

MEETING NOTICE

The **Ordinary Meeting** of
Bayside Council
will be held in the Rockdale Town Hall, Council Chambers,
Level 1, 448 Princes Highway, Rockdale
on **Wednesday 14 March 2018 at 7:00 pm**

AGENDA

- 1 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**
- 2 OPENING PRAYER**
- 3 APOLOGIES**
- 4 DISCLOSURES OF INTEREST**
- 5 MINUTES OF PREVIOUS MEETINGS**
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- 6 MAYORAL MINUTES**
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- 7 PUBLIC FORUM**

Members of the public, who have applied to speak at the meeting, will be invited to address the meeting.

Any item the subject of the Public Forum will be brought forward and considered after the conclusion of the speakers for that item.
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The meeting will be audio recorded for the purposes of minute taking and live streamed to the community via Council's Facebook page, in accordance with Council's Code of Meeting Practice.

Meredith Wallace
General Manager

Council Meeting

14/03/2018

Item No	5.1
Subject	Minutes of the Council Meeting - 14 February 2018
Report by	Fausto Sut, Manager Governance & Risk
File	SF17/2770

Officer Recommendation

That the Minutes of the Council Meeting held on 14 February 2018 be confirmed as a true record of proceedings.

Present

Mayor, Councillor Bill Saravinovski
Deputy Mayor, Councillor Joe Awada
Councillor Liz Barlow
Councillor Ron Bezic
Councillor Christina Curry
Councillor Tarek Ibrahim
Councillor Petros Kalligas
Councillor Ed McDougall
Councillor Scott Morrissey
Councillor Michael Nagi
Councillor Vicki Poulos
Councillor Dorothy Rapisardi
Councillor Paul Sedrak
Councillor Andrew Tsounis

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
Lauren Thomas, Governance Officer
Samantha Urquhart, Manager Property
Karen Purser, Manager Community Capacity Building
Liz Rog, Manager Executive Services
Matthew Walker, Manager Finance
Robert Kolimackovski, Manager Information Technology
Jeremy Morgan, Manager City Infrastructure
Vincenzo Carrabs, Coordinator Media & Events
Shayaz Hussain, IT Support Officer

The Mayor opened the meeting in the Council Chambers, Rockdale Town Hall, Level 1, 448 Princes Highway, Rockdale at 7:09 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

Father Brendan Quirk, Parish Priest to St Gabriels Bexley and St Mary Mackillop Parish Rockdale, opened the meeting in prayer.

3 Apologies

RESOLUTION

Minute 2018/001

Resolved on the motion of Councillors Nagi and Ibrahim

That the following apology be received and a leave of absence be granted:

Councillor James Macdonald

4 Disclosures of Interest

Councillor Ibrahim declared a Pecuniary Interest in Item 12.1, on the basis that his brother is involved in one of the applications, and stated he would leave the Chamber for consideration and voting on the matter.

5 Minutes of Previous Meetings

5.1 Minutes of the Council Meeting - 13 December 2017

Councillor Poulos advised that a correction needed to be made to the 13 December 2017 Council Minutes where it is recorded that 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, and has children attending, Bexley Public School. The Minutes should read: "Bexley North Public School".

RESOLUTION

Minute 2018/002

Resolved on the motion of Councillors Poulos and Nagi

That the Minutes of the Council meeting held on 13 December 2017 be confirmed as a

true record of proceedings with the following amendment:

Item 4 – Disclosures of Interest – Councillor Poulos' declaration of interest should refer to Bexley North Public School.

6 Mayoral Minutes

6.1 Mayoral Minute - Farewell Father Brendan Quirk, St Gabriel's Parish, Bexley & St Mary MacKillop's Parish, Rockdale.

RESOLUTION

Minute 2018/003

Resolved on the motion of Councillor Saravinovski

That Council acknowledges Father Brendan Quirk for his 15 years dedicated service and support to the Bayside Community.

6.2 Mayoral Minute - NSW Rural Fire Service Association - Support for 40 km ph Speed Limit at Emergency Incidents

RESOLUTION

Minute 2018/004

Resolved on the motion of Councillors Nagi and Barlow

That Council endorse, through a formal letter of support, the President of the NSW Rural Fire Service Association's appeal to reduce the default speed limit around emergency sites to 40km/h.

6.3 Mayoral Minute - Botany Aquatic Centre

RESOLUTION

Minute 2018/005

Resolved on the motion of Councillor Saravinovski

That the General Manager prepare a discussion paper on the Botany Aquatic Centre that:

- 1 Advises on the steps needed to undertake an urgent and initial analysis on the asset condition of the Botany Aquatic Centre structures to ensure that they continue to provide the services expected by the community.
- 2 Presents a draft communication strategy to inform the community about the future of the slides and which details plans to investigate future upgrades of the Aquatic Centre.

6.4 Mayoral Minute - State Government Contribution to Operation Ricco

RESOLUTION

Minute 2018/006

Resolved on the motion of Councillor Saravinovski

- 1 That Council make representations to the NSW Premier and the Minister for Local Government seeking a financial contribution of \$17M to recompense the Bayside community for the costs related to the misappropriation of funds and its aftermath.
- 2 That Council seek the support of its local members of parliament to Council's request for recompense of \$17M from the State Government for the costs related to the misappropriation and its aftermath.

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 Reports

8.1 Presentation - Mayor's 2017 Charity Christmas Dinner

RESOLUTION

Minute 2018/007

Resolved on the motion of Councillors Tsounis and Bezic

That Council note the Mayoral Charity Christmas Dinner raised \$6496 and that two cheques of \$3248 be presented, one to each of the charities.

8.2 ANZAC Day - Liquor Approval

RESOLUTION

Minute 2018/008

Resolved on the motion of Councillors Tsounis and Nagii

That Council suspend the alcohol-free zone in Booralee Park, Botany between 6am and 12pm on Tuesday 25 April 2017 and permit the provision alcohol by a licensed caterer subject to the Department of Industry, Liquor and Gaming guidelines and within the designated area.

8.3 Annual Report 2016/17

RESOLUTION

Minute 2018/009

Resolved on the motion of Councillors Barlow and Tsounis

That Council receives and notes Bayside Council's Annual Report 2016/17.

8.4 Statutory, Council and External Bodies Memberships, Delegates and Fees

MOTION

Motion moved by Councillors Tsounis and Bezic

- 1 That Council continues to participate in the organisations listed in this report and appoint delegates to those organisations.
- 2 That Council seek reimbursement from Australian Mayoral Aviation Council for the provision of accommodation and support services provided by Council to AMAC.
- 3 That the Council increase the number of members of the Executive Committee of the Botany Historical Trust by two and allow the Executive Committee to fill the additional positions.
- 4 That Council nominates Councillors up to the number shown to each of the following organisations for a term to September 2019:
 - 4.1 SSROC (up to 2 delegates and up to 2 alternates)
 - 4.2 SSROC Program Delivery Committee (up to 2 and a further 1 as alternate)
 - 4.3 SSROC Sustainability Program Committee (up to 2 and a further 1 as alternate)
 - 4.4 Australia Day Botany Bay Regatta Committee (1)
 - 4.5 Botany Historical Trust (up to 2)
 - 4.6 Cooks River Alliance Board (1 and a further 1 as alternate)
 - 4.7 Georges River Combined Councils Committee (1 and a further 1 as alternate)
 - 4.8 Lydham Hall Management Committee (1)
 - 4.9 NSW Public Libraries Association (1)

- 4.10 Rockdale Community Nursery (1)
- 4.11 Sydney Coastal Councils Group (1 and a further 1 as alternate)
- 5 That Council nominates one (1) Councillor as its representative on all three insurance related companies being CivicRisk Mutual, CivicRisk Metro and Mutual Management Services for the term of the Council.
- 6 That Council nominates the Mayor (or delegate) as its representative on the Australian Mayoral Aviation Council to September 2019.

AMENDMENT

Amendment moved by Councillors McDougall and Morrissey:

That point 2 be deleted from the Motion.

The Amendment was CARRIED.

The Amendment became the Motion.

RESOLUTION

Minute 2018/010

Resolved on the motion of Councillors McDougall and Morrissey

- 1 That Council continues to participate in the organisations listed in this report and appoint delegates to those organisations.
- 2 That the Council increase the number of members of the Executive Committee of the Botany Historical Trust by two and allow the Executive Committee to fill the additional positions.
- 3 That Council nominates Councillors up to the number shown to each of the following organisations for a term to September 2019:
 - 3.1 SSROC – Mayor Saravinovski and Deputy Mayor Awada as delegates and Councillor Barlow and Councillor McDougall as alternates
 - 3.2 SSROC Program Delivery Committee - Councillor Macdonald as delegate and Councillor Tsounis as alternate
 - 3.3 SSROC Sustainability Program Committee - Councillor Barlow as delegate
 - 3.4 Australia Day Botany Bay Regatta Committee - Councillor Bezic as delegate
 - 3.5 Botany Historical Trust - Councillors Barlow, Morrissey, Curry and Rapisardi
 - 3.6 Cooks River Alliance Board - Councillor Tsounis as delegate
 - 3.7 Georges River Combined Councils Committee - Councillor Tsounis as

delegate

- 3.8 Lydham Hall Management Committee - Councillor Barlow as delegate
- 3.9 NSW Public Libraries Association – Councillor Macdonald as delegate and Councillor Awada as alternate
- 3.10 Rockdale Community Nursery - Councillor Barlow as delegate and Councillor Awada as alternate
- 3.11 Sydney Coastal Councils Group – Councillor McDougall as delegate and Councillor Tsounis as alternate
- 4 That Council nominates Councillor Curry as its delegate representative and Councillor Ibrahim as alternate delegate on all three insurance related companies being CivicRisk Mutual, CivicRisk Metro and Mutual Management Services for the term of the Council – Councillor Curry and Councillor Ibrahim as alternative.
- 5 That Council nominates the Mayor as delegate and Councillor Nagi as alternate on the Australian Mayoral Aviation Council to September 2019 – Mayor Saravinovski and Councillor Nagi.

Councillor Barlow asked that it be recorded in the Minutes that she was against the Amendment.

8.5 Councillor Development Program - Response to Draft Guidelines

RESOLUTION

Minute 2018/011

Resolved on the motion of Councillors Ibrahim and Tsounis

That Council endorse the making of a submission, in terms of the attachment to the report, to the Office of Local Government on its draft Councillor Induction and Professional Development Guidelines.

8.6 Disclosure of Pecuniary Interest Returns - Councillors and Designated Persons Appointment

RESOLUTION

Minute 2018/012

Resolved on the motion of Councillors Nagi and Barlow

That the information be received and noted.

8.7 Access to Information Policy

RESOLUTION

Minute 2018/013

Resolved on the motion of Councillors Nagi and Tsounis

That the Council adopts the attached draft Access to Information Policy.

8.8 Statutory Financial Report - November 2017

RESOLUTION

Minute 2018/014

Resolved on the motion of Councillors Tsounis and Barlow

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

8.9 Statutory Financial Report - December 2017

RESOLUTION

Minute 2018/015

Resolved on the motion of Councillors Tsounis and Awada

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

8.10 2017/18 Updated Fees and Charges Schedule

RESOLUTION

Minute 2018/016

Resolved on the motion of Councillors Tsounis and Ibrahim

That Council adopt the previously exhibited proposed fees as outlined in this report.

8.11 Quaterly Budget Review Statement for Quarter Ended 31 December 2017

RESOLUTION

Minute 2018/017

Resolved on the motion of Councillors Tsounis and Morrissey

- 1 That the Quarterly Budget Review Statement by the Manager Finance for the quarter ended 31 December 2017 be received and noted.
- 2 That in accordance with Clauses 203 and 211 of the *Local Government (General) Regulations 2005*, the proposed variations to the adopted revised budget detailed in this report be adopted by Council and the changes to income and expenditure items be, and are hereby voted.

8.12 F6 Extension

Motion moved by Councillors Tsounis and Ibrahim

- 1 That Council encourage the use of Council facilities for RMS to conduct meetings and consultation with the community and other local stakeholders about the proposed F6 Extension.
- 2 That the use of Council's facilities by the RMS for consultation on the F6 Extension are provided without hire charges being applied.

MOTION

Councillor McDougall moved that Council officers, prior to the next meeting of Council, enact the resolution of Item 10.4 of the 13 December 2018 Council meeting - 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 - and all these organisations be contacted by Council to inform them that we would like to take a coordinated negotiating strategy with the RMS:

RESOLUTION

Minute 2018/018

Resolved on the motion of Councillors McDougall and Nagi

- 1 That Council encourage the use of Council facilities for RMS to conduct meetings and consultation with the community and other local stakeholders about the proposed F6 Extension.
- 2 That the use of Council's facilities by the RMS for consultation on the F6 Extension are provided without hire charges being applied.
- 3 That Council officers, prior to the next meeting of Council, enact the resolution of Item 10.4 of the 13 December 2018 Council meeting, and all these organisations be contacted by Council to inform them that we would like to take a coordinated negotiating strategy with the RMS:

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.

8.13 Planning Agreement - 130-150 Bunnerong Road, Pagewood

Matthew Lennartz, in support of the Officer recommendation to Council, addressed the Council.

RESOLUTION

Minute 2018/019

Resolved on the motion of Councillors Saravinovski and Awada

That Council resolve to exhibit the Amended Planning Agreement for 130-150 Bunnerong Road, Pagewood for a minimum period of 28 days, as required under Section 93G(1) of the Environmental Planning & Assessment Act 1979

8.14 Proposed Dog Park and Off-Leash Area

A written submission was made to Council by Mr Audie Peonidis, objecting to the Officer recommendation to Council.

Councillor Barlow asked that this matter be dererred.

RESOLUTION

Minute 2018/020

Resolved on the motion of Councillors McDougall and Tsounis

- 1 That the Council endorses the community consultation program for the proposed off-leash dog park at Lance Studdert Reserve.
- 2 That the Council endorses for localised consultation the proposed timed (4pm – 10am daily) off-leash dog area at Kyeemagh beach.
- 3 That the implementation of the off-leash dog areas, if approved after consultation, form part of the 2018/2019 Capital Works Program.

Division called by Councillors Barlow and Kalligas

For: Councillors Tsounis, Saravinovski, Sedrak, Morrissey, Curry, Rapisardi, Nagi, Ibrahim, Poulos, McDougall, Bezic and Awada

Against: Councillors Kalligas and Barlow

8.15 Request for Financial Assistance - Greek Festival 2018

Matthew Lennartz, in support of the Officer recommendation to Council, addressed the Council.

RESOLUTION

Minute 2018/021

Resolved on the motion of Councillors Tsounis and Poulos

That Council provide a one-off fee waiver of \$1682.00 to the Greek Festival of Sydney under Council's Financial Assistance Policy. This includes AV assistance, venue hire and cleaning.

8.16 Proposed Suburb Boundary Change Between Pagewood and Eastgardens - Public Exhibition Response.

RESOLUTION

Minute 2018/022

Resolved on the motion of Councillors Sedrak and Tsounis

- 1 That Council acknowledges the recommendation of the Botany Historical Trust dated 5 February 2018 to support the amendment of the suburb boundary of Pagewood to include the development at 128 and 130-150 Bunnerong Road, Eastgardens.
- 2 That Council endorse the suburb boundary change, and resolve that the proposal be submitted to the Geographical Names Board (GNB) NSW for consideration as per the requirements of the *Geographical Names Act 1966*.

8.17 Response to Question - Botany Road and Pemberton Street, Botany Traffic Lights and Pedestrian Crossing Status

The response to the question was tabled.

8.18 Response to Question - Botany Bay Foreshore Erosion

The response to the question was tabled.

8.19 Response to Question - Standfield Park, Church Avenue, Mascot

The response to the question was tabled.

8.20 Response to Question - Rockdale Park Water Feature

The response to the question was tabled.

9 Minutes of Committees

9.1 Minutes of the Botany Historical Trust Meeting - 6 November 2017

RESOLUTION

Minute 2018/023

Resolved on the motion of Councillors Morrissey and Nagi

That the Minutes of the Botany Historical Trust meeting held on 6 November 2017 be received and the recommendations therein be adopted.

9.2 Minutes of the Finance & Asset Management Committee Meeting - 31 January 2018

RESOLUTION

Minute 2018/024

Resolved on the motion of Councillors Nagi and Barlow

That the Minutes of the Finance & Asset Management Committee meeting held on 31 January 2018 be received and the recommendations therein be adopted.

9.3 Minutes of the Botany Historical Trust Meeting - 5 February 2018

RESOLUTION

Minute 2018/025

Resolved on the motion of Councillors Nagi and Morrissey

That the Minutes of the Botany Historical Trust meeting held on 5 February 2018 be received and the recommendations therein be adopted.

9.4 Minutes of the Sport & Recreation Committee Meeting - 5 February 2018

RESOLUTION

Minute 2018/026

Resolved on the motion of Councillors Tsounis and Nagi

That the Minutes of the Sport & Recreation Committee meeting held on 5 February 2018 be received and the recommendations therein be adopted.

9.5 Minutes of the Bayside Traffic Committee Meeting - 7 February 2018

RESOLUTION

Minute 2018/027

Resolved on the motion of Councillors Tsounis and Nagii

That the Minutes of the Bayside Traffic Committee meeting held on 7 February 2018 be received and the recommendations therein be adopted.

10 Notices of Motion

There were no Notices of Motion.

11 Questions With Notice

10.1 Bikeshare Bikes

Councillor McDougall:

What action has Council taken, or does Council propose to take, to deal with the current issues with bikeshare bikes being abandoned on public streets and in parks?

RESOLUTION

Minute 2018/028

Resolved on the motion of the Mayor, Councillor Saravinovski

That a report be submitted to the March Council meeting which outlines a plan of action to alleviate this situation.

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 2018/029

Resolved on the motion of Councillors Nagi and Awada

- 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:

12.1 CONFIDENTIAL - Brighton Le Sands Expression Of Interest

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.

12.1 Brighton Le Sands Expression Of Interest

RESOLUTION

Minute 2018/030

Resolved on the motion of Councillors Nagi and Awada

- 1 That Council notes the outcome for the Expression of Interest Campaign to identify a property led solution to the Brighton Le Sand Car parking shortfall.
- 2 That Council adopts the Brighton Le Sands Car Parking Strategy and associated recommendations.
- 3 That Council prioritise interim car parking strategies identified in the Brighton Le Sands parking strategy as part of the 2018/19 City Projects Program, including identifying an interim parking solution to enable the redevelopment of the Boulevard Car Park.
- 4 Council prioritise the notification of the draft Brighton Le Sands Masterplan.
- 5 Council continue to engage with adjoining owners of the Boulevard Car Park to redevelop the Boulevard Car Park in accordance with the recommendations of the Brighton Le Sands Parking Strategy.
- 6 Upon completion of the above, Council conduct a tender to redevelop the Boulevard Car Park to address the car parking shortfall in Brighton Le Sands.
- 7 That Council thanks all respondents to the Expression of Interest Campaign and advises them of Council's resolutions as per this report.

- 8 That a working party be formed with the Mayor and Councillors McDougall, Poulos, Awada, Nagi, Macdonald, Tsounis and Sedrak and the first meeting is to be held within three weeks.

Resumption of Open Council Meeting

RESOLUTION

Minute 2018/031

Resolved on the motion of Councillors Nagi and Awada

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.

The Mayor closed the meeting at 9:13 pm.

Councillor Bill Saravinovski
Mayor

Meredith Wallace
General Manager

Attachments

Nil

Council Meeting

14/03/2018

Item No 6.1
Subject **Mayoral Minute - Anti-Hooning Taskforce**
File SF17/2770

Motion

- 1 That Bayside Council establishes an Anti-Hooning Taskforce Committee with terms of reference allowing it to make recommendations to Council on traffic and other improvements to combat car and bike hooning, and request that representations be made by Council to external bodies relating to these matters.
 - 2 That the committee shall be comprised of the Mayor or their delegate, and Council will request the following as Members of the Committee – Local State Members of Parliament, a representative of the NSW Highway Patrol, a representative of St George Local Area Command, a representative of Botany Bay Local Area Command, a representative of Roads of and Maritime Services, and appropriate Council officers.
 - 3 In addition, the Committee may request other parties to join with the consent of the Mayor, and the committee may hold public meetings with approval from the General Manager and Mayor.
-

Mayoral Minute

The issue of car and bike hooning has been an ongoing problem across Bayside for many years, with many strategies employed over a long period of time to reduce these problems.

In the past, Rockdale Council established an anti-hooning taskforce with the Member for Rockdale with the goal of reducing car and bike hooning and engaging with residents on these issues.

Attachments

Nil

Council Meeting

14/03/2018

Item No	8.1
Subject	Draft financial statements for the Former City of Botany Bay Council for period ending 9 September 2016
Report by	Matthew Walker, Manager Finance
File	F09/744

Summary

Bayside Council has prepared the draft financial statements for the Former City of Botany Bay Council for the period ending 9 September 2016 as required by the Bayside Proclamation.

Despite significant investments of time and resources by both Bayside Council and Audit Office of NSW, it has not been possible to warrant the completeness and reliability of the financial statements.

Officer Recommendation

- 1 That the Mayor, nominated Councillor, General Manager and Responsible Accounting Officer sign the Statement by Councillors and Management for the General Purpose Financial Reports
 - 2 That the Mayor, nominated Councillor, General Manager and Responsible Accounting Officer sign the Statement by Councillors and Management for the Special Purpose Financial Reports
 - 3 That Council issue the draft financial statements, including the signed Statements by Councillors and Management on the General Purpose Financial Reports and the Special Purpose Financial Reports to Council's auditor, Audit Office of NSW.
-

Background

Council officers, contractors and Audit Office of NSW have devoted considerable resources, time and effort on the preparation and preliminary audit process, of the draft financial statements for the Former City of Botany Bay Council for period ending 9 September 2016.

However due to the significant breakdowns in administrative, financial and governance internal controls identified in the former Council as evidenced by the NSW Independent Commission Against Corruption (ICAC) report July 2016, Operation Ricco, it has not been possible for the current Bayside Council management to ensure completeness of the financial statements as a whole. Whilst significant work has been undertaken to develop and implement a new internal control environment and to address the areas identified in Operation Ricco, this cannot correct the past failings of the former City of Botany Bay Council.

The current Council and Management of the newly formed Bayside Council cannot warrant the completeness and reliability of the financial statements of the former City of Botany Bay Council for the period ending 9 September 2016.

Council's auditor, Audit Office of NSW, attended the Risk and Audit Committee meeting on 22 February 2018 and presented the committee with an update on the progress of the preliminary audit. Please refer to the Risk and Audit Committee meeting 22 February 2018 minutes for the recommendation made by the Risk and Audit Committee.

To complete and enable the finalisation of the audit process Council will need to resolve for the nominated councillors and officers, to sign the Statement by Councillors and Management for the General Purpose Financial Reports (GPFRS) and Special Purpose Financial Reports (SPFRS) and issue these to Council's auditor, Audit Office of NSW to enable the finalisation of audit and issuing of auditors reports.

Financial Implications

Not applicable	<input checked="" type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Engagement

Not applicable at this stage. Council's external auditor, Audit Office of NSW will publicly present on the financial statements and the audit process at the April 2018 Council meeting.

Attachments

- 1 Former City of Botany Bay Council Financial Statements (under separate cover)
- 2 GPFRS Statement (under separate cover)
- 3 SPFRS Statement (under separate cover) [⇒⇒⇒](#)

Council Meeting

14/03/2018

Item No	8.2
Subject	The Cook Cove Development - Application from John Boyd Properties to extend the negotiation protocol by a further ten (10) months
Report by	Rodger Dowsett, Coordinator Cook Cove Development
File	F15/56

Summary

The Council in August 2017 resolved to permit the initial time period set-aside for negotiation with the proponent of the Cook Cove development to be extended through until the 1 March, 2018. The negotiation process established protocols together with a Probity Management Plan to facilitate the Council undertaking direct negotiations with John Boyd Properties (JBP) and the Kogarah Golf Club (KGC) for the purpose of understanding each party's interests and to allow the project to unfold in collaborative consultation.

The Council has now before it, written applications from both JBP and the KGC to extend the Cook Cove negotiation protocol from the 1 March through until the 31 December, this year.

The application made by JBP in this regard is, supported.

The report to Council on the 9/08/17 is attached.

Officer Recommendation

- 1 That Council receive and note the application made by John Boyd Properties dated 28 February 2018 to extend the Cook Cove negotiation protocol beyond the 1 March, this year; and
 - 2 That the Council by resolution agree to extend the Cook Cove negotiation protocol established between it (The Council) and John Boyd Properties and associated company, Cook Cove Inlet Pty Ltd in place of Lympic Murals Pty Ltd by a further 10 months ceasing on the 31 December 2018.
-

Background

The Cook Cove development site involves the adaption of land (approx.100ha) for open space and urban uses over two identifiable areas described as the Cook Cove, northern and southern precincts.

The separation of the two precincts occurs at the site's dissection by Sydney Water's infrastructure.

The development in broad terms proposes the following:-

- The relocation of the Kogarah Golf Club from its current location in the northern precinct to the southern precinct;

- Remediation of the land (Barton Park and surrounds) that comprises the southern precinct ahead of the golf courses relocation;
- As required, remediation of the remaining lands of the development site, the implementation of environmental measures and infrastructure work;
- The adaption of the northern precinct for mixed development (residential/commercial land uses) educational facilities together with public domain/amenities and open space; and
- The integration of the project's delivery with the public benefits.

The latter dot point above, whilst involving traditional processes in the determination of the eventual and long term public benefit required a fresh approach and perspective which has in essence, given rise to the Cook Cove negotiation protocol and related probity plan. The project has the potential to yield significant public benefit and for this reason the most obvious negotiation principle in so far as the Council is concerned is to ensure these benefits are achievable coupled with the certainty of delivery.

The relocation of the golf course to the southern precinct involves the grounds of the course, the club building and related components (carpark, maintenance sheds) occupying public land that at the moment is owned by the Council and the Crown. Occupation therefore requires a lease for which JBP for and on behalf the Kogarah Golf Club Ltd has indicated a lease term of 99 years in duration.

Instrumental in the negotiation process in the drafting a lease of the kind proposed is the existence of a separate but contractual agreement between JBP and the KGC to allow the fundamental issues to be discussed and negotiated as well as expressing each party's commitment to the end goal.

In this regard the agreement between JBP and the KGC has been executed by the two parties. Council received a copy of the agreement on 8 March 2018 and it will now be reviewed by Council's legal and probity advisors.

Defined "action tasks" have been drafted with assigned responsibilities to support the negotiation work flow and eventually align the quantifiable aspects of the tasks with pre-determined targets. In brief the action tasks involve the following matters:-

- The preparation of a comprehensive land inventory of the Cook Cove site;
- The determination in precise terms the details of land ownership;
- Land classification as prescribed by the LGA;
- Details of the Voluntary Planning Agreement(s) and that of the Project Delivery Agreement;
- Cook Cove project staging particulars;
- Engagement with the various State Govt. agencies. (Crown Lands/Office of Local Govt.)

Accordingly it is recommended to the Council that the application made by JBP to extend the Cook Cove Negotiation Protocol to the date requested, i.e. 31 December, 2018 be agreed to.

Financial Implications

As previously advised to the Council, there exists between JBP and the Council, an agreement that JBP will reimburse the Council's reasonable expenses incurred in its assessment of the Cook Cove PP.

Not applicable	<input type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Engagement

Not applicable to the matter at hand.

Attachments

- 1 Previous report to the meeting of the Council held 9 Aug 2017
- 2 Application from JBP dated 28 February 2018
- 3 Application from the KGC to extend the negotiation protocol [↓↓↓](#)

Council Meeting**9/08/2017**

Item No	8.2
Subject	Cooks Cove Update
Report by	Michael McCabe, Director City Futures
File	F15/56

Summary

This report provides a summary of the matters currently being considered by Council for the Cooks Cove Precinct and requests that Council extends the negotiation protocol in response to the Indicative Development Proposal from John Boyd Properties.

Officer Recommendation

That Council extend the negotiation protocol to 1 March 2018 with Olympic Murals Pty Ltd (John Boyd Properties) and Kogarah Golf Club Limited.

Background**Property Negotiations**

Following the 18 November 2015 resolution of Council regarding Cooks Cove an Indicative Development Proposal (IDP) from John Boyd Properties (JBP) was submitted to Council for consideration.

As part of the IDP, JBP represent the Kogarah Golf Club Limited (KGC) in regard to occupying public land (Crown and Council land) by way of a proposed agreement for lease (99 years) between Bayside Council and Kogarah Golf Club.

Council entered into a negotiation protocol agreement dated 20 July 2016 with Olympic Murals Pty Ltd (John Boyd Properties) and KGC that expired on 30 June 2017. To date, no defined outcome has been agreed between parties.

This report recommends to extend the negotiation protocol to 1 March 2018.

Development Application

Development Application (DA-2017/179) was lodged by Cook Cove Inlet Pty Ltd (John Boyd Properties) on 18 November 2016.

Independent assessment of DA-2017/179 is underway and no determination date has been set.

Land owners consent to DA-2017/179 is required prior to determination. To date, Council has not granted land owner's consent and is not aware of any other land owners providing consent.

The Sydney Central Planning Panel are the consent authority.

Item 8.2

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Council Meeting

9/08/2017

Planning Proposal

A draft Land Use and Infrastructure Strategy (LUIS) for the Bayside West Precincts which includes the Arncliffe Precinct, Banksia Precinct and the Cooks Cove Precinct was published by the Department of Planning & Environment (DPE). The exhibition period for this was 20 January 2017 to 28 February 2017.

A summary of the feedback received by the DPE is at:
<http://www.planning.nsw.gov.au/~media/Files/DPE/Reports/bayside-west-precincts-community-consultation-report-2017-04.ashx>

Attachment 1 is a map of the Bayside West Precincts showing the Cooks Cove Precinct.

The LUIS identifies the northern portion of the Cooks Cove Precinct (north of the M5), as suitable for mixed use, residential development. The strategy recommends additional investigations into how future development within Cooks Cove can be a catalyst for providing a new local centre with homes, jobs, shops, cafes and restaurants, in an attractive, liveable and convenient place where people enjoy living, working and visiting.

On 17 May 2017, John Boyd Properties lodged a Planning Proposal (the PP) to introduce new planning controls for the Cooks Cove Precinct to allow for development of the site.

Council are currently in the process of engaging consultants to undertake an independent assessment of the PP.

The PP must be consistent with the recommendations of the LUIS.

Financial Implications

Not applicable	<input type="checkbox"/>	
Included in existing approved budget	<input checked="" type="checkbox"/>	To date all costs expended by Council are reimbursed by John Boyd Properties in accordance with the negotiation protocol.
Additional funds required	<input type="checkbox"/>	

Community Engagement

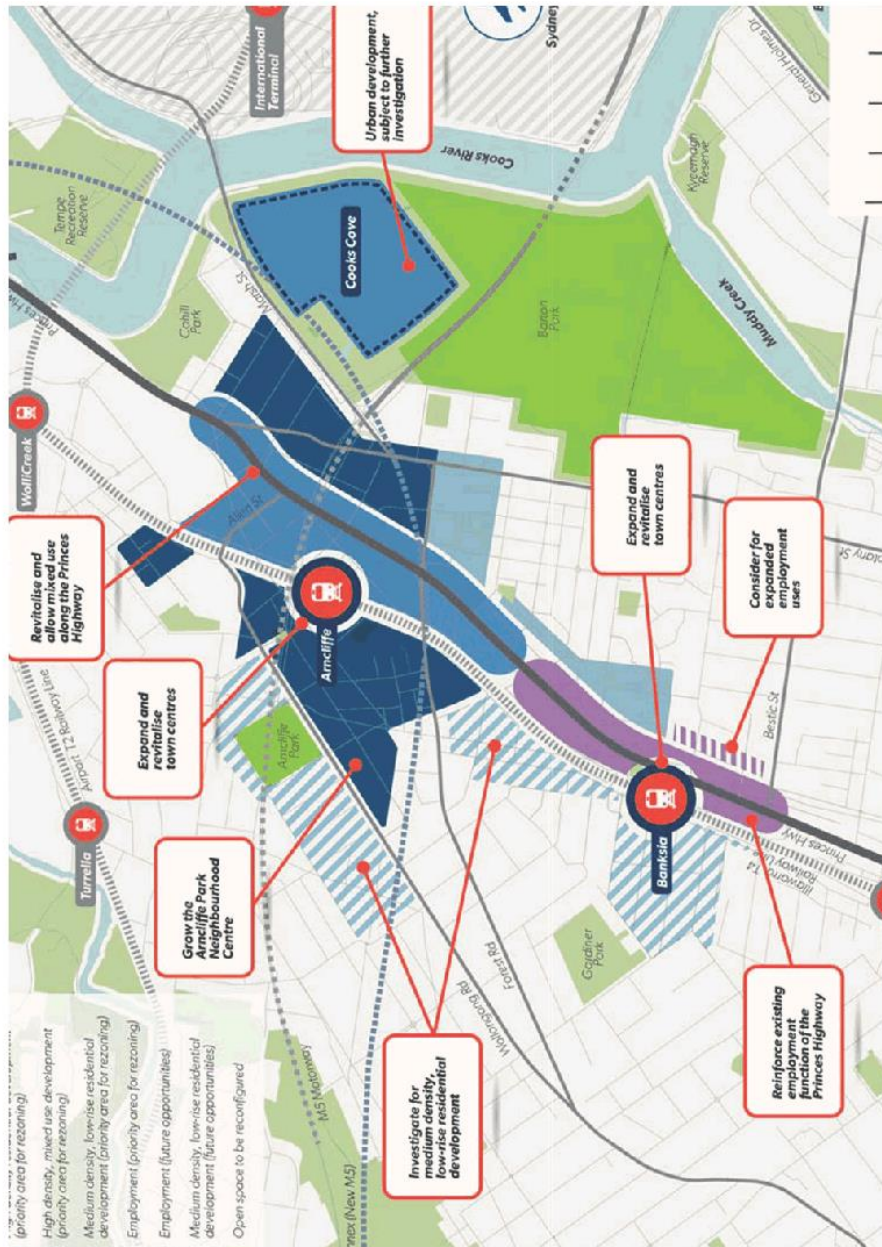
Not Applicable

Attachments

Bayside West Precincts Showing the Cooks Cove Precinct

9/08/2017

Council Meeting



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Item 8.2 – Attachment 1 - Bayside West Precincts Showing the Cooks Cove Precinct



Level 3 Legion House
161 Castlereagh St
Sydney NSW 2000
Tel 9260 4000
Fax 9261 5101
ABN 42 165 239 592

28 February 2018

Ms Meredith Wallace
General Manager
Bayside Council
444-446 Princes Highway
Rockdale NSW 2216

Dear Ms Wallace

Re: Request extension of Cook Cove Negotiation Protocol

Cook Cove Inlet Pty Ltd, on behalf of John Boyd Properties and Kogarah Golf Club Limited request Bayside Council's agreement to extend the Negotiation Protocol in relation to the Cook Cove Discussions until 31 December 2018.

It is hoped that such extension will permit the expedient resolution of the necessary project documentation that is required to facilitate the delivery of the Cook Cove project, including a Project Delivery Agreement, Voluntary Planning Agreement and a 99 year lease to Kogarah Golf Club, on terms resolved through discussions with Council's negotiation team, and at all times subject to a favourable and viable independent assessment of the Cook Cove Planning Proposal, to be presented to the Bayside Councillors for their consideration, and where warranted their endorsement to proceed to the execution of formal binding agreements.

Yours Sincerely

John David Boyd
Director



28 February 2018

Ms Meredith Wallace
General Manager
Bayside Council
444-446 Princes Highway
ROCKDALE NSW

Dear Ms Wallace,


Re: Request to extend toe Cook Cove Negotiation Protocol

The Kogarah Golf Club and John Boyd Properties jointly request Bayside Council to agree an extension of the Negotiation Protocol in relation to Cook Cove discussions until 31 December 2018.

Excellent progress has been made on numerous fronts and an extension of time will allow an expedient resolution of the necessary project documentation.

I trust that Council will consider this request favourably.

Yours sincerely
KOGARAH GOLF CLUB LTD



Tony Rodgers
GENERAL MANAGER

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ACN 000 020 468 ABN 30 000 020 468

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Council Meeting

14/03/2018

Item No	8.3
Subject	Draft Planning Proposal: 73 & 75 Gardeners Road, Eastlakes
Report by	Howard Taylor, Project Officer - Planning Proposals
File	SF17/2770

Summary

In September 2017 Sydney Water Corporation submitted a Draft Planning Proposal to Bayside Council (**Attachments 1 & 2**). The Draft Planning Proposal requests that Council initiate an amendment to the Botany Bay Local Environmental Plan 2013 in relation to 73 and 75 Gardeners Road, Eastlakes from SP2 Infrastructure (Sydney Water Depot) to *Deferred Matter*, and SP1 Special Activities (Recreation Facility - Outdoor) to R4 High Density Residential. Amendments to development standards relating to building height, floor space ratio and inclusion of an Additional Permitted Use (*Commercial Premises*) under *Schedule 1 Additional Permitted Uses* of the BBLEP 2013 are also sought.

The Draft Planning Proposal would enable Sydney Water Corporation, the owner, to divest land that is considered surplus to operational needs, as part of a broader asset management strategy. However, a merit assessment of the Draft Planning Proposal, by Council staff, indicates that the proposed amendment to the Botany Bay Local Environmental Plan 2013 does not have strategic merit for the reasons outlined in this report, in particular:

- it is inconsistent with the objectives and detailed requirements of s.117 Directions including 2.3 Heritage Conservation, 3.1 Residential Zones and 4.3 Flood Prone Land;
- there is inadequate justification for the proposed reduction in public land zoned 'SP1 – Special Activities Recreation Facility – Outdoor); and
- the proposed change of land use and scale of the proposed development are inconsistent with the desired future character and functioning of the site and its locality, and that inconsistency has not been justified by an adopted Regional, District or Local Strategy.

Council has not received an offer of a Voluntary Planning Agreement. A Draft site specific Development Control Plan has not been provided as part of the Draft Planning Proposal.

Officer Recommendation

That the Draft Planning Proposal for 73 and 75 Gardeners Road, Eastlakes not be forwarded to the Department of Planning and Environment for a Gateway Determination for the reasons outlined in the report, in particular:

- a it is inconsistent with the objectives and detailed requirements of s.117 Directions including 2.3 Heritage Conservation, 3.1 Residential Zones and 4.3 Flood Prone Land;
 - b there is inadequate justification for the proposed reduction in public land zoned 'SP1 – Special Activities Recreation Facility – Outdoor); and
 - c the proposed change of land use and scale of the proposed development are
-

inconsistent with the desired future character and functioning of the site and its locality, and that inconsistency has not been justified by an adopted or Draft Regional, District or Local Strategy.

Background

Applicant:

Architectus Pty Ltd

Owner:

Sydney Water Corporation

Site description:

The Draft Planning Proposal relates to 73-75 Gardeners Road, Eastlakes. Lots subject to the Draft Planning Proposal are shown in Table 1, below:

Table 1: Lots subject to the Draft Planning Proposal

Lot	DP	Address	Site area (m ²)	Current zoning
101	1232571	73 Gardeners Road, Eastlakes	12870	SP2 Infrastructure (Depot)
51	1216168	75 Gardeners Road, Eastlakes	13495	SP1 Special Activities (Recreation Facility - Outdoor)

The site has a total area of approximately 26,365m² and is bounded by Gardeners Road to the North; Slattery Place to the West; The Lakes Golf Club to the South; and Eastlake Golf Club to the East. (Refer Figure 1) Vehicular access to the site is gained from Gardeners Road, a Classified Road (Main Road).

The Eastern portion of the site known as 73 Gardeners Road is currently occupied by an operational Sydney Water Depot and associated outbuildings, a pump house and a detached single storey dwelling house. An open drainage channel running North-South traverses the Eastern boundary. The Western portion of the site known as 75 Gardeners Road is vacant and has a significant concentration of trees toward its Western extent.

A thick, red outline delineates the site in the aerial photograph in Figure 1.



Figure 1 – Aerial Photo of the Subject Site
(Source: Land & Property Information www.maps.six.nsw.gov.au)

Site Context:

The site is located at the Northern extent of Eastlakes within the Bayside Local Government Area (Bayside LGA), and adjoins the Southern extent of the Randwick Local Government Area (Randwick LGA). Eastlakes Shopping Centre is situated approximately 800 metres walking distance West of the site and Kingsford centre in the Randwick LGA is located approximately 800 metres East of the site.

A site context map is provided as Figure 2.

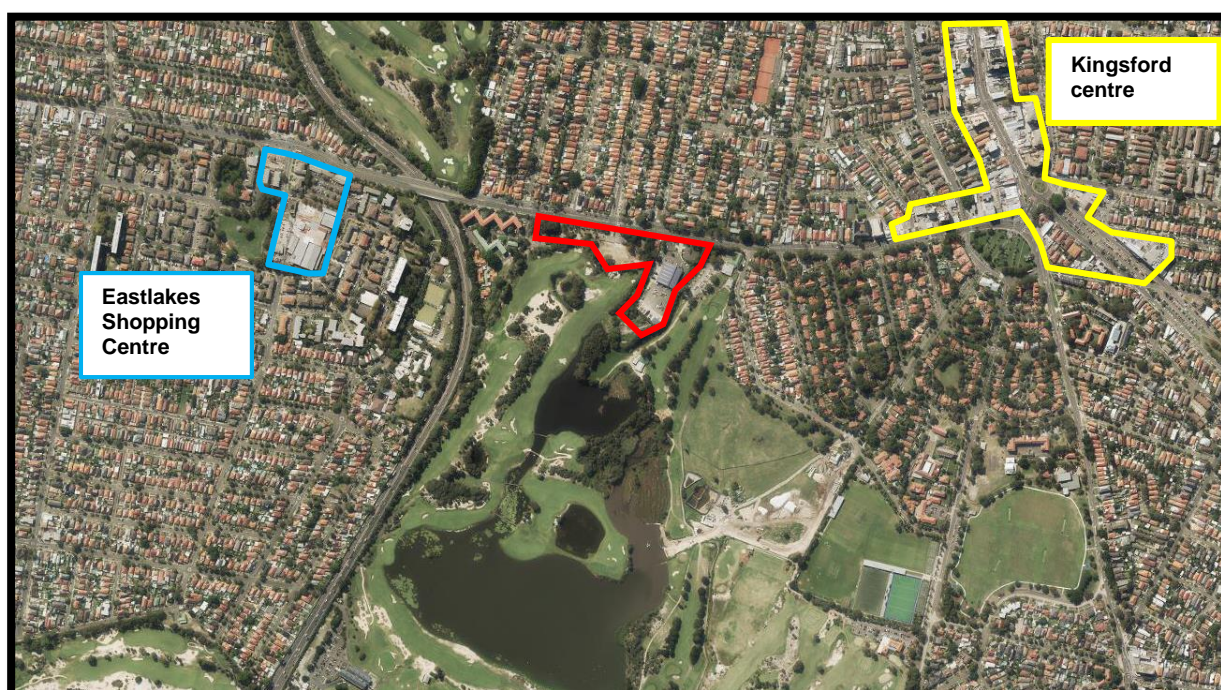


Figure 2: Site Context
(Source: Land & Property Information www.maps.six.nsw.gov.au)

Land use zones surrounding the site comprise predominantly R2 Low Density Residential interspersed with relatively small pockets of R3 Medium Density Residential to the North in the Randwick local government area, R4 High Density Residential to the West, SP1 Special activities (Recreation Facility – Outdoor), commonly known as Eastlakes Golf Club) to the East and Lakes Golf Club to the South. The Lakes Golf Club includes the Botany Water Reserves, an item of State Heritage significance (refer to extract the Botany LEP 2013 Heritage Map in Figure 7). Given the presence of Gardeners Road to the North, which is a hard constraint, the site is enveloped by the Botany Wetlands and land zoned SP1. Refer to figure 3 for the sites broader context.

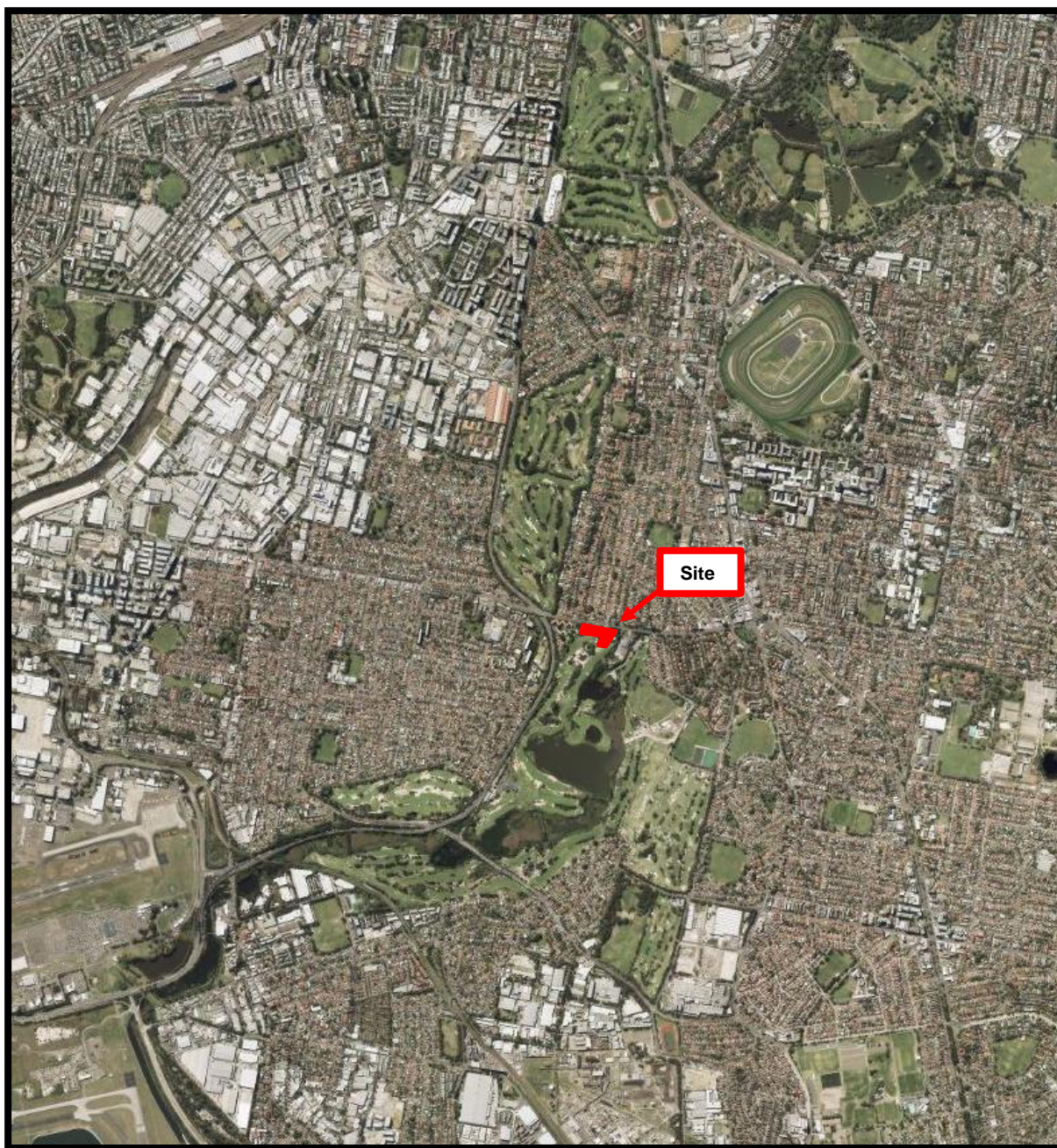


Figure 3: Broader context of the site
(Source: Land & Property Information www.maps.six.nsw.gov.au)

The site is located at the interface of two Local Government Areas – Bayside and Randwick City. Extracts from the Botany Bay LEP 2013 are provided in Figures 4-7, and from the Randwick Local Environmental Plan 2012 (Randwick LEP 2012) in Figures 8-10. The extracts include the site and immediately adjoining land. The subject site is shown in thick blue line outline.

The site is currently zoned SP1 Special Activities (Recreation Facility – Outdoors) and SP2 Infrastructure (Sydney Water Depot).

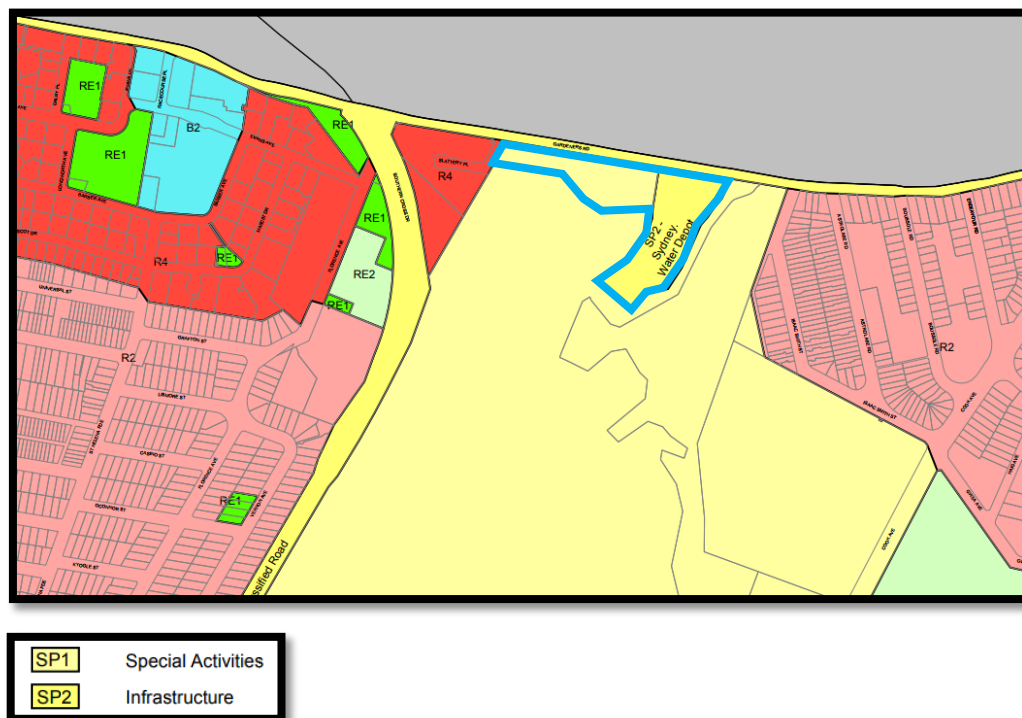


Figure 4 – Botany Bay LEP 2013 Zoning Map LZN_004 – SP1 Special activities (Recreation Facility - Outdoor) and SP2 Infrastructure (Sydney Water Depot)
(Source: www.legislation.nsw.gov.au)

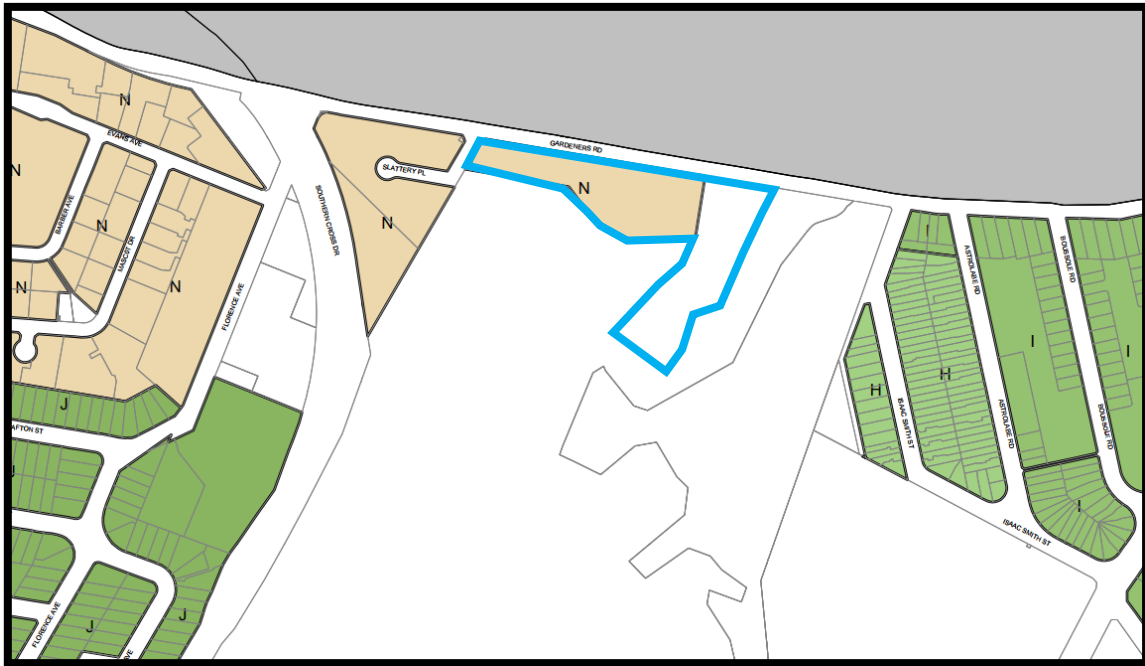


Figure 5 – Botany Bay LEP 2013 Height of Buildings Map_HOB_004 (N = 14 metres)
(Source: www.legislation.nsw.gov.au)

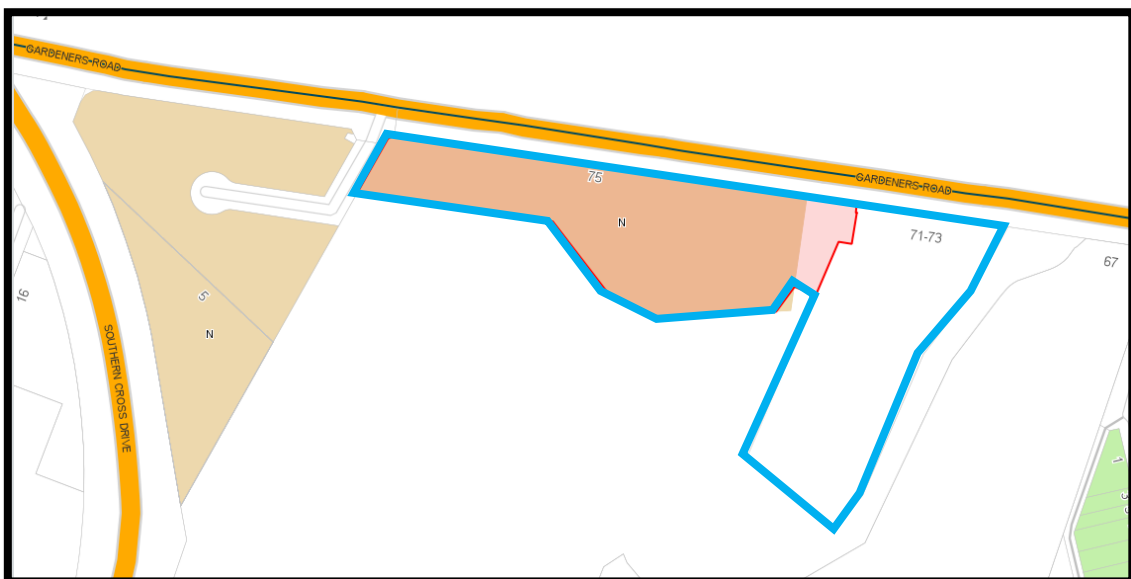


Figure 6 – Botany Bay LEP 2013 Floor Space Ratio (N = 1:1)
(Source: Bayside LGA - Intramaps)

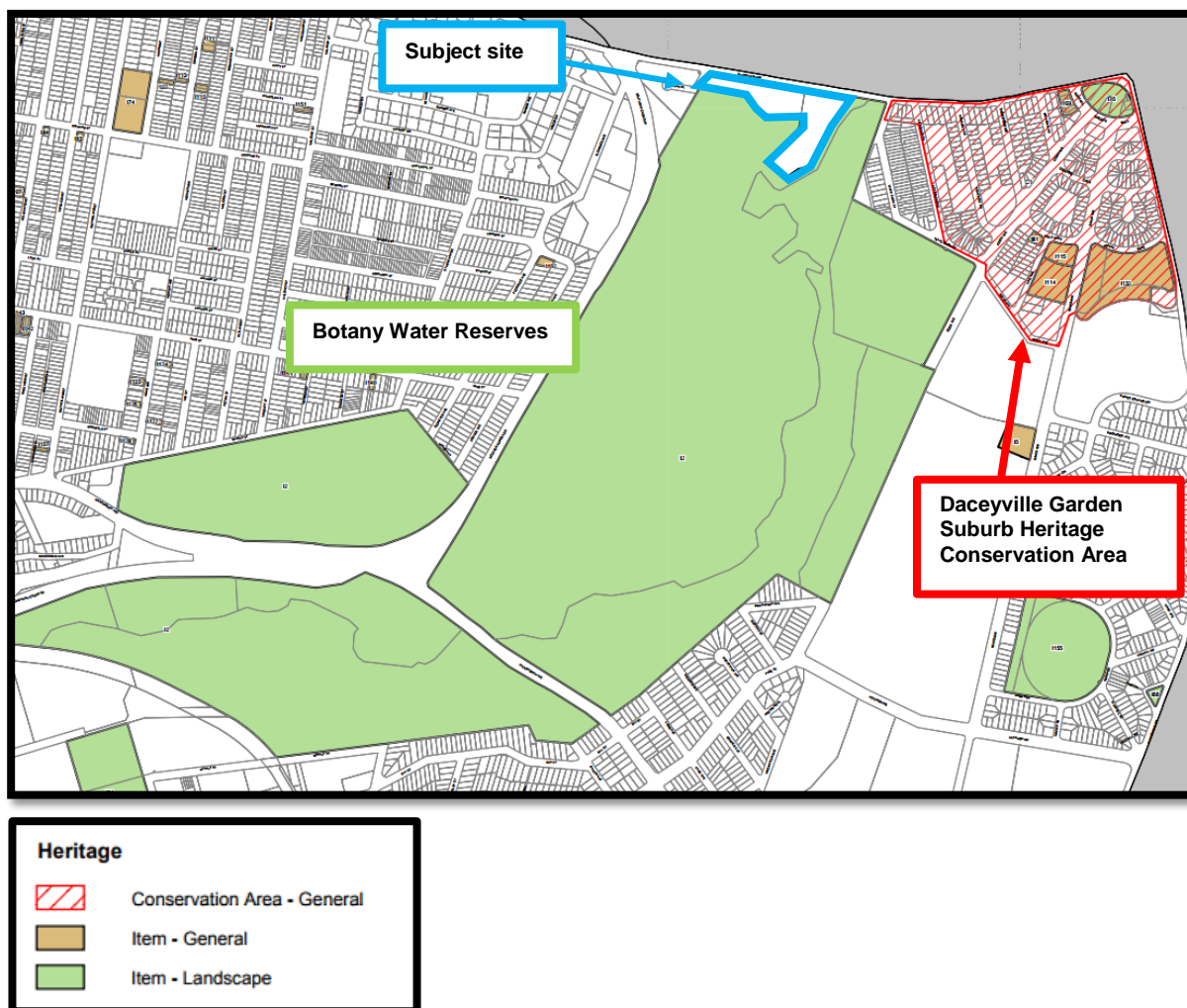


Figure 7: Botany LEP 2013 Heritage Map_HER_004
(Source: www.legislation.nsw.gov.au)

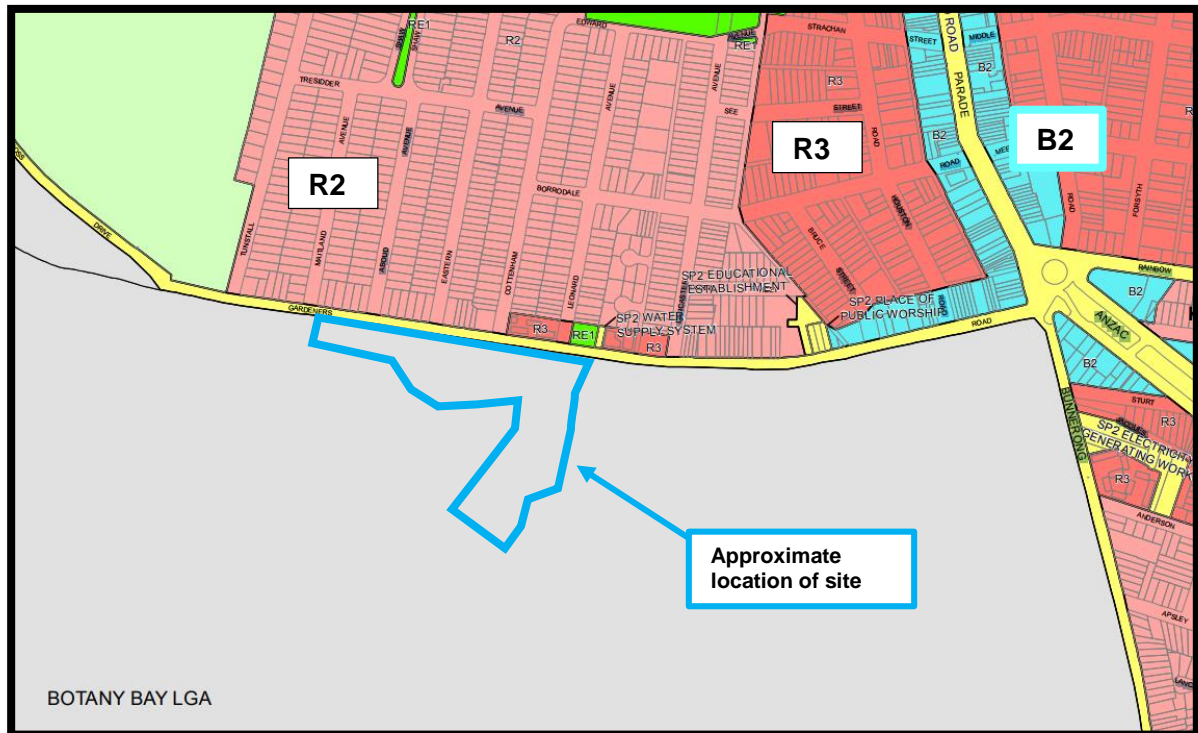


Figure 8: Randwick LEP 2012 Zoning Map_LZN_002
(Source: www.legislation.nsw.gov.au)

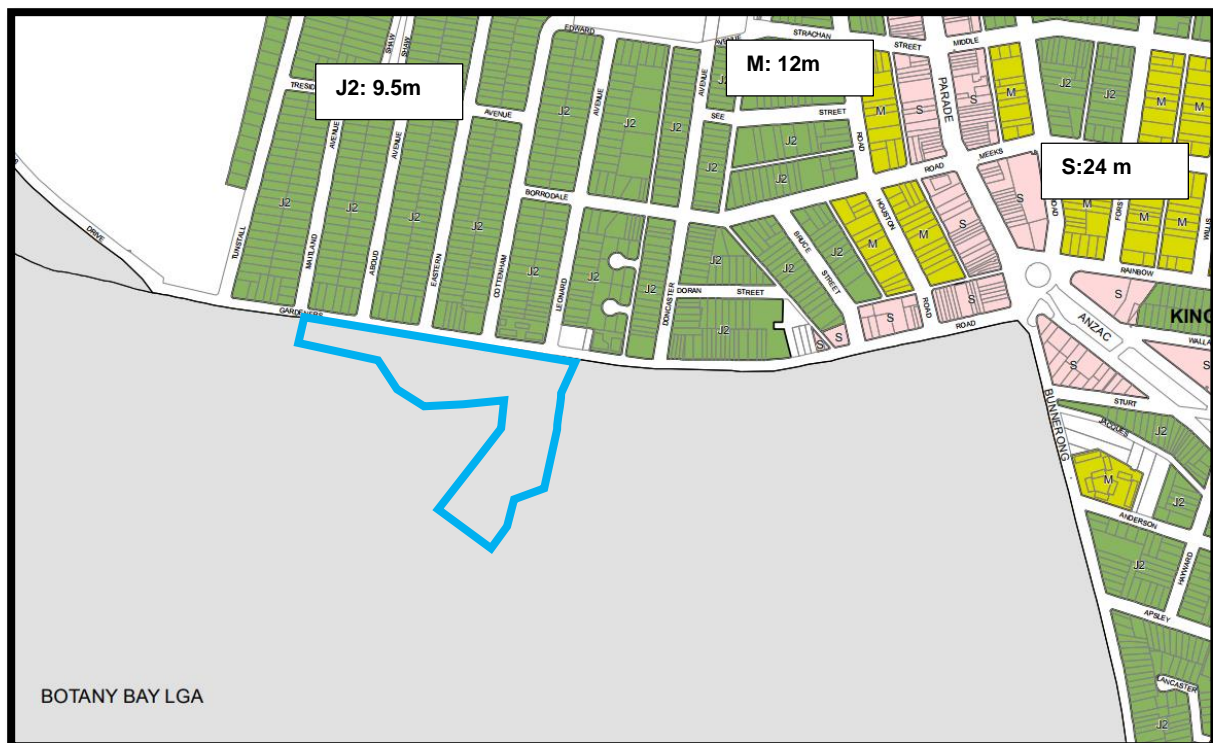


Figure 9: Randwick LEP 2012 Height of Buildings Map_HOB_002
(Source: www.legislation.nsw.gov.au)

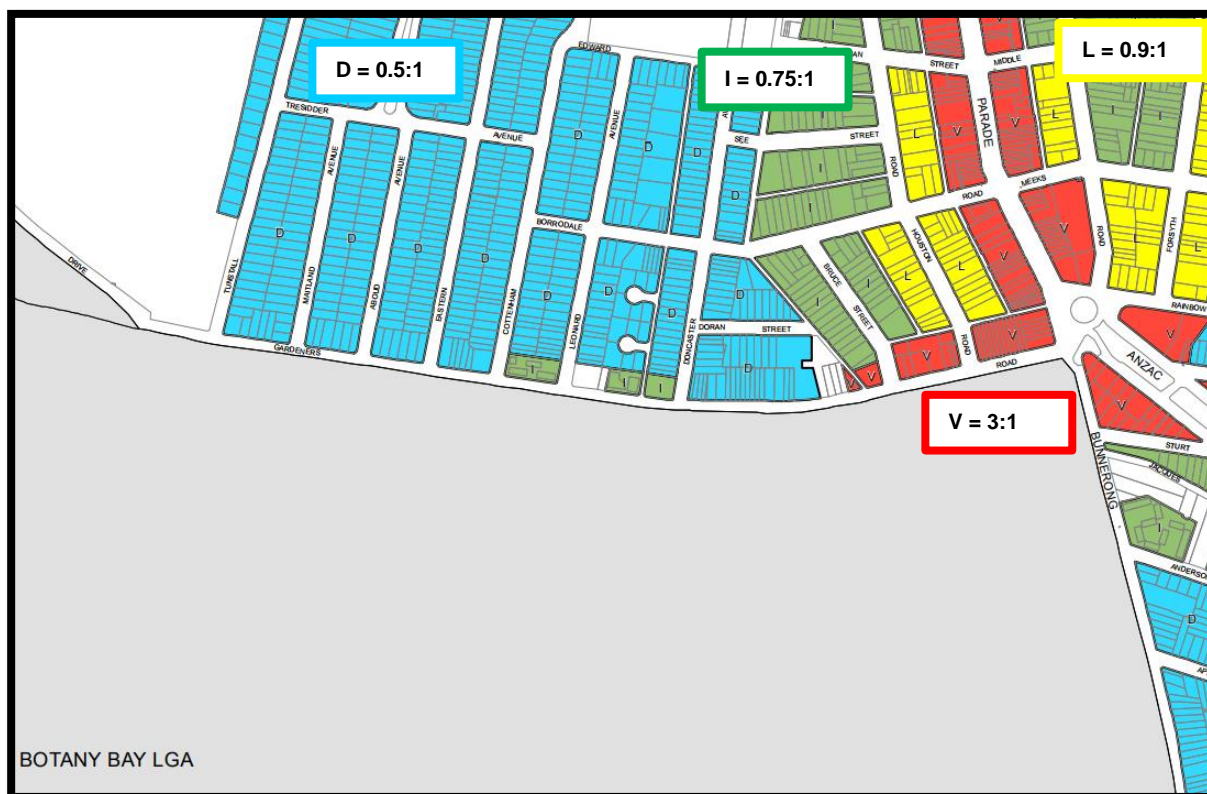


Figure 10: Randwick LEP 2012 Floor Space Ratio Map_FSR_002
(Source: www.legislation.nsw.gov.au)

The site adjoins the Botany Water Reserves (also referred to as the Botany Wetlands), which are listed as heritage items in the Botany Local Environmental Plan 2013 and the State Heritage Register, in the Australian Government Department of Environment and Energy's *Directory of Important Wetlands*. The Botany Water Reserves extend from Gardeners Road to the Mill Pond at the Eastern boundary of the Airport site, as shown in Figure 11, below.

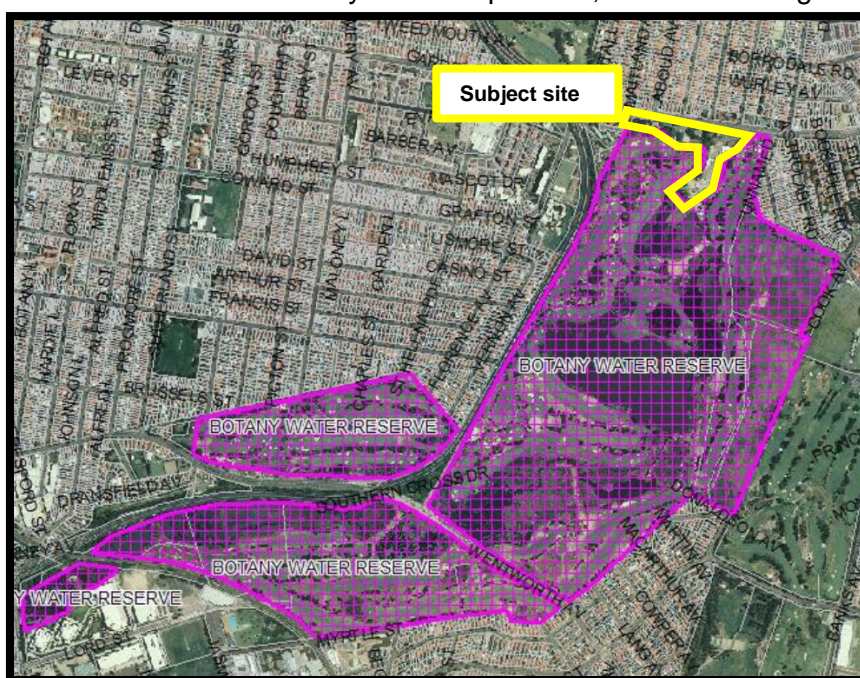


Figure 11: Botany Water Reserves
(Source: www.sydneywater.com.au)

Report

Planning History

The *Botany Local Environmental Plan 1995* (BLEP 1995) included the following provisions:

- 73 Gardeners Road was zoned 5(c) Special Uses; and
- 75 Gardeners Road was zoned 6(c) Open Space Recreation Restricted.

Prior to notification of the BBLEP 2013, Sydney Water Corporation made a submission (see **Attachment 3**) requesting that a B5 Business Development Zone be applied to 75 Gardeners Road. In April 2012 Botany Council resolved to adopt equivalent land use zones for 73 and 75 Gardeners Road - SP1 Special Activities and SP2 Infrastructure. The SP1 zone also included an Additional Permitted Use within Schedule 1 of the Botany LEP 2013 for 75 Gardeners Road, to enable development (subject to consent) for any of the following uses:

- *Entertainment facilities, Food and drink premises; Function centres; Garden centres; Hardware and building supplies; Landscaping material supplies; Recreation areas; and Recreation facilities (indoor)*

The BLEP 1995 ceased applying to the subject site from the commencement date of the BBLEP 2013 (21 June 2013).

In November 2015 the Proponent briefed the Development Committee of the former City of Botany Bay Council about a Draft Masterplan dated 3 November 2015 for 75 Gardeners Road. The Draft Masterplan proposed a floor space ratio (FSR) of 2:1 and building heights ranging from 34 metres to 44.5 metres.

On 10 November 2015, Council officers met with representatives of Sydney Water to provide feedback from Council's Development Committee including:

- *"The proposed heights and FSR were too high. A similar height and FSR should be imposed consistent with Clause 4.3(2A) – Height of Buildings; and Clause 4.4B (Exceptions to floor space ratio in Zone R3 and R4 i.e. a maximum building height of 22 m and FSR of 1.65:1).*
- *An incentive to the FSR and height may be permitted with the requirement for a Design Competition.*
- *The proposal will result in unacceptable traffic impacts, including along Eastern Avenue.*
- *The proposal has limited public benefit. The development should provide a minimum of 0.57 hectares of public open space for 1000 residents. With an average of 2.75 people per dwelling and the provision of 325 dwellings, approximately 5,095 sqm of open space should be provided. Accordingly, the proposal should provide more public open space which may include fitness stations and circuits."*

Draft Planning Proposal

A Draft Planning Proposal was lodged with Bayside Council on 29 September 2017 for land at 73 and 75 Gardeners Road, Eastlakes. The Draft Planning Proposal seeks to amend the following provisions in the BBLEP 2013:

- Rezone 73 Gardeners Road from SP2 Infrastructure (Sydney Water Depot) to Deferred Matter;
- Rezone 75 Gardeners Road from SP1 Special Activities (Recreation Facility Outdoor) to R4 High Density Residential;
- Increase the Height of buildings from 14m to a range between 29m and 50m;
- Increase the Floor Space Ratio (FSR) from 1:1 to 1.95:1; and
- Include an Additional Permitted Use (*Commercial Uses*).

The proponent states that the Draft Planning Proposal would enable a high density residential development comprising approximately 744 new dwellings within five apartment buildings ranging in height between 6 and 14 storeys. The Draft Planning Proposal would also include two public parks and three communal open space areas totalling 7,259^{sqm}; café and retail space at ground floor; and pedestrian paths and cycleways throughout the site and into the Botany Wetlands.

The Draft Planning Proposal also states that rezoning of the land will enable Sydney Water Corporation, the owner, to divest land that is surplus to their operational needs, as part of a broader asset management strategy.

A comparison for the site of existing and proposed zoning and relevant development standards under the BBLEP 2013 is provided in Table 2, below:

Table 2: Existing and proposed zoning and development standards

73 Gardeners Road		
Development standard	Existing	Proposed
Building height	Non specified	50 metres (ranging between 29 metres and 50 metres)
Floor space ratio	Non specified	1.95:1
Zone	SP2 Infrastructure (Sydney Water Depot)	Deferred Matter
75 Gardeners Road		
Development standard	Existing	Proposed
Building height	14 metres	40 metres
Floor space ratio	1:1	1.65:1

Zone	SP1 Special Activities (Recreation Facility (Outdoor))	R4 High Density Residential
------	---	-----------------------------

The Draft Planning Proposal is not accompanied by neither a Draft Development Control Plan nor an offer of a Voluntary Planning Agreement.

Assessment of the Draft Planning Proposal

Environmental Planning & Assessment Act 1979 (EPAA)

The NSW Department of Planning & Environment's *A Guide to Preparing Planning Proposals* - issued under (former) s55 (3) of the *Environmental Planning and Assessment Act 1979* - provides guidance and information on the process for preparing Planning Proposals. The assessment of the submitted Planning Proposal by Council staff has been undertaken in accordance with the latest version of this *Guide* (dated August 2016).

