgent Business

There were no items of urgent business.

7. Closed Session

OC/7.1/19.04 CONFIDENTIAL REPORT - 55 Grafton Street, Bondi Junction - Lease (A14/0416)

Council decided to deal with this item in open session.

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
Seconder: Cr Copeland

That Council:

1. 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)(d)(i) of the *Local Government Act 1993*. The report contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

2. Enters into a lease with Coonara Developments Pty Ltd for the lease of suite 603, 55 Grafton Street Bondi Junction, on the terms and conditions as outlined within this report.
3. Authorises the General Manager to finalise negotiations and do all things necessary to complete the matter, including executing the lease documents.

7. Meeting Closure

THE MEETING CLOSED AT 7.19 PM.

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SIGNED AND CONFIRMED
CHAIR
7 MAY 2019

REPORT
OC/5.1/19.05

Subject: Resident Parking Schemes and Ewell Street, Bondi, and North Bondi Area 10

TRIM No: A03/2581

Author: Sam Samadian, Traffic Engineer
Kablan Mowad, Senior Traffic Engineer

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That:

1. Council notes that:
 - (a) Officers are currently preparing an implementation plan for the review of the policy, process and procedures relating to resident parking schemes to ensure that the concerns of residents are better balanced with the need to apply a strategic approach to parking scheme management.
 - (b) A report is scheduled to be submitted to Council in August 2019 to endorse the methodology proposed for the resident parking scheme review.
2. Until the review is undertaken, all requests for changes to resident parking schemes be considered in accordance with the current process approved by Council in 2013.
3. Council does not, as per Waverley Traffic Committee recommendations:
 - (a) Introduce a resident parking scheme in Ewell Street, Bondi.
 - (b) Proceed with expanding the boundaries of Resident Parking Scheme Area 10.

1. Executive Summary

The purpose of this report is to briefly set out the reasons why Council officers and the Waverley Traffic Committee do not recommend introducing a resident parking scheme in Ewell Street, Bondi, or expanding the boundaries of Resident Parking Scheme Area 10.

The report also updates Council on the review of resident parking schemes. It clarifies that, until the review is undertaken, all requests for changes to resident parking schemes will be considered in accordance with the current process approved by Council in 2013. Ewell Street and Area 10 will be assessed again as test models when the new approach has been established by Council, as per the Council resolution of 19 February 2019.

2. Introduction/Background

A petition was received in November 2017 to introduce a resident parking scheme in Ewell Street, Bondi, and a notice of motion to expand the boundaries of Resident Parking Scheme Area 10 in North Bondi was adopted by Council in March 2018.

Officers assessed the proposals in accordance with the current practice for determining changes to resident parking schemes. Officers prepared reports to the Waverley Traffic Committee recommending against both proposals due to the low response rate to Council's surveys. At its meeting on 27 September 2018, the Traffic Committee agreed with the officers' recommendation.

At its meeting on 16 October 2018, Council deferred both proposals to allow for more information to be provided on the extent and nature of the resident surveys undertaken. Additional information was provided to Council at the Operations and Community Services Committee on 5 March 2019, but there was no clear outcome. The matter was considered again at the March Council meeting, but was deferred.

Separate from these requests, Council has recently resolved to review the policy, process and procedures for the creation of resident parking schemes.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 March 2019	CM/7.7/19.03	That this item be deferred to a future meeting.
Operations and Community Services Committee 5 March 2019	OC/5.4/19.03	<i>The motion below was lost.</i> That Council: <ol style="list-style-type: none"> 1. Receives and notes the report. 2. Defers a decision on introducing a Resident Parking Scheme in Ewell Street Bondi and on expanding the Resident Parking Scheme Area 10. 3. Request that the General Manager or appropriate officer undertake consultation with Councillors and prepare a report on the formation and modification of Resident Parking Schemes.
Council 19 February 2019	CM/5.4/19.02	That: <ol style="list-style-type: none"> 1. Council undertakes a review of the policy, process and procedures for the creation of resident parking schemes to ensure that the concerns of residents are better balanced with the need to apply a strategic approach to parking scheme management. 2. The two deferred resident parking schemes be used as test models with the new approach established by Council. 3. A future workshop be held to consider options.

