



W A V E R L E Y
COUNCIL

COUNCIL MEETING

A meeting of WAVERLEY COUNCIL will be held by video conference at:

7.00 PM, TUESDAY 30 JUNE 2020

A handwritten signature in grey ink, appearing to read 'R. B. McLeod'.

Ross McLeod
General Manager

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Live Streaming of Meetings

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 General Manager will 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 will 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.

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9. Questions with Notice

There are no questions with notice.

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There are no matters proposed to be dealt with in closed session.

12. Meeting Closure

OBITUARIES **CM/3/20.06(3)**

Subject: Obituaries

Author: Ross McLeod, General Manager



The Mayor will ask Councillors for any obituaries.

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

CONFIRMATION AND ADOPTION OF MINUTES CM/5.1/20.06(3)



WAVERLEY
COUNCIL

Subject: Confirmation of Minutes - Council Meeting - 16 June 2020

TRIM No: SF20/42

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Council Meeting held on 16 June 2020 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 the Council meeting must be submitted to Council for confirmation, in accordance with section 375 of the *Local Government Act 1993*.

Attachments

1. Council Meeting Minutes - 16 June 2020 .



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD BY VIDEO CONFERENCE ON TUESDAY, 16 JUNE 2020**

Present:

Councillor Paula Masselos (Mayor) (Chair)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson 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 Steven Lewis	Hunter Ward
Councillor John Wakefield	Bondi Ward
Councillor Dominic Wy Kanak	Bondi 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 7.04 pm, those present were as listed above, with the exception of Cr Wakefield who arrived at 7.07 pm.

At 8.06 pm, Cr Wakefield left the meeting and did not return.

At 8.35 pm, Cr Burrill left the meeting and did not return.

At 9.25 pm, Cr Kay left the meeting and did not return.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager 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

Apologies were received and accepted from Crs Nemesh and O'Neill.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Goltsman declared a less than significant non-pecuniary interest in item CM/7.10/18.06(2) – Small Grants Program 2019-20 – Round 2 – Resubmissions, and informed the meeting that he volunteers for COA and knows some of the volunteers.
- 2.2 Cr Wy Kanak declared a less than significant non-pecuniary interest in item CM/5.2.1/18.06(2) – 40 km/hr Speed Limit Changes – Traffic Control Devices, and informed the meeting that he lives in Park Parade.

3. Obituaries

There were no obituaries.

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

4. Addresses by Members of the Public

- 4.1 L Coleman – CM/5.2/20.06(2) – Adoption of Minutes – Waverley Traffic Committee – 28 May 2020 – TC/V.04/20.05 – Barracluff Avenue, Bondi Beach – Traffic Assessment.
- 4.2 G Sheehy – CM/5.2/20.06(2) – Adoption of Minutes – Waverley Traffic Committee – 28 May 2020 – TC/V.05/20.05 Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue.
- 4.3 H Sturgess – CM/5.2/20.06(2) – Adoption of Minutes – Waverley Traffic Committee – 28 May 2020 – TC/V.05/20.05 Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue.

- 4.4 J Harden – CM/5.2/20.06(2) – Adoption of Minutes – Waverley Traffic Committee – 28 May 2020 – TC/V.05/20.05 Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue.
- 4.5 D Barnett – CM/5.2/20.06(2) – Adoption of Minutes – Waverley Traffic Committee – 28 May 2020 – TC/V.05/20.05 Rickard Avenue, Bondi Beach – Closure at Lamrock Avenue.
- 4.6 B Blajic – CM/5.2/20.06(2) – Adoption of Minutes – Waverley Traffic Committee – 28 May 2020 – TC/C.01/20.05 – 40 km/hr Speed Limit Changes - Traffic Control Devices.
- 4.7 J Hallber – CM/5.2/20.06(2) – Adoption of Minutes – Waverley Traffic Committee – 28 May 2020 – TC/C.01/20.05 – 40 km/hr Speed Limit Changes - Traffic Control Devices.
- 4.8 S Hoppe – CM/5.2/20.06(2) – Adoption of Minutes – Waverley Traffic Committee – 28 May 2020 – TC/C.01/20.05 – 40 km/hr Speed Limit Changes - Traffic Control Devices.
- 4.9 J Smith – CM/5.2/20.06(2) – Adoption of Minutes – Waverley Traffic Committee Meeting – 28 May 2020 – TC/C.01/20.05 – 40 km/hr Speed Limit Changes - Traffic Control Devices.
- 4.10 P Bayliss – CM/5.2/20.06(2) – Adoption of Minutes - Waverley Traffic Committee Meeting – 28 May 2020 – TC/C.01/20.05 – 40 km/hr Speed Limit Changes – Traffic Control Devices.
- 4.11 A Wu – CM/5.2/20.06(2) – Adoption of Minutes – Waverley Traffic Committee Meeting – 28 May 2020 – TC/C.01/20.05 – 40 km/hr Speed Limit Changes – Traffic Control Devices.
- 4.12 L Morris – CM/7.13/20.06(2) – Petition – Bronte Surf Club and Community Facilities Building Upgrade.
- 4.13 J Lehmann – CM/8.1/20.06(2) – Jack Munday Memorial.

ITEMS BY EXCEPTION

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING MOTION WAS MOVED, SECONDED AND DECLARED CARRIED UNDER PART 13 OF THE CODE OF MEETING PRACTICE:

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

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

- CM/7.1/20.06(2) Schedule of Meeting Dates for Council and its Standing Committees - Amendments
- CM/7.2/20.06(2) General Manager's Delegations
- CM/7.3/20.06(2) Related Party Disclosures Policy - Review
- CM/7.5/20.06(2) Investment Portfolio Report - May 2020
- CM/7.6/20.06(2) Debt Write-off
- CM/7.7/20.06(2) Audit, Risk and Improvement Committee Meeting - 2 April 2020 – Minutes
- CM/7.10/20.06(2) Small Grants Program 2019-20 - Round 2 - Resubmissions

- CM/7.11/20.06(2) Affordable Housing Rent Relief
- CM/7.12/20.06(2) Bondi Junction Cycleway and Streetscape Upgrade - Stage 3 Update
- CM/7.13/20.06(2) Petition - Bronte Surf Club and Community Facilities Building Upgrade

5. Confirmation and Adoption of Minutes

CM/5.1/20.06(2) Confirmation of Minutes - Council Meeting - 2 June 2020 (SF20/42)

MOTION

Mover: Cr Masselos
Seconder: Cr Keenan

That the minutes of the Council Meeting held on 2 June 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

AMENDMENT

Mover: Cr Goltsman
Seconder: Cr Betts

That the minutes of the Council Meeting held on 2 June 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting, subject to the following changes:

1. CM/6.2/20.06 – Signatory to Letter Supporting Asylum Seekers through COVID-19 Pandemic:

(a) The addition of parentheses to clause 1 such that it now reads as follows:

‘Supports the principle of providing people seeking asylum with access to Medicare, income support for those out of work, and valid visas through the COVID-19 Pandemic as outlined in the open letter to the Prime Minister (and signed by 35 local government Mayors), tabled at the meeting.’

(b) The addition of the following notes after the resolution:

‘Note: the foreshadowed motion was not moved.’

Note: as at 10 June 2020, it is understood that officers and Mayors from 26 local government organisations have signed a version of the open letter, whether or not endorsed by the Council involved. The number of signatories and position of those signing the letter in the motion resolved at the 2 June 2020 Council meeting was in error.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That the minutes of the Council Meeting held on 2 June 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

CM/5.2/20.06(2) Adoption of Minutes - Waverley Traffic Committee Meeting - 28 May 2020 (SF20/45)

MOTION / DECISION

Mover: Cr Masselos
Seconder: Cr Kay

That Part 1 of the minutes of the Waverley Traffic Committee Meeting held on 28 May 2020 be received and noted, and that the recommendations contained therein be adopted, with the exception of item TC/V.06/20.05 – Rose Bay Secondary College – Temporary Drop Off/Pick Up Zones following Relaxation of COVID-19 Restrictions, which was considered at the Council Meeting on 2 June 2020.

Save and except the following:

TC/C.01/20.05 – 40 km/hr Speed Limit Changes – Traffic Control Devices.

TC/V.04/20.05 – Barracluff Avenue, Bondi Beach – Traffic Assessment.

And that these items be dealt with separately below.

L Coleman, G Sheehy, H Sturgess, J Harden, D Barnett, B Blajic, J Hallber, S Hoppe, J Smith, P Bayliss and A Wu addressed the meeting.

CM/5.2.1/18.06(2) 40 km/hr Speed Limit Changes - Traffic Control Devices (A18/0579)

This item was saved and excepted by Cr Copeland.

Cr Wy Kanak declared a less than significant non-pecuniary interest in this item and informed the meeting that he lives in Park Parade.

MOTION

Mover: Cr Copeland
Seconder: Cr Lewis

That Council takes this item to a Councillor workshop to discuss the speed humps under consideration so that Councillors can discuss the matter and see if a better situation can be created.

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That:

1. Council defers this item to a Councillor workshop for further consideration of the location and type of traffic calming devices in the locations of:
 - (a) Bourke Street, Queens Park.
 - (b) Botany Street Bondi Junction.
 - (c) Park Parade, Bondi.

- (d) Bennett Street, Bondi.
- (e) Ruthven Street, Bondi Junction.

2. A report comes back to Council.

CM/5.2.2/20.06(2) Barracluff Avenue, Bondi Beach - Traffic Assessment (A03/0042-04)

This item was saved and excepted by Cr Masselos.

MOTION

Mover: Cr Masselos

Seconder: Cr Copeland

That Council further develops design options for Barracluff Avenue and undertakes community consultation on the following two scenarios:

1. Construction of pedestrian/traffic islands with associated line marking and signage at the intersections of Barracluff Avenue and Francis Street, and Barracluff Avenue and Lamrock Avenue, Bondi Beach, as shown in Drawing 9005 Issue A attached to this report.

Including the installation of kerb extensions in Barracluff Avenue on both sides of the road opposite:

- (a) 23 Barracluff Avenue and 25 Barracluff Avenue.
- (b) 5 Barracluff Avenue and 7 Barracluff Avenue.

2. Construction of a road closure of Barracluff Avenue in the vicinity of 21 Barracluff Avenue.

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council further develops design options for Barracluff Avenue and undertakes community consultation with the residents of Barracluff Avenue and adjoining streets on the following two scenarios:

1. Construction of pedestrian/traffic islands with associated line marking and signage at the intersections of Barracluff Avenue and Francis Street, and Barracluff Avenue and Lamrock Avenue, Bondi Beach, as shown in Drawing 9005 Issue A attached to this report.

Including the installation of kerb extensions in Barracluff Avenue on both sides of the road opposite:

- (a) 23 Barracluff Avenue and 25 Barracluff Avenue.
- (b) 5 Barracluff Avenue and 7 Barracluff Avenue.

2. Construction of a road closure of Barracluff Avenue in the vicinity of 21 Barracluff Avenue.

6. Mayoral Minutes

There were no mayoral minutes.

7. Reports

CM/7.1/20.06(2) Schedule of Meeting Dates for Council and its Standing Committees - Amendments (A04/1869)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes the extension of the mayor's term to September 2021 due to the postponement of the local government elections.
2. Extends the current deputy mayor's term to 15 September 2020.
3. Amends its 2020 Schedule of Meeting Dates as follows:
 - (a) Schedules an additional ordinary Council meeting on Tuesday, 30 June 2020 at 7.00 pm.
 - (b) Schedules an ordinary Council meeting (including deputy mayoral election and appointment of Councillors to Committees) on Tuesday, 15 September 2020 at 7.00 pm.
 - (c) Cancels the ordinary Council meeting (including mayoral and deputy mayoral election) scheduled for Tuesday, 29 September 2020.

CM/7.2/20.06(2) General Manager's Delegations (SF20/29)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council notes this update on the implementation of the current delegations to the General Manager relating to the acceptance of tenders and the approval of purchases with fewer than the required number of quotes called for in the Purchasing Procedure up to \$250,000.

CM/7.3/20.06(2) Related Party Disclosures Policy - Review (A17/0161)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council adopts the Related Party Disclosures Policy attached to this report in line with the requirements of Accounting Standard AASB 124.

CM/7.4/20.06(2) Investment Policy - Review (A05/0197)**MOTION / DECISION**

Mover: Cr Lewis
Seconder: Cr Keenan

That Council adopts the Investment Policy attached to this report.

At 8.06 pm, during the consideration of this item, Cr Wakefield left the meeting and did not return.

CM/7.5/20.06(2) Investment Portfolio Report - May 2020 (A03/2211)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Receives and notes the Investment Summary Report for May 2020 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/7.6/20.06(2) Debt Write-off (SF17/299)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Writes off the domestic waste annual charge of \$887.52 for the property located at 43 Palmerston Avenue, Bronte (365273 Lot 10 DP 1230429), owned by the ratepayer identified on Council's file, in accordance with clause 131(4) of the *Local Government (General) Regulation 2005* and Council's Rates and Charges Policy.
2. Notes that \$892.66 of commercial waste debt has been written off by the General Manager for the period 18 February 2020 to 15 June 2020, in accordance with clause 213(3) of the *Local Government (General) Regulation 2005*.

CM/7.7/20.06(2) Audit, Risk and Improvement Committee Meeting - 2 April 2020 - Minutes (SF20/986)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos
Seconder: Cr Keenan

That Council notes the minutes of the Audit, Risk and Improvement Committee meeting held on 2 April 2020 attached to this report.

CM/7.8/20.06(2) Draft Waverley Local Character Statements - Exhibition (A20/0325)**MOTION**

Mover: Cr Masselos

Seconder: Cr Kay

That this item be deferred to the next Council meeting.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO THE MOTION.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That this item be deferred to the July Council meeting.

Cr Wakefield was not present for the consideration and vote on this item.

CM/7.9/20.06(2) NSW Government Developer Contributions Review - Submissions (A12/0147)**MOTION**

Mover: Cr Kay

Seconder: Cr Betts

That Council:

1. Endorses the submissions on the Criteria to request a higher section 7.12 percentage – Discussion Paper and the Draft Planning Agreement Policy Framework attached to this report, and supports them being sent to the NSW Government, subject to the following amendments:
 - (a) The second sentence, fourth paragraph, page 141 of the agenda (*'After they meet this process, all DAs and PPs must be assessed by the Waverley Local Planning Panel'*) be changed to read as follows *'After they meet this process, all DAs and PPs (with VPAs) are generally assessed by the independent Waverley Local Planning Panel. More contentious or larger DAs and PPs are often determined by the Land and Environment Court and the NSW Government's Sydney Eastern City Planning Panel. Council does not determine DAs that have VPAs associated with them. Also, Council only considers Planning Agreements for endorsement after the DA has been approved. These elements ensure that there is no potential political or officer interference in the assessment of Planning Agreements.'*
 - (b) Before the second sentence, third paragraph, page 140 of the agenda (*'Removing value capture from VPAs won't stop developers seeking exceedance to existing controls – that would continue but with no shared value with the community.'*) insert the following sentences: *'Discretion to vary planning controls is a longstanding feature of the NSW planning system. For example, six weeks after the Environmental Planning and Assessment Act 1979 commenced in 1980, SEPP 1 - Development Standards was introduced to allow variations to planning controls. In 2006, the Standard Instrument LEP was introduced and included cl 4.6 "Exceptions to development standards", which superseded SEPP 1.'*
 - (c) After the third sentence, first paragraph, page 141 of the agenda, taken from Waverley's Planning Agreement policy (*'It is noted that any exceptions to relevant development standards will be assessed in accordance with the provisions set out in cl.4.6 of WLEP 2012.'*) insert the following new paragraph to clarify this extraction from the policy: *'If a DA, for example, does not address the provisions of cl 4.6 of the WLEP 2012, then any variations to the planning*

controls will not be accepted and the DA would be refused on the grounds of the unacceptable impact, such as overshadowing. A development must first satisfy the provisions of cl 4.6 before it is considered for approval. Only after a DA meets the provision of cl 4.6, will the benefits of community infrastructure funding (via a VPA) be considered in accordance with the heads of consideration under s 4.15 of the *EP and A Act 1979*; which includes key considerations such as “social and economic impacts” and “the public interest.”

2. Does not support the position of the Draft Planning Agreement Policy Framework to remove the explicit use of value capture as the primary purpose in Planning Agreements.
3. Notes that to allocate VPA funds to affordable housing, Council must develop an affordable housing contributions scheme, which Council does not currently have.
4. Supports the development of an affordable housing scheme in line with Environmental Planning Assessment (Planning Agreements) Direction 2019. This will be reported back to Council concurrently with updates to the VPA policy for endorsement for exhibition.
5. Supports the approach to provide a clear pathway to increasing section 7.12 flat rate contribution levies.
6. Does not support all of the proposed criteria in the designated pathway in their current form and proposes amendments to facilitate easier access to a higher 2% or 3% levy (from the current 0.5–1%).
7. Supports the development of an updated submission seeking an increase from Council’s levy from 0.5–1% to either 2 or 3%, depending on the ability to justify an increase based on the final criteria.
8. Officers develop a plain English explanation of the VPA process for publication on Council’s Planning Agreement webpage and dissemination to interested community groups, including the Precincts. In particular, the explanation should outline how VPAs are considered in the DA process.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 3.

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

UNANIMOUS DECISION:

That Council:

1. Endorses the submissions on the Criteria to request a higher section 7.12 percentage – Discussion Paper and the Draft Planning Agreement Policy Framework attached to this report, and supports them being sent to the NSW Government, subject to the following amendments:
 - (a) The second sentence, fourth paragraph, page 141 of the agenda (*‘After they meet this process, all DAs and PPs must be assessed by the Waverley Local Planning Panel’*) be changed to read as follows *‘After they meet this process, all DAs and PPs (with VPAs) are generally assessed by the independent Waverley Local Planning Panel. More contentious or larger DAs and PPs are often determined by the Land and Environment Court and the NSW Government’s Sydney Eastern City Planning Panel. Council does not determine DAs that have VPAs associated with them. Also, Council only considers Planning Agreements for endorsement after the DA has been approved. These elements ensure that there is no potential political or officer interference in the assessment of Planning Agreements.’*
 - (b) Before the second sentence, third paragraph, page 140 of the agenda (*‘Removing value*

capture from VPAs won't stop developers seeking exceedance to existing controls – that would continue but with no shared value with the community.') insert the following sentences:
'Discretion to vary planning controls is a longstanding feature of the NSW planning system. For example, six weeks after the *Environmental Planning and Assessment Act 1979* commenced in 1980, *SEPP 1 - Development Standards* was introduced to allow variations to planning controls. In 2006, the Standard Instrument LEP was introduced and included *cl 4.6 "Exceptions to development standards"*, which superseded *SEPP 1*.'

- (c) After the third sentence, first paragraph, page 141 of the agenda, taken from Waverley's Planning Agreement policy ('*It is noted that any exceptions to relevant development standards will be assessed in accordance with the provisions set out in cl.4.6 of WLEP 2012.*') insert the following new paragraph to clarify this extraction from the policy: 'If a DA, for example, does not address the provisions of cl 4.6 of the WLEP 2012, then any variations to the planning controls will not be accepted and the DA would be refused on the grounds of the unacceptable impact, such as overshadowing. A development must first satisfy the provisions of cl 4.6 before it is considered for approval. Only after a DA meets the provision of cl 4.6, will the benefits of community infrastructure funding (via a VPA) be considered in accordance with the heads of consideration under s 4.15 of the *EP and A Act 1979*; which includes key considerations such as "social and economic impacts" and "the public interest."'
2. Does not support the position of the Draft Planning Agreement Policy Framework to remove the explicit use of value capture as the primary purpose in Planning Agreements.
 3. Notes that to allocate Voluntary Planning Agreement (VPA) funds to affordable housing, Council must develop an affordable housing contributions scheme, which Council does not currently have.
 4. Supports the development of an affordable housing scheme in line with Environmental Planning Assessment (Planning Agreements) Direction 2019. This will be reported back to Council concurrently with updates to the VPA policy for endorsement for exhibition.
 5. Supports the approach to provide a clear pathway to increasing section 7.12 flat rate contribution levies.
 6. Does not support all of the proposed criteria in the designated pathway in their current form and proposes amendments to facilitate easier access to a higher 2% or 3% levy (from the current 0.5–1%).
 7. Supports the development of an updated submission seeking an increase from Council's levy from 0.5–1% to either 2 or 3%, depending on the ability to justify an increase based on the final criteria.
 8. Officers develop a plain English explanation of the VPA process for publication on Council's Planning Agreement webpage and dissemination to interested community groups, including the Precincts. In particular, the explanation should outline how VPAs are considered in the DA process.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos and Wy Kanak.
Against the Motion: Nil.

Cr Wakefield was not present for the consideration and vote on this item.

CM/7.10/20.06(2) Small Grants Program 2019-20 - Round 2 - Resubmissions (A20/0196)

Cr Goltsman declared a less than significant non-pecuniary interest in this item and informed the meeting that he volunteers for COA and knows some of the volunteers.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council grants \$5,000 to COA Sydney, under its Community Services and Cultural Grants Program, to facilitate immediate support for vulnerable older people impacted by the coronavirus shutdown, with funding to be provided from the 2019/2020 budget.

CM/7.11/20.06(2) Affordable Housing Rent Relief (A09/0354)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council approves a temporary variation to the Affordable Housing Tenancy Policy, applicable from 1 March to 1 September 2020, to allow its appointed Housing Manager, Bridge Housing, to offer tenants affected by the coronavirus shutdown, rent calculated at 30% of their income for a period of up to six months from the date at which they were assessed as eligible for rent relief.

CM/7.12/20.06(2) Bondi Junction Cycleway and Streetscape Upgrade - Stage 3 Update (A14/0193)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council receives and notes this update on the Bondi Junction Cycleway and Streetscape Upgrade.

CM/7.13/20.06(2) Petition - Bronte Surf Club and Community Facilities Building Upgrade (A20/0329)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Receives and notes the petition against the current proposal to upgrade the Bronte Surf Club and Community Facilities Building, and considers the themes raised within it as part of the community consultation process.
2. Notes that Council officers are preparing a report on the outcomes of the community consultation on the proposed upgrade.

L Morris addressed the meeting.

CM/7.14/20.06(2) Mayoral Minute Update - Supporting Asylum Seekers through COVID-19 Pandemic (A02/0436)**MOTION / DECISION**

Mover: Cr Masselos
Seconder: Cr Copeland

That Council endorses the Mayor signing the open letter to the Prime Minister on supporting asylum seekers through the COVID-19 pandemic proposed by the Refugee Council of Australia and the Local Government Mayoral Taskforce Supporting People Seeking Asylum.

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos and Wy Kanak.

Against the Motion: Crs Betts, Burrill, Goltsman and Kay.

Cr Wakefield was not present for the consideration and vote on this item.

