



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

OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING

A meeting of the OPERATIONS AND COMMUNITY SERVICES COMMITTEE
will be held by video conference at:

7.00 PM, TUESDAY 1 SEPTEMBER 2020

Ross McLeod
General Manager

Waverley Council
PO Box 9
Bondi Junction NSW 1355
DX 12006 Bondi Junction
Tel. 9083 8000
E-mail: info@waverley.nsw.gov.au

Delegations of the Waverley Operations and Community Services Committee

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

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

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 Chair will read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

1. Apologies/Leaves of Absence

2. Declarations of Pecuniary and Non-Pecuniary Interests

3. Addresses by Members of the Public

4. Confirmation of Minutes

OC/4.1/20.09	Confirmation of Minutes - Operations and Community Services Committee Meeting - 7 July 2020	4
--------------	---	---

5. Reports

OC/5.1/20.09	Bondi Rescue - Proposal for Future Seasons	9
OC/5.2/20.09	Bondi Pavilion Ceramic Wall Tile Artwork - Deaccession.....	16
OC/5.3/20.09	North Bondi Kids Pool Artwork - Commissioning Process	23

6. Urgent Business

7. Meeting Closure

CONFIRMATION OF MINUTES OC/4.1/20.09



Subject: Confirmation of Minutes - Operations and Community Services Committee Meeting - 7 July 2020

TRIM No: SF20/43

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Operations and Community Services Committee Meeting held on 7 July 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 Operations and Community Services Committee meeting must be submitted to Operations and Community Services Committee for confirmation, in accordance with clause 20.23 of the Waverley Code of Meeting Practice.

The Operations and Community Services Committee did not meet in August. Accordingly, the minutes of the July meeting are submitted to this meeting for confirmation.

Attachments

1. Operations and Community Services Committee Meeting Minutes - 7 July 2020



**MINUTES OF THE OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING
HELD BY VIDEO CONFERENCE ON TUESDAY, 7 JULY 2020**

Present:

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

Staff in attendance:

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

At the commencement of proceedings at 7.02 pm, those present were as listed above, with the exception of Cr Wy Kanak who arrived at 7.04 pm.

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 Burrill and Copeland.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest and none were received.

3. Addresses by Members of the Public

There were no addresses by members of the public.

4. Confirmation of Minutes

OC/4.1/20.07 Confirmation of Minutes - Operations and Community Services Committee Meeting - 4 February 2020 (SF20/43)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Keenan

That the minutes of the Operations and Community Services Committee Meeting held on 4 February 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

OC/5.1/20.07 Festival of the Winds 2020 (A19/0737)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council approves the modified Festival of the Winds 2020 event as a suite of predominantly online activations as detailed in the report, with a budget of \$52,600.

OC/5.2/20.07 Marks Park Regrading - Revised Concept (A20/0215)**MOTION**

Mover: Cr O'Neill

Seconder: Cr Keenan

That Council:

1. Notes the community consultation outcomes on the original concept design for the Marks Park regrading project.
2. Notes the retention and protection of the existing stands of trees and gardens with the exception of the one garden bed that has been identified for removal.
3. Endorses the revised concept design for the Marks Park regrading project as presented in Attachment 2 to this report subject to consideration of locations for replacement of the plantings removed in the designated garden bed in a suitable area.
4. Proceeds with the Marks Park regrading landscaping works as detailed within this report subject to consideration of locations for replacement of the plantings removed in the designated garden bed in a suitable area.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 5.

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

UNANIMOUS DECISION:

That Council:

1. Notes the community consultation outcomes on the original concept design for the Marks Park regrading project.
2. Notes the retention and protection of the existing stands of trees and gardens with the exception of the one garden bed that has been identified for removal.
3. Endorses the revised concept design for the Marks Park regrading project as presented in Attachment 2 to this report subject to consideration of locations for replacement of the plantings removed in the designated garden bed in a suitable area.
4. Proceeds with the Marks Park regrading landscaping works as detailed within this report subject to consideration of locations for replacement of the plantings removed in the designated garden bed in a suitable area.
5. Reinstates the Aboriginal interpretive signage plinth commemorating First Nations people connection to whale dreaming along this area of our coast as part of the works in Marks Park.

6 Urgent Business

There were no items of urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 7.15 PM.

