



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

FINANCE, OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING

A meeting of the FINANCE, OPERATIONS AND COMMUNITY SERVICES COMMITTEE will be held at Waverley
Council Chambers,
Cnr Paul Street and Bondi Road, Bondi Junction at:

7.00 PM, TUESDAY 1 AUGUST 2023

A handwritten signature in black ink that reads "Sharon Cassidy". The signature is fluid and cursive, with a small flourish at the end.

Sharon Cassidy
Acting 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

Statement of Ethical Obligations

Councillors are reminded of their oath or affirmation of office made under section 233A of the Act and their obligations under Council's code of conduct to disclose and appropriately manage conflicts of interest.

Live Streaming of Meeting

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 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 Chair 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.

1. Apologies

2. Declarations of Pecuniary and Non-Pecuniary Interests

3. Addresses by Members of the Public

4. Confirmation of Minutes

FC/4.1/23.08	Confirmation of Minutes - Finance, Operations and Community Services Committee Meeting - 4 July 2023	4
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5. Reports

FC/5.1/23.08	Reconciliation Action Plan Advisory Committee Meeting - 9 March 2023 - Minutes	12
FC/5.2/23.08	Alcohol Free Zones and Alcohol Prohibited Areas	17
FC/5.3/23.08	Bronte Surf Life Saving Club and Community Facilities Upgrade - Project Update	31
FC/5.4/23.08	Bourke Street Upgrade - Concept Designs.....	37
FC/5.5/23.08	Gilgandra Reserve Playground Upgrade - Consultation Outcomes	62

6. Urgent Business

7. Meeting Closure

**CONFIRMATION OF MINUTES
FC/4.1/23.08**

Subject: Confirmation of Minutes - Finance, Operations and
Community Services Committee Meeting - 4 July 2023

TRIM No: SF23/17

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That the minutes of the Finance, Operations and Community Services Committee meeting held on 4 July 2023 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 committee meetings must be confirmed at a subsequent meeting of the committee, in accordance with clause 20.23 of the Code of Meeting Practice.

Attachments

1. Finance, Operations and Community Services Committee Meeting Minutes - 4 July 2023 .



**MINUTES OF THE FINANCE, OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 4 JULY 2023**

Present:

Councillor Dominic Wy Kanak (Chair)	Bondi Ward
Councillor Paula Masselos (Mayor)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson Ward
Councillor Sally Betts	Hunter Ward
Councillor Ludovico Fabiano	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Michelle Gray	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Steven Lewis	Hunter Ward
Councillor Tim Murray	Waverley Ward
Councillor Will Nemes	Hunter Ward

Staff in attendance:

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

At the commencement of proceedings at 7.00 pm, those present were as listed above, with the exception of Cr Nemes who arrived at 7.12 pm during item FC/5.3/23.07.

Crs Burrill, Goltsman, Keenan and Nemes attended the meeting by audio-visual link.

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 Chair 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

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

- 2.1 Cr Goltsman declared a less than significant non-pecuniary interest in item FC/5.2/23.07 – Petition – Hastings Parade, North Bondi – Driveway Parking and informed the meeting that he used to live on Hastings Parade and may know some of the petitioners.

3. Addresses by Members of the Public

There were no addresses by members of the public.

4. Confirmation of Minutes

**FC/4.1/23.07 Confirmation of Minutes - Finance, Operations and Community Services
Committee Meeting - 6 June 2023 (SF23/17)**

MOTION / UNANIMOUS DECISION

Mover: Cr Wy Kanak
Seconder: Cr Murray

That the minutes of the Finance, Operations and Community Services Committee meeting held on 6 June 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

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

5. Reports**FC/5.1/23.07 Petition - 56-58 Lamrock Avenue, Bondi Beach - Driveway Parking (A14/0127)****MOTION / UNANIMOUS DECISION**

Mover: Cr Gray
Seconder: Cr Goltsman

That Council:

1. Refers the petition to remove the 'No Parking' zone in front of 56–58 Lamrock Avenue, Bondi Beach, to the Executive Manager, Infrastructure Services, for consideration.
2. Officers assess the request in line with Council's Parking Enforcement Protocol and advise the chief petitioner of the outcome, noting that parking across or within driveway hardstands within the public domain is subject to the NSW Road Rules.

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

FC/5.2/23.07 Petition - Hastings Parade, North Bondi - Driveway Parking (A14/0127)

Cr Goltsman declared a less than significant non-pecuniary interest in this item and informed the meeting that he used to live on Hastings Parade and may know some of the petitioners.

MOTION / UNANIMOUS DECISION

Mover: Cr Gray
Seconder: Cr Lewis

That Council considers the petition requesting a reconsideration of parking enforcement rules in Hastings Parade, North Bondi, as part of a review of the 2006 Parking Enforcement Protocol scheduled for completion by February 2024.

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

FC/5.3/23.07 Arts, Culture and Creativity Advisory Committee - Establishment (A23/0237)**MOTION**

Mover: Cr Masselos
Seconder: Cr Keenan

That Council:

1. Disestablishes the Arts and Culture Advisory Committee and the Public Art Committee at the end of September 2023.
2. Establishes an Arts, Culture and Creativity Advisory Committee, to commence in October 2023.
3. Adopts the Terms of Reference for the Arts, Culture and Creativity Advisory Committee attached to the report.
4. Calls for expressions of interest for members of the Committee, noting that the Chair and Councillor members will be appointed at the Council meeting in September 2023.

5. Acknowledges the rich and productive history of the Public Art Committee, and thanks all past members for their contribution to public art in Waverley during the Committee's operation.
6. Acknowledges the contribution of the inaugural Arts and Culture Advisory Committee, and thanks all members for their contribution to arts and culture in Waverley.
7. Notes that officers are reviewing the terms of reference for all advisory committees.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSE 3 SUCH THAT IT NOW READS AS FOLLOWS:

'Adopts the Terms of Reference for the Arts, Culture and Creativity Advisory Committee attached to the report, subject to the following amendments:

- (a) Page 24 of the agenda, "Meetings", third paragraph – Amend to read as follows: "An annual schedule of committee meetings will be determined at the start of each calendar year for distribution to committee members and all Councillors."
- (b) Page 24 of the agenda, "Meetings", fourth paragraph – Amend to read as follows: "Agendas, papers and meeting details, including date, time and location, will be provided at least one week before the meeting to committee members and all Councillors."
- (c) Page 24 of the agenda, "Meetings", eighth paragraph – Amend to read as follows: "Minutes of all committee meetings are public documents, which are published online once noted by Council."

AMENDMENT

Mover: Cr Kay
Seconder: Cr Burrill

That the following clause 3(d) be added to the motion.

'Page 24 of the agenda, "Meetings" – Add the following paragraph at the end of the section: "Meetings may be held in person, online or in a hybrid format."

THE AMENDMENT WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

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

UNANIMOUS DECISION

That Council:

1. Disestablishes the Arts and Culture Advisory Committee and the Public Art Committee at the end of September 2023.
2. Establishes an Arts, Culture and Creativity Advisory Committee, to commence in October 2023.
3. Adopts the Terms of Reference for the Arts, Culture and Creativity Advisory Committee attached to the report, subject to the following amendments:
 - (a) Page 24 of the agenda, 'Meetings', third paragraph – Amend to read as follows: 'An annual schedule of committee meetings will be determined at the start of each calendar year for distribution to committee members and all Councillors.'
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papers and meeting details, including date, time and location, will be provided at least one week before the meeting to committee members and all Councillors.'

