

MEETING NOTICE

The **Ordinary Meeting** of
Bayside Council
will be held in the Council Chambers, Rockdale Town Hall,
448 Princes Highway, Rockdale
on Wednesday 8 February 2017 at 7.00 pm

AGENDA

- 1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**
- 2 OPENING PRAYER**
- 3 APOLOGIES**
- 4 MINUTES OF PREVIOUS MEETINGS**
 - 4.1 Council Meeting – 14 December 2016
- 5 DISCLOSURES OF INTEREST**
- 6 ADMINISTRATOR MINUTES**
- 7 PUBLIC FORUM**
- 8 OFFICER REPORTS**
 - 8.1 Auditors' Report on the Financial Statements for Rockdale City Council for the Year Ended 9 September 2016
 - 8.2 Quarterly Budget Review Statement for Quarter Ended 31 December 2016
 - 8.3 ANZAC Day Dawn Service – Bayside East
 - 8.4 Representation on Sydney Central Planning Panel
 - 8.5 Fee Waiver Request - Park Run Australia
 - 8.6 Proposed Lease – 203 Stoney Creek Road, Bexley – Bexley Golf Club Ltd
 - 8.7 Road Closure – Baxter Road, Mascot
- 9 PLANNING MATTERS**

West Bayside Planning Office

 - 9.1 DA-2017/54 for 27-31 Bryant Street, Rockdale
 - 9.2 DA-2017/117 for 31 Riverside Drive, Sans Souci
 - 9.3 Bayside West Precincts – Council Submission
- 10 MINUTES OF COMMITTEES**
 - 10.1 Bayside Traffic Committee – 1 February 2017
 - 10.2 Local Representation Committee – 1 February 2017

11 PUBLIC REPORTS ON CONFIDENTIAL ITEMS

- 11.1 Appointment of External Members to Audit Committee and Remuneration of Independent External Members of Audit Committee
- 11.2 Tender for Supply and Lay Asphalt and Associated Services
- 11.3 Tender Assessment Results - Cahill Park Playground – Construction

12 CONFIDENTIAL ITEMS

- 12.1 Closed Session of Council
- 12.2 CONFIDENTIAL – Appointment of External Members to Audit Committee and Remuneration of Independent External Members of Audit Committee
- 12.3 CONFIDENTIAL – Tender for Supply and Lay Asphalt and Associated Services
- 12.4 CONFIDENTIAL – Tender Assessment Results - Cahill Park Playground – Construction
- 12.5 Resumption of Open Session of Council

Meredith Wallace
General Manager

Council Meeting

8/02/2017

Item No	4.1
Subject	Minutes of Council Meeting – 14 December 2016
Report by	Name, Acting Manager Governance
File	(R) F16/1254

Officer Recommendation

That the Minutes of the Council Meeting held on 14 December 2016 be confirmed as a true record of proceedings.

Present

Greg Wright, Administrator

Also present

Meredith Wallace, General Manager
Stuart Dutton, Director City Infrastructure
Fausto Sut, Acting Director Corporate & Community
Michael McCabe, Acting Director City Planning & Development
Liz Rog, Acting Manager Governance
Cathy McMahon, Manager of Strategic Planning
Erika Pawley, Manager Place Outcomes
Luis Melim, Manager Development Services
Karen Purser, Manager Community Planning & Reporting
Patricia Hatzigiannis, Transitional Change Manager
Alister Duncan, Manager Finance & Administration
Vince Carrabs, Coordinator City Media & Events
Greg Baker, Team Leader Regulatory Services
Heather Davis, Executive Services Support Officer
Lauren Thomas, Governance Officer

The Administrator opened the meeting in the Botany Town Hall at 7:02 p.m.

1 Acknowledgement of Traditional Owners

The Administrator acknowledged the traditional custodians of the land, the Gadigal and Bidjigal clans.

2 Opening Prayer

Pastor Dave Thompson, of Botany Bay Community Church, opened the meeting in prayer.

3 Apologies

There were no apologies.

4 Minutes of Previous Meetings

4.1 Council Meeting - 9 November 2016

Minute 2016/068

Resolved by the Administrator

That the Minutes of the Council Meeting held on 9 November 2016 be confirmed as a true record of proceedings.

5 Disclosures of Interest

There were no disclosures of interest.

6 Administrator Minutes

6.1 Bayside Council's Stronger Communities Fund

Minute 2016/069

Resolved by the Administrator

That the Minute be received and noted.

6.2 Student Excellence Award Program

Minute 2016/070

Resolved by the Administrator

That the Minute be received and noted.

7 Public Forum

The Administrator invited the following public speakers to address the Council:

- 1 Mr Greg Riley speaking for the Officer's recommendation (Item 9.5)
Development Application DA-13/280/03 – 581-587 Gardeners Road, Mascot -
Section 96(1A) Application to Modify Development Consent No. 13/280 to shift
the basement profile as required by Sydney Water in order to accommodate the
relocated stormwater culvert and as a result, remove the pool and gym area at
the rear, amend Condition No. 72 to replace the requirement for an 8.6m high
masonry rear boundary wall with a combination of screening elements to the rear

façade of the building, install a flood gate along Gardeners Road, minor alterations to the front façade including the addition of a blade wall to the substation, replacement of the disabled lift with a ramp and removal of the fire-booster doors.

- 2 Mr Patrick Sim speaking for the Officer's recommendation (Item 9.5) Development Application DA-13/280/03 – 581-587 Gardeners Road, Mascot - Section 96(1A) Application to Modify Development Consent No. 13/280 to shift the basement profile as required by Sydney Water in order to accommodate the relocated stormwater culvert and as a result, remove the pool and gym area at the rear, amend Condition No. 72 to replace the requirement for an 8.6m high masonry rear boundary wall with a combination of screening elements to the rear façade of the building, install a flood gate along Gardeners Road, minor alterations to the front façade including the addition of a blade wall to the substation, replacement of the disabled lift with a ramp and removal of the fire-booster doors.
- 3 Mr Eric Chan speaking for the Officer's recommendation (Item 9.5) Development Application DA-13/280/03 – 581-587 Gardeners Road, Mascot - Section 96(1A) Application to Modify Development Consent No. 13/280 to shift the basement profile as required by Sydney Water in order to accommodate the relocated stormwater culvert and as a result, remove the pool and gym area at the rear, amend Condition No. 72 to replace the requirement for an 8.6m high masonry rear boundary wall with a combination of screening elements to the rear façade of the building, install a flood gate along Gardeners Road, minor alterations to the front façade including the addition of a blade wall to the substation, replacement of the disabled lift with a ramp and removal of the fire-booster doors.
- 4 Ms Rena Palapanis, on behalf of her parents, speaking against the Officer's recommendation (Item 9.6) Development Application 2016/123 – 86 Maloney Street, Eastlakes - Demolition of the existing dwelling, construction of 2 x two storey semi-detached dwellings and subdivision of the allotment of land into two lots.
- 5 Mr Craig Schulman, speaking for the Officer's recommendation (Item 9.7) Development Application 2015/223 – 162 King Street, Mascot – Section 82A Application review of determination of DA-15/223 for the additions to an existing two storey dual occupancy development.
- 6 Mrs Claudine Trevena, speaking against the Officer's recommendation (Item 9.7) Development Application 2015/223 – 162 King Street, Mascot – Section 82A Application review of determination of DA-15/223 for the additions to an existing two storey dual occupancy development.
- 7 Mr Keith Timmins, speaking against the Officer's recommendation (Item 9.7) Development Application 2015/223 – 162 King Street, Mascot – Section 82A Application review of determination of DA-15/223 for the additions to an existing two storey dual occupancy development.
- 8 Mr Sean Quinn, speaking for the Officer's recommendation (Item 9.8) Development Application 2015/166 – 9 Sparks Street, Mascot - Section 82A Application review of determination to impose Condition 53 under DA15/166 that was approved for the construction of a single storey detached dwelling. Condition 53 was imposed by the Development Committee requiring the

demolition of the existing outbuilding, which was not proposed to be demolished by the applicant.

- 9 Mr Alfonso Valencia speaking for the Officer's recommendation (Item 9.9) Development Application 2016/063 - 64 Wellington Street, Mascot - Demolition of the existing former industrial building being part of a locally listed heritage item, remediation and construction of a new 2 storey dwelling.
- 10 Mr Joseph Alvarez speaking against the Officer's recommendation (Item 9.9) Development Application 2016/063 - 64 Wellington Street, Mascot - Demolition of the existing former industrial building being part of a locally listed heritage item, remediation and construction of a new 2 storey dwelling.
- 11 Ms Qi Wang speaking against the Officer's recommendation (Item 9.9) Development Application 2016/063 - 64 Wellington Street, Mascot - Demolition of the existing former industrial building being part of a locally listed heritage item, remediation and construction of a new 2 storey dwelling.
- 12 Ms Helen Deegan, speaking for the Officer's recommendation (Item 9.13) Planning Proposal - Kingsland Road South, Bexley - rezoning the subject site from R2 Low Density Residential zone to B4 Mixed Use zone, and amending relevant development standards under the Rockdale Local Environmental Plan 2011 (RLEP 2011).
- 13 Mr Murray Brown, speaking for the Officer's recommendation (Item 9.14) – Heritage Conservation Areas Discussion Paper – Report on Community Feedback.
- 14 Mr James Norris, speaking for the Officer's recommendation (Item 9.14) – Heritage Conservation Areas Discussion Paper – Report on Community Feedback.
- 15 Ms Joanne Kendrick, speaking against the Officer's recommendation (Item 9.14) – Heritage Conservation Areas Discussion Paper – Report on Community Feedback.

8 Reports

8.1 Schedule of Council Meeting Dates and Venues for 2017

The Administrator advised:

This schedule of meetings reflects the current Code of Meeting Practice, confirming Council meetings will be held on the second Wednesday of each month in 2017.

I move that the first meeting for 2017, being the 8 February, be held at Rockdale Town Hall.

Further, I move that the meeting schedule concludes at the meeting to be held on 9 August 2017.

This aligns to the return to elected representation in September 2017, when the newly elected Council will put forward a schedule of meetings at their discretion.

Minute 2016/071

Resolved by the Administrator

- 1 That Bayside Council Meetings for 2017 be held on the second Wednesday of each month, commencing from 8 February 2017 and ending on 9 August 2017.
- 2 That the first meeting for 2017, being the 8 February, be held at Rockdale Town Hall, with Council meetings alternating between Rockdale Town Hall and Botany Town Hall.

8.2 Public Interest Disclosures Policy

Minute 2016/072

Resolved by the Administrator

- 1 That the attached draft Public Interest Disclosures Policy be adopted.
- 2 That, in accordance with the policy, the General Manager nominates the Disclosure Officers in line with the Ombudsman's recommendation.

8.3 Financial Assistance and Community Grants Policies

Minute 2016/073

Resolved by the Administrator

- 1 That Council receives and notes the report.
- 2 That Council adopts the attached draft Financial Assistance and Community Grant Policies.

8.4 Code of Conduct Complaints

Minute 2016/074

Resolved by the Administrator

That the Code of Conduct Complaints statistics for 2015/16 for the two former Councils of Rockdale City Council and City of Botany Bay Council are received and noted.

8.5 Annual Reports 2015/16

Minute 2016/075

Resolved by the Administrator

- 1 That the attached Annual Reports 2015/2016 of the former Rockdale City Council and City of Botany Bay Council be received and noted.

- 2 That it be noted, that the reports will be forwarded to the Minister and published on Council's website.

8.6 Request for Financial Assistance – Coogee Surf Life Saving Club

Minute 2016/076

Resolved by the Administrator

- 1 That the report of the Director City Infrastructure be received and noted.
- 2 That Council support the request of Coogee Surf Life Saving Club for a 50% reduction in fees for the hire of two lanes, three times per week at Botany Aquatic Centre for the remainder of the 2016/17 swimming season.
- 3 That Council staff monitor Coogee Surf Life Saving Club's usage of Botany Aquatic Centre and, if their activities have any adverse effect on the general public, the club's access is to be re-assessed by Council.

8.7 Request for Financial Assistance – Mascot Juniors Rugby League

Minute 2016/077

Resolved by the Administrator

- 1 That the report of the Director City Infrastructure be received and noted.
- 2 That Council support the request of Mascot Juniors Rugby League Club for the use of the Botany Aquatic Centre function space free of charge in February 2017 to conduct their junior presentation day.

8.8 Request for Financial Assistance – NSW Athletic League

Minute 2016/078

Resolved by the Administrator

That Council support the request of NSW Athletic League and waive the fee for the hire of the track and field at Hensley Athletic Field on each occasion.

8.9 Botany Bay Gift

Minute 2016/079

Resolved by the Administrator

- 1 That Council continue to work with the NSW Athletic League to develop a program for March 2017 at Hensley Athletic Field.

- 2 That applications by the NSW Professional League be considered in accordance with Council's policy on commercial hire.
- 3 That Council note that it will register and trademark the names Botany Bay Gift and Bayside Gift to preserve the history of the race.
- 4 That staff be commended on negotiating this successful outcome.

8.10 Stronger Councils Framework

Minute 2016/080

Resolved by the Administrator

- 1 That Bayside Council's Stronger Council's Framework be adopted and integrated into Council's Transition Implementation Plan.
- 2 That Bayside Council's Stronger Council's Framework be made available to the community for information, including periodically reporting to the community on the progress of key Transition Implementation Projects.
- 3 That Council adopt the following changes, agreed with the Department of Premier and Cabinet:
 - a A new evidence measure for Governance is to be added: "% of the community satisfied with the Council's performance in making decisions in the interest of the community".
 - b Two new measures are be added:
 - i. "A % of the community satisfied with Council's overall performance".
 - ii. "Increase in the % of the community satisfied with Council's consultation and engagement performance."
 - c "Staff and culture" is to be changed to "% of staff who feel the organisation has a positive future and are committed to its success".

8.11 Statutory Financial Report September 2016

Minute 2016/081

Resolved by the Administrator

That the Statutory Financial Report by the Responsible Accounting Officer be received and noted.

8.12 SSROC and Former Councillors

Minute 2016/082

Resolved by the Administrator

- 1 That the Administrator and the previous Mayor, Bill Saravinovski, be appointed as Council's delegates to the Southern Sydney Regional Organisation of Councils (SSROC).

- 2 That George Glinatisis and Brian Troy be appointed as Council's alternate delegates to the Southern Sydney Regional Organisation of Councils (SSROC).

8.13 Tender – 72 Laycock Street, Bexley North – Proposed Lease

Minute 2016/083

Resolved by the Administrator

- 1 That Council, in its capacity as landowner, endorses the revised proposal for works to 72 Laycock Street, Bexley North, as outlined in the attachment to this report.
- 2 That the endorsement noted in Resolution 1 above, by no means surrenders or fetters Council's independent judgement of any development application submitted for the proposed works.
- 3 That Council undertakes the process to seek an amendment to the Plan of Management for Community Land 2016 to re-categorise 72 Laycock Street, Bexley North from Sportsground (s36F) to both Sportsground (s36F) and General Community Use (s36I).
- 4 That the General Manager be authorised to sign any documentation to action the above resolutions.

9 Planning Reports

9.1 Independent Hearing and Assessment Panel for Bayside Council

Minute 2016/084

Resolved by the Administrator

- 1 That an Independent Hearing and Assessment Panel be established for the Bayside Council.
- 2 That the Charter dated 7 December for the Bayside Council Independent Hearing and Assessment Panel appended to the report be adopted.
- 3 That the General Manager, in consultation with the Administrator appoint three (3) Independent Hearing and Assessment Panel professional members and seek expressions of interest for a 'pool' of five (5) community representatives (one from each Ward of the Council) to represent the community on the Independent Hearing and Assessment Panel.
- 4 That the current delegations and sub-delegations for development assessment determinations, planning proposals and voluntary planning agreements for Bayside Council be modified by the General Manager to reflect this report and the Charter of the Independent Hearing and Assessment Panel.

That the performance of the Independent Hearing and Assessment Panel, including the surveying participants, is to be reported back to Council on a minimum six (6) monthly basis.

- 5 That in the Charter of the Bayside Council Independent Hearing and Assessment Panel:
 - a Paragraph 6.3 (i) is to be amended to read as follows:

“ The Bayside Independent Hearing and Assessment Panel meeting is a public meeting. The meeting will be held on a monthly basis or more often at the discretion of the General Manager and at a time of day that respects the ability of the public to attend.”
 - b The following wording is to be added to the end of Paragraph 6.7:

“ Council also reserves the right to seek an independent review of the Independent Hearing and Assessment Panels at its discretion.”

9.2 Representation on Sydney Central Planning Panel

Minute 2016/085

Resolved by the Administrator

- 1 That Bayside Council's placement in the Sydney Central Planning Panel be noted.
- 2 That formal endorsement be provided, reflecting the appointment of the General Manager and Director of City Infrastructure as delegates to the Sydney Central Planning Panel, to facilitate matters for Bayside Council.

East Bayside Planning Office

9.3 New Alcohol-Free Zone in Mascot

Minute 2016/086

Resolved by the Administrator

- 1 That pursuant to Section 644 of the Local Government Act 1993 that Council resolve to establish an Alcohol-Free Zone for public roads in the vicinity of Mascot Railway Station for a period of four years.
- 2 That pursuant to Section 632(A)(4) of the Local Government Act 1993 that Council resolve to establish an Alcohol Prohibited Area affecting Station Square East (Lot 102 in DP 1128404, near 1-5 Bourke Street) and Station Square West (Lot 2 in DP 1188343, near 8 Bourke Street) for a period of 4 years.
- 3 That Council resolve to create a Plan of Management for Station Square East (Lot 102 in DP 1128404, near 1-5 Bourke Street) and Station Square West (Lot 2 in DP 1188343, near 8 Bourke Street) and that the Plan of Management allow outdoor dining.

9.4 Refusal of Planning Proposal – 51-53 Rhodes Street, Hillsdale

Minute 2016/087

Resolved by the Administrator

- 1 That Council refuse the Planning Proposal for 51-53 Rhodes Street, Hillsdale based on the risk issues identified in the *Denison Street Land Use Safety Study Review of Planning Controls* Report and a lack of strategic merit.
- 2 That Council notify the applicant of the decision and refund any remaining application fees.

9.5 DA-13/280/03 - 581-587 Gardeners Road, Mascot

Minute 2016/088

Resolved by the Administrator

That Council approve Section 96(1A) Modification Application DA-13/280/03 at 581-587 Gardeners Road, Mascot and amend the consent as follows:

- Amending Condition No. 1 to reference the amended plans relating to the modified basement profile as a result of the relocated Sydney Water easement, proposed screening treatments and revised 2.6m high above ground level colourbond boundary fence option;
- Adding Condition No. 2A requiring that the southern boundary wall (including colourbond fence, weir wall and debris/trash trap) be constructed within 1 month of the issuing of this consent, in order to provide screening for the adjoining neighbours to the south;
- Adding Condition No. 27A which requires the plans referenced at Condition No. 1 to be amended to incorporate the Sydney Water approved configuration of the rear boundary wall (including weir wall);
- Adding Condition No. 27C approving the design of the rear boundary wall (including rear wall) subject to approval by Sydney Water, for a copy of this approval to be forwarded to Council and for Construction Certificate drawings to reflect the approved design prior to the issue of a Construction Certificate for the construction of the rear boundary wall (including weir wall);
- Adding Condition No. 67(c) relating to additional acoustic treatment to the car park as per the Acoustic Report prepared by Sebastian Giglio;
- Deleting Condition No. 72 to remove the requirement for an 8.6m high masonry wall along the southern boundary;
- Adding Condition No. 82B requiring that the obscure glass indicated on the southern façade on Levels 2, 3 and 4, be obscure glass panels and not an applied film that can be removed in the future;

- Adding Condition No. 83(b) requiring that the rear wall (colourbond fence and weir wall) be of a neutral colour and a finish that is long lasting and will require little maintenance;
- Deletion of Condition Nos. 93 to 96, 101(m), 113 and 116 as they relates to the swimming pool which has since been removed;
- Deletion of Condition No. 97(b) to remove reference to some of the pre Occupation Certificate condition required as this condition is a double-up;
- Addition of Condition No. 100(b) requiring a Positive Covenant in favour of Sydney Water for the proposed easement and all assets within the easement, including the weir wall spanning 17.4m along the southern boundary;
- Addition of sub-conditions 101(n) – (p) relating to the responsibilities within the by-laws with regard to access to the Sydney Water easement and maintenance of the easement and fencing;
- Addition of Condition Nos. 106(b) and (c) relating to the ongoing maintenance of the southern boundary fence (including weir wall) and external screening devices;
- Addition of Condition Nos. 106(d) and (e) relating to the restriction of access to the Sydney Water easement;
- Addition of Condition No. 112B requiring additional acoustic monitoring within 12 weeks after the issue of the interim Occupation Certificate; and
- Amending Condition No. 117 to refer to the consent as amended by this modification.

9.6 DA-2016/123 - 86 Maloney Street, Eastlakes

Minute 2016/089

Resolved by the Administrator

- 1 That Council is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of Botany Bay Local Environmental Plan 2013 and that the proposed development is in the public interest because it is consistent with the objectives of the floor space ratio standard and the objectives for the R2 Low Density Residential zone.
- 2 That the development application DA-2016/123 for the demolition of the existing structures, construction of two semi-detached dwellings and Torrens Title subdivision to create two new lots at 86 Maloney Street, Eastlakes be APPROVED pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.

9.7 DA-2015/223 - 162 King Street, Mascot

Minute 2016/090

Resolved by the Administrator

That the determination of Development Application DA-2015/223 for the additions to an existing two storey dual occupancy development at 162 King Street, Mascot, be reviewed pursuant to section 82A of the Environmental Planning & Assessment Act 1979 and that the determination be changed from refusal to APPROVAL, subject to the conditions of consent in the attached Schedule.

9.8 DA 2015/166 - 9 Sparks Street, Mascot

Minute 2016/091

Resolved by the Administrator

That the Determination be changed so that the wording of Condition No. 53 reverts back to that originally recommended in the Planning Assessment Report by Council Officers, prior to being changed by the Development Committee, pursuant to section 82A of the Environmental Planning & Assessment Act 1979.

9.9 DA-16/63 - 64 Wellington Street, Mascot NSW 2020

Minute 2016/092

Resolved by the Administrator

- 1 That the Development Application DA-16(63) for demolition and remediation of the site at 64 Wellington Street, Mascot be approved pursuant to Section 80(1)(a) of the *Environmental Planning and Assessment Act 1979* and subject to conditions of consent attached to this report.
- 2 That Council prepare a Planning Proposal to delete Item No. I167 (64 Wellington Street) from the Botany Bay LEP 2013 in the next housekeeping amendment to the LEP.

9.10 DA-10/486/02 - 16-24 Beauchamp Road, Hillsdale

Minute 2016/093

Resolved by the Administrator

- 1 That Council agree to enter into a Planning Agreement under section 93F of the Environmental Planning and Assessment Act 1979 with Botany Bay GP Pty Limited for the dedication of proposed lot 26 in the subdivision as amended for Stage 1 of the approval of DA 10/486; and the construction of a car park; in accordance with the offer dated 23 November 2016 and draft Planning Agreement as shown in the Attachment.

- 2 That Council place the draft Planning Agreement as contained in the Attachment to this report on public exhibition for a period of 30 days.
- 3 That if no submissions are received, the Interim General Manager be delegated to enter into the Planning Agreement. If there are submissions, a further report will be made to Council.

West Bayside Planning Office

9.11 DA-2016/205 - 78-80 Ramsgate Road, Ramsgate

Minute 2016/094

Resolved by the Administrator

- 1 That Council support the variation to the Height standard contained in clause 4.3 of Rockdale Local Environmental Plan 2011 (RLEP2011) in accordance with the clause 4.6 justification submitted by the applicant.
- 2 That development application DA-2016/205 for the construction of a five (5) storey mixed use development comprising 20 residential apartments and four (4) commercial tenancies with basement parking, provision of 12 public car parking spaces off Cleland Lane, associated external works, Boundary adjustment and demolition of existing structures be APPROVED.
- 3 That the NSW Department of Planning and Environment be advised of Council's decision.
- 4 That the objectors be advised of Council's decision.

9.12 DA-2017/30 - 4 Primrose Avenue, Sandringham NSW 2219

Minute 2016/095

Resolved by the Administrator

That this Development Application be approved pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.

9.13 Planning Proposal – Kingsland Road South, Bexley

Minute 2016/096

Resolved by the Administrator

- 1 That Council supports the Planning Proposal for the land bounded by Abercorn Street, Kingsland Road South and Stoney Creek Road, Bexley, as described in this report.
- 2 That Council supports an incentive area of 800m² instead of 600m² for Floor Space Ratio and Height of Building under the relevant provisions of

the Rockdale LEP 2011, in accordance with the assessment provided in this report.

- 3 That the Planning Proposal be amended in accordance with this report prior to submission to the Department of Planning and Environment for Gateway determination.
- 4 That Council continues to pursue negotiations with the proponent to develop a Voluntary Planning Agreement.
- 5 That Council publicly exhibits the Planning Proposal and Voluntary Planning Agreement concurrently, in accordance with the Department Planning and Environment's Gateway determination.

9.14 Heritage Conservation Areas Discussion Paper - Report on Community Feedback

Minute 2016/097

Resolved by the Administrator

- 1 That Council supports the further investigation of potential Heritage Conservation Areas (HCAs) at Ocean View Estate, Bexley and Hamilton and Lansdowne Streets, Bardwell Valley, including targeted consultation, research into significance and field surveys to establish boundaries.
- 2 That Council does not pursue the potential Rockdale Town Centre HCA (including Frederick Street, Watkin Street and King Edward Street).
- 3 That Council does not pursue the potential Forest Road, Bexley HCA.
- 4 That Council supports that other potential HCA identified in the Discussion Paper be the subject of further research and targeted consultation as time and resources are available.
- 5 That Council officers are to investigate why some residents were not notified about the discussion paper.
- 6 That, with regard to any future community engagement regarding HCAs; if it is discovered that any residents have not received notification about the matter, the report is to be deferred until all residents have been notified.

10 Minutes of Committees

10.1 Botany Historical Trust Committee – 7 November 2016

Minute 2016/098

Resolved by the Administrator

That the Minutes of the Botany Historical Trust Committee meeting held on 7 November 2016 be received and the recommendations therein be adopted.

The Administrator noted that Bayside Council will not be altering its name to Botany Bayside Council as suggested by the Botany Historical Trust. A considerable amount of time, effort and expense for re-branding work has already been undertaken in the name of Bayside Council and he is not going to set that aside at this time.

10.2 Bayside Traffic Committee – 7 December 2016

Minute 2016/099

Resolved by the Administrator

That the Minutes of the Bayside Traffic Committee meeting held on 7 December 2016 be received and the recommendations therein be adopted.

10.3 Local Representation Committee - 7 December 2016

Minute 2016/100

Resolved by the Administrator:

That the minutes of the Local Representation Committee meeting held on 7 December 2016 be received.

11 Confidential Items

11.1 Closed Council Meeting

In accordance with Section 10A(1) of the Local Government Act 1993, the Administrator invited members of the public to make representations as to whether this part of the meeting should be closed to the public.

There were no representations.

Minute 2016/101

Resolved by the Administrator

- 1 That, in accordance with section 10A (1) of the Local Government Act 1993, the Council considers the following item/s in closed Council Meeting, from which the press and public are excluded, for the reason/s indicated:

11.2 CONFIDENTIAL – Extension of Waste Collection Contract

In accordance with section 10A (2) (d) of the Local Government Act 1993, the Council resolves itself into closed session with the press and public excluded by reasons of commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

11.3 CONFIDENTIAL – Tender – COBB 1610 - King Street, Mascot Car Park Development

In accordance with Section 10A (2) (d) of the Local Government Act 1993, the Council resolves itself into closed session with the press and public excluded by reasons of commercial information of a confidential nature that would, if disclosed: prejudice the commercial position of the person who supplied it.

11.4 CONFIDENTIAL – Tender – COBB 1620 - Mascot Oval Car Park Development

In accordance with Section 10A (2) (d) of the Local Government Act 1993, the Council resolves itself into closed session with the press and public excluded by reasons of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

11.5 CONFIDENTIAL – Court of Appeal Proceedings - Council and V-Corp (Builder) - Council and Aramini (Private Certifier)

In accordance with Section 10A of the Local Government Act 1993, this matter should be considered by the Council in the absence of the public and media by reason that it relates to litigation proceedings and advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

On balance, the public interest in preserving the confidentiality of the information, on the grounds of legal professional privilege, outweighs the public interest in considering this matter in open session of Council.

11.6 CONFIDENTIAL – Legal Proceedings / Rating Categorisation

In accordance with section 10A (2) (g) of the Local Government Act 1993, the Council resolves itself into closed session with the press and public excluded by reasons of advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That, in accordance with section 11 (2) and (3) of the Local Government Act 1993, the reports, correspondence and other documentation relating to these items be withheld from the press and public.

11.2 CONFIDENTIAL – Extension of Waste Collection Contract

Minute 2016/102

Resolved by the Administrator

- 1 That Council's contract titled St George Waste Collection Contract be extended for an additional 5 years from February 2018, as per ACCC approval.

- 2 That the General Manager be given delegated authority to sign the extension of the contract on behalf of Council.

11.3 CONFIDENTIAL - Tender COBB 1610 - King Street, Mascot Carpark Development

Minute 2016/103

Resolved by the Administrator

1. The Council not accept any of the tenders for the King Street, Mascot Carpark Development;
2. That pursuant to Clause 178(3) (a) of the Local Government (General) Regulation 2005 the Council by resolution, resolve to cancel the proposal for the design and construct contract prepared for the King Street, Mascot Carpark Development;
3. That the Council agree to receive and consider a further report in respect of the development once a full assessment has been undertaken on the viability and all available options, as explored to meet the expected carparking demands of the Mascot Local Centre;
4. That Council authorise the General Manager to implement a carparking study to determine the carparking demands of the Mascot Local Centre, township.

11.4 CONFIDENTIAL - Tender COBB 1620 - Mascot Oval Carpark Development

Minute 2016/104

Resolved by the Administrator

- 1 The Council not accept any of the tenders for the Mascot Oval Carpark Development.
- 2 That pursuant to Clause 178(3) (a) of the Local Government (General) Regulation 2005 the Council by resolution, resolve to cancel the proposal for the design and construct contract prepared for the Mascot Oval Carpark Development.
- 3 That the Council agree to receive and consider further report in respect of the development once a full assessment has been undertaken on the viability and all available options, as explored to meet the expected carparking demands determined by carparking studies.
- 4 That Council authorise the General Manager to implement carparking study for the Mascot Oval and Commuter Carparking associated with the Mascot Station Precinct.

11.5 CONFIDENTIAL - Court of Appeal Proceedings - Council and V-Corp (Builder) - Council and Aramini (Private Certifier)

Minute 2016/105

Resolved by the Administrator

- 1 That Council resolve to reject the offer of compromise, as conveyed to Council under letter prepared by Sarvaas Ciappara – Lawyers dated 16 September 2016.
- 2 That in response to the advice from TS Hale Senior Counsel dated 20 September 2016 Council maintain the Appeal against the decision in V-Corp and Aramini.

11.6 CONFIDENTIAL - Legal Proceedings – Rating Categorisation

Minute 2016/106

Resolved by the Administrator

- 1 That the report be received and noted.
- 2 That Council endorse the continuance of legal proceedings and authorise the General Manager to take such further action as is necessary, in consultation with Council's legal advisors.
- 3 That Council write to the Local Government NSW seeking assistance with legal costs under Association's Legal Assistance Policy as the matter is one that involves a major local government principle concerning the timing of rating categorisation and the effectiveness of notice provisions under the Local Government Act.

11.7 Resumption of Open Council Meeting

Minute 2016/107

Resolved by the Administrator

That, the closed part of the meeting having concluded, the open Council Meeting resume and it be open to the press and public.

The Administrator made public the resolutions that were made during the closed part of the meeting.

The Administrator closed the meeting at 8:25 p.m.

Greg Wright
Administrator

Meredith Wallace
General Manager

Council Meeting

8/02/2017

Item No	8.1
Subject	Auditors' Report on the Financial Statements for Rockdale City Council for the Year Ended 9 September 2016
Report by	Alister Duncan, Manager Finance
File	(R) F08/6

Summary

In accordance with the Proclamation creating Bayside Council, Council is required to audit and present the Annual Financial Statements for the year 1 July 2015 to 9 September 2016 for Rockdale City Council and City of Botany Bay Council. The final Annual Financial Statements for the former Rockdale City Council have been audited by the external auditors, PriceWaterhouseCoopers, and are ready for presentation. Those for Botany Council will be presented later in the year and these are being audited by the NSW Auditor General. Former Rockdale Council's external auditor is required to submit the following reports with respect to the former Council's Financial Statements:-

- a report on the general purpose financial reports (s417(2)) and
- a report on the conduct of the audit (s417(3)).

The findings and conclusions of these reports are to be presented to Council by the Auditor, Mr Alexio Chibika of PriceWaterhouseCoopers, who will be in attendance at the meeting of 8 February 2017 to present his report.

The Financial Statements cover a period of 14 months and 9 days, due to the proclamation for the creation of Bayside Council, a period for which there is no comparative budget. Council has developed the Financial Statement in accordance with all relevant Accounting Standards. By adhering to the Accounting Standards anomalies have occurred. Council is required to recognize two years of rates and Federal Assistance Grant income in these Financial Statements. The Financial Statements for the period 10/09/2016 to 30/06/2017 will have a significant reduction in income.

A copy of the financial statements including the auditors report are attached. .

Under s418 of the Local Government Act, Council must give the public at least seven days notice prior to the presentation of its audited reports. Such public notice has been given in the St George & Sutherland Leader- a local newspaper.

Officer Recommendation

- 1 That the former Rockdale City Council's Annual Financial Statements for the financial period 1 July 2015 to 9 September 2016 be received and noted.
- 2 That Council note that PricewaterhouseCoopers, the former Council's external auditor, has reported on:-
 - the financial reports for the financial period ended 9 September 2016 and,
 - the conduct of the audit.

- 3 That Council note that the auditors have concluded that the former Rockdale City Council's financial position as at 9 September 2016 is considered to be sound and stable and that all indicators stand better than accepted industry benchmarks with the exception of the rates outstanding ratio.
 - 4 That members of the public may make submissions in respect to the audited financial statements up to close of business on 15 February 2017.
 - 5 That any submissions that are received on the Financial Reports be referred to the Auditor.
-

Background

At the conclusion of the audit of Council's annual financial reports there are certain requirements under the Local Government Act (LGA) that must be complied with. These are set out below:

S417 Auditor's reports

- (1) A council's auditor must prepare 2 reports:
 - a report on the general purpose financial report
 - a report on the conduct of the audit.
- (2) The report on the council's financial reports must include the following:
 - (a) a statement as to whether, in the opinion of the auditor, the council's accounting records have been kept in accordance with the requirements of this Division,
 - (b) a statement as to whether, in the opinion of the auditor, the council's financial reports:
 - (i) have been prepared in accordance with the requirements of this Division, and
 - (ii) are consistent with the council's accounting records, and
 - (iii) present fairly the council's financial position and the results of its operations,
 - (c) a statement as to whether, in the opinion of the auditor, any information relevant to the conduct of the audit has been unobtainable by the auditor,
 - (d) a statement setting out particulars of any material deficiency in the accounting records or financial reports that has come to light in the course of the audit.
- (3) The report on the conduct of the audit may contain such statements, comments and recommendations as to the conduct of the audit of the council's financial reports as the auditor considers appropriate to include in the report.
- (4) As soon as practicable after completing the audit, the auditor must send a copy of the auditor's reports to the Director-General and to the council.
- (5) As soon as practicable after receiving the auditor's reports, the council must send a copy of the auditor's report on the council's financial reports, together with a copy of

the council's audited financial reports, to the Director-General and to the Australian Bureau of Statistics.

S418 Public notice to be given of presentation of financial reports

- (1) As soon as practicable after a council receives a copy of the auditor's reports:
 - (a) it must fix a date for the meeting at which it proposes to present its audited financial reports, together with the auditor's reports, to the public, and
 - (b) it must give public notice of the date so fixed.
- (2) The date fixed for the meeting must be at least 7 days after the date on which the notice is given, but not more than 5 weeks after the auditor's reports are given to the council.
- (3) The public notice must include:
 - (a) a statement that the business of the meeting will include the presentation of the audited financial reports and the auditor's reports, and
 - (b) a summary, in the approved form, of the financial reports, and
 - (c) a statement to the effect that any person may, in accordance with section 420, make submissions (within the time provided by that section and specified in the statement) to the council with respect to the council's audited financial reports or with respect to the auditor's reports.
- (4) Copies of the council's audited financial reports, together with the auditor's reports, must be kept available at the office of the council for inspection by members of the public on and from the date on which public notice of the holding of the meeting is given and until the day after the meeting (or any postponement of the meeting).

S419 Presentation of the council's financial reports

- (1) A council must present its audited financial reports, together with the auditor's reports, at a meeting of the council held on the date fixed for the meeting.
- (2) The council's auditor may, and if so required in writing by the council must, attend the meeting at which the financial reports are presented.

S420 Submissions on financial reports and auditor's reports

- (1) Any person may make submissions to the council with respect to the council's audited financial reports or with respect to the auditor's reports.
- (2) A submission must be in writing and must be lodged with the council within 7 days after the date on which those reports are presented to the public.
- (3) The council must ensure that copies of all submissions received by it are referred to the auditor.
- (4) The council may take such action as it considers appropriate with respect to any such submission, including the giving of notice to the Director-General of any matter that appears to require amendment of the council's financial reports.

Bayside Council is required under the Proclamation creating the new Council to have completed and submitted to the Minister for Local Government audited financial statements

for each of the former Councils. PriceWaterhouseCoopers, being the former Rockdale City Council's external auditors were retained to undertake the audit for the former Rockdale City Council's statements to the date of amalgamation being 9 September 2016. The audited financial statements were lodged with the Minister for Local Government by 31 December 2016 as required and are now presented to the public.

The financial statements for the City of Botany Bay are currently being audited by the NSW Auditor General and will be presented to Council at a later date.

Financial Implications

Not applicable

Community Engagement

The issues raised in this report do not require community consultation under Council's Community Engagement Policy.

Attachments

The former Rockdale City Council – Financial Statements 2015-2016



The former Rockdale City Council

GENERAL PURPOSE FINANCIAL STATEMENTS
for the period 1 July 2015 to 9 September 2016

One Community, Many Cultures, Endless Opportunity



The former Rockdale City Council

General Purpose Financial Statements for the period 1 July 2015 to 9 September 2016

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Overview

- (i) These financial statements are General Purpose Financial Statements and cover the operations for the former Rockdale City Council.
- (ii) The former Rockdale City Council is a body politic of NSW, Australia – being constituted as a local government area by proclamation and is duly empowered by the Local Government Act 1993 (LGA).

Council's Statutory Charter is detailed in Paragraph 8 of the LGA and includes giving Council;

- the ability to provide goods, services and facilities, and to carry out activities appropriate to the current and future needs of the local community and of the wider public,
- the responsibility for administering regulatory requirements under the LGA and
- a role in the management, improvement and development of the resources in the area.

A description of the nature of Council's operations and its principal activities are provided in Note 2(b).

- (iii) All figures presented in these financial statements are presented in Australian currency.
 - (iv) These financial statements were authorised for issue by Bayside Council on 24 December 2016. Council has the power to amend and reissue these financial statements.
-

The former Rockdale City Council

General Purpose Financial Statements

for the period 1 July 2015 to 9 September 2016

Understanding Council's financial statements

Introduction

Each year, individual local governments across New South Wales are required to present a set of audited financial statements to their council and community.

What you will find in the statements

The financial statements set out the financial performance, financial position and cash flows of Council for the reporting period 1/7/15 to 9/9/16.

The format of the financial statements is standard across all NSW Councils and complies with both the accounting and reporting requirements of Australian Accounting Standards and requirements as set down by the Office of Local Government.

About the Councillor/Management Statement

The financial statements must be certified by senior staff as 'presenting fairly' the Council's financial results for the period, and are required to be adopted by Council – ensuring both responsibility for and ownership of the financial statements.

About the primary financial statements

The financial statements incorporate five 'primary' financial statements:

1. The Income Statement

This statement summarises Council's financial performance for the period, listing all income and expenses.

This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

2. The Statement of Comprehensive Income

This statement primarily records changes in the fair values of Council's infrastructure, property, plant and equipment.

3. The Statement of Financial Position

This statement is an end of period snapshot of Council's financial position indicating its assets, liabilities and equity ('net wealth').

4. The Statement of Changes in Equity

The overall change for the reporting period (in dollars) of Council's 'net wealth'.

5. The Statement of Cash Flows

This statement indicates where Council's cash came from and where it was spent. This statement also displays Council's original adopted budget to provide a comparison between what was projected and what actually occurred.

About the Notes to the Financial Statements

The Notes to the Financial Statements provide greater detail and additional information on the five primary financial statements.

About the Auditor's Reports

Council's financial statements are required to be audited by external accountants (that generally specialise in local government). In NSW, the auditor provides 2 audit reports:

1. An opinion on whether the financial statements present fairly the Council's financial performance and position, and
2. Their observations on the conduct of the audit, including commentary on the Council's financial performance and financial position.

Who uses the financial statements?

The financial statements are publicly available documents and must be presented at a Council meeting between seven days and five weeks after the date of the Audit Report.

The public can make submissions to Council up to seven days subsequent to the public presentation of the financial statements.

Council is required to forward an audited set of financial statements to the Office of Local Government.

The former Rockdale City Council

General Purpose Financial Statements for the period 1 July 2015 to 9 September 2016

Statement by Councillors and Management

made pursuant to Section 413(2)(c) of the *Local Government Act 1993 (NSW)* (as amended)

The attached General Purpose Financial Statements have been prepared in accordance with:

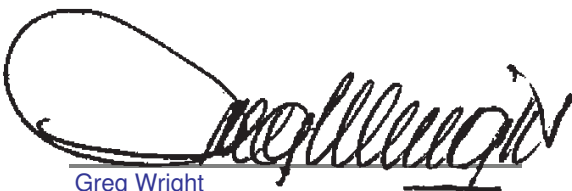
- the *Local Government Act 1993 (NSW)* (as amended) and the regulations made thereunder,
- the Australian Accounting Standards and professional pronouncements, and
- the Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, these financial statements:

- present fairly the Council's operating result and financial position for the period, and
- accord with Council's accounting and other records.

We are not aware of any matter that would render these statements false or misleading in any way.

Signed in accordance with a resolution of Bayside Council made on 21 December 2016.



Greg Wright
Administrator



Meredith Wallace
Interim General Manager

The former Rockdale City Council

Income Statement

for the period 1 July 2015 to 9 September 2016

Budget ¹			Actual	Actual
1/7/15			1/7/15	1/7/14
to 9/9/16	\$ '000	Notes	to 9/9/16	to 30/6/15
Income from continuing operations				
Revenue:				
n/a	Rates and annual charges	3a	120,355 ²	59,195
n/a	User charges and fees	3b	7,869	6,438
n/a	Interest and investment revenue	3c	4,611	3,671
n/a	Other revenues	3d	8,602	6,195
n/a	Grants and contributions provided for operating purposes	3e,f	10,941 ³	6,042
n/a	Grants and contributions provided for capital purposes	3e,f	18,477	19,676
Other income:				
n/a	Net gains from the disposal of assets	5	—	1,731
n/a	Net share of interests in joint ventures and associates using the equity method	19	300	—
n/a	Total income from continuing operations		171,155	102,948
Expenses from continuing operations				
n/a	Employee benefits and on-costs	4a	42,595	32,774
n/a	Borrowing costs	4b	366	400
n/a	Materials and contracts	4c	30,381	25,717
n/a	Depreciation and amortisation	4d	18,556	16,571
n/a	Other expenses	4e	13,092	10,074
n/a	Net losses from the disposal of assets	5	315	—
n/a	Net share of interests in joint ventures and associates using the equity method	19	—	15
n/a	Total expenses from continuing operations		105,305	85,551
n/a	Operating result from continuing operations		65,850	17,397
n/a	Net operating result for the period		65,850	17,397
n/a	Net operating result attributable to Council		65,850	17,397
n/a	Net operating result attributable to non-controlling interests		—	—
n/a	Net operating result for the period before grants and contributions provided for capital purposes		47,373	(2,279)

¹ Original budget as approved by Council is not required for these financial statements

² Rates are recognised as revenue at the commencement of the rating years for the periods 1/7/15 to 30/6/16 and 1/7/16 to 30/6/17. No adjustments have been made for rates not earned during the period 10/9/16 to 30/6/17.

³ Federal Assistance Grants (FAGs) are recognised as revenue upon their receipt or upon earlier notification that the grant has been secured. As such the revenue for FAGs includes the full grant allocation for the 15/16 and 16/17 years.

The former Rockdale City Council

Statement of Comprehensive Income for the period 1 July 2015 to 9 September 2016

		Actual 1/7/15 to 9/9/16	Actual 1/7/14 to 30/6/15
\$ '000	Notes		
Net operating result for the period (as per Income Statement)		65,850	17,397
Other comprehensive income:			
Amounts which will not be reclassified subsequently to the operating result			
Gain (loss) on revaluation of I,PP&E	20b (ii)	—	(4,358)
Correction of prior period error	20b (ii)	—	48,929
Total items which will not be reclassified subsequently to the operating result		—	44,571
Amounts which will be reclassified subsequently to the operating result when specific conditions are met			
Nil			
Total other comprehensive income for the period		—	44,571
Total comprehensive income for the period		65,850	61,968
Total comprehensive income attributable to Council		65,850	61,968
Total comprehensive income attributable to non-controlling interests		—	—

The former Rockdale City Council

Statement of Financial Position as at 9 September 2016

\$ '000	Notes	Actual 9/9/16	Actual 30/6/15
ASSETS			
Current assets			
Cash and cash equivalents	6a	99,347	78,218
Investments	6b	36,381	29,407
Receivables	7	52,027	21,095
Inventories	8	73	70
Other	8	1,483	309
Non-current assets classified as 'held for sale'	22	—	—
Total current assets		189,311	129,099
Non-current assets			
Investments	6b	18,100	7,107
Receivables	7	320	28,320
Inventories	8	—	—
Infrastructure, property, plant and equipment	9	842,709	818,647
Investments accounted for using the equity method	19	2,230	1,930
Investment property	14	—	—
Intangible assets	25	1,387	1,774
Non-current assets classified as 'held for sale'	22	—	—
Other	8	127	190
Total non-current assets		864,873	857,968
TOTAL ASSETS		1,054,184	987,067
LIABILITIES			
Current liabilities			
Payables	10	10,676	10,319
Borrowings	10	990	1,271
Provisions	10	13,403	12,205
Total current liabilities		25,069	23,795
Non-current liabilities			
Payables	10	—	—
Borrowings	10	5,985	6,013
Provisions	10	771	750
Total non-current liabilities		6,756	6,763
TOTAL LIABILITIES		31,825	30,558
Net assets		1,022,359	956,509
EQUITY			
Retained earnings	20	737,891	672,041
Revaluation reserves	20	284,468	284,468
Council equity interest		1,022,359	956,509
Non-controlling equity interests		—	—
Total equity		1,022,359	956,509

This statement should be read in conjunction with the accompanying notes.

The former Rockdale City Council

Statement of Changes in Equity for the period 1 July 2015 to 9 September 2016

\$ '000	Notes	Retained earnings	Reserves (Refer 20b)	Council interest	Non-controlling interest	Total equity
1/7/15 to 9/9/16						
Opening balance (as per last year's audited accounts)		672,041	284,468	956,509	—	956,509
a. Correction of prior period errors	20 (c)	—	—	—	—	—
b. Changes in accounting policies (prior year effects)	20 (d)	—	—	—	—	—
Revised opening balance (as at 1/7/15)		672,041	284,468	956,509	—	956,509
c. Net operating result for the period		65,850	—	65,850	—	65,850
d. Other comprehensive income						
– Revaluations: IPP&E asset revaluation rsve	20b (ii)	—	—	—	—	—
– Revaluations: other reserves	20b (ii)	—	—	—	—	—
– Transfers to Income Statement	20b (ii)	—	—	—	—	—
– Impairment (loss) reversal relating to I,PP&E	20b (ii)	—	—	—	—	—
– Joint ventures and associates	19b	—	—	—	—	—
Other comprehensive income		—	—	—	—	—
Total comprehensive income (c&d)		65,850	—	65,850	—	65,850
e. Distributions to/(contributions from) non-controlling Interests		—	—	—	—	—
f. Transfers between equity		—	—	—	—	—
Equity – balance at end of the reporting period		737,891	284,468	1,022,359	—	1,022,359

\$ '000	Notes	Retained earnings	Reserves (Refer 20b)	Council interest	Non-controlling interest	Total equity
1/7/14 to 30/6/15						
Opening balance (as per last year's audited accounts)		483,560	410,981	894,541	—	894,541
a. Correction of prior period errors	20 (c)	—	—	—	—	—
b. Changes in accounting policies (prior year effects)	20 (d)	—	—	—	—	—
Revised opening balance (as at 1/7/14)		483,560	410,981	894,541	—	894,541
c. Net operating result for the year		17,397	—	17,397	—	17,397
d. Other comprehensive income						
– Revaluations: IPP&E asset revaluation rsve	20b (ii)	—	(4,358)	(4,358)	—	(4,358)
– Revaluations: other reserves	20b (ii)	135,462	(86,533)	48,929	—	48,929
– Transfers to Income Statement	20b (ii)	—	—	—	—	—
– Impairment (loss) reversal relating to I,PP&E	20b (ii)	—	—	—	—	—
– Joint ventures and associates	19b	—	—	—	—	—
Other comprehensive income		135,462	(90,891)	44,571	—	44,571
Total comprehensive income (c&d)		152,859	(90,891)	61,968	—	61,968
e. Distributions to/(contributions from) non-controlling Interests		—	—	—	—	—
f. Transfers between equity		35,622	(35,622)	—	—	—
Equity – balance at end of the year		672,041	284,468	956,509	—	956,509

The former Rockdale City Council

Statement of Cash Flows

for the period 1 July 2015 to 9 September 2016

Budget ¹			Actual	Actual
1/7/15			1/7/15	1/7/14
to 9/9/16		Notes	to 9/9/16	to 30/6/15
\$ '000				
Cash flows from operating activities				
Receipts:				
n/a	Rates and annual charges		89,286	58,723
n/a	User charges and fees		7,773	7,767
n/a	Investment and interest revenue received		4,576	3,580
n/a	Grants and contributions		25,852	25,761
n/a	Bonds, deposits and retention amounts received		279	1,404
n/a	Other		16,423	10,486
Payments:				
n/a	Employee benefits and on-costs		(41,502)	(32,761)
n/a	Materials and contracts		(34,116)	(31,396)
n/a	Borrowing costs		(333)	(362)
n/a	Other		(16,893)	(10,207)
n/a	Net cash provided (or used in) operating activities	11b	51,345	32,995
Cash flows from investing activities				
Receipts:				
n/a	Sale of investment securities		32,407	22,963
n/a	² Sale of real estate assets		30,634	–
n/a	Sale of infrastructure, property, plant and equipment		1,546	10,214
Payments:				
n/a	Purchase of investment securities		(50,369)	(29,395)
n/a	Purchase of infrastructure, property, plant and equipment		(44,092)	(17,237)
n/a	Contributions paid to joint ventures and associates		–	1
n/a	Net cash provided (or used in) investing activities		(29,874)	(13,454)
Cash flows from financing activities				
Receipts:				
n/a	Proceeds from borrowings and advances		1,100	1,100
Payments:				
n/a	Repayment of borrowings and advances		(1,442)	(1,096)
n/a	Net cash flow provided (used in) financing activities		(342)	4
n/a	Net increase/(decrease) in cash and cash equivalents		21,129	19,545
n/a	Plus: cash and cash equivalents – beginning of reporting period	11a	78,218	58,673
n/a	Cash and cash equivalents – end of reporting period	11a	99,347	78,218
Additional Information:				
	plus: Investments on hand – end of reporting period	6b	54,481	36,514
	Total cash, cash equivalents and investments		153,828	114,732

¹ The original budget as approved by Council is not required for these financial statements

² Proceeds from sale of Chaple Street in 2015

Please refer to Note 11 for additional cash flow information

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

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n/a – not applicable

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies

The principal accounting policies adopted by Council in the preparation of these consolidated financial statements are set out below in order to assist in its general understanding.

Under Australian Accounting Standards (AASBs), accounting policies are defined as those specific principles, bases, conventions, rules and practices applied by a reporting entity (in this case Council) in preparing and presenting its financial statements.

(a) Basis of preparation

(i) Background

These financial statements are general purpose financial statements, which have been prepared in accordance with:

- Australian Accounting Standards and Australian Accounting Interpretations issued by the Australian Accounting Standards Board,
- the *Local Government Act (1993)* and Regulation, and
- the Local Government Code of Accounting Practice and Financial Reporting.

For the purpose of preparing these financial statements, Council has been deemed to be a not-for-profit entity.

(ii) Compliance with International Financial Reporting Standards (IFRSs)

Because AASBs are sector neutral, some standards either:

- (a) have local Australian content and prescription that is specific to the not-for-profit sector (including local government) which are not in compliance with IFRSs, or
- (b) specifically exclude application by not-for-profit entities.

Accordingly, in preparing these financial statements and accompanying notes, Council has been unable to comply fully with International Accounting Standards, but has complied fully with Australian Accounting Standards.

Under the *Local Government Act (LGA)*, Regulation and Local Government Code of Accounting Practice and Financial Reporting, it should be noted that Councils in NSW only have a requirement to comply with AASBs.

(iii) New and amended standards adopted by Council

There have been no new accounting standards adopted in this year's financial statements which have had any material impact on reported financial position, performance or cash flows.

(iv) Early adoption of accounting standards

Council has not elected to apply any pronouncements before their operative date in the annual reporting period beginning 1 July 2015, except for AASB2015-7 Amendments to Australian Accounting Standards – Fair Value Disclosures of Not-for-Profit Public Sector Entities, which has reduced the fair value disclosures for Level 3 assets.

For summary information relating to the effects of standards with future operative dates refer further to paragraph (y).

(v) Basis of accounting

These financial statements have been prepared under the **historical cost convention** except for:

- (i) certain financial assets and liabilities at fair value through profit or loss and available-for-sale financial assets, which are all valued at fair value,
- (ii) the write down of any asset on the basis of impairment (if warranted), and
- (iii) certain classes of non-current assets (eg. infrastructure, property, plant and equipment and investment property) that are accounted for at fair valuation.

The accrual basis of accounting has also been applied in their preparation.

(vi) Changes in accounting policies

Council's accounting policies have been consistently applied to all the years presented, unless otherwise stated

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

There have also been no changes in accounting policies when compared with previous financial statements unless otherwise stated [refer Note 20 (d)].

(vii) Critical accounting estimates

The preparation of financial statements requires the use of certain critical accounting estimates (in conformity with AASBs).

Accordingly this requires management to exercise its judgement in the process of applying the Council's accounting policies.

Estimates and judgements are continually evaluated and are based on historical experience and other factors, including expectations of future events that may have a financial impact on Council and that are believed to be reasonable under the circumstances.

Critical accounting estimates and assumptions

Council makes estimates and assumptions concerning the future.

The resulting accounting estimates will, by definition, seldom equal the related actual results.

The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are set out below:

(i) Preparation of the financial statements on a going concern basis

AASB 101 states that an entity shall prepare financial statements on a going concern basis unless management either intends to liquidate the entity or to cease trading, or has no realistic alternative but to do so.

Whilst the former Rockdale City Council has been amalgamated into Bayside Council from 9 September 2016, Council believes that the going concern basis for preparation of the financial statements for the period 1 July 2015 to 9 September 2016 is appropriate for the following reasons:

- The business of the Council is continuing through the Bayside Council

- The Local Government (Council Amalgamations) Proclamation 2016 ensures:

- all relevant staff, assets, rights, liabilities and responsibilities of former councils are transferred to new councils
- new councils can commence operations on day one with minimal disruption to the delivery of services, council operations and staff duties
- any reference in any document to a former council is to be read as a reference to the new council, and that anything done by a former council before the amalgamation is taken to have been done by the new council.

- The former Rockdale City Council has not been liquidated nor has trading ceased.

(ii) Estimated fair values of investment properties

(iii) Estimated fair values of infrastructure, property, plant and equipment,

(iv) Estimated remediation provisions.

Significant judgements in applying Council's accounting policies include the impairment of receivables – Council has made significant judgements about the impairment of a number of its receivables in Note 7.

(b) Revenue recognition

Income recognition as a result of Council's amalgamation

The former Rockdale City Council was amalgamated on 9 September 2016 with the former Botany Bay Council to form the new Bayside Council.

In accordance with the Australian Accounting Standards the former Rockdale City Council has had to recognise 100% of the rates revenue for the 2015/16 and 2016/17 rating years as control over assets acquired from rates is obtained at the commencement of the rating year/s or where earlier upon receipt of the rates.

The former Rockdale City Council has also recognised 100% of the Federal Assistance Grants

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

(FAGs) revenue for the 15/16 and 16/17 financial years since grants are recognised upon receipt or upon earlier notification that the grant has been secured.

As a consequence, these financial statements include all the rates and FAGs revenue for the period from 1 July 2015 to 30 June 2017 but only expenditure obligations for the period 1 July 2015 to 9 September 2016.

Expenditure obligations for the period from 9 September 2016 to 30 June 2017 will be included in the future financial statements of the new Bayside Council for that period.

Council recognises revenue when the amount of revenue can be reliably measured, it is probable that future economic benefits will flow to it, and specific criteria have been met for each of the Council's activities as described below.

Council bases any estimates on historical results, taking into consideration the type of customer, the type of transaction and the specifics of each arrangement.

Revenue is measured at the fair value of the consideration received or receivable.

Revenue is measured on major income categories as follows:

Rates, Annual Charges, Grants and Contributions

Rates, annual charges, grants and contributions (including developer contributions) are recognised as revenues when the Council obtains control over the assets comprising these receipts.

Control over assets acquired from rates and annual charges is obtained at the commencement of the rating year as it is an enforceable debt linked to the rateable property or, where earlier, upon receipt of the rates.

Rates are recognised as revenue for the period 1 July 15 to 30 June 2017. No adjustments have been made to reverse (ie. not recognise) rates not earned during the period 10/09/2016 to 30/06/2017.

A provision for the impairment on rates receivables has not been established as unpaid rates represent

a charge against the rateable property that will be recovered when the property is next sold.

Control over granted assets/contributed assets is normally obtained upon their receipt (or acquittal) or upon earlier notification that a grant has been secured, and is valued at their fair value at the date of transfer.

Revenue from contributions is recognised when the Council either obtains control of the contribution or the right to receive it, **(i)** it is probable that the economic benefits comprising the contribution will flow to the Council and **(ii)** the amount of the contribution can be measured reliably.

Where grants or contributions recognised as revenues during the financial year were obtained on condition that they be expended in a particular manner or used over a particular period and those conditions were undischarged at balance date, the unused grant or contribution is disclosed in Note 3 (g).

Note 3 (g) also discloses the amount of unused grant or contribution from prior years that was expended on Council's operations during the current period.

The Council has obligations to provide facilities from contribution revenues levied on developers under the provisions of s94 of the *EPA Act 1979*.

Whilst Council generally incorporates these amounts as part of a Development Consents Order, such developer contributions are only recognised as income upon their physical receipt by Council, due to the possibility that individual development consents may not be acted upon by the applicant and accordingly would not be payable to Council.

Developer contributions may only be expended for the purposes for which the contributions were required but the Council may apply contributions according to the priorities established in work schedules.

A detailed note relating to developer contributions can be found at Note 17.

User charges, fees and other Income

User charges, fees and other income (including parking fees and fines) are recognised as revenue when the service has been provided, the payment is

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

received, or when the penalty has been applied, whichever first occurs.

A provision for the impairment of these receivables is recognised when collection in full is no longer probable.

A liability is recognised in respect of revenue that is reciprocal in nature to the extent that the requisite service has not been provided as at balance date.

Sale of infrastructure, property, plant and equipment

The profit or loss on sale of an asset is determined when control of the asset has irrevocably passed to the buyer.

Interest and rents

Rental income is accounted for on a straight-line basis over the lease term.

Interest income from cash and investments is accounted for using the effective interest rate at the date that interest is earned.

Dividend income

Revenue is recognised when the Council's right to receive the payment is established, which is generally when shareholders approve the dividend.

Other Income

Other income is recorded when the payment is due, the value of the payment is notified or the payment is received, whichever occurs first.

(c) Principles of consolidation

These consolidated financial statements include the financial position and performance of controlled entities from the date on which control is obtained until the date that control is lost.

(i) The Consolidated Fund

In accordance with the provisions of section 409(1) of the LGA 1993, all money and property received by Council is held in the Council's consolidated fund unless it is required to be held in the Council's trust fund.

The consolidated fund and other entities through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this report.

The following entities have been included as part of the consolidated fund:

- General purpose operations

(ii) Interests in other entities

Subsidiaries

Council has no interest in any subsidiaries.

Joint arrangements

Council has no interest in any joint arrangements.

Joint ventures

Joint ventures represent operational arrangements where the joint control parties have rights to the net assets of the arrangement.

Any interests in joint ventures are accounted for using the equity method and are carried at cost.

Under the equity method, Council's share of the operation's profits/(losses) are recognised in the income statement, and its share of movements in retained earnings and reserves are recognised in the balance sheet.

Detailed information relating to Council's joint ventures can be found at Note 19 (a).

Associates

Council has no interest in any associates.

County councils

Council is not a member of any county councils.

Unconsolidated structured entities

Council has no interest in any unconsolidated structured entities.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

(d) Leases

All leases entered into by Council are reviewed and classified on inception date as either a finance lease or an operating lease.

Finance leases

Leases of property, plant and equipment where the Council has substantially all the risks and rewards of ownership are classified as finance leases.

Finance leases are capitalised at the lease's inception at the lower of the fair value of the leased property and the present value of the minimum lease payments.

The corresponding rental obligations, net of finance charges, are included in borrowings.

Each lease payment is allocated between the liability outstanding and the recognition of a finance charge.

The interest element of the finance charge is costed to the income statement over the lease period so as to produce a constant periodic rate of interest on the remaining balance of the liability for each period.

Property, plant and equipment acquired under finance leases is depreciated over the shorter of each leased asset's useful life and the lease term.

Operating Leases

Leases in which a significant portion of the risks and rewards of ownership are retained by the lessor are classified as operating leases.

Payments made under operating leases (net of any incentives received from the lessor) are charged to the income statement on a straight-line basis over the period of the lease.

Lease income from operating leases is recognised in income on a straight-line basis over the lease term.

(e) Cash and Cash Equivalents

For Statement of Cash Flows (and Statement of Financial Position) presentation purposes, cash and cash equivalents includes;

- cash on hand,
- deposits held **at call** with financial institutions,
- other short-term, highly liquid investments **with original maturities of three months or less** that are readily convertible to known amounts of cash and that are subject to an insignificant risk of changes in value, and
- bank overdrafts.

Bank overdrafts are shown within borrowings in current liabilities on the balance sheet but are incorporated into cash and cash equivalents for presentation of the Cash Flow Statement.

(f) Investments and other financial assets

Council (in accordance with AASB 139) classifies each of its investments into one of the following categories for measurement purposes:

- **financial assets at fair value through profit or loss,**
- **loans and receivables,**
- **held-to-maturity investments,** and
- **available-for-sale financial assets.**

Each classification depends on the purpose or intention for which the investment was acquired and at the time it was acquired.

Management determines each investment classification at the time of initial recognition and re-evaluates this designation at each reporting date.

(i) Financial assets at fair value through profit or loss

Financial assets at fair value through profit or loss include financial assets that are 'held for trading'.

A financial asset is classified in the 'held for trading' category if it is acquired principally for the purpose of selling in the short term.

Assets in this category are primarily classified as current assets as they are primarily held for trading and/or are expected to be realised within 12 months of the balance sheet date.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

(ii) Loans and receivables

Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market.

They arise when the Council provides money, goods or services directly to a debtor with no intention (or in some cases ability) of selling the resulting receivable.

They are included in current assets, except for those with maturities greater than 12 months after the balance sheet date, which are classified as non-current assets.

(iii) Held-to-maturity investments

Held-to-maturity investments are non-derivative financial assets with fixed or determinable payments and fixed maturities that the Council's management has the positive intention and ability to hold to maturity.

In contrast to the 'loans and receivables' classification, these investments are generally quoted in an active market.

Held-to-maturity financial assets are included in non-current assets, except for those with maturities less than 12 months from the reporting date, which are classified as current assets.

(iv) Available-for-sale financial assets

Available-for-sale financial assets are non-derivatives that are either designated in this category or not classified in any of the other categories.

Investments must be designated as available-for-sale if they do not have fixed maturities and fixed or determinable payments and management intends to hold them for the medium to long term.

Accordingly, this classification principally comprises marketable equity securities, but can include all types of financial assets that could otherwise be classified in one of the other investment categories.

They are generally included in non-current assets unless management intends to dispose of the investment within 12 months of the balance sheet date or the term to maturity from the reporting date is less than 12 months.

Financial assets – reclassification

Council may choose to reclassify a non-derivative trading financial asset out of the held-for-trading category if the financial asset is no longer held for the purpose of selling it in the near term.

Financial assets other than loans and receivables are permitted to be reclassified out of the held-for-trading category only in rare circumstances arising from a single event that is unusual and highly unlikely to recur in the near term.

Council may also choose to reclassify financial assets that would meet the definition of loans and receivables out of the held-for-trading or available-for-sale categories if it has the intention and ability to hold these financial assets for the foreseeable future or until maturity at the date of reclassification.

Reclassifications are made at fair value as of the reclassification date. Fair value becomes the new cost or amortised cost as applicable, and no reversals of fair value gains or losses recorded before reclassification date are subsequently made.

Effective interest rates for financial assets reclassified to loans and receivables and held-to-maturity categories are determined at the reclassification date. Further increases in estimates of cash flows adjust effective interest rates prospectively.

General accounting and measurement of financial instruments:

(i) Initial recognition

Investments are initially recognised (and measured) at fair value, plus in the case of investments not at 'fair value through profit or loss', directly attributable transactions costs.

Purchases and sales of investments are recognised on trade-date – the date on which the Council commits to purchase or sell the asset.

Financial assets are derecognised when the rights to receive cash flows from the financial assets have expired or have been transferred and the Council has transferred substantially all the risks and rewards of ownership.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

(ii) Subsequent measurement

Available-for-sale financial assets and financial assets at fair value through profit and loss are subsequently carried at fair value.

Loans and receivables and **held-to-maturity** investments are carried at amortised cost using the effective interest method.

Realised and unrealised gains and losses arising from changes in the fair value of the financial assets classified as **'fair value through profit or loss'** category are included in the income statement in the period in which they arise.