.....
SIGNED AND CONFIRMED
CHAIR
1 SEPTEMBER 2020

REPORT
OC/5.1/20.09**WAVERLEY**
COUNCIL

Subject: Bondi Rescue - Proposal for Future Seasons

TRIM No: A20/0420

Author: Rachel Hensman, Executive Manager, Customer, Cemetery and Lifeguard Services

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

RECOMMENDATION:

That Council:

1. Agrees in principle to the request from Cordell Jigsaw Zapruder (CJZ) to film Season 16 of Bondi Rescue during the 2020–21 summer season.
2. Subject to finalisation of the agreement between CJZ and Council’s lifeguards for an additional payment to Council’s lifeguards for promotional services, authorises the General Manager to negotiate and enter into a contract on behalf of Council with CJZ for the filming of Season 16 of Bondi Rescue on the following terms:
 - (a) CJZ will pay Council a minimum fee of \$115,000 plus 5% of net profits for the series (Season 16).
 - (b) Filming will last for a total of 10 weeks between 1 December and 30 April, with an option to allow ad hoc filming of additional lifeguard-related events by written agreement.
 - (c) Options for Seasons 17 (2021–22) and 18 (2022–23) to be included in the agreement.
3. Applies income from the contract arrangement to activities that broadly improve public safety, lifeguard services or risk management in relation to Waverley’s beaches and coastal parks.

1. Executive Summary

In late 2005, Council agreed to the filming of the first series of Bondi Rescue in the 2005–06 summer season. In the years since, a total of 15 seasons of Bondi Rescue have been filmed.

The most recent agreement between Cordell Jigsaw Zapruder (CJZ) and Council was executed in December 2019 and included agreement to film during the 2019-20 summer season only.

CJZ has formally requested permission from Council to film Season 16 of Bondi Rescue over the 2020-21 summer period, with an option to film Seasons 17 and 18 over the 2021–2022 and 2022–2023 summer periods.

CJZ is proposing to pay Council a Licence Fee of \$115,000 plus 5% of net profits for the series to film for a total of 10 weeks for each season during the period December to April.

All lifeguards have been consulted on the proposed Season 16 and the majority are in support. All lifeguards are given the opportunity to opt out of the show and not participate in filming.

This report recommends that the General Manager be authorised to finalise negotiations and enter into an agreement with CJZ for the filming of Bondi Rescue Season 16, with options to be included in the agreement to allow filming of Seasons 17 and 18.

2. Introduction/Background

Bondi Rescue is filmed and produced by Cordell Jigsaw Zapruder (CJZ) and is a factual television programme that follows the daily routines of Council's professional lifeguards on patrol at Bondi Beach (and the surrounding area). In Australia, Bondi Rescue is shown on Channel Ten, and it has also been broadcast internationally in over 100 countries.

In late 2005, Council agreed to the filming of the first series of Bondi Rescue in the 2005–06 summer season. In the years since, a total of 15 seasons of Bondi Rescue have been filmed.

The most recent agreement between Cordell Jigsaw Zapruder (CJZ) and Council was executed in December 2019 and included agreement to film during the 2019–20 summer season only. Filming for Bondi Rescue (Season 15) took place from mid-December 2019 to mid-February 2020 and aired on Channel Ten from late March 2020.

On 16 July 2020, CJZ formally wrote to the General Manager, requesting permission from Council to film Season 16 of Bondi Rescue over the 2020–21 summer period, with an option to film Season 17 over the 2021–2022 summer period and Season 18 over the 2022–23 summer period.

CJZ is proposing to pay Council a licence fee of \$115,000 per season plus 5% of net profits for the series to film for a period of 10 weeks in each season.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Operations and Community Services Committee 5 November 2019	OC/5.3/19.11	<p>That Council:</p> <ol style="list-style-type: none"> 1. Agrees in principle to the request from Cordell Jigsaw Zapruder (CJZ) to film Season 15 of Bondi Rescue during the 2019–20 summer season. 2. Subject to finalisation of the agreement between CJZ and Council's lifeguards for an additional payment to Council's lifeguards for promotional services, authorises the General Manager to negotiate and enter into contract on behalf of Council with CJZ for the filming of Season 15 of Bondi Rescue on the following terms: <ol style="list-style-type: none"> (a) CJZ will pay Council a minimum fee of \$115,000 plus 5% of net profits for the series. (b) Filming will last for a total of 10 weeks. 3. Notes the request from CJZ includes further options for Seasons 16 and 17, which is supported in principle subject to a favourable evaluation of Season 15 and there being satisfactory operational capacity to continue to support filming, including

