



WAVERLEY
COUNCIL

**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 21 MAY 2019**

Present:

Councillor John Wakefield (Mayor) (Chair)	Bondi Ward
Councillor Dominic Wy Kanak (Deputy Mayor)	Bondi Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor George Copeland	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Elaine Keenan	Lawson Ward
Councillor Steven Lewis	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Will Nemes	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward

Staff in attendance:

Ross McLeod	General Manager
John Clark	Director, Customer Service and Organisation Improvement
Peter Monks	Director, Planning, Environment and Regulatory
Emily Scott	Director, Community, Assets and Operations
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer
Jane Worthy	Internal Ombudsman

At the commencement of proceedings at 7.03 PM, those present were as listed above.

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 Mayor 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

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Betts declared a significant non-pecuniary interest in Item CM/7.8/19.05 – Small Grants Program 2018-19 – Round 2 and informed the meeting that she is on the management committee of WAYS. Cr Betts advised the meeting that she will be leaving the Chamber for the item.
- 2.2 Cr Burrill declared a significant non-pecuniary interest in Item CM/7.8/19.05 – Small Grants Program 2018-19 – Round 2 and informed the meeting that she is the organiser of the Bondi Beach Playgroups. Cr Burrill advised the meeting that she will be leaving the Chamber for the item.
- 2.3 Cr Betts declared a significant non-pecuniary interest in Item CM/7.9/19.05 – Annual Venue Hire Grants – 2019–20 and informed the meeting that she is on the management committee of WAYS. Cr Betts advised the meeting that she will leave the chamber for the item.

3. Addresses by Members of the Public

- 3.1 J O'Donoghue (on behalf of Keep Sydney Open) – CM/7.4/19.05 – Alcohol Free Zones and Alcohol Prohibited Areas
- 3.2 E Gillezeau – CM/8.1/19.05 – Varna Park – Exercise Equipment
- 3.3 A representative of the Jewish Board of Deputies – CM/8.3/19.05 – Improved CCTV Surveillance in Bondi and Surrounding Areas.

4. Confirmation and Adoption of Minutes

CM/4.1/19.05 Confirmation of Minutes - Council Meeting - 16 April 2019 (SF19/325)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That the minutes of the Council Meeting held on 16 April 2019 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/4.2/19.05 Adoption of Minutes - Waverley Traffic Committee Meeting - 18 April 2019 (SF19/328)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 18 April 2019 be received and noted, and that the recommendations contained therein be adopted.

5. Mayoral Minutes

CM/5.1/19.05 Improving the Flow of Buses along O'Brien Street and Glenayr Avenue (A03/0189)

MOTION / DECISION

Mover: Cr Wakefield

That Council investigates actions to improve the flow of buses along O'Brien Street and Glenayr Avenue, through to Hardy Street, North Bondi. These actions should include improving the priority of streets that buses travel along, intersection treatment, roundabout works and traffic signalisation as deemed necessary by Council officers in consultation with the State Transit Authority.

6. Obituaries

Frank Stepan
Svetlana Farbman
Lena Goldstein
Bob Hawke
Tom Jones

Council rose for a minute's silence for the souls of people generally who have died in our Local Government Area.

7. Reports**CM/7.1/19.05 Q3 Budget Review - March 2019 (A03/0346)****MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council:

1. Notes that the Chief Financial Officer, as the responsible accounting officer, advises that the projected financial position of Council is satisfactory.
2. Adopts the variations to the 2018–19 Operating and Capital budgets in accordance with Attachments 1, 2 and 3 to this report.

CM/7.2/19.05 Investment Portfolio Report - April 2019 (A03/2211)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council:

1. Receives and notes the Investment Summary Report for April 2019 attached to this report.
2. Notes that all investments have been made in accordance with the requirements of section 625 of the *Local Government Act 1993* and directions from the Minister for Local Government, including Ministerial Investment Orders, and Council's Investment Policy.

CM/7.3/19.05 Councillors' Fees - Local Government Remuneration Tribunal Determination for 2019-20 (A03/1343)**MOTION / DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council, in accordance with the Local Government Remuneration Tribunal's Annual Report and Determination 2019 attached to this report, endorses the annual fees payable to councillors for the year 1 July 2019 to 30 June 2020 as follows:

1. All Councillors (including the Mayor) – \$20,280.
2. Mayor – \$44,230 in addition to the Councillor fee.
3. Deputy Mayor – \$3,914 in addition to the Councillor fee, and that this amount be paid from the fees paid to the Mayor.

