MINUTES

of the Ordinary Meeting of
Bayside Council

held in the Council Chambers, Rockdale Town Hall
Level 1, 448 Princes Highway, Rockdale
on Wednesday 13 December 2017 at 7.11 pm

Present

Mayor, Councillor Bill Saravinovski
Deputy Mayor, Councillor Joe Awada
Councillor Liz Barlow
Councillor Ron Bezic
Councillor Christina Curry
Councillor Tarek Ibrahim
Councillor James Macdonald
Councillor Ed McDougall
Councillor Scott Morrissey
Councillor Michael Nagi
Councillor Vicki Poulos
Councillor Dorothy Rapisardi

Also present

Meredith Wallace, General Manager
Colin Clissold, Director City Presentation
Debra Dawson, Director City Life
Daniel Fabri, Director City Performance
Michael McCabe, Director City Futures
Fausto Sut, Manager Governance & Risk
Matthew Walker, Manager Finance
Anne Suann, Governance Officer
Clare Harley, Manager Strategic Planning
Josh Ford, Coordinator Statutory Planning
David Dekel, Coordinator Policy & Strategy
Zoran Sarin, Coordinator Asset Strategy
John McNally, Senior Urban Planner
Samantha Urquhart, Manager Property
Ben Heraud, Coordinator Property
Sue Connon, Property Portfolio Manager
Karen Purser, Manager Community Capacity Building
Hayla Doris, Manager Recreation and Community Services
Bobbi Mayne, Manager Procurement
Karin Hartog, Major Projects Unit Director
Vincenzo Carrabs, Coordinator Media & Events
Veronica Giles-Cook, Executive Assistant
Ian Vong, IT Support Officer
The Mayor opened the meeting in the Council Chambers, Rockdale Town Hall, Level 1, 448 Princes Highway, Rockdale at 7.11 pm.

The Mayor informed the meeting, including members of the public, that the meeting is being audio recorded for minute taking purposes and live streamed to the community via Council’s Facebook page, in accordance with Council’s Code of Meeting Practice.

1 **Acknowledgement of Traditional Owners**

   The Mayor affirmed that Bayside Council respects the traditional custodians of the land, and elders past and present, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans of the Eora Nation.

2 **Opening Prayer**

   Pastor Andrew Harper of Bay City Church, opened the meeting in prayer.

3 **Apologies**

   **RESOLUTION**

   Minute 2017/224

   Resolved on the motion of Councillors Nagi and Bezic

   That the following apologies be received and leave of absence granted:

   - Councillor Kalligas
   - Councillor Sedrak
   - Councillor Tsounis

4 **Disclosures of Interest**

   Councillor Morrisey declared a Significant Non-Pecuniary Interest in Item 10.2 on the basis that he lives in close proximity to the proposal which will impact on the amenity of the area, and stated he would leave the Chamber for consideration and voting on the matter.

   Councillor Bezic declared a Significant Non-Pecuniary Interest in Item 9.1 (BTC17.182) on the basis that he has an association with the new school, and stated he would leave the Chamber for consideration and voting on the matter.

   Councillor Rapisardi declared a Significant Non-Pecuniary Interest in Item 10.2 on the basis that she lives and rents in the vicinity, and stated she would leave the Chamber for consideration and voting on the matter.

   Councillor Poulos declared a Significant Non-Pecuniary Interest in Item 9.1 (BTC17.182 and BTC17.183) on the basis that she has an association with the new school and has children attending Bexley Public School, and stated she would leave the Chamber for consideration and voting on the matters.
Councillor Saravinovski declared a Significant Non-Pecuniary Interest in Item 8.7 on the basis that his family owns properties in the Rockdale Town Centre, and stated he would leave the Chamber for consideration and voting on the matter.

Councillor Macdonald declared a Significant Non-Pecuniary Interest in Item 8.4 on the basis that his business partner is an applicant, and stated he would leave the Chamber for consideration and voting on the matter.

Councillor Curry declared a Significant Non-Pecuniary Interest in Item 8.4 on the basis that she is a patron of one of the organisations in the report, and stated she would leave the Chamber for consideration and voting on the matter.