		<p>finding suitable storage for CJZ filming equipment.</p> <p>4. Applies income from the contract arrangement to activities that broadly improve public safety, lifeguard services or risk management in relation to Waverley's beaches and coastal parks.</p>
<p>Council 20 November 2018</p>	<p>CM/7.15/18.11</p>	<p>That Council:</p> <p>1. Agrees in principle to the request from Cordell Jigsaw Zapruder (CJZ) to film Season 14 of Bondi Rescue during the 2018–19 summer season.</p> <p>2. Authorises the General Manager to negotiate and enter into contract on behalf of Council with CJZ for the filming of Season 14 of Bondi Rescue on the following terms:</p> <p>(a) CJZ will pay Council a fee of \$115,000 plus 5% of net profits for the series.</p> <p>(b) Filming will last for a total of 10 weeks.</p> <p>And subject to finalisation of the agreement between CJZ and Council's lifeguards for an additional payment to Council's lifeguards for promotional services.</p> <p>3. Notes the request from CJZ is to film only one season of Bondi Rescue during the 2018–19 summer and that any further filming proposals must be approved by Council.</p> <p>4. Authorises the General Manager to apply income from the contract arrangement to activities that broadly improve public safety, lifeguard services or risk management in relation to Waverley's beaches and coastal parks.</p>
<p>Council 12 December 2017</p>	<p>CM/7.6/17.12</p>	<p>That Council:</p> <p>1. Agrees in principle to the request from Cordell Jigsaw Zapruder (CJZ) to film Season 13 of Bondi Rescue during the 2017-18 summer.</p> <p>2. Authorises the General Manager to enter into contract on behalf of Council with CJZ for the filming of Season 13 of Bondi Rescue on the following terms:</p> <p>(a) CJZ will pay Council a fee of \$115,000 plus 5% of net profits for the series.</p> <p>(b) Filming will last for a total of 9 weeks with</p>

		<p>an option to extend if required, with an additional fee payable to Council.</p> <p>And subject to an agreement between CJZ and Council's Lifeguard's for an additional payment to Council's Lifeguards for promotional services.</p> <p>3. Notes the request from CJZ is to film only one season of Bondi Rescue during the 2017-18 summer and that any further filming proposals must be approved by Council.</p>
--	--	---

4. Discussion

Outlined below are a list of factors for consideration relating to the proposed filming of Bondi Rescue – Season 16.

Operational impact and conditions of the agreement

The Access and Filming Agreement includes a section on 'Obligations of Production Company', which clearly sets out a list of conditions which must be complied with to minimise the impact on Council lifeguards and the operation of lifeguard services.

A formal review of the impacts of filming on lifeguard operations was completed by senior Council management, the Lifeguard Leadership Team and key representatives from CJZ in 2018. As a result of the review, an additional schedule was added to the Access and Filming Agreement which provides further detail on the protocols to be adhered to by both Council and the production crew to ensure impact on operations is minimised.

This was further reviewed in 2019 and the most recent Filming and Access Agreement included the following conditions:

- A formal induction process for all production crew (including returning crew members).
- A daily pre-filming meeting between the Senior Producer and the duty Lifeguard Team Leader or Lifeguard Co-ordinator. This meeting will provide an opportunity to review weather and surf conditions, staffing or equipment issues and advise of any special events or activities which may impact the day.
- A weekly meeting during the filming period between the Series Producer, Lifeguard Leadership Team and a representative from Council's Communications Team to discuss and resolve any issues from the previous week and planned storylines and key events for the following week.
- Extended or formal interviews with lifeguards to be conducted outside their working hours and to be scheduled around exiting lifeguard shifts and not interfere with Council beach operations.
- During periods of limited rescue activity, the production company undertakes to engage the Lifeguard Leadership team in discussion about alternative story ideas and concepts, which may include greater emphasis on professional training and education, community training events, etc.

The production team at CJZ have been supportive in implementing and adhering to these new protocols since they were first introduced and feedback from both the production crew and Council staff, particularly the Lifeguard Leadership Team, has been positive.

In earlier seasons of Bondi Rescue filming has taken up to 16 weeks however as with the last three seasons, the proposed filming period for Season 16 is reduced to 10 weeks. CJZ have requested that the filming period run from 1 December to 30 April to cover a broader range of activities and events; however, the

total filming days will be a maximum of 10 weeks. It is thought that this will further limit the impact on daily operations by having a less 'intense' filming schedule and assist with COVID-safe filming protocols. CJZ have also requested that filming of major incidents and/or lifeguard-related events at Tamarama and Bronte be formally included in the new agreement.

COVID safety plans will be developed by CJZ that align with Council's COVID operations and the relevant Public Health Orders.

Feedback from lifeguards

In addition to discussions between the Lifeguard Leadership Team and CJZ, consultation has taken place with all Council lifeguards requesting feedback about the proposed filming of Bondi Rescue Season 16. The majority are in support of the show. Staff are given the opportunity to opt out and not participate in filming. The key feedback points provided by the lifeguards centre around the series improving beach safety awareness and highlighting the importance of the role of the lifeguards.

Lifeguard facilities upgrade

One key issue impacting the discussions around future seasons of Bondi Rescue is the proposed upgrade to the lifeguard facilities at Bondi. This will mean the relocation of the lifeguards to a temporary observation tower for a period of time. As part of the Bondi Pavilion Restoration Project, the lifeguard office and amenities has been moved to temporary facilities (behind Bondi Surf Club), which has created further challenges regarding available space. The storage area in tunnel three has previously been used by the film crew to store equipment and there is also a development application in progress to convert this space to a first aid room. Alternative temporary facilities will need to be located on or in very close proximity to Bondi Beach with details to be formalised as part of finalisation of the filming agreement.