8. Notices of Motions**CM/8.1/20.06(2) Jack Munday Memorial (A02/0276)****MOTION**

Mover: Cr Wy Kanak
Seconder: Cr Keenan

That Council:

1. Notes its recent expression of condolence on the passing of Jack Munday.
2. Notes the contribution Jack Munday made to defending the built heritage and environment of Sydney, to democracy, local government and the trade union movement.
3. Notes the pivotal role played by Jack Munday in saving many sites in south and eastern Sydney, including Centennial Park, which was the subject of a State Government proposal to construct a sport stadium as part of its bid for the 1988 Olympics, which would have seen 30% of the parklands taken over by the sports complex.
4. Liaises with the Centennial Park and Moore Park Trust, Judy Munday, Unions NSW, Bayside and Woollahra Councils regarding the installation of a memorial to Jack Munday in Centennial Park to celebrate and acknowledge his achievements as noted in clauses 1 and 2.
5. Notes Mr Jack Munday's support for the preservation of our local community's heritage and environment at Tamarama Gully, the Bondi Pavilion Community Cultural Centre and the positive effect the Green Bans Movement had for the saving of pocket parks, like the one on the corner of St James Road and Gowrie Street, Bondi Junction, designated as a Green Ban Park in 1975, where the then possessor of that land, the Church of England, agreed to a small section of its land being designated as parkland.
6. Consults on a community room in the upgraded Pavilion to be called 'The Jack Munday Green Bans Room' and/or alternatively a plaque commemorating Mr Jack Munday at the Bondi Pavilion Community Cultural Centre.
7. Officers bring back a report to Council regarding any proposals that result from the discussions noted in this motion.

AMENDMENT

Mover: Cr Goltsman

Seconder: Cr Betts

That clauses 4, 6 and 7 be deleted.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division**For the Amendment:** Crs Betts, Goltsman and Kay.**Against the Amendment:** Crs Copeland, Keenan, Lewis, Masselos and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division**For the Motion:** Crs Copeland, Keenan, Lewis, Masselos and Wy Kanak**Against the Motion:** Crs Betts, Goltsman and Kay.**DECISION:**

That Council:

1. Notes its recent expression of condolence on the passing of Jack Munday.
2. Notes the contribution Jack Munday made to defending the built heritage and environment of Sydney, to democracy, local government and the trade union movement.
3. Notes the pivotal role played by Jack Munday in saving many sites in south and eastern Sydney, including Centennial Park, which was the subject of a State Government proposal to construct a sport stadium as part of its bid for the 1988 Olympics, which would have seen 30% of the parklands taken over by the sports complex.
4. Liaises with the Centennial Park and Moore Park Trust, Judy Munday, Unions NSW, Bayside and Woollahra Councils regarding the installation of a memorial to Jack Munday in Centennial Park to celebrate and acknowledge his achievements as noted in clauses 1 and 2.
5. Notes Mr Jack Munday's support for the preservation of our local community's heritage and environment at Tamarama Gully, the Bondi Pavilion Community Cultural Centre and the positive effect the Green Bans Movement had for the saving of pocket parks, like the one on the corner of St James Road and Gowrie Street, Bondi Junction, designated as a Green Ban Park in 1975, where the then possessor of that land, the Church of England, agreed to a small section of its land being designated as parkland.
6. Consults on a community room in the upgraded Pavilion to be called 'The Jack Munday Green Bans Room' and/or alternatively a plaque commemorating Mr Jack Munday at the Bondi Pavilion Community Cultural Centre.
7. Officers bring back a report to Council regarding any proposals that result from the discussions noted in this motion.

Cr Wakefield was not present for the consideration and vote on this item.

At 8.36 pm, during the consideration of this item, Cr Burrill left the meeting and did not return.

J Lehmann addressed the meeting.

Immediately after the meeting, a notice of motion to rescind this decision was lodged with the General Manager. The rescission motion will be considered at the Council Meeting on 30 June 2020.

CM/8.2/20.06(2) Financial Assistance Grants (A18/0758)

MOTION / DECISION

Mover: Cr Kay
Seconder: Cr Betts

That this item be deferred to the Council meeting on 30 June 2020.

Cr Wakefield was not present for the consideration and vote on this item.

CM/8.3/20.06(2) Stop Deaths in Custody - Black Lives Matter - Implementing Royal Commission into Aboriginal Deaths in Custody Recommendations (A02/0424)

MOTION

Mover: Cr Wy Kanak
Seconder: Cr Copeland

That Council:

1. Notes its unanimous decision of September 2016 (CM/8.5/16.09 – Remembrance of Black Deaths in Custody):

‘That Council continues to fly its Aboriginal Flags at half-mast on 28 September, known as a day focusing on the Remembrance of Black Deaths in Custody, or if this is not a business day, on the closest business day prior to 28 September.’
2. Notes its majority decision of December 2016 not to support the following motion (CM/8.6/16.12 – Royal Commission into Aboriginal Deaths in Police and Prison Custody):

‘That Waverley Council work with the Member for Vacluse, NSW Attorney General, Hon Gabrielle Upton, in implementing the recommendations from the Royal Commission into Aboriginal Deaths in Police and Prison Custody, especially those recommendations that allow a Local Government connection.’
3. Notes the following report and motion from the North Bondi Precinct Committee meeting on 29 February 2012:

‘The incident at Kings Cross the alleged shooting and beating of an Aboriginal youth by police

To build good relationships and understanding in the community there are plans for local Aborigines to use the Yeshiva kitchen to prepare food for sale for charity

The possibility of using Justice Reinvestment money to be spent on addressing the causes of crime

Motion: resolved that the North Bondi Precinct applaud the initiatives as described by Cr Wy Kanak to improve community relationships with Aboriginal people in the community.’

4. Revisits its decision of December 2016 and writes to the State Members for Vaucluse and Coogee, and Federal Member for Wentworth, to convene a meeting of elected local, state and federal representatives for the Waverley local government area ('LGA') to discuss how the recommendations from the Royal Commission into Aboriginal (Torres Strait Islander) Deaths in Custody ('RCIADIC') can be fully implemented and actioned in the LGA and:
 - (a) To aid these discussions, and as part of the preparation for this meeting, Council and the State/Federal Members initially identify which RCIADIC recommendations they believe are actionable within their electorate/LGA sphere of influence.
 - (b) Council then further process actions following this meeting with further community/precinct and police consultation with a focused intent to stop black deaths in custody and to improve community/police relations.
5. Subject to further debate on, and amendments to, this motion, and related matters, Council recommit to its Reconciliation Action Plan actions in these matters.

FORESHADOWED MOTION

Mover: Cr Goltsman

That this item be deferred in order to hold a Councillor workshop to workshop the motion and to determine what other Councils Waverley may be able to work with to improve this Motion.

AT 9.15 PM, DURING THE CONSIDERATION OF THIS ITEM, THE MEETING BECAME INQUORATE. THE ABSENCE OF QUORUM WAS DUE TO CR GOLTSMAN TEMPORARILY LEAVING THE MEETING. THE COUNCILLORS PRESENT WERE CRS BETTS, COPELAND, KEENAN, LEWIS, MASSELOS AND WY KANAK.

AT 9.18 PM, THE MEETING BECAME QUORATE UPON THE RETURN OF CR GOLTSMAN. THE MOTION WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION:

That Council:

1. Notes its unanimous decision of September 2016 (CM/8.5/16.09 – Remembrance of Black Deaths in Custody):

‘That Council continues to fly its Aboriginal Flags at half-mast on 28 September, known as a day focusing on the Remembrance of Black Deaths in Custody, or if this is not a business day, on the closest business day prior to 28 September.’
2. Notes its majority decision of December 2016 not to support the following motion (CM/8.6/16.12 – Royal Commission into Aboriginal Deaths in Police and Prison Custody):

‘That Waverley Council work with the Member for Vaucluse, NSW Attorney General, Hon Gabrielle Upton, in implementing the recommendations from the Royal Commission into Aboriginal Deaths in Police and Prison Custody, especially those recommendations that allow a Local Government connection.’
3. Notes the following report and motion from the North Bondi Precinct Committee meeting on 29 February 2012:

‘The incident at Kings Cross the alleged shooting and beating of an Aboriginal youth by police

To build good relationships and understanding in the community there are plans for local Aborigines

to use the Yeshiva kitchen to prepare food for sale for charity

The possibility of using Justice Reinvestment money to be spent on addressing the causes of crime

Motion: resolved that the North Bondi Precinct applaud the initiatives as described by Cr Wy Kanak to improve community relationships with Aboriginal people in the community.'

4. Revisits its decision of December 2016 and writes to the State Members for Vaucluse and Coogee, and Federal Member for Wentworth, to convene a meeting of elected local, state and federal representatives for the Waverley local government area ('LGA') to discuss how the recommendations from the Royal Commission into Aboriginal (Torres Strait Islander) Deaths in Custody ('RCIADIC') can be fully implemented and actioned in the LGA and:
 - (a) To aid these discussions, and as part of the preparation for this meeting, Council and the State/Federal Members initially identify which RCIADIC recommendations they believe are actionable within their electorate/LGA sphere of influence.
 - (b) Council then further process actions following this meeting with further community/precinct and police consultation with a focused intent to stop black deaths in custody and to improve community/police relations.
5. Subject to further debate on, and amendments to, this motion, and related matters, Council recommits to its Reconciliation Action Plan actions in these matters.

Crs Burrill, Kay and Wakefield were not present for the vote on this item.

9. Questions with Notice

There were no questions with notice.

10. Urgent Business

There were no items of urgent business.

11. Closed Session

CM/11/20.06(2) Closed Session

MOTION / DECISION

Mover: Cr Masselos

Seconder: Cr Goltsman

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 1993* for the reason specified:

CM/11.1/20.06(2) CONFIDENTIAL REPORT - Commercial Waste - Fees and Charges 2020-21

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.

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 9.25 pm, during the consideration of this item, Cr Kay left the meeting and did not return.

Crs Betts and Wakefield were not present for the consideration and vote on this item.

At 9.25 pm, Council moved into closed session.

**CM/11.1/20.06(2) CONFIDENTIAL REPORT - Commercial Waste - Fees and Charges 2020-21
(A02/0162)**

MOTION / DECISION

Mover: Cr Lewis
Seconder: Cr Copeland

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 as set out in the table in this report for the period 1 July 2020 to 31 December 2020
3. Officers undertake a follow-up market review to determine the fees and charges for commercial waste services for the period 1 January 2021 to 30 June 2021, with a report to come back to Council in November 2020.

Crs Betts, Kay and Wakefield were not present for the consideration and vote on this item.

12. Resuming in Open Session**CM/12/20.06(2) Resuming in Open Session****MOTION / DECISION**

Mover: Cr Masselos

Seconder: Cr Goltsman

That Council resumes in open session.

Crs Betts and Wakefield were not present for the consideration and vote on this item.

At 9.31 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.

13. Meeting Closure**THE MEETING CLOSED AT 9.32 PM.**

.....
SIGNED AND CONFIRMED
MAYOR
30 JUNE 2020

MAYORAL MINUTES CM/6/20.06(3)



WAVERLEY
COUNCIL

Subject: Mayoral Minutes

Author: Mayor of Waverley, Cr Paula Masselos

Mayoral minutes are permissible at Waverley Council meetings under the Waverley Code of Meeting Practice. Clauses 9.7–9.11 of the Code state:

Subject to clause 9.10, if the mayor is the chair at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.

A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chair (but only if the chair is the mayor) may move the adoption of a mayoral minute without the motion being seconded.

A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.

A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

REPORT

CM/7.1/20.06(3)



Subject: Operational Plan 2020-21 including Budget, Pricing Policy, Fees and Charges 2020-21 and Long Term Financial Plan

TRIM No: A19/0364

Author: Teena Su, Executive Manager, Finance
Sneha Sabu, Co-ordinator, Corporate Planning and Reporting

Director: Darren Smith, Chief Financial Officer

RECOMMENDATION:

That Council:

1. Receives and notes the community and internal submissions made in relation to the Operational Plan 2020–21, Pricing Policy and Schedule of Fees, as set out in Attachment 1 of this report.
2. Adopts, in accordance with the *Local Government Act 1993*, the Operational Plan 2020–21, including the Budget and Statement of Revenue Policy, as set out in Attachment 2 and 4 of this report.
3. Adopts, in accordance with the *Local Government Act 1993*, the Pricing Policy, Fees and Charges 2020-21 as set out in Attachment 3 of this report.
4. Adopts, in accordance with sections 497, 516, 518, 529(2)(d), 534, 535 and 548(3) of the *Local Government Act*, the Rating Structure for 2020–21 contained on page 64 of the Operational Plan 2020–21 at Attachment 2. setting the following rates and charges for every parcel of rateable land within the Waverley local government area for the period from 1 July 2020 to 30 June 2021:
 - (a) That an ordinary rate of zero point one one three eight six seven cents (0.113867) in the dollar subject to a minimum rate in accordance with section 548(3) of the Act, per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub categorised Ordinary in accordance with section 529(2)(b) of the Act
 - (b) That an ordinary rate of zero point four nine three six seven zero cents (0.493670) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Ordinary in accordance with section 529(2)(d) of the Act
 - (c) That an ordinary rate of zero point eight one five six three zero cents (0.815630) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Bondi Junction in accordance with section 529(2)(d) of the Act
5. Adopts, in accordance with section 496 of the *Local Government Act*, the Domestic Waste Management Service Charge set at \$576 per service per annum for the financial year 2020–21.
6. Adopts, in accordance with section 496A of the *Local Government Act*, the Stormwater Management Service Charge contained on page 67 of the draft Operational Plan 2020–21 for the financial year 2020–21 as tabled below:

Stormwater Management Service Charge		
Category	Unit	Fee or Charge
Residential property	per property	25.00
Residential strata property	per property	12.50
Business property	per 350 m2 (or part thereof)	25.00
Business strata property	per 350 m2 (or part thereof) levied equally to strata unit entitlement with a minimum of \$5	25.00

7. Receives and notes the Long Term Financial Plan (LTFP 5.2) for an 11-year period from 2020–21 to 2030–2031 including the Income Statement, Balance Sheet, Statement of Cash Flow, Reserve Balances, Assumptions and Sensitivity Analysis, as set in Attachment 5 to this report.
8. Confirms that:
 - (a) an internal transfer of up to \$6.44 million from the Property Investment Strategy Reserve to fund the 2020–21 expenditure program is provided for in the budget,
 - (b) based on updated revenue projections the intention is for a transfer of \$2.9 million, and
 - (c) that this transfer is intended to be repaid within LTFP period (from 2020–21 to 2030–2031).

1. Executive Summary

Council at its meeting on 19 May 2020 resolved to exhibit the draft Operational Plan 2020-21, including the Budget and Statement of Revenue Policy, Stormwater Management Service Charge, Pricing Policy-Fees & Charges 2020-21 for a period of 28 days. A total of 28 submissions were received on the Operational Plan and Pricing Policy-Fees & Charges, three of those relating to the Operational Plan and 25 relating the Pricing Policy-Fees & Charges. These submissions are set out in Attachment 1.

The 2020/21 Budget has been updated to reflect the latest information and assumptions arising from the COVID-19 pandemic and related restrictions, including Council's gradual restoration of services. This has seen some revision to financial forecasts and project budget provisions.

The 2020/21 budget projects a balanced budget, with a total revenue of \$148.1M, including a capital income of \$17.6M. Revenue is dependent of financial projects being accurate and these are susceptible to change with respect to COVID-19 related economic impacts. It projects a total expenditure budget (excluding depreciation) of \$174.6M, including capital works program of \$55.9M. The budget provides for the application of reserves funds of between \$26.9M and \$30.6M to fund the 2020/21 program, including an internal transfer of up to \$6.44M from Property Investment Strategy Reserve to bridge the funding shortfall caused by COVID-19 pandemic. Based on projections, it is anticipated that a transfer of \$2.9M only will be required.

The operating surplus before capital income and depreciation is projected to increase by \$4.2M to \$16.7M (from \$12.5M exhibited in the draft budget). The primary reason for this increase is additional revenue from on-street parking meters have been switched back on earlier than originally anticipated. This revenue stream is however subject to possible impacts and fluctuations from Pandemic related impacts.

The capital expenditure program has increased by \$4.9M to \$60.9M due to capital works program amendments and budget rollovers approved in the March 2020 quarterly budget review.

2. Introduction/Background

The Integrated Planning and Reporting (IP&R) Framework consists of an inter-related hierarchy of plans which aim to ensure a more sustainable local government sector. Waverley Council has in place a hierarchy of integrated plans consisting of a Community Strategic Plan (*Waverley Community Strategic Plan 2018-2029*), a Delivery Program (*Delivery Program 2018-21*) and an Operational Plan.

Every year the Council is required to develop an Operational Plan (which is a sub-plan of the Delivery Program) setting out the specific activities (services and projects) it will undertake in that year. The Council is also required to prepare an annual budget and update its Long-Term Financial Plan.

The *Operational Plan 2020-21* sets out the key activities (deliverables), actions, budgets and performance measures Waverley Council will employ during the 2020–21 financial year. The Operational Plan includes Stormwater Management Service charge and the Statement of Revenue Policy which sets out Council's rating policy. Accompanying this plan is the Pricing Policy and Schedule of Fees and Charges 2020–21 which sets out the fees and charges Council is proposing to levy over the coming financial year.



Figure 1. Integrated planning and reporting framework.

In May, Council approved the draft Operational Plan 2020-21 including the Budget, Statement of Revenue Policy, Stormwater Management Service charge, Pricing Policy and Schedule of Fees and Charges 2020–21 and Long-Term Financial Plan 5.2 (2020-2031) for the purpose of public exhibition for 28 days.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 19 May 2020	CM/7.1/20.05(2)	That Council: 1. Adopts the draft Operational Plan 2020-21, including

		<p>the Budget and Statement of Revenue Policy, at Attachment 1 and resolves to publicly exhibit the plan for 28 days in accordance with the <i>Local Government Act 1993</i>.</p> <p>2. Adopts the draft Pricing Policy, Fees and Charges 2020-21, including deferral of non-legislative fee increase to 1 January 2021, with the exception of Domestic Waste Charges, Cemeteries fees and new fees as detailed in this report and at Attachment 2 and resolves to publicly exhibit the draft Pricing Policy, Fees and Charges 2020-21 for 28 days in accordance with the Local Government Act 1993.</p> <p>3. Adopts and resolves to publicly exhibit the Rating Structure for 2020–21 contained on page 64 of the draft Operational Plan 2020–21 at Attachment 1 together with the proposed Pricing Policy and Schedule of Fees and Charges 2020–21 at Attachment 2. In accordance with sections 497, 516, 518, 529 (2)(d), 534, 535 and 548(3) of the Local Government Act, the following rates and charges is set for every parcel of rateable land within the Waverley local government area for the period from 1 July 2020 to 30 June 2021:</p> <p>(a) That an ordinary rate of zero point one one three eight six seven cents (0.113867) in the dollar subject to a minimum rate in accordance with section 548(3) of the Act, per assessment on all rateable land categorised Residential in accordance with section 516 of the Act and sub categorised Ordinary in accordance with section 529(2)(b) of the Act</p> <p>(b) That an ordinary rate of zero point four nine three six seven zero cents (0.493670) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Ordinary in accordance with section 529 (2)(d) of the Act</p> <p>(c) That an ordinary rate of zero point eight one five six three zero cents (0.815630) in the dollar on all rateable land categorised Business in accordance with section 518 of the Act and sub categorised Bondi Junction in accordance with section 529(2)(d) of the Act</p> <p>4. Adopts and resolves to publicly exhibit the Domestic Waste Management Service Charge set at \$576 per service per annum for the financial year 2020-21 in accordance with section 496 of the Local Government Act</p> <p>5. Adopts and resolves to publicly exhibit the Stormwater Management Service Charge contained on page 67 of the draft Operational Plan 2020–21 in accordance with section 496A of the <i>Local Government Act</i> for the financial year 2020- 21 as tabled below:</p> <div style="border: 1px solid black; padding: 2px; text-align: center;"> Stormwater Management Service Charge </div>
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			Category	Unit	Fee or Charge
			Residential property	per property	25.00
			Residential strata property	per property	12.50
			Business property	per 350 m2 (or part thereof)	25.00
			Business strata property	per 350 m2 (or part thereof) levied equally to strata unit entitlement with a minimum of \$5	25.00

6. Resolves:

(a)

To maintain the current restriction on the Property Strategy Reserve and undertakes an extraordinary transfer of an amount of \$6.44 million from the Property Strategy Reserve for application to meet Council’s capital funding requirements as set out in the Draft 2020/2021 Operational Plan and Budget.

(b)

To commit to return this transfer during the current 2020-2031 Long Term Financial Plan (LTFP).

(c)

That a report be prepared for Council’s consideration outlining how this will be done.

7.

Notes that the 2020-21 Draft Budget and the Long Term Financial Plan (LTFP 5.2) and the 2020-21 Draft Operational Plan have been prepared to the extent possible in line with the objectives contained in the Community Strategic Plan (CSP), the Financial Sustainability performance objective set for the organisation by Council, and the Integrated Planning and Reporting requirements within the Local Government Act 1993 (including the requirement to run a ‘balanced budget’) but that preparation of the 2020-21 Draft Budget and the Long Term Financial Plan (LTFP 5.2) and the 2020- 21 Draft Operational Plan has been significantly affected by the impacts on Council and the community from the COVID-19 pandemic.

8.

Further notes that the COVID-19 pandemic has introduced significant uncertainty into Council’s program and financial planning, particularly with respect to own source Council revenues, and that

		<p>Council will need to closely monitor and manage programs and financial performance during 2020-21 via quarterly financial reviews.</p> <p>9. Notes that the LTFP will be amended annually as more accurate information comes to hand and program, income and expenditure forecasts become more accurate and that Council will consider and utilise a range of options for achieving balanced budgets over the life of LTFP 5.2 likely including realising efficiencies and cost reductions within Council operations, applying reserve funds earlier than forecast in LTFP 5, reducing or rescheduling the capital expenditure program and increasing revenue to fund specific programs and initiatives.</p> <p>10. Authorises the General Manager to make any necessary editorial and content changes to the Operational Plan, draft 2020-21 Budget and LTFP documentation for public exhibition in order to give effect to Council resolutions.</p>
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4. Discussion

Operational Plan (Attachment 2)

In accordance with section 406 of the *Local Government Act*, the Office of Local Government (OLG) has published Guidelines and a Manual to support the administration of integrated planning and reporting. The *Community Strategic Plan Waverley Community Strategic Plan 2018-2029*, the *Delivery Program 2018–2021* and the *Operational Plan 2020–21* were developed in accordance with the OLG Guidelines and Manual.