Unrealised gains and losses arising from changes in the fair value of non-monetary securities classified as **'available-for-sale'** are recognised in equity in the available-for-sale investments revaluation reserve.

When securities classified as **'available-for-sale'** are sold or impaired, the accumulated fair value adjustments are included in the income statement as gains and losses from investment securities.

Impairment

Council assesses at each balance date whether there is objective evidence that a financial asset or group of financial assets is impaired.

A financial asset or a group of financial assets is impaired and impairment losses are incurred only if there is objective evidence of impairment as a result of one or more events that occurred after the initial recognition of the asset (a 'loss event') and that loss event (or events) has an impact on the estimated future cash flows of the financial asset or group of financial assets that can be reliably estimated.

(iii) Types of investments

Council has an approved Investment Policy in order to invest in accordance with (and to comply with) section 625 of the *Local Government Act* and s212 of the LG (General) Regulation 2005.

Investments are placed and managed in accordance with the policy and having particular regard to authorised investments prescribed under the Ministerial Local Government Investment Order.

Council maintains its Investment Policy in compliance with the Act and ensures that it or its representatives exercise care, diligence and skill that a prudent person would exercise in investing Council funds.

Council amended its policy following revisions to the Ministerial Local Government Investment Order arising from the Cole Inquiry recommendations. Certain investments that Council holds are no longer prescribed (eg. managed funds, CDOs, and equity linked notes), however they have been retained under grandfathering provisions of the Order. These will be disposed of when most financially advantageous to Council.

(g) Fair value estimation – financial instruments

The fair value of financial assets and financial liabilities must be estimated for recognition and measurement or for disclosure purposes.

The fair value of financial instruments traded in active markets is based on quoted market prices at the balance sheet date.

The fair value of financial instruments that are not traded in an active market is determined using valuation techniques.

Council uses a variety of methods and makes assumptions that are based on market conditions existing at each balance date.

Quoted market prices or dealer quotes for similar instruments are used for long-term debt instruments held.

If the market for a financial asset is not active (and for unlisted securities), the Council establishes fair value by using valuation techniques.

These include reference to the fair values of recent arm's length transactions, involving the same instruments or other instruments that are substantially the same, discounted cash flow analysis, and option pricing models refined to reflect the issuer's specific circumstances.

The nominal value less estimated credit adjustments of trade receivables and payables are assumed to approximate their fair values.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

The fair value of financial liabilities for disclosure purposes is estimated by discounting the future contractual cash flows at the current market interest rate that is available to the Council for similar financial instruments.

(h) Receivables

Receivables are initially recognised at fair value and subsequently measured at amortised cost, less any provision for impairment.

Receivables (excluding rates and annual charges) are generally due for settlement no more than 30 days from the date of recognition.

The collectibility of receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off in accordance with Council's policy.

A provision for impairment (i.e. an allowance account) relating to receivables is established when objective evidence shows that Council will not be able to collect all amounts due according to the original terms of each receivable.

The amount of the provision is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the effective interest rate.

Impairment losses are recognised in the Income Statement within other expenses.

When a receivable for which an impairment allowance had been recognised becomes uncollectible in a subsequent period, it is written off against the allowance account.

Subsequent recoveries of amounts previously written off are credited against other expenses in the Income Statement.

(i) Inventories

(i) Raw materials and stores, work in progress and finished goods

Raw materials and stores, work in progress and finished goods in respect of business undertakings

are all stated at the lower of cost and net realisable value.

Cost comprises direct materials, direct labour and an appropriate proportion of variable and fixed overhead expenditure, the latter being allocated on the basis of normal operating capacity.

Costs are assigned to individual items of inventory on the basis of weighted average costs.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Inventories held in respect of non-business undertakings have been valued at cost subject to adjustment for loss of service potential.

(ii) Land held for resale/capitalisation of borrowing costs

Land held for resale is stated at the lower of cost and net realisable value.

Cost is assigned by specific identification and includes the cost of acquisition, and development and borrowing costs during development.

When development is completed borrowing costs and other holding charges are expensed as incurred.

Borrowing costs included in the cost of land held for resale are those costs that would have been avoided if the expenditure on the acquisition and development of the land had not been made.

Borrowing costs incurred while active development is interrupted for extended periods are recognised as expenses.

(j) Infrastructure, property, plant and equipment (I,PP&E)

Acquisition of assets

Council's non-current assets are continually revalued (over a 5-year period) in accordance with the fair valuation policy as mandated by the Office of Local Government.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

At balance date, the following classes of I,PP&E were stated at their fair value:

- **Plant and equipment**
(as approximated by depreciated historical cost)
- **Operational land** (external valuation)
- **Community land** (internal valuation)
- **Land improvements**
(as approximated by depreciated historical cost)
- **Buildings – specialised/non-specialised**
(external valuation)
- **Other structures**
(as approximated by depreciated historical cost)
- **Roads assets including roads, bridges and footpaths** (external valuation)
- **Bulk earthworks** (external valuation)
- **Stormwater drainage** (external valuation)
- **Other open space/recreational assets**
(external valuation)
- **Other infrastructure** (external valuation)
- **Other assets**
(as approximated by depreciated historical cost)
- **Investment properties** – refer Note 1(p),

Due to the proclamation date of 9 September 2016, the Council had not completed revaluations for the 2015 / 2016 reporting period and therefore the following assets have not been revalued for these financial statements:

- Community Land

Council has assessed the current carrying values of the above Asset Classes and do not believe that (at balance date) it is materially different from their fair value.

Initial recognition

On initial recognition, an asset's cost is measured at its fair value, plus all expenditure that is directly attributable to the acquisition.

Where settlement of any part of an asset's cash consideration is deferred, the amounts payable in the future are discounted to their present value as at the date of recognition (i.e. date of exchange) of the asset to arrive at fair value.

The discount rate used is the Council's incremental borrowing rate, being the rate at which a similar borrowing could be obtained from an independent financier under comparable terms and conditions.

Where infrastructure, property, plant and equipment assets are acquired for no cost or for an amount other than cost, the assets are recognised in the financial statements at their fair value at acquisition date – being the amount that the asset could have been exchanged between knowledgeable willing parties in an arm's length transaction.

Subsequent costs

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to Council and the cost of the item can be measured reliably.

All other repairs and maintenance are charged to the income statement during the financial period in which they are incurred.

Asset revaluations (including indexation)

In accounting for asset revaluations relating to infrastructure, property, plant and equipment:

- increases in the combined carrying amounts of asset classes arising on revaluation are credited to the asset revaluation reserve,
- to the extent that a net asset class increase reverses a decrease previously recognised via the profit or loss, then increase is first recognised in profit or loss,
- net decreases that reverse previous increases of the same asset class are first charged against revaluation reserves directly in equity to the extent of the remaining reserve attributable to the asset, with all other decreases charged to the Income Statement.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

For all other assets, Council assesses at each reporting date whether there is any indication that a revalued asset's carrying amount may differ materially from that which would be determined if the asset were revalued at the reporting date.

If any such indication exists, Council determines the asset's fair value and revalues the asset to that amount.

Full revaluations are undertaken for all assets on a 5-year cycle.

Capitalisation thresholds

Items of infrastructure, property, plant and equipment are not capitalised unless their cost of acquisition exceeds the following:

Land

- council land	100% Capitalised
- open space	100% Capitalised
- land under roads (purchases after 30/6/08)	100% Capitalised

Plant & Equipment

Office Furniture	> \$2,000
Office Equipment	> \$2,000
Other Plant & Equipment	> \$2,000

Buildings & Land Improvements

Park Furniture & Equipment	> \$2,000
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Building

- construction/extensions	100% Capitalised
- renovations	> \$10,000

Other Structures	> \$2,000
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Stormwater Assets

Drains & Culverts	> \$5,000
Other	> \$5,000

Transport Assets

Road construction & reconstruction	> \$10,000
Reseal/Re-sheet & major repairs:	> \$10,000

Bridge construction & reconstruction	> \$10,000
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Depreciation

Depreciation on Council's infrastructure, property, plant and equipment assets is calculated using the

straight-line method in order to allocate an asset's cost (net of residual values) over its estimated useful life.

Land is not depreciated.

Estimated useful lives for Council's I,PP&E include:

Plant & Equipment

- Office Equipment	5 to 10 years
- Office furniture	10 to 20 years
- Computer Equipment	4 years
- Vehicles	5 to 8 years
- Heavy Plant/Road Making equip.	5 to 8 years
- Other plant and equipment	5 to 15 years

Other Equipment

- Playground equipment	5 to 15 years
- Benches, seats etc	10 to 20 years

Buildings

- Buildings: Masonry	50 to 100 years
- Buildings: Other	20 to 40 years

Stormwater Drainage

- Drains	80 to 100 years
- Culverts	50 to 80 years

Transportation Assets

- Sealed Roads: Surface	20 years
- Sealed Roads: Structure	50 years
- Unsealed roads	20 years
- Bridge: Concrete	100 years
- Bridge: Other	50 years

- Road Pavements	60 years
- Kerb, Gutter & Paths	40 years

Other Infrastructure Assets

- Bulk earthworks	Infinite
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All asset residual values and useful lives are reviewed and adjusted (if appropriate) at each reporting date.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount – refer Note 1 (s) on asset impairment.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

Disposal and derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

Any gain or loss arising on derecognition of the asset (calculated as the difference between the net disposal proceeds and the carrying amount of the asset) is included in Council's Income Statement in the year the asset is derecognised.

(k) Land

Land (other than land under roads) is in accordance with Part 2 of Chapter 6 of the *Local Government Act (1993)* classified as either operational or community.

This classification of land is disclosed in Note 9 (a).

(l) Land under roads

Land under roads is land under roadways and road reserves, including land under footpaths, nature strips and median strips.

Council has elected not to recognise land under roads acquired before 1 July 2008 in accordance with AASB 1051.

Land under roads acquired after 1 July 2008 is recognised in accordance with AASB 116 – Property, Plant and Equipment.

(m) Intangible assets

IT development and software

Costs incurred in developing products or systems and costs incurred in acquiring software and licenses that will contribute to future period financial benefits through revenue generation and/or cost reduction are capitalised to software and systems.

Costs capitalised include external direct costs of materials and services, direct payroll and payroll-related costs of employees' time spent on the project.

Amortisation is calculated on a straight line bases over periods generally ranging from 3 to 5 years.

IT development costs include only those costs directly attributable to the development phase and are only recognised following completion of technical feasibility and where Council has an intention and ability to use the asset.

(n) Crown reserves

Crown reserves under Council's care and control are recognised as assets of the Council.

While ownership of the reserves remains with the Crown, Council retains operational control of the reserves and is responsible for their maintenance and use in accordance with the specific purposes to which the reserves are dedicated.

Improvements on Crown reserves are also recorded as assets, while maintenance costs incurred by Council and revenues relating to the reserves are recognised within Council's Income Statement.

Representations are currently being sought across state and local government to develop a consistent accounting treatment for Crown Reserves across both tiers of government.

(o) Rural fire service assets

Under section 119 of the *Rural Fires Act 1997*, 'all fire fighting equipment purchased or constructed wholly or from money to the credit of the Fund is to be vested in the council of the area for or on behalf of which the fire fighting equipment has been purchased or constructed'.

At present, the accounting for such fire fighting equipment is not treated in a consistent manner across all Councils.

Until such time as discussions on this matter have concluded and the legislation changed, Council will continue to account for these assets as it has been doing in previous years, which is to incorporate the assets, their values and depreciation charges within these financial statements.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

(p) Impairment of assets

All Council's I,PP&E is subject to an annual assessment of impairment.

Assets that are subject to amortisation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable.

An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount.

The recoverable amount is the higher of an asset's fair value less costs to sell and value in use.

Where an asset is not held principally for cash-generating purposes (for example infrastructure assets) and would be replaced if the Council was deprived of it, then depreciated replacement cost is used as value in use, otherwise value in use is estimated by using a discounted cash flow model.

Non-financial assets (other than goodwill) that suffered a prior period impairment are reviewed for possible reversal of the impairment at each reporting date.

Goodwill and other intangible assets that have an indefinite useful life and are not subject to amortisation are tested annually for impairment.

(q) Payables

These amounts represent liabilities and include goods and services provided to the Council prior to the end of financial year that are unpaid.

The amounts for goods and services are unsecured and are usually paid within 30 days of recognition.

(r) Borrowings

Borrowings are initially recognised at fair value, net of transaction costs incurred.

Borrowings are subsequently measured at amortised cost.

Amortisation results in any difference between the proceeds (net of transaction costs) and the redemption amount being recognised in the Income Statement over the period of the borrowings using the effective interest method.

Borrowings are removed from the balance sheet when the obligation specified in the contract is discharged, cancelled or expired.

Borrowings are classified as current liabilities unless the Council has an unconditional right to defer settlement of the liability for at least 12 months after the balance sheet date.

(s) Borrowing costs

Borrowing costs are expensed.

Borrowing costs incurred for the construction of any qualifying asset are capitalised during the period of time that is required to complete and prepare the asset for its intended use or sale.

(t) Provisions

Provisions for legal claims, service warranties and other like liabilities are recognised when:

- Council has a present legal or constructive obligation as a result of past events,
- it is more likely than not that an outflow of resources will be required to settle the obligation, and
- the amount has been reliably estimated.

Provisions are not recognised for future operating losses.

Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole.

A provision is recognised even if the likelihood of an outflow with respect to any one item included in the same class of obligations may be small.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

Provisions are measured at the present value of management's best estimate of the expenditure required to settle the present obligation at the reporting date.

The discount rate used to determine the present value reflects current market assessments of the time value of money and the risks specific to the liability.

The increase in the provision due to the passage of time is recognised as interest expense.

(u) Employee benefits

(i) Short-term obligations

Short-term employee benefit obligations include liabilities for wages and salaries (including non-monetary benefits), annual leave and vesting sick leave expected to be wholly settled within the 12 months after the reporting period.

Leave liabilities are recognised in the provision for employee benefits in respect of employees' services up to the reporting date with other short term employee benefit obligations disclosed under payables.

These provisions are measured at the amounts expected to be paid when the liabilities are settled.

All other short-term employee benefit obligations are presented as payables.

Liabilities for non-vesting sick leave are recognised at the time when the leave is taken and measured at the rates paid or payable, and accordingly no Liability has been recognised in these reports.

Wages and salaries, annual leave and vesting sick leave are all classified as current liabilities.

(ii) Other long-term obligations

The liability for all long service and annual leave in respect of services provided by employees up to the reporting date (which is not expected to be wholly settled within the 12 months after the reporting period) are recognised in the provision for employee benefits.

These liabilities are measured at the present value of the expected future payments to be made using the projected unit credit method.

Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service.

Expected future payments are then discounted using market yields at the reporting date based on national government bonds with terms to maturity and currency that match as closely as possible the estimated future cash outflows.

Due to the nature of when and how long service leave can be taken, all long service leave for employees with 4 or more years of service has been classified as current, as it has been deemed that Council does not have the unconditional right to defer settlement beyond 12 months – even though it is not anticipated that all employees with more than 4 years service (as at reporting date) will apply for and take their leave entitlements in the next 12 months.

(iii) Retirement benefit obligations

All employees of the Council are entitled to benefits on retirement, disability or death.

Council contributes to various defined benefit plans and defined contribution plans on behalf of its employees.

Defined benefit plans

A liability or asset in respect of defined benefit superannuation plans would ordinarily be recognised in the balance sheet, and measured as the present value of the defined benefit obligation at the reporting date plus unrecognised actuarial gains (less unrecognised actuarial losses) less the fair value of the superannuation fund's assets at that date and any unrecognised past service cost.

The present value of the defined benefit obligation is based on expected future payments which arise from membership of the fund to the reporting date, calculated annually by independent actuaries using the projected unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

However, when this information is not reliably available, Council can account for its obligations to defined benefit plans on the same basis as its obligations to defined contribution plans – i.e. as an expense when they become payable.

Council is party to an Industry Defined Benefit Plan under the Local Government Superannuation Scheme, named the 'Local Government Superannuation Scheme – Pool B'.

This scheme has been deemed to be a 'multi-employer fund' for the purposes of AASB 119.

Sufficient information is not available to account for the Scheme as a defined benefit plan (in accordance with AASB 119) because the assets to the scheme are pooled together for all Councils.

The last valuation of the scheme was performed by Mr Martin Stevenson BSc, FIA, FIAA on 20/02/13 and covers the period ended 30/06/15.

However the position is monitored annually and the actuary has estimated that as at 9 September 2016 the prior period deficit still exists.

Effective from 1 July 2009, employers are required to contribute additional contributions to assist in extinguishing this deficit.

The amount of employer contributions to the defined benefit section of the Local Government Superannuation Scheme and recognised as an expense and disclosed as part of superannuation expenses at Note 4 (a) for the period ending 9 September 2016 was \$ 1,098,498.

The amount of additional contributions included in the total employer contribution advised above is \$ 431,275.

The share of this deficit that can be broadly attributed to Council is estimated to be in the order of \$ 388,893 as at 9 September 2016.

Council's share of that deficiency cannot be accurately calculated as the scheme is a mutual arrangement where assets and liabilities are pooled together for all member councils.

For this reason, no liability for the deficiency has been recognised in these financial statements.

Council has, however, disclosed a contingent liability in Note 18 to reflect the possible obligation that may arise should the scheme require immediate payment to correct the deficiency.

Defined contribution plans

Contributions to defined contribution plans are recognised as an expense as they become payable. Prepaid contributions are recognised as an asset to the extent that a cash refund or a reduction in the future payments is available.

(iv) Employee benefit on-costs

Council has recognised at period end the aggregate on-cost liabilities arising from employee benefits, and in particular those on-cost liabilities that will arise when payment of current employee benefits is made in future periods.

These amounts include superannuation and workers compensation expenses which will be payable upon the future payment of certain leave liabilities accrued as at 9/09/2016.

Council has recognised at year end the aggregate on-cost liabilities arising from employee benefits, and in particular those on-cost liabilities that will arise when payment of current employee benefits is made in future periods.

These amounts include superannuation and workers compensation expenses which will be payable upon the future payment of certain leave liabilities accrued as at 30/06/16.

(v) Self-insurance

Council does not self-insure.

(w) Allocation between current and non-current assets and liabilities

In the determination of whether an asset or liability is classified as current or non-current, consideration is given to the time when each asset or liability is expected to be settled.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle.

Exceptions

In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months (such as vested long service leave), the liability is classified as current even if it is not expected to be settled within the next 12 months.

In the case of inventories that are 'held for trading', these are also classified as current even if not expected to be realised in the next 12 months.

(x) Taxes

The Council is exempt from both Commonwealth Income Tax and Capital Gains Tax.

Council does, however, have to comply with both Fringe Benefits Tax and Goods and Services Tax (GST).

Goods and Services Tax (GST)

Income, expenses and assets are all recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Tax Office (ATO).

In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of the revenue / expense.

Receivables and payables within the Balance Sheet are stated inclusive of any applicable GST.

The net amount of GST recoverable from or payable to the ATO is included as a current asset or current liability in the Balance Sheet.

Operating cash flows within the Cash Flow Statement are on a gross basis, i.e. they are inclusive of GST where applicable.

Investing and financing cash flows are treated on a net basis (where recoverable from the ATO), i.e. they are exclusive of GST. Instead, the GST component of investing and financing activity cash

flows that are recoverable from or payable to the ATO are classified as operating cash flows.

Commitments and contingencies are disclosed net of the amount of GST recoverable from (or payable to) the ATO.

(y) New accounting standards and Interpretations issued (not yet effective)

Certain new (or amended) accounting standards and interpretations have been published that are not mandatory for reporting periods ending 9 September 2016.

Council has not adopted any of these standards early.

These include the following standards that are anticipated will impact on local government:

AASB 9 – Financial Instruments

AASB 15 – Revenue from Contracts with Customers and associated amending standards

AASB ED 260 – Income of Not-for-Profit Entities

AASB16 – Leases

AASB2015-6 – Amendments to Australian Accounting Standards – Extending Related Party Disclosures to Not-for-Profit Public Sector Entities

AASB 2014 – 10 Sale or Contribution of Assets Between an Investor and its Associate or Joint Venture

AASB 2014 – 3 Amendments to Australian Accounting Standards – Accounting for Acquisitions of Interests in Joint Operations [AASB 1 and AASB 11]

The full impact of the above standards has yet to be ascertained or quantified but will range from additional and/or revised disclosures to changes in how certain transactions and balances are accounted for.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 1. Summary of significant accounting policies (continued)

(z) Rounding of amounts

Unless otherwise indicated, amounts in the financial statements have been rounded off to the nearest thousand dollars.

(aa) Comparative figures

To ensure comparability with the current reporting period's figures, some comparative period line items and amounts may have been reclassified or individually reported for the first time within these financial statements and/or the notes.

(ab) Disclaimer

Nothing contained within these statements may be taken to be an admission of any liability to any person under any circumstance.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 2(a). Council functions/activities – financial information

Functions/activities	Income, expenses and assets have been directly attributed to the following functions/activities. Details of these functions/activities are provided in Note 2(b).												
	Income from continuing operations			Expenses from continuing operations			Operating result from continuing operations			Grants included in income from continuing operations		Total assets held (current & non-current)	
	Original budget ¹	Actual	Actual	Original budget ¹	Actual	Actual	Original budget ¹	Actual	Actual	Actual	Actual	Actual	Actual
	1/7/15 to 9/9/16	1/7/15 to 9/9/16	1/7/14 to 30/6/15	1/7/15 to 9/9/16	1/7/15 to 9/9/16	1/7/14 to 30/6/15	1/7/15 to 9/9/16	1/7/15 to 9/9/16	1/7/14 to 30/6/15	1/7/15 to 9/9/16	1/7/14 to 30/6/15	1/7/15 to 9/9/16	1/7/14 to 30/6/15
Governance	n/a	–	–	n/a	2,622	2,173	n/a	(2,622)	(2,173)	–	–	3,536	30
Administration	n/a	20,596	9,018	n/a	34,851	24,318	n/a	(14,255)	(15,300)	131	120	994,983	954,405
Public order and safety	n/a	6,296	4,777	n/a	6,020	6,332	n/a	276	(1,555)	122	323	–	136
Health	n/a	1,294	925	n/a	1,150	960	n/a	144	(35)	–	–	–	–
Environment	n/a	24,577	18,459	n/a	28,511	22,990	n/a	(3,934)	(4,531)	1,054	744	66	6
Community services and education	n/a	696	633	n/a	1,215	870	n/a	(519)	(237)	280	295	–	1
Housing and community amenities	n/a	5,002	5,538	n/a	6,282	4,298	n/a	(1,280)	1,240	373	367	–	–
Recreation and culture	n/a	10,500	11,604	n/a	19,848	14,128	n/a	(9,348)	(2,524)	290	408	1,581	1,301
Transport and communication	n/a	6,682	4,556	n/a	3,214	8,267	n/a	3,468	(3,711)	1,971	956	–	–
Economic affairs	n/a	873	2,228	n/a	1,592	1,200	n/a	(719)	1,028	–	–	–	–
Total functions and activities	n/a	76,516	57,738	n/a	105,305	85,536	n/a	(28,789)	(27,798)	4,221	3,213	1,000,166	955,879
Share of gains/(losses) in associates and joint ventures (using the equity method)	n/a	300	–	n/a	–	15	n/a	300	(15)	–	–	2,230	1,930
General purpose income ²	n/a	94,339	45,210	n/a	–	–	n/a	94,339	45,210	7,996	3,688	51,788	29,258
Operating result from continuing operations	n/a	171,155	102,948	n/a	105,305	85,551	n/a	65,850	17,397	12,217	6,901	1,054,184	987,067

1. Original Budget disclosures are not required for these financial statements.

2. Includes: rates and annual charges (incl. ex-gratia), untied general purpose grants and unrestricted interest and investment income.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 2(b). Council functions/activities – component descriptions

Details relating to the Council's functions/activities as reported in Note 2(a) are as follows:

GOVERNANCE

Includes costs relating to Council's role as a component of democratic government, including elections, members' fees and expenses, subscriptions to local authority associations, meetings of Council and policy-making committees, public disclosure (e.g. GIPA), and legislative compliance.

ADMINISTRATION

Includes corporate support and other support services, engineering works, and any Council policy compliance.

PUBLIC ORDER AND SAFETY

Fire protection, animal control, beach control, enforcement of local government regulations, emergency services, other.

HEALTH

Includes immunisation, food control, health centres etc.

ENVIRONMENT

Includes noxious plants and insect/vermin control; other environmental protection; solid waste management, including domestic waste; other waste management; other sanitation; and garbage, street cleaning, drainage and stormwater management.

COMMUNITY SERVICES AND EDUCATION

Includes administration and education; social protection (welfare); migrant, Aboriginal and other community services and administration (excluding accommodation – as it is covered under 'housing and community amenities'); youth services; aged and disabled persons services; children's services, including family day care; child care; and other family and children services.

HOUSING AND COMMUNITY AMENITIES

Includes public cemeteries; public conveniences; street lighting; town planning; other community amenities, including housing development and accommodation for families and children, aged persons, disabled persons, migrants and Indigenous persons.

RECREATION AND CULTURE

Includes public libraries; museums; art galleries; community centres and halls, including public halls and performing arts venues; sporting grounds and venues; swimming pools; parks; gardens; lakes; and other sporting, recreational and cultural services.

TRANSPORT AND COMMUNICATION

Urban local, urban regional, includes sealed and unsealed roads, bridges, footpaths, parking areas, and aerodromes.

ECONOMIC AFFAIRS

Includes camping areas and caravan parks; tourism and area promotion; industrial development promotion; sale yards and markets; real estate development; commercial nurseries; and other business undertakings.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 3. Income from continuing operations

		Actual 1/7/15 to 30/6/17	Actual 1/7/14 to 30/6/15
\$ '000	Notes		
(a) Rates and annual charges ¹			
Ordinary rates			
Residential		72,640	33,679
Farmland		13	6
Business		9,650	4,710
Total ordinary rates		82,303	38,395
Special rates			
Infrastructure levy		14,391	4,312
Local area rates		967	470
Community safety levy		803	379
Stormwater levy		1,650	805
Total special rates		17,811	5,966
		Actual 1/7/15 to 9/9/16	Actual 1/7/14 to 30/6/15
\$ '000	Notes		
Annual charges (pursuant to s.496, s.496A, s.496B, s.501 & s.611)			
Domestic waste management services		20,241	14,834
Total annual charges		20,241	14,834
TOTAL RATES AND ANNUAL CHARGES		120,355	59,195

¹ Council has used 2012 year valuations provided by the NSW Valuer General in calculating its rates.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 3. Income from continuing operations (continued)

		Actual	Actual
		1/7/15	1/7/14
\$ '000	Notes	to 9/9/16	to 30/6/15
(b) User charges and fees			
Specific user charges (per s.502 – specific ‘actual use’ charges)			
Waste management services (non-domestic)		1,054	838
Waste management services (non-rateable)		367	315
Total user charges		1,421	1,153
Other user charges and fees			
(i) Fees and charges – statutory and regulatory functions (per s.608)			
Building consents and construction certificates		93	95
Building inspections		101	127
Development and planning consent fees		1,337	1,039
Health inspection and approvals fee		305	353
Section 149 certificates – zoning (EPA Act)		294	259
Section 603 certificates – rating certificates		179	159
Other		24	20
Total fees and charges – statutory/regulatory		2,333	2,052
(ii) Fees and charges – other (incl. general user charges (per s.608))			
Design review panel		145	154
Engineering inspections and other fees		132	150
Environmental enforcement fees		666	457
Library fees and charges		57	44
Meals on wheels		151	179
Parking fees		49	23
Permits and inspection fees		1,258	779
Restoration and road opening fees		1,018	1,055
Street furniture advertising fee		254	205
Sundry sales		27	27
Other		358	160
Total fees and charges – other		4,115	3,233
TOTAL USER CHARGES AND FEES		7,869	6,438

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 3. Income from continuing operations (continued)

		Actual 1/7/15 to 9/9/16	Actual 1/7/14 to 30/6/15
\$ '000	Notes		
(c) Interest and investment revenue (including losses)			
Interest			
– Interest on overdue rates and annual charges (incl. special purpose rates)		272	251
– Interest earned on investments (interest and coupon payment income)		4,334	3,423
Fair value adjustments			
– Fair valuation movements in investments (at fair value or held for trading)		5	(3)
<u>TOTAL INTEREST AND INVESTMENT REVENUE</u>		<u>4,611</u>	<u>3,671</u>
Interest revenue is attributable to:			
Unrestricted investments/financial assets:			
Overdue rates and annual charges (general fund)		272	251
General Council cash and investments		2,897	2,222
Restricted investments/funds – external:			
Development contributions			
– Section 94		1,442	1,198
Total interest and investment revenue recognised		<u>4,611</u>	<u>3,671</u>
(d) Other revenues			
Rental income – residential and commercial property		1,394	1,118
Ex gratia rates		871	654
Fines – car parking infringements		3,239	2,535
Fines – other		329	140
Legal fees recovery – other		–	222
Rental income – halls and community facilities		503	456
Rental income – parks and sporting facilities		601	490
Insurance claim recoveries		276	128
Sales – general		1,281	378
Other credit card service fee		108	74
<u>TOTAL OTHER REVENUE</u>		<u>8,602</u>	<u>6,195</u>

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 3. Income from continuing operations (continued)

	1/7/15 to 9/9/16 Operating	1/7/14 to 30/6/15 Operating	1/7/15 to 9/9/16 Capital	1/7/14 to 30/6/15 Capital
\$ '000				
(e) Grants				
General purpose (untied)				
Financial assistance – general component	4,939 ¹	2,205	–	–
Financial assistance – local roads component	1,747 ¹	786	–	–
Pensioners' rates subsidies – general component	1,310	697	–	–
Total general purpose	7,996	3,688	–	–
Specific purpose				
Pensioners' rates subsidies:				
– Domestic waste management	581	297	–	–
Aged care	41	32	–	–
Library	68	65	–	–
Library – per capita	200	201	–	–
Meals on wheels subsidy	186	245	–	–
Parks	–	–	18	138
RTA roads and traffic	458	444	461	167
Street lighting	307	301	–	–
Transport (roads to recovery)	–	–	1,059	342
Youth services	26	16	–	–
Other – road safety	61	63	–	–
Other – waterway and foreshore improvements	–	–	122	280
Other	626	589	7	33
Total specific purpose	2,554	2,253	1,667	960
Total grants	10,550	5,941	1,667	960
Grant revenue is attributable to:				
– Commonwealth funding	3,751	3,017	1,066	342
– State funding	3,726	2,864	601	618
– Other funding	3,073	60	–	–
	10,550	5,941	1,667	960

¹ Federal Assistance Grants (FAGs) are recognised as revenue upon their receipt or upon earlier notification that the grant has been secured. As such the revenue for FAGs includes the full grant allocation for the 16/17 year.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 3. Income from continuing operations (continued)

		1/7/15 to 9/9/16 Operating	1/7/14 to 30/6/15 Operating	1/7/15 to 9/9/16 Capital	1/7/14 to 30/6/15 Capital
\$ '000					
(f) Contributions					
Developer contributions:					
(s93 & s94 – EP&A Act, s64 of the LGA):					
S 94 – contributions towards amenities/services		–	–	15,619	17,870
S 94A – fixed development consent levies		–	–	962	720
Total developer contributions	17	–	–	16,581	18,590
Other contributions:					
Other		391	101	229	126
Total other contributions		391	101	229	126
Total contributions		391	101	16,810	18,716
TOTAL GRANTS AND CONTRIBUTIONS		10,941	6,042	18,477	19,676

		Actual 1/7/15 to 9/9/16	Actual 1/7/14 to 30/6/15
\$ '000			
(g) Restrictions relating to grants and contributions			
Certain grants and contributions are obtained by Council on condition that they be spent in a specified manner:			
Unexpended at the close of the previous reporting period		58,091	44,268
Add: grants and contributions recognised in the current period but not yet spent:		19,991	19,647
Less: grants and contributions recognised in a previous reporting period now spent:		(12,921)	(5,824)
Net increase (decrease) in restricted assets during the period		7,070	13,823
Unexpended and held as restricted assets		65,161	58,091
Comprising:			
– Specific purpose unexpended grants		1,850	1,383
– Developer contributions		63,311	56,708
		65,161	58,091

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 4. Expenses from continuing operations

		Actual 1/7/15 to 9/9/16	Actual 1/7/14 to 30/6/15
\$ '000	Notes		
(a) Employee benefits and on-costs			
Salaries and wages		31,357	24,441
Travel expenses		31	21
Employee leave entitlements (ELE)		6,484	4,336
Superannuation – defined contribution plans		2,771	2,093
Superannuation – defined benefit plans		1,098	977
Workers' compensation insurance		1,241	871
Fringe benefit tax (FBT)		156	165
Training costs (other than salaries and wages)		479	296
Occupational health and safety		201	80
Other		280	126
Total employee costs		44,098	33,406
Less: capitalised costs		(1,503)	(632)
<u>TOTAL EMPLOYEE COSTS EXPENSED</u>		<u>42,595</u>	<u>32,774</u>
Number of 'full-time equivalent' employees (FTE) as at 9/9/2016		361	361
(b) Borrowing costs			
(i) Interest bearing liability costs			
Interest on loans		333	362
Total interest bearing liability costs expensed		333	362
(ii) Other borrowing costs			
Interest applicable on interest free (and favourable) loans to Council		33	38
Total other borrowing costs		33	38
<u>TOTAL BORROWING COSTS EXPENSED</u>		<u>366</u>	<u>400</u>

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 4. Expenses from continuing operations (continued)

	Actual	Actual
	1/7/15	1/7/14
\$ '000	to 9/9/16	to 30/6/15
(c) Materials and contracts		
Contractor and consultancy costs	5,472	4,345
Auditors remuneration ⁽¹⁾	73	69
Legal expenses:		
– Legal expenses: other	1,715	621
Community safety, vandalism and graffiti program	106	110
Computer maintenance	1,157	994
Design and planning	518	509
Recycling contract	1,674	1,351
Roads, parks and property maintenance	4,890	5,594
Waste collection and disposal	14,776	12,124
TOTAL MATERIALS AND CONTRACTS	30,381	25,717

Auditor remuneration

During the period, the following fees were incurred for services provided by the Council's Auditor:

(i) Audit and other assurance services

- Audit and review of financial statements: Council's Auditor

Remuneration for audit and other assurance services

52	51
52	51

(ii) Taxation services

- GST advice

Remuneration for taxation services

21	10
21	10

(iii) Other non-assurance services

- Other services

Remuneration for other services

–	8
–	8

Total Auditor remuneration

73	69
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The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 4. Expenses from continuing operations (continued)

\$ '000	Notes	Impairment costs		Depreciation/amortisation	
		Actual	Actual	Actual	Actual
		1/7/15 to 9/9/16	1/7/14 to 30/6/15	1/7/15 to 9/9/16	1/7/14 to 30/6/15
Plant and equipment		—	—	1,746	1,395
Office equipment		—	—	233	239
Furniture and fittings		—	—	83	70
Land improvements (depreciable)		—	—	652	1,762
Infrastructure:					
– Buildings – non-specialised		—	—	779	666
– Buildings – specialised		—	—	3,369	2,659
– Other structures		—	—	1,275	617
– Roads		—	—	7,456	5,616
– Bridges		—	—	75	151
– Footpaths		—	—	1,116	1,663
– Stormwater drainage		—	—	978	1,019
Other assets					
– Library books		—	—	407	349
Intangible assets	25	—	—	387	365
<u>TOTAL DEPRECIATION AND IMPAIRMENT COSTS EXPENSED</u>		<u>—</u>	<u>—</u>	<u>18,556</u>	<u>16,571</u>

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 4. Expenses from continuing operations (continued)

		Actual	Actual
		1/7/15	1/7/14
\$ '000	Notes	to 9/9/16	to 30/6/15
(e) Other expenses			
Other expenses for the period include the following:			
Advertising		178	175
Bad and doubtful debts		(9)	(185)
Contributions/levies to other levels of government		5	6
– Department of Planning levy		177	177
– NSW Fire Brigade levy		1,799	1,346
Councillor expenses – mayoral fee		48	38
Councillor expenses – councillors’ fees		340	257
Councillors’ expenses (incl. mayor) – other (excluding fees above)		301	254
Donations, contributions and assistance to other organisations (Section 356)		79	129
Electricity and heating		799	839
External hire charges		738	233
Fees and charges		736	649
Food and beverages		223	206
Insurance		1,652	1,212
Motor vehicle expenses		969	825
Postage		216	125
Property expenses		1,190	469
Printing and stationery		585	690
Street lighting		2,051	1,761
Telephone and communications		396	341
Other		619	527
TOTAL OTHER EXPENSES		13,092	10,074

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 5. Gains or losses from the disposal of assets

\$ '000	Notes	Actual 1/7/15 to 9/9/16	Actual 1/7/14 to 30/6/15
Property (excl. investment property)			
Proceeds from disposal – property		–	4,025
Less: carrying amount of property assets sold/written off		–	(2,175)
Net gain/(loss) on disposal		–	1,850
Plant and equipment			
Proceeds from disposal – plant and equipment		1,546	1,389
Less: carrying amount of plant and equipment assets sold/written off		(1,861)	(1,351)
Net gain/(loss) on disposal		(315)	38
Financial assets			
Proceeds from disposal/redemptions/maturities – financial assets		32,407	22,963
Less: carrying amount of financial assets sold/redeemed/matured		(32,407)	(22,963)
Net gain/(loss) on disposal		–	–
Non-current assets classified as ‘held for sale’			
Proceeds from disposal – non-current assets ‘held for sale’		–	48,000
Less: carrying amount of ‘held for sale’ assets sold/written off		–	(48,000)
Net gain/(loss) on disposal		–	–
Intangible assets			
Less: carrying amount of Intangible assets assets sold/written off		–	(157)
Net gain/(loss) on disposal		–	(157)
NET GAIN/(LOSS) ON DISPOSAL OF ASSETS		(315)	1,731

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 6a. – Cash assets and Note 6b. – investments

		9/9/16	9/9/16	30/6/15	30/6/15
		Actual	Actual	Actual	Actual
\$ '000	Notes	Current	Non-current	Current	Non-current
Cash and cash equivalents (Note 6a)					
Cash on hand and at bank		25,064	–	10,587	–
Cash-equivalent assets ¹					
– Deposits at call		74,283	–	67,631	–
Total cash and cash equivalents		99,347	–	78,218	–
Investments (Note 6b)					
– Long term deposits		36,381	–	29,407	–
– NCD's, FRN's (with maturities > 3 months)		–	18,095	–	7,102
– Other long term financial assets		–	5	–	5
Total investments		36,381	18,100	29,407	7,107
TOTAL CASH ASSETS, CASH					
EQUIVALENTS AND INVESTMENTS					
		135,728	18,100	107,625	7,107

¹ Those investments where time to maturity (from date of purchase) is < 3 mths.

**Cash, cash equivalents and investments were
classified at end of period in accordance with
AASB 139 as follows:**

Cash and cash equivalents

a. 'At fair value through the profit and loss'		99,347	–	78,218	–
---	--	---------------	----------	---------------	----------

Investments

a. 'At fair value through the profit and loss'					
– 'Designated at fair value on initial recognition'	6(b-i)	–	18,100	–	7,107
b. 'Held to maturity'	6(b-ii)	36,381	–	29,407	–
Investments		36,381	18,100	29,407	7,107

Refer to Note 27. Fair value measurement for information regarding the fair value of investments held.

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Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 6b. investments (continued)

	9/9/16 Actual Current	9/9/16 Actual Non-current	30/6/15 Actual Current	30/6/15 Actual Non-current
\$ '000				
Note 6(b-i)				
Reconciliation of investments classified as 'at fair value through the profit and loss'				
Balance at beginning of period	–	7,107	–	10,085
Revaluations (through the Income Statement)	–	5	(1)	(2)
Additions	–	10,988	17,990	11
Disposals (sales and redemptions)	–	–	(19,989)	(987)
Transfers between current/non-current	–	–	2,000	(2,000)
Balance at end of period	–	18,100	–	7,107
Comprising:				
– NCD's, FRN's (with maturities > 3 months)	–	18,095	–	7,102
– Other long term financial assets	–	5	–	5
Total	–	18,100	–	7,107
Note 6(b-ii)				
Reconciliation of investments classified as 'held to maturity'				
Balance at beginning of period	29,407	–	20,000	–
Additions	36,381	3,000	8,407	2,987
Disposals (sales and redemptions)	(29,407)	(3,000)	(1,000)	(987)
Transfers between current/non-current	–	–	2,000	(2,000)
Balance at end of period	36,381	–	29,407	–
Comprising:				
– NCD's, FRN's (with maturities > 3 months)	36,381	–	29,407	–
Total	36,381	–	29,407	–

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Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 6c. Restricted cash, cash equivalents and investments – details

	9/9/16 Actual Current	9/9/16 Actual Non-current	30/6/15 Actual Current	30/6/15 Actual Non-current
\$ '000				
Total cash, cash equivalents and investments	135,728	18,100	107,625	7,107
attributable to:				
External restrictions (refer below)	74,808	18,100	71,867	7,107
Internal restrictions (refer below)	55,327	–	34,463	–
Unrestricted	5,593	–	1,295	–
	135,728	18,100	107,625	7,107

1/7/15 to 9/9/16 \$ '000	Opening balance	Transfers to restrictions	Transfers from restrictions	Closing balance
-----------------------------	--------------------	------------------------------	--------------------------------	--------------------

Details of restrictions

External restrictions – included in liabilities

Nil

External restrictions – other

Developer contributions – general	(D)	56,708	18,023	(11,420)	63,311
Specific purpose unexpended grants	(F)	1,383	467	–	1,850
Domestic waste management	(G)	2,443	23,108	(18,984)	6,567
Stormwater levy	(G)	307	1,097	(742)	662
Local area funds		11,878	1,153	(272)	12,759
Infrastructure levy reserve		5,786	8,946	(7,503)	7,229
Community safety levy		469	538	(477)	530
External restrictions – other		78,974	53,332	(39,398)	92,908
Total external restrictions		78,974	53,332	(39,398)	92,908

D Development contributions which are not yet expended for the provision of services and amenities in accordance with contributions plans (refer Note 17).

F Grants which are not yet expended for the purposes for which the grants were obtained. (refer Note 1 (b))

G Water, sewerage, domestic waste management (DWM) and other special rates/levies/charges are externally restricted assets and must be applied for the purposes for which they were raised.

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Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 6c. Restricted cash, cash equivalents and investments – details (continued)

1/7/15 to 9/9/16 \$ '000	Opening balance	Transfers to restrictions	Transfers from restrictions	Closing balance
Internal restrictions				
Employees leave entitlement	4,954	–	–	4,954
Plant and equipment	800	–	–	800
Arncliffe youth centre	2,970	–	–	2,970
Brighton bath amenities building	1,845	450	–	2,295
Capital works revote	570	313	(883)	–
Central library	1,745	–	(1,745)	–
Council ELEction	405	165	–	570
Office equipment and it reserve	2,153	930	(1,124)	1,959
Open space and s94 obligations	2,016	–	(508)	1,508
Public liability claims	408	157	(219)	346
Strategic priorities	16,052	38,440	(15,280)	39,212
Street lighting hardware	429	2,225	(2,057)	597
Workers compensation	116	–	–	116
Total internal restrictions	34,463	42,680	(21,816)	55,327
TOTAL RESTRICTIONS	113,437	96,012	(61,214)	148,235

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Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 7. Receivables

\$ '000	Notes	9/9/16 Current	9/9/16 Non-current	30/6/15 Current	30/6/15 Non-current
Purpose					
Rates and annual charges		34,415 ¹	—	3,343	—
Interest and extra charges		532	—	500	—
User charges and fees		3	—	3	—
Capital debtors (being sale of assets)					
– Sale of land		12,246	320	15,200	28,000
Accrued revenues					
– Interest on investments		530	—	527	—
Government grants and subsidies		4,228	—	593	—
Net GST receivable		638	—	410	—
Other debtors		—	—	1,106	320
Total		52,592	320	21,682	28,320
Less: provision for impairment					
Rates and annual charges		(60)	—	(57)	—
Interest and extra charges		(60)	—	(55)	—
User charges and fees		(5)	—	(4)	—
Other debtors		(440)	—	(471)	—
Total provision for impairment – receivables		(565)	—	(587)	—
<u>TOTAL NET RECEIVABLES</u>		<u>52,027</u>	<u>320</u>	<u>21,095</u>	<u>28,320</u>
Externally restricted receivables					
Domestic waste management		508	—	921	—
Stormwater levy		587	—	46	—
– Local area waste		351	—	22	—
Total external restrictions		1,446	—	989	—
Internally restricted receivables					
Nil					
Unrestricted receivables		50,581	320	20,106	28,320
<u>TOTAL NET RECEIVABLES</u>		<u>52,027</u>	<u>320</u>	<u>21,095</u>	<u>28,320</u>

¹ The first of four payment instalment for rates (and annual charges) income was 31/08/16. As at 9/9/16 there is a large outstanding debtor that reflects this timing difference between the financial reporting date & the remaining instalment payment dates.

Notes on debtors above:

- (i) Rates and annual charges outstanding are secured against the property.
- (ii) Doubtful rates debtors are provided for where the value of the property is less than the debt outstanding.
An allowance for other doubtful debts is made when there is objective evidence that a receivable is impaired.
- (iii) Interest was charged on overdue rates and charges at 8.50% (2015 8.50%).
Generally all other receivables are non-interest bearing.
- (iv) Please refer to Note 15 for issues concerning credit risk and fair value disclosures.

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Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 8. Inventories and other assets

\$ '000	Notes	9/9/16 Current	9/9/16 Non-current	30/6/15 Current	30/6/15 Non-current
(a) Inventories					
(i) Inventories at cost					
Stores and materials		73	–	70	–
Total inventories at cost		73	–	70	–
(ii) Inventories at net realisable value (NRV)					
Nil					
TOTAL INVENTORIES		73	–	70	–
(b) Other assets					
Prepayments		1,483	127	309	190
TOTAL OTHER ASSETS		1,483	127	309	190

Externally restricted assets

There are no restrictions applicable to the above assets.

(i) Other disclosures

(a) Inventory write downs

There were no amounts recognised as an expense relating to the write down of inventory balances held during the period.

Refer to Note 27. Fair value measurement for information regarding the fair value of other assets held.

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Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 9a. Infrastructure, property, plant and equipment

\$ '000	as at 30/6/2015					Asset movements during the reporting period					as at 9/9/2016				
	At cost	At fair value	Accumulated		Carrying value	Additions renewals	Additions new assets	Carrying value of disposals	Depreciation expense	WIP transfers	At cost	At fair value	Accumulated		Carrying value
			depreciation	impairment									depreciation	impairment	
Capital work in progress	13,390	–	–	–	13,390	10,489	29,375	–	–	(1)	53,253	–	–	–	53,253
Plant and equipment	–	11,216	4,925	–	6,291	–	3,261	(1,371)	(1,746)	–	–	11,165	4,730	–	6,435
Office equipment	–	1,897	939	–	958	–	341	(461)	(233)	–	–	930	325	–	605
Furniture and fittings	–	1,687	1,421	–	266	–	–	(29)	(83)	–	–	630	476	–	154
Land:															
– Operational land	–	127,854	–	–	127,854	–	–	–	–	–	–	127,854	–	–	127,854
– Community land	–	98,830	–	–	98,830	–	–	–	–	–	–	98,830	–	–	98,830
Land improvements – depreciable	–	28,720	8,641	–	20,079	–	–	–	(652)	–	–	28,719	9,292	–	19,427
Infrastructure:															
– Buildings – non-specialised	–	25,645	9,896	–	15,749	–	–	–	(779)	–	–	25,645	10,675	–	14,970
– Buildings – specialised	–	101,804	48,238	–	53,566	–	–	–	(3,369)	–	–	101,804	51,607	–	50,197
– Other structures	–	27,975	9,083	–	18,892	–	–	–	(1,275)	–	–	27,976	10,359	–	17,617
– Roads	–	383,981	66,657	–	317,324	–	–	–	(7,456)	–	–	383,981	74,113	–	309,868
– Bridges	–	7,505	1,786	–	5,719	–	–	–	(75)	–	–	7,506	1,862	–	5,644
– Footpaths	–	71,819	30,191	–	41,628	–	–	–	(1,116)	–	–	71,819	31,307	–	40,512
– Bulk earthworks (non-depreciable)	–	39,346	–	–	39,346	–	–	–	–	–	–	39,346	–	–	39,346
– Stormwater drainage	–	95,851	38,210	–	57,641	–	–	–	(978)	–	–	95,851	39,188	–	56,663
– Swimming pools	–	1,847	961	886	–	–	–	–	–	–	–	–	–	–	–
Other assets:															
– Library books	–	4,381	3,267	–	1,114	–	626	–	(407)	1	–	5,008	3,674	–	1,334
TOTAL INFRASTRUCTURE, PROPERTY, PLANT AND EQUIP.	13,390	1,030,358	224,215	886	818,647	10,489	33,603	(1,861)	(18,169)	–	53,253	1,027,064	237,608	–	842,709

Renewals are defined as the replacement of existing assets (as opposed to the acquisition of new assets).

Refer to Note 27. Fair value measurement for information regarding the fair value of other infrastructure, property, plant and equipment.

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Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 9b. Externally restricted infrastructure, property, plant and equipment

\$ '000 Class of asset	Actual 9/9/16				Actual 30/6/15			
	At cost	At fair value	A/Dep & impairm't	Carrying value	At cost	At fair value	A/Dep & impairm't	Carrying value
Domestic waste management								
Garbage and recycling	–	467	202	265	–	467	202	265
Total DWM	–	467	202	265	–	467	202	265
TOTAL RESTRICTED I,PP&E	–	467	202	265	–	467	202	265

Note 9c. Infrastructure, property, plant and equipment – current period impairments

Council has recognised no impairment losses during the reporting period nor reversed any prior period losses.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 10a. Payables, borrowings and provisions

\$ '000	Notes	9/9/16 Current	9/9/16 Non-current	30/6/15 Current	30/6/15 Non-current
Payables					
Goods and services – operating expenditure		1,456	–	2,427	–
Payments received in advance		358	–	755	–
Accrued expenses:					
– Other expenditure accruals		2,660	–	1,236	–
Security bonds, deposits and retentions		6,137	–	5,858	–
Other		65	–	43	–
Total payables		10,676	–	10,319	–
Borrowings					
Loans – secured ¹		990	5,985	1,271	6,013
Total borrowings		990	5,985	1,271	6,013
Provisions					
Employee benefits:					
Annual leave		4,935	–	4,098	–
Sick leave		1,079	–	1,103	–
Long service leave		7,360	186	6,865	191
Gratuities		29	289	139	263
Sub-total – aggregate employee benefits		13,403	475	12,205	454
Public liability under excess		–	296	–	296
Total provisions		13,403	771	12,205	750
<u>TOTAL PAYABLES, BORROWINGS AND PROVISIONS</u>		<u>25,069</u>	<u>6,756</u>	<u>23,795</u>	<u>6,763</u>
(i) Liabilities relating to restricted assets					
		9/9/16 Current	9/9/16 Non-current	30/6/15 Current	30/6/15 Non-current
Externally restricted assets					
Domestic waste management		521	–	721	–
Liabilities relating to externally restricted assets		521	–	721	–
Internally restricted assets					
Nil					
Total liabilities relating to restricted assets		521	–	721	–
Total liabilities relating to unrestricted assets		24,548	6,756	23,074	6,763
TOTAL PAYABLES, BORROWINGS AND PROVISIONS		<u>25,069</u>	<u>6,756</u>	<u>23,795</u>	<u>6,763</u>

¹. Loans are secured over the general rating income of Council

Disclosures on liability interest rate risk exposures, fair value disclosures and security can be found in Note 15.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 10a. Payables, borrowings and provisions (continued)

	Actual 9/9/16	Actual 30/6/15
\$ '000		
(ii) Current liabilities not anticipated to be settled within the next twelve months		
The following liabilities, even though classified as current, are not expected to be settled in the next 12 months.		
Provisions – employees benefits	8,771	9,238
Payables – security bonds, deposits and retentions	2,853	3,269
	11,624	12,507

Note 10b. Description of and movements in provisions

Class of provision	Opening balance as at 1/7/15			1/7/15 to 9/9/16	Unused amounts reversed	Closing balance as at 9/9/16
		Additional provisions	Decrease due to payments	Remeasurement effects due to discounting		
Annual leave	4,098	5,393	(4,556)	–	–	4,935
Sick leave	1,103	1,038	(1,062)	–	–	1,079
Long service leave	7,056	8,053	(7,563)	–	–	7,546
Gratuities	402	264	(348)	–	–	318
Other	296	296	(296)	–	–	296
TOTAL	12,955	15,044	(13,825)	–	–	14,174

- a. Employees leave entitlements and on-costs represents those benefits accrued and payable and an estimate of those that will become payable in the future as a result of past service.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 11. Statement of cash flows – additional information

\$ '000	Notes	Actual 9/9/16	Actual 30/6/15
(a) Reconciliation of cash assets			
Total cash and cash equivalent assets	6a	99,347	78,218
Less bank overdraft	10	–	–
Balance as per the Statement of Cash Flows		99,347	78,218
(b) Reconciliation of net operating result to cash provided from operating activities			
Net operating result from Income Statement		65,850	17,397
Adjust for non-cash items:			
Depreciation and amortisation		18,556	16,571
Net losses/(gains) on disposal of assets		315	(1,731)
Losses/(gains) recognised on fair value re-measurements through the P&L:			
– Investments classified as 'at fair value' or 'held for trading'		(5)	3
Amortisation of premiums, discounts and prior period fair valuations			
– Interest exp. on interest-free loans received by Council (previously fair valued)		33	38
Share of net (profits) or losses of associates/joint ventures		(300)	15
+/- Movement in operating assets and liabilities and other cash items:			
Decrease/(increase) in receivables		(33,544)	(22)
Increase/(decrease) in provision for doubtful debts		(22)	(268)
Decrease/(increase) in inventories		(3)	32
Decrease/(increase) in other assets		(1,111)	(165)
Increase/(decrease) in payables		(971)	(745)
Increase/(decrease) in other accrued expenses payable		1,424	(32)
Increase/(decrease) in other liabilities		(96)	1,763
Increase/(decrease) in employee leave entitlements		1,219	139
Net cash provided from/(used in) operating activities from the Statement of Cash Flows		51,345	32,995

(c) Non-cash investing and financing activities

Nil

(d) Financing arrangements

(i) Unrestricted access was available at balance date to the following lines of credit:

Bank overdraft facilities ⁽¹⁾	350	350
Credit cards/purchase cards	60	60
Total financing arrangements	410	410

1. The bank overdraft facility may be drawn at any time and may be terminated by the bank without notice.
Interest rates on overdrafts are interest rates on loans and other payables are disclosed in Note 15.

(ii) Secured loan liabilities

Loans are secured by a mortgage over future years rate revenue only.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 12. Commitments for expenditure

\$ '000	Notes	Actual 9/9/16	Actual 30/6/15
(a) Capital commitments (exclusive of GST)			
Capital expenditure committed for at the reporting date but not recognised in the financial statements as liabilities:			
Property, plant and equipment			
Buildings		16,665	34,267
Plant and equipment		1,181	55
Total commitments		17,846	34,322
These expenditures are payable as follows:			
Within the next year		17,846	34,322
Total payable		17,846	34,322
Sources for funding of capital commitments:			
Unrestricted general funds		17,846	34,322
Total sources of funding		17,846	34,322

(b) Finance lease commitments

Nil

(c) Operating lease commitments (non-cancellable)

Nil

(d) Investment property commitments

Nil

(e) Investment in joint operations – commitments

For capital commitments and other commitments relating to investments in joint operations, refer to Note 19 (c)

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Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 13a(i). Statement of performance measurement – indicators (consolidated)

\$ '000	Amounts 9/9/16	Indicator 9/9/16	Prior periods	
			30/6/15	30/6/14
Local government industry indicators – consolidated				
1. Operating performance ratio				
Total continuing operating revenue ⁽¹⁾ excluding capital grants and contributions less operating expenses	47,383	31.10%	-4.90%	-10.51%
Total continuing operating revenue ⁽¹⁾ excluding capital grants and contributions	152,373			
2. Own source operating revenue ratio				
Total continuing operating revenue ⁽¹⁾ excluding all grants and contributions	141,432	82.78%	74.59%	78.60%
Total continuing operating revenue ⁽¹⁾	170,850			
3. Unrestricted current ratio				
Current assets less all external restrictions ⁽²⁾	113,057	8.75x	5.32x	8.14x
Current liabilities less specific purpose liabilities ^(3, 4)	12,924			
4. Debt service cover ratio				
Operating result ⁽¹⁾ before capital excluding interest and depreciation/impairment/amortisation	66,305	36.67x	8.68x	6.29x
Principal repayments (Statement of Cash Flows) plus borrowing costs (Income Statement)	1,808			
5. Rates, annual charges, interest and extra charges outstanding percentage				
Rates, annual and extra charges outstanding	34,827	28.01%	6.28%	5.43%
Rates, annual and extra charges collectible	124,358			
6. Cash expense cover ratio				
Current period's cash and cash equivalents plus all term deposits	135,728	17.27 mths	17.0 mths	13.4 mths
Payments from cash flow of operating and financing activities	7,857			

Notes

⁽¹⁾ Excludes fair value adjustments and reversal of revaluation decrements, net gain/(loss) on sale of assets and the net share of interests in joint ventures and associates.

⁽²⁾ Refer Notes 6-8 inclusive.

Also excludes any real estate and land for resale not expected to be sold in the next 12 months.

⁽³⁾ Refer to Note 10(a).

⁽⁴⁾ Refer to Note 10(a)(ii) – excludes all payables and provisions not expected to be paid in the next 12 months (incl. ELE).

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 13a(ii). Local government industry indicators – graphs (consolidated)

<p>1. Operating performance ratio</p> <p>Benchmark: — Minimum $\geq 0.00\%$</p> <p>Source for benchmark: Code of Accounting Practice and Financial Reporting #24</p>	<p>Purpose of operating performance ratio</p> <p>This ratio measures Council's achievement of containing operating expenditure within operating revenue.</p>	<p>Commentary on 9/9/16 result</p> <p>9/9/16 ratio 31.10%</p> <p>Ratio has been effected by the change in year ending date and the requirement to report of two years rates revenue in the 2015/2016 General Purpose Financial Statements.</p>
<p>2. Own source operating revenue ratio</p> <p>Benchmark: — Minimum $\geq 60.00\%$</p> <p>Source for benchmark: Code of Accounting Practice and Financial Reporting #24</p>	<p>Purpose of own source operating revenue ratio</p> <p>This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.</p>	<p>Commentary on 9/9/16 result</p> <p>9/9/16 ratio 82.78%</p> <p>Council's Owned Source Operating Revenue Ratio has remained above the benchmark of ($>60\%$) in the last four years. Council has sufficient level of fiscal flexibility, in the event of being faced with unforeseen events.</p>
<p>3. Unrestricted current ratio</p> <p>Benchmark: — Minimum ≥ 1.50</p> <p>Source for benchmark: Code of Accounting Practice and Financial Reporting #24</p>	<p>Purpose of unrestricted current ratio</p> <p>To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.</p>	<p>Commentary on 9/9/16 result</p> <p>9/9/16 ratio 8.75x</p> <p>Council's Unrestricted Current Ratio is above the benchmark of $>1.5x$ and has been outperforming the benchmark for the past three years. Council's liquidity is good and can readily pay its debts as they fall due.</p>

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 13a(ii). Local government industry indicators – graphs (consolidated)

<div><div>4. Debt service cover ratio</div><table><tr><th>Year</th><th>Ratio (x)</th></tr><tr><td>2013</td><td>5.5</td></tr><tr><td>2014</td><td>6.3</td></tr><tr><td>2015</td><td>8.7</td></tr><tr><td>2016</td><td>36.7</td></tr></table><div>Benchmark: ——— Minimum ≥ 2.00</div><div>Source for benchmark: Code of Accounting Practice and Financial Reporting #24</div></div>	Year	Ratio (x)	2013	5.5	2014	6.3	2015	8.7	2016	36.7	<div><div>Purpose of debt service cover ratio</div><div>This ratio measures the availability of operating cash to service debt including interest, principal and lease payments</div></div>	<div><div>Commentary on 9/9/16 result</div><div><div>9/9/16 ratio</div><div>36.67x</div></div><div>Ratio has been effected by the change in year ending date and the requirement to report of two years rates revenue in the 2015/2016 General Purpose Financial Statements.</div></div>
Year	Ratio (x)											
2013	5.5											
2014	6.3											
2015	8.7											
2016	36.7											
		<div><div><div></div>Ratio achieves benchmark</div><div><div></div>Ratio is outside benchmark</div></div>										

<div><div>5. Rates, annual charges, interest and extra charges outstanding percentage</div><table><tr><th>Year</th><th>Ratio %</th></tr><tr><td>2013</td><td>6.24%</td></tr><tr><td>2014</td><td>5.43%</td></tr><tr><td>2015</td><td>6.28%</td></tr><tr><td>2016</td><td>28.01%</td></tr></table><div>Benchmark: ——— Maximum $< 5.00\%$</div><div>Source for Benchmark: Code of Accounting Practice and Financial Reporting #24</div></div>	Year	Ratio %	2013	6.24%	2014	5.43%	2015	6.28%	2016	28.01%	<div><div>Purpose of rates and annual charges outstanding ratio</div><div>To assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts.</div></div>	<div><div>Commentary on 9/9/16 result</div><div><div>9/9/16 ratio</div><div>28.01%</div></div><div>Ratio has been effected by the change in year ending date and the requirement to report of two years rates revenue in the 2015/2016 General Purpose Financial Statements.</div></div>
Year	Ratio %											
2013	6.24%											
2014	5.43%											
2015	6.28%											
2016	28.01%											
		<div><div><div></div>Ratio is within Benchmark</div><div><div></div>Ratio is outside Benchmark</div></div>										

<div><div>6. Cash expense cover ratio</div><table><tr><th>Year</th><th>Ratio (mths)</th></tr><tr><td>2013</td><td>12.0</td></tr><tr><td>2014</td><td>13.4</td></tr><tr><td>2015</td><td>17.0</td></tr><tr><td>2016</td><td>17.3</td></tr></table><div>Benchmark: ——— Minimum ≥ 3.00</div><div>Source for benchmark: Code of Accounting Practice and Financial Reporting #24</div></div>	Year	Ratio (mths)	2013	12.0	2014	13.4	2015	17.0	2016	17.3	<div><div>Purpose of cash expense cover ratio</div><div>This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.</div></div>	<div><div>Commentary on 9/9/16 result</div><div><div>9/9/16 ratio</div><div>17.27 mths</div></div><div>Council's Cash Expense Cover ratio had improved marginally during 2015/2016 and remains well above the benchmark of "greater than 3 months".</div></div>
Year	Ratio (mths)											
2013	12.0											
2014	13.4											
2015	17.0											
2016	17.3											
		<div><div><div></div>Ratio achieves benchmark</div><div><div></div>Ratio is outside benchmark</div></div>										

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 14. Investment properties

\$ '000

Council has not classified any land or buildings as 'investment properties'.

Note 15. Financial risk management

Risk management

Council's activities expose it to a variety of financial risks including **(1)** price risk, **(2)** credit risk, **(3)** liquidity risk and **(4)** interest rate risk.

The Council's overall risk management program focuses on the unpredictability of financial markets and seeks to minimise potential adverse effects on the financial performance of the Council.

Council does not engage in transactions expressed in foreign currencies and is therefore not subject to foreign currency risk.

Financial risk management is carried out by Council's finance section under policies approved by the Council.

A comparison by category of the carrying amounts and fair values of Council's financial assets and financial liabilities recognised in the financial statements is presented below.

	Carrying value		Fair value	
	9/9/16	30/6/15	9/9/16	30/6/15
Financial assets				
Cash and cash equivalents	99,347	78,218	99,347	78,218
Investments				
– 'Designated at fair value on initial recognition'	18,100	7,107	18,100	7,107
– 'Held to maturity'	36,381	29,407	36,381	29,407
Receivables	52,347	49,415	52,347	49,415
Total financial assets	206,175	164,147	206,175	164,147
Financial liabilities				
Payables	10,318	9,564	10,318	9,564
Loans/advances	6,975	7,284	6,975	7,284
Total financial liabilities	17,293	16,848	17,293	16,848

Fair value is determined as follows:

- **Cash** and **cash equivalents**, **receivables**, **payables** – are estimated to be the carrying value that approximates market value.
- **Borrowings** and **held-to-maturity** investments – are based upon estimated future cash flows discounted by the current mkt interest rates applicable to assets and liabilities with similar risk profiles, unless quoted market prices are available.
- Financial assets classified (i) '**at fair value through profit and loss**' or (ii) '**available-for-sale**' – are based upon quoted market prices (in active markets for identical investments) at the reporting date or independent valuation.

Refer to Note 27. Fair value measurement for information regarding the fair value of financial assets and liabilities.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 15. Financial risk management (continued)

\$ '000

Council's objective is to maximise its return on cash and investments whilst maintaining an adequate level of liquidity and preserving capital.

Council's finance area manages the cash and Investments portfolio with the assistance of independent advisors.

Council has an investment policy which complies with the *Local Government Act 1993* and Minister's investment order. This policy is regularly reviewed by Council and its staff and an investment report is tabled before Council on a monthly basis setting out the portfolio breakup and its performance.

The risks associated with the investments held are:

- **Price risk** – the risk that the capital value of Investments may fluctuate due to changes in market prices, whether there changes are caused by factors specific to individual financial instruments or their issuers or are caused by factors affecting similar instruments traded in a market.
- **Interest rate risk** – the risk that movements in interest rates could affect returns and income.
- **Credit risk** – the risk that the investment counterparty will not complete their obligations particular to a financial instrument, resulting in a financial loss to Council – be it of a capital or income nature.

Council manages these risks (amongst other measures) by diversifying its portfolio and only purchasing investments with high credit ratings or capital guarantees.

Council also seeks advice from independent advisers before placing any funds in cash equivalents and investments.

(a) Market risk – price risk and interest rate risk

The following represents a summary of the sensitivity of Council's Income Statement and accumulated surplus (for the reporting period) due to a change in either the price of a financial asset or the interest rates applicable.

It is assumed that the change in interest rates would have been constant throughout the reporting period.

	Increase of values/rates		Decrease of values/rates	
	Profit	Equity	Profit	Equity
1/7/15 to 9/9/16				
Possible impact of a 10% movement in market values	1,810	1,810	(1,810)	(1,810)
Possible impact of a 1% movement in interest rates	1,537	1,537	(1,537)	(1,537)
1/7/14 to 30/6/15				
Possible impact of a 10% movement in market values	711	711	(711)	(7,111)
Possible impact of a 1% movement in interest rates	1,076	1,076	(1,076)	(1,076)

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 15. Financial risk management (continued)

\$ '000

(b) Credit risk

Council's major receivables comprise (i) rates and annual charges and (ii) user charges and fees.