Section 117 Ministerial Directions

Section 117 Ministerial directions (Section 117 directions) set out what a RPA must do if a S117 direction applies to a Planning Proposal, and provides details on how inconsistencies with the terms of a direction *may* be justified.

An assessment of the Planning Proposal against the applicable S117 directions is provided in **Table 3** below:

Table 3: Planning Proposal consistency with s117 directions

Ministerial Direction	Planning Proposal consistency with direction	Consistent
2.3 Heritage Conservation	<p>What a RPA must do:</p> <p>A RPA must ensure that a Planning Proposal contains provisions that facilitate the conservation of heritage items, place, building works or precincts of environmental heritage significance to an area.</p> <p><u>Comment:</u></p> <p>The Planning Proposal was referred to Council's Heritage Advisor, who provided the following comment:</p> <p><i>"The Planning Proposal will have an adverse heritage impact upon the Botany Water Reserves and the Daceyville Heritage Conservation Area. The development has not responded to its context, the heights proposed are too visually dominant, the site planning of 73 Gardeners Road has an unacceptable impact upon the Botany Water Reserves and the podium style built form together with formalised landscaping is at odds with the aesthetic significance of the Water Reserves."</i></p> <p>Council's Heritage advisor recommended that the</p>	NO

Ministerial Direction	Planning Proposal consistency with direction	Consistent
	<p>Planning Proposal should not be supported.</p> <p>Consistency:</p> <p><i>A Planning Proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that:</i></p> <p><i>(a) the environmental or indigenous heritage significance of the item, area, object or place is conserved by existing or Draft environmental planning instruments, legislation, or regulations that apply to the land, or</i></p> <p><i>(b) the provisions of the Planning Proposal that are inconsistent are of minor significance.</i></p> <p><u>Comment:</u></p> <p>The provisions to rezone the land for high density residential purposes are not considered minor given the development outcome potentiated and the impact on the adjoining heritage items. The inconsistency with the direction is not adequately justified.</p> <p>In addition, it is noted that an assessment of the site's Aboriginal heritage significance was not provided as part of the Planning Proposal.</p>	
<p>3.1 Residential Zones</p>	<p>What a RPA must do:</p> <p>The RPA must include provisions that encourage the provision of housing that will make more efficient use of existing infrastructure and services.</p> <p><u>Comment:</u></p> <p>The Planning Proposal seeks to include provisions that will facilitate high density residential development in an out-of-centre location.</p> <p>Consistency:</p> <p><i>A Planning Proposal may be inconsistent with the direction if the provisions of the Planning Proposal that are inconsistent are justified by either a strategy approved by the Director-General of the Department of Planning (now the Department of Planning & Environment - DPE) that identifies the land; a study</i></p>	<p>NO</p>

Ministerial Direction	Planning Proposal consistency with direction	Consistent
	<p><i>prepared in support of the Planning Proposal; or in accordance with the relevant regional strategy, regional plan or subregional strategy.</i></p> <p><u>Comment:</u></p> <p>The site is not identified in any approved strategy for higher density residential development and therefore the inconsistency with the direction is inadequately justified.</p>	
<p>3.4 Integrating Land Use and Transport</p>	<p>What a RPA must do:</p> <p>A Planning Proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of <i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001)</i> (guidelines).</p> <p><u>Comment:</u></p> <p>The guidelines encourage the location of higher density housing <i>'to mix in centres with offices, services and retail development.'</i> The Planning Proposal seeks to locate high density residential development in an out-of-centre location, which is considered inconsistent with the guidelines.</p> <p>Consistency:</p> <p><i>A Planning Proposal may be inconsistent with the direction if the provisions of the Planning Proposal that are inconsistent are justified by either a strategy approved by the Director-General of DPE that identifies the land; or justified by a study in support of the Planning Proposal; or in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by DPE.</i></p> <p><u>Comment:</u></p> <p>The land on which the Planning Proposal is situated is not identified in any Regional Strategy, Regional Plan or Sub-Regional Strategy for higher density residential development, therefore the inconsistency with the terms of the direction is inadequately justified.</p>	<p>NO</p>
<p>3.5 Development Near Licensed Aerodromes</p>	<p>What a RPA must do:</p> <p>In the preparation of a Planning Proposal, a RPA must:</p> <ul style="list-style-type: none"> - consult with the Department of the Commonwealth responsible for aerodromes 	<p>YES</p>

Ministerial Direction	Planning Proposal consistency with direction	Consistent
	<p>and the lessee of the aerodrome</p> <ul style="list-style-type: none"> - take into consideration the Obstacle Limitation Surface (OLS) and prepare appropriate development standards such as height where the land is affected by the OLS - obtain permission from the Department of the Commonwealth where the height encroaches the OLS prior to undertaking community consultation - not rezone land for residential purposes where the ANEF exceeds 25 <p><u>Comment:</u></p> <p>The direction applies because the Planning Proposal seeks to rezone land for residential purposes and is in the vicinity of a licensed aerodrome, namely, Sydney Airport.</p> <p>The Aeronautical Impact Assessment submitted with the Planning Proposal states that the proposed height of buildings does not exceed the Obstacle Limitation Surface (OLS) prescribed for the site, which is 51m AHD and therefore, permission from the Commonwealth Department of Infrastructure and Regional Development (DIRD) is not required prior to community consultation. Nevertheless, consultation with DIRD will be undertaken should the Department of Planning & Environment determine to issue a Gateway Determination.</p> <p>The Planning Proposal to permit residential development with consent is compatible with the operation of the airport given the building height and that the site is not within ANEF contours.</p> <p>Consistency:</p> <p><i>A Planning Proposal may be inconsistent with the terms of this direction only if the relevant planning authority can satisfy the Director-General of the Department of Planning (or an officer of the Department nominated by the Director-General) that the provisions of the Planning Proposal that are inconsistent are:</i></p> <p><i>(a) justified by a strategy which:</i></p> <ul style="list-style-type: none"> <i>(i) gives consideration to the objectives of this direction, and</i> 	

Ministerial Direction	Planning Proposal consistency with direction	Consistent
	<p>(ii) identifies the land which is the subject of the Planning Proposal (if the Planning Proposal relates to a particular site or sites), and</p> <p>(iii) is approved by the Director-General of the Department of Planning, or</p> <p>(b) justified by a study prepared in support of the Planning Proposal which gives consideration to the objective of this direction, or</p> <p>(c) in accordance with the relevant Regional Strategy, Regional Plan or Sub-Regional Strategy prepared by the Department of Planning which gives consideration to the objective of this direction, or</p> <p>(d) of minor significance.</p> <p><u>Comment:</u></p> <p>No inconsistencies with the terms of the direction were identified.</p>	
<p>4.3 Flood Prone Land</p>	<p>What a RPA must do:</p> <p>A RPA must ensure that a Planning Proposal:</p> <ul style="list-style-type: none"> - includes provisions that give effect to and are consistent with the NSW Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005 - must not rezone land within the flood planning areas from Special Use to a Residential Zone - does not permit a significant increase in the development of that land <p><u>Comment:</u></p> <p>The Planning Proposal seeks provisions that will permit a significant increase in development of the land and seeks to rezone SP1 zoned land (equivalent to a 'Special Use' zone) to residential zoned land, which is inconsistent with the terms of the direction.</p> <p>Consistency:</p> <p><i>A Planning Proposal may be inconsistent with the direction if the RPA can satisfy the Director-General that:</i></p>	<p>NO</p>

Ministerial Direction	Planning Proposal consistency with direction	Consistent
	<p><i>(a) the Planning Proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or</i></p> <p><i>(b) the provisions of the Planning Proposal that are inconsistent are of minor significance.</i></p> <p><u>Comment:</u></p> <p>The proponent has not submitted a floodplain risk management plan prepared in accordance with the principles and guidelines of the <i>Flood Plain Development Manual 2005</i>, or specifically addressed the NSW Flood Prone Land Policy to support the Planning Proposal and therefore the inconsistency with the terms of the direction have not been adequately justified.</p>	
<p>7.1 Implementation of A Plan for Growing Sydney</p>	<p>What a RPA must do:</p> <p>A RPA must ensure that a Planning Proposal is consistent with A Plan for Growing Sydney.</p> <p><u>Comment:</u></p> <p>Direction 3.2: Aims to ‘create a network of interlinked, multipurpose open and green spaces across Sydney. A more strategic approach to identifying and connecting open spaces will support the development of a city-wide ‘Green Grid’</p> <p>Direction 3.3: Aims to ‘Create healthy built environments. The direction aims to facilitate social cohesion and community connectivity by linking open spaces to encourage recreational walking and cycling, and support cross-regional trips to centres and other destinations.’</p> <p>Direction 4.1: Aims to ‘protect our natural environment and biodiversity’.</p> <p>Rezoning the subject site is considered inconsistent with Directions 3.2 and 3.3, since the proposal to seek high density residential development is considered to discourage access to the wider the Botany Wetlands in the longer term, and would not facilitate greater community access and linkages to open space.</p> <p>The Planning Proposal is not consistent with Direction</p>	<p>NO</p>

Ministerial Direction	Planning Proposal consistency with direction	Consistent
	<p>4.1. The site is identified in the NSW Local Land Service's <i>Biodiversity Corridor Mapping</i> as providing supporting habitat to priority habitats in the Botany Wetlands corridor. All of the mapped land has been identified as areas that should be prioritised for on-ground works to improve habitat connectivity across the Southern Sydney area.</p> <p>It is noted that Goal 3 contained in <i>A Plan for Growing Sydney</i> relates to the creation of 'a great place to live with communities that are strong healthy and well connected'. Directions 3.2 and 3.3 support this goal.</p> <p>Goal 4 in the Plan aims to create 'a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.' Direction 4.1 supports this goal.</p> <p>Consistency:</p> <p><i>A Planning Proposal may be inconsistent with the terms of this direction only if the extent of inconsistency with A Plan for Growing Sydney:</i></p> <p><i>(a) is of minor significance, and</i></p> <p><i>(b) the Planning Proposal achieves the overall intent of the Plan and does not undermine the achievement of its planning principles; directions; and priorities for subregions, strategic centres and transport gateways.</i></p> <p><u>Comment:</u></p> <p>The Planning Proposal is inconsistent with directions contained in two of the four goals contained in the Plan and is therefore considered inconsistent with the overall intent of the Plan.</p>	

State Environmental Planning Policies (SEPPs)

An assessment of the Planning Proposal against the relevant SEPPs is provided in **Table 4**, below.

Table 4: Relevant State Environmental Planning Policies

Name of SEPP	Compliance of Planning Proposal with SEPP	Complies Y/ N
State Environmental Planning Policy (Infrastructure) 2007	<p><i>State Environmental Planning Policy (Infrastructure) 2007</i> (Infrastructure SEPP) was introduced to facilitate the delivery of infrastructure across NSW by improving regulatory certainty and efficiency and has specific planning provisions and development controls for infrastructure.</p> <p>LEP Practice Note – PN 10-001 Zoning for Infrastructure in LEPs</p> <p>To complement the provisions of the Infrastructure SEPP, DPE issued practice note <i>PN 10-001 – Zoning for Infrastructure in LEPs</i> (Practice Note) to provide guidance to councils on zoning public infrastructure land. A copy of the Practice Note is included at Attachment 4 to this report. The Practice Note establishes six (6) principles for zoning public infrastructure land.</p> <p>Principle 5 – Zoning surplus public land</p> <p>Principle 5 of the Practice Note is relevant to the Planning Proposal as it provides guidance to councils to ensure new land uses are appropriate and compatible with surrounding land when zoning surplus public land. Principle 5.1 provided principles for zoning surplus public land.</p> <p><i>Principle 5.1 - Zone surplus public land as a compatible land use</i></p> <p><i>Surplus public land should be rezoned to be compatible with surrounding land uses having regard to:</i></p> <ul style="list-style-type: none"> - <i>the nature and character of the subject site</i> <p><u>Comment:</u> The subject site forms a relatively narrow parcel of land between Gardeners Road and the Northern extent of the Lakes Golf Club, which includes the Botany Water Reserves, an item of State Heritage significance (Item I2 in the BBLEP 2013). The Botany Wetlands are also listed in the Australian Government Department of Environment and Energy's <i>Directory of Important Wetlands</i>, and are also identified as forming part of the Mill Stream and Botany Wetlands priority Green Grid corridor.</p> <ul style="list-style-type: none"> - <i>existing adjacent land uses and preferred future uses</i> <p><u>Comment:</u> Existing adjacent land uses include predominantly low density residential development to the</p>	NO

Name of SEPP	Compliance of Planning Proposal with SEPP	Complies Y/ N
	<p>North; high density residential development to the West; Eastlakes Golf Club to the East; and The Lakes Golf Club to the South. As noted above, the Lakes Golf Club includes the Botany Wetlands.</p> <p>In relation to preferred future uses, the former City of Botany Bay Council consulted with the community in the preparation of the Directions Paper <i>Botany Vision 2040</i> (see Attachment 5). The centre piece of the 25 year vision is a major new park based on the Botany Wetlands. This park would connect from Gardeners Road all the way to Sir Joseph Banks Park on the shore of Botany Bay, following the course of the Botany Wetlands.</p> <p>- <i>regional strategy priorities</i></p> <p><u>Comment:</u> An assessment of the consistency of the Planning Proposal with regional strategy priorities is provided in the assessment of the Planning Proposal's consistency with the Strategic Planning Framework in Table 5.</p> <p>- <i>availability of services and infrastructure to support new land uses</i></p> <p><u>Comment:</u> As noted under the heading 'S117 directions', above, the Planning Proposal is inconsistent with S117 direction 3.1 as the Planning Proposal seeks provisions that allow higher density residential development in an out-of-centre location; and direction 3.4 as the Planning Proposal is not consistent with the aims, objectives and principles of <i>Improving Transport Choice – Guidelines for Planning and Development</i> (DUAP 2001) by locating higher density residential development outside of a centre. As noted elsewhere, there are no adopted strategic plans that support higher density residential development in this location.</p> <p>In terms of open space infrastructure, the former City of Botany Bay Council commissioned an Open Space & Recreation Needs Analysis in 2012. The analysis found the LGA had a low per capita provision of open space, with an identified need for some 37 ha of new open space and 11 ha for active sports.</p> <p>The need for open space is predicted to worsen as the population increases within the LGA. Population predictions in the 2016 Section 94 Plan predicted a population growth of 1255 persons per year, however a</p>	

Name of SEPP	Compliance of Planning Proposal with SEPP	Complies Y/ N
	<p>review of current Development Applications and Planning Proposals suggests a growth of 5,378 per year until 2022. Open space provision per 1000 residents is predicted to fall from 2.41 ha/thousand residents in 2016 to 1.5 ha per thousand residents by 2021.</p> <p>It is noted that 75 Gardeners Road is included in the City of Botany Bay Section 94 Development Contributions Plan 2016 (under Item OS33 - Lookout/rest area nursery site, Gardens R Us, off Gardeners Road) for recreation facilities, including a lookout/rest area comprising fencing, landscaping and play equipment.</p> <p>Retention of the site as public land may provide a significant contribution, and enable access to, open space over the longer term for residents of the Bayside LGA and broader locality.</p> <p>The Planning Proposal to rezone the surplus public land to residential is inconsistent with principle 5.1 relating to zoning surplus public land, as the resulting development is considered incompatible with surrounding land uses and the strategic use of the land set out in the strategic planning framework.</p>	
State Environmental Planning Policy No 55 Remediation of Land (SEPP 55)	<p><i>Clause 6 Contamination and remediation to be considered in zoning or rezoning proposal</i></p> <p><i>(1) In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless</i></p> <p><i>(a) the planning authority has considered whether the land is contaminated, and</i></p> <p><i>(b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</i></p> <p><i>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.</i></p>	YES

Name of SEPP	Compliance of Planning Proposal with SEPP	Complies Y/ N
	<p><u>Comment:</u> The Planning Proposal was referred to Council's Environmental Scientist, who provided the following comment:</p> <p><i>"I have interpreted that the auditor's recommendations in the Site Audit Report (SAR) can be undertaken once a development application is lodged at that the conclusions in the SAR are that although not currently suitable that there is no reason the site can't be made suitable for the proposed residential land use rezoning to R4."</i></p>	

There are no other SEPPs applicable to the Planning Proposal.

Sydney Regional Environmental Plans (SREPs)

There are no SREPs applicable to the Planning Proposal.

Strategic Planning Framework

Regional, Sub-Regional and District Plans and Strategies include outcomes and specific actions for a range of different matters including housing and employment targets, and identify regionally important natural resources, transport networks and social infrastructure.

An assessment of the Planning Proposal's consistency with the relevant strategic plans is provided in **Table 5**, below.

Table 5: Strategic Planning Framework

Name of Strategic Plan	Directions, priorities, objectives and actions	Planning Proposal consistency with Plan	Consistency Y/N
Regional Plans			
A Plan for Growing Sydney	Refer to the assessment under the heading 'S117 directions', above	Refer to the assessment under the heading 'S117 directions', above	NO - Refer to the assessment under the heading 'S117 directions', above.
Subregional Plans – A Plan for Growing Sydney - Central Subregion	Whilst not specifically identified, the site appears to form part of an area mapped as 'Parks and Reserves'.	The Planning Proposal to rezone the land to residential is not consistent with this mapping.	NO

Name of Strategic Plan	Directions, priorities, objectives and actions	Planning Proposal consistency with Plan	Consistency Y/N
Draft Greater Sydney Region Plan	<p><i><u>Objective 31:</u> Public open space is accessible, protected and enhanced.</i></p> <p><i>‘Access to high quality open space is becoming increasingly important as higher housing densities, more compact housing and changing work environments develop. Where land for additional open space is difficult to provide, innovative solutions will be needed, as well as a strong focus on achieving the right quality and diversity of open space.’</i></p> <p><i>‘The use of golf courses may also be examined to provide a wider range of sport and recreational facilities for local communities. In addition, there may be opportunities to use surplus government-owned land as open space including sport and recreational facilities.’</i></p> <p><i><u>Objective 32:</u> The Green Grid links parks, open spaces, bushland and walking and cycling paths.</i></p> <p><i>‘The Greater Sydney Green Grid connects communities to the landscape. It sets a long-term vision for a network of high quality green areas – from regional parks to local parks and playgrounds – that connect town centres, public transport and public spaces to green infrastructure and landscape features. Links are fostered within the public realm by enhancing waterway corridors, transport routes, suburban streets, footpaths and cycleways.’</i></p>	<p>Rezoning the land to residential would reduce access to the Botany Wetlands in the longer term. The future use of the site should be considered in the broader context of potential repurposing of the adjoining golf course and improving access for the wider community to the Botany Wetlands.</p> <p>The future use of the site should be considered in the broader context of improving access to the Botany Wetlands.</p>	NO

Name of Strategic Plan	Directions, priorities, objectives and actions	Planning Proposal consistency with Plan	Consistency Y/N
District Plans			
Draft revised Eastern City District Plan	<p><i>Planning Priority E16: Enhance and protect views of scenic and cultural landscapes from the public realm.</i></p> <p><i>Planning Priority E17: Increase urban tree canopy cover and delivering Green Grid connections.</i></p> <p><i>Planning Priority E18: Maximise the use of existing open space and protect, enhance and expand public open space.</i></p> <p><i>Investigate opportunities to expand a network of diverse, accessible, high quality open space that responds to the needs and values of communities as populations grow.</i></p>	<p>The Planning Proposal is not consistent with this priority given the impact of the development on views of the Botany Wetlands, an item of State heritage significance.</p> <p>The Planning Proposal to rezone the land to residential would hinder the delivery of Green Grid Connections by creating a visual and physical barrier to accessing the Botany Wetlands over the longer term.</p> <p>The former City of Botany Bay Council commissioned an Open Space & Recreation Needs Analysis in 2012. The analysis found the LGA had a low per capita provision of open space, with an identified need for some 37 ha of new open space and 11 ha for active sports.</p> <p>The need for open space is predicted to worsen as the population increases within the LGA. Population predictions in the 2016 Section 94 Plan predicted a population growth of 1255 persons per year, however a review of current Development Applications and Planning Proposals suggests a growth of</p>	NO

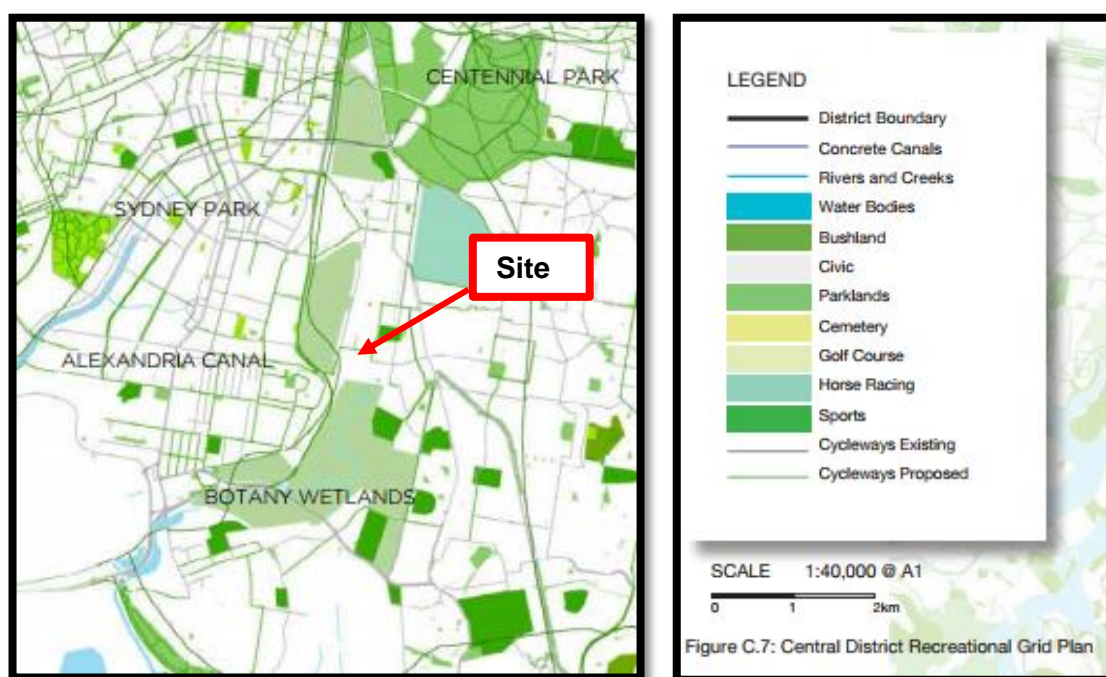
Name of Strategic Plan	Directions, priorities, objectives and actions	Planning Proposal consistency with Plan	Consistency Y/N
		<p>5,378 per year until 2022. Open space provision per 1000 residents is predicted to fall from 2.41 ha/ thousand residents in 2016 to 1.5 ha per thousand residents by 2021.</p> <p>Retention of the site as public land may provide a significant contribution and enable access to, open space over the longer term for residents of the former Botany Bay LGA.</p>	
Other Plans and Strategies			
Central District Sydney Green Grid – Spatial Framework and Project Opportunities	<p>The revised Draft District Plans set out the long-term vision for the Greater Sydney Green Grid, by mapping opportunities for green grid connections and identify 18 Priority Green Grid Corridors. One of the identified priority green grid corridors is the Mill Stream and Botany Wetlands Potential Focus Area identified in the Office of the Government Architect's publication <i>Central District Sydney Green Grid – Spatial Framework and Project Opportunities</i> (see Attachment 6) and is illustrated in 'figure C.7' and 'figure C.13' beneath this section of the table.</p> <p>Relevant extracts from the <i>Central District Sydney Green Grid – Spatial Framework and Project Opportunities</i> publication are provided below:</p> <p><i>'The Botany Wetlands will become an important public open space that connects Centennial Park to Botany Bay. The publicly accessible open</i></p>	<p>Rezoning the land for residential purposes as proposed is considered to hinder the opportunity for improved access to Botany Wetlands, where access is currently alienated from the wider community.</p> <p>Whilst Council did not formally resolve to adopt <i>Botany Vision 2040</i>, substantial community consultation was conducted, which in part supported "...The transformation of Eastlakes Golf Course into a major public park, re-instating public access to the Botany Wetlands."</p> <p>Rezoning the land for residential purposes, as outlined in the Planning Proposal, is considered to hinder the opportunity for improved access to</p>	NO

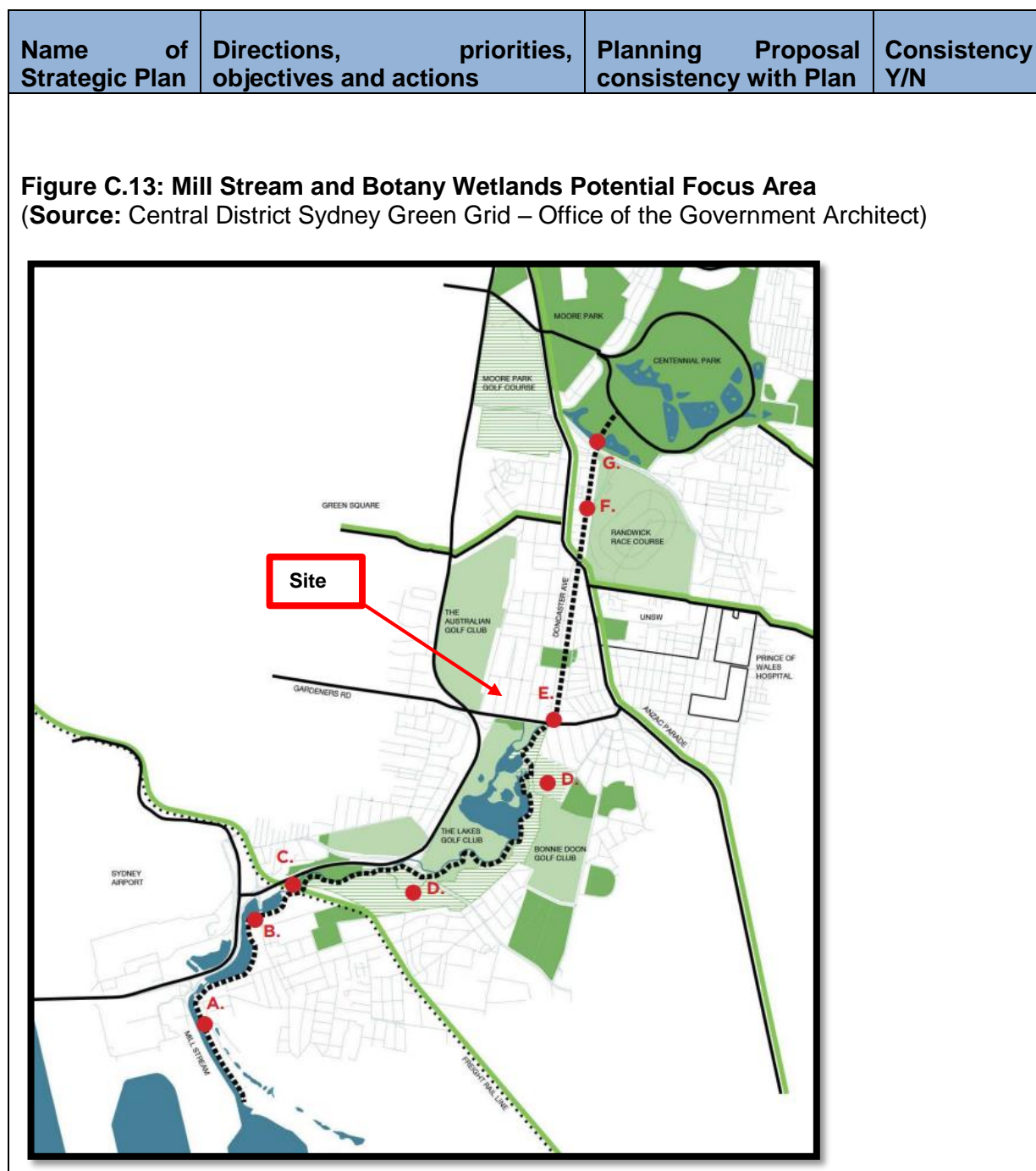
Name of Strategic Plan	Directions, priorities, objectives and actions	Planning Proposal consistency with Plan	Consistency Y/N
	<p><i>space will transform some golf course lands into public parklands that pass through the Botany Wetlands, an important ecological corridor and historic water supply system for Sydney.</i></p> <p><i>Botany City Council have done a number of investigations, including concepts in the "Botany Bay Vision 2040". The following descriptions include excerpts from the Botany Bay Vision 2040.</i></p> <p><i>The project aims to restore community access to the Wetlands, starting with cycling and pedestrian connections from Gardeners Road through the golf courses to the Lord St Business park then along the Millpond to Sir Joseph Banks Park.</i></p> <p><i>The Botany Wetlands was Sydney's third water supply system. It is the only remaining 'swamp' system that is substantially intact in its original form. The Wetlands contain ruins of the former water supply system, trees planted in 1869 and a 1915 sewage pump all of which will be well appreciated features in a new park.</i></p> <p><i>Botany Wetlands are the largest freshwater wetlands in the Sydney region and contain some of the area's remaining indigenous vegetation and significant native fauna.</i></p> <p><i>Sydney Freshwater Wetlands and the Eastern Suburbs Banksia Scrub are considered endangered ecological communities and protected under both Commonwealth and</i></p>	<p>Botany Wetlands, where access is currently alienated from the wider community.</p>	

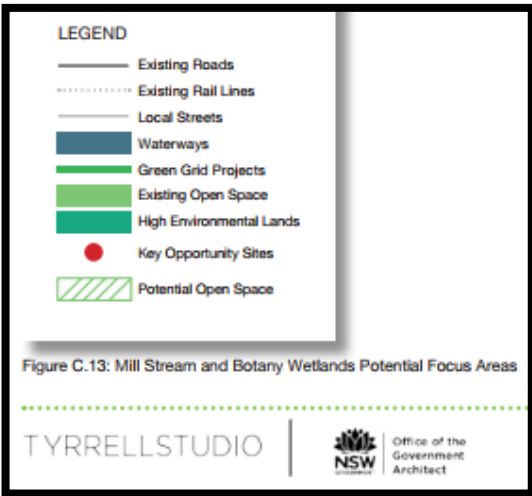
Name of Strategic Plan	Directions, objectives and actions	Planning Proposal consistency with Plan	Consistency Y/N
	<p><i>State laws.</i></p> <p><i>The Botany Wetlands are listed on the Commonwealth Government's Directory of Wetlands which recognises the most significant Wetlands in Australia. The wetlands also have recognised regional ecological value as native animal habitat and movement corridors including for migratory eels.</i></p> <p><i>The new park with pedestrian and bicycle links would restore internal connections through our City from the Bay through to Gardeners Road and beyond to Centennial Park, making it easy once again to get from Mascot to Botany and Daceyville and to connect to the city.' (p138)</i></p>		

Figure C.7: Central District – The Recreational Grid

(Source: Central District Sydney Green Grid – Office of the Government Architect)





Name of Strategic Plan	Directions, priorities, objectives and actions	Planning Proposal consistency with Plan	Consistency Y/N
			
<p>Draft policy Greener Places: Establishing an Urban Green Infrastructure Policy for New South Wales – Office of the Government Architect NSW</p>	<p>The Government Architect of NSW is currently seeking submissions on the Draft policy <i>Greener Places: Establishing an Urban Green Infrastructure Policy for New South Wales</i> (Draft Greener Places Policy) which seeks to guide the planning and the delivery of the State's network of green spaces and natural and semi-natural systems including parks, rivers, bushland and private gardens (collectively termed 'green infrastructure'). A copy of the Draft Greener Places policy is included at Attachment 7 to this report.</p> <p>The objectives of the Draft Greener Places Policy are:</p> <ol style="list-style-type: none"> <i>To protect, conserve and enhance NSW's network of green and open natural and cultural spaces</i> <i>To secure a network of high quality, high performing and well-designed green space, establishing a crucial component of urban infrastructure to address</i> 	<p>The site is located adjacent to the Botany Wetlands, an item included in the State Heritage Register and is listed in the Australian Government Department of Environment and Energy's Directory of Important Wetlands. The Botany Wetlands form part of the Mill Stream and Botany Wetlands Green Grid corridor.</p> <p>Given the sites location as described above, rezoning the land for the purposes of high density residential development is considered inconsistent with objective 1 of the Draft Greener Places Policy as it not considered to protect, conserve or enhance access to the adjoining Botany Wetlands which is part of a wider Green</p>	<p>NO</p>

Name of Strategic Plan	Directions, objectives and actions, priorities,	Planning Proposal consistency with Plan	Consistency Y/N
	<p><i>the environmental challenges of the 21st Century</i></p> <p>3. <i>To promote healthy living, encouraging physical activity, social cohesion, and enhancing wellbeing by providing liveable places for the NSW community</i></p> <p>4. <i>To create a more strategic approach to planning for Green Infrastructure, encouraging early and integrated investment through statutory planning</i></p> <p>5. <i>To deliver better tools for the delivery of Green Infrastructure across NSW.</i></p>	Grid network as described elsewhere in this report.	
Office of Strategic Lands: Strategic Business Plan – Plan for the Planning Minister’s Corporation	<p>The Plan for the Minister’s Corporation identifies three goals for the Office of Strategic Lands. Goal 1 is to play a key role in the delivery of the Green Grid. It reflects the Minister’s ability to make strategic land investments that are beyond the focus of any single agency.</p> <p>The Green Grid is a connected network of green and blue spaces such as parks, bushland, playing fields, rivers, wetlands and the harbour.</p> <p>The concept of a Green Grid for Sydney was identified in <i>A Plan for Growing Sydney (2014)</i>.</p> <p>Developed by the Government Architect Office (GAO), it is the central tenant [sic] of the GSC’s District Plans and Towards our Greater Sydney 2056.</p>	As noted above, the Planning Proposal is considered inconsistent with the objectives relating to the delivery of the Green Grid.	NO

Name of Strategic Plan	Directions, priorities, objectives and actions	Planning Proposal consistency with Plan	Consistency Y/N
	The Green Grid is a visionary and iterative project that will take decades to deliver. It is at the early stages of implementation planning. Priority projects for each district have been identified in the Draft District Plans and a governance framework is being established.		
Local Strategies			
Botany Bay Planning Strategy 2031	<p><u>Strategy Principles:</u></p> <p><i>'Consolidate residential activity in and around existing centres.'</i></p> <p><i>'Improve quality of, and access to, open space in the LGA'</i></p> <p><u>Strategy Direction 1: Enhancing Housing and Liveability</u></p> <p><i>'Objective 1.4: Enhance access to high quality open space assets'</i></p> <p><i>'Botany Bay Wetlands is a significant public asset and should be rationalised to</i></p>	<p>The site is not identified as being located in or around an existing centre. The scale of development envisaged by the Planning Proposal is not consistent with the strategy principle to consolidate residential activity in and around existing centres.</p> <p>Strategy 2031 recognises that the former Botany LGA has a relatively high open space provision, however access for the wider public is often alienated. The Planning Proposal is considered to further impact access to the adjoining Botany Wetlands over the longer term.</p> <p>The Planning Proposal would impact on access to the Botany Wetlands over the longer term, and would therefore pose significant limitations on achieving</p>	NO

Name of Strategic Plan	Directions, priorities, objectives and actions	Planning Proposal consistency with Plan	Consistency Y/N
	<p><i>increase public access to this area. Ultimately this area could be a Centennial Park style asset for the Southern part of the Eastern Suburbs. This will require a review of the current tenure practice by Sydney Water.'</i></p> <p><i>'Action 1.4.1: Enhance access to high quality open space assets'</i></p> <p><i>'Investigate the redevelopment of Botany Bay Wetlands to create a major regional open space asset for the former Botany Bay LGA and Eastern Subregion.'</i></p> <p><u>Strategy Direction 7: Protecting the Natural Environment</u></p> <p><i>'Objective 7.1: Protect and expand high quality flora and fauna corridors and foreshore vegetation.'</i></p> <p><i>'This strategy advocates greater public access to parts of the Botany Wetlands following a rationalisation and reduction of the areas occupied by golf courses. A new regional park should be created with movement and flora corridors to provide habitat for fauna.'</i></p>	<p>this objective.</p> <p>The Planning Proposal to rezone the land from public land to residential would hinder access to the Botany Wetlands over the longer term.</p> <p>As noted earlier in the report under the heading S117 Directions – 7.1 A Plan for Growing Sydney, NSW Local Land Service's <i>Biodiversity Corridor Mapping</i> maps the land as providing supporting habitat to priority habitats in the Mill Stream and Botany Wetlands Green Grid corridor.</p> <p>The site is also strategically placed adjacent to the Botany Wetlands. Developing the site for residential</p>	

Name of Strategic Plan	Directions, objectives and actions	Planning Proposal consistency with Plan	Consistency Y/N
		purposes would impact public access to the Botany Wetlands.	

Botany Bay Development Control Plan 2013 (BBDCP 2013)

Part 3M Natural Resources

3M.4.5 Social and Cultural Values

Wetlands can have social and cultural values for many people in the community. These values may be nature conservation, recreation, landscape quality, Aboriginal heritage significance and environmental research and education.

- *Objective O1 To conserve and enhance the indigenous and non-indigenous, social and cultural values of wetlands areas including intrinsic, aesthetic, visual, scientific, cultural heritage, archaeological, educational and recreational values.*

Comment: Rezoning the site to facilitate high density residential development is considered inconsistent with this objective given the sites proximity to the Botany Water Reserves. The scale of development potentiated is considered to result in unacceptable impacts on the visual, aesthetic and heritage values of the Botany Water Reserves.

- *Control C2 Development must be designed to minimise the visual impact on the wetland and ensure that wetlands areas of high scenic value are preserved.*

Comment: The development potentiated by the Planning Proposal is not consistent with this control given the significant visual impacts on the adjoining Botany Wetlands.

Part 8 Character Precincts

8.1 – Eastlakes Character Precinct

The site lies with the Eastlakes Character Precinct of the BBDCP 2013.

8.1.1 Existing Local Character:

The existing local character statement provides the following statement for existing local character which is of relevance to the site:

- *‘The Lakes Golf Course is located to the East and provides visual relief and views for a number of the residential properties however this green space is not available to the public but otherwise the Precinct has an undersupply of local open space.’*

Comment: Developing the site for high density residential would significantly impact views of the Lakes Golf Course.

8.1.2 Desired Future Character:

The desired future character for the Eastlakes Character Precinct provides the following:

- Function & Diversity

Encourage and enhance connections of public domain and open space areas with recreational facilities.

Comment: Rezoning the site to facilitate high density residential development is not considered consistent with this element of the desired future character as it would tend to discourage connections.

- Heritage

Promote sympathetic urban design and uses that protect and enhance the character and the significance of Heritage Items.

Comment: As noted earlier in the report, the Planning Proposal was referred Council's Heritage Advisor who recommended that the Planning Proposal not be supported due to unacceptable impacts on the adjoining heritage items, namely, the Botany Water Reserves and Daceyville Garden Suburb.

- Views

Retain existing views.

Comment: The Planning Proposal does not retain existing views of the Botany Wetlands heritage item given the scale of development potentiated by the Planning Proposal and is therefore inconsistent with this element of the desired future character.

Conclusion

The Draft Planning Proposal has been the subject of a merit assessment against the strategic and statutory planning framework as established by the *Environmental Planning and Assessment Act 1979*, relevant guidelines, Planning Circulars and Practice Notes. In considering whether or not to progress the Draft Planning Proposal, Council is required to consider if the proposed changes to the relevant Local Environmental Plan have strategic merit. In summary, Council's assessment has identified that the Planning Proposal does not establish strategic merit for a change to the planning controls for the following reasons:

1. The Draft Planning Proposal is inconsistent with s.117 Direction 2.3 Heritage Conservation. The Draft Planning Proposal does not adequately address how the conservation of the environmental heritage of the area will be achieved. It is noted that an assessment of the site's Aboriginal heritage significance was not provided as part of the Draft Planning Proposal. It is also considered that the proposed amendments to the Local Environmental Plan would result in an adverse heritage impact on the adjacent Botany Water Reserves and the Daceyville Heritage Conservation Area. The development has not responded to its context, the heights are too visually dominant

and the site planning is at odds with the aesthetic significance with the Botany Water Reserves.

2. The Draft Planning Proposal is inconsistent with s.117 Direction 3.1 Residential Zones as the proposed development would not meet objective (1)(c) *“to minimise the impact of residential development on the environment”*. Council acknowledges that the proposal would increase housing supply in the local area however the proposed increase in housing supply at the subject land has not been identified in or justified by a strategy (including the Draft Greater Sydney Regional Plan, the Draft Eastern City District Plan’) which gives consideration to the loss of the land from its current use for a ‘Recreation Facility (Outdoor)’ or ‘Infrastructure’.
3. The Draft Planning Proposal is inconsistent with s.117 Direction 4.3 Flood Prone Land as the subject site is in a flood planning area and as such the proposed development would be contrary to the objectives of the s.117 Direction. Reference is made, in particular, to objective (1)(b) which requires Council to *“ensure consideration of the potential flood impacts both on and off the subject land”*. Residential areas immediately North of Gardeners Road are subject to significant flood affectation with flooding greater than 2.0 metres in some areas. Utilisation of the subject site for water management purposes is necessary to alleviate flooding issues North of Gardeners Road. It is likely that the site has previously been subject to filling to raise it to its current ground level – prior to filling the site is likely to have been part of the overland flow path for water entering the Botany Water Reserves from the catchment to the North of Gardeners Road.

The s.117 Direction also clearly states (5) *“A Planning Proposal must not rezone land within the flood planning areas from Special Use, Special Purpose, Recreation...to a residential, Business, Industrial, Special Use or Special Purpose Zone.”* Furthermore, clause (6) of the Direction establishes that a Planning Proposal *‘must not contain provisions that apply to the flood planning areas which: (d) are likely to result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services’*. The Planning Proposal is inconsistent with this Direction and cannot be progressed as it is not justified by a Floodplain Risk Management Plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005 (refer s.117 Direction 4.3 (9)), nor has Bayside Council been provided with detailed information about how Sydney Water proposes to alleviate flooding to the North of the site.

The stated intent of Sydney Water is to achieve a rezoning and divestment of the site. Consideration of the site context and the information provided to Council regarding flood conditions indicates that the site could be utilised to achieve multiple outcomes for the benefit of the community and environment, including provision of open space and improved water management. Alternative flood mitigation measures and construction of infrastructure to alleviate off site flooding appears likely to result in a substantially increased requirement for government spending on flood mitigation measures and infrastructure. Bayside Council has not been provided with any cost: benefit analysis information to justify inconsistency with s.117 Direction 4.3 cl. 6(d).

4. The Draft Planning Proposal is inconsistent with the Department of Planning and Environment’s Practice Note ‘Zoning for Infrastructure in LEPs’ PN 10-001 which provides guidance to Councils on zoning public infrastructure land in Standard Instrument Local Environmental Plans. The Practice Note indicates that Council should rezone ‘surplus public land’ to the adjacent zone. Sydney Water have indicated that 73 and 75 Gardeners Road are ‘surplus public land’. However, 75 Gardeners

Road is currently identified as a 'Recreation Facility – Outdoor', yet Council has received no information from Sydney Water which justifies the designation of the Recreation Facility land as 'surplus public land'. Furthermore, the site is enveloped by the Botany Water Reserves, and therefore the dominant adjacent land use is also 'SP1 Recreation Facility – Outdoor'. In this context and given the importance of the site for future flood mitigation and management, the Draft Planning Proposal does not have strategic merit. In relation to 73 Gardeners Road it is noted that the current zone is 'SP2 Infrastructure – Sydney Water Depot' and is subject to a review of operations. Council therefore has no basis to consider that the land is 'surplus public land'. Sydney Water are seeking its designation as a 'Deferred Matter'.

5. The subject site is identified in a number of key strategic documents as providing a green link between Gardeners Road and the extensive areas of open space and golf courses to the South which accommodate wetlands and remnant vegetation. The Draft Planning Proposal does not adequately justify the rezoning and subsequent divestment of public purpose land. The site represents a key opportunity to implement the strategic directions and public benefits which are outlined in key strategic planning documents including the *Draft Greater Sydney Region Plan*, *Draft revised Eastern City District Plan*, the *Central District Sydney Green Grid* and the *Botany Bay Planning Strategy 2031*.
6. The Draft Planning Proposal is inconsistent with Part 3M - Natural Resources (4.5 Social and Cultural Values) and Part 8 - Character Precincts (8.1.2 Desired Future Character of the Eastlakes Character Precinct).

Bayside Planning Panel Determination

At the meeting of 27 February 2018, the Bayside Planning Panel made the following recommendation for the Planning Proposal:

That the Bayside Planning Panel (Panel) recommend to Council that the Draft Planning Proposal for 73 and 75 Gardeners Road, Eastlakes not be forwarded to the Department of Planning and Environment for a Gateway Determination for the reasons outlined in the report, in particular:

- i. it is inconsistent with the objectives and detailed requirements of s.117 Directions 2.3 Heritage Conservation; 3.1 Residential Zones; and 4.3 Flood Prone Land;*
- ii. there is inadequate justification for the proposed reduction in public land zoned 'SP1 – Special Activities Recreation Facility – Outdoor'; and*
- iii. the proposed change of land use and scale of the proposed development are inconsistent with the desired future character and functioning of the site in its locality, and the proposal has inconsistencies that have not been justified.*

Next Step

Should Council resolve to support the officer's recommendations, the Planning Proposal will not proceed. Council will write to the proponent and all landowners and occupiers that were previously notified of this Council Meeting and the Bayside Planning Panel Meeting of the 27th February 2018, to inform them of Council's decision.

Financial Implications

Not applicable	<input checked="" type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Engagement

All adjoining landowners and occupiers within the Bayside LGA were notified of the Bayside Planning Panel Meeting of the 27 February 2018 and this Council Meeting. Bayside Council planning staff consulted with Randwick City Council planning staff to obtain landowner details for properties nearby the site that are located within the Randwick Local Government Area (LGA), to notify them of the 27 February 2018 Bayside Planning Panel meeting and this Council meeting. Following Council's decision, all landowners and occupiers who were notified previously will be notified of the Council's resolution.

Attachments

- 1 Planning Proposal: Part 1 of 2 (under separate cover)
- 2 Planning Proposal: Part 2 of 2 (under separate cover)
- 3 Draft BBLEP 2013 Submission by Sydney Water Corporation (under separate cover)
- 4 Practice Note - Zoning for Infrastructure in LEPs (under separate cover)
- 5 Botany 2040 (under separate cover)
- 6 Central District Sydney Green Grid (under separate cover)
- 7 Draft Greener Places Policy (under separate cover) [⇒⇒⇒⇒⇒⇒⇒⇒](#)

Council Meeting

14/03/2018

Item No	8.4
Subject	Draft Planning Proposal: 3 Macquarie Street & 3A Maloney Street, Rosebery
Report by	Josh Ford, Coordinator Statutory Planning
File	SF17/2770

Summary

Council has received a Planning Proposal to expand an Additional Permitted Use under Clause 17 of Schedule 1 of the Botany Bay Local Environmental Plan 2013 (BBLEP 2013) to enable future development (subject to development approval) for the purposes of a car park in association with the use of a hotel (The Lakes Hotel).

Officer Recommendation

- 1 That Council supports the proposed expansion of an Additional Permitted Use under Clause 17 of Schedule 1 of the Botany Bay Local Environmental Plan 2013 in relation to land at 3 Macquarie Street and 3A Maloney Street, Rosebery.
- 2 That Council endorses submission of the Planning Proposal to the Department of Planning and Environment for a Gateway Determination.

Background

Applicant:	Design Collaborative
Proponent:	Argos Investments P/L
Allotments subject to Planning Proposal:	Lot 5 & Lot 8, DP 18556

Site Description:

Lots subject to the Planning Proposal:

Lot	DP	Address	Site area (m ²)	Current zoning
5	18556	3 Macquarie Street, Rosebery	283	R2 Low Density Residential
8	18556	3A Maloney Street, Rosebery	283	R2 Low Density Residential

The subject site comprises two residential lots, one fronting Macquarie Street and one fronting Maloney Street, Rosebery. Each lot currently contains a detached style residential dwelling, and retains vehicular access to each frontage. An aerial photograph of the subject site is provided at **Figure 1**, below.



Figure 1 – Aerial photograph of the subject site and adjoining Lakes Hotel

Surrounding Land Uses

Adjoining the site to the North are Lot 6 in DP 18556 and Lot 11 in DP 1142723, which accommodate a car park associated with the operation of the Lakes Hotel, situated at the corner of Macquarie Street and Gardeners Road. More generally, commercial developments line the Southern side of Gardeners Road, and residential developments adjoin the site to the East, South and West of the site.

Development surrounding the site to the South and West is characterised predominantly by low density residential development comprising single storey detached style residential dwellings, while to the East, 3-4 storey walk-up residential flat buildings occupy land around Eastlakes Shopping Centre.

Intent of Planning Proposal

To enable future consideration by Council of additional car parking to service the operational needs of the Lakes Hotel, and reducing the need for on-street car parking for hotel patrons in Maloney and Macquarie Streets.

Current Planning Controls

The site and all adjoining properties are zoned R2 Low Density Residential under the BBLEP 2013. An extract of the relevant BBLEP 2013 zoning map for the site (identified in thick red outline) and immediately surrounding land is provided at **Figure 2**.



Figure 2 – Botany Bay LEP 2013 Zoning – R2 Low Density Residential

Planning Proposal Summary

The Planning Proposal (see **Attachment 1**) seeks to amend the BBLEP 2013 as follows:

- Expansion of an Additional Permitted Use (to allow a car park in association with the operation of a hotel) under Clause 17 of Schedule 1 of the Botany Bay Local Environmental Plan 2013 in relation to land at 3 Macquarie Street and 3A Maloney Street, Rosebery

An Additional Permitted Use currently applies to Lot 6 in DP 18556 and Lot 11 in DP 1142723 (to the immediate North of the site) to allow a car park in association with the operation of The Lakes Hotel, as shown in **Figure 3**. The Planning Proposal has the effect of expanding the area to which the Additional Permitted Use applies.

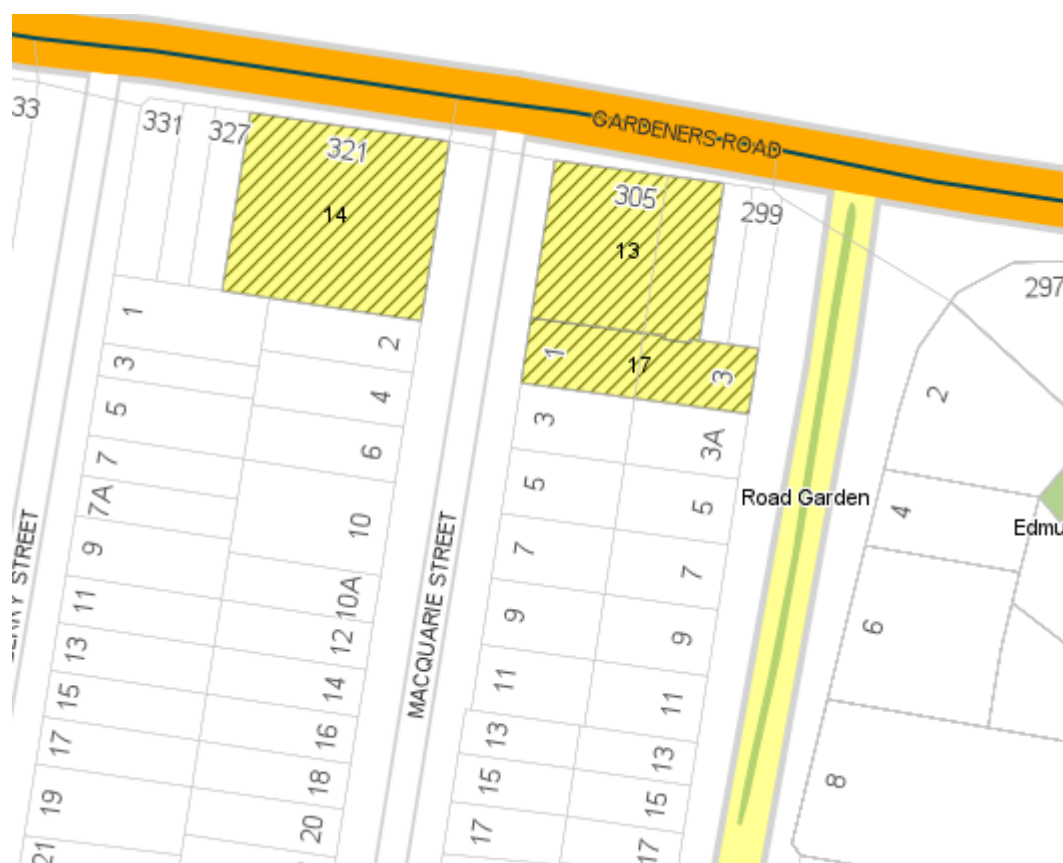


Figure 3 – Additional Permitted Uses Map BBLEP 2013

Planning Proposal Assessment

The objective of the Planning Proposal is to expand an Additional Permitted Use over the site for a car park, to be used in association with the Lakes Hotel. The Planning Proposal is required to enable the future development (subject to development approval) of the site for additional car parking to service the operational needs of the Lakes Hotel.

The site directly adjoins land zoned B1 Neighbourhood Centre to the North and land zoned R2 Low Density Residential to the South. The proposal to expand an Additional Permitted Use will ensure that the site can only be used for (i) car parking associated with the existing adjoining hotel use, or (ii) a permissible land use associated with the current zoning of the site, which is R2 Low Density Residential. The proposal to expand an Additional Permitted Use rather than rezone the subject site provides certainty to adjoining residents, and Council, around the potential development outcomes that could occur at the subject site.

The Planning Proposal does not propose any changes to the zoning or development standards for the subject site under the BBLEP 2013, or require any amendments to the Botany Bay Development Control Plan 2013 (BBDCP 2013). The proposal would involve only one mapping amendment to the BBLEP 2013, which would be the inclusion of the site on the Additional Permitted Uses Map.

Environmental Considerations

Heritage

An independent heritage consultant reviewed the Heritage Impact Assessment report and did not raise any matters of heritage significance or identify any ameliorative measures in relation to the proposal.

Noise

The acoustic and lighting assessment submitted with the Planning Proposal determined that any potential impacts from the expanded car parking could be satisfactorily mitigated.

Lighting

Updated traffic, acoustic and lighting studies would need to support any future Development Application(s) for the site should the Planning Proposal result in a future amendment to the BBLEP 2013.

Traffic & Vehicular Access

An independent traffic consultant (Bitzios) reviewed the Traffic Impact Assessment and raised no concerns about the impact of the potential car park on Macquarie Street or Maloney Street.

The subject land has frontage to two local roads and access/egress from the expanded car park is proposed from a single point on each road frontage. The Traffic Impact Assessment has been prepared to inform the Planning Proposal, and is attached to **Attachment 1** as Appendix 3.

The Traffic Impact Assessment indicates that the proposed increase in parking would better accommodate the current demand generated by The Lakes Hotel and allow customers of the hotel who currently park on the neighbouring streets to park in the off street parking facility.

An assessment against the Botany Bay Development Control Plan 2013 (BBDCP2013) car parking requirement for a hotel is shown in table 1 below:

Table 1: Part 3A – Parking and Access

Part	Control	The Lakes Hotel
3A.2. Parking Provisions of Specific Uses	C1 All required car and bicycle parking must be provided on-site	The hotel currently provides 19 spaces on land at 1 Macquarie Street and 3 Maloney Street, under an Additional Permitted Use in the BBLEP 2013. With 17 employees and public floor area of 377m ² , the BBDCP 2013 requires a total 84 car parking spaces. The Planning Proposal would facilitate a total of 33 spaces,
	C2 Provide car parking spaces in accordance with Table 1: Food and drink premises;	

Part	Control	The Lakes Hotel
	(c) Pubs 1 Space / 2 employees; plus 1 space / 5m² GFA	improving on the current deficiency.

The Traffic Impact Assessment concludes that the Planning Proposal to facilitate the expansion of the car park is expected to reduce the demand for on street parking demands in the surrounding residential streets, improving residential amenity, and that the change in access arrangements is expected to have a minimal impact on traffic in the area.

Assessment of any traffic and vehicular access issues would be required to support any future Development Application(s) for particular land uses.

Strategic Context

The Planning Proposal seeks to achieve a planning outcome that will provide the opportunity to expand the carpark which currently services The Lakes Hotel.

Revised Draft Eastern City District Plan

The Lakes Hotel currently occupies land zoned B1 Neighbourhood Centre under the BBLEP 2013, while the existing carpark immediately North of the subject site, and the subject site are zoned R2 Low Density Residential zone. The Planning Proposal is consistent with the strategic direction of the Revised Draft Eastern City District Plan as it seeks to provide supporting infrastructure for an existing business in an established centre, supporting the local economy and improving access.

Bayside Planning Panel Recommendations

At the meeting of 13 February 2018, the Bayside Planning Panel made the following recommendation for the Planning Proposal:

- 1 *That the Bayside Planning Panel supports the proposed expansion of an Additional Permitted Use under Clause 17 of Schedule 1 of the Botany Bay Local Environmental Plan 2013 in relation to land at 3 Macquarie Street and 3A Maloney Street, Rosebery.*
- 2 *That the Bayside Planning Panel recommends to the Bayside Council the making of a submission of the Planning Proposal to the Department of Planning and Environment for a Gateway Determination.*

Next Step

Should Council resolve to endorse the Planning Proposal, the Planning Proposal (subject to any amendments resolved by Council) will be forwarded to the Department of Planning and Environment for a Gateway Determination.

Financial Implications

Not applicable	<input checked="" type="checkbox"/>	
Included in existing approved budget	<input type="checkbox"/>	<<Enter comment if required or delete>>
Additional funds required	<input type="checkbox"/>	<<Enter comment if required or delete>>

Community Engagement

Should the Planning Proposal proceed through Gateway, community consultation will be undertaken in accordance with the recently updated provisions of the *Environmental Planning & Assessment Act 1979*. The specific requirements for community consultation will be listed in the Gateway determination, including any government agencies that are to be consulted.

Attachments

Planning Proposal (under separate cover) [⇒](#)

Council Meeting

14/03/2018

Item No	8.5
Subject	177 Russell Avenue, Dolls Point - Development Control Plan
Report by	John McNally, Senior Urban Planner - Strategic Planning
File	F16/835

Summary

At its meeting of 13 December 2017, Council considered a Post-Exhibition Report (see **Attachment 1**) for the proposed LEP Amendment on land at 177 Russell Avenue, Dolls Point and made the following resolution:

- 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.

This report provides Council with a summary of the submissions received during the public exhibition period for the Draft Development Control Plan (DCP).

Officer Recommendation

That Council resolves to adopt the Development Control Plan (DCP), as exhibited, for 177 Russell Avenue, Dolls Point.

Background

In accordance with Section 18 of the Environmental Planning and Assessment Regulation 2000, the Draft DCP chapter (**Attachment 2**) was exhibited over a 30 day period from Wednesday 10 January 2018 to Friday 9 February 2018. Notification letters were sent to 284 adjoining and surrounding landowners, and 8 submissions were received. A detailed summary of the submissions received, and Council's responses to them, is provided in **Attachment 3**. While many of the submissions received raised objections to matters already

dealt with in Council's consideration of the LEP Amendment for the same land (as detailed in the Council officer's report of the 13 December 2017 Council meeting), some additional issues and objections have been raised relating to the following areas:

Reductions in the Setbacks Already Required by the Current DCP

The setbacks proposed in the Draft DCP chapter are as follows:

- Front – 8.0m;
- Rear – 5.8m;
- Eastern Side – 5.5m; and
- Western Side – ranging from 4.9 to 5.3m.

The setbacks required for Residential Flat Buildings in the current Rockdale DCP 2011 are as follows:

- Front – 3-9m consistent with the prevailing setback along the street;
- Rear – Minimum of 12m or 15% of length of site (whichever is the greater); and
- Side – Minimum of 4.5m.

Whilst a reduction in the size of the rear setback is proposed, one of the current buildings on the land sits less than 2m from the rear boundary and less than 1.0m in some areas. The proposed DCP setback of 5.8m represents a considerable improvement on the current setbacks, and would provide a sufficient area of deep-soil planting to soften the boundary relationship of any future development. With the reserve situated immediately to the South of the subject site, there are no residential properties to the South which would be affected by the smaller rear setback being proposed.

Insufficient Protection for the Retained Oak Tree

The proponent has stated to Council that a Level 8 Arborist was engaged to undertake an extensive review of the site and of the Oak Tree to ensure its long term health both during and after the construction of the proposed development. A Development Application has been submitted for the proposed development which includes an Arboricultural Impact Assessment Report. The report provides a detailed analysis of the root system of the oak tree, design and construction issues and provides a Tree Protection Plan for the protection of trees both during and post-construction. The report states that '*...Provided that the plan is followed the trees that are being retained will not be significantly impacted by the proposed works.*'

Inappropriateness of the Proposed DCP Being Included in 'Section 7 – Special Precincts' Part of the Current DCP

The DCP amendment has been proposed in response to a request by the Bayside Planning Panel at its meeting of 14 November 2017 for a site-specific DCP chapter for the land. The panel stated that '*... Given the significance of this site that adjoins public open space to provide greater certainty in the planning process and the final built form, the Panel recommends to the Council to consider resolving to prepare a Development Control Plan in*

parallel with the plan making process. Although the proposed DCP chapter is site-specific and does not relate to a precinct, it was considered that this was the most appropriate section of the DCP to include a site-specific chapter.

The Lack of a More Comprehensive DCP for the Wider Area

There is currently no Planning Proposal for a wholesale rezoning or upzoning of the land surrounding Peter Depena Reserve. There are also no plans for any such Planning Proposal or comprehensive DCP, and Council will therefore consider the planning merits of any Planning Proposals that are presented on a site-by-site basis.

Conclusion

It is considered that the proposed DCP will provide sufficient controls to guide any future development on the site. The proposed controls are broadly consistent with those provided in the current DCP and will secure sufficient setbacks to protect the amenity of adjacent properties and the existing character of the streetscape.

Financial Implications

Not applicable	<input checked="" type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Engagement

The community engagement actions in relation to this Planning Proposal were:

- Publicly exhibiting the Draft DCP chapter for 30 days from Wednesday 10 January 2018 to Friday 9 February 2018;
- Sending notification letters to 284 adjoining and surrounding landowners;
- Providing copies of the Draft DCP chapter, Council report and minutes from the Council meeting of 13 December 2017 for inspection at the Rockdale and Sans Souci branch libraries; and
- Advertising the Draft DCP chapter in the St. George & Sutherland Shire Leader on Wednesday 10 January 2018, providing notification of the exhibition period and where exhibition materials could be viewed, including on Council's 'Have Your Say' web page.

Attachments

- 1 Council Report - 13 December 2017
- 2 Exhibited Draft Development Control Plan
- 3 Response to Submissions [↓↓↓](#)

Council Meeting**13/12/2017**

Item No	8.5
Subject	Post Exhibition Report: Planning Proposal for 177 Russell Avenue Dolls Point
Report by	Josh Ford, Coordinator Statutory Planning
File	F16/835

Summary

The Planning Proposal for land known as 177 Russell Avenue, Dolls Point has been exhibited in accordance with the relevant provisions of the NSW Environmental Planning & Assessment Act, 1979. The aim of this report is to respond to the submissions received during the exhibition period, and to progress the Planning Proposal.

Following a review of the submissions received during the exhibition period, it is recommended that Council requests that the Minister make the LEP, in the form that it was exhibited. While several submissions contain items of planning merit, these are considered to have been addressed in the environmental studies supporting the Planning Proposal. Furthermore, the issues in the submissions largely relate to matters that would be considered in the future as part of any future Development Application for the land, if the Planning Proposal was to be supported by Council and finalised by the NSW Department of Planning & Environment.

A Voluntary Planning Agreement (VPA) was exhibited concurrently with the Planning Proposal.

The Bayside Planning Panel has recommended that a site specific Development Control Plan be prepared for the site.

Officer Recommendation

- 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 consider the recommendation of the Bayside Planning Panel on 14 November 2017 to defer the making of the LEP amendment until a Development Control Plan has been adopted for the site to guide future development 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

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received during the exhibition of the Draft Development Control Plan.

Background

On 9 November 2016, Council resolved to endorse the Planning Proposal for the subject land, and seek a Gateway determination from the NSW Department of Environment & Planning (DPE). Council's resolution supported a change in the maximum building height from 14.5 metres to 17.75 metres, and a change to the maximum floor space ratio from 1:1 to 1.65:1 for the site. The Gateway determination (**Attachment 1**) approved exhibition of the Planning Proposal, subject to the Planning Proposal being revised prior to exhibition to demonstrate consistency with the Draft Central District Plan.

Exhibition

The Planning Proposal was exhibited from 2 August 2017 to 31 August 2017, satisfying the minimum 28 day community consultation requirement included in the Gateway determination. A total of 4 public submissions were received, which included some key themes. The key themes related to:

- general objections against the proposal;
- excessive building height;
- site overdevelopment;
- loss of views; and
- traffic and carparking issues.

The NSW Office of Environment & Heritage (OEH) was consulted as per the requirements of the Gateway determination, but no response was received from OEH.

Assessment of Submissions

A summary and response to each of the key points in every submission has been formulated (see **Attachment 2**) to assist Council with identifying the key matters associated with the Planning Proposal.

Objections / Support for the Proposal

Some submissions stated their objection to the Planning Proposal. These views have been noted in the response to submissions.

Excessive Building Height

The indicative contextual analysis submitted with the Planning Proposal demonstrates that the bulk of the upper floor of any future development could be concentrated in the centre of the site, allowing for views around any future proposed development at the upper extent of development. Given that the indicative contextual analysis identifies the aforementioned point, and that approximately 50% of the height of the uppermost storey would be above the existing 14.5 metre building height limit currently applying to the site, the proposed building

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height control of 17.75 metres is not considered to be dominant or overburdening to the streetscape or broader landscape setting. Furthermore, any lift overrun would be contained to a minimal vertical portion of the uppermost storey.

Given that the site is affected by flooding, the minimum floor levels for any development within the site will need to be raised approximately 1.2 metres above natural ground level. The proposed building height control is appropriate in the circumstances from a flood planning perspective, since a better flood planning outcome will result for the site than currently exists.

Building height, bulk, scale, form and design are just some of the matters that would be assessed in association with any future Development Application (DA) for the land, if the Planning Proposal was to be supported by Council and finalised by the NSW Department of Planning & Environment. Future development of any proposed residential flat building within the site would need to comply with State Environmental Planning Policy 65 (SEPP 65) and the Apartment Design Guide (ADG) referred to in SEPP 65.

Loss of Views

The Planning Proposal includes a change to the height and floor space ratio development standards for the site, not approval of a specific development that would instead be the subject of a DA. Any future DA would need to assess the visual impact of a proposal, including consideration of design, form, bulk, scale and site context. The Planning Proposal includes a maximum building height control of 17.75 metres, being 3.25 metres above the existing height of building control for the site. While existing development at the site is of two storey built form, there is potential to build up to a maximum 14.5 metres within the site, which, if developed to this current maximum allowable height under the RLEP 2011, would impede views from 166 Russell Avenue in any case. In this context, views are considered a current privilege, not a perpetual right. This has been demonstrated through historical planning principles outlined under case law, which have highlighted that property owners do not maintain a right or entitlement to a view. The indicative contextual analysis submitted with the Planning Proposal demonstrates that the bulk of the upper floor could be concentrated in the centre of the site, allowing for views around any future proposed development.

Principle 2: Built Form and Scale under *Schedule 1 - Design Quality Principles* of SEPP 65 states that:

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.

Any future DA for a Residential Flat Building within the site would need to comply with SEPP 65, including *Principle 2: Built Form and Scale*. The Planning Proposal only includes amendments to the current height of building and floor space ratio development standards for the subject site. A Planning Proposal does not require Council's approval of a final development outcome, which would instead be a future consideration as part of a DA assessment. The principles outlined under SEPP 65 and the ADG included under SEPP 65 would need to be considered in the design of any future Residential Flat Building within the site, to consider impacts from built form and scale, including, but not limited to, how design can potentially minimise impacts on views. Furthermore, the Development Control Plan applicable at the time of any future DA assessment would need to be considered in the design of the proposed development. Currently, *Chapter 5.2 Residential Flat Buildings* of the Rockdale Development Control Plan 2011 contains development controls relating to building design, including roof form. Any future DA for a Residential Flat Building within the site would

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need to ensure that the design responds to the development controls in Council's applicable DCP chapters.

Site Overdevelopment

There are examples along Russell Avenue where density exceeds the current height of building and floor space ratio development standards under the Rockdale Local Environmental Plan 2011 (LEP 2011). This is because some of the higher density developments in the street existed prior to the LEP 2011. The most notable example is 172-174 Russell Avenue, which is substantially above the 1:1 FSR, estimated to be an FSR of 1.77:1, which is higher than that proposed under the Planning proposal for the subject site. The indicative contextual analysis submitted with the Planning Proposal demonstrates that the bulk of the upper floor could be concentrated in the centre of the site, allowing for a reduction in perceived bulk and scale. Matters like bulk, scale, form and design are matters that would be determined in association with any future Development Application (DA) for the land, if the Planning Proposal is supported by Council and finalised by the NSW Department of Planning & Environment. As stated above, the future development of any proposed residential flat building within the site would need to comply with SEPP 65 and the ADG.

Traffic & Carparking Issues

A Traffic & Carparking Impact Assessment supports the Planning Proposal, and highlights that:

- (i) future development could comply with Council's carparking requirements under the Rockdale DCP 2011; and
- (ii) that the level of additional traffic generated by future development of the site would be negligible.

Furthermore, specific traffic and vehicle numbers would be considered in the future as part of any future Development Application for the land, if the Planning Proposal is supported by Council and finalised by the NSW Department of Planning & Environment. In any case, the difference in the number of vehicle movements associated with existing four storey developments in the locality (including that immediately West of the subject site), and a five storey development would be negligible in the context of local traffic movements.

Bayside Planning Panel Recommendation

At its meeting of 14 November 2017, the Bayside Planning Panel made the following recommendation for the Planning Proposal:

The Panel supports the Council's making of the Local Environmental Plan having regard to the delegation of the 24 January 2017 from the Department of Planning and Environment. However, given the significance of this site that adjoins public open space to provide greater certainty in the planning process and the final built form, the Panel recommends to the Council to consider resolving to prepare a Development Control Plan in parallel with the plan making process. Alternatively, if appropriate, special provisions could be included in the LEP to provide greater certainty in the built form outcome. The Development Control Plan (or special provisions in the LEP) may include, although is not limited to: establishing urban design principles; setbacks; percentage of landscaped area; connectivity to the

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public domain; overshadowing/solar access; tree preservation for the oak tree; and providing a building envelope generally consistent with the proposed concept plan.

The proponent has prepared a Draft Development Control Plan (DCP) for the site, which forms **Attachment 3** to this report. The Draft DCP includes controls that respond to the Panel's recommendation about that provisions that should be included in a DCP for the site, which are detailed below.

Establishing Urban Design Principles

Provisions contained within the Draft DCP introduce some basic urban design principles for the site. These principles would help guide the assessment of any Residential Flat Building proposed for the site. A Residential Flat Building would need to be assessed against *SEPP 65 - Design Quality Design of Residential Apartment Development* and the supporting *Apartment Design Guide*, which include detailed urban design principles.

Setbacks

The Draft DCP includes provisions relating to minimum setback requirements under the section titled *Development Setbacks*, which includes two indicative building envelopes with minimum setbacks identified for these indicative building envelopes. Figure 1 below shows the proposed building setbacks overlaid with the existing building setbacks at the site. Figure 1 clearly demonstrates that the proposed side and rear setbacks identified in the Draft DCP will be increased, while the front setback will not be reduced from the minimum front building line that currently exists at the site. While the proposed rear setback is less than that required under the *Rockdale Development Control Plan 2011 Chapter 5.2 Residential Flat Buildings*, there are many examples of existing Residential Flat Buildings in the immediate locality not complying with Council's minimum rear setback requirements. A site specific DCP that includes setbacks greater than those of development of similar scale in the immediate locality is considered to be a positive planning outcome.



Figure 1: Proposed Building Setbacks Overlaid with Existing Building Setbacks

Percentage of Landscaped Area

Provisions have been included in the Draft DCP that detail the percentage of deep soil planting to be provided within the site, and an illustrative figure has been provided that identifies where the deep soil planting is to occur within the site.

Connectivity to the Public Domain

Control number 8 in the Draft DCP states that: *Ground floor apartments adjoining Russell Ave, Waradiel Creek and Peter Depena Reserve are to have direct access to and from the public spaces they adjoin.* This control will ensure that future building design considers connectivity to the public domain.

Overshadowing & Solar Access

The Draft DCP includes detailed setback controls, which will allow for more informed assessment of overshadowing and solar access when a future building design is considered for the site. Any Residential Flat Building proposed for the site would need to be assessed against SEPP 65 Design Quality Design of Residential Apartment Development and the

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supporting Apartment Design Guide, which include detailed provisions regarding overshadowing and solar access.

Tree Preservation (Oak tree)

Provisions are made in the Draft DCP, including diagrammatic representations, for the retention of the Oak Tree at the rear of the site.

Building Envelope

The Draft DCP includes an indicative modelled building envelope.

Voluntary Planning Agreement

A Voluntary Planning Agreement (VPA) has previously been reported to Council in relation to this site. The VPA was exhibited concurrently but separately to the Planning Proposal, for a period of 28 days. One submission was received in relation to the VPA. The submission objected to the Voluntary Planning Agreement however as the submission did not provide a reason for or specific objection to the details of the proposed VPA it was not deemed to be valid.

The public benefits which will be provided to the community subsequent to the execution of the VPA are:

Public Benefit	Agreed Value
Master planning of The Beach Hut and Surrounds	\$70,000
Upgrades to Peter Depena Reserve	\$340,000
Revegetated of Waradiel Creek	\$40,000
Land Dedication	No Cost
<i>Total</i>	<i>\$450,000</i>

The General Manager has delegated authority to execute the Voluntary Planning Agreement.

Next Step

If Council resolves to support the finalisation of the LEP amendment and exhibit the Draft DCP, the Draft DCP will be exhibited and reported back to Council, so that any submissions can be considered by Council.

If Council resolve to support the adoption of the DCP, Council's delegate of the Minister for Planning will make the LEP amendment in full.

Financial Implications

Not applicable ☐
 Included in existing approved budget ☐
 Additional funds required ☐

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Community Engagement

The community engagement actions in relation to this Planning Proposal were:

- Exhibition for 29 days from 2 August 2017 to 31 August 2017
- Hard copies of the information were made available to the Sans Souci branch library and the Rockdale Customer Service Centre.
- An advertisement was published in the St George Leader, notifying of the exhibition period and where exhibition materials could be viewed, including Council's 'Have Your Say' website.
- Letters were sent to all adjoining landowners, as well as the NSW Office of Environment & Heritage, as stipulated in the Gateway determination.
- The Planning Proposal was presented to the Bayside Planning Panel on 14 November 2017.

Attachments

- 1 Gateway Determination
- 2 Response to Submissions
- 3 Draft Development Control Plan [↓↓↓](#)

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SPECIAL PRECINCTS**177 RUSSELL AVE, DOLLS POINT****EXPLANATION**

These controls apply to 177 Russell Ave, Dolls Point (Lots 80-83 in DP 2237) and recognize the unique attributes of the site. These attributes include the orientation of the consolidated site and the frontages to Peter Depena Reserve and Waradiel Creek and the built form characteristics of surrounding development. These attributes provided the basis for the increased height and density controls that now apply to the site.