The OLG suggests that the Operational Plan be defined as a sub plan of the Delivery Program that spells out the ‘actions’ to be undertaken in a particular year. The IPR manual also requires that actions identified in the Delivery Program be carried through to the Operational Plan. Waverley Council’s Operational Plan 2020–21; carries forward the ‘deliverables’ from the Delivery Program and includes the action required to ‘deliver’ on what we said we would.

The Operational Plan is also required to include a budget for the year and Statement of Revenue Policy. This includes rating information and the proposed Pricing Policy and Schedule of Fees and Charges 2020–21, which are based on the budget prepared for Council.

Preparation of Council’s Operational Plan, work program and Budget for 2020-21 was well advanced when the Covid-19 pandemic and related government restrictions began to impact on the Waverley Community and Council in March 2020. The pandemic and the related restrictions had a significant impact on community behaviour, business activity and Council services and revenues. This meant the need for significant revision of the Budget and work program, with impacts on the Operational Plan.

The public exhibition of these documents commenced on 21 May 2020 and concluded on 17 June 2020. A Public Notice was placed on the Council website with electronic versions of the documents available in the ‘Have your Say’ section of the website including links from the Integrated Planning and Reporting section of the website. Email notifications were sent to precincts and other community groups informing them about the public exhibition. Additionally, there were two rounds of Twitter and Facebook updates advising the

public exhibition. Implications of community, administrative and budget submissions received are marked up in the Operational Plan and Pricing Policy, Fees and Charges.

One external submission was received on the Operational Plan. Officers reviewed this submission, and one change is proposed to the Capital Works section on page 72 of the Operational Plan in response to the submission received. Implications of administrative and budget submissions received are marked up in red in the Operational Plan (Attachment 2) and tabled in Attachment 1.

Pricing Policy – Fees and Charges Schedule (Attachment 3)

25 submissions have been received (Attachment 1):

- One external submission requesting that there will be no increase to the fee for FY 2020/21, from a car share scheme operator.

The responsible staff member reviewed this submission, considered the operator's request and recommended that it not accept this request at this time.

- 24 internal submissions from council staff. These submissions can be categorised into six types:
 1. To incorporate two new legislative fees related to animals (cats and dogs).
 2. To remove the credit card surcharge on on-street parking meters and Car Park parking station. These changes have been reflected in the attached Pricing Policy-Fees and Charges 2020-21.
 3. A correction of fee for the Margaret Whitlam Recreation Centre Grandstand Booking Fee to be changed back to the 2019-20 level for the first 6 months. This is consistent with the Schedule recommendation.
 4. To provide improved transparency in the assessment process we have received a submission related to Security deposits for building application charges. The submission is that the building application charges be amended to a fixed 2% rate rather than 'Determined by assessment'.
 5. Provide some clarity on the COVID-19 Business Support Package operation is subjected to change as determines by Council.
 6. The remaining 18 internal submissions related to administrative changes to the document.

For further information, refer to attachment 1 for detail changes, and attachment 3 for the revised Pricing Policy – Fees & Charges 2020/21 document.

Budget 2020-21 (Attachment 4)

All submissions received on the 2020/21 draft budget were from internal staff. These submissions are mainly in response to the changing context created by the COVID-19 pandemic and the relaxation of restrictions. Some submissions seek to address administrative errors through the initial budget preparation process.

The most recent budget update projects operating income of \$130.4M, operating expenditure before depreciation of \$113.7M for an operating result of \$16.7M. It also projects capital income of \$17.6M and capital expenses of \$60.9M (capital works program at \$55.9M and other capital expense at \$4.9M). Overall, a net \$26.9M reserves fund applies to fund the 2020/21 program.

- \$5.8M (4.6%) increase in operating income compared to the draft budget. The main contributor is from the on-street parking meters and parking enforcement services. The earlier than expected return to service has these incomes being revised to deliver an additional \$5.3M.
- \$1.6M (1.4%) increase in operating expense compared to the draft budget. The main contributor is

- from the Material & Contracts spend which required an additional \$1.1M.
- \$5.5M (23.9%) decrease in capital income compared to the draft budget. The main contributor is due to the rephase of a property asset sale.
- \$4.9M (8.7%) increase in capital expense compared to the draft budget. The main contributors are from the increase in plant replacement program by \$1.5M and \$3.4M increase in capital works program.
- \$6.2M (29.8%) amendment in net reserve application to the 2020/21 program, including an internal transfer of \$2.9M from the Property Investment Strategy Reserve to fund the 2020/21 expenditure program. A Transfer of up to \$6.44M is provided for if necessary.

The table below provides a high-level comparison between the revised budget to the draft budget which was presented to the 19 May 2020 council meeting:

Budget Statement in summary - \$'000	2020/21 Budget	2020/21 Draft Budget	Variance \$	Variance %	Note
Operating Income	130,439	124,649	5,790	4.6%	a
Operating Expense	(113,747)	(112,194)	(1,554)	1.4%	b
Operating Surplus	16,692	12,456	4,236	34.0%	
Capital Income	17,650	23,183	(5,533)	-23.9%	c
Capital Expense	(60,863)	(55,966)	(4,897)	8.7%	d
Net Capital Expense	(43,213)	(32,784)	(10,430)	31.8%	
Loan Repayment - Principal	(435)	(435)		0%	
Net Reserves Transfer - From/(To)	26,957	20,763	6,194	29.8%	e
Net Budget Result - Surplus/(Deficit)	0	0	0	0.0%	

Refer to Attachment 4 for further detail.

Summary of budget changes

Operating income

Operating income forecasted to increase by \$5.8M compared to the draft budget, primarily due to the following changes:

- On-street parking meters have been switched-on earlier than originally anticipated, it is positively impact on the meters parking fees and parking fines revenue by \$5.3M.
- A few events will be resumed in the 2020/21 budget as some of the COVID-19 restrictions are being lifted since May. Income associated from a few restored events projects to be around \$280K, as follows:
 - Bondi Festival
 - City to Surf
 - C2S Marquee Program
- Financial Assistance grant increase by \$168K based on the advanced payment advice for FY2020/21.
- Council Rates income increase by \$96k based on the fourth instalment property information.

Operating expense

Operating expense increase by \$1.6M compared to the draft budget including:

- Operation expenses associated with on-street parking meters and parking fines being operated for longer than expected \$445k.

- Events expense restored or corrected (admin errors) by \$299k in total including:
 - Festival of Winds.
 - Bondi Festival.
 - Festive Season Lighting and decorations.
- Budget errors in Lifeguard services budget corrected (\$150k).
- LED rollout accelerate project to be resumed in 2020/21 at \$200k.
- Restored the RID squad membership renewal budget at \$78k, it was an oversight in the draft budget.
- Governance policy project will be continued in the first quarter which requires \$33k be restored.
- Additional IT corporate systems integration project expenses \$37k.
- Various budget items removed in error at draft have been corrected (\$175k).

Capital income

Capital Income has been revised down by \$5.5M, the main contributors to this change are:

- Section 7.12 contributions (formerly section 94 contributions) reduce by \$1M based on current trend and anticipating the construction market remaining weak in 2020/21.
- A property asset sale process has been rephased to 2021/22 in the LTFP, income reduction by \$6.5M in 2020/21 for reflect the revised transaction timeframe.
- Grants associated to capital works program increase by \$1.4M.
- Income associated to the plant replacement increase by \$535k due to the March Quarter carryovers to be completed in 2020/21. The associated replacement cost is detail in the next section.

Capital expense

Capital works program

Grants income for the capital works program has increased by \$1.4M, these figures are adjusted based on the grant funding projections for capital works project changes.

Capital expenses increased by \$3.4M, with details in below table:

- \$250k reduction to the Bondi Junction Cycleway & Streetscape project to reflect the project expenditure profile in 2020-21. (project number 46 in Attachment 4).
- Tamarama Surf Club Upgrade project brought forward due to new information – likely to require \$3.25M in 2020-21. (project number 9 in Attachment 4).
- Marks Park Regrading project requires \$150k in 2020/21. (project number 24 in Attachment 4)
- OSH Pedestrian Crossing Upgrade project brought forward and requires \$277k in 2020-21. (project number 63 in Attachment 4).

The revised program expenditure increases to \$55.9M and its funding sources amended accordingly, as summarised in the following table:

Program Description	2020/21 expense \$'000	Grants/ Contributions \$'000	Reserves Fund \$'000	General Fund \$'000
Building Infrastructure	22,242	3,075	16,267	2,900
Living Infrastructure	1,098		296	802
Parking Infrastructure	600		600	
Public Domain Infrastructure	2,295		1,885	410
Recreational & Public Spaces Infrastructure	2,302		1,187	1,114
Road Infrastructure	27,338	9,727	13,335	4,276
Sustainability Infrastructure	59		59	
Total	55,934	12,802	33,629	9,503

Other capital expense

The Fleet replacement program has been amended to incorporate the rollovers of \$1.5M approved in the March 2020 quarterly budget review. This change is fully funded by the estimated revenue from the fleet assets disposal and fleet replacement reserve.

The total program expense totals \$3.1M, it is funded by \$972K sales revenue and \$2.1M from the plant replacement reserve.

This budget may require further amendment pending the completion of the Fleet Improvement Review. Any change will form part of the quarterly reviews.

Reserve

After the income and expense amendments being implemented as mentioned in above, it results a \$6.2M reduction in transfer to reserves. A net movement of reserves application to fund the 2020/21 program is estimated to be \$27.0M. The projected year-end reserves balance of \$125M for 30 June 2021.

In all, changes proposed and revenue forecast since May are likely to result in a \$3.7M improved position. If the revenue projects are realised, the requirement for an internal transfer from the Property Investment Strategy Reserve is likely to reduce to \$2.9M from its originally anticipated \$6.44M. However, the revenue increases forecast are subject to unknown economic conditions and pandemic impacts. In order to provide assurance for Council, provision is made in the budget for the proposed transfer to be authorised up to \$6.5M, noting that the projected figure is for a transfer of \$2.9M. This will be monitored at quarterly reviews throughout the year.

Long-Term Financial Plan 5.2 (LTFP 5.2) (Attachment 5)

There are two changes proposed to the LTFP forecast. These changes are related to assumptions and will enable a projected \$17.9M improvement to the Council's bottom line as follows:

- \$11.5M increase in revenue over the next 10-years as a result of future interest rate assumptions gradually increasing from 1.2% to 2.2% over the course of the planning period. Our original forecasts were very conservative.
- Employment cost saving of \$6.4M over the next 10-years due to initial Employee Award increases being reduced through the Award negotiations to 2% for FY2021/21 and FY2022/23 from the original 2.5% assumption.

Other changes to the LTFP 5.2 Forecasts reflect the 2020/21 budget amendments mentioned in section 3 of this report.

After all the changes, the LTFP 5.2 forecasts with an improved position over the next 11-years in both the Income Statement and Balance Sheet, as shown in the following tables (figures are in \$'000):

Description	LTFP 5.2 20-21, May 2020	LTFP 5.2 20-21, Jun 2020	Difference	LTFP 5.2 May 2020	LTFP 5.2 Jun 2020	Difference May - Jun 2020
Net Result	0	(0)	(0)	166	166	(0)
Income	146,716	146,972	257	1,821,887	1,836,904	15,017
Expense	(114,537)	(117,560)	(3,023)	(1,499,621)	(1,498,298)	1,323
Capital Works	(52,507)	(55,934)	(3,427)	(373,823)	(381,599)	(7,775)
Total Expenses	(167,044)	(173,494)	(6,450)	(1,873,444)	(1,879,897)	(6,453)
Loan Principle Payment	(435)	(435)	0	(2,923)	(2,923)	0
Reserve	20,763	26,957	6,194	54,645	46,082	(8,564)

Description	LTFP 5.2 May 2020	LTFP 5.2 Jun 2020	Difference
NET ASSETS	1,358,965	1,373,856	14,891
Total Cash & Investment Securities	107,647	115,820	8,173
Reserve Balance	105,157	106,031	875

Property Investment Strategy Reserve Internal Transfer Repayment Schedule in the LTFP 5.2

Based on revised 2020/21 budget projections and funding needs, that we have programmed a transfer of \$2,877,102 from the Properties Strategic Reserve to fund the 2020/21 Program as mentioned earlier in section 3 of this report. A transfer of up to \$6.44M is provided for but amounts over \$2.9 will only be called upon if revenue projections are inaccurate and after consideration at quarterly reviews.

We are proposing to apply the anticipated salaries/wages cost saving (see above assumption) to repay the now projected transfer of \$2,877,102 over a period of 6 years with our proposed schedule being as follows:

- \$285,772 at FY2021/22.
- \$591,239 at FY2022/23.
- \$615,217 at FY2023/24.
- \$640,179 at FY2024/25.
- \$589,285 at FY2025/26.
- \$79,314 at FY2026/27.

Note, the actual requirement of the internal transfer from the Property Investment Strategy Reserve may vary and depend on the actual 2020/21 budget performance under the COVID-19 environment, in particular the accuracy of revenue projections. It will be monitored in the quarterly reviews and year-end reporting.

5. Financial impact statement/Time frame/Consultation

The key deliverables, projects and activities in the Operational Plan 2020–21 are costed in the Budget 2020–21 and Long Term Financial Plan (LTFP) 5.2.

Council is forecasting a balanced budget in 2020-21 and that it will run budget surpluses through the period until 2030-31.

The draft Operational Plan 2020-21 including the budget, Statement of Revenue Policy, proposed Pricing Policy and Schedule of Fees and Charges 2020–21 and Long Term Financial Plan 5.2 (2021-2031) were placed on public exhibition from 21 May 2020 to 17 June 2020 for a period of 28 days, as per statutory requirement. The submissions received from the community members were considered by Council staff and an amendment is proposed to Operational Plan. Internal submissions received are marked up in red in the document. The detailed community and administrative submissions are tabled in Attachment 1.

6. Conclusion

This report is seeking Council to adopt the draft Operational Plan 2020-21 including the budget, Statement of Revenue Policy, proposed Pricing Policy and Schedule of Fees and Charges 2020–21, and note the Long Term Financial Plan 5.2 (2021-2031), as required under the Integrated Planning and Reporting framework. Council has considered submissions received during the public exhibition period 21 May 2020 to 17 June 2020.

7. Attachments

1. Submissions received on Operational Plan and Pricing Policy-Fees & Charges 2020-21 (under separate cover) [⇒](#)
2. Operational Plan 2020-21 (under separate cover) [⇒](#)
3. Pricing Policy Fees and Charges 2020-21 (under separate cover) [⇒](#)
4. 2020-21 Budget Statement by Directorates and Capital Works Program (under separate cover) [⇒](#)
5. Long Term Financial Plan (under separate cover)

REPORT
CM/7.2/20.06(3)

Subject: Bronte Surf Club and Community Facilities Building Upgrade - Community Consultation Outcomes

TRIM No: A20/0329

Author: Emily Scott, Director, Community, Assets and Operations
Libby Mackenzie, Community Engagement Co-ordinator

Director: Ross McLeod, General Manager

RECOMMENDATION:

That Council:

1. Receives and notes the Bronte Surf Club and Community Facilities Consultation Report 2020 attached to this report.
2. Notes that every submission received during the consultation period has been circulated to Councillors and is available on the Bronte Surf Club and Community Facilities Upgrade project page on Council's website.
3. Notes the Council's role as Crown Land Manager for Bronte Park and Beach in terms of the *Crown Land Management Act 2016*.
4. Notes that the Bronte Park and Beach Plan of Management (2017) sets planning controls for development with Bronte Park, including specific controls for the Bronte Surf Club and Community Facilities Building, with some limited scope for alternative designs that achieve superior design outcomes.
5. Instructs to General Manager to direct the Public Private Partnership Project Control Group to commence a design review process of the current concept design and report back to Council with an amended proposal or proposals that responds to issues raised through the community consultation process; one of these proposals should be based on the specific controls incorporated within the Bronte Park and Beach Plan of Management (2017).
6. Endorses the following design review principles to guide and be considered in the design review process for the Bronte Surf Club and Community Facilities Building Upgrade project:
 - (a) Reduction of overall footprint of the building(s).
 - (b) Consider relocation of the Public amenities and Council facilities to within existing building curtilage
 - (c) Manage noise impacts through function room design, balcony size and acoustic design.
 - (d) Consider locating Dave Brown Place within existing curtilage.
 - (e) Minimise net loss of public open space and public green space.

- (f) Investigate improved accessibility of the Coast Walk and Bronte Park.
 - (g) Address perceived privatisation of public space through improved design to the extent practical (with further consideration to be given to these issues through building management arrangements and lease conditions).
 - (h) Minimise impacts from building height and subsequent view loss.
 - (i) Address intensification of site including visitation, event, traffic and parking impacts through improved design to the extent practical (with further consideration to be given to these issues through building management arrangements and lease conditions).
 - (j) Provide justification/rationale for proposed bulk & scale, internal configuration and balcony size for any amended design proposal.
 - (k) Redesign to obtain a reduction in budget shortfall.
7. Notes that the concerns raised in the Petition tabled at the 16 June 2020 Council meeting have been considered in the community engagement report and in the development of the proposed design review principles detailed above.
8. Receives a further report with the amended concept design/s that give consideration to the design review principles detailed above.

1. Executive Summary

The purpose of this report is to provide an update on the Bronte Surf Club and Community Facilities Building Upgrade Project consultation process, including a summary of the engagement process and key feedback received. The report outlines Council's role, including as Crown Land Manager in respect to the Bronte Park and sets out proposed design review principles to guide building design development in response to feedback received via the community consultation.

2. Introduction/Background

The Bronte Surf Life Saving Club (the Club) was established in 1903 and is one of the oldest surf clubs in Australia. The club currently occupies a Council owned building located on Bronte Park (which is Crown Land administered by Council). As a statutory body, Council is required to exercise its functions in accordance with all duties and obligations imposed upon it by statute and common law. Council, in addition to being the asset owner, is Crown Land Manager for Bronte Park under the *Crown Land Management Act 2016*.

A building condition survey was undertaken by consultant Asset Technology Pacific (ATP) on all Council buildings in 2016–17. The assessment of the Bronte Surf Club building identified that the club is being in poor condition. This rating indicates a serious deterioration in some major building elements including the external fabric.

A recommendation from the ATP condition survey was to undertake further structural investigations on the building. Building engineers Ducros Design carried out a structural assessment on the Club building in March 2018. The report recommended a number of essential works that were required to be carried out in the short term. The most urgent works have been completed. The Ducros report states, *'it is our recommendation that any repairs be considered a temporary solution whilst redevelopment of the site is*

prepared’ and ‘ultimately the demolition and rebuilding will provide the long-term solution for this building which is reaching the end of its commercial life.’

Council entered discussions with the Club about the Ducros report. In December 2018, in line with its Probity Guidelines for Capital Project Partnerships, Council endorsed a Heads of Agreement between Council and the Club for the development of a new surf club and associated community facilities. The Heads of Agreement was executed by both parties in December 2018.

In March 2019, Council Officers wrote to the Office of Local Government (OLG) seeking approval to proceed with the project as a Public-Private-Partnership (PPP). Following an assessment by OLG, the PPP project was deemed ‘not high-risk’ as defined in *OLG’s Guidelines on the Procedures and Processes to be followed by Local Government in PPP*, allowing the project to progress.

The concept design was worked up through the Public Private Partnership Project Control Group (PPP PCG) and a preferred option endorsed by Council for Stage 2 consultation. This consultation process enables Council to consider community views on the impacts of the proposed building project on Bronte Park in terms of Council’s role and obligations as Crown Land Manager

Council’s dual role in the Bronte SLSC project

Council has a dual role in the Bronte SLSC project. As a statutory body, Council is required to exercise its functions in accordance with all legal duties and obligations. This includes as Crown Land Manager, the obligation to consider and manage the impact of any development or proposed changes on the park or local environment. Council must also consult with impacted stakeholders, seek feedback and views on any proposal, and respond with proposed resolution/s to issues raised.

Council is guided in this role by the Bronte Park and Beach Plan of Management 2017 (POM), the *Crown Land Management Act 2016*, and normal administrative law decision making requirements. This role is distinct from its role in proposing and developing and building in partnership with the Club.

Secondly, Council is a participant in a Public Private Partnership (PPP) to design and rebuild the Bronte SLSC building. This process is bound by both the Probity Guidelines for Capital Project Partnerships (August 2018) and the Council endorsed Heads of Agreement (August 2019). Council participates in the PPP as a development partner but also has a role as asset owner and as a building occupant.

The Council has established a transparent and documented relationship and process with the Club to undertake design, fundraising and eventually construction works. The Council role in relation to this report is to consider, in its Crown Land Manager role, public feedback received on the design proposal developed to date and provide guidance on design criteria and modifications in the context of the POM.

The Bronte Park and Beach Plan of Management (2017)

The Bronte Park and Beach Plan of Management (POM) sets the 10-year strategic direction and vision for Bronte Park and Beach including the establishment of planning controls for the redevelopment of the Bronte SLSC building. The POM was endorsed by Council in 2017 following two rounds of community consultation in May and August 2017.

Any concept design proposal for the Bronte SLSC building must comply with the controls defined within the POM. There are specific controls provided for in the POM, with some limited scope for design flexibility in order to achieve a superior design outcome.

The Design process

In September 2019, Council resolved to accept Choi Rophia Fighera as the preferred tenderer for the supply of head consultant services for the building upgrade.

In September 2019, Council Officers undertook stage 1 community consultation. Following this consultation period, Council Officers worked closely with the Club in developing four high-level options and subsequently selected a preferred option. The options, including the preferred option, were presented at a Council workshop on 22 January 2020, with the presentation material circulated to all Councillors via email on 24 January 2020.

In March 2020, Council Officers reported on the stage 1 community consultation and outlined the four high level options developed. Council endorsed Option 4 as the preferred option to be developed to a concept design suitable to undertake stage 2 community consultation.

In May 2020, Council endorsed the Option 4 concept design for a 28-day community consultation period.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 5 May 2020	CM/7.3/20.05(1)	That Council: <ol style="list-style-type: none"> Endorses the Bronte Surf Club and Community Facilities Building Upgrade concept design attached to this report for public exhibition for a period of 28 days for the purposes of undertaking stage 2 community consultation, subject to the inclusion of the Surf Club and Lifeguard building image being tabled at the meeting and attached to Council's file. Notes that a further report will be prepared for Council post exhibition summarising the consultation process and key feedback, and recommending and necessary revisions to concept design.
Strategic Planning and Development Committee 3 March 2020	PD/5.5/20.03	That Council: <ol style="list-style-type: none"> Receives and notes this project update on the Bronte Surf Club and Community Facilities Building Upgrade. Notes the outcome of stage 1 community consultation completed in September 2019. Endorses Option 4 as the preferred option for the Bronte Surf Club and Community Facilities Building, as detailed in Attachment 1 to this report. Develops Option 4 to a concept design suitable for stage 2 community consultation. Notes that the developed Option 4 will be

		<p>reported back to Council prior to stage 2 community consultation.</p> <p>6. Undertakes stage 2 community consultation in April 2020 on the concept design developed from option 4, including a landscape treatment for the relocation of Dave Brown Place that is in the near vicinity of the previous location.</p>
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4. Discussion

Consultation overview

From 6 May to 3 June 2020, Council held an open community consultation on the proposed concept design for the Bronte Surf Club and Community Facilities project.

