



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, 2 AUGUST 2022**

Present:

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 Ludovico Fabiano	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Michelle Gray	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Steven Lewis	Hunter Ward
Councillor Will Nemesh	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 7.03 pm, those present were as listed above.

In the absence of Cr Wy Kanak (Chair), Cr Murray (Deputy Chair) chaired the meeting

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

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

Apologies were received and accepted from Cr Angela Burrill and Cr Dominic Wy Kanak.

2. Declarations of Pecuniary and Non-Pecuniary Interest

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

FC/4.1/22.08 Confirmation of Minutes - Finance, Operations and Community Services Committee Meeting - 5 July 2022 (SF21/6064)

MOTION / UNANIMOUS DECISION

Mover: Cr Murray
Seconder: Cr Masselos

That the minutes of the Finance, Operations and Community Services Committee meeting held on 5 July 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

FC/5.1/22.08 Customer Experience Strategy 2022-2025 - Adoption (A22/0244)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Adopts the Customer Experience Strategy 2022–2025 attached to the report.
2. Receives a progress report in 12 months' time specifying outcomes against the four theme areas of:
 - (a) Customer centric culture and capability
 - (b) Customer satisfaction measurement
 - (c) Service improvements
 - (d) Technology enablement.

FC/5.2/22.08 Tree Management Policy and Guidelines - Exhibition (A02/0760)

MOTION

Mover: Cr Lewis
Seconder: Cr Keenan

That Council:

1. Publicly exhibits the draft Tree Management Policy attached to the report (Attachment 1) for 28 days.
2. Officers prepare a report to Council following the exhibition period.
3. Notes the Tree Management Guidelines attached to the report (Attachment 2).

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO THE MOTION.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Publicly exhibits the draft Tree Management Policy attached to the report (Attachment 1) for 28 days subject to the following amendments:
 - (a) Page 63 of the agenda – Delete 'and signature' from the first paragraph of clause 5.8.4.
 - (b) Page 61 of the agenda – Add 'but will not block pre-existing views' to the end of the second paragraph of clause 5.4.5.
 - (c) Page 61 of the agenda – Delete 'or to facilitate views' at the end of the third paragraph of clause 5.5.1 and add 'but will be allowed to protect a pre-existing or reinstate pre-existing views.'
 - (d) Page 62 of the agenda – Add the following clause after clause 5.6.3: 'Dead trees in the public domain should be removed and replaced by a new tree.'
2. Publicly exhibits the draft Tree Management Guidelines attached to the report (Attachment 2) for 28 days subject to the following amendments:

- (a) Page 71 of the agenda – Add ‘or its impact on a pre-existing view’ to the end of the last dot point of clause 3.2.
- (b) Page 73 of the agenda – Delete ‘there is a history of the identified tree(s) being pruned to restore the pre-existing view’ from the second paragraph of clause 3.5 and add ‘where the tree has been pruned before.’
- (c) Page 77 of the agenda – Add ‘Trees that flower and attract birds should be prioritised’ to the paragraph on tree selection in clause 4.5.
- (d) Page 94 of the agenda – Add the following dot point at the end of clause 10.1.1: ‘Impact on existing views.’

3. Officers prepare a report to Council following the exhibition period.

Division

For the Motion: Crs Betts, Gray, Lewis, Masselos, Murray and Nemesh.

Against the Motion: Crs Fabiano, Goltsman, Kay and Keenan.

FC/5.3/22.08 Tender Evaluation - Sports Field Maintenance Services (SF22/1677)

MOTION / UNANIMOUS DECISION

Mover: Cr Murray

Seconder: Cr Fabiano

That Council:

1. Treats the attachments to the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as they relate to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The attachments contain 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 2021*, accepts the preferred tenderer, Green Options, for the supply of sports field maintenance services for the sum of \$242,075.00 (excluding GST) and as per the schedule of rates attached to the report, for a period of three years with two one-year options at Council’s sole discretion.
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with the preferred tenderer.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2021*.

6. Urgent Business

There were no items of urgent business.

7. Closed Session**FC/7/22.08 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* for the reasons specified:

FC/7.1/22.08 CONFIDENTIAL REPORT - Eastgate Car Park Mechanic Licence - Procurement Exemption

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.

2. Pursuant to sections 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 7.45 pm, Council moved into closed session.

FC/7.1/22.08 CONFIDENTIAL REPORT - Eastgate Car Park Mechanic Licence - Procurement Exemption (A08/1284)**MOTION / UNANIMOUS DECISION**

Mover: Cr Gray

Seconder: Cr Fabiano

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. In accordance with section 55(3)(i) of the *Local Government Act 1993*, and due to extenuating circumstances, approves a procurement exemption to grant a licence to Bondi Motor Works Pty Ltd to operate the car mechanic service on the ground floor of Eastgate Car Park for three years, on the terms and conditions set out in the report.

- 3. Authorises the General Manager, or delegated representative, to complete negotiations and execute all necessary documents to finalise the matter.

8. Resuming in Open Session

FC/8/22.08 Resuming in Open Session

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Lewis

That Council resumes in open session.

At 7.48 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 7.49 PM.

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SIGNED AND CONFIRMED
CHAIR
6 SEPTEMBER 2022