



W A V E R L E Y  
C O U N C I L

## **FINANCE, OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING**

A meeting of the FINANCE, OPERATIONS AND COMMUNITY SERVICES COMMITTEE will be held at Waverley Council Chambers, Cnr Paul Street and Bondi Road, Bondi Junction at:

**7.00 PM, TUESDAY 7 FEBRUARY 2023**

Emily Scott  
**General Manager**

Waverley Council  
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## Delegations of the Finance, Operations and Community Services Committee

On 10 October 2017, Waverley Council delegated to the Finance, Operations and Community Services Committee the authority to determine any matter **other than**:

1. Those activities designated under s 377(1) of the *Local Government Act* which are as follows:
  - (a) The appointment of a general manager.
  - (b) The making of a rate.
  - (c) A determination under section 549 as to the levying of a rate.
  - (d) The making of a charge.
  - (e) The fixing of a fee
  - (f) The borrowing of money.
  - (g) The voting of money for expenditure on its works, services or operations.
  - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
  - (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
  - (j) The adoption of an operational plan under section 405.
  - (k) The adoption of a financial statement included in an annual financial report.
  - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
  - (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
  - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
  - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
  - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
  - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons,
  - (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
  - (s) The making of an application, or the giving of a notice, to the Governor or Minister.
  - (t) This power of delegation.
  - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.
2. The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403, and 404 of the *Local Government Act*.

## **Statement of Ethical Obligations**

Councillors are reminded of their oath or affirmation of office made under section 233A of the Act and their obligations under Council's code of conduct to disclose and appropriately manage conflicts of interest.

## **Live Streaming of Meeting**

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and/or voice being live streamed and publicly available.

## AGENDA

### PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair will 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

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

#### 3. Addresses by Members of the Public

#### 4. Confirmation of Minutes

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#### 5. Reports

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#### 6. Urgent Business

#### 7. Closed Session .....16

The following matter is proposed to be dealt with in Closed Session and has been distributed to Councillors separately with the Agenda:

FC/7.1/23.02	CONFIDENTIAL REPORT - Bronte Pool - Pump House Upgrade and Pump Replacement - Procurement Exemption
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#### 8. Resuming Open Session .....18

#### 9. Meeting Closure

**CONFIRMATION OF MINUTES  
FC/4.1/23.02**

**Subject:** Confirmation of Minutes - Finance, Operations and  
Community Services Committee Meeting - 6 December  
2022

**TRIM No:** SF21/6064

**Author:** Natalie Kirkup, Governance Officer

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**RECOMMENDATION:**

That the minutes of the Finance, Operations and Community Services Committee meeting held on 6 December 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

**Introduction/Background**

The minutes of committee meetings must be confirmed at a subsequent meeting of the committee, in accordance with clause 20.23 of the Code of Meeting Practice.

**Attachments**

1. Finance, Operations and Community Services Committee Meeting Minutes - 6 December 2022 .



**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, 6 DECEMBER 2022**

**Present:**

Councillor Dominic Wy Kanak (Chair)	Bondi Ward
Councillor Paula Masselos (Mayor)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson Ward
Councillor Angela Burrill	Lawson 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 Tim Murray	Waverley Ward
Councillor Will Nemes	Hunter Ward

**Staff in attendance:**

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czimmer	Director, Corporate Services
Fletcher Rayner	Director, Planning Sustainability and Compliance
Ben Thompson	Director, Community, Culture and Customer Experience

*At the commencement of proceedings at 7.01 pm, those present were as listed above, with the exception of Cr Goltsman who arrived at 7.02 during the prayer and Cr Murray who arrived at 7.05 during addresses by members of the public.*

*Crs Goltsman, Kay, Keenan, and Murray attended the meeting by audio-visual link.*

**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 following 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 Sally Betts.

**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 M Bray – FC/5.2/22.12 – Domestic Waste Service and Food Waste Recovery Solution.

**4. Confirmation of Minutes**

**FC/4.1/22.12 Confirmation of Minutes - Finance, Operations and Community Services Committee Meeting - 1 November 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 1 November 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

**5. Reports****FC/5.1/22.12 Volunteer Policy - Adoption (A16/0130)****MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis

Seconder: Cr Keenan

That Council adopts the Volunteer Policy attached to the report.