5 Minutes of Previous Meetings

5.1 Minutes of the Council Meeting - 8 November 2017

RESOLUTION

Minute 2017/225

Resolved on the motion of Councillors Nagi and McDougall

That the Minutes of the Council meeting held on 8 November 2017 be confirmed as a true record of proceedings.

6 Mayoral Minutes

6.5 Presentation - Bayside Garden Centre Kogarah Disbursement Cheque

The Joint Venture partners of the Bayside Garden Centre Kogarah (Bayside Council and The Intellectual Disability Foundation of St George), wish to do a disbursement of funds for the 2016-17 Financial Year to each of the Joint Venture Partners.

Mr Bill Dunn, Secretary of the Bayside Garden Centre Kogarah Management Committee, spoke to the Council in relation to this successful Joint Venture program and presented a cheque to the Council of $15,000.

6.1 Mayoral Minute - Vale Sam Zorbas

The Mayor, Councillor Saravinovski, asked Councillor Awada to present the Mayoral Minute to the family of Sam Zorbas.

RESOLUTION

Minute 2017/226

Resolved on the motion of Councillor Saravinovski
1 That Council remembers the life and work of the Late Sam Zorbas who served as the Local Controller of the Rockdale State Emergency Service for 33 years, and was actively involved in the SES for 35 years.

2 That Council provide a copy of this Mayoral Minute to his family in recognition of his lifelong achievements.

6.2 Mayoral Minute - Vale Former Councillor Geoff Hedge (1931 - 2017)

The Mayor, Councillor Saravinovski, asked Councillor Barlow to present the Mayoral Minute to Mrs Hedge and her son, Peter.

RESOLUTION

Minute 2017/227

Resolved on the motion of Councillor Saravinovski

1 That Council remembers the life and work of the late Geoff Hedge, former Mayor and Councillor of Rockdale City Council, a true son of Rockdale City.

2 That Council in recognition of his lifelong achievement provide to his family a copy of this Mayoral Minute.

6.3 Mayoral Minute - Armistice Centenary Grant

RESOLUTION

Minute 2017/228

Resolved on the motion of Councillors Nagi and Curry

1 That Council notes and supports the Botany Historical Trust’s application for funding under the current round of Federal Armistice Centenary Grants to:

   a Restore the War Memorial at Arthur Park, Botany.

   b Install Armistice Plaques at Booralee Park Botany, and Mascot War Memorial, Mascot Park.

   c Create a Beersheba Centenary Plaque at the Light Horse Memorial, Light Horse Reserve Eastlakes.

2 That Council gives a commitment to assist with the historical research, landscaping, memorial restoration and commemorations to be held in 2018 on Armistice Day and on the anniversary of the Light Horse charge at Beersheba.
6.4 Mayoral Minute - Sydney Regional Environmental Plan No. 33 - Cooks Cove

MOTION

Motion moved by Councillor Saravinovski

That Council write to the Minister for Planning and request that Part 3, Clause 1 ‘Special Uses Zone’ of the Sydney Regional Environmental Plan No. 33 – Cooks Cove be amended to include ‘Recreation Facility’ as a Permissible Use (only with development consent).

FORESHADOWED MOTION

Foreshadowed Motion moved by Councillor Ibrahim

That Council defers writing to the Minister until a reasonable proposal is put forward that addresses the needs of the local community and provides a sound outcome for the people of Bayside.

The Foreshadowed Motion lapsed as a result of the Motion being Adopted.

RESOLUTION

Minute 2017/229

Resolved on the motion of Councillor Saravinovski

That Council write to the Minister for Planning and request that Part 3, Clause 1 ‘Special Uses Zone’ of the Sydney Regional Environmental Plan No. 33 – Cooks Cove be amended to include ‘Recreation Facility’ as a Permissible Use (only with development consent).

Councillor Ibrahim requested his name be recorded as voting against the Resolution.

7 Public Forum

Details associated with the presentations to the Council in relation to items on this agenda can be found in the individual items.

8.5 Post Exhibition Report: Planning Proposal for 177 Russell Avenue Dolls Point

Mr Stephen Kerr, speaking for the Officer Recommendation, addressed the Council.