This round of community consultation focused on the proposed design concepts. The community was notified of the consultation in several ways, including social media, e-newsletters, flyer letterbox drop, and advertising in local papers.

There was extensive interest in this project, garnering 674 online surveys, 71 long-form submissions, over 5900 petition signatures, as well as several public and stakeholder meetings.

The community response demonstrated majority overall support for the project. However there was significant feedback on the design of the proposal with detailed feedback provided calling for changes to be made to the design.

Key issues raised throughout the consultation include:

- The building is too big
- The footprint of two buildings in park
- Noise issues from a bigger building / acoustics into residential areas
- Relocation of Dave Brown Place
- Loss of green space and public open space
- Accessibility
- Privatisation of public space
- Intensification/height/view loss
- Justification/rationale for space requirements

Engagement methodology

A report outlining the process and feedback of stage 2 community consultation is attached to this report. Council officers undertook the following as part of the consultation:

- The dedicated project page on Have Your Say Waverley received over 6000 views
- 2200 flyers distributed to the properties in the area around the Surf Club.
- Media release gaining covering in the Wentworth Courier and the Beast.
- Posted on all of Council's social media platforms, reaching 9813 people, with 1889 engagements.
- Six stakeholder meetings, including two community virtual meetings and combined Bronte Beach and Bronte Precincts meeting
- Eight posters were erected onsite directing people to Council's Have Your Say Waverley website

- Promoted in Council's Waverley Weekly and Engagement e-newsletters, reaching over 2,400 people.

Noting the consultation period fell within COVID-19 restrictions, Council Officers undertook community meetings via virtual meeting platform Zoom. Given the number of submissions received, it is clear the community were very engaged during this process. Noting this, Council Officers deem the engagement process to have been successful in reaching those parts of the community interested in the proposal.

Data overview

Online – Have Your Say Waverley:	<ul style="list-style-type: none"> • The dedicated project page on Have Your Say Waverley was visited over 6000 times • A total of 688 people engaged through submitting a survey (674 respondents) or submitting a question (14 respondents)
Survey	<ul style="list-style-type: none"> • 674 people completed the survey. Below are two highlights from the most integral questions: • Question 1: Do you like what we have planned for the Surf Club building? <ul style="list-style-type: none"> ○ 46.9% – Yes ○ 33.2% – No ○ 19.8% – Yes but with changes • Question 8: Do you like what we have planned for the Community Facilities? <ul style="list-style-type: none"> ○ 53.3% – Yes ○ 31.8% – No ○ 15.1% – Yes but with changes
Q & A	<ul style="list-style-type: none"> • 14 questions asked by 13 participants • Key themes: <ul style="list-style-type: none"> ○ Accessibility ○ Functions ○ Noise ○ Specific footprint and layout
Stakeholder meetings	<ul style="list-style-type: none"> • Over 90 community members participated in stakeholder meetings where they provided feedback and asked questions of the project team • The key themes raised were: <ul style="list-style-type: none"> ○ Needs an upgrade ○ Design was too large for site ○ No loss of green space ○ No loss of public space ○ Concern over privatisation ○ Liked the design ○ Issues raised over moving the Cubes
Long form responses	<ul style="list-style-type: none"> • 71 long form submissions: <ul style="list-style-type: none"> ○ 38% – supportive of concept design as is ○ 58% – not fully supportive of current design

	<ul style="list-style-type: none"> ○ 4% – not clearly supportive or not supportive • Key themes raised were: <ul style="list-style-type: none"> ○ Surf club too big ○ Don't take the green space ○ Objected to the upgrade ○ Supported the upgrade ○ Both buildings should be in existing footprint ○ Commercial exploitation ○ Don't separate the buildings
Petition via change.org	<ul style="list-style-type: none"> • 5905 (as at 10 June 2020) • Key themes outlined were: <ul style="list-style-type: none"> ○ Side of the building is too big ○ Concern over loss of public space, including park shelters and a barbeque ○ Concern over perceived commercialisation and privatisation of public space ○ Concern over relocation and redesign of Dave Brown Place (the Cubes)

Design review principles

Design review principles have been derived from the key themes from the community consultation period. This can be seen in the below table:

Main issues raised through Community Consultation	Criteria for consideration in design review	Options to resolve
The buildings footprints are too big	Reduction of the overall footprint of the building/s	<ol style="list-style-type: none"> 1. Reduce size of existing design with changes 2. Design to POM envelope (Option1) 3. Design to existing footprint 4. Review Option 3 with reduced area 5. New design
Location of amenities building in the park	Consider relocation of the amenities and SLSC functions within existing curtilage	<ol style="list-style-type: none"> 1. Design to POM envelope (Option1) 2. Design to existing footprint 3. Review Option 3 with reduced area 4. New design
Noise issues from a bigger building / acoustics into residential areas	Manage noise impacts through function room design, balcony size and acoustic design.	<ol style="list-style-type: none"> 1. Reduce balcony size; 2. Interrogate acoustic design; 3. Consideration of future lease / DA conditions; 4. Reconfigure external balcony; and / or 5. Review function room size

Relocation / design of Dave Brown Place	Consider locating Dave Brown Place within existing curtilage	<ol style="list-style-type: none"> 1. Relocate as planned 2. Relocate within curtilage as part of Option 3 design 3. Do not move (POM envelope Option 1 and upgrade in current location) 4. Do not move (build to existing footprint and upgrade in current location)
Loss of green space and public open space	Minimise net loss of green space and public open space	<ol style="list-style-type: none"> 1. Design to POM envelope (Option1) 2. Design to existing footprint 3. Review Option 3 with reduced area 4. New design
Accessibility	Investigate improved accessibility of the coast walk and Bronte Park	<ol style="list-style-type: none"> 1. Consider access to surf club lift for people with a disability; and / or 2. Improve northern access to Bronte Park.
Privatisation of public space	Address perceived privatisation of public space through improved design and lease conditions.	<ol style="list-style-type: none"> 1. Review function room size and associated spaces; 2. Reduce balcony size; 3. Reduce overall footprint; and / or 4. Consider appropriate future lease conditions
Impact of Envelope height and view loss	Minimise impacts from building height and subsequent view loss	<ol style="list-style-type: none"> 1. Interrogate design to POM envelope (Option1) to minimise height and associated view loss and /or 2. Interrogate design of Option 3 with reduced area to minimise height and associated view loss
Intensification of site including visitation, event, traffic and parking impacts	Address intensification of site including visitation, event, traffic and parking impacts through design and lease conditions	<ol style="list-style-type: none"> 1. Review function room size and associated spaces; 2. Reduce overall footprint; and / or 3. Consider appropriate future lease conditions
Lack of justification of proposed bulk & scale, internal configuration and balcony size.	Provide justification of proposed bulk & scale, internal configuration and balcony size for any amended design proposal.	<ol style="list-style-type: none"> 1. Interrogate design to POM envelope (Option1) to optimise functional requirements and /or 2. Interrogate design of Option 3 with reduced area to optimise functional requirements
Concept design is \$2.9 m over budget	Redesign to reduce budget shortfall.	<ol style="list-style-type: none"> 1. Design to POM envelope (Option1) 2. Design to existing footprint 3. Review Option 3 with reduced area 4. New design

Curtilage – Existing building footprint plus hardstand / public domain area surrounding building.

It is appropriate for Council to consider the community feedback received through the consultation project and to provide such guidance as it sees fit to officers, the PPP PCG and the design team. This consideration process is not a strict numbers game – the Council must consider each of the issues raised on its merit and give greater weight to the issues it considers most important in terms of impacts on the Park and surrounds. The design criteria above have been developed in order to attempt to assist Council in doing that.

The Council may consider that not every issue raised via consultation needs a design response. For instance, privatisation and commercialisation concerns might best be addressed via lease and building management arrangements.

Finally, in this decision making role, Council must act in an objective and impartial manner. It must give due consideration to matters required by statute and not act under the dictation or instructions of others.

5. Financial Impact Statement/Time frame/Consultation

Financial impact statement

The table below shows the joint funding contributions for the delivery of the project as per the executed Heads of Agreement.

Funding source	Funding amount
Waverley Council	\$4,625,000
Bronte Surf Club	\$2,030,000
Federal Government	\$2,000,000
State Government	\$345,000
Total	\$9,000,000

At this stage, the estimated total cost to deliver the current design concept is \$12.9 million. This includes design services, construction of the new buildings and associated landscaping and promenade upgrades. A breakdown of costs can be seen in the below table. These figures include appropriate contingencies.

Item	Estimated Cost
Building costs (including demolition of existing)	\$11,400,000
Services (including new substation)	\$515,000
Landscaping and promenade upgrades	\$985,000
Total	\$12,900,000

Funding has been allocated in a separate item of Council's LTFP to complete the landscaping and promenade upgrades listed above, leaving a total budget shortfall of \$2.915 million.

The PCG acknowledges the shortfall in funding and at this stage recommends proceeding to community consultation with no further commitments by either Council or the club. Additional State and Federal Government grant funding opportunities will be explored as the design develops. The PCG has started a value engineering process to reduce construction costs and bring the design closer to the available budget.

Further cost estimates will be completed at key milestones as the design develops and detail is added. Cost and budget will be reconciled prior to construction commencing.

Timeframe

It is estimated that the revised concept design will be reported back to Council in August 2020.

Consultation

A proposed process for further consultation will be reported to Council with the revised concept design.

6. Conclusion

It is recommended that Council endorses the design review principles noted within this report to guide design development in response to feedback received from the community consultation.

7. Attachments

1. Stage 2 Consultation Report



Bronte Surf Club and Community Facilities Consultation Report 2020



Waverley Council acknowledges the Bidjigal and Gadigal people, who traditionally occupied the Sydney Coast and we also acknowledge Aboriginal Elders both past and present

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Executive Summary

From 6 May to 3 June 2020, Council held an open community consultation on the proposed concept design for the Bronte Surf Club and Community Facilities project. This was the second phase of consultation, the first being an information gathering consultation in 2019.

This phase of community consultation focused on the proposed design concepts. The proposal saw the existing footprint be split into two buildings, with the Community Facilities being placed in the park behind the Surf Club.

The community was notified of the consultation in several ways, including social media, enewsletters, flyer letterbox drop, and advertising in local papers.

There was extensive interest in this project, garnering 674 online surveys, 71 long-form submissions, over 5900 petition signatures, as well as several public and stakeholder meetings.

The community response demonstrated overall support for the upgrade of the Surf Club and provided detailed feedback for Council and Bronte Surf Life Saving Club to make changes to the design.

There were 10 key issues raised throughout the consultation:

- The surf club building is too big
- The footprint of two buildings in park
- Noise issues from a bigger building / acoustics into residential areas
- Relocation of Dave Brown Place
- Loss of green space and public open space
- Accessibility
- Privatisation of public space
- Excessive height and loss of views
- Impact of increased visitors on site, including parking concerns
- Reasoning behind concept design development and use of space.

To address these issues, it is recommended that a design review process be undertaken of the current concept design that considers the following design review principles:

- Reduction of overall footprint of the building(s)
- Consider relocation of the Public amenities and Council facilities to within existing building curtilage
- Manage noise impacts through function room design, balcony size and acoustic design
- Consider locating Dave Brown Place within existing curtilage

- Minimise net loss of public open space and public green space
- Investigate improved accessibility of the Coast Walk and Bronte Park
- Address perceived privatisation of public space through improved design and lease conditions
- Minimise impacts from building height and subsequent view loss
- Address intensification of site including visitation, event, traffic and parking impacts through design and lease conditions.
- Provide justification of proposed bulk and scale, internal configuration and balcony size for any amended design proposal
- Redesign to reduce budget shortfall.

Background

Waverley Council (Council) and Bronte Surf Lifesaving Club (Bronte SLSC) partnered to deliver a modern and sustainable new surf club and community facilities. There are over 1900 Bronte SLSC members, who, alongside Waverley Lifeguards, use the Club as a hub for rescues, training, storing equipment and first aid.

The building is no longer fit-for-purpose and must be rebuilt to meet the needs of contemporary surf lifesaving and the community, including:

- Balance of female to male facilities
- Compliance for family change rooms and accessible amenities
- Fit-for-purpose lifeguard and lifesaving facilities including adequate storage and training spaces.

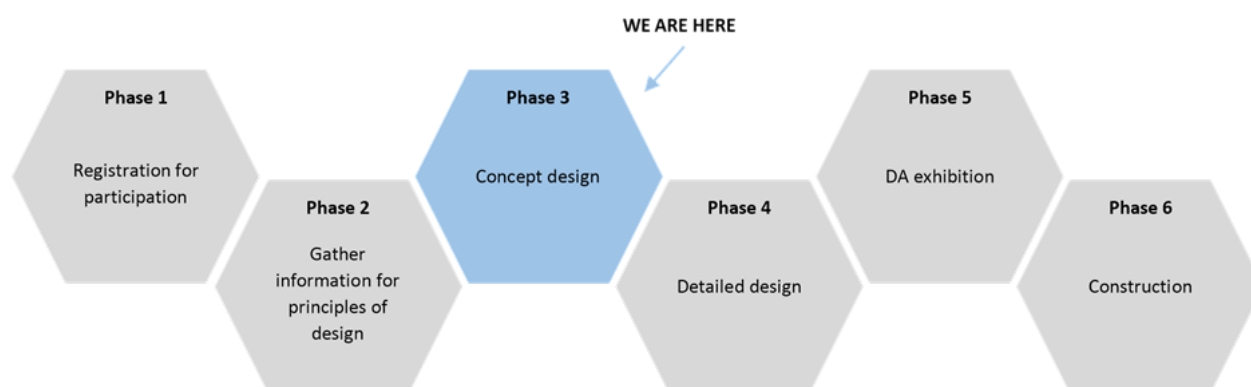
The promenade and community facilities next to the Club is also proposed to be redeveloped.

This phase of community consultation focused on the proposed design concepts. Key aspects from the first stage of consultation in 2019 were that participants wanted the building to be sustainable, integrate and highlight the natural environment, and to use durable materials. They also noted the Club is important to the community as are the services its members provide; however, that lifeguard facilities should be the number one consideration.

Council was presented with four different options of concept design. Each addressed the physical issues raised in the scope and tried to adequately address community concerns. The option selected by Councillors was then presented to the community for consultation.

The proposal saw the existing footprint be split into two buildings, with the Community Facilities proposed to be placed in the park behind the Club.

There are six identified phases of this project, each with different community engagement levels:



Engagement Approach

Noting the project consultation was affected by COVID-19 restrictions, plans were altered to ensure opportunities for the community to provide feedback. Council was able to provide engagement opportunities via Zoom, use Facebook Live, and created a video to be shared through socials.

Developing an online survey was the best way to communicate with a broad range of people. That launched on 6 May and had high interest. Stakeholders became intermediaries and shared Council's marketing materials creating a very engaged community.

Consultation objectives:

- to inform the public about what is being done with their input to date and provide input
- to demonstrate the partnership of Bronte SLSC, Council, and community.

Engagement Methodology

A range of engagement methods were used to maximise the opportunity for community participation.

The engagement process aligned with Waverley Council's adapted IAP2 model for community engagement.

Method	Overview	Date	Response
Have Your Say website	Council's 'Have Your Say Waverley' website had a dedicated page for the duration of the project.	Initial launched: July 2019 Concept Design Consultation launched: 6 May 2020	6.1k total visits 2.8k informed (opened or downloaded a document)
Flyer drop	Flyers were dropped to 2200 residences	Complete: 11 May 2020	
Media release	Media release sent out to local and Sydney-based media.	7 May 2020	Featured in Wentworth Courier and the Beast
Social media posts Facebook	Post 1 – Promoted proposed design and encouraged people to complete the survey. Call to action – Promoted the survey	6 May	Reach: 2904 Engagements: 732 Direct to HYS: 554
	Post 2 – Promoted second Q&A session Call to action – Promoted the Eventbrite registration and survey	23 May	Reach: 1194 Engagements: 63
	Facebook Live – Mapped out the proposed buildings' footprint. This was done at the request of the community	29 May	Reach: 5715 Engagements: 1094 Views: 3.4k
Joint precinct meeting	Meeting with Bronte and Bronte Beach Precinct Conveners and Members	21 May	Attendees: 7
Zoom meetings (instead of f2f)	Information session – 30 min presentation by Council and Surf Club President with 30 min community questions.	7pm – 8pm 14 May	Attendees: 35
	Q&A – Following feedback, a second Q&A focussed session was hosted by Council	6pm – 7pm 21 May	Attendees: 40
Online survey	A 12-question online survey specific to this project	6 May – 3 June	Respondents: 674
Q&A online	Hosted on the project page on the Have Your Say Waverley website. Participants submitted questions and Council responded to publicly or privately.	6 May – 3 June	Questions: 14
Advertising	Full page ad in May's edition of The Beast	W/C 18 May	

Waverley Weekly newsletter	Call to Action (CTA): Complete the survey	7 May	26 link clicks to HYS
	CTA: Complete the survey	14 May	3 link clicks to HYS
	CTA: Survey is open	21 May	5 link clicks to HYS
	1 x CTA: Register for Q&A session 1 x CTA: Complete the survey	28 May	3 link clicks to Eventbrite 3 link clicks to HYS
Engagement newsletter	Engagement newsletter informing the recipients of the open consultation.	28 May	Received email: 2484
Stakeholder outreach	Internal and external stakeholders were contacted at the start of the consultation period inviting them to have a meeting with Council's project team or partake in any of our other activities.	6 May–3 June	4 stakeholder meetings

Data Overview

<p>Online – Have Your Say Waverley:</p> <p>Survey</p> <p>Q&A</p>	<ul style="list-style-type: none"> The dedicated project page on Have Your Say Waverley was visited 6000 times. A total of 688 people engaged through submitting a survey (674 respondents) or submitting a question (14 respondents). 674 people completed the survey. Below are two highlights from the most significant questions: <ul style="list-style-type: none"> Question 1 – Do you like what we have planned for the Surf Club building? <ul style="list-style-type: none"> 46.9% – Yes 33.2% – No 19.8% – Yes but with changes Question 8 – Do you like what we have planned for the Community Facilities? <ul style="list-style-type: none"> 53.3% – Yes 31.8% – No 15.1% – Yes but with changes 14 questions asked by 13 participants Key themes: <ul style="list-style-type: none"> Accessibility Functions Noise Specific footprint and layout
<p>Stakeholder meetings:</p> <ul style="list-style-type: none"> Info session Precinct meeting Q&A session 2 x on-site walk through 	<ul style="list-style-type: none"> Over 90 community members participated in stakeholder meetings where they provided feedback and asked questions of the project team. The common issues and benefits raised were: <ul style="list-style-type: none"> Needs an upgrade Design was too large for site No loss of green space No loss of public space Concern over privatisation Liked the design Issues raised over moving the Cubes.
<p>Long form responses</p>	<ul style="list-style-type: none"> 71 long form submissions: <ul style="list-style-type: none"> 38% – supportive of concept design as is 58% – not fully supportive of current design 4% – not clear supportive/not supportive Key themes: <ul style="list-style-type: none"> Surf club too big Don't take the green space Objected the upgrade Supported the upgrade Both buildings should be in existing footprint Commercial exploitation Don't separate the buildings.

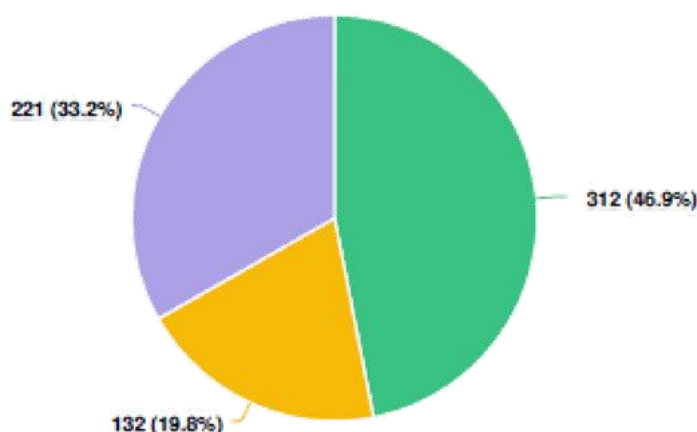
Petition <ul style="list-style-type: none">• Via change.org	<ul style="list-style-type: none">• 5905 signatures (as at 10 June 2020)• Key themes:<ul style="list-style-type: none">○ Size of the building is too big○ Concern over loss of public space, including existing park shelters and a barbeque○ Concern over perceived commercialisation and privatisation of public space○ Concern over relocation and redesign of Dave Brown Place.
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Detailed Results – Online Engagement

674 people participated in the online survey at haveyoursay.waverley.nsw.gov.au/Bronte-Surf-Club-upgrade.

The following questions were both integral to the consultation process:

- Question 1: Do you like what we have planned for the Surf Club?



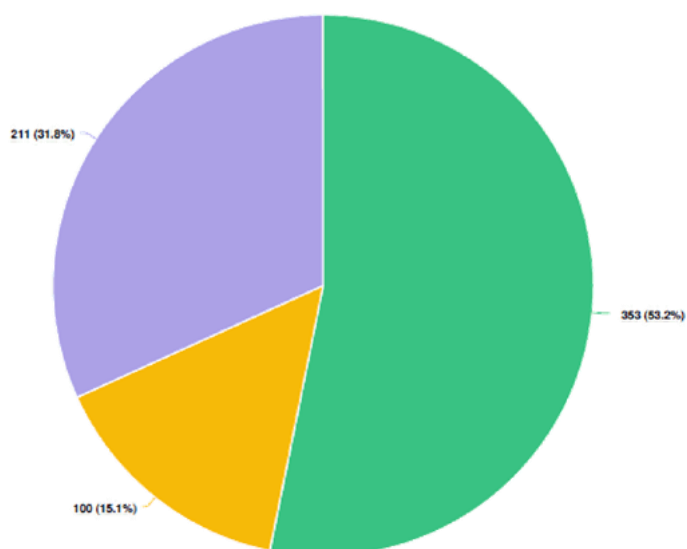
Question options

● Yes
 ● Yes but with changes
 ● No

Optional question (665 response(s), 9 skipped)

Response	Amount	Identified as
Yes	312 (46.9%)	<ul style="list-style-type: none"> • Surf Club members: 190 • Work at Bronte: 12 • Live locally: 248 <ul style="list-style-type: none"> ○ Bronte: 125 (52.7%) • Like to visit: 207 • Other: 29
No	221 (33.2%)	<ul style="list-style-type: none"> • Surf Club members: 34 • Work at Bronte: 11 • Live locally: 195 <ul style="list-style-type: none"> ○ Bronte 119 (61%) • Like to visit: 146 • Other: 54
Yes, but with changes	132 (19.8%)	<ul style="list-style-type: none"> • Surf Club members: 36 • Work at Bronte: 10 • Live locally: 122 <ul style="list-style-type: none"> ○ Bronte 88 (72.13%) • Like to visit - 82 • Other - 19
Didn't respond to question	9	

Question 8: Do you like what we have planned for the Community Facilities?