Public awareness of beach safety

A research project was completed in 2016 by Nicola Warton and Associate Professor Rob Brander from the School of Biological, Earth and Environmental Sciences at the University of New South Wales. The study included video content analysis of Seasons 1–8 of Bondi Rescue and an online survey of 1,852 respondents in Australia and internationally. The report titled *'Improving tourist beach safety awareness: The benefits of watching Bondi Rescue'* has since been published in the journal *Tourism Management*.

Key findings from the research show that:

- 78% of respondents felt that watching the show improved their beach safety knowledge significantly.
- Bondi Rescue is particularly effective for improving beach safety awareness of international viewers who are infrequent beachgoers who might not otherwise receive any beach safety information
- 17% of respondents believed the show had taught them rescue skills and techniques that they have been able to apply in real life situations.
- While just under half the survey respondents did not know what a rip current was before watching the show, almost all of them understood what a rip current was after watching the show
- Watching the show has had a range of positive impacts on survey respondents' beach behaviour and safety awareness, including the importance of swimming near lifeguards.

In addition to the above academic research, Council has received a number of letters and emails over the years with real-life examples of people who felt their beach safety awareness had increased, or in some cases were able to provide first aid assistance based on knowledge they had gained from watching the show. It is particularly important to acknowledge the benefits relating to surf safety awareness and education. Following discussions with CJZ prior to Season 15, there has been a definite increase in safety messaging.

Content approval – Communications and engagement

Council appoints a representative from its Communications team to liaise with producers '*to view and approve content of the rough cut, fine cut and final version of each program*' who will advise CJZ if they feel any footage is inappropriate. The material is then removed or edited and resubmitted to Council for approval.

The Bondi Rescue approval process creates additional workload for the Communications and Engagement team in the review of episodes. However, the workload is manageable, and a number of processes have been developed over the years to ensure this process runs smoothly.

The Communications and Engagement team is also responsible for handling any media and publicity requests that result from Bondi Rescue. Bondi Rescue positively promotes the lifeguard service and the media coverage generated by the show is usually highly positive. Requests for media articles or stories involving lifeguards are usually approved where they relate to beach and water safety or lifeguard fitness. Regardless of the 2020–21 season going ahead, it is felt that the publicity and media opportunities for the lifeguards will continue for the foreseeable future.

5. Financial impact statement/Time frame/Consultation

Financial impact

CJZ is proposing to pay Council a licence fee of \$115,000 plus 5% of net profits for the series to film for a period of 10 weeks for each season. This amount has remained the same since Season 13 and CJZ have indicated that they are unable to increase the payment to Council due to financial constraints.

This income is included in the current 2020-21 budget and has been applied to lifeguard service improvement in line with Council's resolutions on the use of the funds.

As with previous seasons of Bondi Rescue CJZ is proposing to make a further payment to the lifeguards for promotional services. Promotional services '*may include but are not limited to promotional appearances for Channel Ten or CJZ connected to the Series such as for charity fundraisers, contributions to the Series website, press interviews...*' For Season 15, this payment was \$180,000 to be divided between Council's 40 lifeguards. It is anticipated that the fee will be similar or the same for Season 16.

This payment is divided based on the employment status of the lifeguards and is paid to all lifeguards regardless of whether or not they appear on Bondi Rescue. The Promotional Services agreement has yet to be finalised by CJZ and the lifeguards and it is therefore recommended that Council's approval of Season 16 is subject to finalisation of the agreement between CJZ and Council's lifeguards.

Time frame

Should Council approve filming of the 2020–21 season, negotiations will continue with CJZ and the Filming Agreement will be executed as soon as possible.

The principal photography (filming) period would extend from 1 December 2020 to 30 April 2021, with a maximum filming period of a total of 10 weeks.

Consultation

Internal consultation has taken place with key stakeholders including the Lifeguard Leadership Team and Communications teams.

All lifeguards have been consulted on the proposed Season 16 and the majority are in support. All lifeguards are given the opportunity to opt out of the show and not participate in filming.

6. Conclusion

In July 2020, CJZ formally requested permission from Council to film over the 2010-21 summer period. CJZ is proposing to pay Council a Licence Fee of \$115,000 plus 5% of net profits for the series to film for a period of 10 weeks.

All lifeguards have been consulted on the proposed Season 16 and the majority are in support.

This report recommends that the General Manager be authorised to finalise negotiations and enter into an agreement with CJZ for the filming of Bondi Rescue Season 16, with further options to be included in the agreement for Seasons 17 and 18.

7. Attachments

Nil.