**FC/5.2/22.12 Domestic Waste Service and Food Waste Recovery Solution (SF21/3036)****MOTION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Implements a domestic food organics and garden organics (FOGO) service, commencing with a trial in the 2024–25 financial year.
2. Reaffirms the three-bin domestic waste service, including a commingled domestic recycling service and a domestic FOGO service.
3. Seeks grant funding from the NSW Environment Protection Authority to support the delivery of the new domestic FOGO service.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF A NEW CLAUSE 4.

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

**UNANIMOUS DECISION**

That Council:

1. Implements a domestic food organics and garden organics (FOGO) service, commencing with a trial in the 2024–25 financial year.
2. Reaffirms the three-bin domestic waste service, including a commingled domestic recycling service and a domestic FOGO service.
3. Seeks grant funding from the NSW Environment Protection Authority to support the delivery of the new domestic FOGO service.
4. Officers investigate a greater subsidy for compost bins (especially tumbler bins) and worm farms.

*M Bray addressed the meeting.*



**FC/5.3/22.12 Tree at 15 Consett Avenue, Bondi Beach (DA-552/2021)****MOTION**

Mover: Cr Gray  
Seconder: Cr Wy Kanak

That Council:

1. Notes the assessment of the *Quercus ilex* (evergreen oak) at 15 Consett Avenue, Bondi Beach, attached to the report.
2. Lists the tree in Council's Significant Tree Register.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSE 2.

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

**UNANIMOUS DECISION**

That Council:

1. Notes the assessment of the *Quercus ilex* (evergreen oak) at 15 Consett Avenue, Bondi Beach, attached to the report.
2. Lists the tree in Council's Significant Tree Register, as Council is of the view that it meets the additional criterion of cultural, social and/or commemorative value, therefore satisfying two criteria.

**FC/5.4/22.12 Petition - Nancy Street, Clyde Street and Reina Street, North Bondi - Resident Parking Scheme (A16/0643)****MOTION**

Mover: Cr Gray  
Seconder: Cr Nemesh

That Council:

1. Refers the petition requesting a resident parking scheme in Nancy Street, Clyde Street and Reina Street, North Bondi, to the Director, Assets and Operations, for consideration upon receipt of further signatures from residents supporting the proposal.
2. Officers prepare a report to the Traffic Committee on the consideration of the petition.

**AMENDMENT**

Mover: Cr Kay  
Seconder: Cr Burrill

That clause 2 be amended to read as follows:

'Officers prepare a report to the Traffic Committee after feedback has been received from residents following distribution of a Council survey, subject to officers considering the number of signatures being adequate as per clause 1.'

THE AMENDMENT WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

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

**UNANIMOUS DECISION**

That Council:

1. Refers the petition requesting a resident parking scheme in Nancy Street, Clyde Street and Reina Street, North Bondi, to the Director, Assets and Operations, for consideration upon receipt of further signatures from residents supporting the proposal.
2. Officers prepare a report to the Traffic Committee after feedback has been received from residents following distribution of a Council survey, subject to officers considering the number of signatures being adequate as per clause 1.

**6. Urgent Business**

There was no urgent business.

**7. Meeting Closure**

**THE MEETING CLOSED AT 7.55 PM.**

.....  
**SIGNED AND CONFIRMED**  
**CHAIR**  
**7 FEBRUARY 2023**

## REPORT

### FC/5.1/23.02



**Subject:** Petition - FOGO Waste Collection Service

**TRIM No:** A20/0600

**Author:** Al Johnston, Governance Officer

**Director:** Tara Czinner, Director, Corporate Services

#### RECOMMENDATION:

That Council notes the petition requesting Council to introduce a food organics and garden organics (FOGO) service.

#### 1. Executive Summary

Council received a petition on 8 December 2022 with 292 signatories requesting the introduction of a food organics and garden organics (FOGO) service.

At its meeting on 6 December 2022, Council resolved to implement a domestic FOGO service, commencing with a trial in the 2024–25 financial year (see the full resolution below). Council’s resolution addresses the petition. It is recommended that the petition be noted.

#### 2. Introduction/Background

Council accepts petitions from persons who have an interest in the Waverley local government area as residents, landowners, businesses or in some other capacity. Petitions must concern matters that Council is authorised to determine.

#### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Finance, Operations and Community Services Committee 6 December 2022	FC/5.2/22.12	That Council: <ol style="list-style-type: none"> <li>1. Implements a domestic food organics and garden organics (FOGO) service, commencing with a trial in the 2024–25 financial year.</li> <li>2. Reaffirms the three-bin domestic waste service, including a commingled domestic recycling service and a domestic FOGO service.</li> <li>3. Seeks grant funding from the NSW Environment Protection Authority to support the delivery of the new domestic FOGO service.</li> <li>4. Officers investigate a greater subsidy for compost bins (especially tumbler bins) and worm farms.</li> </ol>

#### **4. Discussion**

The petition was submitted by the Montessori East Environment Club, a group of students from the Montessori East Primary School.

The petition states:

*We, the undersigned, petition the Mayor and Councillors of Waverley to introduce a Food Organics Garden Organics (FOGO) program, just as more than 200 other Australian local Councils have successfully done.*

*FOGO is a kerbside collection service that allows food scraps to be added to the garden waste bin so it can be recycled into nutrient rich compost. The compost can then be used in parks, gardens and green spaces in the local area or on-sold to farmers. A successful FOGO program can save thousands of tonnes of waste going to landfill every year, saving the council money and helping save our environment.*

The petition complies with Council's Petition Policy.

#### **5. Financial impact statement/Time frame/Consultation**

There is no unbudgeted cost to Council in receiving the petition.

#### **6. Conclusion**

Council resolved to implement a domestic FOGO service, commencing with a trial in the 2024–25 financial year, at its meeting on 6 December 2022. It is recommended that the petition be noted.

#### **7. Attachments**

Nil.

**REPORT**  
**FC/5.2/23.02**



**Subject:** Petition - Illawong Avenue, Tamarama - Resident Parking Scheme

**TRIM No:** A02/0750

**Author:** Matt Burgess, Governance Officer  
Calum Hutcheson, Service Manager, Traffic and Transport

**Director:** Tara Czinner, Director, Corporate Services

**RECOMMENDATION:**

That Council:

1. Refers the petition requesting a resident parking scheme in Illawong Avenue, Tamarama, to the Executive Manager, Infrastructure Services, for consideration.
2. Officers prepare a report to the Traffic Committee on the consideration of the petition.

**1. Executive Summary**

Council has received a petition containing 43 signatures of residents of Illawong Avenue, Tamarama, requesting a resident parking scheme in the street.

**2. Introduction/Background**

Council accepts petitions from persons who have an interest in the Waverley local government area as residents, landowners, businesses or in some other capacity. Petitions must concern matters that Council is authorised to determine.

**3. Relevant Council Resolutions**

Meeting and Date	Item No.	Resolution
Council 23 September 2021	CM/8.1/21.09	That Council: <ol style="list-style-type: none"> <li>1. Officers investigate areas/streets with unrestricted parking within the Waverley Ward of the Waverley local government area to determine whether they are suitable for a Resident Parking Scheme (RPS), commencing with, but not limited to, the following streets:                             <ol style="list-style-type: none"> <li>(a) The western part of Area 11, including Silva Street, Carlisle Street and Fletcher Street.</li> <li>(b) The eastern part of Area 22, including Paul Street (south of Bondi Road), Dalley Street and Council Street (between Bondi Road and Birrell Street).</li> </ol> </li> </ol>

		<p>(c) The north-eastern part of Area 25, including Henrietta Street (north of Victoria Street), Langlee Avenue and Seaview Street.</p> <p>2. Officers survey the areas/streets in Waverley Ward that are deemed suitable for a new or extended RPS and report to the Waverley Traffic Committee on the survey results, with a recommendation to Council.</p> <p>3. Officers expedite the RPS surveys and any approved RPS installations by bringing forward the timetable identified in the General Manager’s comments, where possible and subject to resourcing, and maintain the latest schedule on the RPS section of Council’s website.</p> <p>4. Notes that the General Manager’s comments state that the planned sequence and schedule for RPS surveys by Area is currently as follows:</p> <p>(a) The western part of Area 11 (including Silva, Carlisle, Fletcher, Denham, Illawong, Carlisle, Gaerloch, Alexander) – November 2021.</p> <p>(b) The eastern part of Area 22 (Paul, Dalley, Council), noting that Transport for NSW is the determining authority for parking on Council Street, as it is a State Road – April 2022.</p> <p>(c) The north-eastern part of Area 25 (Henrietta, Langlee, Seaview) – August 2022.</p> <p>(d) The eastern part of Area 15 (Jackaman, Avoca, Tasman, Philip, Imperial, Tamarama, Boonara, Farrellys) – February 2023.</p> <p>(e) Streets within Areas 26 and 12 that do not already have resident parking – June 2023.</p> <p>5. Notes that representations have been received from residents in the RPS areas mentioned above, with residents reporting that parking occupancy rates have increased to undue proportions over the last few years, especially during COVID-19 restrictions and the daylight-saving period.</p> <p>6. Notes that in October 2013, Council unanimously resolved that Council officers have discretion to conduct RPS resident surveys where an on-street parking problem is identified.</p>
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#### 4. Discussion