Question options

● No
 ● Yes, but with a couple of changes
 ● Yes

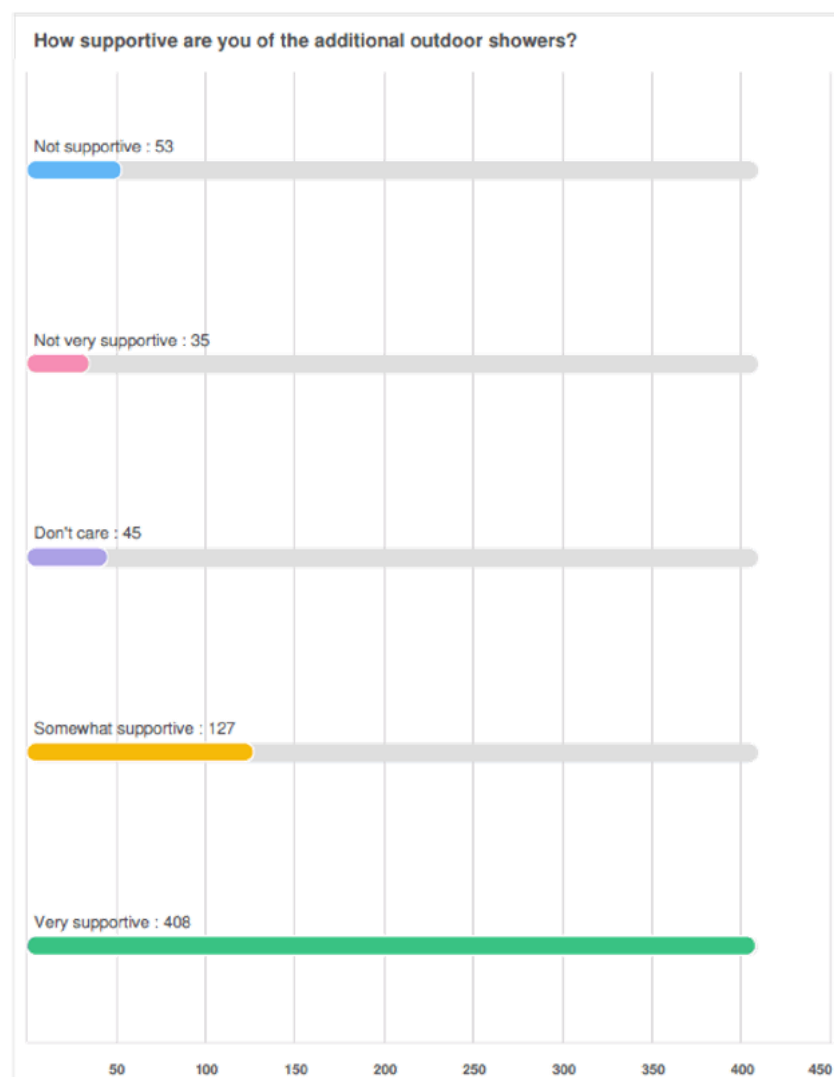
Optional question (664 response(s), 10 skipped)

Response	Amount	Identified As
Yes	353 (53%)	<ul style="list-style-type: none"> • Surf Club members: 195 (148 also live locally) • Work at Bronte: 12 • Live locally: 285 (195 also Club members) <ul style="list-style-type: none"> ○ Bronte: 155 (55%) • Like to visit: 229 • Other: 34
No	211 (32%)	<ul style="list-style-type: none"> • Surf Club members: 32 (30 also live locally) • Work at Bronte: 10 • Live locally: 193 (32 also Club members) <ul style="list-style-type: none"> ○ Bronte: 119 (62%) • Like to visit: 139 • Other: 49
Yes, with changes	100 (15%)	<ul style="list-style-type: none"> • Surf Club members: 33 (29 also live locally) • Work at Bronte: 10 • Live locally: 87 (33 also Club members) <ul style="list-style-type: none"> ○ Bronte: 58 (67%) • Like to visit: 68 • Other: 19
Didn't respond to question	10	

The participants who selected 'Yes, but with changes' or 'No' to the above questions were then prompted to provide further explanatory feedback.

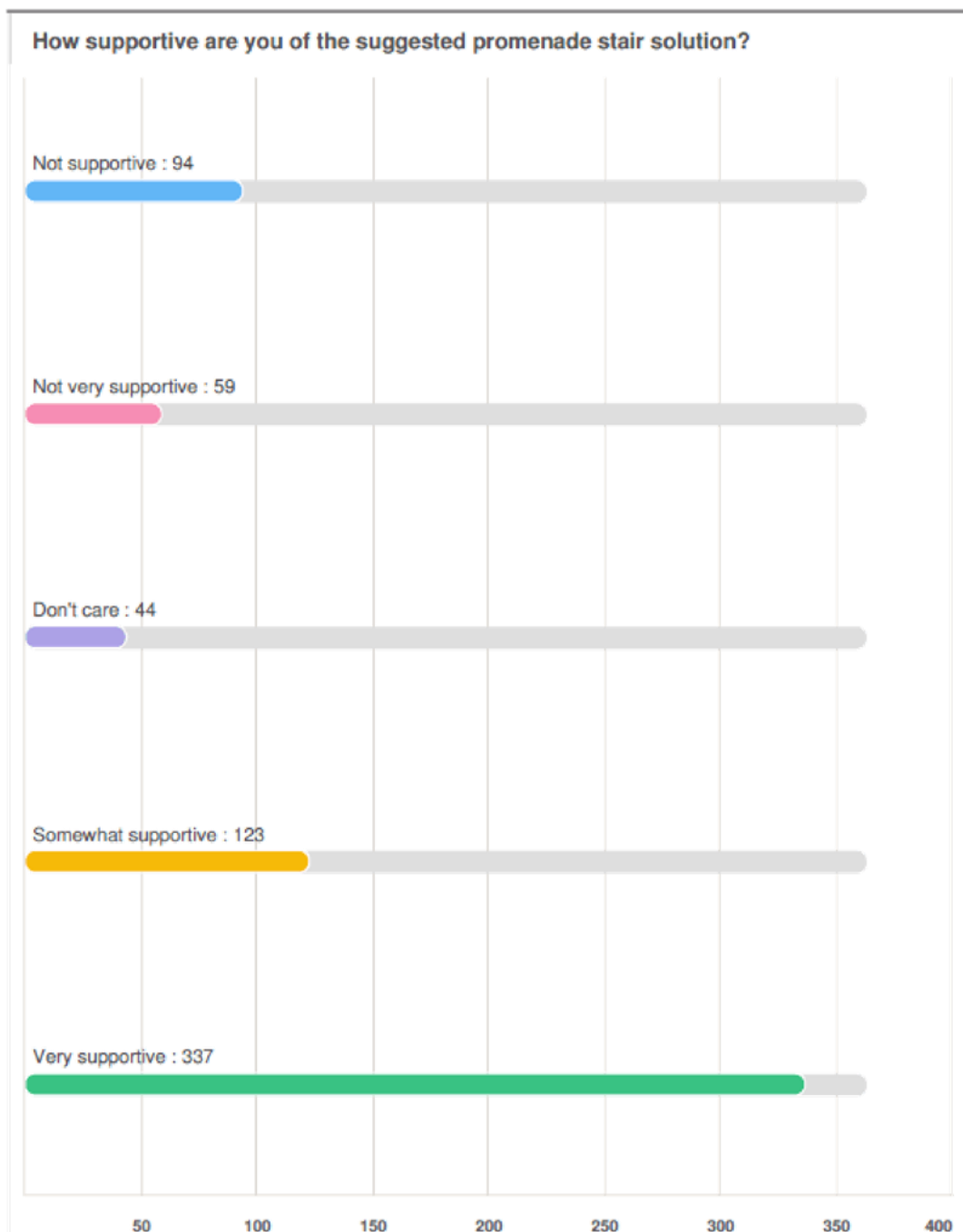
The supporting questions were rating scales from Very Supportive – Not Supportive. Below is summary data for consideration in detailed design:

Around the Club



Further themes/ideas:

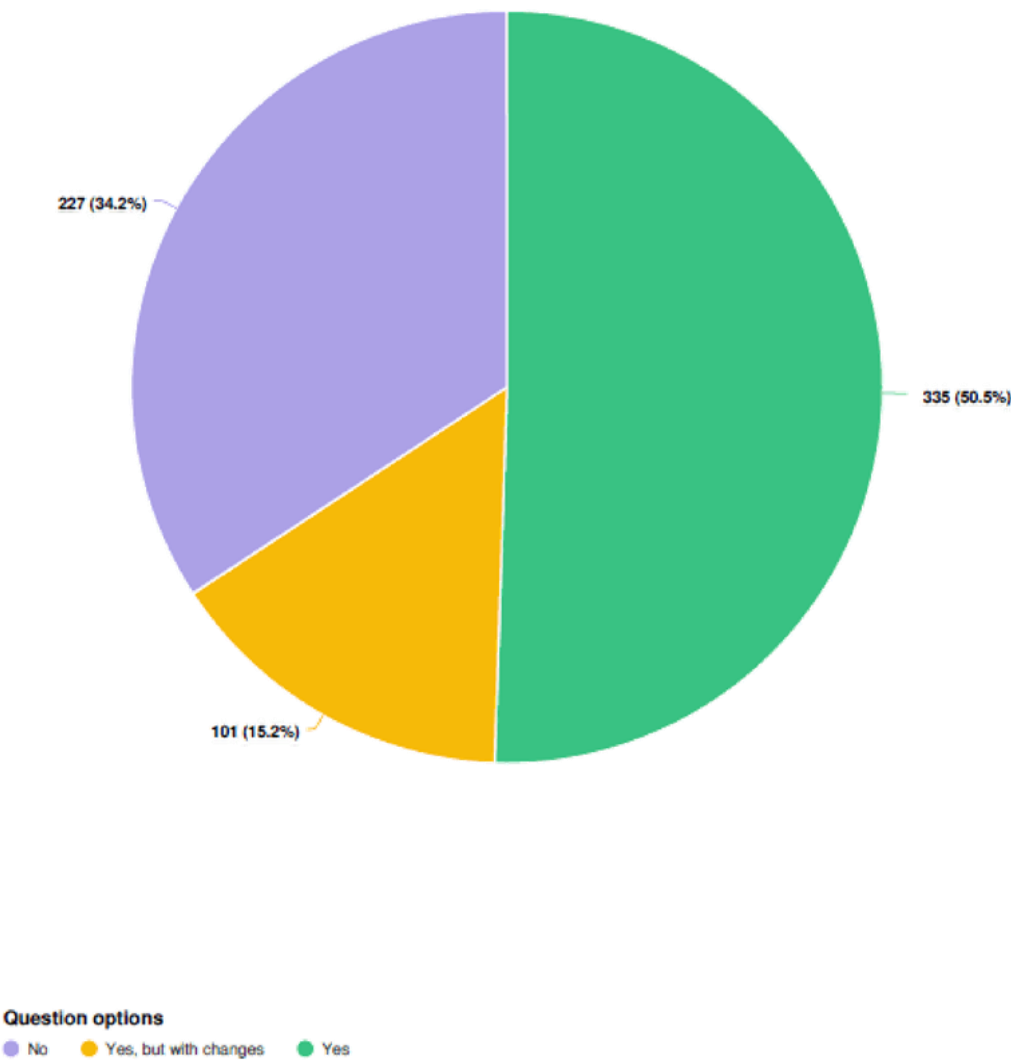
- Think about drainage and it being wet and damp
- Outdoor showers included in Community Facilities
- Outdoor showers included near the Cubes.



Further themes/ideas:

- It's a bit of a plain wall
- Would like larger entrance to Surf Club under stairs.

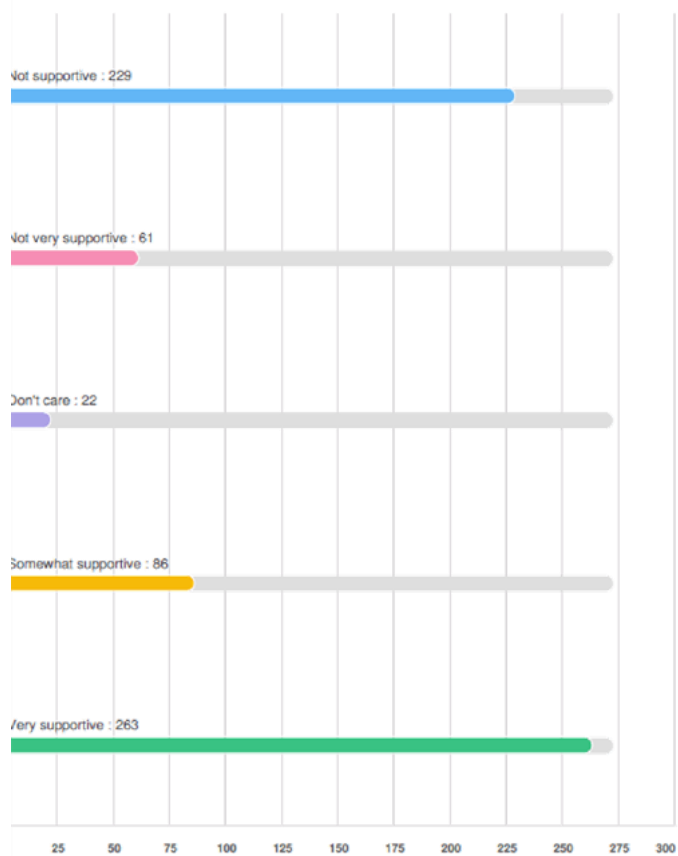
Do you think the Club building integrates into the park and existing environment?



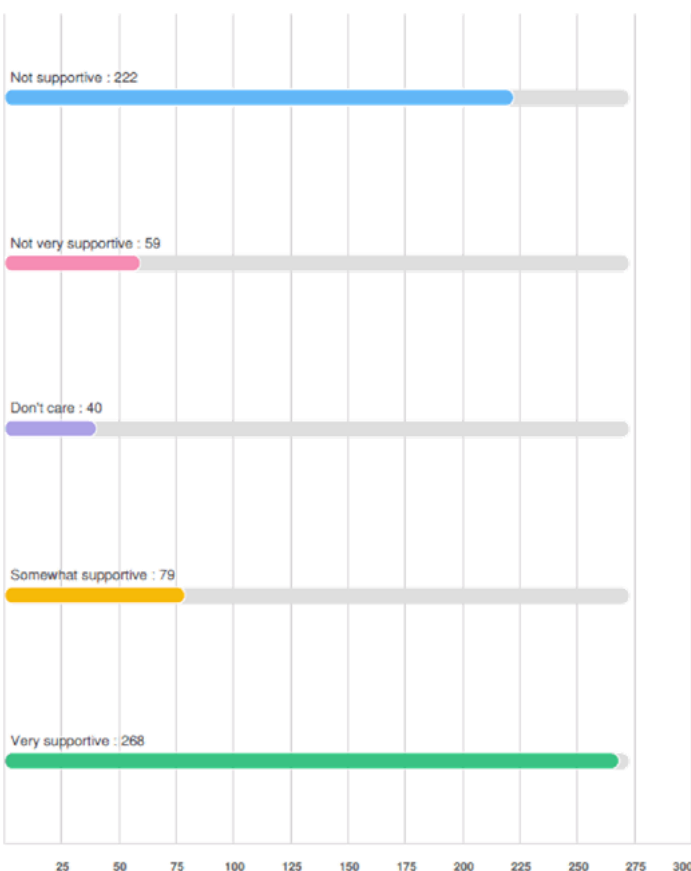
Optional question (663 response(s), 11 skipped)

Separating the Buildings

How supportive are you of the location chosen for the community facilities?



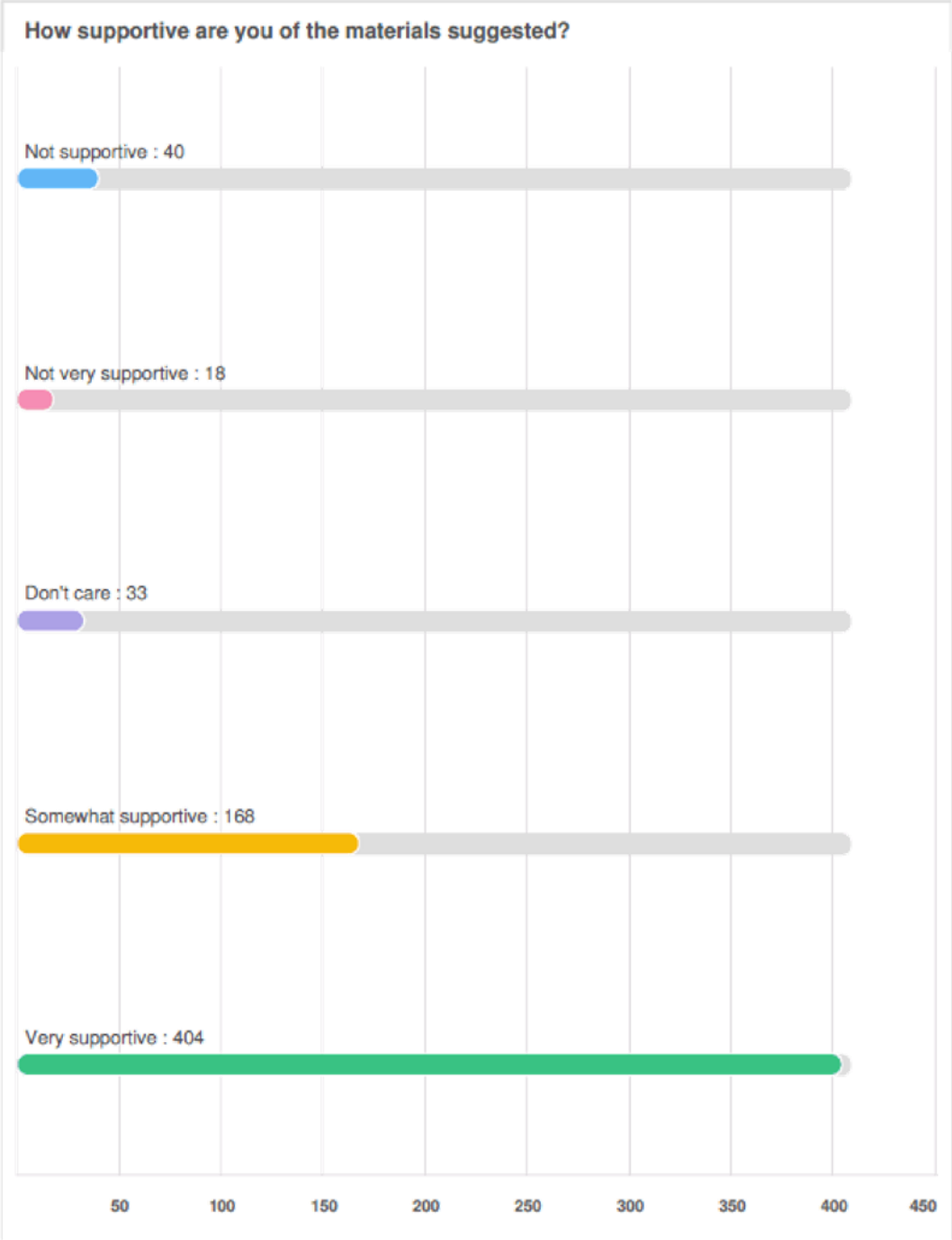
How supportive are you of separating the two buildings?



Further themes/ideas:

- Don't take away green space
- Too far from the Beach
- Should fit inside Surf Club building.

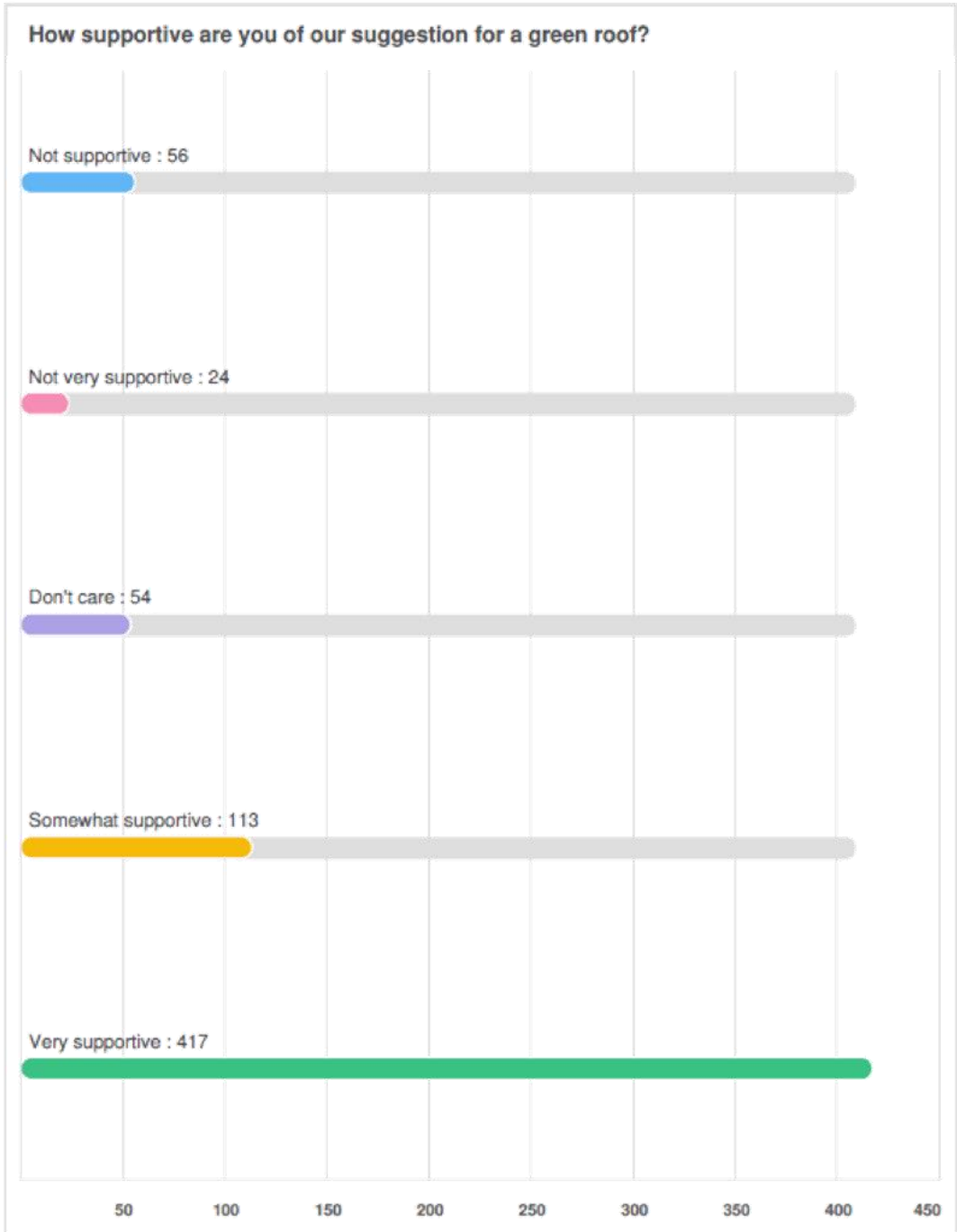
Materials



Further themes/ideas:

- Sandstone cladding instead of real sandstone
- Green landscaping.