REPORT
OC/5.2/20.09**WAVERLEY**
COUNCIL

Subject: Bondi Pavilion Ceramic Wall Tile Artwork - Deaccession

TRIM No: A15/0272

Author: Elizabeth Reidy, Co-ordinator, Curator and Visual Arts

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

RECOMMENDATION:

That Council:

1. Adopts the recommendation of the Waverley Public Art Committee that the two tiled ceramic wall artworks contained in the North and South foyer walls of the Bondi Pavilion be deaccessioned.
2. Notes the deaccession is compliant with the Waverley Art Collection Acquisition and Deaccessioning Guidelines.
3. Authorises staff to notify both the original artists who created the work of the deaccession and the builders to initiate the process of the works removal, as outlined in the report.

1. Executive Summary

This report recommends Council approval for the deaccession of two ceramic tile wall artworks located in the foyer of Bondi Pavilion as part of the Bondi Pavilion upgrade and development. Deaccession is recommended by the Waverley Public Art Committee with consideration to the report provided by International Conservation Services (attached to this report) and the Waverley Art Collection Acquisition and Deaccessioning Guidelines. This report gives detailed information on the content, social history and materiality of the artworks, as well as providing a detailed outline of International Art Services Conservation report weighted against the criteria for deaccession stipulated in the Waverley Art Collection Acquisition and Deaccessioning Guidelines.

2. Introduction/Background

In 2014, Waverley Council adopted a new Public Art Policy. As part of this policy a suite of documents were developed to ensure the operational processes supporting the development, acquisition, deaccessioning and ongoing maintenance of Public Art were aligned with the Public Art Policy. Council endorsed the Waverley Council Art Collection Acquisition and Deaccessioning Guidelines for operational purposes in September 2018.

Two tiled ceramic murals, depicting flora and sea creatures, are installed at the southern and northern ends of the atrium of the Bondi Pavilion. Both are the work of artist Patsy Hely, and artist and illustrator Helen Leitch. Initiated by Council as a community project, it was funded by the Community Arts Board of the Australia Council for the Arts in 1984.

South mural

This mural comprises painted and glazed tiles of varying shapes and sizes. The dimensions of the full wall piece are 2,630 mm W x 2,004 mm H, (12 tiles high, 18 tiles wide). The decorative scheme consists of floral panels down either side of the work with a centralised motif of xanthorrhoea lined at the top and bottom with banksia. The flowers featured are Australian natives and are labelled by name. At centre bottom are four tiles that feature the inscription 'A Waverley Council project with assistance from the Community Arts Board of the Australia Council Artists: P. Hely / H.Leitch and the Community.'

North mural

This mural comprises painted glazed tiles of varying shapes and sizes. The dimensions of the work are 2,680 mm W x 2,007 mm H (10 tiles high, 12 tiles wide). The decorative scheme consists of single tiles and small panels decorated with sea creatures, bordered in irregularly shaped black border tiles, within a broader outer frame of tiles.

The tiles in both works are set into a rendered wall so that they are flush with the wall surface, the bottom row set several centimetres above floor level. The top of the mural is set below a fluted band of painted masonry. Both works have a doorway on either side.

Pavilion works and condition

The Bondi Pavilion upgrade and development project essentially necessitates removal of the artworks so building works can be undertaken.

The report provided by International Conservation Services states: *'The tile murals are in good condition and are well-bonded to the walls. As the murals are well-bonded to the substrate, removal would involve cutting them out. This will cause damage to the walls. There is a high risk that the tiles themselves may be damaged by the removal process due to the strength of the bonding in the substrate despite all due care being taken in the removal process.'*

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Operations and Community Services Committee 4 September 2018	OC/5.1/18.09	That Council endorses the Acquisition and Deaccessioning Guidelines attached to this report for the management of the Waverley Council Art Collection.
Council 18 March 2014	CRD.10/14	That Council <ol style="list-style-type: none"> 1. Note the community feedback provided on the Draft Public Art Policy and thank people for their feedback. 2. Approve the revised Public Art Policy as tabled at the meeting.

4. Discussion

On 13 July 2020, staff presented the findings of a report prepared by International Conservation Services about the artworks, recommending their deaccession, against the Waverley Art Collection Acquisition and Deaccession Guidelines to the Waverley Public Art Committee. The deaccessioning guidelines are:

- A work of art whose significance or aesthetic merit falls substantially below the general level of the collection.
- A work of art which lowers the overall level of quality or representation of its specific area in the collection.
- A work of art which has deteriorated to the extent that it is no longer recognisable as a work of art and is beyond restoration to an acceptable standard.
- A work of art that requires a level of ongoing maintenance and repair that is beyond the financial and social value of the work.
- A work of art in the collection which is no longer perceived as falling within Waverley Council's existing acquisitions policy.
- A work of art that is a duplication, or is duplicated in the collection.
- A work of art that contains materials that are considered hazardous or has the potential to cause physical harm.
- A more appropriate agency exists to house the artwork.