- (c) Page 24 of the agenda, 'Meetings', eighth paragraph – Amend to read as follows: 'Minutes of all committee meetings are public documents, which are published online once noted by Council.'
 - (d) Page 24 of the agenda, 'Meetings' – Add the following paragraph at the end of the section: 'Meetings may be held in person, online or in a hybrid format.'
4. Calls for expressions of interest for members of the Committee, noting that the Chair and Councillor members will be appointed at the Council meeting in September 2023.
 5. Acknowledges the rich and productive history of the Public Art Committee, and thanks all past members for their contribution to public art in Waverley during the Committee's operation.
 6. Acknowledges the contribution of the inaugural Arts and Culture Advisory Committee, and thanks all members for their contribution to arts and culture in Waverley.
 7. Notes that officers are reviewing the terms of reference for all advisory committees.

FC/5.4/23.07 Social Media Policy and Media Policy - Exhibition (A23/0196)

MOTION

Mover: Cr Lewis
Seconder: Cr Fabiano

That Council

1. Publicly exhibits the draft Social Media Policy and Media Policy attached to the report for 28 days.
2. Officers prepare a report to Council following the exhibition period.

AMENDMENT

Mover: Cr Goltsman
Seconder: Cr Kay

That clause 1 be amended to read as follows:

'Publicly exhibits the draft Social Media Policy and Media Policy attached to the report for 28 days, subject to the following amendment to the Media Policy:

- (a) Page 42 of the agenda, clause 4.2, "Councillors and the media" – Delete the last sentence, which reads as follows: "Councillors should not provide any Council materials (including but not limited to emails, documents and reports) to media without the approval from the Manager, Communications and Engagement or the Senior Media Advisor unless it is already published by Council and in the public domain."

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Betts, Burrill, Goltsman, Kay and Nemesh.

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

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council

1. Publicly exhibits the draft Social Media Policy and Media Policy attached to the report for 28 days.
2. Officers prepare a report to Council following the exhibition period.

Division

For the Motion Crs Fabiano, Gray, Goltsman, Keenan, Lewis, Masselos, Murray and Wy Kanak.

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

FC/5.5/23.07 Lifeguard Drone Shark Patrol Program (A22/0341)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Murray

That Council notes that drones will be introduced into the Lifeguard Service to respond to general water safety scenarios, rather than solely be used proactively to detect shark activity.

FC/5.6/23.07 Tamarama Fitness Station - Mitigation of Amenity Impacts (A17/0353)

MOTION / DECISION

Mover: Cr Murray

Seconder: Cr Fabiano

That Council:

1. Treats Attachment 1 of the 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)(b) of the *Local Government Act 1993*. The attachment contains discussion in relation to the personal hardship of a resident or ratepayer.
2. Notes that three separate consultations have supported the fitness stations at Tamarama Park, being the design as consulted in 2017, consultation on the draft Tamarama Park Plan of Management in 2022 and recent direct consultation with adjoining residents of Gaerloch Avenue.
3. Notes the requirements of the *Crown Land Management Act 2016* for access and egress over Crown land from adjoining properties.
4. Following the completion of the Tamarama Surf Life Saving Club Building Upgrade:
 - (a) Re-establishes and maintains appropriate screen planting to provide a low planted buffer below 1.5 metres.
 - (b) Replaces the current equipment with a low-rise alternative, either by swapping it out with equipment from one of the other fitness stations or procuring new equipment.
 - (c) Investigates installing signage limiting amplified music and the public considering their noise

on neighbouring properties.

FC/5.7/23.07 Bondi Beach Mobile Vendor Licences - Post-Exhibition (SF22/4119)

MOTION / UNANIMOUS DECISION

Mover: Cr Gray
Seconder: Cr Masselos

That Council:

1. Approves in principle the granting of four licences of up to five years to mobile vendors at Bondi Beach for the provision of beach-related services.
2. Notes that a tender process will be undertaken to seek licensees, with a report to be prepared to Council to grant the licences to the preferred tenderers.

6. Urgent Business

There was no urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 8.23 PM.

.....
SIGNED AND CONFIRMED
CHAIR
1 AUGUST 2023

REPORT
FC/5.1/23.08

Subject: Reconciliation Action Plan Advisory Committee Meeting - 9 March 2023 - Minutes

TRIM No: A14/0173

Manager: Annette Trubenbach, Acting Director, Community, Culture and Customer Experience

Director: Annette Trubenbach, Acting Director, Community, Culture and Customer Experience

RECOMMENDATION:

That Council notes the minutes of the Reconciliation Action Plan Advisory Committee meeting held on 9 March 2023 attached to the report.

1. Executive Summary

This report provides information about Council's Reconciliation Action Plan (RAP) Advisory Committee meeting held on 9 March 2023. The minutes of the meeting are attached to this report.

2. Introduction/Background

The RAP Advisory Committee was established to support implementation of Council's Innovate Reconciliation Action Plan. The objective of the Committee is to provide cultural advice, guidance, feedback and support around implementation and monitoring of actions, projects and commitments identified in the RAP.

The key focus areas for the March meeting were the Voice to Parliament Community Education Strategy, Aboriginal public art and planning for a new Reconciliation Action Plan.

3. Relevant Council Resolutions

Nil.

4. Discussion

Council has recently endorsed new members and an increase in committee numbers. The new committee met on 22 June 2023, when the minutes from 9 March 2023 were approved. The minutes of the June meeting will follow the new administrative process for advisory committee minutes and will be reported to Council and made available on the website in a timely manner.

5. Financial impact statement/Time frame/Consultation

Operations of the RAP committee are covered in Council's operational budget. Upon noting, the minutes will be placed on Council's website.

6. Conclusion

This report provides information about the RAP Advisory Committee meeting held on 9 March 2023.

7. Attachments

1. RAP Advisory Committee - Minutes - 9 March 2023 [↓](#) .

Reconciliation Action Plan Advisory Committee Meeting Minutes



Thursday 9 March 2023

6pm-8pm

Queens Park Room – Council Chambers

1. Welcome and Acknowledgement of Country

Councillor WY Kanak acknowledged country.

Present

Councillors	
Clr Dominic WY Kanak	Councillor (Chair)
Clr Ludovico Fabiano	Councillor
Council Officers	
Emily Scott	General Manager
Annette Trubenbach	EM, Community Programs
Rebecca Rodwell	Manager, Community Planning & Partnerships
Matilda Brown	Aboriginal and Torres Strait Islander Community Development Officer
Elizabeth Reidy	Curator and Visual Arts Coordinator
Community Member/Organisations	
Michael Mahoney	Resident
Walangari Karntawarra	Resident
Damien Barnes	Resident
Gene Ross	Resident
Dr Sarah Jane Moore	Resident

2. Apologies

Clr Paula Masselos (Mayor of Waverley), Clr Leon Goltsman, Clr Tony Kay, Clr Angela Burrill, Clr Will Nemes, Sharon Cassidy, Ben Thompson



3. Welcome to new member and introduction

The committee welcomed Damien Barnes to the group. Damien is a Murri man from Central QLD and has lived in Sydney for many years. He is an engineer and lawyer, and he has been involved in setting up Indigenous businesses, on boards and advisory committees.

