



## WAVERLEY COUNCIL

### MINUTES OF THE OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING HELD BY VIDEO CONFERENCE ON TUESDAY, 6 JULY 2021

#### Present:

Councillor George Copeland (Chair)	Waverley Ward
Councillor Paula Masselos (Mayor)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson 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 Will Nemesh	Hunter Ward
Councillor John Wakefield	Bondi Ward
Councillor Dominic Wy Kanak	Bondi Ward

#### Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Acting Director, Community, Assets and Operations
John Clark	Director, Customer Service and Organisation Improvement
Tony Pavlovic	Director, Planning, Environment and Regulatory
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer
Evan Hutchings	Executive Manager, Governance and Risk

*At the commencement of proceedings at 7.01 pm, those present were as listed above, with the exception of Crs Wakefield and Keenan who arrived at 7.04 pm and 7.06 pm respectively during addresses by members of the public.*

**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**

There were no apologies.

**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**

- 3.1 B Mouroukas – OC/5.3/21.07 – Strata Parking Enforcement Trial.
- 3.2 B Dikova (on behalf of the Castlefield Park Group) – OC/5.6/21.07 – Petition – New Park in Castlefield Street, Bondi.
- 3.3 A Doctor – OC/5.5/21.07 – Petition – Waverley Woollahra Art School – Student Parking.

**ITEMS BY EXCEPTION****MOTION / UNANIMOUS DECISION**

Mover: Cr Copeland

Seconder: Cr Masselos

That the recommendations for the following items be adopted as recommended in the business paper:

- OC/4.1/21.07 Confirmation of Minutes – Operations and Community Services Committee Meeting – 8 June 2021.
- OC/5.7/21.07 Fairy Wrens – Response to Petition.

**4. Confirmation of Minutes****OC/4.1/21.07 Confirmation of Minutes - Operations and Community Services Committee Meeting - 8 June 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 8 June 2021 received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

**5. Reports****OC/5.1/21.07 Draft Waste in Public Places Policy - Exhibition (A20/0397)****MOTION**

Mover: Cr Masselos  
Seconder: Cr Lewis

That Council:

1. Publicly exhibits the draft Waste in Public Places Policy attached to the report for a minimum of 28 days.
2. Officers prepare a report to Council following the exhibition period.

**FORESHADOWED MOTION**

Mover: Cr Kay

The Council defers this item for the related draft Waste in Public Places Guidelines and communications strategy to be developed and presented to a Councillor workshop with the draft Waste in Public Places Policy.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

**DECISION:**

That Council:

1. Publicly exhibits the draft Waste in Public Places Policy attached to the report for a minimum of 28 days.
2. Officers prepare a report to Council following the exhibition period.

**OC/5.2/21.07 Draft Public Gardening Policy and Verge Garden Guidelines - Exhibition (A21/0191)****MOTION**

Mover: Cr Masselos  
Seconder: Cr Keenan

That Council:

1. Publicly exhibits the draft Public Gardening Policy and draft Verge Garden Guidelines attached to the report for 28 days.
2. Officers prepare a report to Council following the exhibition period, including a resourcing strategy to enable implementation of the policy and guidelines.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 1.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

**UNANIMOUS DECISION:**

That Council:

1. Publicly exhibits the draft Public Gardening Policy and draft Verge Garden Guidelines attached to the report for 28 days, subject to inserting the following words after the word 'biodiversity' in the third paragraph of the background to the Policy: 'an opportunity for native indigenous planting that expresses First Nations "connection to Country" and "custodianship".'
2. Officers prepare a report to Council following the exhibition period, including a resourcing strategy to enable implementation of the policy and guidelines.

**OC/5.3/21.07                      Strata Parking Enforcement Trial (A16/0667)**

**MOTION**

Mover:        Cr Masselos  
Seconder:    Cr Keenan

That:

1. Council officers develop guidelines for strata/community parking area agreements, including the basis and process for establishing fees.
2. Following the preparation of the guidelines, Council officers prepare a report to Council on the draft guidelines, noting that any fee to be implemented through such arrangements would be required to be publicly exhibited.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

**UNANIMOUS DECISION:**

That:

1. Council officers develop guidelines for strata/community parking area agreements, including the basis and process for establishing fees.
2. Council presents the draft guidelines to the Combined Precincts for their consideration and feedback.
3. Following the preparation of the guidelines, Council officers prepare a report to Council on the draft guidelines, noting that any fee to be implemented through such arrangements would be required to

be publicly exhibited.

*B Mouroukas addressed the meeting.*

**OC/5.4/21.07                      Bondi Park Playground Upgrade (A19/0627)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Burrill  
Seconder:     Cr Wy Kanak

That Council:

1. Begins planning works for a new Bondi Park Playground upgrade during the 2021–22 financial year.
2. Notes that subsequent to planning works, the design, consultation, documentation and procurement will be undertaken in preparation for the construction of the new Bondi Park Playground in winter 2024, with construction budget included in the Long Term Financial Plan 5.3 in 2023–24 and 2024–25.

