



## 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 SEPTEMBER 2023

#### **Present:**

Councillor Tim Murray (Deputy Chair)	Waverley 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 Steven Lewis	Hunter Ward
Councillor Will Nemesh	Hunter Ward
Councillor Dominic Wy Kanak	Bondi Ward

#### **Staff in attendance:**

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

*At the commencement of proceedings at 7.00 pm, those present were as listed above, with the exception of Cr Nemesh who arrived at 7.10 pm during item FC/5.3/23.09.*

*At the request of Cr Wy Kanak (Chair), Cr Murray (Deputy Chair) chaired the meeting.*

*Crs Keenan, Nemesh and Wy Kanak 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 from Cr Sally Betts and Cr Tony Kay.

**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**

There were no addresses by members of the public.

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

Mover: Cr Murray  
Seconder: Cr Masselos

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

FC/4.1/23.09 Confirmation of Minutes – Finance, Operations and Community Services Committee Meeting – 1 August 2023.

FC/5.1/23.09 Reconciliation Action Plan Advisory Committee Meeting – 22 June 2023 – Minutes.

FC/5.2/23.09 Council Resolutions – Status Update.

FC/5.5/23.09 Tamarama Kiosk Lease – Post-Exhibition.

*Cr Nemesh was not present for the vote on this item.*

**4. Confirmation of Minutes****FC/4.1/23.09 Confirmation of Minutes - Finance, Operations and Community Services Committee Meeting - 1 August 2023 (SF23/17)****MOTION / UNANIMOUS DECISION**

Mover: Cr Murray  
Seconder: Cr Masselos

That the minutes of the Finance, Operations and Community Services Committee meeting held on 1 August 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

*Cr Nemesh was not present for the vote on this item.*

**5. Reports****FC/5.1/23.09 Reconciliation Action Plan Advisory Committee Meeting - 22 June 2023 - Minutes (A14/0173)****MOTION / UNANIMOUS DECISION**

Mover: Cr Murray  
Seconder: Cr Masselos

That Council:

1. Notes the minutes of the Reconciliation Action Plan Advisory Committee meeting held on 22 June 2023 attached to the report.
2. Notes the Committee's recommendation in relation to outstanding Council resolutions to consider and prioritise an Aboriginal Heritage Study as a framework to manage key local priorities, and consider dual naming, acknowledging the Frontier Wars and local treaties as part of this study.

*Cr Nemesh was not present for the vote on this item.*

**FC/5.2/23.09 Council Resolutions - Status Update (SF22/3521)****MOTION / UNANIMOUS DECISION**

Mover: Cr Murray  
Seconder: Cr Masselos

That Council:

1. Notes the status of outstanding Council resolutions from February 2018 to April 2023, as set out in the attachment to the report.
2. Notes that finalised resolutions from February 2018 to April 2023 have been distributed separately to Councillors.
3. Receives an update on the status of outstanding resolutions each quarter.

*Cr Nemesh was not present for the vote on this item.*

**FC/5.3/23.09                      Barracluff Park - Dog Off-Leash Area and Management (A22/0336)****MOTION**

Mover:        Cr Gray  
Seconded:    Cr Wy Kanak

That Council:

1.     Declares Barracluff Park to be a dog off-leash area between 3 pm and 10 am daily:
  - (a)    Except when it has been hired or licensed for sporting activities and community events.
  - (b)    Not including the playground and within 10 metres of the playground and community hardcourt area, in accordance with section 13(6) of the *Companion Animals Act 1998*.
2.     Approves an upgrade to the sports field surface in 2023–24 bringing forward \$695,150 currently allocated in the Long Term Financial Plan 6.1 in 2025–26, with a maintenance program to be developed to ensure co-location of uses.
3.     Following the 2024–25 winter season, consults the community and sports clubs on the satisfaction of all users, and officers report back to Council.

**AMENDMENT 1 (WITHDRAWN)**

Mover:        Cr Goltsman

That clause 1 be amended to read as follows:

‘Trials a timed dog-leash area on the sports field for six months between 3 pm and 10 am daily except when it has been hired or licensed for sporting activities and community events, to commence in April 2024.’