CM/7.4/19.05 Alcohol Free Zones and Alcohol Prohibited Areas (A03/0099)**MOTION / UNANIMOUS DECISION**

Mover: Cr Keenan

Seconder: Cr Lewis

That Council defers this item to allow a Councillor workshop to be held as soon as possible.

J O'Donoghue (on behalf of Keep Sydney Open) addressed the meeting.

CM/7.5/19.05 City2Surf Licence Agreement 2019–2023 (SF19/2013)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council authorises the General Manager, or delegated representative, to finalise and execute renewal of a five-year licence agreement with Fairfax Media Events for the delivery of the City2Surf Event from 2019 based on the terms set out in this report.

CM/7.6/19.05 Phone Parking in P Ticket Areas - Change to Parking Signs (A13/0530)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Notes the Waverley Traffic Committee's recommendation in the minutes of its 18 April 2019 meeting supporting the amendment of signage associated with ticket parking within Queen Elizabeth Drive, Park Drive North, Park Drive South and Bronte Cutting to include reference to phone parking.
2. Amends signage associated with ticket parking in all remaining 'P Ticket' areas in the Waverley local government area to include reference to phone parking, subject to the agreement of the Waverley Traffic Committee.

CM/7.7/19.05 Watson Street, Bondi – Temporary Full Road Closure for Crane Lift (A02/0216)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Kay

That Council:

1. Notes that the Executive Manager, Creating Waverley, will exercise his delegation (under section 115(2) of the *Roads Act 1993*) to temporarily close Watson Street, Bondi, between Bondi Road and Birrell Street, from 10 pm Monday, 20 May to 6 pm Tuesday, 21 May 2019, in accordance with Road Closure TCP TLTCP-AS-57707 Rev 'A' and Truck Reversing VMP TLTCP-AS-57707 Rev 'A' prepared by Traffic Logistics on behalf of the applicant, and attached to this report.
2. Delegates authority to the Executive Manager, Creating Waverley, in conjunction with Roads and Maritime Services, to authorise the road closure to take place on an alternative date, if required.

CM/7.8/19.05 Small Grants Program 2018-19 - Round 2 (SF19/1626)

Cr Betts declared a significant non-pecuniary interest in this item and informed the meeting that she is on the management committee of WAYS. Cr Betts was not at, or in sight of, the meeting for the debate and vote.

Cr Burrill declared a significant non-pecuniary interest in this item and informed the meeting that she is the organiser of the Bondi Beach Playgroups. Cr Burrill was not at, or in sight of, the meeting for the debate and vote.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council approves grants to the value of \$50,541 to individuals and organisations as set out in Table 1 of this report under its Small Grants Program 2018–19 (Round 2), with conditions where specified in Attachment 1 to this report.

CM/7.9/19.05 Annual Venue Hire Grants - 2019-20 (A19/0203)

Cr Betts declared a significant non-pecuniary interest in this item and informed the meeting that she is on the management committee of WAYS. Cr Betts was not at, or in sight of, the meeting for the debate and vote.

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis

Seconder: Cr Goltsman

That Council, under section 356 of the *Local Government Act*, provides the financial assistance as set out in Attachment 1 to this report, to support those listed organisations with venue hire costs until 5 July 2020 under Council's Venue Hire Grant Program 2019–20.

CM/7.10/19.05 Sydney Jewish Writers Festival 2019 (SF19/342)**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis

Seconder: Cr Wy Kanak

That Council, under section 356 of the *Local Government Act 1993*, grants up to \$5,700 in financial assistance to the Shalom Institute to cover costs related to venue hire for the Sydney Jewish Writers Festival 2019 (19–25 August).

CM/7.11/19.05 Voluntary Planning Agreement - 625-627 Old South Head Road, Rose Bay (DA-46/2018)**MOTION**

Mover: Cr Wakefield
Seconder: Cr Lewis

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 625–627 Old South Head Road, Rose Bay. The draft Planning Agreement offers a total monetary contribution of \$349,500, with \$314,550 (90%) to go towards the improvement and regeneration of parks and reserves in the Rose Bay/Dover Heights area and \$34,950 (10%) to go towards Waverley’s Affordable Housing Program, in accordance with Council’s Planning Agreement Policy 2014.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.
3. Notes that the consent authority was the Land and Environment Court through a section 34 conciliation conference.