**OC/5.5/21.07                      Petition - Waverley Woollahra Art School - Student Parking (A02/0750)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Lewis  
Seconder:     Cr Wy Kanak

That Council:

1. Refers the petition to extend parking times around Waverley Woollahra Art School to the Acting Director, Community, Assets and Operations, for consideration.
2. Officers prepare a report to Council on the outcome of their consideration of the petition.

*A Doctor addressed the meeting.*

**OC/5.6/21.07                      Petition - New Park in Castlefield Street, Bondi (A21/0300)**

**MOTION / UNANIMOUS DECISION**

Mover:        Cr Lewis  
Seconder:     Cr Wy Kanak

That Council:

1. Refers the petition requesting a new park in Castlefield Street, between Bondi Road and Castlefield Lane, Bondi, to the Acting Director, Community, Assets and Operations, for consideration.
2. Officers prepare a report to Council on the outcome of their consideration of the petition.

*B Dikova (on behalf of the Castlefield Park Group) addressed the meeting.*

**OC/5.7/21.07 Fairy Wrens - Response to Petition (A17/0275)****MOTION / UNANIMOUS DECISION**

Mover: Cr Copeland

Seconder: Cr Masselos

That Council:

1. Notes Council programs, such as Living Connections, that support residents to increase small bird habitat in Waverley.
2. Continues to increase habitat for small birds on public land by actively managing our bushland remnants, restoring areas of native bushland, through development controls and the provision of new native plantings that are suitable for small bird habitat.

**OC/5.8/21.07 Shops 2, 3 and 4, Bondi Pavilion - Lease - Post-exhibition (A20/0223)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. In accordance with section 47(4) of the *Local Government Act 1993*, has considered all submissions duly made to it in relation to the notification and exhibition of Council's proposal to grant a lease for Shop 2, Bondi Pavilion, for a term of five years with one five-year option.
2. In accordance with section 47(4) of the *Local Government Act 1993*, has considered all submissions duly made to it in relation to the notification and exhibition of Council's proposal to grant a lease for Shop 3, Bondi Pavilion, for a term of five years with one five-year option.
3. In accordance with section 47(4) of the *Local Government Act 1993*, has considered all submissions duly made to it in relation to the notification and exhibition of Council's proposal to grant a lease for Shop 4, Bondi Pavilion, for a term of five years with two five-year options.

**OC/5.9/21.07 Tender Evaluation - Local Village Beautification - Planter Boxes and Hanging Planters (SF21/1089)****MOTION**

Mover: Cr Lewis

Seconder: Cr Wy Kanak

That Council:

1. Treats the Tender Evaluation Matrix attached to the 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 Plantabox as the preferred tenderer for the supply, installation and maintenance of planter boxes and hanging planters for the sum of \$679,515.06 (excluding GST).

3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Plantabox for a term of five years, with two one-year options at Council's sole discretion.
4. Notes that:
  - (a) The locations selected are in response to interest by business owners and residents for planters in their local village areas. This is supported by Council resolutions for beautification to Local Villages as well as the recently adopted Our Liveable Places Centres Strategy 2020-2036 that has documented planters as an innovative way to address greening in our village centres.
  - (b) The contract is scalable to allow additional planter boxes to be added over the life of the contract within an agreed schedule of rates.
  - (c) The scope of the contract relating to the existing planter boxes includes recycling the soil and checking whether any of the planters and remaining plants are suitable for a community give-away via Council's Local Connections Program.
5. Officers consult business owners on locations of the proposed planter boxes and proposed plantings (from an agreed species list) and should certain business owners wish to retain and continue to maintain existing planter boxes this will be considered as long as the planting is well maintained and the planter box in good condition.
6. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 4(b).

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

**UNANIMOUS DECISION:**

That Council:

1. Treats the Tender Evaluation Matrix attached to the 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 Plantabox as the preferred tenderer for the supply, installation and maintenance of planter boxes and hanging planters for the sum of \$679,515.06 (excluding GST).
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Plantabox for a term of five years, with two one-year options at Council's sole discretion.
4. Notes that:
  - (a) The locations selected are in response to interest by business owners and residents for planters in their local village areas. This is supported by Council resolutions for beautification

to Local Villages as well as the recently adopted Our Liveable Places Centres Strategy 2020-2036 that has documented planters as an innovative way to address greening in our village centres.

- (b) The contract is scalable to allow additional planter boxes and hanging baskets to be added over the life of the contract within an agreed schedule of rates.
  - (c) The scope of the contract relating to the existing planter boxes includes recycling the soil and checking whether any of the planters and remaining plants are suitable for a community give-away via Council's Local Connections Program.
5. Officers consult business owners on locations of the proposed planter boxes and proposed plantings (from an agreed species list) and should certain business owners wish to retain and continue to maintain existing planter boxes this will be considered as long as the planting is well maintained and the planter box in good condition.
6. 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. Meeting Closure

**THE MEETING CLOSED AT 7.50 PM.**

.....  
**SIGNED AND CONFIRMED**  
**CHAIR**  
**3 AUGUST 2021**