The remaining committee members briefly introduced themselves.

4. Acceptance of previous minutes (via email) and matters arising

Minutes 30 March 2022

Moved – Michael Mahoney **Seconded** – Walangari Karntawarra **Carried**

Minutes 19 October 2022

Moved – Dr Sarah Jane Moore **Seconded** – Gene Ross **Carried**

Minutes 28 Nov 2022

Moved – Gene Ross **Seconded** – Dr Sarah Jane Moore **Carried**

5. Aboriginal Public Art

Elizabeth Reidy, Curator and Visual Arts Coordinator presented about the process to date of the Aboriginal Public Art which is being commissioned for the Bondi Pavilion (presentation attached).

Feedback from the committee included;

- Documentation of the creation/process of the Pav artwork is really important
- Artwork story should also be heard in language utilising a QR code
- Story behind the artwork can be explored through different mediums, song, dance, book etc

Liz also let the committee know that all artists had been paid for their proposals.

6. Reconciliation Action Plan

As there is a lot happening with the Voice to Parliament education campaign, the committee will address the RAP process at the next meeting in June. However, the committee would like the following considered;

- An Aboriginal led workshop to address what the Aboriginal community would like to see in the new RAP
- Upskilling or training around the process of creating a RAP, and processes with council
- Sub committee of First Nations only members

7. Voice to Parliament – Community Education

Council held a community breakfast on the 25th of Feb with Eddie Synot, Clr Paula Masselos, Mayor of Waverley, Allegra Spender MP and Senator Tim Ayres spoke at the event. Council worked with the Uluru Dialogue and From the Heart Organisation to host the event.

A page on Council's website has been created to provide information, resources and links to events which will be talking place as part of the Waverley Community Education Campaign.



https://www.waverley.nsw.gov.au/community/cultural_diversity/aboriginal_and_torres_strait_islander_people/uluru_statement_from_the_heart

Council will be organising a community forum in mid May with a panel of speakers, and a series of Walking Together Workshops at the end of May/early June.

Committee members will be sent information and resources for sharing.

8. Event Planning and Review

The committee members provided positive feedback about the January 26 dawn reflection including;

- Feeling healed
- Felt spiritual
- Great effort by Council – thank you
- Culturally reclaiming the beach
- Never expected to witness the silence and respect
- Brought energy

For next year, hope to get more Aboriginal people in attendance and to offer a BBQ following the reflection.

9. Other Items

- Chapel by the Sea Mural – for discussion at the next meeting
- The committee would like to set up a Whatsapp group with members
- The original committee term is up in June, therefore Council will be actively recruiting for a new term. Council to consider increasing the number of members.

10. Meetings in 2023

Thursday June 22, 2023

Wednesday September 6, 2023

Thursday November 30, 2023

**REPORT
FC/5.2/23.08**

Subject: Alcohol Free Zones and Alcohol Prohibited Areas

TRIM No: A03/0099

Manager: Sunil Kushor, Executive Manager, Compliance

Director: Fletcher Rayner, Director, Planning, Sustainability and Compliance

RECOMMENDATION:

That Council:

1. Re-establishes Alcohol Free Zones for a four-year period from 1 November 2023 at the following locations, as shown in Attachment 1 of the report, excluding areas that are defined as 'Exempt Premises' under the *Liquor Act 2007*:
 - (a) Bondi Beach.
 - (b) Bondi Junction.
2. Redeclares Alcohol Prohibited Areas at the following locations, as shown in Attachment 1 of the report:
 - (a) Bondi Beach, Biddigal Reserve, Ray O'Keefe Reserve, Bondi Reserve and Hunter Park.
 - (b) Bondi Park, between 8 pm and 8 am, seven days a week.
 - (c) Bronte Beach, Tamarama Beach and Tamarama Park.
 - (d) Clementson Park and Eora Park, Bondi Junction.

1. Executive Summary

Council has a number of Alcohol Free Zones (AFZ) and Alcohol Prohibited Areas (APA). Although APAs do not expire (once established, they remain in effect), it is recommended that Council re-declares its existing APAs. AFZs have a limit of four years, and therefore Council must re-establish its existing zones.

2. Introduction/Background

Alcohol Free Zones (AFZs) and Alcohol Prohibited Areas (APAs) may be used by councils to prohibit alcohol consumption in public places to reduce anti-social behaviour, prevent crime and create safe spaces for all members of public. AFZs apply to roads and road-related areas such as footpaths and car parks and are created by Council under section 644B of the *Local Government Act 1993*. APAs apply to parks and reserves, and are created by Council under section 632A(4) of the *Local Government Act*.

At its meeting on 10 October 2019, Council resolved to continue to enforce AFZs in and around Bondi Beach and Bondi Junction. Council also resolved to continue to enforce APAs in the following locations:

Tamarama, Bondi and Bronte beaches as well as Bondi Park, Bronte Park, Biddigal Reserve, Tamarama Park, Ray O'Keefe Reserve, Bondi Reserve, Hunter Park and Clementson Park and Eora Park in Bondi Junction.

AFZs and APAs are created by Council and the responsibility for enforcement remains predominantly with Council. While it is the Council's responsibility, local police will work closely with Council to deter the consumption of alcohol in alcohol-free and prohibited areas. Police welcome Council involvement and encourage staff to engage safely and appropriately with those consuming alcohol.

These joint operations have been working effectively over the past four years, and so Council and the local Police propose to re-establish and redeclare the existing zones and areas.

3. Relevant Council Resolutions

Meeting and Date	Minute No.	Decision
Council 10 December 2019	CM/8.1/19.12	That Council receives a report at the March 2020 Council meeting detailing: <ol style="list-style-type: none"> Council's resourcing and responses to anti-social behaviour and alcohol-related issues within Council's AFZs and Alcohol Prohibited Areas, including incidents of anti-social behaviour in and within the vicinity of licenced premises in Council's AFZs and Alcohol Prohibited Areas. Any recommendations for improvements in Council's responses or other actions, including organising regular family-friendly activities such as bouncing castles, a mobile library and surf demonstrations in Biddigal Reserve and Tamarama Park, subject to budget availability.
Council 19 November 2019	CM/8.3/19.11	That debate on this matter be adjourned to the December Council meeting to enable Council to receive further information.
Council 10 October 2019	CM/7.6/19.10	That Council: <ol style="list-style-type: none"> Re-establishes an Alcohol Free Zone for a four-year period from 1 November 2019 within the Bondi Beach area as indicated in the map attached to this report (Attachment 1), but excluding areas that are defined as 'Exempt Premises' in accordance with the <i>Liquor Act 1982</i>. Re-establishes an Alcohol Free Zone for a four-year period from 1 November 2019 within the Bondi Junction area as indicated in map attached to this report (Attachment 2), but excluding areas that are defined as 'Exempt Premises' in accordance with the <i>Liquor Act 1982</i>. Authorises the Director, Planning, Environment and Regulatory, to complete the necessary post re-establishment statutory notification in accordance with

