



**MINUTES OF THE WAVERLEY COUNCIL MEETING
HELD BY VIDEO CONFERENCE ON TUESDAY, 19 MAY 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 Will Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley 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 7.03 pm, those present were as listed above, with the exception of Cr Betts, who arrived at 7.04 pm, Cr Kay, who arrived at 7.06 pm, and Cr Keenan, who arrived at 7.11 pm.

At 9.30 pm, Cr Burrill left the meeting and did not return.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

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

The Mayor read the following Acknowledgement of Indigenous Heritage:

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

1. Apologies/Leaves of Absence

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Goltsman declared a less than significant non-pecuniary interest in item CM/7.5/20.05(2) – Small Grants Program 2019-20 – Round 2, and informed the meeting that he volunteers in several capacities for COA Sydney and knows some of the volunteers.
- 2.2 Cr Nemesh declared a significant non-pecuniary interest in Item CM/7.5/20.05(2) – Small Grants Program 2019-20 – Round 2, and informed the meeting that he is on the board of one of the organisations that is being recommended for funding, and that he will leave the meeting.

3. Obituaries

Jack Munday

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 R Tanny (on behalf of COA Sydney) – CM/7.5/20.05(2) – Small Grants Program 2019-20 – Round 2.

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 / DECISION

MOVER: CR MASSELOS

SECONDER: CR KEENAN

THAT THE RECOMMENDATIONS FOR THE FOLLOWING ITEMS BE ADOPTED AS RECOMMENDED IN THE BUSINESS PAPER:

CM/5.1/20.05(2)	CONFIRMATION OF MINUTES - COUNCIL MEETING - 5 MAY 2020
CM/7.3/20.05(2)	INVESTMENT PORTFOLIO REPORT - APRIL 2020
CM/7.4/20.05(2)	FEES AND CHARGES 201-20 - AMENDMENT - HOLLYWOOD AVENUE CAR PARK MONTHLY OVERNIGHT RESIDENT PARKING - ADOPTION
CM/7.6/20.05(2)	STATUS OF MAYORAL MINUTES AND NOTICES OF MOTION
CM/7.7/20.05(2)	AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING - 19 DECEMBER 2019 - MINUTES

5. CONFIRMATION AND ADOPTION OF MINUTES

CM/5.1/20.05(2) Confirmation of Minutes - Council Meeting - 5 May 2020 (SF20/42)

MOTION / DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That the minutes of the Council Meeting held on 5 May 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

6. Mayoral Minutes

CM/6.1/20.05(2) Coronavirus (COVID-19) - Business Continuity (A20/0258)

MOTION / DECISION

Mover: Cr Masselos

That Council:

1. Notes the effectiveness to date of the business continuity arrangements that have been put in place by officers.
2. Notes that officers are working on a resumption of services strategy that is being/will be developed and implemented in accordance with recent public health orders and the three staged reopening 'roadmap' signalled by the Prime Minister.
3. Notes that the resumption of services strategy is being implemented flexibly with specific services to be resumed when the public health orders allow, when it is deemed safe to do so and as indicated as appropriate through officer risk assessments.
4. Notes that officers are:

- (a) Exploring and taking steps to seek stimulus funding for appropriate council projects.
 - (b) Taking steps to obtain commonwealth and NSW State Government assistance being made available to local government sector.
5. Officers report back on delivery outcomes of the business continuity and resumption of service strategy.

7. Reports

CM/7.1/20.05(2) Draft Operational Plan 2020-21 including Budget, Pricing Policy, Fees and Charges 2020-21 and Long Term Financial Plan (A19/0364)

MOTION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Adopts the draft Operational Plan 2020-21, including the Budget and Statement of Revenue Policy, at Attachment 1 and resolves to publicly exhibit the plan for 28 days in accordance with the *Local Government Act 1993*.
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*.
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:
 - (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
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*.
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 *Local*

Government Act 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

6. Resolves to remove the internal restriction from the Property Strategic Reserve to allow the application of funds from this reserve to meet the capital funding requirements set out in the Draft 2020/2021 Operational Plan and Budget and those arising from revenue decreases in the 2019/20 financial year.
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 Council will need to closely monitor and manage programs and financial performance during 2020-21 via quarterly financial reviews.
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.
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.