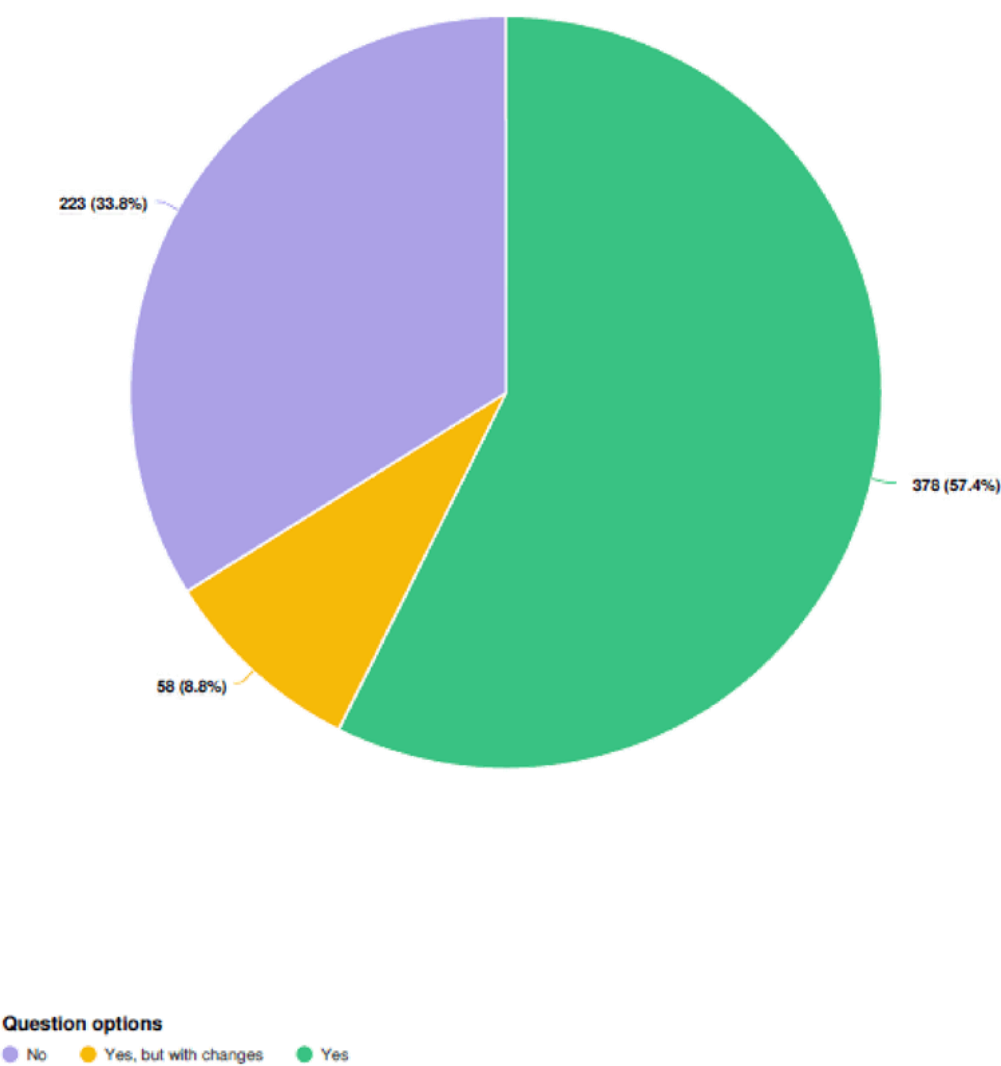
Green Roof



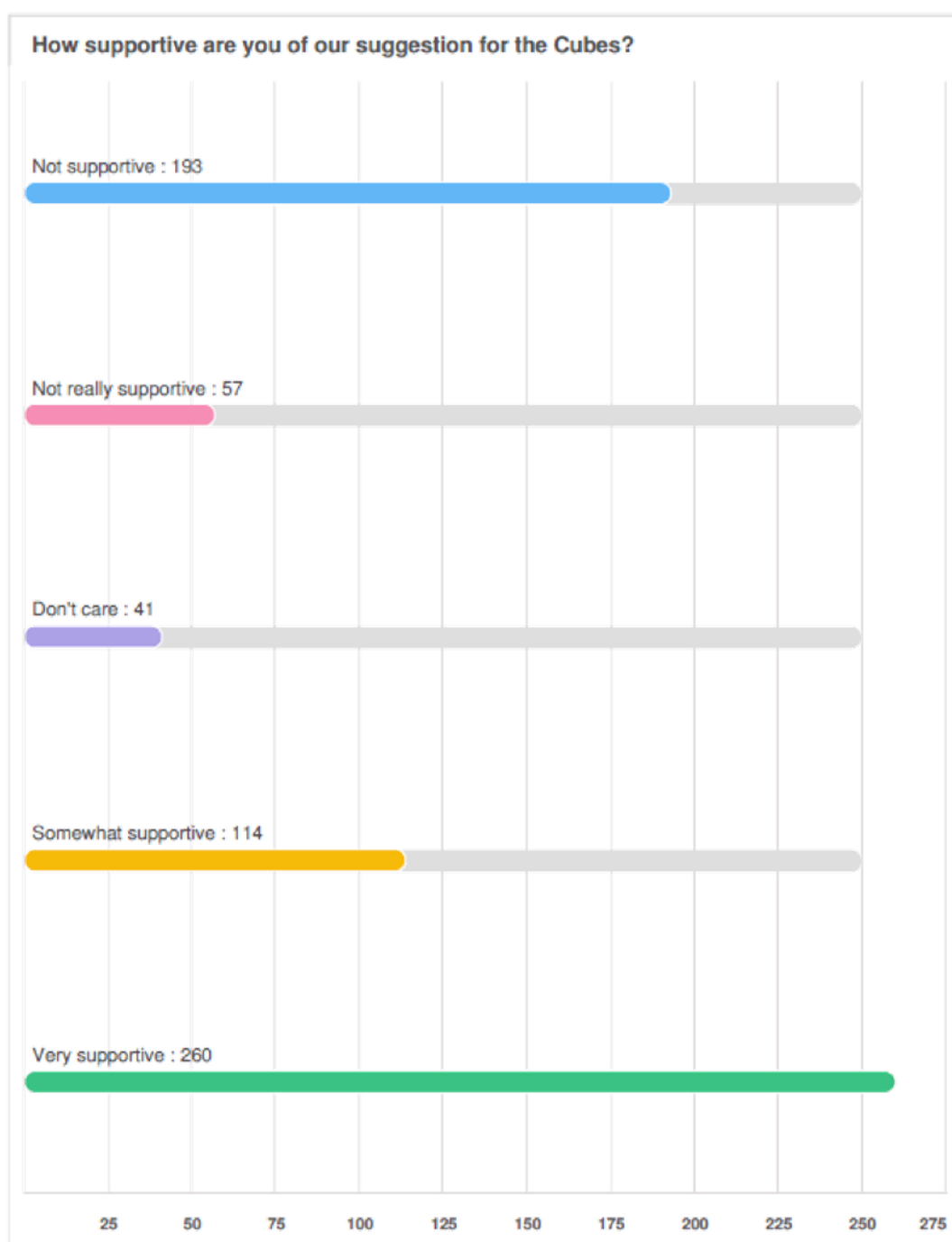
Further themes/ideas:

- Make it trafficable on surf club
- Doesn't replace green space lost.

Do you think the community facilites building integrates into the park and existing environment?



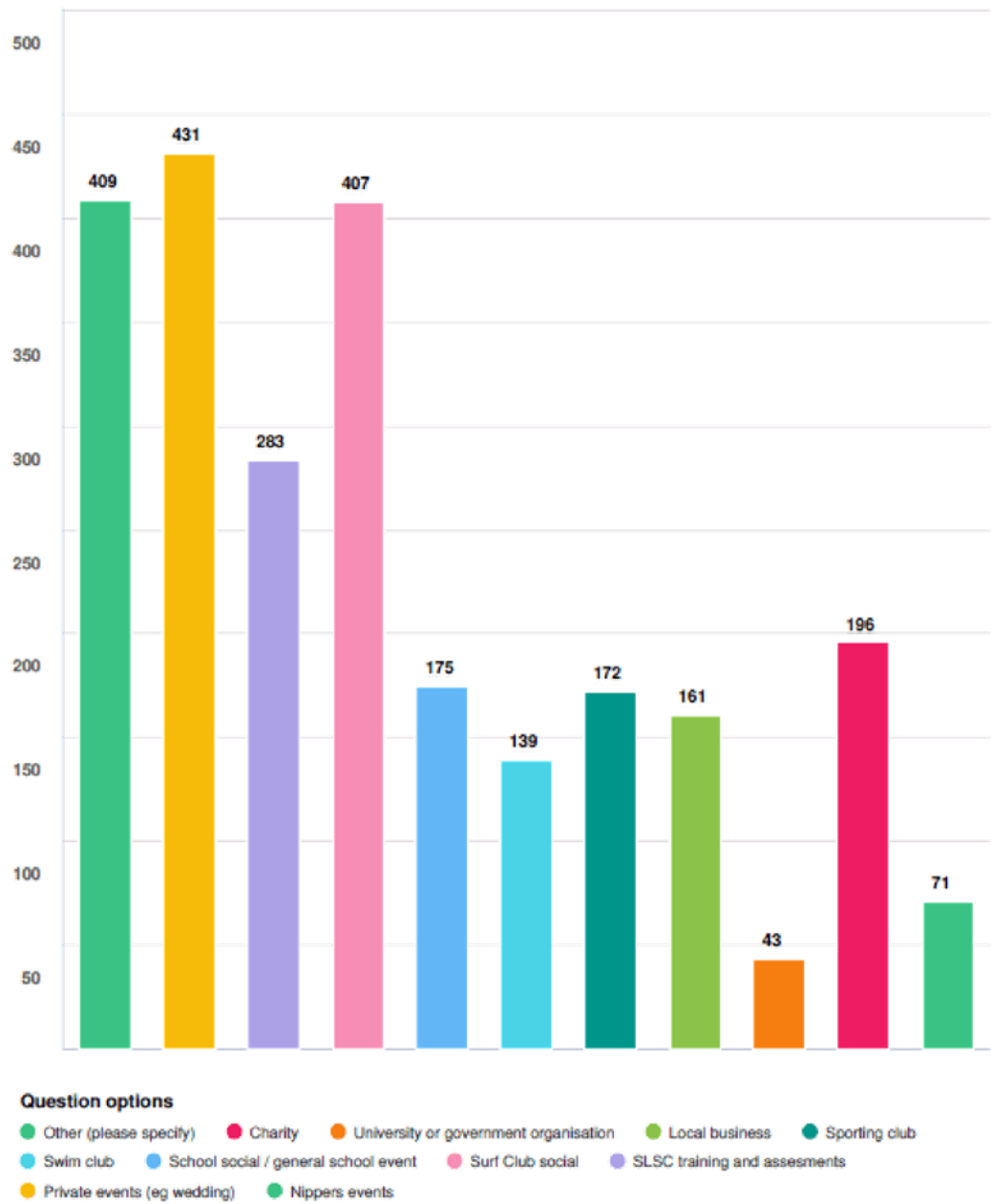
Optional question (659 response(s), 15 skipped)

Dan Brown Place (The Cubes)

Further themes/ideas:

- Would like to see shade
- Closer to the kiosk
- Don't move at all
- Complete lack of respect to move them
- Put a memorial at the back of the proposed space for ANZAC Day
- Backs on the seats needed.

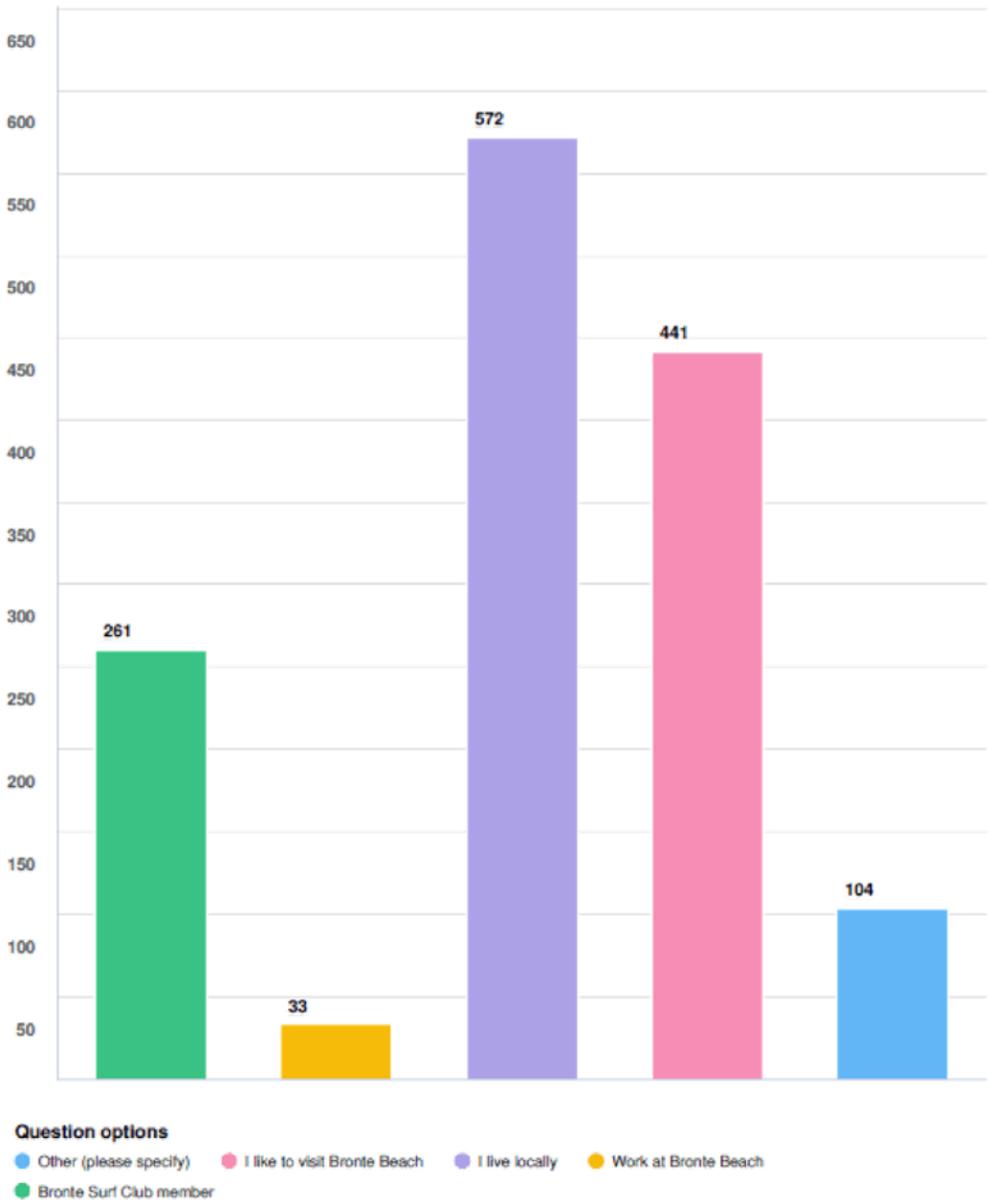
Attendance of community events



Optional question (624 response(s), 50 skipped)

Note: Respondents were able to select more than a single event.

Interest in the Bronte Surf Club and community facilities



Optional question (672 response(s), 2 skipped)

Note: Respondents were able to select more than a single interest.

Detailed Results – Long Form Submissions

71 long form submissions were received via email to Council Officers, General Manager and/or Councillors.

Overall

- 27 supportive
- 41 not supportive
- 3 various

Key Themes

- Surf club too big
- Don't take the green space
- Both buildings should be in existing footprint
- Commercial exploitation
- Don't separate the buildings.

Detailed Results – Stakeholder Meetings

Throughout the consultation period, Council Officers ran four online meetings via Zoom and two on-site meetings at request of the Mayor.

The notes from each meeting in the Appendix.

Meeting	Who Attended	Key Themes
Information session via Zoom	35 attendees + 2 x Councillors, 4 x Council Officers and 2 x Bronte PCG members	<ul style="list-style-type: none"> • Great design • Size (justification) • Concern around function spaces • Roof measurements • Amenities should not take green space • Materials • Plans need to be re-examined • The Cubes, unsure if anyone was interested in seeing them upgraded
Stakeholder Meeting 1	5 x stakeholder representatives, 4 x Council Officers	<ul style="list-style-type: none"> • Recognises the Surf Club needs an upgrade • Not supportive of the current plan. Reasons being: <ul style="list-style-type: none"> ○ size of proposed club ○ relocation of Dave Brown Place ○ relocation of the community facilities taking green space ○ taking up community space for private interests • Would discuss a potential upgrade of the Cubes but only in its current location and with the opportunity to develop any plans with Council.
Stakeholder Meeting 2	6 x stakeholder representatives, 4 x Council Officers	<ul style="list-style-type: none"> • Public land, don't move the amenities and take away green space • Funding – unsure if this needs to be looked at post-Covid19 • It is too big • Commercial entity • Rationalise the design (justify spaces) • The amenities • Too big, bad location, intrusive design, counterproductive to separate

		<p>if more or larger functions are run and there are increased number of servicing/delivery vehicles through Park and parking at club</p> <ul style="list-style-type: none">○ not supportive of entry location at the south side and southern balconies opening onto the park due to noise issues● Not supportive of the amenities building located to the rear of the surf club● Questioned Public Private Partnership and process to date● Not supportive of increasing footprint of building – existing footprint, Design excellence doesn't count in this instance, requested to have● Majority of group acknowledged that the look of the design was good and would be an improvement on the current building but was too large and should be limited to existing footprint with the amenities being within the Surf Club Building
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		<ul style="list-style-type: none"> • Dave Brown Place (the Cubes) shouldn't move into park • Promenade / stairs • Supportive of widening the stairs • Remove the lamppost at the bottom of the stairs • Colour scheme should match sandstone, no more concrete colour • Under POM, this design does not qualify for the 6.1.1.5 Alternative designs
Q&A Session via Zoom	40 x attendees + 2 x Councillors, 1 x Surf Club PCG Member	<ul style="list-style-type: none"> • Losing too much green space • Make accessibility a priority • Too big • Functions and commercial activities • Green roof • Concerns over footprint • Surf Club requirements – did Council complete a needs analysis • Risk of poker machines • Veranda / balcony has not been accounted for in footprint
Stakeholder Meeting 3 & 4 via on-site meetings	9 community members + 4 Council staff	<ul style="list-style-type: none"> • Not supportive of increase in function capacity including: <ul style="list-style-type: none"> ○ increase in size of main function room or inclusion of a commercial kitchen – do not want a 'Pub' at the beach ○ not supportive of training room – why can't the function area serve that purpose, as it does now ○ not supportive of an increase in size of the function room nor more frequent & larger functions ○ not supportive of Nippers room if it can be used as a further function room (Note: Council Officers clarified that the Nippers Room was for storage) ○ impacts to parking a concern if more or larger functions are run ○ impacts to Park a concern

Detailed Results – Petition

Petition

On 16 June 2020, Council received an online petition containing 5,905 signatures (as at 2.30pm on 10 June 2020) via Change.org against the current proposal to upgrade the Bronte Surf Club and Community Facilities Building.

The petition states:

We strongly believe that Waverley Council's proposal for the redevelopment of Bronte Surf Life Saving Club, as it stands, does NOT best represent the needs of the Bronte community as a whole - for reasons including:

- 1. Council proposes the development of a structure with a footprint that is simply TOO BIG - roughly twice the size of the existing club. This will lead to the destruction of public space and parkland for use by the broader Bronte community and beach users.*
- 2. The structural overdevelopment will dominate the beachfront and significantly impact the natural aesthetic of Bronte Beach and Park.*
- 3. The new footprint will also see the destruction of public amenities such as picnic and BBQ spaces within Bronte Park, all of which are utilised by beachgoers throughout the year on a regular basis.*
- 4. The proposal includes a commercial kitchen and large function room, raising concerns relating to the potential for commercial and privatised revenue raising all year round. Such activity would bring large waves of people to an area already stretched to the brink by huge numbers of visitors, disturb residents and other park users, and put even more pressure on the constrained availability of parking.*
- 5. Council proposes to demolish and relocate the historically and socially significant Dave Brown Place. This heritage nominated memorial, built in 1974 in honour of Waverley resident and Rugby League Immortal Dave Brown, is the spiritual home of the Bronte Boardriders Club, a grassroots organisation with hundreds of members that has produced internationally renowned professional surfers and both state and Australian champions.*

We support a vision for the redevelopment of the surf club and surrounding amenities, and we recognise the important role surf lifesaving plays in our coastal communities. However, we strongly believe that the current proposal has been made without adequate consideration of the broader community's concerns.

We are of the reasonable view that a design incorporating more efficient storage solutions and use of space to accommodate the needs of the surf lifesaving club within the existing building's footprint would be more appropriate. We are concerned about the loss of public green space and the impact of a disproportionately large building on the natural aesthetic of the beach and park.

PLEASE sign the petition to help stop the overdevelopment and commercialisation of Bronte Beach and Park, and preserve this special place for generations to come. Thank you for your support.

The petition is an online petition created on Change.org at change.org/p/waverley-council-stop-the-overdevelopment-and-privatisation-of-bronte-beach-and-park.

The key themes from the petition include:

- Size of the building is too big
- Concern over loss of public space, including existing park shelters and a barbeque
- Concern over perceived commercialisation and privatisation of public space
- Concern over re-location and re-design of Dave Brown Place.

Recommendations and Conclusion

The community response demonstrated overall support for the project and provided detailed feedback for Council and the Surf Club to make changes to the design.