RESOLUTION

Minute 2017/230

Resolved on the motion of Councillors Nagi and Awada
1 That in accordance with Section 59 of the Environmental Planning & Assessment Act 1979, Council exercise delegation from the Minister and make the LEP amendment for 177 Russell Avenue, Dolls Point.

2 That the General Manager note the outcomes of the exhibition of the Voluntary Planning Agreement and execute the VPA in accordance with existing delegated authority under the relevant provisions of the Environmental Planning and Assessment Act 1979.

3 That Council note the recommendation of the Bayside Planning Panel to prepare a DCP in parallel with the plan making process, further noting that the LEP amendment is likely to be finalised before the DCP amendment is finalised and:

   a that in accordance with Section 18 of the Environmental Planning & Assessment Regulation 2000, Council exhibits a Draft Development Control Plan for the site, for a minimum 28 days, and

   b that a further report be presented to Council detailing any submissions that are received during the exhibition of the Draft Development Control Plan.

Division called by Councillors Nagi and Awada

For: Councillors Saravinovski, Morrissey, Curry, Rapisardi, Nagi, Ibrahim, Bezic, Barlow and Awada

Against: Councillors Poulos, McDougall and Macdonald

The Motion was Adopted.

8.6 Post-Exhibition Report: Planning Proposal for Land Bounded by Abercorn Street, Kingsland Road South, Stoney Creek Road South, Stoney Creek Road and Bexley RSL

Ms Helen Deegan and Mr Eli Gescheit, speaking for the Officer Recommendation, addressed the Council.

RESOLUTION

Minute 2017/231

Resolved on the motion of Councillors Awada and Nagi

1 That in accordance with Section 59 of the Environmental Planning & Assessment Act 1979, Council exercise delegation from the Minister and make the LEP amendment for land bounded by Abercorn Street, Kingsland Road South, Stoney Creek Road and Bexley RSL as exhibited.

2 That the General Manager note the outcomes of the exhibition of the Voluntary Planning Agreement and execute the VPA in accordance with existing delegated authority under the relevant provisions of the Environmental Planning and

Division called by Councillors Awada and Nagi

For: Councillors Saravinovski, Morrissey, Curry, Rapisardi, Nagi, Ibrahim, Poulos, McDougall, Macdonald, Bezic, Barlow and Awada

The Motion was Adopted.

8.16 Proposed Licence to 3 Bridges Community and the Arncliffe Men’s Shed - 100 Bestic Street Kyeemagh

Mr Kevin Read, speaking against the Officer Recommendation, addressed the Council.

Ms Serapina Caleo, speaking for the Officer Recommendation, addressed the Council.

RESOLUTION

Minute 2017/232

Resolved on the motion of Councillors Macdonald and Nagi

1 That after duly considering the submission received, Council endorse the grant of a 5 year licence to 3 Bridges Community for the purposes accommodating and operating the Arncliffe Men’s Shed.

2 That Council engage with the Muddy Creek Boating and Fishing Association to discuss tenure post the expiration of their current temporary permit within the Muddy Creek Precinct.

3 That a report be submitted to Council by no later than 30 June 2018 on the options for use of the main building and surrounding precinct and any associated works.

4 That the Mayor and General Manager be authorised to sign, and seal where required, any documentation to finalise the licence to 3 Bridges Community.

5 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10(A) (2) (e) of the Local Government Act 1993, the attachment contains information that would, if disclosed, prejudice the maintenance of law. 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.
9.1 Minutes of the Bayside Traffic Committee Meeting - 6 December 2017

Councillor Bezic left the meeting due to his declaration of a Significant Non-Pecuniary Interest.

Councillor Poulos left the meeting due to her declaration of a Significant Non-Pecuniary Interest.

RESOLUTION

Minute 2017/233

Resolved on the motion of Councillors Awada and Barlow

That the Minutes of the Bayside Traffic Committee meeting held on 6 December 2017 be received and the recommendations therein be adopted with the exception of Items BTC17.182.

BTC17.182 Malua Street, and Russell Avenue, Dolls Point - proposed children's crossing and 'No Parking' restriction

Councillor Bezic left the meeting due to his declaration of a Significant Non-Pecuniary Interest.