The Public Art Committee recommends that the works be deaccessioned, with consideration to:

1. The lack of Council-owned storage space available to house the works.
2. The condition in which the works may be after removal suggesting a level of repair that is beyond the financial and social value of the work.
3. The lack of a more appropriate agency or a new site within the redeveloped Pavilion to house the wall murals in full.

Should Council agree to the deaccession of the artwork, the builders will be instructed to proceed with their removal. In conjunction with this work, Council staff will liaise with the builders to oversee the removal of the four tiles that feature the acknowledgement of the works development, artists and funding bodies. Council staff will ensure they are retained in the local history section of Waverley Library for posterity.

It is the recommendation of the Public Art Committee that the tile murals are documented in full before they are removed and that the social history around the development of the wall artworks is documented, where possible, with the input of the original artists. It should be noted that Council staff arranged for detailed photographic documentation of the artworks ahead of the building being handed over to the builders.

5. Financial impact statement/Time frame/Consultation

The removal of the artwork from site will be carried out by the builders as part of the overall pavilion redevelopment, with all costs related to this covered within the Bondi Pavilion Redevelopment budget.

6. Conclusion

Based on the Waverley Art Collection Acquisition and Deaccessioning Guidelines and the report provided to Council staff by International Conservation Service, it is the recommendation of the Public Art Committee that the ceramic tile wall artworks be deaccessioned.

It is recommended that the Committee's recommendation be adopted, and Council officers be authorised to notify both the original artists who created the work of the deaccession and the builders to initiate the process of the works removal. Should Council approve the deaccession, as a component of the work, the four tiles from bottom of each artwork, that detail the artists names, year of commission and the commissioning bodies for the artwork, will be removed with the upmost care and if condition allows be retained for the Waverley Local Studies Collection. Council officers have already arranged full photographic documentation of the artworks and will work with the original artists to collect the social history detailing

the development of the ceramic tile wall artworks that will be retained in the Waverley Council Local Studies Collection.

7. Attachments

1. International Conservation Services - Bondi Pavilion Tile Murals report - December 2019 [↓](#)



internationalconservationservices

53 Victoria Avenue t +61 2 9417 3311
 Chatswood NSW 2067 e ics@icsconservation.com
 Australia w www.icsconservation.com
 Sydney | Canberra | Melbourne

16th December 2019

Tonkin Zulaikha Greer Architects
 117 Reservoir Street
 Surry Hills NSW 2010

By email: wolfgang@tzc.com.au

Dear Wolfgang

BONDI PAVILION TILE MURALS

ICS Ref: 17047b

Thank you for engaging International Conservation Services (ICS) to provide an assessment of how easily the wall tiles in the Bondi Pavilion can be salvaged. Wendy Reade, Conservation Projects Manager, ICS, undertook a site visit on 9 December 2019, to assess the condition of the tile murals and the feasibility of removal. Our findings are presented in this short report.

INTRODUCTION

Two tiled murals, depicting flora and sea creatures, are installed at the southern and northern ends of the atrium of the Bondi Pavilion. They are the work of artist, Patsy Hely, and artist and illustrator, Helen Leitch. The project was initiated by Waverley Council as a community project, and was funded by the Community Arts Board of the Australia Council¹.

DESCRIPTION – SOUTH MURAL

Dimensions: 2630 mm W x 2004 mm H (12 tiles high, 18 tiles wide)

This mural is comprised of painted and glazed tiles of varying shapes. Some are slightly concave. The decorative scheme consists of three floral panels down either side with a central motif of two xanthorrhoea panels with banksia serratifolia at top and bottom. The Australian flora depicted are labelled by name.

At centre bottom is the inscription:

“A Waverley Council project with assistance from the
 Community Arts Board of the Australia Council.
 Artists: P. Hely/ H. Leitch and the Community
 © P. Hely/ H. Leitch 1984.”

The tiles are set into a rendered wall so that they are flush with the wall surface with the bottom row set several centimetres above floor level. The top of the mural is set below a fluted band of painted masonry. The wall has a doorway on either side.

¹ Pp 53, 93, 106 *Bondi Pavilion Conservation Management Plan*. Prepared for Waverley Council by Tanner Kibble Denton Architects P/L, June 2018;

‘Tiles in the Sun. Bondi Tile Mural’. *Craft Australia* Vol. 4 Summer 1985, pp 68-69.



**DESCRIPTION – NORTH MURAL**

Dimensions: 2680 mm W x 2007 mm H (10 tiles high, 12 tiles wide)

This mural is comprised of painted and glazed tiles of varying shapes. Some are slightly concave. The decorative scheme consists of single tiles and small panels decorated with sea creatures, bordered in irregularly shaped black border tiles, within a broader outer frame of tiles. One tile is inscribed: "H. Leitch Pottery 1985".