		<p>the <i>Local Government Act 1993</i>.</p> <ol style="list-style-type: none"> 4. Notes the response from the Eastern Suburbs Police Area Command dated 1 October 2019 attached to this report. 5. Formally consults the Police Area Commander or Police District Commander to ensure compliance with section 632A(8) of the <i>Local Government Act 1993</i> to enable an Alcohol Prohibited trial period at Bronte Park and Bondi Park from 1 December 2019 to 30 March 2020 (inclusive) between 7 pm and 12 noon, seven days a week. 6. Notes that Alcohol Prohibited Areas are in place at Bondi Beach, Bondi Park, Biddigal Reserve, Ray O’Keefe Reserve, Bondi Reserve, Hunter Park, Bronte Beach, Bronte Park, Tamarama Beach, Tamarama Park, and Clementson Park and Eora Park in Bondi Junction. 7. Increases Ranger patrols during the proposed trial period at Bronte Park and Bondi Park to monitor and help assess the trial, should it be endorsed at the November 2019 Council Meeting. 8. Consults the Bondi, Bronte, and North Bondi Surf Clubs and the Bondi Beach, Bronte and Bronte Beach precincts for their input on this matter. 9. Consults all remaining precincts within the Waverley local government area and the Bondi Chamber of Commerce for their input on this matter.
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4. Discussion

Refer to the Councillor briefing notes attached to this report (Attachment 2) for an overview of AFZs and APAs.

Consultation

NSW Government’s Planning and Environment Department has provided guidelines to Councils for establishing AFZs and (APAs). This includes guidance on consultation. Council has established AFZs and APAs. Officers recommend that the current zones and areas continue for the next four years. Consultation for establishing the current AFZ and APAs has occurred when they were initially established by resolution. Council must consult with the organisations listed below when establishing AFZ and APAs.

- Local Police – Consultation occurred when the AFZs and APAs were initially established and again as part of renewing the zones and areas. NSW Police and Council are parties to a Standard Operating Procedure to enforce the AFZs and APAs in the local government area.
- NSW Land and Housing Corporation (if the APA is to be on open space on public housing land, which can only occur when it is adjacent to another APA or AFZ) – Not applicable to current zones.

- NSW Anti-Discrimination Board if a council is one of 16 councils listed in Appendix 2 of the Ministerial Guidelines on AFZs. These councils must additionally follow all other AFZ consultation requirements – Not applicable. Council is not listed in Appendix 2 of the Ministerial Guidelines.

Current guidance

Rangers will ensure no alcohol is consumed in AFZs or APAs as part of regular or specific patrols. Where there are instances of alcohol consumption in these areas, rangers will be polite and respectful in their approach. Rangers will start by making people aware of the rules for the location and then highlight the consequences for non-compliance. This will give people the opportunity to correct their behaviour by removing or disposing of the alcohol themselves. Rangers should advise people that the area is regularly patrolled by Police and further enforcement action may be taken as a result of non-compliance.

Roles and responsibilities

Council

Council will be responsible for monitoring and patrolling AFZs and APAs. The *Local Government Amendment (Confiscation of Alcohol) Act 2010* provides the power to authorised council enforcement officers to tip out alcohol in the possession of a person who is in an area where alcohol consumption is prohibited by a notice under section 632 (for existing APAs) of the *Local Government Act* and section 632A (for newly established APAs).

Police

Local Police will be responsible for supporting Rangers where situations have escalated or where threats to rangers have been issued. Rangers and police will meet periodically to communicate various issues and to review and confirm the cooperative and coordinated approach.

An APA cannot be established without the approval of the Local Area Commander of Police for the area in which the proposed APA is situated. Councils must seek and obtain this approval prior to establishing a new APA. This process will allow the Local Area Commander to consult with the relevant Community Safety Precinct Committee or similar body to help ensure that the decision to declare an area as alcohol-prohibited is done transparently and in consideration of the community's wishes.

Council's Executive Manager, Compliance, has consulted the Local Area Commander of Police who raises no concerns regarding the re-establishment of the APAs and AFZs.

Signage

Current signage will need to be updated to change the enforcement dates on the AFZ and APA signs. In addition, we are proposing additional changes to the look and feel of the signs as shown in Attachment 1. This will ensure the better visibility of signage, thereby ensuring increased compliance with the policy. The renewed signage needs to include section 632A of the *Local Government Act 1993*.

5. Financial impact statement/Time frame/Consultation

No additional funding is required to extend the existing AFZs and APAs, as maintenance of signs is budgeted.

In addition to updating signage, officers will notify stakeholders and the public of the zones and areas, as required by the *Local Government Act* and Ministerial Guidelines.

6. Conclusion

There has been a need historically to have APAs and AFZs at the identified locations to deter anti-social behaviour. The APAs and AFZs provide Rangers and the Police with a means of deterring behaviour that may be or become risky, unsafe and noisy or which may otherwise impact the amenity of beach/park users or residents. It is recommended that Council re-establishes and redeclares its existing AFZs and APAs.

7. Attachments

1. Maps and signage - AFZs and APAs [↓](#)
2. Councillor briefing notes [↓](#) .

REPORT
FC/5.3/23.08

Subject: Bronte Surf Life Saving Club and Community Facilities Upgrade - Project Update

TRIM No: A20/0329

Manager: Robert Sabato, Executive Manager, Major Projects

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council:

1. Treats the attachment to the 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 attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Notes that, under section 55(3)(m) of the *Local Government Act 1993*, Council is not required to invite tenders before entering into a contract if it has entered into a public-private partnership.
3. Authorises the General Manager or delegate to negotiate directly with Warren and Mahoney for head consultant design and documentation services for the Bronte Surf Lifesaving Club and Community Facilities Upgrade.

1. Executive Summary

This report seeks Council's approval to enter negotiations with Warren and Mahoney for new head consultant design and documentation services for the Bronte Surf Life Saving Club (SLSC) and Community Facilities Upgrade project.

The existing lifeguard and lifesaving facility at Bronte Beach is at the end of its useful life. A development application (DA) for a replacement building was submitted in September 2022. In response to feedback from the planning authority and the complexity of the site, the design team was expanded to include top-tier architectural firm Warren and Mahoney to respond to planning authority issues. Warren and Mahoney are currently completing amended DA documentation for submission by the 31 July 2023 deadline. A single select quotation submission was sought from Warren and Mahoney to complete the design and documentation for the project.

2. Introduction/Background

The Bronte Surf Life Saving 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 undertaken by consultant Asset Technology Pacific in 2016-17 and further structural investigations by Ducros Design in 2018 indicated serious deterioration of some major building elements. Temporary repairs were undertaken to extend the building life. Demolition and rebuild was recommended.

In December 2018, in line with its Probitry Guidelines for Capital Project Partnerships, Council endorsed a Heads of Agreement (HOA) between Council and the Club for the development of a new surf club and associated community facilities and the public-private partnership was approved by the Office of Local Government. The HOA was executed by both parties in December 2018. In June 2021, Council approved an update to the HOA.

Following consultation on the concept design developed in 2020, Council resolved for the General Manager to direct the public-private partnership Project Control Group (PCG) to commence a design review process based on design review principles developed from the public participation process with a report back to Council with two proposals that respond to issues raised through the community consultation process.

In early 2022, Council and the Club agreed to pause the public private partnership process as agreement could not be reached on an agreed design to move forward with. The Club worked with architects to develop an alternative concept design and undertook stakeholder and community consultation on this design. In May 2022, Council considered the alternative concept design and the outcomes of this consultation and resolved to progress to a DA. The design was progressed to the detail required for a development application. In September 2022, Council approved lodging the DA, which was subsequently submitted.