This section must be read together with other relevant sections of the DCP, however, where there is a conflict, the controls in this section prevail.

OBJECTIVES

1. To enable a comfortable and safe pedestrian access from Russell Ave to Peter Depena Reserve adjacent to the western side of Waradiel Creek.
2. To maximise ground floor activity and ensure a landscaped interface on the Russell Ave, Waradiel Creek and Peter Depena Reserve frontages.
3. To reduce the apparent height of any future development by disguising the top floor and creating a distinct and architecturally pleasing roof form.
4. To ensure the Oak tree in the south-western corner of the site is preserved.

CONTROLS**Development setbacks**

1. The building footprint is established in accordance with the building setbacks indicated in Figures 1 and 2 below.
2. The building footprint includes the area inside the outer face of the external walls of the building, including balconies that are not enclosed, except for those on the top floor. The building footprint does not include any podium required to mitigate ground floor flood risk.
3. The building footprint of the top habitable floor is not to exceed 75% of area of the building footprint below.

Note: The building massing diagram for the top floor illustrates the minimum setbacks at key locations and the maximum building mass permitted on the top floor relative to the floors below. The final arrangement of this floor may vary provided the setback and maximum floorplate controls are observed.

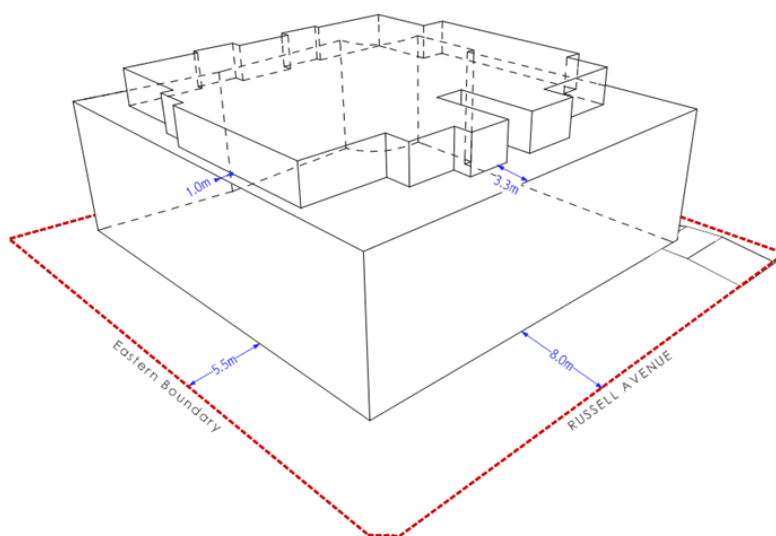


Figure 1 - Indicative building envelope with minimum setbacks indicated (north-east view)

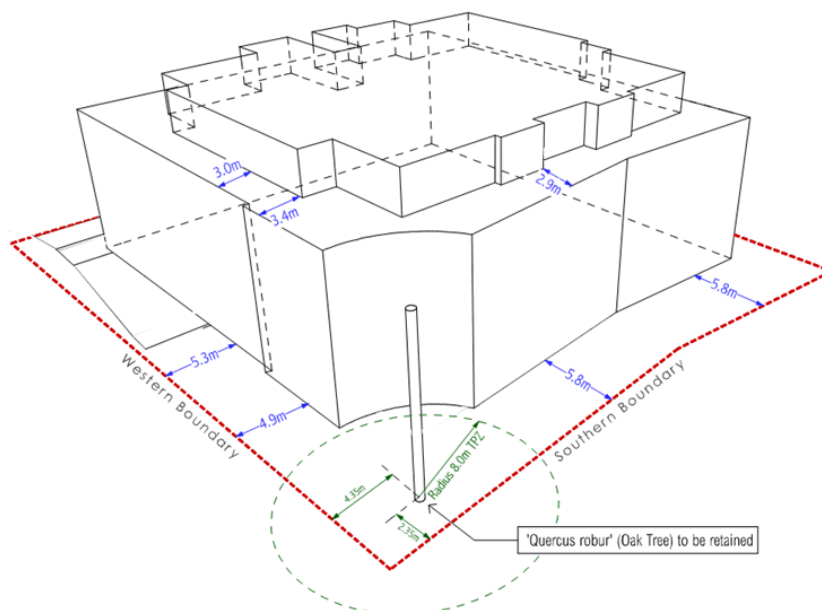


Figure 2 - Indicative building envelope with minimum building setbacks indicated (south-west view)

Building Height – Storeys

4. The maximum number of storeys permitted above the flood planning level (RL +2.500) is five (5).

Note: The fifth storey is required to provide increased setbacks as shown in Figures 1 and 2, which includes a minimum increased front setback of 3.3m from the floor below.

Landscaped area and deep soil

5. The minimum landscaped area is 35% of the site area. Landscaped area includes planting on structure provided the soil depths are no less than shown in Table 5 (page 116) of the Apartment Design Guide.
6. The minimum deep soil area is 20% of the site area.
7. The deep soil area is to be located around the perimeter of the site to create a landscaped interface with the adjacent public spaces.

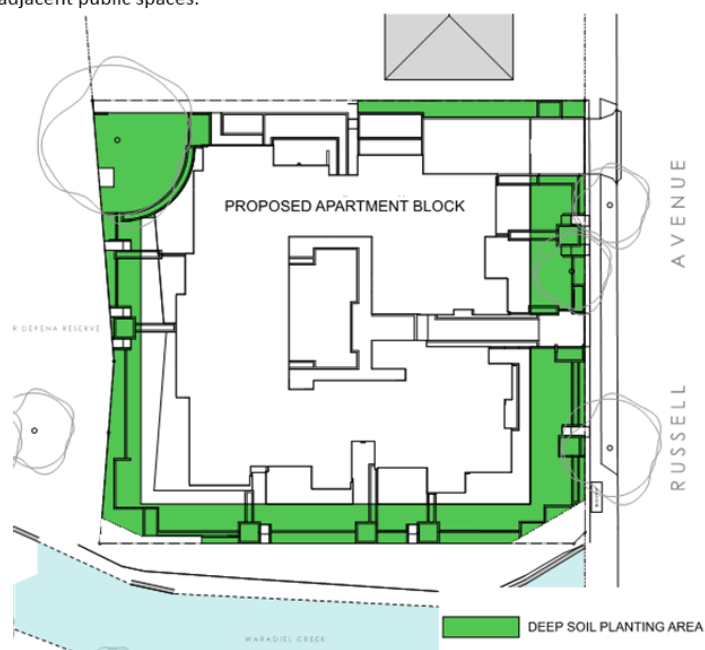


Figure 3 - Site plan illustrating quantum and indicative location of deep soil zones.

Building Design

8. Ground floor apartments adjoining Russell Ave, Waradiel Creek and Peter Depena Reserve are to have direct access to and from the public spaces they adjoin.
9. Perimeter fencing is to be of an open style to promote casual surveillance. Landscaping is to soften the interface and balance privacy with passive surveillance in appropriate locations.

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	Issue	Council Officer Response
1.	1. The proposed increase in height for a building immediately adjacent to a public reserve and which contravenes the existing DCP	
	The amendment will result in an increase in the bulk and scale of the building and set a precedent for future developments not only in Russell Avenue but all areas in the Bayside precinct that are currently low level Residential. It will have a negative impact on the visual aesthetics for the general public who use Peter Depena Park, the walking track and the beach.	The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.
	The amendment allows for 5 storeys above the ground level sitting on top of a 2.5 metre podium. This will result in the building being virtually 6 storeys above ground level in comparison to all neighbouring buildings that are 4 storeys above ground level including the garages. This will cast significant "shadowing" to neighbouring buildings not just 173 Russell Avenue but also our building at 171 Russell Avenue. The document title "Statement of Environmental Effects (2) – 177 Russell Avenue Dolls Point – HELM Pty Ltd", (which I got from the website), states that only 173 Russell Avenue would be slightly affected. However, if the amendments to the DCP are accepted, the new development will be closer to the rear boundary and would absolutely cast shadowing on 171 Russell Avenue. I currently get sun in the summer from approximately 5.30am and in the winter, a few hours later. This is because the rear of 173 Russell Avenue is set forward of 171 Russell Avenue, so allows the sun to come through once it clears the roofline of the existing property at 177. Clearly a 6-storey structure built closer to the boundary will block this sun. I believe the submitted shadow diagrams and Statement Of Environmental Effects is not completely correct.	The proposed DCP seeks to introduce minimum setbacks for any future development proposed on the land. The maximum height and massing have already been endorsed by Council through its endorsement of the Planning Proposal. The specific impact of any future development on the amenity of surrounding properties will be considered during the assessment of a Development Application.

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	Sites immediately adjacent to public reserves, parks waterways and beaches need to be protected for the enjoyment of the public.	The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.
	2. I do not agree with the proposed bulk and scale of the development which contravenes the current DCP	
	The site survey plan on the council website shows that 177 Russell Ave is an extremely wide block and much wider than other blocks in Russell Ave. Being twice the width of neighbouring blocks and being two stories higher, this proposed development will appear extremely bulky, unsightly and out of place from both the street and park. I do not believe it will be sympathetic to current buildings in the Dolls Point area.	The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.
	Without the proposed amendment to Section 7, the Rockdale DCP 2011 requires a rear set back of 12m and side setbacks of 4.5m. The proposed amendment to Section 7 significantly reduces the rear setback and marginally reduces the western and eastern setbacks. This will have a visually negative impact on the streetscape and the visual amenity for those visiting the park. As mentioned in point 1, it will also affect our sunlight hours and shadowing.	<p>The setbacks proposed in the Draft DCP are as follows:</p> <ul style="list-style-type: none"> • Front – 8.0m; • Rear – 5.8m; • East Side – 5.5m; and • West Side – 4.9-5.3. <p>The setbacks required for residential flat buildings in the current DCP are as follows:</p> <ul style="list-style-type: none"> • Front – 3-9m consistent with the prevailing setback along the street; • Rear – Minimum of 12m or 15 of length of site (whichever is the greater); • Side – Minimum of 4.5m <p>Whilst a reduction in the size of the rear setback is proposed, one of the current buildings on the land sits less than 2m from the rear boundary and less than 1.0m in some areas. The proposed DCP</p>

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		setback of 5.8m represents a considerable improvement on the current setbacks, and would provide a sufficient area of deep-soil planting to soften the boundary relationship of any future development. With the reserve situated immediately to the south of the subject site, there are no residential properties to the south which would be affected by the smaller rear setback being proposed.
	<p>3. The protection zone for the oak tree is too small</p> <p>The Arboricultural Report submitted to Council shows the spread of the tree is 18 metres. The radius of the protection circle around the tree should therefore be 9 metres but the report shows it as 8. I also have concerns about damage to the root structure during development knowing there is 2 levels of underground parking proposed. I can see that oak tree from my balcony and I know it is home to many birds including Sulphur Crested Cockatoo, Corellas, Kookaburras, bats, Lorikeets and the Black Cockatoo.</p>	<p>The proponent has given assurances to Council that a level 8 arborist was engaged to undertake an extensive review of the site and of the Oak Tree to ensure its long term health both during and after the construction of the proposed development. A Development Application has been submitted for the proposed development which includes an Arboricultural Impact Assessment Report. The report provides a detailed analysis of the root system of the oak tree, design and construction issues and provides a Tree Protection Plan for the protection of trees both during and post-construction. The report states that '...Provided that the plan is followed the trees that are being retained will not be significantly impacted by the proposed works.'</p>
	<p>4. The proposed Amendment to Part 7 of the RDCP 2011 relates to only one building site and not the whole precinct immediately adjacent to the Peter Depena Reserve</p> <p>The other precincts addressed in the Section 7 Special Precincts 2011 including Wolli Creek, Bonar Street, Bexley Town Centre, Ramsgate Beach Commercial and Rockdale Town Centre, relate to much larger areas involving many buildings and infrastructure including roads. Most of these areas were already commercial zones. Dolls Point is not.</p>	<p>The DCP amendment has been proposed in response to a request by the Bayside Planning Panel at its meeting of 14 November 2017 for a site-specific DCP for the land. The panel stated that '... given the significance of this site that adjoins public open space to provide greater certainty in the planning process and the final built form, the Panel recommends to the Council to consider resolving to prepare a Development Control Plan in parallel with the plan making process.' Although the proposed DCP amendment is site-specific and does not</p>

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		relate to a precinct, it was considered that this was the most appropriate section of the DCP to include a site-specific amendment.
	No consideration has been given to other properties that are immediately adjacent to Peter Depena Reserve. Surely this is an important consideration with a view to protecting the amenity of the Reserve for the general public.	There is currently no Planning Proposal for a wholesale rezoning or upzoning of the residential land surrounding Peter Depena reserve. There are also no future plans for any such Planning Proposal and Council will therefore consider the planning merits of any Planning Proposals that are presented on a site-by-site basis.
2.	<p>I would like to submit my feedback on the proposed development and requested alteration lodged by HELM Pty Ltd, of the current DCP at the above-mentioned address. I fully understand the importance of continual redevelopment throughout the bayside precinct including the site/land of 177 Russell Ave, however, I have objections to this development proposal at 177 for the following reasons:</p> <p>1. The proposed increase in height for a building immediately adjacent to a public reserve and which contravenes the existing DCP</p> <p>The amendment allows for 5 storeys above the ground level sitting on top of a 2.5 metre podium. This will result in the building being virtually 6 storeys above ground level in comparison to all neighbouring buildings that are 4 storeys above ground level including the garages. This will cast significant "shadowing" to neighbouring buildings not just 173 Russell Avenue.</p>	<p>The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.</p>
	The amendment will result in an increase in the bulk and scale of the building and set a precedent for future developments not only in Russell Avenue but all areas in the Bayside precinct that are currently low level residential. It will have a negative impact on the visual aesthetics for the general public who use Peter Depena Park, the walking track and the beach.	As above

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	Sites immediately adjacent to public reserves, parks waterways and beaches need to be protected for the enjoyment of the public.	This comment is noted.
	<p>2. I do not agree with the proposed bulk and scale of the development which contravenes the current DCP</p> <p>The site survey plan on the council website shows that 177 Russell Ave is an extremely wide block and much wider than other blocks in Russell Ave. Being twice the width of neighbouring blocks and being two stories higher, this proposed development will appear extremely bulky, unsightly and out of place from both the street and park. I do not believe it will be sympathetic to current buildings in the Dolls Point area.</p>	The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.
	Without the proposed amendment to Section 7, the Rockdale DCP 2011 requires a rear set back of 12m and side setbacks of 4.5m. The proposed amendment to Section 7 significantly reduces the rear setback and marginally reduces the western and eastern setbacks. This will have a visually negative impact on the streetscape and the visual amenity for those visiting the park. As mentioned in point 1, it will also affect our sunlight hours and shadowing.	<p>The setbacks proposed in the Draft DCP are as follows:</p> <ul style="list-style-type: none"> • Front – 8.0m; • Rear – 5.8m; • East Side – 5.5m; and • West Side – 4.9-5.3. <p>The setbacks required for residential flat buildings in the current DCP are as follows:</p> <ul style="list-style-type: none"> • Front – 3-9m consistent with the prevailing setback along the street; • Rear – Minimum of 12m or 15 of length of site (whichever is the greater); • Side – Minimum of 4.5m <p>Whilst a reduction in the size of the rear setback is proposed, one of the current buildings on the land sits less than 2m from the rear boundary and less than 1.0m in some areas. The proposed DCP setback of 5.8m represents a considerable improvement on the current setbacks, and would provide a sufficient area of deep-soil planting to soften the boundary relationship of any future</p>

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		development. With the reserve situated immediately to the south of the subject site, there are no residential properties to the south which would be affected by the smaller rear setback being proposed.
	<p>3. The protection zone for the oak tree is too small</p> <p>The Arboricultural Report submitted to Council shows the spread of the tree is 18 metres. The radius of the protection circle around the tree should therefore be 9 metres but the report shows it as 8. I also have concerns about damage to the root structure during development knowing there is 2 levels of underground parking proposed. I spend quite a bit of time in the park and I know it is home to many birds including Sulphur Crested Cockatoos, Corellas, Kookaburras, bats, Lorikeets and Black Cockatoos.</p>	<p>The proponent has given assurances to Council that a level 8 arborist was engaged to undertake an extensive review of the site and of the Oak Tree to ensure its long term health both during and after the construction of the proposed development. A Development Application has been submitted for the proposed development which includes an Arboricultural Impact Assessment Report. The report provides a detailed analysis of the root system of the oak tree, design and construction issues and provides a Tree Protection Plan for the protection of trees both during and post-construction. The report states that '...Provided that the plan is followed the trees that are being retained will not be significantly impacted by the proposed works.'</p>
	<p>4. The proposed Amendment to Part 7 of the RDCP 2011 relates to only one building site and not the whole precinct immediately adjacent to the Peter Depena Reserve</p> <p>The other precincts addressed in the Section 7 Special Precincts 2011 including Wolli Creek, Bonar Street, Bexley Town Centre, Ramsgate Beach Commercial and Rockdale Town Centre, relate to much larger areas involving many buildings and infrastructure including roads. Most of these areas were already commercial zones. Dolls Point is not.</p>	<p>The DCP amendment has been proposed in response to a request by the Bayside Planning Panel at its meeting of 14 November 2017 for a site-specific DCP for the land. The panel stated that '... given the significance of this site that adjoins public open space to provide greater certainty in the planning process and the final built form, the Panel recommends to the Council to consider resolving to prepare a Development Control Plan in parallel with the plan making process.' Although the proposed DCP amendment is site-specific and does not relate to a precinct, it was considered that this was the most appropriate section of the DCP to include a site-specific amendment.</p>

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	No consideration has been given to other properties that are immediately adjacent to Peter Depena Reserve. Surely this is an important consideration with a view to protecting the amenity of the Reserve for the general public.	There is currently no Planning Proposal for a wholesale rezoning or upzoning of the land surrounding Peter Depena reserve. There are also no plans for any such Planning Proposal and Council will therefore consider the planning merits of any Planning Proposals that are presented on a site-by-site basis.
3.	<p>1. Regarding the measures taken to protect and retain the Oak tree and its canopy both during constructions and after completion of the building</p> <p>I am concerned that the canopy may be reduced through accidental damage, planned pruning and/or unauthorised cutting back during the building phase?</p>	<p>The proponent has given assurances to Council that a level 8 arborist was engaged to undertake an extensive review of the site and of the Oak Tree to ensure its long term health both during and after the construction of the proposed development. A Development Application has been submitted for the proposed development which includes an Arboricultural Impact Assessment Report. The report provides a detailed analysis of the root system of the oak tree, design and construction issues and provides a Tree Protection Plan for the protection of trees both during and post-construction. The report states that '...Provided that the plan is followed the trees that are being retained will not be significantly impacted by the proposed works.'</p>
	The proposed communal landscaped zone around the oak tree of 8 metres in the SW corner may not be of sufficient size to protect the canopy of the tree during construction and for many years in the future. As the spread of the tree is more like 18 metres the building will more likely need to be more than 9 metres from the tree.	As above.

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	<p>2. I strongly object to the height of the proposed building development.</p> <p>Five storeys of Units above a podium which is 2.5 metres above ground level presents a building which is not compatible with the existing streetscape or area adjacent to a water course and a public reserve and park.</p>	<p>The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.</p>
	<p>The resulting development will be two storeys higher than the neighbouring Unit buildings. There will be significant shadowing affecting these buildings depending on the time of day.</p>	<p>As above.</p>
	<p>The bulk and scale of the building is further impacted by the extreme width of the land site which is more than the combined width of 173–175 and 171 Russell Ave.</p>	<p>As above.</p>
	<p>I question the feasibility and suitable access to the landscape areas for residents given the height of the podium and the proposed side/rear setback of only 6 metres, unless the landscape area is also built up above ground level.</p>	<p>This is a matter of detailed design being considered as part of the Development Application. It is not considered in this site-specific DCP amendment.</p>
4.	<p>1. The proposed increase in height for a building immediately adjacent to a public reserve is NOT acceptable.</p> <p>The proposed amendment will result in an increase in the bulk and scale of a future development and will have a negative impact on the visual amenity for the general public who use Peter Depena Reserve for recreation.</p>	<p>The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.</p>
	<p>The amendment is to allow 5 storeys above the flood plain level of +2.500. The first storey will be on top of a podium protruding above the ground. In comparison, neighbouring buildings adjacent to the Reserve have only 3 storeys above their garage level. The two buildings immediately to the west (173-5 and 171 Russell Avenue), instead of a podium to meet flood requirements, have a low non-habitable ground</p>	<p>As above.</p>

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	<p>floor storey (only 2.5m tall) to cater for car-parking, storage, laundry and entrance foyer with only 3 storeys of residential units above (not 5 storeys as in the proposed amendment). Landscaping, although "disguising" the podium of a future development at 177, will not reduce the visual impact of the additional two storeys of unit dwellings in comparison with neighbouring buildings.</p>	
	<p>No explanation has been given for limiting the amendment to <i>Section 7 Special Precincts</i> to just 177 Russell Avenue. An argument could be put (either now or in the future) for a similar increase in height for buildings on other sites adjoining Peter Depena Reserve, for example 175, 173 and 171 Russell Avenue, the café and restaurant at 179-183 Russell Avenue, and other properties abutting the Reserve located at the end of McMillan Avenue and Sanoni Street.</p>	<p>The DCP amendment has been proposed in response to a request by the Bayside Planning Panel at its meeting of 14 November 2017 for a site-specific DCP for the land. The panel stated that '... given the significance of this site that adjoins public open space to provide greater certainty in the planning process and the final built form, the Panel recommends to the Council to consider resolving to prepare a Development Control Plan in parallel with the plan making process.' Although the proposed DCP amendment is site-specific and does not relate to a precinct, it was considered that this was the most appropriate section of the DCP to include a site-specific amendment.</p> <p>There are currently no Planning Proposals for any of the surrounding properties in the immediate vicinity.</p>
	<p>Sites immediately adjacent to public reserves, parks and water ways need to be protected for the enjoyment of the general public. The limits to height and bulk of buildings should be stricter than those imposed on properties further away from the Reserve, for example buildings on the other side of the road or on the next street.</p>	<p>The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.</p>
	<p>2. The proposed increase in bulk and scale of a future development is NOT acceptable.</p> <p>It is also appropriate for the reasons given above to increase significantly the side and back setbacks. The Site Survey Plan on council website shows that 177 Russell Avenue is an extremely wide block, much wider than other blocks in Russell Avenue.</p>	<p>The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.</p>

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	<ul style="list-style-type: none"> • It is twice the width of the neighbouring property to the west which is on a double block (173-175 Russell Avenue). • It is at least twice the width of 177 Russell Avenue and most other properties on both sides of Russell Avenue. <p>Being twice the width of neighbouring blocks and being two storeys higher than neighbours, the building will appear extremely bulky from both the street and the Reserve to the south.</p>	
	<p>It is staggering to think that the width of 177 Russell Avenue is more than the combined width of 173, 175 and 177 Russell Avenue! Consider the impact of a front façade and a back façade facing the Reserve being equivalent to a six storey building. The height, width and resulting bulk of the proposed building at 177 will dwarf neighbouring properties (as shown on The Site Context Proposed document on Council website) and be a dominating feature when viewed from the street and from the Reserve at the rear.</p>	As above.
	<p>Without the proposed amendment to Section 7, the <i>Rockdale Development Control Plan 2011 (RDCP 2011)</i> requires a rear set back of 12m and side setbacks of 4.5m. The proposed amendment to Section 7 significantly reduces the rear setback to 5.8m and marginally increases the western side setbacks to 4.9 m and 5.3m and the eastern side setback to 5.8m. The proposed front setback of 8m is within the range set by the <i>RDCP 2011</i>. Overall the proposed Amendment to Section 7, increases the height, bulk and scale of a future building and will have a particularly negative impact on the streetscape and the visual amenity for those visiting the park.</p>	<p>The setbacks proposed in the Draft DCP are as follows:</p> <ul style="list-style-type: none"> • Front – 8.0m; • Rear – 5.8m; • East Side – 5.5m; and • West Side – 4.9-5.3. <p>The setbacks required for residential flat buildings in the current DCP are as follows:</p> <ul style="list-style-type: none"> • Front – 3-9m consistent with the prevailing setback along the street; • Rear – Minimum of 12m or 15 of length of site (whichever is the greater); • Side – Minimum of 4.5m

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		Whilst a reduction in the size of the rear setback is proposed, one of the current buildings on the land sits less than 2m from the rear boundary and less than 1.0m in some areas. The proposed DCP setback of 5.8m represents a considerable improvement on the current setbacks, and would provide a sufficient area of deep-soil planting to soften the boundary relationship of any future development. With the reserve situated immediately to the south of the subject site, there are no residential properties to the south which would be affected by the smaller rear setback being proposed.
	Increased side and rear setbacks and limits to the overall building height are needed to reduce the bulk and scale of the proposed building to provide an outcome that is more in keeping with the streetscape and improve the visual amenity for those visiting the Reserve. This would be more in keeping with the <i>General Principles for Development</i> contained in <i>RDCP 2011</i> .	The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.
	<p>3. The minimum size of the footprint of a future development relative to the site is NOT clearly specified in the amendment.</p> <p>The <i>RDCP 2011</i> specifies that "the building footprint for residential flat buildings are limited to 35% of the site area". Although information on setbacks is provided in the diagrams included in the amendment, it is difficult (if not impossible) to calculate the actual percentage of site covered by the building footprint that could be approved under the amendment. This should be clearly stated in the amendment, especially given that where there is a conflict between the controls in the amendment with those in the <i>RDCP 2011</i>, the controls in the amended Section 7 prevail.</p>	The proposed DCP Amendment states that the '...minimum landscaped area is 35% of the site area.' This represents an area of approximately
	<p>4. The protection zone for oak tree in SW corner is too small</p> <p>According to the Arboricultural Report submitted to Council with DA-2017/606 (177 Russell Avenue, Dolls point), the spread of the oak tree is 18 metres (Tree 5 in table below). The diagram in the amendment</p>	The proponent has given assurances to Council that a level 8 arborist was engaged to undertake an extensive review of the site and of the Oak Tree to ensure its long term health both during and

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<p>shows a protection circle around the tree with radius of only 8 metres. Assuming that the tree is predominantly symmetrical would imply that the radius of the protection circle around the tree should have a radius of at least 9 metres to protect and maintain the tree root system and existing canopy.</p>	<p>after the construction of the proposed development. A Development Application has been submitted for the proposed development which includes an Arboricultural Impact Assessment Report. The report provides a detailed analysis of the root system of the oak tree, design and construction issues and provides a Tree Protection Plan for the protection of trees both during and post-construction. The report states that '...Provided that the plan is followed the trees that are being retained will not be significantly impacted by the proposed works.'</p>
<p>5. The Proposed Amendment to Part 7 of RDCP 2011 relates to only one building site and not the whole precinct immediately adjacent to the Peter Depena Reserve</p> <p>The proposed amendment to <i>Section 7 Special Precincts</i> of the <i>RDCP 2011</i> relates to only one residential flat building. The other precincts addressed in <i>Section 7 Special Precincts</i> of the <i>RDCP 2011</i> relate to much larger areas involving many buildings and infrastructure including roads. The precincts identified are Wolli Creek, Bonar Street Precinct, Bexley Town Centre, Ramsgate Beach Commercial area and Rockdale Town Centre.</p>	<p>The DCP amendment has been proposed in response to a request by the Bayside Planning Panel at its meeting of 14 November 2017 for a site-specific DCP for the land. The panel stated that '... given the significance of this site that adjoins public open space to provide greater certainty in the planning process and the final built form, the Panel recommends to the Council to consider resolving to prepare a Development Control Plan in parallel with the plan making process.' Although the proposed DCP amendment is site-specific and does not relate to a precinct, it was considered that this was the most appropriate section of the DCP to include a site-specific amendment.</p>
<p>As mentioned earlier, no consideration has been given to other properties that are immediately adjacent to Peter Depena Reserve. Any future amendment to <i>Section 7 Special Precincts</i> of the <i>RDCP 2011</i> should address the total precinct surrounding Peter Depena Reserve.</p>	<p>There is currently no Planning Proposal for a wholesale rezoning or upzoning of the land surrounding Peter Depena reserve. There are also no plans for any such Planning Proposal and Council will therefore consider the planning merits of any Planning Proposals that are presented on a site-by-site basis.</p>
<p>More thought needs to be given to all the properties that are either within the Reserve or on the border of the Reserve (especially those in Russell Avenue including the restaurant and cafe)</p>	<p>As above.</p>

177 Russell Avenue – Submissions on Draft DCP

	In order to protect the amenity of Peter Depena Reserve for the general public, the precinct needs to be larger than just 177 Russell Avenue and include at least the following properties: 175, 173 and 171 Russell Avenue, the café and restaurant at 179-183 Russell Avenue, and other properties abutting the Reserve located at the end of McMillan Avenue and Sanoni Street.	As above.
	Sites immediately adjacent to public reserves, parks and water ways need to be protected for the enjoyment of the general public.	This comment is noted.
5.	I would like to submit my feedback on the proposed development and requested alteration lodged by HELM Pty Ltd, of the current DCP at the above-mentioned address. I fully understand the importance of continual redevelopment throughout the Bayside precinct including the site/land of 177 Russell Ave, however, I have objections to this development proposal at 177 for the following reasons:	
	1. The proposed increase in height for a building immediately adjacent to a public reserve and which contravenes the existing DCP The amendment will result in an increase in the bulk and scale of the building and set a precedent for future developments not only in Russell Avenue but all areas in the Bayside precinct that are currently low level residential. It will have a negative impact on the visual aesthetics for the general public who use Peter Depena Park, the walking track and the beach.	The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.
	The amendment allows for 5 storeys above the ground level sitting on top of a 2.5 metre podium. This will result in the building being virtually 6 storeys above ground level in comparison to all neighbouring buildings that are 4 storeys above ground level including the garages. This will cast significant "shadowing" to neighbouring buildings not just 173 Russell Avenue.	The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.

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	Sites immediately adjacent to public reserves, parks waterways and beaches need to be protected for the enjoyment of the public.	This comment is noted.
	<p>2. I do not agree with the proposed bulk and scale of the development which contravenes the current DCP</p> <p>The site survey plan on the council website shows that 177 Russell Ave is an extremely wide block and much wider than other blocks in Russell Ave. Being twice the width of neighbouring blocks and being two stories higher, this proposed development will appear extremely bulky, unsightly and out of place from both the street and park. I do not believe it will be sympathetic to current buildings in the Dolls Point area.</p>	The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.
	Without the proposed amendment to Section 7, the Rockdale DCP 2011 requires a rear set back of 12m and side setbacks of 4.5m. The proposed amendment to Section 7 significantly reduces the rear setback and marginally reduces the western and eastern setbacks. This will have a visually negative impact on the streetscape and the visual amenity for those visiting the park. As mentioned in point 1, it will also affect our sunlight hours and shadowing.	<p>The setbacks proposed in the Draft DCP are as follows:</p> <ul style="list-style-type: none"> • Front – 8.0m; • Rear – 5.8m; • East Side – 5.5m; and • West Side – 4.9-5.3. <p>The setbacks required for residential flat buildings in the current DCP are as follows:</p> <ul style="list-style-type: none"> • Front – 3-9m consistent with the prevailing setback along the street; • Rear – Minimum of 12m or 15 of length of site (whichever is the greater); • Side – Minimum of 4.5m <p>Whilst a reduction in the size of the rear setback is proposed, one of the current buildings on the land sits less than 2m from the rear boundary and less than 1.0m in some areas. The proposed DCP setback of 5.8m represents a considerable improvement on the current setbacks, and would provide a sufficient area of deep-soil planting to soften the boundary relationship of any future development. With the reserve situated immediately to the south of</p>

177 Russell Avenue – Submissions on Draft DCP

		the subject site, there are no residential properties to the south which would be affected by the smaller rear setback being proposed.
	<p>3. The protection zone for the oak tree is too small</p> <p>The Arboricultural Report submitted to Council shows the spread of the tree is 18 metres. The radius of the protection circle around the tree should therefore be 9 metres but the report shows it as 8. I also have concerns about damage to the root structure during development knowing there is 2 levels of underground parking proposed. I spend quite a bit of time in the park and I know it is home to many birds including Sulphur Crested Cockatoos, Corellas, Kookaburras, bats, Lorikeets and Black Cockatoos.</p>	<p>The proponent has given assurances to Council that a level 8 arborist was engaged to undertake an extensive review of the site and of the Oak Tree to ensure its long term health both during and after the construction of the proposed development. A Development Application has been submitted for the proposed development which includes an Arboricultural Impact Assessment Report. The report provides a detailed analysis of the root system of the oak tree, design and construction issues and provides a Tree Protection Plan for the protection of trees both during and post-construction. The report states that '...Provided that the plan is followed the trees that are being retained will not be significantly impacted by the proposed works.'</p>
	<p>4. The proposed Amendment to Part 7 of the RDCP 2011 relates to only one building site and not the whole precinct immediately adjacent to the Peter Depena Reserve</p> <p>The other precincts addressed in the Section 7 Special Precincts 2011 including Wolli Creek, Bonar Street, Bexley Town Centre, Ramsgate Beach Commercial and Rockdale Town Centre, relate to much larger areas involving many buildings and infrastructure including roads. Most of these areas were already commercial zones. Dolls Point is not.</p>	<p>The DCP amendment has been proposed in response to a request by the Bayside Planning Panel at its meeting of 14 November 2017 for a site-specific DCP for the land. The panel stated that '... given the significance of this site that adjoins public open space to provide greater certainty in the planning process and the final built form, the Panel recommends to the Council to consider resolving to prepare a Development Control Plan in parallel with the plan making process.' Although the proposed DCP amendment is site-specific and does not relate to a precinct, it was considered that this was the most appropriate section of the DCP to include a site-specific amendment.</p>

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	No consideration has been given to other properties that are immediately adjacent to Peter Depena Reserve. Surely this is an important consideration with a view to protecting the amenity of the Reserve for the general public.	There is currently no Planning Proposal for a wholesale rezoning or upzoning of the land surrounding Peter Depena reserve. There are also no plans for any such Planning Proposal and Council will therefore consider the planning merits of any Planning Proposals that are presented on a site-by-site basis.
6.	I would like to submit my feedback on the proposed development and requested alteration lodged by HELM Pty Ltd, of the current DCP at the above-mentioned address. I fully understand the importance of continual redevelopment throughout the bayside precinct including the site/land of 177 Russell Ave, however, I have objections to this development proposal at 177 for the following reasons:	
	1. The proposed increase in height for a building immediately adjacent to a public reserve and which contravenes the existing DCP	
	The amendment will result in an increase in the bulk and scale of the building and set a precedent for future developments not only in Russell Avenue but all areas in the Bayside precinct that are currently low level residential. It will have a negative impact on the visual aesthetics for the general public who use Peter Depena Park, the walking track and the beach.	The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.
	The amendment allows for 5 storeys above the ground level sitting on top of a 2.5 metre podium. This will result in the building being virtually 6 storeys above ground level in comparison to all neighbouring buildings that are 4 storeys above ground level including the garages. This will cast significant "shadowing" to neighbouring buildings not just 173 Russell Avenue.	As above.
	Sites immediately adjacent to public reserves, parks waterways and beaches need to be protected for the enjoyment of the public.	This comment is noted.

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	<p>2. I do not agree with the proposed bulk and scale of the development which contravenes the current DCP. The site survey plan on the council website shows that 177 Russell Ave is an extremely wide block and much wider than other blocks in Russell Ave. Being twice the width of neighbouring blocks and being two stories higher, this proposed development will appear extremely bulky, unsightly and out of place from both the street and park. I do not believe it will be sympathetic to current buildings in the Dolls Point area.</p>	<p>The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.</p>
	<p>Without the proposed amendment to Section 7, the Rockdale DCP 2011 requires a rear set back of 12m and side setbacks of 4.5m. The proposed amendment to Section 7 significantly reduces the rear setback and marginally reduces the western and eastern setbacks. This will have a visually negative impact on the streetscape and the visual amenity for those visiting the park. As mentioned in point 1, it will also affect our sunlight hours and shadowing.</p>	<p>The setbacks proposed in the Draft DCP are as follows:</p> <ul style="list-style-type: none"> • Front – 8.0m; • Rear – 5.8m; • East Side – 5.5m; and • West Side – 4.9-5.3. <p>The setbacks required for residential flat buildings in the current DCP are as follows:</p> <ul style="list-style-type: none"> • Front – 3-9m consistent with the prevailing setback along the street; • Rear – Minimum of 12m or 15 of length of site (whichever is the greater); • Side – Minimum of 4.5m <p>Whilst a reduction in the size of the rear setback is proposed, one of the current buildings on the land sits less than 2m from the rear boundary and less than 1.0m in some areas. The proposed DCP setback of 5.8m represents a considerable improvement on the current setbacks, and would provide a sufficient area of deep-soil planting to soften the boundary relationship of any future development. With the reserve situated immediately to the south of the subject site, there are no residential properties to the south which would be affected by the smaller rear setback being proposed.</p>

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<p>3. The protection zone for the oak tree is too small The Arboricultural Report submitted to Council shows the spread of the tree is 18 metres. The radius of the protection circle around the tree should therefore be 9 metres but the report shows it as 8. I also have concerns about damage to the root structure during development knowing there is 2 levels of underground parking proposed. I spend quite a bit of time in the park and I know it is home to many birds including Sulphur Crested Cockatoos, Corellas, Kookaburras, bats, Lorikeets and Black Cockatoos.</p>	<p>The proponent has given assurances to Council that a level 8 arborist was engaged to undertake an extensive review of the site and of the Oak Tree to ensure its long term health both during and after the construction of the proposed development. A Development Application has been submitted for the proposed development which includes an Arboricultural Impact Assessment Report. The report provides a detailed analysis of the root system of the oak tree, design and construction issues and provides a Tree Protection Plan for the protection of trees both during and post-construction. The report states that '...Provided that the plan is followed the trees that are being retained will not be significantly impacted by the proposed works.'</p>
<p>4. The proposed Amendment to Part 7 of the RDCP 2011 relates to only one building site and not the whole precinct immediately adjacent to the Peter Depena Reserve.</p>	<p>The DCP amendment has been proposed in response to a request by the Bayside Planning Panel at its meeting of 14 November 2017 for a site-specific DCP for the land. The panel stated that '... given the significance of this site that adjoins public open space to provide greater certainty in the planning process and the final built form, the Panel recommends to the Council to consider resolving to prepare a Development Control Plan in parallel with the plan making process.' Although the proposed DCP amendment is site-specific and does not relate to a precinct, it was considered that this was the most appropriate section of the DCP to include a site-specific amendment.</p>
<p>The other precincts addressed in the Section 7 Special Precincts 2011 including Wolli Creek, Bonar Street, Bexley Town Centre, Ramsgate Beach Commercial and Rockdale Town Centre, relate to much larger areas involving many buildings and infrastructure including roads. Most of these areas were already commercial zones. Dolls Point is not.</p>	<p>As above.</p>
<p>No consideration has been given to other properties that are immediately adjacent to Peter Depena Reserve. Surely this is an important consideration with a view to protecting the amenity of the Reserve for the general public.</p>	<p>There is currently no Planning Proposal for a wholesale rezoning or upzoning of the land surrounding Peter Depena reserve. There are also no plans for any such Planning Proposal and Council will therefore consider the planning merits of any Planning Proposals that are presented on a site-by-site basis.</p>

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7.	I am grateful for the opportunity to provide feedback on the proposed development at the end of my street.	
	My most significant concern is the height of the building and subsequent number of people that will in future occupy the space. As it is there is extremely limited parking for the current occupants of the street which is going to dramatically increase with the development of this site.	The impact of the proposed maximum height and massing on the amenity of the surrounding area has already been considered by Council in its endorsement of the Planning Proposal at its meeting of 13 December 2017.
	I propose that the building be limited to four levels, in accordance with the other developments on the street, as well as ensure that there is a minimum of two parking spots per unit, with visitor parking to alleviate the congestion on the street. Thank you for your time and again, I appreciate the opportunity.	As above.
8.	I am writing in regards to this development in Russell Ave. I am hoping that Council will consider the fact that some very elderly War Widows are being evicted for this development to go ahead. Some 25 people will be homeless. I know Council looks at progress and development but surely they must have a humane bone in there (sic) body.	The disposal of this site by the War Widows' Guild represents a corporate decision taken by them to move away from the provision of residential accommodation in this location. Council has no influence on this matter and it is not relevant to the proposed DCP amendment.
	My mother has lived in Sans Souci for 90 years, she is 97, has lived at this address for 35 years and WAS told it was her address for life. We have been told by her Drs (sic) it would be detrimental to her health to move her at her age. She knows her surroundings and is more than capable of living independently as long as she stays where she is. In as much as War Widows continue to advise all involved that they are helping and supporting these ladies, not once have they offered any alternate accommodation.	As above.
	Surely this development can be put on hold. What is the urgency? We are talking about people's lives. Really hope Council will consider all aspects of this development.	As above.

Council Meeting

14/03/2018

Item No	8.6
Subject	Post-Exhibition Report - 64-68 The Grand Parade, Brighton-Le-Sands
Report by	John McNally, Senior Urban Planner - Strategic Planning
File	F15/526

Summary

In March 2016, Council resolved to support a Planning Proposal for land at 64-68 The Grand Parade, Brighton-Le-Sands. The Planning Proposal seeks the following amendments to the Rockdale Local Environmental Plan 2011 (RLEP 2011):

- Increase the maximum Height of Building (HOB) from 13m to 36m; and
- Increase the maximum Floor Space Ratio (FSR) from 1:1 to 4:1.

Council's resolution also required a number of amendments to be made to the Planning Proposal and supporting documents before a Gateway Determination was sought from the Department of Planning and Environment (the DPE). The required amendments were made and Council subsequently received the Gateway Determination in May 2017.

In accordance with the Gateway Determination, the Planning Proposal was publicly exhibited for 29 days from Wednesday 14 June 2017 to Thursday 13 July 2017. This report provides Council with a summary of the submissions received during the public exhibition period and Council's responses to them.

Officer Recommendation

That, in accordance with Section 3.36 of the Environmental Planning & Assessment Act 1979, Council exercises its delegation from the Minister and makes the LEP amendment, as exhibited, for 64-68 The Grand Parade, Brighton-Le-Sands.

Background

On 16 March 2016, Council resolved to endorse a Planning Proposal for the land (see **Attachment 1**) and to seek a Gateway Determination from the DPE subject to the following changes first being made to the Planning Proposal and supporting documents prior to seeking a Gateway Determination:

- Amending the Planning Proposal to ensure that Clause 6.14 – Design Excellence of the Rockdale LEP 2011 applies to the site;
- Amending the Planning Proposal in accordance with the Council Report;
- Amending the applicant's Urban Design Report in accordance with the Council Report;
- Amending the Heritage Impact Statement in accordance with the Council Report; and

- Amending the applicant's Massing Diagrams in accordance with the Council Report.

The Planning Proposal originally sought the following amendments to the RLEP 2011:

- Increase the maximum Height of Building (HOB) from 13m to 36m; and
- Increase the maximum Floor Space Ratio (FSR) from 1:1 to 4:1.

The Officer's recommendation in the report to Council on 16 March 2016 had recommended that the maximum HOB be limited to 28m with a height incentive of 3m, and the maximum FSR be limited to 3:1. However, Council resolved to support the planning controls as sought by the proponent, those being a maximum HOB of 36m and a maximum FSR of 4:1.

All of the other necessary amendments required by Council were made to the Planning Proposal and supporting documents. The Gateway Determination (see **Attachment 2**) was issued by the DPE on 1 May 2017 which required the following conditions to be satisfied:

1. Community consultation for a minimum of 28 days in accordance with the requirements of the DPE's 'Guide to Preparing Local Environmental Plans'; and
2. Consultation with the following public authorities:
 - Transport for NSW – Roads and Maritime Services;
 - Office of Environment and Heritage;
 - Sydney Airport Authority;
 - Civil Aviation Safety Authority; and
 - Commonwealth Department of Infrastructure and Regional Development.

Exhibition

The Planning Proposal was exhibited from 14 June 2017 to 13 July 2017 satisfying the minimum 28 day community consultation requirement in the Gateway Determination. Notification letters were sent to 357 property owners in the surrounding area. The Planning Proposal was also advertised in the St. George and Sutherland Shire Leader on 14 June 2017, and the Planning Proposal and supporting documents were made available for inspection in the Brighton-Le-Sands and Rockdale libraries.

A total of 17 submissions were received from the local community raising the following matters:

- General objections against the Planning Proposal;
- Heritage impacts relating to both the subject land and to the street trees on Princess Street;
- Overshadowing;
- Building height and density;
- View sharing;

- Traffic, access and car parking; and
- Need for more high-density building which will bring value to the area.

A detailed summary of each submission from the community has been provided to assist Council with identifying the key matters raised (see **Attachment 3**).

The public authorities listed above were also consulted on the Planning Proposal in accordance with Condition 2 of the Gateway Determination. A summary of the responses received and Council's response to them is also detailed below.

Community Submissions

Of the 17 submissions received from the local community, 16 raised objections to the Planning Proposal, with 1 supporting it. A response to the objections raised in the submissions is provide below:

Heritage Impacts (The Terrace)

Concerns have been raised by the community in relation to the proposed demolition of part of the heritage-listed terrace and the impact this would have on the architectural and historic integrity of the retained parts of the terrace. Concerns were also raised in relation to the protection of the retained parts of the terrace during the course of any construction.

In light of these concerns, Council officers held discussions with the proponent to determine whether any further elements of the original fabric of the buildings can be retained. It was suggested by Council officers that the rear wing of the Southernmost terrace on the corner of The Grand Parade and Princess Street could be retained, along with the Southern boundary wall, with the aim of retaining more of the historic fabric of the terrace. Assurances were also sought that the structural integrity of the retained parts of the terrace would not be affected during the course of construction.

In response, the proponent provided comments from a structural engineer (see **Attachment 4**) which state that, while the basement will require the construction of a shoring system which is watertight and tanked, a specialist foundation construction process will be employed which is vibration-free and which minimises disturbance to the retained parts of the terrace. The image below has been provided by the structural engineer and shows the location of the proposed shoring wall (Note: the text circled in red confirms that the shoring wall will be clear of the footings of the retained part of the terrace):

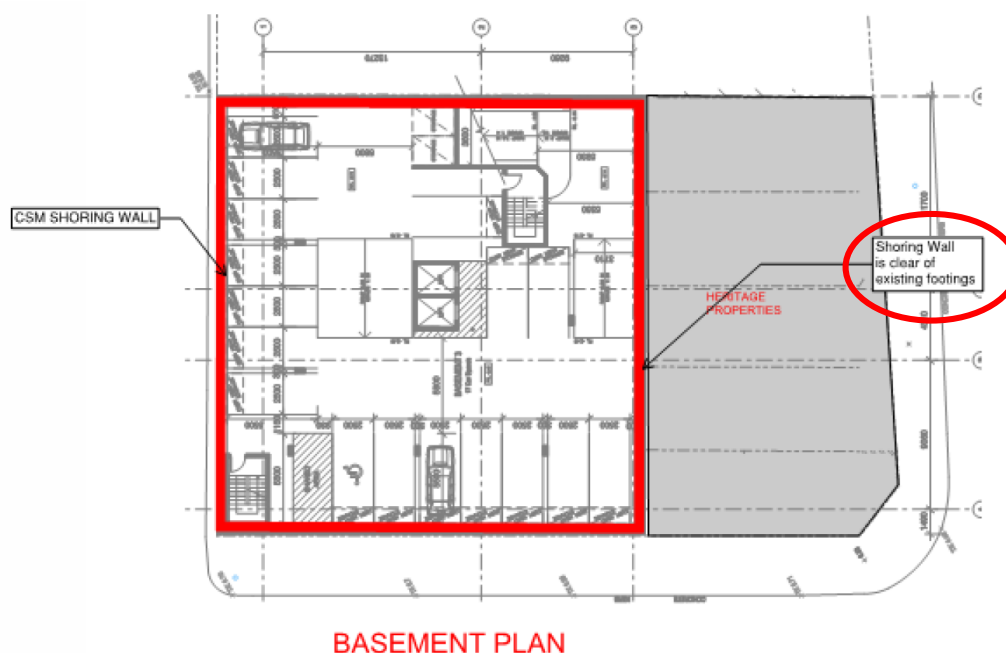


Figure 1 – Location of proposed shoring wall (Source: Structural Design Solutions, **Attachment 4**)

The structural engineer's comments also provide a diagram showing the structures to be retained. Whilst the diagram below shows the South wall of the rear wing being demolished, the proponent has stated that this can also be retained with the South boundary wall and has provided these assurances in writing (Note: text circled in red confirms that the shoring wall will be clear of the footings of the retained part of the terrace).

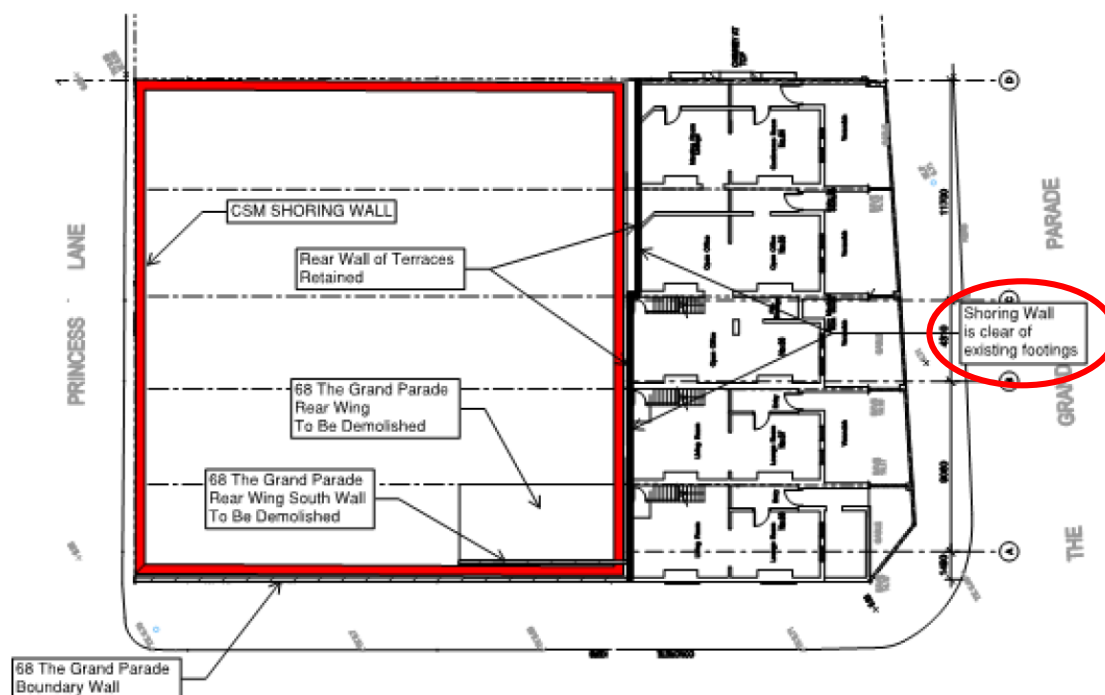


Figure 2 – Location of proposed shoring wall and structures to be retained (Source: Structural Design Solutions, **Attachment 4**)

The Planning Proposal proposes the retention and restoration of the main part of the existing terrace, along with the South wall of the Southernmost rear wing and the Southern boundary wall. It is proposed to ensure their future maintenance by bringing them into active use for retail and/or commercial premises. In turn, this would provide active street frontages to The Grand Parade and Princess Street.

Council resolved to support the Planning Proposal subject to the inclusion of Clause 6.14 Design Excellence of the RLEP 2011. Any future Development Application would therefore need to achieve an appropriate built form outcome to provide a suitable backdrop to the heritage listed terrace. An updated Heritage Impact Statement would also need to be submitted in support of any Development Application. Furthermore, the Planning Proposal was presented to the Bayside Planning Panel at its meeting of 27 February 2017, at which the following recommendation was made:

‘That a Heritage Conservation Management Plan is embarked upon for the restoration of the row of terraces.’

It is, therefore, recommended that Council ensures that any future Development Application is accompanied by a Heritage Conservation Management Plan or that such a Management Plan is secured by the imposition of an appropriate condition on any future development consent. This would assist in ensuring the retention and sensitive refurbishment of the retained parts of the listed terrace of properties, with the aim of securing an adaptive reuse of the properties and protecting them for future generations to enjoy.

Heritage Impacts (Street Trees – Princess Street)

The Arboricultural Assessment, prepared by Sydney Arbor Trees, submitted with the Planning Proposal assessed the impact of overshadowing by a future new building on the subject site, based on shadow diagrams provided by the applicant. The assessment has determined that, while a future development would alter the amount of sunlight, it is unlikely that this change would have a significant detrimental impact on the trees. Any future Development Application for the land would also require consideration of an updated Heritage Impact Statement, Arboricultural Assessment and solar access diagrams.

Overshadowing

The comments received from the community have also raised significant concerns relating to the overshadowing impacts of the proposed building envelope on adjacent properties, particularly the Novotel, and the enjoyment of adjacent public areas, particularly Lady Robinson’s Beach. With regard to this particular issue, the Bayside Planning Panel made the following recommendation:

‘That the future planning controls must include provisions to ensure there is no significant further overshadowing of Lady Robinson Beach caused by development on the site.’

The shadow diagrams submitted with the Planning Proposal are shown below and included in the proponent’s Urban Design Report (see **Attachment 5**):



Figure 3 – Shadow Diagrams (Source: Urban Design Report)

The shadow diagrams show a worst case scenario of overshadowing during the most extreme times in the mid-winter when the sun is at its lowest angle. The diagrams indicate that the proposed building envelope has the potential to cast long, narrow shadows over part of Lady Robinson's Beach to the East and parts of the Novotel to the South.

It is important to note that Council is at this stage considering a maximum building envelope within which any future development would have to sit. Any future Development Application would be subject to detailed analysis of the impact of overshadowing from a development proposal, including consideration of solar access to adjoining properties and surrounding public open space areas, thereby demonstrating compliance with *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65) and the accompanying Apartment Design Guide (ADG).

While the planning merits of the impact of the maximum proposed building envelope have already been assessed by Council in the March 2016 resolution and by the DPE in its Gateway Determination, further to the recommendation of the Bayside Planning Panel on 27 February 2017, the proponent has undertaken some additional studies information which provide an indicative example of the type of building form that could be accommodated within the maximum building envelope (see **Attachment 6**). The proponent has also provided the following statements to accompany the additional studies:

1 *Building location*

Envelope is located adjoining the Princess Street/Princess Lane boundaries:

- *Maximising setback from heritage terraces and adjoining residential flat building to the North (enabling the provision of Ground Floor deep soil and communal open space in accordance with the requirements of the Apartment Design Guide); and*
- *Minimising overshadowing impact over Cook Park/Lady Robinson Beach.*

2 *Overshadowing* *Overshadowing impact is limited to:*

- *Cook Park: after 1:45pm*
- *Lady Robinson Beach: after 2:40pm*

This is achieved through:

- *Location of envelope adjoining Princess Street/Princess Lane boundaries; and*
- *Stepping of upper levels.*

Overshadowing impacts are broadly consistent with that of adjoining development:

- *Less than that of the 15 storey Novotel building to the South; and*
- *Marginally greater than that of the 8 storey residential flat buildings to the North.*

While there will be some impact from overshadowing, the impact is likely to be modest at the most affected time of year in mid-winter. The proposed maximum building envelope provides sufficient scope to employ good quality design principles which will have the least possible impact on the heritage items and on overshadowing of the adjacent land. Any future Development Application will be subject to Council's Design Excellence process, and will also need to be supported by a detailed analysis of how the final built form will impact on the surrounding area.

Building Height and Density

The Planning Proposal seeks a maximum Floor Space Ratio (FSR) of 4:1 and a maximum Height of Building (HOB) of 36m. Whilst the officer's report to Council in March 2016 recommended a maximum HOB of 28m and an FSR of 3:1 (see **Attachment 7**), Council resolved to support the FSR of 4:1 and building height of 36 metres as originally proposed, subject to the additional height and FSR being achieved through meeting the design excellence criteria of Clause 6.14 of the RLEP 2011. Council also noted that the height and scale proposed would provide a transition between the adjoining Novotel site to the South and adjacent high density residential development to the North, as shown in the contextual massing diagrams below.

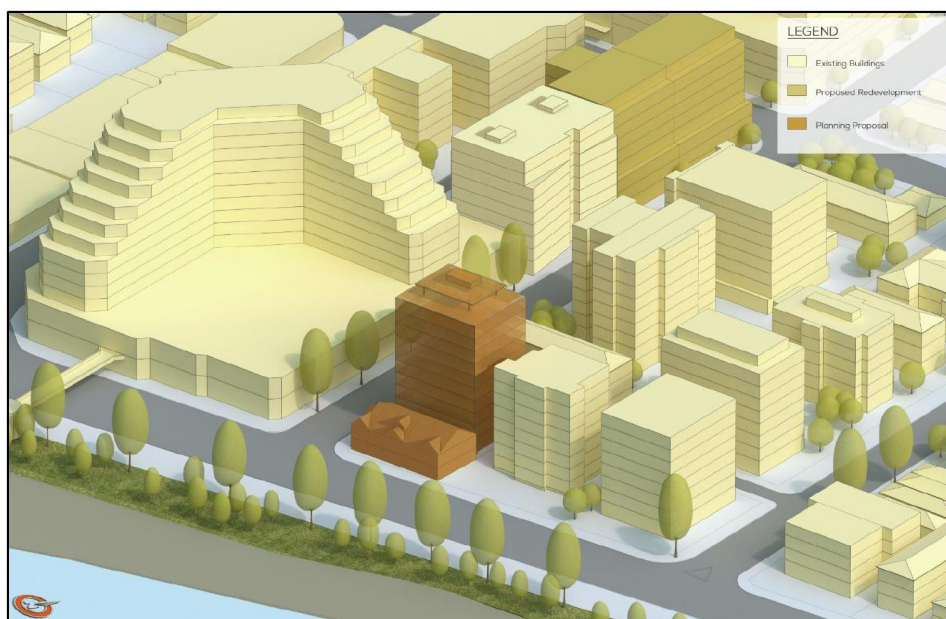


Figure 4 – Contextual massing diagram (Source: Urban Design Report)

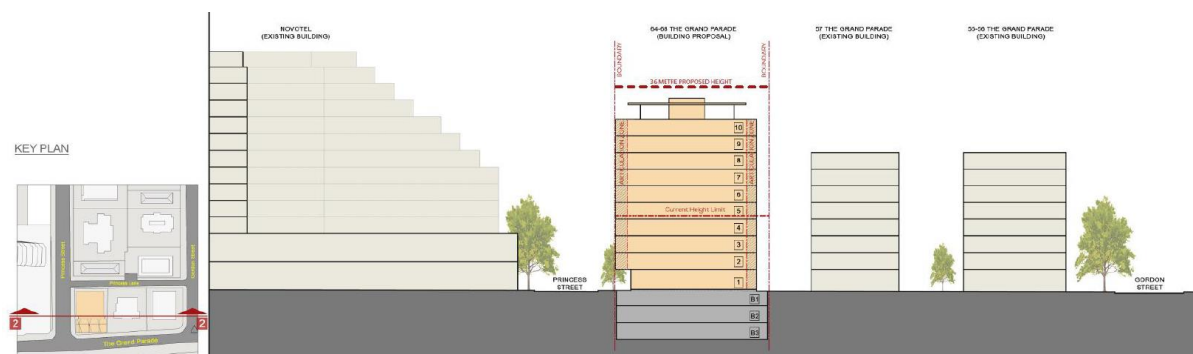


Figure 5 – Contextual cross section North-South (Source: Urban Design Report)

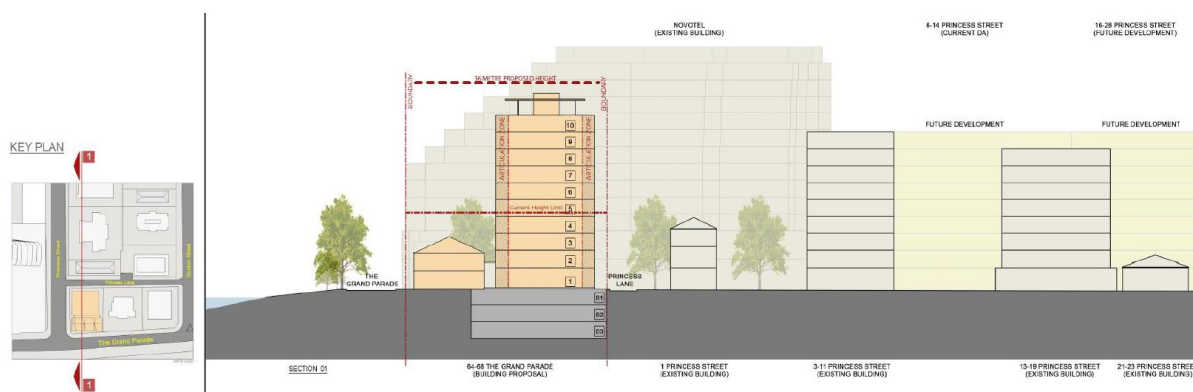


Figure 6 – Contextual cross section East-West (Source: Urban Design Report)

In addition to achieving Design Excellence, any future Development Application for the land would also need to demonstrate consistency with *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (SEPP 65) and the accompanying Apartment Design Guide (ADG).

Traffic, Access and Car Parking

The Planning Proposal was supported by a Traffic and Parking Assessment Report prepared by Varga Traffic Planning Pty Ltd. The Report assessed the traffic and parking impacts of a development across the whole of the site. The analysis concludes that *“there is adequate capacity in the surrounding road network to cater for the traffic generated by the development”* of the site in accordance with the built form envelopes proposed.

The Report was sent to Council's Transport Planner, who agreed that the impact of a development across the whole site would be minimal. In addition, the Transport for NSW – Roads and Maritime Service (RMS) were consulted about the Planning Proposal. The RMS raised no objection to the traffic and access impacts of the Planning Proposal.

Any future Development Application for the land would also need to include an updated Traffic Impact Assessment. The final design would need to comply with the relevant Australian Standards and Council's policies and technical guidelines with regard to traffic, access and parking.

View Sharing

The potential loss of views associated with changes to planning controls has also raised some concern among the local community. The maximum building envelope proposed will

impact views currently enjoyed by some properties in the immediate vicinity, principally looking east along Princess Street towards Botany Bay. Many of the taller Residential Flat Buildings in the locality currently tower over the existing buildings on the land and, therefore, enjoy views of the surrounding area, with the views East over Botany Bay no doubt being particularly attractive.

However, the current planning controls in the RLEP 2011 allow a maximum HOB of 13m which would, arguably, obscure most views from the closest adjacent residential properties at 1 Princess Street and many of the lower properties in some of the taller Residential Flat Buildings beyond.



Figure 7 – Photograph showing locations of surrounding properties (Source: Urban Design Report)



Figure 8 – Photograph showing locations of surrounding properties (Source: Urban Design Report)

The RLEP 2011 does not contain any specific clause which relates to the issue of view sharing. Furthermore, Council must also consider the principle of planning law that no property owner has a proprietary right to a view. Any future Development Application for the land would, therefore, need to consider the legal principles of view sharing established by the NSW Land and Environment Court in *Tenacity Consulting v Warringah Council* [2004] NSWLEC 140.

Submissions Made by Public Authorities

Office of Environment & Heritage (OEH)

Submission:

OEH requested that the heritage significance of the properties be retained and that consideration be given to retaining a reasonable setting for the heritage items.

Response:

The Planning Proposal proposes to retain and restore the main parts of the existing terrace, providing retail/commercial uses and an active street frontage to The Grand Parade and Princess Street.

Council has resolved to support the Planning Proposal subject to the inclusion of Clause 6.14 Design Excellence of the RLEP 2011. This will assist in securing an appropriate built form outcome given the heritage significance of the site. It is also noted that in response to submissions raised in relation to the heritage impacts of the proposal, the proponent modified the proposal to retain the South wall off the southernmost rear wing of the terrace, as well as the Southern boundary wall. This would also assist in the retention of the heritage-listed fabric.

Any future Development Application for the land would also require the submission of an updated Heritage Impact Statement which provides a closer examination of the relationship between the retained heritage items and the proposed development.

Transport for NSW – Roads and Maritime Services (RMS)

RMS raised no objection to the proposal in relation to traffic and access.

Sydney Airport Corporation Limited (SACL)

SACL raised no objection to the proposed height of 36 metres.

Civil Aviation Safety Authority

No response to the consultation was received.

Commonwealth Department of Infrastructure and Regional Development

No response to the consultation was received.

Bayside Planning Panel Recommendation

At its meeting of 27 February 2018, the Bayside Planning Panel provided the following recommendation for Council to consider:

That the Bayside Planning Panel recommends to Council that the future planning controls must include provisions to ensure there is no significant further overshadowing of Lady Robinson Beach caused by development on the site and that a Heritage Conservation Management Plan is embarked upon for the restoration of the row of terraces.

Detailed responses to the Panel's recommendation regarding heritage and overshadowing have been provided earlier in this report.

Next Step

In the event that Council resolves to endorse the Planning Proposal, it will be forwarded to the Department of Planning and Environment with a request that the Minister make the LEP amendment, subject to any amendments resolved by Council.

Financial Implications

Not applicable	<input checked="" type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Engagement

The community engagement actions in relation to this Planning Proposal were:

- Publicly exhibiting the Planning Proposal for 29 days from 14 June 2017 to 13 July 2017;
- Sending notification letters to 374 adjoining and surrounding landowners;
- Providing hard copies of all materials for inspection at the Rockdale and Brighton-Le-Sands libraries; and
- Advertising the Planning Proposal in the St. George & Sutherland Shire Leader, providing notification of the exhibition period and where exhibition materials could be viewed, including on Council's 'Have Your Say' web page.

Attachments

- 1 Planning Proposal
- 2 Gateway Determination
- 3 Summary of Community Submissions
- 4 Structural Engineer's Submission
- 5 Urban Design Report
- 6 Additional Studies
- 7 Council Report 16.03.16 [↓↓↓↓↓↓↓↓](#)

Planning Proposal

Rockdale Local Environmental Plan 2011

64-68 The Grand Parade

Brighton-Le-Sands



February 2017

Planning Proposal – 64-68 The Grand Parade, Brighton-Le-Sands

Contents

- Part 1 -** A statement of the Objectives or Intended Outcomes of the proposed LEP
- Part 2 -** An Explanation of the Provisions that are to be included in the proposed LEP
- Part 3 -** The Justification for those objectives, outcomes and provisions and the process for their implementation
- Part 4 -** Mapping
- Part 5 -** Details of the Community Consultation that is to be undertaken on the planning proposal
- Part 6 -** Project Timeline

Table of revisions

Version 1	October 2015
Version 2	February 2017

Background

Introduction

This Planning Proposal explains the intended effect of, and justification, for the proposed amendment to *Rockdale Local Environmental Plan (LEP) 2011*. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and the relevant Department of Planning and Environment guides, including *A Guide to Preparing Local Environment Plans* and *A Guide to Preparing Planning Proposals*.

Background

This Planning Proposal applies to allotments (hereafter referred to as 'the site'):

- Lot 8 in DP 33420 (64 The Grand Parade, Brighton-Le-Sands);
- Lot 9 in DP651072 (65 The Grand Parade, Brighton-Le-Sands);
- Lot 10 DP662061 (66 The Grand Parade, Brighton-Le-Sands);
- Lot11 DP654651 (67 The Grand Parade, Brighton-Le-Sands); and
- Lot 1 DP 798421 (68 The Grand Parade, Brighton-Le-Sands).

The site is approximately 1085sqm in size and currently occupied by a row of 5 heritage listed (Item No. I174, RLEP 2011) 2 storey terraces. While substantially intact, the existing condition of the terraces is varied. The terraces have undergone varying degrees of alteration to fabric and finishes as outlined in the *Heritage Impact Statement* forming part of this application (Weir Phillips 2015).

The existing controls pertaining to the site are as follows:

- Floor Space Ratio: N – 1:1.
- Height of Buildings: N1 – 13 metres.
- Land Use Zoning: B4 – Mixed Use.

Council Resolution

At the Rockdale Council meeting on 16 March 2016, the planning proposal was approved.

Councillors adopted the proponent's recommendation of a maximum height limit of 36m and a FSR of 4:1 as opposed to the Officer's recommendation of a maximum height limit of 28 metres and FSR of 3:1, additional height and bulk could be achieved through design excellence.

There was discussion at the meeting between the Councillors that the site is a landmark site, because of its visibility from Sydney International Airport. The additional bulk and scale was considered appropriate, subject to the development satisfying Council's design excellence criteria.

While these development sites are not within the same visual catchment of 64-68 The Grand Parade they were not considered landmark sites and it would be unreasonable to place the same controls on the subject site. It must also be noted that recent approvals relied upon Clause 4.6 variations to accommodate lift overruns, which would be very difficult should height incentives be placed on this site.

In summary:

- This site will be subject to Bayside Council's Design Excellence Clause, which will ensure the highest standard of architectural, urban and landscape design.
- Additional height will accommodate 3.1 metre floor to ceiling heights and lift overrun.
- It is critical that when determining the FSR that maximum envelopes are utilised incorporating incentives and bonuses associated with design excellence.

The Urban Design Principles that informed this proposal can be found in the corresponding Urban Design Report are based on the Urban Design Principles for in Appendix 3 of the Apartment Design Guide.

The rationale of this Planning Proposal is to:

- Enable the development of a landmark building incorporating adaptive reuse of existing heritage structures.
- Enable a transition in building height between existing high density commercial development south of the subject site (Novotel building) and existing high density residential development north of the subject site.
- Encourage a more active streetscape through active ground floor uses enabled by an increase in the permissible scale of development.
- Provide increased housing supply and choice within the walking catchment of the Brighton-Le-Sands commercial centre through mixed use development.
- Transform the existing character of the site through innovative design guided by design excellence criteria outlined in Clause 6.14 of the Rockdale LEP 2011.

Part 1 - Objectives or Intended Outcomes

This Planning Proposal applies to the site:

- Lot 8 in DP 33420 (64 The Grand Parade, Brighton-Le-Sands);
- Lot 9 in DP651072 (65 The Grand Parade, Brighton-Le-Sands);
- Lot 10 DP662061 (66 The Grand Parade, Brighton-Le-Sands);
- Lot11 DP654651 (67 The Grand Parade, Brighton-Le-Sands); and
- Lot 1 DP 798421 (68 The Grand Parade, Brighton-Le-Sands).

The objective of the Planning Proposal is to amend maximum permissible height of buildings and FSR controls pertaining to the site to enable:

- a) The development of a landmark building incorporating adaptive reuse of existing heritage structures.
- b) A transition in building height between existing high density commercial development south of the subject site (Novotel building) and existing high density residential development north of the subject site.
- c) A more active streetscape through active ground floor uses enabled by an increase in the permissible scale of development.
- d) Increased housing supply and choice within the walking catchment of the Brighton-Le-Sands commercial centre through mixed use development.
- e) A site of scale, character and form to complement surrounding urban qualities and likely future development as outlined in the Rockdale LEP 2011 design guidelines.
- f) Create a development which follows the Design Excellence Criteria outlined within Clause 6.14 of the Rockdale LEP 2011.

Part 2 - Explanation of Provisions

The proposed outcomes will be achieved through amending the Rockdale Local Environment Plan 2011 mapping, shown in Part 4 of the proposal.

The portion of Princess Street adjacent with the same land use zoning (B4 Mixed Use) is also proposed to be amended with Height and FSR in accordance with the site as a matter of 'housekeeping' to maintain continuous zoning.

A Map

The Rockdale LEP 2011 Height of Building Map (Sheet HOB_004), Floor Space Ratio Map (Sheet FSR_004) and Design Excellence Map (Sheet DEX_004) are proposed to be amended as per Table 1 below.

Table 1 – Proposed Map amendments

Map Title No.	Amendment	Explanation
FSR_004	Lot 8 in DP 33420, Lot 9 in DP 651072, Lot 10 in DP 662061, Lot 11 in DP 654651 and Lot 1 in DP 798421 rezoned X - 4:1.	Enables development within the 1085sqm site with bulk and density consistent with existing residential development north of the site and commercial development south of the site.
HOB_004	Lot 8 in DP 33420, Lot 9 in DP 651072, Lot 10 in DP 662061, Lot 11 in DP 654651 and Lot 1 in DP 798421 rezoned V - 36 metres.	Enables development within the subject site with a transitional height between with existing residential development north of the site and commercial development south of the site.
DEX_004	Lot 8 in DP 33420, Lot 9 in DP 651072, Lot 10 in DP 662061, Lot 11 in DP 654651 and Lot 1 in DP 798421 to be considered under Clause 6.14 – Design Excellence of the Rockdale LEP 2011	Site will undergo a competition to see if design meets the Design Guidelines outlines in Clause 6.14 of the Rockdale LEP 2011. Requires a building that will provide for the desired future character of the area.

B Other Provisions

No amendments are proposed to the written Environmental Planning Instrument.

Part 3 - Justification

A Need for the planning proposal

A1 Is the planning proposal a result of any strategic study or report?

The planning proposal has been prepared in response to a number of strategic studies and reports prepared by Rockdale City Council which suggest a desired future character for the locality substantially different to existing character:

Community Strategic Plan 2013 – 2025 (2013)

The proposed amendments to the Rockdale LEP are consistent with the vision for Rockdale, as outlined within the Community Strategic Plan:

- *"Future growth is likely to occur in the centres of Rockdale, Wolli Creek, Brighton Le Sands, Bexley and Bexley North, which have the most significant opportunities for redevelopment"* (p 13).

Summary

Assessment of key directions within the strategy indicates a desired future character for the locality (including the subject site) substantially different to existing character. The desired future character is summarised as follows:

- Mixed use development;
- Active street frontage;
- Increased residential population in and proximate to town centres; and
- Development of new iconic/landmark buildings in highly visible locations.

The planning controls must be amended to facilitate development consistent with the desired future character.

A2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Rockdale Council officers (8 May 2014) confirmed a planning proposal was the most appropriate means of achieving the objectives and intended outcomes. Council officers also confirmed that this proposal should progress separately from any other proposal that may result from investigations currently being undertaken into master planning and public domain works in the Brighton-Le-Sands town centre.

B Relationship to strategic planning framework

B1 Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the A Plan for Growing Sydney and exhibited draft strategies)?

A Plan for Growing Sydney (2015)

The proposed amendments to the Rockdale LEP 2011 are consistent with *A Plan for Growing Sydney*:

GOAL 1: A competitive economy with world-class services and transport

GROW STRATEGIC CENTRES – PROVIDING MORE JOBS CLOSER TO HOME
Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity.

Increased maximum permissible FSR and height of buildings enables the development of the subject site, located adjacent to and within the walking catchment of the established Brighton-Le-Sands commercial centre, highly visible to passengers of aircraft on approach to/departure from Sydney Airport's north-south runways. Mixed use redevelopment of the subject site (incorporating adaptive reuse) creates increased housing choice and supply proximate to existing employment opportunities. This creates increased employment opportunities proximate to existing high density residential areas north and west of the subject site.