Councillor Poulos left the meeting due to her declaration of a Significant Non-Pecuniary Interest.

Mr Sean Fogerty, speaking for the Committee Recommendation, addressed the Council.

RESOLUTION

Minute 2017/234

Resolved on the motion of Councillors McDougall and Macdonald

1 That approval be given to the installation of a school children’s crossing and associated regulatory traffic signs and road marking in Malua Street north of Russell Avenue.

2 That approval be given to the installation of ‘No Parking, 8am-9:30am and 2:30pm-4pm, School Days’ and ‘Kiss and Ride Area’ restriction along the northern kerb line of Russell Avenue east of Malua Street, Dolls Point for seven (7) cars.

3 That the school be requested to manage the display of school children’s crossing flags during the periods of usage by school children at the Children’s Crossing and removal of flags at conclusion of its usage.
4. That the Roads and Maritime Services, Speed Management Section, be requested to consider provision of a 40km/h school zones in Gannon Street, Malua Street and Russell Avenue.

5. That a site meeting occur with the Bayside Traffic Committee in mid January 2018 and that local residents and interested Councillors be invited to attend.

10.1 Notice of Motion - Atlas Park, Church Avenue, Mascot

Mr Jeremy Maspero and Ms Xiaohan Wang, speaking for the Officer Recommendation, addressed the Council.

RESOLUTION

Minute 2017/235

Resolved on the motion of Councillors Nagi and Ibrahim

1. That a design, costings and a proposed timetable to implement a shade structure and safety fencing at Standfield Park (not Atlas Park as printed), Mascot be provided to the February 2018 meeting of Council.

2. That Council investigate the cause of the apparent drainage issues.

8 Reports

8.1 Stronger Communities Fund Reporting Major Projects

RESOLUTION

Minute 2017/236

Resolved on the motion of Councillors McDougall and Nagi

That Council approves the Stronger Communities Fund 6 monthly Major Projects report for the period from 1 July – 31 December 2017 to be submitted to the NSW Office of Local Government.

8.2 Stronger Communities Community Grant Funding - Round One Progress Report

RESOLUTION

Minute 2017/237

Resolved on the motion of Councillors Nagi and McDougall

That Council note the report and approve it to be sent to the Office of Local Government.
8.3 Bayside Council Community Grant Program 2016/17 Round Two

RESOLUTION

Minute 2017/238

Resolved on the motion of Councillors Nagi and Barlow

That Council endorses the recommendations of the Assessment Panel and approves the recommended Small and Seeding Grants to the value of $40,000.

8.4 Stronger Communities Fund - Community Grants Program Round Two

Councillor Macdonald left the meeting due to his declaration of a Significant Non-Pecuniary Interest.

Councillor Curry left the meeting due to her declaration of a Significant Non-Pecuniary Interest.

RESOLUTION

Minute 2017/239

Resolved on the motion of Councillors Nagi and Bezic

1 That Council determines funding allocations to Community Grant Applications as identified in this report, noting that they are:
   a deemed eligible under the Stronger Communities Funding Guidelines; and
   b supported by the Stronger Communities Fund Assessment Panel at their meeting on 17 November 2017.

2 That Council submits the funded Community Grant Applications Listing to the Office of Local Government as part of the Bayside Council three year plan for the Stronger Communities Fund ($1M).

3 That Council receives regular reports (at least 6 monthly) on the progress of the funding acquittal process to ensure governance processes are in accordance with the Stronger Communities Funding Guidelines.

8.7 Post-Exhibition Report: Planning Proposal for 591-597 Princes Highway, Rockdale

The Mayor, Councillor Saravinovski, vacated the Chair and left the Chamber due to his declaration of a Significant Non-Pecuniary Interest. The Deputy Mayor, Councillor Awada, assumed the Chair.

RESOLUTION

Minute 2017/240
Resolved on the motion of Councillors Nagi and Poulos

1 That, in accordance with Section 59 of the Environmental Planning & Assessment Act 1979, Council exercises its delegation from the Minister and makes the LEP amendment, as exhibited, for 591-597 Princes Highway, Rockdale.