Following review by the planning authority and the Waverley Design Excellence Advisory Panel (DEAP), a deferral letter was issued to the architect in February 2023 requesting additional information. In response, design amendments were proposed and discussed at the Sydney Eastern City Planning Panel on 30 March 2023 and the Waverley DEAP on 12 April 2023. Council and the Club considered the comments received and the best way forward. The key issues they required further consideration and/or documentation of included:

- Designing with Country and minimising excavation.
- Providing contextual analysis and achieving design excellence.
- Management of coastal inundation.
- Addressing building accessibility.

To respond to planning authority feedback, the design team was expanded to include top-tier architectural firm, Warren and Mahoney, and their team of technical experts. Warren and Mahoney undertook a detailed contextual analysis to inform an amended building design, which they presented to DEAP 14 June 2023. Councillors and the Club board were also briefed, and positive feedback was received from key community stakeholders. Warren and Mahoney then worked in close consultation with Council and Club representatives to develop a preliminary amended building design which received positive feedback from DEAP on 12 July 2023. This briefing information was shared with Councillors and the Club.

The planning authority's request for a Designing with Country Plan inspired Warren and Mahoney to collaborate with First Nations architect Jefa Greenaway, and associated consultants, to embed a deep understanding of place and to help facilitate embedding of Aboriginal and Torres Strait Islander knowledge and culture into the project. Input is also being sought from Council's Reconciliation Action Plan Committee and La Perouse Local Aboriginal Land Council (LALC).

Given the site constraints—underground stormwater culvert to the south and east; heritage pump house to the west; beach promenade and seawall to the east—the current design proposes excavation into the hillside to create functional floorspace and integrate the building into the landscape. The excavation has

been minimised and excavation limited to already altered land behind the pumphouse. This enables the design to celebrate and utilise the existing sandstone cliff face within the building. The Bronte Park and Beach Plan of Management (POM) allows for a building within a set envelope or an alternative design option. This excavation area is beyond the POM envelope and therefore triggers the POM alternative design clause. The expectations for an alternative design are expressed in the planning authority's deferral letter and DEAP minutes as the need for 'world-class' architecture that sets a 'new benchmark for coastal architecture'. Alternative designs are required to demonstrate justification and no additional adverse impacts relating to heritage, views, visual bulk, access, overshadowing, and the public domain. These issues have been addressed by Warren and Mahoney in the detailed contextual analysis that provides justification for the placement of the building within the park and the services within the building.

The site is located within a coastal inundation zone and is identified to be within a Medium Risk Zone for stormwater flooding. The planning authority requested more detailed technical assessment of coastal inundation risk including coastal hazards and protection, construction materials, and mitigation measures having regard to the State Environmental Planning Policy (Resilience and Hazards) 2021. A coastal engineer's report has been prepared on the amended design to address these issues.

Improvements to building accessibility have also been investigated and addressed by Warren and Mahoney, with consideration of Council plans to improve park accessibility.

Based on the feedback received from the planning authority, technical experts and consultation, Warren and Mahoney are currently completing amended DA documentation to submit in accordance with the July 2023 planning authority deadline.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 20 September 2022	CM/7.9/22.09	That Council approves the design for the Bronte Surf Club and Community Facilities Building included in the Councillor briefing presentation attached to the report and proceeds to lodge a development application.
Council 17 May 2022	CM/7.11/22.05	That Council: <ol style="list-style-type: none"> 1. Notes that the Public Private Partnership design process for the Bronte Surf Club and Community Facilities Building Upgrade has been paused with Bronte Surf Life Saving Club in line with the processes detailed in the Probity Guidelines for Capital Project Partnerships, as agreement could not be reached on an agreed design. 2. Notes the process the Public Private Partnership Project Control Group and Project Executive Group have followed to terminate the contract with the previous architect and progress to updating the Heads of Agreement. 3. Notes that Bronte Surf Life Saving Club has worked with architects to develop an alternative concept design that meets the Club's needs and responds to community feedback. 4. Notes the outcomes of the stakeholder and community consultation undertaken by Bronte Surf Life Saving Club

		<p>and detailed in the Engagement Report attached to the report (Attachment 3).</p> <ol style="list-style-type: none"> 5. Notes that the Project Control Group will work to resolve issues raised through community consultation in the detailed design phase of the project. 6. Notes that Council officers will continue to investigate step-free access from the northern section of Bronte Park as a priority action from the Bronte Park Plan of Management. 7. Notes that Council's additional contribution in option 4 is up to \$2.9 million. 8. Endorses the concept design (Option 4) prepared by Bronte Surf Life Saving Club attached to the report (Attachments 1 and 2) and proceeds to lodge a development application. 9. Authorises the General Manager negotiate an updated Heads of Agreement between Council and the Club, with the agreement (including revised funding proposal) to be reported to Council for endorsement prior to execution. 10. Notes that, under section 55(3)(m) of the <i>Local Government Act 1993</i>, Council is not required to invite tenders before entering into a contract if it has entered into a Public Private Partnership. 11. Authorises the General Manager to negotiate directly with Philip Leamon and Associates for head consultant services for the design documentation for the Bronte Surf Club and Community Facilities Building Upgrade. 12. Notes that any contract resulting from the direct negotiations will be between Council and Bronte Surf Club and jointly, and Philip Leamon and Associates. 13. Notes that the design prepared for development application (DA) will be presented at a Councillor briefing followed by a report to Council prior to DA lodgement planned for September 2022.
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4. Discussion

To enable progression of the amended design for the Bronte SLSC and Community Facilities Upgrade, a single select quotation submission for head consultant design and documentation was sought from Warren and Mahoney for the design development, tender and construction documentation phase, and the construction quality control phase. This reasons for single select quotation are outlined in the table below.

Table 1. Reasons for procurement method.

Reason	Detail
Permissible under public-private partnership	Under section 55(3)(m) of the <i>Local Government Act 1993</i> , Council is not required to invite tenders before entering into a contract if it has entered into a public-private partnership.
Constrained timeline	Commencement demolition and construction of temporary facilities required by early 2024 in order to retain \$2 million federal grant funding.
Relevant experience	Obtained positive feedback from planning authority, Council, Bronte SLSC Club and key community stakeholders on contextual analysis and amended design. Currently completing amended DA documentation on this project. Experienced in delivery of Mona Vale SLSC that experiences similar coastal inundation risks, planning authority negotiations and participation in community engagement.

A Quotation Evaluation Panel was established to evaluate the submitted quotation. The Panel consisted of:

- Rob Sabato, Executive Manager, Major Projects.
- Basil Scaffidi, President, Bronte SLSC.
- Kimberly Johns, General Manager, Bronte SLSC.

The procurement process was witnessed by Council's Senior Project Manager, Major Projects, Genevieve Wilson.

The quotation submission was assessed by the quotation assessment panel on 17 July 2023. A record of the assessment is attached (confidential).

Warren and Mahoney have demonstrated experience delivering design excellence and addressing complicated sites. They have relevant experience in delivery of Mona Vale SLSC, which experiences similar coastal inundation constraints to Bronte. They are partnering with Greenaway and Greenshoot to ensure Designing with Country is integrated into the design and have developed a solution that minimises excavation. They have been working with their landscape architect to address building accessibility and their coastal engineer to manage inundation. Their methodology is reasonable. However, negotiation is required to address proposed contract departures. Their price was benchmarked against previous tenders and is considered reasonable. In the opinion of the assessment panel, Warren and Mahoney and their team meet the requirements to deliver design and documentation for the Bronte SLSC and Community Facilities Upgrade project.

