



WAVERLEY COUNCIL

MINUTES OF THE FINANCE, OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON TUESDAY, 5 JULY 2022

Present:

Councillor Dominic Wy Kanak (Chair)	Bondi Ward
Councillor Tim Murray (Deputy 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 Ludovico Fabiano	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Steven Lewis	Hunter Ward
Councillor Will Nemes	Hunter Ward

Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Acting Director, Assets and Operations
Meredith Graham	Acting Director, Community, Culture and Customer Experience
Mitchell Reid	Acting Director, Planning, Sustainability and Compliance
Richard Sheridan	Acting Director, Corporate Services

At the commencement of proceedings at 7.02 pm, those present were as listed above, with the exception of Cr Keenan who arrived at 7.09 pm during addresses by members of the public.

Crs Fabiano, Goltsman, Kay, Keenan and Nemes attended the meeting by audio-visual link.

At 8.20 pm, following the vote on item FC/6.1/22.07, a procedural motion to adjourn the meeting to reconvene at the conclusion of the Strategic Planning and Development Committee meeting, moved by Cr Masselos and seconded by Cr Lewis, was put and declared carried unanimously.

At 9.04 pm, the meeting reconvened.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

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.

The Chair read the Acknowledgement of Indigenous Heritage:

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 from Cr Michelle Gray.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Wy Kanak declared a significant non-pecuniary interest in item FC/5.10/22.07 – Local Government NSW Board – Voting Delegates for Election to Fill Casual Vacancy and informed the meeting that he is a nominee to be a candidate for the Board and will vacate the chair and leave the meeting for the consideration and vote on this item.

3. Addresses by Members of the Public

- 3.1 N Boaz (on behalf of Friends of Bondi Pavilion) – FC/5.3/22.07 – Bondi Pavilion – Strategic Vision and Programming Framework.
- 3.2 Two residents – FC/7.1/22.07 – CONFIDENTIAL REPORT – Bronte House – Gardening and Horticultural Services – Tender Evaluation.

ITEMS BY EXCEPTION**MOTION / UNANIMOUS DECISION**

Mover: Cr Wy Kanak

Seconder: Cr Masselos

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

- FC/4.1/22.07 Confirmation of Minutes – Finance, Operations and Community Services Committee Meeting – 3 May 2022.
- FC/5.1/22.07 Statement of Business Ethics – Review.

- FC/5.2/22.07 Precinct Committees – Motions and Update.
- FC/5.4/22.07 Draft Street Performance Policy and Guidelines – Exhibition and Trial.
- FC/5.5/22.07 Draft Volunteer Policy – Exhibition.
- FC/5.6/22.07 Access and Inclusion Advisory Panel – Minutes.
- FC/5.9/22.07 Drain Blockage Guidelines.

4. Confirmation of Minutes

FC/4.1/22.07 Confirmation of Minutes - Finance, Operations and Community Services Committee Meeting - 3 May 2022 (SF21/6064)

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak
Seconder: Cr Masselos

That the minutes of the Finance, Operations and Community Services Committee meeting held on 3 May 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

FC/5.1/22.07 Statement of Business Ethics - Review (A06/1397)

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak
Seconder: Cr Masselos

That Council adopts the Statement of Business Ethics attached to the report.

FC/5.2/22.07 Precinct Committees - Motions and Update (A04/0038)

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak
Seconder: Cr Masselos

That Council:

1. Receives and notes the list of Precinct motions from June 2021–May 2022 attached to the report.
2. Notes:
 - (a) The continued operation of Precinct meetings during the COVID-19 restrictions via online platforms and the transition back to face-to-face meetings commencing April 2022.
 - (b) The continued engagement of the Precincts and the Combined Precincts group in consultations on Council’s strategic projects, programs, and proposed plans, via online platforms.

- (c) The March 2022 decision of the Combined Precincts group to resume face-to-face meetings and for all Precincts to hold annual general meetings at their first in-person meeting.
- (d) The March 2022 decision of the Combined Precincts meeting to establish four sub-committees.