Council 16 October 2018	CM/4.2.1/18.10	That the matter be deferred to the next Council meeting and information be provided on the extent and nature of the survey undertaken.
Council 16 October 2018	CM/4.2.2/18.10	That the matter be deferred to the next Council meeting and information be provided on the extent and nature of the survey undertaken.
Waverley Traffic Committee 27 September 2018	TC/C.02/18.09	<i>This recommendation was saved and excepted; see above.</i> That Council, based on the low response rate to the resident parking survey: <ol style="list-style-type: none"> 1. Does not introduce a resident parking scheme into Ewell Street, Bondi. 2. Reviews the request for resident parking restrictions in Ewell Street in the event a new petition is received which includes additional streets in the vicinity of Ewell Street. 3. Officers notify the chief petitioner accordingly.
Waverley Traffic Committee 27 September 2018	TC/V.01/18.09	<i>This recommendation was saved and excepted; see above.</i> That Council, having regard to a low response rate from residents, does not proceed with expanding the boundaries of Resident Parking Scheme Area 10.
Council 15 May 2018	CM/8.6/18.05	That Council: <ol style="list-style-type: none"> 1. Accepts the petition from residents of Ewell Street, Bondi, to investigate the introduction of a resident parking scheme in Ewell Street. 2. Forwards the petition to the Executive Manager, Creating Waverley, for appropriate action. 3. Ensures that its website is clear about the requirements for lodging a petition.
Council 20 March 2018	CM/8.10/18.03	That Council investigates the extension of Resident Parking Scheme Area 10, and surveys the residents in the adjacent streets.

4. Discussion

Officer and Traffic Committee recommendation

Officers distributed surveys to residents in properties along Ewell Street and surrounding the current Resident Parking Area 10 to determine the level of support for changes to resident parking. These surveys resulted in a low response rate, leading to the recommendation for no action to be taken in regard to both

proposals. Another reason for not supporting changes in Ewell Street is Council's practice of requiring resident parking restrictions to be introduced into areas and not individual streets. The Traffic Committee agreed with these recommendations.

Further information

At its meeting on 16 October 2018, Council requested more information on the extent and nature of the surveys for the two areas. Council also queried why there was a difference in the level of support for a resident parking scheme for Ewell Street between the survey distributed by Council and the petition. This information was provided in a report to Council on 19 March 2019. In summary, flyers and survey forms were distributed to residents in the survey areas, in accordance with standard practice. The difference in the level of support was due to corner properties, located in Bennett Street and Ocean Street South, being included in Council's survey. The petition only included Ewell Street residents.

Review of resident parking schemes

Council has recently resolved to 'undertake a review of the policy, process and procedures for the creation of resident parking schemes to ensure that the concerns of residents are better balanced with the need to apply a strategic approach to parking scheme management.' Council further resolved that the two deferred resident parking schemes—Ewell Street and the Area 10 expansion—be used as test models with the new approach established by Council.

Officers are currently preparing an implementation plan for the resident parking scheme review. The review will take some time to complete. The last time a review took place was in 2013, with the process taking some 12 months. It is therefore recommended that, in the interim, all requests for changes to resident parking schemes be considered in accordance with the current process approved by Council in 2013.

The proposals for Ewell Street and Area 10 will be considered again once the new process is established.

5. Financial impact statement/Timeframe/Consultation

A report is scheduled to be submitted to Council in August 2019 to endorse the methodology proposed for the resident parking scheme review.