2 That the General Manager note the outcomes of the exhibition of the Voluntary Planning Agreement and execute the VPA in accordance with existing delegated authority under the relevant provisions of the Environmental Planning and Assessment Act 1979.

3 That Council endorse the site specific Development Control Plan for the site in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000 and place a public notice in the local newspaper with the specified date of commencement.

Division called by Councillors Nagi and Poulos

For: Councillors Morrissey, Curry, Rapisardi, Nagi, Ibrahim, Poulos, McDougall, Macdonald, Bezic and Awada

Against: Councillor Barlow

The Motion was Adopted.

The Deputy Mayor, Councillor Awada, vacated the Chair at the conclusion of this item and the Mayor, Councillor Saravinovski, resumed the Chair.

8.8 Greater Sydney Commission Draft Eastern Sydney District Plan - Council Submission

RESOLUTION

Resolved on the motion of Councillors Saravinovski and McDougall

That the Council endorses the Bayside Council submission on the attached draft Eastern City District Plan.

RESOLUTION

Resolved on the motion of Councillors Nagi and McDougall

That this item be recommitted for consideration.

RESOLUTION

Minute 2017/241

Resolved on the motion of Councillors Saravinovski and McDougall
1.

That Council endorses the Bayside Council submission on the attached draft Eastern City District Plan.

2.

That Council seeks a staff briefing in the first quarter of 2018 on the studies which will inform the preparation of a Bayside Housing Strategy (including secondary dwellings), the Bayside Local Environmental Plan and Development Control Plan.

3.

That Council invites interested land owners to meet with representatives from the Department of Planning and Environment and Councillors in February 2018 to outline concerns and to discuss planning control options for the Princes Highway Corridor at Arncliffe and Banksia.

8.9 Greater Sydney Commission Greater Sydney Region Plan - Council Submission

RESOLUTION

Minute 2017/242

Resolved on the motion of Councillors Awada and Nagi

That the Council endorses the Bayside Council submission on the Greater Sydney Region Plan attached to the report.

8.10 Future Transport Strategy 2056 - Council Submission

RESOLUTION

Minute 2017/243

Resolved on the motion of Councillors Barlow and Awada

That the Council endorses the Bayside Council submission on Future Transport 2056 attached to the report.

8.11 Pine Park Masterplan Implementation

RESOLUTION

Minute 2017/244

Resolved on the motion of Councillors Macdonald and Bezic

1.

That Council endorses the refined Masterplan as attached to this report.

2.

That Council resolves to proceed with the detailed design and documentation of option 1 as a Stage 1 implementation of the Masterplan based on the existing allocated Stronger Communities Grant funding of $4M.

3.

That as part of the 2018/2019 financial year budgeting process, Council further investigates funding sources to implement additional Masterplan components.
8.12 Request to Grant Leases to St Vincent de Paul for 2 Laycock Street, Bexley North

RESOLUTION

Minute 2017/245

Resolved on the motion of Councillors Barlow and McDougall

1 That Council endorses a lease to St Vincent de Paul over 2 Laycock Street, Bexley North for a term of 5 years.

2 That the Mayor and General Manager be authorised to sign, and seal where required, all documents required to complete this matter.

8.13 Arncliffe Park - Synthetic Playing Field and Flood Mitigation

RESOLUTION

Minute 2017/246

Resolved on the motion of Councillors Nagi and Ibrahim

1 That Council approve the preparation of a Design and Construct Tender to progress the Arncliffe Park (combined synthetic playing field and flood mitigation) Project.

2 That Council approve the utilisation of funding sources as outlined within this report to deliver the Project.

8.14 Minor Parks Improvements

RESOLUTION

Minute 2017/247

Resolved on the motion of Councillors McDougall and Awada

1 Localised community consultation be undertaken of users, visitors and local residents in the vicinity of the Lance Stoddert Reserve to gauge support for a fenced dog off-leash area to inform a recommendation to the February 2018 meeting of Council.

2 Scoping of resident communication plan, costings, construction program and management regime be undertaken for Lance Stoddert Reserve and a firm budget for the works be brought to the February meeting of Council with options for a mechanism to fund unbudgeted works in the 2017/18 budget.