GOAL 2: A city of housing choice, with homes that meet our needs and lifestyles

ACCELERATE URBAN RENEWAL ACROSS SYDNEY – PROVIDING HOMES CLOSER TO JOBS

Use the Greater Sydney Commission (once established) to support council-led urban infill projects.

Increased maximum permissible FSR and height of buildings creates increased employment and housing choice and supply opportunities within a landmark mixed use development (incorporating adaptive reuse of existing heritage structures) proximate to an existing commercial centre south of the site and high density residential area north and west of the site.

GOAL 3: A great place to live with communities that are strong, healthy and well connected

REVITALISE EXISTING SUBURBS

Support urban renewal by directing local infrastructure to centres where there is growth.

- Existing social and community infrastructure need not be expanded in response to the proposed amendment to planning controls.
- Existing social and community infrastructure can be supported by developer contributions as part of any future Development Application compliant with proposed FSR and height of building controls.

GOAL 4: A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources

PROTECT OUR NATURAL ENVIRONMENT AND BIODIVERSITY

- The proposed amendment to planning controls to the Rockdale LEP 2011 will not impact the natural environment and biodiversity of the established urbanised area.
- As part of the Development Application process, future development of the subject site in compliance with amended planning controls should address impacts to proximate natural environment and biodiversity areas (as zoned within the LEP).

Sydney Central Draft District Plan (2016)

The Sydney Central Draft District Plan has identified priorities and actions for the District with goals to create a productive, liveable and sustainable city.

Brighton-le-sands has been identified as a local centre in close proximity to the strategic centre located at Sydney Airport. This allows the centre to be a part of the reshaping of Sydney through the following priority actions for the Central District:

Plan for demographic change

With housing populations expected to rise within the district, it is important to provide options within local centres to allow for accommodation close to employment opportunities within the local centre and strategic centres in close proximity. These new housing options should also provide a high level of amenity for residents and be of a high standard of design excellence.

Enrich unique places and connections

Provides a development which will be assessed under a high level of design excellence within the established local centre of Brighton-le-sands providing increased housing stock in area with strong pedestrian and bicycle connections along the promenade, beach and parks. The site will create an identifiable building along a key road within the centre.

B2 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

Rockdale City Community Strategic Plan

Council's Vision is: One Community, Many Cultures, Endless Opportunity. The blueprint for the Rockdale community for 2025 is to be achieved through strategic community outcomes:

- **Outcome 1** – Rockdale is a welcoming and creative City with active, healthy and safe communities.
- **Outcome 2** – Rockdale is a City with a high quality natural and built environment and valued heritage in liveable neighbourhoods. A City that is easy to get around and has good links and connections to other parts of Sydney and beyond.
- **Outcome 3** – Rockdale is a City with a thriving economy that provides jobs for local people and opportunities for lifelong learning.
- **Outcome 4** – Rockdale is a City with engaged communities, effective leadership and access to decision making.

Table 2 below identifies how the Planning Proposal is consistent with the community outcomes.

Table 2 – Consistency with Rockdale City Community Strategic Plan

Outcome	Objective	Strategy	Consistency
1	1.1 Our community's health and wellbeing will increase.	1.1.1 Build a healthy community where people of all ages and abilities can enjoy an environment free of public health risk.	The proposed amendment enables development with a high level of amenity to residents derived from outlook to Botany Bay and proximity to services in Brighton-Le-Sands. A Preliminary Site Contamination Investigation has found low potential for contamination (CSTS 2014)
		1.1.2 Work with the community and increase the cleanliness of Rockdale City.	The proposed amendment enables development which contributes to the cleanliness of Rockdale City through increased opportunities for passive surveillance and improved on-site waste management.
		1.1.3 Build a healthy community with people of all ages and abilities.	The proposed amendment enables development with an appropriate proportion of adaptable units and an apartment mix to suit the housing needs of a variety of people in proximity to services, including the St George Hospital located 3.4 kilometres drive from the subject site.

		1.1.4 Improve the access and effectiveness of services and facilities available to all members of the community to encourage active living to improve health and wellbeing.	The proposed amendment enables development proximate to a variety of retail, medical and educational services, recreational and employment opportunities.
	1.2 Our community feels safe in their homes, workplace and in public spaces.	1.2.1 Work with partners and the community to identify and address community safety issues.	Development complying with controls proposed as part of this planning proposal will achieve the objective through increased opportunities for casual surveillance.
	1.3 Our community is welcoming and inclusive and celebrates its cultural diversity and community harmony.	1.3.1 Ensure we value and support our Aboriginal and Torres Strait Islander communities.	N/A
		1.3.2 Build a welcoming and empowered community that embraces cultural diversity.	N/A
		1.3.4 Build a vibrant and exciting City that reflects the range of cultures, entertainment, events and networks that contribute to the wellbeing of its community.	Proposed increase to height and density will encourage a mixed use development adding to vibrancy of Brighton-Le-Sands.
	1.4 Our City has quality and accessible services, community and recreational facilities.	1.4.1 Ensure that community buildings and facilities are designed, delivered and maintained in a manner that is sustainable and reflects the needs of the community.	The impact of the proposed amendment is not substantial enough to trigger a need for new community facilities.
		1.4.2 Provide parks, reserves and recreation areas which reflect the qualities of the City's social and environmental needs.	The subject site is proximate to a network of open space along the Botany Bay foreshore. The proposed amendment will encourage restoration of heritage items which will improve the streetscape character.
		1.4.3 Ensure equitable and affordable access to services and facilities for our established and	The proposed amendment enables development with an appropriate proportion of adaptable units and an apartment mix to suit the

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		emerging communities.	housing needs of a variety of people in proximity to a variety of retail, medical and educational services, recreational and employment opportunities.
2	2.1 Our City protects and enhances our natural environment including our beaches, waterways, bushland and foreshore areas	2.1.1 Protect, preserve and promote the City's natural resources.	There is to be no impact on the City's natural resources as a consequence of the proposed amendment.
		2.1.2 Demonstrate leadership in responding to climate change through action and adaptation.	The proposed amendment to the LEP enables redevelopment of the subject site employing sustainable design practices, including adaptive reuse of the existing heritage terraces.
	2.2 Our City has a well managed and sustainable built environment, quality and diverse development with effective housing choice	2.2.1 Ensure planning enables the provision of quality affordable housing.	The proposed amendment to the LEP enables redevelopment of the subject site such that it incorporates measures that ensure housing affordability, including compliance with the Apartment Design Guide.
		2.2.2 Promote high quality, well designed and sustainable development and places that enhances the City.	The proposed amendment to the LEP enables the redevelopment of the subject site such that it is consistent with the desired future character, including the development of a landmark building within a highly visible location on the Botany Bay foreshore.
	2.3 Our community will demonstrate leadership in maximising efficient use of resources and minimising waste	2.3.1 Ensure waste minimisation to reduce the impact on the environment.	The proposed amendment to the LEP enables redevelopment of the subject site employing sustainable design practices, including adaptive reuse of the existing heritage terraces.
		2.3.2 Ensure Council increases its efficient use of resources.	The proposed amendment enables development with greater height and density within the site, implementing the principle of economies of scale with respect to waste collection, etc.
	2.4 Our City will value and protect our heritage	2.4.1 Ensure that Rockdale's natural and built heritage and history is respected, protected and well maintained reflecting the rich and diverse past of both Aboriginal and European settlement	Future redevelopment of the subject site should incorporate the adaptive reuse of the existing heritage terraces located on site.

	2.5 Our community will be able to get around and connect with a range of effective linkages across the City and beyond	2.5.1 Ensure that the City's transport networks and infrastructure are well planned, integrated and maintained.	N/A
		2.5.2 Ensure sustainable current and future transport needs of the community providing access to services and facilities and enabling active living.	The proposed amendment encourages the intensification of development within walking distance of the Brighton-Le-Sands commercial centre.
		2.5.3 Ensure the City has access to wireless technology and opportunities to enhance a digital economy.	N/A
3	3.1 Our City offers a diverse range of education and lifelong learning opportunities	3.1.1 Ensure access to life long learning so that our community can maximise its potential.	The land to which the planning proposal applies is approximately within 3 kilometres of a number of educational institutions, including Kogarah Public School, Kogarah High School, St George Girls High School, James Cook Boys Technology High School and St George TAFE.
	3.2 Our city comprises a thriving and robust economy with diverse industry and employment	3.2.1 Develop effective partnerships to build a prosperous economy.	The proposed amendment to the LEP enables redevelopment of the subject site such that incorporates a retail/commercial component to create increased employment opportunities proximate to an established centre and a large residential population.
		3.2.2 Identify and enhance opportunities for diverse employment and income generation through business growth and investment.	Future development compliant with the proposed amendment to the LEP should achieve the objective through the provision of a retail/commercial component.
	3.3 Our City has vibrant town centres that provide a range of services and experiences for our residents, workers and visitors	3.3.1 Ensure Town Centres are improved on a rolling program.	There is a strategy to review Brighton-Le-Sands in progress however it is in a preliminary stage.
		3.3.2 Provide a strategic approach to tourism.	The proposed amendment to the LEP enables the redevelopment of the subject site such that it incorporates a landmark development.

4	4.1 Rockdale City's citizens are enabled, encouraged and able to participate in planning and decision making that affects the city	4.1.1 Council engages the community in decision making, planning and delivery of outcomes	The Planning Proposal, by way of exhibition, encourages public involvement.
		4.1.2 Build a sound partnership between council and the community and other stakeholders	The Planning Proposal, by way of exhibition, encourages public involvement.
	4.2 Increase understanding and value of democratic processes and role of elected representatives	4.2.1 Ensure high level of Council representation exists to adequately advocate and lobby on issues relevant to the City and the community	N/A
	4.3 Rockdale City Council ensures and implements an effective governance framework for the delivery and management of its services and infrastructure	4.3.1 Enable continuous improvement through technology, service and process review to deliver effective services to meet community needs	N/A
	4.4 Rockdale City Council ensures transparent and effective human resource, financial, asset and risk management	4.4.1 Ensure that Council has effective and efficient financial planning and management that ensures a sustainable future for the community	N/A
		4.4.2 Ensure effective planning and management of Council's assets to meet current and future community needs	N/A
		4.4.3 Ensure Council undertakes effective risk management planning and processes	N/A
		4.4.4 Ensure that Council has a capable and motivated workforce committed to excellence in customer service and service delivery	N/A

Brighton-Le-Sands Masterplan

Stage 1 (Parking) of Council's Brighton-Le-Sands Masterplan has been made publically available. The proposed amendment to the Rockdale LEP is consistent with the Stage 1 (Parking) Master Plan.

B3 Is the planning proposal consistent with applicable state environmental planning policies?

Consistency with the State Environmental Planning Policies is assessed in Table 3 below:

Table 3 - Consistency with State Environmental Planning Policies

No.	Title	Consistency with Planning Proposal
1	Development Standards	(Repealed by <i>RLEP 2011</i>)
4	Development Without Consent and Miscellaneous Exempt and Complying Development	(Clause 6 and Parts 3 and 4 repealed by <i>RLEP 2011</i>) Remainder N/A
6	Number of Storeys in a Building	Repealed
14	Coastal Wetlands	N/A
15	Rural Landsharing Communities	N/A
19	Bushland in Urban Areas	N/A: there is no bushland in the vicinity of the site.
21	Caravan Parks	N/A
22	Shops and Commercial Premises	Repealed
26	Littoral Rainforests	N/A
29	Western Sydney Recreation Area	N/A
30	Intensive Aquaculture	N/A
32	Urban Consolidation (Redevelopment of Urban Land)	YES: <ul style="list-style-type: none"> The increase in development standards will facilitate the orderly development of multi-storey housing appropriate to the locality. Development of the subject site will contribute to an increase in residential dwellings within Brighton-Le-Sands. The location of the subject area is close to a range of employment opportunities, leisure and recreational spaces, whilst having good access to existing transit routes. The subject site is not of environmental significance.
33	Hazardous and Offensive Development	N/A
36	Manufactured Home Estates	N/A
39	Spit Island Bird Habitat	N/A
41	Casino Entertainment Complex	Repealed
44	Koala Habitat Protection	N/A
47	Moore Park Showground	N/A
50	Canal Estate Development	N/A
52	Farm Dams and Other Works in Land and Water Management Plan Areas	N/A

55	Remediation of Land	<p>YES:</p> <p>Cl. 6 Contamination and remediation to be considered in zoning or rezoning proposal of the SEPP states:</p> <p>(1) <i>In preparing an environmental planning instrument, a planning authority is not to include in a particular zone (within the meaning of the instrument) any land specified in subclause (4) if the inclusion of the land in that zone would permit a change of use of the land, unless:</i></p> <p>(a) <i>The planning authority has considered whether the land is contaminated, and</i></p> <p>(b) <i>if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</i></p> <p>(c) <i>if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.</i></p> <p>Response:</p> <ul style="list-style-type: none"> • A preliminary contamination and groundwater assessment has been prepared for this site by Compaction & Soil Testing Services Pty Ltd (2014). • The assessment indicated that the subject site has low potential for soil contamination. • The site may be impacted by groundwater, which will need to be mitigated during deep excavation in the construction period, which should be addressed in the Development Application stage. • The site may be impacted by acid sulphate soils when excavating deeper than four metres, which should be addressed in the Development Application stage.
59	Central Western Sydney Regional Open Space and Residential	N/A
60	Exempt and Complying Development	(Repealed by <i>RLEP 2011</i>)
62	Sustainable Aquaculture	N/A
64	Advertising and Signage	N/A
65	Design Quality of Residential Apartment Development	<p>YES:</p> <ul style="list-style-type: none"> • The proposed amendments to the Rockdale LEP enable the development of a mixed use development within the subject site. • The design of future building will address the principles of the SEPP and address the requirements of the Apartment Design Guide at the Development Application stage. • Compliance with SEPP 65 requirements raises the design quality of residential apartment development through the application of a series of design principles.

70	Affordable Housing (Revised Schemes)	YES: To be addressed at the Development Application stage if affordable housing is proposed.
71	Coastal Protection	N/A
	(Affordable Rental Housing) 2009	YES: To be addressed at the Development Application stage if affordable housing is proposed.
	(Building Sustainability Index: BASIX) 2004	YES: To be addressed at the Development Application stage.
	(Exempt and Complying Development Codes) 2008	YES: The proposed amendment does not alter the provision of this SEPP.
	(Housing for Seniors or People with a Disability) 2004	YES: The proposed amendment does not alter the provision of this SEPP.
	(Infrastructure) 2007	YES: The subject site has primary frontage to The Grand Parade, identified as a classified road as per the Schedule of Classified Roads and Unclassified Regional Roads (Gazetted Road No. 194, RMS). Future development of the subject site should ensure that achieves the specific objectives and conditions of Cl. 101 Development with frontage to classified road of the SEPP.
	(Kosciuszko National park Alpine Resorts) 2007	N/A
	(Kurnell Peninsula) 1989	N/A
	(Major Development) 2005	N/A
	(Mining, Petroleum Production and Extractive Industries) 2007	N/A
	(Penrith Lakes Scheme) 1989	N/A
	(Rural Lands) 2008	N/A
	(Sydney Drinking Water Catchment) 2011	N/A
	(Sydney Region Growth Centres) 2006	N/A
	(Temporary Structures) 2007	N/A
	(Urban Renewal) 2010	N/A
	(Western Sydney Employment Area) 2009	N/A
	(Western Sydney Parklands) 2009	N/A

B4 Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

See Table 4 below which reviews the consistency with the Ministerial Directions for LEPs under section 117 of the *Environmental Planning and Assessment Act 1979*.

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Table 4 - Consistency with applicable Ministerial Directions**1. Employment and Resources**

No.	Title	Consistency with Planning Proposal
1.1	Business and Industrial Zones	<p>YES.</p> <p><i>The objectives of this direction are to:</i></p> <ul style="list-style-type: none"> (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres. <p>The site is zoned B4 Mixed Use and will remain unchanged from its current zoning. The proposed development will provide both residential accommodation and employment opportunities following the objectives of the B4 zone. The development allows for an adaptive reuse of the heritage buildings providing employment opportunities within the local centre of Brighton-le-sands and the Sydney Airport, a strategic centre identified in the Draft Central District Plan.</p>
1.2	Rural Zones	<p>N/A.</p> <p>The site is not located within an existing or proposed rural zone.</p>
1.3	Mining, Petroleum Production & Extractive Industries	<p>N/A.</p> <p>This planning proposal has not effect on:</p> <ul style="list-style-type: none"> (a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or (b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.
1.4	Oyster Aquaculture	<p>N/A.</p> <p>The site is not located near or will have any effect on a Priority Oyster Aquaculture Area.</p>
1.5	Rural Lands	<p>N/A.</p> <p>The site is not located within an existing or proposed rural or environment protection zone. State Environmental Planning Policy (Rural Lands) 2008 does not apply to the site.</p>

2. Environment and Heritage

No.	Title	Consistency with Planning Proposal
2.1	Environmental Protection Zones	<p>N/A.</p> <p>This is a brownfield development and is unlikely to impact on environmentally sensitive areas.</p>
2.2	Coastal Protection	<p>N/A.</p> <p>The site is not in a coastal zone, as defined in the Coastal Protection Act 1979.</p>
2.3	Heritage Conservation	<p>YES.</p> <p><i>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i></p> <p>A Heritage Impact Statement was produced by Weir Phillips Heritage outlining how the proposed development proposes minimal impacts on the heritage items on site.</p>

		The Saywell Terraces will remain on site and it is proposed they will be adaptively reused and upgraded from their current state.
2.4	Recreation Vehicle Areas	N/A.
		The site is not proposed to be developed for the purpose of a recreation vehicle area.

3. Housing, Infrastructure and Urban Development

No.	Title	Consistency with Planning Proposal
3.1	Residential Zones	<p>YES.</p> <p><i>The objectives of this direction are:</i></p> <ul style="list-style-type: none"> (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands. <p>This proposal will increase the potential residential density and provide a variety of housing stock for the area allowing for a greater variety of residents.</p> <p>RLEP 2011 CI 6.12 will apply and require site to be serviced.</p> <p>The development will be a brownfield development, on a site currently used for residential development reducing the impact on environment and resource lands.</p>
3.2	Caravan Parks and Manufactured Home Estates	<p>N/A.</p> <p>A caravan park is not proposed for this site.</p>
3.3	Home Occupations	<p>YES.</p> <p><i>The objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses.</i></p> <p>It will be possible for low-impact small business to be carried out in dwelling houses.</p>
3.4	Integrating land use and Transport	<p>YES.</p> <p><i>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i></p> <ul style="list-style-type: none"> (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight. <p>The site is located within the Brighton-le-sands Town Centre. It will provide increased employment opportunities within the town centre.</p> <p>The site is also located close to employment opportunities in the Sydney Airport strategic centre and other employment hubs</p>

		including Hurstville and the CBD. The site is located a ten minute bus ride or bike ride to Rockdale Station. Parking is also available around the station.
3.5	Development near Licensed Aerodromes	<p>YES.</p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> (a) to ensure the effective and safe operation of aerodromes, and (b) to ensure that their operation is not compromised by development that constitutes an obstruction, hazard or potential hazard to aircraft flying in the vicinity, and (c) to ensure development for residential purposes or human occupation, if situated on land within the Australian Noise Exposure Forecast (ANEF) contours of between 20 and 25, incorporates appropriate mitigation measures so that the development is not adversely affected by aircraft noise. <p>The site is located between the 20 and 25 ANEF contours. Mitigation techniques will be addressed at the Development Application stage.</p>
3.6	Shooting ranges	<p>N/A.</p> <p>The site is not located adjacent to an existing shooting range.</p>

4. Hazard and Risk

No.	Title	Consistency with Planning Proposal
4.1	Acid Sulfate Soils	<p>YES.</p> <p><i>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</i></p> <p>The site is classified as Class 4 Acid Sulfate Soils in the RLEP 2011. A contamination report has been prepared by Compaction & Soil Testing Services Pty Ltd (2014).</p>
4.2	Mine Subsidence and Unstable Land	<p>N/A.</p> <p>The site has not been identified as unstable or potentially subject to mine subsidence.</p>
4.3	Flood Prone Land	<p>N/A.</p> <p>The site is not classified as flood prone land in the RLEP 2011.</p>
4.4	Planning for Bushfire Protection	<p>N/A.</p> <p>The site is not identified on a bush fire prone land map.</p>

5. Regional Planning

No.	Title	Consistency with Planning Proposal
5.1	Implementation of Regional Strategies	<p>N/A.</p> <p>The site is not located in a regional area, it is located in the Metropolitan Sydney Area.</p>
5.2	Sydney Drinking Water Catchments	<p>N/A.</p> <p>Rockdale Council is not identified as a local government area where this Direction applies.</p>
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	<p>N/A.</p> <p>Rockdale Council is not identified as a local government area where this Direction applies.</p>

5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N/A Rockdale Council is not identified as a local government area where this Direction applies.
5.5	Development on the vicinity of Ellalong...	(Revoked)
5.6	Sydney to Canberra Corridor	(Revoked)
5.7	Central Coast	(Revoked)
5.8	Second Sydney Airport: Badgerys Creek	N/A. Rockdale Council is not identified as a local government area where this Direction applies.
5.9	North West Rail Link Corridor Strategy	N/A. Rockdale Council is not identified as a local government area where this Direction applies.

6. Local Plan Making

No.	Title	Consistency with Planning Proposal
6.1	Approval and Referral Requirements	YES. <i>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i> The planning proposal has minimised the inclusion of provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority. The site is not identified as designated development.
6.2	Reserving land for Public Purposes	YES. <i>The objectives of this direction are: (a) to facilitate the provision of public services and facilities by reserving land for public purposes, and (b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</i> The planning proposal does not alter existing zonings or reservations of land.
6.3	Site Specific Provisions	YES. <i>The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.</i> The planning proposal does not propose a rezoning of the site as the site will remain B4 Mixed Use. There are no development standards or requirements in addition to those already contained in the principal environmental planning instrument proposed for the site.

7. Metropolitan Planning

No.	Title	Consistency with Planning Proposal
7.1	Implementation of A Plan for Growing Sydney	YES. <i>The objective of this direction is to give legal effect to the planning principles; directions; and priorities for subregions, strategic centres and transport gateways contained in A Plan for Growing Sydney.</i>

The planning proposal is consistent with A Plan for Growing Sydney and provides reasoning behind how it achieves the overall intent of the plan.

C Environmental, social and economic impact

The cumulative impact of the increased population will support the local and wider community and maintain the vibrancy and vitality of Brighton-Le-Sands.

C1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The planning proposal seeks the amendment of planning controls pertaining to an urban area within the Rockdale LGA and will not adversely affecting critical habitat or threatened species, populations or ecological communities, or their habitats.

C2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Amenity:

The proposed amendments to the Rockdale LEP will have no substantial impact on amenity to adjoining land uses or the public domain.

Future development compliant with proposed amendment will ensure that:

- Any amenity impacts to adjoining development and/or the public domain is minimised as part of the design process.
- An acceptable level of internal amenity is achieved through compliance with the Apartment Design Guide.

A height plane for the site and surrounding buildings is illustrated in Figure 1. Shadow diagrams are analysed in Figures 2 – 4.

These diagrams demonstrate the impact of the additional height does not have an unreasonable impact on the Novotel. Shadow diagrams include key times for winter and summer solstice as well as autumn equinox.

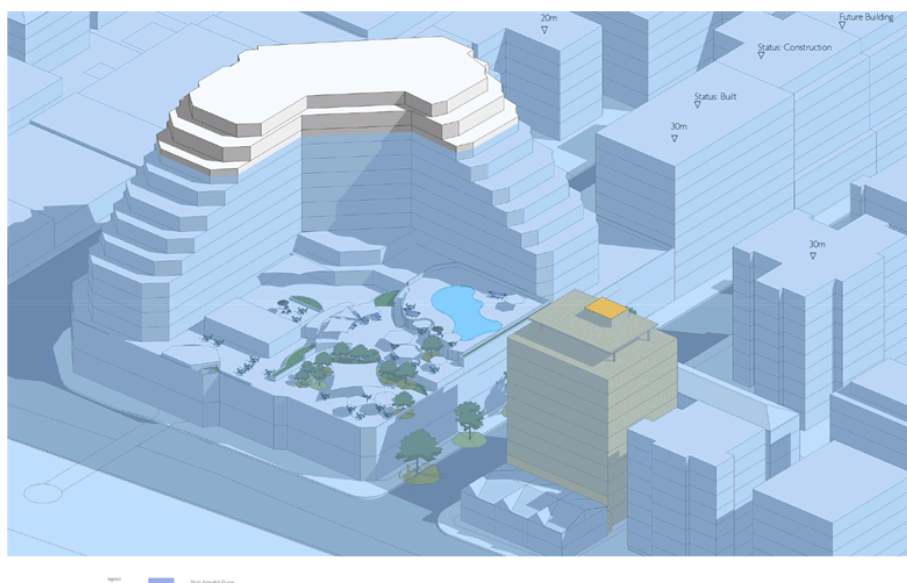


Figure 1: 36 metre height plan from bird's eye view.

Winter Solstice:

- Additional impact from height occurs between 9am and 12pm with the most impact occurring between 9am and 10am.
- 10am is the only time overshadowing partially covers the sun decks.
- Reasonable solar access is achieved for communal open space between 9am – 3pm.

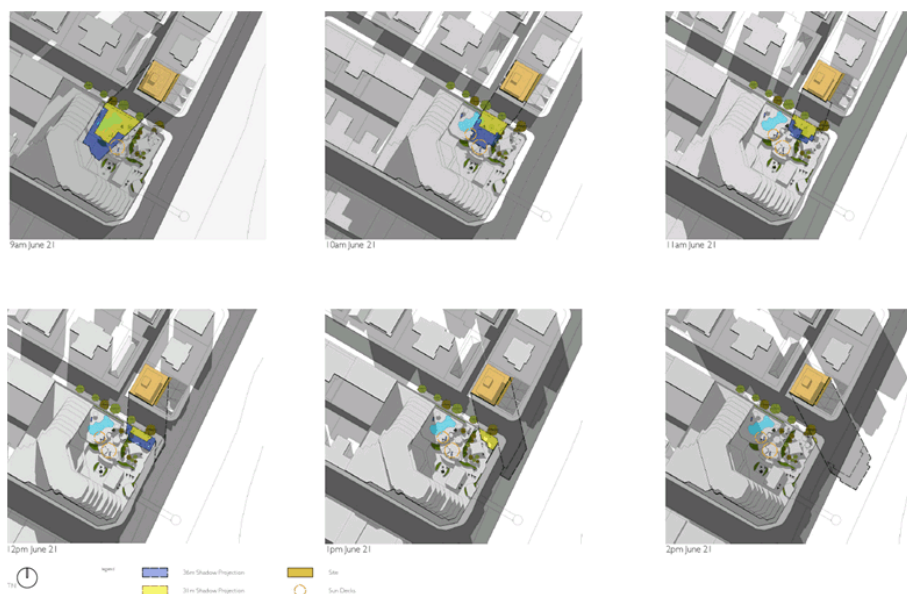


Figure 2: Winter Solstice

Summer Solstice:

- Overshadowing does not fall on key outdoor spaces at any of the peak times of the day.
- Additional overshadowing caused by increased height falls onto Princess Street and The Grand Parade.
- Reasonable solar access is achieved for communal open space between 9am – 3pm.

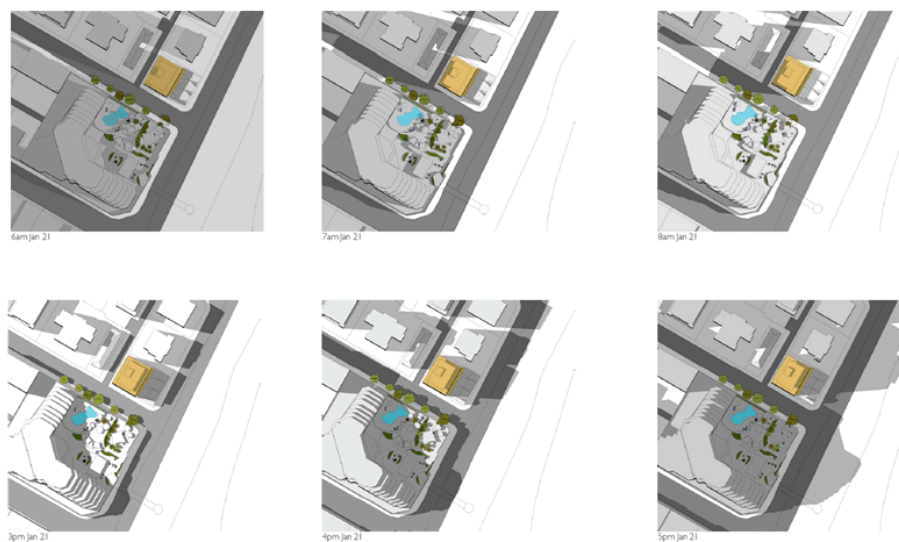


Figure 3: Summer Solstice

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Autumn Equinox:

- Additional impact from height occurs between 7am and 11am with the most impact occurring between 8am and 9am.
- Reasonable solar access is achieved for communal open space between 9am – 3pm.

The additional height does not have any unreasonable impact on the key outdoor spaces of the Novotel podium during mid-winter solstice and autumn equinox and minimal additional impact occurring on during the summer solstice.



Figure 4: Autumn Equinox

Desired Future Character:

Based on strategic documents from Council and NSW Planning, the desired future character of the area includes:

- Landmark buildings to improve the visibility of Brighton Le Sands for aircrafts landing/taking off from Sydney Airport's Main North-South Runway;
- Building footprint occupying the entirety of lots in B4 Mixed Use and SP3 Tourist Zones;
- Active street frontages with development incorporating retail/commercial uses and serviced apartments;
- Increase in building height along the western side of The Grand Parade; and
- Responding to the heritage character of the locality including adaptive reuse and restoration of the Saywell terraces.

Heritage:

There are 5 terrace houses on the subject site listed as heritage items under Schedule 5 Part 1 of the Rockdale LEP 2011. The Heritage Impact Statement prepared by Weir Phillips Heritage (2015) concludes that:

"The proposal will have an acceptable impact on the heritage significance of the existing row of terrace houses." (Weir Phillips Heritage, Heritage Impact Statement, p. 55)

The reasons for this conclusion are:

- The proposal provides the incentive and opportunity to restore the terraces.

- A new building can be setback and separated from the principal building form.
- The proposal is consistent with existing development of high density residential buildings and commercial premises.
- The rear wings are substantially altered and would require further alteration to meet DDA and BCA requirements to make suitable for commercial purposes
- The design of the new building can be further developed in later stages to mitigate its impact on the terraces.

A Structural Design Statement has been prepared by Structural Design Solutions confirms that proposed works associated with constructing a building with multiple basements adjacent to the principle building forms:

- *"the basement shoring retention system is outside the existing Heritage buildings an no part of the basement extends below the buildings"(to be retained).*
- *"The retention system will be designed to minimise vibrations during installation and movements in both temporary and permanent conditions".*
- *The cantilever balcony doesn't require heritage area access. A temporary system of props and needles will be designed to support framework framing well above the heritage building envelope".*

Additionally there are 6 Norfolk Island Pines located to the south of the site on Princess Street, Brighton Le Sands. The trees are estimated to be 125 years old. The Arboriculture Assessment prepared by Sydney Arbor Trees (2015) identifies that the proposed construction site is outside the Tree Protection Zones (TPZ) and Structural Root Zones (SRZ).The report concludes that:

"The impact upon the subject trees from the proposed development would appear to be low"
(Sydney Arbor Trees, Arboriculture Assessment, p. 17)

Traffic:

It is proposed that vehicular access can be achieved from Princess Lane. No vehicular access is proposed from Princess Street or The Grand Parade.

According to the Traffic and Parking Assessment Report prepared by Varga Traffic Planning Pty Ltd (2015, p 17);

- *"The proposed development is expected to have a traffic generation potential of approximately 24 vehicles per hour during commuter peak periods"*
- *"There is adequate capacity in the surrounding road network to cater for the traffic generated by the development"*
- *"Preliminary concept plans ... indicate that the required number of car parking spaces, bicycle spaces and motorcycle spaces can ultimately be provided on the site and in accordance with the relevant standards and guidelines, subject to the number of basement levels being excavated".*

C3 How has the planning proposal adequately addressed any social and economic effects?

On 15 July 2015, the NSW Department of Planning & Environment gave gateway approval for the amendment of planning controls at 16-20 and 22-28 Princess Street, Brighton Le Sands. The amended controls are as follows:

- Land use zoning: B4 Mixed Use (previously R4 High Density Residential).
- Maximum height of buildings: 28 metres (previously part 26.5 metres and part 14.5 metres).
- Maximum floor space ratio: 3:1 (previously part 2:1 and part 1:1).

Similarly to the gateway approved amendments at 16-20 and 22-28 Princess Street, the proposed amendments to 64-68 The Grand Parade facilitate development that will have positive social and economic implications:

- Increased retail/commercial floor space and housing choice and supply within the Brighton Le Sands Village to accommodate increased local worker base and residential population, facilitating:
 - Increased day and night pedestrian activity surrounding the subject site and throughout the Brighton Le Sands centre, improving the vitality and vibrancy of the centre whilst creating additional opportunities for casual surveillance.
 - Increased patronage of existing retail and commercial services, quality public open space and transport links.
- Improved quality of housing stock within the locality by encouraging construction of a building with contemporary design and having internal amenity as required by SEPP 65.
- Increased employment opportunities in the Brighton Le Sands Town Centre proximate to an established high density residential area north and west of the site.
- Increased visual interest along The Grand Parade through:
 - Landmark development highly visible to passengers of aircraft approaching/departing to/from Sydney's north-south runways.
 - Development incorporating adaptive reuse of existing heritage structures;
 - Improved consistency of building height along The Grand Parade; and
 - Ground floor active street frontage.

D State and Commonwealth interests

D1 Is there adequate public infrastructure for the planning proposal?

The planning proposal seeks the amendment of planning controls pertaining to the site and does not require increased or improved provision of public infrastructure.

It is not anticipated that improvements to existing public infrastructure are required as the subject site is within an urbanised area. Nevertheless, assessment of infrastructure services should form part of the Development Application process. Developer contributions are payable.

D2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

No consultation has occurred with State authorities or Commonwealth authorities. Relevant authorities will be consulted as part of the exhibition of this Planning Proposal.

Planning Proposal – 64-68 The Grand Parade, Brighton-Le-Sands

Part 4 – Mapping



Figure 5: Site Context



Figure 6: Existing Maximum Floor Space Ratio Map

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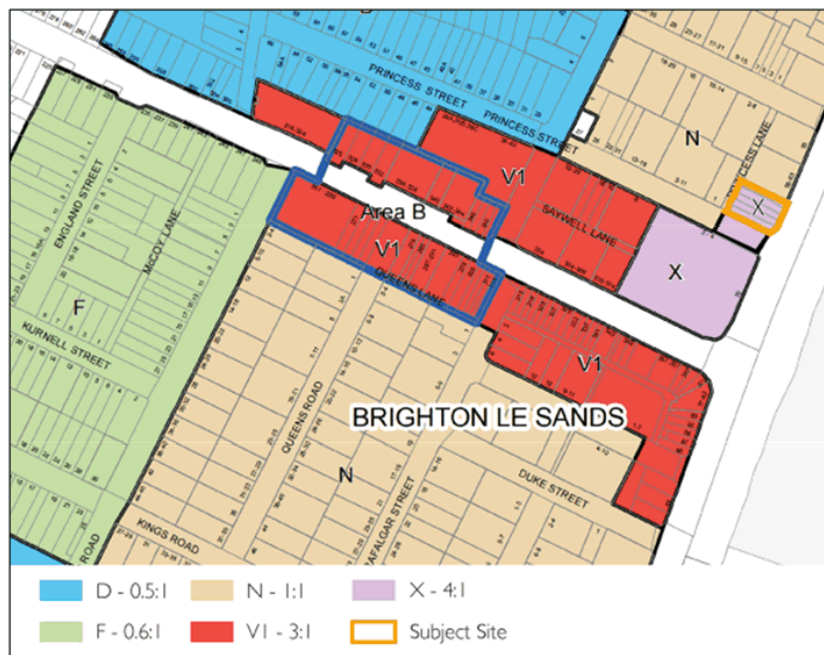


Figure 7: Proposed Maximum Floor Space Ratio Map

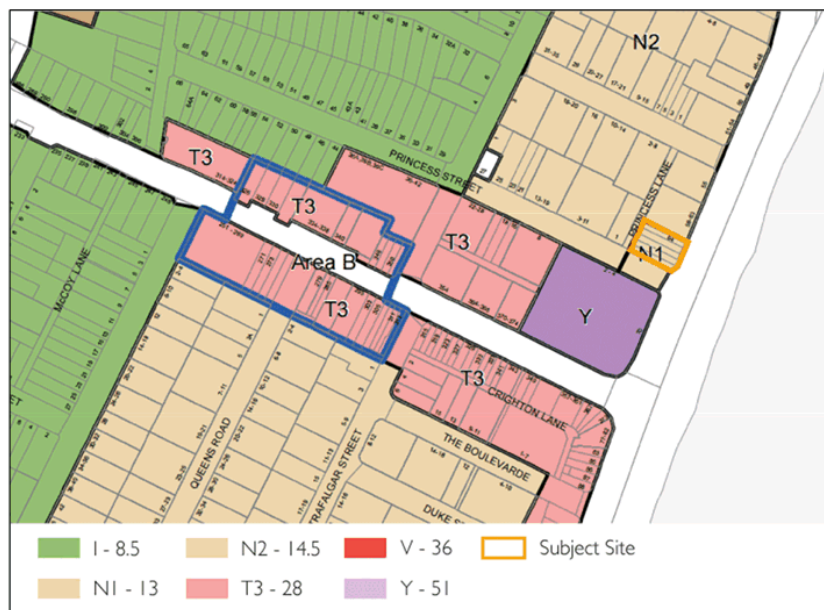


Figure 8: Existing Maximum Building Height Map

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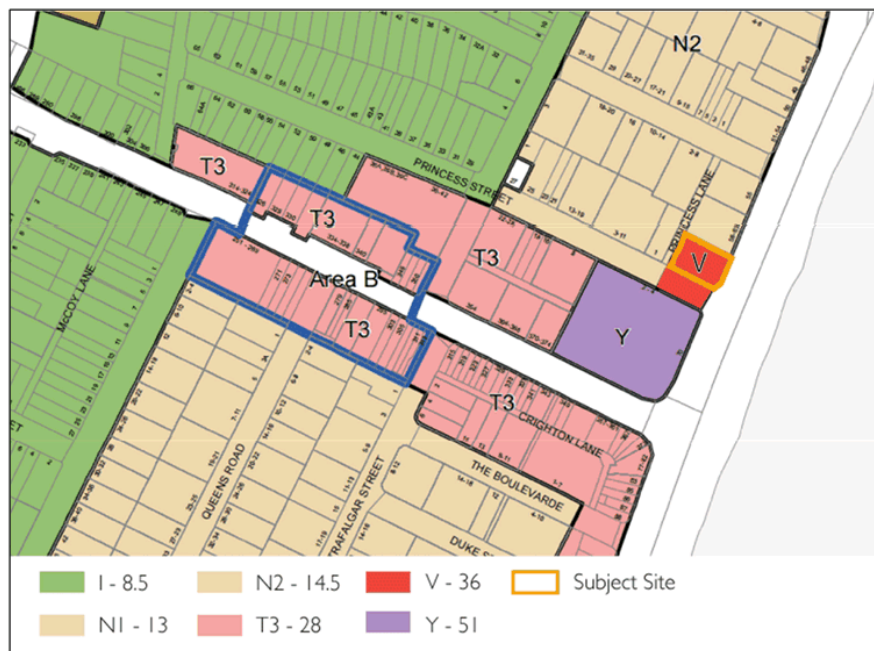


Figure 9: Proposed Maximum Building Height Map



Figure 10: Existing Design Excellence Map

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Figure 11: Proposed Design Excellence Map

Part 5 - Community Consultation

In accordance with discussions with Rockdale City Council the following consultation will be:

- Mail-out to adjoining landowners, Newspaper notice and notification on Council website to inform community of proposal.
- Public exhibition period of a minimum 28 days.

Part 6 – Project Timeline

The table below provides a proposed timeframe for the project.

Table– Approximate Project Timeline

Task	Timing
Date of Gateway determination	4-6 weeks after submission to DP&E
Anticipated timeframe for the completion of required technical information	Completed
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	21 days – to run concurrently with public exhibition period
Commencement and completion dates for public exhibition period	
Dates for public hearing (if required)	Not Applicable at this stage
Timeframe for consideration of submissions	4 weeks
Timeframe for the consideration of a PP following exhibition	6 weeks
Consideration of PP by Council (Council Meeting)	TBA
Date of submission to the department to finalise the LEP	TBA
Anticipated date RPA will make the plan (if delegated) or Anticipated date RPA will forward to the department for notification	TBA
Anticipated publication date	TBA

Appendix 1 – Supporting Technical Reports

Description	Prepared By
Urban Design Report	ae design partnership
Traffic Report	Varga Traffic Planning
Contamination Report	Compaction & Soil Testing Services
Heritage Impact Statement	Weir Phillips Heritage
Arboriculture Assessment Report	Sydney Arbor Trees
Structural Design Statement	Structural Design Solutions



Our ref: PP_2017_BSIDE_006_00 (17/05154)

Ms Meredith Wallace
General Manager
Bayside Municipal Council
PO Box 21
ROCKDALE NSW 2216

Attention: John McNally

Dear Ms Wallace

Planning proposal to amend Rockdale Local Environmental Plan 2011

I am writing in response to your Council's letter dated 8 March 2017 requesting a Gateway determination under section 56 of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to amend the maximum building height and floor space ratio controls currently applying to 64-68 The Grand Parade, Brighton Le Sands.

As delegate of the Greater Sydney Commission, I have now determined the planning proposal should proceed subject to the conditions in the attached Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with Section 117 Directions 4.1 Acid Sulfate Soils is of minor significance. No further approval is required in relation to this Direction.

Plan making powers were delegated to councils by the Minister for Planning in October 2012. It is noted that Council has requested to be issued with delegation for this planning proposal. I have considered the nature of Council's planning proposal and have decided to issue an authorisation for Council to exercise delegation to make this plan.

The amending Local Environmental Plan (LEP) is to be finalised within 9 months of the week following the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office 6 weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning and Environment's regional team for administrative purposes.

The State Government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Greater Sydney Commission may take action under

Department of Planning & Environment

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section 54(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any queries in regard to this matter, I have arranged for Mr Michael Kokot of the Department's Sydney Region East section to assist. Mr Kokot can be contacted on (02) 9274 6564.

Yours sincerely



Sandy Chappel 28.4.17
Director, Sydney Region East
Planning Services

Encl:
Gateway Determination
Written Authorisation to Exercise Delegation
Delegated Plan Making Reporting Template



Planning & Environment

Gateway Determination

Planning proposal (Department Ref: PP_2017_BSIDE_006_00): to amend Rockdale Local Environmental Plan 2011 to increase the maximum height and floor space ratio controls currently applying to 64-68 The Grand Parade, Brighton Le Sands.

I, the Director, Sydney Region East at the Department of Planning and Environment, as delegate of the Greater Sydney Commission, have determined under section 56(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to Rockdale Local Environmental Plan 2011 to increase the maximum height and floor space ratio controls currently applying to 64-68 The Grand Parade, Brighton Le Sands, should proceed subject to the following conditions:

1. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
 - (a) the planning proposal is considered to be routine and must be made publicly available for a minimum of 28 days; and
 - (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of 'A Guide to Preparing Local Environmental Plans' (Department of Planning and Environment 2016).
2. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:
 - Transport for NSW - Roads and Maritime Services;
 - Office of Environment and Heritage;
 - Sydney Airport Authority;
 - Civil Aviation Safety Authority; and
 - Commonwealth Department of Infrastructure and Regional Development.

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

BAYSIDE PP_2017_BSIDE_006_00 (17/05154)



Planning & Environment

4. The timeframe for completing the Local Environmental Plan is to be **9 months** from the week following the date of the Gateway determination.

Dated 28th day of April 2017

A handwritten signature in blue ink that reads "Chappel".

Sandy Chappel
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

BAYSIDE PP_2017_BSIDE_006_00 (17/05154)



Planning & Environment

WRITTEN AUTHORISATION TO EXERCISE DELEGATION

Bayside Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979* that are delegated to it by instrument of delegation dated 14 October 2012, in relation to the following planning proposal:

Number	Name
PP_2017_BSIDE_006_00	Planning proposal to increase the maximum height and floor space ratio controls currently applying to 64-68 The Grand Parade, Brighton Le Sands

In exercising the Minister's functions under section 59, the Council must comply with the Department of Planning and Environment's "*A guide to preparing local environmental plans*" and "*A guide to preparing planning proposals*".

Dated 28 April 2017

A handwritten signature in blue ink that reads 'Sandy Chappel'.

Sandy Chappel
Director, Sydney Region East
Planning Services
Department of Planning and Environment

Delegate of the Greater Sydney Commission

BAYSIDE PP_2017_BSIDE_006_00 (17/05154)

Delegated plan making reporting template**Reporting template for delegated Local Environmental Plan amendments****Notes:**

- Planning proposal number will be provided by the Department of Planning and Environment following receipt of the planning proposal
- The Department of Planning and Environment will fill in the details of Tables 1 and 3
- The Relevant Planning Authority is to fill in details for Table 2
- If the planning proposal is exhibited more than once, the Relevant Planning Authority should add additional rows to **Table 2** to include this information
- The Relevant Planning Authority must notify the relevant contact officer in the regional office in writing of the dates as they occur to ensure the publicly accessible Plan Making Tracking System is kept up to date
- A copy of this completed report must be provided to the Department of Planning and Environment with the Relevant Planning Authority's request to have the Local Environmental Plan (the Plan) notified

Table 1 – To be completed by Department of Planning and Environment

Stage	Date/Details
Planning Proposal Number	PP 2017 BSIDE 006 00
Date Sent to Department under s56	08/03/17
Date considered at LEP Review Panel	N/A
Gateway determination date	28/04/17

Table 2 – To be completed by the RPA

Stage	Date/Details	Notified Reg Off
Dates draft Plan exhibited		
Date of public hearing (if held)		
Date sent to PCO seeking Opinion		
Date Opinion received		
Date Council Resolved to Adopt Plan		
Date Plan made by GM (or other) under delegation		
Date sent to the Department requesting notification		

Table 3 – To be completed by Department of Planning and Environment

Stage	Date/Details
Notification Date and details	

Additional relevant information:

PLANNING PROPOSAL – 64-68 THE GRAND PARADE: LIST OF SUBMISSIONS (NAMES OMITTED)

	Comments
1.	<ul style="list-style-type: none"> I have no concerns; Will bring value to the area; and Brighton needs more high-density building.
2.	<ul style="list-style-type: none"> I wish to object strongly to the proposal; Significance of the building – highlight features of architectural interest and historic importance; You may wish to reference description in State Heritage Inventory or other sources; Reference planning policy designed to protect built heritage and local amenity at a local development plan, Archaeology and the Built Heritage; All is well in providing shadow diagrams and impact statement directly affecting the Novatel. Unfortunately, no shadow diagrams on any neighbouring sites being east, west of the proposed site; Even more so, no shadow diagrams across Lady Robinson Beach enjoyed by the community in the afternoons throughout the year in spring, summer, autumn, and yes winter; No Impact statement of lost time in sun shine due to increase in the height as proposed; "Reasonable solar access" as dictated in the proposal means that there will be unfavourable impact to neighbouring properties and more so to open community areas such as Lady Robinson Beach; By increasing the height will favour a few and affect so many in the community and the eco balance of the reserve. Bayside Council start "Serving our Community"; and You could also reference other issues, which affect the community as a whole, rather than individual interests.
3.	<ul style="list-style-type: none"> Express deep concerns the extreme increase for this building; We live in this street we have already two new buildings of Strata Units which has impacted on the parking issues for all residence in this area dramatically – we have no parking; Adding another new building in Princes St will only increase this three times over; I believe the local residence living in Princes St need to have some sort of quality existence here; and There is only 4 small houses on this plot of land where the new building is going to be on – how could it be justifiable to build so many unit on it? It can't.
4.	<ul style="list-style-type: none"> Heritage Listing: The cottages are heritage listed, and the last remaining pieces of the history and suburb of the original Brighton-Le-Sands. All other historical relics have been demolished and redeveloped and it would be a tragedy if this was lost, never to be seen again; Damage: If any development of the site was attempted, whilst trying to preserve the cottages taking into consideration their age there could be an accident that would cause irreparable damage to these cottages e.g. excavators preparing for foundations could undermine the stability of the cottages, or excavating for underground resident parking necessitating their removal; Access: The area is accessed by a small lane to the rear which is over utilised at present, servicing 2 high-rise blocks and one low rise block at present. Princess and Gordon Streets on either end are very busy, with the Princess St. side facing the Novotel Hotel. The Front of the cottages faces the Grand Parade and has a bus stop in front of them;

	<ul style="list-style-type: none"> • Parking and Drainage: Parking in both Princess and Gordon Streets is at a premium and any development which should occur at the site would need off street parking, which the water table would prevent from being more than one level down, with significant drainage problems of rainwater, due to overburdened storm water drains in the area; and • Design Excellence: could be achieved on this site by not developing the site, and endangering the cottages, but rather by restoring the cottages to the formal colonial grandeur they once exhibited and showcase how lovely and gracious Brighton-Le-Sands looked in previous days.
5.	<ul style="list-style-type: none"> • This proposal is geared towards a huge block of units on this very small area; • The fine heritage listed houses should remain the same as they are the last vestige of Thomas Saywell homes in Brighton-Le-Sands; • If this appalling proposal should come to pass, exactly where will the garages for the units be situated? How many spaces would be required for such a huge block of units? • Parking and access along Princess Lane is already very difficult due to lack of space; • The proposed height would suggest a building of 14-storeys is being proposed, which would overshadow the beach; • Ten years ago permission was refused for a 15-storey building.
6.	<ul style="list-style-type: none"> • As a resident of Princess Street I have a small but appreciated view of the Botany Bay seascape so it could be said that my objection to raising the height of buildings proposed to be erected on sites situated on 64-68 The Grand Parade is based purely my apparent right to enjoy a sea view, constricted as it may be; and • The development will be to the detriment of those who will have their current outlooks obscured/obliterated. The topography of this area has long been established and this late stage development will seriously destroy the ambience currently in place.
7.	<ul style="list-style-type: none"> • I understand the application seeks to change the LEP to accommodate a planning proposal for a 36 metre mixed use development, with an FSR of 4:1. This follows a Gateway Application in 2015, for a 28 metre building and FSR of 3:1; • Brighton-le-Sands like many other suburbs across Sydney is set to undergo significant change over the coming decades. To this end, any development should ensure its scale and massing does not effectively become an overdevelopment, nor add to previous planning mistakes; • Further any development should ensure it meets the key objectives that support the Greater Sydney Commission's (draft) vision for Sydney, i.e. for a 'Liveable', 'Sustainable' and 'Productive' city; • Specifically the following observations are made: <ul style="list-style-type: none"> - The previous Gateway proposal was made in 2015, i.e. prior to the release of the Greater Sydney Commission's draft Central District in November 2016; - In accordance with the Greater Sydney Commission's draft vision for the Central District, any development should now be considered in context of the Commission's vision, i.e. 'Productive', 'Liveable' and 'Sustainable' and the future character of an area; - Brighton-le-Sands is defined in the draft District Plan as a 'Local Centre', i.e. varying 'in size from a few shops on a corner to a vibrant main street. They are on a smaller scale than district centres and generally serve the local population.' - To this end, Brighton-le-Sands is already a thriving 'Local Centre' and any future development should ensure the scale and character of the area is sustainable, through sensitive planning rather than over developed; - While the proposed development enables additional housing and commercial use, the current controls, i.e. 28 metres with an FSR of 3:1 is already substantive;

	<ul style="list-style-type: none"> - The proposed massing and scale (to 36 metres with an FSR of 4:1) is out of context; together with the Novotel and the adjoining apartment block on Grand Parade, the massing will overshadow the public domain and beachfront (during the winter months) leaving a long standing legacy that cannot be easily rectified; - Further the proposed increase in height does not enable an effective transition from Novotel to the adjoining residential area and appears not to provide sufficient setback for future developments; - The proposed development will overshadow nearby developments (including the Novotel) thereby reducing amenity. It will overshadow the public domain area along the beachfront in the afternoon, at a time when the local community actively uses the beach. In doing so it does not support the objective of an 'equitable' city; - Further, in accordance with the government's <i>Better Placed</i> initiative, any development should support the concept of <i>sustainability</i>, i.e. minimise the consumption of 'energy, water and natural resources' and 'avoid detrimental impacts on natural systems'. To this end the proposed scale has a detrimental impact on nearby housing, and is likely to overshadow the open space as part of this development. - Further, while a design competition is proposed in consideration for the up zoning, the development should already be 'design-led planning' that supports 'high quality urban design'; - Brighton-le-Sands is approximately 2 km from Rockdale Station, with locals reliant on a bus connection to access the station. Alternately there is a bus route to the CBD and the airport, however the travel time and access does not support the concept of a '30 minute city' as one of the key objective in the Draft District Plan; - Further, the lack of better access to transport options, results in heavy commuter and weekend traffic along Grand Parade. As a consequence any development needs to be carefully considered, as the cumulative changes, even if incremental is likely to put further stress on an already significant problem that is experienced here; - In addition, while the proposal maintains that access will be restricted to and from Princess Lane, unless traffic access is constrained in Princess Street, it will impact traffic on Grand Parade. Further an updated traffic report should be provided and made available for public feedback; - Six Norfolk Island Pines, estimated to be 125 years old, are located directly to the south of the site on Princess Street. While an Arboriculture Assessment was prepared by Sydney Arbor Trees in 2015, a new assessment should be provided, given the increase in height and massing. This report should be made available for public feedback; and - The housing target for Bayside Council for the period 2016 to 2021 are already met through the redevelopment of other precincts.
8.	<ul style="list-style-type: none"> • When we first bought our apartment in 1980 at 602/2-8 Gordon St, Brighton-Le-Sands we were assured that the 4 heritage houses in front of us were heritage protected & no high rise would ever be built there; • A building of 36m in front of us would completely devastate our view and the view of hundreds of residents in the surrounding area of the bay and dramatically devalue our property; • This developer is well known for knocking down other older homes in the surrounding streets & building high rises, only for his personal profit as he doesn't even live in the area, he resides somewhere around Double Bay; and • We can't believe that Bayside Council is even considering this prosperous proposal and we are completely opposed to this proposal.
9.	<ul style="list-style-type: none"> • Objection to the height level and FSR approved by Rockdale Council on March 16, 2016; • Council Officers in their report to Council had recommended a height of 28m with an FSR of 3:1; • Saywell's terraces have always been a landmark building in the local area; • Saywell made an enormous contribution to our local area and It is only fitting that any development on the site should not dominate the heritage item;

	<ul style="list-style-type: none"> • The Council Officers Report refers to the adjoining buildings being of 26-28 metres in height, whereas this proposal would be higher than buildings to the north and east; • It is acknowledged that the terraces are to be restored, and this is most encouraging in a time when our heritage items are increasingly being lost; • However, the community does not want to see the terrace's heritage integrity compromised by a dominant building directly behind them; • Council's Heritage Advisor had raised significant concerns in the Council Officers Report to Council. Council must carefully consider these concerns; • The community looks forward to a clever and appropriate design solution, which will allow us to continue to appreciate these landmark buildings and, in doing so, to acknowledge the wonderful contribution of Thomas Saywell to our past.
10.	<ul style="list-style-type: none"> • I wish to lodge my objection to the Council decision 16 March 2016 to change the height and FSR of the Council officer's recommendations in the report on the Planning Proposal for 64-68 The Grande Parade, Brighton Le Sands; • I would like to express my concerns in regards to the increase where there has been no evidence as to why this would be of benefit to the development and adaptive reuse of the site; • "As the supporting documentation does not provide a strong enough argument to support the height being proposed". This was the qualified officers reason I believe that should be taken into consideration; • I note that in the Council recommendation a) "the planning proposal being amended to ensure that Clause 6.14 - Design Excellence of the Rockdale LEP 2011 applies to the site prior to submission to the Department of Planning and Environment for Gateway Determination"; • The question arises as to the final height of the buildings. As if Clause 6.14 is applied at the current approved height of 36 metres and as the Design Excellence offers the 3 metre incentive what will be the final height? • In the council officers report there can be a good outcome with the incentives offered without there being an overbearing building detracting from these landmark buildings.
11.	<ul style="list-style-type: none"> • I am strongly opposed to the redevelopment of Saywell's Brighton Terrace at Brighton-Le-Sands; • The terrace row is important to me as it is the last surviving physical link with Brighton's origins as a sea side tourist destination; • Saywell's other buildings such as the New Brighton Hotel, Dancing Pavilion, Baths, Power Station, Tramway, Racecourse and "Shady Nook" Pleasure Grounds are now all demolished; • The Brighton Terrace stands in a prominent position on the beach front and was designed to be imposing and built to a high quality standard; • The Brighton Terrace was and still is a landmark building. It is a rare surviving example of Victorian architecture in Rockdale; • The Heritage Impact Statement inadequately addresses and underestimates the heritage significance of the Brighton Terrace. My primary objections to the Heritage Impact Statement are that it:- <ul style="list-style-type: none"> - Does not acknowledge Saywell's significance as a 19th century industrial entrepreneur and his contribution to the development of Rockdale as well as other towns such as Lithgow, Bulli and Newcastle; - Underestimates the quality of construction of the Brighton Terrace and the rarity of this type of finish when compared to other terraces in Sydney; - Does not clearly articulate that Saywell and his family resided in the surviving segments of the terrace row; - Underestimates the loss of heritage significance to the terrace row as a consequence of the tower block dominating the site; - Underestimates the loss of heritage value to the local community as a consequence of the demolition of the rear wings; - Does not identify the remaining original features of the rear wings such as the breezeways, joinery, out houses and rendered wall facing Princess Street; - Does not identify the functions of the rooms in the rear wings and interpret their relationship with the domestic activities in the principal terrace homes;

	<ul style="list-style-type: none"> - Inadequately addresses the detrimental impact the removal of the rear wings will have on the heritage form of the main building, its streetscape setting and its relationship with Botany Bay when viewed from Princess Street; - Inadequately addresses the negative impact of the development on Cook Park. <ul style="list-style-type: none"> • The current proposal if allowed to proceed would diminish the heritage value of the Brighton Terrace. Visually the terrace row would be dominated by the sheer bulk of the proposed development; • A 12 storey building rising directly behind and canter levered over the rear roof of the terrace row is an absurd and mean spirited over development of the site. The row of terraces will become a mere toy like adornment to the high rise towering above; • Shorn of their rear wings and yards the terraces will stand completely out of context and cease to be a heritage landmark. One has only to view the heritage house "Tokio" at No.8 Belgrave Street, Kogarah to see how a modern building rising above and over it in the same manner diminishes its architectural value; • The Brighton Terrace is the only surviving row of two storey terraces in the St George District. It is the only row of terraces listed on the local heritage register; • The local community values its remaining and dwindling stock of Victorian heritage buildings, witnessed most recently by the formation of local community action groups endeavouring to save Griffiths House at Kogarah and Primrose House at Dolls Point; • The modern building proposed to be built as a landmark behind the terraces can be found anywhere in the world. It is the grand Victorian architecture of the terraces that is the current local landmark and which represents Sydney's heritage and culture; • The rear wings of No 64, 67 and 68 retain their original form including breezeways, joinery and out houses. The Heritage Impact Statement underestimates these original features and does not attempt to understand the original function of the rear wings and their relationship to the main terraces. The servant's room, kitchen, bathroom, laundry and lavatory would have occupied these rear wings. Their removal would detrimentally affect our interpretation and understanding of the domestic functions of the occupants; • The quality of the Brighton Terrace and its setting attracted people of substantial means to take up residence. Notable people other than Saywell included Ernest Andrews, the NSW Government Geologist of world standing and William Monahan KC the Mayor of Rockdale from 1914-1917. • Arguably the view of the terrace row's rear and south elevation from Princess Street looking towards Botany Bay is the most significant as it shows the relationship of the terraces with Botany Bay and the Norfolk Island pine trees; • The tranquil setting of Botany Bay is the reason the Brighton Terrace exists. Any development at the rear of the row would obstruct the outline of the roof and chimney tops against the clear unobstructed sky over the bay and sever this connection. Furthermore, the rendered brick wall facing Princess street with its curved top over the door inserted in the wall at the rear of No. 68 is a rare and attractive feature; • Closer inspection of the southern elevation as one walks along Princess Street towards the bay reveals a delightful jumble of Victorian chimney tops, window architraves and pediments. This unique view of the building would be destroyed if the rear wings and rendered wall were replacement by a modern tower block; • The building proposed would dominate and cast shadows over the Brighton Terrace, Cooks Park and the beachfront. The scale and bulk is dehumanising and would destroy the human friendly beachside atmosphere that the council is trying to promote; • In recent years the Brighton Terrace has been allowed to become run down through lack of maintenance. I suspect that this is due to it being owned by a developer in whose interest it is to see it decay in order to justify the current development proposal. The Brighton Terrace could be readily restored if the right owner(s) were found such as in the case of Primrose House at Doll's Point, which was recently purchased by the Scots College and is undergoing a \$6 million refurbishment; • I also question the timing of this proposal given that our council is under the management of an administrator. Why the rush? Council elections are scheduled to be held in September 2017. An important decision such as this should be subject to review by the incoming democratically elected council answerable to the ratepayers; • This proposal smacks of vested interest. Should this proposal be allowed to go ahead it will benefit the developer at the expense of our local
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	<p>community. It will degrade our local heritage and contribute to the dehumanising of our beachside amenity for generations to come.</p> <ul style="list-style-type: none"> This proposal <u>must be rejected</u> and I call for an <u>independent</u> heritage review.
12.	<ul style="list-style-type: none"> I am concerned that increasing the height of the building from the agreed 13m to 36m will significantly impact the desired look of Brighton-Le-Sands and negatively impact the residents living nearby; Furthermore, these homes are the last remaining remnants of what Brighton-Le- Sands used to look like; Removing these buildings will completely wipe away the heritage and history of this suburb; and I believe restoring and renovating these homes as is into apartments would be much better use of the space.
13.	<ul style="list-style-type: none"> Strongly oppose this development; It will result in yet another horrible high rise building that will tower over the Brighton terrace; The terraces and rear wings must remain intact to retain the historical value; I believe the council officers have a duty to protect our local heritage buildings and MUST NOT allow yet another heritage building to be diminished for the sole benefit of yet another developer; and SAVE the Brighton Terraces and I call on the council to reject this proposal.
14.	<ul style="list-style-type: none"> I am strongly opposed to the redevelopment of the site 64-68 Grand Parade; These Saywell terraces are an integral link to the Bayside 'resort' of Brighton-Le-Sands and need to be retained as is in order to keep their significance and not turn them into some 'freak' mismatch between old and new; This is an unsympathetic proposal and an ignorant treatment of a heritage item; and I reject this proposal in the strongest possible terms.
15.	<ul style="list-style-type: none"> I oppose any alteration of the Saywell Terraces at 64-68 Grand Parade; These are historic landmarks and must be retained AS IS, with no adjoining high rise; They are such a rare Victorian building in the area, with important links Thomas Saywell; and Please reject this proposal!
16.	<ul style="list-style-type: none"> The impact on the heritage buildings in this application needs to be reduced; The heritage buildings need to be further protected and not have such high (36 storey) buildings towering over them; and They are some of the last heritage structures in Brighton and so need to be protected more fully.
17.	<ul style="list-style-type: none"> These historic terraces are the only link to Brighton Le Sands past as a resort; They should be retained; This is heartbreaking; They should be restored not butchered; A better plan should be developed that maintains the integrity of the original buildings; and Please do not allow the entire back end to be demolished and ask the developer to come up with a better proposal.

**STRUCTURAL DESIGN SOLUTIONS**
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15th December 2017

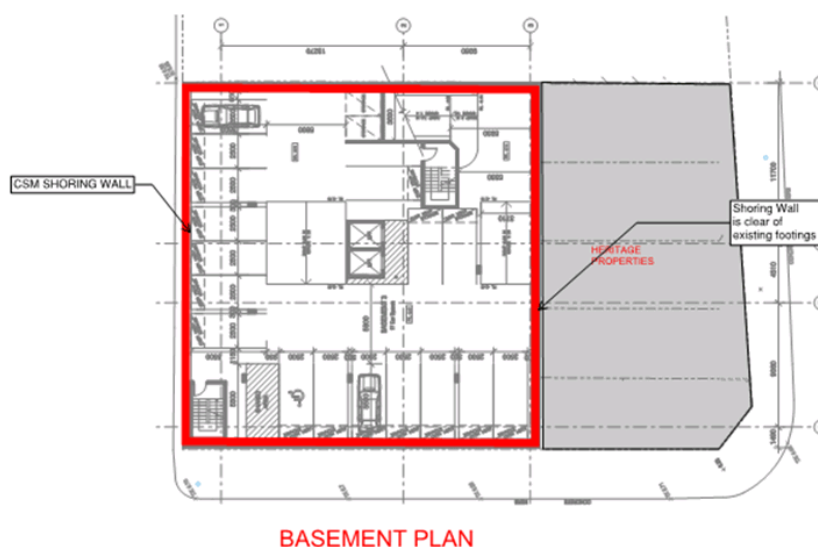
Alex Scionti
Rocking Horse Construction

Dear Sir

RE: 64 to 68 The Grand Pde Brighton – Design Statement

We, Structural Design Solutions Pty Ltd, the practicing Structural Engineers hereby advise that we are responsible for the design of structural elements of the proposed residential development at 64 to 68 The Grand Pde Brighton.

The current site consists of five terrace houses. The development will involve the remove of the rear of the terrace houses and the construction of 4 basements and an 11 storey building. The basement will require a shoring system installed which is watertight and tanked. The shoring will be close to the rear of the main building of all the terraces and adjoining boundaries. For this reason a CSM (Cutter Soil Mix) diaphragm wall will be installed. A diagram below shows the extent of the CSM shoring wall on the site.





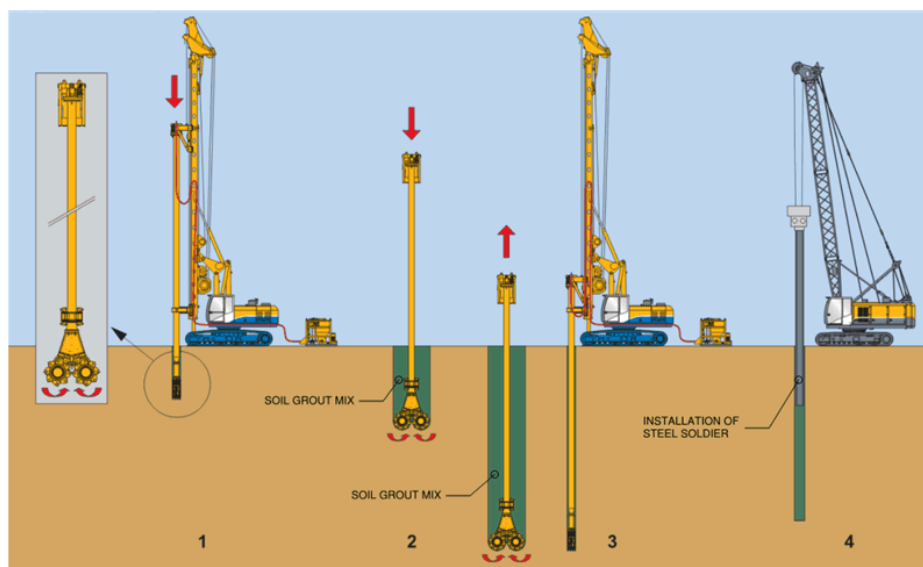
The Cutter-Soil-Mixing or CSM technique is a specialist foundation construction process which mixes grout into the soil to form a solid wall. It is a vibration-free, low-noise process with minimal removal of spoil and disturbance to the ground material. It creates an impermeable retaining and cut-off wall with minimal disturbance to adjoining properties.

The CSM process utilizes two counter rotating cutting wheels and injects grout into the ground and mixes it with the soil. This ensures minimal soil displacement. This technique also provides a high quality final finish and superior water sealing, when compared to many of the alternative/traditional shoring methods.

The advantages of the CSM system are:

- A precise construction method.
- The in-situ soil is used as a construction material.
- Very little generation of spoil and soil displacement.
- No vibrations induced during construction.
- Minimal disturbance to adjoining properties

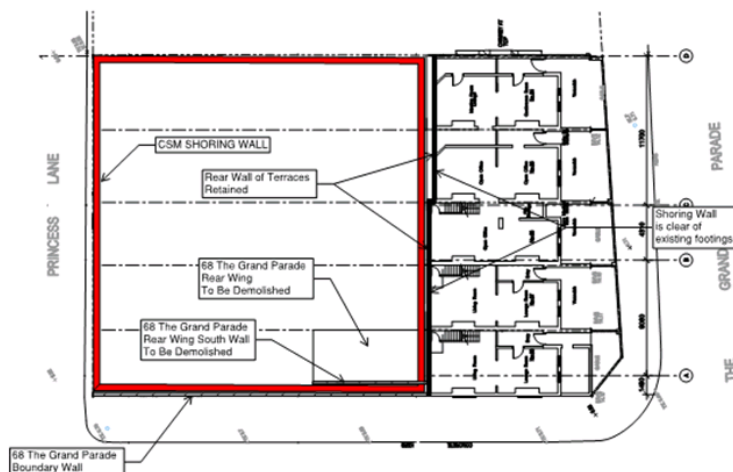
The method of installation is shown below.



During excavation the shoring wall will be anchored back and once the basement slabs are built they will prop the shoring wall.



A diagram showing the proximity of the CSM shoring wall to the existing terraces, in particular 68 The Grand Parade and boundary wall of 68 The Grand Parade is shown below.



**SHORING WALL POSITION UNDER
68 The Grand Parade**

As is seen in the diagram the rear wing of 68 The Grand Parade will need to be removed to allow construction of the basement. This also includes the South Wall of 68 The Grand Parade.

We have carried out inspections of the property and the rear section of 68 The Grand Parade. The rear section of 68 The Grand Parade has walls which are deteriorating and crumbling in areas. The roof and floors are rotten and unsafe to walk in. Refer to photographs below.

The South Wall appear to have detached from the main building. There is no safe work method which can be adopted to keep the rear wing of 68 The Grand Parade nor the South Wall of 68 The Grand Parade. They will need to be demolished to construct the basement.





Once the rear wings of the terraces are removed, the shoring wall will be clear of the footings of the main buildings of the terraces and the CSM can be installed without disturbing the footings. We can confirm that the integrity of the remaining terraces will not be affected by the construction of the basement car park.

Furthermore, all structural elements including Shoring, piling, pile caps, footings, retaining walls, core walls, columns, slab on ground, suspended slabs, stairs and walls will be designed in accordance with the Building Code of Australia and other relevant Australian Standards namely:

- AS1170.1 - 2002 Dead and Live Loads
- AS1170.2 - 2011 Wind Loads
- AS1170.4 - 2007 Earthquake Loads
- AS3600 - 2009 Concrete Structures Code
- AS3700 - 2001 Masonry Code
- AS4100 - 1998 Steel Structures Code
- AS2159 - 2009 Piling Code

We confirm that the basement shoring retention system is outside of the main part of the existing Heritage buildings and no part of the basement extends below the buildings. The retention system will be designed to minimize vibrations during installation and movements in both temporary and permanent conditions. The integrity of the remaining terraces will not be affected by the construction of the basement car park

Yours faithfully
STRUCTURAL DESIGN SOLUTIONS PTY LTD

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

Robert Facioni
Director

64-68 The Grand Parade

BRIGHTON LE SANDS

Urban Design Report

2 May 2016

Prepared by:

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Prepared for:

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1.0 Introduction



Figure 1: Site map

This report has been prepared by ae design partnership on behalf of Brighton Australia P/L, to provide urban design and planning background for a Planning Proposal pertaining to the 5 allotments between 64 and 68 The Grand Parade, Brighton Le Sands (hereafter referred to as the site, see Figure 1).

The Planning Proposal seeks the amendment of development standards pertaining to the subject site as follows:

- Floor Space Ratio: from N – 1:1 to X – 4:1.
- Height of Buildings: from N1 – 13 metres to V – 36 metres.

Site area is approximately 1085m² with frontages described as follows:

- Primary frontage to The Grand Parade (approximately 24 metres).
- Secondary frontage to Princess Street (approximately 39 metres).
- Rear frontage to Princess Lane (approximately 27 metres), accessible via Gordon Street to the north.
- Northern boundary adjoins 58-63 The Grand Parade, Brighton Le Sands.

The site is currently occupied by a row of 5 heritage listed (Item No. 1174, RLEP 2011) 2 storey terraces known as the 'Saywell' terraces. While substantially intact, the existing condition of the terraces is varied. The terraces have undergone varying degrees of alteration to fabric and finishes as outlined in the *Heritage Impact Statement* forming part of this application (Weir Philips 2015).

1.1 Amendments based on Council Resolution

At the Rockdale Council meeting on 16 March 2016, the planning proposal was approved unanimously by Councillors for the proposal to proceed to Gateway determination.

Councillors adopted the proponent's recommendation of a maximum height limit of 36m and a FSR of 4:1 as opposed to the Officer's recommendation of a maximum height limit of 28 metres and FSR of 3:1, additional height and bulk could be achieved through design excellence.

There was discussion at the meeting between the Councillors that the site is a landmark site, because of its visibility from Sydney International Airport. The additional bulk and scale was considered appropriate, subject to the development satisfying Council's design excellence criteria.

The additional height will provide the necessary flexibility to enable a good urban design outcome, which is not overly constrained by restrictive controls.

This site will be subject to Bayside Council's Design Excellence Clause, which will ensure the highest standard of architectural, urban and landscape design. The cantilever above the Saywell Terraces has been removed creating a consistent edge along The Grand Parade.



Figure 2: Original proposed building envelope



Figure 3: Amended building envelope.

A height plane for the site and surrounding buildings is illustrated in Figure 4. These diagrams demonstrate the impact of the additional height does not have an unreasonable impact on the Novotel. Shadow diagrams have been amended based on the new building envelope and include key times for winter and summer solstice as well as autumn equinox.

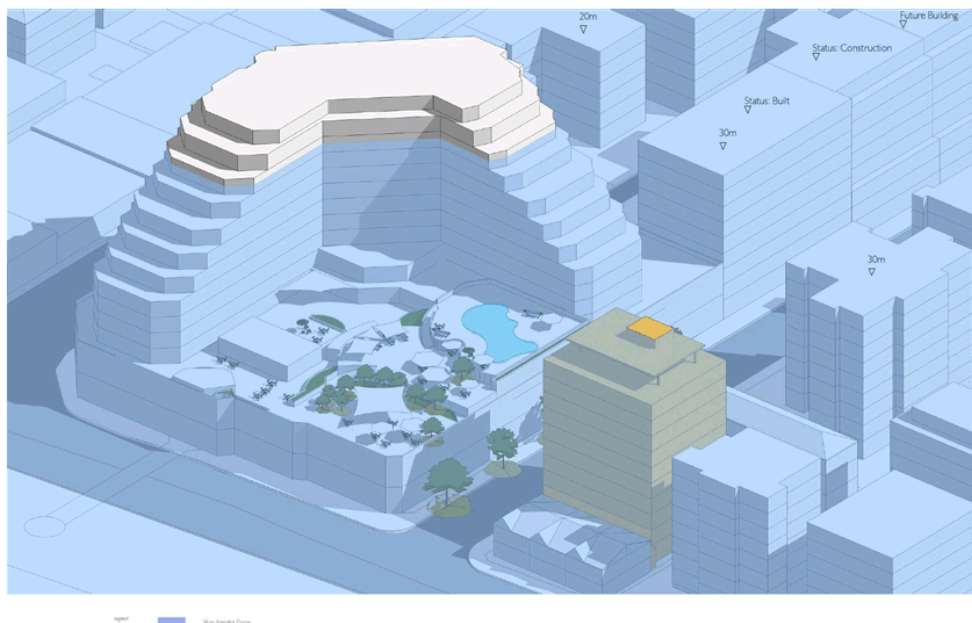


Figure 4: 36 metre height plane from bird's eye view.