AMENDMENT (WITHDRAWN)

Mover: Cr Betts

Seconder: Cr Kay

That:

1. Clause 6 be deleted and replaced with the following:

'Resolves to borrow \$6.44M from the Investment Strategy Reserve (Property Strategy Reserve) to allocate these funds to meet the shortfall of operational funds set out in the Draft 2020/21 Operational Plan and Budget, a portion of which has arisen from anticipated net revenue decreases due to the COVID-19 pandemic, and commits to repaying this loan during the current 2020-2031 Long Term Financial Plan (LTFP).'

2. The following clause be added to the Motion after clause 6:

‘Council officers prepare a proposal, including options, for the 16 June 2020 Council meeting that identifies how these funds could be repaid at the earliest possible time during the LTFP without derestricting capital reserves.’

FORESHADOWED AMENDMENT

Mover: Cr Wakefield

That clause 6 be deleted and replaced with the following:

‘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 and those arising from revenue decreases in the 2019/20 financial year.
- (b) To commit to return this transfer at the earliest opportunity, and a report is prepared for Council’s consideration outlining how this will be done.’

AT THIS STAGE IN THE PROCEEDINGS, THE MOVER OF THE AMENDMENT WITHDREW THE AMENDMENT.

THE FORESHADOWED AMENDMENT NOW BECAME THE AMENDMENT.

THE MOVER OF THE MOTION THEN ACCEPTED THE AMENDMENT.

THE MOVER OF THE MOTION THEN ACCEPTED FURTHER AMENDMENTS TO CLAUSE 6.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

- 1. Adopts the draft Operational Plan 2020-21, including the Budget and Statement of Revenue Policy, at Attachment 1 and resolves to publicly exhibit the plan for 28 days in accordance with the *Local Government Act 1993*.
- 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*.
- 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:
 - (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
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*.
 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 *Local Government Act* 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

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 Council will need to closely monitor and manage programs and financial performance during 2020-21 via quarterly financial reviews.
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.

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.

CM/7.2/20.05(2) Q3 Budget Review - March 2020 (A03/0346)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes that the Chief Financial Officer, as the responsible accounting officer, advises that the projected financial position of Council is satisfactory.
2. Notes the forecast financial impact of the COVID-19 pandemic and related restrictions and Council actions on the 2019-20 budget.
3. Adopts the variations to the 2019–20 Operating and Capital budgets in accordance with Attachments 1, 2 and 3 to this report.

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Notes that the Chief Financial Officer, as the responsible accounting officer, advises that the projected financial position of Council is satisfactory.
2. Notes the forecast financial impact of the COVID-19 pandemic and related restrictions and Council actions on the 2019–20 budget.
3. Adopts the variations to the 2019–20 Operating and Capital budgets in accordance with Attachments 1, 2 and 3 to this report, subject to the following amendment:
 - (a) Noting the projected financial implications on Council's 2019–20 budget caused by the COVID-19 pandemic, the shortfall of \$0.8 million be sourced from the Centralised Reserve and not the Investment Strategy Reserve as per the report.

CM/7.3/20.05(2) Investment Portfolio Report - April 2020 (A03/2211)**MOTION / DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Receives and notes the Investment Summary Report for April 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/7.4/20.05(2) Fees and Charges 2019-20 - Amendment - Hollywood Avenue Car Park Monthly Overnight Resident Parking - Adoption (A18/0183)**MOTION / DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council adopts the following fee for inclusion in the Hollywood Avenue Car Park section of the Pricing Policy, Fees and Charges 2019–20:

Category	Unit	2019/20 Fee or Charge \$	GST	Pricing Policy
Hollywood Avenue Car Park Monthly Overnight Resident Parking Permit (unreserved – available daily, arrive after 5.00 pm, exit before 9.00 am)	Per month	\$140	Taxable	E

CM/7.5/20.05(2) Small Grants Program 2019-20 - Round 2 (A20/0196)

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

Cr Nemesh declared a significant non-pecuniary interest in this item and informed the meeting that he is on the board of one of the organisations that is being recommended for funding. Cr Nemesh was not present at, or in sight of, the meeting for the consideration and vote on this item.

MOTION / DECISION

Mover: Cr Lewis

Seconder: Cr Goltsman

That Council:

1. Approves grants to the value of \$24,704 to individuals and organisations as set out in Table 1 of this Report, under its Community Services and Cultural Grants Program, to facilitate immediate support for activities relating to the coronavirus shutdown, with conditions where specified in Attachment 1.
2. Approves grants to the value of \$57,510 to individuals and organisations as set out in Table 1 of this Report, under its Small Grants Program (Round 2) 2019–20, with conditions where specified in Attachment 1.