The petition states:

*Illawong Avenue, Tamarama 2026 is currently designated as unrestricted parking. Last years changes to extend residential parking in Area 11, especially in surrounding streets such as Fletcher St, Silva St and Wonderland Ave, has meant parking in Illawong Ave has become a major issue.*

*The Eastern end of Area 15, including Farrellys Ave, Boonara Ave and streets to their west, is currently being considered by Council for the introduction of new residential parking restrictions. Even now, vehicles are being increasingly left for long periods in Illawong Ave significantly and unduly impacting parking for local residents. The proposed changes to Farrellys Ave and other streets at the eastern end of Area 15 will only make the current poor situation much worse.*

*We request that Waverley Council urgently turns Illawong Avenue into a restricted residential parking area in line with that in Fletcher Street (8am-10pm 2 hours restricted parking, residential permits excepted).*

The petition complies with Council's Petitions Policy.

Illawong Avenue is part of Area 11. Council officers conducted a survey of resident parking scheme Area 11 to determine the level of support of a resident parking scheme in early 2022. The results of the survey were reported to the 26 May 2022 meeting of the Traffic Committee. Only two responses were received from Illawong Avenue: one in favour of resident parking and one against.

There are 131 dwellings in Illawong Avenue of which:

- 31 are in the apartment buildings at 6, 19, and 21 Illawong Avenue.
- 78 are in the apartment building at 20 Illawong Avenue (at the end of the cul-de-sac).
- 22 are houses.

The petition with 43 signatures came from 29 dwellings of which:

- 15 are in the apartment buildings at 6, 19, and 21 Illawong Avenue.
- 14 are from residents of houses.

There are no signatures from 20 Illawong Avenue.

Excluding 20 Illawong Avenue, the signatures from 29 dwellings represent 55% of the dwellings in the street. This majority in favour indicates that resident parking should be reconsidered for Illawong Avenue. Further surveys are not required. Officers will prepare a report to the Traffic Committee on the consideration of the petition.

## **5. Financial impact statement/Time frame/Consultation**

There is no unbudgeted cost to Council in receiving the petition.

## **6. Conclusion**

It is recommended that the petition be referred to the Executive Manager, Infrastructure Services, and that a report be prepared for the Traffic Committee.

## **7. Attachments**

Nil.

**CLOSED SESSION**  
**FC/7/23.02**

**Subject:** Moving into Closed Session

**Author:** Emily Scott, General Manager

**WAVERLEY**  
COUNCIL

**RECOMMENDATION:**

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/7.1/23.02      CONFIDENTIAL REPORT - Bronte Pool - Pump House Upgrade and Pump Replacement - Procurement Exemption

This matter is considered to be confidential in accordance with Section 10A(2)(d)(i) of the *Local Government Act*, and the Committee 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*.

**Introduction/Background**

In accordance with section 10A(2) of the Act, Council may close part of its meeting to deal with business of the following kind:

- (a) Personnel matters concerning particular individuals (other than councillors).
- (b) Personal hardship of any resident or ratepayer.
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) Commercial information of a confidential nature that would, if disclosed:
  - (i) Prejudice the commercial position of a person who supplied it: or
  - (ii) Confer a commercial advantage on a competitor of Council;
  - (iii) Reveal a trade secret.
- (e) Information that would, if disclosed, prejudice the maintenance of law.
- (f) Matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440.



It is my opinion that the business listed in the recommendation is of a kind referred to in section 10A(2) of the *Local Government Act 1993* and, under the provisions of the Act and the *Local Government (General) Regulation 2021*, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clauses 14.9–14.10 of the Waverley Code of Meeting Practice, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

**RESUMING IN OPEN SESSION**  
**FC/8/23.02**



**WAVERLEY**  
COUNCIL

**Subject:** Resuming in Open Session  
**Author:** Emily Scott, General Manager

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**RECOMMENDATION:**

That Council resumes in open session.

**Introduction/Background**

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