Winter Solstice:

- Additional impact from height occurs between 9am and 12pm with the most impact occurring between 9am and 10am.
- 10am is the only time overshadowing partially covers the sun decks.
- Reasonable solar access is achieved for communal open space between 9am – 3pm.

Summer Solstice:

- Overshadowing does not fall on key outdoor spaces at any of the peak times of the day.
- Additional overshadowing caused by increased height falls onto Princess Street and The Grand Parade.
- Reasonable solar access is achieved for communal open space between 9am – 3pm.

Autumn Equinox:

- Additional impact from height occurs between 7am and 11am with the most impact occurring between 8am and 9am.
- Reasonable solar access is achieved for communal open space between 9am – 3pm.

The additional height does not have any unreasonable impact on the key outdoor spaces of the Novotel podium during mid-winter solstice and autumn equinox and minimal additional impact occurring on during the summer solstice.

The planning proposal proposes 4:1 to follow the controls of the Novotel to the south. Council recommended an FSR this site of 3:1 for Gateway. This is consistent with other rezoning where Council has recently rezoned sites on the southern portion of Princess Street at 28m and 3:1, as illustrated in Figure 2.

2.0 Context

2.1 Strategic Context

As illustrated in Figure 2, Brighton Le Sands is located in an area of strategic importance:

- On the Botany Bay Foreshore;
- Along a *Proposed Motorway Extension* (through the existing F6 Corridor); and
- Strong connections to:
 - Sydney's *Global Economic Corridor*, including the CBD and other *Major Centres* via The Grand Parade, General Holmes Drive and the M5 South Western Motorway (undergoing expansion as part of the WestConnex project);
 - Kogarah and Hurstville *Major Centres* on the Illawarra-Eastern Suburbs Railway Line, accessible via Bay Street and Railway Parade;
 - The Sydney International Airport *Transport Gateway*, highly visible to aircraft landing and taking off from its Main North-South Runway; and
 - The Port Botany Precinct *Transport Gateway* via The Grand Parade, General Holmes Drive, M5 and Foreshore Road.

Under the *Draft Central District Plan* (2016), Brighton Le Sands is classified as a *Local Centre*, having a 600 metre radius walking catchment with a strip of shops and surrounding residential area within a 5 to 10 minute walk. There are usually on a smaller scale than district centres and generally serve the local population. The priorities of the Central District outlined in the plan include:

- “Plan for demographic change”
- “Enrich unique places and connections”

Under *A Plan for Growing Sydney* (2015), Brighton Le Sands is located with Sydney's South Subregion. The priorities for the South Subregion include:

- “Accelerate housing supply, choice and affordability and build great places to live”
- “Identify suitable locations for housing intensification and urban renewal ... particularly around established and new centres” (p 13).

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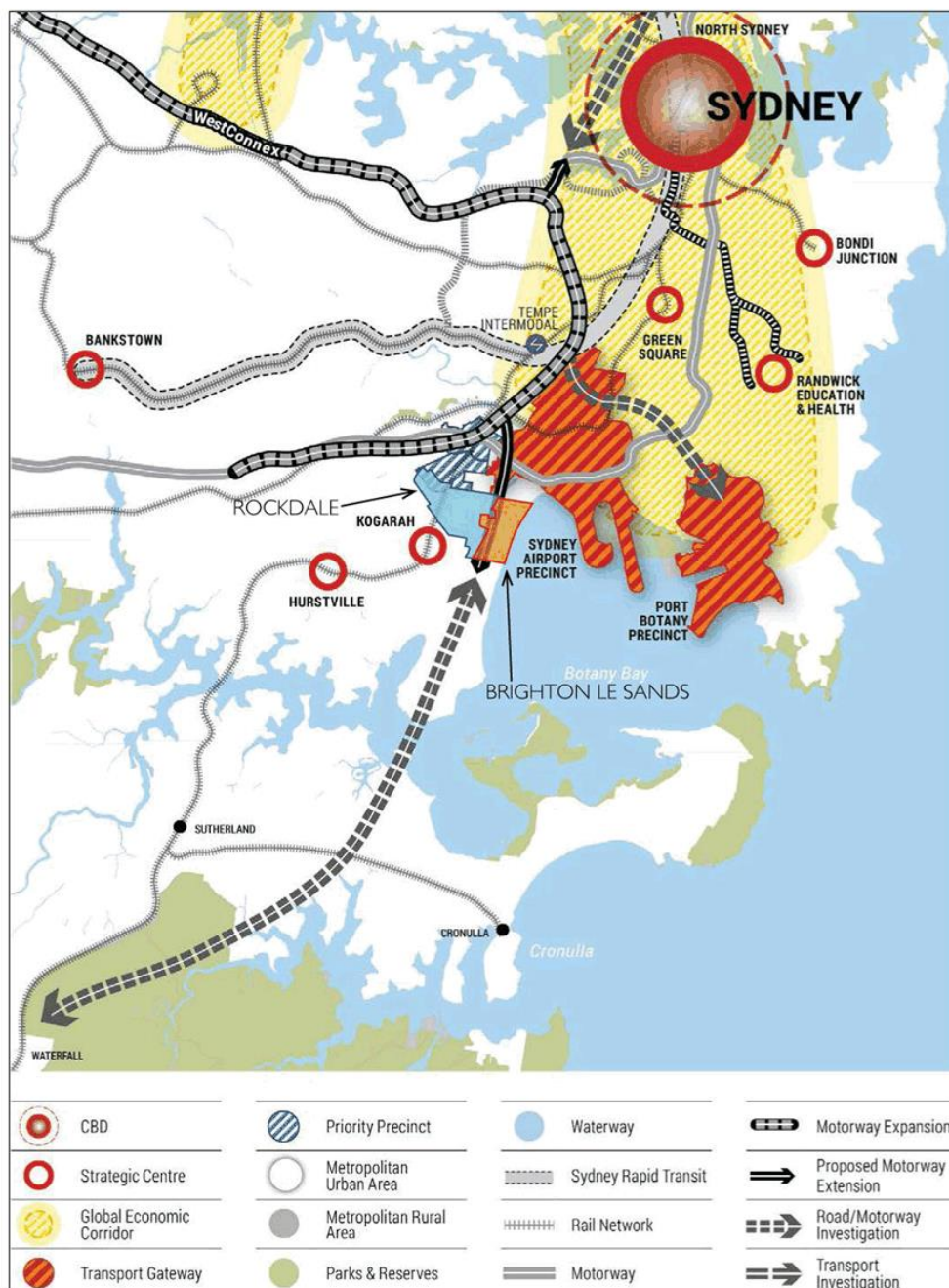


Figure 2: 'Southern Sydney – integrating employment with transport investment' (A Plan for Growing Sydney 2015, Fig. 20, p 58) with Brighton Le Sands and Rockdale overlaid

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2.2 Sydney Airport-Botany Bay-Kogarah/Rockdale



Figure 3: Brighton Le Sands

The subject site is located within the Brighton Le Sands Village (as identified under the *Draft South Subregional Strategy*). It has a strategically important location, as seen in Figure 3:

- Located on the western side of The Grand Parade, towards the centre of the western foreshore of Botany Bay, highly visible to passengers on aircraft landing at Sydney Airport's Main North-South Runway, creating an opportunity for the development of an iconic, landmark tower.
- Well connected with Rockdale via Bay Street (bus routes 478 and 479), a *Town Centre* (as identified under the *Draft South Subregional Strategy*) incorporating a variety of retail and commercial services, as well as Rockdale Railway Station on the Illawarra-Eastern Suburbs Line.
- Well connected with Kogarah, a *Major Centre* (as identified under the *Draft South Subregional Strategy*) provides a number of health and education institutions that service the subregion including Kogarah High School, Kogarah Public School, St George Girls High School, James Cook Boys Technology High School, Moorefield Girls High School, St George TAFE, St George Public and Private Hospitals.
- Well connected with the Sydney CBD and other Major Centres north of Brighton Le Sands via The Grand Parade/General Holmes Drive/M5 South Western Motorway (bus route 303).
- Proximate an abundance of public open space:
 - Between the Cooks River (north) and Dolls Point (south) along the Botany Bay Foreshore.
 - West of the subject site, forming part of the *Proposed Motorway Extension/Road/Motorway Investigation*, as identified within *A Plan for Growing Sydney* (see Figure 2).

2.3 Brighton Le Sands



Figure 4: Local Context Map

As seen in Figure 4:

- The core of Brighton Le Sands Village (as identified under the *Draft South Subregional Strategy*) is focussed around Bay Street towards its intersection with The Grand Parade. The centre is well established with:
 - A range of essential services such as a post office, bank, large supermarket, medical facilities, registered club, shopping plaza.
 - Novotel Hotel at the northern corner of the intersection of Bay Street and The Grand Parade.
 - Approximately 800 metres of continuous active street frontage (within which is an abundance of outdoor dining opportunities) on the northern and southern side of Bay Street between Crawford Road and The Grand Parade, as well as along The Grand Parade itself.
 - An abundance of public open space on the eastern side of The Grand Parade along the Botany Bay Foreshore (which includes a cycle route along the bay to the Cook River and through to the Airport, City and Inner West) which, despite the width of The Grand Parade (up to 6 lanes), is easily accessible via a number of crossings from The Grand Parade's western side.
 - Residential accommodation (including detached dwellings and residential flat buildings) surrounding the core area.
- There is minimal built form transition within the locality. However, a number of potential development sites listed within Council's *Capacity Analysis and Built Form Study* and *Residential Strategy* (see Section 2.1 of this report) are identified within the Figure.

2.4 Heritage Context

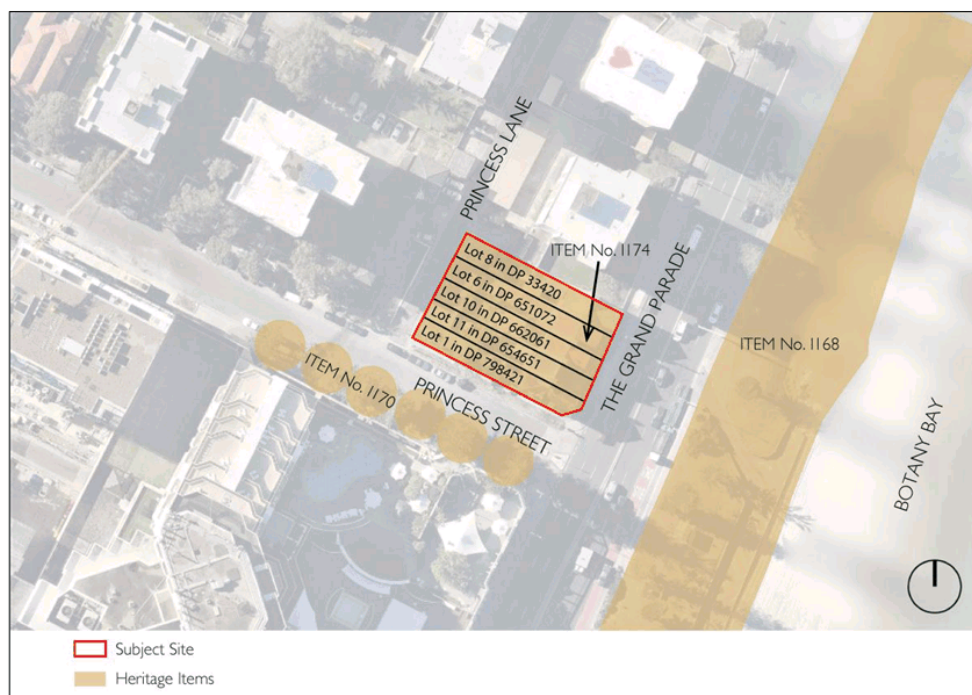


Figure 5: Heritage context

The site is currently occupied by a row of 5 heritage listed (Item No. 1174, RLEP 2011) 2 storey terraces known as the 'Saywell' terraces. While substantially intact, the existing condition of the terraces is varied. The terraces have undergone varying degrees of alteration to fabric and finishes as outlined in the *Heritage Impact Statement* forming part of this application (Weir Philips 2015).

Other heritage items proximate to the subject site include (see Figure 5):

- A row of street trees (Item No. 1170, RLEP 2011) south of subject site, on the southern side Princess Street;
- Cook Park (Item No. 1168), east of the subject site, forming part of the linear network of public open space along the Botany Bay Foreshore.

3.0 Character Assessment of Locality

3.1 Existing Character

3.1.1 Building Footprint



Figure 6: Land Zoning Map – Sheet LZN_004 and LZN_008 (RLEP 2011) with building footprints overlaid

The figure ground depicted in Figure 6 illustrates that development within the B4 Mixed Use and SP3 Tourist Zones has greater building footprint than that which is located within the residential zones due to:

- Development within the B4 Mixed Use/SP3 Tourist Zones incorporates minimal or nil street and side setbacks to maximise exposure of ground level retail and outdoor dining establishments; and
- Development within the residential zones incorporates substantial landscaped street and side setbacks.

3.1.2 Floor Space Ratio

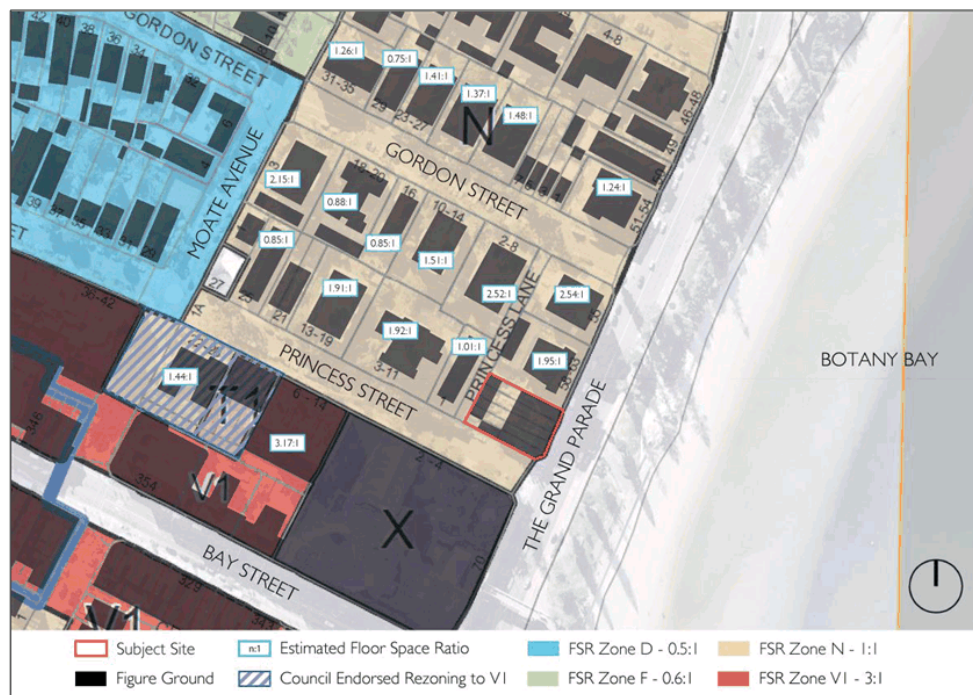


Figure 7: Floor Space Ratio Map – Sheet FSR_004 (RLEP 2011) with building footprints and estimated FSR's overlaid

Figure 7 depicts the estimated floor space ratio (floor space calculated at 85% efficiency of estimated building footprint) of buildings:

- Within the Moate Avenue/Gordon Street/Princess Street/The Grand Parade street block;
- On the northern side of Gordon Street between Moate Avenue and The Grand Parade; and
- On the southern side of Princess Street between Moate Avenue and The Grand Parade.

Figure 6 illustrates:

- Within the locality there is precedent for development with FSR greater than that which is permissible under existing controls locality, as evidenced by:
 - Gateway approval for rezoning of 16-28 Princess Street to VI – 3:1;
 - Council approved CI. 4.6 application for No. 6-14 Princess Street enabling development with FSR 3.17:1 where there is a maximum of 3:1 setout within the LEP.
- Estimated FSR of residential flat buildings within the locality generally exceed the maximum permissible FSR under the RLEP 2011, indicating that further built form transition is unlikely.

3.1.3 Height



Figure 8: Height of Buildings Map – Sheet HOB_004 (RLEP 2011) with heights of existing buildings overlaid

Figure 8 depicts the height (in storeys) of buildings in the vicinity of the site:

- Significant built form transition within the locality is unlikely due to existing residential flat buildings generally having height exceeding that which is permissible under the Rockdale LEP 2011; and
- Development with greatest height and scale along The Grand Parade is located at the intersection of The Grand Parade with Bay Street. Development transitions to lower height and scale as distance from the intersection Bay Street with The Grand Parade increases.

3.1.4 Streetscape Character

Intersection Princess Street and The Grand Parade



Figure 9: View west to subject site (Saywell terraces highlighted red) and Novotel, as seen from The Grand Parade

- The Novotel building (illustrated in Figure 9) includes a commercial component (including ground floor retail with active street frontage) within the Bayside Plaza Shopping Centre and an upper level hotel component stepping back from The Grand Parade.
- Existing structures within the subject site include 5 terraces (highlighted red in Figure 9), known as the 'Saywell terraces', identified as having local heritage significance within the Rockdale LEP 2011.

As seen in Figure 9, there is a change in character of built form between the Novotel building and the Saywell terraces:

- Novotel building having substantial apparent bulk due to:
 - Nil street setback.
 - 3 storey street wall height.
 - Increased apparent height due to ground level being higher than street level.
- Saywell terraces:
 - Appearing poorly maintained and/or substantially altered (Weir Phillip 2015, Heritage Impact Statement).
 - Presenting predominantly blank façade at its Princess Street frontage.
 - Incorporating nil ground floor retail with active street frontage, despite being located within the B4 Mixed Use Zone.

Subject Site/58-63 The Grand Parade, Brighton Le Sands



Figure 10: View west to subject site (Saywell terraces highlighted red) and 58-63 The Grand Parade, Brighton Le Sands, as seen from The Grand Parade

A land use zoning transition occurs between the subject site (B4 Mixed Use) and the development to the north, No. 58-63 The Grand Parade (R4 High Density Residential). As seen in Figure 10, there is a change in character of built form between 58-63 The Grand Parade and the Saywell terraces (identified in red):

- 58-63 The Grand Parade having:
 - Height 8 storeys.
 - Substantial landscaped street and side setbacks, inconsistent with the nil street and side setbacks of the heritage terraces.
 - Nil address of the heritage character of the existing terraces within the subject site.
- Saywell terraces:
 - Appear poorly maintained and/or substantially altered (Weir Phillips 2015, Heritage Impact Statement).
 - Incorporate nil publically accessible ground floor retail, despite the requirements of Cl. 6.11 of the Rockdale LEP 2011.
 - Present blank façade to 58-63 The Grand Parade, highly visible to southbound pedestrian and vehicular traffic along The Grand Parade.

As seen in Figures 9 and 10, the Novotel building and No. 58-63 The Grand Parade are more closely related (in terms of built form character) than either is to the heritage terraces. An opportunity exists to redevelop the subject site such that a tower is developed at its rear, creating a transition in built form character between the Novotel and No. 58-63 The Grand Parade.

Intersection Princess Lane and Princess Street



Figure 11: View north to intersection of Princess Lane and Princess Street (Saywell terraces identified in red), as seen from Princess Street

As seen in Figure 11:

- The streetscape at the intersection of Princess Lane and Princess Street, as seen from Princess Street, is predominantly residential flat buildings. Each residential flat building has street address of Princess Lane as well as to its primary street frontage (Princess Street or Gordon Street).
- The heritage terraces (identified in red):
 - Present a blank façade to Princess Street.
 - Present vehicular access, garages and storage to Princess Lane, constructed as part of substantial alterations to the terraces' original form.

3.2 Desired Future Character

3.2.1 A Plan for Growing Sydney

Under *A Plan for Growing Sydney* (2015), Brighton Le Sands is located with Sydney's South Subregion. The priorities for the South Subregion include:

- *"Accelerate housing supply, choice and affordability and build great places to live"*
- *"Identify suitable locations for housing intensification and urban renewal ... particularly around established and new centres" (p 13).*

3.2.2 Draft Central District Plan

Plan for demographic change

With housing populations expected to rise within the district, it is important to provide options within local centres to allow for accommodation close to employment opportunities within the local centre and strategic centres in close proximity. These new housing options should also provide a high level of amenity for residents and be of a high standard of design excellence.

Enrich unique places and connections

Provides a development which will be assessed under a high level of design excellence within the established local centre of Brighton-le-sands providing increased housing stock in area with strong pedestrian and bicycle connections along the promenade, beach and parks. The site will create an identifiable building along a key road within the centre.

3.2.3 Rockdale LEP 2011

Cl. 2.3 Zone objectives and Land Use Table – Zone B4 Mixed Use

Under the Rockdale LEP 2011, the subject site is zoned B4 Mixed Use. The objectives of the B4 Mixed Use Zone are set out within Cl. 2.3 Zone objectives and Land Use Table – Zone B4 Mixed Use:

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*

Cl. 6.1.1 Active street frontages

Cl. 6.1.1 applies to the entire length of the site's Grand Parade frontage:

- (1) *The objective of the clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B4 Mixed Use.*
- (2) *This clause applies to land identified as "Active street frontages" on the Active Street Frontages Map (refer to Figure 12 below).*



Figure 12: Active Street Frontages Map – ASF_004 (RLEP 2011)

3.2.4 Council Strategic Documents

Brighton Le Sands Parking Strategy (RobertsDay & GTA Consultants 2014)

The *Brighton Le Sands Parking Strategy* forms Stage 1 of the master planning process for the Brighton Le Sands Village. The strategy encourages appropriate parking solutions in response to severe parking congestion “particularly on weekends when visitor, worker and resident parking needs conflict” (p 8). A significant contributing factor to the congestion arises from there being “many apartments which do not have off-street parking” due to “geotechnical conditions result[ing] in very costly basement parking ... resulting in a high proportion of residents parking on the street” (p 14).

The high water table is noted in the *Preliminary Contamination & Groundwater Assessment* prepared by C.S.T.S., however it is stated that basement construction is possible in a tanked arrangement for the required parking.

Furthermore parking can be provided on site at a higher rate than currently provided (4 single garages and 1 car space for 5 terrace houses)

Community Strategic Plan 2013-2025 (Rockdale City Council 2013)

In 2009, the Local Government Amendment (Planning and Reporting) Bill was introduced to parliament by the Minister for Local Government, requiring all councils within NSW to develop a long term *Community Strategic Plan*. Rockdale's *Community Strategic Plan* forms part of this obligation to the NSW Government.

Under the *Community Strategic Plan*, Council envisions the future as such: *"Future growth is likely to occur in the centres of Rockdale, Wolli Creek, Brighton Le Sands, Bexley and Bexley North, which have the most significant opportunities for redevelopment"* (p 11).

Capacity Analysis and Built Form Study (Rockdale City Council 2010)

The *Capacity Analysis and Built Form Study* was prepared by Rockdale City Council to assess the capability of the Rockdale LGA to accommodate its dwelling and employment targets, as set out within the *Draft Subregional Strategy*. As part of the assessment, *"each centre was analysed to create likely development sites from parcels that shared similar opportunities and/or constraints. The factors that determined a development site were: size of individual parcels, consistent in ownership patterns, presence of strata units within a building, vehicular accessibility"* (p 3).

The assessment of Brighton Le Sands is found within page 9 of the report:

- The following opportunities were identified:
 - Well serviced by local and cross regional buses
 - High amenity provided by beachside location
 - Emergence of café culture along Bay Street
 - Full range of retail/commercial services
 - Direct vehicular access to Sydney CBD
 - Potential benefits to pedestrian amenity provided by enhancements to Bay Street
 - Large residential catchment within close proximity to the centre
 - Minimal impact on the development capacity due to the operation of Sydney Airport
- The following constraints were identified:
 - Volume of vehicular traffic on The Grand Parade
 - Disconnect of the beach from the centre due to The Grand Parade
 - Limited ability to expand the land area of the centre due to adjoining strata buildings
 - Fragmented ownership and proliferation of strata apartment buildings
- The following potential development sites were identified:
 - The Boulevard car park (Council owned).
 - 89 The Grand Parade (owned by Department of Housing).
 - Boeing Place (owned by Department of Housing).
 - 6-20 Princess Street.

3.2.5 Susceptibility to Change

Further built form transition within the locality is limited to a few sites north of Bay Street due to:

- A high proportion of existing residential accommodation comprises residential flat buildings which are *"constrained by laws such as Strata legislation"* (Rockdale City Council 2007, Residential Strategy).
- As discussed in Section 3.1, existing built form within the locality has:
 - Density exceeding permissible FSR under the Rockdale LEP 2011.
 - Height exceeding that permissible building heights under the Rockdale LEP 2011.

Therefore the locality has a low susceptibility to change. Future development should respond to the existing desirable characteristics, the scale of development in the locality and desired outcomes for the locality.

3.2.6 Summary

Though there is a low susceptibility to change, a desired future character for the site can be derived from the above-listed adopted policies and the elements of existing character worthy of retention:

- Increased housing supply and choice within existing centres.
- Appropriate parking solutions.
- Improve the vitality and vibrancy of Brighton Le Sands, as well as its status as a tourist destination, by maximising the efficiency of mixed use zones with development incorporating retail/commercial uses and serviced apartments.
- New, landmark, iconic buildings to improve the visibility of Rockdale from aircraft landing/taking off from Sydney Airport's Main North-South Runway and improve Rockdale's status as a tourist destination.
- Adaptive reuse and restoration of the Saywell terraces.
- Building footprint occupying the entirety of lots in B4 Mixed Use/SP3 Tourist Zones.
- Transition in building height and character along the western side of the Grand Parade.
- Improved address of all street frontages and the adjoining development to the north.
- Responds to the heritage character of the locality.

3.3 Urban Design Principles

3.3.1 SEPP 65 Principles

Context

- Located within the Brighton Le Sands Village in Sydney's South Subregion.
 - o Easily accessible from the Sydney CBD via bus and a well-connected road network.
 - o Essential services located within the village: supermarket, post office, bank and medical facilities.
 - o Botany Bay foreshore provides public open space along The Grand Parade.
- Housing supply in the South Subregion to be accelerated (A Plan for Growing Sydney 2015).
 - o Focus on more choices and affordability for residents.
- Site zoned as B4 Mixed Use (Rockdale LEP 2011).
 - o Maximise public transport patronage and encourage walking and cycling.
- Increasing café culture and enhancements to Bay St have increased pedestrian amenity (Capacity Analysis and Built Form Study – Rockdale City Council 2010).
- Site is undergoing a transition as a part of the Sydney Airport Precinct (A Plan for Growing Sydney 2015).
 - o Development must work for current and future residents.
 - o Compatible with future development to occur in the area.

Scale

- There is a change in character between the Novotel building and the Saywell Terraces.
 - o New development will act as a transition zone between the Novotel and 58-63 The Grand Parade.
 - o Allows Saywell Terraces to remain as the street frontage and the new development to follow the built form of The Grand Parade.
- Removal of the cantilever allows Saywell Heritage listed terraces to remain the major street focus on The Grand Parade.
 - o Keeps heritage form as the focal point of The Grand Parade street frontage.
 - o Creates a setback between the two buildings on the site.
 - o The larger building does not dominate the site.

Built Form

- The Rockdale LEP 2011 promotes active street frontages on The Grand Avenue (see Figure 12).
 - o New development will replace blank façades on Princess St and Princess Lane further activating surrounding street frontages.
- Creative integration of design between heritage buildings and new development.
 - o Creates a relationship between the Saywell Terraces and the new development.
- Terraces follow the nil setback of The Grand Parade.
- Building envelope is consistent with Rockdale DCP 2011 and surrounding area.
 - o Nil street setbacks on The Grand Parade, Princess St and Princess Lane (Part 5.3 Rockdale DCP 2011).
 - o Setback to 58-63 The Grand Parade to allow for further articulation and better building separation.
 - o Boundary kept on the Grand Parade by Saywell Terraces.
 - o Follows proposed and existing developments in the area.

Density

- Density of development is considered sustainable for site based on regional and local context.
 - o Precinct is undergoing transition.
 - o Close proximity to public transport and public open space.
 - o Similar to existing use of adjacent site (58-63 The Grand Parade).
- Mixed types of residential accommodation allowing for adaptability for future uses and occupants.
 - o Provides a mix of apartment sizes for the providing for the existing and future social mix.
- Parking will be provided at a higher rate than the current site.
 - o Underground parking will be available in the basement.
 - o Parking in the area is limited due to lack of off-street parking (Brighton Le Sands Parking Strategy 2014).

3.3.2 Examples of Development involving Heritage Items

66-68 Phillip St, Parramatta

66-68 Phillip St, Parramatta has an approved development application which involves building a tower on a site featuring a heritage item by Jones Sonter Architects. The heritage listed hut, shown in the red rectangle, is located on the front street frontage with the new tower to be built behind it.



Figures 13 & 14: Renders of south street frontage for 66-68 Phillip St showing the interaction between the heritage and new development

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Iconic, 830-838 Elizabeth Street, Waterloo

The former Chubb Pty Ltd building located at 830-838 Elizabeth Street, Waterloo is heritage listed under the City of Sydney LGA. The site has been granted approval for a mixed use development with five levels of residential apartments and commercial space on the ground floor. The original façade, outlined in red, will be kept intact with the new development to be built within the original building envelope. Renders were created by THIRDi and Milligan Group.



Figure 15: Render of the Iconic, Waterloo by the THIRDi Group and the Milligan Group

In summary the proposal should ensure that the heritage terraces remain a focal point of the Grand Parade. Providing a separation between the buildings even minor will ensure that the heritage component of the building remain an important component of the streetscape.

4.0 The Proposal

The Planning Proposal seeks the amendment of planning controls pertaining to the subject site as follows:

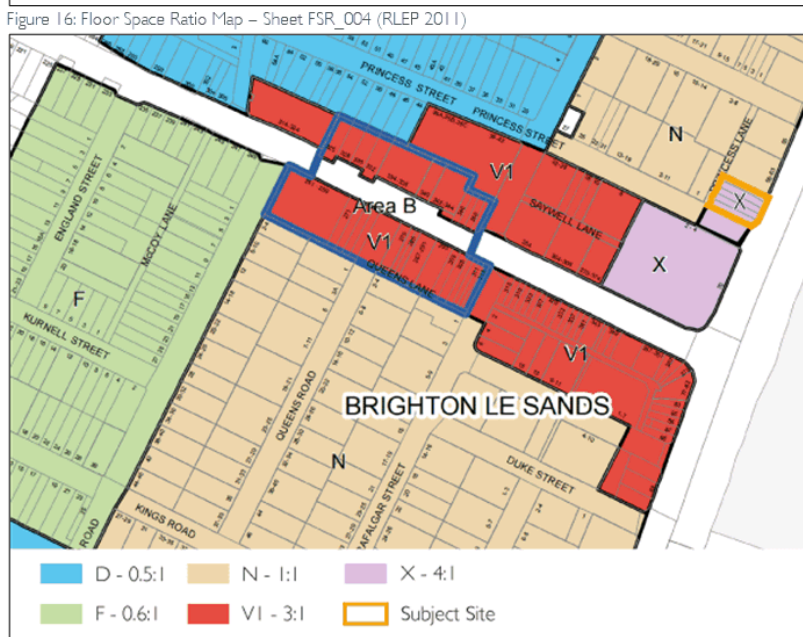
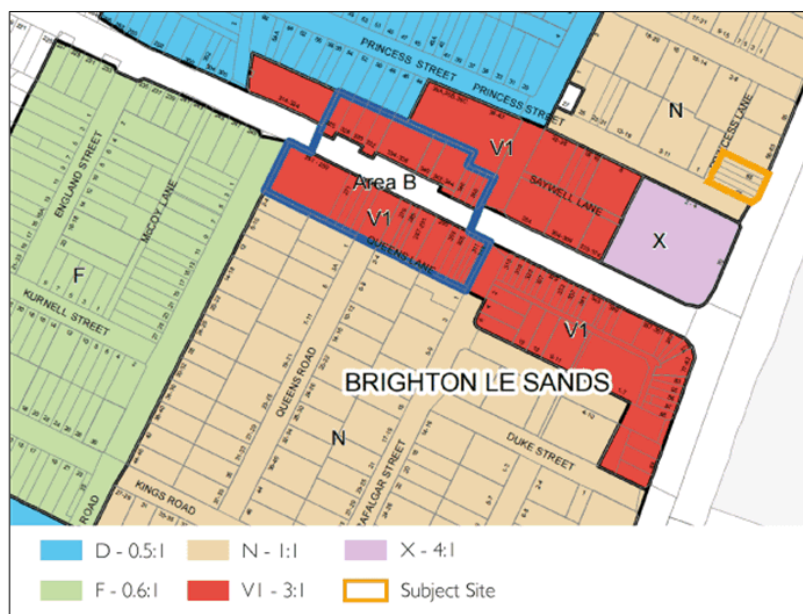
- Floor Space Ratio: from N – 1:1 to X – 4:1.
- Height of Buildings: from N1 – 13 metres to V – 36 metres.

No further changes to the Rockdale LEP are proposed.

The following sections of this report (Section 3.1 and 3.2) illustrate the existing and proposed amendments to the Rockdale LEP Floor Space Ratio and Height of Buildings Maps:

- Figure 16: Existing Floor Space Ratio Map (Floor Space Ratio Map – Sheet FSR_004).
- Figure 17: Existing Floor Space Ratio Map with proposed amendments.
- Figure 18: Existing Height of Buildings Map (Height of Buildings – Sheet HOB_004).
- Figure 19: Existing Height of Buildings Map with proposed amendments.

4.1 Floor Space Ratio



4.2 Height of Buildings

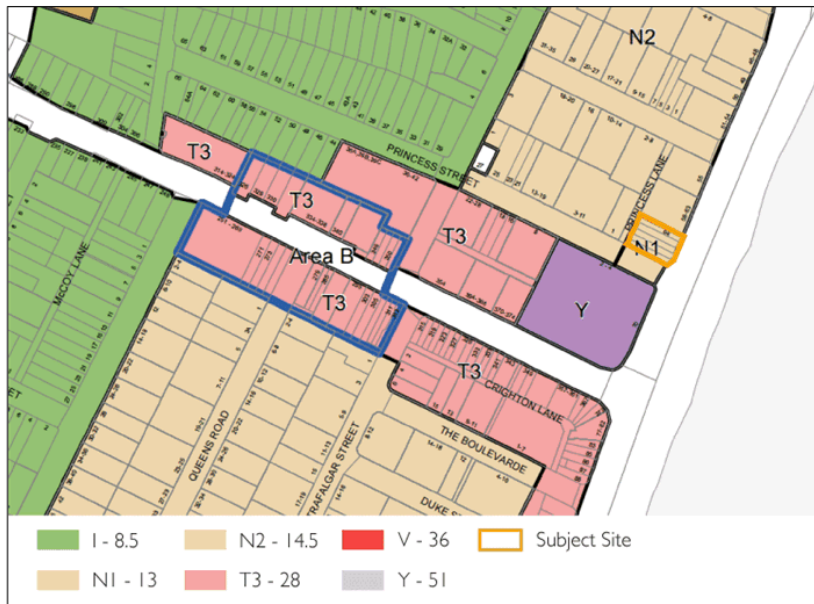


Figure 18: Height of Buildings Map – Sheet HOB_004 (RLEP 2011).

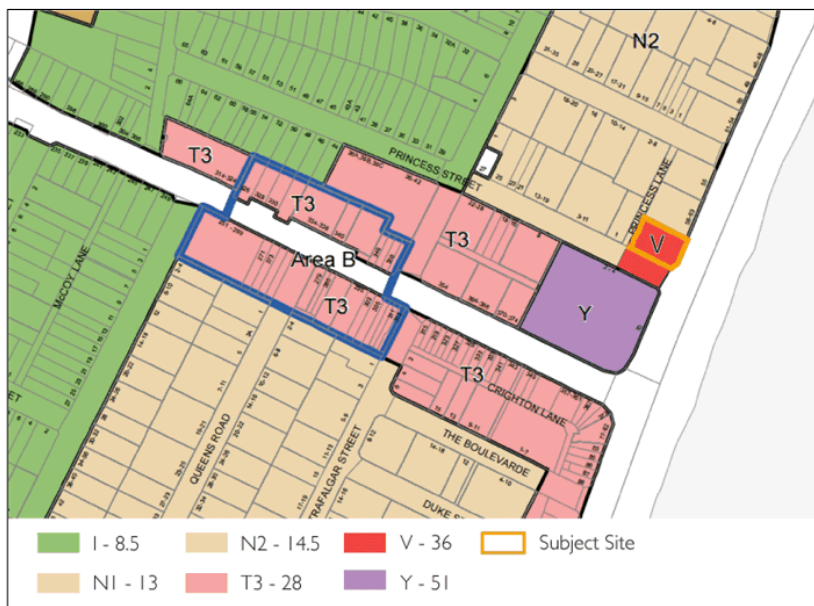


Figure 19: Height of Buildings Map – Sheet HOB_004 (RLEP 2011) with proposed amendment.

4.3 Proposed Building Envelope

An Indicative Layout Plan (Figure 20) and Building Envelope Study (Figures 21) compliant with the proposed height and FSR has been prepared by Architecture & Buildings Works.

The proposed built form envelope is described as:

- Retention of the principle building forms.
- A 10 storey tower within the portion of the site currently occupied by the substantially altered rear wings of the terraces, sufficiently separated from the restored heritage terraces.
- Accessible rooftop for the purpose of communal open space.
- 3 levels of basement parking to minimise the impact of the future development on local streets, already experiencing severe congestion (see Section 3.2.3).

The rationale for the proposed building envelope is consistent with the Apartment Design Guide's 'Primary Controls' (p 28) and 'Floor Space Ratio' (p 32):

- Corner block: *"corner; mid-block or wide shallow sites tend to have different floor space capacities"* (p 33).
- Small site with single building: *"small sites with a single building may have greater floor space capacity than larger sites with multiple buildings"* (p 33).
- Heritage Saywell terraces are retained through a reduction of the developable area to that which is currently occupied by terraces' substantially altered rear wings.
- Nil street setbacks to The Grand Parade, Princess Street and Princess Lane, consistent with 'Development Setback' controls contained within Part 5.3 of the Rockdale DCP 2011.
- Setback to 58-63 The Grand Parade to allow for further articulation and better building separation.
- Nil deep soil zones due to:
 - Nil street and side setbacks (see above);
 - Site being constrained by the heritage terraces; and
 - Abundance of public open space along the Botany Bay Foreshore.
- Building separation between the proposed built form envelope and surrounding development responding to the dense urban character of the area and the constrained nature of the subject site.
- Orientation of the built form envelope is restricted by the constrained nature of the subject site. Internal layouts, forming part of a future development application, will be designed to maximise solar access, cross ventilation and views to Botany Bay.
 - Floor plan has been changed to maximise these issues shown in the Indicative Floor Plan (see Figure 20).
 - 3 bedroom apartments now face the Princess St and Princess Lane street frontages and 2 bedroom apartments have undergone a slight change in shape facing the northern and eastern aspects.
- Removal of cantilever on the eastern aspect which overlooked the heritage properties.
 - Without this feature allows Saywell Terraces to remain the focal point of The Grand Parade.
 - New development is closer to the setback of similar developments including 58-63 The Grand Parade adjacent to the site.

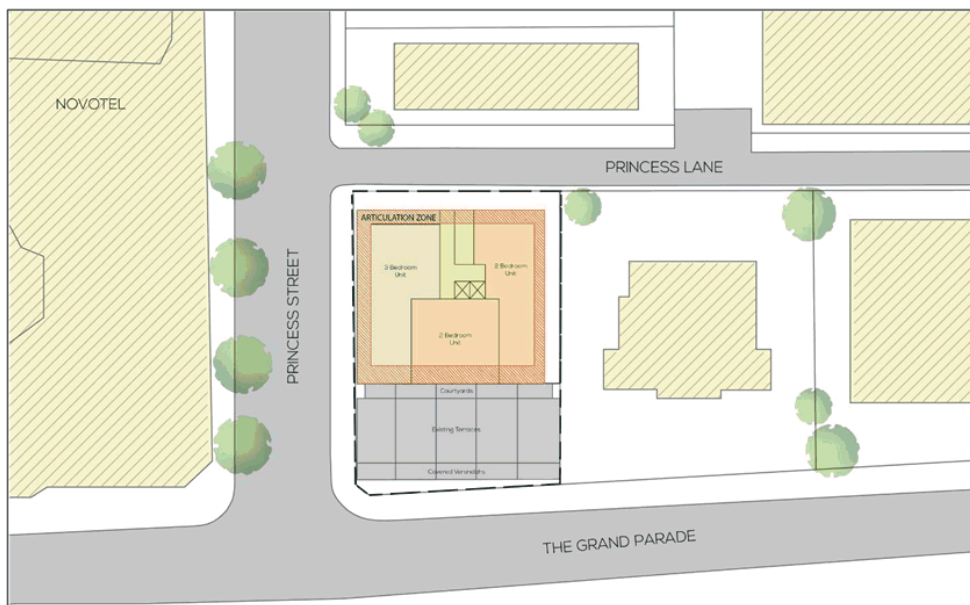


Figure 20: Indicative Plan Layout (Architecture & Building Works 2015)



Figure 21: Proposed Building Envelope (Architecture & Building Works 2015)

5.0 Assessment of Proposal

5.1 Desired Future Character

The proposed building envelope prepared by Architecture & Building Works, compliant with the proposed Planning Proposal, is consistent with the desired future character for the subject site (see Table 2).

Table 1: Assessment against desired future character

DESIRED FUTURE CHARACTER:	COMMENT:	COMPLIANCE:
Increased housing supply and choice within existing centres.	<p>Under existing conditions, the subject site contains 5 two-bedroom terraces.</p> <p>Under existing planning controls, the maximum permissible height is 4 storeys, resulting in a marginal intensification of the subject site, unlikely to occur due to the limited uplift.</p> <p>The proposed amendment to planning controls enable the redevelopment of the subject site such that it has height and density greater than that which is permissible under current planning controls, allowing a greater dwelling yield within the Brighton Le Sands Village and the variety of existing services and opportunities it contains.</p>	✓
Appropriate parking solutions.	<p>The proposed amendments to planning controls enable development with greater height and scale to make feasible the excavation and dewatering of the site for the purpose of basement parking in the high groundwater environment (see Preliminary Groundwater & Geotechnical Assessment prepared by C.S.T.S.).</p> <p>Off-street parking can be provided in accordance with the <i>Traffic & Parking Assessment Report</i> prepared by Varga Traffic Planning (2015).</p>	✓
Improve the vitality and vibrancy of Brighton Le Sands, as well as its status as a tourist destination, by maximising the efficiency of mixed use zones with development incorporating retail/commercial uses and serviced apartments.	<p>The proposed amendments to planning controls improve the vitality and vibrancy of Brighton Le Sands by increasing the site's efficiency as a mixed use development location, increasing the potential floor space to be dedicated retail/commercial uses and serviced apartments.</p> <p>The proposed amendments to planning controls make feasible the restoration of the heritage Saywell terraces.</p>	✓
New, landmark, iconic buildings to improve the visibility of Rockdale from aircraft landing/taking off from Sydney Airport's Main North-South	The maximum height of 13 metres (4 storeys) permitted by existing planning controls restricts the development of a new, landmark iconic development.	✓

Runway and improve Rockdale's status as a tourist destination.	<p>The proposed amendment enables the development of a new, landmark, iconic building with height 10 storeys incorporating a mix of uses, generating a range of positive impacts throughout the Brighton Le Sands Village:</p> <ul style="list-style-type: none"> – Sufficient height to make feasible the restoration and adaptive reuse of the heritage Saywell terraces, generating further visual interest. – Increased local worker base and residential population, facilitating increased day and night pedestrian activity surrounding the subject site and through the Village, improving the vitality and vibrancy of the Village whilst creating opportunities for casual surveillance. 	
Adaptive reuse and restoration of the Saywell terraces.	<p>The proposed amendment enables the adaptive reuse of the Saywell terraces such that they become an active part of the Grand Parade streetscape, incorporating ground floor retail with active street frontage.</p> <p>The proposed amendments to planning controls makes feasible the restoration of the existing heritage Saywell Terraces, including the provision of an appropriate colour scheme and reconstruction of the front yards and fences.</p>	✓
Building footprint occupying the entirety of lots in B4 Mixed Use/SP3 Tourist Zones.	The proposed amendments to planning controls enables the redevelopment of the subject site such that it has building footprint consistent with the B4 Mixed Use/SP3 Tourist Zones (i.e. nil street and side setbacks), maximising exposure of ground floor retail.	✓
Transition in building height and character along the western side of the Grand Parade.	The proposed amendment enables development to a height of 10 storeys, enabling a transition in building height from the 15 storey Novotel building to the 8 storey residential developments to its north. By incorporating an appropriate design, development compliant with the proposed controls can create a transition in the built form character between the Novotel building and No. 58-63 The Grand Parade.	✓
Improved address of all street frontages and the adjoining development to the north.	Through the restoration and adaptive reuse of the heritage Saywell Terraces and development of a tower at the site's rear (in place of the altered rear wings of the terraces), enabled by the proposed amendments to planning controls, improved address of The Grand Parade, Princess	✓

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	<p>Street and Princess Lane can be created through the provision of active street frontage.</p> <p>The frontage to No. 58-63 The Grand Parade can be improved through articulation of the north-facing façade.</p>	
Responds to the heritage character of the locality.	The proposed amendments to planning controls respond to the heritage character of the locality through the restoration and adaptive reuse of the substantially altered heritage Saywell terraces.	✓

5.2 Built Form & Scale

The built form envelope enabled by the amended planning controls is an acceptable outcome for the subject site in terms of its form and scale:

- Results in a building footprint occupying the entirety of the subject site, consistent with the site coverage of development within the B4 Mixed Use and SP3 Tourist Zones within the Brighton Le Sands Village.
- Consistent with the Apartment Design Guide's 'Floor Space Ratio' (p 32):
 - Corner block: "corner, mid-block or wide shallow sites tend to have different floor space capacities" (p 33).
 - Small site with single building: "small sites with a single building may have greater floor space capacity than larger sites with multiple buildings" (p 33).
- Has height of 10 storeys:
 - Enabling a transition in building height along the western side of The Grand Parade (see Figure 22).
 - Consistent with building height along Princess Street (see Figure 23).
 - Enabling the development of a new, landmark, iconic building highly visible from aircraft landing/taking off from Sydney International Airport's Main North-South Runway.
- Enables provision of communal open space within an accessible rooftop.
- Removal of cantilever creates a more consistent built form and allows a definition between the two buildings on the site (see Figure 22).

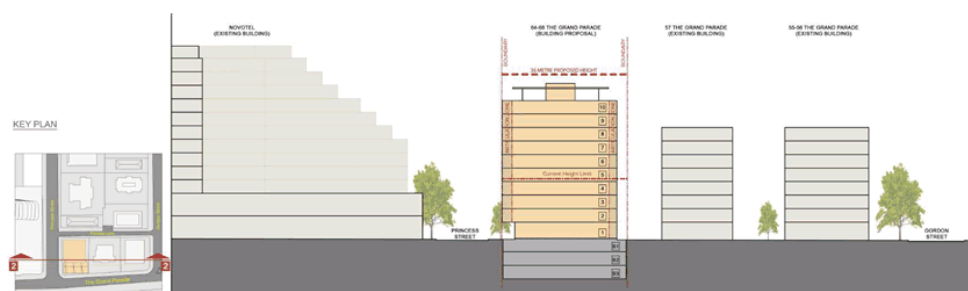


Figure 22: Built form envelope north-south section (Architecture & Building Works 2016).

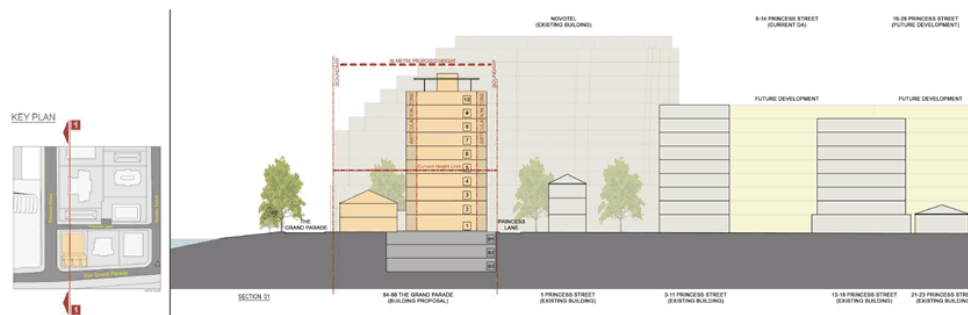


Figure 23: Built form envelope east-west section (Architecture & Building Works 2016).

5.3 Amenity



Figure 24: Drawing Pn.0399/004 showing overshadowing impacts of proposed development at June 21 with approximate locations of heritage Norfolk Island Pines denoted by red dots (Sydney Arbor Trees 2015, Arboricultural Assessment)

The building envelope established to reflect the amended planning controls results in a narrow, minimising the length of overshadowing impacts to the building's surroundings (see Figure 24):

- Overshadowing impacts to the Novotel building are acceptable as they are limited to the podium area in mid-winter.
 - Removal of cantilever reduces overshadowing impacts on the Novotel.
- The portion of public open on the eastern side of The Grand Parade overshadowed by the building envelope is minor.
- With regard to the heritage street trees on the southern side of Princess Street: *"The shadow diagrams provided suggest that there will be a slight alteration to light patterns throughout the winter months; this affect appears unlikely to pose any significant impacts upon the subject trees"* (Sydney Arbor Trees 2015, Arboricultural Assessment, p 17).

Development compliant with the proposed controls will not result in any public domain view loss. View impacts to private domain are to be assessed at DA stage.

5.4 Heritage

The Planning Proposal enables the provision a 10 storey tower on the site. To achieve the density proposed the portion of the site currently occupied by garages, rear yards, the rear wings of the 5 heritage listed terraces will be included in the proposed development (Item No. 1174, RLEP 2011). The proposal will be sufficiently separated from the principal form of the heritage listed terraces. This is an appropriate outcome as the rear wings are substantially altered and would require further alteration to meet DDA and BCA requirements to make suitable for commercial purposes.

Further assessment of the impact of the built form envelope enabled by the Planning Proposal is provided within the Heritage Impact Statement (Weir Phillips 2015) forming part of this application:

- *"The development provides the incentive and opportunity to restore the principal building forms. An appropriate colour scheme will be provided. The front yards and fences will also be reconstructed. The presentation of the row to the public domain will be greatly enhanced.*
- *The new building is set back and separated from the retained principal building forms. The two storey building form of the row of terrace houses thus remains dominant from street level"* (Weir Phillips Heritage 2015, p 55-56).

The Structural Design Statement prepared by Structural Design Solutions confirms that:

- *"the basement shoring retention system is outside the existing Heritage buildings and no part of the basement extends below the buildings".*
- *"The retention system will be designed to minimise vibrations during installation and movements in both temporary and permanent conditions".*

Other proximate heritage items include:

- A row of street trees (Item No. 1170, RLEP 2011) south of subject site, on the southern side Princess Street;
- Cook Park (Item No. 1168), east of the subject site, forming part of the linear network of public open space along the Botany Bay Foreshore.

Assessment of the impact of the built form envelope enabled by the Planning Proposal is provided within the Arborist's Report (Sydney Arbor Trees 2015) forming part of this application:

- *"The proposed construction site is outside the Tree Protection Zones (TPZ) and Structural Root Zones (SRZ).*
- *The construction should cause no impacts related to soil disturbance or root damage.*
- *It is unlikely that there will be any significant alteration of wind patterns which may be detrimental to the subject trees, although some effects of wind tunnelling may occur during certain conditions."*
- *"The impact upon the subject trees from the proposed development would appear to be low."* (Sydney Arbor Trees 2015, p 17).

5.5 Ground Conditions

The proposed building envelope incorporates 3 storeys of basement parking. The *Preliminary Contamination & Groundwater Assessment* prepared by C.S.T.S. (forming part of this application) has made the following findings:

- Based on the review of 4 groundwater bores “located approximately 60m North ..., 130m North-west ..., 280m West ... and 315m South-west” of the centre of the site, “groundwater within the site is expected to be encountered approximately 4-6m bgl”.
- “Based on the predicted groundwater levels, CSTS is of the opinion that dewatering of groundwater for excavation will be required”.

The implications of the report's findings are that the feasibility of the provision of basement parking as part of future development of the subject site is reduced. Alternative parking solutions are found to be not in the public interest:

- The provision of on-site, above ground parking is found to not be in the public interest as it creates “dead space” at a level immediately visible to pedestrian and vehicular traffic along The Grand Parade and Princess Street, a poor urban design outcome for the site.
- The provision of parking off-site in the form of street parking is found to not be in the public interest as it will contribute to the Brighton Le Sands Village's existing parking congestion issues arising from many existing residential flat buildings within the locality not having on-site parking due to “geotechnical conditions result[ing] in very costly basement parking” (p 14).

As a consequence, dewatering must form part of the excavation process to enable the provision of basement parking, requiring significant expense on the developer's behalf. In order for future development to remain feasible, planning controls must be amended to enable development to a maximum FSR of 4.0:1 and a maximum height of 36 metres.

5.6 Design Rationale for Potential Development

- Removal of cantilever creates building separation necessary for ADG.
 - o Allows more visual privacy for residents of the terrace.
 - o New building does not dominate over the smaller scale of the Saywell terraces.
- New height follows the context of the area.
 - o Sites to the north and south on The Grand Parade are already over the acceptable height in the Rockdale LEP 2011.
 - o Follows Clause 6.14 – Design Excellence, *new scale, character, form and siting complement surrounding urban qualities and likely future development.*
- As a strategic centre, Rockdale must focus on taller buildings which provide more facilities for the community.
 - o Keeping the heritage features allows the original context of the area to remain while creating a new iconic tower for the Rockdale centre.
 - o Provides more active street frontages for pedestrian activity.
- It is possible to use new materials and still create a cohesive site.
 - o The Iconic in Waterloo presents the original façade for the building with a new development using more modern materials.
- Underground parking provides for the community but also does not create dead space on street level.
- Building envelope is consistent with Rockdale DCP 2011 and surrounding area.
 - o Nil street and side setbacks on The Grand Parade, Princess St and Princess Lane (Part 5.3 Rockdale DCP 2011).
 - o Setback to 58-63 The Grand Parade to allow for further articulation and building separation.
 - o Boundary kept on the Grand Parade by Saywell terraces.
 - o Follows proposed and existing developments in the area.
- Allows for more innovative design to occur on The Grand Parade
 - o Provides a new landmark building to increase the visibility of Rockdale from aircraft landing/taking off from the airport runway.
 - o Improves Rockdale's status as a tourist destination.

6.0 Conclusion

This report has been prepared by ae design partnership on behalf of Brighton Australia P/L, to provide urban design and planning background for a Planning Proposal to amend development standards within the Rockdale Local Environmental Plan (2011) for 64-68 The Grand Parade, Brighton Le Sands (the site).

The Planning Proposal seeks the amendment of planning controls pertaining to the subject site as follows:

- Floor Space Ratio: from N – 1:1 to X – 4.0:1.
- Height of Buildings: from N1 – 13 metres to V – 36 metres.

The site is currently occupied by a row of 5 heritage listed (Item No. 1174, RLEP 2011) two storey terraces known as the 'Saywell' terraces. While substantially intact, the existing condition of the terraces is varied. The terraces have undergone varying degrees of alteration to fabric and finishes as outlined in the *Heritage Impact Statement* forming part of this application (Weir Philips 2015).

The existing height and FSR controls are unsuitable as:

- The height and scale of existing surrounding built form is generally exceeding that which is permissible under the controls.
- The development standards are insufficient to make feasible the restoration and adaptive reuse of the heritage Saywell terraces.
- The development standards are insufficient to make feasible the provision of basement parking due to the high groundwater.

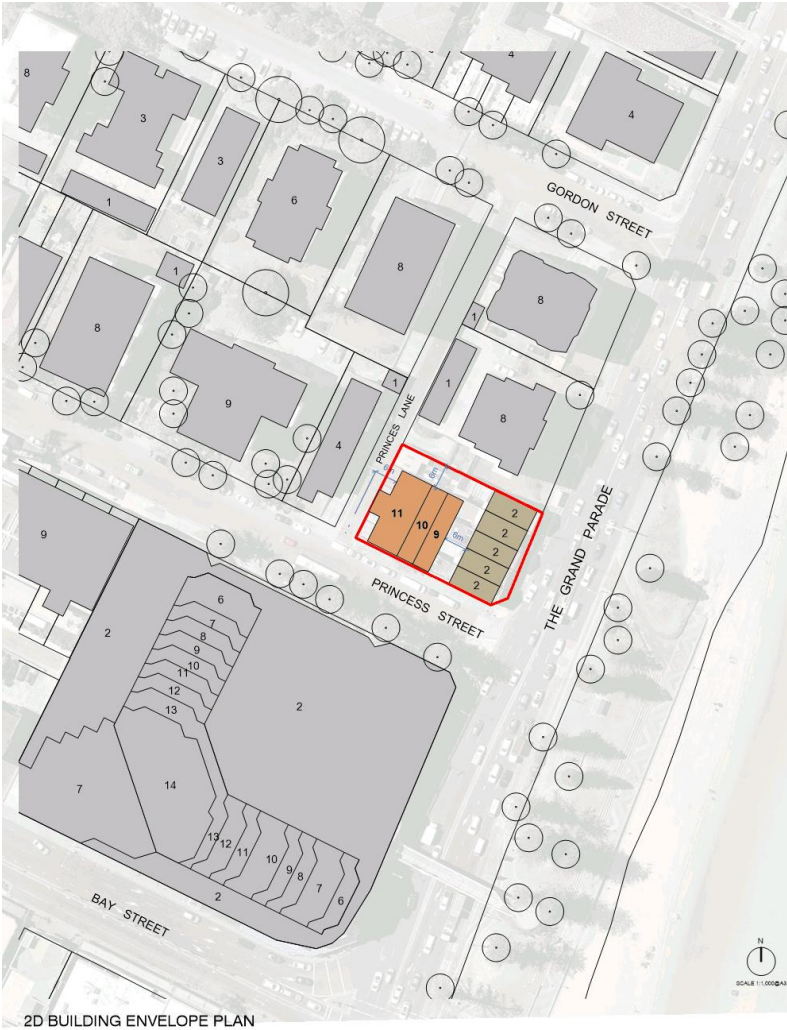
Architecture & Building Works have prepared a built form envelope consistent with the Apartment Design Guide with respect to corner and small allotments warranting different FSR. The envelope would see the adaptive reuse of the subject site through the demolition of the altered rear wings and development of an adjoining 10 storey building.

The proposed built form envelope has urban design merit and is in the public interest for the following reasons:

- Consistent with the desired future character for the locality:
 - Provides an appropriate parking solution; off street parking to meet Rockdale DCP requirement.
 - Improves the vitality and vibrancy of Brighton Le Sands, as well as its status as a tourist destination, by maximising the efficiency of the mixed use zone through the provision of increased housing supply, retail/commercial floor space and potential serviced apartments.
 - Provides a new, landmark, iconic buildings to improve the visibility of Rockdale from aircraft landing/taking off from Sydney Airport's Main North-South Runway and improve Rockdale's status as a tourist destination.
 - Incorporates adaptive reuse and restoration of the Saywell terraces.
 - Has building footprint occupying the entirety of site area, consistent with development within the B4 Mixed Use and SP3 Zones within the locality.
 - Enables a consistent transition in building height and character along the western side of the Grand Parade.
 - Improves address of frontages to The Grand Parade and Princess Street through the provision of active street frontage.
 - Improves address of frontages to Princess Lane and the adjoining development north of the subject site through increased (compared to current conditions) articulation of both facades.

- Responds to the heritage character of the locality.
 - Follows the Design Excellent Criteria outlined for Clause 6.14 of Rockdale LEP 2011
- The built form and scale is an appropriate outcome for the subject site:
 - Consistent with Apartment Design Guide with respect to corner allotments and small allotments with a single building having different FSR to the remainder of the street block.
 - Conforms to the transition in building height along the western side of The Grand Parade.
 - Consistent with building height along Princess Street.
 - Enabling the development of a new, landmark, iconic building highly visible from aircraft landing/taking off from Sydney International Airport's Main North-South Runway.
 - Enables provision of communal open space within an accessible rooftop.
- Overshadowing impacts are minimal and therefore acceptable.
- Does not result in view loss from public domain.

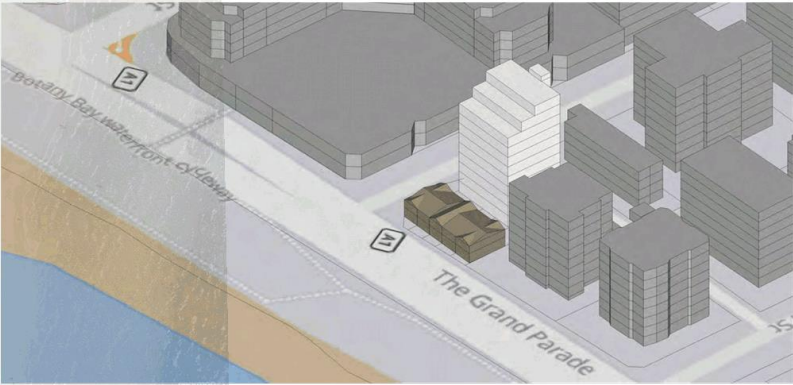
The proposed amendment to development standards encourage redevelopment of the site which will provide an improved urban design outcome.



2D BUILDING ENVELOPE PLAN



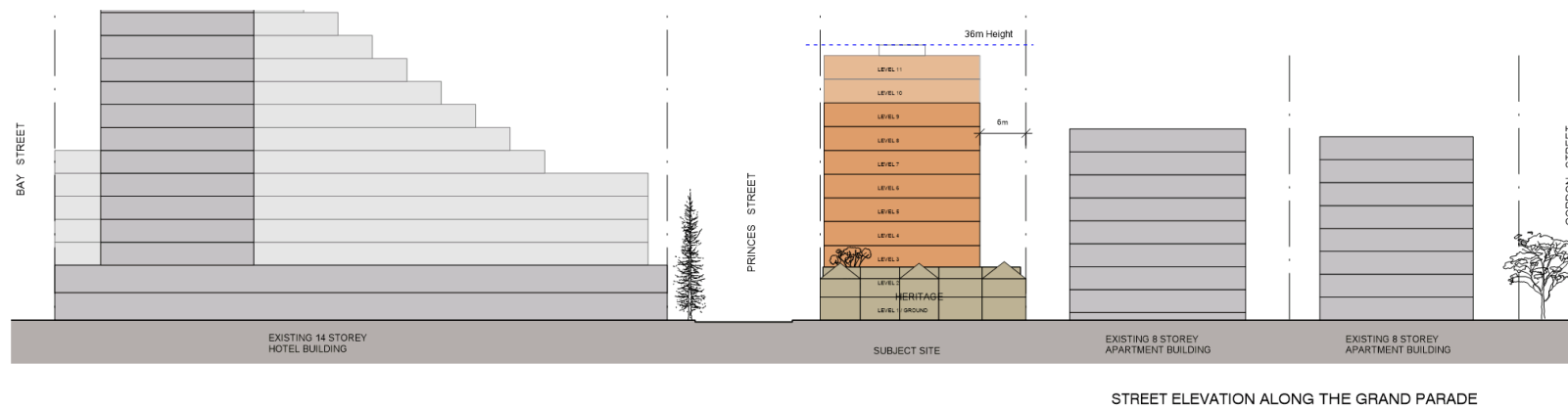
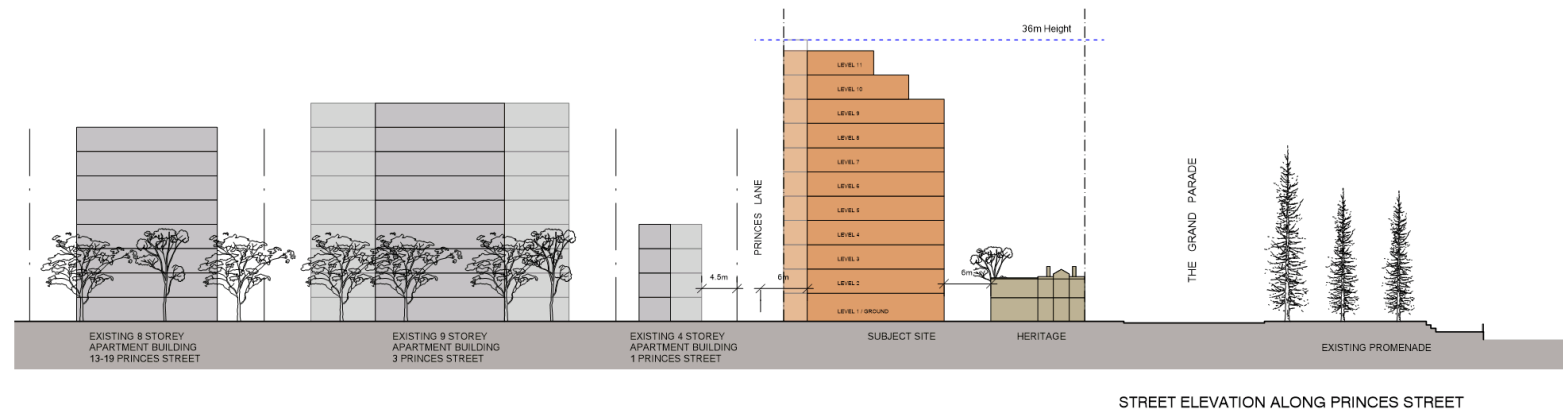
ISOMETRIC VIEW FROM SOUTH SHOWING PROPOSED ENVELOPE WITH EXISTING BUILDINGS



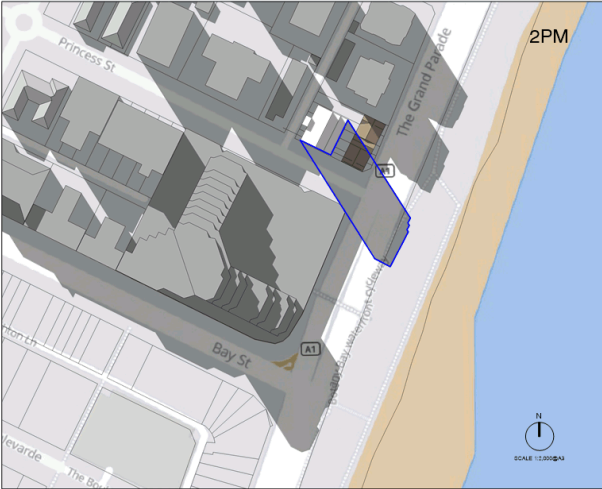
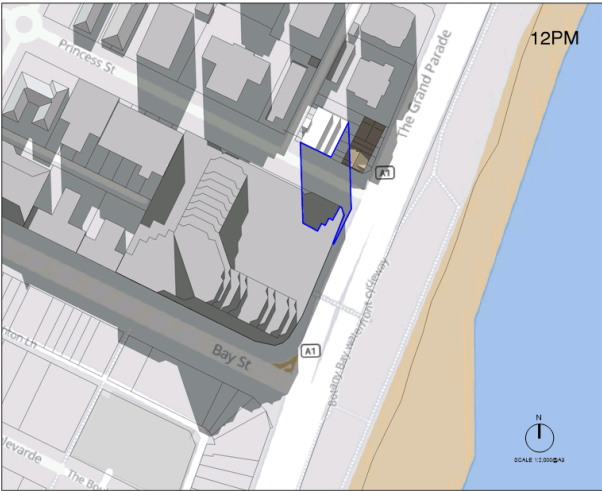
ISOMETRIC VIEW FROM EAST SHOWING PROPOSED ENVELOPE WITH EXISTING BUILDINGS

project	client	prepared by
THE GRAND PARADE	R H CON	ae design partnership
BRIGHTON LE SANDS		architects urban design planning
		Harrogate Architect
		Drawn: N. R. Davies # 7001
		01/03/2018

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project
THE GRAND PARADE
BRIGHTON LE SANDS

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date 01/03/2018
ISSUE SKETCH

Council Meeting

Meeting Date 16/03/2016

Public

Report Header

Item Number:	ORD12
Subject:	PLANNING PROPOSAL: 64-68 THE GRAND PARADE, BRIGHTON LE SANDS
File Number:	F15/526
Report by:	Manager Place Outcomes (Erika Pawley)
Contributors:	Senior Project Officer (Land Use & Transport). (Peter Naidovski)
Community Engagement:	Yes
Financial Implications:	No

Precis

A planning proposal has been received affecting a site at 64-68 The Grand Parade, Brighton Le Sands. The site is currently occupied by five terrace houses, which are identified as local heritage items under the Rockdale Local Environmental Plan 2011.

The Planning Proposal seeks to increase the building height from 13 metres to 36 metres and increase the floor space ratio from 1:1 to 4:1.

The purpose of this report is to determine if the planning proposal has sufficient merit to be recommended to the Department of Planning and Environment for Gateway Determination.

Council Resolution

MOTION moved by Councillors Nagi and Tsounis

1 That Council supports the planning proposal for submission to the Department of Planning and Environment for Gateway Determination, subject to:

a) the planning proposal being amended to ensure that Clause 6.14 - Design Excellence of the Rockdale LEP 2011 applies to the site prior to submission to the Department of Planning and Environment for Gateway Determination;

b) the planning proposal being amended in accordance with this Council Report prior to submission to the Department of Planning and Environment for Gateway Determination;

c) the applicant's Urban Design Report being amended in accordance with this Council Report prior to submission to the Department of Planning and Environment for Gateway Determination;

d) the Heritage Impact Statement being amended in accordance with this Council Report prior to exhibition; and

e) the applicant's Massing Diagrams be amended in accordance with this Council Report prior to submission to the Department of Planning and Environment for Gateway Determination.

2 That Council publicly exhibits the planning proposal in accordance with the Department of Planning and Environment's Gateway Determination.

3 That the planning proposal for the building height be increased to 36 m and the floor space ratio be increased to 4:1.

DIVISION

DIVISION on the MOTION called for by Councillors Nagi and Tsounis

FOR THE MOTION

Councillors Macdonald, Bezic, P Sedrak, Awada, Barlow, Kalligas, Nagi, Mickovski, Hanna, Tsounis, Poulos and Saravinovski

AGAINST THE MOTION

Nil

The MOTION was ADOPTED 12 votes to 0.

Officer Recommendation

That voting on this matter be by way of a Division.

1. That Council supports the planning proposal for submission to the Department of Planning and Environment for Gateway Determination, subject to:

a. the planning proposal being amended to ensure that Clause 6.14 - Design Excellence of the Rockdale LEP 2011 applies to the site prior to submission to the Department of Planning and Environment for Gateway Determination;

b. the planning proposal being amended in accordance with this Council Report prior to submission to the Department of Planning and Environment for Gateway Determination;

c. the applicant's Urban Design Report being amended in accordance with this Council Report prior to submission to the Department of Planning and Environment for Gateway Determination;

d. the Heritage Impact Statement being amended in accordance with this Council Report prior to exhibition; and

e. the applicant's Massing Diagrams be amended in accordance with this Council Report prior to submission to the Department of Planning and Environment for Gateway Determination.

2. That Council publicly exhibits the planning proposal in accordance with the Department of Planning and Environment's Gateway Determination.

Report Background

Applicant: AE Design Partnership
Land Owner: Brighton Australia Pty Ltd
Brighton Australia Company Director(s): Fehima Gacanovic

Council has received a planning proposal for 64-68 The Grand Parade, Brighton Le Sands ("the site") from AE Design Partnership (the "applicant") on behalf of Brighton Australia Pty Ltd ("the owner") on 13 November 2015. The site is located north of the Brighton Le Sands Town Centre and is bound by a unit development to the north, The Grand Parade to the east, Princess Street to the South and Princess Lane

to the west.

There are currently five terraces located on the site. The terraces are identified as items of local heritage in Schedule 5 of the Rockdale Local Environmental Plan (RLEP) 2011 (Item No. 174). The terraces are known as the 'Saywell' terraces and are the remaining buildings of what was the Brighton Estate subdivision.

Council staff have met with owner and consultant team on a number of occasions to discuss the subject site. The planning proposal is supported by a number of consultant reports, which are attached to this report.

The proposal seeks the following to permit the erection of a mixed use development:

- Increase the building height across the site from the current 13 metres to 36 metres; and
- Increase the FSR from 1:1 to 4:1.

The proposed height is 23 metres higher than what is currently permissible on the site. However, the current height limit does not represent the height of the existing residential flat buildings in the vicinity, which average around 26-28 metres (eight storeys). The proposed height of 36 metres would accommodate a 10 storey building, which is lower than the Novotel building to the south but two storeys higher than surrounding buildings to the north and west.

The proposed FSR is considerably higher than the current controls. While the controls do not represent the actual FSR of residential flat buildings in the vicinity, the proposed FSR of 4:1 is significantly higher than the surrounding building to the north and east (these range from 1.9:1 to 2.5:1). The Novotel site is the only other building in Brighton Le Sands that has a FSR of 4:1. However, the Novotel development is located on a considerably larger site.

SITE AND CONTEXT

The site is located to the north of the Brighton Le Sands town centre and is bound by a unit development to the north, The Grand Parade to the east, Princess Street to the South and Princess Lane to the west.

The allotments are legally described as:

- Lot 8 in DP 33420 (64 The Grand Parade, Brighton-Le-Sands);
- Lot 9 in DP 651072 (65 The Grand Parade, Brighton-Le-Sands);
- Lot 10 DP 662061 (66 The Grand Parade, Brighton-Le-Sands);
- Lot 11 DP 654651 (67 The Grand Parade, Brighton-Le-Sands); and
- Lot 1 DP 798421 (68 The Grand Parade, Brighton-Le-Sands).

The site area is approximately 1,085 m2 with frontages detailed below:

- Primary frontage to The Grand Parade (approximately 24 metres).
- Secondary frontage to Princess Street (approximately 39 metres).
- Rear frontage to Princess Lane (approximately 27 metres) and is accessible via Gordon Street to the north

Heritage

The site is currently occupied by five, two storey terraces that are heritage listed under the RLEP 2011 (174).

New Brighton Estate

The five terraces are the remaining buildings of Thomas Saywell's New Brighton Estate, which was to become a model suburb. The Estate was to accompany the Brighton Pleasure Grounds at Lady Robinson's Beach, which included New Brighton Hotel, a public bathing enclosure, and other amenities including a racecourse. The development of the Estate was also a direct result of the tram transport between Brighton and Rockdale train station, which was developed by Saywell.