3. Given the disruptions caused by the COVID-19 virus and as per Council's grants policy, invites unsuccessful applicants who wish to do so, to submit an unsolicited application for funding within the next 10 days. This will allow the applications to undergo proper assessment, with officer recommendations coming to the next council meeting.

R Tanny (on behalf of COA Sydney) addressed the meeting.

CM/7.6/20.05(2) Status of Mayoral Minutes and Notices of Motion (SF18/691)

MOTION / DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council receives and notes this report on the status of mayoral minutes and notices of motion adopted by Council from September 2012 to April 2020.

CM/7.7/20.05(2) Audit, Risk and Improvement Committee Meeting - 19 December 2019 - Minutes (SF20/986)

MOTION / DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council notes the minutes of the Audit, Risk and Improvement Committee meeting held on 19 December 2019 attached to this report.

CM/7.8/20.05(2) Draft Flood Study - Exhibition (A17/0168)

MOTION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Publicly exhibits the draft Waverley LGA Flood Study attached to this report for six weeks.
2. Convenes a Waverley Council Floodplain Management Committee meeting to review the findings of the public consultation.
3. Receives a further report for endorsement by Council of the final Waverley LGA Flood Study.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 1.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Publicly exhibits the draft Waverley LGA Flood Study attached to this report for six weeks, and sends

the report to the relevant precincts with an offer of a briefing or presentation should the COVID-19 health orders allow or via Zoom or other appropriate video conferencing platform.

2. Convenes a Waverley Council Floodplain Management Committee meeting to review the findings of the public consultation.
3. Receives a further report for endorsement by Council of the final Waverley LGA Flood Study.

CM/7.9/20.05(2) Child Safe Policy - Adoption (SF19/1354)

MOTION

Mover: Cr O'Neill

Seconder: Cr Keenan

That Council adopts the Child Safe Policy attached to this report.

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council adopts the Child Safe Policy attached to this report, subject to the following amendments:

1. Section 4.1.5 – In the first line, replace 'should' with 'must'.
2. Section 4.1.5 – After 'Child Safety Officer' add 'and the General Manager'.
3. Section 4.1.5 – In the second line, replace 'will' with 'must'.
4. Section 4.2(c) – Replace 'under the age of 18' with 'or young people'.
5. Section 4.3.1 – After 'obtain informed consent from the child' add '(whenever possible)'.
6. Section 6 – For the 'Child' definition, replace '18 years' with '16 years'.
7. Section 6 – Add a new definition of 'Adolescent' to read 'A person who is over the age of 10 years but under the age of 19 years'.

CM/7.10/20.05(2) Draft Inclusive Play Space Study - Exhibition (SF20/2230)

MOTION

Mover: Cr Lewis

Seconder: Cr Wy Kanak

That Council:

1. Publicly exhibits the draft Inclusive Play Space Study attached to this report for six weeks from June to July 2020.
2. Notes that, following the public exhibition period, officers will prepare a further report to Council detailing recommendations for changes based on community feedback and requesting Council to

adopt the study.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 1.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Publicly exhibits the draft Inclusive Play Space Study attached to this report for six weeks from June to July 2020, and a copy of the draft study be provided to Council's precincts.
2. Notes that, following the public exhibition period, officers will prepare a further report to Council detailing recommendations for changes based on community feedback and requesting Council to adopt the study.

**CM/7.11/20.05(2) Tender Evaluation - Bondi Pavilion Restoration and Conservation Project
(A15/0272)**

MOTION

Mover: Cr Wakefield
Seconder: Cr Wy Kanak

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Confirms the budget in the draft Long Term Financial Plan 5.2 of \$34,500,000 for the Bondi Pavilion Restoration and Conservation Project building works (including funding for construction costs, project contingency and professional fees) and \$5,200,000 for external landscape and public domain works related to the Bondi Park Plan of Management.
3. Declines to accept any of the tenders for the Bondi Pavilion Restoration and Conservation Project, in accordance with clause 178(1)(b) of the *Local Government (General) Regulation 2005*.
4. Declines to invite fresh tenders or applications as referred to in clause 178(3) (b)-(d) of the *Local Government (General) Regulations 2005*.
5. In accordance with clause 178(3)(e) of the *Local Government (General) Regulation 2005*, authorises the General Manager to enter into negotiations with the top three ranked tenderers as shown in the Tender Evaluation Matrix to agree contract terms.
6. Authorises the General Manager, or delegated representative, to finalise and agree terms and to enter into a contract on behalf of Council with the preferred tenderer following negotiations.
7. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

A PROCEDURAL MOTION, MOVED BY CR BETTS AND SECONDED BY CR KAY, TO LAY THIS ITEM ON THE TABLE SO IT CAN BE DISCUSSED IN CLOSED SESSION LATER IN THE MEETING, WAS THEN PUT AND DECLARED CARRIED.