AMENDMENT

Mover: Cr Copeland
Seconder: Cr Keenan

That the Motion be adopted subject to clause 1 being amended to read as follows:

‘Endorses the draft Planning Agreement attached to this report applying to land at 625–627 Old South Head Road, Rose Bay. The draft Planning Agreement offers a total monetary contribution of \$349,500, with \$279,600 (80%) to go towards the improvement and regeneration of parks and reserves in the Rose Bay/Dover Heights area and \$69,900 (20%) to go towards Waverley’s Affordable Housing Program.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Copeland, Keenan and Wy Kanak.

Against the Amendment: Crs Betts, Burrill, Goltsman, Kay, Lewis, Masselos, Nemesh, O’Neill and Wakefield.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh, O’Neill and Wakefield.

Against the Motion: Crs Keenan and Wy Kanak.

DECISION: That the Motion be adopted.

CM/7.12/19.05 Voluntary Planning Agreement - 292–302 Oxford Street, Bondi Junction (DA-600/2015/B)**MOTION**

Mover: Cr Wakefield

Seconder: Cr Lewis

That Council:

1. Endorses the draft Planning Agreement attached to this report applying to land at 292–302 Oxford Street, Bondi Junction. The draft Planning Agreement offers a total monetary contribution of \$1,687,239, with \$1,518,515 (90%) to go towards the Complete Streets Program and \$168,723 (10%) to go towards Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014.
2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.
3. Notes that the consent authority was the Waverley Local Planning Panel.

AMENDMENT

Mover: Cr Copeland

Seconder: Cr Keenan

That the Motion be adopted subject to clause 1 being amended to read as follows:

'Endorses the draft Planning Agreement attached to this report applying to land at 292–302 Oxford Street, Bondi Junction. The draft Planning Agreement offers a total monetary contribution of \$1,687,239, with \$1,349,791 (80%) to go towards the Complete Streets Program and \$339,448 (20%) to go towards Waverley's Affordable Housing Program'.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division**For the Amendment:** Crs Copeland, Keenan and Wy Kanak.**Against the Amendment:** Crs Betts, Burrill, Goltsman, Kay, Lewis, Masselos, Nemesh, O'Neill and Wakefield.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division**For the Motion:** Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh, O'Neill and Wakefield.**Against the Motion:** Crs Keenan and Wy Kanak.**DECISION:** That the Motion be adopted.

CM/7.13/19.05 State Emergency Service (SES) Depot, Area 2, 14 Grafton Street - Lease (A12/0785)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconder: Cr Goltsman

That Council:

1. Enters into a lease with Roads and Maritime Services for the lease of the premises known as Lot 2, DP 262917, State Emergency Services Depot, Area 2, 14 Grafton Street, Bondi Junction, on the terms and conditions contained in this report.
2. Authorises the General Manager to finalise negotiations and do all things necessary to enter into the lease.

Cr Nemesh was not in the chamber for the vote on this item.

CM/7.14/19.05 Road Re-sheeting Program 2019-2020 - Use of 'Reconophalt' Asphalt (SF19/1780)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Treats the quotation attached to this 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 quotation contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Not invite tenders for the re-sheeting of Blair Street (Mitchell Street to Wairoa Avenue), Henrietta Street (Bronte Road to Salisbury Street) and St Thomas Street (Albert Street to MacPherson Street) pursuant to section 55(3)(i) of the *Local Government Act 1993* due to Council's desire to support the trial of a new sustainable road re-sheeting product that is only supplied by Downer EDI Works Pty Ltd, leaving no available competitor for tender.
3. Enters into contract with Downer EDI Works Pty Ltd to carry out the Blair Street (Mitchell Street to Wairoa Avenue), Henrietta Street (Bronte Road to Salisbury Street) and St Thomas Street (Albert Street to MacPherson Street) re-sheeting works utilising 'Reconophalt' as part of the 2019/2020 financial year Road Re-sheeting Program for the sum of \$400,064.02 (excluding GST).
4. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Downer EDI Works Pty Ltd.