To assist with the progress of the Estate, Saywell developed 12 terraces along Grand Parade, between Princess and Gordon Streets. The terraces were designed in an extravagant Victorian style by architect William Kenwood. These buildings were substantial residences, larger than the standard terrace that was prevalent at the time in other parts of Sydney. Thomas Saywell resided in two of the terraces he built on

The Grand Parade.

It should be noted that Thomas Saywell was an important entrepreneur at the end of the 19th century who influenced the historic development of a number of areas in NSW one of which was New Brighton which heralded intensification of development on the Peninsula. Saywell was an important figure in NSW's history having developed the Zig-Zag Coal Co. at Lithgow and the South Bulli Colliery. He built the Bellambi jetty in 1887 at South Bulli and won large government contracts for coal. Later he bought and developed other south coast mines, notably the Clifton and South Clifton collieries.

Today, only five of the original 12 terraces remain. The terrace footprints occupy a significant portion of the site and are also in varying levels of disrepair, requiring significant investment to reinstate them to a level that would be acceptable for their adaptive re-use.

A number of other heritage items are located in close proximity to the site including:

- A row of street trees (Item No. I170, RLEP 2011) south of subject site, on the southern side Princess Street;
- Cook Park (Item No. I168), east of the subject site, forming part of the linear network of public open space along the Botany Bay Foreshore.



Figure 1 - Aerial photo of the Site

North: Immediately to the north of the site is an eight storey residential flat building, with a seven storey residential flat building (RFB) is located in the same block (bounded by Princess Street, The Grand Parade, Gordon Street and Princess Lane). A number of residential buildings ranging in height from four to eight stories are also located further north and north-west of the site.

East: The Grand Parade separates the site from Cook Park and Lady Robinson beach. Access to the park and beach is either via the pedestrian bridge over The Grand Parade or the pedestrian lights at Bay Street.

South: Directly south of the site is the Novotel Hotel. The Hotel is a prominent feature along Bay Street and The Grand Parade. It should be noted that the building of the Novotel Hotels fronts Bay Street, with a three level podium along Princess Street.

West: Immediately to the west of the site is a three storey walk-up flat, with seven and eight storey RFBs further west.

Current Planning Controls

The current planning controls for the site as per *Rockdale Local Environmental Plan 2011* ("RLEP 2011") are as follows:

- **Zone:** B4 Mixed Use zone (refer to Figure 2).

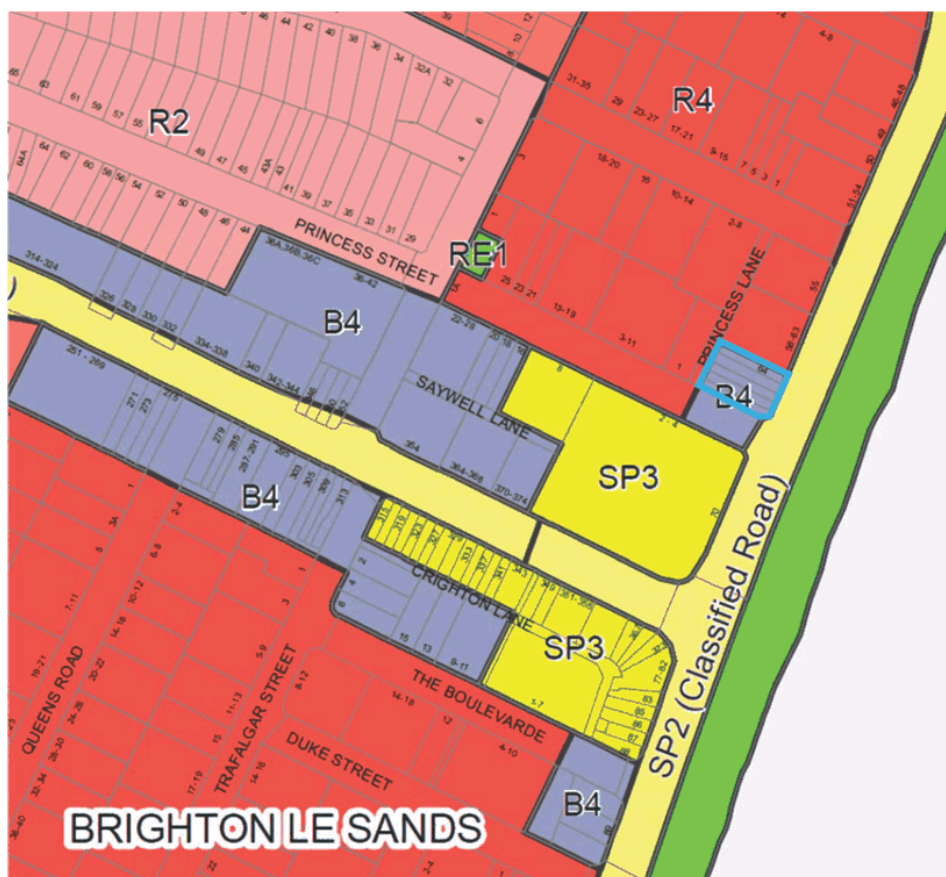


Figure 2 - Land Zoning Map extract from RLEP 2011

- **Building Height:** 13 metres (refer to Figure 3)

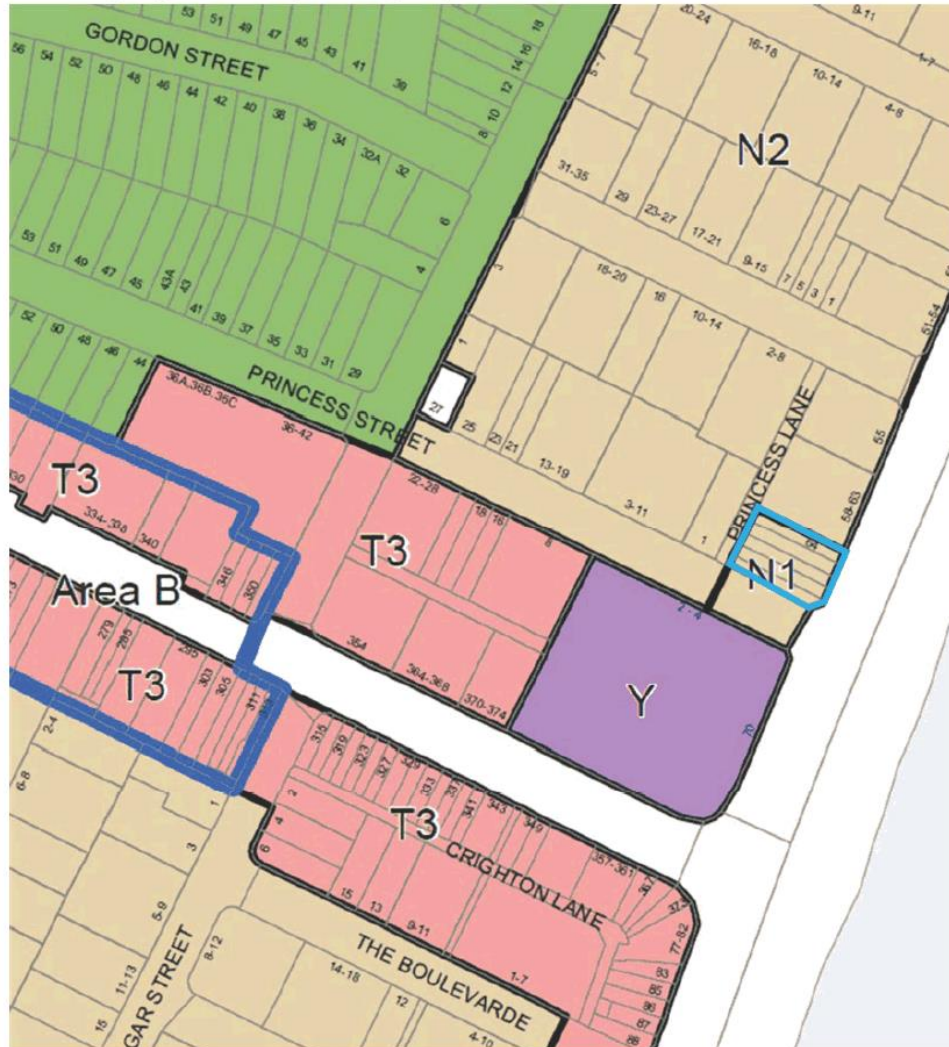


Figure 3 Height of Building Map extract from RLEP 2011

- **Floor Space Ratio:** 1:1 (refer to Figure 4)

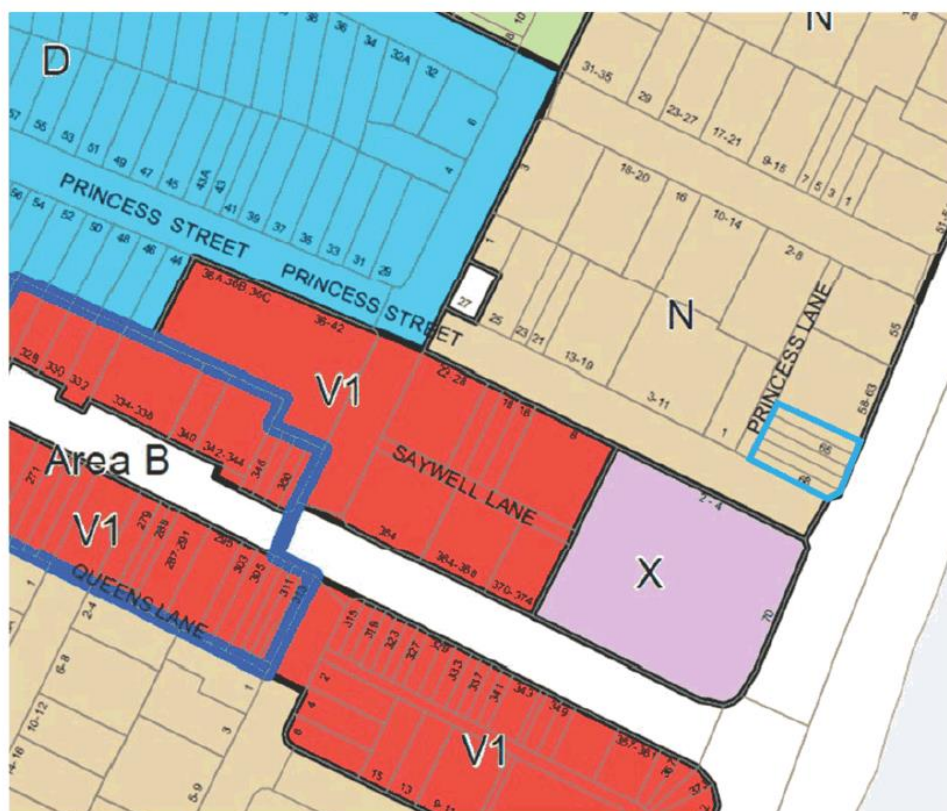


Figure 4 - Floor Space Ratio Map extract from RLEP 2011

- **Heritage:** Item 74 (I74) (refer to Figure 5)

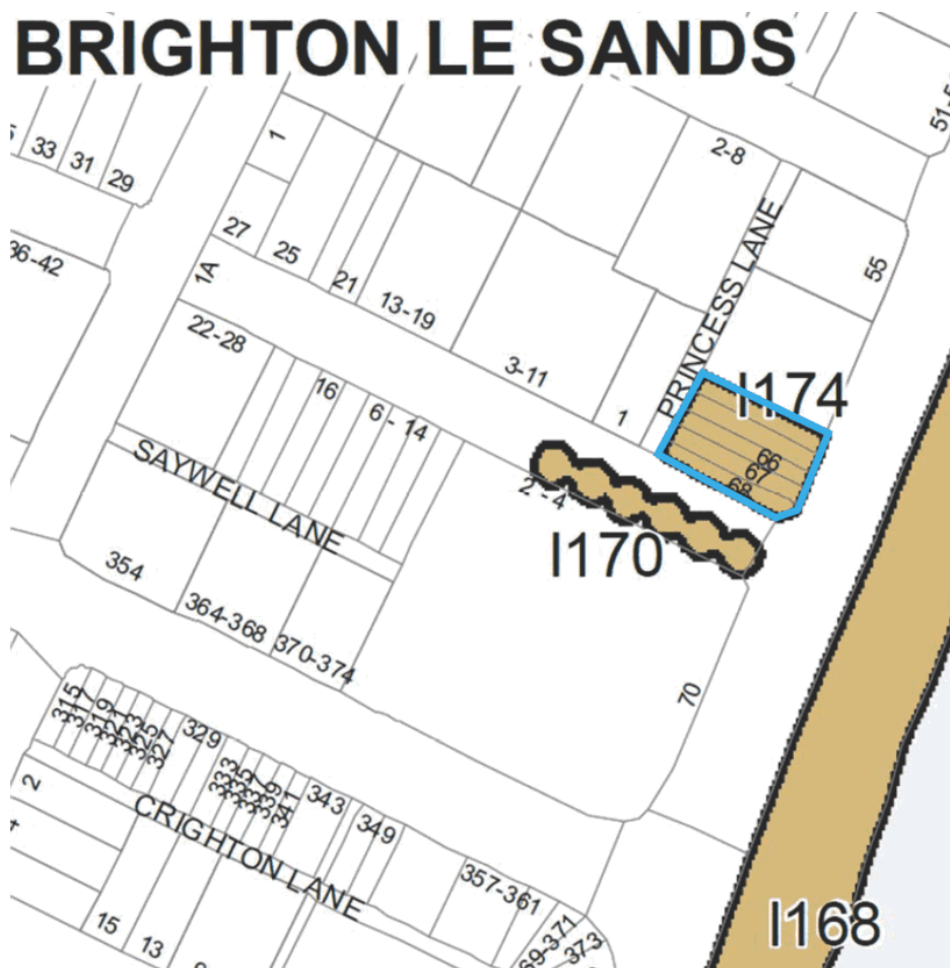


Figure 5 - Heritage Map extract from RLEP 2011

Strategic Planning Policy and Direction

Brighton Le Sands Village Centre Plan

In 2013, Rockdale Council commenced the master planning process for the Brighton Le Sands Village Centre by preparing the Brighton Le Sands Parking Strategy. Stage two of the master planning process is the preparation of the Village Centre Plan (the Plan). A place based approach to land use planning and urban design is being taken to determine the future character of the area and the types of initiatives that will be required to achieve them. This may include, but is not limited to, changes to planning controls. The subject site has been identified as falling within the commercial/retail core of the Village Centre, which predominantly runs down Bay Street. While the Plan is not yet finalised, the changes that form the Planning Proposal are considered to be consistent with the zoning in the immediate area and will not impact on the delivery of outcomes through the master planning process.

THE PLANNING PROPOSAL

The Planning Proposal has been prepared generally in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* and all relevant planning proposal guidelines published by the Department of Planning and Environment (DP&E). The planning proposal report was prepared by *AE Design Partnership* and supported by the following documentation:

- Urban Design Report – AE Design Partnership
- Traffic and Parking Assessment – Varga Traffic Planning
- Preliminary Contamination and Ground Water Assessment – C.S.T.S
- Heritage Impact Statement – Weir Phillips Heritage
- Arboriculture Assessment – Sydney Arbor Trees
- Engineering Design Statement – Structural Design Solutions
- Massing Models – AB Works

The table below summarises the applicant's proposed amendments as stipulated within the planning proposal:

Current controls – RLEP 2011	Proposed changes sought by the applicant
Height of Building Map: • 13 metres	36 metres (10 stories)
Floor Space Ratio Map: • 1:1	4:1

Table 1 - Proposed amendments

The applicant has put forward the above proposal to help achieve a higher development yield on the site. Importantly, the redevelopment of the site will facilitate the restoration of the five terraces, which will allow for their adaptive re-use. The restoration is proposed to include the principal building form, front yards and fences.

ASSESSMENT OF THE PLANNING PROPOSAL

As noted in **Table 1**, the Planning Proposal proposes a significant increase in height and FSR on the site. The supporting documentation identifies that part of the rationale put forward by the applicant is to allow for the restoration of the heritage listed terraces that front The Grand Parade.

Building Height:

The Planning Proposal is seeking an increase in building height from 13 metres to 36 metres across the site. This represents a 23 metre increase from the current controls and will allow for a building up to 10 stories. See **Figure 5** for further details.



Figure 5 - Proposed Height Map (extract from applicant's planning proposal)

While the RLEP 2011 highlights a maximum height of 13 metres, this does not represent the current building stock in the area. As noted above, the surrounding area is characterised by seven to eight storey residential buildings (ie up to 28 metres), and commercial buildings between nine to 15 stories. This can be seen in **Figure 6**.



Figure 6: Surrounding building heights
(Source: Applicants Urban Design Report)

While the surrounding context is dominated by higher buildings, the proposed height sought in the Planning Proposal is considered to be excessive given the constraints on the site. The supporting documentation does not provide a strong enough argument to support the height being proposed.

However, it is acknowledged that in order to facilitate the restoration of the terraces, some level of development would be required on the site. With this in mind, it is recommended that a height of 28 metres would be more appropriate on the site. A height incentive of three metres is also proposed to be applied to the site. This would give a maximum 31 metre height limit and would allow for the development of a building of up to nine stories. This would also be consistent with recent amendments to the RLEP 2011 at 16-20 and 22-28 Princess Street.

Design Excellence

While it is acknowledged that a level of redevelopment potential is necessary to facilitate the refurbishment of the terraces, this should not be at the cost of design quality. The terraces are a prominent feature in the built form landscape of Brighton Le Sands. They are visible from The Grand Parade, Cook Park and Botany Bay. Their prominence, coupled with their value as the remaining link to some of the earliest development in the area, demands a carefully considered design approach. To achieve an acceptable outcome, it is considered appropriate that Clause 6.14 - Design Excellence apply to any future development across the entire site, which includes the refurbishment of the existing terraces. Application of Clause 6.14 - Design Excellence will allow for innovative approaches to that mitigating adverse impacts on the heritage significance of the buildings, while delivering a building that positively adds to the built form landscape along The Grand Parade.

Recommendation: The height of site is recommended to be limited to 28 metres with a height incentive of three metres. An additional requirement to apply Clause 6.14 Design Excellence is also recommended as a condition of obtaining this height incentive.

Floor Space Ratio:

The Planning Proposal is seeking an increase in FSR from 1:1 to 4:1 across the site. This represents a significant increase from the current controls as well as the developments that surround the site.



Figure 7 - Proposed FSR Map (extract from applicant's planning proposal)

As is the case with the height, the FSR of the RLEP 2011 is not represented by the development surrounding the site. This can be seen in **Figure 8**. However, unlike the height, the FSR of the surrounding developments are considerably lower than what is being proposed on the site.

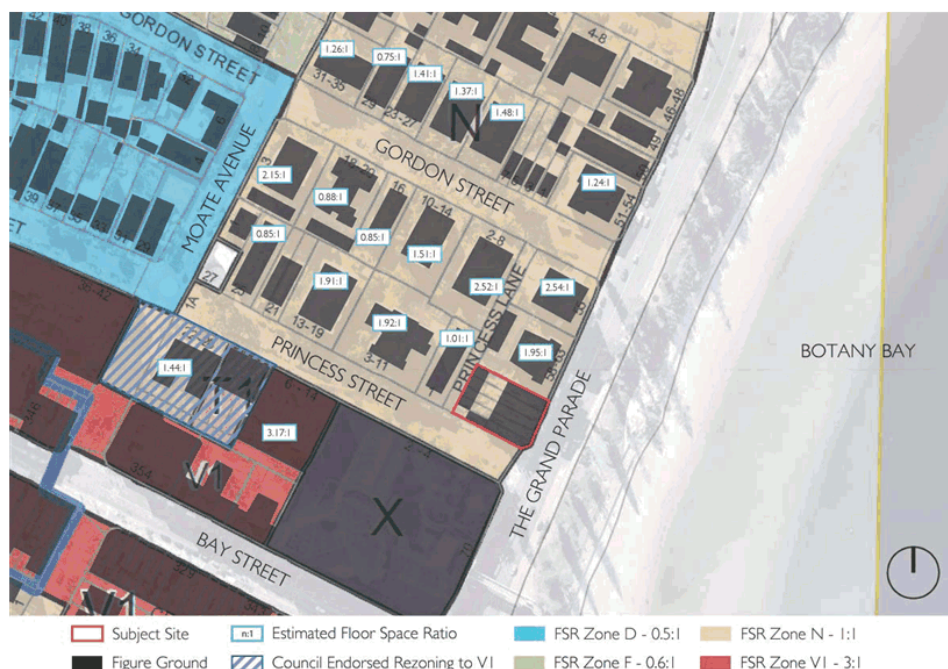


Figure 8: Surrounding building FSR
(Source: Applicants Urban Design Report)

The Urban Design Report that supports the Planning Proposal relies on the FSR of the Novotel hotel (4:1) to justify the proposed FSR on the site. It should be noted that the Novotel site is a considerably larger site at over 7500m², with the bulk of the building's density and height along the Bay Street frontage. This is not considered to be a compelling justification for the FSR proposed and cannot be supported.

However, it is acknowledged that a higher than usual FSR would be required to be able to facilitate the redevelopment of the site and restoration of the terraces. It is therefore recommended that an FSR of 3:1 is more appropriate for the site. Such an FSR is more consistent with the surrounding density and recent changes to the RLEP 2011 at 16-20 and 22-28 Princess Street.

Recommendation: The floor space ratio of the site is recommended to be 3:1.

Urban Design Analysis

The Urban Design Report submitted with the planning proposal was prepared by *AE Design Partnership Pty Ltd* and forms the urban design justification for the additional height and FSR (see **Attachment 2**). The report provides a good analysis of the surrounding context and character of the area. Through an analysis of a number of existing strategic documents, the report identifies a set of 'desired character' for the site and assesses the proposal against them. While the 'desired character' for the site is considered to be reasonable, the 'comment' and 'compliance' check is not considered to be a meaningful assessment as it does not properly assess how the proposal fits within the existing context. A more meaningful assessment that informs the identification of design principles is recommended. This is not considered to be onerous as the analysis information provided within the report provides the basis for developing the urban design principles. To assist with the justification for the proposal, examples of developments that are similar in context and that have successfully integrated heritage aspects with new built form is recommended.

Building Envelope

The Urban Design Report presents a building envelope on the site. The building envelope shows zero setbacks to Princess Street, Princess Lane and the property to the north. Any future development would need to demonstrate compliance State Environmental Planning Policy No. 65 – *Design Quality of Residential Apartment Development* (SEPP 65) and the Apartment Design Guide (ADG) provisions, particularly for building separation. To this end, any massing diagrams should be consistent with the ADG and the Rockdale Development Control Plan (RDCP) 2011.

The massing diagrams also show a building that cantilevers over the rear of the terraces. This is proposed to be balconies. The applicant has provided a design statement from a structural engineer (see **Appendix 8** for further details) confirming that such a structure is achievable. However, such a structure or feature is not supported, particularly from a heritage perspective as such a building would overwhelm the terraces and have a detrimental impact on the prominence of the terraces as a focal point.

There is a rationale for the proposed massing, however this is only based on the ADG rather than the outcome of a well-considered urban design process. Further, this does not provide an insight into the design process undertaken to respond to the heritage terraces and the surrounding context. Rather, they are statements that highlight the constraints of the site. The rationale for a building envelope should be based on urban design principles that have been developed by the analysis at the front of the report.

Recommendation: It is recommended that the Urban Design Report is amended to:

- Develop urban design principles that are based on the context analysis.
- Provide examples of developments that have similarly developed with heritage items.
- Provide a design rationale for a potential new building that is based on the urban design principles (as requested above) and sound architectural design principles.
- Amend the massing diagrams to reflect the recommended height and FSR, the removal of the cantilever over the terraces and ensuring that it is consistent with the ADG and the RDCP 2011.

The above amendments are to be completed prior to the submission to the DP&E for Gateway approval (should Council support the proposal).

Heritage

A Heritage Impact Statement (HIS) was prepared by Weir Phillips Heritage for the proposal (see **Appendix 5** for further details). The HIS provides a discussion and analysis of the current state of the terraces, their heritage value and an assessment of the impact a multi-level development will have on the heritage significance. The HIS recognises that the terraces are a “*rare example of a terrace row of this length and style in the Rockdale Area*” (HIS, p 55). However, it has assessed the impact on the heritage significance on the terraces as acceptable. The reasons given include:

- The ability to leverage the redevelopment of the site to enable the restoration of the terraces
- The terraces will remain a dominant feature along The Grand Parade because of the setback of the future development
- The surrounding context is already one of high density
- Any new building can be designed to mitigate the inherent impact on the heritage significance of the terraces.

The HIS was assessed by Council's Heritage Advisor, who provided comment on the HIS and the proposed development. Based on the information provided by the applicant, Council's Heritage Advisor does not support the Planning Proposal. The rationale for this position is detailed below:

- The proposed increase in height will lead to a building that will dominate the heritage item.
- The heritage item will lose its landmark value and prominence as it will cease to be the most visually dominant element on the site.
- The heritage item will be degraded by loss of fabric and its original layout.

- The HIS' assessment of the heritage value of the rear wings is still in question – their integrity and value has not been successfully demonstrated as insignificant enough to justify their demolition.
- The rear view to the dwellings will be lost.
- The proposed cantilever over the rear of the terraces will have a highly detrimental visual impact upon the terraces.
- The proposed building does not provide any setback between the new building and the existing terraces.
- The excavation of four levels of underground car parking will potentially impact the structure of the existing buildings. A building report into the structural adequacy of the buildings and the impact of the proposed excavation needs to be undertaken.

The HIS was also considered to be deficient in a number of areas, including:

- **History:** No information about the architects and engineers, Kenwood and Kerle, has been provided. This firm was responsible for many buildings in Rockdale, many of which were commissioned by Thomas Saywell (eg Harrow Road properties).
- **Assessment of significance:** In some instance the HIS relies solely on the existing inventory sheet criteria. The HIS needs to make a comprehensive assessment of the heritage significance of the buildings.
- The assessment of significance based on Heritage NSW criteria is weak and could be better developed. The following provides an outline of the areas of significance that were missed as part of the HIS assessment:
 - Criteria a) – The establishment of the terraces in the New Brighton Estate was an important stage in the early development of the Peninsula. Their construction heralded an opening up of the lands which had lain undeveloped due to their inaccessibility. As such, their value as physical evidence of a key period in the development history of the City of Rockdale is understated.
 - Criteria b) – Historic associations with prominent people of the time. This includes architect William Kenwood, NSW Government Geologist, of world standing, Ernest Andrews, and leading barrister, acting judge of the NSW Supreme Court and Mayor of Rockdale from 1914 to 1917, William Willis Monahan KC.
 - Criteria b) – Understates the importance of Thomas Saywell in the history of NSW.
 - Criteria c) – The prominence of the buildings on The Grand Parade and their landmark value.
 - Criteria f) – Understates the fact that the terraces are rare surviving evidence of Saywell's New Brighton pleasure grounds and residential development and evidence of the earliest residential development on the foreshores of Botany Bay
- **Rear Wings:** The assessment of the rear wings and their integrity and significance insufficient information and does not adequately justify their demolition.
- **Massing diagrams:** The current view is an aerial, which does not show the realistic impact of the proposed built form. A three dimensional view of the building envelope as viewed at ground level should be provided.

Recommendation: It is recognised that the terraces form a significant part of the history of Botany Bay and Rockdale City. They are also the remaining buildings from the original 12 terraces that fronted The Grand Parade, and are a rare example of a row of terraces in the area. This has left the remaining five terraces surrounded by higher density development. As such, the heritage significance will be diminished as a result of a redevelopment of the rear of the site.

It is also acknowledged that the current condition of the terraces, in some instances is poor, and require significant work (at significant cost) to be restored to a level that would ensure their ongoing use. Given their current condition and the likelihood that it would deteriorate, alternative approaches to maintaining significant linkages to the past are necessary. The redevelopment of the rear of the site, while not ideal, is an opportunity to ensure that the remaining terraces of the New Brighton Estate are retained and restored.

It is recommended that the HIS be amended in accordance with the comments above prior to any potential future exhibition of the proposal (should Council and DP&E support the proposal).

Traffic and Transport

The applicant has submitted a Traffic and Parking Assessment Report, prepared by Varga Traffic Planning Pty Ltd (see **Attachment 3**). The Report assess the traffic and parking impacts of a development across the whole of the site. The analysis concludes that *"there is adequate capacity in the surrounding road network to cater for the traffic generated by the development"* of the site in accordance with the built form envelopes proposed (Varga Traffic Planning November 2015, Traffic and Parking Assessment, p17).

The Report was sent to Council's Transport Planner, who agreed that the impact of a development across the whole site would be minimal.

Recommendation: The impact of a development across the whole site on traffic volume would be minimal. Provision of on-site parking for residents would also minimise any impact on the current volume of on-street parking.

Contamination

Separate Preliminary Contamination and Groundwater Assessments have been prepared for the site (see **Attachments 4**). The Report bases its conclusions on readily available information and no invasive testing has been conducted. Additionally, the Reports have not been prepared in accordance with NSW OEH *Guidelines for Consultants Reporting on Contaminated Sites 2011*. Council's Environmental Health Officer assessed the reports and concluded that they do not satisfy the provisions of State Environmental Planning Policy 55 - Remediation of Land (SEPP55).

To satisfy SEPP 55 requirements a Stage 1 Preliminary Site Investigation (PSI) report is required that is prepared in accordance with the NSW Office of Environment and Health *Guidelines for Consultants Reporting on Contaminated Sites 2011*. The report should also conclude that the site is suitable for the re-zoning proposal.

It should be noted that the site has been used for residential purposes for some time and the current zoning of the site is for residential purposes.

Recommendation: In light of the site's historical use for residential purposes, it is considered appropriate to require a Stage 1 Preliminary Site Investigation (PSI) with the lodgement of a subsequent development application.

Arboricultural Assessment

An Arboricultural Assessment, prepared by Sydney Arbor Trees, has been submitted with the Planning Proposal (see **Attachment 6**). The assessment has been conducted to identify if a development based on the Planning Proposal will have a detrimental impact on the stand of heritage listed (I70) Norfolk Island Pines adjacent to the site. The assessment was based on information from the applicant, which has since been amended with the formal lodgement of the Planning Proposal. Notably, the initial building envelope was 12 stories in height.

The report has assessed the impact of overshadowing by a future new building on the subject site, based on shadow diagrams provided by the applicant. The assessment has determined that, while a future development would alter the amount of sunlight, it is unlikely that this change would have a significant detrimental impact on the trees.

Recommendation: A building based on the recommended height and FSR changes is likely to further reduce the impact on the trees. The Arboricultural Assessment is to be updated based on the recommended reduced height and FSR of the Planning Proposal.

Structural Engineering

The Structural Design Statement, prepared by Structural Design Solutions, has been submitted with the Planning Proposal (see **Attachment 7**). The statement was requested by Council to ensure that works for any future development would not have an impact on the terraces. Of particular concern was the impact of basement parking on the structural integrity of the terraces. The information provided in the statement details that the shoring for the basement will be outside of the area of the terraces. The statement also provides information on method that was to be used with the cantilever over the terraces.

Recommendation: Notwithstanding the information provided, any future development will be required to undertake a detailed dilapidation assessment of the existing terraces and employ methods and process that will minimise any impacts on the terraces and ensure their integrity during the construction process and beyond.

ADEQUACY OF THE PLANNING PROPOSAL AND SUPPORTING INFORMATION FOR EXHIBITION PURPOSES

The DP&E's guidelines states that Councils are responsible for the content of planning proposals. The submitted Planning Proposal is generally consistent with the Guidelines. However, there are a number of areas that require further information or assessment to fully satisfy the Guidelines and Council. These are detailed below.

- Part B3 – Consistency with State Environmental Planning Policies
 - SEPP 55 – Remediation of Land: An assessment of the information provided by the applicant to Council does not meet the requirements of a State 1 Preliminary Site Investigation. This should be made clear in the Planning Proposal, with further work to be carried out as part of the development assessment process.
- Part B4 consistency with Section 117 Ministerial Directions
 - Generally, where the applicant has noted a 'yes', this should be followed by an explanation of the consistency.
 - Direction 2.3 – Heritage Conservation: The Planning Proposal does not appropriately address this Direction. Given the location of heritage items on the site, this Direction requires further consideration and detail on the proposals consistency with the Direction.

A number of amendments are required to the supporting documentation, as detailed in this report. The amendments are to be made prior to submission to the DP&E for Gateway determination (should Council support the proposal).

CONCLUSION

While the applicant's proposed changes to the Rockdale LEP 2011 are considered to be excessive, the recommended height and FSR controls will enable the redevelopment of the site and facilitate the restoration of the heritage listed terraces fronting The Grand Parade. The additional requirement to undertake a design competition to access a height bonus will drive a built form outcome that appropriately addresses the heritage significance and prominence of the terraces.

Community Engagement

The Planning Proposal will be exhibited in accordance with the Gateway Determination should it be approved.

Rockdale City Plan

Outcome:	Outcome 2 - Rockdale is a City with a high quality natural and built environment and valued heritage in liveable neighbourhoods . A City that is easy to get around and has good links and connections to other parts of Sydney and beyond.
Objective:	Objective 2.2 - Our City has a well managed and sustainable built environment, quality and diverse development with effective housing choice in liveable neighbourhoods
Strategy:	2.2.2 - Promote high quality, well designed and sustainable development and places that enhances the City
Delivery Program:	2.2.2.A - Demonstrate leadership and commitment in the management of development that enhances the City (DCPD)
Operational Plan:	2.2.2.A.3 - Manage proposals for major development to ensure growth is appropriately scaled and located and delivers community benefits (MUES)

Additional Comments:**Financial Implications****Additional Comments**

There are no financial implications applicable to this report.

Supporting Information

Action From Resolution
File Attachments

[Action raised by Anne Suann on 17/03/2016](#)



Attachment 1_Applicants Planning Proposal.pdf



Attachment 2_UD Report - 64-68 The Grand Parade Brighton Le Sands.pdf



Attachment 3-Traffic Report - 64-68 The Grand Parade BLS.pdf



Attachment 4_Contamination Assessment - 64-68 The Grand Parade Brighton Le Sands.pdf



Attachment 5_Heritage impact report - 64-68 The Grand Parade Brighton Le Sands.pdf



Attachment 6_Aboricultural Assessment- 64-68 Grand Parade Brighton Le Sands.pdf



Attachment 7_Structural Design Statement - 64-68 The Grand Parade Brighton Le Sands.pdf



Attachment 8 - Visual Representation - 64-68 The Grand Parade.pdf

Council Meeting

14/03/2018

Item No	8.7
Subject	Proposed Suburb Boundary Change Between Pagewood and Eastgardens - Public Exhibition Response
Report by	Diana Polonska, Senior Systems Specialist Luis Melim, Manager Development Assessment
File	SF17/2770

Summary

At its February 14 meeting, Council endorsed the suburb boundary change, and resolved that the proposal be submitted to the Geographical Names Board (GNB) NSW for consideration.

However, the report only referenced 9 of a total 61 responses received. The reason for this was that the responses received via emails and letters (9 responses) were profiled in the report, while the responses received via Council's 'Have Your Say' portal (52 responses) were not profiled in the report.

All responses received are included in this report and are profiled in the attachment to this report (Attachment - Summarised Feedback Proposed Boundary Change). The review of all responses has resulted in no change to the original recommendation for Council to endorse the suburb boundary change.

Since the February 14 meeting, council representations were made to the GNB to progress the matter. The GNB have since been advised of the submissions issue and pending Council resolution.

Officer Recommendation

That Council endorse the suburb boundary change, and resolve that the proposal be submitted to the Geographical Names Board (GNB) NSW for consideration as per the requirements of the *Geographical Names Act 1966*.

Background

As outlined in the summary above, The February 14 Council report only referenced 9 of a total 61 responses received.

The attachment (Attachment - Summarised Feedback Proposed Boundary Change) profiles the total submissions received, being 61. Two responders have been identified with 2 submissions each and excluded from the total number of 61 submissions, bringing the total number of responders to 59.

The cause of this error was due to staff not being fully aware of the contemporary engagement methods and processes implemented at Bayside Council compared to the similar, but not equivalent methods and processes used by the two former Council's.

A review and confirmation of Bayside Council's practices has been undertaken in response to this event.

On February 5, the Botany Historical Trust (BHT) resolved to support the proposed suburb boundary change on historical reasons alone.

Minutes of the BHT November meeting noted the historical association of that site with the name Pagewood, including Pagewood Film Studio and Pagewood Bus Depot.

This recommendation was based on the 9 responses, not the 61 responses (Attachment - Summarised Feedback Proposed Boundary Change). However, of the additional 52 responses received, which were not submitted to the BHT, only 1 referenced historical context and that 1 submission is in support of the change.

Council received a request from Meriton for an amendment to the Eastgardens and Pagewood suburb boundary. This will subsequently impact their development which is currently known as 128, and 130-150 Bunnerong Rd, Eastgardens.

The suburb of Eastgardens was originally created by renaming part of the suburbs of Hillsdale and Pagewood. It took its name from the Westfield Eastgardens shopping centre on Wentworth Avenue, which was opened in 1987. Eastgardens was officially declared a separate suburb in 1999.

Originally, the site at 128 and 130-150 Bunnerong Road known as the BATA site was used for the Pagewood Film Studio. It was built in 1935 for National Productions by National Studios Ltd and operated until 1959, when it was purchased by General Motors Holden and operated as its Pagewood vehicle assembly plant.

In 1985, an Australian based tobacco manufacturing company called W.D. & H.O. Wills purchased the site, combining their factory operations in Melbourne and Sydney at Pagewood. Four years later, it became a subsidiary of the British American Tobacco Industries group of companies.

Meriton purchased the site in 2013 to develop its single largest project in Australia, and the development was named Pagewood Green.

Council at its meeting on 08/11/2017, reviewed the proposal and endorsed a public exhibition of the proposed suburb boundary change for a minimum of 30 days. The public exhibition was carried out by advertising in the Southern Courier, Council's website, Facebook, and Eastgardens library for a period of one month. The submissions received are profiled in the annexure to this report (Attachment - Summarised Feedback Proposed Suburb Boundary Change).

There were also two articles published in the Daily Telegraph and Southern Courier discussing the boundary change.

The key issues highlighted in the opposing responses are as follows:

- That the suburb name change is only commercial in interest.

Comment: The request received from Meriton is based on the historical association of the land (Lot 1 and 2 of DP1187426) to the suburb of Pagewood. The name of the development "Pagewood Green" is based on these historical associations.

- That the inclusion of Meriton's development in the suburb of Pagewood would greatly alter the character and local perception of the suburb as a low density residential neighbourhood.

Comment: The site redevelopment was guided in accordance with the BBLEP 2013 and BBDCP 2013 and further detailed in the Stage 1 Masterplan for medium to high density development with open space, which went through a rigorous notification process and was approved by the LEC. This is applicable to Lot 2 in DP 1187426 while Lot 1 in DP 1187426 is subject to a planning proposal to set the planning requirements for the remainder of the site. The change of the suburb boundary will not affect the existing low density residential neighbourhood currently located in the northern part of Pagewood.

- That the change would cause traffic congestion and overcrowding of local schools.

Comment: The change of the suburb boundary for Lots 1&2 DP1187426 (e.g. Eastgardens to Pagewood) will only affect the address locality of the new property addresses, it will have no impact on traffic or local schools.

- That Council would be spending ratepayer's money for the benefit of big business

Comment: There are no additional costs for Council.

- That changing the suburb boundary would set a precedent for future developments on boundary lines

Comment: Boundary adjustments due to a variety of reasons, including future developments, are not uncommon. Any proposed change of suburb boundary has to be submitted to the Geographical Names Board.

- Will the Council rates be affected by the suburb name change?

Comment: Council rate changes are not anticipated as a result of the boundary change.

The supportive responses make note of the historical association of the area as belonging to Pagewood, whether as part of the Pagewood Film Studio, or in general before the creation of the suburb Eastgardens. Meriton, in its request submission, also highlighted these historical associations.

Under the *Geographical Names Act 1966* the GNB NSW is responsible for determining definitive boundaries for suburbs and localities throughout New South Wales. If Council concurs and submits the proposal, the GNB will then consider the proposal. It will advertise the proposal in a local newspaper and the NSW Government Gazette.

Following GNB community engagement, if no objections are received, the address locality will be formalised and the local Council will be notified for implementation of the proposal. If objections are received, Council will be asked to provide feedback followed by further consideration by GNB.

Financial Implications

Not applicable



Included in existing approved budget ☐
Additional funds required ☐

Community Engagement

Not applicable.

Attachments

Summarised Feedback Proposed Suburb Boundary Change [↓](#)



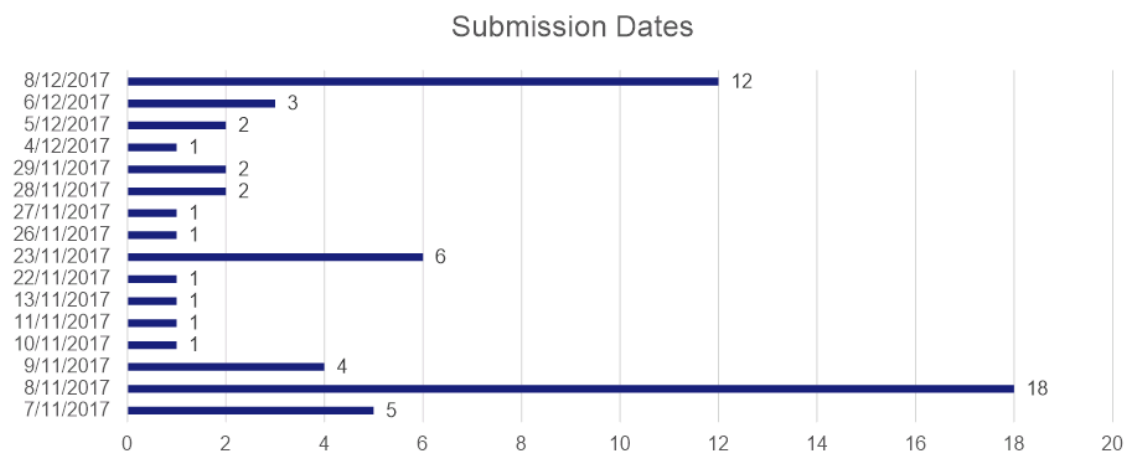
Summarised Feedback 'Proposed Suburb Boundary change'



Submission Dates



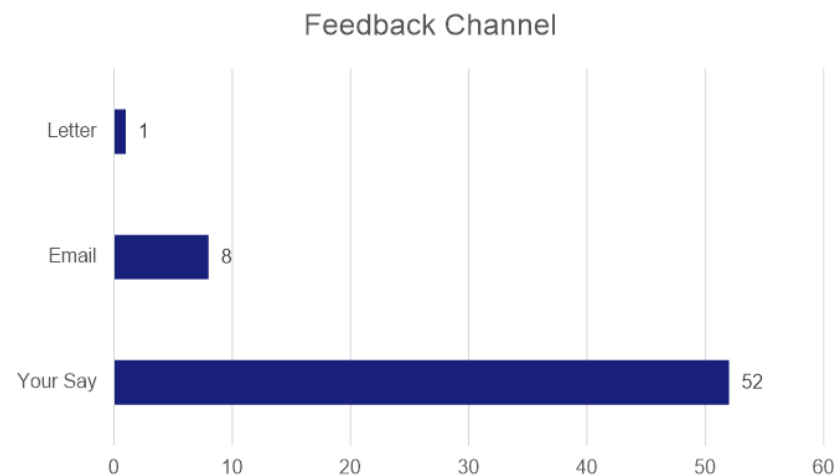
- ▶ Number of days on exhibition 31 days.
- ▶ Total number of responses during this period was 61.
- ▶ Three peak response dates 08/11/17, 23/11/17 & 08/12/17.
- ▶ 2 respondents have been identified with 2 submissions each.



Feedback Channel



- Respondents were most responsive through 'Have Your Say' compared to other methods of submission.

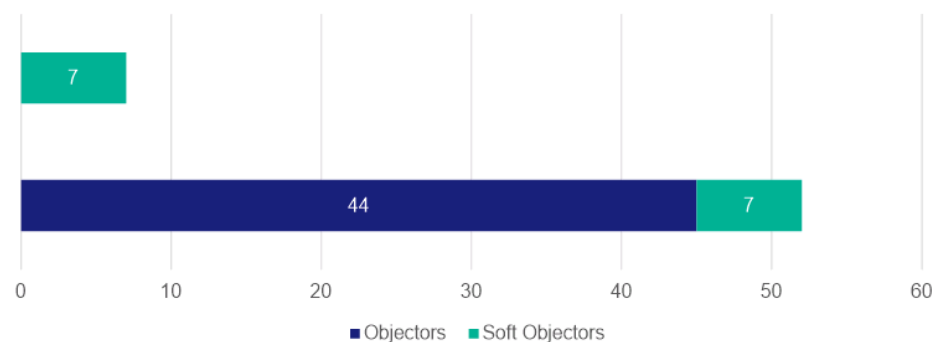


Support v's Objectors



- ▶ Number of respondents in support of proposal 7
- ▶ Total number of respondents opposed is 51
- ▶ 7 responses have been identified as soft objections as they did not clearly object to the proposal.
- ▶ 1 respondent has requested further clarification regarding proposal.

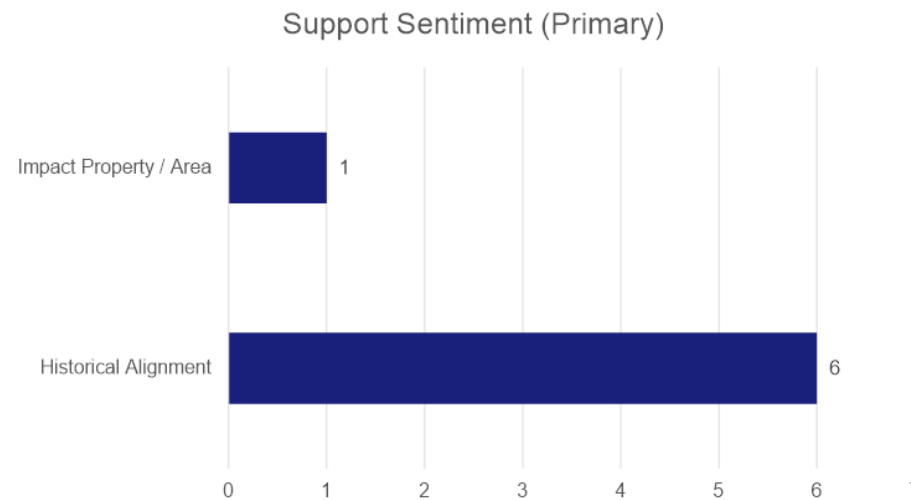
Support v's Objectors



Support Sentiment (Primary)



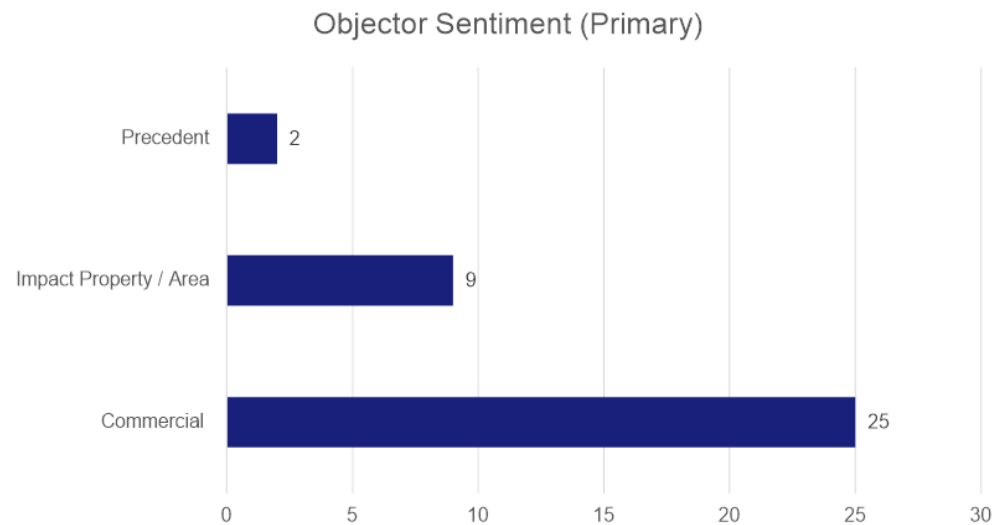
- Respondents who identified as 'Support' for the proposal indicated Historical Alignment as their primary reason for supporting.



Objectors Sentiment (Primary)



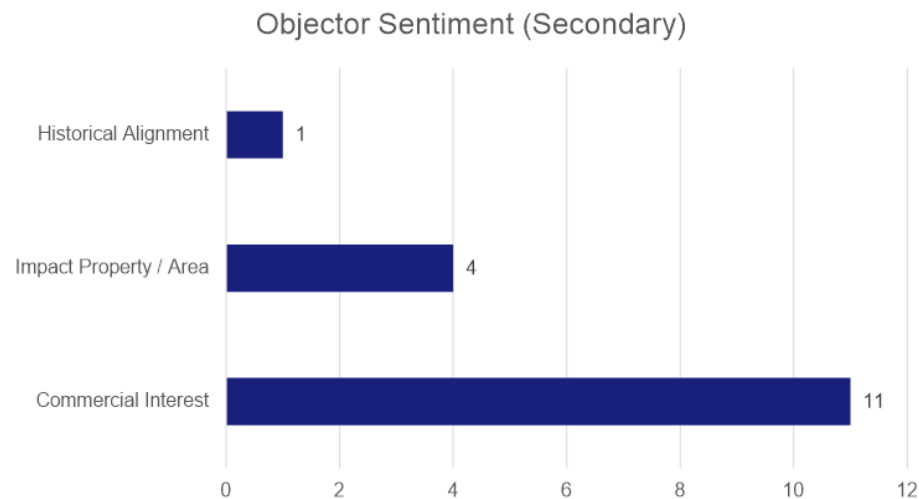
- ▶ Respondents who identified as 'Objectors' of the proposal indicated Commercial Interest as their primary reason for Objecting.



Objector Sentiment (Secondary)



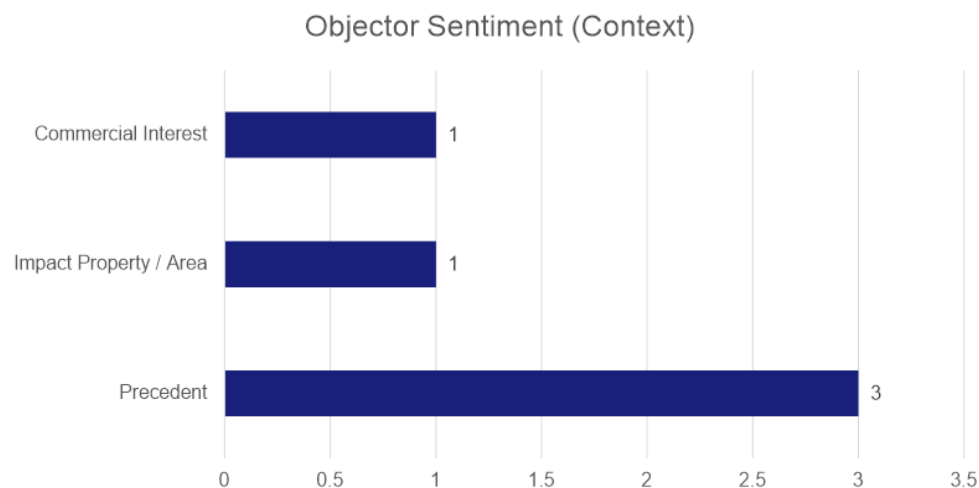
- ▶ Sentiment captured as secondary reason for objection.
- ▶ Commercial Interest trends also for this category and was not the Objectors primary reason.





Objector Sentiment (Context)

- ▶ Sentiment captures respondents with multiple themes.
- ▶ Precedent of the council trends within this category.



Council Meeting

14/03/2018

Item No	8.8
Subject	Banksmeadow Town Centre Improvements
Report by	Karin Targa, Major Projects Unit Director
File	F18/47

Summary

The 2017/18 financial year project program for the Major Projects team includes a project for the design and documentation for the Banksmeadow Town Centre improvements. The detailed design and documentation for the Banksmeadow town centre streetscape works upgrade will be completed in the 2017/2018 financial year with construction to occur in the 2018/2019 financial year.

Officer Recommendation

- 1 That Council endorse the concept plan for Banksmeadow Town Centre attached to this report.
 - 2 That Council recommend the allocation of funds in the 2018-19 Capital Works budget to undertake construction of Stage 1 works.
-

Background

The upgrade of the Banksmeadow Town Centre was presented at a Briefing Session on 7th March.

A Notice of Motion (Item no. 10.2) was raised at the 13th December 2017 Council meeting for Council to develop 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 centre, and that the matter be reported back to Council by March 2018 on the project plan.

Additionally, a response to a question on this matter at the February 2018 Council meeting stated that the scheduled project plan for the March 2018 Council meeting is to include an update on discussions with state government agencies about potential for intersection upgrades and that the public domain upgrades will be a 2 staged approach being :

- Stage 1 : streetscape/public domain works (paving, furniture, landscaping) - Major Projects team.
- Stage 2 : Intersection works, pedestrian crossings, bus stops and signal, in discussion with RMS and Transport for NSW - Strategic Planning team.

Councillors stated that Banksmeadow has seen a large population increase over recent years and continues to grow as developments are completed. Traffic and pedestrian issues need to be considered as well as pedestrian movements to Sir Joseph Banks Park. The shopping area also requires an upgrade consisting of new paving, furniture and landscaping.

The retail precinct is likely to grow further with the large number of new residential developments in the area such as Parkgrove and Frasers, Woolworths development site, 1390 Botany Road, 15 Edgehill Avenue and potentially, industrial land at the end of Tupia Street.

A concept proposal for the Banksmeadow Town Centre and its immediate surrounds - Stage 1 has been prepared. The plans are attached to this report.

Staging Plan

This plan indicates the areas will undergo detailed design and documentation by June 2018, being Stage 1. Stage 1 includes improvements to the main retail precinct, pathway connection to Rancom Street and pathway linkages to Sir Joseph Banks Park along Waratah and Fremlin Streets.

Stage 2 are future improvements such as one-way traffic movements along Hanna and Waratah Streets, cycle ways along Fremlin Street, a pedestrian crossing over Botany Road and full re-development of 1619 Botany Road. Stage 2 matters are strategic planning items that will be additional to the Stage 1 improvements.

Pavement Hierarchy Plan

This plan shows the areas of primary pavement treatment which would be a high quality paver/cobble/exfoliated finish in the main retail precinct areas, principally segmental paving from boundary to kerb, with wide contrasting banding. The paving would be a similar treatment as has been used at Botany Town Centre for consistency of finishes and connectedness between town and neighbourhood centres, but would incorporate other colours or textures to reflect the more coastal, rustic and village atmosphere of Banksmeadow and the locality, such as sand coloured pavers and/or warm coloured aggregates. Finishes will be further resolved during the detailed design phase. Some of the paving is anticipated to be developer constructed (between Fremlin and Waratah Streets).

The secondary pavements encompass new widened concrete pathways along Fremlin and Waratah Streets to enhance accessibility to Sir Joseph Banks Park. It also includes an extension of the pavement treatments in Pemberton and Wilson Streets (concrete with paver banding) to transition with the Botany Road finishes.

The feature pavement treatment is within the through link to Rancom Street and will consist of some alternative ground treatment options to provide texture and interest such as sandstone paving or edging, resin bound aggregates or timber, brick or sandstone inlays; together with seating, landscaping and lighting (and future improvements of the heritage building) to provide a more neighbourhood or village scale amenity to this space. The through site link will be an important connection for the new developments to the north to Banksmeadow Town Centre and Sir Joseph Banks Park.

The streetscape concept plans and planting and materials palette plans further detail the project plan approach for the Town Centre.

- Planter boxes under awnings to introduce attractive green elements and enhance amenity. Planter box design to be developed further during the detailed design process but will consider treatments to integrate a coastal colour palette and softer edges such as sand coloured aggregates to pre-cast concrete planters or suitable heritage or artistic elements such as cladding or veneers in sandstone or Coreten steel.

- Street trees with green under planting where there are no awnings.
- In-ground hedge/feature type planting and rain gardens where space allows and suitable in the main retail strip, for example, to direct or channel pedestrian flow, potentially combined with low scale barrier fencing. Feature planting within the through link.
- Concrete and timber seating for the Botany Road shopfronts. The through link to contain more a custom palette of finishes such as timber or sandstone seating and a potentially, bespoke lighting design and street art to make this a lively community space.
- Retention of street trees on the southern side of Botany Road and planting of additional street trees in all streets in accordance with the Street Tree Masterplan to increase canopy coverage and reduce heat island effect.
- Way finding signage and bicycle stands/rings.
- Planting palette with a dominance of native, coastal type plantings.

In regard to Stage 2 - Strategic Planning issues relating to intersection works, pedestrian crossings, bus stops and signals, these matters are still under discussion with RMS and Transport for NSW. The feedback that Council has received to date:

- There are no plans by the RMS for signalisation at Pemberton or Wilson Street intersections in the short-term future.
- A pedestrian crossing closer to Waratah Street is the subject of discussion with RMS.
- There is support for the bus stop near Tupia Street to be relocated closer to Waratah Street, subject to RMS and Transport for NSW approval.

The Strategic Planning team will elaborate more on these matters in a separate report to Council.

Financial Implications

Not applicable	<input type="checkbox"/>	
Included in existing approved budget	<input checked="" type="checkbox"/>	Funding is allocated in the current financial year to complete the detailed design and documentation for Stage 1 improvements to the Banksmeadow Town Centre.
Additional funds required	<input checked="" type="checkbox"/>	Major Projects is seeking an allocation of Section 94 funds in the 2018-19 budget to fund the construction of Stage 1 works.

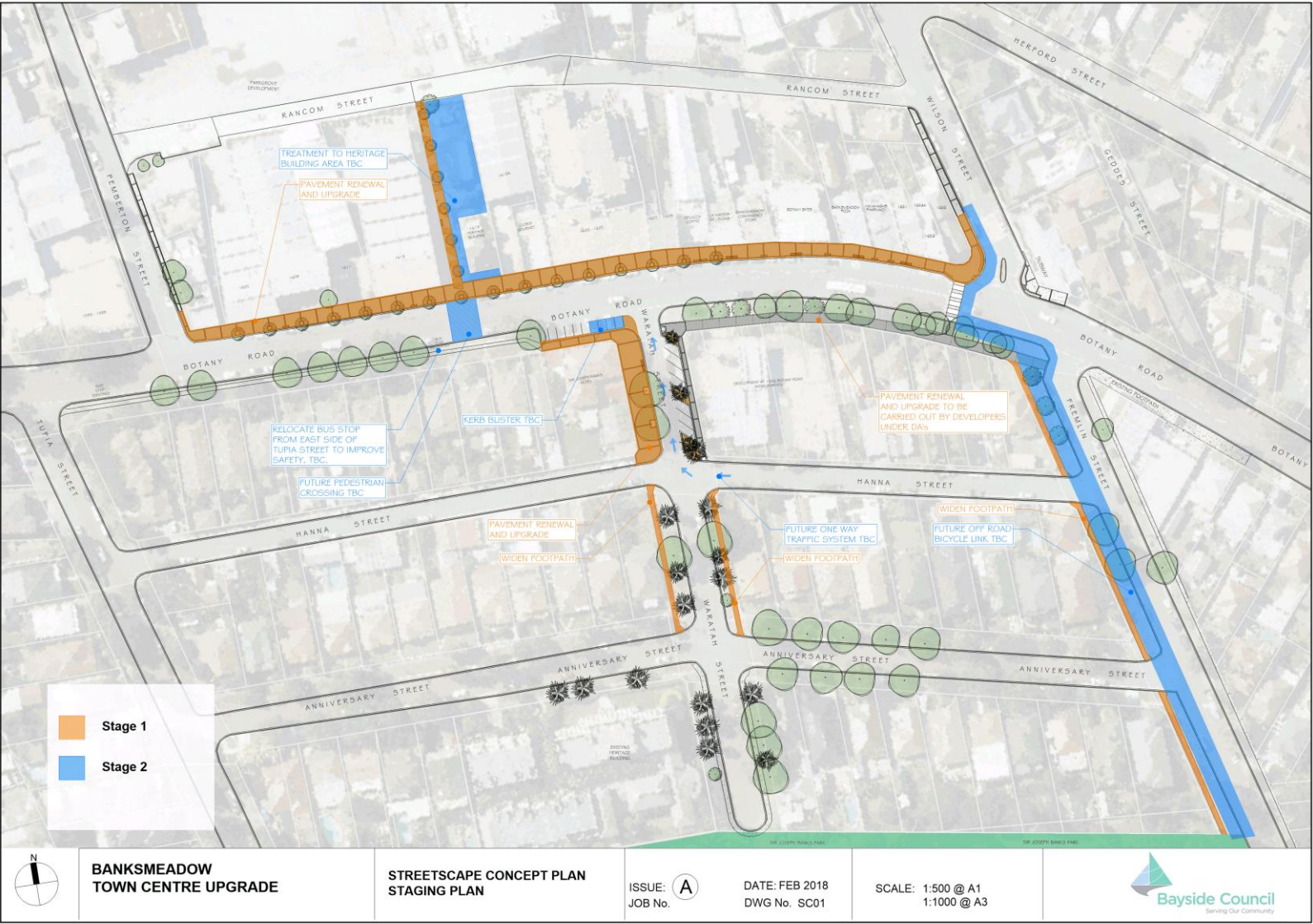
Community Engagement

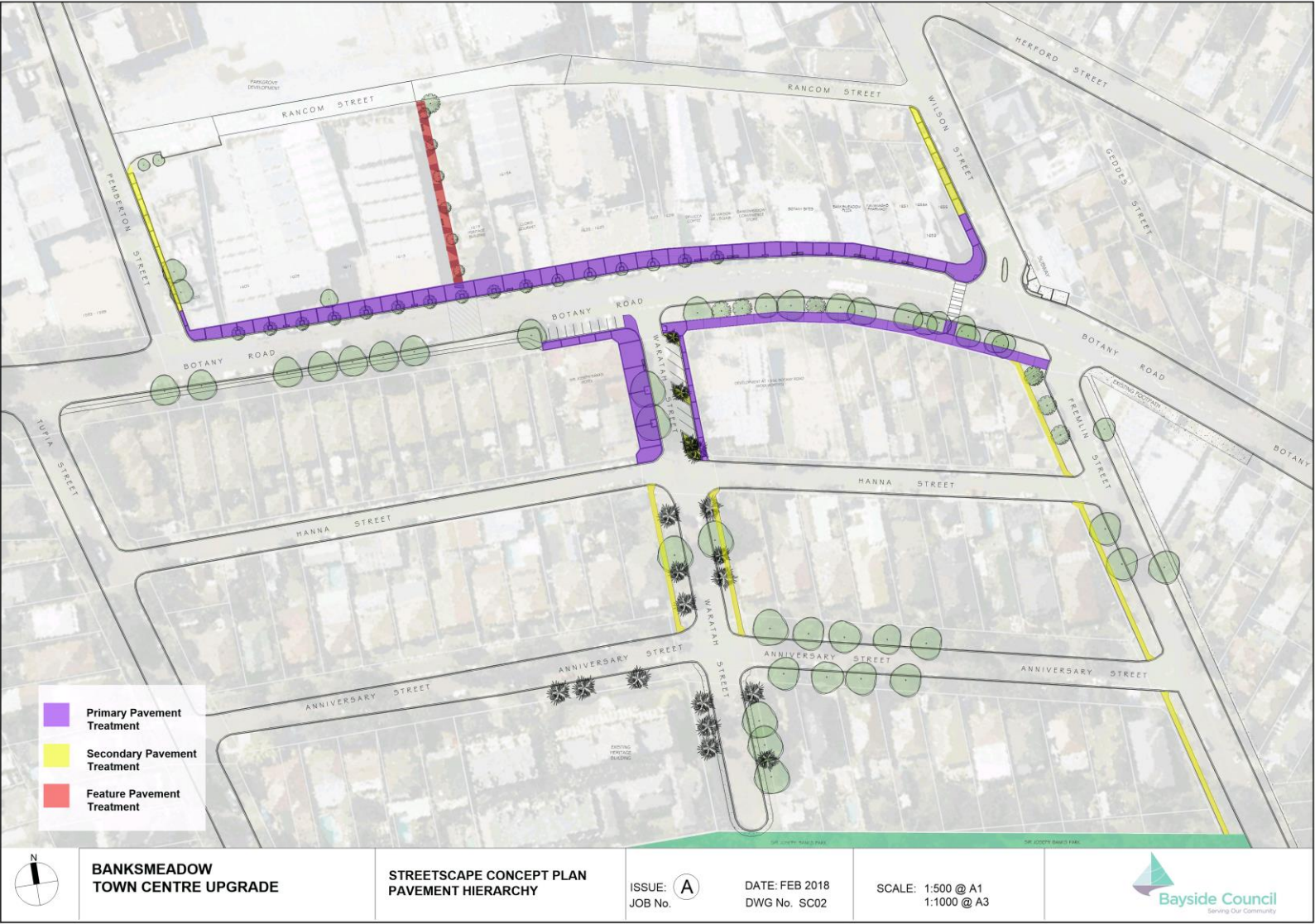
Not applicable.

Attachments

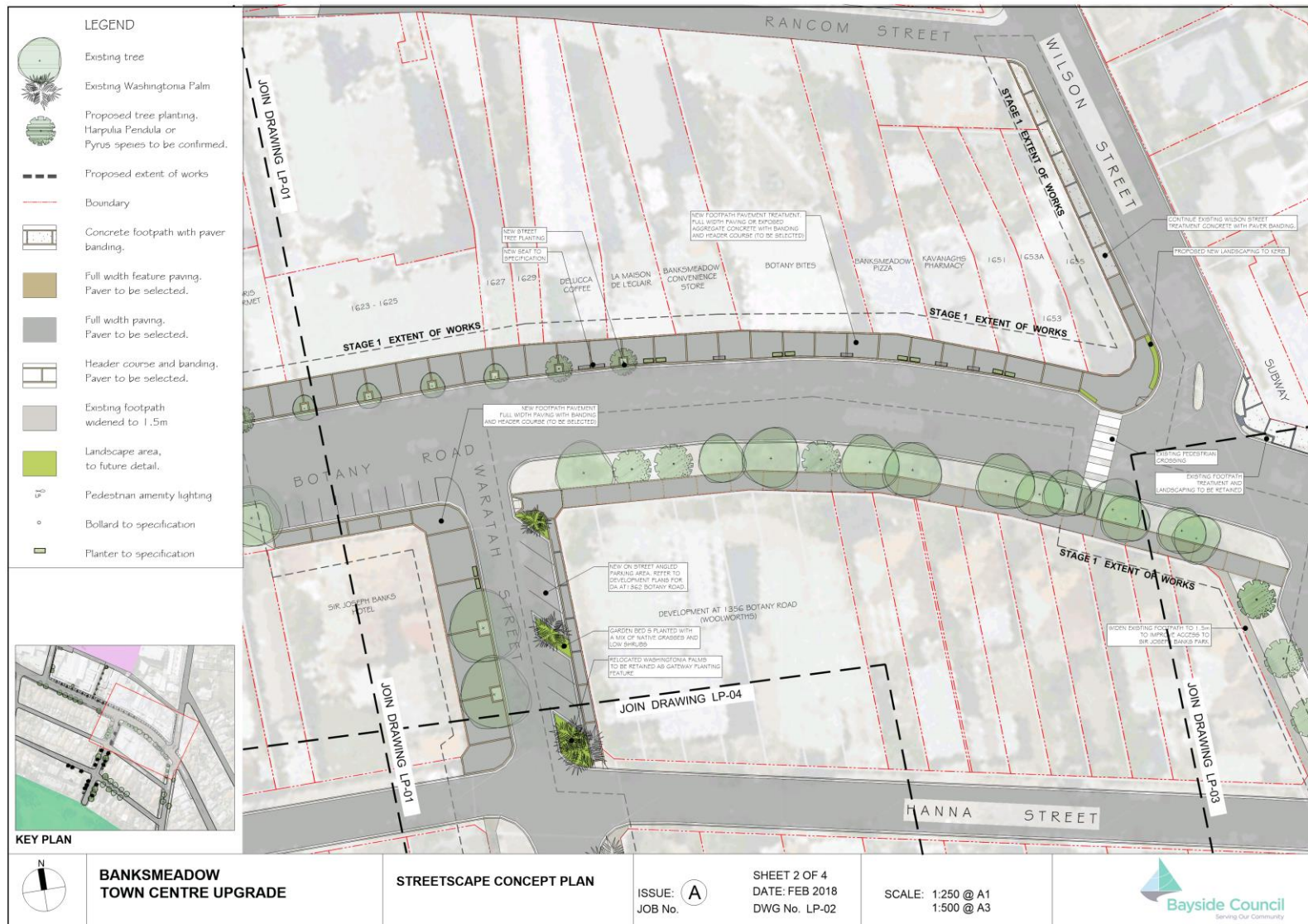
- 1 Staging Plan

- 2 Street Hierarchy Plan
- 3 Concept Plan 1
- 4 Concept Plan 2
- 5 Concept Plan 3
- 6 Concept Plan 4
- 7 Planting and Materials [↓↓↓↓↓↓↓↓](#)













BOTANY ROAD - FURNITURE AND MATERIALS**PRIMARY PAVEMENTS**

FULL WIDTH PAVING

**Stone Unit Paving**

Colour: Jet Black
Finish: Exfoliated
Material: Basalt

HEADER COURSE AND BANDING

**Stone Unit Paving**

Colour: Sandstone
Finish: Exfoliated
Material: TBC



Exposed aggregate, polished concrete seating with timber slats, as used at Botany Shops precinct.



Planter boxes. Style to be confirmed at detail design stage.



Stainless steel bike racks, consistent with those used at Botany Shops precinct.



Replicate treatment used at Botany Shops, with incorporation of sandstone coloured paver for header and banding instead of cobblestone.



Sandstone coloured pavers used as header and banding, as at King Street Rockdale



Mixed native planting within blister islands near Woolworths. Kerbside planting where possible on the corner of Wilson Street.



Tree pits underplanted with native grasses along Botany Road.













BANKSMEADOW TOWN CENTRE UPGRADE

**STREETSCAPE CONCEPT
PLANTING AND MATERIALS PALETTE**

ISSUE: **A**
JOB No.

DATE: FEB 2018
DWG No. M - 101

 **Bayside Council**
Serving Our Community

THROUGH SITE LINK - FURNITURE AND MATERIALS				
PRIMARY PAVEMENTS				
FULL WIDTH PAVING	HEADER COURSE AND BANDING	RESIN BOUND GRAVEL		
				
Stone Unit Paving Colour: Jet Black Finish: Exfoliated Material: Basalt	Stone Unit Paving Colour: Sandstone Finish: Exfoliated Material: TBC	Colour: Sand		
			Feature paving treatments in through site link to highlight heritage building at 1619 Botany Road	Feature seating including timber logs, sandstone or concrete pods
				Post-top lighting to be included in through site link in accordance with Australian Standards
				
Feature paving treatments, including typology inlays, as used at Laycock Walk, Mascot Station precinct.	Opportunities for use of resin bound gravel as paving.	Opportunities for rain gardens at northern end of through site link.	Opportunities for feature planting	
BANKSMEADOW TOWN CENTRE UPGRADE	STREETSCAPE CONCEPT PLANTING AND MATERIALS PALETTE	ISSUE: A JOB No.	DATE: FEB 2018 DWG No. M - 102	

PLANTING

TREES

	Species	Common Name	Height	Spread
01	<i>Cupaniopsis anacardioides</i>	Tuckeroo	8m	5m
02	<i>Harpulia pendula</i>	Tulipwood	6m	5m
03	<i>Lophostemon confertus</i>	Brush Box	12m	12m
04	<i>Pyrus 'Chanticleer'</i>	Ornamental Pear	6m	5m
05	<i>Washingtonia robusta</i>	Mexican Fan Palm	12m	5m
06	<i>Banksia robusta</i>	Swamp Banksia	6m	4m
07	<i>Glochidion ferdinandi</i>	Cheese Tree	12m	6m
08	<i>Callistemon salignus</i>	White Bottlebrush	8m	4m
09	<i>Melaleuca leucadendria</i>	Weeping Paperbark	10m	6m
10	<i>Corymbia maculata</i>	Spotted Gum	12m	10m



SHRUBS + GRASSES

	Species	Common Name	Height	Spread
11	<i>Westringia 'Jervis Gemi'</i>	Coastal Rosemary	1m	1m
12	<i>Correa alba</i>	White Correa	1.5m	1.5m
13	<i>Angozanthos sp.</i>	Kangaroo Paw	1m	0.5m
14	<i>Dianella caerulea 'Little Jess'</i>	Paroo Lily	0.4m	0.3m
15	<i>Ficinia nodosa</i>	Knobby Club Rush	0.4m	0.4m
16	<i>Kniphofia sp.</i>	Red Hot Poker	1m	0.2m
17	<i>Dianella caerulea 'Silver Streak'</i>	Vargated Dianella	0.3m	0.3m
18	<i>Lomandra longifolia 'Tankia'</i>	Lomandra Tankia	0.6m	0.6m
19	<i>Pennisetum alopecuroides 'Narraj'</i>	Fountain Grass	0.6m	0.6m
20	<i>Pennisetum alopecuroides 'Rubrum'</i>	Purple Fountain Grass	0.7m	0.6m
21	<i>Poa labillardieri 'Kingsdale'</i>	Tussock Grass	0.3m	0.3m
22	<i>Themeda australis</i>	Kangaroo Grass	0.3m	0.3m



BANKSMEADOW TOWN CENTRE UPGRADE

STREETSCAPE CONCEPT
PLANTING AND MATERIALS PALETTEISSUE: **A**
JOB No.DATE: FEB 2018
DWG No. M - 103

Council Meeting

14/03/2018

Item No	8.9
Subject	Cahill Park Seawall and Masterplan Report
Report by	Karin Targa, Major Projects Unit Director
File	F17/600

Summary

The Cahill Park Sea Wall and Masterplan Implementation project comprises 2 projects identified as part of Council's capital works program in Cahill Park, Wolli Creek.

The Major Projects component of the Stronger Communities Fund has allocated funding to projects that will deliver large scale or new improved infrastructure or services to the community. The assessment Panel recommended three projects, one of which was Cahill Park Masterplan Implementation. Approval by resolution for this project was made at the Council meeting held on 12th April 2017 and \$2.5M in funds was allocated and is required to be delivered by 30th June 2019, in line with Stronger Communities fund requirements. The seawall remediation was identified by Council as a condition assessment and design project in the 2017/18 capital budget.

The Cahill Park Seawall project involves the remediation and construction of an environmentally friendly seawall on the foreshores of the Cooks River adjoining Cahill Park at Wolli Creek. The Cahill Park Masterplan Implementation project involves the refinement of the masterplan as approved by Council in May 2016 and the detailed design and documentation of the stronger communities funded component of the Masterplan. The two projects have been combined into one design tender due to the intrinsic integration of each project.

A Lead Consultant and consultancy team was appointed by Council at the Council Meeting on 11th October 2017 to develop design options for the seawall component and to prepare detailed design and construction documentation for the Masterplan Implementation component.