The quotation evaluation panel recommends that Council negotiates with Warren and Mahoney with a view to entering into a contract for the head consult design and documentation services.

5. Financial impact statement/Time frame/Consultation

An updated Heads of Agreement was reported to Council in July 2022. The HOA outlined the following anticipated funding contributions based on a quantity surveyor cost estimate.

Table 2. Costs and funding.

Cost estimate	\$13,640,091
Current funding	
Bronte SLSC	\$2,030,000
Federal Government	\$2,000,000
Council	\$4,625,000
Shortfall	\$4,985,091
Project grant/Club low-interest loan	\$2,000,000
Council additional contributions (up to)	\$2,985,091

An updated quantity surveyor cost estimate will be sought based on amended DA documentation. Opportunities for additional grant funding and Club sponsorship will be investigated noting that it is anticipated that these will only be available once DA approval has been received.

It is estimated that the amended timeline will be as follows:

Milestone	Estimate delivery date
Submission of amended DA documentation	31 July 2023
Council report	August 2023
Negotiations and contract execution	August 2023
DA re-notification	August 2023
DA determination	January 2024
Construction certificate	Early 2024

The PCG is reviewing options to determine the best approach for tendering for delivery of temporary facilities, demolition and construction. Temporary facilities and demolition works are programmed to be commenced early 2024 to fulfil the federal grant requirements.

6. Conclusion

In response to planning authority feedback and the complexities of the site, Council endorsement is sought to negotiate with Warren and Mahoney for head consultant design and documentation for the Bronte SLSC and Community Facilities Upgrade.

7. Attachments

1. Quotation evaluation (confidential) .

REPORT
FC/5.4/23.08

Subject: Bourke Street Upgrade - Concept Designs

TRIM No: SF23/2843

Manager: Robert Sabato, Executive Manager, Major Projects

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council:

1. Publicly exhibits the concept designs attached to the report for the upgrade of Bourke Street, Queens Park, for 28 days.
2. Notes that:
 - (a) A community consultation report will be circulated to Councillors following the exhibition period, along with an update on the revised concept design where relevant.
 - (b) The Waverley Traffic Committee will review the traffic-related design elements, with its recommendations to be approved by Council.
 - (c) Officers will apply to Transport for NSW under its 'Get NSW Active' program for grant funding for the construction of the upgrade.

1. Executive Summary

The purpose of this report is to seek Council's approval to publicly exhibit attached concept design options for the upgrade of Bourke Street, Queens Park. It is recommended that the concept designs (two options), through a comprehensive consultation package, be publicly exhibited for 28 days.

2. Introduction/Background

As identified in the Waverley Bike Plan 2013, Bourke Street forms part of one of the six priority routes, specifically the Bondi Junction to UNSW/Randwick route via Queens Park.

At present, Bourke Street operates with bicycle infrastructure of shoulder lanes between parked cars and travel lanes. This arrangement presents safety concerns, particularly for cyclists travelling uphill where they are travelling at considerably lower speeds than cars, trucks, and buses. Separation of cyclists from the travel lane is preferred under these circumstances.

Further to recent bicycle and pedestrian infrastructure upgrades along Birrell Street and Queens Park Road, it is timely to consider upgrades to Bourke Street which forms a connection between these two streets. The proposed upgrades will improve the safety of pedestrian and cycling facilities in line with Council's People, Movement and Places Strategy and the Waverley Bike Plan 2013.

Transport for NSW's (TfNSW) next 'Get NSW Active' grant intake is expected to open from late September to early November 2023. Council officers have identified the proposed Bourke Street upgrades as a project suitable for submission to this grant program. TfNSW's considerations for successful funding application to this program include 'project readiness' such as completion of community consultation and endorsement from local Traffic Committee and Council at time of funding application. As outlined further in section 5 of this report, the proposed project timeline would seek to achieve such outcomes prior to the September/November 2023 grant intake.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 12 December 2017	CM/7.11/17.12	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopts 'Waverley's People, Movement and Places: a study of where we go and how we get there – Final Summary 2017' attached to this report. 2. Notes the documents have been amended to reflect Council's resolution on 21 November 2017 that the light rail is not supported as a public transport option for the Bondi Road Corridor. 3. Notes that the next stages are to develop business cases and feasibilities for the signature projects and implementation actions. 4. Places on Council's website the following final documents: (1) Final Summary, (2) Strategy Report by Bitzios, (3) Key Issues Paper by Bitzios, and (4) Feedback on Draft Report. 5. Notes that the Waverley Strategic Transport Working Group has been established between Council staff and relevant state government agencies (TfNSW, RMS and GSC) to progress projects which require partnership with state government.

4. Discussion

Concept design options

Two concept options have been prepared for the Bourke Street Upgrades and are documented in Attachments 1 and 2. The main differences between the two concepts can be summarised as follows:

- Option 1 – Inclusion of a new separated bike path along the western (uphill) side of Bourke Street between the kerb and parked cars. Refer to Attachment 1.
- Option 2 – Inclusion of a new bike lane along the western (uphill) side of Bourke Street between the travel lane and parked cars. Refer to Attachment 2.

Cycleway design

Whilst designing the bike lane along Bourke Street, the intention is to provide a clear separation between cyclists and vehicles where possible. This provides a safer arrangement as it minimises conflict with vehicles.

Both concept design options propose bicycles travelling on the eastern side (downhill) will be mixed with general traffic. This is appropriate as bicycles are able to travel at vehicle speeds downhill. However, this is not possible for the majority of bike riders when travelling uphill.

TfNSW's Cycleways Design Toolbox provides guidance for a minimum one-way bike path width of 1.5 metres and Austroads (part 6A, section 5.1.5) advises an absolute minimum width of 1.2 m.

In Option 1, the new separated bike path on the western (uphill) side will incorporate a 1.4 m wide bike path between the kerb and parked cars, with 0.3 m wide concrete separators installed adjacent to the parking lanes providing a buffer from parked vehicles.

In Option 2, the new bike lane on the western (uphill) side will incorporate a 1.7 m line marked separate bike lane between the parking lane and the travel lane, which includes a 0.3 m wide line marked buffer between the parking lane and the bike lane. However, the width of the bike lane will be reduced to 1.6 m for 30 m at the Bourke Street and Arnold Street.

Intersection treatments

The following intersection treatments are proposed in both concept design options, with some minor differences due to alignments on the western side of Bourke Street.

Bourke Street and Arnold Street

To improve pedestrian safety, kerb extensions are proposed at the intersection of Bourke Street and Arnold Street.

These kerb extensions will promote pedestrian safety by:

- Reducing the crossing length between kerb ramps.
- Improving the sight lines between motorists and pedestrians.
- Passively promoting slower vehicle speeds by restricting open travel lane space.

Bourke Street and Bourke Lane

To improve pedestrian safety, a continuous footpath treatment is proposed at the intersection of Bourke Street and Bourke Lane. Continuous footpath treatments promote pedestrian priority at intersections and are appropriate at intersections of streets with low vehicle flows. The above location has been strategically selected for this reason.