3 Given the extensive consultation undertaken in the development of the Cooks Park Plan of Management and Masterplan and the support for the proposed off-leash area for the Cooks Park foreshore undertaken by Council in 2014, there is no need to repeat the consultation for this area.
4 Further investigation into the optimum location for dogs off-leash be undertaken in conjunction with the recommendations of the Cooks Park Plan of Management and Master plan with proposed community notification plan, scoping of costs and management regime to be brought to the February 2018 meeting of Council with options to fund unbudgeted works in the 2017/18 budget.

8.15 New Road Naming in the area of Banksmeadow

RESOLUTION

Minute 2017/248

Resolved on the motion of Councillors Curry and Morrissey

That Council adopt the street name “Jullian Close” for the new road located within with DP 1227534.

8.17 Animal Management Tender

RESOLUTION

Minute 2017/249

Resolved on the motion of Councillors Barlow and Nagi

1 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10(A) (2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 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 Council resolves to decline to accept the tender submission received from St George Animal Rescue Pty Ltd in response to RfT F17/387 in accordance with Reg 178 (3) of the Local Government (General) Regulation 2005.

3 That Council resolves to decline to invite fresh tenders for the following reasons:

a St George Animal Rescue Pty Ltd was the only entity who tendered a submission in response to RfT F17/387.

b The single tender submitted in response to RfT F17/387 demonstrates a lack of competition in the market for the provision of Animal Management Services. If Council were to invite fresh tenders it is likely that St George Animal Rescue will be the only entity to respond to the invitation.
4. That Council resolves to enter into negotiations with St George Animal Rescue Pty Ltd in accordance with Reg 178 (3) (e) of the Local Government (General) Regulation 2005 to achieve a better value for money outcome.

8.18 Tender for the Depena Reserve Amenities

RESOLUTION

Minute 2017/250

Resolved on the motion of Councillors Macdonald and Poulos

1. That in accordance with Regulation 178 (1) (a) of the Local Government (General) Regulations 2005, Council accepts the tender from 2020 Projects Pty Ltd for the Contract F17/1150 being for the partial demolition and construction of the public amenities at Depena Reserve for the amount of $1,019,757.27 exclusive of GST.

2. That the first attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10A(2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 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 issues it deals with.

8.19 Tender - Kyeemagh Reserve Amenities

RESOLUTION

Minute 2017/251

Resolved on the motion of Councillors Macdonald and McDougall

1. That in accordance with Regulation 178 (1) (a) of the Local Government (General) Regulations 2005, Council accepts the tender from Specbuilt Constructions Pty Ltd for the Contract F17/1150 being for the partial demolition and construction of the public amenities at Kyeemagh Reserve Amenities for the amount of $430,307.72 exclusive of GST.

2. That the second attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10A(2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 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 issues it deals with.
8.21 Tender for the Supply of Hardware Products

RESOLUTION

Minute 2017/252

Resolved on the motion of Councillors Barlow and Bezić

1 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10A(2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 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 issues it deals with.

2 That Council awards Standing Offer Agreements to the following tenderers for the supply of Hardware products:

   a Winc Australia Pty Ltd (formerly Staples Australia Pty Ltd)
   b The L&H Group Pty Ltd
   c J. Blackwood & Son Pty Ltd

8.22 Tender for Consultancy Services for Arncliffe Street, Willis Street & Guess Avenue Road and Drainage Design & One Way Circuit, Wolli Creek

RESOLUTION

Minute 2017/253

Resolved on the motion of Councillors Awada and Nagi

1 That in accordance with Regulation 178 (1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from AT&L for Contract SF17/1752 being for consultancy services to provide detailed road and drainage design and documentation for Arncliffe Street, Willis Street and a proposed One-Way Circuit which encompasses Guess Avenue, Mount Olympus Boulevard and Magdalene Terrace, Wolli Creek for the amount of:

   • $182,916.25 (inclusive of GST) for Arncliffe & Willis Street;
   • $162,236.25 (inclusive of GST) for One-Way Circuit; and
   • A provision for $40,000 (exclusive of GST) for additional geotechnical services and flood model runs, subject to requirements

2 That the confidential supporting document attached to this report be withheld from the press and public as it is confidential for the following reason:
With reference to Section 10A(2) (d)(i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 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.