6. Conclusion

It is recommended that Council does not introduce a resident parking scheme in Ewell Street, Bondi, or expand the boundaries of Resident Parking Scheme Area 10, as per Traffic Committee recommendations. It is further recommended that Council continues to assess requests to change resident parking schemes in accordance with existing procedures, until the review of resident parking schemes is carried out.

7. Attachments

Nil.

REPORT
OC/5.2/19.05

Subject: Public Place Cleansing Depot under Syd Einfeld Drive - Lease Option

TRIM No: A10/0017

Author: John Andrews, Property Co-ordinator

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Notes that a five-year lease with Roads Maritime Services for the Public Place Cleansing Depot under Syd Einfeld Drive was approved by Council in February 2019.
2. Approves the addition of a five-year option to the lease.

1. Executive Summary

Council's Public Place Cleaning team operates out of a depot facility located under Syd Einfeld Drive, Bondi Junction. The premises are formally known as Lot 1 DP 262916 and are bounded by Grafton Street, Vernon Street and Newland Street. The depot covers an area of approximately 1,105 square metres.

The depot is conveniently located close to the business district to allow the Public Place Cleansing team to effectively deliver their services to the benefit of businesses and the local community.

In February 2019, Council approved a new lease with Roads and Maritime Service (RMS) for a further five years. At that time of negotiations, RMS would not agree to a lease option; however, following further discussions, the request for an option to be added has now been agreed.

2. Introduction/Background

Council has been using the area under Syd Einfeld Drive as a depot since approximately 2009 and undertook a fit-out of the site to include staff and hard stand depot facilities. The area has been subject to two leases, with the most recent lease commencing 1 February 2014 and expiring 31 January 2019. The current rent is \$41,885.88 per annum (excluding GST), with annual fixed increases of 5%.

The depot is ideally located to allow it to service the immediate business district and growing residential precincts. Depot space of this type is almost non-existent within close proximity to Bondi Junction and other fringe eastern suburb locations. If Council did not have this depot, it would be very difficult to secure a comparable site at the same rent and the use of other more distant geographical locations would have a negative impact on the effectiveness of the Public Place Cleansing service.

A new five-year lease was negotiated with RMS in February 2019; however, at that time RMS would not agree to an option period to be included within the new lease.

Since then, Council officers have been negotiating with RMS for the adjoining State Emergency Services depot lease and were able to convince RMS that both depots were of great significance and should contain option periods.

While the lease for the State Emergency Services depot will be subject to a separate report, approval for the five-year option for the Public Place Cleansing depot is sought now.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 February 2019	CM/7.18/19.02	That Council: <ol style="list-style-type: none"> 1. Enters into a five-year lease agreement with the Roads and Maritime Services for the premises known as Lot 1 DP 262916, Area 4, under Syd Einfeld Drive, Bondi Junction, which accommodates Council's Public Place Cleansing Depot, on the terms and conditions detailed in this report. 2. Authorises the General Manager to execute all necessary documents and finalise the matter on behalf of Council.

4. Discussion

While the RMS lease does contain break clauses that allow them to take back the site to undertake works to Syd Einfeld Drive, the inclusion of an option period is of great benefit to Council.

The terms that were agreed by Council in February 2019 are noted within Table 1 below and now include the addition of a five-year option.

Table 1. Lease details.

Term	Five years with a five-year option
Lease commencement	1 February 2019
Lease expiry	31 January 2024
Rent	\$44,000.00 per annum + GST
Reviews	Annual fixed 3%
Permitted use	Depot storage of street sweeping equipment & vehicles
Outgoings	Lessee is responsible for all outgoings
Contamination	Council has requirements to ensure the site does not exceed any level of contamination that didn't exist at the commencement of the original lease.

5. Financial impact statement/Timeframe/Consultation

The inclusion of an option period will be effective from 31 January 2024. Fixed 3% rent increases will continue throughout the term.

6. Conclusion

It is recommended that Council approves the inclusion of a five-year option in the lease with RMS.

7. Attachments

Nil.