There were 10 key issues raised throughout the consultation:

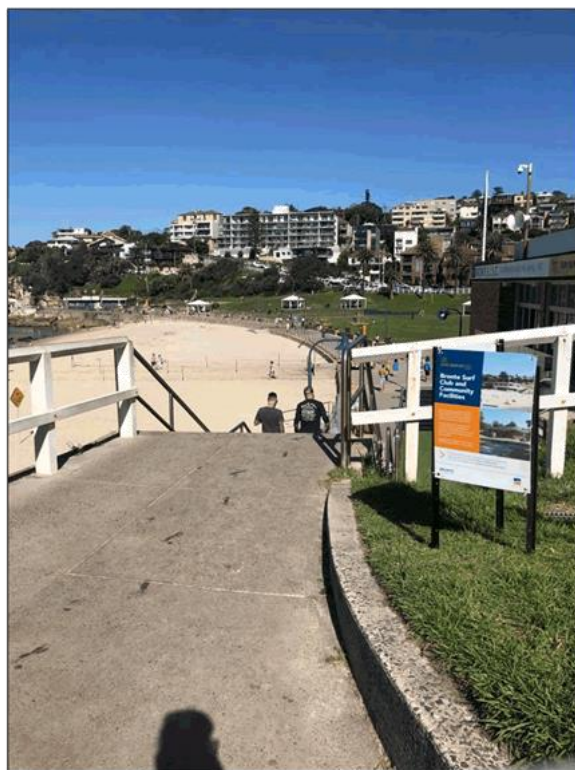
- The surf club building is too big
- The footprint of two buildings in park
- Noise issues from a bigger building / acoustics into residential areas
- Relocation of Dave Brown Place
- Loss of green space and public open space
- Accessibility
- Privatisation of public space
- Excessive height and loss of views
- Impact of increased visitors on site, including parking concerns
- Reasoning behind concept design development and use of space.

To address these issues, it is recommended that a design review process be undertaken of the current concept design that considers the following design review principles:

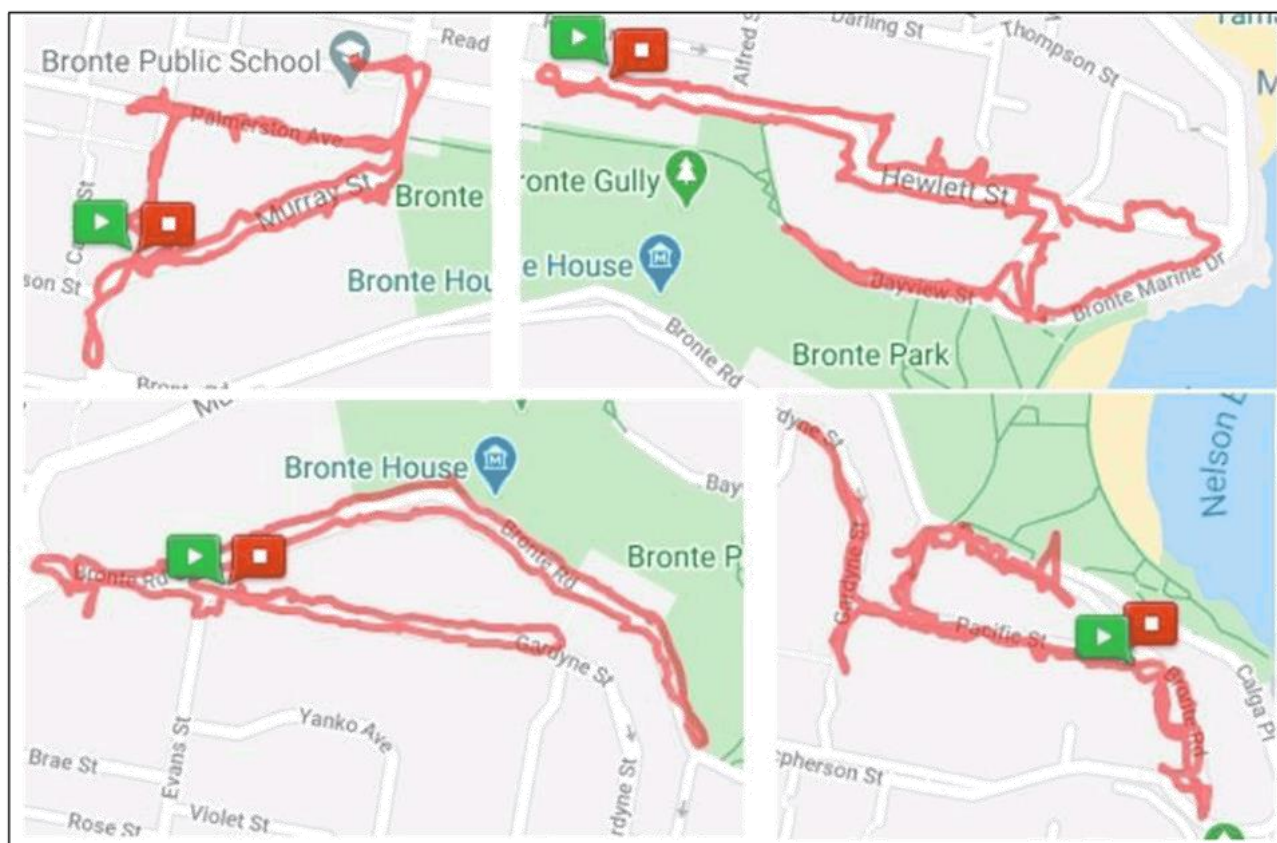
- Reduction of overall footprint of the building(s)
- Consider relocation of the Public amenities and Council facilities to within existing building curtilage
- Manage noise impacts through function room design, balcony size and acoustic design
- Consider locating Dave Brown Place within existing curtilage
- Minimise net loss of public open space and public green space

- Investigate improved accessibility of the Coast Walk and Bronte Park
- Address perceived privatisation of public space through improved design and lease conditions
- Minimise impacts from building height and subsequent view loss
- Address intensification of site including visitation, event, traffic and parking impacts through design and lease conditions.
- Provide justification of proposed bulk and scale, internal configuration and balcony size for any amended design proposal
- Redesign to reduce budget shortfall.


Appendix A – Posters on site



Appendix B – Flyer Distribution Map



Appendix C – The Beast advertisement




Bronte Surf Club and Community Facilities


Council is working with Bronte Surf Lifesaving Club to deliver a modern, fit-for-purpose and sustainable new surf club and community facilities.

We used the results of community and stakeholder consultation to develop a concept and now we would like your feedback on the design you helped create.


Complete the survey on Have Your Say Waverley, open 6 May – 3 June 2020.



Proposed Bronte Surf Club



Proposed community facilities



To complete the survey: haveyoursay.waverley.nsw.gov.au

Can't do the survey online? Please call 9083 8322

For more information visit: waverley.nsw.gov.au/projects

BRONTE
SURF LIFESAVING CLUB



Appendix D – Facebook posts



Waverley Council

6 May at 20:51 · 🌐

Bronte Surf Club and Community Facilities upgrade consultation opened today.

Let us know what you think of the new concept designs for this exciting project. Consultation open 6 May - 3 June 2020.

Bronte Surf Life Saving Club ... See more



HAVEYOURSAY.WAVERLEY.NSW.GOV.AU

Bronte Surf Club and community facilities upgrade

Waverley Council is working with Bronte Surf Lifesaving Club to upgrade the club and surrounding community facilities.



Waverley Council

31 May at 10:10 · 🌐

Proposed Community Facilities in Bronte Park. Only a few days left to provide feedback on this stage of community consultation. Fill in the survey today [https://haveyoursay.waverley.nsw.gov.au/Bronte-Surf-Club-up...](https://haveyoursay.waverley.nsw.gov.au/Bronte-Surf-Club-upgrade)



Appendix E – Instagram posts



Appendix F – Enewsletters

Bronte Surf Club and Community Facilities Upgrade - Open for consultation

We're keen to get your thoughts on the Bronte Surf Club and Community Facilities Upgrade. Take [our online survey](#) today. Feedback is open 6 May – 3 June.



Bronte Surf Club and Community Facilities

Consultation open 6 May - 3 June.

In 2019, we asked what you valued about the Surf Club and Bronte. Now, let us know what you think of the new concept designs that you helped create.

Complete the survey online at [Have Your Say Waverley](#).

Bronte Surf Club and Community Facilities Upgrade

We know how important this space is to many of you, and we want to make sure we get it right. The concept designs for the space are currently [available to view here](#), and we [encourage community feedback](#). This round of consultation closes next Wednesday 3 June.

Want to be sure not to miss any projects needing your feedback? Head to haveyoursay.waverley.nsw.gov.au and register to receive a dedicated Engagement newsletter.

Currently on consultation:

- Public exhibition of the draft [Cultural Plan](#) and draft [Operational Plan 2020/21 and related documents](#)
- Concept design for [Bronte Surf Club and Community Facilities Upgrade](#)
- Planning Proposals in Bondi Junction at [122 Bronte Road](#) and [201–209 Old South Head Road](#)
- Updates to the [Bondi Junction Urban Design Review](#)
- Amendments to the draft [DCP and Community Participation Plan](#)

For projects currently underway, head to waverley.nsw.gov.au/projects

Have your say and inform Council decision-making on projects that affect you

Register online

at haveyoursay.waverley.nsw.gov.au to be the first to hear of upcoming engagement projects and to let us know your ideas, feedback and views on Council's projects.

Currently, we have eight projects open for feedback, including:

- [Draft Operational Plan 2020/21, and related documents](#)
- [Waverley Cultural Plan](#)
- [Bronte Surf Club and Community Facilities Upgrade](#)



Q&A Bronte Surf Club & Community Facilities

Back by popular demand, we will host our last Q&A session on the Bronte Surf Club and Community Facilities upgrade at 6pm tonight, Thursday 28 May via Zoom. [Registrations essential.](#)

The [online survey](#) on this project closes 3 June.

Appendix G – Stakeholder Meetings

INFO SESSION

Overall comments:

- Great design
 - Terrific things on the design – Pull it back and make it simpler, the architects have done a brilliant job in that regard.
 - Congratulations
 - Can we make the substation fit in with the look and feel of the club?
- Size (justification)
 - A more efficient club – on less footprint
 - 'I would like the most efficient surf club'
- Concern around function spaces
 - Size
 - Management for parking and traffic
 - Noise mitigation
- Roof measurements
 - Amenities buildings?
 - Surf Club building?
- Amenities should not take green space
 - Moving the BBQs is unacceptable.
 - Where the amenities are there is natural storm formations.
 - What was the rationale for taking the community facilities from the frontage?
- Materials
 - Can we use sandstone
- Council plans need to be relooked at
 - conservation plan
 - POM
- The Cubes
 - Will it be used or is it just left-over space ("do people even use it now?")

STAKEHOLDER MEETING 1

Key items from feedback:

- Recognises the Surf Club needs an upgrade.
- Not supportive of the current plan. Reasons being:
 - size of proposed club
 - relocation of Dave Brown Place
 - relocation of the community facilities
 - taking up community space for private interests.
- Would discuss a potential upgrade of the Cubes but only in its current location and with the opportunity to develop any plans with Council.

Overall comments:

- Responsibility to the community to do what's right
- Don't take up existing green space does not take up existing space
- Recognise an upgrade (to the cubes) may need to happen, if that is the case, keep it in line with the proposed building and in its current spot.
- Don't agree that accessibility is a good enough reason to move Dave Brown Place when there are stairs on each end.
- Not opposed to renovating/upgrading Dave Brown Place.
- Floorplan figures don't add up. It should be existing vs proposed not POM.
- The renders are not representative of the real size of the building – believe it to be misleading and the Club has more renders than the public does (North side specifically)
- Think the facilities could be included in the main building
- Believe the surf club is getting priority over the lifeguards and the boardriders
- Why can the lifeguards manage the beach for 20 years in such a small space currently, but the Surf Club needs such a huge space?
- Not enough clarity on what the surf club want to use their function rooms for
- Believe it is a privatisation of the beach and park/privatisation of public land
- The boardriders have 400-500 members
- Believes the needs analysis from the Surf Club isn't correct
- Close to a spiritual home you can get.
- It's very difficult to become a member of the Surf Club, you have to pay to complete your Bronze Medallion or if you are older you are an associate, for kids that just want to be in the water
- How come you can't provide sqm of each space if it hasn't been decided?
- Seems like function, training and committee room means, function room

Council agreed to provide:

- Heights of existing vs proposed
- existing vs proposed floorplan rather than existing vs PoM vs proposed
- Supply more images for the next round of consultation and will at least remove the floating tree in this round.

Question: We need consultation phase but is this a reality that our feedback will have any bearing:

Answer: Council has an obligation to listen to all stakeholders. Every Capital works project is where we try and balance the need of stakeholders.

Question: Are the spaces under the stairs included in the footprint?

Answer: Yes

STAKEHOLDER MEETING 2

Overall comments:

- Questioned whose land are the buildings on?
 - It is the public's land
 - Moving amenities means we are losing the green space
 - Loss of green space – it is a small beach and park it is cluttered enough as it is.
- Funding
 - Unsure if this needs to be relooked at by Council post Covid-19.
- It is too big
 - Add comparison sqm2 for the spaces instead of percentages
 - There is an increase in the size of the facilities
 - Looks intrusive and further away from the beach
 - Questioned what the PoM measurements were
 - Looks elegant but seems like a land grab
 - All for improved Surf Club but it is just too big
 - Increased membership does not mean you need a better building
- Commercial entity
 - Why do they need a commercial kitchen?
 - The surf club wants to hold more functions to pay for itself
- Rationalise the design
 - The Surf Club needs to justify their spaces
 - All for better surf club – why does it have to be bigger?
 - Should we look at if the Club has the reached its maximum. How much has it been scrutinised?
 - Council needs to validate why each space is so big
 - Veranda – what is the size
- The Amenities
 - Too far away from the beach
 - Does this have much support?
 - Very intrusive design – similar to centennial park, does not suit
 - Counterproductive – retrograde to carry out the separation
 - Is bulky and an eyesore
 - Loosing too much green space, need every cm of the park
 - Is the amenities block that size needed? Do we need a family area?
 - One speaker – didn't like the green roof over the top because it wasn't obvious
- Dave Brown Place (the Cubes)
 - Shouldn't move over onto the park, taking green space
- Promenade / stairs
 - Supportive of widening the stairs
 - Please remove the lamppost at the bottom of the stairs
- Footprint
 - Please make the design fit in its current footprint
 - We don't want a big bulky building
 - 8 out 10 items that are increasing are Council
 - Where does the concrete stop?
 - Can we please have a design that matches the existing feedback – maybe it is time to go back and look at the other Options.
- The plans
 - The plans, renders and concept designs are very unclear
- The balcony
 - Who is allowed on the balcony?
 - How big is it?
- Community consultation

- Last time the community said they wanted Lifeguards to have the areas they needed not the administration areas of the club
- They wanted to greenness of the area respected – How did you arrive here?
- Colour scheme
 - Should match sandstone colour
 - No more concrete colour
- Overall structure including the stairs
 - It is all too heavy for the walkway – does this need to happen? It is on the foreshore of the beach and detracts from the whole design.

Council agreed to provide:

- Council report including probity and the structure – send to Precincts existing vs proposed floorplan rather than existing vs PoM vs proposed
- Compare the floorspace back to sqm2 not percentage
- How much do they pay to rent the kiosk – It is set by Crown Lands.

STAKEHOLDER MEETING 3 AND 4

Key items from feedback:

- Not supportive of increase in function capacity including:
 - Increase in size of main function room or inclusion of a commercial kitchen – do not want a “Pub” at the beach
 - Not supportive of training room. Why can’t the function area serve that purpose, as it does now
 - Not supportive of an increase in size of the function room nor more frequent & larger functions
 - Not supportive of Nippers room if it can be used as a further function room. Note Council Officers clarified that the Nippers Room was for storage.
 - Impacts to parking a concern if more or larger functions are run.
 - Impacts to Park a concern if more or larger functions are run and there are increased number of servicing/delivery vehicles through Park and parking at club.
 - Not supportive of entry location at the south side and southern balconies opening onto the park due to noise issues.
- Not supportive of the amenities building located to the rear of the surf club due to:
 - Swim clubs and other groups use of the picnic shelters.
 - Open (quiet) space is vital in the park – any loss of green space not supported.
 - The distance from the beach to the amenities is too far and not visible from beach. Would result in increase use of South Amenities instead which are visible from beach. South Amenities can’t cope with increased use.
 - Wall and rock face are part of the landscape setting of the park and as such likely to be of heritage and environmental significance. Potential significance impacts to wall and rock face at proposed location (even if obscured rather than altered / removed).
 - Potential security issues late at night / early morning in proposed location.
 - Park staff and amenities at this location will mean whole area will become a parking lot an industrial zone
 - Amenities should be within main building.
- Questioned Public Private Partnership and process to date including:
 - Community should have been involved in initial scoping prior to development of concept design.
 - Public Private partnerships are used to provide public facilities and amenities in partnership between public and private sector. (Comment: It is a way in which the public sector leverages private funding to achieve a PUBLIC benefit) In this case, however, the overwhelming majority of the funds come from the public sector and it is funding a commercial use by a club, at peppercorn rent. It is doubtful whether the club’s financial contribution would even meet its own, surf lifesaving related building works.

- Due diligence should be undertaken on surf clubs community and lifesaving focus and how their income is distributed and what experience & expertise they have to operate a function centre in an open, transparent manner.
 - Heritage Assessment of the significant aspects of the Bronte Park and Beach – a heritage landscape item under Waverley LEP - should have been undertaken to guide the design to date. The Heritage Assessment as well as the Heritage Impact Statement should be submitted with the DA.
- Not supportive of increasing footprint of building
- Existing footprint should be maintained. Council Officers clarified that the Plan of Management (PoM) controls would allow a second storey over the amenities. Group advised this would be preferable to separate buildings.
 - Not supportive the design being assessed via the Design Excellence process as allowed in the PoM as would lead to a larger building. Do not accept this design is 'Design Excellence' as it has many adverse impacts including loss of green space in Park, increased parking and service traffic in Park and increased noise impacts from south entrance and balconies to surrounding residents. Council is a co-proponent to this development. The background planning report, including community consultation outcomes should be prepared by an independent body (not the Council staff)
 - A request had been made via the Mayor to stake out the proposed footprints and heights of the buildings and Council Officers had not actioned this. Group were not happy with the lack of response.
- Other issues raised
- Not supportive of the proposal to relocate Lifeguards to a location away from centre of the building as they manage very well in their current location / elevation and have good contact with the community which is important.
 - Less or smaller vehicles accessing the park would be preferable – particular keg and coca cola trucks.
 - Mail outs to property owners are suggested for major consultations as well as mailbox drops.
 - Majority of group acknowledged that the look of the design was good and would be an improvement on the current building but was too large and should be limited to existing footprint with the amenities being within the Surf Club Building.

Q&A SESSION

- Losing too much green space
 - The 250sqm is too much to lose
 - Add the huts and BBQ also count as taking up green space
 - Confusing to say that a green roof replaces green space
 - Lifeguards reported that there will be a loss of around 500sqm
 - There are driveways leading to the community facilities also taking away green space
- Make accessibility a priority
- Too big
 - I like the design but too big
- Functions and commercial activities
 - **Late night noise** is not good enough now and **MUST** be considered in the design
 - Look at the acoustics
 - 10% increase in function area and meeting room – can we cap it at this size for the future. Make the meeting room is not able to join up to the function room.
 - Is there really a demand for a function centre?
 - The building is always empty, they are lying to Council
 - There is an incentive for the Surf Club to say they have more members than they do.
- Green roof
 - Make the commitment there will be no net loss of green space
 - Should not be included as green space
- Footprint
 - It is not good enough to say they don't have these details
 - Needs to include balcony sizes on comparisons
 - The community facilities (230sqm) takes up too much space and goes against the 5 community values laid out in the PoM 'do not permit overly commercial use of the park'
- Surf Club requirements
 - Has council done their own evaluation of the needs analysis?
- Poker machines – don't allow them
- Veranda / balcony
 - It's very big – looks like 500 people could stand on that

Appendix H – Have Your Say Waverley Survey Results (available on Council's website)

Appendix I – Long Form Submissions (available on Council's website)

REPORT
CM/7.3/20.06(3)

Subject: Bondi Festival 2020 - Postponement

TRIM No: A19/0743

Author: Tanya Goldberg, Executive Manager, Communications, Culture and Events

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That Council approves the revised Bondi Festival 2020 as detailed in the report.

1. Executive Summary

As a consequence of COVID-19, the Bondi Festival that was scheduled for July 2020 was unable to proceed. To provide the opportunity for a Bondi Festival event to proceed at a later stage of the year, Council staff have undertaken sufficient planning to facilitate consideration of a revised event, and the capability for it to occur in accordance with existing Public Health Orders.

Details of the proposed event are contained in this report and submitted for consideration.

2. Introduction/Background

At its meeting on 17 March 2020, Council endorsed the event program and budget for Bondi Festival 2020. In determining this matter Council noted the potential for the Festival to be impacted by COVID-19 and the possibility that the General Manager may need to cancel and/or postpone the event.

Following that Council meeting, uncertainty arose surrounding public events due to COVID-19 and Public Health Orders dictated that Bondi Festival 2020 could not proceed in July 2020 as originally planned.

While the eventual impacts of COVID-19 on the Festival were unknown, Council staff undertook appropriate planning for a reduced scope Festival program, with a reduced budget, targeted for October 2020.

In view of the uncertainty of the Festival proceeding at any time in 2020, this planning has not included any significant spending or binding contracts. Based on current Public Health Orders, it is proposed that the Bondi Festival proceed from 26 September to 10 October 2020.

In planning and developing the reduced Festival scope, Council officers have consulted closely with the Bondi & Districts Chamber of Commerce (BDCC). This has included the Bondi Festival team meeting regularly with the BDCC to plan a high quality artistic and community event that drives cultural participation and increased economic activity within the Waverley LGA.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council meeting 17 March 2020	CM/7.6/20.03	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the final event program and budget for the Bondi Festival 2020 as detailed in this report, with the exception of the creative lighting installation. 2. Notes the potential for the Festival to be impacted by Novel Coronavirus (COVID-19) and the possibility that the General Manager may need to cancel and/or postpone the event. 3. Given budget constraints, does not proceed with the Creative Lighting installation.
Council Meeting 10 December 2019	CM/7.5/19.12	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the event concept for the Bondi Festival as outlined in this report, bringing together the Bondi Winter Magic and Bondi Feast programs. 2. Endorses the initial draft budget for the Bondi Festival 2020 proposal for inclusion in the 2020–21 budget process, noting a final budget and event concept will be submitted to Council at a future date, as some costs may be reduced following further planning and cost analysis. 3. Endorses the creative lighting installation component and associated budget for the trial creative lighting offering in 2020 for inclusion in the 2020–21 budget process. 4. Continues to undertake stakeholder engagement and consultation throughout the process, including with the Bondi Chamber of Commerce on how best to implement the integrated concept. <p>Cr O'Neill was not present for the consideration and vote on this item</p>

4. Discussion

Attachment 1 of this report outlines the proposed properties of the revised Bondi Festival. In developing these properties the following has been the key focus:

- an adaptable programming model that can respond to both government health regulations and public sentiment
- flexibly managed stakeholder relationships with suppliers, artists and sponsors
- incorporation of the Keep It Local campaign to promote local businesses
- strengthening of local engagement through a targeted Festival venue EOI call out. The EOI attracted 30 submissions from businesses keen to partner with Bondi Festival.