The major risk associated with these receivables is credit risk – the risk that debts due and payable to Council may not be repaid in full.

Council manages this risk by monitoring outstanding debt and employing stringent debt recovery procedures. It also encourages ratepayers to pay their rates by the due date through incentives.

Credit risk on rates and annual charges is minimised by the ability of Council to secure a charge over the land relating to the debts – that is, the land can be sold to recover the debt. Council is also able to charge interest on overdue rates and annual charges at higher than market rates which further encourages the payment of debt.

There are no significant concentrations of credit risk, whether through exposure to individual customers, specific industry sectors and/or regions.

The level of outstanding receivables is reported to Council monthly and benchmarks are set and monitored for acceptable collection performance.

Council makes suitable provision for doubtful receivables as required and carries out credit checks on most non-rate debtors.

There are no material receivables that have been subjected to a re-negotiation of repayment terms.

A profile of Council's receivables credit risk at balance date follows:

		9/9/16 Rates and annual charges	9/9/16 Other receivables	30/6/15 Rates and annual charges	30/6/15 Other receivables
(i) Ageing of receivables – %					
Current (not yet overdue)		99%	97%	1%	98%
Overdue		1%	3%	99%	2%
		100%	100%	100%	100%
(ii) Ageing of receivables – value					
Rates and annual charges	Other receivables	Rates and annual charges	Other receivables	Rates and annual charges	Other receivables
Current	Current	34,415	16,650	22	45,792
< 1 year overdue	0 – 30 days overdue	–	207	2,107	262
1 – 2 years overdue	30 – 60 days overdue	–	–	611	47
2 – 5 years overdue	60 – 90 days overdue	–	1,107	603	9
> 5 years overdue	> 90 days overdue	–	533	–	549
		34,415	18,497	3,343	46,659
(iii) Movement in provision for impairment of receivables					
				9/9/16	30/6/15
Balance at the beginning of the period				587	855
+ new provisions recognised during the period				(22)	(268)
Balance at the end of the period				565	587

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 15. Financial risk management (continued)

\$ '000

(c) Liquidity risk

Payables and borrowings are both subject to liquidity risk – the risk that insufficient funds may be on hand to meet payment obligations as and when they fall due.

Council manages this risk by monitoring its cash flow requirements and liquidity levels and maintaining an adequate cash buffer.

Payment terms can (in extenuating circumstances) also be extended and overdraft facilities utilised as required.

The contractual undiscounted cash outflows (ie. principal and interest) of Council's payables and borrowings are set out in the maturity table below:

\$ '000	Subject to no maturity	payable in:						Total cash outflows	Actual carrying values
		≤ 1 Year	1-2 Yrs	2-3 Yrs	3-4 Yrs	4-5 Yrs	> 5 Yrs		
1/7/15 to 9/9/16									
Trade/other payables	6,137	4,056	–	–	–	–	–	10,193	10,318
Loans and advances	–	1,483	1,366	1,294	1,159	843	2,343	8,488	6,975
Total financial liabilities	6,137	5,539	1,366	1,294	1,159	843	2,343	18,681	17,293
1/7/14 to 30/6/15									
Trade/other payables	5,858	3,706	–	–	–	–	–	9,564	9,564
Loans and advances	–	1,618	1,350	1,234	1,161	1,026	2,398	8,787	7,284
Total financial liabilities	5,858	5,324	1,350	1,234	1,161	1,026	2,398	18,351	16,848

Borrowings are also subject to interest rate risk – the risk that movements in interest rates could adversely affect funding costs and debt servicing requirements. Council manages this risk through the diversification of borrowing types, maturities and interest rate structures.

The following interest rates were applicable to Council's borrowings at balance date:

	9/9/16 Carrying value	9/9/16 Average interest rate	30/6/15 Carrying value	30/6/15 Average interest rate
Trade/other payables	10,318	0.00%	9,564	0.00%
Loans and advances – fixed interest rate	6,975	4.06%	7,284	4.20%
	17,293		16,848	

Note 16. Material budget variations

In accordance with the Supplementary Code 24(a), this note is not applicable for "former Councils".

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 17. Statement of developer contributions

\$ '000

Council recovers contributions, raises levies and enters into planning agreements on development works that are subject to a development consent issued by Council. All contributions must be spent/utilised for the specific purpose they were levied and any interest applicable to unspent funds must be attributed to remaining funds.

The following tables detail the receipt, interest and use of the above contributions and levies and the value of all remaining funds which are 'restricted' in their future use.

SUMMARY OF CONTRIBUTIONS AND LEVIES

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Open space	33,725	7,958	–	828	(9,933)	1,624	34,202	6
Community facilities	3,469	402	–	90	(5)	–	3,956	–
Car parking	912	33	–	22	–	–	967	–
Drainage pollution control	2,098	360	–	55	–	(1)	2,512	(6)
Traffic and electricity facilities	117	–	–	3	–	–	120	–
Ramsgate commercial centre	709	701	–	27	–	–	1,437	–
Town centre program	2,645	729	–	73	(27)	–	3,420	–
Wolli creek	6,649	4,670	–	177	(823)	(1,623)	9,050	–
Bonar street precinct	3,662	736	–	99	–	–	4,497	–
Administration	6	27	–	–	(25)	–	8	–
S94 contributions – under a plan	53,992	15,616	–	1,374	(10,813)	–	60,169	–
S94A levies – under a plan	2,707	963	–	68	(607)	–	3,131	–
Total S94 revenue under plans	56,699	16,579	–	1,442	(11,420)	–	63,300	–
S94 not under plans	9	2	–	–	–	–	11	–
Total contributions	56,708	16,581	–	1,442	(11,420)	–	63,311	–

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 17. Statement of developer contributions (continued)

\$ '000

S94 CONTRIBUTIONS – UNDER A PLAN

Car parking

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
West Arncliffe/Turrella Industrial	11	–	–	–	–	–	11	–
East Arncliffe Industrial Area	40	–	–	1	–	–	41	–
Rockdale-Industrial	1	–	–	–	–	–	1	–
Ramsgate Beach-Business	558	–	–	14	–	–	572	–
Bexley-Business	45	–	–	1	–	–	46	–
Kingsgrove-Business	9	–	–	–	–	–	9	–
Bexley North	82	–	–	2	–	–	84	–
Brighton-New	31	–	–	1	–	–	32	–
Rockdale-New	135	33	–	3	–	–	171	–
Total	912	33	–	22	–	–	967	–

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 17. Statement of developer contributions (continued)

\$ '000

S94 CONTRIBUTIONS – UNDER A PLAN

Drainage Pollution Control

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Wolli Creek	51	–	–	1	–	–	52	–
Bardwell Creek	61	–	–	1	–	–	62	–
Bonnie Doon	65	–	–	2	–	–	67	–
Spring Street	83	–	–	2	–	–	85	–
Muddy Creek	179	–	–	4	–	–	183	–
Eve Street	35	–	–	1	–	–	36	–
Scarborough Ponds	27	–	–	1	–	–	28	–
Waradiel Creek	1	–	–	–	–	(1)	–	(6)
Bado-berong Creek	5	–	–	–	–	–	5	–
Goomun Creek	9	–	–	–	–	–	9	–
Whole of City	1,582	360	–	43	–	–	1,985	–
Total	2,098	360	–	55	–	(1)	2,512	(6)

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 17. Statement of developer contributions (continued)

\$ '000

S94 CONTRIBUTIONS – UNDER A PLAN

Community facilities

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
General Community Facilities	3,196	26	–	86	–	315	3,623	–
Libraries	–	352	–	(3)	(5)	(315)	29	–
Child Care	273	24	–	7	–	–	304	–
Total	3,469	402	–	90	(5)	–	3,956	–

Open space

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Open Space	33,725	7,958	–	828	(9,933)	1,624	34,202	6
Total	33,725	7,958	–	828	(9,933)	1,624	34,202	6

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 17. Statement of developer contributions (continued)

\$ '000

S94 CONTRIBUTIONS – UNDER A PLAN

Traffic and Electricity Facilities

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Gertrude Street	117	–	–	3	–	–	120	–
Total	117	–	–	3	–	–	120	–

Ramsgate Commercial Centre

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Ramsgate	498	644	–	21	–	–	1,163	–
Sans Souci	211	57	–	6	–	–	274	–
Total	709	701	–	27	–	–	1,437	–

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 17. Statement of developer contributions (continued)

\$ '000

S94 CONTRIBUTIONS – UNDER A PLAN

Town Centre Program

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Arncliffe	140	14	–	3	(12)	–	145	–
Bexley	7	4	–	–	–	–	11	–
Bexley North	8	1	–	–	–	–	9	–
Brighton Le Sands	9	–	–	–	–	–	9	–
Kogarah	10	2	–	–	–	–	12	–
Rockdale	39	18	–	1	–	–	58	–
Sans Souci	60	11	–	2	–	–	73	–
Wolli Creek	1,727	519	–	49	(15)	–	2,280	–
City Wide	645	160	–	18	–	–	823	–
Total	2,645	729	–	73	(27)	–	3,420	–

Wolli Creek

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Flood and Stormwater Management	5,277	1,101	–	141	(300)	–	6,219	–
Roadworks, Traffic and Parking	–	3,001	–	(2)	(523)	(1,521)	955	–
Pedestrian/Cycle	1,369	369	–	38	–	–	1,776	–
Administration	3	199	–	–	–	(102)	100	–
Total	6,649	4,670	–	177	(823)	(1,623)	9,050	–

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 17. Statement of developer contributions (continued)

\$ '000

S94 CONTRIBUTIONS – UNDER A PLAN

Administration

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Whole of city (except Ramsgate)	6	27	–	–	(25)	–	8	–
Total	6	27	–	–	(25)	–	8	–

Bonar Street Precinct

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Administration	49	11	–	1	–	–	61	–
Local infrastructure	3,613	725	–	98	–	–	4,436	–
Total	3,662	736	–	99	–	–	4,497	–

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 17. Statement of developer contributions (continued)

\$ '000

S94A LEVIES – UNDER A PLAN

S94A

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
S94A Levies	2,707	963	–	68	(607)	–	3,131	–
Total	2,707	963	–	68	(607)	–	3,131	–

S94 CONTRIBUTIONS – NOT UNDER A PLAN

PURPOSE	Opening balance	Contributions received during the period		Interest earned during period	Expenditure during period	Internal borrowing (to)/from	Held as restricted asset	Cumulative internal borrowings due/(payable)
		Cash	Non-cash					
Inter-allotment Drainage	9	2	–	–	–	–	11	–
Total	9	2	–	–	–	–	11	–

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 18. Contingencies and other assets/liabilities not recognised

\$ '000

The following assets and liabilities do not qualify for recognition in the Statement of Financial Position, but their knowledge and disclosure is considered relevant to the users of Council's financial report.

LIABILITIES NOT RECOGNISED:

1. Guarantees

(i) Defined benefit superannuation contribution plans

Council participates in an employer-sponsored defined benefit superannuation scheme, and makes contributions as determined by the superannuation scheme's trustees.

Member councils bear responsibility of ensuring there are sufficient funds available to pay out the required benefits as they fall due.

The schemes most recent full actuarial review indicated that the net assets of the scheme were not sufficient to meet the accrued benefits of the schemes defined benefit member category with member councils required to make significantly higher contributions in future years.

The Local Government Superannuation Scheme however is unable to provide Council with an accurate estimate of its share of the net deficit and accordingly Council has not recorded any net liability from its defined benefit scheme obligations in accordance with AASB 119.

Future contributions made to the defined benefit scheme to rectify the net deficit position will be recognised as an expense when they become payable – similar to the accounting for defined contributions plans.

(ii) Statewide Limited

Council is a member of Statewide Mutual, a mutual pool scheme providing liability insurance to local government.

Membership includes the potential to share in either the net assets or liabilities of the fund depending on its past performance. Council's share of the net assets or liabilities reflects Council's contributions to the pool and the result of insurance claims within each of the fund years.

The future realisation and finalisation of claims incurred but not reported to 30/6 this year may result in future liabilities or benefits as a result of past events that Council will be required to fund or share in respectively.

(iii) StateCover Limited

Council is a member of StateCover Mutual Limited and holds a partly paid share in the entity.

StateCover is a company providing workers compensation insurance cover to the NSW local government industry and specifically Council.

Council has a contingent liability to contribute further equity in the event of the erosion of the company's capital base as a result of the company's past performance and/or claims experience or as a result of any increased prudential requirements from APRA.

These future equity contributions would be required to maintain the company's minimum level of net assets in accordance with its licence requirements.

(iv) Other guarantees

Council has provided no other guarantees other than those listed above.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 18. Contingencies and other assets/liabilities not recognised (continued)

\$ '000

LIABILITIES NOT RECOGNISED (continued):

2. Fit for The Future

Council's resolved position on Fit for the Future is clearly stated in Council's formal submission to IPART that:

- (i) Rockdale City Council was sustainable and argued a valid proposal to remain independent as stand-alone Rockdale City Council, assessing all Fit for the Future criteria;
- (ii) Council and the communities preferred merger option was a St George Council, combining Rockdale Rockdale with Kogarah and Hurstville;
- (iii) Council strongly recommended all options should retain the current Rockdale portion of the Sydney International Airport within the boundaries of this city.

3. Other liabilities

(i) Third party claims

The Council is involved from time to time in various claims incidental to the ordinary course of business including claims for damages relating to its services.

Council believes that it is appropriately covered for all claims through its insurance coverage and does not expect any material liabilities to eventuate.

(ii) S94 plans

Council levies section 94/94A contributions upon various development across the Council area through the required contributions plans.

As part of these plans, Council has received funds for which it will be required to expend the monies in accordance with those plans.

As well, these plans indicate proposed future expenditure to be undertaken by Council, which will be funded by making levies and receipting funds in future years or where a shortfall exists by the use of Council's general funds.

These future expenses do not yet qualify as liabilities as of the reporting date, but represent Council's intention to spend funds in the manner and timing set out in those plans.

(iii) Potential land acquisitions due to planning restrictions imposed by Council

Council has classified a number of privately owned land parcels as local open space or bushland.

As a result, where notified in writing by the various owners, Council will be required to purchase these land parcels.

At reporting date, reliable estimates as to the value of any potential liability (and subsequent land asset) from such potential acquisitions has not been possible.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 18. Contingencies and other assets/liabilities not recognised (continued)

\$ '000

ASSETS NOT RECOGNISED:

(i) Land under roads

As permitted under AASB 1051, Council has elected not to bring to account land under roads that it owned or controlled up to and including 30/6/08.

(ii) Infringement notices/fines

Fines and penalty income, the result of Council issuing infringement notices is followed up and collected by the Infringement Processing Bureau.

Council's revenue recognition policy for such income is to account for it as revenue on receipt.

Accordingly, at year end, there is a potential asset due to Council representing issued but unpaid infringement notices.

Due to the limited information available on the status, value and duration of outstanding notices, Council is unable to determine the value of outstanding income.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 19. Interests in other entities

\$ '000

Council's objectives can and in some cases are best met through the use of separate entities and operations.

These operations and entities range from 100% ownership and control through to lower levels of ownership and control via co-operative arrangements with other councils, bodies and other outside organisations.

The accounting and reporting for these various entities, operations and arrangements varies in accordance with accounting standards, depending on the level of council's (i) interest and (ii) control and the type (form) of entity/operation, as follows;

Joint ventures and associates

Note 19(a)

Joint ventures are operational arrangements where the parties that have joint control have rights to the net assets of the arrangement.

Associates are separate entities where Council has significant influence over the operations (but neither controls nor jointly controls them).

Accounting recognition:

(i) Joint ventures and associates as per Note 19(a) are accounted for using the equity accounting method and are disclosed as a 1 line entry in both the Income Statement and Statement of Financial Position.

	Council's share of net income		Council's share of net assets	
	Actual 1/7/15 to 9/9/16	Actual 1/7/14 to 30/6/15	Actual 9/9/16	Actual 30/6/15
Joint ventures	300	(15)	2,230	1,930
Associates	—	—	—	—
Total	300	(15)	2,230	1,930

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 19. Interests in other entities (continued)

\$ '000

(a) Joint ventures and associates

Council has incorporated the following joint ventures and associates into its consolidated financial statements.

(a) Net carrying amounts – Council's share

Name of entity	Nature of relationship	Measurement method	9/9/16	30/6/15
Metro Pool	Joint Venture	Equity	1,920	1,632
United Independent Pools	Joint Venture	Equity	310	298
Total carrying amounts – material joint ventures and associates			2,230	1,930

(b) Details

Name of entity	Principal activity	Place of business
Metro Pool	Liability insurance & risk management	Penrith
United Independent Pools	Liability insurance & risk management	Penrith

(c) Relevant interests and fair values

Name of entity	Quoted fair value		Interest in outputs		Interest in ownership		Proportion of voting power	
	9/9/16	30/6/15	2016	2015	2016	2015	2016	2015
Metro Pool		19.5%		19.5%		19.5%		11.1%
United Independent Pools		4.0%		4.0%		4.0%		5.3%

(d) Summarised financial information for joint ventures and associates

Reporting dates of joint ventures and associates

The financial position and performance of joint ventures and associated for the financial year ended 30 June 2016 have been used in these consolidated financial statements.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 19. Interests in other entities (continued)

\$ '000

(a) Joint ventures and associates (continued)

(d) Summarised financial information for joint ventures and associates (continued)

	Metro Pool		United Independent Pools	
	9/9/16	30/6/15	9/9/16	30/6/15
Statement of financial position				
Current assets				
Cash and cash equivalents	28	100	171	1,554
Other current assets	5,998	4,662	4,176	4,473
Total current assets	6,026	4,762	4,347	6,027
Non-current assets	16,408	15,491	8,539	5,761
Current liabilities				
Financial liabilities (excl. accounts payable)	1,659	1,146	2,800	1,539
Other current liabilities	206	91	346	269
Total current liabilities	1,865	1,237	3,146	1,808
Non-current liabilities	11,147	10,644	2,454	2,462
Net assets	9,422	8,372	7,286	7,518
Reconciliation of the carrying amount				
Opening net assets (1 July)	8,372	8,328	7,518	6,907
Profit/(loss) for the period	1,050	44	(232)	611
Closing net assets	9,422	8,372	7,286	7,518
Council's share of net assets (%)	20.4%	19.5%	4.3%	4.0%
Council's share of net assets (\$)	1,920	1,632	310	298
	Metro Pool		United Independent Pools	
	1/7/15	1/7/14	1/7/15	1/7/14
	to 9/9/16	to 30/6/15	to 9/9/16	to 30/6/15
Statement of comprehensive income				
Income	3,590	3,341	8,551	8,696
Interest income	774	953	423	387
Other expenses	(3,314)	(4,250)	(9,205)	(8,472)
Profit/(loss) from continuing operations	1,050	44	(231)	611
Profit/(loss) for period	1,050	44	(231)	611
Total comprehensive income	1,050	44	(231)	611
Share of income – Council (%)	27.3%	-66.3%	-5.7%	2.3%
Profit/(loss) – Council (\$)	287	(29)	13	14
Total comprehensive income – Council (\$)	287	(29)	13	14
Dividends received by Council	–	–	–	–

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 20. Retained earnings, revaluation reserves, changes in accounting policies, changes in accounting estimates and errors

\$ '000	Notes	Actual 9/9/16	Actual 30/6/15
(a) Retained earnings			
Movements in retained earnings were as follows:			
Balance at beginning of period (from previous year's audited accounts)		672,041	483,560
a. Other comprehensive income (excl. direct to reserves transactions)		–	135,462
b. Net operating result for the period		65,850	17,397
c. Transfers between equity		–	35,622
Balance at end of the reporting period		737,891	672,041

(b) Revaluation reserves

(i) Reserves are represented by:

– Infrastructure, property, plant and equipment revaluation reserve	284,468	284,468
Total	284,468	284,468

(ii) Reconciliation of movements in reserves:

Infrastructure, property, plant and equipment revaluation reserve

– Opening balance		284,468	410,981
– Revaluations for the period	9(a)	–	(4,358)
– Transfer to retained earnings for asset disposals		–	(35,622)
– Correction of prior period errors	20(c)	–	(86,533)
– Balance at end of period		284,468	284,468

TOTAL VALUE OF RESERVES

284,468	284,468
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(iii) Nature and purpose of reserves

Infrastructure, property, plant and equipment revaluation reserve

- The infrastructure, property, plant and equipment revaluation reserve is used to record increments/decrements of non-current asset values due to their revaluation.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 20. Retained earnings, revaluation reserves, changes in accounting policies, changes in accounting estimates and errors (continued)

\$ '000	Notes	Actual 9/9/16	Actual 30/6/15
(c) Correction of error/s relating to a previous reporting period			
Correction of errors disclosed in this year's financial statements:			
– Calculation correction of Fair Value of Bulk Earthworks - to Asset Reval Reserve			(86,533)
– Accumulated Depreciation adjustment for Infrastructure Asset - to Retained Earnings			135,462
			<u>48,929</u>

(d) Voluntary changes in accounting policies

Council made no voluntary changes in any accounting policies during the reporting period.

(e) Changes in accounting estimates

Council made no changes in accounting estimates during the reporting period.

Note 21. Financial result and financial position by fund

Council utilises only a general fund for its operations.

Note 22. 'Held for sale' non-current assets and disposal groups

\$ '000	Assets 'held for sale'	
	9/9/16	30/6/15
Reconciliation of non-current assets 'held for sale' and disposal groups – i.e. discontinued operations		
Opening balance	–	48,000
Less: carrying value of assets/operations sold	–	(48,000)
Closing balance of 'held for sale' non-current assets and operations	<u>–</u>	<u>–</u>

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 23. Events occurring after the reporting date

\$ '000

Events that occur between the end of the reporting period (9 September 2016) and the date when the financial statements are 'authorised for issue' have been taken into account in preparing these statements.

Council has adopted the date of receipt of the Auditors' Report as the applicable 'authorised for issue' date relating to these General Purpose Financial Statements.

Accordingly, the 'authorised for issue' date is 24/12/16.

Events that occur after the reporting period represent one of two types:

(i) Events that provide evidence of conditions that existed at the reporting period

These financial statements (and the figures therein) incorporate all 'adjusting events' that provided evidence of conditions that existed at 9 September 2016.

(ii) Events that provide evidence of conditions that arose after the reporting period

These financial statements (and figures therein) do not incorporate any 'non-adjusting events' that have occurred after 9 September 2016 and which are only indicative of conditions that arose after 9 September 2016.

Council is aware of the following 'non-adjusting events' that merit disclosure:

Amalgamation of operations for the former Rockdale City Council to form Bayside Council

On 9 September 2016, the Local Government (Council Amalgamations) Proclamation 2016 announced that effective from midnight on 9 September 2016, the operations of the former Rockdale City Council would be amalgamated with the former City of Botany Council to form the new council Bayside Council.

The proclamation automatically transferred the assets, rights and liabilities of the former Rockdale City Council to Bayside Council on 10 September 2016.

The proclamation ensures that any reference in any document to the former Rockdale City Council is to be read as a reference to Bayside Council, and that anything done by the former Rockdale City Council before the amalgamation is taken to have been done by Bayside Council.

These proclamation clauses provide for the transfer of physical assets (such as cars, buildings, plant and equipment) along with intangible assets and liabilities (such as service contracts and outstanding debts).

This ensures the general business and operations of former councils are preserved, including contracts and services.

These financial statements have been drawn up to reflect the closing financial position as at 9 September 2016 of the former Rockdale City Council and its financial performance for the period 1 July 2015 to 9 September 2016.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 24. Discontinued operations

\$ '000

Council has not classified any of its operations as 'discontinued'.

Note 25. Intangible assets

\$ '000	Actual 9/9/16	Actual 30/6/15
Intangible assets represent identifiable non-monetary assets without physical substance.		
Intangible assets are as follows:		
Opening values:		
Gross book value (1/7)	3,215	5,141
Accumulated amortisation (1/7)	(1,441)	(3,354)
Accumulated impairment (1/7)	–	–
Net book value – opening balance	1,774	1,787
Movements for the period		
– Purchases	–	509
– Amortisation charges	(387)	(365)
– Gross book value written off	–	(2,435)
– Accumulated amortisation charges written off	–	2,278
Closing values:		
Gross book value (9/9/16)	3,215	3,215
Accumulated amortisation (9/9/16)	(1,828)	(1,441)
Accumulated impairment (9/9/16)	–	–
TOTAL INTANGIBLE ASSETS – NET BOOK VALUE ¹	1,387	1,774
^{1. The net book value of intangible assets represent:}		
– Software	1,387	1,774
	1,387	1,774

Note 26. Reinstatement, rehabilitation and restoration liabilities

Council has no outstanding obligations to make, restore, rehabilitate or reinstate any of its assets/operations.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 27. Fair value measurement

\$ '000

The Council measures the following asset and liability classes at fair value on a recurring basis:

- Infrastructure, property, plant and equipment
- Financial assets and liabilities

The fair value of assets and liabilities must be estimated in accordance with various accounting standards for either recognition and measurement requirements or for disclosure purposes.

AASB 13 Fair Value Measurement requires all assets and liabilities measured at fair value to be assigned to a 'level' in the fair value hierarchy as follows:

Level 1: Unadjusted quoted prices in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2: Inputs other than quoted prices included within level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3: Inputs for the asset or liability that are not based on observable market data (unobservable inputs).

(1) The following table presents all assets and liabilities that have been measured and recognised at fair values:

Fair value measurements		Fair value measurement hierarchy			Total
	Date of latest valuation	Level 1 Quoted prices in active mkts	Level 2 Significant observable inputs	Level 3 Significant unobservable inputs	
Recurring fair value measurements					
Financial assets					
Investments					
– ‘Designated at fair value on initial recognition’	9/09/16	–	–	18,100	18,100
Total financial assets		–	–	18,100	18,100
Infrastructure, property, plant and equipment					
Operational land	9/09/16	–	–	127,854	127,854
Community land	9/09/16	–	–	98,830	98,830
Building (specialised and non-specialised)	9/09/16	–	–	65,167	65,167
Roads	9/09/16	–	–	309,868	309,868
Bridges	9/09/16	–	–	5,644	5,644
Footpaths	9/09/16	–	–	40,512	40,512
Stormwater	9/09/16	–	–	56,663	56,663
Plant and equipment	9/09/16	–	–	6,435	6,435
Furniture and fittings	9/09/16	–	–	154	154
Office equipment	9/09/16	–	–	605	605
Land improvement – depreciable	9/09/16	–	–	19,427	19,427
Library books	9/09/16	–	–	1,334	1,334
Bulk earthworks	9/09/16	–	–	39,346	39,346
Other structures	9/09/16	–	–	17,617	17,617
Work in progress – at cost	9/09/16	–	–	53,253	53,253
Total infrastructure, property, plant and equipment		–	–	842,709	842,709

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 27. Fair value measurement (continued)

\$ '000

(1) The following table presents all assets and liabilities that have been measured and recognised at fair values (continued):

		Fair value measurement hierarchy			
1/7/14 to 30/6/15		Level 1	Level 2	Level 3	Total
	Date of latest valuation	Quoted prices in active mkts	Significant observable inputs	Significant unobservable inputs	
Recurring fair value measurements					
Financial assets					
Investments					
– ‘Designated at fair value on initial recognition’	30/06/15	–	–	7,107	7,107
Total financial assets		–	–	7,107	7,107
Infrastructure, property, plant and equipment					
Operational land	30/06/15	–	–	127,854	127,854
Community land	30/06/15	–	–	98,830	98,830
Building (specialised and non-specialised)	30/06/15	–	–	69,315	69,315
Roads	30/06/15	–	–	317,324	317,324
Bridges	30/06/15	–	–	5,719	5,719
Footpaths	30/06/15	–	–	41,628	41,628
Stormwater	30/06/15	–	–	57,641	57,641
Plant and equipment	30/06/15	–	–	6,291	6,291
Furniture and fittings	30/06/15	–	–	266	266
Office equipment	30/06/15	–	–	958	958
Land improvement – depreciable	30/06/15	–	–	20,079	20,079
Library books	30/06/15	–	–	1,114	1,114
Bulk earthworks	30/06/15	–	–	39,346	39,346
Other structures	30/06/15	–	–	18,892	18,892
Work in progress – at cost	30/06/15	–	–	13,390	13,390
Total infrastructure, property, plant and equipment		–	–	818,647	818,647

(2) Transfers between level 1 and level 2 fair value hierarchies

During the period, there were no transfers between level 1 and level 2 fair value hierarchies for recurring fair value measurements.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 27. Fair value measurement (continued)

(3) Valuation techniques used to derive level 2 and level 3 fair values

Where Council is unable to derive fair valuations using quoted market prices of identical assets (i.e. level 1 inputs), Council instead utilises a spread of both observable inputs (level 2 inputs) and unobservable inputs (level 3 inputs).

The fair valuation techniques Council has employed while utilising level 2 and level 3 inputs are as follows:

Financial assets

The Council's financial assets relates to its investments in term deposits. The information included under 6(b) is considered sufficient to meet the Fair Value disclosures requirements hence additional information is not included under this note.

Financial liabilities

The Council does not have any liabilities which are fair valued.

Infrastructure, property, plant and equipment

Council's non-current assets are continually revalued (over a 5 year period) in accordance with the fair valuation policy as mandated by the Division of Local Government. Further details of the revaluations policy is provided under note 1(j).

Level 3 measurements

Buildings – Specialised & Non- Specialised

The Council engages external, independent and qualified valuers to determine the fair value of the Council's buildings. Buildings were last revalued in the 30 June 2013 financial year and the fair values were determined by AssetVal Pty Ltd.

Gross Value of each building, which is obtained by applying a unit rate to a structure or a square metre rate to a building, based on its current replacement cost, which is the lowest cost of replacing the economic benefits of the existing asset using modern technology. The valuation aspects are generally, but not limited to the location, size, condition, style and utility of the asset. Replacement cost, asset condition, remaining useful life and building components are some of the inputs used in fair value determination. The key unobservable input being the rate square metre has been benchmarked to construction costs of similar properties across the industry.

This asset class is categorised as Level 3 as some of the above mentioned inputs used in the valuation of these assets require significant professional judgement and are therefore unobservable. Valuation techniques remained the same for this reporting period.

Further details relating to the rate per square metre has been provided below.

Land - Operational & Community

The Council engages external, independent and qualified valuers to determine the fair value of the Council's Operational Land. Valuations for Community land is performed by the Council's internal properties team.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 27. Fair value measurement (continued)

Operational Land

The fair value of Operational Land has been determined by referencing it to current prices in an active market for similar properties. Where such information is not available, current prices in an active market for properties of different nature or recent prices of similar properties in less active markets, adjusted to reflect those differences are considered. Appropriate adjustments are also made for the inherent features of the property such as fire-prone, flood zonings and usability of the land.

This assets class is categorised as Level 3 as some of the inputs mentioned above require significant professional judgement and are therefore unobservable. Valuation techniques remained the same for this reporting period.

Operational land was last revalued at 30 June 2013.

Community Land

The fair value for Community Land has been determined using an Unimproved Capital Value, derived from the Valuer General's valuation performed for rating purposes, and applying to the total area. Given the nature of Community land, comparable sales data is generally not available. As the Valuer General's valuation considers land in all zoning, average unit derived from Valuer's General's valuation is considered the most practicable approach to valuing Community Land. Should Council have an asset in the future for which an Unimproved Capital Value is not provided, replacement cost will be used. Replacement cost will be based on average unit rates for similar properties, land use, land size and shape.

This assets class is categorised as Level 3 as some of the inputs mentioned above require significant professional judgement and are therefore unobservable. Valuation techniques remained the same for this reporting period.

Community land was last revalued at 30 June 2011.

The key unobservable input to the valuation is the rate per square metre, for which, further details have been provided below

Infrastructure assets

Valuations for infrastructure assets are performed internally by the Council's internal engineering team. The gross value of the infrastructure assets are determined by unit rate to total volume which is normally square metres, cubic metres or lineal metres.

The unit rates, which is a key unobservable input, is determined using rates stipulated in contracts with third party suppliers via tenders, internal service providers and industry publications.

Infrastructure assets were recently revalued at 30 June 2015, by Morrison Low.

Roads

The system adopted has a hierarchical structure in which all Roads are identified by name and number. Each road was then subdivided into a number of sections based on length, geometry and change of structure or traffic. Some roads may have only one section. The components within the road sections are as follows.

❖ Road Pavement

- Pavement Structure
- Road Wearing Course

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 27. Fair value measurement (continued)

- ❖ Bridges & Culverts
- ❖ Footpaths
- ❖ Kerb & Gutter
- ❖ Bollards
- ❖ Retaining Walls
- ❖ Fences & Railings
- ❖ Seats
- ❖ Traffic Facilities
- ❖ Carpark
- ❖ Cycleway Path
 - Cycleway markings
- ❖ Street Furniture
 - Bins
 - Stainless steel bin covers
 - Tree guards
 - Planter box

Road Pavements, Footpaths, Cycleway and Kerb & Gutter were measured along the centre line and their corresponding width and condition were recorded. Similarly Traffic Facilities, Retaining Wall, Car park measured and determined area in square metres. Fence and Railing measured in linear metres. Street Furniture are considered as single items and valued as such.

Bollard assets are valued using condition and age based methodology. Bollards are categorised as to material type and are not componentised. Unit rates for steel bollard is \$180 each whilst a timber bollard is \$90 each. Unit rates are based on previous Rockdale valuation and other Council valuations.

Kerb and gutter assets are valued using condition and age based methodology. Kerb and gutter assets are categorised by their construction material and by the kerb type and are not componentised. Unit rates are based on other council valuations and previous Rockdale valuation. A common unit rate of \$180 per lineal metre has been applied across all material and kerb types.

Road pavement structure assets are valued using condition and age based methodology. Road pavements have been assigned a unit rate of \$75 per square metre. Pavement replacement costs are based on renewal practice consisting of removing approximately 50% of existing pavement layer and replacing it with structural asphalt. Unit rates are based primarily on recent construction rates used in Rockdale pavement renewal contracts. Unit rate has been expressed as a weighted average for all roads based on the proportion of local and regional roads which typically have different standards of pavement reconstruction to reflect the different usage. The methodology of determining the area of wearing course has changed since the 2010 valuation. This has resulted in an increase in wearing course by 19%.

Road wearing course assets are valued using condition and age based methodology. Road wearing surfaces have been assigned a unit rate of \$27 per square metre. Unit rates are based primarily on recent construction rates used in Rockdale pavement surfacing contracts. Unit rate has been expressed as a weighted average

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 27. Fair value measurement (continued)

for all roads based on the proportion of local and regional roads, which typically have different requirements for wearing surface to reflect different usage. The methodology of determining the area of wearing course has changed since 2010 asset valuation. This has resulted in an increase in wearing course area by approximately 9%

This assets class is categorised as Level 3 as some of the inputs mentioned above require significant professional judgement and are therefore unobservable. Valuation was conducted by Morrison Low as at 30 June 2015.

Bridges

Bridges and culverts are valued using condition and age based methodology. Road bridges are not categorised whilst culverts are categorised as to type (box culverts and pipe culverts). Bridge and culvert renewals will typically be a full rebuild rather than replacement of individual components, therefore an overall replacement rate is appropriate. Bridge unit rates are \$3,969 per square metre of deck area. Culvert unit rates are \$2,028 per square metre of footprint (plan) area. Bridge unit rates is based on breakdown provided by other council valuations and compared to Rawlinson's Australian Construction Handbook overall rate information. Culvert unit rates is based on per metre rates from Rawlinson's Australian Construction Handbook and converted to an equivalent footprint plan area rate including allowances for ancillary work.

Footpaths

Footpath assets are valued using condition and age based methodology. Footpaths are categorised by their construction material. Footpath assets are not componentised.

Unit rates are based on previous Rockdale valuation and other council valuations. Unit rates based on other council valuations and compared to Rawlinson's Australian Construction Handbook 2013. Unit rates for asphalt \$50 per square metre, concrete \$100 per square metre and pavers \$95 per square metre.

Stormwater Drainage

Similar to the roads asset, drainage asset system has a hierarchical structure in which all the drainage catchments have components such as pipes, pits, channels, culverts etc. In addition, Stormwater Quality Improvement Devices (SQID) such as Gross Pollution Traps, Trash racks, Litter baskets, Litter nets, Booms etc. are recorded. Pipes, channels and box culverts are measured in linear metres and pits as an item,

Stormwater drain assets have been valued using an age-based methodology.

Where applicable, actual costs for asset acquisition or work done are used to determine unit rates. When this information is not available local engineering knowledge and benchmark data contained in the NSW Reference Rates Manual (2014) has been applied.

This assets class is categorised as Level 3 as some of the inputs mentioned above require significant professional judgement and are therefore unobservable. Valuation was conducted by Morrison Low as at 30 June 2015.

Plant & Equipment, Office Equipment, and Furniture & Fittings

This asset category includes:

Plant & Equipment – Motor Vehicles, trucks, mowers

Office Equipment – Computer equipment

Furniture & Fittings – Chairs, desks, cabinets, display systems.

The former Rockdale City Council

Notes to the Financial Statements

for the period 1 July 2015 to 9 September 2016

Note 27. Fair value measurement (continued)

These assets are valued at cost in Council's books and reported at Fair Value in the notes due to the nature of the items. The cost of these assets are based on current invoices and contracts, which are based on observable inputs, however the remaining useful life and residual value is based on internal factors which are unobservable in the market therefore placing these assets in Level 3. Valuation techniques remained the same for this reporting period.

Library Books

This asset category comprises of assets such as library books, journals, magazines, CDs and DVDs.

The library books are reported at Fair Value in the notes however, due to the nature of these items they are valued at cost. There are no major variances between the fair value and carrying amount if these assets. The cost of these assets are based on current invoices and contracts, which are based on observable inputs, however the remaining useful life is based on internal factors which are unobservable in the market making it a Level 3 asset. Valuation techniques remain the same for this reporting period.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 27. Fair value measurement (continued)

\$ '000

(4). Fair value measurements using significant unobservable inputs (level 3)

a. The following tables present the changes in level 3 fair value asset classes.

	Operational Land	Community Land	Building	Roads	Total
Opening balance – 1/7/14	129,007	98,830	66,641	176,561	471,039
Purchases (GBV)	117	–	6,904	3,746	10,767
Disposals (WDV)	(1,270)	–	(905)	–	(2,175)
Depreciation and impairment	–	–	(3,325)	(5,616)	(8,941)
FV gains – other comprehensive income	–	–	–	142,633	142,633
Closing balance – 30/6/15	127,854	98,830	69,315	317,324	613,323
Depreciation and impairment	–	–	(4,148)	(7,456)	(11,604)
Closing balance – 9/9/16	127,854	98,830	65,167	309,868	601,719

	Bridges	Footpaths	Stormwater	Plant & Equipment	Total
Opening balance – 1/7/14	8,143	47,255	48,619	5,886	109,903
Purchases (GBV)	–	–	3,026	2,994	6,020
Disposals (WDV)	–	–	–	(1,194)	(1,194)
Depreciation and impairment	(151)	(1,663)	(1,019)	(1,395)	(4,228)
FV gains – other comprehensive income	(2,273)	(3,964)	7,015	–	778
Closing balance – 30/6/15	5,719	41,628	57,641	6,291	111,279
Purchases (GBV)	–	–	–	3,261	3,261
Disposals (WDV)	–	–	–	(1,371)	(1,371)
Depreciation and impairment	(75)	(1,116)	(978)	(1,746)	(3,915)
Closing balance – 9/9/16	5,644	40,512	56,663	6,435	109,254

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 27. Fair value measurement (continued)

\$ '000

(4). Fair value measurements using significant unobservable inputs (level 3) (continued)

a. The following tables present the changes in level 3 fair value asset classes. (continued)

	Furniture & Fittings	Office Equipment	Land Improvement Depreciable	Library Books	Total
Opening balance – 1/7/14	258	889	40,627	1,229	43,003
Transfers from/(to) another asset class	–	–	(8,493)	–	(8,493)
Purchases (GBV)	80	463	–	234	777
Disposals (WDV)	(2)	(155)	–	–	(157)
Depreciation and impairment	(70)	(239)	(1,762)	(349)	(2,420)
FV gains – other comprehensive income	–	–	(10,293)	–	(10,293)
Closing balance – 30/6/15	266	958	20,079	1,114	22,417
Transfers from/(to) another asset class	–	–	–	1	1
Purchases (GBV)	–	341	–	626	967
Disposals (WDV)	(29)	(461)	–	–	(490)
Depreciation and impairment	(83)	(233)	(652)	(407)	(1,375)
Closing balance – 9/9/16	154	605	19,427	1,334	21,520

	Bulk Earthworks	Other Structures	Swimming Pool	Work in Progress	Total
Opening balance – 1/7/14	125,879	12,482	–	14,774	153,135
Transfers from/(to) another asset class	–	6,479	–	(15,151)	(8,672)
Purchases (GBV)	–	548	–	13,767	14,315
Depreciation and impairment	–	(617)	–	–	(617)
FV gains – other comprehensive income	(86,533)	–	–	–	(86,533)
Closing balance – 30/6/15	39,346	18,892	–	13,390	71,628
Transfers from/(to) another asset class	–	–	–	(1)	(1)
Purchases (GBV)	–	–	–	39,864	39,864
Depreciation and impairment	–	(1,275)	–	–	(1,275)
Closing balance – 9/9/16	39,346	17,617	–	53,253	110,216

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 27. Fair value measurement (continued)

\$ '000

(4). Fair value measurements using significant unobservable inputs (level 3) (continued)

b. Significant unobservable valuation inputs used (for level 3 asset classes) and their relationship to fair value.

The following table summarises the quantitative information relating to the significant unobservable inputs used in deriving the various level 3 asset class fair values.

Class	Fair value (9/9/16) \$'000	Valuation technique/s	Unobservable inputs
I, PP&E			
Operational Land	127,854	Level 3	Rate per square metre
Community Land	98,830	Level 3	Rate per square metre
Building (Specialised and Non Specialised)	65,167	Level 3	Rate per square metre
Roads	309,868	Level 3	Road Pavement - Rate per square metre; Kerb and Gitter - Rate per lineal metre
Bridges	5,644	Level 3	Rate per square metre
Footpaths	40,512	Level 3	Rate per square metre
Stormwater	56,663	Level 3	Rate per lineal metre
Plant & Equipment	6,435	Level 3	Replacement cost
Furniture & Fittings	154	Level 3	Replacement cost
Office Equipment	605	Level 3	Replacement cost
Land Improvement-Depreciable	19,427	Level 3	Rate per square metre
Library books	1,334	Level 3	Replacement cost
Bulk Earthworks	39,346	Level 3	Replacement cost
Other Structures	17,617	Level 3	Rate per square metre
Work in Progress	53,253	Level 3	Replacement cost

(5). Highest and best use

All of Council's non-financial assets are considered as being utilised for their highest and best use.

The former Rockdale City Council

Notes to the Financial Statements for the period 1 July 2015 to 9 September 2016

Note 28. Council information and contact details

Principal place of business:

2 Bryant Street
Rockdale NSW 2216

Contact details
Mailing address:

PO Box 21
Rockdale NSW 2216

Opening hours:

8:30am-4:30pm, Monday to Friday
9am-1pm, Saturday

Telephone: 02 9562 1666

Facsimile: 02 9562 1777

Internet: www.rockdale.nsw.gov.au

Email: rcc@rockdale.nsw.gov.au

Officers
INTERIM GENERAL MANAGER

Meredith Wallace

Members
ADMINISTRATOR

Greg Wright

RESPONSIBLE ACCOUNTING OFFICER

Alistair Duncan

PUBLIC OFFICER

Fausto Sut

AUDITORS

PricewaterhouseCoopers
Darling Tower 2
Level 10, 201 Sussex Street
Sydney NSW 2000

Other information

ABN: 66 139 730 052



The former Rockdale City Council

Independent auditor's report – s417(2) Report on the general purpose financial statements

Report on the financial statements

We have audited the accompany financial statements of The former Rockdale City Council (the former Council), which comprise the statement of financial position as at 9 September 2016 and the income statement, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the period then ended, accompanying notes to the financial statements and the Statement by the Administrator and Management in the approved form as required by Section 413(2) of the Local Government Act 1993.

Administrator's responsibility for the financial statements

The Administrator is responsible for the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the Local Government Act 1993 and for such internal control as the Administrator determines is necessary to enable the preparation and fair presentation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's responsibility

Our responsibility is to express an opinion on the financial statements based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by Administrator, as well as evaluating the overall presentation of the financial statements.

When this audit report is included in an Annual Report, our procedures include reading the other information in the Annual Report to determine whether it contains any material inconsistencies with the financial statements.

Our audit responsibility does not extend to the attached Special Schedules, and accordingly, we express no opinion on them.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

PricewaterhouseCoopers, ABN 52 780 433 757

Darling Park Tower 2, 201 Sussex Street, GPO BOX 2650, SYDNEY NSW 1171
T +61 2 8266 0000, F +61 2 8266 9999, www.pwc.com.au

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Auditor's opinion:

In our opinion:

- (a) the former Council's accounting records have been kept in accordance with the requirements of the Local Government Act 1993, Chapter 13 part 3 Division 2 (the Division); and
- (b) the financial statements:
 - (i) have been presented, in all material respects, in accordance with the requirements of this Division
 - (ii) are consistent with the former Council's accounting records
 - (iii) present fairly, in all material respects, the former Council's financial position as of 9 September 2016 and its financial performance and its cash flows for the period then ended in accordance with Australian Accounting Standards
- (c) all information relevant to the conduct of the audit has been obtained; and
- (d) there are no material deficiencies in the accounting records or financial statements that have come to light during the course of the audit.

A handwritten signature in black ink, appearing to read 'PricewaterhouseCoopers'.

PricewaterhouseCoopers

A handwritten signature in black ink, appearing to read 'Marc Upcroft'.

Marc Upcroft
Partner

Sydney
24 December 2016



The Administrator
Mr Greg Wright
Bayside Council
DX 25308
ROCKDALE

Dear Mr Wright

Report on the conduct of the Audit for the former Rockdale City Council in respect to the period ended 9 September 2016 – Section 417(3)

We have completed our audit of the financial reports of the former Rockdale City Council for the period ended 9 September 2016, in accordance with Section 415 of the Local Government Act, 1993.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial reports are free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial reports, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial reports are presented fairly in accordance with Australian Accounting Standards as well as statutory requirements so as to present a view which is consistent with our understanding of the Council's financial position, the results of its operations and its cash flows.

This report should be read in conjunction with our audit opinion on the general purpose financial statements provided under Section 417(2) of the Local Government Act 1993.

Operating Result

Council's operating result improved from a surplus of \$17 million in the previous year to \$66 million in the current period. The net operating result before capital contributions was a surplus of \$47 million against the previous year's deficit of \$2 million. The results were impacted by having two years of rating income in the 14 month reporting period.

Cash Position

Council's overall cash position increased from \$115 million to \$154 million during the period under review. The following table highlights the composition of cash.

	2016 \$m	2015 \$m
Externally restricted	93	79
Internally restricted	55	35
Unrestricted	6	1
Total	154	115

PricewaterhouseCoopers, ABN 52 780 433 757

Darling Park Tower 2, 201 Sussex Street, GPO BOX 2650, SYDNEY NSW 1171

T: +61 2 8266 0000, F: +61 2 8266 9999, www.pwc.com.au

Working Capital

Council's net current assets increased from \$105 million to \$164 million during the period under review. The value of net current assets needs to be adjusted in order to establish the available working capital position.

	2016 \$'000	2015 \$'000
Net current assets	164	105
Less:		
External restrictions	(89)	(73)
Internal restrictions	(55)	(34)
Add:		
Current Liabilities deferred	14	13
Available Working Capital	34	11

The effective unrestricted or available working capital upon which Council could build its 2017 budget was \$34 million.

Performance Indicators

The financial reports disclose a number of indicators in Note 13 and these are detailed below.

	2016 %	2015 %
Operating Performance Ratio	31	(5)
Own Source Operating Revenue Ratio	83	75
Unrestricted Current Ratio	783	532
Debt Service Cover Ratio	3667	868
Rates Outstanding Ratio	28	6
Cash Expense Cover Ratio	17	17

The Operating Performance Ratio improved to above the industry benchmark of 0%.

The Own Source Operating Revenue Ratio improved to 83% and remained above the industry benchmark of 60%.

The Unrestricted Current Ratio improved to 783% and remained above the industry benchmark of 150%.

The Debt Service Cover Ratio improved and remained above the industry benchmark of 200%.

The Rates Outstanding ratio increased significantly due to the inclusion of two years rating income in the 14 month reporting period.

The Cash Expense Cover Ratio indicated that Council could continue to cover its operating costs for 17 months should cash inflows cease. This compares very favourably with the industry benchmark of 3 months.



Council was considered to be in a sound and stable financial position at the time of its closure.

General

The books of accounts and records inspected by us have been kept in an accurate and conscientious manner. We thank the Interim General Manager and her staff for the cooperation and courtesy extended to us during the course of our audit.

Yours faithfully

A handwritten signature in blue ink that reads 'PricewaterhouseCoopers'.

PricewaterhouseCoopers

A handwritten signature in blue ink that reads 'M Upcroft'.

Marc Upcroft
Partner



The former Rockdale City Council

SPECIAL PURPOSE FINANCIAL STATEMENTS
for the period 1 July 2015 to 9 September 2016

One Community, Many Cultures, Endless Opportunity



The former Rockdale City Council

Special Purpose Financial Statements for the period 1 July 2015 to 9 September 2016

COUNCIL HAS NOT DECLARED ANY BUSINESS ACTIVITIES



The former Rockdale City Council

SPECIAL SCHEDULES

for the period 1 July 2015 to 9 September 2016

One Community, Many Cultures, Endless Opportunity



The former Rockdale City Council

Special Schedules

for the period 1 July 2015 to 9 September 2016

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Special Schedule 2(b)	Statement of Internal Loans (Sect. 410(3) LGA 1993)	n/a
Special Schedule 3	Water Supply Operations – incl. Income Statement	n/a
Special Schedule 4	Water Supply – Statement of Financial Position	n/a
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¹ Special Schedules are not audited.

Background

- (i) These Special Schedules have been designed to meet the requirements of special purpose users such as;
- the NSW Grants Commission
 - the Australian Bureau of Statistics (ABS),
 - the NSW Office of Water (NOW), and
 - the Office of Local Government (OLG).
- (ii) The financial data is collected for various uses including;
- the allocation of Financial Assistance Grants,
 - the incorporation of Local Government financial figures in national statistics,
 - the monitoring of loan approvals,
 - the allocation of borrowing rights, and
 - the monitoring of the financial activities of specific services.

The former Rockdale City Council

Special Schedule 1 – Net Cost of Services for the period 1 July 2015 to 9 September 2016

\$'000

Function or activity	Expenses from continuing operations	Income from continuing operations		Net cost of services
		Non-capital	Capital	
Governance	2,622	–	–	(2,622)
Administration	34,851	19,327	1,269	(14,255)
Public order and safety				
Fire service levy, fire protection, emergency services	–	–	–	–
Beach control	386	13	152	(221)
Enforcement of local government regulations	4,481	3,611	–	(870)
Animal control	247	65	–	(182)
Other	906	2,455	–	1,549
Total public order and safety	6,020	6,144	152	276
Health	1,150	1,294	–	144
Environment				
Noxious plants and insect/vermin control	–	–	–	–
Other environmental protection	2,094	586	360	(1,148)
Solid waste management	19,914	22,289	–	2,375
Street cleaning	1,079	10	–	(1,069)
Drainage	5,424	231	1,101	(4,092)
Stormwater management	–	–	–	–
Total environment	28,511	23,116	1,461	(3,934)
Community services and education				
Administration and education	240	26	–	(214)
Social protection (welfare)	235	245	–	10
Aged persons and disabled	735	394	–	(341)
Children's services	5	7	24	26
Total community services and education	1,215	672	24	(519)
Housing and community amenities				
Public cemeteries	–	–	–	–
Public conveniences	65	–	–	(65)
Street lighting	166	307	–	141
Town planning	6,031	2,986	–	(3,045)
Other community amenities	20	256	1,453	1,689
Total housing and community amenities	6,282	3,549	1,453	(1,280)
Water supplies	–	–	–	–
Sewerage services	–	–	–	–

The former Rockdale City Council

Special Schedule 1 – Net Cost of Services (continued)

for the period 1 July 2015 to 9 September 2016

\$'000

Function or activity	Expenses from continuing operations	Income from continuing operations		Net cost of services
		Non-capital	Capital	
Recreation and culture				
Public libraries	8,294	327	352	(7,615)
Museums	—	—	—	—
Art galleries	—	—	—	—
Community centres and halls	74	86	—	12
Performing arts venues	—	—	—	—
Other performing arts	—	—	—	—
Other cultural services	—	—	—	—
Sporting grounds and venues	3,817	1,305	7,977	5,465
Swimming pools	253	19	—	(234)
Parks and gardens (lakes)	—	—	—	—
Other sport and recreation	7,410	434	—	(6,976)
Total recreation and culture	19,848	2,171	8,329	(9,348)
Fuel and energy	—	—	—	—
Agriculture	—	—	—	—
Mining, manufacturing and construction				
Building control	—	—	—	—
Other mining, manufacturing and construction	—	—	—	—
Total mining, manufacturing and const.	—	—	—	—
Transport and communication				
Urban roads (UR) – local	1,534	1,332	1,094	892
Urban roads – regional	3	—	—	(3)
Sealed rural roads (SRR) – local	—	—	—	—
Sealed rural roads (SRR) – regional	—	—	—	—
Unsealed rural roads (URR) – local	—	—	—	—
Unsealed rural roads (URR) – regional	—	—	—	—
Bridges on UR – local	—	—	—	—
Bridges on SRR – local	—	—	—	—
Bridges on URR – local	—	—	—	—
Bridges on regional roads	—	—	—	—
Parking areas	67	21	3,137	3,091
Footpaths	640	38	477	(125)
Aerodromes	—	—	—	—
Other transport and communication	970	230	353	(387)
Total transport and communication	3,214	1,621	5,061	3,468
Economic affairs				
Camping areas and caravan parks	—	—	—	—
Other economic affairs	1,592	145	728	(719)
Total economic affairs	1,592	145	728	(719)
Totals – functions	105,305	58,039	18,477	(28,789)
General purpose revenues ⁽¹⁾		94,339		94,339
Share of interests – joint ventures and associates using the equity method	—	300		300
NET OPERATING RESULT ⁽²⁾	105,305	152,678	18,477	65,850

(1) Includes: rates and annual charges (including ex gratia, excluding water and sewer), non-capital general purpose grants, interest on investments (excluding externally restricted assets) and interest on overdue rates and annual charges

(2) As per the Income Statement

The former Rockdale City Council

Special Schedule 2(a) – Statement of Long Term Debt (all purpose)

for the period 1 July 2015 to 9 September 2016

\$'000

Classification of debt	Principal outstanding at beginning of the period			New loans raised during the period	Debt redemption during the period		Transfers to sinking funds	Interest applicable for period	Principal outstanding at the end of the period		
	Current	Non-current	Total		From revenue	Sinking funds			Current	Non-current	Total
Loans (by source)											
Commonwealth government	4	–	4	–	4	–	–	–	–	–	–
Treasury corporation	150	612	762	–	150	–	–	–	106	506	612
Other state government	–	–	–	–	–	–	–	–	–	–	–
Public subscription	–	–	–	–	–	–	–	–	–	–	–
Financial institutions	1,117	5,506	6,623	1,100	1,288	–	–	333	1,056	5,379	6,435
Other	–	–	–	–	–	–	–	–	–	–	–
Total loans	1,271	6,118	7,389	1,100	1,442	–	–	333	1,162	5,885	7,047
Other long term debt											
Ratepayers advances	–	–	–	–	–	–	–	–	–	–	–
Government advances	–	–	–	–	–	–	–	–	–	–	–
Finance leases	–	–	–	–	–	–	–	–	–	–	–
Deferred payments	–	–	–	–	–	–	–	–	–	–	–
Total long term debt	–	–	–	–	–	–	–	–	–	–	–
Total debt	1,271	6,118	7,389	1,100	1,442	–	–	333	1,162	5,885	7,047

Notes: excludes (i) internal loans and (ii) principal inflows/outflows relating to loan re-financing.

This schedule is prepared using the **face value** of debt obligations, rather than **fair value** (which is reported in the GPFS).

The former Rockdale City Council

Special Schedule 7 – Report on Infrastructure Assets as at 9 September 2016

\$'000

Asset class	Asset category	Estimated cost to bring assets to satisfactory standard	Estimated cost to bring to the agreed level of service set by Council	2015/16 Required maintenance ^a	2015/16 Actual maintenance to 9/9/16	Carrying value	Gross replacement cost (GRC)	Assets in condition as a percentage of gross replacement cost				
								1	2	3	4	5
Buildings												
	Buildings	5,679	5,679	2,609	1,023	65,167	127,449	13%	30%	34%	23%	0%
	Sub-total	5,679	5,679	2,609	1,023	65,167	127,449	13.0%	30.0%	34.0%	23.0%	0.0%
Other structures												
	Other structures	366	366	5	1,831	17,617	27,976	14%	28%	45%	13%	0%
	Sub-total	366	366	5	1,831	17,617	27,976	14.0%	28.0%	45.0%	13.0%	0.0%
Roads												
	Sealed roads	578	578	759	1,650	309,868	383,981	89%	9%	1%	1%	0%
	Bridges	–	–	102	6	5,644	7,506	0%	64%	36%	0%	0%
	Footpaths	53	53	718	1,120	40,512	71,819	2%	9%	88%	1%	0%
	Other road assets	652	652	26	202	39,346	39,346	0%	10%	89%	1%	0%
	Sub-total	1,283	1,283	1,605	2,978	395,370	502,652	68.3%	9.9%	20.8%	1.0%	0.0%

The former Rockdale City Council

Special Schedule 7 – Report on Infrastructure Assets as at 9 September 2016 (continued)

\$'000

Asset class	Asset category	Estimated cost to bring assets to satisfactory standard	Estimated cost to bring to the agreed level of service set by Council	2015/16 Required maintenance ^a	2015/16 Actual maintenance to 9/9/16	Carrying value	Gross replacement cost (GRC)	Assets in condition as a percentage of gross replacement cost				
								1	2	3	4	5
Stormwater drainage	Stormwater drainage	–	–	–	77	56,663	95,851					100%
	Sub-total	–	–	–	77	56,663	95,851	0.0%	0.0%	0.0%	0.0%	100.0%
	TOTAL – ALL ASSETS	7,328	7,328	4,219	5,909	534,817	753,928	48.2%	12.7%	21.3%	5.0%	12.7%

Notes:

a Required maintenance is the amount identified in Council's asset management plans.

Infrastructure asset condition assessment 'key'

1	Excellent	No work required (normal maintenance)
2	Good	Only minor maintenance work required
3	Average	Maintenance work required
4	Poor	Renewal required
5	Very poor	Urgent renewal/upgrading required

The former Rockdale City Council

Special Schedule 7 – Report on Infrastructure Assets (continued) for the period 1 July 2015 to 9 September 2016

\$ '000	Amounts 09/09/16	Indicator 09/09/16	Prior periods	
			30/6/15	30/6/14
Infrastructure asset performance indicators * consolidated				
1. Infrastructure renewals ratio				
Asset renewals ⁽¹⁾	10,489	69.70%	56.61%	50.62%
Depreciation, amortisation and impairment	15,048			
2. Infrastructure backlog ratio				
Estimated cost to bring assets to a satisfactory standard	7,328	1.42%	1.64%	2.98%
Carrying value of infrastructure assets	514,898			
3. Asset maintenance ratio				
Actual asset maintenance	5,909	1.40	1.01	0.42
Required asset maintenance	4,219			
4. Capital expenditure ratio				
Annual capital expenditure	42,231	2.28	0.83	0.94
Annual depreciation	18,556			

Notes

* All asset performance indicators are calculated using the asset classes identified in the previous table.

⁽¹⁾ Asset renewals represent the replacement and/or refurbishment of existing assets to an equivalent capacity/performance as opposed to the acquisition of new assets (or the refurbishment of old assets) that increases capacity/performance.

The former Rockdale City Council

Special Schedule 7 – Report on Infrastructure Assets (continued) for the period 1 July 2015 to 9 September 2016

<p>1. Infrastructure renewals ratio</p> <p>Benchmark: — Minimum $\geq 100.00\%$ Source for benchmark: Code of Accounting Practice and Financial Reporting #24</p>	<p>Purpose of asset renewals ratio</p> <p>To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.</p>	<p>Commentary on 09/09/16 result</p> <p>09/09/16 ratio 69.70%</p> <p>Council's Building and Infrastructure Renewals Ratio has improved over the last three years as we utilise the SRV for buildings and infrastructure assets.</p>
<p>2. Infrastructure backlog ratio</p> <p>Benchmark: — Maximum $< 2.00\%$ Source for benchmark: Code of Accounting Practice and Financial Reporting #24</p>	<p>Purpose of infrastructure backlog ratio</p> <p>This ratio shows what proportion the backlog is against the total value of a Council's infrastructure.</p>	<p>Commentary on 09/09/16 result</p> <p>09/09/16 ratio 1.42%</p> <p>Council's Backlog Ratio has improved due to the increased renewals funded from the SRV for buildings and infrastructure assets</p>
<p>3. Asset maintenance ratio</p> <p>Benchmark: — Minimum > 1.00 Source for benchmark: Code of Accounting Practice and Financial Reporting #24</p>	<p>Purpose of asset maintenance ratio</p> <p>Compares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the infrastructure backlog growing.</p>	<p>Commentary on 09/09/16 result</p> <p>09/09/16 ratio 1.40 x</p> <p>Council's Asset Maintenance Ratio has improved as a result of improved reporting.</p>
<p>4. Capital expenditure ratio</p> <p>Benchmark: — Minimum > 1.10 Source for benchmark: Code of Accounting Practice and Financial Reporting #24</p>	<p>Purpose of capital expenditure ratio</p> <p>To assess the extent to which a Council is expanding its asset base thru capital expenditure on both new assets and the replacement and renewal of existing assets.</p>	<p>Commentary on 09/09/16 result</p> <p>09/09/16 ratio 2.28 x</p> <p>Council's Capital Expenditure Ratio improvement is the result of the Rockdale Library and Angelo Anestis Aquatic Centre Projects.</p>

Council Meeting

8/02/2017

Item No	8.2
Subject	Quarterly Budget Review Statement for Quarter Ended 31 December 2016
Report by	Alister Duncan, Manager Finance
File	(R) F09/744

Summary

In December 2010 the Division of Local Government released 'Quarterly Budget Review Statement for NSW Local Government' guidelines which set out the new reporting format that NSW councils need to use for their quarterly financial progress reports to their council.

The Quarterly Budget Review Statement (QBRs) provides information on how the Council is tracking against its originally adopted budget in the Operational Plan 2016 -17 and Delivery Program 2013-17. It shows the revised estimated income and expenditure for the year against the original estimate of annual income and expenditure as shown in the Plan and includes recommendations regarding changes to budget to give a projected year end result.

Officer Recommendation

- 1 That the Quarterly Budget Review Statement by the Manager Finance for the quarter ended 31 December 2016 be received and noted.
 - 2 That the changes to the original budget highlighted in this report be adopted by Council.
-

Background

The Quarterly Budget Review Statement for the quarter ended 31 December 2016 is attached to this report.

The report format has been modified due to the amalgamation of the former Rockdale City and City of Botany Bay Councils.

Further analysis and adjustments will be completed as the new council structure is determined and a further report will be presented in April 2017

Financial Implications

Not applicable.

Community Engagement

Not required.

Attachments

- 1 A Header
- 2 B Cash Budget Review Statement
- 3 C Income and Expenses Budget Review Statement
- 4 D Income and Expense Year to Date
- 5 E Income and Expenses by Department
- 6 F Capital Budget Review
- 7 G Cash and Investments
- 8 H Notes
- 9 I Budget Review Contracts

Report Header

Subject: QUARTERLY BUDGET REVIEW STATEMENT FOR SECOND QUARTER YEAR ENDED 31 DECEMBER 2016

File Number:

Report by:

Contributors:

Community Engagement

Financial Implications:

Manager - Finance & Administration (Alister Duncan)

Chris Hughes, Phil Hopkins and Vladimir Villalobos

No

No

Officer Recommendations

1. That the Quarterly Budget Review Statement by the Manager, Finance and Administration for the second quarter ended 31 December 2016 be received and noted.
2. That the recommended changes to the original budget highlighted in this report be adopted.

Précis

In December 2010, the Division of Local Government released 'Quarterly Budget Review Statement for NSW Local Government' guidelines which set out the new reporting format that NSW councils need to use for their quarterly financial progress reports to their council.

The Quarterly Budget Review Statement (QBRs) provides information on how the Council is tracking against its originally adopted budget in the Operational Plan 2016 -17 and Delivery Program 2013-17. It shows the revised estimated income and expenditure for the year against the original estimate of annual income and expenditure as shown in the Plan and includes recommendations regarding changes to budget to give a projected year end result.

The recommendations allow Council to maintain an overall balanced cash budget as adopted for 2016-2017. The majority of variations recommended are associated with transferring funds between departments and unexpended grant funds received last financial year, which can only be spent on specific purposes for which the grants were provided.

Background

A. Responsible Accounting Officers Statement

The Local Government Regulations require that a budget review statement must include a report as to whether or not the responsible accounting officer believes that the QBRs indicates that council's financial position is satisfactory, having regard to the original estimate of income and expenditure. This report is attached.

B. Cash Budget Review Statement

The Table below shows the projected cash position for Council for the year ended 30 June 2017. The column titled "Recommended changes for Council Resolution" shows proposed changes to be made in the December half year to the originally adopted budget and which are now recommended for adoption by Council. The information and tables contained in Sections C to H within this report expand on the summarised information provided in this Cash Budget Review Statement.

Bayside Council Budget review for the period ended 31 December 2016 Projected cash budget at 30 June 2017

	Full year original budget (per 2016-17 Operational Plan) Bayside	Approved changes September Review	Full year revised budget (original budget +/- approved budget changes)	Recommended changes for Council Resolution	Projected year end result (revised budget +/- recommended changes this qtr) Bayside
	2017 \$	Sep Quarter \$	2017 \$	Dec Quarter \$	2017 \$
Consolidated Operating Result					
Total income from continuing operations	184,118,021	-	184,118,021	32,138,039	216,256,060
Total expense from continuing operations	154,707,031	-	154,707,031	10,958,672	165,665,703
Operating profit (loss) from continuing operations	29,410,990	-	29,410,990	21,179,367	50,590,357
Capital and Reserve Movements					
Capital expenditure	(73,495,571)	-	(73,495,571)	5,821,386	(67,674,185)
Loan repayment	(1,156,248)	-	(1,156,248)	-	(1,156,248)
Loan borrowing	1,100,000	-	1,100,000	-	1,100,000
Proceeds from sale of assets	1,449,000	-	1,449,000	-	1,449,000
Book Value Assets Sold	(1,449,000)	-	(1,449,000)	-	(1,449,000)
Net transfers (to) from reserves	27,690,873	-	27,690,873	(24,168,327)	3,522,546
Net capital and reserve movements	(45,860,946)	-	(45,860,946)	(18,346,941)	(64,207,887)
Net result (including depreciation)	(16,449,956)	-	(16,449,956)	2,832,426	(13,617,530)
Add back non-cash items	23,309,555	-	23,309,555	-	23,309,555
Cash budget Surplus/(Deficit)	6,859,599	-	6,859,599	2,832,426	9,692,025

C. Income and Expenses Budget Review Statement

The following table expands on the Consolidated Operating Result shown in section B above and shows the projected income and expenditure results for the Council as at 30 June 2017. The column titled "Recommended changes for Council Resolution" shows the proposed changes in the December half year to the originally adopted budget which are now recommended for adoption by Council. A breakdown of the proposed changes at a departmental level is shown in section E of this report.