**AMENDMENT 2**

Mover:        Cr Burrill  
Seconded:    Cr Goltsman

That clause 1 be amended to read as follows:

‘Trials a timed dog off-leash area on the sports field for six months at Barracluff Park between 3 pm and 10 am daily:

- (a)    Except when it has been hired or licensed for sporting activities and community events.
- (b)    Not including the playground and within 10 metres of the playground and community hardcourt area, in accordance with section 13(6) of the *Companion Animals Act 1998*.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

**Division**

**For the Amendment:**        Crs Burrill, Goltsman and Nemes.

**Against the Amendment:**    Crs Fabiano, Gray, Keenan, Lewis, Masselos, Murray and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1.     Declares Barracluff Park to be a dog off-leash area between 3 pm and 10 am daily:

- (a) Except when it has been hired or licensed for sporting activities and community events.
  - (b) Not including the playground and within 10 metres of the playground and community hardcourt area, in accordance with section 13(6) of the *Companion Animals Act 1998*.
2. Approves an upgrade to the sports field surface in 2023–24 bringing forward \$695,150 currently allocated in the Long Term Financial Plan 6.1 in 2025–26, with a maintenance program to be developed to ensure co-location of uses.
  3. Following the 2024–25 winter season, consults the community and sports clubs on the satisfaction of all users, and officers report back to Council.

**FC/5.4/23.09                      Flickerfest 2024 and 2025 - Financial Assistance (A22/0540)**

**MOTION**

Mover:        Cr Masselos

Seconder:    Cr Lewis

That Council:

1. In accordance with section 356(2) of the *Local Government Act 1993*, publicly exhibits for 28 days the proposal to grant \$350,428 (including GST) in financial assistance to Flickerfest Pty Ltd to support the cost of Flickerfest in 2024 and 2025.
2. Notes that the proposed grant of \$350,428 comprises:
  - (a) Direct costs of \$61,890 (including GST) for 2024 and \$66,532 (including GST) for 2025.
  - (b) In-kind costs to the value of \$133,979 (including GST) for 2024 and \$144,027 (including GST for 2025).
3. Officers prepare a report to Council following the exhibition period.

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING PROCEDURAL MOTION, MOVED BY CR MURRAY AND SECONDED BY CR MASSELOS, WAS PUT AND DECLARED CARRIED UNANIMOUSLY:

‘That Council moves into closed session to deal with this item in accordance with section 10A of the *Local Government Act 1993*, as 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.’

*At 7.27 pm, Council moved into closed session.*

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO CLAUSES 1 AND 2 THE ADDITION OF A NEW CLAUSE.

A PROCEDURAL MOTION TO RESUME IN OPEN SESSION, MOVED BY CR GOLTSMAN, WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

*At 8.03 pm, Council resumed in open session.*

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. In accordance with section 356(2) of the *Local Government Act 1993*, publicly exhibits for 28 days the proposal to grant \$195,869 (including GST) in financial assistance to Flickerfest Pty Ltd to support the cost of Flickerfest in 2024.
2. Notes that the proposed grant of \$195,869 comprises:
  - (a) Direct costs of \$61,890 (including GST) for 2024.
  - (b) In-kind costs to the value of \$133,979 (including GST) for 2024.
3. Requires Flickerfest to provide audited financials to Council, including itemised salaries of directors and key management personnel, prior to progressing with the 2024 agreement.
4. Officers prepare a report to Council following the exhibition period.

*Cr Wy Kanak requested that his vote against the motion be recorded in the minutes.*

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

**FC/5.5/23.09 Tamarama Kiosk Lease - Post-Exhibition (A23/0231)****MOTION / UNANIMOUS DECISION**

Mover: Cr Murray  
Seconder: Cr Masselos

That Council:

1. Approves in principle the granting of a lease of up to five years for the operation of Tamarama Kiosk.
2. Notes that a tender process will be undertaken to seek a lessee, with a report to be presented to Council to grant the lease to the preferred tenderer.

*Cr Nemesh was not present for the vote on this item.*

**6. Urgent Business**

There was no urgent business.

**7. Meeting Closure**

**THE MEETING CLOSED AT 8.06 PM.**

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**SIGNED AND CONFIRMED**  
**CHAIR**  
**7 NOVEMBER 2023**