CM/7.15/19.05 Tender Evaluation - Wairoa Community Centre Remediation Services (A19/0072)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Treats the Tender Evaluation Matrix attached to this 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 Assett Group Services Pty Ltd as the preferred tenderer for the supply of remediation services for the sum of \$69,517.50 (excluding GST).
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Assett Group Services Pty Ltd.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

CM/7.16/19.05 Tender Evaluation - Waverley Park Entry and Footpath Upgrade (A19/0073)**MOTION / UNANIMOUS DECISION**

Mover: Cr O'Neill

Seconder: Cr Copeland

That Council:

1. Treats the Tender Evaluation Matrix attached to this 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 Stateline Asphalt Pty Ltd as the preferred tenderer for the supply of contractor services at Waverley Park Entries and Footpath Upgrades for the sum of \$158,995 (excluding GST).
3. Authorises the General Manager, or delegated representative, to enter into contract on behalf of Council with Stateline Asphalt Pty Ltd for a four-week contract.
4. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government Act (General) Regulation 2005*

Cr Nemesh was not in the chamber for the vote on this item.

CM/7.17/19.05 Quotation Evaluation - Waverley Park Landscape Lighting (SF19/430)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield
Seconded: Cr Wy Kanak

That Council:

1. Authorises the General Manager, or delegated representative, to negotiate with Courtcraft Pty Ltd to reach agreement on a price and contract to undertake required works for the Waverley Park Landscape Lighting Project, and, in the event that the General Manager is satisfied that the negotiated outcome provides value for money, further authorises the General Manager to enter into a contract with Courtcraft Pty Ltd for the Waverley Park Landscape Lighting Project.
2. Transfers \$240,000 from the SAMP Infrastructure Reserve to the Waverley Park Landscape Lighting project 2018–19 budget to cover the expected budget project costs.

8. Notices of Motion**CM/8.1/19.05 Varna Park - Exercise Equipment (A06/0739)****MOTION / UNANIMOUS DECISION**

Mover: Cr Keenan
Seconded: Cr Copeland

That Council:

1. Investigates options for the installation of outdoor exercise equipment in Varna Park, including costs, suitable types of equipment and potential locations for the equipment.
2. Officers report back to Council.

E Gillezeau addressed the meeting.

CM/8.2/19.05 Vivid 2020 and Bondi Junction (A16/0292)**MOTION / UNANIMOUS DECISION**

Mover: Cr Keenan
Seconded: Cr Copeland

That:

1. Council investigates working with Destination NSW to attract Vivid events to Bondi Junction in 2020 in a similar way to Willoughby Council, which has attracted Vivid events to Chatswood.
2. A report comes back to Council.

CM/8.3/19.05 Improved CCTV Surveillance in Bondi and Surrounding Areas (A03/2668)**MOTION / UNANIMOUS DECISION**

Mover: Cr Goltsman

Seconder: Cr Betts

That Council:

1. Acknowledges concern expressed by the community about the rise in anti-Semitism and racial vandalism in Waverley.
2. Notes that Council has already installed one CCTV camera along the Bondi Beach Promenade to be able to identify the culprits of this type of vandalism.
3. Welcomes the recent funding contribution announcement by the Federal Government of \$144,000 to enhance CCTV surveillance at Bondi Beach.
4. Escalates the project to install the remaining CCTV cameras at the earliest opportunity.
5. Officers meet with NSW Police, Bondi Ward Councillors, lifeguards and the North Bondi and Bondi Surf Clubs in June 2019 to identify the best locations for these cameras.
6. Identifies other complementary strategies, including appropriate lighting, natural surveillance, access control, signage and other recommendations to achieve the above.
7. Prepares an urgent report identifying suitable CCTV camera locations along Bondi Beach promenade and surrounding areas, and provides methods on:
 - (a) Deterring and reducing crime.
 - (b) Promoting and enhancing a safer environment.
 - (c) Protecting the community and public property.
 - (d) Assisting in the detection and prosecution of offenders.
 - (e) Managing and improving public safety and risk.
8. Investigates amending the 2004 policy (which only covers cameras on buildings for asset protection) to incorporate surveillance of the public domain.

A representative of the Jewish Board of Deputies addressed the meeting.

CM/8.4/19.05 Dudley Page Reserve - Installation of Water Bubbler (A03/2129)**MOTION / DECISION**

Mover: Cr Nemesh

Seconder: Cr Betts

That Council:

1. Investigates the current water connections at Dudley Page Reserve to satisfy Sydney Water requirements to install a water bubbler there.

2. Subject to those investigations, install a new bubbler. The bubbler should provide wheelchair access and a facility for dispensing water for dogs and a water station.
3. Informs the Dover Heights Precinct Committee of this decision.

9. Urgent Business

There were no items of urgent business.