8.23 SSROC Tender for Provision of Bush Regeneration Services

Councillor Ibrahim was absent for the voting on this item.

RESOLUTION

Minute 2017/254

Resolved on the motion of Councillors Barlow and Nagi

1 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10(A) (2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 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 Council awards Standing Offer Agreements to the following tenderers for the provision of Bush Regeneration Services:

a  Bushland Management Solutions Pty Ltd
b  Dragonfly Environmental Pty Ltd
c  National Trust of Australia (NSW)
d  Southern Habitat (NSW) Pty Ltd
e  Sydney Bush Regeneration Company Pty Ltd
f  Symbiota Ecology Pty Ltd t/a Apunga Ecological Management
g  Toolijooa Pty Ltd t/a Toolijooa Environmental Restoration
h  Total Earth Care Pty Ltd ATF Irrawong Trust

8.24 Schedule of Council Meeting Dates and Venues 2018

Councillor Ibrahim was absent for the voting on this item.

RESOLUTION

Minute 2017/255

Resolved on the motion of Councillors Barlow and Nagi
That Council adopts the schedule of meeting dates for Ordinary Council Meetings in 2018 as outlined in this report and that the meetings be held in the Rockdale Town Hall.

8.25 Statutory Financial Report - October 2017

Councillor Ibrahim was absent for the voting on this item.

RESOLUTION

Minute 2017/256

Resolved on the motion of Councillors Barlow and Awada

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

9 Minutes of Committees

Refer to Item 7, Public Forum

10 Notices of Motion

10.2 Notice of Motion - Development of a Concept Plan for the Upgrade of Banksmeadow Shops

Councillor Morrisey left the meeting due to his declaration of a Significant Non-Pecuniary Interest.

Councillor Rapisardi left the meeting due to her declaration of a Significant Non-Pecuniary Interest.

Councillor Ibrahim was absent for the voting on this item.

RESOLUTION

Minute 2017/257

Resolved on the motion of Councillors Curry and Nagi

That Council develops a concept plan for the upgrade of Banksmeadow shops that takes into consideration the traffic and pedestrian needs at the shops and either side of the shopping area and reports back to Council by March 2018 on the project plan.
10.3 Notice of Motion - Botany Bay Foreshore Erosion

Councillor Ibrahim was absent for the voting on this item.

RESOLUTION

Minute 2017/258

Resolved on the motion of Councillors McDougall and Nagi

1 That Council recognises the significant ongoing problem of erosion and sand movements along the shores of Botany Bay that has led to a jetty sitting on sand south of Depena Reserve and the destruction of another beach at Carruthers Drive, Dolls Point among many other issues.

2 That Council notes that a long-term solution to these issues needs to be found.

3 That the General Manager seeks funding under the Coastal and Estuary Grants Program, which may involve having Lady Robinsons Beach assessed as a Coastal Erosion ‘hot spot’ under New South Wales Government guidelines, to help deal with these issues.

10.4 Notice of Motion - F6 Coordinated Engagement

Councillor Ibrahim was absent for the voting on this item.

RESOLUTION

Minute 2017/259

Resolved on the motion of Councillors McDougall and Macdonald

That Council supports a coordinated approach by community groups, affected parties and Council, in engaging with Roads and Maritime Services regarding the F6 proposal in order to present a united front.

11 Questions With Notice

There were no Questions With Notice.

12 Confidential Reports

In accordance with Council’s Code of Meeting Practice, the Mayor 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.
Closed Council Meeting

RESOLUTION

Minute 2017/260

Resolved on the motion of Councillors Awada and Nagi

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

8.20 CONFIDENTIAL – Tender for the Design and Construction of a Synthetic Planning Field at Ador Ave Reserve, Field No. 1, Rockdale

In accordance with section 10A (2) (d) (i) of the Local Government Act 1993, the matters dealt with in the confidential attachment to this report contains 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 issues it deals with.

12.1 CONFIDENTIAL - Arncliffe Lease Matter

In accordance with section 10A (2) (c) of the Local Government Act 1993, the matters dealt with in this report relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. 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.