Bayside Council
Budget review for the period ended 31 December 2017
Income and expenses

	Full year original budget (per 2016-17 Operational Plan) - Bayside	Approved changes September Review	Full year revised budget (original budget +/- approved budget changes)	Recommended changes for Council Resolution	Projected year end result (revised budget +/- recommended this qtr) - Bayside
	2017 \$	Sep Quarter \$	2017 \$	Dec quarter \$	2017 \$
Income from continuing operations					
Rates and annual charges	106,188,892	-	106,188,892	(500,129)	105,688,763
User charges and fees	22,814,043	-	22,814,043	(2,064,597)	20,749,446
Interest and investment revenue	5,463,627	-	5,463,627	-	5,463,627
Other revenues	9,958,506	-	9,958,506	-	9,958,506
Grants and contributions provided for operating purposes	13,011,483	-	13,011,483	10,347,741	23,359,224
Grants and contributions provided for capital purposes	26,181,470	-	26,181,470	24,855,024	51,036,494
Other Income:					
Net gain (loss) from the disposal of assets	500,000	-	500,000	(500,000)	-
Total income from continuing operations	184,118,021	-	184,118,021	32,138,039	216,256,060
Expenses from continuing operations					
Employee benefits and on-costs	71,165,690	-	71,165,690	1,500,001	72,665,691
Borrowing costs	336,612	-	336,612	-	336,612
Materials and contracts	41,215,497	-	41,215,497	3,863,565	45,079,062
Depreciation and amortisation	22,360,555	-	22,360,555	-	22,360,555
Other expenses	19,628,677	-	19,628,677	5,595,106	25,223,783
Total expenses from continuing operations	154,707,031	-	154,707,031	10,958,672	165,665,703
Operating profit (loss) from continuing operations	29,410,990	-	29,410,990	21,179,367	50,590,357

D. Income and Expenses Year to Date Variances Statement

This section outlines in more detail the comparison between Council's actual operating results for its continuing operations against the proposed budget. Total actual income for the six months of the year was \$175.7m and total operational expenditure was \$71.4m, resulting in a net operating profit from continuing operations of \$104.4m for the period. This is due to all the rates revenue recognised in July 2016. Bayside Council has a reviewed budget to have a net operating loss of (\$56.9)m for the reported period of 10 Sep 16 to 30 Jun 17.

Bayside Council Budget review for the period ended 31 December 2016 Income and expenses year-to-date variances					
	Full year original budget (per 2016-17 Operational Plan) - Bayside	Projected year end result (revised budget +/- recommended this qtr) - Bayside	YTD Actual - Bayside	Variance (YTD actual-YTD proposed revised budget)	10 Sept 16 to 30 June 17 actual/forecast total
	2017 \$	2017 \$	Dec YTD \$	2017 \$	
Income from continuing operations					
Rates and annual charges	106,188,892	105,688,763	105,274,636	414,127	361,049
User charges and fees	22,814,043	20,749,446	31,737,942	(10,988,496)	1,521,464
Interest and investment revenue	5,463,627	5,463,627	1,972,493	3,491,134	4,520,521
Other revenues	9,958,506	9,958,506	6,537,123	3,421,383	6,444,047
Grants and contributions provided for operating purposes	13,011,483	23,359,224	3,645,207	19,714,017	20,953,844
Grants and contributions provided for capital purposes	26,181,470	51,036,494	26,453,516	24,582,978	41,417,031
Other Income:					
Net gain (loss) from the disposal of assets	500,000	-	79,770	(79,770)	(22,236)
Total income from continuing operations	184,118,021	216,256,060	175,700,687	40,555,373	75,195,720
Expenses from continuing operations					
Employee benefits and on-costs	71,165,690	72,665,691	28,932,754	43,732,937	59,266,753
Borrowing costs	336,612	336,612	102,631	233,981	294,407
Materials and contracts	41,215,497	45,079,062	21,528,597	23,550,465	35,760,281
Depreciation and amortisation	22,360,555	22,360,555	6,784,280	15,576,275	17,917,312
Other expenses	19,628,677	25,223,783	14,012,561	11,211,222	18,835,610
Total expenses from continuing operations	154,707,031	165,665,703	71,360,823	94,304,880	132,074,364
Operating profit (loss) from continuing operations	29,410,990	50,590,357	104,339,864	(53,749,507)	(56,878,644)

E. Income and Expenses Budget Review Statement by Department

The table below shows the income and expenditure results from continuing operations for the first six months by Department. The column titled "Recommended changes for Council Resolution" shows proposed changes in the December half yr to the originally adopted budget which are recommended for adoption by Council. Notes explaining the detailed changes are provided in section H of this report.

Bayside Council							
Budget review for the period ended 31 December 2016							
Income and expenses by functions/ activities							
FUNCTIONS/ACTIVITIES	Full year original budget (per 2016-17 Operational Plan) - Combined	Approved changes September Review	Revised budget (original budget +- approved budget changes)	Recommended changes for Council Resolution	Projected year end result (revised budget +- recommended this qtr)-Combined	Note	10 Sept 16 to 30 June 17 Actual Forecast
	2017 \$	Sept Quarter \$	2017 \$	Dec quarter \$	2017 \$		2017 \$
CITY FUTURES							
Income							
Management City Futures							683,937
Strategic Planning	889,752	-	889,752	20,220	909,972		338,053
Certification	1,040,853	-	1,040,853	(567,774)	473,079		2,659,982
Development Assessment	3,785,943	-	3,785,943	(159,741)	3,626,202		427,917
City Infrastructure	1,654,800	-	1,654,800	(48,277)	1,606,523		1,325,375
Property	2,112,050	-	2,112,050	-	2,112,050		5,435,264
Total income	9,483,398	-	9,483,398	(755,572)	8,727,826		-
Expenses							
Management City Futures							703,098
Strategic Planning	1,752,579	-	1,752,579	(791,542)	961,037	2	4,052,150
Certification	4,844,423	-	4,844,423	(87,572)	4,756,851		-
Development Assessment	-	-	-	-	-		4,747,258
City Infrastructure	8,042,310	-	8,042,310	(1,990,144)	6,052,165		6,274,700
Property	8,420,100	-	8,420,100	(415,630)	8,004,470	2	3,502,790
Total expenses	28,068,477	-	28,068,477	(4,135,392)	23,933,085		19,279,996
Net profit (loss)	(18,585,079)	-	(18,585,079)	3,379,820	(15,205,259)		(13,844,732)

FUNCTIONS/ACTIVITIES	Full year original budget (per 2016-17 Operational Plan) - Combined	Approved changes September Review	Revised budget (original budget +/- approved budget changes)	Recommended changes for Council Resolution	Projected year end result (revised budget +/- recommended this qtr)-Combined	Note	10 Sept 16 to 30 June 17 Actual Forecast
	2017 \$	Sept Quarter \$	2017 \$	Dec quarter \$	2017 \$		2017 \$
CITY LIFE							
Income	-	-	-	-	-		-
Management City Life	-	-	-	-	-		-
Community Capacity Building	49,388	-	49,388	100,902	150,290		(20,966)
Recreation and Community Services	5,790,984	-	5,790,984	(544,159)	5,246,825		3,707,194
Compliance	5,113,995	-	5,113,995	(23,245)	5,090,750		4,211,212
Libraries and Customer Service	486,933	-	486,933	(19,118)	467,815		417,611
Total income	11,441,299	-	11,441,299	(485,619)	10,955,680		8,315,051
Expenses	-	-	-	-	-		-
Management City Life	-	-	-	-	-		-
Community Capacity Building	1,456,466	-	1,456,466	35,105	1,491,571	3	1,262,491
Recreation and Community Services	5,366,257	-	5,366,257	778,279	6,144,536		4,516,308
Compliance	4,861,887	-	4,861,887	15,684	4,877,571		3,569,976
Libraries and Customer Service	5,912,308	-	5,912,308	69,240	5,981,548	3	4,499,029
Total expenses	17,596,918	-	17,596,918	898,308	18,495,226		13,847,804
Net profit (loss)	(6,155,619)	-	(6,155,619)	(1,383,927)	(7,539,546)		(5,532,754)
	-	-	-	-	-		-
CITY PERFORMANCE							
Income	-	-	-	-	-		-
Management City Performance	-	-	-	-	-		-
Finance	300,500	-	300,500	-	300,500		243,523
Governance and Risk	1,000	-	1,000	-	1,000		304
Information Technology	-	-	-	-	-		-
Procurement	-	-	-	-	-		-
Total income	301,500	-	301,500	-	301,500		243,827
Expenses	-	-	-	-	-		-
Management City Performance	332,079	-	332,079	-	332,079		249,716
Finance	5,285,253	-	5,285,253	(155,338)	5,129,916		2,304,630
Governance and Risk	4,951,858	-	4,951,858	(740,607)	4,211,251	4	3,284,748
Information Technology	4,299,894	-	4,299,894	(1,004,075)	3,295,819		2,733,136
Procurement	470,720	-	470,720	-	470,720		353,010
Total expenses	15,339,805	-	15,339,805	(1,900,019)	13,439,786		8,925,240
Net profit (loss)	(15,038,305)	-	(15,038,305)	1,900,019	(13,138,286)		(8,681,412)
	-	-	-	-	-		-

FUNCTIONS/ACTIVITIES	Full year original budget (per 2016-17 Operational Plan) - Combined	Approved changes September Review	Revised budget (original budget +/- approved budget changes)	Recommended changes for Council Resolution	Projected year end result (revised budget +/- recommended this qtr)-Combined	Note	10 Sept 16 to 30 June 17 Actual Forecast
	2017 \$	Sept Quarter \$	2017 \$	Dec quarter \$	2017 \$		2017 \$
CITY PRESENTATION							
Income	-	-	-	-	-		-
Management City Presentation	-	-	-	-	-		-
Business Services	48,000	-	48,000	-	48,000		36,000
Airport Business Unit	5,983,673	-	5,983,673	1,056,721	7,040,394		5,412,243
Waste and Cleansing Services	25,557,611	-	25,557,611	1,562,753	27,120,364		377,521
City Works	3,307,201	-	3,307,201	182,704	3,489,905		2,827,339
Parks and Open Space	640,632	-	640,632	(131,219)	509,413		373,690
Total income	35,537,117	-	35,537,117	17,527,498	38,208,076		9,026,793
Expenses							
Management City Presentation	-	-	-	-	-		-
Business Services	718,467	-	718,467	-	718,467		615,296
Airport Business Unit	6,532,544	-	6,532,544	506,763	7,039,307		5,228,102
Waste and Cleansing Services	26,911,225	-	26,911,225	4,602,215	31,513,441		26,434,796
City Works	10,273,650	-	10,273,650	1,540,183	11,813,833		9,065,126
Parks and Open Space	15,446,550	-	15,446,550	(1,521,910)	13,924,640		10,988,251
Total expenses	59,882,437	-	59,882,437	5,127,251	65,009,688		52,331,571
Net profit (loss)	(24,345,320)	-	(24,345,320)	12,400,247	(26,801,612)		(43,304,778)
	-	-	-	-	-		-
GENERAL MANAGER'S OFFICE							
Income	-	-	-	-	-		-
General Manager Management	-	-	-	-	-		-
Executive Services	-	-	-	-	-		-
People and Organisational Culture	60,000	-	60,000	-	60,000		(340)
Transition Change	-	-	-	20,000,000	20,000,000		60,000
Major Projects	-	-	-	-	-		20,000,000
Media and Events	15,993	-	15,993	-	15,993		-
Total income	75,993	-	75,993	20,050,000	20,075,993		10,997
Expenses							
General Manager Management	658,049	-	658,049	-	658,049		538,256
Executive Services	1,828,143	-	1,828,143	1,618,442	3,446,585	5	2,744,037
People and Organisational Culture	1,455,173	-	1,455,173	871,919	2,327,092	5	1,759,675
Transition Change	2,406,030	-	2,406,030	7,712,954	10,118,984		10,050,120
Major Projects	349,855	-	349,855	-	349,855		307,371
Media and Events	1,686,298	-	1,686,298	745,321	2,431,618		1,994,243
Total expenses	8,383,547	-	8,383,547	10,948,636	19,332,183		17,393,702
Net profit (loss)	(8,307,554)	-	(8,307,554)	9,101,364	743,810		2,676,955
	-	-	-	-	-		-

FUNCTIONS/ACTIVITIES	Full year original budget (per 2016-17 Operational Plan) - Combined	Approved changes September Review	Revised budget (original budget +/- approved budget changes)	Recommended changes for Council Resolution	Projected year end result (revised budget +/- recommended this qtr)-Combined	Note	10 Sept 16 to 30 June 17 Actual Forecast
	2017 \$	Sept Quarter \$	2017 \$	Dec quarter \$	2017 \$		2017 \$
<u>CORPORATE</u>							
Income	-	-	-	-	-		-
Corporate Transactions	127,278,377	-	-	10,708,608	137,986,985	6	32,126,365
Total income	127,278,377	-	127,278,377	11,060,398	137,986,985		32,126,365
Expenses	-	-	-	-	-		-
Corporate Transactions	25,436,847	-	25,436,847	18,888	25,455,735	6	20,318,288
Total expenses	25,436,847	-	25,436,847	18,888	25,455,735		20,318,288
Net profit (loss)	107,641,530	-	107,641,530	11,041,510	112,531,250		11,808,077
	-	-	-	-	-		-
Net operating profit (loss)	29,409,653	-	29,409,653	(16,931,456)	50,590,357		(56,878,645)

F. Capital Budget Review Statement

This section and the table below expand on the capital expenditure movements information shown in section B of this report. As can be seen, Council adopted a budget of \$73.7m for the capital work program in 2016/17.

Bayside Council Budget review for the half year ended 31 December 2016 Capital expenditure budget

West	Original budget - Rockdale	Revised budget (original budget +/- approved budget changes)		Recommended changes for Council Resolution Dec review	Projected year end result(revised budget+- recommended this qtr)	Note
		2017				
		2017	\$			
2015/16 Capital Work Program						
	2017	\$	\$		2017	
Parks, Recreation and Natural Environment Program Transport and Road Infrastructure Program Stormwater Drainage and Water Quality Program Property and Building Asset Improvements Program Beach and Waterways Program Thriving Town Centres Library Resources Plant Replacement Program Land and Property Acquisition IT projects Asset Planning & Systems	15,770,000	15,770,000	2,031,000	17,801,000	7	
	5,742,000	5,742,000	1,631,961	7,373,961	8	
	1,008,000	1,008,000	119,000	1,127,000	9	
	3,011,000	3,011,000	2,161,000	5,172,000	10	
	60,000	60,000	125,000	185,000	11	
	4,987,000	4,987,000	639,400	5,626,400	12	
	365,000	365,000	2,553	367,553	13	
	2,270,000	2,270,000	-	2,270,000	14	
	-	-	20,000	20,000	15	
	535,000	535,000	249,700	784,700	16	
	370,000	370,000	31,000	401,000		

F. Capital Budget Review Statement

East	Original budget - Botany	Revised budget (original budget +- approved budget changes)		Recommended changes for Council Resolution Dec review	Projected year end result(revised budget+- recommended this qtr)	Note
		2017				
		2017				
		\$				
2015/16 Capital Work Program						

Combined	73,697,571	73,697,571	(6,023,386)	67,674,185
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G. Cash and Investment

The following table shows movements in both the internally and externally restricted funds, and estimated reserve balances as at 31 December 2016. The column titled "Recommended changes for Council Resolution" shows the proposed December quarter changes to the originally adopted budget which are recommended for adoption by Council.

Bayside Council Budget review for the period ended 31 December 2016 Cash and Investments									
	Original budget		Add: Net original budget movements for the year	Total Original budget	Approved changes September Review	Full year revised budget (original budget +approved budget changes)	Recommended changes for Council Resolution	Projected year end result (revised budget + recommended this qtr)	Note
	Reserve balance at the beginning of the year								
	2017 \$	2017 \$	2017 \$	2017 \$			Dec quarter \$	2017 \$	
Externally restricted	149,602,740	2,856,056		152,458,796	-	152,458,796	(2,279,100)	150,179,696	
	2,901,864	-		2,901,864	-	2,901,864	(2,390,273)	511,591	
	6,967,606	11,750		6,979,356	-	6,979,356	-	6,979,356	
	14,175,279	(4,047,504)		10,127,775	-	10,127,775	(52,000)	10,075,775	
	2,635,660	(64,686)		2,570,974	-	2,570,974	(106,100)	2,464,874	
	441,491	9,866		451,357	-	451,357	-	451,357	
	5,137,429	2,424,366		7,561,795	-	7,561,795	(2,050,000)	5,511,795	
Total externally restricted	181,862,069	1,189,848		183,051,917	-	183,051,917	(6,877,473)	176,174,444	
Internally restricted	4,953,800	-		4,953,800	-	4,953,800	-	4,953,800	
	800,000	200,000		1,000,000	-	1,000,000	-	1,000,000	
	2,318,803	370,000		2,688,803	-	2,688,803	(270,200)	2,418,603	
	1,740,347	100,000		1,840,347	-	1,840,347	-	1,840,347	
	-	-		-	-	-	-	-	
	-	-		-	-	-	-	-	
	-	-		-	-	-	-	-	
	-	-		-	-	-	-	-	
	345,869	-		345,869	-	345,869	-	345,869	
	115,869	-		115,869	-	115,869	-	115,869	
	544,750	(265,000)		279,750	-	279,750	405,000	684,750	
	-	-		-	-	-	-	-	
	312,498	-		312,498	-	312,498	(312,500)	(2)	
	-	-		-	-	-	-	-	
	24,042,770	(10,358,150)		13,684,620	-	13,684,620	(608,500)	13,076,120	
	515,218	-		515,218	-	515,218	-	515,218	
	-	-		-	-	-	-	-	
	2,295,391	450,000		2,745,391	-	2,745,391	-	2,745,391	
	-	-		-	-	-	-	-	
	2,969,690	-		2,969,690	-	2,969,690	-	2,969,690	
Total internally restricted	40,955,005	(9,503,150)		31,451,855	-	31,451,855	(786,200)	30,665,655	
Total restricted	222,817,074	(8,313,302)		214,503,772	-	214,503,772	(7,663,673)	206,840,099	

H. Notes to Budget Review Statements

Notes to the various Budget Review Statements in the preceding tables are contained in the table below.

Bayside Council (Rockdale Only) Budget review for the second quarter ended 31 December 2016 Reasons for recommending budget changes for activities over \$20,000

Note	Functions/ activities	Debit (Credit) adjustment	Total	Reasons	cross ref
	CITY FUTURES				
1	Income Grant income	(247,741)		Budget for Income and Expense increased due to Income received not budgeted for	2
		(247,741)			
2	Expenditure				
2	Slade Rd & Hartill-Law Ave	36,739		Unspent Grant monies used to fund projects	18
2	Railway St, Kogarah	32,423		Unspent Grant monies used to fund projects	18
2	BONNIE DOON, EVE ST / CAHILL PARK FLOOD STUDY	21,880	91,042	Unspent Grant monies used to fund projects	18
2	DPI LUDWIGA GRANT - 2007/2008 onwards	5,030		Unspent Grant monies used to fund projects	18
2	COOKS RIVER SEDIMENT PROJECT	2,159		Unspent Grant monies used to fund projects	18
2	LANDING LIGHTS FEDERAL GRANT	35,434		Unspent Grant monies used to fund projects	18
2	RESTORING GREY HEADED FOX HABITAT IN WOLLI CREEK	30,710		Unspent Grant monies used to fund projects	18
2	STOTT'S RESERVE RESTORATION	2,990		Unspent Grant monies used to fund projects	18
2	REGIONAL FOX GRANT	14,826		Unspent Grant monies used to fund projects	18
2	WILD THINGS	1,331		Unspent Grant monies used to fund projects	18
2	Community and Council. Walking the walk in partnership	7,780		Unspent Grant monies used to fund projects	18
2	Harnessing Community's Passion in Managing Community Land	2,133		Unspent Grant monies used to fund projects	18
2	Community sharps Collection Program	1,826		Unspent Grant monies used to fund projects	18
2	Recycling brochures	2,638		Unspent Grant monies used to fund projects	18
2	EnviroWorks Program	7,208		Unspent Grant monies used to fund projects	18
2	E-Waste collection	1,169		Unspent Grant monies used to fund projects	18
2	Hot Spot Water Quality Monitoring	31,141		Unspent Grant monies used to fund projects	18
2	Pro1_R_BinAudit_Contrm	212,000		Unspent Grant monies used to fund projects	18
2	Pro2_MUD_Promo	11,606		Unspent Grant monies used to fund projects	18
2	Pro3_MUD_RBags	75,000		Unspent Grant monies used to fund projects	18
2	Pro4_Prb_Sharp	46,579		Unspent Grant monies used to fund projects	18
2	Pro5_All Guides+	105,475		Unspent Grant monies used to fund projects	18
2	Pro6_Illeg_Dump	181,500		Unspent Grant monies used to fund projects	18
2	Pro7_Prb_Mattres	108,748		Unspent Grant monies used to fund projects	18
2	Pro8_Prb_Txtils	10,491		Unspent Grant monies used to fund projects	18
2	BU262 - Consultancy	9,000		Unspent Grant monies used to fund projects	18
2	Waste & Recycling Funding	247,741	1,154,515	Budget for Income and Expense increased due to Income received not budgeted for	1
2	Property Development(BU119)	(20,000)	(20,000)		
2	Bexley Pool Variation in cost	800,000	800,000	Budget transfer for Property Purchase Guess Avenue Woll Creek Acquisition 13/12/2016	14
		2,025,557	2,025,557		

Note	Functions/ activities	Debit (Credit) adjustment	Total	Reasons	cross ref
	CITY LIFE				
3	Expenditure HOME & COMMUNITY CARE PROGRAM - DEPT OF VETERAN AFFAIRS FUNDING	5,796		Unspent Grant monies used to fund projects	18
3	CUSTOMER SERVICE TRAINING PROGRAMME	3,345		Unspent Grant monies used to fund projects	18
3	CALD - WALKING GROUP PROJECT	9,480		Unspent Grant monies used to fund projects	18
3	CALD - SURF LIFESAVING PROJECT	10,000	28,622	Unspent Grant monies used to fund projects	18
3	LIBRARY PRIORITY GRANT	11,681	11,681	Unspent Grant monies used to fund projects	18
	CITY PERFORMANCE				
	Expenditure ComWealthBank Payment Solution	40,303	40,303		
4		20,500		Strategic and IT Reserve funded IT and Property Projects as per Revotes made on 18/10/2016	22
	GENERAL MANAGERS OFFICE				
	Expense GRANDPARENTS RAISING GRANDCHILDREN	14,000		Unspent Grant monies used to fund projects	18
5	OH&S ANNUAL REBATE	106,213	120,213	Unspent Grant monies used to fund projects	18
5	Councillors	(405,000)	(405,000)	Council elections budget returned to Reserve	23
	Corporate Income & Expenditure				
	Income Grant income Section 94	(120,762) 4,734,262		Budget increased due to new Grant received YTD Adjustment in comparison to budget (YTD approx double budget)	8
	Expenditure ENVIRONMENT AND SUSTAINABILITY FORUM	4,613,500 18,888	(284,787) (284,787)	Unspent Grant monies used to fund projects	18
WORKS PROGRAM					
	Functions/ activities				
7	Parks, Recreation and Natural Environment				
7	Program	687,700		Projects funded from s94 Reserve as per Revotes 18/10/2016	17
7	B001-Bexley Indoor Pool Design	57,800		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
7	B074-ScarboroughPKCentral Amen	533,100		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
7	B06611-CooPk(Emmaline)Amenity	88,800		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
7	Stotts Reserve Playground Reha	230,500		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
7	Silver Jubilee Park Playground	97,900		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
7	Slade Rd Reserve Playground Re	80,000		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
7	Cook PK(Banks St)Carpark Rehab				

Note	Functions/ activities	Debit (Credit) adjustment	Total	Reasons	cross ref
7	Cook Pk(Robinson)Carpark Rehab	80,000		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
7	Cook Pk(Pine St)Carpark Rehab	80,000		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
7	Seaforth Pk Landscape embellish	95,700		Projects funded from s94 Reserve as per Revotes 18/10/2016	17
		2,031,500			
8	Transport and Road Infrastructure Program				
8	Turrella St, Turrella	4,995		Funded by Unspent Grant Monies @30/6/2016	18
8	Wollongong Rd, Arncliffe	21,252		Funded by Unspent Grant Monies @30/6/2016	18
8	Bestic St, Kyeemagh	22,456		Funded by Unspent Grant Monies @30/6/2016	18
8	Caroline St, Kingsgrove (fronting Our Lady of Fatima School)	24,339		Funded by Unspent Grant Monies @30/6/2016	18
8	BARTON PARK TO MARSH STREET CYCLE WAY			Funded by Unspent Grant Monies @30/6/2016	18
8	AUDIT	7,982		Funded by Unspent Grant Monies @30/6/2016	18
8	SANONI AVE / VANSTON PDE CYCLE WAY	78,500		Funded by movement from Reserve Capital Works Revote as per Revotes done 18/10/2016	24
8	BartonPk to MarshSt,CycleAudit	8,000		Funded by movement from Reserve Capital Works Revote as per Revotes done 18/10/2016	24
8	Cook Pk cycleway(Lena-Sanoni)2	181,600		Funded by movement from Reserve Capital Works Revote as per Revotes done 18/10/2016	24
8	Turrella St, Turrella-Linemark	5,000		Funded by movement from Reserve Capital Works Revote as per Revotes done 18/10/2016	24
8	Riverside Drive Path lighting	39,500		Projects funded from s94 Reserve as per Revotes 18/10/2016	17
8	Willis St, Arncliffe, Kerb	92,400		Projects funded from s94 Reserve as per Revotes 18/10/2016	17
8	one-way Circuit WollCreek	5,700		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
8	Shaw Street playground seating	11,000		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
8	Bus Seats General Renewal	30,000		Projects Funded by unspent Grant monies as at 30/6/2016 as per Revotes 18/10/2016	18
8	R0012D-Warialda St Pavement	109,700		Projects Funded by unspent Grant monies as at 30/6/2016 as per Revotes 18/10/2016	18
8	Traffic Signs&Lines Rehab	11,276		Projects Funded by unspent Grant monies as at 30/6/2016 as per Revotes 18/10/2016	18
8	Pavement Rehab/Resheet	223,500		Projects Funded by unspent Grant monies as at 30/6/2016 as per Revotes 18/10/2016	17
8	Ramsgate RSL car park traffic	3,400		Funds returned to S94 as Works to be funded by the Developer (via Condition 30 of DA-2016/24	18
8	Pavement & resheeting - Willis St Woll Creek	(107,000)		Transfer of unspent grant money between similar child projects as per email 21/9/2016	8
8	Turrella St, Turrella	(1,998)		Transfer of unspent grant money between similar child projects as per email 21/9/2016	8
8	Wollongong Rd, Arncliffe	(21,252)		Transfer of unspent grant money between similar child projects as per email 21/9/2016	8
8	Bestic St, Kyeemagh	(22,456)		Budget increased due to new Grant received	6
8	Riverside Drive Lighting project	120,762		Funded by movement from Reserve Capital Works Revote as per Revotes done 18/10/2016	24
8	Slade&Hartill - traffic signals	47,400		Projects Funded by unspent Grant monies as at 30/6/2016 as per Revotes 18/10/2016	18
8	Citywide Pavement condition	34,100		Projects Funded by unspent Grant monies as at 30/6/2016 as per Revotes 18/10/2016	18
8	R0012B-Warialda St Pavement	262,000		Projects Funded by unspent Grant monies as at 30/6/2016 as per Revotes 18/10/2016	18
8	R0012C-Warialda St Pavement	394,100		Transfer of unspent grant money between similar child projects as per email 21/9/2016	8
8	Railway St, Kogarah	(25,046)		Transfer of unspent grant money between similar child projects as per email 21/9/2016	8
8	Block Grant	70,751			
		1,631,961			
9	Stormwater Drainage and Water Quality Program			Funded by Unspent Grant Monies @30/6/2016	18
9	SPRING ST DRAIN, MUDDY CREEK &	12,900		Projects started in previous years funded from Storm Water Reserve unspent from Previous year as per	20
9	SCARBOROUGH PONDS FLOOD STUDY	25,900		Revotes	
9	Review of SansSouci FloodMngt				

Note	Functions/ activities	Debit (Credit) adjustment	Total	Reasons	cross ref
9	FMSReview-MuddyCk Scarbor.Pond	3,400		Projects started in previous years funded from Storm Water Reserve unspent from Previous year as per Revotes	20
9	Bonnie Doon Risk Management P1	50,000		Projects started in previous years funded from Storm Water Reserve unspent from Previous year as per Revotes	20
9	FMSReview-WolliCk,Bardwell,etc	21,700		Projects started in previous years funded from Storm Water Reserve unspent from Previous year as per Revotes	20
9	Bado-berong Creek Restoration	5,100		Projects started in previous years funded from Storm Water Reserve unspent from Previous year as per Revotes	20
		119,000			
10	Property and Building Asset Improvement				
10	Rockdale Library Construction	608,500		Strategic and IT Reserve funded IT and Property Projects as per Revotes made on 18/10/2016	25
10	Rockdale Library Construction	1,360,000		Projects funded from s94 Reserve as per Revotes 18/10/2016	17
10	B023R-Admin Building waterproof	20,000		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
10	Guild theatre roof replacement	22,200		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
10	Arnccliffe Pre School Kindergarten	10,500		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
10	B009-Bexley Com Centre Air-Con	9,000		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
10	B0131-grove Com Centre Paint	15,000		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
10	P025-Arnccliffe Park Amenities	8,400		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
10	PeterDepenaReserve Toilets	6,200		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
10	Signs - open space&coast 2015	101,800		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
		2,161,600			
11	Beach and Waterways Program				
11	Fshore safety fence stg 1 renew	125,000		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
		125,000			
12	Thriving Town Centre				
12	Arnccliffe Thriving Town Centre	144,600		Projects funded from s94 Reserve as per Revotes 18/10/2016	17
12	Arnccliffe Thriving Town Centre	52,000		Reserve movement from LAF to fund thriving town project as per Revote made 18/10/2016	19
12	FA0189-Ramsgate Beach TC Impro	442,800		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	21
		639,400			
13	Library Resources				
13	BROADBAND FOR SENIORS + TECH SAVVY	1,500		Funded by Unspent Grant Monies @30/6/2016	18
13	SENIORS PROGRAM	1,053		Funded by Unspent Grant Monies @30/6/2016	18
		2,553			
14	Land and Property Acquisition				
14	Guess Avenue Wolli Creek Acquisition	20,000		Budget transfer for Property Purchase Guess Avenue Wolli Creek Acquisition 13/12/2016	2
		20,000			

Note	Functions/ activities	Debit (Credit) adjustment	Total	Reasons	cross ref
15	IT projects				
15	Microwave Network Upgrade #33	34,700		Strategic and IT Reserve funded IT and Property Projects as per Revotes made on 18/10/2016	22
15	Free Public Wi-Fi #32	17,000		Strategic and IT Reserve funded IT and Property Projects as per Revotes made on 18/10/2016	22
15	Library #17	101,100		Strategic and IT Reserve funded IT and Property Projects as per Revotes made on 18/10/2016	22
15	Pathway Improvement Project	61,700		Strategic and IT Reserve funded IT and Property Projects as per Revotes made on 18/10/2016	22
15	ICT Management Tools	35,200		Transfer of funds from ITC Reserve to fund project 14/12/2016	22
16		249,700			
16	Asset Planning Systems				
16	R0654A-MarketStPedXing Light	31,000		Funded by movement from Reserve Capital Works Revote as per Revotes done 18/10/2016	24
REVENUE MOVEMENTS					
Note	Functions/ activities				
Revenue Movements					
17	Developer Contributions				
17	S94	(2,386,100)		Projects funded from s94 Reserve as per Revotes 18/10/2016	7,8,10,12
17	Funds returned to s94	107,000		Funds returned to S94 as Works to be funded by the Developer (via Condition 30 of DA-2016/24	8
		(2,279,100)			
18	Unexpended Grant funds				
18	Capital Purpose Revenue	(1,352,197)		Unspent Grant monies used to fund projects	2,3,5,6,8,9,13
18	Unspent grant monies @ 30/6/2016	(1,038,076)		Projects Funded by unspent Grant monies as at 30/6/2016 as per Revotes 18/10/2016	8
		(2,390,273)			
19	Local area fund				
19	LAF	(52,000)		Reserve movement from LAF to fund thriving town project as per Revote made 18/10/2016	12
20	Stormwater Levy				
20	Storm Water Reserve	(106,100)		Projects started in previous years funded from Storm Water Reserve unspent from Previous year as per Revotes	9
21	Infrastructure Levy Reserve				
21	SRV	(2,050,000)		Multiple Capex projects funded by SRV reserve movement due to revotes made 18/10/2016	7,8,10,11,12
22	Office & IT Reserve				
22	IT Reserve	(235,000)		Strategic and IT Reserve funded IT and Property Projects as per Revotes made on 18/10/2016	4,15
22	ITC Reserve	(35,200)		Transfer of funds from ITC Reserve to fund project 14/12/2016	15

Note	Functions/ activities	Debit (Credit) adjustment	Total	Reasons	cross ref
23	Council Election Reserve Council Election Revote	(270,200)			
24	Capital Works Reserve Capital works Revote	405,000		Council elections budget returned to Reserve	5
25	Strategic Priorities Reserve Strategic Reserve	(312,500)		Funded by movement from Reserve Capital Works Revote as per Revotes done 18/10/2016	8,16
25		(608,500)		Strategic and IT Reserve funded IT and Property Projects as per Revotes made on 18/10/2016	4

I. Budget Review Contracts and Other Expenses

1. Contract listings

The QBRS requires a list of contracts entered into during the quarter under review that are greater than \$50,000 and that have not been fully performed or completed.

Bayside Council						
Budget review for the period ended 31 December 2016						
Contracts listing						
Section	Contractor	Contract detail & purpose	Contract value (\$)	Commence date	Duration of contract	Budgeted (Y/N)
Place Outcomes	Toolijooa	Environmental Restoration works for Lady Robinsons Beach; Bicentennial Park; Scarborough Park; Hawthorne St Natural Area; Scott Park; Stotts Reserve as well as Aquatic Weed Spraying Across LGA	165,000	19/09/2016	30/06/2017	Yes
		Environmental Restoration works for Tonbridge Creek, Bado Berong Creek, Coolbah Reserve, Bardwell Valley, Binnamitalong Gardens, Landing Lights Wetlands and Fry's Reserve.	150,500	19/09/2016	42916	Yes
	National Trust	Pyrotechnics/Fireworks Display	32,500	NYE2016/17	2 years	
	Fireworks Australia Importers Pty LTD	Contract term will be for two (2) years.	32,500	NYE2017/18		
City Media		Subject to satisfactory performance an option of extension for up to a further one (1) year will be considered				

2. Consultancy and legal expenses

The following table shows the consultancy and legal expenses incurred during the December Quarter. All expenses were incurred within the budget provision.

Bayside Council Consultancy and legal expenses Budget review for the period ended 31 December 2016

Business unit/ project	December half year \$	Budgeted (Y/N)
CONSULTANCIES		
Botany		
Executive Services	75,487	
Transition Change	17,250	
People and Organisational Culture	73,861	
Media and Events	35,462	
Capital	381,130	
Property	5,000	
Development Assessment	24,821	
Strategic Planning	42,820	
City Infrastructure	19,900	
Recreation	950	
Finance	408,996	
Governance and Risk	12,757	
Information Management & Technology	6,733	
Parks and Open Space	7,570	
City Works	135	
Airport Business Unit	202,563	
Rockdale		
City Infrastructure	17,225	Y
Community Capacity Building	0	Y
Compliance	56,761	No Budget
Corporate Transactions	9,528	No Budget
Development Assessment	7,880	Y
Executive Services	60,015	No Budget
Governance and Risk	6,400	Y
Information Technology	12,444	Y
Media and Events	0	Y
Parks and Open Space	35,000	No Budget
People and Organisational Culture	32,503	No Budget
Property	1,731,077	No Budget
Strategic Planning	49,884	Y
Transition Change	4,800	No Budget
Waste and Cleansing Services	31,319	Y
Information Management & Technology	323,671	No Budget
TOTAL CONSULTANCY EXPENSES	3,693,942	

Business unit/ project	December half year \$	Budgeted (Y/N)
LEGAL EXPENSES		
Business unit		
Botany		
Executive Services	214,972	
People and Organisational Culture	13,461	
Property	163,993	
Development Assessment	729,651	
Strategic Planning	20,301	
City Infrastructure	7,297	
Compliance	27,908	
Recreation	7,264	
Governance and Risk	51,614	
Rockdale		
City Infrastructure	938	No Budget
Development Assessment	-34,257	Y
Management City Futures	0	Y
Property	24,714	Y
Strategic Planning	56,295	No Budget
Corporate Transactions	19,587	Y
Compliance	76,364	No Budget
Governance and Risk	1,435	No Budget
Waste and Cleansing Services	0	Y
Media and Events	1,025	No Budget
Information Management & Technology	0	No Budget
City Infrastructure	2,761	No Budget
TOTAL LEGAL EXPENSES	1,385,324	

Council Meeting

8/02/2017

Item No	8.3
Subject	ANZAC Day Dawn Service – Bayside East
Report by	Vince Carrabs, Coordinator Communications and Events
File	(B)10/146

Summary

The Mascot and Botany RSL Sub Branches have sought assurance that Bayside Council will continue to support a number of ANZAC Day commemorative events in their area. This report outlines the discussions that have been held with both Sub Branches and reaffirms Council's commitment to commemorating ANZAC Day with veterans and the community more broadly.

Officer Recommendation

That Council support Mascot and Botany RSL Sub Branches to commemorate ANZAC Day 2017 in a way that is respectful of past practices and in consultation with representatives from both organisations, including pre ANZAC Day and ANZAC Day activities.

Background

Pre-ANZAC Day Sunday March

Since the inception of the Mascot and Botany RSL Sub Branches almost 100 years ago the two have traditionally held a pre ANZAC Day March and ANZAC Day Dawn Service. The Mascot RSL organise the pre-ANZAC Day March on the Sunday prior to ANZAC Day, marching along Botany Road to the cenotaph in Mascot Memorial Park. The Botany RSL has been responsible for organising the ANZAC Day Dawn Service.

Unlike other local Sub Branches, neither Mascot nor Botany have had a facility or club house since 2010. Lack of a facility led to the cancellation of the Dawn Service in 2010. Responding to overwhelming public concern, the then Mayor, Ron Hoenig, committed the Council to ensuring that both the Pre-ANZAC Day March and Dawn Service would continue to be two very important events in the City of Botany Bay.

In 2011 Council supported both events and organised the Dawn Service.

The Pre ANZAC Day March

The Pre-ANZAC Day March and Service was, and continues to be, organised by the Mascot RSL Sub-Branch. Council provides seating a microphone and ensures the grounds and memorial are clean and tidy. Coronation Hall is open and available in the event of bad weather.

In 2011 Council extended their support to providing an afternoon tea and drinks in Coronation Hall for the veterans as their own club premises no longer existed. In 2014 support for the afternoon tea was withdrawn by the council.

In recent discussions the RSL have suggested running a Council supported community BBQ after the march in place of the formal afternoon tea. They wish to have an inclusive event which will also benefit a local sporting organisation. Further discussions with Mascot RSL and event planning are scheduled for later in February

The Dawn Service

The Botany RSL Sub Branch had held a Dawn Service at the cenotaph in Booralee Park, Botany since its inception which is approaching the centenary mark.

In 2010 Council became aware that the Dawn Service was not held because the Sub Branch no longer had a club or facilities to organise the service.

To ensure the tradition continued and the Dawn Service was not lost to the community, Council resolved that from 2011 it would provide support for the RSL to organise the service and to provide a breakfast for the veterans and the community who attended the service. In 2011 when Council became involved it set up a working committee comprised of council's event manager and the Botany and Mascot RSL Sub Branch Executives to organise the service. Council engaged the services of an external event organiser.

Council worked with the 5th Combat Service Support Battalion (5CSSB) to ensure a Catafalque Party of Soldiers were part of the ceremony and also engaged with a local high school to provide signing at the ceremony.

Council also promoted the pre ANZAC March and the Dawn Service to the community encouraging them to come along. Flyers were letter boxed and the services promoted through the local newspaper. Each year the numbers have grown. Last year more than 2000 local residents and their families attended – including many with young children.

In 2017 the Bayside community will be invited to participate in the Botany Dawn Service, as well as supporting other local RSLs in the area. Council is currently in discussion with Botany RSL to provide support for the Dawn Service at Booralee Park, a community breakfast and a special event for our veterans.

Financial Implications

In 2016 approximately \$130,000 was spent on ANZAC Day celebrations. This year, by utilising internal staff and resources the ANZAC program will be delivered at a substantially lower cost to the community.

Community Engagement

Both events are an opportunity for council to engage with the community.

Both the Pre-ANZAC Day March and Dawn Service have become well attended since Council became involved with organising and promotion.

Attachments

Nil

Council Meeting

8/02/2017

Item No	8.4
Subject	Representation on Sydney Central Planning Panel
Report by	Liz Rog, Acting Manager Governance
File	(R) F17/5530

Summary

Effective 21 November 2016, Bayside Council was advised by the Department of Planning that changes have been made to the former Sydney East and Sydney West Joint Regional Planning Panels. Bayside Council is now placed in the Sydney Central Planning District, with matters facilitated by the Sydney Central Planning Panel.

Officer Recommendation

- 1 That Bayside Council's placement in the Sydney Central Planning Panel be noted.
 - 2 That formal endorsement be provided, reflecting the appointment of the General Manager and the Director of City Life as delegates to the Sydney Central Planning Panel, to facilitate matters for Bayside Council.
 - 3 That the Director of City Performance and the Director of City Presentation be appointed as the two alternate delegates to the Sydney Central Planning Panel.
-

Background

With immediate matters to progress before the Sydney Central Planning Panel scheduled as early as 8 December 2016, immediate action was required and the following actions have already been taken to ensure Council's participation:

- 1 Former Councillor delegates to the Sydney West (Tsounis; Nagi) and Sydney East (Glinatsis; Castle) Joint Regional Planning Panels have been formally acknowledged by Council in a letter of appreciation for their commitment and representation to date. The letter notes they are no longer required to attend meetings of the respective JRPPs.
- 2 The General Manager (M Wallace) and Director City Infrastructure (S Dutton) have been appointed as delegates to represent Bayside Council at the Sydney Central Planning Panel effective 21 November 2016, with attendance at the first meeting on 8 December 2016.
- 3 The Department of Planning has been notified by email of the new delegates.
- 4 Delegates to external bodies will be reviewed again by the newly elected Council, pending the outcome of the Local Government elections in September 2017.

At the meeting of Bayside Council held on 14 December 2016 it was resolved:

- 1 That Bayside Council's placement in the Sydney Central Planning Panel be noted.
- 2 That formal endorsement be provided, reflecting the appointment of the General Manager and Director of City Infrastructure as delegates to the Sydney Central Planning Panel, to facilitate matters for Bayside Council.

With the recent resignation of Stuart Dutton and the appointment of Debra Dawson as the Director of City Life, this matter is again before Council with an updated recommendation.

Financial Implications

Not applicable

Community Engagement

Not required

Attachments

- 1 Greater Sydney Commission Regulation 2016.
- 2 Greater Sydney Commission (Planning Panels Order) 2016.
- 3 NSW Planning and Environment Letter to Bayside Council General Manager advising appointment of State Members and alternates to the Sydney Central Planning Panel.



New South Wales

Greater Sydney Commission Regulation 2016

under the

Greater Sydney Commission Act 2015

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Greater Sydney Commission Act 2015*.

ROBERT STOKES, MP
Minister for Planning

Explanatory note

Under section 18 (6) of the *Greater Sydney Commission Act 2015*, any existing joint regional planning panel that applies to a part of the Greater Sydney Region is taken to be abolished when a Sydney planning panel is constituted for that part of the Greater Sydney Region.

The object of this Regulation is to provide savings and transitional provisions consequent on the abolition of the Sydney East Joint Planning Panel and Sydney West Joint Planning Panel as a result of the constitution of the Sydney planning panels by the *Greater Sydney Commission (Planning Panels) Order 2016*.

This Regulation is made under the *Greater Sydney Commission Act 2015*, including sections 18 (6) and 25 (the general regulation-making power).

This Regulation comprises or relates to matters set out in Schedule 3 to the *Subordinate Legislation Act 1989*, namely, matters of a savings or transitional nature.

Greater Sydney Commission Regulation 2016

under the

Greater Sydney Commission Act 2015

1 Name of Regulation

This Regulation is the *Greater Sydney Commission Regulation 2016*.

2 Commencement

This Regulation commences on 21 November 2016 and is required to be published on the NSW legislation website.

3 Definitions

(1) In this Regulation:

commencement date means the date on which the *Greater Sydney Commission (Planning Panels) Order 2016* commences.

document means any Act or statutory or other instrument, or any contract or agreement.

former panel means the Sydney East Joint Planning Panel or Sydney West Joint Planning Panel as constituted under section 23G (1) of the Planning Act immediately before the abolition of those panels as provided by section 18 (6) of the Act.

the Act means the *Greater Sydney Commission Act 2015*.

(2) Notes in this Regulation do not form part of this Regulation.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Regulation.

4 Provisions consequent on the abolition of certain joint regional planning panels constituted under the Planning Act

(1) Any function that a former panel had under the Planning Act or any other Act in relation to land within the area to which a Sydney planning panel applies is, on the commencement date, taken to be a function of that Sydney planning panel.

(2) Anything done or omitted to be done by a former panel in relation to land within the area to which a Sydney planning panel applies is, on the commencement date, taken to have been done or omitted to be done by that Sydney planning panel.

(3) Without limiting subclause (2):

(a) any determination by a former panel in relation to land within the area to which a Sydney planning panel applies that had effect immediately before the commencement date continues to have effect as if it had been determined by that Sydney planning panel, and

(b) anything commenced but not completed by a former panel in relation to land within the area to which a Sydney planning panel applies may be completed or discontinued by that Sydney planning panel.

- (4) A reference in any document to a former panel is, if used in relation to land within the area to which a Sydney planning panel applies, to be construed as a reference to that Sydney planning panel.



New South Wales

Greater Sydney Commission (Planning Panels) Order 2016

under the

Greater Sydney Commission Act 2015

I, Robert Stokes, the Minister for Planning, in pursuance of section 18 (1) of the *Greater Sydney Commission Act 2015*, make the following Order.

Dated, this 19th day of October 2016.

ROBERT STOKES, MP
Minister for Planning

Explanatory note

The object of this Order is to constitute 6 Sydney planning panels for districts of the Greater Sydney Region, namely, the Sydney Central Planning Panel, Sydney West Central Planning Panel, Sydney West Planning Panel, Sydney North Planning Panel, Sydney South West Planning Panel and Sydney South Planning Panel. This Order is made under section 18 (1) of the *Greater Sydney Commission Act 2015*.

Greater Sydney Commission (Planning Panels) Order 2016

under the

Greater Sydney Commission Act 2015

1 Name of Order

This Order is the *Greater Sydney Commission (Planning Panels) Order 2016*.

2 Commencement

This Order commences on 21 November 2016 and is required to be published on the NSW legislation website.

3 Constitution of Sydney planning panels

- (1) Pursuant to section 18 (1) of the *Greater Sydney Commission Act 2015*, the following Sydney planning panels are constituted:

- (a) Sydney Central Planning Panel for the Central District of the Greater Sydney Region,
- (b) Sydney West Central Planning Panel for the West Central District of the Greater Sydney Region,
- (c) Sydney West Planning Panel for the West District of the Greater Sydney Region,
- (d) Sydney North Planning Panel for the North District of the Greater Sydney Region,
- (e) Sydney South West Planning Panel for the South West District of the Greater Sydney Region,
- (f) Sydney South Planning Panel for the South District of the Greater Sydney Region.

Note. The Sydney Central Planning Panel may not be authorised by an environmental planning instrument to exercise the consent authority functions of a local council in respect of development within the City of Sydney local government area—see clause 2 of Schedule 4A to the Planning Act.

- (2) A reference in this clause to a district of the Greater Sydney Region is a reference to the district by that name declared under section 75AB (b) of the *Environmental Planning and Assessment Act 1979*.

Note. The following districts of the Greater Sydney Region have been declared by order under section 75AB (b) of the *Environmental Planning and Assessment Act 1979*:

- (a) Central District (comprising the local government areas of Bayside, Burwood, Canada Bay, Inner West, City of Randwick, Strathfield, City of Sydney, Waverley and Woollahra),
- (b) West Central District (comprising the local government areas of City of Blacktown, Cumberland, City of Parramatta and The Hills Shire),
- (c) West District (comprising the local government areas of City of Blue Mountains, City of Hawkesbury and City of Penrith),

- (d) North District (comprising the local government areas of Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Northern Beaches, City of Ryde and City of Willoughby),
- (e) South West District (comprising the local government areas of Camden, City of Campbelltown, City of Fairfield, City of Liverpool and Wollondilly),
- (f) South District (comprising the local government areas of Canterbury-Bankstown, Georges River and Sutherland Shire).

Ms Meredith Wallace
General Manager
Bayside Council
PO Box 21
ROCKDALE NSW 2216

16/14547

Dear Ms Wallace

Sydney Planning Panel Appointments

I am pleased to advise Council of the appointments of State members and alternates to the Sydney Central Planning Panel, which will operate across the Central district.

The Minister for Planning has appointed Maria Atkinson AM, Central District Commissioner of the Greater Sydney Commission, as Chair and Dr John Roseth and Sue Francis as members. A table outlining all State members and alternates of the planning panel is attached as Annexure A.

The Sydney West and Sydney East Joint Regional Planning Panels will cease operation on 20 November 2016 to make way for the Sydney Planning Panels. Council should have already nominated its members to the new panel in time for its commencement on 21 November 2016.

Previous advice to you in relation to member's remuneration, annual declarations of interests and the recently revised *Planning Panels Operational Procedures* and *Code of Conduct* remains relevant to the new Sydney Planning Panels, including the need for Council to provide written acknowledgement from its members that they will comply with the requirements of the *Code of Conduct*.

The Planning Panels Secretariat will continue to support the Sydney Planning Panels to ensure a smooth transition and a 'business as usual' approach.

Once again I would like to take this opportunity to thank you for your Council's ongoing co-operation with and support for the planning panels.

Should you have any enquiries about this matter, please contact Mr Stuart Withington, Manager, Planning Panels Secretariat at the Department of Planning and Environment, on (02) 8217 2061.

Yours sincerely


11/11/2016

Marcus Ray
Deputy Secretary
Planning Services

Annexure A

Membership of Sydney Planning Panels

Panel	Chair	Members	Pool of Alternates
Sydney North Planning Panel	Deborah Dearing	John Roseth Sue Francis	Peter Brennan Clare Brown Susan Budd Louise Camenzuli Lindsay Fletcher Abigail Goldberg Mark Grayson John Griffin Andrew Kelly Stuart McDonald Julie Savet Ward
Sydney Central Planning Panel	Maria Atkinson	John Roseth Sue Francis	
Sydney South Planning Panel	Morris Iemma	Nicole Gurrn Bruce McDonald	
Sydney South West Planning Panel	Sheridan Dudley	Nicole Gurrn Bruce McDonald	
Sydney West Central Planning Panel	Edward Blakely	Mary-Lynne Taylor Paul Mitchell	
Sydney West Planning Panel	Sean O'Toole	Mary-Lynne Taylor Paul Mitchell	

Council Meeting

8/02/2017

Item No	8.5
Subject	Fee Waiver Request – Parkrun Australia
Report by	Karen Purser, Manager Community Capacity Building
File	(R) F08/475P03

Summary

Parkrun Australia have requested Bayside Council waive the fees associated with the provision of free weekly 5k timed run/walk events in Cooks Park. The events encourage participation in non-competitive social activity, with demonstrable community health benefits and its request is supported.

Officer Recommendation

- 1 That Council receive and note the report
 - 2 That Council approve a full fee waiver (\$1550 pa) to be granted to Parkrun to run free weekly free 5k run/walk events at Cooks Park.
-

Background

Parkrun (www.parkrun.com.au) is a not for profit worldwide organisation run by volunteers that hold FREE 5km runs for the community.

Parkruns are free timed 5 kilometre runs held every Saturday morning at 7 or 8am. There are over 200 Park Runs operating in Australia at present, and 57 in NSW.

The runs are non-competitive and open to walkers, runners, kids and runners with prams etc. Runners must be registered with Parkrun to participate and barcodes are used to recorded participation and times.

The average attendance at each Park Run event is around 100. The run is usually over in an hour (set-up at 7.45am and leave at 9am).

The run is manned by local volunteers (up to 10 per event), with flags at start and finish and cones to mark turnarounds. There are no marquees, drink stations or tents.

The Park Run organisation propose a route along the bay between Sanoni Avenue San Souci and Ramsgate Beach as illustrated. The intention is not to use the shared bike path but to use the path closest to the water.

Parkrun is fully insured and (Certificate of Currency will be altered to list Bayside Council) and is run strictly by Parkrun policies.

Parkrun receive free use of their venues across Australia and have requested a full fee waiver for the use of the route along Cook Park for one hour per week. This would usually be charged at \$31.00 per hour.

Currently Bayside Council's Financial Assistance Policy requires a Council resolution for the approval of financial assistance. However, recent changes to section 377 of the Local Government Act 1993 allows Council to sub-delegate to the General Manager the determination of granting financial assistance to persons or organisations under s356 provided specific statutory requirements are met.

It is noted that the former Rockdale Council's Delivery Program Principal Activity 1.1.4.a requires us to 'ensure that a range of active recreation, leisure and sporting opportunities are available for all ages, genders, ethnicities, ability levels and socio-economic groups', and that this program directly addresses that principal activity.

In 2013 Medicare Local produced health statistics for adults in the Rockdale LGA that showed:

- 48% of residents are overweight
- 37% are physically inactive
- 19% currently smoke

This program directly addresses the health concerns in the former Rockdale LGA by encouraging and supporting non-competitive social activity, with demonstrable health benefits.

Accordingly it is recommended that the Parkrun Association be granted a full fee waiver, and encouraged to offer local residents the opportunity to participate in the weekly run/walk.



Figure 1 Proposed Parkrun Route

Financial Implications

Included in existing approved budget

Council would forego approximately \$1550 income by approving this full fee waiver.

Community Engagement

Not required

Attachments

Nil

Council Meeting

8/02/2017

Item No	8.6
Subject	Proposed Lease - 203 Stoney Creek Road Bexley - Bexley Golf Club Ltd
Report by	Ben Heraud, (Acting) Manager Property and Venues
File	(R) F08/379

Summary

The Bexley Golf Club lease land owned predominately by Council and this lease is due to expire on 30 September 2018.

The Club previously requested a new lease for security of tenure beyond 2018 and this request was considered by Council on 2 September 2015. A decision on the request was subsequently deferred, pending receipt of a report from Urbis on Open Space.

The Club has resubmitted their request for a new lease and security of tenure beyond 2018. This report tables the request and recommends Council grant the Club a new lease expiring 2028, subject to compliance with s47 of the Local Government Act.

The deferral of a decision by Council at their meeting of 2 September 2015 necessitates the matter being referred back to Council.

Officer Recommendation

- 1 That Council endorse a new lease being granted to Bexley Golf Club Limited, based on the proposed principle terms noted in the body of the report.
 - 2 That the lease is subject to Council first complying with s47 of the Local Government Act 1993.
 - 3 That the General Manager is authorised to finalise the commercial terms.
-

Background

The Bexley Golf Club Limited (the Club) occupy premises situated at 203 Stoney Creek Road Bexley (the Property) via a lease agreement, expiring on 30 September 2018. The Property is predominantly Council Community Land with a small area being Crown Land (Refer to Annexure 1 – Location Map).

The Club has requested a new lease and tenure beyond the expiration date of 2018. The request was considered by Council, as a confidential report, at its meeting of 2 September 2015 and a decision was deferred until receipt of an open space report from Urbis, pending as of the date of the Council meeting.

The lease was the subject of a Councillor Information Session held on 11 November 2015, which coincided with a briefing on the Urbis Report. The Urbis report tabled no specific recommendations that would seek an alternative use at the Property.

The Club have recently requested that Council re-visit the initial request for a new lease and security of tenure beyond 2018. In consideration of there being no immediate demand to seek an alternative use of the Property and based on the existing lease responsibilities that currently vest with the Club, merit exists to grant a new lease.

Proposed Lease Terms

The Club were provided with a draft Heads of Agreement prior to the matter being referred to the Council meeting of 2 September 2015. The draft Heads of Agreement outlined the principle terms for a proposed new lease agreement and these are outlined in Table 1 below. The Club have expressed that they are agreeable to the proposed terms.

Table 1 - Proposed Licence Terms

Condition	Term	Comments
Term	10 Years	<ul style="list-style-type: none"> The Term is effective from expiry of the existing lease, 1 October 2018 The new lease would (if approved) expire in 2028
Option	Nil	Nil
Commencement Rent	Determined by Valuation (2018)	Nil
Market Rent Reviews	2018, 2023	5 year intervals
Annual Increase	3%	Nil
Outgoings	100% Payable by the Club	Nil
Maintenance Responsibility	Vests with the Club	Nil
Permitted Use	Golf Course, club house and appurtenant facilities	Nil
Insurance Responsibility	Vests with the Club	Nil
Sub-letting	Not permitted without consent of Lessor (Council)	<ul style="list-style-type: none"> The Club seek the ability to sublease It is proposed that sub-letting could occur subject to Council's approval

Apportionment of Subletting Income

The Club submitted a proposal for the apportionment of subletting income between the Club and Council. The original proposal centred on a sliding scale, once certain income thresholds were met. The sliding scale was detailed in the 2 September 2015 Council report. Post further discussions, the Club have revised their proposal and agree to apportion future sub-letting income on a 50/50 basis with Council.

Occupancy Renewal Policy

A new lease will be subject to a formal Community Facilities - Occupancy Renewal Assessment being finalised. Subletting proposals contemplated by the Club are anticipated to strengthen scoring for both the Financial and Use categories within the Policy.

Local Government Act - Salient Provisions

Table 3, below, outlines the salient sections of the Local Government Act 1993 that are relevant to the lease renewal request. The relevant provisions contained within the Crown Lands Act 1989 are not canvassed, however the lease proposal must be advertised under both the Acts.

Table 3 - Local Government Act Salient Provisions

Section	Provision (Summised)	Comments
Section 46	<ul style="list-style-type: none"> A lease, licence or other estate in respect of community land may be granted in accordance with an express authorisation in the plan of management and for the purpose prescribed by subsection (4) or for a purpose aligning with the core objectives stated within sections 36E to 36N 	<ul style="list-style-type: none"> The Plan of Management for Community Land and Open Space recognises the existence of the current lease to the Club Section 4.1.3 of the POM notes that <i>Council may grant a lease, licence or other estate for community land to community groups, corporations or individuals for recreation or leisure purposes</i> The Golf Club is categorised as Sportsground
Section 46A	<ul style="list-style-type: none"> A plan of management is to specify (in relation to the community land) any purposes for which a lease, licence or other estate may be granted only by way of tender A lease or licence for a term exceeding 5 years may be granted only by way tender, unless it is granted to a non-profit organisation 	<ul style="list-style-type: none"> The Bexley Golf Course is a registered Club and noted as non-profit organisation (by way of a company search)
Section 47A	<p>If Council proposes to grant a lease, licence or other estate:</p> <ul style="list-style-type: none"> The proposal must be notified and exhibited Any person may make a submission in writing during the notification period Before granting the lease, licence or other estate, the Council must consider all submissions duly made 	<ul style="list-style-type: none"> The lease renewal will be publically notified post the adoption of this report The notification period is for a minimum of 28 days The matter will need to be referred back to Council for consideration if submissions are received
Section 47C	<p>Community land that is the subject of a lease cannot be sublet for a purpose other than:</p> <ul style="list-style-type: none"> The purpose for which, as notified under Section 47(2), the land was to be used under the lease, or Purpose prescribed by the regulations 	<ul style="list-style-type: none"> Any future sublease proposal will be reported back to Council and advertised in accordance with this section of the Act.

Financial Implications

There is no proposed change to existing rent yielded from the site. The commencement rent for the new term will be determined by way of valuation.

Costs associated with advertising and establishing a new lease will vest with the Club.

Community Engagement

Post the adoption of this report, the consultation required by s47 of the Local Government Act will be undertaken.

Attachments

Location Map



Disclaimer Note

This map remains the property of Rockdale City Council. Reproduction of any part without approval is prohibited. This map has been compiled from various sources and the publisher and/or contributors accept no responsibility for any injury, loss or damage arising from its use or errors or omissions therein.

Prepared By: Benjamin Heraud

16/01/2017

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Council Meeting

8/02/2017

Item No	8.7
Subject	Road Closure – Baxter Road, Mascot
Report by	Rodger Dowsett, Manager Special Projects
File	(B) Road 25.10

Summary

This report is to obtain the Council's consent to undertake administrative procedures in relation to the recent closure of Baxter Road, Mascot.

Officer Recommendation

- 1 That the report be received and note this report;
 - 2 That the Council resolve, pursuant to Section 34 of the Roads Act 1993 to engage in the formal process of closing, Baxter Road, Mascot.
-

Background

Baxter Road, Mascot is a public road that extends between other roads namely Botany Road (to the east) and O'Riordan Street (to the west).

The eastern part of Baxter Road supports residential development whereas the western section supports business activities. The western section is undergoing revitalisation and as a consequence, consultative input from the residential quarter suggested the road closure of Baxter Road to isolate the residential traffic from business traffic.

In September 2016 the Council under advice from the Local Traffic Committee adopted the following:-

"The RMS approved Traffic Management for the proposed permanent closure in Baxter Road be endorsed".

The physical work of the road closure has since been undertaken.

However, the administrative process of a Road Closing Application has yet to be done, a matter that above resolution does not adopt.

Accordingly, the purpose of this report is to obtain approval to undertake the formal process of a Road Closure Application and as part of that process, obtain from the Council, a resolution pursuant to Section 34 of the Road Act 1993 to close Baxter Road and following that, engage in the road closure procedures of public notification together with consultation with the relevant State Government Agencies and others.

Financial Implications

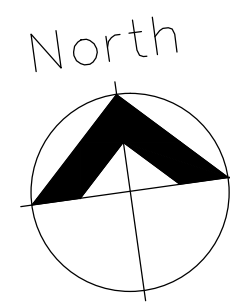
It is estimated that in submitting a Road Closing Application to Department of Primary Industries – Lands costs will be incurred for survey fees, application fees and Road Status Application, estimated at \$6,000.00.

Community Engagement

Community engagement and public notification will occur as part of the road closure procedures.

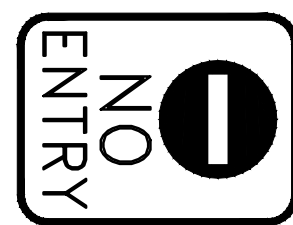
Attachments

Plan of the road closure

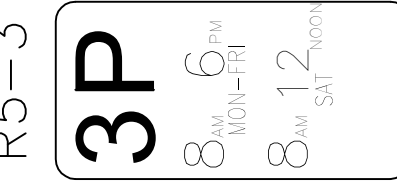


CONSTRUCT 150 THICK, 1m
WIDE CONCRETE INFILL
BLISTER IN FRONT OF KERB.
COUNCIL SURVEYOR TO
PROVIDE SETOUT IF REQUIRED.

INSTALL 3 BOLLARD. SEE
COUNCIL SURVEYOR FOR
SETOUT.



R2-4

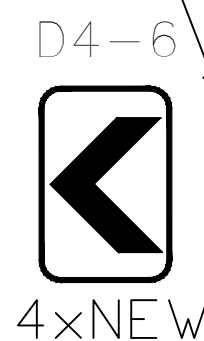


R5-3

BAXTER ROAD

INSTALL WHEEL STOP

TB1 6m



4xNEW

150

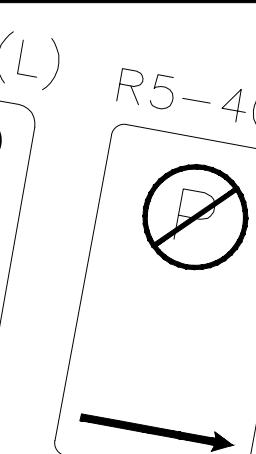
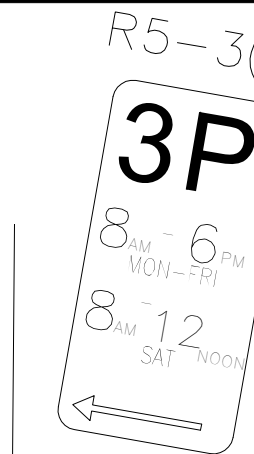
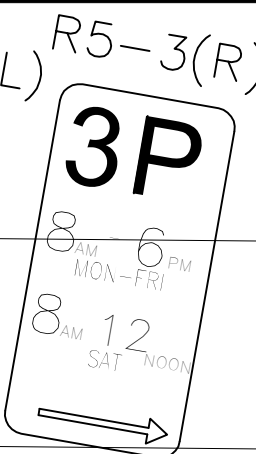
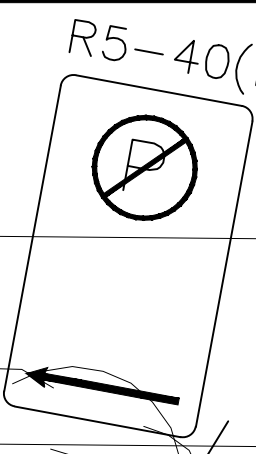
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COUNCIL SKETCH
NOT TO SCALE

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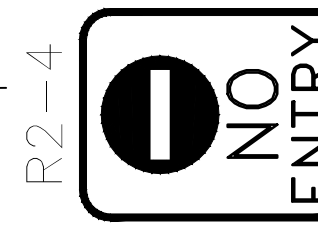
DEMOLISH 6.0m SECTION
OF 150 HIGH KERB. SEE
COUNCIL SURVEYOR FOR
EXTENTS.