This mural is set in the same way as the south mural, with a doorway on either side. Tool marks across the surfaces of adjacent tiles suggest that they were made in their intended alignment.

CONDITION

The tile murals are in good condition and are well-bonded to the walls.

The following condition is noted for the south mural:

- Dirty
- Various cracks with evidence of repair and inpainting probably at the time of manufacture or installation
- Residue of adhesive tape runs horizontally along the top row of tiles, and randomly elsewhere.

The following condition is noted for the north mural:

- Dirty, splash marks
- Adherent paper patch
- Surface chips at lower region.

RECOMMENDATIONS

The murals are in good condition. They could be removed from the walls using appropriate techniques. As the murals are set into the walls and are well-bonded to the substrate, removal would involve cutting them out. This will cause damage to the walls. There is always the risk that in separating the tiles from the wall, the tiles themselves may become damaged, despite all due care being taken in their removal.

If the murals were to be removed, they would need to be stored during the Pavilion's renovations, and reinstated in a new location.

I trust that we have provided all necessary information; however, if you have any queries about this report please contact us on (02) 9417 3311.

Yours sincerely,

Wendy Reade
Conservation Projects Manager
International Conservation Services



Figure 1. South Mural set under fluted masonry band.



Figure 2. Northern Mural

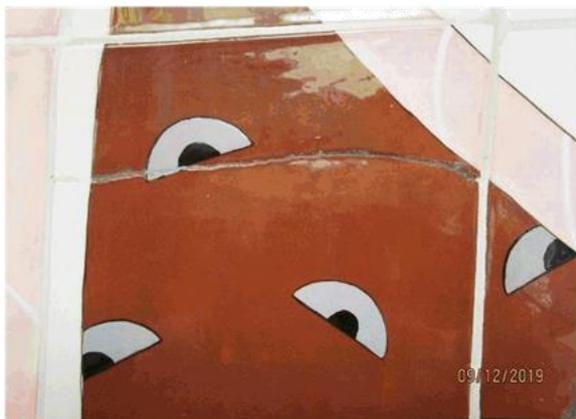


Figure 3. Example of manufacturing break (South Mural)

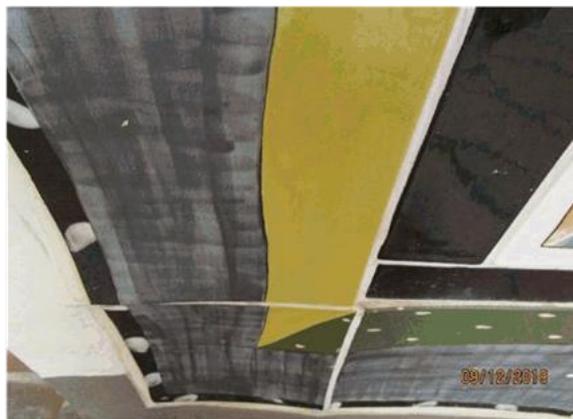


Figure 4. Example of curvature of tiles (North Mural)

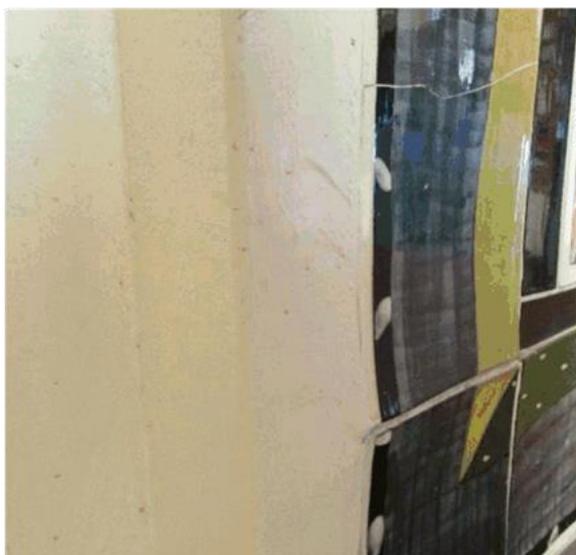


Figure 5. Tiles set into and flush with wall surface



Figure 6. Tiles set into and flush with wall surface

REPORT
OC/5.3/20.09



Subject: North Bondi Kids Pool Artwork - Commissioning Process

TRIM No: A18/0752

Author: Elizabeth Reidy, Co-ordinator, Curator and Visual Arts

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

RECOMMENDATION:

That Council endorses the open market ‘submission of interest’ process for the commissioning of the North Bond Kids Pool Wall Artwork, as detailed in this report.

1. Executive Summary

This report provides an overview of the recommended open market commissioning process for the North Bondi Kids Pool Wall Artwork. It seeks Council’s approval for the process to be undertaken through a ‘submission of interest’ process to ensure that best practice in the commissioning of public art is being applied.