FC/5.3/22.07 Bondi Pavilion - Strategic Vision and Programming Framework (A21/0521)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes the strategic vision and programming framework and principles for arts and culture programming at Bondi Pavilion, including the development of community cultural programs targeting diverse demographic groups.
2. Defers this item for endorsement at the August 2022 Council meeting for officers to consider the following:
 - (a) The creation of a dedicated Artistic Director role within the existing Arts, Culture and Events team responsible for the programming of cultural spaces and arts programming within the Bondi Pavilion.
 - (b) Consideration of how this role would best integrate into the existing Arts, Culture and Events team.
 - (c) Identification of potential funding sources for the Artistic Director role, including consideration of reallocating existing resources.
 - (d) Out-of-session consultation with the Arts and Culture Advisory Committee.
 - (e) Briefing Councillors on plans for the official opening of the Pavilion.

N Boaz (on behalf of Friends of Bondi Pavilion) addressed the meeting.

FC/5.4/22.07 Draft Street Performance Policy and Guidelines - Exhibition and Trial (A21/0076)

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak

Seconder: Cr Masselos

That Council:

1. Publicly exhibits the draft Street Performance Policy and Guidelines attached to the report for 90 days.
2. Trials new performance zones in Bondi Junction, Bondi Beach and at Bondi Road to coincide with the public exhibition period.
3. Officers prepare a report to Council following the exhibition period.

4. Extends the performance zone trial to Hall Street, Bondi Beach, to align with the Streets as Shared Spaces activation commencing on 1 October 2022.

FC/5.5/22.07 Draft Volunteer Policy - Exhibition (A16/0638)

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak
Seconder: Cr Masselos

That Council:

1. Notes the update on the volunteer review, as set out in the report.
2. Publicly exhibits the draft Volunteer Policy attached to the report for 28 days.
3. Officers prepare a report to Council following the exhibition period.

FC/5.6/22.07 Access and Inclusion Advisory Panel - Minutes (A21/0096)

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak
Seconder: Cr Masselos

That Council receives and notes the minutes of the Access and Inclusion Advisory Panel meetings held on 14 October 2021 and 31 March 2022 attached to the report.

FC/5.7/22.07 Bronte Park - Barbecue Locations - Consultation Outcomes (A16/0168)

MOTION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Notes that of the 220 visitors to the Have Your Say page, only 17 participated in the survey; that is, only 7.7% of the total visitors.
2. Notes that, over the years, there has been strong community concern to limit the amount of concrete in Bronte Park.
3. Supports the installation of barbecues at Bronte Park in the following revised configuration:
 - (a) Two new barbecue facilities in the existing barbecue location (southern existing location), as per Figure 2 of the report.
 - (b) One new barbecue facility in the proposed barbecue location (near the playground), as per Figure 3 of the report.
 - (c) One new barbecue facility in the proposed barbecue location (near Bronte Road), as per Figure 3 of the report.

4. Removes the concrete slab installed adjacent to the existing southern location and reduces the size of the slab of the Bronte Road proposed location.
5. Authorises the General Manager to approve any additional budget from the SAMP Public Domain Program.

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO CLAUSES 3(a)–(c).

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

UNANIMOUS DECISION

That Council:

1. Notes that of the 220 visitors to the Have Your Say page, only 17 participated in the survey; that is, only 7.7% of the total visitors.
2. Notes that, over the years, there has been strong community concern to limit the amount of concrete in Bronte Park.
3. Supports the installation of barbecues at Bronte Park in the following revised configuration:
 - (a) Two new barbecue facilities (four hotplates) in the existing barbecue location (southern existing location), as per Figure 2 of the report.
 - (b) One new barbecue facility (two hot plates) in the proposed barbecue location (near the playground), as per Figure 3 of the report.
 - (c) One new barbecue facility (two hotplates) in the proposed barbecue location (near Bronte Road), as per Figure 3 of the report.
4. Removes the concrete slab installed adjacent to the existing southern location and reduces the size of the slab of the Bronte Road proposed location.
5. Authorises the General Manager to approve any additional budget from the SAMP Public Domain Program.