PP

EXISTING

TB1 6m



NEW

CONSTRUCT 150 THICK
CONCRETE INFILL
ADJACENT TO PARKING
SPACE

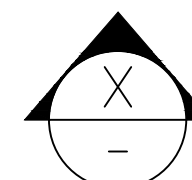
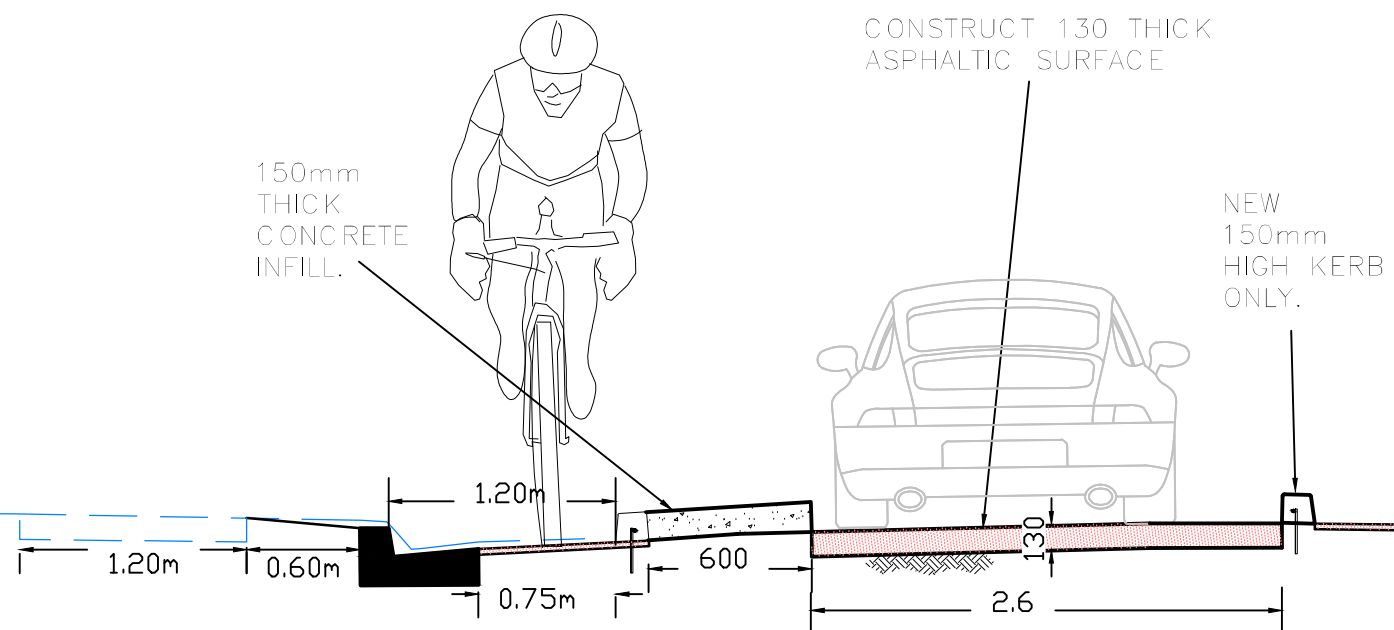
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PLAN.



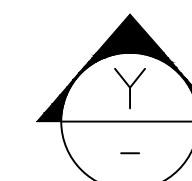
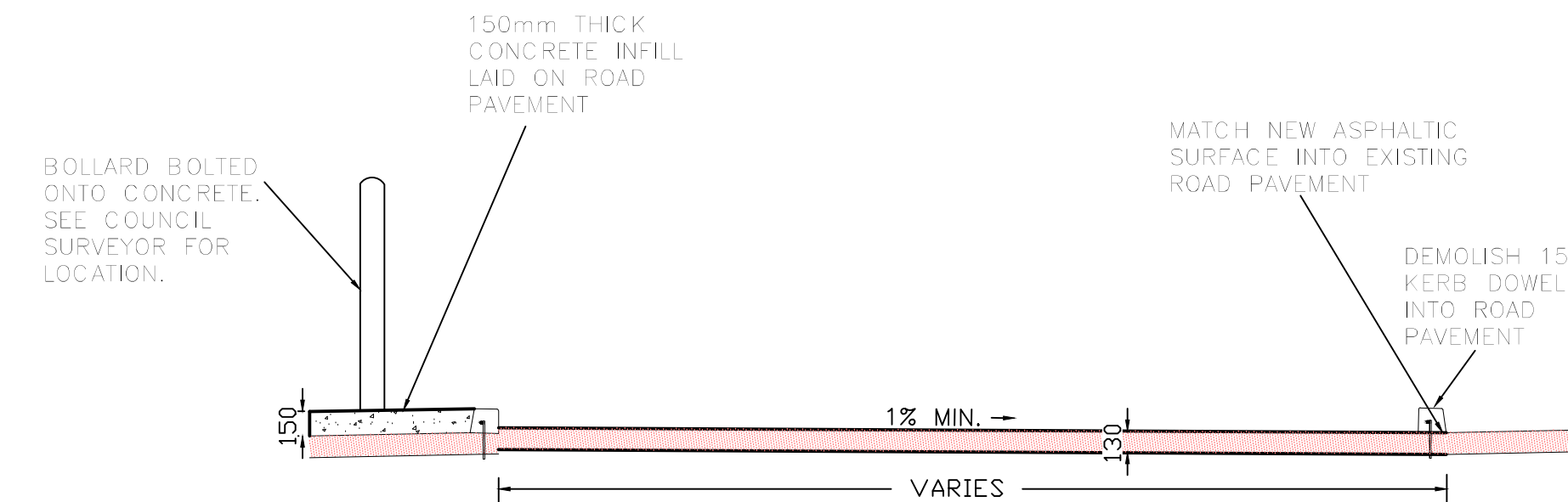
NEW SIGN FOR CYCLISTS
ON NEW POST



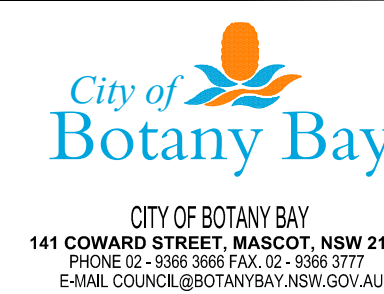
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SECTION
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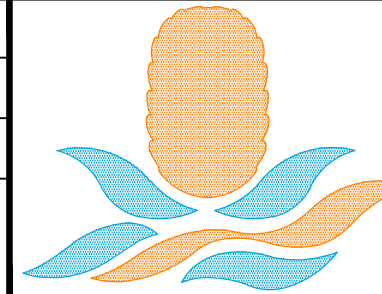


SECTION
NOT TO SCALE



FILE No.	PROJECT No.	SURVEY REF.	DATUM	SCALE AT A1
1015-01.dwg	1015		A.H.D.	1:100

SURVEYED	WAT/BUCH	04/09/14
DESIGNED	FN	30/06/15
CHECKED	S.P.	30/06/15
APPROVED		



BAXTER ROAD, MASCOT
PROPOSED ROAD CLOSURE
CONCEPT PLAN

STATUS	DRAWING No.	SHEET No.	REV.
CONSTRUCTION	1015-A		2

Council Meeting

8/02/2017

Item No	9.1
Property	27-31 Bryant Street, Rockdale
Proposal	Integrated Development - Construction of a nine (9) storey residential flat building comprising 60 units, three (3) basement levels, rooftop communal open space and demolition of existing structures
Cost of Development	\$17,660,000.00
Report by	Luis Melim, Manager Development Services
Application No	(R) DA-2017/54

Officer Recommendation

- 1 That Council support the variation to the height control as contained in clause 4.3 – Height of Buildings in Rockdale Local Environmental Plan 2011 in accordance with the request under clause 4.6 submitted by the applicant.
- 2 That Development Application DA-2017/54 for Integrated Development - Construction of a nine (9) storey residential flat building comprising 60 units, three (3) basement levels, rooftop communal open space and demolition of existing structures at Nos. 27-31 Bryant Street, Rockdale be **APPROVED** pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 as a deferred commencement consent as below and subject to the conditions attached to this report.

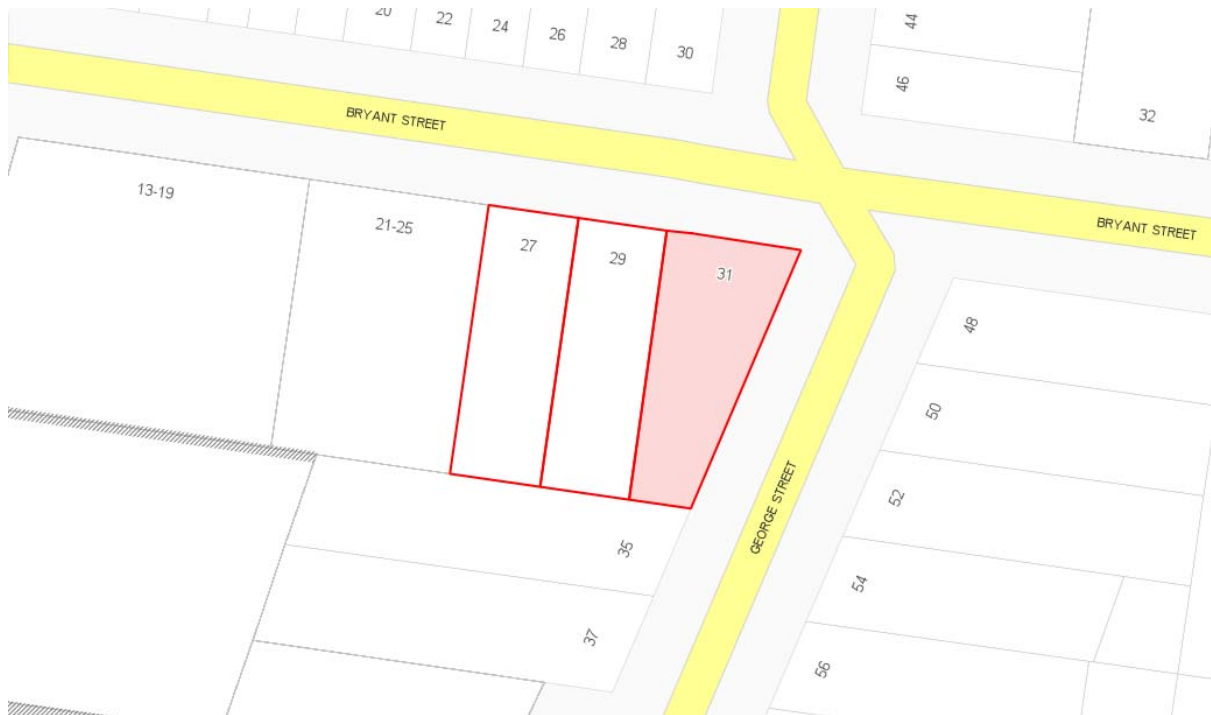
The consent shall not operate until you satisfy Council about the following matters:

- (i) *Approval has been provided by CASA for the proposed penetration of the Limitation or Operations Surface for Kingsford-Smith Airport (Runway 07/25 Approach/Takeoff Surfaces). In the event that CASA do not provide approval for the penetration of the Limitation or Operations Surface the proposal is to be redesigned, to the satisfaction of Council, such that it does not penetrate the Limitation or Operations Surface.*
- 3 That the NSW Department of Planning and Environment be advised of Council's decision.
 - 4 That the objector be advised on Council's decision.
-

Attachments

- 1 Planning Assessment Report by consultant
 - 2 Draft Notice of Determination
 - 3 Elevation plans
 - 4 Site Analysis Plan
-

Location Plan



BAYSIDE COUNCIL

COUNCIL REPORT

1. APPLICATION DETAILS

Property:	27-31 Bryant Street, ROCKDALE, NSW 2216 Lot 1 in DP 902616 and Lots 1-2 in DP 536764
Proposal:	Integrated Development - Construction of a nine (9) storey residential flat building comprising 60 units, three (3) basement levels, rooftop communal open space and demolition of existing structures
Date:	19 August 2016
File Number:	DA-2017/54
Owner:	Bryant Street Properties Pty Ltd
Author:	Kerry Gordon – Kerry Gordon Planning Services
Coordinator:	Marta Gonzalez-Valdes – Coordinator Development Assessment

2. SUMMARY OF ISSUES

Issues for consideration in the assessment are landscaped area, height, streetscape and setbacks above podium. This application is recommended for approval.

3. RECOMMENDATION

1. That Council support the variation to the height control as contained in clause 4.3 – Height of Buildings in Rockdale Local Environmental Plan 2011 in accordance with the request under clause 4.6 submitted by the applicant.
2. That Development Application DA-2017/54 for Integrated Development - Construction of a nine (9) storey residential flat building comprising 60 units, three (3) basement levels, rooftop communal open space and demolition of existing structures at Nos. 27-31 Bryant Street, Rockdale be **APPROVED** pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 as a deferred commencement consent as below and subject to the conditions attached to this report.

The consent shall not operate until you satisfy Council about the following matters:

- (i) Approval has been provided by CASA for the proposed penetration of the Limitation or Operations Surface for Kingsford-Smith Airport (Runway 07/25 Approach/Takeoff Surfaces). In the event that CASA do not provide approval for the penetration of the Limitation or Operations Surface the proposal is to be redesigned, to the satisfaction of Council, such that it does not penetrate the Limitation or Operations Surface.*
3. That the NSW Department of Planning and Environment be advised of Council's decision.
4. That the objector be advised on Council's decision.

4. PROPOSAL

Council is in receipt of a development application DA-2017/54 for demolition of existing structures and construction of a 9 storey mixed use building over 3 levels of basement parking at Nos. 27-31 Bryant Street, ROCKDALE, NSW 2216, which is described in detail following.

Demolition

It is proposed to demolish all structures existing on the subject site, being three one storey brick and tile dwellings with ancillary garages and sheds located in the rear yards.

Proposed Mixed Use Building

It is proposed to erect a nine storey mixed use building above three levels of basement parking on the subject site as detailed following:



3D image of proposed development

- Basement 3: This basement level is to contain parking for 31 cars (residential) and 2 motorcycle spaces, along with residential storage.
- Basement 2: This basement level is to contain parking for 27 cars (residential) and 2 motorcycle spaces, along with residential storage.
- Basement 1: This basement level is to contain parking for 22 cars (12 visitor and 10 residential - including 6 accessible spaces), and 7 bicycle spaces, along with residential storage and plant room.
- Lower Ground: Contains garbage holding room, substation, OSD tank and plant.
- Ground: This level contains 4 x 1 bed and 2 x 2 bed apartments as well as a garbage room and residential storage rooms. The apartments fronting Bryant Street and the corner apartment have direct access from the street as well as from the lobby. An area of communal open space (208m²) is provided at the south-western corner of the site which includes BBQ's, an outdoor kitchen and an accessible toilet. A 2m deep soil landscaped setback is provided to the George and Bryant Street frontages. This level is built to the western and southern boundaries other than where the communal open space is located. Pedestrian access to the site is from George Street.
- 1st-3rd: Each level contains 1 x 1 bed and 7 x 2 bed apartments as well as a garbage room. Each level is setback 2m from the George and Bryant Street frontages and has a nil setback from the southern boundary and 2-3m setback from the western boundary (other than where the communal open space is located at ground level).
- 4th: This level contains 3 x 1 bed, 3 x 2 bed and 1 x 3 bed apartments as well as a garbage room. This level is setback 4-5m from George Street and 3-4m from Bryant Street and has a nil setback from the southern boundary and a 4.6-6m setback from the western boundary (other than where the communal open space is located at ground level).
- 5th-7th: Each level contains 1 x 1 bed, 3 x 2 bed and 2 x 3 bed apartments as well as a garbage room. Each level is setback 4-5m from George Street and 3-4m from Bryant Street and has a nil setback from the southern boundary and a 4.6-6m setback from the western boundary (other than where the communal open space is located at ground level).
- 8th: This level contains 2 x 1 bed, 2 x 2 bed and 1 x 3 bed apartments as well as a garbage room. This level is setback 4-5m from George Street and 3-4m from Bryant Street and has a nil setback from the southern boundary and a 6m setback from the western boundary (other than where the communal open space is located at ground level). A communal open space of 139m² is located on the western side of the building and contains a kitchen and accessible toilet along with BBQs.

The building will contain a total of 60 residential apartments, with a mix of 15 x 1 bedroom, 37 x 2 bedroom and 8 x 3 bedroom apartments and parking for 80 cars (68 residential and 12 visitor, with 6 accessible spaces).

5. BACKGROUND

Development application DA2015/221 was lodged prior to the planning proposal for the Rockdale Town Centre being gazetted, though the planning proposal has since been gazetted. The effect of the planning proposal was to rezone the subject site from B2 Local Centre to B4 Mixed Use and to

increase the height control from 22m to 28m and remove the then existing FSR control of 2:1. The application could not be supported for design reasons and given the significant variations sought to the height and FSR controls. The application was subsequently withdrawn.

6. EXISTING AND SURROUNDING USES

The subject site comprises 3 lots and is known as Lots 23-25 in DP 6326, No. 27-31 Bryant Street, ROCKDALE, NSW 2216. The site is an irregular shaped allotment located on the south-western corner of Bryant Street and George Street, Rockdale. The site has frontage to Bryant Street of 42.53m and to George Street of 37.855m, with a site area of 1,377.9m². The site has a cross fall from George Street to the west of approximately 1.6m and from the south to Bryant Street of approximately 1.2m. The site is currently contains three detached dwellings with outbuildings.



Subject site as viewed from Bryant Street (note residential flat building to the rear fronts George Street and adjoining mixed use development is at Nos. 21-25 Bryant Street)

The surrounding area contains a mix of uses and densities. To the west of the site in Bryant Street are a series of multi-level mixed use developments with retail uses at ground level and residential above. The following photograph shows the immediately adjoining property to the west in Bryant Street, No. 21-25 Bryant Street. To the immediate south of the site are two detached dwellings then a series of multi-level residential flat buildings. A development application for the redevelopment of the two dwellings was recently approved by Council. The development provides for a 2m setback at podium level from George Street and then 5m setback above podium, with a nil setback to the common boundary of the subject site for all but the rear 8m (where a 6m setback is provided). The first photograph on the following page shows the immediately adjoining properties to the south.



Adjoining mixed use building from Bryant Street showing portion of building adjoining the subject site



Adjoining sites to the south contain dwelling houses (beyond the white garage which is on the subject site) and residential flat buildings beyond as viewed from George Street

Opposite the site to the east, George Street is characterised by low scale detached dwellings (see following photograph) which are located in a R2 Low Density Residential zoning. Finally, opposite the site to the north, Bryant Street is also characterised by small scale residential dwellings (see photograph on page 6) and is similarly zoned R2 Low Density Residential. The juxtaposition of the low scale residential dwellings to the north and east characterises the site's location at the very edge of the local centre zoning, making the subject site a sensitive zone boundary site.



Opposite the site to the east, George Street is characterised by low scale detached dwellings

7. PLANNING CONSIDERATION - SECTION 79C OF THE EP&A ACT 1979

The following is an assessment of the proposed development under the provisions of Section 79C (1) of the Environmental and Planning Assessment Act.



Opposite the site to the north, Bryant Street is characterised by low scale detached dwellings

7.1. PROVISIONS OF ENVIRONMENTAL PLANNING INSTRUMENTS (S.79C(1)(A)(I))

7.1.1 *Disability Discrimination Act (DDA)*

The Disability Discrimination Act (DDA) requires Council to have regard to the equity of access to development when assessing a development application. In order to achieve equitable access, an appropriate accessible path of travel would need to be provided from the footpath to the residential lobby. Further, accessible parking spaces, with an accessible path of travel thereto would be required along with adaptable apartments and the potential for visitation to all apartments and communal areas.

The proposal provides an accessible path of travel to the residential lobby. Lift access is provided throughout the building, including to the basement parking areas and the rooftop communal space on Level 8 ensuring an accessible path of travel to the 6 proposed accessible parking spaces and visitation to all residential apartments. The rooftop space at Level 8 is provided with an accessible toilet, as is the ground level communal open space.

Proposed apartments 106, 108, 206, 208, 306, 308 (all 2 bed) are identified as adaptable apartments (equating to 10% of apartments) however only 5 accessible parking spaces are allocated to residential use. One visitor space is identified as being accessible spaces. As such one additional residential space is required to be provided that is accessible and a condition to this effect is recommended. Further, the amended plans submitted change the layout of Apartments 106, 206 and 306, however the post adaptation layout plan has not been updated. It is therefore recommended that a condition of consent require the updating of this plan prior to release of the Construction Certificate. Subject to the suggested conditions, the proposal would satisfy the requirements of the DDA.

7.1.2 *State Environmental Planning Policy No. 55 – Contaminated Land (SEPP 55)*

The provisions of SEPP No. 55 have been considered in the assessment of the development application. The previous use of the site and the surrounding area has historically been for residential purposes, and more recently for residential and commercial purposes. There is nothing in the history of the site or area which raises concerns in relation to the potential for contamination of soil. However, given the age of the dwellings and outbuildings on the subject site there is potential for lead paint and asbestos to exist on the site. Conditions of consent could appropriately address these potential contaminants at the demolition stage.

7.1.3 *State Environmental Planning Policy (Infrastructure) (SEPP Infrastructure)*

The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application. The application is subject to clause 45 of the SEPP as the development proposes works within the vicinity of electricity infrastructure that trigger a written referral to the energy authority.

In its response, Ausgrid raised no objection to the proposal subject to conditions which have been included in the recommendation.

The application is not subject to clause 101 of the SEPP as the site does not have frontage to a classified road.

7.1.4 State Environmental Planning Policy (BASIX) (SEPP BASIX)

A BASIX Certificate was lodged with the application and the amendments to the proposal are so minor as to not require an amended BASIX Certificate.

7.1.5 State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65)

As the proposal is for buildings containing three or more storeys and four or more residential apartments, the provisions of *SEPP 65* and the *Apartment Design Guide* are relevant to the assessment as the application. The Plan sets aims and design principles as well as standards that cannot be used as grounds for refusal. These design principles are detailed and discussed following, together with consideration of the requirements of the *Apartment Design Guide*.

The standards which cannot be used for refusal are complied with in relation to parking, internal area for apartments and ceiling heights (see assessment against ADG below).

The application was considered by the St George Design Review Panel (DRP) on 14 September 2016 where relatively minor concerns (summarised) were raised with the proposal as follows:

- Resolution of issues associated with the roof height and form in order to provide a satisfactory vertical termination to the building;
- The resolution of the driveway access and entrance to Bryant Street. This is very wide and excessively high and has a negative impact on the street frontage. The very wide pedestrian ramp access leading to service areas is inappropriate;
- Interface to 35 George Street. Further detail is required to examine and explain the relationship between these two buildings.
- Detailed sections should be provided within the landscape package illustrating the 2 metre landscape setback treatment to the adjacent streets. This should clearly show planting height and scale relative to internal floor levels and footpath
- The design of the communal open space at ground level requires further review; the following is recommended:
 - Replace proposed trees (which would be of insufficient in scale to provide amenity and outlook for this site and for adjoining apartment buildings) to taller species.
 - Provide planted interface to the blank wall (storage space)
- The communal rooftop space is a positive feature and would be very well used. It is recommended that a small enclosed space with toilets and kitchen facilities be provided.
- Provide natural light and ventilation to the presently internal corridors;
- Provide skylights to internal bathrooms on the top floor;
- The deeply recessed entrance to the main lobby is a security hazard. Relocate entrance door towards the street frontage, which would enable provision of attractive seating area within the lobby and improved surveillance;
- Provide adjustable screens to balconies to enhance their amenity and reconsider the clear glass balustrade proposed at the upper levels.
- Consideration should be given to develop the design of the ground level communal courtyard entrance corridor to reduce expanses of blank walls and paving and reduce awkward corners. This entrance would be improved by modifying the internal layout and incorporating

appropriate communal facilities for users (i.e. toilets, kitchenette etc.) in left over space. Provision of access and light to internal corridors should also be considered.

- Whilst the corner curved element is appropriate, the minor curved alignment of the Bryant Street and George Street frontages are of little structural or aesthetic benefit;
- The roof form requires further attention as a terminating visual element;
- Visualisation of George Street would be helpful;
- Resolution of the deep soil frontage to the street is critical to the aesthetic character of the building and should be carefully designed and illustrated in visualisations;
- The lower levels of the Bryant Street frontage should connect sympathetically with the adjacent building downhill.

The amended design appropriately addresses these concerns.

COMPLIANCE TABLE – SEPP 65 PRINCIPLES		
DEVELOPMENT STANDARD	YES/NO	COMPLIANCE
<p>Context and Neighbourhood Character: Good design responds and contributes to its context. Context is the key natural and built features of an area, their relationship and character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Responding to context involves identifying the desirable elements of an area's existing or future character. Well designed buildings respond to and enhance the qualities and identity of the area including the adjacent sites, streetscape and neighbourhood.</p> <p>Consideration of local context is important for all sites, including sites in established areas, those undergoing change or identified for change.</p>	Yes	The design has due regard to the context of the site, providing an appropriate setback of the tower element from Bryant Street to match the adjoining building and provides an appropriate corner emphasis.
<p>Built Form and Scale: Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the street and surrounding buildings.</p> <p>Good design also achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements.</p> <p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p>	Yes	<p>The scale of the development is appropriate, being generally compliant with the height control, with the exception of the lift overrun and roof articulation at the corner.</p> <p>The built form is appropriately articulated, with an appropriate curved corner emphasis treatment, well defined podium, good use of material variation and corner roof architectural feature.</p>
<p>Density: Good design achieves a high level of amenity for residents and each apartment, resulting in a density appropriate to the site and its context.</p> <p>Appropriate densities are consistent with the area's existing or projected population. Appropriate densities can be sustained by existing or proposed infrastructure, public transport, access to jobs, community facilities and the environment.</p>	Yes	The proposed density is appropriate for the site, with the development generally being consistent with the height and setback controls which set the building envelope for the site and hence control the density.

<p>Sustainability: Good design combines positive environmental, social and economic outcomes.</p> <p>Good sustainable design includes use of natural cross ventilation and sunlight for the amenity and liveability of residents and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and reuse of materials and waste, use of sustainable materials and deep soil zones for groundwater recharge and vegetation.</p>	Yes	<p>Energy efficiency is appropriately addressed by the BASIX certificate requirements.</p> <p>The passive solar design of the proposal is considered to be acceptable as is the provision for cross ventilation.</p>
<p>Landscape: Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A positive image and contextual fit of well designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p> <p>Good landscape design optimises useability, privacy and opportunities for social interaction, equitable access, respect for neighbours' amenity and provides for practical establishment and long term management.</p>	Yes	<p>The proposal makes adequate provision for deep soil landscaping within the ground level communal open space and providing 2m setbacks to the podium as required by the Rockdale Town Centre controls within the DCP.</p>
<p>Amenity: Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.</p> <p>Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.</p>	Yes	<p>The amenity of the apartments is considered to be good with adequate solar access and cross ventilation provided throughout the building.</p>
<p>Safety: Good design optimises safety and security within the development and the public domain. It provides for quality public and private spaces that are clearly defined and fit for the intended purpose. Opportunities to maximise passive surveillance of public and communal areas promote safety.</p> <p>A positive relationship between public and private spaces is achieved through clearly defined secure access points and well lit and visible areas that are easily maintained and appropriate to the location and purpose.</p>	Yes	<p>The design provides for excellent casual surveillance of both streets and provides no opportunities for concealment. The private and public domain are well delineated and secure.</p>

<p>Housing Diversity and Social Interaction: Good design achieves a mix of apartment sizes, providing housing choice for different demographics, living needs and household budgets.</p> <p>Well-designed apartment developments respond to social context by providing housing and facilities to suit the existing and future social mix.</p> <p>Good design involves practical and flexible features, including different types of communal spaces for a broad range of people and providing opportunities for social interaction among residents.</p>	Yes	The site is well located near a railway station and shopping area. An appropriate choice of apartment types is provided and suitable provision is made for adaptable apartment.
<p>Aesthetics: Good design achieves a built form that has good proportions and a balanced composition of elements, reflecting the internal layout and structure. Good design uses a variety of materials, colours and textures.</p> <p>The visual appearance of a well designed apartment development responds to the existing or future local context, particularly desirable elements and repetitions of the streetscape.</p>	Yes	The proposed building design is appropriate for the site and will provide an attractive addition to the street.

Apartment Design Guide

Design Criteria	Required	Proposed	Compliance
2E - Building Depth	12m – 18m	18m (other than at corner element) – Given the “L-shaped” nature of the building, the building depth is acceptable at the corner where it exceed 18m.	In part
3B – Orientation	<p>Responsive to streetscape and site. Designed to optimise solar access and minimise overlooking.</p> <p>4 hours solar access retained to neighbouring buildings or does not further reduce solar access by more than 20%</p>	<p>The orientation of the site is challenging with the George Street frontage angling such that achieving solar access to the eastern frontage is difficult. Notwithstanding this, passive solar design is maximised.</p> <p>The orientation of the site is such that the adjoining sites to the west and south are shadowed at 9am, although by 10am the property to the west will not be significantly shadowed. By noon the approved development to the south will not be shadowed by the proposal. By 3pm the properties on the opposite side of George Street will be shadowed by the proposal, but it will not impact the dwellings prior to 1pm and as such they will retain 4 hours of solar access.</p>	<p>Yes</p> <p>Yes</p>
3C – Public Domain Interface	Direct street entry to ground floor apartments	Ground floor apartments fronting Bryant Street and at the corner have direct access at ground level.	Yes

Design Criteria	Required	Proposed	Compliance
	Balconies/windows orientated to overlook the public domain	Balconies and windows are designed to overlook the public domain.	Yes
	Front fence design is permeable	No front fences proposed.	N/A
	Opportunities for concealment minimised Services concealed	No unacceptable opportunities for concealment.	Yes
	Access ramps minimised	No access ramps are required with access to the foyer at grade.	Yes
3D – Communal Open Space	Min. 25% required (344.5m ²) Min 2h to 50% communal open space at mid-winter	25.2% (347m ²) One of the communal open spaces is on the roof and receives appropriate solar access.	Yes Yes
3E – Deep Soil Zones	Min. 7% required (96.5m ²) 3m min. dimension	4.4% (61m ²) complying with minimum dimension and 14.1% (194m ²) including 2m deep soil front setback areas required by Rockdale Town Centre DCP. Given the DCP specifies 2m wide areas and the total area is well in excess of the ADG requirement, the variation is appropriate in this instance.	In part
3F – Visual Privacy	Up to 4 storeys: <ul style="list-style-type: none"> 12m between habitable rooms/balconies 9m between habitable and non-habitable rooms 6m between non-habitable rooms Up to 8 storeys: 9–18m <ul style="list-style-type: none"> 18m between habitable rooms/balconies 12m between habitable and non-habitable rooms 9m between non-habitable rooms 	The proposal has nil setbacks from the eastern portion of the southern boundary and will be built adjoining a nil setback building that has been approved. The proposal provides a minimum separation of 19.5m from the balconies of the adjoining approved building. The proposal has a nil setback for the ground floor and 2-3m setback until Level 3 and thence 4.6-6m above from the western boundary. As the walls contain no windows facing the boundary, the separation distance is acceptable.	Yes Yes
3G – Pedestrian Access and Entries	Entry addresses public domain Clearly identifiable Steps and ramps integrated into building design	The entrance to the building is clearly identifiable and addresses the public domain.	Yes

Design Criteria	Required	Proposed	Compliance
3H – Vehicle Access	<p>Integrated into façade Visual impact minimised Entry behind the building line or from secondary frontage Clear sight lines</p> <p>Garbage collection screened</p> <p>Pedestrian and vehicle access separated</p>	<p>The location of the vehicular access point is acceptable and is appropriately integrated into the design, providing clear sight lines. A condition of consent will require the use of high grade materials to the opening to ensure its streetscape impact is minimised.</p> <p>Garbage collection will occur from the street and garbage bins can be stored temporarily onsite at the Bryant Street frontage.</p> <p>Pedestrian and vehicular access is appropriately separated.</p>	<p>Yes, subject to condition</p> <p>Yes</p> <p>Yes</p>
3J – Bicycle and Car Parking	<p>Within 800m of a railway station: Min RMS Rate Applies: <u>20 or more units:</u> 1 bedroom: 0.6 spaces (15 x 0.6 = 9 spaces) 2 bedroom: 0.9 spaces (37 x 0.9 = 33.3 spaces) 3 bedroom: 1.4 spaces (8 x 1.4 = 11.2 spaces) Visitor 1 per 5 units (60 / 5 = 12 Spaces)</p> <p>Total requirement = (53.5) resident spaces and (12) visitor spaces = total 66 spaces</p>	<p>Within 800m of railway station</p> <p>Total spaces provided = 79 spaces (subject to condition)</p> <p>Allocation: Min. (67) resident spaces (including 6 accessible spaces) and (12) visitor spaces (including 1 accessible space)</p>	<p>Yes residential Yes visitor</p>
4A – Solar and Daylight Access	<p>Min. 70% receive 2 hours solar access to both the living rooms and balconies</p> <p>Max. 15% units have no solar access</p>	<p>42/60 (70%)</p> <p>0 apartments have no solar access</p>	<p>Yes</p> <p>Yes</p>
4B – Natural Ventilation	<p>Min. 60% are cross ventilated in first 9 storeys</p> <p>Cross-over/Cross-through Max 18m depth</p> <p>Light wells are not the primary source of ventilation for habitable rooms</p> <p>Single aspect units have limited depth to maximise ventilation</p>	<p>36 /60 units 60%</p> <p>Maximum depth of 15.5m</p> <p>No light wells proposed.</p> <p>All single aspect units feature a reduced depth.</p>	<p>Yes</p> <p>Yes</p> <p>N/A</p> <p>Yes</p>
4C – Ceiling Heights	<p>Habitable: 2.7m Non-habitable: 2.4m 2 storey apartments: 2.7m main living area, 2.4m mezzanine</p>	<p>Minimum 2.7m ceiling height to habitable rooms.</p>	<p>Yes</p>

Design Criteria	Required	Proposed	Compliance
	Mixed Use: 3.3m ground floor	N/A	N/A
4D – Apartment Size and Layout	<p>Studio: 35m² 1 bed: 50m² 2 bed: 70m² 3 bed: 90m²</p> <p>Additional bathrooms +5m² Each habitable room must have a window > 10% floor area of the room. Habitable room depths =max 2.5 x ceiling height</p> <p><u>Or</u> if open plan layout =max 8m from a window</p> <p>Master bed: min 10m² Other bedroom: min 9m²</p> <p>Living room min. width: Studio and 1 bed: 3.6m 2 and 3 bed: 4m</p> <p>Crossover/through: min 4m</p>	<p>The proposal provides for unit sizes as follows: 1 bedroom: minimum 50-59m² 2 bedroom: minimum 75-88m² 3 bedroom: minimum 95-99m²</p> <p>The majority of apartments have rooms a maximum of 8m from a window, however a few have living rooms up to 9m deep. The variation is reasonable given the size of the glazed doors to the rooms.</p> <p>Bedrooms are generally compliant and acceptable.</p> <p>Living rooms are generally compliant and acceptable.</p> <p>Cross through apartments have minimum dimensions of 4m.</p>	<p>Yes</p> <p>In part</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
4E – Private Open Space and Balconies	<p>1 bed: 8m², min depth 2m 2 bed: 10m², min depth 2m 3 bed: 12m², min depth 2.4m</p>	All balconies are compliant	Yes
4F – Common Circulation and Spaces	<p>Max 8 apartments off a single core > 10 storeys: max 40 units/lift</p>	<p>Maximum units off a single core 8 N/A</p>	<p>Yes N/A</p>
4G – Storage	<p>Studio: 4m³ 1 bed: 6m³ 2 bed: 8m³ 3 bed: 10m³ At least 50% within the basement</p>	Compliant	Yes
4H – Acoustic Privacy	<p>Orientate building away from noise sources</p> <p>Party walls limited or insulated, like rooms together</p> <p>Noise sources (e.g. garage doors, driveways) located at least 3m from bedrooms.</p>	<p>No significant noise sources.</p> <p>Generally satisfactory.</p> <p>Generally satisfactory.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

Design Criteria	Required	Proposed	Compliance
4J – Noise and Pollution	Site building to maximise noise insulation Noise attenuation utilised where necessary	N/A	N/A
4K – Apartment Mix	Variety of apartment types Appropriate apartment mix Different apartments distributed throughout the building	The proposal provides for the following unit mix: 15 x 1 bed: units - 40% 37 x 2 bed: units – 55% 8 x 3 bed: units – 5%	Yes
4L – Ground Floor Apartments	Direct street access Casual surveillance whilst providing privacy.	Direct street access is provided to the majority of ground floor units with opportunities for casual surveillance.	In part
4M – Facades	Composition of building elements Defined base, middle and top Building services integrated into the façade	Definition is provided of the podium and the tower elements to a generally satisfactory degree with an appropriate mix of materials	Yes
4N – Roof Design	Roof design integrated into the building Incorporates sustainability features May include common open space	Roof design is appropriate.	Yes
4O – Landscape Design	Responsive to streetscape Viable and sustainable	An appropriate landscape setting is provided with small trees in the deep soil setback to the podium to supplement the street tree planting. Appropriate landscaping is provided to the two areas of communal open space.	Yes
4P – Planting on Structures	Appropriate soil profiles and structural design Irrigation and drainage systems	Inadequate information is provided to assess this.	Unknown.
4Q – Universal Design	Variety of adaptable apartments	10% adaptable apartments	Yes
4U – Energy Efficiency	Adequate natural light to habitable areas Adequate natural ventilation Screened areas for clothes drying Shading on northern and western elevations	BASIX Certificate provided.	Yes
4V – Water Management and Conservation	Efficient fixtures/fittings WSUD integrated Rainwater storage and reuse	Councils' engineer is satisfied with the proposal subject to conditions.	Yes
4W – Waste Management	Minimise impact on streetscape, building entry and amenity	On-street collection is proposed and appropriate collection area is provided to Bryant Street.	Yes

Design Criteria	Required	Proposed	Compliance
4X – Building Maintenance	Material selection reduces ongoing maintenance costs	Appropriate material selection.	Yes

Rockdale Local Environmental Plan 2011 (RLEP 2011)

The site is zoned B4 Mixed Use under Rockdale Local Environmental Plan 2011 (RLEP 2011). The proposal is defined as a residential flat buildings and is a permissible use with consent in the B4 zone.

The proposed development satisfies the objectives of the B4 zone which are to provide for a range of uses that serve the needs of the people who live and work in or visit the area, encourage employment in accessible locations, maximise public transport patronage and encourage residential development where it doesn't detract from the commercial focus of the Rockdale Town Centre.

Clause 4.3 – Height of Buildings

Clause 4.3 sets a maximum height of buildings and for the subject site sets a maximum of 28m. The proposed development has a height of up to 29.48m to the roof at the corner of Bryant and George Streets and 29.7m to the lift overrun, breaching the control by 1.48m and 1.7m respectively.

Given the proposal breaches clause 4.3, a clause 4.6 variation request that is well founded is necessary in order for Council to have power to grant consent to the development. The applicant provided a clause 4.6 variation request and the arguments put forward in support of the variation are summarized following:

- The portion of the roof and lift overrun exceeding the height control will not be visually dominant when viewed from the public domain.
- The 8-9 storey height is consistent with the recently approved development at 35-37 George Street and the intent of the 18m height area.
- The variation is a result of the fall across the site together with a desire for the roof element to address the corner location of the site,
- The variation to the control results in a better design outcome;
- The proposal satisfies the objectives of the B4 Mixed Use zone;
- The breaching elements do not contribute to the building having an unreasonable bulk or scale;
- The building is well articulated and appropriate to the context;
- The breach of the control will not result in any unreasonable amenity impacts or additional shadowing; and
- The variation to the height control does not result in an excessive density of development on the site.

Clause 4.6 requires that consent must not be granted for development contravening a standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating that the compliance with the standard is unreasonable or unnecessary in the circumstances of the case and there are sufficient environmental planning grounds to justify contravening the standard. Further, the variation may only be granted where the proposed development will be in the public interest because it is consistent with the objectives of the standard and the zone.

The objectives of the height control are as follows:

- (a) *to establish the maximum limit within which buildings can be designed and floor space can be achieved,*
- (b) *to permit building heights that encourage high quality urban form,*
- (c) *to provide building heights that maintain satisfactory sky exposure and daylight to buildings, key areas and the public domain.*
- (d) *To nominate heights that will provide an appropriate transition in built form and land use intensity.*

Notwithstanding the breach of the height control, it is considered that the proposal satisfies the objectives of the standard, proposing a suitable density for the Town Centre location, an appropriate quality of urban design, not unacceptably impacting sky exposure and daylight to buildings and the public domain and not resulting in an inappropriate transition in building form and land use intensity.

As was previously addressed, the proposal satisfies the objectives of the B4 Mixed Use zone. As the development is consistent with the objectives of the zone and the standard, the variation of the development control is considered to be in the public interest.

The height of the building is not considered to be unreasonable in light of the height of surrounding development and the intention to accentuate the corner by provision of a greater height to the roof at this point is supported, resulting in an improved urban design outcome. Provision of the roof top communal open space, which results in an increased height in the lift overrun to provide an accessible path of travel, is a benefit to the development and as the lift overrun will not be visually dominant is reasonable in this case. It is therefore considered that the breach of the height control can be supported in these circumstances as compliance with the control is unnecessary and unreasonable and a better planning outcome will result from the proposed breaches of the control.

The above assessment of whether the clause 4.6 variation request is well-founded has been carried out in accordance with the matters identified in the Land and Environment Court's judgement in *Four2Five Pty Ltd v Ashfield Council*.

Accordingly, it is considered that the clause 4.6 variation request for the height control is well founded and can be supported for the proposed development.

Clause 5.9 – Preservation of Trees or Vegetation

Clause 5.9 requires approval for the removal of trees. No objection is raised to the removal of onsite trees by Council's Tree Management Officer. A mature Brushbox street tree will need to be removed to provide the driveway entrance into the property and one replacement trees is proposed in Bryant Street and three more in George Street. The remaining street trees should be protected during the works and conditions of consent are recommended by Council's Tree Preservation Officer.

Clause 6.1 – Acid Sulfate Soils

Clause 6.1 addresses acid sulphate soils and requires that additional information be provided to address PASS. The site is located on Class 5 land and requires the preparation of an Acid Sulfate Soils Management Plan for works within 500m of adjacent Class 1-4 land that is below 5m AHD and which will lower the water table below 1m AHD. Given the site is located well above these levels an Acid Sulfate Soils Management Plan is not required.

Clause 6.4 – Airspace Operations

Clause 6.4 applies to proposals that will penetrate the Limitation or Operations Surface for Kingsford-Smith Airport. Sydney Airport has indicated that the proposal penetrates Runway 07/25 Approach/Takeoff Surfaces and as such requested MGA94 co-ordinates to further assess the

application. The additional information was provided by the applicant and referred to CASA. As the development is otherwise acceptable, it is recommended that a deferred commencement consent be issued, subject to CASA providing approval for the penetration caused by the lift overrun and roof element. The condition will require a redesign should CASA not provide support for the penetration of the Limitation or Operations Surface

Clause 6.7 – Stormwater

Clause 6.7 addresses stormwater and requires development to be designed to maximise the use of water permeable surfaces, provide onsite stormwater retention for reuse and avoid disturbance or impact of stormwater runoff upon adjoining properties, bushland and waterways.

The application was considered by Council's Development Engineer who indicated that the building would be able to drain by gravity to Bryant Street. Conditions of consent are recommended by the Development Engineer.

Clause 6.12 – Essential Services

Clause 6.12 addresses essential services and requires Council to ensure the site has adequate provision for water, electricity, sewerage disposal, stormwater drainage and road access prior to granting consent for development. The subject site is already developed with residential buildings and as such is serviced by water and electricity and is connected for sewerage disposal. Any upgrading of these services would be negotiated with the supplier. The site has frontage to 2 streets and as such stormwater drainage and road access are also available.

7.2 PROVISIONS OF ANY PROPOSED INSTRUMENT THAT IS OR HAS BEEN THE SUBJECT OF PUBLIC CONSULTATION UNDER THIS ACT AND THAT HAS BEEN NOTIFIED TO THE CONSENT AUTHORITY (S.79C(1)(A)(II))

There are no Draft Environmental Planning Instruments that affect the assessment of this proposal.

7.3 PROVISIONS OF DEVELOPMENT CONTROL PLANS (S.79C(1)(A)(III))

7.3.1 Rockdale Development Control Plan 2011

The application is subject to Rockdale DCP 2011. A compliance table for the proposed development is provided below. It is noted that clause 6A of SEPP 65 indicates that the following provisions of the Apartment Design Guide override this DCP and as such the related provisions under the DCP will not be addressed following.

- Visual privacy
- Solar access and daylight access
- Common circulation and spaces
- Apartment size and layout
- Ceiling heights
- Private open space and balconies
- Natural ventilation
- Storage

Relevant clauses	Compliance with objectives	Compliance with standard/provision
4.1.1 Views and Vistas	Yes	Yes - see discussion
4.1.2 Heritage Conservation	Not in vicinity of heritage item	Yes

Relevant clauses	Compliance with objectives	Compliance with standard/provision
4.1.3 Water Management	Development Engineer supports application	Yes
4.1.4 Soil Management	Yes	Yes
4.1.5 Contaminated Land	Yes	Yes
4.1.7 Tree Preservation	Tree removal supported by Tree Officer	Yes
4.1.9 Minimum Frontage	Yes	Yes
4.2 Streetscape and Site Context	Yes	Yes - see discussion
4.3.1 Open Space and Landscape Design	No	No – See discussion
4.3.2 Private Open Space – Shop Top Housing	Overridden by SEPP 65	N/A
4.3.3 Communal Open Space	Yes	Yes
4.4.2 Solar Access	Overridden by SEPP 65	N/A
4.4.5 Visual and Acoustic privacy	Overridden by SEPP 65	N/A
4.4.6 Noise Impact	Yes	Yes
4.4.7 Wind Impact	Yes	Yes
4.5.1 Housing Diversity and Choice	Yes	Yes – see discussion
4.5.2 Equitable Access	Yes	Yes – see discussion
4.6 Parking, Access and Movement	Overridden by SEPP 65	N/A
4.7 Air Conditioning and Communication Structures	Yes	Yes – see discussion
4.7 Waste Storage and Recycling Facilities	Yes	Yes
4.7 Letterboxes	Yes	Yes – see discussion
5.2 Residential Flat Buildings	Yes	Yes – see discussion
7.5 Rockdale Town Centre	In part	In part – see discussion

4.1.1 Views and Vistas

The site has a 28m height control and development to this height will remove views from surrounding properties regardless of whether the design is a skilful design. As such, notwithstanding there may be impact upon views, the view impact is acceptable given the site's zoning and controls.

4.2 Streetscape and Site Context

The design appropriately addresses the site context. In particular, the tower element setback from Bryant Street reflects the existing setback of the adjoining mixed use building in Bryant Street and the design appropriately addresses and celebrates its corner location.

4.3.1 Open Space and Landscape Design

The control requires residential flat buildings to be provided with a minimum of 15% of the site area as landscaped area. With a site area of 1,377.0m², a landscaped area of 206.7m² is required and the development only provides a landscaped area of 194m², a breach of 12.7m². Notwithstanding the small variation to the landscape control, the development is supported as it provided an appropriate amount of deep soil on the site suitable for the planting of trees and also provides an excellent area of communal open space on the roof, ensuring an appropriate setting and level of amenity is provided for the development.

4.5.1 Housing Diversity and Choice

The control requires residential flat buildings to have a dwelling mix of 10-30% studio/1 bedroom apartments, 50-75% 2 bedroom apartments and 10-20% 3 bedroom apartments, with 10% of apartments to be adaptable apartments. The proposal provides for a mix of 15 x 1 bedroom (25%), 37 x 2 (61.7%) and 8 x 3 bedroom (13.3%) apartments, of which 10% are adaptable. As such the development complies with the dwelling mix sought by the controls.

4.5.2 Equitable Access

The design provides for accessible paths to the entry of building and to common facilities, however an additional accessible parking space is required for the adaptable apartments and a condition to this effect is recommended.

4.7 Air Conditioning and Communication Structures

Details on the location of TV antennas/air conditioning units etc have not been provided. A condition of consent would be required to ensure the proposal achieves compliance with this clause.

4.7 Letterboxes

Letterboxes are required to be provided and are shown on the architectural plans.

5.2 Residential Flat Buildings

Site Coverage: The building footprint is established by setback requirements, however these are different to those identified in Part 7.5 Rockdale Town Centre. As the Town Centre controls are site specific whilst those in Part 5.2 are generic, it is appropriate to apply the site specific controls.

Apartment Size: These controls are overridden by the ADG.

Building Design: The design criteria require responsive design, with connections to the street, solid balustrading, definition of base, middle and top of building, avoiding blank walls, building lines which are parallel to the street, expression of important corners and appropriate use of materials and articulation. Provision of communal open space on the roof is supported as is appropriate articulation of the roof form. The proposal is generally satisfactory in relation to these provisions and in particular provides roof top communal open space and provides appropriate expression to the corner of the site.

Building Entry: Entries are required to be clearly visible, with multiple entries for street activation, with 50% of ground floor apartments to have direct street entry, barrier free entry is to be provided, separate entries are required for parking and pedestrians and the pedestrian entry should be on the primary frontage. The proposal is generally compliant with these provisions.

Lift Size and Access: Lifts are to be provided with a minimum internal car dimension of 2.1m x 1.5m and are to be accessible from all levels. Dwellings above the sixth storey are to have access to two lifts and common lobbies are to be a minimum of 2m wide, with natural light and ventilation. The proposal is generally compliant with these provisions, however it is not clear if the lifts are compliant. A condition of any consent is recommended to address this concern.

7.5 Rockdale Town Centre

Building Use and Function: The Rockdale Town Centre controls provides for different building uses and functions for different areas according to the desired future character of that area. The subject site is identified as Centre Edge Residential which is to provide for high density residential at the edge of the centre with opportunities for retail or commercial uses. These areas are to have

- | | |
|--|------------------|
| • active retail uses at ground level permitted | Not provided |
| • access to residential lobbies from these frontages | Complies |
| • ground floor residential with direct street access permitted | Provided to most |

- vehicular access permitted where the development doesn't front a service laneway Complies
- service access permitted where the development doesn't front a service laneway Complies

Communal Open Space and Landscape Design: The controls require a minimum of 25% of the site to be dedicated for communal open space and at least 50% of the communal open space to be soft landscaping in order to address the density and intensity of the development proposed for the area. The proposal provides 347m² (25.2%) of the site as communal open space, however only 61m² of this is soft landscaping (17.6%). Whilst not complying with the control, given an additional 131m² of deep soil landscaping is provided along the street frontages – as required by the DCP – which would equate to 55%, the variation is considered reasonable in these circumstances.

Building Form and Character: All development is to be built to the street edge unless specified otherwise in the street character applying to the site. The Rockdale Town Centre controls provide setback and podium controls throughout the Rockdale Town Centre with different controls applying to different areas according to the desired future character set by the street character. For the subject site the controls applicable are as follows:

Local Edge – Street edge defined by modulated built form transitioning from the strong urban character in the Centre core to the more spacious and open character of the surrounding residential area.

- 2m setback deep soil zone Complies
- 4 storey podium Complies
- 3m setback above podium Partial compliance

The proposal complies with the 2m setback requirement for deep soil and the four storey podium requirement to both street frontages. The 3m additional setback above podium is complied with on George Street frontage other than at the corner, where a reduced additional setback of 2m (total 4m) is proposed to provide a corner emphasis element, which is considered to be appropriate to the site and its location.

The Bryant Street frontage does not comply with the above podium setback controls, providing only a 2m additional setback (4m) above podium, reducing to a 1m additional setback (3m) at the corner. The reduced setback was requested of the applicant during the initial discussions on this site given the existing adjoining building has a similar setback of its tower element above podium and this would provide a degree of harmony in the streetscape. Given the reduced setback at the Bryant Street frontage it was therefore appropriate to provide a reduced setback to the corner element to provide for corner emphasis.

7.3.2 Rockdale s94 Contributions Plan

The proposal is subject to Council's S94 Contributions Plan and a condition of any consent would require the payment of the relevant contributions.

7.4 PROVISIONS OF REGULATIONS (S.79C(1)(A)(IV))

The provisions of the regulations have been considered in the assessment of this development proposal where relevant.

7.5 IMPACT OF THE DEVELOPMENT (S.79C(1)(B))

The impacts of the proposed development have been considered throughout this report and are considered to be acceptable. The proposal appropriately relates to the streetscape of Bryant Street and George Street and provides an appropriate corner emphasis within the design.

The proposal also provides an acceptable setback above podium development to the development on Nos. 21-25 Bryant Street which has windows facing the subject site and the street opposite. The setback will provide an acceptable streetscape presentation and will result in acoustic and visual privacy impacts between the two developments as well as appropriate solar access retention.

The development will also have an acceptable impact upon the recently approved development adjoining the site in George Street, ensuring appropriate privacy between the developments and not resulting in unacceptable shadow impacts.

Shadow and privacy impacts upon lower scale development opposite the site in George and Bryant Streets are acceptable in the context of the zone boundary location of the site.

7.6 SUITABILITY OF THE SITE (S.79C(1)(C))

The proposed development is considered to be suitable for the subject site and has been designed with due regard to the constraints and opportunities of the site and its location.

7.7 PUBLIC SUBMISSIONS (S.79C(1)(D))

The application was notified in accordance with the provisions of Council's DCP2011 and one submission was received in response to the notification, in support of the proposal subject to two matters which are addressed following:

Parking on Bryant Street should be limited to short term otherwise none should be permitted

The provision of parking restrictions on Bryant Street is a matter for the local traffic committee and is not a matter for consideration in the assessment of the development application.

Building colour scheme to be conventional, not garish

The proposed colour scheme is off white and variations of grey and is considered to be appropriate to the context.

7.8 PUBLIC INTEREST (S.79C(1)(E))

The proposed development provides an appropriate relationship with the streetscape of Bryant Street and George Street and results in a development that will afford a high level of amenity for its occupants whilst not resulting in unacceptable impacts upon surrounding developments. As such it is considered that the development is in the public interest.

8 CONCLUSION

This application has been assessed under the heads of consideration of section 79C of the Environmental Planning & Assessment Act, 1979 and all relevant instruments and policies. The applicant seeks consent for demolition of existing structures and construction of a 9 storey mixed use building over 3 levels of basement parking at Nos. 27-31 Bryant Street, ROCKDALE, NSW 2216.

As detailed within this assessment, the design of the proposed development is appropriate for the subject site, resulting in an acceptable streetscape and amenity impacts for the area and providing a high level of amenity for future residents. Accordingly, the application is recommended for **approval**

pursuant to Section 80 of the Environmental Planning and Assessment Act subject to the following conditions.

A handwritten signature in black ink, appearing to be 'Kerry Gordon', with a long horizontal line extending to the right.

Kerry Gordon
Kerry Gordon Planning Services

Our Ref: DA-2017/54
Contact: Marta M Gonzalez-Valdes 9562 1666

444-446 Princes Highway Rockdale NSW 2216
PO Box 21 Rockdale NSW 2216
T 1300 581 299 F 9562 1777
rcc@rockdale.nsw.gov.au
www.bayside.nsw.gov.au

Romeciti Project Management Pty Ltd
Suite 1401 Level 14,19 Martin Pl
SYDNEY NSW 2000

NOTICE OF DETERMINATION

Issued in accordance with section 81(1a) of the *Environmental Planning and Assessment Act, 1979*

Application Number:	DA-2017/54
Property:	31 Bryant Street, ROCKDALE NSW 2216 Lot 25 DP 6362 Lot 23 DP 6362 Lot 24 DP 6362
Proposal:	27-31 Bryant Street, ROCKDALE NSW 2216 - Integrated Development - Construction of a nine (9) storey residential flat building comprising 60 units, three (3) basement levels, rooftop communal open space and demolition of existing structures
Authority:	Council
Determination:	Deferred commencement
Date of determination:	
Date consent commences:	
Date consent lapses:	

Your Development Application has been approved under Section 80(3) of the Environmental Planning and Assessment Act, 1979 as a **Deferred Commencement** consent.

The consent shall not operate until you satisfy Council about the following matters:

1. Approval has been provided by CASA for the proposed penetration of the Limitation or Operations Surface for Kingsford-Smith Airport (Runway 07/25 Approach/Takeoff Surfaces). In the event that CASA do not provide approval for the penetration of the Limitation or Operations Surface the proposal is to be redesigned, to the satisfaction of Council, such that it does not penetrate the Limitation or Operations Surface.

Upon receiving written notification from Council that the above requirements have been satisfied, your consent will become operable and will be subject to the following conditions.

General Conditions

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

1. The term of this consent is limited to a period of five (5) years from the date of the original approval. The consent will lapse if the development does not commence within this time.
2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Plan/Dwg No.	Drawn by	Revision	Dated	Received by Council
Cover Page DA-1001	PDB Architects	D	28.10.2016	03.11.2016
Demolition Plan DA-1002	PDB Architects	C	19.08.2016	19.08.2016
BASIX summary report DA-1100	PDB Architects	C	19.08.2016	19.08.2016
Basement 3 Plan DA-1101	PDB Architects	C	19.08.2016	19.08.2016
Basement 2 Plan DA-1102	PDB Architects	C	19.08.2016	19.08.2016
Basement 1 Plan DA-1103	PDB Architects	D	28.10.2016	03.11.2016
Lower Ground Floor Plan DA-1104	PDB Architects	D	28.10.2016	03.11.2016
Ground Floor Plan DA-1105	PDB Architects	D	28.10.2016	03.11.2016
Typical Floor Plan Level 1-3 DA-1106	PDB Architects	D	28.10.2016	03.11.2016
Level 4 Plan DA-1107	PDB Architects	D	28.10.2016	03.11.2016
Level 5-7 Plan DA-1108	PDB Architects	D	28.10.2016	03.11.2016
Level 8 Plan DA-1109	PDB Architects	D	28.10.2016	03.11.2016
Roof Plan DA-1110	PDB Architects	D	28.10.2016	03.11.2016
North East Elevation (Bryant Street) DA-1201	PDB Architects	D	28.10.2016	03.11.2016
South east Elevation (George Street) DA-1202	PDB Architects	D	28.10.2016	03.11.2016

North West Elevation DA-1203	PDB Architects	D	28.10.2016	03.11.2016
South West Elevation DA-1204	PDB Architects	C	19.08.2016	19.08.2016
Section A DA-1301	PDB Architects	D	28.10.2016	03.11.2016
Section B DA-1302	PDB Architects	D	28.10.2016	03.11.2016
Section C DA-1303	PDB Architects	D	28.10.2016	03.11.2016
Section D DA-1304	PDB Architects	C	19.08.2016	19.08.2016
Driveway Profile DA-1305	PDB Architects	D	28.10.2016	03.11.2016
Landscape Sections DA-1306	PDB Architects	A	28.10.2016	03.11.2016
Demolition Plan DA-1002	PDB Architects	C	19.08.2016	19.08.2016
Adaptable Unit Type A DA-1601	PDB Architects	C	19.08.2016	19.08.2016
Adaptable Unit Type B DA-1602	PDB Architects	C	19.08.2016	19.08.2016
Material Schedule (only) DA-1701, DA-1702, DA-1703, DA-1704	PDB Architects	C	19.08.2016	19.08.2016
Landscape Plans Cover Sheet L/00	A Total Concept Landscape Architects	E	02.10.2016	03.11.2016
Landscape Plan Ground Level L/01	A Total Concept Landscape Architects	E	02.11.2016	03.11.2016
Landscape Plan Level 1-3 L/02	A Total Concept Landscape Architects	D	02.11.2016	03.11.2016
Landscape Plan Level 8 L/03	A Total Concept Landscape Architects	D	02.11.2016	03.11.2016
Landscape Sections L/04	A Total Concept Landscape Architects	-	02.11.2016	03.11.2016

Note: In the event of any inconsistency between the conditions of this consent and the above documents, the conditions of this consent prevail.

3. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
4. **A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.**
5. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate Number 751492M other than

superseded by any further amended consent and BASIX certificate.

Note: Clause 145(1)(a1) of the Environmental Planning & Assessment Regulation 2000 provides: A certifying authority must not issue a construction certificate for building work unless it is satisfied of the following matters: -

- (a1) that the plans and specifications for the building include such matters as each relevant BASIX certificate requires.

Note: Clause 154B(2) of the Environmental Planning & Assessment Regulation 2000 provides: "A certifying authority must not issue a final occupation certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled."

Note: For further information please see <http://www.basix.nsw.gov.au>.

6. This approval is not to be construed as permission to erect any structure on or near a boundary contrary to the provisions of the Dividing Fences Act.
7. The materials and façade details approved under condition 2 and any other relevant condition of this consent shall not be altered or amended at the construction certificate stage without a prior S96 application and approval under the EP&A Act.
8. Mail boxes must be installed along the street frontage of the property boundary in accordance with Australia Post Guidelines. Prior to the issue of the Occupation Certificate, prominent house numbers are to be displayed, with a minimum number size of 150 mm in height for each number and letter in the alphabet.
9. Parking spaces shall be allocated to residential apartments / non-residential units in the development in the following manner and this shall be reflected in any subsequent strata subdivision of the development:

Allocated Spaces

Apartments = A minimum of 67 resident spaces (Includes six(6) accessible spaces to be allocated to the adaptable apartments)

The allocation shall not exceed the controls under RDCP 2011

Non-Allocated Spaces

Residential Visitor Spaces = 1 space per 5 apartments = 12 spaces, including one (1) accessible space

Car wash bay = 1 carwash bay 3.5m wide.

Loading bays = 2 VAN spaces shared with visitors bays

Bicycle spaces = 7 spaces

Motorcycle spaces = 4 spaces

All residential visitor spaces, car wash bays, bicycle, motorcycle and loading bays shall be labelled as common property on the final strata plan for the site.

Note: This parking allocation condition applies to any Strata Certificate issued with respect to a Consent issued in accordance with Section 81 (1)(A) of the *Environmental Planning and Assessment Act 1979* or a Complying Development Certificate issued in accordance with Part 6 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

10. Lot 1 in DP 902616 and Lots 1-2 in DP 53676400740 shall be consolidated prior to the issue of the occupation certificate.
11. Intercom facilities shall be installed into entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development.

Development specific conditions

The following conditions are specific to the Development Application proposal.

12. The design and construction of the off-street parking facilities shall comply with the following:

- Australian Standards AS/NZS 2890.1:2004, AS2890.2:2002, AS2890.3:1993 and AS/NZS2890.6:2009.
- The Loading Bay facilities are to be designed to accommodate two (2) VAN spaces for furniture delivery / removal. The details should be in accordance with Council DCP, Rockdale Technical specification – Traffic, Parking and Access and AS 2890.2.
- Rockdale Technical Specification – Stormwater Management, in relation to the minimum width and configuration of car wash bays.
- Council's Vehicular Entrance Policy in relation to the design of the access driveways, in particular the layout of the access driveways shall be provided in the form of a layback in the kerb and gutter.
- Headroom clearance under planter boxes or deep soil areas shall be minimum of 2.3m.
- Council's Vehicular Entrance Policy in relation to the design of the access driveways, in particular the layout of the access driveways shall be provided in the form of a layback in the kerb and gutter.
- Design the entry gate location for the basements so that there is no effect to traffic on the road (including footpath / cycleway) from vehicle queuing at the gate, and as a minimum of 1 car space must be provided between the gate and the future property boundary, subject to compliance with AS2890.1:2004, which may require more than 1 car space queue length.
- The visitor parking should be conveniently located close to the ingress and egress location and the tenant parking should be able to be securely separated from the visitor parking area. Two (2) visitor parking space shall be marked for use by a Van for loading and unloading purposes, and be a minimum dimension of 5.4m x 3.5m, with an unrestricted height clearance of 2.3m.

Details showing compliance with the above shall be included in the Construction Certificate documentation prior to the issue of the Construction Certificate.

13. The following conditions relate to the proposed landscaped areas. Details shall be submitted prior to the issue of the Construction Certificate.

- Podium landscaping and paved areas shall be drained into the stormwater drainage system. All waterproofing for planters on slab shall be installed and certified by a licensed waterproofing contractor.
- A fully automated irrigation system, approved by Sydney Water, shall be

installed and maintained to ensure adequate water is provided to the podium/roofing landscaping.

- A minimum soil depth of 800mm is required for planted areas (other than turf) on podiums or roof-tops or any other concrete slab.

14. The approved completed landscape works shall be maintained for a period not less than 12 months.

On completion of the maintenance period, a Landscape Architect shall provide a report to the certifying authority (with a copy provided to Council if Council is not the principal certifying authority) stating the landscape maintenance has been carried out in accordance with approved landscape plans and designated specifications before release of the nominated landscape bond.

15. Amendments to Plans

The architectural plans shall be amended prior to the release of the construction certificate to include the following:

- The plans are to be amended to provide an additional accessible parking space (ie 6 x accessible spaces for the adaptable apartments and 1 x accessible visitor space). This may be achieved by replacing two residential parking spaces with 1 accessible space, reducing the overall provision to 79 spaces.
- The plans are to specify that the car lifts comply with the minimum dimensions of 2.1m x 1.5m.
- Amended post adaptation plan being provided for Apartments 106, 206 and 306 that are consistent with the approved plans.
- Detail of high quality materials being provided to the inside of the access "tunnel" to the basement where visible from Bryant Street and the provision of a high quality paving treatment to the ramp from Bryant Street to the garbage room.

16. Parking spaces shall not be enclosed without further approval of Council. The enclosure of car spaces is not permitted unless the enclosure complies with the design requirements of AS2890.1.