Officer Recommendation

- 1 That Council endorses the refined Masterplan as attached to this report
 - 2 That Council resolves to approve the scope and proceed with the detailed design and documentation of the Masterplan components based on the existing allocated Stronger Communities Grant funding of \$2.5M.
 - 3 That Council resolves to proceed with the detailed design and documentation of Reaches 1 to 5 of the Seawall.
 - 4 That Council notes that as part of the 2018/2019 Capital works program process an \$1.4M item has been incorporated for the implementation of stage 1 seawall and levee works and an allocation of \$200,000 for furniture replacement from SRV funding in addition to the Stronger Communities funding allocation.
-

Background

Cahill Park Masterplan

The Cahill Park Masterplan responds to the increasing pressures for quality open space in Wolli Creek – an area undergoing rapid re-development and population increase.

The Masterplan was adopted by Council in May 2016 following community engagement in December 2015. The construction of the playground (opened in September 2017) was the first element of the masterplan to be implemented. The Major Projects Unit have reviewed the approved Cahill Park Masterplan to inform the scope of the works to be implemented as part of the Stronger Communities grant, as articulated in the approved Master Plan.

The refined project scope for the Masterplan is proposed to include implementation of the following works:

- Upgrade existing pathways, inclusive of removal of redundant pathways and construction of new pathways in a hierarchy system of a major shared path (separated in sections for tree protection) and other secondary paths;
- New public amenity lighting along the primary shared path and at important park entries;
- A fenced dog off-leash area at 2-6 Levey Street, including installation of perimeter fencing and gates, furniture and the relocation of the St George Dog Training School to this location;
- A new formalised picnic area to the west of the Rowing Club; and
- New seating, picnic tables, barbeques, shelters, drinking fountains and bike racks in suitable and strategic locations throughout the park.

Cahill Park Seawall

The Cahill Park seawall, which comprises a portion of the southern foreshore of the Cooks River, is reaching the end of its useful life and is likely to fail further, allowing ongoing and greater tidal inundation of Cahill Park in extreme rain events and tidal surges. Extensive flooding and seawall investigations have been undertaken and options for the remediation and reconstruction of the existing seawall between Tempe Bridge, Princess Highway to the Giovanni Bridge, Marsh Street are now presented in order to protect open space assets and Council infrastructure from ongoing inundation. The project scope requires the new seawall to be environmentally friendly, easily maintained and an asset to park and the community.

The seawall design project incorporates the following:

- Assessment of existing seawall elements;
- Concept and detailed design of options for an environmentally friendly sea wall;
- Option study/report for the seawall solutions;
- Design of civil works;

- Structural design of a viewing deck, as proposed in the Cahill Park Masterplan;
- Flood mitigation measures; and
- Design of flood levee options.

The dilapidated Cahill Park seawall on the southern side of the Cooks River is causing the inundation of Cahill Park during extreme rain events and tidal surges. As well as damaging park infrastructure and affecting public accessibility, the pathways have reduced serviceable condition due to the volumes and frequency of stormwater and tidal inundation. Surrounding roads are also frequently inundated by high tide events and storm flooding. The frequency of inundation from tidal and rainfall events is causing damage to both public and private property and infrastructure, as well as being a public nuisance.

As part of the Cahill Park Masterplan and seawall projects, flood levees are proposed to be constructed to protect park infrastructure and assets from ongoing damage. The flood levees proposed in the Cahill Park Masterplan are part of a catchment and precinct wide flood mitigation strategy. The levee proposal is included in the Council Section 94 Plan and Section 94 contributions have been collected for the purpose of building the levees. The contributions are to be directed toward levee construction and other drainage improvement works in the catchment area.

Through investigation and analysis, the existing Cahill Park seawall is proposed to be re-constructed at a higher level in order to prevent park inundation during tidal surges and high tide events and during minor storm events. As per the 2016 approved Masterplan, a levee is proposed further into the park to protect other Council infrastructure such as surrounding roads and other park assets, as well as private property.

The existing stormwater outlets into the Cooks River backflow during tidal events, causing flooding in the vicinity of Arncliffe Street. It is proposed, as part of the seawall construction works, to install backflow prevention devices at these outlets to avoid flooding in Arncliffe Street.

Seawall Details

The existing seawall within the project area extends for 800m. For the purposes of analysis and design, the seawall has been divided into 5 reaches as outlined in Attachment 2 – Seawall Analysis Report, and summary below. Some sections of the seawall are required to be constructed before or at the same time as some of the masterplan components due to the integrated nature of the works. These include sections of the shared path and the picnic area. Overall, the remediation design of the length the seawall focuses on flood protection and improving environmental value.

Reach 1

A length of 167m extending from Tempe Bridge on the Princes Highway to the stormwater drain outlet. This section of seawall is intact and considered low priority for remediation. The design for this section of seawall involves retaining the existing wall and retrofitting to improve the ecological value. The design also seeks to capitalise on river views through the construction of viewing platforms.

Reach 2

A length of 163m extending from the stormwater drain outlet to the Bonnie Doon Canal. This section of seawall has significant areas of failure to the top rows of block work with the toe of the wall is largely intact. The design for Reach 2 involves raising the height of the seawall to protect against small flood events and tidal surges and reconstruction as an environmentally friendly seawall with sandstone blocks and planting. Whilst structurally it is considered to be of moderate priority for remediation, it is integrated with the adjacent shared path and is required to be constructed at the same time as the shared path, making implementation of this reach a high priority.

Reach 3

A length of 86m extending from Bonnie Doon Canal to where the adjacent shared path diverges away from the river towards Levey Street. The seawall is in reasonable condition and considered moderate priority for remediation works. The remediation design involves raising the height of the existing seawall with some modification and retrofitting to improve environmental value. Given the level of integration with the adjacent shared path, this section of seawall is required to be constructed before the shared path, making implementation of this reach a high priority.

Reach 4

A length of 130m extending from the shared path diversion to the Cahill Park car park (Rowers Club). This section of seawall has been almost completely dismantled and is in poor condition. It is a high priority for remediation. The design involves construction of a new environmentally friendly seawall with sandstone blocks and planting. The design is integrated with the proposed picnic area adjacent and must be constructed before the picnic area to achieve desired levels. Given the level of integration with the adjacent picnic area this section of seawall is required to be constructed before the picnic area, making implementation of this Reach a high priority.

Reach 5

A length of approximately 250m extending from the western corner of the Cahill Park carpark beside the Rowing Club to the Marsh street overpass. Large areas of this reach are significantly eroded and the reach is considered a high priority for remediation. The proposed remediation design involves reconstruction of the seawall with new and existing sandstone blocks and enhancement of environmental value with new planting.

Financial Implications

Not applicable	<input type="checkbox"/>	
Included in existing approved budget	<input checked="" type="checkbox"/>	\$2.38M for implementation of Masterplan components being pathways, lighting, dog park
Additional funds required	<input type="checkbox"/>	

\$2.5M has been allocated to the Cahill Park Masterplan Implementation from the Major Projects section of the Stronger Communities grant funding. \$200,000 of this is available in 2017/2018 financial year for professional fees, surveys and approvals.

\$2.38M of this is available for construction of Masterplan elements in the 2018/2019 financial year, which will encompass works as per the Masterplan Report. A project bid has been put forward for 2018/2019 financial year for the renewal of park furniture at \$200k as part of the Capital works program budget process.

A project bid for funding in the 2018/19 capital works program, has been sought for implementation of reach 2, 3 and 4 of the Seawall.

Project Scope

The refined masterplan and proposed implementation plan were presented in the General Manager's briefing session to Councillors on 7th March 2018

The table below has dissected the major components of the Masterplan and Seawall and itemised the key scope inclusions for the budget. It is to be noted that all costings are preliminary and require detailed analysis and refinement during the design development phase. Attachment 3 - Implementation Plan identifies the components listed below.

Masterplan components		Funding source
Pathways – including demolition of existing redundant paths and construction of new pathways		Major Projects component of the Stronger Communities Fund
Lighting – removal and reuse of existing lighting where possible and implementation of new lighting along shared path and key node areas		
Off Leash Dog park		
Picnic area		
Tree replacement and other landscaping.		
Total	\$2,380,000	
Furniture – picnic tables, shelters, park benches, BBQ's and drinking fountains	\$200k	SRV Project bid put forward for 2018/2019 (not confirmed)
Seawall components	Cost exclusive of GST	Funding source

Masterplan components		Funding source
Reach 2 – reconstruction - raise height and construct environmentally friendly sea wall		SRV Project bid put forward for 2018/2019 (not confirmed)
Reach 3 - reconstruction - raise height and construct environmentally friendly sea wall.		
Reach 4 – reconstruction – raise height and construct environmentally friendly seawall and picnic area edge		
Total	\$ 1,400,000	

^ includes all contingencies and professional fees (12%)

Refined Masterplan

The refined masterplan and cost plan were presented in the General Manager's briefing session to Councillors on 7th March 2018. The refined masterplan was prepared after an analysis of the existing approved 2016 Cahill Park Master Plan, the existing park and its context within an increasingly urbanised area.

Community Engagement

Masterplan consultation has been undertaken in December 2015.

Notification of both Masterplan implementation and seawall construction will be undertaken prior to construction works commencing.

Attachments

- 1 Cahill Park Masterplan report
- 2 Seawall analyses report
- 3 Cahill Park Masterplan implementation [↓↓↓](#)



CAHILL PARK MASTERPLAN REPORT

March 2018



CAHILL PARK, SYDNEY

Prepared for Bayside Council by McGregor Coxall [SYDNEY]
Proj No: P 0644SYD Report Contact: Anna Thornton

Revision	Status	Date	by	Checked
A	DRAFT	22.12.2017	AT, JS	PC
B	DRAFT	05.03.2018	AT, JS	

DISCLAIMER

This Study is for the confidential use only of the party to whom it is addressed (the client) for the specific purposes to which it refers. We disclaim any responsibility to any third party acting upon or using the whole or part of its contents or reference thereto that may be published in any document, statement or circular or in any communication with third parties without prior written approval of the form and content in which it will appear. This Study and its attached appendices are based on estimates, assumptions and information sourced and referenced by McGregor Coxall and its sub consultants. We present these estimates and assumptions as a basis for the reader's interpretation and analysis. With respect to forecasts we do not present them as results that will actually be achieved. We rely upon the interpretation of the reader to judge for themselves the likelihood of whether these projections can be achieved or not. If financial models have been included, they have been prepared from the best information available at the time of writing, no responsibility can be undertaken for errors or inaccuracies that may have occurred both with the programming or the financial projections and their assumptions. In preparing this Study we have relied upon information concerning the subject property and/or study area provided by the client and we have not independently verified this information except where noted in this Study.

0.0 INTRODUCTION



Bayside Council (Council) have engaged McGregor Coxall (MCGC) to develop the masterplan for Cahill Park, providing tender documentation of works to the seawall, pathways, furniture, lighting and dog-park elements.

This report documents our analysis of the site and existing masterplan and presents our revised masterplan in which we have provided minor modifications, to maximise the performance of the spaces within the park. This report should be read in conjunction with the Cahill Park Seawall Analysis Report (Appendix A)

The primary objectives of this project are to:

- Develop a design that responds to the increasing demand for Cahill Park to be a high performance public open space.
- Enhance the environmental value of the park, in particular through ecologically sensitive treatment of the river front.

.....

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5.0 MASTERPLAN 30

.....

1.0 SITE CONTEXT

Cahill Park, Sydney



Above:
View across Cooks River of Cahill Park and Seawall.
Residential development at Levee
St, adjacent to Cahill Park.

1.1 Site Location

Cahill Park is a public open space of approximately 8ha owned and managed by Bayside Council. It is located on the southern bank of the Cooks River in Wolli Creek, New South Wales. The park is bound by the Princes Hwy to the west, Marsh St to the east and Gertrude St and Levy Street to the south and south-east. A site context map of Cahill Park is shown in figure 1.01.

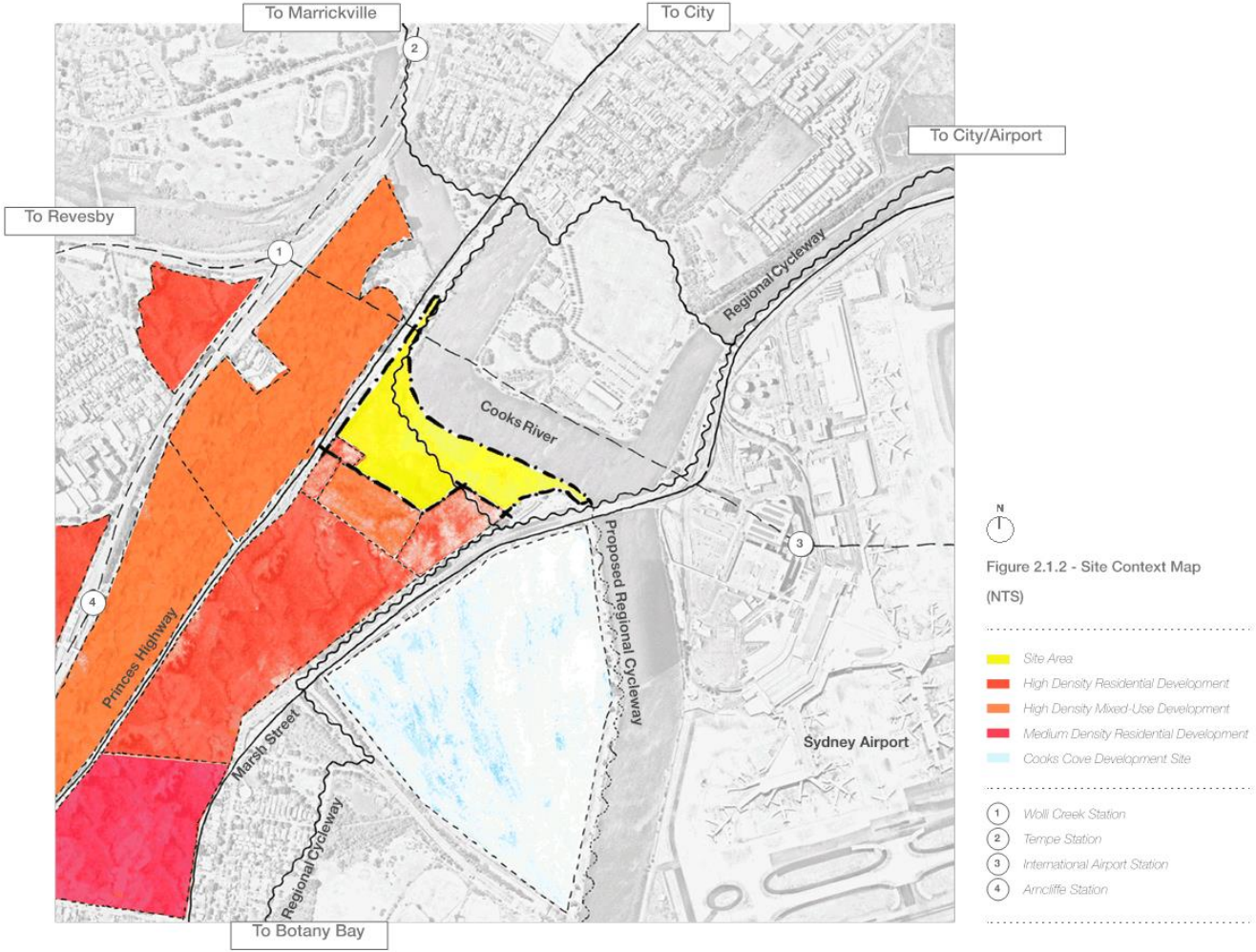
1.2 Site Context

Cahill Park is part of a well-used and valuable regional open space corridor and within a priority growth area in Sydney. The popularity of the corridor and Cahill Park is underpinned by both the Cooks River pedestrian and cycle path which provides high value recreation and an active transport linkage across a large area of Sydney.

The park is in the crux of the Bayside West Precinct priority development. As such, significant high density and mixed use development has occurred in the direct vicinity of the park and further afield, significant areas of land are marked as priority area for rezoning as high density residential and mixed use development. These developments will bring greatly increased demands on the park to perform has high use, and high quality open space.

The Park also contains significant attractors including a new children's playground, the good quality sports oval used by the St George District Cricket and Arncliffe football club, the Cooks River rowing club and numerous tennis courts.

"The key defining element of Cahill Park is its intimate connection to the river. We believe that an important part of unlocking this site as a destination is through exceptional design of the foreshore area."





2.1 ACCESS & MOVEMENT

2.1.1 Active Transport Network

The Cooks River regional cycleway extends from Bankstown to Botany Bay passing through Cahill Park. Cahill Park is an important active transport network (ATN) interchange where existing and proposed regional routes diverge to provide connection to the City/Airport (via Marsh St, north bound), Botany Bay (via Marsh St, southbound), the Cooks Cove future development, Turella (via Brodie Spark Drive) and the Cooks River cycleway (via Tempe Bridge).

2.1.2 Public Transport

Cahill Park is located less than 1km from Wolli Creek Station, which sits on the T4 and T8 lines, connecting the area to south-west Sydney and the airport (east-west) and to Sutherland and the City (north-south).

2.1.2 Major Roads

Cahill park is situated adjacent the Princes Hwy, a north-south arterial road through south Sydney. While there is a traffic signal pedestrian crossing (on Brodie Sparks Drive) providing access to Cahill Park, the road is a substantial movement barrier for residents of the Wolli Creek station and development area. Access to the park from roads along the south and the east are via small residential streets typically with on street parking.

Analysis, Cahill Park



Above:

View from Tempe Bridge towards Cahill Park and Discovery Point development area.

View of signage within Cahill Park directing cyclists to Regional Cycleway routes.

Analysis, Cahill Park



Above (left to right):

Existing dis-used toilet block near Princes Hwy entrance to Cahill Park.

Existing shared path along Cahill Park foreshore.

Desire lines caused by pedestrian movement through Cahill Park.

2.1.5 Access

Primary park access is via the Princes Hwy at the pedestrian crossing. The entrance services the Wolli Creek development area and a small car park on the Princes Hwy. The entrance is currently ill-defined and interrupted by a unused toilet block.

There are a number of secondary access points around the park that are marked by gates, or park signage. These secondary entrances are not connected to formal path networks.

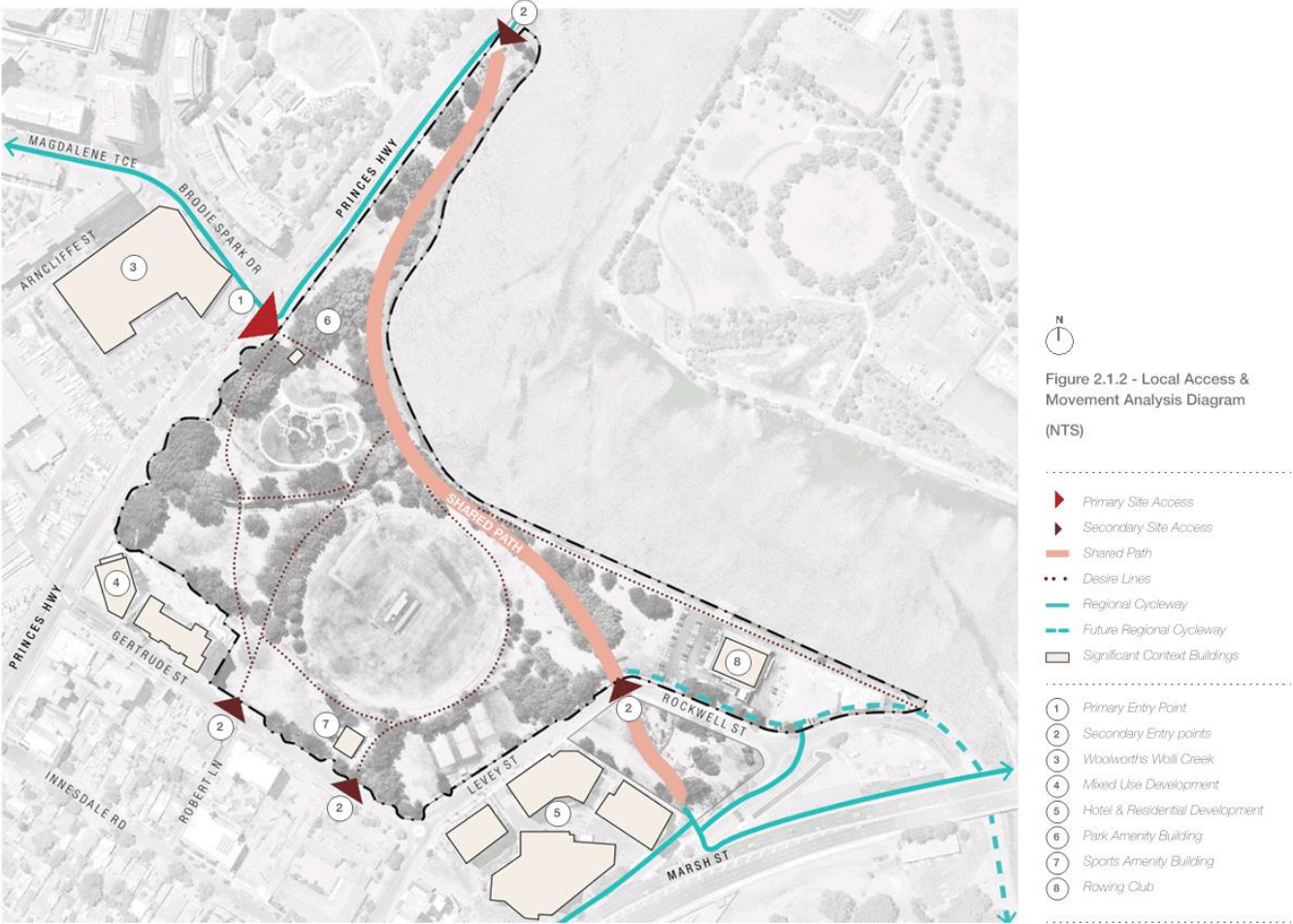
2.1.6 Primary Movement

The primary pathway through Cahill Park a 3.3m shared path between the south side of Tempe Bridge, to Marsh St. The path predominantly follows the foreshore until its approach to Levey St where it veers landward to cross Levey St and continue through the park.

The shared path is within the recommended width for a regional or recreational shared path (AustRoads 2017). However observation of path use has revealed a relatively high traffic load and diversity of path users (e.g. dog walkers, toddlers, commuter and recreational cyclists, joggers) and it is considered that there is high potential for user conflicts, in particular as demands on this path increase due to residential development.

2.1.7 Desire Lines

Numerous desire lines have been formed through the park that connect secondary access points to destinations. Key destinations are the primary movement path along the foreshore and the primary access point on the Princes Hwy which grants connection to services such as Woolworths and Wolli Creek Station.





2.2 ECOLOGY

2.1.1 Canopy

Bayside City Council LGA has the lowest canopy cover of urban LGAs in NSW with only 13.7% cover, making it amongst the most vulnerable areas for the impacts of urban heat island impacts (UHI) (2020Vision, 2017). Canopy cover is a key strategy to combat UHI and has the ability to reduce local temperature by 3-8C (UNSW, 2010). Cahill Park has significant canopy cover provided by mature fig, casuarina and eucalyptus trees throughout the park. The current canopy goes some way to defining open spaces and movement corridors throughout the park.

The under storey vegetation at Cahill Park is dominated by turf. The existing turf has struggled in particular in lower areas of the park that are frequently inundated by brackish water from the Cooks River and under casuarinas and under other large canopy trees where light is limited.

2.1.2 Foreshore

Cahill Park foreshore is defined by a sandstone block seawall. The existing foreshore has existing ecological value with a significant colony of oysters having formed on the rocky substrates and mangroves continuing to emerge along the intertidal mud flats. The mudflats, exposed at low tide also provide foraging ground for a number of shore birds.

2.1.3 Salt Marsh

A small and deteriorated area of salt marsh exists south-east of the oval in a low point of the park where brackish Cooks River water surcharges from a pit in high tides. The salt marsh has been impacted by service vehicle and pedestrian traffic in the area. The salt marsh is recorded on the OEH vegetation mapping (2014) as EEC.

Analysis, Cahill Park



Above:

Mangrove habitat along Cahill Park foreshore.

Mature tree canopy throughout Cahill Park.

2.3 FLOODING

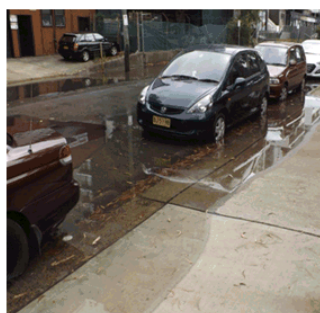
Analysis, Cahill Park



Above:

Cooks River during a particularly high king tide that occurs 3-4 times a year (pers.comms). In these conditions, the current movement corridor within the park is partially inundated.

Flooding of local streets caused by stormwater pits surcharging during astronomical high tide event.



2.3.1 Flood Context

Cahill Park is located on the Cooks River floodplain. The park and the surrounding residential areas are subject to frequent flooding from Cooks River catchment rain events, high tide events (discussed in section 2.3.2) and from rain events in the Bonnie-Doon/Eve Street catchment, upstream.

Flood studies in the early 1990s proposed development of a flood levee across Cahill Park to protect assets within the flood plain. Since that time, the finished floor level of new developments has been set above the 200 year event. Key assets within Cahill Park have also been constructed above the 5% AEP (20 year) flood level to protect them from flood impacts. Thus reducing the impact of flooding in the area.

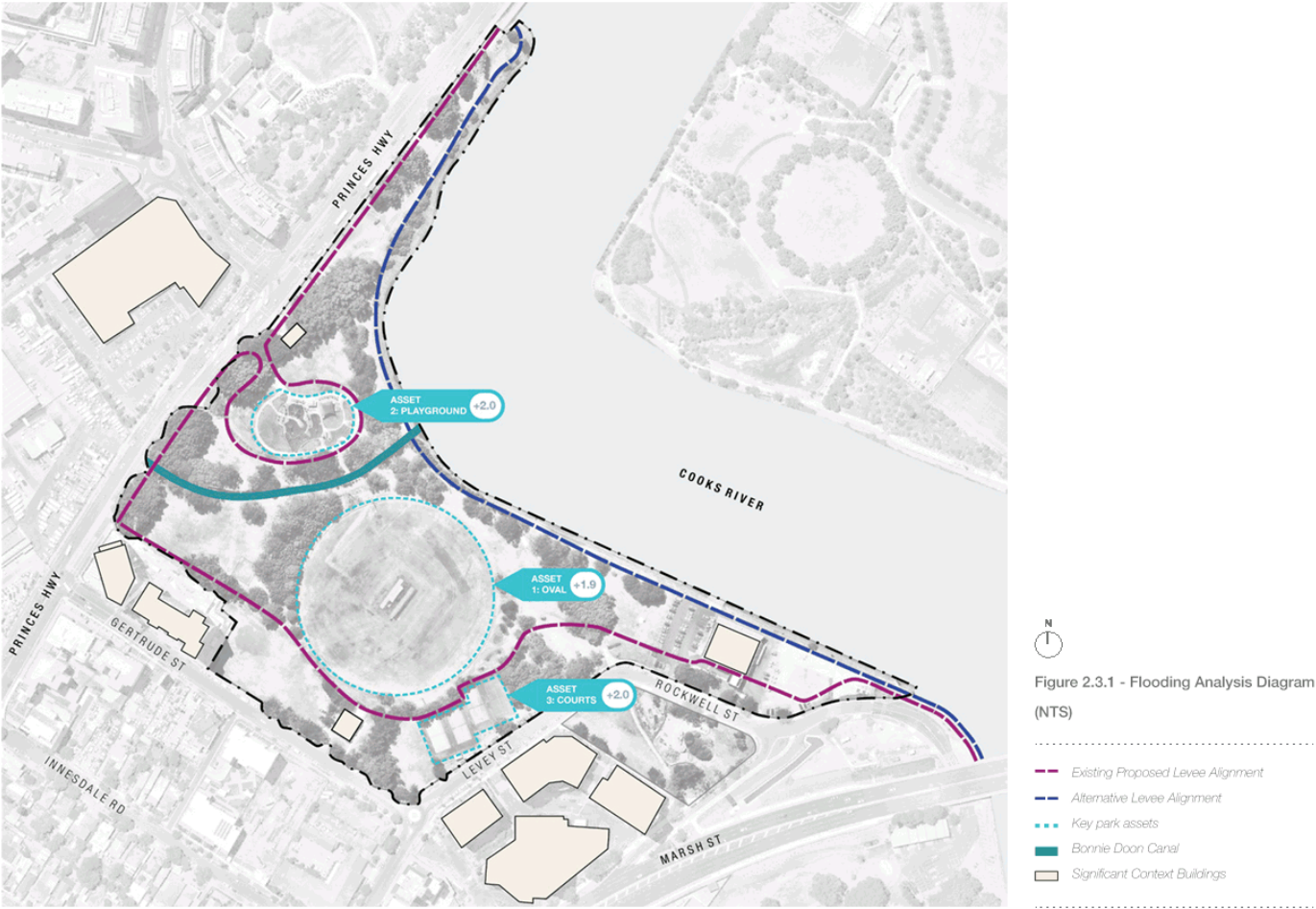
The flooding of roads remains an issue as Gertrude St, Levey St and Marsh Street may be inundated up to 0.6m flood depth in a 5% AEP flood. The already proposed flood levee set at 1.9m AHD would reduce the frequency of inundation of these roads.

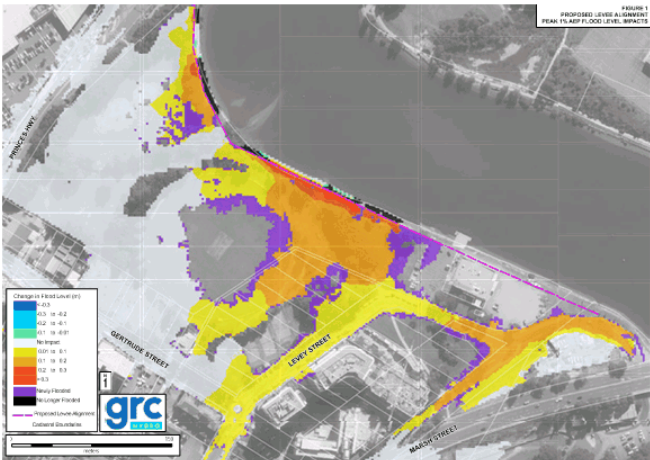
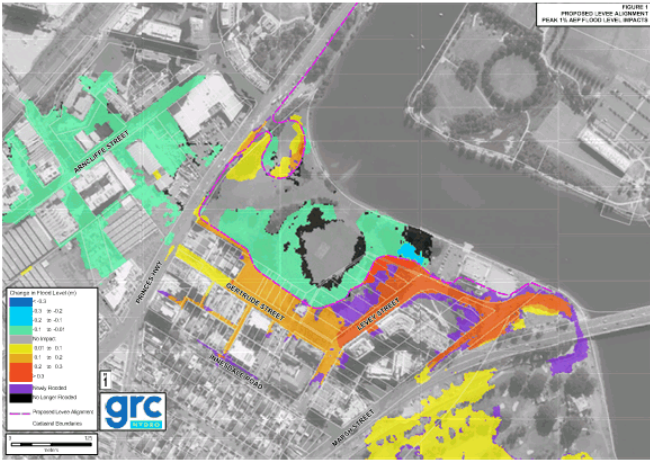
A key objective of this project is to provide modelling and recommendations on the viability of a flood levee in Cahill Park. A detailed report providing recommendations and flood mitigation options at Cahill Park is included in Appendix B (TBC).

2.3.2 King Tide Inundation

Normal high tide events are typically contained within the banks of the Cooks River and reach a level of approximately 1.1m AHD. Astronomical high tide events breach the banks and cause flooding of the primary movement corridor in the park as well as low lying areas within the park where storm water pits are situated.

In 2017 back flow prevention devices were installed on two storm water pipes discharging into the Cooks River. On going maintenance of these devices is required for their successful operation. Back-flow prevention devices will be required on all pipes discharging to the Cooks River and lower Bonnie Doon Channel to prevent back-flow in high tide and high river events.





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Figure 2.3.2 - Flood Model Maps (1% AEP)
(NTS)
GRC Hydro, 2017

2.3.3 Preliminary Flood Levee Modelling

Two flood levee alignments set at 1.9m AHD (20 year Cooks River flood event) were modelled for the 100 year event of the Bonnie-Doon/Eve St catchment to determine the upstream flood impacts. The levee alignments are shown in figure 2.3.1.

The levee would prevent Cooks River overbank flooding of Cahill Park and adjacent streets up to the 5 year AEP event. Modelling showed either levee alignment would cause some worsening of Bonnie Doon catchment flooding in the 100 year planning event.

The benefit would be in events up to the 5% AEP when the levee would provide some flood mitigation for local roads and footpaths.

A levee along the foreshore would contain a greater proportion of the Bonnie Doon flood water within the park. However this alignment would require raised levels along the Bonnie Doon Canal should a 1.9m high levee be adopted. The preliminary modelling results are shown in figure 2.3.2.

2.3.4 Flood Mitigation Objectives

Considerable discussion was undertaken with Council to understand the site, flooding issues and context to determine the primary objectives of flood protection works at Cahill Park.

The primary objective of flood mitigation works at Cahill Park is therefore: to alleviate the frequent flood impacts of tidal and minor storm events from the Cooks River on park amenity and upstream streets.

Analysis, Cahill Park



Above:

Stormwater drainage pit surcharging during astronomical high tide event causing widespread flooding in the park.

2.4 SPACE & ACTIVITY ANALYSIS

Analysis, Cahill Park



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Above (from Left to Right):

Existing site condition of areas 1-6.

2.4.1 Existing Program

Cahill Park has a number of existing built attractors including a newly constructed playground, high quality sports field, rowing club, and tennis courts.

The remaining space around the park has been analysed for its performance to identify opportunities for developing them into high performance spaces that add significant value to the park. The identification of park spaces is shown in figure 2.4.1.

2.4.2 Park Spaces Analysis

Area 1 is a high profile area and a major part of the entrance experience, movement corridor, and a place to appreciate the river. There is strong potential and value in improving interaction with the river in this area.

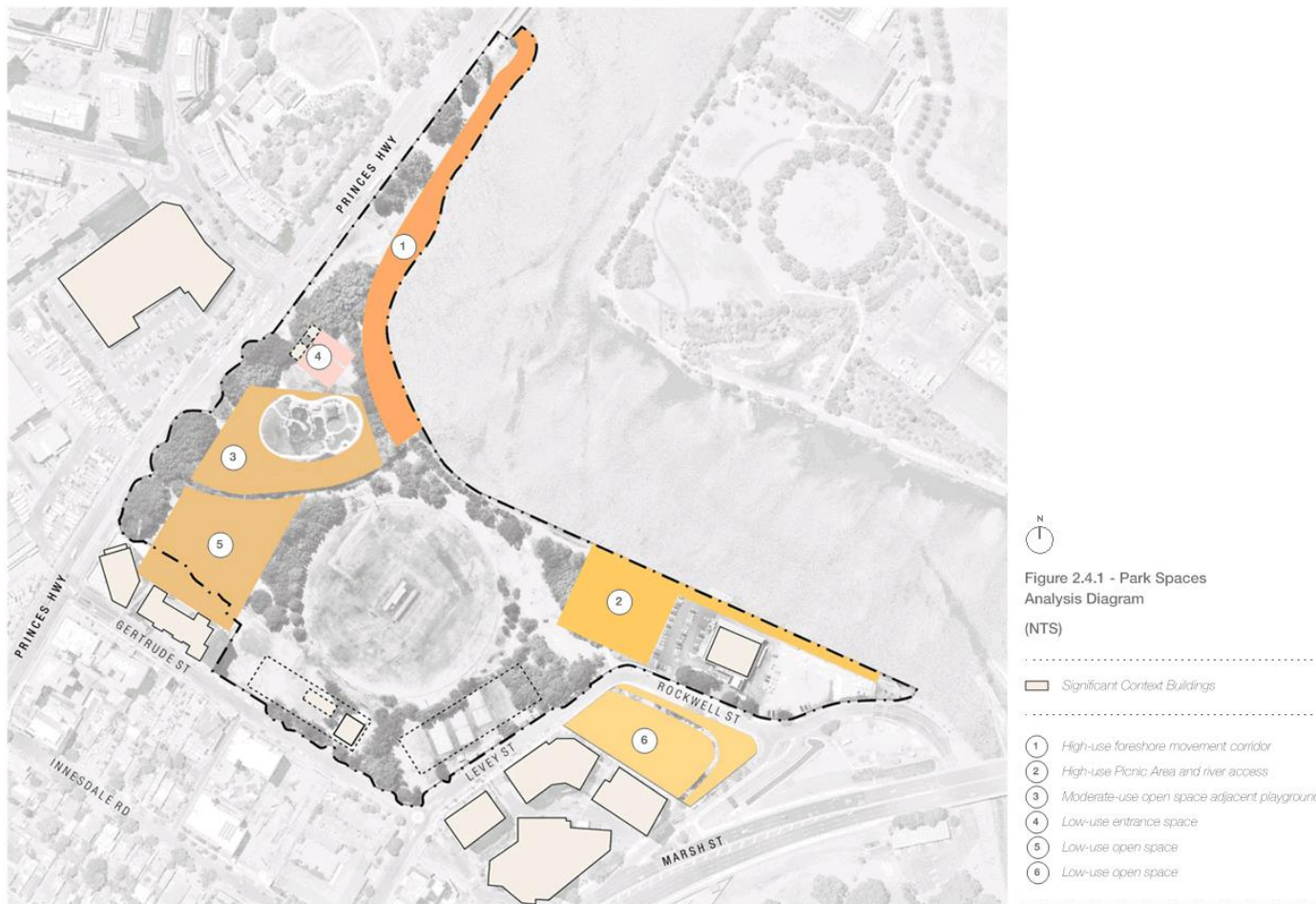
Area 2 offers a particularly intimate connection with the water front and currently serves as a popular picnic area. This is a high priority area that has potential to be the iconic, 'destination' place within the park.

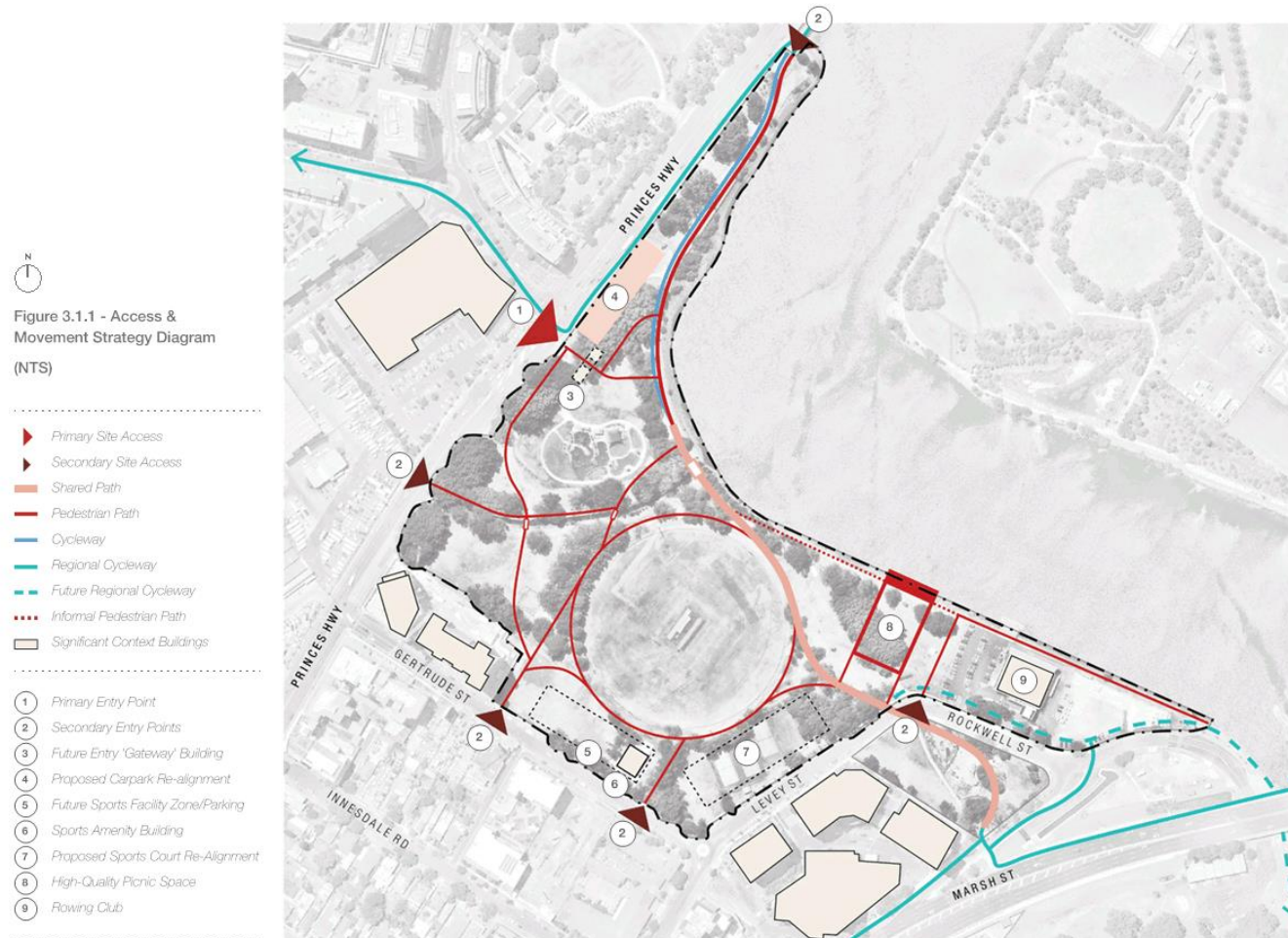
Area 3 surrounds the newly constructed playground which receives high usage. The space around the play equipment provides valuable space for safe informal ball games and picnicking etc for small children and their families.

Area 4 has significantly underutilised potential as a key part of the Cahill Park entry experience. It currently lacks program and distinction as a space.

Area 5 is currently utilised as an informal dog training area that is proposed to be relocated to Area 6 (existing masterplan). The space is open lawn space that will form the informal forecourt of the new mixed use development (Area 9). At present it is relatively disconnected from other areas of the park.

Area 6 is currently open lawn space intersected by the park's shared path. It is the proposed for a new fenced dog off-leash park (existing masterplan). c





3.1 ACCESS & MOVEMENT

The following strategic moves have been adopted for access and movement:

3.1.1 Primary Movement Corridor

Upgrade primary movement pathway to facilitate multiple modes (cyclists, joggers, dog walkers, toddlers etc.) In particular:

- Provide separated path along foreshore areas to allow safe, and slow moving enjoyment of the foreshore for pedestrians
- Provide widened 4.5m shared path in non-foreshore areas, adopting materiality, linemarkings and signs to encourage separated movement.

3.1.2 Secondary Movement Corridors

Guide movement through the whole park to activate unused spaces and give legitimacy to secondary access points.

Respond to existing desire lines by formalising pedestrian pathways to destinations

3.1.3 Continuous Foreshore Connection

Provide continuous foreshore pedestrian access along the foreshore with low-key path leading to the picnic area that continues through to the formalised rowing club foreshore area.

Strategy, Cahill Park



Above:

Turrumurra Memorial Park Oval. Circuit path around oval providing circuit for walkers

Dallas Parks. Cycle and pedestrian paths split with vegetated buffer

Bogota, Colombia. Shared path using materiality and linemarkings to control movement.

3.2 ECOLOGY

Strategy, Cahill Park



The following strategic moves have been adopted for treatment of ecology:

3.2.1 Canopy Vegetation

Mature tree canopy will be retained to offer shade and microclimate in particular along pathways.

Open spaces will also be retained to maintain a mix of shaded and sunlit spaces within the park.

3.2.1 Under Storey Vegetation

Under storey vegetation will be used to define open spaces and movement corridors.

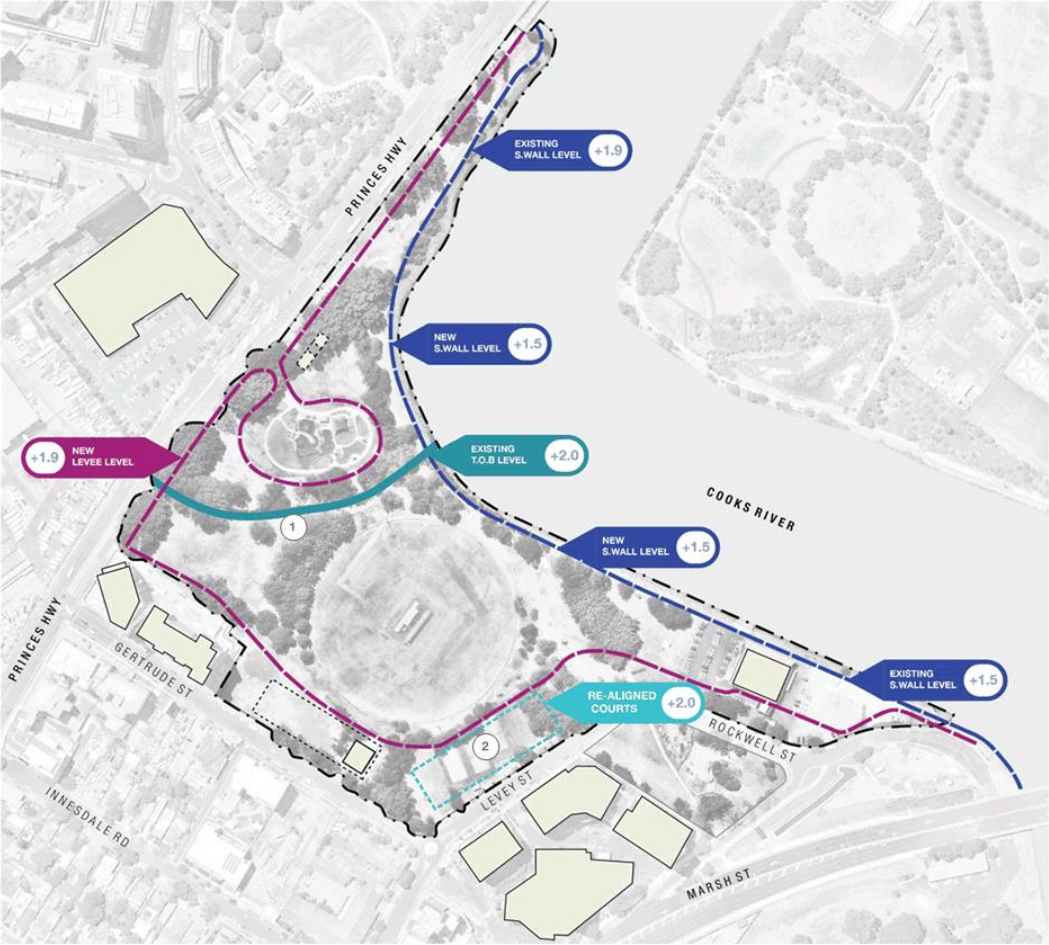
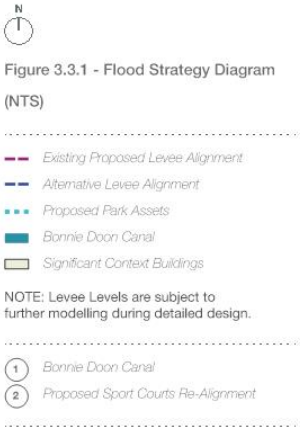
3.2.2 Ecological Seawall

The ecological seawall will be treated in zones that respond to the changing character of the park, the existing seawall condition and ecological value of the seawall area.

Above:
Centennial Park, Sydney. Mature Fig Tree canopy provides shade and character to the park.
Lizard Logs, Western Sydney Parklands demonstrating understorey planting to control movement.
Carrs Park, Botany. Design of tidal pools to create a varied ecology within the structure of a seawall.



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3.3 FLOODING

Based on the drainage and flooding objectives agreed on with Council, the following strategic moves have been adopted into the revised masterplan:

3.3.1 Levee Alignment

A flood levee will be integrated into the re-design of the seawall that protects park amenity, in particular access and movement, from tidal inundation and frequent floods from the Cooks River (up to the 2 year event)

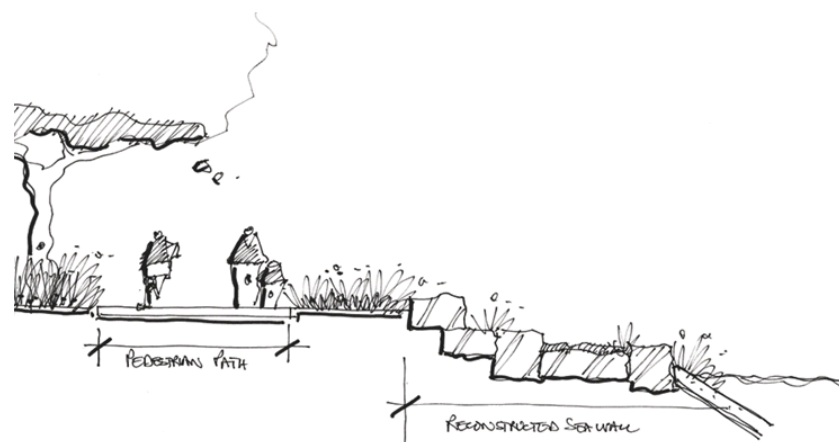
Council has requested that the existing proposed levee be retained in the revised Cahill Park masterplan. This levee may provide a degree of flood mitigation on local roads around Cahill Park in up to the 5% AEP flood event.

NOTE:

Recommendations regarding drainage issues that also contribute to flooding are addressed in the flood report attached in Appendix B (TBC). These issues will be largely addressed through maintenance of existing assets and new back flow prevention devices installed upstream of the park.



Strategy, Cahill Park



Above:

Sketch section illustrating the nature of the raised Seawall levee.

Left:

Glebe foreshore seawall design with raised wall edge and drainage.

Indicative environmental seawall section with integrated levee.

3.4 SPACE & ACTIVITY

Strategy, Cahill Park

The following strategic moves have been adopted for creation of high performing spaces and programming:

3.4.2 Responding to Existing Character

Use existing site character and identified opportunities to enhance park areas.

3.4.3 High Performance Spaces

Accommodate a diverse range of program through the design of spaces that is robust and makes Cahill Park a destination.



Above:

Cooks River, Ermington. Low key river viewing decks through mangroves.

The Paddocks Precinct, Paramatta Parklands. Activated boardwalks to provide connection and program

Lizard Logs, Western Sydney Parklands. Defined concrete edging around high quality picnic spaces.



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4.0 DESIGN STATEMENT

The existing masterplan developed by Umbaco Landscape Architects (2016), provides a good framework for the future of Cahill Park and this masterplan builds upon this work. This proposal identifies opportunities to improve the clarity of spaces within the park and create meaningful connection between ecology and activity.

This proposal recognises the defining nature of the Cooks River waterfront to the character of Cahill Park. The two separate projects; the masterplan and the seawall, are therefore inextricably linked. Analysis of the seawall's current structural and ecological condition reveals an existing sequence of ecological and amenity zones that are treated to serve environmental, structural and amenity needs at the park.

Key to the proposed masterplan is the new separated pathway which responds to the variety of users within the park and regional status of the cycleway. This pathway allows both high speed cyclists and pedestrians to enjoy the river front safely as they move through the park. The

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canopies of existing trees provide shade to cyclists and pedestrians alike. Proposed secondary paths provide a meaningful entry experience circuit movement around the park and activation of spaces through connectivity. Connections over Bonnie Doon canal provide necessary access to the existing playground for users entering the park from Gertrude St and unlock a significant, currently underutilised space. These connections provide an opportunity for suspended play and engagement with the canal itself.

Entering from the pedestrian crossing on the Princes Highway, or the adjacent carpark, users are granted an experience with the river via viewing platforms. These structures are spaced along the seawall amongst existing mangroves to create intimate moments away from the dense urban fabric that surrounds the park and take advantage of the striking views across the river towards Sydney Airport.

The riverbank west of the Rowing Club is an ideal location for a picnic area however the site is in a neglected state. The proposal incorporates a unique offering here, framing the picnic area with an elegant rectangular pathway that steps down to the river, offering an opportunity for people to engage with the water's edge. Space for water play, barbecues, outdoor dining, sun baking and the like are included in the thinking of this space. Retail activity from the Rowing Club's restaurant is invited to spill out onto a boardwalk, formed from the same material as the picnic area edging. Together, these two elements form the heart of Cahill Park.

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5.0 MASTERPLAN



Figure 6.1 - Section AA
(NTS)

- ① Existing Mature Trees
- ② Proposed Separated Cycle Way
- ③ Proposed Vegetation Buffer Zone
- ④ Proposed Amenity in Buffer Zone
- ⑤ Proposed Pedestrian Path
- ⑥ Proposed Planting Buffer Zone
- ⑦ Proposed Top of Seawall
- ⑧ Proposed Seawall Tidal Pools





CAHILL PARK - SEAWALL

Analysis Report





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Prepared for Bayside Council by McGregor Coxall [Sydney]

Proj No: P 0644SYD Report Contact: ANNA TILKMPSON

Revision	Status	Date	by	Checked
A	DRAFT	20 12 2017	EC, AT	AT
B	DRAFT	05 03 2018	JS, AT	AT

DISCLAIMER

This Study is for the confidential use only of the party to whom it is addressed (the client) for the specific purposes to which it refers. We disclaim any responsibility to any third party acting upon or using the whole or part of its contents or reference thereto that may be published in any document, statement or circular or in any communication with third parties without prior written approval of the form and content in which it will appear. This Study and its attached appendices are based on estimates, assumptions and information sourced and referenced by McGregor Coxall and its sub consultants. We present these estimates and assumptions as a basis for the reader's interpretation and analysis. With respect to forecasts we do not present them as results that will actually be achieved. We rely upon the interpretation of the reader to judge for themselves the likelihood of whether these projections can be achieved or not. If financial models have been included, they have been prepared from the best information available at the time of writing, no responsibility can be undertaken for errors or inaccuracies that may have occurred both with the programming or the financial projections and their assumptions. In preparing this Study we have relied upon information concerning the subject property and/or study area provided by the client and we have not independently verified this information except where noted in this Study.



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1.0 INTRODUCTION

Cahill Park is a 'rough gem' on the Cooks River situated along a picturesque bank of the Cooks River. The design of the seawall plays an important role reinventing the character of the park as a riverfront destination.

1.1 BACKGROUND

Bayside Council has engaged McGregor Coxall (MCGC) to undertake the concept and detailed design of an environmentally friendly seawall along length of the park. The existing seawall along Cahill Park is in varying states of dilapidation and requires complete renewal along some reaches and in others, a minimum of minor maintenance.

The seawall forms an important component of the park's existing masterplan (Umbaco, 2016). MCGC have also been engaged to review and revise the masterplan and develop key elements including pathways, lighting, furniture, flood levee and a new dog park for tender and construction.

The approach to seawall design has therefore been to ensure that the seawall and masterplan are seamlessly integrated.

1.2 SITE LOCATION

Cahill Park is located on the southern bank of the Cooks River in Wolli Creek, New South Wales. The park is bound by the Princes Hwy on the west, Marsh St to the east and Gertrude St and Levey Street to the south and south-east. The park is owned by Crown Lands and managed by Bayside Council. A locality map of the site is shown in figure 1.01.

1.3 SITE CONTEXT

Cahill Park covers an area of approximately 8ha and is used for passive recreation such as picnicking and walking. The regional Cooks River Cycleway also traverses the Park generally along the riverfront, providing thoroughfare for cyclists, and walkers. The park also contains a playing field, tennis courts, a rowing club on the riverfront, and a newly constructed playground.

The existing character in the areas surrounding Cahill Park is highly urban, with a strong presence of high rise residential development and significant industrial spaces. There is high value for naturalised, green environments as refuge from the dense urban surrounds that can be provided through the design of the seawall and park area.

The existing seawall is a slightly reclined sandstone block wall in varying states of dilapidation. Some reaches of the seawall have completely collapsed, exposing the alluvial fill behind the seawall to erosion. Other reaches are reasonably intact with only some blocks having been displaced, however there is evidence to show that the majority of the remaining wall is in the early stages of being destabilised.

1.4 OBJECTIVES

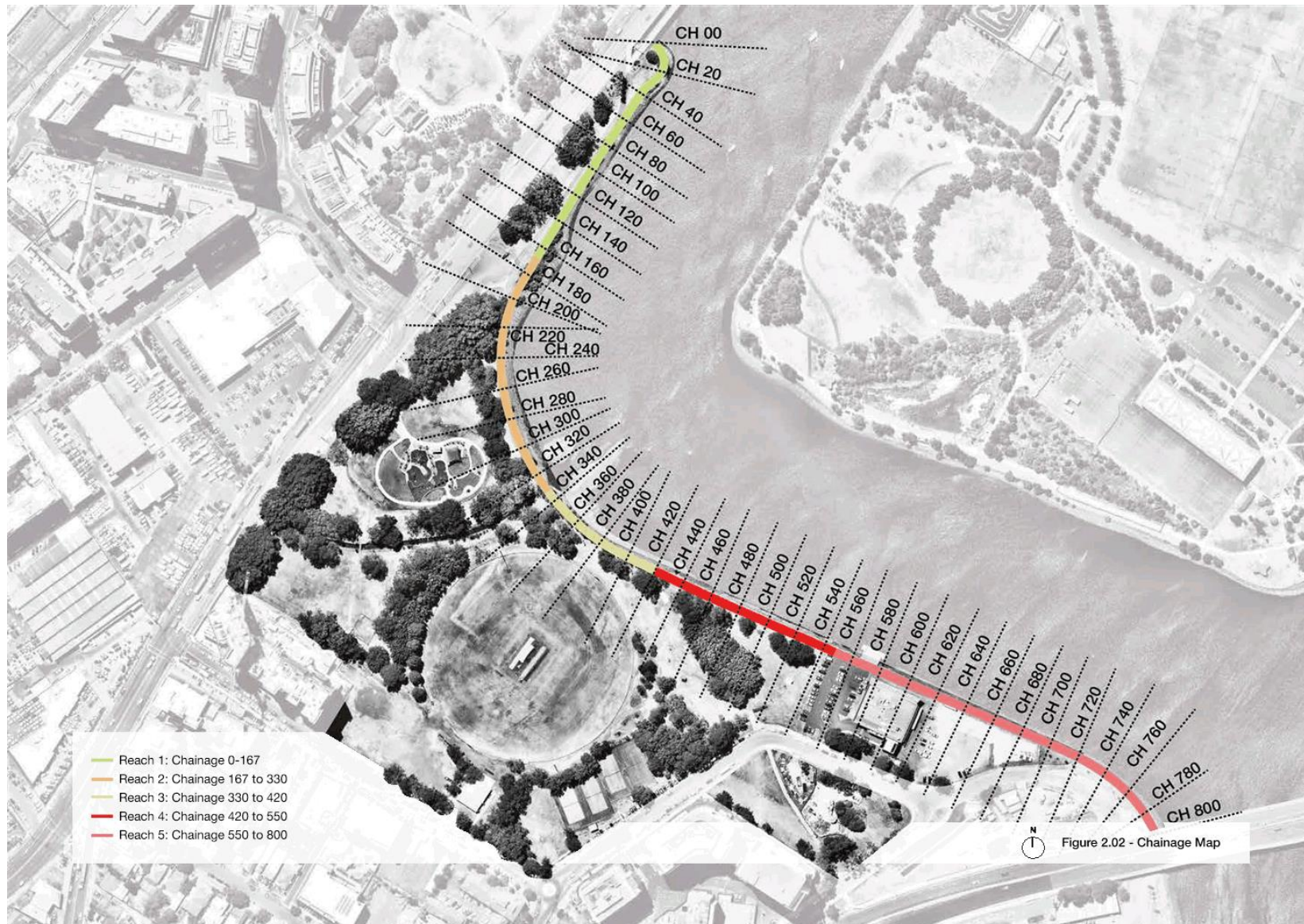
This project has the following primary objectives:

- Design to ensure long term stability of the seawall
- Design to improve the ecological function of the riparian zone including seawall
- Design to allow user interaction with the water
- Integrate the seawall design coherently and with the park masterplan
- Design with consideration of potential for grant funding for construction of the project.

1.5 DESIGN PRINCIPLES

The fundamental design principles adopted for this project are:

- The seawall design is tied to amenity of the park
- The seawall design is tied to movement within the park
- The seawall design must provide ecological enhancement



2.0 SITE ANALYSIS

2.1 EXISTING SEAWALL DETAILED ANALYSIS

The existing seawall within the project scope extends for a length of 800m. The seawall has been divided into five reaches for the purpose of this analysis. The reaches have been defined approximately by the condition of the seawall.

1. Reach 1: Chainage 0-167
2. Reach 2: Chainage 167 to 330
3. Reach 3: Chainage 330 to 420
4. Reach 4: Chainage 420 to 550
5. Reach 5: Chainage 550 to 800

A map of these reaches and 20m chainage markers is shown in figure 2.02.

The analysis of the seawall condition, in combination with the site character analysis, hydraulic and flora and fauna analysis will direct the design principles and approach for the seawall.

2.1.1 REACH 1: CHAINAGE 0-167

Reach 1 is approximately 330m long and extends from the Tempe Bridge/Princes Highway to a stormwater drain outlet at approximately CH167.

This section of the seawall is a single wall, reclined at a steep angle varying between approximately 80% to vertical and with a height of between 1-1.5m. The wall is constructed from rough cut blocks with varying lengths and an average block height of 150mm. The blocks are typically stacked but without mortar with the exception of the top row of blocks which are mortared in place. In some localised areas mortar has been applied between the blocks presumably to secure blocks that had been displaced or were at risk

of being displaced.

This reach of seawall is primarily intact and is considered a low priority for remediation works. However, there are a few localised areas where the sandstone blocks have been displaced from the wall, potentially due to vegetation pushing the blocks apart.

A mature stand of mangroves have established at the base of bank around the outer bend of the river between CH140-CH 230. Mangroves are effective at dispersing energy and therefore reducing the erosive forces on the seawall in these locations. Note that a natural stone outcrop exists at this location.



4



1 - Localised block failure where cauarina shoot has protruded through the wall.



2 - Beginning of mangroves established along the base of bank from CH140.

Vegetation has also established through the sandstone blocks along this reach of seawall, the largest examples being three African Olive Trees and one Casuarina between Chainages 60–110. While the smaller vegetation (groundcovers) that have established between the blocks are likely to help to stabilise the wall by providing soil stability behind the seawall, the trees that have established are displacing rocks permitting greater water ingress behind the wall which in turn will cause more widespread block displacement.

The top of bank along this reach is dominated by poor quality turf with a root depth of approximately 10mm. The existing regional cycle path is an average of approximately 4m from

the top of bank with a minimum buffer of approximately 1.5m between chainage 80-120.



3 - Steep terraced brick wall with mature African Olive tree growing through the wall.



4 - Casuarina growing from between stones.

2.1.2 REACH 2: CHAINAGE 167-330

Reach 2 is approximately 163m long and extends from the stormwater drainage outlet at CH 167 to Bonnie Doon Channel.

This section of the seawall is a single wall, reclined at a grade of approximately 50% and with an average wall height of approximately 1m. As per Reach 1, this reach is constructed from rough cut sandstone blocks. The blocks have an average dimension of approximately 250mm (h) x 250mm (d) x 300mm (w). The blocks are typically stacked without mortar except for the top row of blocks that have been mortared in place.

This reach of seawall has some significant areas of failure

affecting the top 2-3 rows of blocks while the toe of the wall is consistently intact. Where the wall has been impacted the worst, the mortared top tier of sandstone block work has also been washed away. As in Reach 1, the blocks are being displaced by erosion of material behind the blocks. Where blocks have been displaced the subgrade is exposed and continues to erode more rapidly, likely with every high tide event, causing an increasingly rapid dismantling of the seawall.

Vegetation along this reach is limited to the mangroves, established around the upstream extent of the reach (approx. CH 140-230). The wall is intact in this area. Mangrove prop



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1 - Natural rock outcrop at approximately CH 170.



2 - Significant failure at approximately CH 260.

roots are established along most of the length of this reach with some juvenile mangroves starting to establish closer to Bonnie Doon Channel.

The top of bank buffer area between top of bank and the shared path is typically 3.5m with the narrowest sections at only 1.5m (near CH 260). The top of bank is covered in poor quality turf.



3 - Significant failure at approximately CH 290 in low tide also showing juvenile mangrove establishment.



4 - Significant failure at approximately CH 290 in high tide

2.1.3 REACH 3: CHAINAGE 330-420

Reach 3 is 86m long and extends from the west side of Bonnie Doon Channel to CH420 where the shared path diverges away from the river towards Levey Street.

The upstream section of this reach (CH334-343.5) continues in the style of Reach 2 as a single, reclined wall that is in good condition. Downstream of CH 343.5, a low benched wall is introduced approximately 0.5m in front of the primary seawall expanding to approximately 2m at the downstream end of the reach. The low wall is in good condition and reaches an average of 0.3m above the river bed. The benched area behind the low wall is filled with alluvial soils, and displaced sandstone blocks, and has been colonised with rock oysters

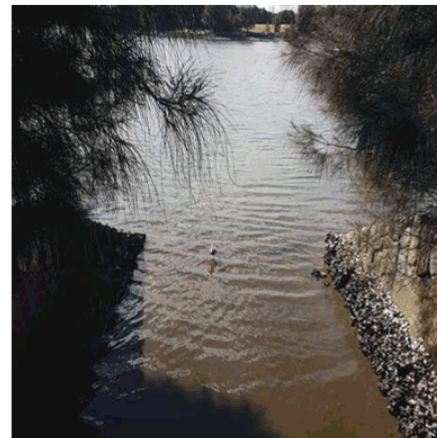
indicating that the substrate is relatively stable. There are little signs of scouring or erosion of the bench sediments.

The primary seawall is in good condition in this reach and is considered a low priority for remediation works. The wall is reclined at a steep angle of approximately 85%. The wall is constructed from rough cut sandstone blocks an average dimension of 250mm (h) x 250mm (d) x 300mm (w). As in reach two the blocks are typically stacked but not mortared in place.

The condition of the wall deteriorates rapidly at the downstream end of the reach at approximately CH420. At this point a number of casuarinas have established growing



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1 - Bonnie Doon Channel outlet at CH 330-334.



2 - Benched seawall with scattered juvenile mangroves established on the river bed. The stormwater pipe outlet with anti-backflow device (CH381) is visible in the foreground.

outward at an angle towards the river.

Scattered juvenile mangroves have established at the base of bank along the reach both behind the bench wall and on the river bed around the outer bend of the river beginning at approximately CH140.

The top of bank in this section is densely populated with juvenile and mature casuarinas with some limited understory vegetation consisting of native grasses, which are providing stability to the soil matter behind the seawall. A break in the vegetation exists at CH 400 where a formal viewing area with benches is located.



3 - View upstream showing length of Reach 3 and dense riparian vegetation.

The buffer width between the top of bank and the shared path is 3m expanding to approximately 3.5m at the downstream end of the reach where the path turns away from the river.

A local stormwater pipe outlet protrudes through the low benched wall at CH 361.



4 - Interface of Reach 3 and Reach 4 where wall is deteriorated, and casuarinas are growing outward towards the river.

2.1.4 REACH 4: CHAINAGE 420-550

Reach 4 is 130m long and extends from CH420 to CH550 at the Rowing Club car park.

This reach of seawall is the worst affected, where the wall has been almost completely dismantled and the top of bank has cut back into the park by up to four meters forming gently graded sandy beach areas.

Where these beaches have formed, there is considerably undercutting of the insitu fill beneath the root zone of the existing turf (approximately 0.15m deep). The undercutting below the turf root zone demonstrates the increased soil structure and strength provided by plant roots. From visual inspection, the upper horizon of fill is comprised of rubble,

sandy soils and construction rubbish.

The dismantled rocks from the seawall have been deposited at the toe of the bank and have not migrated downstream significantly suggesting that the flow velocities are not sufficient to displace the boulders, but rather the failed wall is a result of the poorly consolidated material behind the wall being washed out and undermining the stability of the wall.

Inland from the top of bank the ground is relatively level open space for approximately 10m before reaching a line of mature trees.

A local stormwater pipe outlet protrudes through the low



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1 - Local stormwater outlet with Tidelflex valve at chainage 425.



2 - Undercutting of top of bank beneath the root zone.

benched wall with a headwall at CH 439. The pipe is fitted with an anti-backflow device.



3 - Small section of intact seawall between CH 500-520.



4 - Unconsolidated general fill at top of bank.

2.1.5 REACH 5: CHAINAGE 550-800

Reach 5 is 250m long and extends from the western corner of the rowing club car park to the Marsh St overpass.

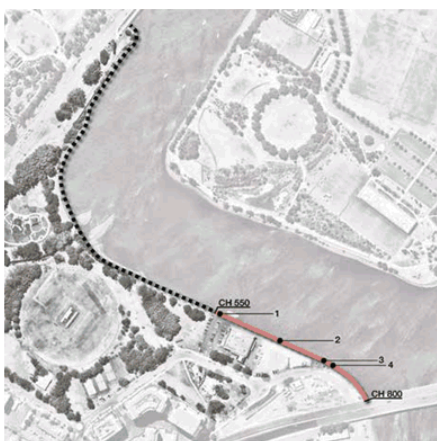
Marking the upstream edge of this reach is an old concrete boat ramp in poor condition that is beginning to be undermined. A new floating boat ramp has been constructed 30m downstream at CH 570.

In this upper section of the reach between the ramps the bank has been significantly eroded and is unstable with undercut banks and a vertical drop of approximately 1m in some locations. The erosion has caused existing timber fencing to fall into the river. As this section of riverfront is a key access point to the river, in particular for rowing club

users, the damage to this section of bank presents a safety risk and is considered a high priority reach for works.

Downstream of the new boat ramp at CH570, the top of the bank has been locally reinforced with larger, new sandstone blocks to raise the height of the seawall and provide greater stability. Immediately downstream of the recent reinforcement works, the seawall degrades into very poor condition.

The seawall along the remaining reach is generally constructed with a toe-wall as per Reach 3 and 4 that is generally intact and rises approximately 0.3m above the river bed. The primary seawall has failed in most sections of this reach and appears to have been rebuilt with large



1 - Upstream end of Reach 5 showing old and new boat ramps and undermined timber



2 - One established mangrove at approximately CH 600 and eroded banks where seawall has failed.

sandstone boulder rip rap and building rubble including significant quantities of bricks.

Where the seawall has fallen, the earth behind is actively eroding forming unstable undercut banks. Erosion along this reach of bank is less severe than along Reach 4 however it is likely that in time the bank would become similarly cut back.

A significant stormwater pipe outlet and headwall exists at CH 710. While the bank does around the headwall does not appear to be eroding faster than other areas of this reach, the bank erosion has extended to behind the headwall and risks damaging the infrastructure.

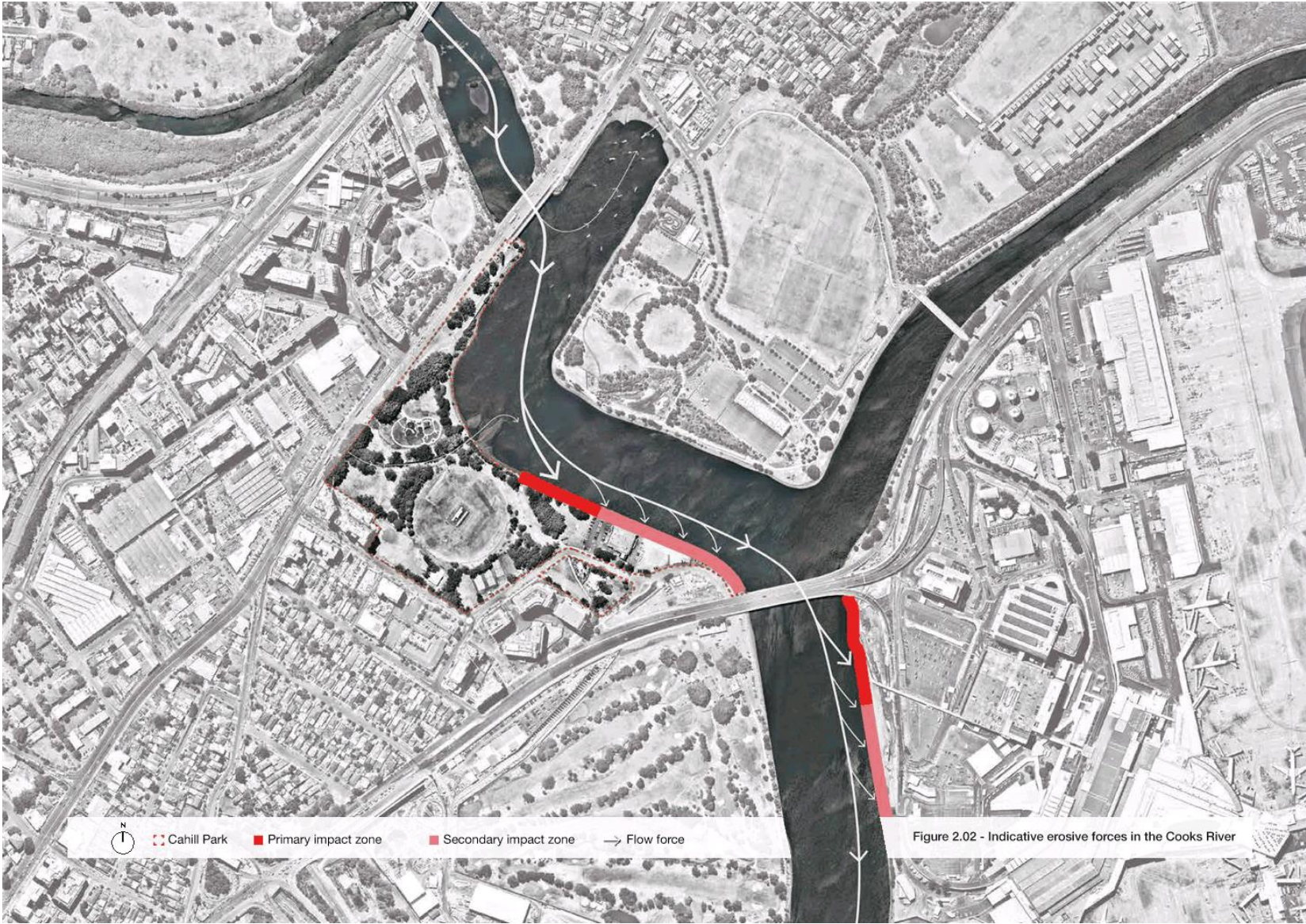


3 - Large stormwater outlet flaps with tidal gates at approximately CH 720

Vegetation along this reach of bank is scarce and limited to two juvenile mangroves and isolated clumps of saltmarsh vegetation. The top of bank is covered in poor quality turf along the majority of the reach with a buffer width of between 3m (adjacent the rowing club) to 6m (adjacent the car park) to directly adjacent a road fence and informal road shoulder near Marsh St overpass.



4 - Building rubble and riprap sandstone boulders placed on bank to protect from erosion.