These goals can be achieved in the current environment and flexibility is available to scale the Festival in response to any changes to restrictions in the coming months. The current programming model has a greater focus on outdoor programming, time restricted performances of under 50 minutes and roaming performances.

Should Council resolve to proceed with the Festival, it is proposed that the final program be announced on 26 August 2020. The Festival would be structured such that venues and artists involved can continue to be responsive to changing circumstances before the Festival commences.

Importantly, a COVID-19 Safety Plan (Attachment 2) has been prepared that prescribes measures to be taken, including:

- increased cleaning
- reduced show capacities
- the facilitation of patron contact tracing via Festival ticketing system
- clearly marked up routes for queuing, entry and exit of Festival spaces
- staying up to date with Public Health Orders and medical advice.

5. Financial impact statement/Time frame/Consultation

Timing

The proposed revised Festival dates of 26 September to 10 October have been selected to allow time for the development of revised program and to apply relevant public health requirements while considering public sentiment around attending public activities.

The postponed Festival dates fully align with NSW school holidays. It is intended that this will:

- improve social distancing measures by spacing out programming offerings, ensuring audiences are not arriving and leaving within concentrated timeframes
- ensure maximum uptake from family audiences
- increase revenue opportunities for the Roller Rink and Ferris Wheel, by allowing them to operate for longer.

Contracts will include careful cancellation clauses, with the understanding that the 2020 Festival could still be cancelled at any time.

Budget

The budget accommodates 15 days and nights, with a revised scope that includes:

- alignment with the entire school holiday period
- increased social distancing support measures including fencing, directional signage in keeping with existing Council communications, safe routes for maintaining distance, floor decals, etc
- outdoor performance venue e.g. rooftop or schoolyard
- additional lighting for outdoor performance venue
- more accurate income estimates from the roller rink
- assumed reduction in ticket revenue, including nominal fees for some performances.

Now cancelled July 2020 Bondi Festival Budget

	PROJECTED OUTGOINGS	PROJECTED INCOME	<ul style="list-style-type: none"> 17 days and nights \$30,000 sponsorship income included Staffing and venue costs for 3 weeks hire x 4 venues Assumes Pavilion and Culture staff deployed to work on Bondi Festival Standard costs for hire of operational equipment High level of anticipated ticket sale income
	(\$492,133.28)	\$239,590	
EXPENDITURE	(\$252,543.28)		

Approved budget for Bondi Festival reduced in scope and postponed to 26 Sept – 10 Oct, 2020

	PROJECTED OUTGOINGS	PROJECTED INCOME	<ul style="list-style-type: none"> 15 days and nights No sponsorship income Staffing costs but major venue savings (no built venue) Reduced costs for hire of operational equipment, infrastructure and 24-hour security costs Assume 40% decrease in ticket sale income due to both the expectation to sell less tickets, reduced audience capacity and a reduced average cost of tickets in an effort to keep prices low Assumed \$10K decrease in income from Roller Rink (previously an Ice Rink) Increased cleansing, sanitiser, signage, decal and design costs for audience spacing
TOTAL	\$331,946.00	\$157,817.50	
EXPENDITURE	(\$174,128.50)		

The draft 2020/21 budget has been developed on the basis of the reduced scope.

6. Conclusion

The delivery of the postponed Bondi Festival will be designed to comply with all current Public Health Orders. Council Officers have carefully considered how to operate a COVID-safe Festival environment, according to government advice.

Proposed Festival programming is intentionally flexible, allowing for a quick response to any changing public health orders or other circumstances that could impact presentation.

7. Attachments

1. Festival components [↓](#)
2. Bondi Festival 2020 COVID Safety Plan

Attachment 1

Updated Components: Bondi Festival (Reboot) 26 September – October 10, 2020

Component	2020 Dates	Detail
Bondi Festival Food Safari	Lunchtime and evening sessions. Specific dates pending restrictions and key stakeholder feedback	Partnering with local eateries, these ticketed events will see patrons travelling down the streets of Bondi for taster plates at a number of local Bondi Restaurants.
Bondi Vista Ferris Wheel	26 Sept – 25 Oct TBC 10am - 10pm	The Ferris Wheel will be returning to Bondi. Each pod will be booked according to social distancing and hygiene regulations. COVID-19 safety plans and risk assessments have been provided by supplier.
Roller Skating Rink	26 Sept – 10 Oct 10am - 10pm	A more seasonally appropriate offering for families, located at the very southern end of Park Drive South, to be much closer to Campbell Pde businesses.
Live Performances (in Business District)	26 Sept – 10 Oct 10am - 10pm	Family and adult shows. Comedy, Cabaret, Theatre and Circus performed in and around the local business district (businesses sourced via EOI). Family programming targeted at school holiday audiences. Performances will be programmed both indoors, within businesses and other venues tbc, and outdoors, to accommodate varying levels of public sentiment about social gathering.
Bondi Walking Tours	26 Sept – 10 Oct times TBC	Silent Disco Walking Tours and others. These walks will use a local business as their starting location and end point.
School Holiday Programming	26 Sept – 10 Oct 10am - 5pm	Performances, as well as workshops and makers sessions hosted by artists performing at the festival. This would be integrated with Council's broader school holiday program.

Visual Art Installations	26 Sept – 10 Oct	Sculptors, lighting artists, projection artists and other local visual artists will be targeted in the submissions call out and encouraged to apply to collaborate with the Festival.
Shopfront Activation	26 Sept - 10 Oct 10am - 10pm	Local businesses given Bondi Reboot marketing assets (digital and print) to enliven their shopfront and signal that they are part of the festival.

Attachment 2

COVID-19 Safety Plan

To be updated/amended in line with current and ongoing NSW Health Public Health Orders.

Festival properties that involve multiple attendees and the safety measures that will be implemented.

Festival property	Safety Measures
All events	<ul style="list-style-type: none"> • Ensure each venue has current government signage • Staff training on current Public Health Orders • Festival contact number so audiences can reach us if feeling unwell and cannot attend, reschedule/refund options available • Contact details of all attendees recorded to facilitate contact tracing if required • Responsive to current government advice, e.g. if it is decided that PPE is required, then we ensure our staff are covered and audience are asked to provide their own etc. • Clear communications utilising Festival assets (website, media, at point of sale, on site etc) will provide the opportunity to keep our patrons safer by communicating on an ongoing basis about attendance requirements, and will be designed and worded in a manner consistent with existing Council communications • In the event of infection as a result of the Festival, our response will be informed by Waverley Council's Pandemic Operational Guideline: COVID Infection in the Workplace.
Food Safari/Walking tours	<ul style="list-style-type: none"> • Advance Bookings essential • Additional questions at point of sale: is there more than one household in this booking, if so, please inform us of the split. E.g. booking of 12 people. 5 in one household, 7 from another. This will assist with seating • Limited numbers for the walking event for example, based on the smallest venue in program • Tour guide to ensure safe distancing • Hand sanitiser provided at each venue • Pre-booked tables in restaurants who are already practising the 4m2 per person rule • Contact details of all attendees recorded to facilitate contact tracing if required
Outdoor Festival venue	<ul style="list-style-type: none"> • Sanitising station available on entry • Bookings essential, number of patrons limited to 1 person per 4m2. This rule applies to all personnel on site, staff and performers • Contactless ticket scanning on entry • Cleaning between uses of the venue, ie if it is used as a bar at night and in the daytime a performance venue. Cleanse before our audience enters. Ensure soap dispensers are always full, and paper towels are available • Clearly marked up route for queuing, entry and exit of the space. • Supporting signage of relevant current Public Health Orders

	<ul style="list-style-type: none">• Contact details of all attendees recorded to facilitate contact tracing if required.
Indoor Festival venue	<ul style="list-style-type: none">• Sanitising station available on entry• Booking essential, number of patrons limited to 1 person per 4m². This rule applies to all personnel on site. If the space is only 16m², then max. 4 people including performers and staff.• Contactless ticket scanning• Cleaning between uses of the venue, ie if it is used as a bar at night and in the daytime a performance venue. Cleanse before our audience enters. Ensure soap dispensers are always full, and paper towels are available• Clearly marked up route for queuing, entry and exit of the space. All businesses used as Festival venues will be strongly encouraged to become "COVID-safe" in line with NSW government advice as per: https://www.nsw.gov.au/covid-19/covid-safe-businesses• Supporting signage of relevant current Public Health Orders• Contact details of all attendees recorded to facilitate contact tracing if required.

REPORT
CM/7.4/20.06(3)

Subject: Petition - Boat Trailer Parking in Trafalgar Street, Bronte

TRIM No: A17/0135

Author: Richard Coelho, Governance and Internal Ombudsman Officer

Director: John Clark, Director, Customer Service and Organisation Improvement

RECOMMENDATION:

That:

1. Council refers the petition on stopping Trafalgar Street, Bronte, being used for the long-term storage of boat trailers, to the Director, Planning, Environment and Regulatory and the Director, Community, Assets and Operations, for appropriate action.
2. A report comes back to Council.

1. Executive Summary

Council has received a petition signed by 23 residents of Pembroke Street and St Thomas Street, Bronte, requesting the erection of signage to prevent the long-term storage of boat trailers in Trafalgar Street.

It is recommended that the petition be referred to the Director, Planning, Environment and Regulatory and the Director, Community, Assets and Operations, for appropriate action, and that a report comes back to Council on the outcome.

2. Introduction/Background

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

3. Relevant Council Resolutions

Nil.

4. Discussion

The subject of the petition is:

'To stop the use of the area on Trafalgar St (opp Pembroke St) as long-term storage for trailers and boats and trailers. This will allow more car parking, catering for the demand relating to new cafés and Woolworths nearby.'

The action requested is:

‘To erect signage stipulating the time for parking. This will force the boats/trailers to move regularly, e.g. “4 hr parking Wed 9–6 pm” (as in York St, Waverley). Currently there is a boat that has been parked there for 20 yrs without moving.’

As this matter relates to both compliance and parking, it is recommended that the directors of the relevant directorates jointly investigate the issue.

5. Financial impact statement/Time frame/Consultation

There is no financial impact in Council receiving the petition.

6. Conclusion

It is recommended that the petition be forwarded to relevant directors for appropriate action, and that a report comes back to Council on the outcome.

7. Attachments

Nil.

REPORT
CM/7.5/20.06(3)

Subject: Early Education and Care - Relief Package and Transition Measures

TRIM No: A19/0783

Author: Annette Trubenbach, Executive Manager, Community Programs

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Notes the Federal Government's Early Education and Care services transition measures from 13 July to 4 October 2020.
2. Notes Council's acceptance of the Federal subsidy of \$380,000 which is conditional upon the Early Education Services fees remaining at the relief package reference rates till 27 September 2020.
3. Fixes the daily fees for the Early Education Services for the period from 13 July to 27 September 2020 as follows:
 - (a) 0-3 year old: \$122.
 - (b) 3+ years old: \$116.
4. Notes that the 2020-21 Pricing Policy, Fees and Charges document will be updated accordingly.
5. Notes that any associated budget implication will be assessed in the Q1 budget review process.

1. Executive Summary

Over the last few months, Council's children's services have been operating under the Federal Government's Early Childhood Education and Care Relief Package. With the introduction of free childcare, this package provided Council with a subsidy which was based on fees charged in the nationally applied reference period 17 February to 2 March 2020. This package will be in place until 2 July 2020 and was recently matched with a NSW Government subsidy covering the same 'relief' period of 6 April to 13 July of \$918,848.

From 13 July 2020, the Child Care Subsidy (CCS) system in place before the changes were introduced will resume and families will be charged fees again. Transition measures to support services and families will be in place from 13 July to 4 October 2020. The substantial subsidy Council receives under these measures is conditional on certain requirements being met including that fees from 13 July to 27 September continue to be tied to the February reference period. These fees are less the fees in the 2020-21 Pricing Policy, Fees and Charges schedule.

2. Introduction/Background

Following on from the COVID-19 related Early Education and Care support package, the Federal Government has provided transition measures for early education and care services to ensure the ongoing viability of children's services and to provide a safety net for families who need access to education and care. Council has been operating under the Federal Government's Relief Package (6/4/20-13/7/20) which will be replaced by the proposed transition measures (13/7/20-27/9/20).

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 18 February 2020	CM/7.4/20.02	<p>That Council:</p> <ol style="list-style-type: none"> Notes the feedback and comments summarised in this report and provided in Attachment 1 about the proposed fee increase for Council's Early Education and Care Services (EECs). Adopts the fees set out in Table 2 in this report effective March 2020 to ensure that quality and cost recovery principles of centre operations can be maintained. Notes that a further report on a broader service review prepared by a consultant will be outlining Council's vision and service options for early education and care in Waverley. Notes that no further fee increase is proposed for 2020.

4. Discussion

Since March Council's early education and care services have been performing well under very challenging conditions. All services have remained open throughout the pandemic crisis. With the end of 'free' child care upon us, the sector is heading into another period of uncertainty. The Federal Government transition measures are very welcome and are intended to ensure service viability throughout a period associated with potential fluctuations in enrolment. The measures enable many families to remain supported with access to education and care services.

Some of the restrictions such as the activity test have also been loosened so that families on reduced hours can still access 100 hours of subsidised care in a fortnight.

The Transition measures include a subsidy from the Federal Government. As part of these measures, Council will receive \$380,323 for a period of 9 weeks from 13 July, paid in weekly instalments, provided we comply with certain requirements. The details of these changes are outlined below:

- CCS will recommence and all requirements and conditions of the Financial Assistance Law will apply.
- Council is required to recover gap fees from families as before.
- All providers will receive a transition payment equal to 25% of the rate cap or in Council's case fee revenue that is lower than the cap for the reference period (fortnight 17 February to 2 March). This is conditional on fees not being increased and average number of staff being maintained.
- Daily fees will be based on the reference fortnight 17 February to 2 March, as follows:

- 0-3 year olds: \$122
 - 3+ years: \$116
- Daily fees cannot be raised during the period of 13 July to 27 September.
- Daily fees from 28 September 2020 will be as per Council's approved March 2020 increase:
 - 0-3 year olds: \$134
 - 3+ years: \$128

Family Day Care educators will charge fees as per reference fortnight 17 February to 2 March 2020.

From 13 July 2020 the CPI adjusted hourly rate caps will be increased as follows:

- Centre based Care - will increase to \$12.20 (was \$11.98)
- Family Day Care - will increase to \$11.30 (was \$11.10)

These measures aim to ensure that enrolments and attendance patterns at Council's services remain fairly stable over the next few weeks. It's early days yet, but current indications are that to date few families have had to withdraw their children from care due to loss of income and affordability issues.

5. Financial impact statement/Time frame/Consultation

The transition measures mean that from 13 July for a period of nine weeks, Council will receive a Federal Government subsidy of \$380,323 while families pay the lower fee associated with the February reference period. From 28 September, the 2020-21 fees of \$134 and \$128 will be reinstated. Families have been advised of these changes and requirements in relation to fees, CCS and the need to register / update income details with Centrelink so claims can be processed.

6. Conclusion

This report has provided an update on the changes to early education and care services and the transition measures by the Federal Government in support of families and the continued viability of services as measures introduced at the outset of the COVID-19 Pandemic are modified.

7. Attachments

Nil.

NOTICE OF MOTION CM/8.1/20.06(3)



Subject: RESCISSION MOTION - CM/8.1/20.06(2) - Jack Munday Memorial

TRIM No: A02/0276

Submitted by: Councillor Betts
Councillor Kay
Councillor Goltsman

MOTION:

That resolution CM/8.1/20.06(2) – Jack Munday Memorial, passed at the Council meeting on 16 June 2020, be rescinded.

Background

At its meeting on 16 June 2020, Council considered item CM/8.1/20.06(2) – Jack Munday Memorial, and passed the resolution below. Immediately after the meeting, Crs Betts, Kay and Goltsman submitted a notice of motion to rescind the decision.

BELOW IS THE MINUTE EXTRACT FROM THE COUNCIL MEETING HELD ON 16 JUNE 2020:

CM/8.1/20.06 Jack Munday Memorial (A02/0276)

MOTION

Mover: Cr Wy Kanak
Seconder: Cr Keenan

That Council:

1. Notes its recent expression of condolence on the passing of Jack Munday.
2. Notes the contribution Jack Munday made to defending the built heritage and environment of Sydney, to democracy, local government and the trade union movement.
3. Notes the pivotal role played by Jack Munday in saving many sites in south and eastern Sydney, including Centennial Park, which was the subject of a State Government proposal to construct a sport stadium as part of its bid for the 1988 Olympics, which would have seen 30% of the parklands taken over by the sports complex.
4. Liaises with the Centennial Park and Moore Park Trust, Judy Munday, Unions NSW, Bayside and Woollahra Councils regarding the installation of a memorial to Jack Munday in Centennial Park to celebrate and acknowledge his achievements as noted in clauses 1 and 2.
5. Notes Mr Jack Munday's support for the preservation of our local community's heritage and environment at Tamarama Gully, the Bondi Pavilion Community Cultural Centre and the positive effect the Green Bans Movement had for the saving of pocket parks, like the one on the corner of St James Road and Gowrie Street, Bondi Junction, designated as a Green Ban Park in 1975, where the

then possessor of that land, the Church of England, agreed to a small section of its land being designated as parkland.

6. Consults on a community room in the upgraded Pavilion to be called 'The Jack Munday Green Bans Room' and/or alternatively a plaque commemorating Mr Jack Munday at the Bondi Pavilion Community Cultural Centre.
7. Officers bring back a report to Council regarding any proposals that result from the discussions noted in this motion.

AMENDMENT

Mover: Cr Goltsman
Seconder: Cr Betts

That clauses 4, 6 and 7 be deleted.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Betts, Goltsman and Kay.

Against the Amendment: Crs Copeland, Keenan, Lewis, Masselos and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos and Wy Kanak

Against the Motion: Crs Betts, Goltsman and Kay.

DECISION:

That Council:

1. Notes its recent expression of condolence on the passing of Jack Munday.
2. Notes the contribution Jack Munday made to defending the built heritage and environment of Sydney, to democracy, local government and the trade union movement.
3. Notes the pivotal role played by Jack Munday in saving many sites in south and eastern Sydney, including Centennial Park, which was the subject of a State Government proposal to construct a sport stadium as part of its bid for the 1988 Olympics, which would have seen 30% of the parklands taken over by the sports complex.
4. Liaises with the Centennial Park and Moore Park Trust, Judy Munday, Unions NSW, Bayside and Woollahra Councils regarding the installation of a memorial to Jack Munday in Centennial Park to celebrate and acknowledge his achievements as noted in clauses 1 and 2.
5. Notes Mr Jack Munday's support for the preservation of our local community's heritage and environment at Tamarama Gully, the Bondi Pavilion Community Cultural Centre and the positive effect the Green Bans Movement had for the saving of pocket parks, like the one on the corner of St James Road and Gowrie Street, Bondi Junction, designated as a Green Ban Park in 1975, where the then possessor of that land, the Church of England, agreed to a small section of its land being designated as parkland.

6. Consults on a community room in the upgraded Pavilion to be called 'The Jack Munday Green Bans Room' and/or alternatively a plaque commemorating Mr Jack Munday at the Bondi Pavilion Community Cultural Centre.
7. Officers bring back a report to Council regarding any proposals that result from the discussions noted in this motion.

Cr Wakefield was not present for the consideration and vote on this item.

At 8.36 pm, during the consideration of this item, Cr Burrill left the meeting and did not return.

J Lehmann addressed the meeting.

Immediately after the meeting, a notice of motion to rescind this decision was lodged with the General Manager. The rescission motion will be considered at the Council Meeting on 30 June 2020.

NOTICE OF MOTION
CM/8.2/20.06(3)**Subject:** Financial Assistance Grants**TRIM No:** A18/0758**Submitted by:** Councillor Nemesh
Councillor Kay

MOTION:

That Council:

1. Acknowledges the Federal Government's \$1.8 billion commitment to support Local Government through the Coronavirus pandemic period via Financial Assistance Grants.
2. Notes that, as part of this support package, Waverley Council will receive \$1,062,708.
3. Writes to:
 - (a) Mr Dave Sharma MP, Member for Wentworth, thanking him for his advocacy in helping to secure this funding for Waverley Council.
 - (b) The Hon Mark Coulton MP, Minister for Local Government, thanking him for his support of Local Government during this period.

At its meeting on 16 June 2020, Council deferred this matter to this meeting.

General Manager's comment

Council has been advised that the Commonwealth Government has announced that it will bring forward the first two instalments of its 2020/2021 Financial Assistance Grants (FAG) programme. Officers estimate that the \$1,062,708 to be received by Waverley Council represents approximately 50% of the 2020/21 financial assistance grant (FAG) Council would expect to receive this year. The Commonwealth Government has advised the NSW Government that the FAG process will continue 'business as usual.'

Based on this advanced payment allocation, officers expect that the overall grant allocation will increase by 5.5% (\$110,987) over the 2019/2020 grant allocation. This is yet to be confirmed as the NSW Grants Commission is currently finalising the 2020/2021 Grant program. Council has budgeted to receive the bulk of this funding in the 2020/2021 financial year.

Ross McLeod
General Manager

URGENT BUSINESS
CM/10/20.06(3)**W A V E R L E Y**
COUNCIL**Subject:** Urgent Business**Author:** Ross McLeod, General Manager

In accordance with clause 9.3 of the Waverley Code of Meeting Practice, business may be considered at a meeting of Council even though due notice of the business has not been given to councillors. However, this can happen only if:

1. The business to be considered is ruled by the chair to be of great urgency on the grounds that it requires a decision by Council before the next scheduled ordinary meeting of Council, and
2. A motion is passed to have the business considered at the meeting.

Such a motion can be moved without notice.

Only the mover of the motion can speak to the motion before it is put. A motion to have urgent business transacted at the meeting requires a seconder.

For business to be considered urgent, it must require a decision by Council before the next scheduled ordinary meeting of Council.

The mover of the motion must, when speaking to the motion, explain why he or she believes it requires a decision by Council before the next scheduled ordinary meeting of Council.

CLOSED SESSION
CM/11/20.06(3)**Subject:** Moving into Closed Session**Author:** Ross McLeod, General Manager**WAVERLEY**
COUNCIL

There are no confidential reports for consideration.

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 2005*, 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.