LATER IN THE MEETING, A PROCEDURAL MOTION, MOVED BY CR LEWIS AND SECONDED BY CR BETTS, THAT THIS ITEM BE TAKEN FROM THE TABLE, WAS PUT AND DECLARED CARRIED.

Cr Burrill was not present for the vote on the Procedural Motion.

THE FOLLOWING MOTION WAS THEN MOVED BY CR MASSELOS AND SECONDED BY CR BETTS:

That Council moves into closed session to discuss this report as the discussion relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The discussion is likely to contain commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

THE MOTION WAS PUT AND DECLARED CARRIED.

Crs Burrill and Kay were not present for the vote on the Motion.

At 9.25 pm, Council moved into closed session.

THE FOLLOWING MOTION WAS THEN MOVED BY CR MASSELOS AND SECONDED BY CR WY KANAK:

That Council resumes in open session.

THE MOTION WAS PUT AND DECLARED CARRIED.

Cr Burrill was not present for the vote on the Motion.

At 9.36 pm, Council resumed in open session.

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO CLAUSES 5 AND 6.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Treats the Tender Evaluation Matrix attached to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Confirms the budget in the draft Long Term Financial Plan 5.2 of \$34,500,000 for the Bondi Pavilion Restoration and Conservation Project building works (including funding for construction costs, project contingency and professional fees) and \$5,200,000 for external landscape and public domain works related to the Bondi Park Plan of Management.
3. Declines to accept any of the tenders for the Bondi Pavilion Restoration and Conservation Project, in accordance with clause 178(1)(b) of the *Local Government (General) Regulation 2005*.

4. Declines to invite fresh tenders or applications as referred to in clause 178(3) (b)-(d) of the *Local Government (General) Regulations 2005*.
5. In accordance with clause 178(3)(e) of the *Local Government (General) Regulation 2005*, authorises the General Manager to enter into negotiations with the top three ranked tenderers as shown in the Tender Evaluation Matrix to agree contract terms, with a view to entering into a contract in relation to the subject matter of the tender.
6. Authorises the General Manager, or delegated representative, to finalise and agree terms and to enter into a contract on behalf of Council.
7. Notifies unsuccessful tenderers of the decision in accordance with clause 179 of the *Local Government (General) Regulation 2005*.

At 9.30 pm, during the consideration of this item, Cr Burrill left the meeting and did not return.

8. Notices of Motions

CM/8.1/20.05(2) Separated Cycleway - Bondi Beach to Rose Bay Wharf (SF18/429)

MOTION / DECISION

Mover: Cr Wy Kanak
Seconder: Cr Keenan

That Council:

1. Notes the recent announcement by Planning and Public Spaces Minister Rob Stokes for grants for Councils for immediate pilot projects for cycleways and pedestrian widening and longer-term projects.
2. Notes the unanimous decision in November 2017 that Council investigates building a separated bicycle path from Bondi Beach (to our local government area boundary) to Rose Bay Wharf as part of Waverley's People, Movement and Places study – Signature Project 11 (Cycling Superhighways).
3. Immediately applies for a grant for the Bondi Beach, Bondi (to Waverley's LGA boundary) to Rose Bay Wharf cycleway.
4. Staff liaise with Woollahra Council to co-ordinate the development and implementation for the Old South Head Road to Rosebay Wharf section of the cycleway.
5. Investigates other projects, including opportunities (up to \$1 million) for longer-term projects such as extra crossing points and trialling lower speed limits, which have also been considered by Waverley Council.