Bourke Street and Cuthbert Street

Upgrades to the existing pedestrian refuge islands on Bourke Street are proposed in order to achieve compliance to the latest pedestrian refuge guidelines. Minor accompanying kerb ramp and kerb alignment adjustments are proposed to ensure an improved intersection layout for pedestrian use.

Impact on parking

The proposed upgrades provide the opportunity to gain additional parking spaces within Bourke Street. The expected net gain in parking is approximately 11 car parking spaces in Option 1 and nine in Option 2. These gains are highlighted in green shading in Attachments 1 and 2.

Overall, this represents a positive outcome, as preserving parking spaces during the installation of bicycle infrastructure is not always feasible. However, in this instance, the community will benefit from both the new bicycle and pedestrian facilities, as well as additional parking spaces.

Bus stops

Bourke Street has a total of six bus stops, three in both the northbound and southbound directions. The following changes to the bus stops are proposed in the concept design options.

Option 1

Kerb extensions are proposed to be constructed for all three northbound bus stops, and the furthest south southbound bus stop. This essentially converts these bus stops to in-lane stops, with the kerb extension alignment matching that of the parking lane. A raised median/platform is provided for bus stop patrons with raised pedestrian crossings allowing safe and non-step access across the bike path from the median to the adjoining footpath.

Option 2

Three bus stop locations will be relocated. The two northern end bus stops on both western and eastern side of Bourke Street will be relocated by approximately 10 m, and the furthest south southbound bus stop by 12.6 m.

5. Financial impact statement/Time frame/Consultation

Time frame

Subject to Council's approval for the concept designs to be placed on public exhibition, community consultation will occur throughout August 2023 and conclude in late August/early September 2023.

Subject to community feedback, it is planned to finalise the preferred design option and submit the updated design to the September 2023 Waverley Traffic Committee (WTC).

Successful endorsement from the September 2023 WTC and approval at the October 2023 Council meeting would present a stronger case when officers apply for the abovementioned TfNSW's 'Get NSW Active' program grant funding. This program's application period is expected to be open between late September and early November 2023, with application outcomes being determined by early 2024.

Consultation

This consultation will run for 28 days and seek community feedback on the proposed improvements to Bourke Street. Several engagement methods will be implemented to enable community members to submit feedback in a way that is easy and convenient, including:

- Dedicated page on the Have Your Say website.
- Online survey.
- Social media.
- Letterbox drop to properties near the proposed project location.

- A Have Your Say Day will be held for community members to talk to Council officers face-to-face.

As discussed above, due to the constrained time frame of the grant application, officers propose to provide an email update to Councillors at the end of the consultation, including the consultation report, and, if relevant, a revised concept design. The consultation report will also be attached to the traffic report for the September 2023 WTC meeting with the subsequent WTC minutes, including the consultation report, later coming to the Council meeting in October 2023.

Financial impact

As discussed above, Officers intend to submit a grant funding application to the next intake of Transport for NSW's 'Get NSW Active' program from late September 2023 to early November 2023.

6. Conclusion

It is recommended that Council approves the Bourke Street Upgrade concept designs attached to the report for 28 days' public exhibition.

7. Attachments

1. Bourke Street - Concept Option 1 [↓](#)
2. Bourke Street - Concept Option 2 [↓](#) .

REPORT
FC/5.5/23.08

Subject: Gilgandra Reserve Playground Upgrade - Consultation Outcomes

TRIM No: A22/0498

Manager: Sam Samadian, Acting Executive Manager, Infrastructure Services

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council:

1. Approves the design for the Gilgandra Reserve Playground Upgrade attached to the report (Attachment 2) and proceeds to detailed design and construction.
2. Authorises the Director, Assets and Operations, to approve non-significant changes that may result during the detailed design, noting that any significant changes will require further Council approval.

1. Executive Summary

This report has been prepared to document findings of the Gilgandra Reserve Playground upgrade community consultation, which occurred from 8 May to 5 June 2023. An in-depth consultation summary report was completed at the end of the consultation period. See Attachment 1.

The report details the activities undertaken with the community during this period; provides a summary of outcomes of the consultation activities; recommends endorsement of the final design concept and sets out the next actions for the project.

2. Introduction/Background

Gilgandra Reserve in North Bondi is a pocket park with outdated play equipment and limited play experiences. The land is owned by Sydney Water with a lease agreement allowing Council to use, manage and maintain the reserve as a public reserve for public use. Sydney Water's consent is required for any upgrades on their land and Council officers are actively working with them on this project.

The Gilgandra Playground Upgrade project has been developed to improve the play experience within the reserve as identified in Council's Play Space Strategy (PSS), and to bring all play equipment and surfaces up to date with the latest Australian Standards for safety.

The PSS identifies Gilgandra Reserve as a 'medium term' priority, to be upgraded within 0–5 years after the adoption of the PSS in 2014. Considering the existing condition of the reserve and community expectations of quality play experience and good service standards, it is recommended to replace the existing playground.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 18 November 2014	CM/7.8/14.11	<p>That Council:</p> <ol style="list-style-type: none"> 1. Receives and notes this report. 2. Receives and notes the community consultation results from the exhibition period of the draft play Space Strategy, including Stephen Street Playground and Victoria Park Playground as part of the exhibition period for the draft Play Space (refer attachment 1). 3. Adopts the Play Space Strategy (refer Attachment 2, distributed separately) subject to the following changes on pages 37 through 53 inclusive, as appropriate: <ol style="list-style-type: none"> (a) Retain the Play Space at Raleigh Reserve for at least one year after the Play Space at Rodney Reserve has been upgraded to a district level and then gauge the need for it in Dover Heights. At that time it may be decided to remove or modify it. (b) Retain the Weonga Reserve and Dover Road play spaces. (c) Retain the Play Space at Niblick Reserve, and once the ownership of the site is clarified, determine to secure its long term status.

4. Discussion

Gilgandra Reserve Play Space – Strategic direction

The PSS proposes that the playground is to remain as a pocket park play space for use by the community within an 5-10 minute walk. The objectives and actions outlined in the PSS for Gilgandra Reserve include:

- Providing a range of play typologies including active, imaginative and creative play opportunities.
- Creating play spaces that are memorable and include distinctive ways to experience play.
- Inclusion of free, quiet and social play spaces.

The play experience proposed will be tailored to suit toddlers up to early school age in line with the PSS recommendations for a pocket park, with an increase in the diversity of play opportunities. The Gilgandra play space forms part of a network of closely located play spaces including Barracluff Park (a district level play space) and Niblick Street (pocket level play space) that provide a variety of experiences and cater for older children. In addition, Council has an ongoing commitment to universal access in all our parks and playgrounds. This upgrade will improve access into the play space to meet these requirements.

The concept design for the play space meets the above objectives by providing:

- A range of play experiences such as swinging, rocking, climbing, sliding and balancing, appealing to a range of ages and abilities.

- A range of equipment facilitating the following play types such as imaginative, active, quiet, social, and free and nature play.
- Support facilities such as seating, bubblers and bins.
- Improved access and wayfinding by provision of signs and a continuous path to and through the play space, with levels and surfaces upgraded to achieve universal access.
- Improved amenity to the reserve by increasing planting and using high quality materials and products with natural finishes.