17. The existing and future owners (Registered Proprietor) of the property will be responsible for the operation and maintenance of the detention system. The registered proprietor will:

- (i) permit stormwater to be temporarily detained by the system;
- (ii) keep the system clean and free of silt, rubbish and debris;
- (iii) maintain, renew and repair the whole or parts of the system so that it functions in a safe and efficient manner, and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
- (iv) carry out the matters referred to in paragraphs (ii) and (iii) at the proprietor's expense;
- (v) not make any alterations to the system or elements thereof without prior consent in writing of the Council;
- (vi) permit the Council or its authorised agents from time to time upon giving reasonable notice (but at any time and without notice in the case of emergency) to enter and inspect the land for compliance with the requirements of this clause;

- (vii) comply with the terms of any written notice issued by the Council in respect to the requirements of this clause within the time stated in the notice.
18. The existing and future owners (Registered Proprietor) of the property will be responsible for the efficient operation and maintenance of the pump system.
- The Registered Proprietor will:
- (i) permit stormwater to be temporarily detained and pumped by the system;
 - (ii) keep the system clean and free of silt, rubbish and debris;
 - (iii) maintain, renew and repair the whole or parts of the system so that it functions in a safe and efficient manner; and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
 - (iv) carry out the matters referred to in paragraphs (ii) and (iii) at the proprietor's expense;
 - (v) not make alterations to the system or elements thereof without prior consent in writing of the Council.
 - (vi) permit the Council or its authorised agents from time to time upon giving reasonable notice (but at any time and without notice in the case of emergency) to enter and inspect the land for compliance with the requirement of this clause;
 - (vii) comply with the terms of any written notice issued by the Council in respect to the requirements of this clause within the time stated in the notice.
19. All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device shall be disposed of in accordance with the Protection of the Environment Operations Act, 1997.
20. The use of mechanical plant including air conditioners, fans, compressors, condensers, freezers, swimming pool or spa pumps (whether commercial or domestic) shall not cause sound pressure levels in excess of the criteria given in the NSW Industrial Noise Policy – 2000.
21. Residential air conditioners shall not cause 'offensive noise' as defined by the Protection of the Environment Operations Act 1997 or contravene provisions of the Protection of the Environment (Noise Control) Regulation 2008 where emitted noise from a residential air conditioner can be heard within a habitable room in any other residential premises at night.
22. The visible light reflectivity from building materials used on the façade of the building shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A statement demonstrating compliance with these requirements shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for the relevant stage of works.
23. The following conditions relate to the design of parking facilities. Details showing compliance shall be submitted prior to the issue of the Construction Certificate.
- Bicycle parking facilities shall be designed in accordance with AS2890.3:1993.
 - Internal height clearance shall be designed throughout the car park and access driveway in accordance with AS2890.1 and AS2890.6.
 - For parking with people with disabilities any vehicular path of travel to have clearance of 2.3m minimum and clearance above the parking bay shall be

- 2.5m minimum).
 - The off-street parking areas associated with the subject development shall be designed strictly in accordance with AS2890.1 and AS2890.6.
24. All proposed lights shall comply with the Australian Standard AS4282 - 1997 "Control of the Obtrusive Effects of Outdoor Lighting". In this regard, the lighting of the premises shall be directed so as not to cause nuisance to the owners or occupiers of adjacent/adjoining premises or to motorists on adjoining or nearby roads.
 25. Hot and cold water hose cocks shall be installed to the garbage room.
 26. a) In order to ensure the design quality/excellence of the development is retained:
 - i. PBD Architects is to have direct involvement in the design documentation, contract documentation and construction stages of the project;
 - ii. The design architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of design issues throughout the life of the project;
 - iii. Evidence of the design architect's commission is to be provided to Bayside Council prior to release of the Construction Certificate.
 b) The design architect of the project is not to be changed without prior notice and approval of Bayside Council.
 27. All vertical plumbing shall be concealed within the brickwork of the building. Any electrical kiosks or fire booster valves shall be located within the footprint of the building. Utilities shall not detract from the overall appearance of the development and amenity of the streetscape. Details demonstrating compliance with this requirement shall be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate.
 28. Ceiling heights shall be a minimum of 2.7 metres for all habitable areas and 2.4 metres for non-habitable areas as measured vertically from finished floor level to the underside of the ceiling. Details showing compliance with this and the acoustic requirements of this consent shall be submitted to the PCA prior to the issue of the Construction Certificate.

Prior to issue of the construction certificate

The following conditions must be completed prior to the issue of the Construction Certificate.

29. The following fees shall be paid to Council prior to the issue of a Construction Certificate. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
 - i. A Footpath Reserve Restoration Deposit of \$24,300.00. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council.
 - ii. An environmental enforcement fee of 0.25% of the cost of the works.
 - iii. A Soil and Water Management Sign of \$17.50.
30. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For

further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

31. An application for Boundary levels shall be made to Council's Customer Service Centre prior to issue of the Construction Certificate. All boundary works, egress paths, driveways and fences shall comply with this level.
A fee is payable to Council for the determination of boundary levels. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
32. A Section 94 contribution of \$363,233.78 shall be paid to Council. Such contributions are only used towards the provision or improvement of the amenities and services identified below. The amount to be paid is adjusted at the time of payment, in accordance with the contribution rates contained in Council's current Adopted Fees and Charges. The contribution is to be paid prior to the issue of any construction certificate for works above the floor level of the ground floor. (Payment of the contribution is not required prior to any separate construction certificates issued only for demolition, site preparation works and the construction of basement levels). The contribution is calculated from Council's adopted Section 94 contributions plan in the following manner:

Open Space	\$277,019.81
Community Services & Facilities	\$28,171.01
Town Centre & Streetscape Improvements	\$14,480.35
Pollution Control	\$41,777.51
Plan Administration & Management	\$1,785.10

Copies of Council's Section 94 Contribution Plans may be inspected at Council's Customer Service Centre, Administration Building, 444-446 Princes Highway, Rockdale.

33. Prior to the issue of the Construction Certificate the sum of \$2,261.00 is payable to Council for removal of the Brushbox street tree located on the nature strip at the front of 27 Bryant Street Rockdale, however as contractors quotes are usually only valid for periods of up to 30 days, this amount is indicative only and is subject to revision prior to payment.
34. Prior to the issue of the Construction Certificate a certificate from a practicing Structural Engineer, registered with NPER, shall be submitted to Council stating that the subsurface structural components located on the boundary of the public road, including but not limited to the slabs, walls and columns, have been designed in accordance with all SAA Codes for the design loading from truck and vehicle loads.
35. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance or owner builder's permit in force in accordance with Part 6 of that Act, that such a contract or permit is in place.
36. Aircraft Noise Intrusion

The residential dwellings are to be designed and constructed to achieve interior noise levels which comply with Australian Standard 2021-2000 Acoustic - Aircraft Noise Intrusion. An appropriately qualified Noise Consultant is to advise on appropriate measures to be incorporated in the design of the building so that it will meet this standard. The information shall be submitted to Council prior to issue of the Construction Certificate.

37. **Ausgrid**

(i) The applicant shall confer with Ausgrid to determine if an electricity distribution substation and/or the installation of electricity conduits in the footway is required and to determine if satisfactory clearances to any existing overhead High Voltage mains will be affected.

(ii) All low voltage street mains in that section of the street/s adjacent to the development shall be placed underground. This shall include any associated services and the installation of underground supplied street lighting columns where necessary.

Written confirmation of Ausgrid's requirements shall be obtained prior to issue Construction Certificate.

38. Prior to the issue of the Construction Certificate, the approved plans must be submitted to Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

39. Prior to issue of the Construction Certificate, a longitudinal driveway profile shall be submitted to Principal Certifying Authority for assessment and approval. The profile shall start in the centre of the road and be along the critical edge (worst case) of the driveway. Gradients and transitions shall be in accordance with Council's Code. The profile shall be drawn to a scale of 1 to 25 and shall include all relevant levels, grades (%) and lengths.

Note: A crest level in the driveway is to be proposed to protect the low level driveway from flooding.

40. A Construction Management Plan (CMP) shall be prepared in accordance with the requirements of all relevant regulatory approval bodies. Prior to the commencement of works the Certifying Authority shall be satisfied that the Construction Management Plan has obtained all relevant regulatory approvals. The Construction Management Plan shall be implemented during demolition, excavation and construction.

Prior to the issue of the relevant Construction Certificate, a Construction Traffic Management Plan (TMP) prepared by a suitably qualified person shall be submitted to and approved by the Certifying Authority. The Plan shall address, but not be limited to, the following matters:

- (a) ingress and egress of vehicles to the site;
- (b) loading and unloading, including construction zones;
- (c) predicted traffic volumes, types and routes; and
- (d) pedestrian and traffic management methods.

COPIES OF THE CMP AND TMP SHALL BE SUBMITTED TO COUNCIL.

41. As the basement floors are being proposed closer to existing built structures on neighbouring properties, which may be in the zone of influence of the proposed works and excavations on this site, a qualified practising geotechnical engineer must:

- (a) Implement all recommendations contained in the Geotechnical assessment report prepared by Environmental Investigations Pty Ltd, Ref: E22709 GA_Rev1,

dated 22 July 2016; and

(b) Provide a certificate that the construction certificate plans are satisfactory from a geotechnical perspective; and

(c) Confirm the proposed construction methodology and prepare a Construction Methodology report demonstrating that the proposed construction methods (including any excavation, and the configuration of the built structures) will have no adverse impact on any surrounding property and infrastructure. The report must be submitted with the application for a Construction Certificate for the relevant stage of works; and

(d) Inspect the works as they progress. The Inspections are to occur at frequencies determined by the geotechnical engineer.

Where a Private Certifier issues the Construction Certificate a copy of the above documentation must be provided to Council, once the Construction Certificate is issued for the relevant stage of works.

Note: A failure by contractors to adequately assess and seek professional engineering (geotechnical) advice to ensure that appropriate underpinning and support to adjoining land is maintained prior to commencement may result in damage to adjoining land and buildings. Such contractors are likely to be held responsible for any damages arising from the removal of any support to supported land as defined by section 177 of the Conveyancing Act 1919.

42. Prior to issue of the Construction Certificate, a swept path analysis shall be submitted to Certifying Authority for assessment and approval.

The swept path drawings shall include the entry/exit of the internal ramps within the basement levels and an 'VAN' sized vehicle entering/exiting of the driveway / loading bay within the basement in accordance with section 7.2 of Councils Technical Specification – Traffic, Parking and Access.

Where a Private Certifier issues a Construction Certificate, the plans mentioned in the above paragraph must be provided to Council.

43. Any sub-surface structure within the highest known groundwater table / rock + 0.5m shall be designed with a waterproof retention system (i.e. tanking and waterproofing) with adequate provision for future fluctuation of the water table. The subsurface structure is required to be designed with consideration of uplift due to water pressure and "flotation" (buoyancy) effects. Subsoil drainage around the subsurface structure must allow free movement of groundwater around the structure, but must not be connected to the internal drainage system. The design of subsurface structure, tanking and waterproofing, and subsoil drainage shall be undertaken by a suitably experienced Chartered Professional Engineer(s). Design details and construction specifications shall be included in the documentation accompanying the Construction Certificate for the relevant stage of works.

A design certificate is required to be submitted for the design of the Basement system including shoring wall. The certificate shall be issued by a Chartered Professional Engineer competent in Structural engineering.

The design of the basement and any other underground structure or excavation shall take into consideration of geotechnical recommendations.

Note:

- a. All structures that are fully or significantly below ground shall be fully tanked to finished ground level.*
- b. After construction is completed no seepage water is to discharge to the kerb. Permanent dewatering will not be permitted.*
- c. Continuous monitoring of ground water levels may be required.*

44. Prior to the issue of a Construction Certificate for building works, the Certifying Authority shall ensure that a letter from a qualified practicing Traffic Engineer registered on the National Engineering Register (NER), or a Compliance Certificate (issued in accordance with Section 109C of the Environmental Planning and Assessment Act 1979), has been issued to the Certifying Authority stating that the design of the off-street parking facilities including ramp control traffic signals and waiting bays comply with the conditions of consent.

45. Vibration monitoring

Vibration monitoring equipment must be installed and maintained, under the supervision of a professional engineer with expertise and experience in geotechnical engineering, between any potential source of vibration and any building identified by the professional engineer as being potentially at risk of movement or damage from settlement and/or vibration during the excavation and during the removal of any excavated material from the land being developed.

If vibration monitoring equipment detects any vibration at the level of the footings of any adjacent building exceeding the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity an audible alarm must activate such that the principal contractor and any subcontractor are easily alerted to the event.

Where any such alarm triggers all excavation works must cease immediately.

Prior to the vibration monitoring equipment being reset by the professional engineer and any further work recommencing the event must be recorded and the cause of the event identified and documented by the professional engineer.

Where the event requires, in the opinion of the professional engineer, any change in work practices to ensure that vibration at the level of the footings of any adjacent building does not exceed the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity these changes in work practices must be documented and a written direction given by the professional engineer to the principal contractor and any subcontractor clearly setting out required work practice.

The principal contractor and any subcontractor must comply with all work directions, verbal or written, given by the professional engineer.

A copy of any written direction required by this condition must be provided to the Principal Certifying Authority within 24 hours of any event.

Where there is any movement in foundations such that damage is occasioned to any adjoining building or such that there is any removal of support to supported land the professional engineer, principal contractor and any subcontractor responsible for such work must immediately cease all work, inform the owner of that supported land and take immediate action under the direction of the professional engineer to prevent any further damage and restore support to the supported land.

Note: Professional engineer has the same mean as in Clause A1.1 of the BCA. Building has the same meaning as in section 4 of the Act i.e. "building includes part of a building and any structure or part of a structure".

Supported land has the same meaning as in section 88K of the Conveyancing Act 1919.

46. A visitor car space shall also operate as a car wash bay. A tap shall be provided. A sign shall be fixed saying 'Visitor Car Space and Car Wash Bay'. The runoff shall be directed and treated as per Rockdale Technical Specification Stormwater Management. Details shall be provided with the plans accompanying the Construction Certificate.
47. Prior to the issue of the Construction Certificate, amended detailed drainage design plans for the management of stormwater are to be submitted to Principal Certifying Authority for assessment and approval. The plans shall address the following:

(i) The basement pump storage shall be sized to contain the total volume of runoff generated by the two hour 1 in 50 year storm assuming the pumps are not operating. This is equivalent to 10.6 m³ per 100 m² of area being drained anticipated groundwater seepage capacity. All the pump storage volume is to be underground and to have minimum dual pumps.

(ii) The implementation of any required drainage measures on the base of geotechnical Engineer's advice on the drainage under the floor slab and basement walls (i.e. tanking and waterproofing).

Note: The detailed plans are required to incorporate an oil interceptor for the driveway and carpark stormwater run-off in accordance with Rockdale Technical Specification Stormwater Management, section 7.5.4.

48. The development shall achieve the following minimum equivalent AAAC Star Rating within the below specified areas of the development.

- 3 Star for tiled areas within kitchens, balconies, bathrooms and laundries. Tiled flooring within corridors, living areas and bedrooms is not permitted.
- 4 Star for timber flooring in any area.
- 5 Star for carpet in any area.

The development shall comply with the Building Code of Australia requirement for walls dividing occupancies.

A report shall be submitted to the Principal Certifying Authority for approval prior to the issue of any Construction Certificate. The report is to include BCA requirements and details of floor/ceilings between residential apartments. Floor coverings within apartments shall be identified within the report. A suitably qualified acoustic engineer with MIE Australia membership or employed by a consulting firm eligible for AAAC membership is to certify that the details provided in the said report satisfy the requirements of this condition, with the certification to be submitted to the Principal Certifying Authority for approval prior to the issue of any Construction Certificate for the relevant stage of works.

Prior to commencement of works

The following conditions must be completed prior to the commencement of works.

49. A dilapidation survey shall be undertaken of all properties and/or Council infrastructure, including but not limited to all footpaths, kerb and gutter, stormwater inlet pits, and road carriageway pavements, in the vicinity which could be potentially affected by the construction of this development. Any damage caused to other properties during construction shall be rectified. A copy of the dilapidation survey and an insurance policy that covers the cost of any rectification works shall be submitted to the Accredited Certifier (AC) or Council prior to Commencement of Works. The insurance cover shall be a minimum of \$10 million.
50. A Soil and Water Management Plan shall be prepared. The Plan must include details of the proposed erosion and sediment controls to be installed on the building site. A copy of the Soil and Water Management Plan must be kept on-site at all times and made available on request.

Soil and sedimentation controls are to be put in place prior to commencement of any work on site. The controls are to be maintained in effective working order during construction.

Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign shall be erected prior to commencement of works and shall be displayed throughout construction.

51. A sign must be erected at the front boundary of the property clearly indicating the Development Approval Number, description of work, builder's name, licence number and house number before commencement of work. If owner/builder, the Owner/Builder Permit Number must be displayed.
52. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- i. stating that unauthorised entry to the work site is prohibited, and
 - ii. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours. Any such sign is to be removed when the work has been completed. This condition does not apply to:
 - iii. building work carried out inside an existing building or
 - iv. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
53. Temporary site access during demolition and construction shall be located not less than 1500mm from the base of the Brush Box street trees in Bryant Street.

Prior to the commencement of work, Tree Protection Zones shall be established in accordance with AS4970-2009 (Protection of trees on Development Sites) with protective fences at least 1.8m high erected outside the drip lines where possible around the existing Brush Box street trees in Bryant Street which are required to be retained. The protective fences shall consist of chain wire mesh temporary fence panels securely mounted and braced to prevent movement, shall be in place prior to the commencement of any work on site and shall remain until the completion of all building and hard landscape construction. Excavations for services, waste bins, storage of materials and equipment, site residue, site sheds, vehicle access or cleaning or tools and equipment are not permitted within the Tree Protection Zones at any time.

Prior to the commencement of any work on site, a sign shall be placed in a prominent

position on each protective fence identifying the area as a Tree Protection Zone and prohibiting vehicle access, waste bins, storage of materials and equipment, site residue and excavations within the fenced off area

54. A hoarding or fence shall be erected between the work site and the public place when the work involved in the erection or demolition of a building:
- i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - ii) building involves the enclosure of a public place,
- Where the development site adjoins a public thoroughfare, the common boundary between them must be fenced for its full length with a hoarding, unless, the least horizontal distance between the common boundary and the nearest part of the structure is greater than twice the height of the structure. The hoarding must be constructed of solid materials (chain wire or the like is not acceptable) to a height of not less than 1.8m adjacent to the thoroughfare.
- Where a development site adjoins a public thoroughfare with a footpath alongside the common boundary then, in addition to the hoarding required above, the footpath must be covered by an overhead protective structure, type B Hoarding, and the facing facade protected by heavy duty scaffolding unless either:
- (i) the vertical height above footpath level of the structure being demolished is less than 4m; or
 - (ii) the least horizontal distance between footpath and the nearest part of the structure is greater than half the height of the structure.
- The overhead structure must consist of a horizontal platform of solid construction and vertical supports, and the platform must -
- (i) extend from the common boundary to 200mm from the edge of the carriageway for the full length of the boundary;
 - (ii) have a clear height above the footpath of not less than 2.1m;
 - (iii) terminate not less than 200mm from the edge of the carriageway (clearance to be left to prevent impact from passing vehicles) with a continuous solid upstand projecting not less than 0.5m above the platform surface; and
 - (iv) together with its supports, be designed for a uniformly distributed live load of not less than 7 kPa
- The 'B' Class hoarding is to be lit by fluorescent lamps with anti-vandalism protection grids.
- Any such hoarding, fence or awning is to be removed when the work has been completed.
- The principal contractor or owner builder must pay all fees and rent associated with the application and occupation and use of the road (footway) for required hoarding or overhead protection.
55. Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.
56. Consultation with Ausgrid is essential prior to commencement of work. Failure to notify Ausgrid may involve unnecessary expense in circumstances such as:
- i) where the point of connection and the meter board has been located in positions other than those selected by Ausgrid or
 - ii) where the erection of gates or fences has restricted access to metering equipment.

During demolition / excavation / construction

The following conditions must be complied with during demolition, excavation and or construction.

57. A copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
58. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
59. Demolition operations shall not be conducted on the roadway or public footway or any other locations, which could lead to the discharge of materials into the stormwater drainage system.
60. A Registered Surveyor's check survey certificate or compliance certificate shall be forwarded to the certifying authority detailing compliance with Council's approval at the following stage/s of construction:
- i. After excavation work for the footings, but prior to pouring of concrete, showing the area of the land, building and boundary setbacks.
 - ii. Prior to construction of each floor level showing the area of the land, building and boundary setbacks and verifying that the building is being constructed at the approved level.
 - iii. Prior to fixing of roof cladding verifying the eave, gutter setback is not less than that approved and that the building has been constructed at the approved levels.
 - iv. On completion of the building showing the area of the land, the position of the building and boundary setbacks and verifying that the building has been constructed at the approved levels.
 - v. On completion of the drainage works (comprising the drainage pipeline, pits, overland flow paths, on-site detention or retention system, and other relevant works) verifying that the drainage has been constructed to the approved levels, accompanied by a plan showing sizes and reduced levels of the elements that comprise the works.
61. All contractors shall comply with the following during all stages of demolition and construction:
- A Waste Container on Public Road Reserve Permit must be obtained prior to the placement of any waste container or skip bin in the road reserve (i.e. road or footpath or nature strip). Where a waste container or skip bin is placed in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Road Opening Permit must be obtained prior to any excavation in the road reserve (i.e. road or footpath or nature strip). Where excavation is carried out on the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Hoarding Permit must be obtained prior to the erection of any hoarding (Class A or Class B) in the road reserve (i.e. road or footpath or nature strip). Where a hoarding is erected in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
 - A Crane Permit must be obtained from Council prior to the operation of any activity involving the swinging or hoisting of goods across or over any part of a

public road by means of a lift, hoist or tackle projecting over the footway. Permits can be obtained from Council's Customer Service Centre.

- A current Permit to Dewater or Pump Out a site must be obtained prior to the discharge of pumped water into the road reserve, which includes Council stormwater pits and the kerb and gutter. Permits can be obtained from Council's Customer Service Centre.

62. All demolition work shall be carried out in accordance with AS2601 – 2001: The Demolition of Structures and with the requirements of the WorkCover Authority of NSW.

The street trees to be retained shall not be pruned or removed, including root pruning, without the written consent of Council in the form of a Permit issued under Council's Development Control Plan 2011.

Any pruning of branches or roots of the existing street trees must be carried out in accordance with AS4373:2007 by an experienced Arborist with minimum AQF qualifications in Arboriculture.

63. The following conditions are necessary to ensure minimal impacts during construction:
- i. Building, demolition and construction works not to cause stormwater pollution and being carried out in accordance with Section 2.8 of Council's Stormwater Pollution Control Code 1993. Pollutants such as concrete slurry, clay and soil shall not be washed from vehicles onto roadways, footways or into the stormwater system. Drains, gutters, roadways and access ways shall be maintained free of sediment. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.
 - ii. Stormwater from roof areas shall be linked via a temporary downpipe to an approved stormwater disposal system immediately after completion of the roof area.
 - iii. All disturbed areas shall be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
 - iv. Building and demolition operations such as brickcutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
 - v. Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted. In addition stockpiles of topsoil, sand, aggregate, soil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.
 - vi. Wind blown dust from stockpile and construction activities shall be minimised by one or more of the following methods:
 - a) spraying water in dry windy weather
 - b) cover stockpiles
 - c) fabric fences
 - vii. Access to the site shall be restricted to no more than two 3m driveways. Council's footpath shall be protected at all times. Within the site, provision of a minimum of 100mm coarse crushed rock is to be provided for a minimum length of 2 metres to remove mud from the tyres of construction vehicles.

An all weather drive system or a vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where any sediment is deposited on roadways it is to be removed by means other than washing and disposed of appropriately.

In addition builders / demolishers are required to erect a 1.5m high fence along the whole of the street alignment other than at the two openings. Such protection work, including fences, is to be constructed, positioned and maintained in a safe condition to the satisfaction of the Principal Certifying Authority, prior to the demolition of the existing structures and commencement of building operations.

- viii. Any noise generated during construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the site.

64. Removal of the Brushbox street tree located at the front of 27 Bryant Street Rockdale to enable construction of the new vehicle crossing is approved.

As street trees are Council assets, removal of the tree must be undertaken by Council or its nominated contractor at the applicant/property owners' cost. Removal or cutting of this tree by anyone other than Council or its nominated contractor will be deemed a breach of Council's Development Consent and may be subject to legal action.

65. The existing Brushbox street trees located on the nature strip at the front of 29 and 31 Bryant Street Rockdale and the street tree at the side of the site in George Street shall not be removed or pruned, including root pruning, without the written consent of Council in the form of a Permit issued under Council's Development Control Plan 2011.

The following conditions are to ensure the protection of trees to be retained:

- Building materials, site residue, machinery and building equipment shall not be placed or stored under the dripline of trees.
- Existing soil levels within the drip line of trees shall not be altered without reference to Council's Tree Management Officer.
- Underground Services such as pipelines or cables to be located close to trees, must be installed by boring or by such other method that will not damage the tree rather than open trench excavation. The construction method must be approved by Council's Tree Management Officer.
- Where drainage or paving works are proposed to be constructed in the area below the dripline of trees, the proposed works and construction methods must not damage the tree. Where either the trees or works were not shown in detail on the approved plans, then Council approval must be obtained by contacting Council's Tree Management Officer.
- Prior to the commencement of any work on site, a sign shall be placed in a prominent position on each protective fence identifying the area as a Tree Protection Zone and prohibiting vehicle access, waste bins, storage of materials and equipment, site residue and excavations within the fenced off area.

66. Any pruning of branches or roots of Council's street trees located adjacent to the site shall only be undertaken by Council or its' nominated contractor.

Prior to issue of occupation certificate or commencement of use

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

67. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.
68. Where Council's park/reserve is damaged as a result of building work or vehicular building traffic, this area shall be restored by Council at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
69. Damage to brick kerb and/or gutter and any other damage in the road reserve shall be repaired using brick kerb and gutter of a similar type and equal dimensions. All works shall be to Council's satisfaction at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
70. All landscape works are to be carried out in accordance with the approved landscape plans prior to the issue of an Occupation Certificate for the approved development. The landscaping is to be maintained to the approved standard at all times.
71. All works within the road reserve, which are subject to approval pursuant to Section 138 of the Roads Act 1993, shall be completed and accepted by council.
72. The underground placement of all low voltage street mains in that section of the street/s adjacent to the development, and associated services and the installation of underground supplied street lighting columns, shall be carried out at the applicant's expense. The works shall be completed and Ausgrid's requirements shall be met prior to issue of the Occupation Certificate.
73. Where an electricity substation is required by Ausgrid, a final film survey plan shall be endorsed with an area having the required dimensions as agreed with Ausgrid over the location of the proposed electricity distribution substation site. The substation must be located within the boundary of the development site, or within the building, subject to compliance with the BCA. The substation site shall be dedicated to Council as public roadway, or as otherwise agreed with Ausgrid. Ausgrid's requirements shall be met prior to release of the issue of the Occupation Certificate.
74. The vehicular entry including the waiting bays shall be clearly marked and signposted.
75. Vehicles shall enter and exit the site in a forward direction at all times. A plaque with minimum dimensions 300mm x 200mm shall be permanently fixed to the inside skin of the front fence, or where there is no front fence a prominent place approved by the Principal Certifying Authority, stating the following: "Vehicle shall enter and exit the site in a forward direction at all times".
76. Prior to completion of the building works, a full width vehicular entry is to be constructed to service the property. Any obsolete vehicular entries are to be removed and reconstructed with kerb and gutter. This work may be done using either a Council quote or a private contractor. There are specific requirements for approval of private contractors.
77. The design of access driveway width, location and layout shall be in accordance with Rockdale Technical Specification – Traffic, Parking and Access, section 4.1.5. a (iii). Where additional design criteria are required the design shall be in accordance with AS/NZS2890.1:2004.
78. Convex mirrors shall be installed at blind corners to provide increased sight distance for vehicles.

The two (2) way ramps shall be controlled by traffic signals with the following operational mode:

- Automatically revert to and dwell on green for incoming vehicles
- Outgoing driver activates push button
- Signals change to red for incoming and green for outgoing
- After a preset clearance time signals revert to red for outgoing and green for Incoming.

79. Bollard(s) shall be installed by the Developer on adaptable shared areas to prevent vehicles parking in the shared zone.
80. Seventy-nine (79) off-street car spaces shall be provided and shall be sealed and linemarked to Council's satisfaction. The allocation of parking shall be in accordance with condition 9 of this consent. The pavement of all car parking spaces, manoeuvring areas and internal driveways shall comply with Australian Standard AS3727 – Guide to Residential Pavements.
81. Prior to the issue of the Final Occupation Certificate, a Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

It is recommended that applicants apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

82. Prior to occupation, a registered surveyor shall certify that the driveway(s) over the footpath and within the property have been constructed in accordance with the approved driveway profile(s). The certification shall be based on a survey of the completed works. A copy of the certificate and a works-as-executed driveway profile shall be provided to Council if Council is not the Principal Certifying Authority.
83. Where the installation of electricity conduits is required in the footway, the builder shall install the conduits within the footway across the frontage/s of the development site, to Ausgrid's specifications. Ausgrid will supply the conduits at no charge. A Road Opening Permit must be obtained from Council prior to the installation of the conduits. The builder is responsible for compaction of the trench and restoration of the footway in accordance with Council direction. A Compliance Certificate from Ausgrid shall be obtained prior to the issue of the Occupation Certificate.
84. Prior to occupation, a chartered professional engineer shall certify that the tanking and waterproofing has been constructed in accordance with the approved design and specification. A copy shall be provided to Council if council is not the Principal Certifying Authority.
85. Prior to occupation a Chartered Professional Engineer shall certify that the stormwater system has been constructed in accordance with the approved plans and as required by Rockdale Technical Specification Stormwater Management. The certificate shall be in the form specified in Rockdale Technical Specification Stormwater Management and include an evaluation of the completed drainage works. A works-as-executed drainage plan shall be prepared by a registered surveyor based on a survey of the completed works. A copy of the certificate and works-as-executed plan(s) shall be supplied to the Principal Certifying Authority. A copy shall be provided to Council if Council is not the Principal Certifying Authority.
86. The underground garage shall be floodproofed to a minimum of 100mm above the

1% Annual Exceedance Probability gutter flow. The levels shall be certified by a registered surveyor prior to construction of the driveway or other openings.

87. Positive covenants pursuant to the Conveyancing Act 1919 shall be created on title for the maintenance of the following systems:

1. the detention tank facility; and
2. the ramp control traffic signal system.

88. The pump system, including all associated electrical and control systems, shall be tested and inspected by a suitably qualified and experienced person. Records of testing shall be retained and provided to the certifying hydraulic engineer and/or PCA upon request.

89. The drainage system shall be constructed in accordance with the approved drainage plans and any amendments in red. All stormwater drainage plumbing work shall comply with the NSW Code of Practice: Plumbing and Drainage and Australian Standard AS3500.

Drainage grates shall be provided at the boundary. Width of the drainage grates shall be in accordance with Rockdale Technical Specification Stormwater Management.

A silt/litter arrestor pit as detailed in Rockdale Technical Specification Stormwater Management shall be provided prior to discharge of stormwater from the site.

90. Signs shall be displayed adjacent to all stormwater drains on the premises, clearly indicating "Clean water only - No waste".

Integrated development/external authorities

The following conditions have been imposed in accordance with Section 91A of the Environmental Planning and Assessment Act, 1979.

91. Ausgrid

Supply of Electricity

It is recommended for the nominated electrical consultant/contractor to provide a Preliminary Enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not: the existing network can support the expected electrical load of the development; a substation may be required on-site, either a pad mount kiosk or chamber; and site conditions or other issues. Please direct the developer to Ausgrid's website, www.ausgrid.com.au about how to connect to Ausgrid's network.

Method of Electricity Connection

The method of connection will be in line with Ausgrid's Electrical Standard (ES)1 – *'Premise Connection Requirements'*.

Conduit Installation

The need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.

Proximity to Existing Network Assets

There are existing overhead electricity network assets in Bryant St adjacent to the development and also across the road from the development in both Bryant St and George St. Safework NSW Document – Work Near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given the locating and operations of cranes and the location of any scaffolding.

The “as constructed” minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, *NS220 Overhead Design Manual*. This document can be sourced from Ausgrid’s website, www.ausgrid.com.au

Based on the design of the development provided, it is expected that the “as constructed” minimum clearances will not be encroached by the building development. However it remains the responsibility of the developer and relevant contractors to verify and maintain these clearances onsite.

Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost. It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site.

Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Safework Australia – Excavation Code of Practice, and Ausgrid’s Network Standard NS156 outlines the minimum requirements for working around Ausgrid’s underground cables.

Water NSW General Terms of Approval

General

- i. An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.
- ii. The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table fully watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to

incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.

iii. Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and:

(a) any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and

(b) any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and

(c) where the habitable part of the structure (not being footings or foundations) is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.

iv. Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.

v. Documentation (referred to as a 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process must be provided. Information will be required at several stages: prior to construction commencing (initial report - which will accompany the application for the authorisation), at any time when an authorisation renewal is required or a significant change in activities occurs (intermediate report); and at the completion of dewatering and related operations (completion report). Reports need to be submitted in a format consistent with electronic retrieval without editing restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.

Prior to excavation

vi. The following shall be included in the initial report:

(a) measurements of groundwater levels beneath the site from a minimum of three relevant monitoring bores, together with details of the bores used in the assessment including bore logs and three-dimensional identification information.

(b) a map of the site and its immediate environs depicting the water table (baseline conditions) shown relative to the topography and approved construction footprint from the surface level and below. An assessment of the potential variation in the water table during the life of the proposed building together with a discussion of the methodology and information on which this assessment is based.

(c) details of the present and potential groundwater flow paths and hydraulic gradients in and around the site; the latter in response to the final volumetric emplacement of the construction.

(d) a schedule for the ongoing water level monitoring and description of the methodology to be used, from the date of consent until at least two months after the cessation of pumping. [Note that groundwater level measurements should be undertaken on a continuous basis using automatic loggers in monitoring bores.]

vii. The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings

and property, and be documented together with all calculations and information to support the basis of these in the initial report.

viii. Groundwater quality testing of samples taken from outside the footprint of the proposed construction, with the intent of ensuring that as far as possible the natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, shall be conducted on a suitable number of samples and tested by a NATA-certified laboratory. Details of the sampling locations and the protocol used, together with the test results accompanied by laboratory test certificates shall be included in the initial report. An assessment of results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended dewatering purpose. In the event of adverse quality findings, the Applicant must develop a plan to mitigate the impacts of the hydrochemistry on the dewatered groundwater and present the details of all assessments and plans in the initial report.

ix. Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.

x. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and included in the initial report; together with details and calculation methods for the parameters and supporting information to confirm their development or measurement (e.g. permeability determined by slug-testing, pump-testing or other means).

xi. A copy of a valid consent for the development shall be provided in the initial report.

xii. The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided in the initial report. The disposal of any contaminated pumped groundwater (sometimes called "tailwater") must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.

xiii. Contaminated groundwater (i.e. above appropriate NEPM 2013 thresholds) shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and included in the initial report and any subsequent intermediate report as necessary. The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve, the intrinsic or ambient groundwater in the vicinity of the reinjection site.

During excavation

xiv. Engineering measures designed to transfer groundwater around and beneath the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.

xv. Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard or induce mounding of groundwater. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.

xvi. Measurement and monitoring arrangements to the satisfaction of the approval body are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of groundwater levels are to

be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.

xvii. Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc.) without the controlling authority's approval and/or owner's consent/s. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.

xviii. Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.

ixx. The location and construction of groundwater extraction works that are decommissioned are to be recorded in the completion report. The method of decommissioning is to be identified in the documentation.

xx. Access to groundwater management works used in the activity is to be provided to permit inspection when required by the approval body under appropriate safety procedures.

Following excavation

xxi. Following cessation of the dewatering operations, the applicant shall submit the completion report which shall include:

(a) detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores; and

(b) a water table map depicting the aquifer's settled groundwater condition and a comparison to the baseline conditions; and

(c) a detailed interpreted hydrogeological report identifying all actual resource and third party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.

xxii. The completion report is to be assessed by the approval body prior to any certifying agency's approval for occupation or use of the completed construction.

Roads Act

92. Construction related activities must not take place on the roadway without Council approval.

Short-term activities (including operating plant, materials delivery) that reduce parking spaces, affect access to a particular route or prevent or restrict the passage of vehicles along the road must not occur without a valid Temporary Roadside Closure Permit.

Activities involving occupation of the parking lane for durations longer than allowed under a Temporary Roadside Closure Permit require a Construction Zone Permit and must not occur prior to the erection of Works Zone signs by Council's Traffic and Road Safety Section.

Permit application forms should be lodged at Council's Customer Service Centre allowing sufficient time for evaluation. An information package is available on request.

93. Where applicable, the following works will be required to be undertaken in the road reserve at the applicant's expense:
- i) construction of a concrete footpath along the frontage of the development site;
 - ii) construction of a new fully constructed concrete vehicular entrance/s;
 - iii) removal of the existing concrete vehicular entrance/s, and/or kerb laybacks which will no longer be required;
 - iv) reconstruction of selected areas of the existing concrete Footpath/vehicular entrances and/or kerb and gutter;
 - v) construction of paving between the boundary and the kerb;
 - vi) removal of redundant paving;
 - vii) construction of kerb and gutter.
94. All footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken by Council, or by a Private Licensed Contractor subject to the submission and approval of a Private Contractor Permit, together with payment of all inspection fees. An estimate of the cost to have these works constructed by Council may be obtained by contacting Council. The cost of conducting these works will be deducted from the Footpath Reserve Restoration Deposit, or if this is insufficient the balance of the cost will be due for payment to Council upon completion of the work.
95. All driveway, footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken in accordance with Council's Subdivision and Civil Works Construction Specification (AUS-SPEC 1). Amendment to the works specification shall only apply where approved by Council. Where a conflict exists between design documentation or design notes and AUS-SPEC 1, the provisions of AUS-SPEC 1 shall apply unless otherwise approved by Council.
96. This Roads Act approval does not eradicate the need for the Contractor to obtain a Road Opening Permit prior to undertaking excavation in the road or footpath.
97. Any driveway works to be undertaken in the footpath reserve by a private contractor requires an "Application for Consideration by a Private Contractor" to be submitted to Council together with payment of the application fee. Works within the footpath reserve must not start until the application has been approved by Council.
98. Following completion of concrete works in the footpath reserve area, the balance of the area between the fence and the kerb over the full frontage of the proposed development shall be turfed with either buffalo or couch (not kikuyu).

Development consent advice

- a. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
- b. Where Council is not engaged as the Principal Certifying Authority for the issue of the Subdivision Certificate (Strata), and the Section 88B Instrument contains easements and/or covenants to which Council is a Prescribed Authority, the Council must be provided with all relevant supporting information (such as works-as-executed drainage plans and certification) prior to Council endorsing the Instrument.
- c. All asbestos fibre demolition material and asbestos dust shall be handled, stored and removed in accordance with the relevant legislation and guidelines including:
 - Work Health and Safety Act 2011

- Work Health and Safety Regulation 2011
- Code of Practice for the Safe Removal of Asbestos [NOHSC: 2002 (2005)]
- Code of Practice for the Management and Control of Asbestos in Workplaces [NOHSC: 2018 (2005)]
- Protection of the Environment Operations (Waste) Regulation 2005

All work procedures shall be devised to minimise the release of dust and fibres. A checklist of safety precautions when working with asbestos is available in Health & Safety Guidelines prepared by the WorkCover Authority of NSW. Collection, storage and transportation is subject to the Protection of the Environment Operations (Waste) Regulation 2005.

- d. The water from the rainwater tank should not be used for drinking, Sydney Water shall be advised of the installation of the rainwater tank.
- e. All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority.
- f. The Developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents and all road works/regulatory signposting associated with the proposed development shall be at no cost to Council or RMS.

Additional Information

- To confirm the date upon which this consent becomes effective, refer to Section 83 of the *Environmental Planning and Assessment Act, 1979*. Generally the consent becomes effective from the determination date shown on the front of this notice. However if unsure applicants should rely on their own enquiries.
- To confirm the likelihood of consent lapsing, refer to Section 95 of the Act. Generally consent lapses if the development is not commenced within five (5) years of the date of approval. However if a lesser period is stated in the conditions of consent, the lesser period applies. If unsure applicants should rely on their own enquiries.
- Section 82A allows Council to reconsider your proposal. Should you wish to have the matter reconsidered you should make an application under that section with the appropriate fee.
- Under Section 97 of the Act applicants who are dissatisfied with the outcome of a consent authority have a right of appeal to the Land and Environment Court. This right must be exercised within six (6) months from the date of this notice. The Court's Office is situated at Level 1, 225 Macquarie Street, Sydney (Telephone 9228 8388), and the appropriate form of appeal is available from the Clerk of your Local Court.

Should you have any further queries please contact Marta M Gonzalez-Valdes on 9562 1666

Luis Melim
Manager Development Services

GENERAL NOTES:

- All work to comply with Building Code of Australia, requirements of relevant Statutory Authorities/ Local Government & relevant Australian Building Standards
- Contractor to verify all dimensions on site before commencing work- should a discrepancy be identified please confirm with Architect prior to proceeding (do not scale from drawings)
- Copyright of design shown hereon is retained by this office and authority is required for any reproduction
- When proprietary products are referred to, install in accordance with the manufacturers written instructions

LEGEND:

AW AWNING TO FUTURE DETAIL
BS BATTEN SCREEN TO FUTURE DETAIL
CA CONCRETE OVERHANG TO FUTURE DETAIL
ELEC ELECTRICAL SERVICES TO FUTURE ENG'S DETAILS
FS FIRE STAIRS
FH FIRE HYDRANT
FHR FIRE HOSE REEL
FE FIRE EXTINGUISHER

FW FEATURE WALL TO FUTURE DETAIL
GB FRAMELESS TOUGHENED GLASS BALUSTRADE TO BCA AUSTRALIAN STANDARDS
HW HIGHLIGHT WINDOW
LS LANDSCAPING (REFER TO LANDSCAPE ARCHITECTS DRAWINGS)
MC METAL CLADDING TO FUTURE SELECTION
MF METAL FENCE TO FUTURE DETAIL

MS METAL SCREEN TO FUTURE SELECTION
MV MECHANICAL RISER (TBC BY CONSULTANT)
OG OPAQUE FIXED GLAZING
PB PLANTER BOX TO FUTURE DETAIL
PS SLIDING PRIVACY SCREEN TO FUTURE DETAIL
RP RIVER PEBBLES FOR LOCATIONS ON FLAT CONC.
RW ROOF WITH INSULATION AS REQUIRED
RENDERED WALL/ SELECTED PAINT FINISH

SC STONE CLADDING TO FUTURE DETAIL
SL SKYLIGHT TO FUTURE DETAIL
TC TIMBER CLADDING TO FUTURE SELECTION
TL TILES/PAVERS TO FUTURE DETAIL
VB EXTERNAL VENETIAN BLINDS TO FUTURE DETAIL
VCL WINE CELLAR TO FUTURE DETAIL
F FIXED WINDOW



- LIST OF AMENDMENT:
- DECREASE IN WIDTH OF VEHICULAR ACCESS FROM BRYANT STREET AND ADDITION OF LOUVRE TREATMENT ABOVE DRIVEWAY TO REDUCE HEIGHT OF VOID.
 - REDESIGNED AREAS ADJ. OINING THE DRIVEWAY (EXTENDING THE SUBSTATION TOWARDS DRIVEWAY, REPLANNING UNIT G01 AND G02 RESULTING IN INCREASE IN SIZE FOR UNIT G02).
 - DEEPSOIL LANDSCAPE TREATMENT EXTENDED FURTHER TO THE WEST ALONG BRYANT STREET.
 - ADDITION OF CARWASH BAY WITHIN ONE OF THE VISITOR SPACES.
 - ADDITIONAL LOADING SPACE WITHIN ONE OF THE VISITOR SPACES.
 - ONE VISITOR SPACE AS AN ACCESSIBLE SPACE.
 - ADDITIONAL PLANTER BOX TO THE BLANK WALL OF THE STORAGE SPACE.
 - PROVISION OF ACCESSIBLE TOILET AND KITCHEN TO THE COMMUNAL OPEN SPACE AT GROUND FLOOR AND LEVEL 8.
 - SKYLIGHTS PROVIDED TO THE BATHROOMS ON THE TOP FLOOR.
 - REDUCTION IN DEPTH OF EXTERNAL RESIDENTIAL BUILDING ENTRY.
 - ADJUSTABLE SCREENS PROVIDED TO THE BALCONIES ON THE UPPER LEVELS.
 - FURTHER ARTICULATION ON THE ROOF FORM.
 - REMOVED CURVED ELEMENT AT PLANTERBOX/BALCONY

DEVELOPMENT APPLICATION DRAWINGS

PROPOSED APARTMENTS

27-31 BRYANT STREET, ROCKDALE

CLIENT: COSINESS PTY LTD

ISSUE	DATE	DESCRIPTION
A	12.07.2016	ISSUE FOR CONSULTANTS
B	29.07.2016	ISSUE FOR CONSULTANTS
C	19.08.2016	ISSUE FOR DA LODGEMENT
D	28.10.2016	AMENDED DA PLANS



SCALE 1:100 A1
SCALE 1:200 A3
0 1 2 5m

NORTH EAST ELEVATION (BRYANT STREET)

DA-1201

DA SUBMISSION - ISSUE D
28.10.2016

PBD | ARCHITECTS

ABN 36 147 035 550
Australian Institute of Architects Registration Number : 7768
P - (02) 9698 8140 E - info@pbdarchitects.com.au W - www.pbdarchitects.com.au
Level 2, 52 Albion St, Surry Hills NSW 2010

GENERAL NOTES:

- All work to comply with Building Code of Australia, requirements of relevant Statutory Authorities/ Local Government & relevant Australian Building Standards
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- REMOVED CURVED ELEMENT AT PLANTERBOX/BALCONY

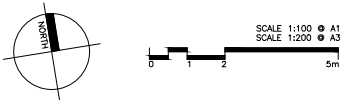
DEVELOPMENT APPLICATION DRAWINGS

PROPOSED APARTMENTS

27-31 BRYANT STREET, ROCKDALE

CLIENT: COSINESS PTY LTD

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SOUTH EAST ELEVATION (GEORGE STREET)

DA-1202

DA SUBMISSION - ISSUE D
28.10.2016

PBD | ARCHITECTS

ABN 36 147 035 550
Australian Institute of Architects Registration Number : 7768
P - (02) 9698 8140 E - info@pbdarchitects.com.au W - www.pbdarchitects.com.au
Level 2, 52 Albion St, Surry Hills NSW 2010

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BS	BATTEN SCREEN TO FUTURE DETAIL	GB	FRAMELESS TOUGHENED GLASS BALUSTRADE TO BCA/ AUSTRALIAN STANDARDS	MV	MECHANICAL RISER (TBC BY CONSULTANT)	SL	SKYLIGHT TO FUTURE DETAIL
CA	CONCRETE OVERHANG TO FUTURE DETAIL	HW	HIGHLIGHT WINDOW	OG	OPAQUE FIXED GLAZING	TC	TIMBER CLADDING TO FUTURE SELECTION
ELEC	ELECTRICAL SERVICES TO FUTURE ENG'S DETAILS	LS	LANDSCAPING (REFER TO LANDSCAPE ARCHITECTS DRAWINGS)	PB	PLANTER BOX TO FUTURE DETAIL	TL	TILES/PAVERS TO FUTURE DETAIL
FS	FIRE STAIRS	MC	METAL CLADDING TO FUTURE SELECTION	PS	SLIDING PRIVACY SCREEN TO FUTURE DETAIL	VB	EXTERNAL VENETIAN BLINDS TO FUTURE DETAIL
FH	FIRE HYDRANT	MF	METAL FENCE TO FUTURE DETAIL	RP	RIVER PEBBLES FOR LOCATIONS ON FLAT CONC. ROOF WITH INSULATION AS REQUIRED	WCL	WINE CELLAR TO FUTURE DETAIL
FHR	FIRE HOSE REEL			RW	RENDERED WALL/ SELECTED PAINT FINISH	F	FIXED WINDOW
FE	FIRE EXTINGUISHER						

MS
MV
OG
PB
PS
RP
RW

SC
SL
TC
TL
VB
WCL
F



DEVELOPMENT APPLICATION DRAWINGS

PROPOSED APARTMENTS

27-31 BRYANT STREET, ROCKDALE

CLIENT: COSINESS PTY LTD

ISSUE	DATE	DESCRIPTION
A	12.07.2016	ISSUE FOR CONSULTANTS
B	29.07.2016	ISSUE FOR CONSULTANTS
C	19.08.2016	ISSUE FOR DA LODGEMENT
D	28.10.2016	AMENDED DA PLANS



SCALE 1:100 A1
SCALE 1:200 A3
0 1 2 5m

DA-1203
NORTH WEST ELEVATION
DA SUBMISSION - ISSUE D
28.10.2016

PBD | ARCHITECTS
ABN 36 147 035 550
Australian Institute of Architects Registration Number : 7768
P - (02) 9698 8140 E - info@pbdarchitects.com.au W - www.pbdarchitects.com.au
Level 2, 52 Albion St, Surry Hills NSW 2010
Page 226
Contractor to verify all dimensions on site before commencing work.
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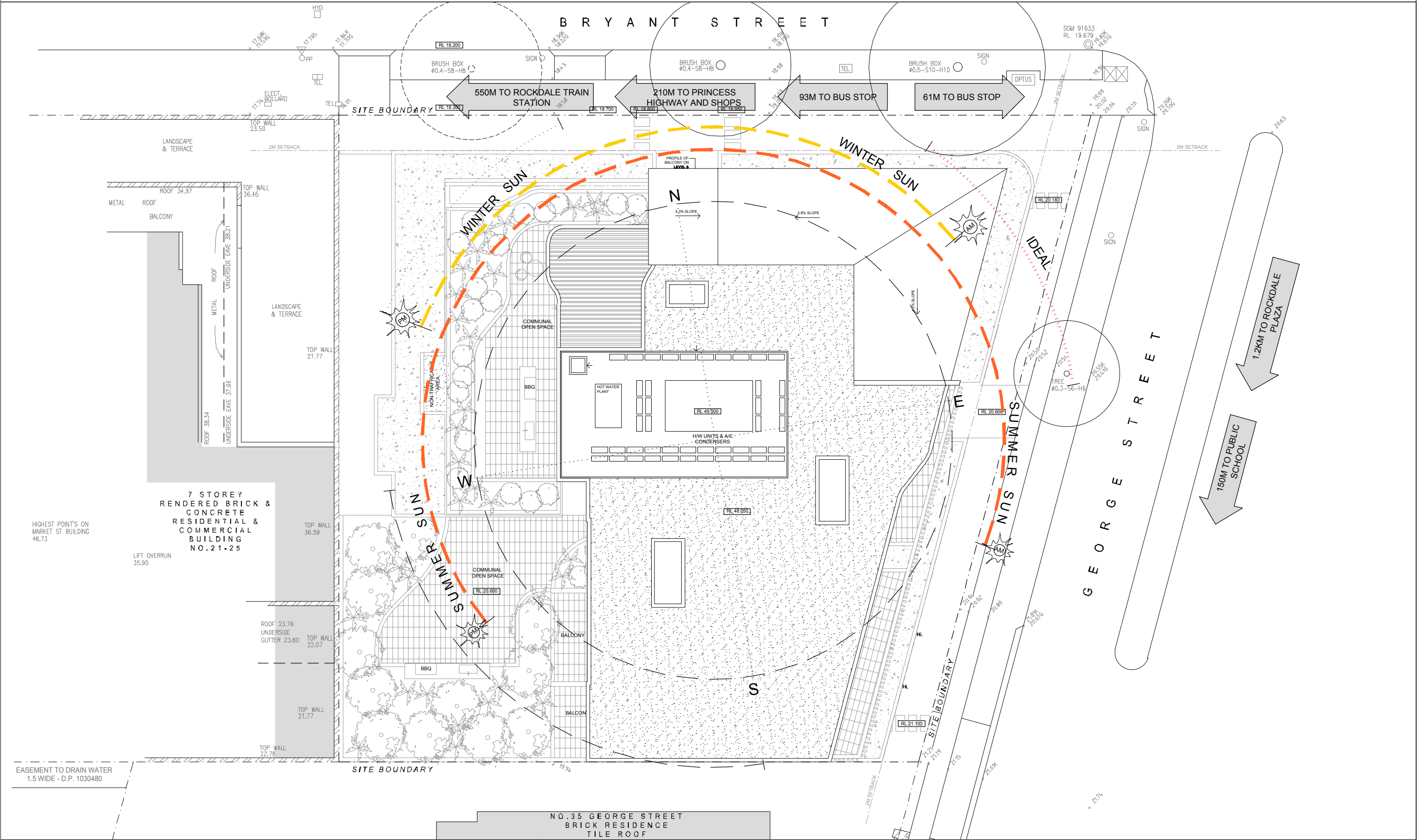
- GENERAL NOTES:
- All work to comply with Building Code of Australia, requirements of relevant Statutory Authorities/ Local Government & relevant Australian Building Standards
 - Contractor to verify all dimensions on site before commencing work- should a discrepancy be identified please confirm with Architect prior to proceeding (do not scale from drawings)
 - Copyright of design shown hereon is retained by this office and authority is required for any reproduction
 - When proprietary products are referred to, install in accordance with the manufacturers written instructions

- LEGEND:
- AW AWNING TO FUTURE DETAIL
 - BS BATTEN SCREEN TO FUTURE DETAIL
 - CA CONCRETE OVERHANG TO FUTURE DETAIL
 - ELEC ELECTRICAL SERVICES TO FUTURE ENG'S DETAILS
 - FS FIRE STAIRS
 - FH FIRE HYDRANT
 - PHR FIRE HOSE REEL
 - FE FIRE EXTINGUISHER

- FW FEATURE WALL TO FUTURE DETAIL
- GB FRAMELESS TOUGHENED GLASS BALUSTRADE TO BCA/ AUSTRALIAN STANDARDS
- HW HIGHLIGHT WINDOW
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- MC METAL CLADDING TO FUTURE SELECTION
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- RP RIVER PEBBLES FOR LOCATIONS ON FLAT CONC. ROOF WITH INSULATION AS REQUIRED
- RW RENDERED WALL/ SELECTED PAINT FINISH

- SC STONE CLADDING TO FUTURE DETAIL
- SL SKYLIGHT TO FUTURE DETAIL
- TO TIMBER CLADDING TO FUTURE SELECTION
- TL TILES/PAVERS TO FUTURE DETAIL
- VB EXTERNAL VENETIAN BLINDS TO FUTURE DETAIL
- WCL WINE CELLAR TO FUTURE DETAIL
- F FIXED WINDOW



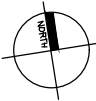
DEVELOPMENT APPLICATION DRAWINGS

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SCALE 1:100 ■ A1
SCALE 1:200 ■ A3
0 2 5m

DA-1003
SITE ANALYSIS PLAN
DA SUBMISSION - ISSUE C
19.08.2016

ABN 36 147 035 550
Australian Institute of Architects Registration Number : 7768
P - (02) 9698 8140 E - info@pbdarchitects.com.au W - www.pbdarchitects.com.au
Level 2, 52 Albion St, Surry Hills NSW 2010
Page 227
Contractor to verify all dimensions on site before commencing work.
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Council Meeting

8/02/2017

Item No	9.2
Property	31 Riverside Drive, Sans Souci NSW 2219
Proposal	Construction of a two storey dwelling with basement and roof top terrace and demolition of existing structures
Cost of Development	\$800,000
Report by	Luis Melim, Manager – Development Services
Application No	(R) DA-2017/117

Officer Recommendation

- 1 That Council support the variation to the height control contained in Clause 4.3 of the Rockdale Local Environmental Plan 2011 in accordance with the Clause 4.6 written request submitted by the applicant.
 - 2 That the development application DA-2017/117 for the construction of a two storey dwelling with basement and roof top terrace and demolition of existing structures be APPROVED pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.
 - 3 That the NSW Department of Planning and Environment be advised of Council's decision.
 - 4 That the objectors be advised of Council's decision.
-

Attachments

- 1 Planning Assessment Report and draft consent
 - 2 Amended site plan (Issue C)
 - 3 Amended roof plan (Issue C)
 - 4 Amended elevations and sections (Issue C)
 - 5 Amended Clause 4.6 written request
-

Location Plan



Aerial map



Zoning map

BAYSIDE COUNCIL

Planning Assessment Report

Application Details

Application Number:	DA-2017/117
Date of Receipt:	5 October 2016
Property:	31 Riverside Drive, SANS SOUCI NSW 2219 Lot 2 DP 841047
Owner:	Mr John Sayegh
Applicant:	Mr Rabi Moussawel
Proposal:	Construction of a two storey dwelling house with basement and roof top terrace and demolition of existing structures
Recommendation:	Approved
No. of submissions:	Seven (7)
Author:	Pengfei Cheng
Date of Report:	27 January 2017

Key Issues

The key issues with the proposal are as follows:

- The proposal does not comply with the 8.5m maximum building height under Clause 4.3 of Rockdale Local Environmental Plan (LEP) 2011. The proposed building will have a maximum height of 9.3m from the existing ground level to the top of the roof access and lift overrun; In accordance with Clause 4.6 of the LEP, a written request has been submitted by the applicant that seeks to justify the building height variation. The written request is found to be acceptable and the proposed variation is supported as detailed in this report under Clause 4.6 Exceptions to development standards.
- The development application has been notified in accordance with Rockdale Development Control Plan (DCP) 2011. Seven (7) objections to the proposal have been received from the neighbouring properties on both sides of the development site. The key issues raised in the submissions relate to building height, floor space ratio (FSR), basement size and height, roof top terrace, street setbacks, overlooking and privacy impacts. These issues have been addressed and are further discussed in this report under Public submissions.

Recommendation

That this Development Application be **APPROVED** pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.

Background

History

There are no previous approvals on the site that are relevant to the current application.

Proposal

The application seeks development consent for the construction of a two storey dwelling house with basement and roof top terrace and demolition of existing structures.

The proposed dwelling would contain the following:

- on basement level - car parking area, wine cellar, store room, garden shed, area for storing small boat and jet ski, lift and stairs;
- on ground floor level - elevated entry via front balcony, foyer, study, laundry, bathroom, a total of three bedrooms including a master bedroom with ensuite, bar area and rear balcony, void, lift and stairs;
- on first floor level - front and rear balconies, lounge, open kitchen and dining area, void, reading area, bathroom, lift and stairs; and
- on roof top level - outdoor terrace, void, lift and stairs.

Site location and context

The subject site is formally identified as Lot 2 DP 841047 and known as 31 Riverside Drive, Sans Souci. The site has an irregular shape with the front boundary (and the rear boundary to a less extent) being angled to the side boundaries. It has a frontage to Riverside Drive of 12.785m, side boundaries of 36.645m (east) and 39.60m (west) and rear boundary of 12.065m. The total site area is 456.3sqm. The site has a minor fall from its western front corner (RL 2.87) towards its eastern rear corner (RL 2.59) .

Located on the northern side of Riverside Drive between Tuffy Avenue and Napoleon Street, the site is presently occupied by a single storey rendered brick dwelling house with colorbond roof and a detached garage at the rear. Surrounding the site are predominantly two storey dwelling houses of mixed architectural styles. Adjoining the site to sides are two storey brick dwelling houses with pitched tile roof (No. 30 Riverside Drive is a part one and part two storey building), built between 1977 and 1989 according to Council's aerial photo records. They are both situated on a lot which has a wider street frontage and a greater site area than the subject site. To the rear of the site is a more recently developed two storey contemporary dwelling house with basement and swimming pool. It is situated on a lot fronting to Tuffy Avenue and having its southern side boundary abutting the subject site. Across Riverside Drive to the south are Cook Park and Georges River.

The site does not contain any heritage item and is not within a heritage conservation area. Cook Park, which is opposite the site, is identified by Rockdale LEP 2011 as an item of local heritage significance (Item I227).

Statutory Considerations

Environmental Planning and Assessment Act, 1979

An assessment of the application has been undertaken pursuant to the provisions of the *Environmental Planning and Assessment Act, 1979*.

S.79C(1) - Matters for Consideration - General

S.79C(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

Greater Metropolitan REP No. 2 – Georges River Catchment

The site is within the area where the Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment applies. Relevant specific planning principles in the plan, including acid sulfate soils and urban/stormwater runoff, have been taken into account in the assessment of the proposal and are further discussed in this report.

State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The applicant has submitted a BASIX Certificate for the proposed development. The Certificate confirms that the proposed development will meet the NSW government's requirements for sustainability, if it is built in accordance with the commitments set out in the Certificate. A condition has been included to ensure that these requirements are adhered to.

Rockdale Local Environmental Plan 2011

Relevant clauses	Compliance with objectives	Compliance with standard/provision
2.3 Zone R2 Low Density Residential	Yes	Yes - see discussion
2.7 Demolition requires consent	Yes	Yes - see discussion
4.3 Height of buildings	Yes	No - see discussion
4.4 Floor space ratio - Residential zones	Yes	Yes - see discussion
4.6 Exceptions to development standards	Yes	Yes - see discussion
5.9 Preservation of trees or vegetation	Yes	Yes - see discussion
5.10 Heritage conservation	Yes	Yes - see discussion
6.1 Acid Sulfate Soil - Class 4	Yes	Yes - see discussion
6.2 Earthworks	Yes	Yes - see discussion
6.6 Flood Planning Land	Yes	Yes - see discussion
6.7 Stormwater	Yes	Yes - see discussion
6.12 Essential services	Yes	Yes - see discussion

2.3 Zone R2 Low Density Residential

The subject site is zoned R2 - Low Density Residential under the provisions of Rockdale Local Environmental Plan 2011 (RLEP 2011). The proposed dwelling house is permissible with development consent. The objectives of the zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

- *To ensure that land uses are carried out in a context and setting that minimises any impact on the character and amenity of the area.*

The proposed development will be consistent with the low density residential character and have minimal impact on the amenity of the area, therefore meeting the objectives of the zone.

2.7 Demolition requires consent

Demolition is permissible with development consent. Standard conditions have been imposed to ensure demolition works will minimise impacts on the environment and amenity of adjoining residential properties.

4.3 Height of buildings

The maximum building height permitted under Clause 4.3 is 8.5m.

The majority part of the proposed building will be approximately 8.1m high (from the existing ground level to the top of the roof top balustrade). However, the proposed roof top structure, which accommodates a lift and stairwell allowing access to the roof top terrace, will exceed the permitted height by 0.8m (or 9.4%) to a maximum height of 9.3m.

With regard to this non-compliance, the applicant has submitted a detailed written request in accordance with the requirements contained in Clause 4.6, which seeks to justify the contravention of the development standard. The assessment of the written request and the building height variation is discussed further in this report under Clause 4.6 Exceptions to development standards.

4.4 Floor space ratio - Residential zones

According to Clause 4.4(2A), the maximum floor space ratio (FSR) applicable to the land is 0.55:1.

The gross floor area (GFA) of the proposed building has been calculated as follows:

Site area - 456.3 sqm

Total GFA - 250sqm

- basement level - excluded from floor area according to the GFA definition
- ground floor - 148sqm;
- first floor - 100sqm; and
- rooftop - 2sqm.

Therefore, the FSR for the proposed building is 0.548:1 and does not exceed the maximum FSR standard. Additionally, the proposed development is consistent with the objectives of this clause, as it will have reasonable environmental effects on the use or enjoyment of adjoining properties and will maintain an appropriate visual relationship between new development and the existing character of the immediate area.

4.6 Exceptions to development standards

Clause 4.6 provides flexibility in the application of certain development standards in order to achieve better outcomes for and from development, where, in the circumstances of a case, strict compliance with the standard is considered unreasonable or unnecessary. The objectives of this clause are:

(a) to provide an appropriate degree of flexibility in applying certain development standards to

particular development, and

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

In accordance with Clause 4.6, Council as the consent authority is required to consider a written request from the applicant justifying a variation to the standard by demonstrating:

(3)(a) that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case, and

(3)(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

Further, Clause 4.6(4) requires that development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

(i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and

(ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Director General has been obtained.

As concurrence of the Director-General of the Department of Planning and Environment is required for any departure from a development standard, Council as delegate of the Director-General must also consider:

(a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

Development Standard to be varied

The proposal does not comply with Clause 4.3(2) of Rockdale LEP 2011, which specifies the maximum height of a building on this land is 8.5m above existing ground level. The proposal building will be up to 9.3m above existing ground level, exceeding the maximum height by 0.8m or 9.4%.

Written request from the applicant

The applicant has submitted a detailed written request under Clause 4.6 that seeks to justify the contravention of the development standard. The written request addresses the matters required to be demonstrated by subclause (3) and makes reference to a number of NSW Land and Environment Court cases, including *Wehbe v Pittwater Council [2007] NSWLEC 827* ('five part test') and *'Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC90'* ('Four2Five').

The following reasons are outlined in the written request:

- *The proposal meets the objectives of the standard (and the zone) and is in the public interest, despite the numerical standard being contravened.*
- *The building is designed such that the residential storeys/floors are substantially below the maximum 8.5m LEP standard and as such the principle building and its floor space is also designed within the limits.*
- *The variation also results in high quality urban form that creates a feature on the roof allowing the rooftop to be accessible and useful as an alternative private open space.*
- *The proposed building maintains satisfactory solar access and does not restrict sky exposure and/or daylight to adjoining buildings, key areas or the public domain.*
- *The portion of the rooftop access which exceeds the building height standard by 800mm does not result in any impact on the east adjoining property which it is noted does not have any windows on the upper level which face the subject site.*
- *An appropriate transition is provided by staggering the building height and by generously setting back the portion that is over the height from all site boundaries, such that there is minimal visibility from the street and from side neighbours and such that the noncompliant portion is an appropriate contextual fit that does not appear to intensify the site.*
- *The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable. This was confirmed in examples of approved developments including:*
 - *DA-2017/30 – 4 Primrose Avenue, Sandringham was approved at Council Meeting of 14 December 2016, allowing lift and stair access to a new roof terrace to exceed the allowable 8.5m maximum height limit by 970mm.*
 - *DA-2014/365 - 102 General Holmes Drive, Kyeemagh was approved at Council Meeting of 1 October 2014, allowing lift and stair access to the roof terrace to exceed the allowable 8.5m maximum height limit by 1.1m.*
- *The proposal is in-line with Council's established approach, such that insisting or maintaining the standard for this proposal would not have any public benefits and under these circumstances, strict numerical compliance with the standard is unreasonable. Considering the proposal despite its 800mm variation satisfies the objectives of the height of buildings standard and the objectives of the zone, approval of the variation does not contravene the public interest and should be supported.*
- *The site is geographically unique being located directly across waterfront and without any buildings obstructing the view. It is considered that this is one of the most appropriate locations for rooftop terraces to take advantage of views and the residential amenity that this affords.*
- *Investigation of the depth of the water table indicates that it is approximately 400mm-500mm below the basement slab. To minimise environmental impacts as a result of this particular feature, the design has aimed to maintain the current overall building height without lowering it any further. In this regard, this feature of the site, combined with the above features, has had implications on the extent of the building height variation.*
- *The minor variation of 800mm above the building height standard does not contribute to unreasonable bulk that would contravene the low density setting and the building overall is compatible with the streetscape.*
- *The impact on the character and amenity of the area is negligible.*

Consideration under Clause 4.6 (4) and (5)

It is considered that the written request submitted by the applicant has adequately demonstrated that

compliance with the building height standard is unreasonable or unnecessary and that there are sufficient environmental planning grounds to justify contravening the standard. In particular, Council has previously varied the height standard in the case of a roof terrace with an entry structure over the stairs/lift similar to the proposal. In addition to the development applications identified in the written request, DA-2015/315 and DA-2016/270 were recently approved by Council, also involving construction of a basement (up to 1m above existing ground level) and roof top terrace and exceeding the maximum building height by up to 1.5m. Furthermore, these approved developments have a similar context, being situated at a waterfront property and affected by groundwater.