12.2 CONFIDENTIAL - Wolli Creek

In accordance with section 10A (2) (c) of the Local Government Act 1993, the matters dealt with in this report relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. 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.

12.3 CONFIDENTIAL - Wolli Creek

In accordance with section 10A (2) (c) of the Local Government Act 1993, the matters dealt with in this report relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. 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.

8.20 Tender for the Design and Construction of a Synthetic Playing Field at Ador Ave Reserve, Field No. 1, Rockdale

RESOLUTION

Minute 2017/261

Resolved on the motion of Councillors Nagi and Saravinovski

1 That any tenure and usage associated with the new synthetic playing field at Ador Reserve is in accordance with the purpose as outlined in the funding agreement and that this process is led by Bayside Council's Sports and Recreation Committee and approved by the Council.

2 That as part of this process priority is given to local Bayside LGA clubs and community use.

3 That in accordance with Regulation 178 (1) (a) of the Local Government (General) Regulations 2005, Council accepts the tender from Turf One for the Contract F17/559 being for the design and construction of a synthetic playing field at Ador Ave Reserve, at Ador Field No. 1, Rockdale for the amount of $2,137,975.00 exclusive of GST.

4 That the first attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10A(2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. 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 issues it deals with.

12.1 Confidential - Arncliffe Lease Matter

RESOLUTION

Minute 2017/262

Resolved on the motion of Councillors Rapisardi and Nagi

1 That Council endorse a lease to St Vincent de Paul over the property listed in the body of the report for a term of 5 years.

2 That the Mayor and General Manager be authorised to sign, and seal where required, all documents required to complete this matter.
12.2 Confidential – Wolli Creek

Dr Nicholas Brunton from Norton Rose Fulbright provided legal advice on this matter.

MOTION

Motion moved by Councillors Ibrahim and Poulos

1 That Council endorse the prioritisation of option 3 as noted in the body of this report (Table 9).

2 That Council acknowledge that staff continue to advance matters associated with the options outlined in the report with a further report to be submitted to Council in early 2018.

3 That the Mayor and General Manager be authorised to undertake any statutory obligations and priority actions arising from these matters.

The Motion was Lost.

FORESHADOWED MOTION

Foreshadowed motion moved by Councillor McDougall and Bezic

1 That Council endorse the prioritisation of option 2 as noted in the body of this report (Table 8).

2 That Council is of the opinion that it no longer requires the properties for a public purpose.

3 That Council take steps to amend the zoning of the land and the land acquisition reservation map in the Rockdale LEP so that the relevant properties are no longer designated for acquisition for a public purpose. This would involve the preparation of a planning proposal to be provided to the Minister.

4 That Council acknowledge that staff continue to advance matters associated with the options outlined in the report with a further report to be submitted to Council in early 2018.

5 That the Mayor and General Manager be authorised to undertake any statutory obligations and priority actions arising from these matters.

RESOLUTION

Minute 2017/263

Resolved on the motion of Councillors McDougall and Bezic

4 That Council endorse the prioritisation of option 2 as noted in the body of this report (Table 8).
5 That Council is of the opinion that it no longer requires the properties for a public purpose.

6 That Council take steps to amend the zoning of the land and the land acquisition reservation map in the Rockdale LEP so that the relevant properties are no longer designated for acquisition for a public purpose. This would involve the preparation of a planning proposal to be provided to the Minister.

4 That Council acknowledge that staff continue to advance matters associated with the options outlined in the report with a further report to be submitted to Council in early 2018.

5 That the Mayor and General Manager be authorised to undertake any statutory obligations and priority actions arising from these matters.

Councillors Ibrahim and Poulos requested their names be recorded as voting against the Resolution.

12.3 Confidential – Supplementary – Wolli Creek

This report was read in conjunction with Item 12.2.

Resumption of Open Council Meeting

RESOLUTION

Minute 2017/264

Resolved on the motion of Councillors Macdonald and Saravinovski

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

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

13 Call For Rescission Motions

There were no Rescission Motions lodged at the meeting.

The Mayor closed the meeting at 10.27 pm.