2. Introduction/Background

At its meeting on 21 July 2020, Council approved the initiation of an open market request for quotation process for new artwork to be installed on the wall overlooking the North Bondi Kids Pool. With consideration to the Best Workplace Practice for the Commissioning for Public Art recommended by the National Association for the Visual Arts (NAVA), Council is requested to consider approval of a ‘submission of interest’ process for this open market commissioning.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Council 21 July 2020	CM/7.12/20.07	That: <ol style="list-style-type: none"> <li data-bbox="662 1518 1414 1621">1. In consideration of the estimated and market-tested budget projection, Council does not progress the recommission of the North Bondi Mosaic Artwork <li data-bbox="662 1666 1414 1769">2. Council initiates an open market request for quotation process for a new artwork to be installed on the site, as outlined in this report. <li data-bbox="662 1814 1414 1917">3. Council officers prepare and submit a report to Council on the outcomes of the request for quotation process referred to in clause 2. <li data-bbox="662 1962 1414 2080">4. Council officers submit a report to a future Council meeting outlining options for the most appropriate deaccessioning avenues for those remaining parts of the original mosaic artwork, comprising 112 salvaged

		<p>pieces from the original artwork, currently held in storage.</p> <p>5. Council officers ensure the detailed photographic and written documentation of the original mosaic artwork and its creation is collected and retained in Waverley Council's Local Studies Library for community access and archive</p> <p>6. Council thanks the original artists for their contribution to the Waverley Community.</p>
--	--	--

4. Discussion

It is proposed that a 'submission of interest' commissioning process be undertaken instead of the previously adopted Request for Quotation mechanism. The 'submission of interest' adheres to the same process run for previous Public Art commissions including Waverley Mall and the North Bondi Mural projects and includes the following stages:

Stage 1 – Open market submission of interest

Artists are requested to formally submit their interest in creating a work through the tender portal site by providing their CV, a statement of interest and 8–10 examples of previous public domain projects with images, overall budget and previously developed artwork concepts. This is assessed on the following criteria, outlined in the 'submission of interest' document:

- Place-making: the relationship between the artwork and the built and open environment, its audience, and other contextual factors all contribute to its impact.
- Artistic excellence: public art in Waverley aspires to qualities of artistic excellence, innovation, creative integrity and the enrichment of public life. The artwork examples are of excellence, both in content and execution, displaying technical skill, craftsmanship and ingenuity.
- Sustainability: consideration to materials, design and construction, durability and longevity of the artwork in its environment. Sustainability must be considered in terms of the ability of the work to ensure physically and in terms of social relevance and artistic integrity.
- Value for money: The examples provided by the applicant show excellent value for money with works being delivered to a standard that is commensurate with the scale and scope of the budget for the design/materials/installation of the artwork.

An internal PCG of Council officers reviews the submissions, and a proposed shortlist is collated for the review of the Waverley Public Art Committee. The Public Art Committee then recommends three proponents to progress to Stage 2 – Shortlist and concept design.

Stage 2 – Shortlist and concept design development

Proponents progressed are provided a detailed brief outlining the specific objectives for the artwork, and including a copy of the Public Art Policy, a detailed site map, site constraints, budget constraints, and an expected timeframe to develop concept renderings for a bespoke artwork in-situ. The shortlisted proponents are contracted for a set fee of \$2,500. The contract presented to the proponents contains clauses on intellectual property and copyright on concept designs.

Stage 3 – Consultation and approval

Concept designs are displayed for feedback via community consultation. The Public Art Committee reviews all concept designs based on the key objectives for public art in Waverley, with strong consideration of the feedback received in the community consultation process, and makes a recommendation to Council on the preferred commission for Council's consideration and determination.

5. Financial impact statement/Time frame/Consultation

The budget for the North Bondi Kids Pool Wall artwork is allocated within the North Bondi Civil Infrastructure Asset Renewal Capital Works project.

The proposed schedule for the commissioning process is as follows:

- 1 October to 25 October 2020: open market 'submission of interest.'
- January and February 2021: community consultation on concept design.
- March 2021: report to Council with a recommendation from the Public Art Committee.
- July to August 2021: installation of the artwork (scheduled for winter months to ensure minimal impact on community access to the kid's pool area).

6. Conclusion

In consideration of previous successful outcomes through the proposed process, and best practice commissioning of public art, authorisation of Council is sought to commence an open market 'submission of interest' process for the wall overlooking the Kids Pool in North Bondi. Subject to Council approval, officers will subsequently undertake the process with a view to submitting a report to Council on the outcomes of the 'submission of interest' process, community consultation process and recommendation of the Public Art Committee on the preferred commission for the site for consideration in March 2021.

7. Attachments

Nil.