FC/5.8/22.07 Verge/Nature Strip Maintenance Program (A14/0144)

MOTION

Mover: Cr Murray
Seconder: Cr Masselos

That Council:

1. Notes that Council officers currently maintain 145 verges across the local government area (LGA), comprising:
 - (a) 91 priority sites, being gateways and main roads, Bondi Junction and Bondi Beach, difficult-to-mow areas and public laneways.
 - (b) 54 special needs sites.

2. Notes the following alternative options for verge maintenance service frequency, as set out in the report:
 - (a) Option 1 – Increase the verge maintenance service to all streets in the LGA, utilising current staffing numbers, team structures and same amount of plant/equipment.
 - (b) Option 2 – Increase the scope of verge maintenance service to include all streets in the LGA receiving the same service frequency of four cuts per year.
 - (c) Option 3 – Offer a verge maintenance service for 11 Category 1 gateways and main arterial roads, 89 parks and reserves and 54 special needs residents only.
3. Notes a service review of the Open Spaces Maintenance area will be undertaken in 2022–23 where efficiencies identified can be utilised for future planning of the verge maintenance services.
4. Notes that Council officers will continue to maintain the current verge maintenance service schedule and frequency for the 145 verges across the LGA until completion of the service review.

AMENDMENT

Mover: Cr Betts

Seconder: Cr Burrill

That:

1. Clause 2 be amended to read as follows:

‘Notes the following options for verge maintenance service frequency, as set out in the report:

- (a) Option 1 – Increase the verge maintenance service to all streets in the LGA, utilising current staffing numbers, team structures and same amount of plant/equipment.
- (b) Option 2 – Increase the scope of verge maintenance service to include all streets in the LGA receiving the same service frequency of four cuts per year.
- (c) Option 3 – Offer a verge maintenance service for 11 Category 1 gateways and main arterial roads, 89 parks and reserves and 54 special needs residents only.
- (d) Option 4 – Existing service – Maintain 145 verges across the local government area comprising 91 priority sites and 54 special needs sites.’

2. Clause 3 be amended to read as follows:

‘Notes a service review of the Open Spaces Maintenance area will be undertaken in 2022–23 where efficiencies identified can be utilised for future planning of the verge maintenance services to include options to expand verge maintenance into residential streets alongside commercial property within our Village Shopping areas.’

3. Clause 4 be amended to read as follows:

‘Endorses Option 4 – Council officers continuing to maintain the current verge maintenance service schedule and frequency for the 145 verges across the LGA until completion of the service review.’

THE AMENDMENT WAS THEN PUT AND DECLARED CARRIED.

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Notes that Council officers currently maintain 145 verges across the local government area (LGA), comprising:
 - (a) 91 priority sites, being gateways and main roads, Bondi Junction and Bondi Beach, the gateway to Bronte Beach (including Macpherson Street), difficult-to-mow areas and public laneways.
 - (b) 54 special needs sites.
2. Notes the following options for verge maintenance service frequency, as set out in the report:
 - (a) Option 1 – Increase the verge maintenance service to all streets in the LGA, utilising current staffing numbers, team structures and same amount of plant/equipment.
 - (b) Option 2 – Increase the scope of verge maintenance service to include all streets in the LGA receiving the same service frequency of four cuts per year.
 - (c) Option 3 – Offer a verge maintenance service for 11 Category 1 gateways and main arterial roads, 89 parks and reserves and 54 special needs residents only.
 - (d) Option 4 – Existing service – Maintain 145 verges across the local government area comprising 91 priority sites and 54 special needs sites.
3. Notes a service review of the Open Spaces Maintenance area will be undertaken in 2022–23 where efficiencies identified can be utilised for future planning of the verge maintenance services to include options to expand verge maintenance into residential streets alongside commercial property within our Village Shopping areas.
4. Endorses Option 4 – Council officers continuing to maintain the current verge maintenance service schedule and frequency for the 145 verges across the LGA until completion of the service review.

