



**WAVERLEY**  
COUNCIL

**MINUTES OF THE OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING  
HELD BY VIDEO CONFERENCE/AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD,  
BONDI JUNCTION ON TUESDAY, 13 APRIL 2021**

**Present:**

Councillor George Copeland (Chair)	Waverley Ward
Councillor Paula Masselos (Mayor)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson Ward
Councillor Angela Burrill	Lawson Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Steven Lewis	Hunter Ward
Councillor Will Nemes	Hunter Ward
Councillor Dominic Wy Kanak	Bondi Ward

**Staff in attendance:**

John Clark	Acting General Manager
Meredith Graham	Acting Director, Customer Service and Organisation Improvement
Tony Pavlovic	Director, Planning, Environment and Regulatory
Emily Scott	Director, Community, Assets and Operations
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer

*At the commencement of proceedings at 7.01 pm, those present were as listed above.*

## **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 Wakefield.

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

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

- 2.1 Cr Wy Kanak declared a significant non-pecuniary interest in item OC/5.3/21.04 – Local Hero Awards 2021 and informed the meeting that he was a nominator and involved in the process 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/4.1/21.04 Confirmation of Minutes - Operations and Community Services Committee Meeting - 2 March 2021 (SF21/280)**

#### **MOTION / UNANIMOUS DECISION**

Mover: Cr Copeland  
Seconder: Cr Masselos

That the minutes of the Operations and Community Services Committee meeting held on 2 March 2021 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

## 5. Reports

### OC/5.1/21.04 Public Art Policy - Adoption (A20/0106)

#### MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council adopts the Public Art Policy attached to the report.

### OC/5.2/21.04 Access and Inclusion Advisory Panel - Councillor Membership (A21/0096)

#### MOTION / UNANIMOUS DECISION

Mover: Cr Keenan

Seconder: Cr Masselos

That Council appoints Cr Masselos (Mayor), Cr Keenan (Chair) and Crs Kay and Wy Kanak to the Access and Inclusion Advisory Panel.

### OC/5.3/21.04 Local Hero Awards 2021 (A21/0122)

*Cr Wy Kanak declared a significant non-pecuniary interest in this item and informed the meeting that he was a nominator and involved in the process. Cr Wy Kanak was not present at, or in sight of, the meeting for the consideration and vote on this item.*

#### MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Endorses the recommendations of the judging panel for the Waverley Local Hero Awards 2021 and Certificate of Commendation as detailed in the document circulated separately to Councillors.
2. Supports the recommendation of the panel to reconvene for a comprehensive program review following the awards event.

## 6 Urgent Business

### OC/6.1/21.04 CONFIDENTIAL REPORT - Switzerland Tourism Sponsorship Proposal (A02/0579)

#### MOTION / DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council deals with this matter as an item of urgent business.

*Cr Wy Kanak requested that it be recorded in the minutes that he voted against the motion.*

*Council moved into closed session to deal with this item (see OC/7.2/21.04 below).*

## 7. Closed Session

### OC/7/21.04 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

Seconder: Cr Lewis

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/7.1/21.04 CONFIDENTIAL REPORT - Tea Gardens Hotel, 4A Bronte Road, Bondi Junction - Airspace Lease

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 Council is conducting (or proposes to conduct) business.

OC/7.2/21.04 CONFIDENTIAL REPORT - Switzerland Tourism Sponsorship Proposal

This matter is considered to be confidential in accordance with section 10A(2)(d)(ii) 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 competitor of Council.

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*.

*Cr Wy Kanak requested that it be recorded in the minutes that he voted against the motion.*

*At 7.23 pm, Council moved into closed session.*

**OC/7.1/21.04                    CONFIDENTIAL REPORT - Tea Gardens Hotel, 4A Bronte Road, Bondi Junction - Airspace Lease (A03/1730)****MOTION / DECISION**

Mover:        Cr Masselos  
Seconded:    Cr Keenan

That Council:

1. Treats the 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 five-year lease with Jonyear Pty Ltd and Flute Pty Ltd for the balcony air space of the Tea Gardens Hotel, 4A Bronte Road, Bondi Junction, on the terms and conditions contained in the report.
3. Authorises the General Manager to complete negotiations and execute all necessary documents to finalise the matter.

**Division**

**For the Motion:**        Crs Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos and Nemesh.

**Against the Motion:**    Cr Wy Kanak.

**OC/7.2/21.04                    CONFIDENTIAL REPORT - Switzerland Tourism Sponsorship Proposal (A20/0579)****MOTION / DECISION**

Mover:        Cr Masselos  
Seconded:    Cr Goltsman

That:

1. Council treats the 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)(ii) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a competitor of Council.
2. Council enters into a sponsorship agreement with Switzerland Tourism to support Bondi Festival in 2021 as detailed in the report.
3. The Mayor writes to Switzerland Tourism thanking them for their generous sponsorship of the Bondi Festival.

**Division**

**For the Motion:**        Crs Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos and Nemesh.

**Against the Motion:**    Cr Wy Kanak.

**8. Resuming in Open Session**

**OC/8/21.04 Resuming in Open Session**

**MOTION / DECISION**

Mover: Cr Copeland

Seconder: Cr Lewis

That Council resumes in open session.

*At 7.41 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 7.44 PM.**

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**SIGNED AND CONFIRMED**  
**CHAIR**  
**4 MAY 2021**