



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, 3 SEPTEMBER 2019**

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 Paula Masselos	Lawson Ward
Councillor Marjorie O'Neill	Waverley Ward

Staff in attendance:

Ross McLeod	General Manager
John Clark	Director, Customer Service and Organisation Improvement
Peter Monks	Director, Planning, Environment and Regulatory
Emily Scott	Director, Community, Assets and Operations
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer
Jane Worthy	Internal Ombudsman

At the commencement of proceedings at 7.00 pm, those present were as listed above, with the exception of Cr Goltsman, who arrived at 7.12 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 Lewis and Nemesh.

Cr Keenan 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 none were received.

3. Addresses by Members of the Public

There were no addresses by members of the public.

4. Confirmation of Minutes

OC/4.1/19.09 Confirmation of Minutes - Operations and Community Services Committee Meeting - 6 August 2019 (SF19/326)

MOTION / UNANIMOUS DECISION

Mover: Cr Copeland

Seconder: Cr Wakefield

That the minutes of the Operations and Community Services Committee Meeting held on 6 August 2019 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports**OC/5.1/19.09 Stronger Communities Fund - Progress Report (A19/0224)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Receives and notes the progress report on the Stronger Communities Fund.
2. Requests the Office of Local Government for an extension of time to expend the grant funding for the Bondi Park playground design and refurbishment project and the Varna Park improvements project.

OC/5.2/19.09 Barracluff Park and Playground Upgrade - Community Consultation and Design Concept (SF19/3446)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Notes the community consultation undertaken for the draft concept design for the Barracluff Park and playground upgrade.
2. Notes the findings of the community consultation.
3. Endorses the design concept for the Barracluff Park and playground upgrade attached to this report and proceeds to detailed design.
4. Notes that the location of the playground in Barracluff Park presents a security risk in relation to its proximity to Old South Head Road and the Bondi Mizrahi Synagogue.
5. Undertakes a security risk assessment.
6. Pending the outcome of the security risk assessment, prepares a concept design and obtains costings for appropriately rated security measures that blend in with the park design and environment.
7. Notes that the final design will change based on recommendations and requirements identified by technical consultants, including, accredited access and inclusion specialist, accredited play safety auditor, registered engineers, accredited lighting engineers and accredited arborists, and that the final design be presented to Council for endorsement if significant changes are proposed, or emailed to councillors prior to tender endorsement if only minor changes are proposed, as per Council's new Standard Councillor Consultation Approach.
8. Circulates the consultation summary, appendices and design concept to local residents and engaged users of Barracluff Park who have opted in to receive updates.

OC/5.3/19.09 Tender Evaluation - Bronte Surf Club and Community Facilities Building Upgrade - Head Consultant Services (A19/0081)

MOTION / UNANIMOUS DECISION

Mover: Cr O'Neill
 Secunder: Cr Masselos

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 the Matrix 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(s) who supplied it.
2. Under clause 178(1)(a) of the *Local Government (General) Regulation 2005*, accepts Choi Ropiha Fighera Pty Ltd as the preferred tenderer for the supply of Head Consultant Services – Bronte Surf Club and Community Facilities Building Upgrade for the sum of \$837,235 (excluding GST).
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Choi Ropiha Fighera Pty Ltd.
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/7/19.09 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 / DECISION

Mover: Cr Masselos
 Secunder: Cr Wy Kanak

That:

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

OC/7.1/19.09 CONFIDENTIAL REPORT - Shops 2 and 3, 276 Bronte Road, Waverley - Lease to Life on the Inside Pty Ltd

This matter is considered to be confidential in accordance with section 10A(2)(c) 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 information that would, if disclosed, confer a

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

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 as confidential under 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 7.17 pm, Council moved into closed session.

OC/7.1/19.09 CONFIDENTIAL REPORT - Shops 2 and 3, 276 Bronte Road, Waverley - Lease to Life on the Inside Pty Ltd (A10/0424)

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Wy Kanak

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)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Enters into a lease with Life on the Inside Pty Ltd in respect to shops 2 and 3, 276 Bronte Road, Waverley, on the terms and conditions contained in Table 1 of this report.
3. Authorises the General Manager to complete negotiations and execute the lease.

8. Resuming in Open Session

OC/8/19.09 Resuming in Open Session

MOTION / DECISION

Mover: Cr Goltsman
Seconder: Cr Wy Kanak

That Council resumes in open session.

At 7.20 pm, Council resumed in open session.

Resolutions from closed session made public

In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumed in open session the chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.

9. Meeting Closure

THE MEETING CLOSED AT 7.21 PM.

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SIGNED AND CONFIRMED
CHAIR
5 NOVEMBER 2019