FC/5.9/22.07 Drain Blockage Guidelines (A02/0640)

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak
Seconder: Cr Masselos

That Council:

1. Rescinds the Drain Blockage Policy attached to the report (Attachment 2).
2. Notes the Drain Blockage Guidelines attached to the report (Attachment 1), which are consistent with other metropolitan councils, as well as the *Sydney Water Regulation 2017*.

FC/5.10/22.07 Local Government NSW Board - Voting Delegates for Election to Fill Casual Vacancy (A13/0314)

Cr Wy Kanak declared a significant non-pecuniary interest in this item and informed the meeting that he is a candidate in the election to fill the casual vacancy. Cr Wy Kanak relinquished the chair and was not present at, or in sight of, the meeting for the consideration and vote on this item. Cr Murray, the Deputy Chair, assumed the chair for this item.

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council nominates the Mayor, Deputy Mayor, Crs Lewis, Fabiano and Murray as voting delegates for the election to fill a casual vacancy on the LGNSW Board for the office of Director (Metropolitan/Urban council).

Cr Burrill was not present for the vote on this item.

6. Urgent Business**FC/6.1/22.07 Recognition of Matthew Cook - 2022 Aboriginal and Torres Strait Islander Student of the Year for Central and Northern Sydney (A03/0905)**

The Chair ruled that this matter was urgent.

MOTION / DECISION

Mover: Cr Wy Kanak
Seconder: Cr Masselos

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

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak
Seconder: Cr Murray

That Council:

1. Notes that Council's school-based trainee Matthew Cook was recently announced as the regional winner of the Aboriginal and Torres Strait Islander Student of the Year for the Central and Northern Sydney region.
2. Requests the Mayor to write a letter of congratulations to Matthew Cook in recognition of this outstanding achievement.

Background

It is my great privilege to recognise the efforts of one of our hard-working Elsa Dixon trainees, Matthew Cook.

On Thursday, 23 June 2022, at an awards ceremony at Luna Park, Matthew Cook was announced as the regional winner of the Aboriginal and Torres Strait Islander Student of the Year for the Central and Northern Sydney region.

Matt is completing a school-based traineeship (Certificate 2 in Horticulture) with us and works with the Open Spaces team.

His traineeship is supported by the Elsa Dixon Aboriginal Employment Program.

He is in his second year of his traineeship and completing year 12.

He has now been shortlisted for the next phase of the program, which is a State interview. If he is selected as a State finalist, he will attend the NSW Awards in September.

We are really proud of Matt and appreciate the work of the Open Spaces and Community Services team in supporting him.

I would ask that Councillors support me in requesting that the Mayor write a letter of congratulations to Matthew in recognition of his outstanding achievement.

7. Closed Session

FC/7/22.07 **Closed Session**

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Betts

That:

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

FC/7.1/22.07 CONFIDENTIAL REPORT - Bronte House - Gardening and Horticultural Services - Tender Evaluation

This matter is considered to be confidential in accordance with section 10A(2)(d)(i) 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 commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

2. Pursuant to section 10A(1), 10(2) and 10A(3) of the *Local Government Act*, 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*.
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*.

At 9.06 pm, Council moved into closed session.

FC/7.1/22.07 **CONFIDENTIAL REPORT - Bronte House - Gardening and Horticultural Services - Tender Evaluation (A22/0012)**

MOTION UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Betts

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)(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. Defers this item to the August Council meeting for officers to report back on:
 - (a) The options available to Council under local government regulations regarding the procurement process in relation to this tender.
 - (b) Legal advice on all options available in relation to this tender.
 - (c) The risks associated with each specified option.

Two residents addressed the meeting on this item while the meeting was in open session.

8. Resuming in Open Session

FC/8/22.07 Resuming in Open Session

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Secunder: Cr Murray

That Council resumes in open session.

At 9.28 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 9.30 PM

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SIGNED AND CONFIRMED
CHAIR
2 AUGUST 2022