10. Closed Session

CM/10/19.05 Closed Session

MOTION / DECISION

Mover: Cr Wakefield
 Secunder: Cr Betts

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 1993* for the reasons specified:

CM/10.1/19.05 CONFIDENTIAL REPORT - Commercial Waste - Fees and Charges 2019-20

This matter is considered to be confidential in accordance with section 10A(2)(d)(ii) 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 competitor of council.

CM/10.2/19.05 CONFIDENTIAL REPORT - Bondi Surf Bathing Life Saving Club - Conservation and Upgrade Building Project - Heads of Agreement

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.

CM/10.3/19.05 CONFIDENTIAL REPORT - North Bondi Surf Life Saving Club - Advanced Response Life Saving Facility Building Project - Heads of Agreement

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 sections 10A(1), 10(2) and 10A(3) of the *Local Government Act 1993*, 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 1993*.

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 1993*.

At 9.14 PM, Council moved into closed session.

**CM/10.1/19.05 CONFIDENTIAL REPORT - Commercial Waste - Fees and Charges 2019-20
(A02/0162)**

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Burrill

That Council:

1. Treats this 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)(ii) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a competitor of council.
2. Adopts the fees and charges for commercial waste services for the period 1 July 2019 to 30 June 2020, as set out in the table in this report.

**CM/10.2/19.05 CONFIDENTIAL REPORT - Bondi Surf Bathers Life Saving Club - Conservation and
Upgrade Building Project - Heads of Agreement (A19/0172)**

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Goltsman

That Council:

1. Treats this 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. Endorses the Heads of Agreement between Council and Bondi Surf Bathers Life Saving Club attached to this report for the proposed Bondi Surf Bathers Life Saving Club Conservation and Upgrade Building Project, subject to clause 10 (Cost Overrun) being amended to read as follows:

‘In the event that the actual cost of the demolition/construction phase of the project exceeds the available funding and it is not reasonably practicable to reduce the costs so that they match the approved budget, the additional cost overrun shall be borne by the Landlord unless the overrun is the direct result of a change in design requested by the tenant.’
3. Delegates authority to the General Manager to sign the Heads of Agreement on behalf of Council and to forward to the Bondi Surf Bathers Life Saving Club for execution.
4. Prepares an Agreement for Lease for the Bondi Surf Bathers Life Saving Club to include both the

existing clubhouse building and the new club building, with a report to be brought back to Council for approval.

5. Writes to the Office of Local Government to seek approval to enter into a Public Private Partnership with Bondi Surf Bathing Life Saving Club for the proposed Bondi Surf Bathing Life Saving Club Conservation and Upgrade Building Project.
6. Notes that the Council's funding contribution to the cost of the project, as outlined in Table 1 of this report, has been allocated in the draft Long Term Financial Plan 2019/20–2029/30.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Nil.

CM/10.3/19.05 CONFIDENTIAL REPORT - North Bondi Surf Life Saving Club - Advanced Response Life Saving Facility Building Project - Heads of Agreement (A19/0101)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield
 Seconder: Cr O'Neill

That Council:

1. Treats this 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. Endorses the Heads of Agreement between Council and North Bondi Surf Life Saving Club attached to this report for the proposed Advanced Response Life Saving Facility project.
3. Delegates authority to the General Manager to sign the Heads of Agreement on behalf of Council and to forward to the North Bondi Surf Life Saving Club for execution.
4. Prepares an Agreement for Lease for the North Bondi Surf Life Saving Club to include both the existing clubhouse building and the new facility, with a report to be brought back to Council for approval.
5. Writes to the Office of Local Government to seek formal approval to enter into a Public Private Partnership with North Bondi Surf Life Saving Club for the Advanced Response Life Saving Facility Building project.
6. Notes that the Council's funding contribution to the cost of the project as outlined in Table 1 of this report, has been allocated in the draft Long Term Financial Plan 2019/20–2029/30.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Nil.

11. Resuming in Open Session

CM/11/19.05 Resuming in Open Session

MOTION / DECISION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council resumes in open session.

At 9.25 PM, Council resumed in open session.

Resolutions from closed session made public

In accordance with clause 253 of the Local Government (General) Regulation 2005, when the meeting resumed in open session the Chair announced the resolutions made by Council, including the names of the movers and seconders, while the meeting was closed to members of the public and the media.

12. Meeting Closure

THE MEETING CLOSED AT 9.30 PM.



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**SIGNED AND CONFIRMED
MAYOR
18 JUNE 2019**