Consultation methodology

Council officers conducted one round of community consultation for this project, held from 8 May–5 June 2023. This process allowed officers to gather feedback on the preliminary concept design and make design adjustments reflecting this feedback, ensuring the design meets the community's expectations.

Council officers pursued different avenues to inform and gain feedback on the proposed design, including a letterbox drop of flyers, direct emails to Precinct executive committees across all precincts, online via social media platforms, inclusion in the Waverley Weekly e-newsletter and physical signage at Gilgandra Reserve.

In facilitating feedback Council Officers held an in-person Have Your Say Day at the Park on 21 May 2023 attended by approximately 30 people. On this date, Council Officers provided assistance and direction on accessing the online Have Your Say webpage. Officers also had open discussions with community members, explained the concept rationale, and took notes for consideration. In addition, Council received submissions by email to the Open Space Planning Team, and online survey responses through Council's Have Your Say webpage.

The information provided to the community for comment included an analysis diagram of the existing conditions, an illustrative plan and section for the proposed upgrade works, supporting imagery of precedent planting and play opportunities, and options for the reserve's play inclusions and materiality. This information could have been viewed at the Have Your Say Day, online at the Have your Say webpage, or on site on physical signage. This information is appended to this report for reference. Refer to Attachment 2 for revised concept material addressing consultation feedback.

Consultation feedback

Community consultation was held from 5 May to 8 June 2023. The Have Your Say Day at the reserve was held on Sunday, 21 May 2023, from 8 am to 11 am. Council officers talked to approximately 30 people on the day.

The Have Your Say website received 352 visits, with 33 survey respondents and 25 project followers. Three written responses were made via email.

The survey aimed to gather information on how people used the reserve and what they would like to see improved or addressed. The survey also asked what aspects of the draft design were supported or opposed. Key findings from the first survey include:

- Most respondents visit the reserve daily (75%).
- Most respondents visit for a short period, of 30 minutes or less (72%).
- Most respondents access the reserve by walking (over 90%).
- The most common activity undertaken in the reserve was listed as playing (over 72%).
- Survey respondents were predominantly aged 31-40 (42%) or 41-50 (27%), visiting with children aged 3-5 (42%) and then aged 0-1 (39%).

The following aspects of the proposal gained the most support and are noted for inclusion in the detailed design of the playground and equipment choices:

- The overall upgrade of the existing play equipment to Australian Standards.
- Natural as the materiality preference (61%).
- Including an accessible path to the playground (81%).
- Swing preference was for double swing (61%).
- Inclusive play preference was for rocker (43%).
- Designing for an age range of <5 with majority of respondents visiting with children aged 3-5 (42%) and then aged 0-2 (39%).

Key issues

These key issues are outlined in the table below alongside their corresponding design outcomes and recommendations.

Table 1. Issues and recommendations.

Issue Raised	Design Outcome and Recommendation
A. Privacy	
A resident expressed concerned that the addition of park bench seating close to the western boundary would impact the privacy of their indoor and outdoor living spaces.	Possible solutions include consolidating the seating opportunities in the centre of the playground where the picnic seating table is currently proposed. This option was discussed with the concerned resident with no further issues raised and this change is reflected in the revised concept plan (Attachment 2).
B. Trees and solar access	
There were requests to remove existing trees, largely due to issues of solar access and viability of the turf as useable open space. The poor quality of the turf was noted as limiting informal group activities such as yoga and light exercise.	An arborist's report was prepared to inform the concept design for the reserve. The report recommends crown management (including branch removal) to over a third of the existing trees which offers the potential to improve solar access. The project will review and consider if targeted tree removals can be justified under Council's Tree Management Policy and will engage arborists to undertake canopy thinning where possible. Shade tolerant turf species can also be utilised in this location to improve amenity.
C. Play Equipment	
Respondents requested different inclusions for play equipment in the final upgrade design, including cycle tracks and active sports play.	Some of the larger and more dynamic activities are not suitable for this pocket park with limited budget and ongoing maintenance, and targeting older children would be potentially detrimental to residential amenity from noise. Some activities, such as basketball, are currently provided in proximity at Barracluff Park which also provides equipment for older children. Council will investigate options for a cubby house style space to be included in the multiuse play tower.
D. General Park Provisions	
Respondents included general requests for provisions in the park including increased fencing, use of rubber softfall and opportunities	A water bubbler has been included in the design. Regarding fencing, Council does not fence local playgrounds, applying fencing only to inclusive

for water elements and water play.	playgrounds or where there is an immediate risk to playground users such as a busy road. Options to provide a more secure barrier to the lane way via modifications of the existing low aris rail fence and/or increased garden bed planting can be explored in detailed documentation and are reflected in the revised concept plan (Attachment 2). Rubber softfall will be considered under higher wear areas such as under swings and mulch softfall strategically used elsewhere to meet the project budget and limit impacts to surrounding trees.
E. Maintenance	
Respondents expressed concern about poor maintenance both at Gilgandra Reserve and at adjacent recently completed reserves such as Niblick Street, where damaged nature play elements have been removed rather than repaired or replaced, and where planting wasn't maintained during the establishment period.	The project will review species and materials selection to minimise ongoing maintenance where possible. Current maintenance issues related to softfall mulch at the reserve have been raised with Council's maintenance team and addressed.

Summary

The concept design has been further developed in consideration of the above discussion (see Attachment 2), with particular consideration of the following:

- Consider all feedback provided as part of consultation for the concept design of Gilgandra Reserve Upgrade and incorporate into final design where possible within the constraints of the site, project budget, ongoing maintenance and suitability for inclusion in a small pocket park.
- Close the loop with the community by making the consultation report for Gilgandra Reserve consultation design publicly available and alert the community of any changes to the design.
- Officers will continue to work with a level 5 qualified arborist during the design documentation and construction stages of the project to ensure the health of existing trees within the reserve is maintained and crown maintenance is undertaken to improve solar access and tree health.
- Construction methods that are sensitive to existing trees will be used.

5. Financial impact statement/Time frame/Consultation

The capital works budget for the upgrade is \$200,000. The concept design cost estimate prepared by Council officers demonstrates the design is within the existing budget.

With consideration of Council's Procurement Policy and workload, it is anticipated the implementation of works to Gilgandra Reserve may take six to nine months to complete construction, including remediation works undertaken by Sydney Water.

Council officers will report back to the community on consultation findings and notify of the proposed improvements and expected construction timeframe following the outcomes of the Council meeting. Council will notify the community of any updates at three- to six-monthly intervals to the construction program as works progress.

In line with Council's Councillor consultation approval process, non-significant changes to the approved concept design that arise during detailed design, such as latent site conditions or minor changes to the playground layout to accommodate play equipment fall zones, are subject to the authorisation of the Director, Assets and Operations. Should significant changes arise, then the Director, Assets and Operations,

will notify Councillors and determine whether further consultation, reporting and approval from Council is required.

6. Conclusion

The community response demonstrated overall support and excitement for the proposed Gilgandra Reserve Upgrade. It is recommended that Council approves the concept design attached to this report. Upon approval, Council officers will proceed to detailed design of the project, refining the concept design to the level required for procurement and construction.

7. Attachments

1. Gilgandra Reserve Upgrade - Consultation Summary Report - June 2023 [↓](#)
2. Gilgandra Reserve Upgrade - Revised Concept Design [↓](#) .