Since lodgement of the original proposal, the applicant has made two amendments to the design in response to the concerns raised in the submissions and the issues identified by Council's assessment. The proposed roof top structure was reduced considerably in size and the overall building height was reduced by 0.5m through reduction in floor levels. As demonstrated by the following street elevation submitted by the applicant, the majority part of the proposed building, including its front facade, will be within the maximum building height limit. Further to restrict the area of the building exceeding the maximum height to no more than what is required to access the roof terrace, a condition is recommended that the area above the southern part of the stairs leading to the roof be removed and the length of the eastern external wall at roof level be reduced by a minimum of 2m. Subject to compliance with the recommended condition, the extent of the variation is minimised and would not result in unreasonable impacts relating to bulk and scale or, overshadowing.

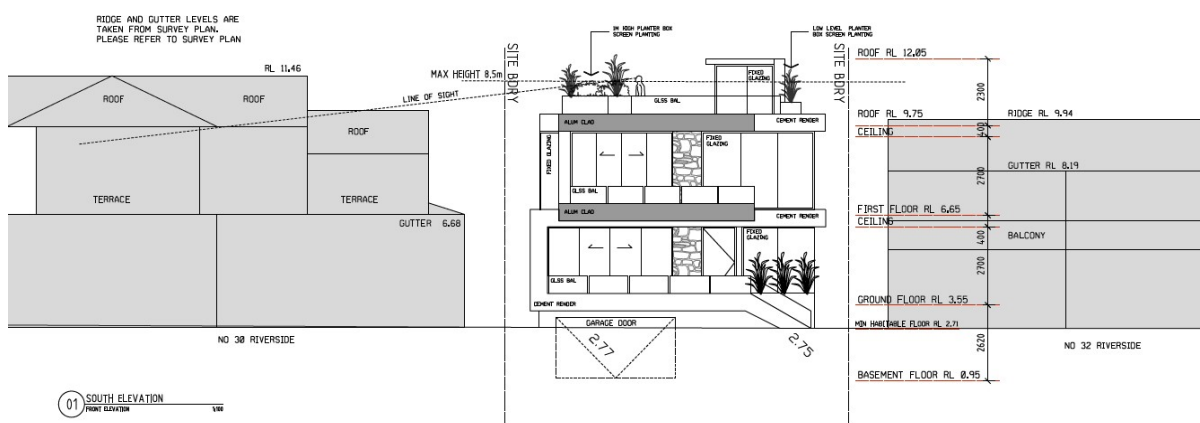


Figure - street elevation

In addition, the proposed building height and floor levels will be in keeping with the surrounding development. The proposed basement/ground floor level has been reduced to RL3.55, similar to that of the rear adjoining building at No. 60 Tuffy Avenue, despite the development site having higher natural ground levels. The proposed first floor balcony will be at RL6.65, which is lower than the level of the front terrace of No. 30 Riverside Drive.

Having regard to the above, it is considered that the amended design and written request have demonstrated that the proposal will be consistent with the objectives of Clause 4.3 Height of Buildings and the objectives of the R2 Low Density Residential zone and approval of the proposal will therefore not be contrary to the public interest. As such, the proposed building height is supported.

The proposed departure from the development standards are of minor local significance only and will not raise any matters of State or regional planning significance. Council has consistently allowed a degree of flexibility in applying the maximum building standard to allow roof top terrace in

circumstances similar to the proposal. The Director-General has not specified any other matters that Council is required to take into consideration. A requirement of the Director-General's delegation of concurrence authority to Council is that the NSW Department of Planning and Environment be advised of Council's decision.

5.9 Preservation of trees or vegetation

Council's Tree Management Officer advises that existing site trees may be removed, subject to at least one replacement tree being planted. Appropriate conditions are recommended in accordance with the Tree Management Officer's advice. Subject to compliance with the recommended conditions, the proposal is satisfactory with regard to Clause 5.9.

5.10 Heritage conservation

The site does not contain any heritage item and is not within a heritage conservation area. The site is opposite Cook Park, which is identified as an item of local heritage significance (Item I227). However, the proposed new dwelling will be of acceptable appearance when viewed from Cook Park and will not have any impact on the heritage significance of the park.

6.1 Acid Sulfate Soil - Class 4

Acid Sulfate Soils (ASS) – Class 4 affects the property. A Geo-technical and ASS preliminary assessment report was submitted with the application, concluding that *"an ASS Management Plan will not be required provided onsite dewatering does not lower the groundwater level outside the site"*. In this regard, a condition with respect to dewatering in line with the Geo- technical report's advice is recommended. Subject to compliance with the recommended condition, it is satisfied that the proposed development will have minimal impacts on ASS.

6.2 Earthworks

The proposal involves excavation of up to approximately 1.8m for basement construction and is accompanied by a Geotechnical Report. The basement will be limited to the proposed building footprint.

The objectives and requirements of Clause 6.2 of RLEP 2011 have been considered in the assessment of this application. It is considered that the proposed earthworks and excavation will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. Standard conditions have been imposed, including the submission of a dilapidation report prior to the commencement of work.

Subject to compliance with the recommended conditions, the proposed development will ensure that the environmental amenity of surrounding land is maintained, and soil erosion, sedimentation, and drainage impacts are minimised and hence, satisfy the provisions of this Clause.

6.6 Flood Planning Land

The site is within flood planning area as identified on the Flood Planning Map, and accordingly, the proposed development will require protection from possible flooding.

The applicant has submitted a Flood Advice Letter obtained from Council, indicating the requirements for the proposed development with respect to flood controls. The proposal has been designed so that driveway crossings and floor levels will be above the recommended floor levels. The plans were referred to the Council's Engineer and appropriate conditions of consent have been incorporated in the draft consent, including compliance with the Flood Management Plan. Subject to compliance with these

conditions, the proposal is satisfactory in regards to flooding.

6.7 Stormwater

The proposed development has been designed to maximise the use of water permeable surfaces therefore reducing the amount of urban runoff. The development will not result in any increased disturbance or impact of stormwater on adjoining properties, native bushland or receiving waters. To ensure stormwater are effectively managed, the roofwater and stormwater runoff will be directed to the proposed absorption drainage system consistent with Council's recommended approach for the area and supported by Council's Development Engineers subject to conditions. Accordingly, the recommended conditions are included in the draft consent to ensure compliance with Council's stormwater management requirements.

6.12 Essential services

Services are available on the site. Additional conditions have been incorporated in the draft consent requiring consultation with relevant utility providers in regards to any specific requirements for the provision of services on the site.

S.79C(1)(a)(ii) - Provisions of any Draft EPI's

Section 79C(1)(a)(ii) of The Environmental Planning and Assessment Act, 1979, (the Act) requires a consent authority to consider any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority.

Since the lodgement of the subject development application, the draft State Environmental Planning Policy (Coastal Management) 2016 (the Coastal Management SEPP) has been placed on public exhibition, identifying the subject site as within (part or whole) the 'coastal zone'. The draft Coastal Management SEPP sets the land use planning framework for coastal management. It also sets out development controls that apply to particular forms of development within specific coastal management areas. The land is identified by the draft Coastal Management SEPP being entirely within "coastal environment area" and "coastal use area".

The savings and transitional provisions contained within the draft Coastal Management SEPP limit its application to development applications after the SEPP has commenced. Nevertheless, the proposed development is not considered to be inconsistent with the intent and purpose of the draft instrument and is acceptable in this regard.

S79C(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

Rockdale Development Control Plan 2011

The application is subject to Rockdale DCP 2011. A compliance table for the proposed development is provided below:

Relevant clauses	Compliance with objectives	Compliance with standard/provision
4.1.1 Views and Vista	Yes	Yes - see discussion
4.1.2 Heritage Conservation - Vicinity of Heritage Item	Yes	Yes - see discussion
4.1.3 Water Management	Yes	Yes

Relevant clauses	Compliance with objectives	Compliance with standard/provision
4.1.3 Groundwater Protection	Yes	Yes - see discussion
4.1.4 Soil Management	Yes	Yes - see discussion
4.1.7 Tree Preservation	Yes	Yes
4.1.9 Lot size and Site Consolidation - Dwelling	Yes	Yes - see discussion
4.2 Streetscape and Site Context - General	Yes	Yes - see discussion
4.3.1 Open Space & Landscape Design - Low & medium density residential	Yes	Yes - see discussion
4.4.2 Solar Access - Low and medium density residential	Yes	Yes - see discussion
4.4.3 Natural Lighting and Ventilation - Residential	Yes	Yes - see discussion
4.4.5 Visual privacy	Yes	Yes - see discussion
4.4.5 Acoustic privacy	Yes	Yes
4.6 Parking Rates - Dwelling House	Yes	Yes - see discussion
4.6 Basement Parking - General	Yes	Yes - see discussion
5.1 Storey Height and Setbacks - Dwelling house and Attached Dwellings	Yes	Yes - see discussion
5.1 Building Design - General	Yes	No - see discussion

4.1.1 Views and Vista

Consistent with the requirements of Council's DCP, the building has been designed to ensure minimal adverse impacts on the water view presently enjoyed by the adjacent residents.

In particular, the following design features have been identified in the amended plans:

- the front building wall will be set back substantially from the street and will be set back behind the first floor portion of the neighbouring building at No. 30 Riverside Drive. As a result, the development will minimise impacts on view available from most of the upper level windows and the large ground floor easterly facing window of the adjoining property;
- the front first floor balcony of the building will be at a level similar to the terrace level of No. 30 Riverside Drive and will be set back considerably from the street minimising view obstruction; and
- the front balcony will have additional setbacks from the side boundaries. Being set back more than 3m from the eastern side boundary, view impact on No. 32 Riverside Drive will be minimised.

4.1.2 Heritage Conservation - Vicinity of Heritage Item

Refer to the discussion earlier in this report under 5.10 Heritage conservation.

4.1.3 Groundwater Protection

The site is identified as within groundwater protection zone. Development on the site involving basement construction has the potential to interfere with the groundwater. The proposed development has been designed to minimise impacts on groundwater by limiting the depth of excavation. The applicant further confirmed that dewatering is not required by the proposal. .

To further minimise potential groundwater impact resulted from the development, a condition is recommended to prohibit dewatering without obtaining necessary approvals.

4.1.4 Soil Management

Relevant conditions have been imposed to ensure that effective erosion and sediment controls will be in place prior to construction and that potential impact on adjoining land and surrounding waterways is minimised.

4.1.9 Lot size and Site Consolidation - Dwelling

According to the DCP controls for dwelling house development, a minimum lot size of 450m² and a minimum width of 15m at the front building alignment is required. However, a dwelling house may be erected on a parcel of land which existed as a separate parcel on 30 March 1973. The subject site complies with the minimum lot size requirement but does not meet the minimum frontage width standard. According to Council's records, the parcel existed as a separate parcel on 30 March 1973. Further, the site frontage is considered to be sufficient for a dwelling house development and the proposal complies with the relevant landscaping, parking and access provisions. The proposal is therefore consistent with the objectives and requirements of this standard.

4.2 Streetscape and Site Context - General

The immediate context is relatively low scale, consisting of predominantly single to two storey dwellings of various character. The proposal responds to this context by incorporating consistent setbacks and a built form that complies with the density control. The only structure that will exceed the maximum height standard will be limited to the entry to the roof top terrace, which will be set back substantially from the front facade and considerably from the side boundaries, therefore will have limited streetscape impact. The proposed flat roof form and use of materials and finishes are consistent with the recent development within the area. The development proposes a well articulated facade that incorporates the front elevated entry, recessed underground garage and first floor balcony. Being designed to address the street, the development will promote a safe public environment.

4.3.1 Open Space & Landscape Design - Low & medium density residential

Consistent with the DCP standards, the proposal provides adequate landscaped area (120sqm excluding the side setback areas or 26% of the site area) and more than 10% of the front setback area (approx. 50sqm) will be landscaped area. Private open spaces are usable, accessible, clearly defined and will meet occupants requirements of privacy, solar access, outdoor activities and landscaping.

4.4.2 Solar Access - Low and medium density residential

Due to the increase in building height, the proposed development will inevitably result in additional overshadowing on the adjoining properties on both sides. However, the impacts are not considered significant or unreasonable according to the DCP standards. The adjoining properties' private open space and windows/terrace area facing the rear (i.e. the north), will not be unreasonably impacted by the proposed development and will likely to achieve a minimum of 3 hour direct sunlight between 9am and 3pm in mid winter. In addition, the proposed building and the component exceeding the height limit will be set back considerably from the street, which will minimise overshadowing to the front open space/terrace/balcony of the adjoining properties.

The proposed building will receive reasonable direct sunlight. The rear balconies and roof top terrace of the development will receive a minimum of 3 hours of direct sunlight between 9am and 3pm in midwinter. Accordingly, the proposal complies with the requirements of Council's DCP with respect to solar access.

4.4.3 Natural Lighting and Ventilation - Residential

The proposed development is designed to achieved natural ventilation and lighting, incorporating

4.6 Basement Parking - General

The proposed basement will be up to 860mm above existing ground level and its design will be consistent with Objective C and Control 11 of Part 4.6 of the DCP listed below:

C. To limit the amount of excavation required for the purpose of car parking so that impacts on ground water flows are minimised and the amount of landscaped area is maximised

Control 11. Basement car parking is to be:

- a. adequately ventilated, preferably through natural ventilation;*
- b. located within the building footprint. Construction must be carried out in a way to enable deep soil planting to be provided on the site;*
- c. located fully below natural ground level. Where site conditions mean that this is unachievable, the maximum basement projection above natural ground level is to be 1m at any point on the site, or in flood prone areas, to the minimum floor level required by Council;*
- d. designed for safe and convenient pedestrian movement and to include separate pedestrian access points to the building that are clearly defined and easily negotiated; and*
- e. provided with daylight where feasible.*

5.1 Storey Height and Setbacks - Dwelling house and Attached Dwellings

The proposed development complies with the two storey height control and generally aligns with the front building lines of the two immediately adjoining dwellings, as demonstrated by the following site plan provided by the applicant. The two storey building at No. 32 Riverside Drive is set back a minimum of 7.2m from the street with a small balcony being forward of the facade. The part one storey and part two storey building at No. 30 Riverside is set back from the street a minimum of approximately 6m on the ground floor, and on the first floor between approximately 7.5m and 11.5m creating a deeply recessed terrace that faces towards its front boundary and the development site. In response to this context, the proposed development's front building facade will be set back a minimum of 8.48m (south eastern corner) to up to 11.84m (south western corner). The proposed building setback, which has been increased by 0.5m from its original design, is supported considering that it relates to the prevailing street setbacks, and more importantly, minimises impacts on water view currently enjoyed by the adjoining properties.

The proposed front balcony and roof projection will be forward of the building line into the front setback area by up to 3.9m, inconsistent with the numerical standard contained in Control 13 (i.e. up to 1.2m).

The variation to the DCP standard is considered reasonable and meeting the objectives of the control, having particular regard to the existing setbacks of the adjoining buildings and the proposed substantial building front setbacks and side setbacks of the balcony. Furthermore, the likely impacts on the amenity and streetscape as a result of the proposal are not considered to be unreasonable.

S.79C(1)(a)(iv) - Provisions of regulations

Relevant provisions of the Regulations have been taken into account in the assessment of this proposal. Clauses 92-94 of the Regulations outline the matters to be considered in the assessment of a development application. Clause 92 requires the consent authority to consider the provisions of AS 2601:1991 - *Demolition of Structures* when demolition of a building is involved. In this regard a condition of consent is proposed to ensure compliance with the standard.

S.79C(1)(b) - Likely Impacts of Development

Potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls. The likely impacts as a result of the development are considered reasonable. Additional conditions of consent are also proposed to further minimise impacts on neighbouring properties.

Construction

Standard conditions are imposed on the draft consent relating to the BCA. Site and safety measures are to be implemented in accordance with conditions contained therein as well as relevant WorkCover Authority guidelines and requirements.

S.79C(1)(c) - Suitability of the site

The relevant matters pertaining to the suitability of the site for the proposed development have been considered in the assessment of the proposal. There are no known major physical constraints, environmental impacts, natural hazards or exceptional circumstances that would hinder the suitability of the site for the proposed development.

S.79C(1)(d) - Public submissions

The development has been notified in accordance with the provisions of Rockdale DCP 2011 and seven (7) submissions have been received. Five (5) of these submissions are from one neighbouring property, including one (1) submission that contains signatures of residents from four (4) other properties in the area. The other two (2) submissions are from another neighbouring property.

The issues raised in the submission are discussed below:

Issue: oversize garage/basement with windows around not being included the FSR calculations

Comment: The basement will be located within the building footprint consistent with the DCP requirements and will not unreasonably reduce the provision of landscaped area on site. Windows proposed to the car parking area and "garden shed" are considered reasonable and consistent with Control 11(a) and (e) of Part 4.6 of the DCP, which encourage natural lighting to basement where practical. The amended plans also show that the "storage room" and "wine cellar" will have a design more in line with the intended use of the rooms, e.g. having 2.3m floor to ceiling height and no windows.

With respect to the FSR calculation, the area used for car parking to meet Council's requirements, storage and vertical circulation within the basement are excluded from gross floor area (GFA) in accordance with its definition under the LEP. According to the LEP definitions, habitable rooms in the basement are included as GFA. In this regard, a condition is recommended to prevent the basement from being used and/or being converted to be used for habitable purposes.

Issue: breach of building height; suggesting 2.4m ceiling height and reduction in basement level (to be the same as that of No. 60 Tuffy Avenue)

Comment: The proposed ground floor slab/level has been lowered to 860mm above existing ground level. Restricting it further to match the adjoining development is unreasonable, because the natural ground levels of No. 60 Tuffy Avenue (prior to its redevelopment) were lower compared to the development site. It is also noted that the basement of the adjoining development was approved at 1m above existing ground level.

With regard to the building height issue, please refer to the detailed discussion earlier in this report under Clause 4.3 Height of building of Rockdale LEP 2011.

The proposed 2.7m floor to ceiling heights on the ground and first floors are consistent with the minimum standard required by Rockdale DCP 2011.

Issue: inadequacy of Clause 4.6 written request

Comment: In response to this issue, a subsequent written request addressing the requirements of Clause 4.6 was submitted by the applicants and made publicly available. Refer to the discussion earlier in this report under Clause 4.6 of Rockdale LEP 2011.

Issue: oversize terrace/balcony open space

Comment: Due to orientation of the land and subdivision pattern, the rear open space of the development site will be overshadowed by the two storey dwelling house located at the rear adjoining property. The design to provide additional north facing open space at the roof top is considered reasonable and consistent with Control 3 of Part 4.3.2 of the DCP.

Issue: roof terrace overlooking the first floor terrace of No. 30 Riverside Drive; roof balustrade must be re-positioned to 1.5m back from the building wall (instead of the roof edge); roof terrace should be abandoned

Comment: Roof top terraces are permitted by the DCP, subject to the usable area of roof being set back 1.5m from the edge of the building in accordance with Control 3 of Part 4.4.5 of the DCP. According Control 2 of Part 4.4.5, the required setback is one of the techniques to prevent direct views into habitable rooms or private open space of adjacent dwellings. However, the DCP controls do not specify that 'the edge of the building' should be measured from the building wall as requested by the objectors. In this regard, consideration has been given to the objective of Part 4.4.5 of the DCP, which is *'to site and design buildings to ensure acoustic and visual privacy for occupants and neighbours'*. It is noted that the key concern raised by the objectors of No. 30 Riverside Drive relates to the proposed roof terrace overlooking their first floor terrace.

In response to this concern, amendments have been made to the roof top terrace to minimise overlooking impacts upon the neighbouring properties, including potential impacts on the first floor terrace of No. 30 Riverside Drive. By incorporating planter boxes along the sides, the roof top terrace will be orientated towards the Georges River and away from the neighbouring properties. To further minimise overlooking potential, additional setbacks (2.5m) will be observed to restrict the usable area

to a limited area at the front and to be further away from the neighbouring terrace/balcony.

Issue: bathroom and barbecue facilities proposed on the roof top;

Comment: The design has been amended to remove bathroom and barbecue facilities from the roof top level. The amendments have resulted in the design of the rooftop terrace being less entertainment orientated and less likely to cause amenity impacts.

Issue: oversize roofed structure over the height limit; Enclosed/covered area at the roof top level, including void area, needs to be included in the FSR

Comment: Refer to detailed discussion earlier in this report under Clause 4.3 and Clause 4.6 of Rockdale LEP 2011. The design has been amended to substantially reduce the size of the roofed structure containing only areas for necessary access and circulation and a small void providing natural lighting to lower levels. Void area is excluded from GFA according to its definition under the LEP.

Issue: planter boxes should be installed around roof terrace to prevent overlooking. (No. 30 Riverside objected to screening; No. 32 requested screening and obscure balustrade at roof top level)

Comment: In response to the overlooking concerns, amendments have been made to the roof top terrace, including additional setbacks of balustrades. Planter boxes will also be incorporated at the roof top level to reduce overlooking. The roof top terrace has been designed to maximise its view to Georges River and be orientated away from the neighbouring properties. However, privacy screens are not considered to be appropriate in this circumstance, given they would add visual bulk to the building and create undesirable streetscape impact.

Issue: breach of (front balcony) setbacks by up to 1.3m beyond the 1.2m allowance; Oversize roof projection over front balcony (to be reduced to 800mm); Streetscape impact;

Comment: In response to this submission, the applicant has made further amendments to the design to increase front setbacks of the balcony and building by 0.5m. As discussed earlier in this report under Part 5.1 Storey height and setbacks, additional information has been submitted by the applicant demonstrating that the proposed building relates to the setbacks of the adjoining building and will be in keeping with the existing streetscape. As such, the proposed front balcony and roof above to provide weather protection are considered acceptable.

Issue: use of the premises by more than one family

Comment: The application is for a single dwelling and a condition is recommended to restrict the dwelling to be used as a single occupancy only.

Issue: oversize windows (on eastern elevation) and overhangs

Comment: The design was amended to reduce the size of the window facing towards the front balcony of No. 32 Riverside Drive. The proposed overhangs will provide weather protection and interest to the facade design and are acceptable. They will be set back from the side boundary a minimum of 600mm consistent with the BCA requirement.

Issue: privacy impacts from rear balconies

Comment: In response to this issue, the design has been amended to incorporate privacy screens to the sides of the rear balconies.

Issue: the land of 456sqm is small and not average size for the area as stated by the applicant

comment: The locality contains a mix of lot sizes and the development site is greater than the minimum

lot size (450sqm) required by Rockdale DCP 2011.

Issue: site inspection

Comment: As part of the assessment process, the development site as well as the neighbouring property have been inspected.

Issue: amended plans, diagrams and documents should be re-notified to allow opportunity to review; further submissions are to be given appropriate consideration

Comment: According to Part 8 of Council's DCP, minor amendments to an application do not require re-notification. Nevertheless, the amended plans (except floor plans) and additional documents submitted by the applicants have been made publicly available via Council's website; additional submissions received by Council following the exhibition period, have been taken into consideration and discussed above.

S.79C(1)(e) - Public interest

The proposed development is considered satisfactory having regard to the objectives and requirements of Rockdale Local Environmental Plan 2011 and Development Control Plan 2011. Impacts on adjoining properties have been considered and addressed. As such it is considered that the proposed development is in the public interest.

S94A Fixed development consent levies

Section 94A of the Environmental Planning and assessment Act 1979 (as amended) applies to the proposal. In this regard, a standard condition of development consent has been imposed in respect to a levy applied under this section.

Schedule 1 - Draft Conditions of consent

General Conditions

The following conditions restrict the work to the detail provided in the Development Application and are to ensure that the development is complete.

- 1. The term of this consent is limited to a period of five (5) years from the date of the original approval. The consent will lapse if the development does not commence within this time.
- 2. The development must be implemented substantially in accordance with the following plans listed, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions.

Plan/Dwg No.	Drawn by	Dated	Received by Council
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Site plan Issue C	RM Designers	1.10.2016	13.1.2017
Ground floor plan Issue C	RM Designers	1.10.2016	13.1.2017
First floor plan Issue C	RM Designers	1.10.2016	13.1.2017
Roof plan Issue C	RM Designers	1.10.2016	13.1.2017
Basement floor plan Issue C	RM Designers	1.10.2016	13.1.2017
Elevations and sections Issue C	RM Designers	1.10.2016	13.1.2017

3. All new building work must be carried out in accordance with the provisions of the Building Code of Australia (BCA).
4. **A Construction Certificate must be obtained from Council or an Accredited Certifier prior to any building work commencing.**
5. The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate Number 765055S other than superseded by any further amended consent and BASIX certificate.
Note: Clause 145(1)(a1) of the Environmental Planning & Assessment Regulation 2000 provides: A certifying authority must not issue a construction certificate for building work unless it is satisfied of the following matters: -
 - (a1) that the plans and specifications for the building include such matters as each relevant BASIX certificate requires.**Note:** Clause 154B(2) of the Environmental Planning & Assessment Regulation 2000 provides: "A certifying authority must not issue a final occupation certificate for a BASIX affected building to which this clause applies unless it is satisfied that each of the commitments whose fulfilment it is required to monitor has been fulfilled."
Note: For further information please see <http://www.basix.nsw.gov.au>.
6. Further alterations and/or additions to the subject building shall not be undertaken without first obtaining approval. This includes the fitting of any form of doors and/or walls and filling in any voids resulting in additional floor area.
7. The basement space is not to be used for habitable purposes.
8. All balconies shall not be enclosed at any time.
9. The dwelling shall be used as a single occupancy only.
10. This approval is not to be construed as permission to erect any structure on or near a boundary contrary to the provisions of the Dividing Fences Act.
11. Excavation, filling of the site (with the exception of the area immediately under the building envelope), or construction of retaining walls are not permitted unless shown on the approved plans and authorised by a subsequent construction certificate.

Development specific conditions

The following conditions are specific to the Development Application proposal.

12. The existing and future owners (Registered Proprietor) of the property will be responsible for the operation and maintenance of the retention system. The registered proprietor will:
 - (i) permit stormwater to be retained by the system;
 - (ii) keep the system clean and free of silt, rubbish and debris;

- (iii) maintain, renew and repair the whole or parts of the system so that it functions in a safe and efficient manner, and in doing so complete the same within the time and in the manner specified in written notice issued by the Council;
 - (iv) carry out the matters referred to in paragraphs (ii) and (iii) at the proprietor's expense;
 - (v) not make any alterations to the system or elements thereof without prior consent in writing of the Council;
 - (vi) permit the Council or its authorised agents from time to time upon giving reasonable notice (but at any time and without notice in the case of emergency) to enter and inspect the land for compliance with the requirements of this clause;
 - (vii) comply with the terms of any written notice issued by the Council in respect to the requirements of this clause within the time stated in the notice.
13. The rainwater tank shall be routinely de-sludged and all contents from the de-sludging process disposed – solids to the waste disposal and de-sludged liquid to the sewer.
14. Residential air conditioners shall not cause 'offensive noise' as defined by the Protection of the Environment Operations Act 1997 or contravene provisions of the Protection of the Environment (Noise Control) Regulation 2008 where emitted noise from a residential air conditioner can be heard within a habitable room in any other residential premises at night.
15. The visible light reflectivity from building materials used on the façade of the building shall not exceed 20% and shall be designed so as not to result in glare that causes any nuisance or interference to any person or place. A statement demonstrating compliance with these requirements shall be submitted to the satisfaction of the Certifying Authority prior to the issue of a Construction Certificate for the relevant stage of works.
16. All vertical plumbing, other than roofwater heads and downpipes, shall be concealed within the brickwork of the building. Details demonstrating compliance with this requirement shall be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate.
17. External paths and ground surface adjoining the walls of the building shall be graded and drained away from the dwelling in such a manner as to not cause a nuisance to adjoining properties.
18. Retaining walls over 600mm in height shall be designed and specified by a suitably qualified structural engineer.
19. In order to restrict the area of the building exceeding the maximum height to no more than what is required to access the roof terrace, the area above the southern part of the stairs leading to the roof shall be removed and the length of the eastern external wall at roof level shall be reduced by a minimum of 2m, whilst maintaining sufficient head clearance above the stairs. Details to demonstrate compliance with this condition shall be submitted to the PCA prior to issue of the Construction Certificate.
20. Planter boxes on roof top terrace shall accommodate a minimum 800mm of soil/plant mix (over and above any drainage medium). The species selection and location of planting shall maximise privacy for adjacent dwellings.

Prior to issue of the construction certificate

The following conditions must be completed prior to the issue of the Construction Certificate.

21. The following fees shall be paid to Council prior to the issue of a Construction Certificate. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
- i. A Footpath Reserve Restoration Deposit of \$2,508. This is to cover repair of any damages, or other works to be done by Council. This includes construction, removal, or repair as required to: kerb and guttering, existing or new driveways; paved areas and concrete footpaths. The deposit may be lodged with Council in the form of a Bank Guarantee (Any proposed Bank Guarantee must not have an expiry date). The deposit will not be returned by Council until works are completed and all damage is restored and all specified works are completed by Council.
 - ii. An environmental enforcement fee of 0.25% of the cost of the works.
 - iii. A Soil and Water Management Sign of \$17.50.
22. For work costing \$25,000 or more, a Long Service Leave Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.
23. An application for Boundary levels shall be made to Council's Customer Service Centre prior to issue of the Construction Certificate. All boundary works, egress paths, driveways and fences shall comply with this level.
A fee is payable to Council for the determination of boundary levels. If payment is made after the end of the financial year, the amount shall be adjusted in accordance with Council's adopted fees and charges.
24. a. Pursuant to section 94A of the Environmental Planning and Assessment Act 1979 and Rockdale Section 94A Development Contributions Plan 2008, a report is to be submitted to Council, prior to approval of the first Part 4A certificate required for the development, identifying the proposed cost of carrying out the development, as follows:
- i. Where the proposed cost of carrying out the development is less than \$1,000,000, a cost summary report prepared and certified by a building industry professional, or
 - ii. Where the proposed cost of carrying out the development is \$1,000,000 or more, a detailed cost report prepared and certified by a quantity surveyor registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate equivalent qualifications. This report is to be prepared in the form specified in Rockdale Section 94A Development Contributions Plan 2008 and the costs must be determined in accordance with clause 25J of the Environmental Planning and Assessment Regulation 2000.

Note:

1. Council may review the costs contained in the report and may seek the services of an independent person to verify them. In such a case, all costs associated with obtaining this advice will be at the expense of the applicant and no Part 4A certificate is to be issued until such time as these costs have been paid.
2. The proposed cost of carrying out the development excludes any part of the proposed development that is exempt from the section 94A levy by reason of a Ministerial direction or an exemption specified in Rockdale Section 94A Development Contributions Plan 2008. Where the applicant considers that the proposed development, or any part of it, is or should be exempt from the levy they

may submit to Council, prior to approval of the required certificate, an application for exemption giving reasons and providing any necessary evidence for the exemption.

b. Where the proposed cost of carrying out the development, as specified in the cost summary report, the registered surveyor's detailed cost report or the independent review of costs obtained by Council (as the case may be), is more than \$100,000 a section 94A levy is to be paid to Council for the following amount:

- i. Where the proposed cost of carrying out the development is greater than \$100,000 but not more than \$200,000 – 0.5% of that cost, or
- ii. Where the proposed cost of carrying out the development is greater than \$200,000 – 1% of that cost.

This levy is to be paid prior to the issue of the first Part 4A certificate required for the development.

If the levy is not paid within the same financial year as the date on which Council accepted the cost summary report, the registered surveyor's detailed cost report or the independent review of costs (as the case may be), the amount of the levy is to be adjusted at the time of actual payment to reflect changes in construction costs, in accordance with the provisions of Rockdale Section 94A Development Contributions Plan 2008.

Note: This requirement to pay the section 94A levy does not apply if the proposed cost of carrying out the development is \$100,000 or less or Council has confirmed in writing that the proposed development is exempt from the levy.

25. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance or owner builder's permit in force in accordance with Part 6 of that Act, that such a contract or permit is in place.
26. A suitable qualified engineer is to certify that the structure can withstand the forces of floodwater, scour, debris and buoyancy in a 1% AEP flood event.
27. All building materials shall be flood resistant, or flood compatible to a height of 500mm above the 1% AEP flood, or flow level. All internal electrical switches, power points or similar utilities liable to flood damage shall be set at a minimum of 500mm above the 1% AEP flood, or flow level. Details shall be provided and approved prior to the issue of a construction certificate.
28. Prior to the issue of the Construction Certificate, the approved plans must be submitted to Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

Sydney Water's Tap in™ online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

29. Prior to issue of the Construction Certificate, a longitudinal driveway profile shall be submitted to Principal Certifying Authority for assessment and approval. The profile shall start in the centre of the road and be along the critical edge (worst case) of the driveway. Gradients and transitions shall be in accordance with Council's Code. The profile shall be drawn to a scale of 1 to 25 and shall include all relevant levels, grades (%) and lengths.

Driveway must comply with AS2890.1:2004. Headroom clearance shall be minimum 2.2m.

30. The subsurface structure shall be designed with a waterproof retention system (ie tanking and waterproofing) with adequate provision for future fluctuation of the water table. The subsurface structure is required to be designed with consideration of uplift due to water pressure and "flotation" (buoyancy) effects. Subsoil drainage around the subsurface structure must allow free movement of groundwater around the structure, but must not be connected to the internal drainage system. The design of subsurface structure, tanking and waterproofing, and subsoil drainage shall be undertaken by a suitably experienced Chartered Professional Engineer(s). Design details and construction specifications shall be included in the documentation accompanying the Construction Certificate.
31. Any part of the proposed building within 3m of the proposed detention tank or absorption trench shall be constructed on a pier and beam foundation with piers extending no less than 300mm below the bottom of the tank or trench base. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
32. The driveway over the absorption trench shall be either constructed on a pier and beam foundation with piers extending no less than 300mm below the bottom of the trench base or constructed as a structural slab so that no load is transferred to the plastic trench. This requirement shall be reflected on the Construction Certificate plans and supporting documentation.
33. A geotechnical engineer shall determine the soil absorption rate and satisfy the other requirements of Rockdale Technical Specification Stormwater Management relating to the water table, impact on footings, etc prior to design of the drainage system. A copy of the report shall be forwarded to Council prior to the issue of the Construction Certificate.
34. Prior to the issue of the Construction Certificate, detailed drainage design plans for the management of stormwater are to be submitted to Principal Certifying Authority for assessment and approval. Design certification, in the form specified in Rockdale Technical Specification Stormwater Management, and drainage design calculations are to be submitted with the plans. Council's Rockdale Technical Specification Stormwater Management sets out the minimum documentation requirements for detailed design plans. Stormwater management requirements for the development site, including the final discharge/end connection point, must comply with Rockdale Technical Specification Stormwater Management.

Access pit shall be provided either side of each trenches for future maintenance.

35. As the basement floor are being proposed closer to existing built structures on neighbouring properties and existing childcare facility, which may be in the zone of influence of the proposed works and excavations on this site, a qualified practicing geotechnical engineer must;
 - (a) Implement all recommendations contained in the report prepared by STS Geotechnical Pty Ltd, dated April 2016, project ref no 20916/6833C.
 - (b) Provide a certificate that the construction certificate plans are satisfactory from a geotechnical perspective.
 - (c) Confirm that the proposed construction methodology; A Construction Methodology report is to be prepared demonstrating that the proposed construction methods (including any excavation, and the configuration of the built structures) will have no adverse impact on any surrounding property and infrastructure. The report must be submitted with the application for a Construction Certificate for the relevant stage of works.
 - (d) Inspect the works as they progress. The Inspections are to occur at frequencies determined by the geotechnical engineer.

(e) Where a Private Certifier issues the Construction Certificate a copy of the above documentation must be provided to Council, once the Construction Certificate is issued for the relevant stage of works. Note: A failure by contractors to adequately assess and seek professional engineering (geotechnical) advice to ensure that appropriate underpinning and support to adjoining land is maintained prior to commencement may result in damage to adjoining land and buildings. Such contractors are likely to be held responsible for any damages arising from the removal of any support to supported land as defined by section 177 of the Conveyancing Act 1919.

36. Development that intercepts or extracts groundwater may require an authorisation from Department of Primary Industries - Water (DPI - Water) under *the Water Management Act 2000*. The requirements for such an authorisation are detailed in the *NSW Aquifer Interference Policy*. Dewatering is not permitted without obtaining necessary approval from DPI - Water.

Prior to commencing works and issue of Construction Certificate, applicant must consult with DPI - Water, and if required, obtain necessary authorisation. All works must be carried out in accordance with DPI - Water's requirements. For more information, visit DPI - Water's website.

37. Any on-site dewatering must not lower the groundwater level outside the site without an Acid Sulfate Soils Management Plan being prepared and implemented. A geotechnical engineer must inspect the works as they progress to ensure compliance with this condition. The Inspections are to occur at frequencies determined by the geotechnical engineer.

Prior to commencement of works

The following conditions must be completed prior to the commencement of works.

38. A dilapidation survey shall be undertaken of all properties and/or Council infrastructure, including but not limited to all footpaths, kerb and gutter, stormwater inlet pits, and road carriageway pavements, in the vicinity which could be potentially affected by the construction of this development. Any damage caused to other properties during construction shall be rectified. A copy of the dilapidation survey and an insurance policy that covers the cost of any rectification works shall be submitted to the Accredited Certifier (AC) or Council prior to Commencement of Works. The insurance cover shall be a minimum of \$10 million.
39. A Soil and Water Management Plan shall be prepared. The Plan must include details of the proposed erosion and sediment controls to be installed on the building site. A copy of the Soil and Water Management Plan must be kept on-site at all times and made available on request.

Soil and sedimentation controls are to be put in place prior to commencement of any work on site. The controls are to be maintained in effective working order during construction.

Council's warning sign for soil and water management must be displayed on the most prominent point on the building site, visible to both the street and site workers. The sign shall be erected prior to commencement of works and shall be displayed throughout construction.

40. A sign must be erected at the front boundary of the property clearly indicating the Development Approval Number, description of work, builder's name, licence number and house number before commencement of work. If owner/builder, the

Owner/Builder Permit Number must be displayed.

41. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
 - i. stating that unauthorised entry to the work site is prohibited, and
 - ii. showing the name of the person in charge of the work site and a telephone number at which that person may be contacted outside working hours.
Any such sign is to be removed when the work has been completed.
This condition does not apply to:
 - iii. building work carried out inside an existing building or
 - iv. building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
42. The site shall be secured by a 1800 mm (minimum) high temporary fence for the duration of the work. Gates shall be provided at the opening points.
43. Toilet facilities must be available or provided at the work site before works begin and must be maintained until the works are completed at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site.
44. Consultation with Ausgrid is essential prior to commencement of work. Failure to notify Ausgrid may involve unnecessary expense in circumstances such as:
 - i) where the point of connection and the meter board has been located in positions other than those selected by Ausgrid or
 - ii) where the erection of gates or fences has restricted access to metering equipment.
45. Prior to the commencement of work, Vibration monitoring equipment must be installed and maintained, under the supervision of a professional engineer with expertise and experience in geotechnical engineering, between any potential source of vibration and any building identified by the professional engineer as being potentially at risk of movement or damage from settlement and/or vibration during the excavation and during the removal of any excavated material from the land being developed.

If vibration monitoring equipment detects any vibration at the level of the footings of any adjacent building exceeding the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity an audible alarm must activate such that the principal contractor and any subcontractor are easily alerted to the event. Where any such alarm triggers all excavation works must cease immediately.

Prior to the vibration monitoring equipment being reset by the professional engineer and any further work recommencing the event must be recorded and the cause of the event identified and documented by the professional engineer.

Where the event requires, in the opinion of the professional engineer, any change in work practices to ensure that vibration at the level of the footings of any adjacent building does not exceed the peak particle velocity adopted by the professional engineer as the maximum acceptable peak particle velocity these changes in work practices must be documented and a written direction given by the professional engineer to the principal contractor and any subcontractor clearly setting out required work practice.

The principal contractor and any subcontractor must comply with all work directions, verbal or written, given by the professional engineer. A copy of any written direction

required by this condition must be provided to the Principal Certifying Authority within 24 hours of any event.

Where there is any movement in foundations such that damaged is occasioned to any adjoining building or such that there is any removal of support to supported land the professional engineer, principal contractor and any subcontractor responsible for such work must immediately cease all work, inform the owner of that supported land and take immediate action under the direction of the professional engineer to prevent any further damage and restore support to the supported land.

Note: Professional engineer has the same mean as in Clause A1.1 of the BCA.

Note: Building has the same meaning as in section 4 of the Act i.e. "building includes part of a building and any structure or part of a structure".

Note: Supported land has the same meaning as in section 88K of the Conveyancing Act 1919.

During demolition / excavation / construction

The following conditions must be complied with during demolition, excavation and or construction.

46. A copy of the Construction Certificate and the approved plans and specifications must be kept on the site at all times and be available to Council officers upon request.
47. Hours of construction shall be confined to between 7 am and 6.30 pm Mondays to Fridays, inclusive, and between 8 am and 3.30 pm Saturdays with no work being carried out on Sundays and all public holidays.
48. Upon inspection of each stage of construction, the Principal Certifying Authority (or other suitably qualified person on behalf of the Principal Certifying Authority) is also required to ensure that adequate provisions are made for the following measures (as applicable), to ensure compliance with the terms of Council's approval:
 - Sediment control measures
 - Provision of perimeter fences or hoardings for public safety and restricted access to building sites.
 - Maintenance of the public place free from unauthorised materials, waste containers or other obstructions.
49. Demolition operations shall not be conducted on the roadway or public footway or any other locations, which could lead to the discharge of materials into the stormwater drainage system.
50. All waste generated on site shall be disposed of in accordance with the submitted Waste Management Plan and relevant requirements of Rockdale Technical Specification.
51. All excavation and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards and guarded and protected to prevent them from being dangerous to life or property.

When excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building or an adjoining allotment of land, you shall:

- i. preserve and protect the building from damage and
- ii. underpin and support the building in an approved manner, if necessary and

- iii. give notice of intention to excavate below the level of the base of the footings of a building on an adjoining allotment of land to the owner at least 7 days prior to excavation and furnish particulars of the excavation to the owner of the building being erected or demolished.

Note: The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this conditions allotment of land includes a public road and any other public place.

Works shall not encroach onto or over adjoining properties, including retaining walls, fill material or other similar works. Soil shall not be lost from adjoining sites due to construction techniques employed on the subject site.

52. When soil conditions require it:

- i. retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided, and
- ii. adequate provision shall be made for drainage.

53. All contractors shall comply with the following during all stages of demolition and construction:

- A Waste Container on Public Road Reserve Permit must be obtained prior to the placement of any waste container or skip bin in the road reserve (i.e. road or footpath or nature strip). Where a waste container or skip bin is placed in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
- A Road Opening Permit must be obtained prior to any excavation in the road reserve (i.e. road or footpath or nature strip). Where excavation is carried out on the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
- A Hoarding Permit must be obtained prior to the erection of any hoarding (Class A or Class B) in the road reserve (i.e. road or footpath or nature strip). Where a hoarding is erected in the road reserve without first obtaining a permit, the Council's fees and penalties will be deducted from the Footpath Reserve Restoration Deposit. Permits can be obtained from Council's Customer Service Centre.
- A Crane Permit must be obtained from Council prior to the operation of any activity involving the swinging or hoisting of goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway. Permits can be obtained from Council's Customer Service Centre.
- A current Permit to Dewater or Pump Out a site must be obtained prior to the discharge of pumped water into the road reserve, which includes Council stormwater pits and the kerb and gutter. Permits can be obtained from Council's Customer Service Centre.

54. All demolition work shall be carried out in accordance with AS2601 – 2001: The Demolition of Structures and with the requirements of the WorkCover Authority of NSW.

55. The following conditions are necessary to ensure minimal impacts during construction:

- i. Building, demolition and construction works not to cause stormwater pollution. Pollutants such as concrete slurry, clay and soil shall not be washed from vehicles onto roadways, footways or into the stormwater system. Drains, gutters, roadways and access ways shall be maintained free of sediment. Where required, gutters and roadways shall be swept regularly to maintain them free from sediment.
- ii. Stormwater from roof areas shall be linked via a temporary downpipe to an approved stormwater disposal system immediately after completion of the roof area.
- iii. All disturbed areas shall be stabilised against erosion within 14 days of completion, and prior to removal of sediment controls.
- iv. Building and demolition operations such as brickcutting, washing tools or paint brushes, and mixing mortar shall not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- v. Stockpiles are not permitted to be stored on Council property (including nature strip) unless prior approval has been granted. In addition stockpiles of topsoil, sand, aggregate, soil or other material shall be stored clear of any drainage line or easement, natural watercourse, kerb or road surface.
- vi. Wind blown dust from stockpile and construction activities shall be minimised by one or more of the following methods:
 - a) spraying water in dry windy weather
 - b) cover stockpiles
 - c) fabric fences
- vii. Access to the site shall be restricted to no more than two 3m driveways. Council's footpath shall be protected at all times. Within the site, provision of a minimum of 100mm coarse crushed rock is to be provided for a minimum length of 2 metres to remove mud from the tyres of construction vehicles.

An all weather drive system or a vehicle wheel wash, cattle grid, wheel shaker or other appropriate device, shall be installed prior to commencement of any site works or activities, to prevent mud and dirt leaving the site and being deposited on the street. Vehicular access is to be controlled so as to prevent tracking of sediment onto adjoining roadways, particularly during wet weather or when the site is muddy. Where any sediment is deposited on roadways it is to be removed by means other than washing and disposed of appropriately.

In addition builders / demolishers are required to erect fence along the whole of the street alignment other than at the two openings. Such protection work, including fences, is to be constructed, positioned and maintained in a safe condition to the satisfaction of the Principal Certifying Authority, prior to the demolition of the existing structures and commencement of building operations.

- viii. Any noise generated during construction of the development shall not exceed limits specified in any relevant noise management policy prepared pursuant to the Protection of the Environment Operations Act, 1997 or

exceed approved noise limits for the site.

- 56. All existing trees located within the site may be removed.
- 57. Any pruning of branches or roots of trees growing from within adjoining properties requires the prior written consent of the tree's owners and the prior written consent of Council in the form of a Permit issued under Council's Development Control Plan 2011. The work must be carried out in accordance with AS4373:2007 by an experienced Arborist with minimum AQF Level 2 qualifications in Arboriculture.

Prior to issue of occupation certificate or commencement of use

The following conditions must be complied with prior to issue of the Occupation Certificate or Commencement of Use.

- 58. An Occupation Certificate shall be obtained in relation to the approved works prior to any use or occupation of the building.
- 59. Where Council's park/reserve is damaged as a result of building work or vehicular building traffic, this area shall be restored by Council at the applicant's expense. Repairs shall be completed prior to the issue of the Occupation Certificate.
- 60. All excess excavated material, demolition material, vegetative matter and builder's rubbish shall be removed to the Waste Disposal Depot or the Regional Tip prior to final inspection.
Note: Burning on site is prohibited.
- 61. The approved recommendations from the Flood Management Report shall be implemented prior to occupation.
- 62. All landscape works are to be carried out in accordance with the approved plans prior to the issue of an Occupation Certificate for the approved development. The landscaping is to be maintained to the approved standard at all times.
- 63. At least one (1) native or ornamental tree of at least 45 litre pot size and capable of growing to a minimum height of three (3) metres shall be planted in a suitable location within the property on completion of the building works and prior to the final inspection.
- 64. All works within the road reserve, which are subject to approval pursuant to Section 138 of the Roads Act 1993, shall be completed and accepted by council.
- 65. Prior to completion of the building works, a full width vehicular entry is to be constructed to service the property. Any obsolete vehicular entries are to be removed and reconstructed with kerb and gutter. This work may be done using either a Council quote or a private contractor. There are specific requirements for approval of private contractors.
- 66. The width of the single driveway shall be maximum of 4.5m at the property boundary.
- 67. Prior to occupation, a registered surveyor shall certify that the driveway(s) over the footpath and within the property have been constructed in accordance with the approved driveway profile(s). The certification shall be based on a survey of the completed works. A copy of the certificate and a works-as-executed driveway profile shall be provided to Council if Council is not the Principal Certifying Authority.
- 68. A certificate from a Registered Surveyor shall be provided to the Principal Certifying Authority (PCA) certifying that the habitable/commercial floor level is constructed a minimum of 500mm above the 1% Annual Exceedance Probability (A.E.P) Flood Level. A copy of the certificate shall be provided to Council where Council is not the Principal Certifying Authority.
- 69. A certificate from a Registered Surveyor shall be provided to the Principal Certifying

Authority certifying that the garage floor/parking level is either constructed at or above 1% A.E.P Annual Exceedance Probably (AEP) Flood Level OR [in the case of the garage floor/parking level being below the 1% A.E.P Annual Exceedance Probability (AEP) Flood Level] the garage floor/parking level is protected from inundation to a minimum of 500mm above the 1% A.E.P Annual Exceedance Probability (AEP) Flood Level. A copy of the certificate shall be provided to Council where Council is not the Principal Certifying Authority.

70. All absorption trenches must be inspected, and a compliance certificate under Part 4A of the EP&A Act issued prior to back filling and proceeding to subsequent stages of construction. Copies of the certificate are to be maintained by the principal certifying authority and be made available to Council officers upon request.
71. The development shall comply with Rockdale Development Control Plan (DCP) 2011, and the Planning Considerations and Development Controls listed in the Flood Advice letter issued by Council on 23 August 2016.
72. The maximesh screens and removable geotextile are to be installed in the absorption system prior to connection of the downpipes to ensure the effective performance of the system during construction and the long term viability of the system.
73. The owner of the premises is required to comply with the following requirements when installing a rainwater tank:
 - Inform Sydney Water that a Rainwater tank has been installed in accordance with applicable requirements of Sydney Water.
 - The overflow from the rainwater tank shall be directed to the storm water system.
 - All plumbing work proposed for the installation and reuse of rainwater shall comply with the NSW Code of Practice: Plumbing and Drainage and be installed in accordance with Sydney Water "Guidelines for rainwater tanks on residential properties.
 - A first flush device shall be installed to reduce the amount of dust, bird faeces, leaves and other matter entering the rainwater tank.
74. Prior to occupation a Chartered Professional Engineer competent in geotechnics shall certify that the construction works has been constructed in accordance with the approved geotechnical report and include an evaluation of the completed works. A copy of the certificate shall be supplied to the Principal Certifying Authority. A copy shall be provided to Council if Council is not the Principal Certifying Authority.

Roads Act

75. Where applicable, the following works will be required to be undertaken in the road reserve at the applicant's expense:
 - construction of a new fully constructed concrete vehicular entrance;
 - removal of the existing concrete vehicular entrance/s, and/or kerb laybacks which will no longer be required;
 - removal of redundant paving;
 - smooth transition with new driveways and footpath areas
76. All footpath, or road and drainage modification and/or improvement works to be undertaken in the road reserve shall be undertaken by Council, or by a Private Licensed Contractor subject to the submission and approval of a Private Contractor Permit, together with payment of all inspection fees. An estimate of the cost to have

these works constructed by Council may be obtained by contacting Council. The cost of conducting these works will be deducted from the Footpath Reserve Restoration Deposit, or if this is insufficient the balance of the cost will be due for payment to Council upon completion of the work.

77. This Roads Act approval does not eradicate the need for the Contractor to obtain a Road Opening Permit prior to undertaking excavation in the road or footpath.
78. Any driveway works to be undertaken in the footpath reserve by a private contractor requires an "Application for Consideration by a Private Contractor" to be submitted to Council together with payment of the application fee. Works within the footpath reserve must not start until the application has been approved by Council.
79. Following completion of concrete works in the footpath reserve area, the balance of the area between the fence and the kerb over the full frontage of the proposed development shall be turfed with either buffalo or couch (not kikuyu).

Development consent advice

- a. You are advised to consult with your utility providers (i.e. Energy Aust, Telstra etc) in order to fully understand their requirements before commencement of any work.
- b. *Telstra Advice – Dial Before You Dig*

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets, please contact Dial before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before You Dig service in advance of any construction or planning activities.

- c. *Telstra Advice - Telecommunications Act 1997 (Commonwealth)*

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Commonwealth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800810443.

- d. Demolition and construction shall minimise the emission of excessive noise and prevent "offensive noise" as defined in the Protection of the Environment Operations Act 1997. Noise reduction measures shall include, but are not limited to the following strategies:
 - choosing quiet equipment
 - choosing alternatives to noisy activities
 - relocating noise sources away from affected neighbours
 - educating staff and contractors about quiet work practices
 - informing neighbours of potentially noise activities in advance

- equipment, such as de-watering pumps, that are needed to operate on any evening or night between the hours of 8 p.m. and 7 a.m. or on any Sunday or Public Holiday, shall not cause a noise nuisance to neighbours of adjoining or nearby residences. Where the emitted noise exceeds 5 dB(A) [LAeq(15m)] above the background sound level [LA90] at the most affected point on the nearest residential boundary at any time previously stated, the equipment shall be acoustically insulated, isolated or otherwise enclosed so as to achieve the sound level objective.
- e. The water from the rainwater tank should not be used for drinking, Sydney Water shall be advised of the installation of the rainwater tank.
- f. All site works shall comply with the occupational health and safety requirements of the NSW WorkCover Authority.
- g. In the event of any inconsistency between conditions of this approval and the drawings/documents referred to in condition 2, the conditions of this approval prevail.

BASIX NOTES

Construction Additional insulation required (R-Value)
Other specifications
floor - concrete slab on ground nil
floor - suspended floor above garage, concrete nil
external wall - cavity brick 0.50 (or 1.17 including construction)
ceiling and roof - flat ceiling / flat roof, concrete/plasterboard internal ceiling: 1.82 (up), roof: foil/sarking
concrete/plasterboard internal; light (solar absorptance < 0.475)

NOTE:
MIN SETBACK REQUIRED FOR 31 RIVERSIDE DRIVE IS AVERAGE OF 2 NEIGHBORS
THEREFORE MIN SETBACK IS 7.2+ 6.18 = 13.38/2 = 6.69 m (WE PROPOSE 8.48M)

A 1.2M ARTICULATION ZONE IS PERMITTED (BALCONY PROJECTION)
THEREFORE MIN SETBACK FOR BLACONY IS 6.69-1.2M = 5.49M (WE PROPOSE 5.57M)

NEW CROSSOVER DRIVEWAY TO COUNCIL REQUIREMENTS



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RIVERSIDE

12.785

DR

01 ROOF PLAN

1:100

NEIGHBORS ROOF SHOWN HATCHED
(NO WINDOWS AND NO BALCONY)

NEIGHBORS ROOF SHOWN HATCHED
(NO WINDOWS AND NO BALCONY)

OUTBUILDING

Subject to condition regarding area to be removed

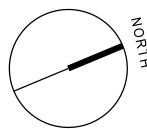
The length of the eastern external wall at roof level shall be
reduced by a minimum of 2m

Revisions			Revisions		
No	Date	Description	No	Date	Description
A	01.10.16	ISSUE FOR APPROVAL			

DEVELOPMENT APPLICATION

Do not scale drawings. Use figured dimensions only. Check & verify levels and dimensions on site prior to the commencement of any work, the preparation of shop drawings or the fabrication of components.
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Location
31 RIVERSIDE DRIVE SANS SOUCI
LOT 2
DP 841047



Client
MR & MRS SAYEGH

Consultants
PRECISE SURVEYING
STS GEOTECH
MBC CONSULTANTS

DESIGNER 0405204511 RAB@RMDESIGNERS.COM

RM
DESIGNERS

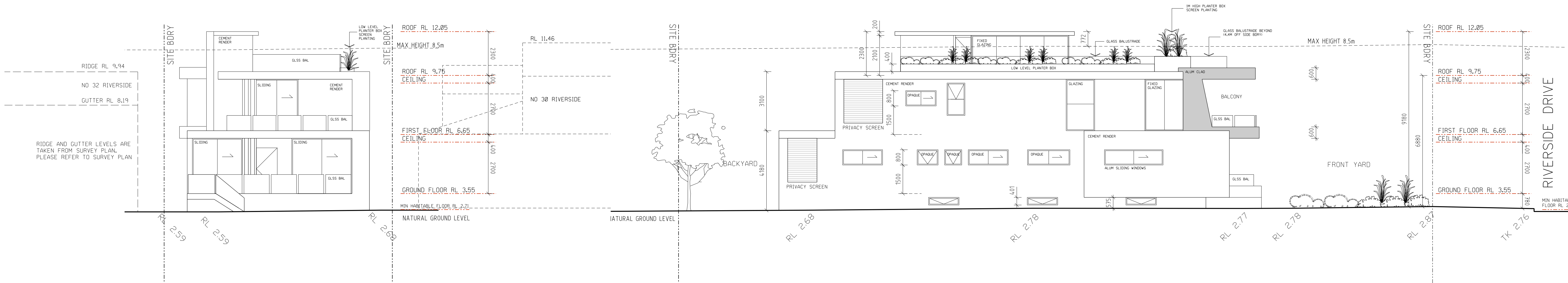
Project
NEW SINGLE DWELLING
2 STOREY HOUSE WITH
BASEMENT GARAGE

Proj No. 16 003

Drawing Title
ROOF PLAN

Drawing Status
NOT FOR CONSTRUCTION

Scale	Drawing No	Issue
1:100	DA 23	C

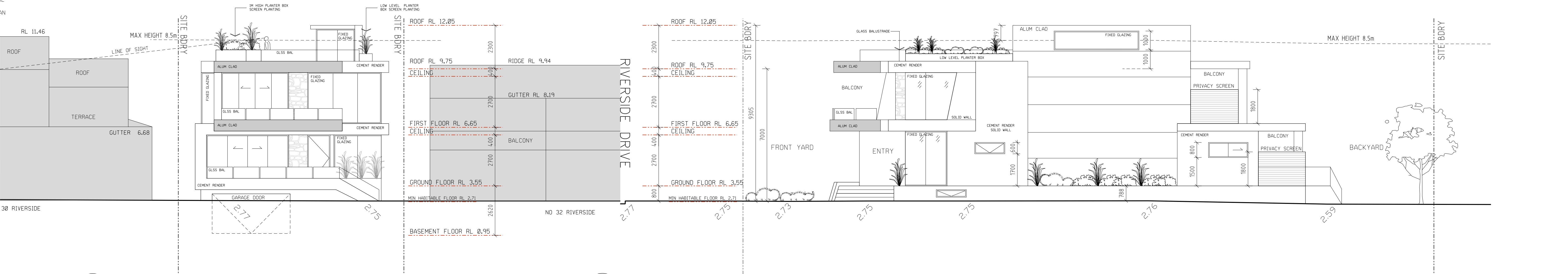


01 NORTH ELEVATION
FRONTELEVATION

1:200

02 WEST ELEVATION

1:200

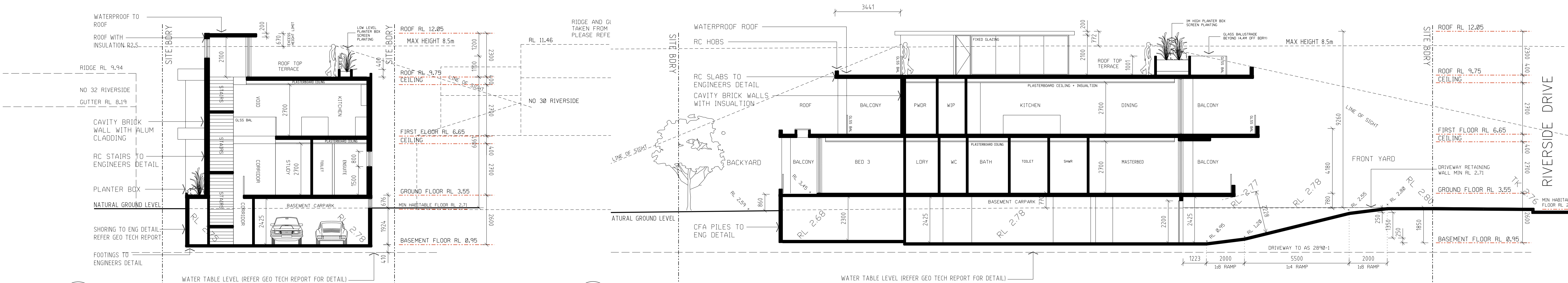


03 SOUTH ELEVATION
REAR ELEVATION

1:200

04 EAST ELEVATION

1:200



AA SHORT SECTION

1:200

BB LONGITUDINAL SECTION

1:200

Revisions			Revisions			DEVELOPMENT APPLICATION	Location 31 RIVERSIDE DRIVE SANS SOUCI LOT 2 DP 841047	Client MR & MRS SAYEGH	DESIGNER 0405204511 RABI@RMDESIGNERS.COM	Project NEW SINGLE DWELLING 2 STOREY HOUSE WITH BASEMENT GARAGE	Drawing Title ELEVATIONS AND SECTIONS	Scale 1:200	Drawing No DA 30	Issue C
No	Date	Description	No	Date	Description									
A	01.10.16	ISSUE FOR APPROVAL				Do not scale drawings. Use figured dimensions only. Check & verify levels and dimensions on site prior to the commencement of any work, the preparation of shop drawings or the fabrication of components. This drawing is the copyright of RM Designers and is protected under the Copyright Act 1968. Do not alter, reproduce or transmit in any form, or by any means, without the express permission of RM Designers.								
NOT FOR CONSTRUCTION												0m 2 4 6 8		

Clause 4.6 Request for Variation to Building Height Standard

1.0 Background

This written request is prepared on behalf of the applicant, in accordance with provisions of Clause 4.6 Exceptions to Development Standards of Rockdale Local Environmental Plan (LEP) 2011 which has as its objectives to allow a degree of flexibility in applying development standards, where a better outcome is able to be achieved.

2.0 Request to Vary Building Height Standard

2.1 What standard is being varied?

This Clause 4.6 variation request seeks a variation to Clause 4.3 of Rockdale LEP with respect to the height of buildings standard which allows 8.5m. The standard is not a performance based control.

2.2 What are the objectives of the standard?

The objectives of Clause 4.3 Height of Buildings standard are:

- (a) to establish the maximum limit within which buildings can be designed and floor space can be achieved,*
- (b) to permit building heights that encourage high quality urban form,*
- (c) to provide building heights that maintain satisfactory sky exposure and daylight to buildings, key areas and the public domain,*
- (d) to nominate heights that will provide an appropriate transition in built form and land use intensity.*

The justification provided in Section 4.1 demonstrates that the proposal meets the objectives of the standard and is in the public interest, despite the numerical standard being contravened.

2.3 What is the numerical variation?

The proposed building will have a maximum height of 9.3m to the top of the roof access and lift overrun, varying the standard by a maximum 800mm equivalent to a variation of 9.4%. The reason for the variation is strictly to provide access to the roof terrace, resulting in the wall of the staircase and lift overrun to be situated above the LEPs height limit.

2.4 What is the zoning of the land?

The land is zoned R2 Low Density Residential under Rockdale LEP.

2.5 What are the objectives of the zone?

The objectives of the R2 Low Density Residential zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that land uses are carried out in a context and setting that minimises any impact on the character and amenity of the area.*

The justification provided in Section 3.3 demonstrates that the proposal meets the objectives of the zone and is in the public interest, despite the numerical standard being contravened.

3.0 Established Framework for Justifying and Assessing Contraventions to Development Standards

The NSW Land and Environment Court (LEC) has established widely used tests to assist developers in justifying contraventions and to assist Councils in considering contraventions against the specific matters listed in Clause 4.6 of standard LEPs. The main tests include:

3.1 'Five-part test' established in 'Wehbe' decision by NSW

LEC

In this decision, Chief Judge Preston identified ways in which an applicant can establish that compliance with a development standard is unreasonable or unnecessary and that it may be done in any of the following ways:

1. **that the objectives of the standard are achieved notwithstanding non-compliance with the standard, or**
2. that the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary, or
3. that the underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable, or
4. **that the development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable, or**
5. that the compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone.

The first and fourth methods are of relevance to this proposal and are discussed in Section 4.1.

3.2 'Grounds particular to the circumstances' established in 'Four2Five' decision by NSW LEC

In this decision, Commissioner Pearson suggested that simply demonstrating the development achieves objectives of the standard is insufficient to justify that a standard is unreasonable or unnecessary; and that to justify that there are 'sufficient' environmental planning

grounds for the variation may require identification of 'grounds particular to the circumstances of the proposed development' (meaning something more specific to the site and the development, not just generic grounds that apply to any similar development on the site or the vicinity).

This additional test was expressly stated in subsequent appeals as being a discretionary or subjective opinion of the Commissioner and does not mean that variations can only be allowed where there is some special or particular feature of the site that justifies non-compliance.

The justification provided in Section 4.2 demonstrates circumstances that are particular to this development that provide additional environmental planning grounds to satisfy Council that compliance with the standard, for this particular site is unreasonable.

3.3 Matters prescribed in Clause 4.6 Exceptions to Development Standards of LEP

According to provisions of Clause 4.6, Council must be satisfied with the following three matters before approving development that contravenes a development standard:

1. that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
2. that there are sufficient environmental planning grounds to justify contravening the development standard, and
3. that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

The justification provided in Section 4.3 demonstrates that compliance with the development standard is unreasonable; that there are more than sufficient environment grounds to justify contravening the standard; and that the proposal does not contravene the public interest.

4.0 Justification for Contravening Height of Buildings Standard

4.1 'Five-part test' established in 'Wehbe' decision by NSW LEC

As noted earlier, the first and fourth methods out of the five methods established in the Wehbe decision are relevant to this proposal:

- **Method 1 - Meeting objectives of the standard:** requires the applicant to demonstrate that the objectives of Clause 4.3 Height of Buildings standard are achieved notwithstanding non-compliance with the standard. The following demonstrates that the proposal meets each objective despite the non-compliance with the standard:

Objective (a) to establish the maximum limit within which buildings can be designed and floor space can be achieved is met since the building is designed such that the residential storeys/floors are substantially below the maximum 8.5m LEP standard and as such the principle building and its floor space is also designed within the limits. The exceedance is only a result of vertical circulation features to enable access to the rooftop terrace and there is no additional floor space above the height limit.

Objective (b) to permit building heights that encourage high quality urban form is met since the variation also results in high quality urban form that creates a feature on the roof allowing the rooftop to be accessible and useful as an alternative private open space. To not allow the variation would discourage high quality urban form since it would go against urban design principles of maximising views of the natural water front, maximising solar access, and making an otherwise useless space highly attractive and useable.

Objective (c) to provide building heights that maintain satisfactory sky exposure and daylight to buildings, key areas and the public domain is met since the proposed building (including where it is under the maximum 8.5m height standard as well as where it exceeds the height standard) maintains satisfactory solar access and does not restrict sky exposure and/or daylight to adjoining buildings, key areas or the public domain.

The portion of the rooftop access which exceeds the building height standard by 800mm does not result in any impact on the east-adjointing property which it is noted does not have any windows on the upper level which face the subject site. The variation also allows the proposed dwelling to maximise its own sky exposure and solar access by enabling a small void on the roof, to allow daylight to penetrate to the lower levels of the building, providing excellent internal amenity.