CM/8.2/20.05(2) Coronavirus (COVID-19) - Stimulus Funding (A20/0245)**MOTION**

Mover: Cr Wy Kanak

Seconder: Cr Copeland

That Council:

1. Notes the recent announcement of the NSW State Government concerning COVID-19-related stimulus funding by Minister Stokes.
2. Notes that officers are exploring options for stimulus funding for Council to avail itself of COVID-19 stimulus funding to advance Council's resolution of 21 November 2017 regarding the Bondi Beach to Rose Bay separated cycleway, and other 'shovel-ready' projects.
3. Notes that officers are exploring any COVID-19 stimulus funding to assist Council's planned makeover of the Bondi Pavilion/Park/Beach Community Cultural Centre as state and national heritage items and as infrastructure impacted by international pedestrian and beach user attraction.
4. Council's Long Term Financial Plan and Budgeting process feature relevant amendments if this motion is supported.

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO CLAUSES 2 AND 4.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Notes the recent announcement of the NSW State Government concerning COVID-19-related stimulus funding by Minister Stokes.
2. Notes that officers are exploring options for stimulus funding for Council to advance Council's resolution of 21 November 2017 regarding the Bondi Beach to Rose Bay separated cycleway, and other 'shovel-ready' projects.
3. Notes that officers are exploring any COVID-19 stimulus funding to assist Council's planned makeover of the Bondi Pavilion/Park/Beach Community Cultural Centre as state and national heritage items and as infrastructure impacted by international pedestrian and beach user attraction.
4. Council's Long Term Financial Plan and Budgeting process feature relevant amendments if Council is successful in gaining funding.

CM/8.3/20.05(2) Coronavirus (COVID-19) - Cleaning of Public Spaces (A20/0245)**MOTION**

Mover: Cr Burrill

Seconder: Cr Kay

That Council:

1. Investigates a program of improved cleansing and disinfection of public spaces including playgrounds, outdoor gyms and toilets in order to optimise hygiene standards across the municipality
2. Officers report back with the proposed approach, enhanced service level program and likely resourcing requirements.

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO CLAUSE 1.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Notes that a program of improved cleansing and disinfection of public spaces including playgrounds, outdoor gyms and toilets in order to optimise hygiene standards across the municipality has been developed and cleansing of public places commenced.
2. Officers report back with the proposed approach, enhanced service level program and likely resourcing requirements.

CM/8.4/20.05(2) Coronavirus (COVID-19) - Changes in Transport Demand (A20/0245)**MOTION**

Mover: Cr Wakefield

Seconder: Cr Copeland

That Council:

1. Recognises that there are immediate and evolving changes in demand and movement patterns for various transport modes (car, share car, on-demand services, bus, bicycle and pedestrian) within, to and from Waverley as a result of COVID-19.
2. Recognises the Federal and State Government's intention of easing COVID-19-related restrictions, enabling more people to work, shop and visit.
3. Initially and urgently undertakes a preliminary assessment of what actions might be needed and could be undertaken to facilitate immediate and potential modal changes in transport demand in the short-term.
4. Subsequently prepares a report for consideration of longer-term changes.
5. Investigates options for short- and long-term changes including, but not limited to:
 - (a) Wider footpaths.

- (b) Extra pedestrian crossings.
 - (c) Changes to traffic light signalisation.
 - (d) Bike lanes.
 - (e) Loading zones.
 - (f) Drop off spaces.
6. Consults with relevant state government authorities including the RTA and Sydney Buses.
7. Approaches the relevant state government departments for immediate and longer-term grant funding.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 6.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Recognises that there are immediate and evolving changes in demand and movement patterns for various transport modes (car, share car, on-demand services, bus, bicycle and pedestrian) within, to and from Waverley as a result of COVID-19.
2. Recognises the Federal and State Government's intention of easing COVID-19-related restrictions, enabling more people to work, shop and visit.
3. Initially and urgently undertakes a preliminary assessment of what actions might be needed and could be undertaken to facilitate immediate and potential modal changes in transport demand in the short-term.
4. Subsequently prepares a report for consideration of longer-term changes.
5. Investigates options for short- and long-term changes including, but not limited to:
 - (a) Wider footpaths.
 - (b) Extra pedestrian crossings.
 - (c) Changes to traffic light signalisation.
 - (d) Bike lanes.
 - (e) Loading zones.
 - (f) Drop off spaces.
6. Consults with relevant state government authorities including Transport for NSW and Sydney Buses.
7. Approaches the relevant state government departments for immediate and longer-term grant funding.

Cr Burrill was 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

Item CM/7.11/20.05(2) – Tender Evaluation – Bondi Pavilion Restoration and Conservation Project was partly discussed in closed session.

12. Meeting Closure

THE MEETING CLOSED AT 9.38 PM.



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SIGNED AND CONFIRMED
MAYOR
2 JUNE 2020