Objective (d) to nominate heights that will provide an appropriate transition in built form and land use intensity is met and is not contravened by this proposal. The principle building is below the maximum height limit and it can be said that the small portion of rooftop access features exceeding the height limit is counterbalanced against the rest of the lower building height.

An appropriate transition is provided by staggering the building height and by generously setting back the portion that is over the height from all site boundaries, such that there is minimal visibility from the street and from side neighbours and such that the non-compliant portion is an appropriate contextual fit that does not appear to intensify the site.

- **Method 4 - Standard abandoned by Council:** requires the applicant to demonstrate that the development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable.

Council officers have confirmed that they regularly accept building height variations to enable access to similar rooftop terraces. This was confirmed in examples of approved developments including:

- DA-2017/30 – 4 Primrose Avenue, Sandringham was approved at Council Meeting of 14 December 2016, allowing lift and stair access to a new roof terrace to exceed the allowable 8.5m maximum height limit by 970mm.
- DA-2014/365 - 102 General Holmes Drive, Kyeemagh was approved at Council Meeting of 1 October 2014, allowing lift and stair access to the roof terrace to exceed the allowable 8.5m maximum height limit by 1.1m.

These examples demonstrate that Council has previously abandoned the standards and that the proposal is in-line with Council's established approach, such that insisting or maintaining the standard for this proposal would not have any public benefits and under these circumstances, strict numerical compliance with the standard is unreasonable. Considering the proposal despite its 800mm variation satisfies the objectives of the height of buildings standard and the objectives of the zone, approval of the variation does not contravene the public interest and should be supported.

4.2 'Grounds particular to the circumstances' established in 'Four2Five' decision by NSW LEC

The combination of the following factors particular to the site demonstrate there are additional environmental planning grounds (in addition to Council's abandonment of the standard, consistency with objectives etc.), to justify that the standard is unreasonable:

- **Waterfront property:** the site is geographically unique being located directly across waterfront and without any buildings obstructing the view. It is considered that this is one of the most appropriate locations for rooftop terraces to take advantage of views and the residential amenity that this affords. Unfortunately, without varying the standard, access to a rooftop would be unachievable. The proposal in its non-compliant form achieves a better outcome than if it were amended to comply with the 8.5m height limit.
- **Depth of water table:** investigation of the depth of the water table indicates that it is approximately 400mm-500mm below the basement slab. To minimise environmental impacts as a result of this particular feature, the design has aimed to maintain the current overall building height without lowering it any further. In this regard, this feature of the site, combined with the above features, has had implications on the extent of the building height variation.

The variation of 800mm to the building height standard for the purpose of providing access to a rooftop terrace to maximise the unique site location and residential amenity; together with the proposed height minimising the environmental impact on the water table, it is considered that there are sufficient environmental planning grounds justifying that compliance with the standard is unreasonable in the particular circumstances of this case.

4.3 Matters prescribed in Clause 4.6 Exceptions to Development Standards of LEP

As noted earlier, Council required to be satisfied with the following matters prescribed under Clause 4.6 of Rockdale LEP:

1. that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and:

It was demonstrated in Section 4.1 that compliance with the development standard is unreasonable in the circumstances of the case, particularly having regard to Council's abandonment of the control where it enables access to rooftop terraces; in addition to the particular circumstances of the site and development; as well as considering that the proposal satisfies the objectives of the height of building standards despite the minor numerical variation.

2. that there are sufficient environmental planning grounds to justify contravening the development standard, and:

It has been demonstrated that there are more than adequate environmental planning grounds to justify contravening the standard including but not limited to the proposal's consistency with objectives of the standard and the zone despite its numerical non-compliance; its minimal impacts on the built and natural environment; its contextual fit within the streetscape; the fact that the standard has virtually been abandoned by Council, the specific circumstances of the site such as its unique waterfront location and the depth of the water table and the minor 9.4% or 800mm extent of the variation. These factors further demonstrate that compliance with the standard is unreasonable and that the benefits of allowing the variation exceed any perceived negative effects.

- 3. That the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out:**

It was demonstrated in Section 4.1 that the proposal is in the public interest in terms of meeting the objectives of the particular standard, that is, the objectives of the Clause 4.3 Height of Buildings standard.

This Section demonstrates that the proposal is also in the public interest in terms of meeting the following generic objectives for development within the R2 Low Density Residential zone:

- ***To provide for the housing needs of the community within a low density residential environment***

This objective is met since the proposal provides housing in a low density setting. The minor variation of 800mm above the building height standard does not contribute to unreasonable bulk that would contravene the low density setting and the building overall is compatible with the streetscape, especially as the bulk of the principle dwelling is well below the maximum height limit.

- ***To enable other land uses that provide facilities or services to meet the day to day needs of residents***

This objective is not relevant to the proposal since it relates to proposals that incorporate non-residential development.

- ***To ensure that land uses are carried out in a context and setting that minimises any impact on the character and amenity of the area***

This objective is met since the impact on the character and amenity of the area is negligible and entirely acceptable through the following aspects:

- the variation does not result in unreasonable overshadowing impacts or other amenity impacts, nor does it result in any overlooking,
- the non-compliant part of the rooftop access structures are substantially setback from the frontage and are obscured from view of the public domain by the physical buffer of the east adjoining neighbouring building,
- the non-compliant portion has been located to the east side being the least sensitive interface with a neighbouring property since the east neighbour has no windows that would have an outward view of the non-compliant portion,
- it does not contribute to excess bulk and scale and has been reduced to a slim structure,
- It remains consistent with the streetscape and with similar developments approved by Council.

5.0 Conclusion

This written request has demonstrated that it is appropriate for Council to allow a variation to Clause 4.3 Height of Buildings Standard under the Rockdale Local Environmental Plan (LEP) 2011 and pursuant to the provisions of Clause 4.6 Exceptions to Development Standards on the basis that a better outcome is able to be achieved.

Venetin Aghostin MUDD, BP, MPIA
Director, URBANABLE

12 January 2017

Council Meeting

8/02/2017

Item No	9.3
Subject	Bayside West Precincts – Council Submission
Report by	Peter Naidovski, Senior Project Officer (Land Use & Transport)
File	(R) F14/307

Summary

The NSW Department of Planning and Environment (DPE) has released the Bayside West Precincts Land Use and Infrastructure Strategy (LUIS). The LUIS broadly outlines the vision for growth in the Bayside West Precincts as well as the infrastructure needs to support growth in the proposed Precincts.

The Strategy identifies areas within the Arncliffe and Banksia Precincts that are suitable for rezoning in the short term. To facilitate the proposed changes to local planning controls, a Precinct Proposal for the Arncliffe and Banksia Precincts has also been prepared and is currently on exhibition.

Council believes that the Priority Precinct Proposal will drive a positive change to the Arncliffe and Banksia precincts. However, in reviewing the documentation, Council has identified a number of areas that warrant comment.

The public exhibition period ends on 28 February 2017. Given this is before Council meets in March 2017, it is recommended that Council's submission be finalised by the General Manager and reported to Council for information at the first available opportunity.

Officer Recommendation

That the Administrator endorses the heads of consideration being prepared for Council's submission and delegates the finalisation of Council's submission on the Bayside West Precincts to the General Manager.

Background

The DPE released the Bayside West Precincts Plan in late November 2016. This included the release of the Bayside West Precinct Land Use Infrastructure Strategy (LUIS) and Arncliffe and Banksia Precinct Proposal.

The LUIS provides an overview of the opportunities for renewal in each of the precincts (Arncliffe, Banksia and Cook Cove) and recommends a planning pathway for realising their potential. It also provides information on the likely infrastructure needed to support the forecast growth across the three precincts.

The Precinct Proposal for Arncliffe and Banksia provides an overview of the rezoning proposal for the Precincts. The Proposal identifies areas for rezoning in the shorter term. These are generally located closest to the Arncliffe and Banksia railway stations and along the Princes Highway. These areas have been identified as having capacity to accommodate

additional homes and employment opportunities. To facilitate the growth, a number of changes to local planning controls such as zoning, height and floor space ratio controls are proposed. Some of these changes, particularly on key sites in Arncliffe, are significant.

In addition to the Bayside West Precinct documentation, Council's draft amendment to the Rockdale Development Control Plan (Rockdale DCP) 2011 is also on exhibition. The draft DCP amendment has adopted a variety of the proposed controls contained within the Arncliffe and Banksia Station Precincts Urban Design Report prepared for the DPE. A number of additional controls, seeking to strengthen Council's ability to deliver significant community infrastructure such as open space, are also proposed.

Council staff are currently working on finalising a submission, with the following headline issues likely to be addressed in the final submission:

Built Form and Character

The proposed built form for the Arncliffe and Banksia Priority Precincts is generally supported. The approach to identify Future Opportunity Areas with a requirement for additional analysis is considered to be a measured approach in areas that require further investigation. However, without greater explanation about what level of further investigation is required, the identification of these areas is confusing.

There are also a number of built form controls on the R3 Medium Density zone that require additional consideration. For instance the proposed height and floor space ratio controls seem to be inconsistent with permissible development in the zone and the future relationship between R3 Medium Density Residential zoned land and R2 Low Density Residential land in the area. The appropriateness of this and other built form and character controls will be considered as part of the submission.

Transport, Access & Movement

The Priority Precincts were nominated on the premise that future development would take advantage of train services at Arncliffe and Banksia stations. However, there is a concern with capacity issues on the Illawarra line heading into the Sydney CBD (particularly during AM peak times). Without a commitment from the NSW State Government for increased services on the Illawarra line, there may be an adverse impact on residents' ability to access the public transport services.

The LUIS also identifies a number of infrastructure items that would, if implemented, improve access to various modes of transport and improve accessibility and movement throughout the precincts. Council's concern in this regard is with the level of engagement the DPE has had with the Roads and Maritime Service (RMS) as many of the proposed improvements would require RMS approval.

The above and a number of other issues in relation to transport access and movement will be further detailed as part of Council's submission.

Infrastructure: Planning, Funding and Delivery

With a project such as Priority Precincts, it is essential that infrastructure is identified and its implementation planned. This includes identifying delivery priorities and funding mechanisms.

The DPE has identified the introduction of a Special Infrastructure Contribution (SIC) which will be placed on new development to deliver regional infrastructure. While the SICs introduction is welcomed, there is little detail on the infrastructure that will fall under the SIC or the rate that will be applied.

A significant part of the infrastructure funding and delivery will be the responsibility of Council (ie local infrastructure). The concern that Council has in this regard is that there is no supporting Section 94 Contributions Plan, or detailed infrastructure studies, accompanying the Priority Precincts. This leaves Council with the burden of preparing a Section 94 Plan that will likely exceed the \$20,000 contribution cap.

Open Space Provision

The Bayside West Precinct Plans rely heavily on existing open space, including Gardiner and Arncliffe Parks and Barton Park in Cook Cove. The Plans do not recognise the capacity issues of Gardiner and Arncliffe Parks as well as the potential redevelopment of Barton Park as a golf course as part of the Cook Cove development. Two new areas of open space are identified in Arncliffe. However, the language within the Precinct Plans and accompanying documentation does not provide Council with the confidence that these open spaces can actually be delivered.

Given that these areas will see a significant growth in the population, greater emphasis is needed on the provision of usable and well located open space within the Precincts.

Environmental Factors

Environmental factors such as contamination, flooding and drainage can have a significant impact on the viability of future development. It is generally supported that these matters are dealt with at a development application level. However, Council is not confident that there is an appropriate mechanism that can deal with the impact that some environmental factors may place on the viability of development.

Cook Cove

The LUIS recommends that a proponent-led Planning Proposal be considered by Council to allow a mix of land uses on the northern portion of the site, including residential uses. It will be important that the previously identified environmental and infrastructure constraints of the site are assessed at the appropriate level of detail at the Planning Proposal stage.

Conclusion

Council has been an ongoing key stakeholder that has led to the creation of Bayside West Precinct Plans, and is generally supportive of them. However, there are some key elements such as those raised above that require the DPE to address them in order to create a more cohesive set of precinct plans for the Cook Cove, Arncliffe and Banksia precincts.

The exhibition period finishes on 28 February 2017. Unfortunately, the exhibition timeframe and Council's meeting schedule do not align to allow Council to review Council's full submission before the exhibition closing date. It is therefore recommended that Council's submission be finalised by the General Manager and reported to Council for information at the first available opportunity.

Financial Implications

Not applicable

Community Engagement

Not required.

Further details on the Bayside West Precinct can be found at:

<http://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Bayside-West-Precincts>

Further details on the Rockdale Development Control Plan (Rockdale DCP) 2011 can be found at:

<http://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Bayside-West-Precincts/~media/64C1D807E9C9418D9423B9CF9C56F489.ashx>

<http://www.planning.nsw.gov.au/Plans-for-your-area/Priority-Growth-Areas-and-Precincts/Bayside-West-Precincts/~media/67F129292AE64E1487D5F41D7F359FA7.ashx>

Attachments

Nil

Council Meeting

8/02/2017

Item No	10.1
Subject	Minutes of Bayside Traffic Committee – 1 February 2017
Report by	Jeremy Morgan, Manager City Infrastructure
File	(R) SF17/34

Officer Recommendation

That the Minutes of the Bayside Traffic Committee held on 1 February 2017 be received and the recommendations therein be adopted.

Present

Jeremy Morgan, Manager City Infrastructure, Bayside Council (Convenor)
James Suprain, representing Roads and Maritime Services
Traffic Sergeant Frank Gaal – St George LAC
Senior Constable Alexander Weissel, Botany Bay Police
George Perivolarellis representing State Members for Rockdale and Heffron
Christina Curry, representing State Member for Maroubra

Also present

Eric Graham – State Transit Authority - East
Lyn Moore, NSW Pedestrian Council
Joe Scarpignato, St George Cabs
Kathee Quirk– St George Bicycle User Group
Pintara Lay, Coordinator Traffic and Road Safety, Bayside Council
Glen McKeachie, Coordinator Regulations, Bayside Council
Michael Lee, Traffic Engineer, Bayside Council
Agasteena Patel, Traffic Engineer, Bayside Council
Rachael Cohen – Admin Assistant – Assets and Environment - Bayside Council

The Convenor opened the meeting in the Mascot Coronation Hall at 9:15am.

1 Apologies

The following apologies were received:

Pat Hill, Traffic Committee Administrative Officer, Bayside Council
Glen Baker- Team Leader Regulatory, Bayside Council
Rabih Bekdache – State Transit Authority – west
Les Crompton, representing State Member for Kogarah

2 Minutes of Previous Meetings

Bayside Traffic Committee Meeting – 07/12/2016

Committee Recommendation

- 1 That the Minutes of the meeting of the Bayside Traffic Committee held on 07/12/2016 be confirmed.
- 2 That it be noted that the Committee recommendations included in the Minutes of the meeting of the Bayside Traffic Committee held on 07/12/2016 were adopted by the Council at its meeting held on 14/12/2016.

3 Disclosures of Interest

The following disclosures of interest were received.

Jeremy Morgan declared his interest at an item BTC17.04 (21 Universal Street) as he has existing business relationship with the applicant. He did not chair the meeting on this item and left the meeting room. Pintara Lay took the chair for this item only.

4 Reports

A Electronic Recommendations

There were no Electronic Recommendations took place before the meeting.

B Major Traffic Issues

BTC17.02 Beresford Street, Mascot, south of Wentworth Avenue – proposed ‘No Stopping’ restriction

Committee recommendation

- 1 That the Roads and Maritime Service (or its authorised agent) undertake community notification program regarding the proposed parking modifications and traffic management plan with affected businesses and residents of Beresford Street.
- 2 That subsequent to implementation of recommendation one above, that approval be given to the conversion of 8P parking zone to ‘No Stopping’ zone along the western kerb line of Beresford Street south of Wentworth Avenue, Mascot to the first driveway for the duration of the construction project.

BTC17.03 95 High Street, Mascot
Proposed Disability Parking Zone

Committee recommendation

- 1 That proposed disability parking bay outside 95 High Street be approved.
- 2 The site shall be reviewed annually.
- 3 The applicant shall be advised that the space should not be construed as an exclusive parking space for the applicant and that it can be used by all the road users with a valid Mobility Parking Scheme Permit.

BTC17.04 21 Universal Street, Eastlakes
Proposed Works Zone

Committee recommendation

That one 9 metre long 'Works Zone, 7am-5pm, Mon-Fri; 8am-1pm, Sat' adjacent to the construction site at 21 Universal Street, Eastlakes for 36 weeks be declined. The Committee suggested an alternative arrangement of applying for temporary permits.

BTC17.05 Bourke Street and Church Avenue intersection, Mascot
Proposed conversion of Give Way to STOP priority control

Committee Recommendation

- 1 That approval be given to the conversion of the Give Way to STOP priority control in Church Avenue west of Bourke Street, Mascot.
- 2 That the 'Changed Traffic Conditions Ahead' warning signs be installed in Church Avenue, for a period of 3 months after the change of priority control has taken place.

BTC17.06 Brodie Spark Drive eastern approach to Arncliffe Street, Wolli Creek
Proposed Zig Zag advance pavement marking for the pedestrian crossing

Committee Recommendation

That approval be given to the painting of zig zag advance pavement marking on the left lane of Brodie Spark Drive eastern approach to the Arncliffe Street pedestrian crossing, Wolli Creek.

**BTC17.07 Chisholm Street, Wolli Creek, Discovery Point
Proposed Works Zone and 'No Stopping' restrictions**

Committee Recommendation

- 1 That approval be given to the installation of 'Works Zone, 7am- 6:30pm, Mon –Fri and 8am – 3:30pm, Sat' and 'No Stopping, at other times' restrictions in Chisholm Street, a road related area of Discovery Point, Wolli Creek.
- 2 That Frasers Property Australia provide a parking plan for the northern side of Chisholm Street between Spark Lane and Brodie Spark Drive for consideration of the Traffic Committee.

**BTC17.08 Chuter Avenue, eastern kerb line south of Ramsgate Road in
front of Ramsgate RSL Club Proposed relocation of a bus zone**

Committee Recommendation

That approval be given to the relocating of existing bus zone, to provide 20m of a 'No Stopping' zone between the raised marked footcrossing and the bus zone along the eastern kerb line of Chuter Avenue south of Ramsgate Road, in front of Ramsgate RSL Club, as follows:

- 1 From 0m to a point 20m – retain 'No Stopping' restriction
- 2 From 20m to 35m – proposed bus zone
- 3 From 35m to 55m – proposed 'No Stopping' restriction
- 4 From 55m southward – retain existing marked foot crossing and parking

**BTC17.09 Innesdale Road west of Marsh Street, Wolli Creek
Proposed 'No Right Turn' restriction**

Committee Recommendation

- 1 That the Committee endorse in principle, the proposed 'No Right Turn' restriction from Innesdale Road to Marsh Street, Wolli Creek.
- 2 That consultation be carried out with affected residents and business people in Innesdale Road, Levey Street and Gertrude Street, Wolli Creek and the results of consultation be brought to the Committee for further consideration.
- 3 That following Community Consultation a TMP be forwarded to the Roads and Maritime Services for consideration.

BTC17.10 Spring Lane north of Spring Street, Banksia
Proposed timed 'Loading Zone', 'No Parking' and 'No Stopping'
restrictions

Committee Recommendation

- 1 That approval be given to the installation of a 'Loading Zone' and 'No Parking' restriction along the western kerb line of Spring Lane north of Spring Street, Banksia, as follows:
 - i. 0m to a point 8m (due to a door) – proposed 'No Stopping'
 - ii. 8m to 21m – proposed 13m 'Loading Zone, 7am-5pm, Mon – Fri' and 'No Parking at other times' restriction
 - iii. 21m to 33m – 'No Parking' restriction
- 2 That approval be given to the installation of 'No Parking' restrictions along the eastern kerb line of Spring Lane north of Spring Street, Banksia, as follows:
 - i. From 0m to 10m – proposed 'No Stopping'
 - ii. From 10m to 30m – Proposed 'No Parking' restriction

BTC17.11 Tantallon Avenue and Marinea Street intersection, Arncliffe
Proposed painted double centre lines and 'No Stopping' yellow
lines

Committee Recommendation

- 1 That approval be given to the painting of double centre lines at the intersection of Tantallon Avenue and Marinea Street, Arncliffe.
- 2 That approval be given to the painting of 10m 'No Stopping' yellow lines on all corners of the intersection of Tantallon Avenue and Marinea Street, Arncliffe.

BTC17.12 Wolli Creek Road, east of Forest Road, Arncliffe
Proposed bus zone at the existing bus stop and 'Mail Zone'

Committee Recommendation

Deferred for site visit between Council Officers, STA and interested members.
Outcomes will be reported to the next Traffic Committee Meeting.

C *Minor Traffic Issues*

BTC17.13 Crofts Lane east of King Lane, Rockdale

Proposed conversion of 'Loading Zone' to a combined 'No Parking, 5am- 9am, Thursdays' and 'Loading Zone, at other times'

Committee Recommendation

That approval be given to the conversion of 'Loading Zone' to a combined restriction of 'No Parking, 5am- 9am, Thursdays' and 'Loading Zone, at other times' along the northern kerb line of Crofts Lane east of Kings Lane, Rockdale, as follows:

- 1 From 0m to 6m – retain existing 'No Stopping'
- 2 From 6m to 13m – proposed combined 'No Parking, 5am – 9am, Thursdays' and 'Loading Zone, at other times' restriction
- 3 From 13m eastward – retain existing 'No Stopping' restrictions

BTC17.14 Kings Road, cul de sac end, west of Crawford Road, Brighton Le Sands Proposed 'No Parking' restriction

Committee Recommendation

That approval be given to the installation of 'No Parking' restriction at the cul de sac end of Kings Road, west of Crawford Road, Brighton Le Sands.

BTC17.15 Want Street and Berry Street intersection, Rosebery Proposed 10m statutory 'No Stopping' sign-posting

Committee Recommendation

That approval be given to the installation of 'No Stopping' signs to highlight the 10m statutory 'No Stopping' restrictions on all corners of the intersection of Want Street and Berry Street, Rosebery.

5 General Business

BTC17.16 Additional items

No additional items were raised.

The Convenor closed the meeting at 10.45am.

Council Meeting

8/02/2017

Item No	10.2
Subject	Minutes of Local Representation Committee 1 February 2017
Report by	Liz Rog, Acting Manager Governance
File	(R) SC16/277

Officer Recommendation

That the Minutes of the Local Representation Committee of 7 December 2016 be received.

Present

Greg Wright, Administrator
Joe Awada
Liz Barlow
Ron Bezic
Mark Castle
Christina Curry
George Glinatsis
Mark Hanna
Tarek Ibrahim
Petros Kalligas
James Macdonald
Nicholas Mickovski
Greg Mitchell
Michael Nagi
Shane O'Brien
Peter Poulos
Bill Saravinovski
Lydia Sedrak
Paul Sedrak
Brian Troy
Andrew Tsounis

Also Present

Meredith Wallace, General Manager
Liz Rog, A/Manager Governance
Lauren Thomas, Governance Officer

The Administrator opened the meeting in the Level 2 Conference Room of Bayside Council West, 2 Bryant Street, Rockdale at 7:10 p.m.

1 Acknowledgement of Traditional Owners

The Administrator read the acknowledgement of traditional owners.

2 Apologies

There were no apologies.

The Administrator advised members of the resignation of Ben Keneally from the Local Representation Committee and confirmed Lydia Sedrak's membership of the Committee.

3 Minutes of Previous Meeting

The Minutes of the Local Representation Committee Meeting held on 7 December 2016 be confirmed.

Mark Hanna advised that in Item 8 of the December Minutes – Advice From Members on Local Issues - the advice relating to a name change for the Botany Bay Ward Progress Association and the question as to whether Council is working on a Strata Scheme positions paper to enforce illegal parking and 28-day boat trailer parking were attributed to Andrew Tsounias when it was actually Mark Hanna who spoke about these matters.

Greg Mitchell advised that the Bayside Council clean-up calendar had not been distributed to all areas of East Bayside, including King Street in Mascot.

The Administrator advised that he was aware that there had been some delays in rolling out delivery of these calendars to all areas but believed that this should be rectified by now. Nevertheless he would ensure that this would be checked by Council staff.

4 Disclosures of Interest

Shane O'Brien declared a non-pecuniary significant interest in a matter he will raise later in the meeting. The interest is based on his role as the Vice President of Brighton Seagulls JRLFC.

5 Update on Transition Plan Milestones

Meredith Wallace presented an overview of the progress in the last month for transition to Bayside Council, this is summarised as follows:

- Technology Projects – DAs across the whole of Bayside are now lodged electronically on CD/USB.
- The Organisational Structure is now completed to management level and management workshops are currently being conducted.
- Council is reaching all DPC targets.
- There were many Christmas and community events during December and January including the first joint Australia Day Citizenship Ceremony at Dolls Point.
- Council is currently undertaking the harmonisation, including 260 projects (small and large).

- The harmonisation of budgets and the financial plan should be achieved before the end of the financial year.

GM: With regard to Lunar New Year celebrations, the former Botany Council had an agreement with Randwick Council to share the costs for this event.

MW: I understand that in previous years, Randwick Council had their logo on all publicity however, they had not contributed financially to any of these events. This year again they declined to contribute yet asked if they could have a free stall at the event.

GW: No provision has been made for Randwick Council to take part in the Lunar New Year celebrations program.

BS: With regard to the ICAC enquiry Operation Rocco, is Bayside Council chasing up the misappropriated money from the former Botany Council?

MW: Assets of all those involved have been frozen. The matter is not in court and it may be mid-year before the findings are handed down. In the meantime, Arthur Moses SC will be conducting mediation with those involved in an effort to get some kind of reimbursement agreement.

GW: It is my understanding that the former Botany Council's insurance offers some coverage for this.

AT: With regard to the dilapidated vehicles of the former Botany Council that was recently mentioned in your media release, surely there was a management hierarchy who would have raised a red flag about this? There are vehicles that aren't operating sitting on trailers and unusable.

AT: Is there a specific contract between the Business Unit and Sydney Airport?

GW: Yes as well as a contract with the M5 tunnel and the Eastern Distributor. Council has a new Manager of the Business Unit in place and I'm confident it will operate efficiently and profitably.

MW: The contract with Sydney Airport is due to expire in 2018 with a three-year option for the Airport to renew the contract. Council does not have that same option.

GG: I have to say that the work carried out by the Business Unit for Sydney Airport was efficient and Sydney Airport were happy with the job done.

MW: The contract is viable. It can be profitable and has great potential.

GW: The Business Unit poses a huge risk. However, we've taken steps to work through issues and are having meetings with Sydney Airport. The types of work carried out by the Business Unit for the airport are things such as tarmac repairs and maintenance, cleaning and picking up from the runways. With regard to the motorways services, Council provides sweeping of the tunnels.

GG: Didn't the Business Unit do work for the former Rockdale Council at some time?

MW: Yes, at one stage they had the Foreshore Beach cleaning contract.

6 Review of Capital Works Update

The Administrator advised members that the document “Bayside Council Project Status Report 2016-2017”, containing information regarding completed projects as well as the current status of other projects, had been updated and was now available to be emailed to them. The document needs to be further reviewed to provide status information on the projects underway.

BT: What’s happening at Linear Park? Council signed a contract last year.

GW: There are issues with Sydney Water and concerns around the condition of the land. Council is trying to resolve this with Sydney Water before going public however we will make a statement if we are not satisfied with the outcome.

MW: Sydney Water are part of the solution.

GM: Hasn’t the contractor started? If so, doesn’t that cost us money?

MW: I spoke to the head of the Property Unit at Sydney Water and advised that Council will be seeking costs to be reimbursed if there is a significant delay. Council will issue a statement in the next couple of weeks as to how it will be resolved.

GM: Is it a sewerage issue or related to the railway line?

GW: Neither

SO: This is the issue relating to my earlier interest disclosure. The amenities at Scarborough Park were initially due to commence at the end of winter 2016. The club has now been told that works will commence at the end of this winter 2017. This is encroaching on the playing season.

MW: We are currently working on a revised timetable so that it doesn’t impact on the playing season.

AT: Can we have a progress report on Emmaline Street and will the Tunbridge Reserve works start on 1 July? Can we take the fence down?

AT: The works at Ramsgate shops are still causing disruption. When will it be completed?

MW: It is expected they will be finished around March or April. I will take this up with the contractor.

AT: At Ramsgate Beach, on the King Tide, the gross pollutant trap, between the Grand Parade and the Beach, overflows the rubbish into the Bay? Can this be addressed?

MW: I will have this looked into.

CC: Could you provide us with a timeline for the new amenities at Boralee Park?

MW: Responses to the request for tenders are coming in and will most likely go to the April Council meeting.

CC: What is happening with the proposed skate park for Mutch Park?

MW: There have been some issues with that site. A concept design is currently being undertaken for an elevated platform rather than excavated.

CC: I raised the intersection a previous LRC and the comments in the VPA.

MW: VPA wording has been finalised and the intersection noted in the VPA with the remaining money at Council's discretion.

CC: There is a lot of algae in the ponds at Sir Joseph Banks Park. Can that be looked into?

MW: Inversion of ponds across Bayside is an ongoing issue that is currently being looked into. The hot weather causes the algae to rise from the bottom of the ponds. Aerators are currently being installed at sites to try and save the fish in the ponds.

TI: Can you give me an update on the Synthetic Fields and Youth Centre?

MW: The land at the Youth Centre is being cleared and construction will start this year. Methane monitoring is continuing with a view to getting lower readings.

PS: Who has the maintenance contract for Bexley Pool?

MW: It is leased to Bluefit who have the responsibility for day-to-day maintenance.

PS: In the past, with the construction of public swimming pools, it has been known that corners have been cut? What mechanisms are in place for the Bexley Pool?

GW: Council needs to be diligent in managing and monitoring contracts. I have spoken with the Managing Director of the company and he is very aware of the monitoring required for air conditioning and air circulation.

MW: In the agreement, there are performance measures to regulate reporting. Bluefit have the responsibility for day-to-day Fit for Purpose of the centre in terms of keeping it in good order and conducting cyclic maintenance.

Q: Can you provide us with an update on Ramsgate Beach Parking?

MW: Each parking space now complies in terms of size with no loss of spaces.

7 Upcoming Events

The Administrator advised members of the following upcoming Bayside events:

4 February 2017 – Lunar New Year Celebrations to be held in Dacey Gardens, Daceyville

13 February 2017 – Serbian Flag Raising to be held in the West Bayside Administration Centre Forecourt

14 February 2017 – Citizenship Ceremony to be held in Rockdale Town Hall

The Administrator also advised members that a report will be going to the February Council meeting regarding the continuation of the annual Anzac Day Dawn Service held in Boralee Park, Botany. Communication with the RSL was good and Bayside Council is happy to go ahead with the event.

8 Correspondence

The Administrator advised members that Council had sent to them, by Australia Post as well as by email, Federal Correspondence Regarding Tax Treatment of Payments Made to Members of the Local Representation Committee and confirmed that they had indeed received the correspondence. There were no questions.

9 General Business

9.1 Proposed Lease – Bexley Golf Club

The Bexley Golf Club lease land owned predominately by Council and this lease is due to expire on 30 September 2018.

The Club previously requested a new lease for security of tenure beyond 2018 and this request was considered by Council on 2 September 2015. A decision on the request was subsequently deferred, pending receipt of a report from Urbis on Open Space.

The Club has resubmitted their request for a new lease and security of tenure beyond 2018.

It is intended that the matter is to be considered at the Council meeting in February 2017 and attached is a copy of the report to be considered. The matter is raised with the Local Representation Committee in advance for information and to seek feedback regarding the lease matter.

The Administrator advised that Council has commenced negotiating sub-letting with a number of organisations. There is a 10-year extension that Council can consider or grant. Any sub-tenancy would have to be agreed by the Council therefore Council can control what occurs.

Any application would have to be supported by a DA.

TI: Raised concerns regarding commercial sub leases by the Golf Club.

MW: There were discussions around opposition to the sub-lease for a mobile phone tower or childcare centre however no agreement. The Club would need to come back to Council about any sub-leasing.

GW: Any sub-leasing, including commercial activity, would need to go back to the Council of the day. Council would control what activities could be undertaken.

AT: I suggest that Council review the way the new lease on the northern side (non-playing area of the golf club) interacts with the community and boundary.

9.2 Kogarah Parking Scheme

The Bayside Council Executive Committee has made the following decision:

The Executive resolved:

- 1 That the Business Parking Scheme in Railway Street, Kogarah West (34 spaces in total) and the existing '2P, 8:30am- 6pm, Mon- Fri, Permit Holders Excepted, Area KWB' 24 of the spaces be converted to 45min parking, 8:30am- 6pm, Mon- Fri' restriction for all road users including business people in Railway Parade, Kogarah to use starting from 1 July 2017.
- 2 That the above resolution be discussed at the next LRC Committee Meeting on 1 February 2017 for the members' information.
- 3 That the report be presented for consideration to the next Bayside Traffic Committee.
- 4 That the Bayside Traffic Committee advise Georges River Council, Kogarah Chamber of Commerce and business parking permit holders of the decision.

Maps illustrating the new parking scheme were distributed to Members for their information.

The Administrator noted the general consensus among Members that not many businesses actually use the parking permit scheme even though there are 34 spaces fully subscribed in the parking scheme.

10 Preview of Next Council Agenda

A copy of the February Council Meeting Notice was provided to members for their information.

NM: In relation to Item 8.7 – Road Closure - Baxter Road, Mascot, is that a partial road closure?

MW: It is a tidy up to be done to an area of the road only. It's only the administrative process.

Q: Cahill Park Playground – can we have an update on the tender for the kiosk?

MW: I will follow this up.

AT: Can we have an update on the Darrell Lea site? Is the DA completed?

MW: They are selling off the plans?

AT: Do you have new tenants for the PCYC site?

MW: We are currently in negotiations with St Marks who are very interested.

AT: What is happening with the Bexley Bowling Club site tender?

MW: It is currently on exhibition. Parking will be underground.

JA: How is the selection process carried out for the Audit Committee?

MW: There is criteria that applications are assessed against. We were underwhelmed with applications. Council is now considering whether the positions should attract remuneration. The Auditor General now has an oversight role. We

received two strong independents and now need to attract more appropriately-qualified people.

GW: It is unusual not to pay for something like this.

11 Industry News / Trends / Legislative Changes

Copies of Circulars from the Office of Local Government entitled “Election Timing and Cycle of Council Elections”, “Further Phase 1 Amendments to the Local Government Act Commence and Amending Regulation Made”, “Induction and Ongoing Professional Development for Mayors and Councillors” and “Exhibition Draft of Bill to Amend the Environmental Planning and Assessment Act 1979” were provided to Councillors for their information.

12 Action Items Review

Progress of DAs for the PCYC and Bexley Bowling Club

No DAs have been lodged for the 2 sites to date. Prior to this occurring advertising of the proposed leases will occur.

At the December Council meeting it was resolved:

- 1 That Council, in its capacity as landowner, endorses the revised proposal for works to 72 Laycock Street, Bexley North, as outlined in the attachment to this report.
- 2 That the endorsement noted in Resolution 1 above, by no means surrenders or fetters Council’s independent judgement of any development application submitted for the proposed works.
- 3 That Council undertakes the process to seek an amendment to the Plan of Management for Community Land 2016 to re-categorise 72 Laycock Street, Bexley North from Sportsground (s36F) to both Sportsground (s36F) and General Community Use (s36I).
- 4 That the General Manager be authorised to sign any documentation to action the above resolutions.

Would you know if Council is working on a Strata Scheme positions paper to enforce illegal parking?

Not at this time. Council has no obligation to enforce parking on private land. Nor does Council has a policy governing when it is in Council’s interests to enforce parking in strata complexes.

To carry out this function would place a huge impost on Council.

The former Rockdale Council opted for 28-day boat trailer parking and wanted to know if Bayside Council will do the same.

Council’s Manager of Compliance previously prepared a presentation for Councillors in relation to implementing restrictions on boat trailers in the Rockdale area which Councillors supported. Council was required to consult the public and received

feedback. Council was then amalgamated shortly afterwards. Any agreement entered into by Rockdale is not binding on Bayside. Also, if Bayside West agrees to restrictions and Bayside East does not embrace restrictions then everyone in Rockdale will park their boats in Botany. The Manager of Compliance advised the Department of Local Government of this and they informed him that they have three Council's doing a pilot program at the moment and are awaiting the outcome of this. At some time in future we can (with Councillors or Administrators support) seek public opinion on behalf of all Bayside and consider implementing changes. However, we need to wait till Departments are settled and roles officially allocated.

Progress report on the progress of the new amenities for Boralee Park

\$2 million earmarked for construction of new amenities at Boralee Park the development application has been lodged and is currently being assessed. The construction tender will be advertised shortly and construction is anticipated to be finalised by December 2017.

13 Advice from Members on Local Issues

GM: In St Helena Parade, Eastlakes, the kerb and gutter has been damaged in a number of places by tree roots. Can the engineers be directed to ensure they do a thorough inspection when roads are re-surfaced?

GW: I would think this should be a given when undertaking road re-surfacing. We will ensure this is relayed to staff.

GM: Is there a problem with the grounds maintenance at Mascot Memorial Park? The grass is currently very high and the edging has not been done for quite some time.

GW: I will have the matter investigated.

GG: Firmstone Reserve was dedicated as a dog park but also used to have a fenced-off area. Without the fence, dogs are able to enter the yards of private residences from the park.

GG: Orica had subdivided some of their unused land into 19 building blocks for sale. As part of the sale contract, purchasers will be responsible for any associated contamination of the land. The land has been through a process to decontaminate it and has been declared free of contamination.

GW: I'm not sure there is much that Council can do about their contractual arrangements.

AT: In relation to Item 9.3 on the February Council agenda, can you give us some insight into what that is about?

GW: It is a Priority Precinct Proposal.

BT: Now that an IHAP has commenced, will the new Council be forced into something they don't want for two years? Are Bayside Council obliged to pay IHAP expenses for the next two years?

GW: In the event that there is no mandate by the State Government, Council has the sovereignty to do whatever they choose.

BT: I am concerned that the recent media articles about the former Botany Council's dilapidated vehicles is an attack on us. It is playing politics.

GW: I stand by what I said earlier – it is the organisation. I accept your cynicism but I don't agree with you. The condition of those plant items were a disgrace and what I care about is the situation is fixed.

BS: I commend Greg for bringing it out in the open.

GW: Bayside Council currently has \$280 million in reserve. The use of loan borrowings in the construction of infrastructure and assets is necessary. A \$7 million loan is inconsequential.

MW: Council has certified inspection staff that were employed by Management to ensure this kind of thing doesn't happen again.

The Administrator advised members that on the March Local Representative Committee meeting agenda there will be two items entitled "Stronger Communities Grants Project" and the "Stronger Communities Major Projects Program". Prior to the March meeting we will provide members with lists and ask for their feedback prior to the meeting.

The Administrator also advised that Council has received correspondence from Councillor Sally Betts regarding SSROC strategic planning priorities. Greg will provide members with a copy of the letter prior to the next LRC meeting to give them time to provide their input as to what they consider are priorities to present to SSROC.

PS: Asked if Council had any more information on the proposed plebiscite mention in the media today.

GW: Advised that what members have heard is the same as what Council currently knows.

14 Date of Next Meeting

The Administrator advised members that the next Meeting would be held on Wednesday, 1 March 2017.

15 Meeting Close

The Administrator closed the meeting at 8:45 pm.

Council Meeting

8/02/2017

Item No 11.1

Subject **Appointment of External Members to Audit Committee and Remuneration of Independent External Members of Audit Committee**

Report by John Hughes, Internal Auditor (Bayside West)
Natasha Balderston, Coordinator Risk and Audit (Bayside East)

File (R) F12/156

Summary

This report is to be read in conjunction with the report “CONFIDENTIAL – Appointment of External Members to Audit Committee and Remuneration of Independent External Members of Audit Committee” included in this business paper.

This report:

- outlines results of Expressions of Interest process for positions of Independent External Member on Councils Risk and Audit Committee;
 - proposes an amendment to the Bayside Council Risk and Audit Committee Charter concerning the remuneration of Independent External Members
 - proposes the appointment of two (2) Independent External Members of Council's Risk and Audit Committee; and
 - proposes pursuit of further Expressions of Interest for remaining vacant Independent External Member positions on Council's Risk and Audit Committee.
-

Officer Recommendation

- 1 That Council adopts the amendments to the Bayside Council Risk and Audit Committee Charter allowing remuneration of Independent External Members as set out in the attachment to this report.
 - 2 That Council appoints Ms Jennifer Whitten and Mr Lewis Cook to be Independent External Members of Council's Risk and Audit Committee until the new Council appoints a new committee.
 - 3 That Council conducts a process for the appointment of remaining vacant positions of independent members of the Risk and Audit Committee by an advertised Expression of Interest process.
-

Background

At the meeting of Council held on 12 October, 2016 Council resolved:

- 1 to note the consolidation and continuity of the Internal Audit functions of Bayside east and west;
- 2 to adopt the ***Bayside Council Risk and Audit Committee Charter***, and

- 3 to endorse the process for the appointment of **four** independent members of the Risk and Audit Committee by an advertised Expression of Interest process.

Pursuant to that resolution Council advertised seeking Expressions of Interest from suitably qualified members of the public via Council's website and in newspapers circulated across the council's area in October 2016 and again in November 2016.

The Expressions of Interest Process resulted in a number of applications being received. Applications were reviewed and a number of applicants were interviewed by Council Officers including the Acting Manager Risk & Audit, Coordinator Risk & Audit & Internal Auditor.

Pursuant to these review procedures recommendations have been submitted to Council and these are the subject of a further **Confidential Report**.

However, the Expressions of Interest Process did not yield sufficient quality applications to fill all four Independent External Members vacancies on the Risk and Audit Committee which were advertised as honorary unpaid positions. Similar roles with other Councils in NSW attract modest meeting fees reflecting the time, effort and personal sacrifice involved in service on such committees. It is noted that frequently, inquiries from interested persons concerned whether members would be remunerated. It is felt that this issue may have had a negative bearing on the low number of applications that were received.

It is proposed to amend the **Bayside Council Risk and Audit Committee Charter** to make all Independent External Members positions paid positions at a rate equivalent to the rate paid to members of Councils Local Representation Committee. That rate is currently \$750 per meeting attended and would apply to all four Independent External Members including the person elected to take the Chairperson's role.

It is considered that the payment of meeting fees may attract a larger number of suitably qualified candidates to express interest in membership of Council's Risk and Audit Committee.

It is also recommended that a further Expression of Interest process be undertaken, updated to include details of proposed remuneration of positions, in an endeavour to fill the remaining vacant Independent External Member position(s) on Council's Risk and Audit Committee.

Financial Implications

Additional funds required

The proposed change to the Internal Audit Charter to Provide for payment of meeting fees to Independent External Members is at a level equivalent to the payments for Local Representation Committee Members (currently \$750 per meeting attendance per member). This will require additional budget to be set aside by Council. It is assumed the payments will not be treated as employment income for taxation and superannuation purposes. The annual budget required is based on the following further assumptions:

Ordinary Risk and Audit Committee Meetings per Annum	4
Meetings to deal with Annual Financial Statements	2
Contingency for Extraordinary meetings	1
Total	7

Independent External Members 4 x 7 meetings x \$750 = **\$21,000** for a full financial year i.e. 2017/2018. For the 2016/17 financial year the required budget allowance would at most be for two meetings, or **\$6,000**.

The additional budget required is expected to be funded from savings to be identified in the third quarter budget review.

Community Engagement

Not required

Attachments

Risk and Audit Committee Charter – 08 Feb 2017.pdf

Risk and Audit Committee Charter

02 February 2017



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File: Document: 17/010573

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Class of document: Council Policy / Administrative Policy

Enquiries: Manager Governance and Risk (t) 1300 581 299

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1 Objective

The objective of the Risk and Audit Committee (Committee) is to provide independent assurance and assistance to Bayside Council on the following responsibilities:

- Risk Management;
- Internal Control;
- Governance;
- External Accountability;
- Performance Management (efficiency, effectiveness and value for money);
- Quality Assurance and Management.

2 Authority

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- Obtain any information it needs from any employee or external party (subject to their legal obligations to protect information).
- Discuss any matters with the external auditor or other external parties (subject to confidentiality considerations).
- Request the attendance of any employee or Councillor at Committee meetings.
- Obtain external legal or other professional advice considered necessary to meet its responsibilities.

3 Composition, Tenure and Remuneration

The Committee will consist of:

3.1 Members (voting)

- The Administrator (if appointed) or alternately two Councillors appointed annually by Council;
- One Independent external member (not a member of the Council) to be the Chairperson of the Committee; and
- Four Independent external members (not members of the Council).

Where there is an elected Council, there will be a further two Councillor Members as alternates. These alternates shall be nominated by resolution of Council and may attend meetings in place of the member where that member is unable to attend the meeting and has registered an apology.

Independent External Members of the Committee shall be remunerated at a level equivalent to the payments for Local Representation Committee members and based on attendance at each meeting.

In accordance with prescribed Council Policies and Procedures, Independent external members may be eligible to seek reimbursement for approved expenses incurred with the prior approval of the General Manager directly connected with the performance of their official functions.

3.2 Attendees (non-voting)

- General Manager
- Internal Auditor
- Director of City Performance
- Manager Risk and Audit

3.3 Invitees (non-voting) for specific Agenda items

- Representatives of the external auditor
- Other officers may attend by invitation as requested by the Committee.

The independent external member(s) will be appointed for the term of council, after which they will be eligible for extension or re-appointment following a formal review of their performance.

The members of the Committee, taken collectively, will have a broad range of skills and experience relevant to the operations of Bayside Council. At least one member of the Committee shall have accounting or related financial management experience, with understanding of Australian Accounting and Auditing standards applied in a public sector environment.

4 Roles and Responsibilities

The Committee has no executive powers, except those expressly provided by the Council.

In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of Council rests with the Council and the General Manager as defined by the Local Government Act.

The responsibilities of the Committee may be revised or expanded by the Council from time to time. The Committee's responsibilities are:

4.1 Risk Management

- Review whether management has in place a current and comprehensive risk management framework, and associated procedures for effective identification and management of business and financial risks, including fraud and theft.
- Review whether a sound and effective approach has been followed in developing strategic risk management plans for major projects or undertakings;

- Review the impact of the risk management framework on its control environment and insurance arrangements; and
- Review whether a sound and effective approach has been followed in establishing business continuity planning arrangements, including whether plans have been tested periodically.

4.2 Internal Control Framework

- Review whether management has adequate internal controls in place, including over external parties such as contractors and advisors;
- Review whether management has in place relevant policies and procedures, and these are periodically reviewed and updated;
- Progressively review whether appropriate processes are in place to assess whether policies and procedures are complied with;
- Review whether appropriate policies and procedures are in place for the management and exercise of delegations; and
- Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.

4.3 External Accountability

- Satisfy itself the annual financial reports comply with applicable Australian Accounting Standards and supported by appropriate management sign-off on the statements and the adequacy of internal controls.
- Review the external audit opinion, including whether appropriate action has been taken in response to audit recommendations and adjustments.
- Consider contentious financial reporting matters in conjunction with council's management and external auditors.
- Review the processes in place designed to ensure financial information included in the annual report is consistent with the signed financial statements.
- Satisfy itself there are appropriate mechanisms in place to review and implement, where appropriate, relevant State Government reports and recommendations.
- Satisfy itself there is a performance management framework linked to organisational objectives and outcomes.

4.4 Legislative Compliance

- Determine whether management has appropriately considered legal and compliance risks as part of risk assessment and management arrangements.
- Review the effectiveness of the system for monitoring compliance with relevant laws, regulations and associated government policies.

4.5 Performance Management

- Ensure, principally through the internal audit function, that the systems of performance measurement and reporting are adequate and robust and addressed routinely in internal audit plans.
- Obtain assurances from management and internal audit that the Council's performance management system is adequately and effectively reporting appropriate and relevant performance information.

4.6 Quality Management

- review at least annually the status and extent of quality management improvement targets and achievements reported by management;
- review special-focus quality audits carried out by internal audit and by external parties via quality accreditation processes;
- review at least annually Council's quality management action plans;
- monitor progress of the development, implementation and review of policies & procedures.

4.7 Internal Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.
- Review the internal audit coverage and Internal Audit Plan, ensure the plan has considered the Risk Management Plan, and approve the plan.
- Consider the adequacy of internal audit resources to carry out its responsibilities, including completion of the approved Internal Audit Plan.
- Review all audit reports and consider significant issues identified in audit reports and action taken on issues raised, including identification and dissemination of better practices.
- Monitor the implementation of internal audit recommendations by management.

- Periodically review the Internal Audit Charter to ensure appropriate organisational structures, authority, access and reporting arrangements are in place.
- Periodically review the performance of Internal Audit.

4.8 External Audit

- Act as a forum for communication between the Council, General Manager, senior management, internal audit and external audit.
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit, and provide feedback on the external audit services provided.
- Review all external plans and reports in respect of planned or completed external audits, and monitor the implementation of audit recommendations by management.
- Consider significant issues raised in relevant external audit reports and better practice guides, and ensure appropriate action is taken.

4.9 Responsibilities of Members

Members of the Committee are expected to:

- Understand the relevant legislative and regulatory requirements appropriate to Bayside Council.
- Contribute the time needed to study and understand the papers provided.
- Apply good analytical skills, objectivity and good judgment.
- Express opinions frankly, ask questions that go to the fundamental core of issues, and pursue independent lines of enquiry.

5 Reporting

At the first Committee meeting after 30 June each year, Internal Audit will provide a performance report of:

- The performance of Internal Audit for the financial year as measured against agreed key performance indicators.
- The approved Internal Audit Plan of work for the previous financial year showing the current status of each audit.

The Committee may, at any time, consider any other matter it deems of sufficient importance to do so. In addition, at any time an individual Committee member may request a meeting with the Chair of the Committee.

The Committee will report regularly, and at least annually, to the governing body of council on the management of risk and internal controls.

6 Administrative Arrangements

6.1 Meetings

The Committee will meet at least six times per year, with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion.

The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members may make requests to the Chair for additional meetings.

A forward meeting plan, including meeting dates and agenda items, will be agreed by the Committee each year. The forward meeting plan will cover all Committee responsibilities as detailed in this Risk and Audit Committee Charter.

6.2 Attendance at Meetings and Quorums

A quorum will consist of a majority of Committee members, including at least one independent member. Meetings can be held in person, by telephone or by video conference.

The Internal Auditor will be invited to attend each meeting unless requested not to do so by the Chair of the Committee. The Committee may also request the Chief Finance Officer or any other employees to participate for certain agenda items, as well as the external auditor.

The General Manager may attend each meeting but will permit the Committee to meet separately with each of the Internal Auditor and the External Auditor in the absence of management on at least one occasion per year.

6.3 Secretariat

The Committee has appointed the Internal Auditor to be responsible for ensuring that the Committee has adequate secretariat support. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated, at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.

6.4 Conflict of Interests

Councillors, council staff and members of council committees must comply with the applicable provisions of Council's code of conduct in carrying out the functions as council officials. It is the personal responsibility of council officials to comply with the standards in the code of conduct and regularly review their personal circumstances with this in mind.

Committee members must declare any conflict of interests at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest should be appropriately minuted.

Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. The final arbiter of such a decision is the Chair of the Committee.

6.5 Induction

New members will receive relevant information and briefings on their appointment to assist them to meet their Committee responsibilities.

6.6 Assessment Arrangements

The Chair of the Committee will initiate a review of the performance of the Committee at least once every two years. The review will be conducted on a self-assessment basis (unless otherwise determined by the Chair), with appropriate input from management and any other relevant stakeholders, as determined by the Chair.

6.7 Review of Risk and Audit Committee Charter

At least once every two years the Risk and Audit Committee will review this Risk and Audit Committee Charter. The Council will approve any changes to this Risk and Audit Committee Charter.

6.8 Related documents

6.9 Version history

Version	Release Date	Author	Reason for Change
1.0	12 Oct 2016	Internal Auditor	Draft document for consideration
2.0	13 Oct 2016	Internal Auditor	Documents Adopted by Council 12 October 2016
2.1	08 Feb 2017	Internal Auditors	Remuneration of Independent External Members adopted by Council 08 February 2016

Council Meeting

8/02/2017

Item No	11.2
Subject	Tender for Supply and Lay Asphalt and Associated Services
Report by	Jeremy Morgan, Manager City Infrastructure
File	(R) F16/931

Summary

This report is to be read in conjunction with the report “CONFIDENTIAL – Tender for Supply and Lay Asphalt and Associated Services” included in this business paper.

Tenderers’ submission scores have been provided in the confidential supporting document.

Tenders were invited for the supply and lay of asphalt, and associated services, for Council’s local and regional road pavement renewal program. The tenders were assessed in regard to price and non-price criteria, in order to recommend a tenderer with the highest weighted score.

Officer Recommendation

- 1 That the tender from ROADWORX for a lump sum and schedule of rates in the amount of \$1,695,319.29 for Contract Number F16/931 for Supply and Lay Asphalt plus Associated Services be accepted, under Local Government Procurement Pty Ltd (LGP) Contract 213 - Bitumen, Emulsions and Asphalt materials and Services.
 - 2 That the General Manager execute Contract Number F16/931 - Supply and Lay Asphalt plus Associated Services, under delegated authority.
-

Background

The local and regional road pavement renewal program provides for the rehabilitation of road wearing course and road base course to ensure that road wearing course and pavements meet expected levels of service. The annual works programs for road pavement rehabilitation is determined from a 10 year rolling works program identified by specialist consultants on behalf of Council.

The work under the contract typically involves the removal of the existing wearing courses (milling), supply of asphalt and the laying of asphalt and associated works. The work involves the use of specialised plant, and is not a service that is offered in-house. Where required, the contract also involves heavy patching of pavement. Tenders were invited to submit rates and a provisional lump sum on the basis of a draft program of works to be confirmed with the selected tenderer.

The draft program of works under this contract is:

- Bestic Street, Banksia
- Chuter Avenue, Monterey

- Downey Street, Bexley
- Edward Street, Bexley North
- Geeves Avenue, Rockdale
- Kenyon Road, Bexley
- Kingsgrove Road (Stoney Creek End), Kingsgrove
- Kingsgrove Road (Wolli Creek End), Kingsgrove
- Lynesta Avenue, Bexley North
- Ramsgate Road, Ramsgate Beach
- West Botany Street, Banksia

The tender was developed and advertised under the Local Government Procurement Contract 213 Bitumen, Emulsions and Asphalt Materials and Services

In 2014 the Local Government Procurement established Contract 213 Bitumen, Emulsions and Asphalt Materials and Services to provide a pre-qualification scheme for the supply of bitumen and asphalt and related services to provide Councils in New South Wales with a comprehensive scheme for a range of bitumen and asphalt related services and activities. The scheme provides high levels of assurance to matters related to contractor insurances, WHS management, quality management, environmental management and financial capacity, and was therefore selected as a pre-qualified list for the select tender process.

It should be noted that Local Government Procurement Pty Ltd, as an agent of the Local Government procurement Partnership, is prescribed entity for the purposes of Regulation 163 of the Local Government (General) Regulation 2005, and thus may provide Council with exemption from Section 55 of the Local Government Act 1993 with respect to tendering.

Using the Local Government Procurement Contract 213, Council invited tenders from organisations included on the pre-qualification scheme. Tenders were received from (listed in alphabetical order):

- Borthwick & Pengilly Asphalts Pty Ltd
- D & M Excavations and Asphaltting Pty Ltd
- Downer EDI Works Pty Ltd
- Ozpave (Aust) Pty Ltd
- ROADWORX
- State Asphalt Services Pty Ltd

Tenders evaluation is on the basis of price (70% weighting) and non-price (30% weighting). Non-price criteria comprised the following:

1. Construction program – readiness and ability to complete within the specified time frame (10/30)
2. Personnel – qualifications, experience, track record (10/30)
3. OHS, Quality and Environmental Management – systems, prosecutions, notices (10/30)

The recommended lump sum and schedule of rates tendered price is within the acceptable range for the delivery of the identified works program and estimated value of the works. The budget allocation is available in the City projects program to undertake the program.

Financial Implications

Included in existing approved budget.

The identified works program is fully funded under the Transport and Infrastructure Program in the Rehabilitation and Renewals division of the City Projects Program.

Community Engagement

It is a condition of the agreement that the selected contractor will undertake prior notification of the intention to conduct the works in accordance with the works specification, including resident letter box drops and advanced signage, to inform residents and businesses of the potential for traffic delays due to traffic control during the course of the works.

Attachments

Nil

Council Meeting

8/02/2017

Item No	11.3
Subject	Tender Assessment Results - Cahill Park Playground – Construction
Report by	Jeremy Morgan, Manager, City Infrastructure
File	(R) SF16/1217

Summary

This report is to be read in conjunction with the report “CONFIDENTIAL – Tender Assessment Results – Cahill Park Playground – Construction” included in this business paper.

Tenderers’ submission scores have been provided in the confidential supporting document.

A new playground at Cahill Park, Wolli Creek, is to be built in accordance with the adopted Cahill Park Masterplan. The playground will be a significant enhancement to the park and add a range of equipment to encourage recreational activities for a wider age group. The works also include pathways to connect the playground with existing and proposed future pathways, as well as lighting. The playground will be elevated to the existing ground levels which will also act as a flood levee to reduce the frequency of flooding of the playground.

Officer Recommendation

- 1 That funds of \$1,405,894 be allocated for the implementation of Stage 1 Works package including the contract for construction, playground equipment supply and installation, project management and construction contingency.
 - 2 That the transfer of funds from reserves to the 2016/2017 Operational Plan for Cahill Park Playground Construction be endorsed as detailed in Table 4 of this report and summarised as follows: \$100,000 from Special Rate Variation Program; \$200,000 from Section 94; and \$310, 200 from Section 94A.
 - 3 That, in accordance with Regulation 178 (1)(a) of the Local Government (General) Regulations 2005, Council accept the tender from Glascott Landscape & Civil Pty Ltd in the amount of \$1,099,325.44 (incl GST) for Contract Number F16/941 Cahill Park Playground – Construction, Stage 1 Works package.
-

Background

Council has included the construction of a new playground at Cahill Park, Wolli Creek in the 2016/2017 Operational Plan. Cahill Park is located on the Princes Highway, Wolli Creek and bounded by the Cooks River, Levey Street and Gertrude Street. The community has identified the playground replacement as a high priority component of the adopted masterplan for Cahill Park.

There is currently no playground in Cahill Park following the removal of the old equipment based on safety issues.

The new playground will be located near to the north-west of the park and will include facilities to encourage a range of play activities across a wide range of children's age groups. The design features the following;

- Integrated levee bank
- Large netted climbing dome, multiclumb unit, tall slide, junior slide/ play unit, large spinning dish, pivoting spinning unit, 2 double swing sets including inclusive pod swing, multi person see-saw, sand play equipment, sand table, balance beams, and other smaller pieces.
- Shade structure over the junior/ sand play items
- Circuit and interconnecting paths, with rubber soft fall to all-access items
- Formal and informal seats /seating opportunities by way of seats, low serpentine brick wall and rock features
- Picnic shelter over 2 picnic table settings
- Lighting to the path network
- New tree planting

The Cahill Park Playground - Construction tender was released on 18 October 2016. Tenders closed at 10.00am on 15 November 2016. Three (3) conforming tender submissions were received and evaluated by a Tender Assessment Panel. This report provides a summary of the tender process, tender results, budgeting implications and recommended further actions in relation to this tender.

The Draft Cahill Park Masterplan was considered at a Council Information Session on Wednesday 25 February 2015 where the major opportunities were articulated as being:

- Cover the western portion of Bonnie Doon channel to connect the open space and increase the usability and flexibility of space - (subject to further testing and analysis by Flood Risk Management Committee);
- Integration of 1 in 20 year flood levee to protect property - subject to concurrence by Flood Risk Management Committee;
- Introduction of environmentally sustainable design;
- Relocation of the playground to support commercial opportunities for Council such as café or restaurant.

At its meeting of 15 June 2016 Council considered a report on the exhibited Cahill Park Masterplan, and resolved to endorse the masterplan.

Detailed design of the playground was subsequently developed consistent with the playground concept design. The design has been developed with staging in mind to enable implementation in stage, subject to need and future funding availability. Councillors were

given an opportunity to review and comment on the playground design (refer Attachment) in August 2016.

The staged design of the playground also enables cost planning and commissioning of works in accordance with the available budget. The request for tender included four (4) potential Works packages (included as Separable Portions). This enabled a degree of flexibility in determining which components of the playground design can be delivered within the current budget.

The four (4) works packages included in the request for tender were:

1. Stage 1 Works;
2. Stage 1 – Separable Portion A Flying Fox;
3. Stage 1 – Separable Portion B Water Play; and,
4. Stage 1 – Separable Portion C Flying Fox & Water Play.

Cost estimates were commissioned from a Quantity Surveyor for these works packages.

Tendering Process and Assessment

Tenderers' submission values have been provided in the confidential supporting document for the construction of a new playground at Cahill Park, Wolli Creek.

Tenders were assessed against the following criteria:

- General compliance assessment (submission of mandatory schedules – WHS; Quality; Environmental management; Financial capacity etc);
- Tenderers Experience in Similar Projects and suitable references;
- Program;
- Site Specific Methodology; and,
- Organisational, technical and resource capability and capacity to meet the tender requirements.

The tender assessment was undertaken in accordance with the requirements of the Local Government Act and Regulations. The evaluation has been made based on the conditions of tendering and the evaluation criteria as provided in the request for tender documents.

Tender prices were within a range of 0.4% - 16.6% variation from the QS costings for all of the options. All contractors included construction programs that envisage commencement in early 2017 and it is expected that the project duration would be approximately nine (9) months.

A Corporate Scorecard financial assessment was undertaken for the two highest ranked tenderers.

The recommended contractor scored a high overall rating with the company assessed as "trading in a profitable manner" and..."the contract is within appropriate capacity and risk-based thresholds."

It is noted that in order to assist in cost control and consistency between the tenders, Council has elected to supply the main playground equipment.

Financial Implications

The forecast budget to complete the project, including the acceptance of the tender; supply and installation of playground equipment; project management; and, construction contingency is \$1,405,894.

A number of funding sources have been identified to fund the proposed works, including Section 94 and 94a; Special Rate Variation (renewal component); and, Stormwater Management Service Charge (flood levy component).

Components of the project are already budgeted in the 2016/2017 Operational Plan, with the remaining budget held in reserve pending the receipt of tenders. To proceed with the project, funds will need to be transferred from reserves and allocated to the project.

Details of the funding is summarised in Table 4 below:

Table 4 - Funding Sources

Source/ available funds	From:	To:	Funds Required for this project: (ex GST)
S94a - \$306,000	Park lighting – Cahill Park and Cook Park	Park Lighting	\$172,240
SRV \$113,000	Special rate variation for playground renewal at Cahill Park – deferred allocation 2015/16	Cahill Park – park embellishment	\$100,000
S94 \$209,000	Section 94 for park and playground enhancement – deferred allocation 2015/16		\$200,000
SRV- \$107,000 S94 - & \$100,000 S94a - \$ 15,000	Special rate variation for playground renewal at Cahill Park – 2016/2017. Section 94 & 94a for park embellishment.		\$ 65,000 \$100,000 Nil
S94a - \$250,000	Implementation of Cahill Park Masterplan Footpaths and Cycleways	Cahill Park footpaths/ cycleway	\$250,000
S94a Reserve	Cahill Park embellishment	Cahill Park embellishment to provide additional	\$310,200

		recreational capacity due to development	
\$428,000 Stormwater Management Service Charge	Citywide stormwater quality and quantity management	Stormwater Drainage & Water Quality Program.	\$208,454
TOTAL SUM:			\$1,405,894 ex GST

Grant applications for Flying Fox works and Water Play works

In July 2016 Council lodged two (2) Community Building Partnership Grant Application bids for:

- Flying Fox including site preparation - \$83,966 incl., GST
- Water Play Works including site preparation - \$131,684 incl. GST

The staged work packages in the request for tender enabled the preferred option to be based on the results of the grant application. Unfortunately Council was notified on the 16th December 2016 that the two grant applications were unsuccessful, and as a result these Separable Portions are unfunded.

Community Engagement

Community notification will be undertaken of works on site with notice boards, and through Council's website.

Attachments

Stage 1 Playground Plan

LIST OF DRAWINGS

Dwg	NAME	ISSUE
L02	SITE PLAN	G
L03	CONSTRUCTION PLAN	G
L04	CONSTRUCTION PLAN	G
L05	SECTIONS	G
L06	LANDSCAPE DETAILS	G
L07	LANDSCAPE DETAILS	G
L08	LANDSCAPE DETAILS	G
L09	LANDSCAPE DETAILS/ BRICK WALL	G
L10	LANDSCAPE DETAILS/ BRIDGES	G
L11	LANDSCAPE DETAILS/ BRIDGES	G
L12	PLANTING PLAN	G

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TENDER



Council Meeting

8/02/2017

Item No	12.1
Subject	Closed Council Meeting
Report by	Liz Rog, Acting Manager Governance
File	(R) SF16/1254

Summary

This report recommends that the Council Meeting be closed to the press and public in order to consider the item/s below.

Council's Code of Meeting Practice allows members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Officer Recommendation

- 1 That, in accordance with section 10A (1) of the Local Government Act 1993, the Council considers the following item/s in closed Council Meeting, from which the press and public are excluded, for the reason/s indicated:

12.2 CONFIDENTIAL – Appointment of External Members to Audit Committee and Remuneration of Independent External Members of Audit Committee

In accordance with section 10A (2) (a) of the Local Government Act 1993, the Council resolves itself into closed session with the press and public excluded by reasons of personnel matters concerning particular individuals (other than Councillors).

12.3 CONFIDENTIAL – Tender for Supply and Lay Asphalt and Associated Services

In accordance with section 10A (2) (d) of the Local Government Act 1993, the Council resolves itself into closed session with the press and public excluded by reasons of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

12.4 CONFIDENTIAL – Tender Assessment Results - Cahill Park Playground – Construction

In accordance with section 10A (2) (d) of the Local Government Act 1993, the Council resolves itself into closed session with the press and public excluded by reasons of commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That, in accordance with section 11 (2) and (3) of the Local Government Act 1993, the reports, correspondence and other documentation relating to these items be withheld from the press and public.

Council Meeting

8/02/2017

Item No	12.5
Subject	Resumption of Open Council Meeting
Report by	Liz Rog, Acting Manager Governance Evan Hutchings, Acting Manager Governance
File	(R) SF16/1254

Summary

This report recommends that the closed part of the Council Meeting concludes and that the meeting be opened to the press and public.

Council's Code of Meeting Practice requires that, if Council passes a resolution during a meeting, or part of a meeting, that is closed to the public, the Chairperson will make the resolution public as soon as practicable after the closed part of the meeting has ended.

Officer Recommendation

That, the closed part of the meeting having concluded, the open Council Meeting resume and it be open to the press and public.