2.2 HYDRAULIC ANALYSIS

There are a number of factors that were investigated to understand their contribution to the deterioration of the seawall and erosion of the banks at Cahill Park including

- Geomorphic processes
- Cooks River Flows
- Surface waves (wind and boat wake)
- Local stormwater

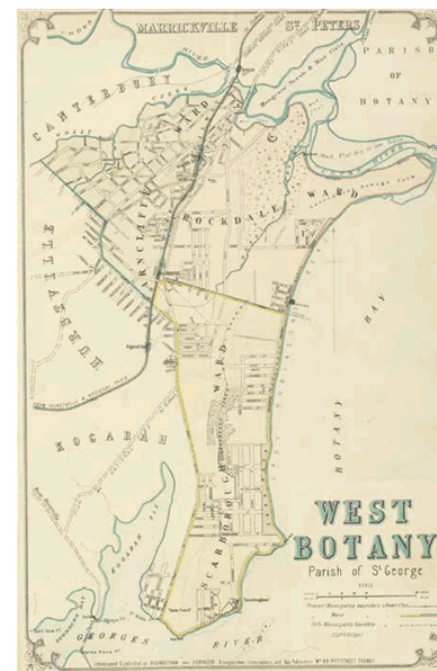
2.2.1 GEOMORPHIC PROCESSES

The Cooks River at Cahill Park is a highly modified urban river. Prior to the construction of the seawall (circa 1860s), the land downstream of the Tempe Bridge was occupied by mangroves, scrubs and mudflats as shown in the historic map on the right.. In the late 1800s significant land on the north and south side of the river was reclaimed and filled with dredged material from the Cooks River, thus forming the channel form that exists today. Review of historic photos indicate that the location of the seawall at Cahill Park has not changed since it was originally built however the age of the current day seawall is unknown.

Despite the river's highly modified state, standard geomorphic processes are still at play. The park is situated on the outer bend of a meander where the erosive forces are highest. The area seawall most significantly damaged correlates with the reach where the highest flow velocities are expected. These high erosive forces coupled with the lack of bank vegetation and poorly consolidated soil material are considered a primary cause of the seawall failure along the reach.



1943 Aerial image of Cahill Park.



Pre seawall historic map prior to reclamation showing mudflats and mangroves that existed at Cahill Park.

2.2.2 TIDAL EBB AND FLOW

Tidal data from Botany Bay (obtained from willyweather.com.au) was analysed to determine the spring high and low tide and neap high and low tides. The tidal ranges are summarised in the table below:

	RL: LAT	RL: AHD
Spring High	2.05	1.125
Spring Low	0.2	-0.725
Neap High	1.5	0.575
Neap Low	0.5	-0.425

The spring tide reaches a height of 1.125 m AHD which is 0.175m lower than the top of seawall height which is set consistently at a minimum of 1.3m AHD. Note that infrequent higher tide events do occur due to influence of wave and swell.

At approximately CH420, where the seawall begins to be significantly compromised, the top of wall height has been reduced to approximately 1.0m AHD.

Due to the highly unconsolidated alluvial nature of the fill behind the seawall, it is likely that in reach 4, where the seawall is no longer intact and the bank is frequently inundated, the tidal ebb and flow has been sufficient to erode the banks.

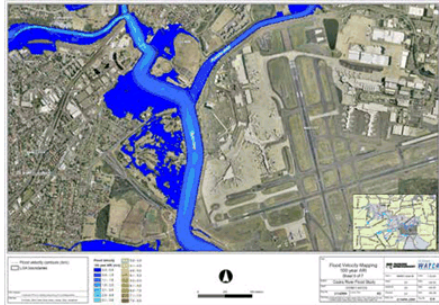
As the tidal range does not frequently exceed the bank height it is suspected that erosion of the bank material behind the seawall occurs primarily during flood events when the banks are overtopped by Cooks River flows and when Bonnie Doon catchment flows flood the park.

2.2.3 COOKS RIVER FLOWS

The Cooks River upstream of Cahill Park drains a catchment area of approximately 100km2..

A flood study of the Cooks River was undertaken in February 2009 by MWH+PB for Sydney Water Corporation. The flood study includes channel flood extent, depth and velocity at Cahill Park. The reported event is the 2yr ARI (within the tidal zone of the river) with the tidal level set at the 1% AEP height. These results indicate that velocities of up to 2.0m/s may be present at this section of the river. The flood velocity model result from TUFLOW is shown in the bottom left figure.

The gradient of the Cooks River is very low and tidal influences extend for over 10km upstream of the outlet at Botany Bay. While highly modified, the river profile in the vicinity of Cahill Park is also wide (approximately 150m). Due to this channel profile and gradient the river at Cahill Park is a relatively low energy environment with stormflows expected to exert relatively low forces on the seawall relative to the strength of seawall. The existing sandstone block seawall would typically be capable to withstand velocities upward of 3-5m/s which are significantly higher than velocities expected at this section of the river. By contrast, the unconsolidated alluvial fill behind the seawall is expected to withstand velocities of between 0.5-1.1m/s which are certainly within the velocity range expected in this section of the river.



TUFLOW flood velocity model results for 2 yr flood ARI with ocean level at 1% ARI at Cahill Park.

2.2.4 SURFACE WAVES

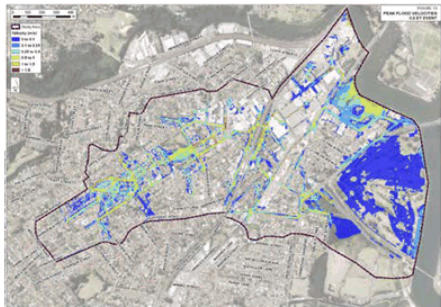
Surface waves caused by wind and boat traffic has the potential to cause erosion to river banks as has been prolific along the Georges River. Boat traffic at Cahill Park is relatively low and the speed limit is 4 knots, in contrast to affected areas on the Georges River where speed boat and jet ski clubs operate frequently at speeds of up to 26 knots. Erosion from boat wake typically presents as undercut banks below the root zone of any riparian vegetation. The seawall at Cahill Park does not demonstrate undercutting; the toe of the seawall is consistently intact along the whole park.

Undercutting exists only along reach 4 where the wall has been completely lost and here it is likely that the ebb and flow of the tide and surface waves are contributing to the further bank erosion of the unconsolidated fill.

2.2.5 LOCAL STORMWATER

Cahill Park is situated at the downstream end of a 0.9km² highly impervious urban catchment that drains primarily via Bonnie Doon Channel. A number of stormwater piped also protrude through the lower section of the seawall that drain smaller catchment areas within and adjacent the park. The stormwater pipe outlets through the seawall are not associated with significantly worse erosion at these points.

A flood study of the Bonnie Doon Catchment was undertaken by WMA Water in 2017. The flood study indicates that flood velocities of up to 1.5m/s would impact on the top of bank in the 5yr ARI up to the PMF event. These velocities are able to cause erosion to surfaces with poor quality turf as seen on the top of the banks at Cahill Park. Poor quality turf is typically able to withstand velocities of 1m/s.



Bonnie Doon Catchment TUFLOW flood modeling results for 5yr ARI.

2.3 SOILS & GEOLOGY

Understanding the soil characteristics informs the potential for soil erosion and stability of the banks. The 1:100 000 geological map of Sydney indicates that the site is underlain by Hawkesbury Sandstone and covered in quaternary alluvial soils. Soil investigations at the site undertaken by JK Geotechnics in 2016 indicate that the soil profile is comprised of fill over alluvial soils extending to the investigation depth of 6m. The fill is comprised of silty sand and silty clay to a depth of approximately 1.5m. This material is likely material dredged from the Cooks River at the time that the seawall was constructed. The fill is poorly compacted.

The underlying alluvial soils associated with the Cooks River are comprised of silty clay, silty sand and clayey sand. The sandy soils were very loose and cohesive soils were soft to very soft.

The groundwater level was identified as between 1.15 and 1.45m based on 6 borehole investigations on a single day.

Note that these investigations were undertaken in the vicinity of the newly constructed playground and provide an indication only of the soil and groundwater conditions. Further geotechnical investigation will be carried out as part of this project more specifically along the top of bank.

The OEH Acid Sulfate Soil (ASS) map indicates that the park is Class 3 ASS, indicating that it is likely that ASS will be found beyond 1m below the natural ground surface.

2.4 FLORA AND FAUNA

A key objective of the seawall design is to enhance the ecological value of the riparian environment through environmental seawall design.

OEH threatened species mapping indicates that Cahill Park is listed as threatened fauna habitat for the Green and Golden Bellfrog.

Bonnie Doon Canal and the sediment flats at the outlet of the channel currently provide feeding ground for a number of water bird species including the grey heron, seagulls, the white ibis, stilts and royal spoonbills.

Pre-european flora at Cooks Park and the wider predevelopment flood plain was dominated by mangroves and saltmarsh species. With Grey Mangroves forming the canopy and shrub strata and saltmarsh species including searush, samphire, seablite and *Triglochin striatum* forming the groundcover.

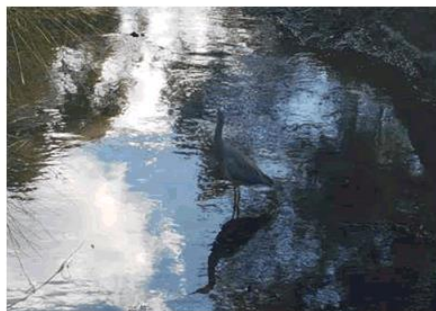
A small area of saltmarsh exists in Cahill Park adjacent the tennis courts. Its establishment here is as a result of a local low point and Cooks River stormwater surcharge pit supplying infrequent brackish water to the area. The saltmarsh is in poor condition as the area is used as a maintenance vehicle passage.

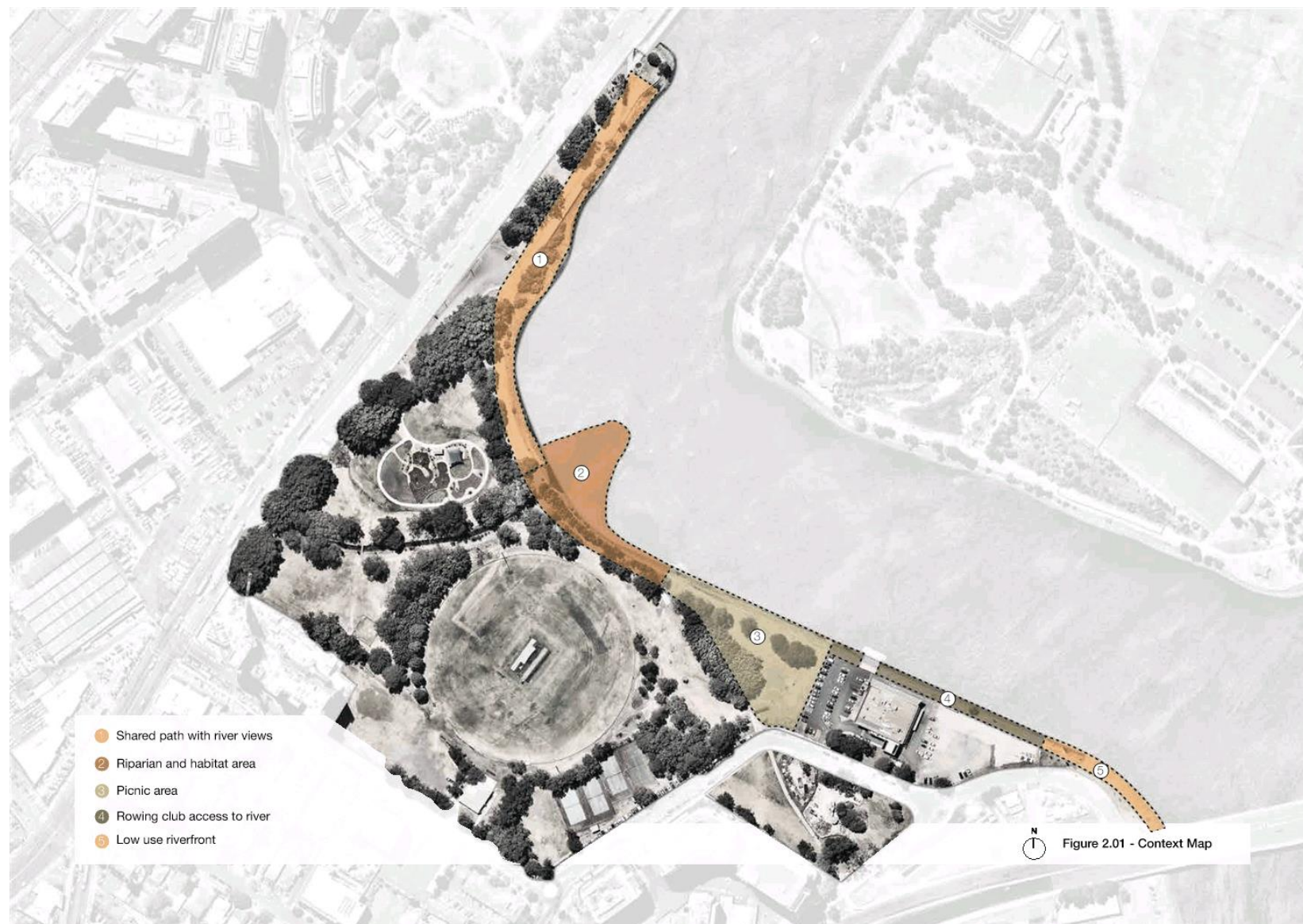
As saltmarsh is a threatened ecological community, opportunities to reintroduce saltmarsh along the riverfront where it will be more appropriately located will be investigated.

The visible estuarine flora and fauna consists of scattered mangroves along the river bed adjacent the seawall and an abundant population of rock oysters that have thrived on the sandstone substrate provided primarily by the seawall and displaced blocks from the seawall. A number of fish species are also known to inhabit the lower Cooks River including black drummers, jewfish, tailor and bream.



Existing Mangrove habitat along River's edge.





2.5 LANDSCAPE ZONES

The character and values of the foreshore change along the length of the park. Four 'zones' define the different foreshore characteristics and these will form the basis of the seawall design principles.

1. Existing/future shared path with river views
2. Riparian and habitat area
3. Picnic area
4. Rowing club access to river

Consideration of the character and value of these zones will inform the design principles of the seawall in these sections and ensures that the seawall design integrates with the masterplan.

A context map of the site showing the character of the riverfront zones is shown in figure 2.01.

2.2.1 ZONE 1

Zone 1 is a narrow area of parkland characterised by its location as the primary entry area for Cahill Park. The primary feature is the shared path parallel with the river. Other key characteristics of this section are:

- Parallel and adjacent the Princes Highway which is an major arterial road
- Viewing opportunities across the river
- Established mangroves



2.2.2 ZONE 2

Zone 2 is characterised primarily by the high ecological value including established riparian vegetation along the top of bank and the presence of mud flats at the outlet of Bonnie Doon Channel. Other key characteristics of this section are:

- continuation of shared path close to river edge
- significant shade
- Bonnie Doon Channel



2.2.3 ZONE 3

Zone 3 is characterised by the open space available adjacent the bank providing a favourite picnicking area within the park. Key characteristics of the area include:

- Access to the water
- Natural shade
- Open views across the river
- River bank erosion
- Proximity to carpark



2.2.4 ZONE 4

Zone 4 is characterised by rowing club building, a popular riverfront destination for both rowers and other patrons who visit the restaurant and function center that overlooks the river. Key characteristics of the area include:

- Formalised hardscape
- Close access to the river at boat ramps
- Low use riverfront (primarily used by rowers taking boats in and out of the river)
- Proximity to carpark



2.2.5 ZONE 5

Zone 5 is a low use area adjacent vacant open turf space and Levey St as it wraps around under the Marsh St overpass.

It is proposed that this zone will be the location of the future Cooks Cove development site immediately downstream of Cahill Park. Therefore the zone has potential for much higher usage and linkage to the park for pedestrians and cyclists as a thoroughfare.



3.0 SEAWALL PRINCIPLES AND APPROACH

REACH	PRIORITY	CHARACTER ZONE	PRINCIPLES	APPROACH
Reach 1	Low	1 - Park entrance and movement	Design for future movement demands Capitalise on river views Contribute to enhanced park entrance experience	Retain existing seawall Retrofitted solutions to enhance ecology Viewing platforms
Reach 2	High	1 - Park entrance and movement	Design for future movement demands Extend high ecological value zone across Reach 2 Contribute to enhanced park entrance experience	Reconstruct environmental seawall at softer grade with environmental seawall principles Introduce bank planting (shrubs/grasses/groundcover)
Reach 3	Moderate	2 - riparian and habitat area	Retain and enhance ecological value of Reach 3 Retain mature existing riparian vegetation Design for future movement demands	Retain existing seawall Retrofit environmental seawall elements Enhance bank vegetation
Reach 4	High	3 - picnic area	Enhance intimate connection to the water Respond to desired picnicking use	Define area with pathway edging Construct stepped edge into the river Retain adequate open space/canopy for picnicking
Reach 5	High	4 - Rowing club access to river 5 - Future proposed shared path	Formalised river edge Improve safety of bank edge Ensure maintained accessibility to river Design for future movement demands	Reconstruct seawall Upgrade promenade considering future active transport on river front. M



Example of habitat pots able to be retrofitted on seawall providing tidal pool habitats and crevices.



Example of constructed tidal habitat pools



Example of formalised seawall treatment/promenade



Example of viewing deck/platform



Example of formal concrete steps to water

SECTION 4: ENVIRONMENTAL SEAWALL OPTIONS

4.0 POSSIBLE SECTIONS

The following section sketches illustrate possible solutions to the reconstruction of the environmental seawall. Each option has been generated to follow on from the analysis and strategies already outlined in this document. Some of the options offer nuanced solutions to the same area, responding to specific local conditions.

The following sections should be read along with the section key to the right.

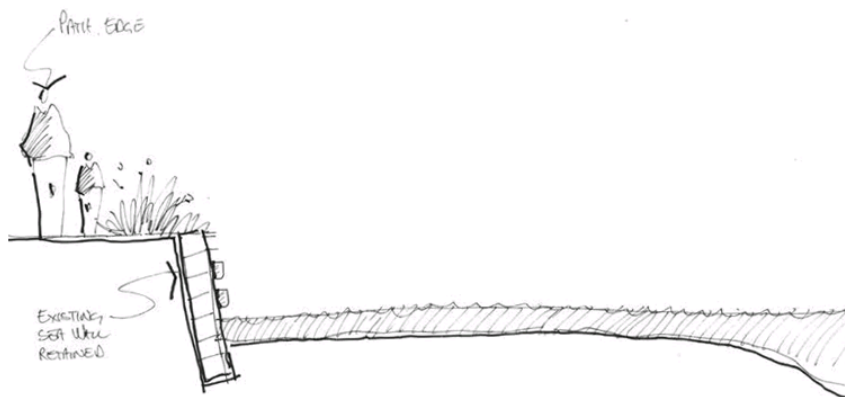


Figure 4.02 - Possible Section AA (Reach 1)

Existing Seawall is retained. Small interventions are retrofitted to the wall to encourage oyster and ecology growth.

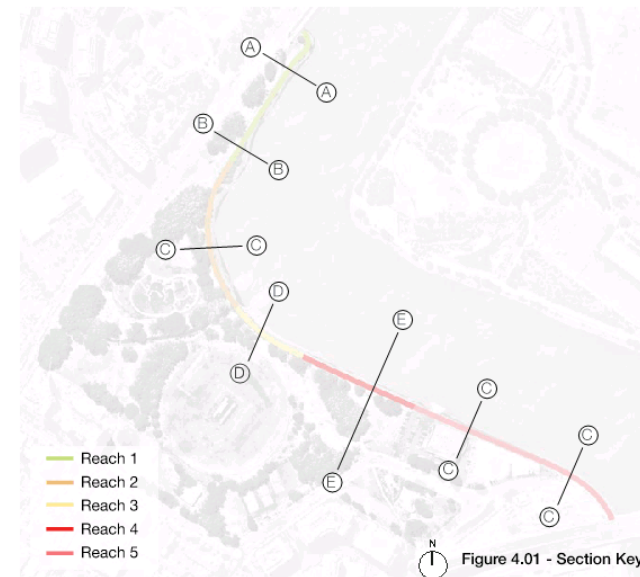


Figure 4.01 - Section Key

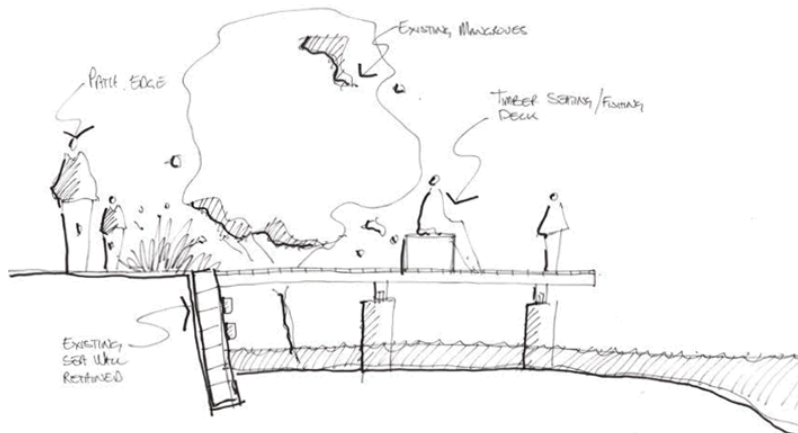


Figure 4.03 - Possible Section BB (Reach 1)

Existing Seawall is retained. Viewing platforms are constructed, integrated with existing mangrove habitat, offering seating and views of the river.

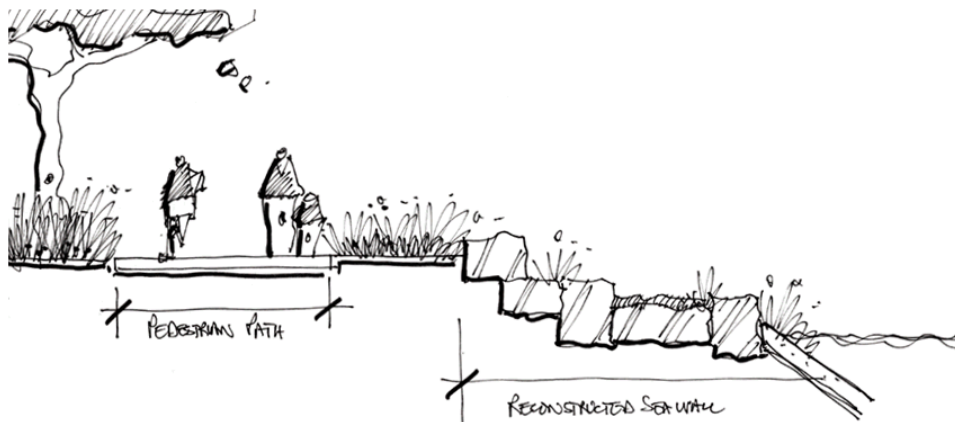


Figure 4.04 - Possible Section CC (Reach 2)

Seawall is reconstructed offering diverse tidal habitat and raised as required to protect against frequent Cooks River inundation events. Planting is used as a buffer between seawall and pedestrian paths along the river front.

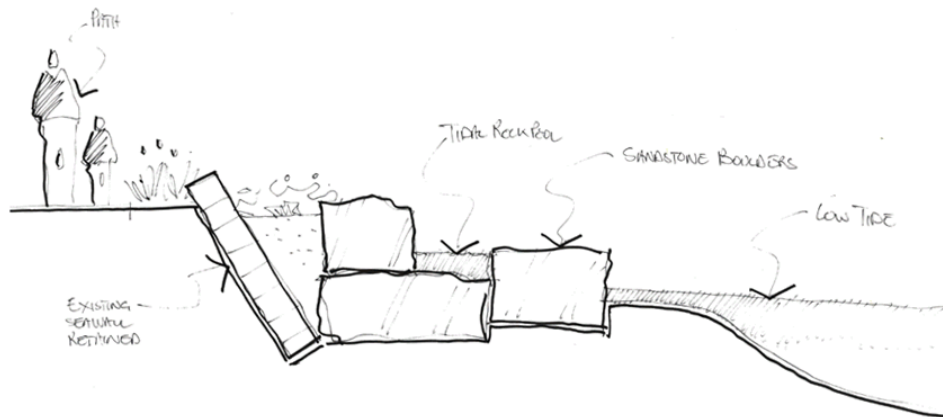


Figure 4.04 - Possible Section DD (Reach 3)

Existing seawall left in place to minimise bank disturbance to existing vegetation. Diverse tidal habitat is offered in front of the existing seawall. Note that the extent of intervention beyond existing seawall is subject to approvals.

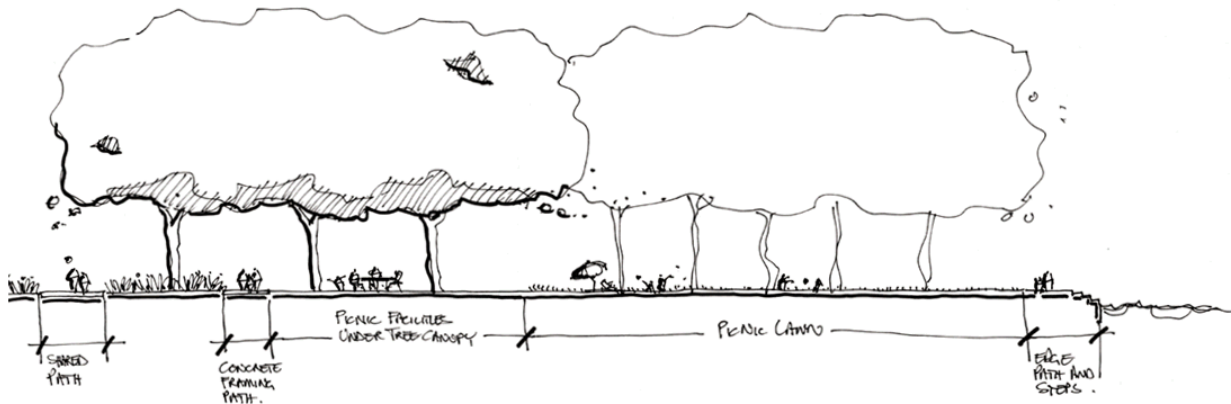
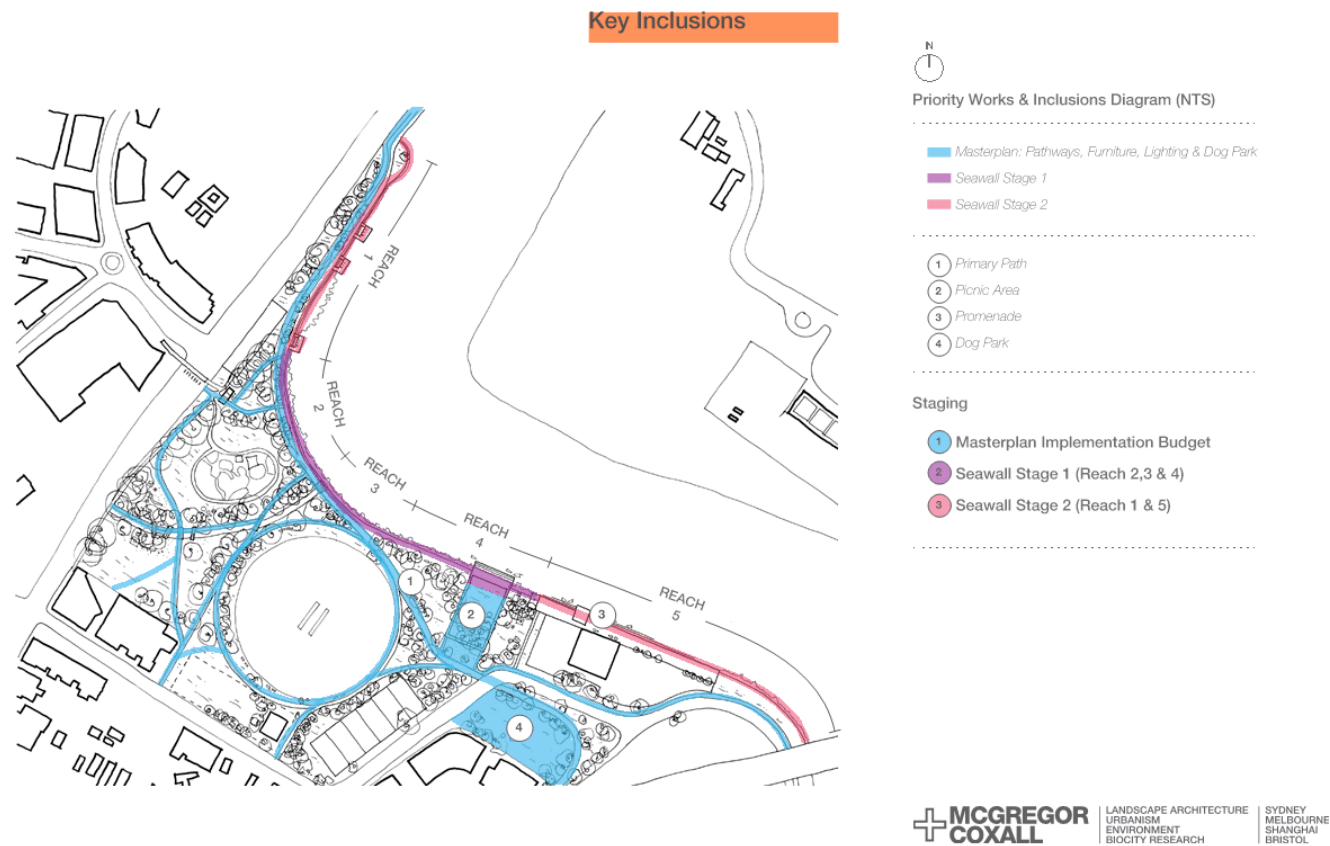


Figure 4.05 - Possible Section EE (Reach 4)

Seawall is reconstructed as a stepped foreshore edging to picnic area marking the urban and more formal area of the park.



PRIORITY WORKS & IMPLEMENTATION



Council Meeting

14/03/2018

Item No	8.10
Subject	Exell Street Drainage Upgrade
Report by	Karin Targa, Major Projects Unit Director
File	F17/545F17/545

Summary

The 2017/18 financial year project program for the Major Projects team includes a project for the design, documentation and construction of the drainage work at the corner of Exell Street and Botany road, Banksmeadow. The design process took longer than anticipated, as approvals had to be obtained from Roads and Maritime Services (RMS). The Tender for construction was open from 6th February 2018 to 27th February 2018. This report recommends the appointment of a contractor to carry out these works.

Officer Recommendation

- 1 That in accordance with Regulation 178 (1) (a) of the Local Government (General) Regulations 2005, Council accepts the tender from Civil Construction Partners for the Contract F17/545 being for the construction of Exell Street Drainage Upgrade work at the corner of Exell street and Botany Road, Banksmeadow for the amount of \$530,882.00 exclusive of GST.

- 2 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.

Background

The corner of Exell Street and Botany Road incurs localised flooding in most storm events. Surface water is unable to flow away from the intersection due to low points preventing overland flow and the ineffective existing stormwater system. Businesses in the vicinity have been complaining regularly of the nuisance stormwater has been causing through the years. Images of vehicle travelling through high volumes of water have been received from the business owners. A monetary contribution was received from Goodman Group to alleviate the flooding issue.

Council proposes to install surface trench drains at the intersection leading to underground pipes further east. The trench drains along with pavement reconstruction will ensure water is lead to flow into the proposed pipe connecting to the Springvale Drain. Pits are also proposed as part of the works to aid in stormwater collection. The works are being undertaken on both Council and RMS roads hence the approval and supervision of RMS is an essential part of the project.

The design has been carried out by Council. The new drainage line is along Botany Road, which is owned by RMS, therefore the design needed to get RMS approval. At the end of December 2017, Council received positive feedback from RMS indicating acceptance of the majority of the design, except for the pavement design detail.

The Tender Process

Council invited open tenders for the construction of Exell Street Drainage Upgrade Work at the Corner of Exell Street and Botany Road, Banksmeadow on Tuesday 6 February 2018. A 3 week tender period was stipulated in the tender documents. The tender closed at 02.00 pm on Tuesday 27 February 2018.

Tenders Received

12 tender submissions were received, as follows (in alphabetical order):

- All Civil;
- Celtic Civil;
- Civil Construction Partners;
- Joe Vaughan Civil;
- Mack Civil;
- N Moits;
- Planet Civil;
- Robson Civil;
- South Sydney;
- Starcon Group;
- Sydney Civil; and
- Trimcon.

Directors of the Companies that Provided Tender Submissions

Company	Company Directors
All Civil	Michael Georgamlis; Demi Georgamlis; George Georgamlis & John Michael Petkovic
Celtic Civil	John Frisby; Noel Ryan
Civil Construction Partners	Von Jones
Joe Vaughan Civil	Joe Vaughan
Mack Civil	Karim Mahmoud
N Moits	Michael Moit; George Moit; Tony Moit

Company	Company Directors
Planet Civil	Mohamad Najjar; Ali Ibrahim
Robson Civil	Peter Robson; Grant Robson; Mark Robson; Kevin Rigg
South Sydney	Mohammed (Taj) Hijazi
Starcon Group	Ty Nguyen
Sydney Civil	Adrian Murad
Trimcon	Phelim Campbell

Late Tenders

No late tenders were received.

Assessment Methodology

The tender submission assessment and scoring is outlined in the confidential supporting document to this report.

A comprehensive assessment of the tender submissions was undertaken by the Tender Evaluation Panel. The assessment process has been undertaken in accordance with the provisions of the Local Government Act 1993 and Tendering Regulation 2005. The evaluation was undertaken based on the conditions of tendering and the evaluation criteria as provided in the request for tender documents.

The tender submitted by Civil Construction Partners was comprehensive and included a detailed methodology and a detailed program taking into consideration the site limitations and constraints.

Proposed Program

The preliminary program submitted with Civil Construction Partners tender has the following project milestones:

Milestone	Date
Council consideration	14 March 2018
Contract award	26 March 2018
Construction Commencement	05 April 2018
Project complete	22 May 2018

The program does not include a wet weather allowance.

Financial Assessment of Civil Construction Partners

Civil Construction Partners has successfully carried out similar size environmental drainage projects and has also previously successfully undertaken projects for Council. A Corporate Scorecard financial assessment was undertaken with a satisfactory outcome. No issues have been identified as part of this process.

Tender Recommendation

References were checked for Civil Construction Partners and it was found that Civil Construction Partners is a reputable contractor that delivers high quality work. The referees indicated that they would re-employ Civil Construction Partners if the opportunity arose. Civil Construction Partners has completed a number of projects for council without any issues and those projects have been completed on time and on budget.

Based upon the assessment criteria, the tender assessment panel recommends acceptance of the tender from Civil Construction Partners for an amount of \$530,882.00 (exclusive of GST).

Civil Construction Partners has in place Public Liability and they also have the statutory workers compensation policy in place. Civil Construction Partners has an Integrated Management System in compliance with ISO 9001, ISO 14001 and AS 4801 guidelines and has a good track-record and name in the industry.

Financial Implications

Not applicable	<input type="checkbox"/>
Included in existing approved budget	<input checked="" type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Engagement

Not applicable for the tender process.

Attachments

Confidential Report (confidential)

Council Meeting

14/03/2018

Item No	8.11
Subject	Statutory Financial Report for January 2018
Report by	Violeta Stojkovski, Treasury Accountant
File	F09/605

Summary

This report is provided in accordance with the Local Government (General) Regulations, 2005, Division 5, paragraph 212 and s625 of the Local Government Act, 1993.

The necessary certificate by the Responsible Accounting Officer is included in this report and the Statutory Financial Reports are presented as follows:

- Investment Performance Against Benchmark
- Statement of Bank Balances
- Schedule of Investments

As at 31 January 2018, Bayside Council had \$360.0m in cash and investments with an adjusted portfolio yield of 2.80%.

- Income from operating activities \$6.9m from rates, s.94 contributions, rents and leases.
 - Expenses from operating activities \$14.7m include payments for waste, infrastructure, utilities, contracts and projects.
-

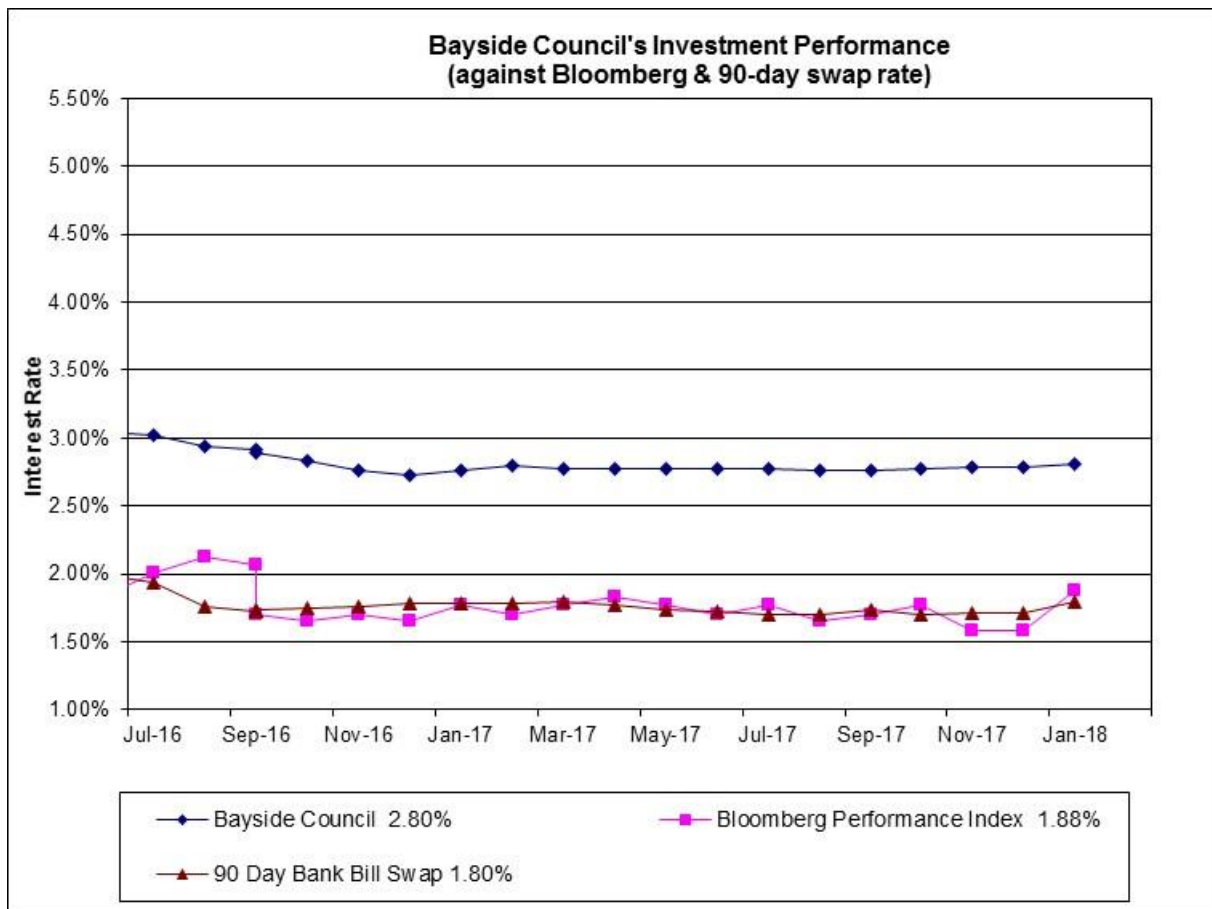
Officer Recommendation

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

Background

Investment Performance

The following table shows the performance of Council's investments since July 2016. The Bloomberg (former UBS) Index is used for comparison as this is a generally accepted industry benchmark used by Australian businesses. The 90-day Bank Bill Swap rate is the worldwide rate that is reviewed by the financial markets every 90 days. This rate underpins the majority of investments which makes it a meaningful comparison for measuring investment performance. For the current period, Council outperformed the market by 92 basis points. As demonstrated by the graph, investment returns are stable and consistently above the industry benchmark and 90-day Bank Bill Swap Rate.



Statement of Bank Balances

The table below shows details of movements in Council's cash at bank for the month of January.

STATEMENT OF BANK BALANCES AS AT 31 January 2018		
		GENERAL FUND
Cash at Bank (Overdraft) as per Bank Statement as at:	31/12/2017	\$26,178,101
Add:		
Income from Operating Activities for the Period		
- Rates and other receipts*	\$2,077,977	
- Sundry Debtors	\$568,085	
- DA Fees, FCDs & Application Fees	\$581,732	
- Interest	\$187,876	
- GST & FBT Refunds	\$797,505	
- Parking and Other Infringements	\$370,062	
- Rents, Leases, Booking Fees, Certificates & Licences	\$338,515	
- Sydney Airport Contract Income and Asset Sales	\$463,033	
- Grants	\$673,960	
- Childcare & Swimming Pool Income	\$101,955	
- S.94 Contributions	\$786,859	
Total Income from Operating Activities for the Period	\$6,947,559	
Less:		
Expenses from Operating Activities for the Period		
Accounts Paid for Period (includes urgent cheques & refunds)	-\$9,214,522	
Direct Payroll	-\$5,136,243	
Presented Cheques	-\$308,364	
Dishonoured Cheques	-\$15,152	
Miscellaneous Expenses	-\$19,909	
Bank Charges (including Agency Fees)	-\$12,476	
Total Expenses from Operating Activities for the Period	-\$14,706,666	
Total Net Movement from Operating Activities:		-\$7,759,107
Investment Activities for the Period		
- Investments redeemed	\$0	
- Transfer from Short-Term Money Market	\$8,270,000	
- Transfer to Short-Term Money Market	-\$28,735,000	
- New Investments	\$4,000,000	
Net Investment Flows for the Period	-\$16,465,000	
Funding Activities for the Period		
Loan Repayments	-\$33,901	
Net Funding Flows for the Period	-\$33,901	
Total Net Movement from Investment & Funding Activities:		-\$16,498,901
Cash at Bank (Overdraft) as per Bank Statement as at:	31/01/2018	\$1,920,093
Limit of overdraft arranged at Bank for: Bayside West \$350,000 & Bayside East \$540,000		
* other receipts include Australia Post & Bank Tape		

Schedule of Investments

Bayside Council currently holds \$360.0m in investments and cash at call. In accordance with current accounting standards, investments are recorded at Fair Value (market value).

SCHEDULE OF INVESTMENTS HELD ON BEHALF OF BAYSIDE COUNCIL AS AT: 31/01/2018								
	Credit Rating	Purchase Price	Purchase Date	Maturity Date	Term Days	Prop %	Interest Rate	Market Value
Bayside West Term Deposits								
Bank of Western Australia	A1	\$1,203,508	23/01/2018	24/07/2018	182	0.46%	2.55%	\$1,203,508
Bank of Western Australia	A1	\$2,000,000	20/10/2017	18/07/2018	271	0.76%	2.50%	\$2,000,000
Bank of Western Australia	A1	\$2,098,415	29/08/2017	30/05/2018	274	0.80%	2.45%	\$2,098,415
Bank of Western Australia	A1	\$5,096,782	20/09/2017	20/06/2018	273	1.95%	2.55%	\$5,096,782
Bank of Western Australia	A1	\$5,052,747	22/05/2017	21/02/2018	275	1.93%	2.55%	\$5,052,747
Bank of Western Australia	A1	\$1,168,619	26/05/2017	27/02/2018	277	0.46%	2.55%	\$1,168,619
Bank of Western Australia	A1	\$1,215,894	04/10/2017	03/07/2018	272	0.46%	2.50%	\$1,215,894
Bank of Western Australia	A1	\$1,121,427	28/09/2017	27/06/2018	272	0.43%	2.55%	\$1,121,427
Bank of Western Australia	A1	\$1,096,514	10/10/2017	10/04/2018	182	0.42%	2.45%	\$1,096,514
Bank of Western Australia	A1	\$1,271,017	22/11/2017	21/08/2018	272	0.49%	2.55%	\$1,271,017
Bank of Western Australia	A1	\$1,065,437	08/06/2017	08/03/2018	273	0.41%	2.45%	\$1,065,437
Bank of Western Australia	A1	\$1,063,228	04/05/2017	13/02/2018	285	0.41%	2.60%	\$1,063,228
Bank of Western Australia	A1	\$1,332,203	19/10/2017	17/07/2018	271	0.51%	2.50%	\$1,332,203
Bank of Western Australia	A1	\$1,135,414	05/12/2017	05/09/2018	274	0.43%	2.50%	\$1,135,414
Bank of Western Australia	A1	\$2,305,429	16/11/2017	14/08/2018	271	0.88%	2.55%	\$2,305,429
Bank of Western Australia	A1	\$1,141,340	03/05/2017	07/02/2018	280	0.44%	2.60%	\$1,141,340
Bank of Western Australia	A1	\$1,341,658	10/01/2018	10/07/2018	181	0.51%	2.55%	\$1,341,658
Bank of Western Australia	A1	\$1,340,010	15/11/2017	12/04/2018	148	0.51%	2.45%	\$1,340,010
Bank of Western Australia	A1	\$1,196,307	12/01/2018	09/10/2018	270	0.46%	2.55%	\$1,196,307
Bank of Western Australia	A1	\$1,193,578	12/12/2017	13/06/2018	183	0.46%	2.55%	\$1,193,578
Bank of Western Australia	A1	\$1,194,496	30/01/2018	31/07/2018	182	0.46%	2.55%	\$1,194,496
Bank of Western Australia	A1	\$2,056,555	12/09/2017	13/03/2018	182	0.79%	2.45%	\$2,056,555
Bank of Western Australia	A1	\$1,287,947	14/09/2017	14/03/2018	181	0.49%	2.45%	\$1,287,947
Bank of Western Australia	A1	\$1,277,969	09/05/2017	15/02/2018	282	0.49%	2.60%	\$1,277,969
Bank of Western Australia	A1	\$2,000,000	11/08/2017	08/05/2018	270	0.76%	2.45%	\$2,000,000
Bank of Western Australia	A1	\$2,026,712	14/12/2017	12/09/2018	272	0.77%	2.50%	\$2,026,712
						<u>16.91%</u>		
Illawarra Mutual Building Society	A2	\$1,265,701	7/12/2017	05/06/2018	180	0.48%	2.50%	\$1,265,701
Illawarra Mutual Building Society	A2	\$1,183,890	25/10/2017	24/04/2018	181	0.45%	2.45%	\$1,183,890
Illawarra Mutual Building Society	A2	\$1,566,417	16/01/2018	16/07/2018	181	0.60%	2.50%	\$1,566,417
Illawarra Mutual Building Society	A2	\$2,025,929	31/08/2017	31/08/2018	365	0.77%	2.50%	\$2,025,929
Illawarra Mutual Building Society	A2	\$1,408,349	17/01/2018	17/07/2018	181	0.54%	2.50%	\$1,408,349
Illawarra Mutual Building Society	A2	\$1,393,945	5/10/2017	05/04/2018	182	0.53%	2.45%	\$1,393,945
Illawarra Mutual Building Society	A2	\$1,112,792	18/07/2017	18/04/2018	274	0.42%	2.60%	\$1,112,792
Illawarra Mutual Building Society	A2	\$1,184,044	16/08/2017	16/05/2018	273	0.45%	2.55%	\$1,184,044
Illawarra Mutual Building Society	A2	\$1,353,483	5/09/2017	05/06/2018	273	0.52%	2.45%	\$1,353,483
Illawarra Mutual Building Society	A2	\$1,756,155	11/12/2017	12/06/2018	183	0.67%	2.50%	\$1,756,155
Illawarra Mutual Building Society	A2	\$1,285,116	20/07/2017	19/04/2018	273	0.49%	2.60%	\$1,285,116
Illawarra Mutual Building Society	A2	\$2,000,000	1/09/2017	03/09/2018	367	0.76%	2.50%	\$2,000,000
Illawarra Mutual Building Society	A2	\$3,039,423	30/11/2017	30/05/2018	181	1.16%	2.50%	\$3,039,423
Illawarra Mutual Building Society	A2	\$1,247,307	29/09/2017	28/03/2018	183	0.48%	2.45%	\$1,247,307
						<u>8.33%</u>		
Newcastle Permanent Build Society	A2	\$1,272,595	17/01/2018	19/07/2018	183	0.49%	2.20%	\$1,272,595
Newcastle Permanent Build Society	A2	\$1,284,209	17/10/2017	10/05/2018	205	0.49%	2.10%	\$1,284,209
Newcastle Permanent Build Society	A2	\$1,172,795	28/06/2017	27/03/2018	272	0.45%	2.50%	\$1,172,795
Newcastle Permanent Build Society	A2	\$1,347,877	02/11/2017	20/02/2018	110	0.51%	2.10%	\$1,347,877
Newcastle Permanent Build Society	A2	\$1,217,919	08/09/2017	07/03/2018	182	0.47%	2.10%	\$1,217,919
Newcastle Permanent Build Society	A2	\$1,124,535	14/11/2017	29/03/2018	135	0.43%	2.10%	\$1,124,535
Newcastle Permanent Build Society	A2	\$1,235,337	31/10/2017	15/03/2018	135	0.47%	2.10%	\$1,235,337
Newcastle Permanent Build Society	A2	\$1,310,299	13/12/2017	17/05/2018	155	0.50%	2.10%	\$1,310,299
Newcastle Permanent Build Society	A2	\$1,187,439	07/11/2017	16/02/2018	101	0.45%	2.10%	\$1,187,439
						<u>4.26%</u>		
ME Bank	A2	\$1,000,000	07/12/2017	06/09/2018	273	0.38%	2.57%	\$1,000,000
ME Bank	A2	\$2,000,000	21/08/2017	22/05/2018	274	0.76%	2.60%	\$2,000,000
ME Bank	A2	\$2,000,000	01/09/2017	04/09/2018	368	0.76%	2.60%	\$2,000,000
ME Bank	A2	\$1,000,000	09/11/2017	09/08/2018	273	0.38%	2.52%	\$1,000,000
ME Bank	A2	\$2,000,000	29/11/2017	29/05/2018	181	0.76%	2.55%	\$2,000,000
ME Bank	A2	\$2,000,000	19/12/2017	19/09/2018	274	0.76%	2.57%	\$2,000,000
ME Bank	A2	\$3,000,000	08/09/2017	08/03/2018	181	1.15%	2.50%	\$3,000,000
ME Bank	A2	\$2,000,000	08/12/2017	06/09/2018	274	0.76%	2.57%	\$2,000,000
ME Bank	A2	\$1,000,000	08/11/2017	08/05/2018	181	0.38%	2.50%	\$1,000,000
ME Bank	A2	\$1,000,000	11/01/2018	12/07/2018	182	0.38%	2.60%	\$1,000,000
ME Bank	A2	\$1,000,000	22/02/2017	23/08/2017	182	0.38%	2.67%	\$1,000,000
						<u>6.87%</u>		
Westpac	AA	\$1,000,000	04/11/2017	04/05/2018	181	0.38%	2.45%	\$1,000,000
Westpac	AA	\$3,000,000	01/08/2017	01/08/2018	365	1.15%	2.57%	\$3,000,000
Westpac	AA	\$3,000,000	01/08/2017	01/05/2018	273	1.15%	2.41%	\$3,000,000
Westpac	AA	\$3,000,000	08/09/2017	08/06/2018	273	1.15%	2.46%	\$3,000,000
Westpac	AA	\$3,000,000	23/11/2017	23/11/2018	365	1.15%	2.55%	\$3,000,000
Westpac	AA	\$2,000,000	18/12/2017	18/12/2018	365	0.76%	2.58%	\$2,000,000
						<u>5.73%</u>		

<u>Schedule of Investments cont'd</u>								
AMP Bank	A1	\$3,000,000	12/12/2017	12/08/2018	182	1.15%	2.40%	\$3,000,000
AMP Bank	A1	\$2,000,000	15/08/2017	15/05/2018	273	0.76%	2.60%	\$2,000,000
						<u>1.91%</u>		
National Australia Bank	A1	\$2,000,000	11/01/2018	11/07/2018	181	0.76%	2.48%	\$2,000,000
National Australia Bank	A1	\$1,000,000	10/08/2017	12/02/2018	186	0.38%	2.40%	\$1,000,000
National Australia Bank	A1	\$1,000,000	29/08/2017	28/02/2018	183	0.38%	2.48%	\$1,000,000
National Australia Bank	A1	\$1,000,000	22/08/2017	21/02/2018	183	0.38%	2.45%	\$1,000,000
National Australia Bank	A1	\$1,000,000	15/08/2017	15/05/2018	273	0.38%	2.45%	\$1,000,000
National Australia Bank	A1	\$2,000,000	05/09/2017	07/03/2018	183	0.76%	2.50%	\$2,000,000
National Australia Bank	A1	\$2,000,000	30/08/2017	28/02/2018	182	0.76%	2.48%	\$2,000,000
National Australia Bank	A1	\$3,000,000	28/11/2017	29/05/2018	182	1.15%	2.45%	\$3,000,000
National Australia Bank	A1	\$2,000,000	17/08/2017	17/08/2018	365	0.76%	2.50%	\$2,000,000
National Australia Bank	A1	\$2,000,000	23/11/2017	24/05/2018	182	0.76%	2.44%	\$2,000,000
National Australia Bank	A1	\$1,000,000	14/12/2017	14/08/2018	182	0.38%	2.45%	\$1,000,000
National Australia Bank	A1	\$2,000,000	08/08/2017	08/02/2018	184	0.76%	2.40%	\$2,000,000
National Australia Bank	A1	\$2,000,000	21/09/2017	21/03/2018	273	0.76%	2.43%	\$2,000,000
National Australia Bank	A1	\$1,000,000	13/09/2017	13/03/2018	181	0.38%	2.50%	\$1,000,000
National Australia Bank	A1	\$3,000,000	01/09/2017	01/03/2018	275	1.15%	2.41%	\$3,000,000
National Australia Bank	A1	\$5,000,000	19/09/2017	19/03/2018	273	1.91%	2.54%	\$5,000,000
National Australia Bank	A1	\$5,000,000	20/08/2017	20/03/2018	273	1.91%	2.48%	\$5,000,000
National Australia Bank	A1	\$2,000,000	01/09/2017	03/09/2018	367	0.76%	2.55%	\$2,000,000
National Australia Bank	A1	\$2,000,000	24/08/2017	22/02/2018	182	0.76%	2.48%	\$2,000,000
National Australia Bank	A1	\$2,000,000	25/08/2017	28/08/2018	368	0.76%	2.52%	\$2,000,000
						<u>16.04%</u>		
ING Direct	A	\$2,000,000	15/09/2017	25/09/2019	740	0.76%	2.75%	\$2,000,000
ING Direct	A	\$4,000,000	31/08/2017	04/09/2019	734	1.53%	2.75%	\$4,000,000
ING Direct	A	\$3,000,000	13/09/2017	18/09/2019	735	1.15%	2.75%	\$3,000,000
ING Direct	A	\$3,000,000	12/09/2017	12/09/2019	730	1.15%	2.75%	\$3,000,000
ING Direct	A	\$1,000,000	05/12/2017	05/12/2018	365	0.38%	2.52%	\$1,000,000
ING Direct	A	\$1,000,000	14/09/2017	18/12/2018	480	0.38%	2.70%	\$1,000,000
ING Direct	A	\$1,000,000	08/08/2017	08/08/2018	365	0.38%	2.67%	\$1,000,000
ING Direct	A	\$3,000,000	15/09/2017	18/12/2018	459	1.15%	2.70%	\$3,000,000
ING Direct	A	\$2,000,000	21/07/2017	24/07/2018	368	0.76%	2.70%	\$2,000,000
						<u>7.64%</u>		
Bayside West Direct Investments (Floating Rate & Fixed Rate Term Deposits - TDs)								
CBA- ME Bank FRN	BBB	\$3,000,000	09/08/2016	18/07/2019	1073	1.15%	3.28%	\$3,028,520
CBA- Greater Bank FRN	BBB+	\$2,000,000	30/08/2016	30/08/2019	1095	0.76%	3.29%	\$2,017,720
CBA- Bank of QLD FRN	A-	\$2,000,000	28/02/2016	08/11/2019	1349	0.76%	2.77%	\$2,011,440
CBA- Bendigo & Adelaide FRN	A-	\$2,000,000	28/02/2016	18/08/2020	1635	0.76%	2.82%	\$2,027,680
CBA- Rabobank FRN	A+	\$2,000,000	04/03/2016	04/03/2021	1826	0.76%	3.25%	\$2,063,200
CBA FRN	AA	\$3,000,000	17/01/2017	17/01/2022	1826	1.15%	2.91%	\$3,052,080
CBA- Greater Bank FRN	BBB-	\$3,000,000	07/08/2016	07/08/2019	1095	1.15%	3.36%	\$3,025,710
CBA- Greater Bank Floating Rate Depos it	BBB-	\$4,000,000	24/02/2017	24/02/2020	1095	1.53%	3.18%	\$4,024,580
CBA- Greater Bank FRN	BBB-	\$1,000,000	04/08/2017	29/05/2020	1029	0.38%	3.13%	\$1,004,500
CBA- Credit Union Australia FRN	BBB+	\$2,000,000	01/04/2016	01/04/2019	1095	0.76%	3.39%	\$2,022,640
CBA- Credit Union Australia FRN	BBB+	\$2,750,000	20/03/2017	20/03/2020	1096	1.05%	3.10%	\$2,779,178
CBA- Rabobank FRN	A+	\$2,000,000	03/03/2017	03/03/2022	1826	0.76%	2.83%	\$2,037,720
CBA- Bendigo & Adelaide FRN	A-	\$2,000,000	09/08/2016	19/09/2019	1138	0.76%	2.71%	\$2,014,920
CBA-Suncorp FRN	A+	\$2,000,000	12/10/2016	12/10/2018	730	0.76%	2.55%	\$2,008,340
CBA- Bendigo & Adelaide FRN	A-	\$2,000,000	21/11/2016	21/02/2020	1187	0.76%	2.82%	\$2,026,080
CBA- ME Bank FRN	BBB+	\$3,000,000	08/04/2017	08/04/2020	1096	1.15%	3.08%	\$3,019,230
CBA- Greater Bank FRN	BBB-	\$2,000,000	25/03/2017	29/05/2020	1161	0.76%	3.13%	\$2,009,000
CBA- AMP FRN	A	\$2,000,000	08/10/2017	08/10/2020	1096	0.76%	2.55%	\$2,008,380
CBA- Heritage Bank FRN	BBB+	\$2,000,000	27/11/2017	04/05/2020	889	0.76%	3.00%	\$2,010,400
CBA- Newcastle Perm Building Society FRN	BBB	\$2,000,000	29/11/2017	07/04/2020	880	0.76%	3.16%	\$2,016,340
ANZ - Heritage Bank FRN	BBB+	\$1,450,000	04/05/2017	04/05/2020	1096	0.55%	3.00%	\$1,456,988
ANZ Bank Fixed Rate TD	A1+	\$1,189,982	01/09/2017	01/03/2018	181	0.45%	2.30%	\$1,189,982
ANZ Bank Fixed Rate TD	A1+	\$1,177,904	21/09/2017	21/03/2018	181	0.45%	2.30%	\$1,177,904
ANZ Bank Fixed Rate TD	A1+	\$5,074,460	08/10/2017	08/04/2018	182	1.94%	2.25%	\$5,074,460
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	31/01/2018	30/07/2018	180	0.76%	2.49%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	18/12/2017	18/07/2018	212	0.76%	2.49%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	21/09/2017	20/03/2018	180	0.76%	2.48%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	15/08/2017	14/05/2018	272	0.76%	2.51%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$5,000,000	13/07/2017	08/02/2018	210	1.91%	2.48%	\$5,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	20/10/2017	18/04/2018	180	0.76%	2.42%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	20/10/2017	18/08/2018	241	0.76%	2.50%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	20/10/2017	16/08/2018	300	0.76%	2.55%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$5,000,000	13/10/2017	13/04/2018	182	1.91%	2.43%	\$5,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	08/08/2017	08/03/2018	212	0.76%	2.44%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	30/10/2017	30/04/2018	182	0.76%	2.40%	\$2,000,000
Bendigo Adelaide Bank Fixed Rate TD	A2	\$2,000,000	19/08/2017	16/03/2018	270	0.76%	2.50%	\$2,000,000
						<u>32.32%</u>		
FTD= Floating Rate Depos it								
FRN= Floating Rate Note								
Unlisted Community Bank Shares								
Bendigo Bank	A2	\$5,000				0.01%		
Total Investments		\$261,908,087				100.00%		
CASH ACCOUNT (at call)		\$48,689,308						
Total Investments and Cash for Bayside West		\$310,575,395						

	Credit Rating	Purchase Price	Purchase Date	Maturity Date	Term Days	Prop %	Interest Rate	Market Value
Bayside East Term Deposits								
National Australia Bank	A1	\$2,000,000	02/08/2018	08/02/2018	553	6.11%	2.75%	\$2,000,000
National Australia Bank	A1	\$2,000,000	11/08/2018	13/02/2018	551	6.11%	2.80%	\$2,000,000
						<u>12.21%</u>		
ME Bank	A2	\$2,000,000	08/09/2018	08/03/2018	546	6.11%	2.65%	\$2,000,000
ME Bank	A2	\$4,000,000	08/09/2018	13/03/2018	551	12.21%	2.65%	\$4,000,000
ME Bank	A2	\$2,000,000	13/09/2018	20/03/2018	553	6.11%	2.65%	\$2,000,000
						<u>24.43%</u>		
Bendigo Bank	A2	\$3,000,000	31/08/2018	20/02/2018	538	9.16%	2.70%	\$3,000,000
Bendigo Bank	A2	\$3,000,000	31/08/2018	27/02/2018	545	9.16%	2.70%	\$3,000,000
						<u>18.32%</u>		
Bayside East Direct Investments (Floating & Fixed Term Deposits - T Ds)								
Bank of China FRN	A	\$1,000,000	09/04/2015	09/04/2018	1096	3.05%	3.08%	\$1,003,310
Bank of QLD FRN	A	\$1,000,000	29/10/2015	29/04/2019	1278	3.05%	2.93%	\$1,006,601
A/M/F FRN	A	\$750,000	11/12/2015	11/08/2019	1278	2.29%	2.84%	\$758,180
Bank of QLD FRN	A	\$2,000,000	05/02/2016	05/02/2018	731	6.11%	2.70%	\$1,999,628
NAB FRN	AA	\$2,000,000	25/02/2016	25/02/2019	1096	6.11%	2.71%	\$2,023,381
Westpac FRN	AA	\$1,000,000	11/03/2016	10/05/2019	1155	3.05%	2.69%	\$1,014,630
Newcastle PBS FRN	BBB+	\$2,000,000	22/03/2016	22/03/2019	1095	6.11%	3.40%	\$2,021,887
Suncorp FRN	A	\$2,000,000	12/04/2016	12/04/2021	1826	6.11%	3.16%	\$2,041,965
Bank of QLD FRN	A	\$1,000,000	18/05/2016	18/05/2021	1826	3.05%	3.17%	\$1,024,310
CBA FRN	AA	\$2,000,000	12/07/2016	12/07/2021	1826	6.11%	3.01%	\$2,040,900
						<u>45.04%</u>		
Total Investments		\$32,750,000				100.00%		
CASH (at call & 31 day notice account)		\$16,688,638						
Total Investments and Cash for Bayside East		\$49,438,638						
TOTAL INVESTMENTS FOR BAYSIDE COUNCIL		\$360,012,033						

Investment and Cash Flows for Bayside Council:

	Dec-17			Jan-18			
	Bayside West	Bayside East	Total	Bayside West	Bayside East	Total	Total Net Movement
Total Investments	\$261,761,260	\$36,750,000	\$298,511,260	\$261,906,087	\$32,750,000	\$294,656,087	-\$3,855,173
Operating Account	\$1,022,147	\$25,155,954	\$26,178,101	\$889,325	\$1,030,788	\$1,920,093	-\$24,258,008
Cash/Short Term Money Market	\$27,161,417	\$5,352,877	\$32,514,293	\$47,779,983	\$5,357,423	\$53,137,406	\$20,623,112
A/M/F 31 Day Notice Account	\$0	\$10,279,676	\$10,279,676	\$0	\$10,298,447	\$10,298,447	\$18,771
TOTAL Investments and Cash:	\$289,944,823	\$77,538,508	\$367,483,330	\$310,575,395	\$49,438,638	\$360,012,032	-\$7,471,298

NOTE: In accordance with current accounting standards Council is required to obtain market values on its investments and hence the inclusion in the above table. It is important to note that Council does not hold any CDCs which have adversely affected many councils in NSW.

I hereby certify in accordance with Clause 212 of the Local Government (General) Regulation 2005 that the above investments have been made in accordance with Section 625 of the Local Government Act 1993, and Council's investment policies.

MATTHEW WALKER
RESPONSIBLE ACCOUNTING OFFICER

Investment Translation

The following investment information is provided as translation of what the types of investments are:

- * A Term Deposit is a short term deposit held at a financial institution for a fixed term and attracts interest at the prevailing market rate.
- * A Bank Bill is a short term investment issued by a bank representing its promise to pay a specific sum to the bearer on settlement. The amount payable to Council at maturity is the face value which represents the purchase price and interest earned.
- * A Floating Rate Note is a longer term investment issued by a financial institution with a variable interest rate. The adjustments to the interest rate are usually made every three months are tied to a certain money-market index such as the Bank Bill Swap Rate (BBSW).
- * A CDO (Collateralised Debt Obligation) is an investment backed by a diversified pool of one or more classes of debt. These investments are for longer terms and offer a higher rate of interest. Council does not invest in CDOs.
- * A Capital Guaranteed Note is a longer term investment issued by a financial institution with a fixed coupon that is paid contingent on the performance of the underlying investments, being equities, property bonds etc. In addition, this form of investment also can attract capital growth. The issuer of the note has provided a guarantee that the capital is guaranteed at maturity.
- * A Floating Term Deposit and Variable Rate Deposits are exactly the same as term deposits except they automatically roll over (reinvest) at the end of the 90-day period for up to 2 years.
- * Money Market Call Account refers to funds held at a financial institution and can be recalled by Council either same day or overnight.
- * Unlisted Community Bank Shares refer to bank shares not listed on the Australian Stock Exchange. The local community owns and operates the Bendigo Bank branch which assists the bank in providing banking infrastructure and community support.

Credit Ratings

- * AAA - Extremely strong capacity to meet financial commitments (highest rating).
- * AA - Very strong capacity to meet financial commitments.
- * A - Strong capacity to meet financial commitments, but somewhat more susceptible to adverse economic conditions and changes in circumstances.
- * BBB - Adequate capacity to meet financial commitments with adverse economic conditions or changing circumstances more likely to lead to a weakened capacity of the obligor to meet its financial commitments.
- * BB - Less vulnerable in the near term, but faces uncertainties and exposures to adverse business, financial and economic conditions.
- * B - More vulnerable to non-payment than obligations rated 'BB', but the obligor has the capacity to meet its financial commitment on the obligation.
- * CCC - Currently vulnerable, dependent upon favourable business, financial and economic conditions to meet its financial commitments.
- * CC - Currently highly vulnerable.
- * C - Highly likely to default.

Financial Implications

Not applicable	<input checked="" type="checkbox"/>
Included in existing approved budget	<input type="checkbox"/>
Additional funds required	<input type="checkbox"/>

Community Engagement

Not required

Attachments

Nil

Council Meeting

14/03/2018

Item No	8.12
Subject	Bad Debts Write-Off for Uncollectable Debts Relating to the Bayside Council as at 30 June 2017
Report by	Jam Hafiz, Financial Accountant
File	SF17/2770

Summary

A review of the outstanding debts relating to the Bayside Council as at 30 June 2017 has identified \$72,999.73 of debts that are considered uncollectable. The Bayside Council is carrying a bad debt provision of \$550,458.57 as of 2016/17 covering \$27,813.42 of the uncollectable debt resulting in a net impact of \$45,186.31 to the profit and loss from the write off.

Formal Council approval is required to write-off individual uncollectable bad debts greater than \$5,000. The total uncollectable bad debts contain \$2,286.90 of GST previously remitted to the Australian Taxation Office (ATO). The GST portion of the uncollectable bad debts previously remitted to the ATO can be recovered after the Council resolves to write off the bad debts as uncollectable.

Officer Recommendation

That the outstanding bad debts totalling \$72,999.73 as detailed in table 1 of this report, relating to the Bayside Council as at 30 June 2017, be written off as uncollectable income.

Background

In completing the annual financial statements, Council is required to assess bad and doubtful debts in accordance with the requirements of the Australian Accounting Standards to ensure the Balance Sheet within the annual financial statements accurately reflect debts not only owed but are collectable. Annually provisions are made for debts where their collection is deemed doubtful.

The debts listed in table 1 of this report have been assessed as being uncollectable and recommended for write off under the financial delegations of the Director of City Performance who ensures the Council's statutory obligations are met.

Council approval is required under the provisions of the Local Government Act, to write-off these debts from the Bayside Council Balance Sheet for the 2016/17 accounts.

Table 1 – Summary of Doubtful Debts at 30.06.2017

Customer Number	Customer Description	Gross Amount (\$)	GST (\$)	Net Amount (\$)
80816	John Sinclair	\$ 414.98	-	\$ 414.98
81791	Mid-West Exhaustion Pty Ltd	\$ 1,096.60	-	\$ 1,096.60
81564	Mr Shane Godwin	\$ 656.30	-	\$ 656.30
81530	Mr B & Mrs B Figueira	\$ 320.00	-	\$ 320.00
81710	Mr H C Kremastos	\$ 492.00	-	\$ 492.00
81455	Gloria Jeans	\$ 400.00	-	\$ 400.00
81483	A1 Deli Delights	\$ 215.00	-	\$ 215.00
81514	Mascot Sofra	\$ 400.00	-	\$ 400.00
81597	Tartine	\$ 515.00	-	\$ 515.00
81644	BB Thai Pty Ltd T/as Big Boy Thai 3	\$ 1,944.20	\$ 45.93	\$ 1,898.27
81108	Grants Admin Waste & Recycling Programme	\$ 37,063.00	-	\$ 37,063.00
61794-9	Step-By-Step (Australia) Pty Ltd	\$ 14,601.63	\$ 1,327.42	\$ 13,274.21
71608-9	Mr G Baydoun	\$ 637.30	\$ 57.94	\$ 579.36
71703-8	Mr J Kyriakou	\$ 289.95	\$ 26.36	\$ 263.59
72131-1	Road Management Solutions	\$ 854.99	\$ 77.73	\$ 777.26
72280-6	Rockdale 2nd Ward Progress Association	\$ 240.00	\$ 21.82	\$ 218.18
80132-9	Greek Steps Playgroup	\$ 1,920.00	\$ 174.55	\$ 1,745.45
80451-3	Mr A K Krayem	\$ 686.55	\$ 62.41	\$ 624.14
80464-6	Ms A Hancock	\$ 4,502.48	\$ 409.32	\$ 4,093.16
80647-6	Ms N Dabboussy	\$ 4,832.00	-	\$ 4,832.00
80674-0	Australian Bureau Of Statistics	\$ 125.00	\$ 11.36	\$ 113.64
80718-5	Ms S Acharya	\$ 792.75	\$ 72.07	\$ 720.68
Total Outstanding Debts Write Off		\$ 72,999.73		
Less GST Recoverable			\$ 2,286.90	
Net Debt Write Off				\$ 70,712.83

The balance of the recommended bad debts to be written off as uncollectable total \$72,999.73 of which \$27,813.42 has been provided for in the Provision for Doubtful Debts leaving a \$45,186.31 impact to the profit and loss from the write off. Council staff have pursued various channels in an attempt to recover these outstanding debts that is summarised in attachment 1. Having pursued several debt recovery options over a period of time it is deemed that further attempts to recover these debts would not be cost effective.

Financial Implications

The net impact on the Bayside Council financial for the period 10 September to 30 June 2017 is as follows:

- The additional expense incurred is \$45,186.31 pre-GST. This the value of the new debts assessed for write off that has not been previously provided for or not expensed.

- Income from GST Receivable from ATO is \$2,286.90. The GST charges relating to the period will be recovered from the ATO when the debtor accounts are approved to be written off.
-

Community Engagement

No public consultation is required for this write-off.

Delegation

The General Manager has delegated authority to write off debts to Council where the debt is less than \$5,000. The write off of individual uncollectable debts to Council greater than \$5,000 require Council resolution in accordance with clause 213 of the Local Government (General) Regulations 2005.

Attachments

2016/17 Debt Write Off Summary of Assessment [↓](#)

Customer Number	Customer Description	Gross Amount (\$)	GST (\$)	Net Amount (\$)	Summary of debt assessments
80816	John Sinclair	\$ 414.98	-	\$ 414.98	Remaining balance of the Road restoration charges for 80 Florence Avenue Eastlakes. Original balance was approved for write off by Council resolution on 8/11/2017. Debtor not owner of the property and recovery proceedings have been unsuccessful to date.
81791	Mid-West Exhaust Pty Ltd	\$ 1,096.60	-	\$ 1,096.60	Legal recoveries of Road Restoration costs for the damages by the excavator at 120-122 O'Riordan St Mascot. The invoiced amount was paid by another contractor (Orosio Garden Pty Ltd) associated with the site. Other debt recovery actions have not been successful and further legal proceedings is not cost effective.
81564	Mr Shane Godwin	\$ 656.30	-	\$ 656.30	Charges for meals provided to the debtor by Meals on Wheels. Owner deceased and no funds available from the estate.
81530	Mr B & Mrs B Figueira	\$ 320.00	-	\$ 320.00	Charges for clean up under Section 96 Protection of the Environment Operation 1997. Not a rates related charge, the amount too small and legal proceedings not cost effective.
81710	Mr H C Kremastos	\$ 492.00	-	\$ 492.00	Charges for clean up under the Section 96 Protection of the Environment Operation 1997. Not a rates related charge, legal proceedings considered not cost effective.
81455	Gloria Jeans	\$ 400.00	-	\$ 400.00	Annual Food inspection and administration fees payable under the Food Act 2013. The business located at Eastgardens Shopping Centre, 152 Bunnerong Road, Eastgardens has closed and there is no prospect of recovering the debt.
81483	A1 Deli Delights	\$ 215.00	-	\$ 215.00	Annual Food Inspection and administration fees payable under the Food Act 2013. The business located at Eastgardens Shopping Centre, 152 Bunnerong Road, Eastgardens has changed ownership and there is no prospect of recovering the debt.
81514	Mascot Sofra	\$ 400.00	-	\$ 400.00	Annual Food Inspection and administration fees payable under the Food Act 2013. The business located at 1203 Botany Road Mascot has closed and there is no prospect of recovering the debt.
81597	Tartine	\$ 515.00	-	\$ 515.00	Annual Food Inspection, Reinspection and administration fees payable under the Food Act 2013. The business located at Shop 2/635 Gardeners Road Mascot has changed ownership and there is no prospect of recovering the debt.
81644	BB Thai Pty Ltd T/as Big Boy Thai 3	\$ 1,944.20	\$ 45.93	\$ 1,898.27	Annual Food Inspection, Reinspection, improvement notice and administration fees payable under the Food Act 2013. Including legal costs, summons fees, search fees and court costs. The business located at Shop 1/220 King Street Mascot has closed and there is no prospect of recovering the debt.
81108	Grants Admin Waste & Recycling Programme	\$ 37,063.00	-	\$ 37,063.00	Grants claim invoiced under the Local Government Organics Collection Systems project by the former City of Botany Bay Council. Due to events leading to amalgamation, the project did not start therefore no grant was applicable.
61794-9	Step-By-Step (Australia) Pty Ltd	\$ 14,601.63	\$ 1,327.42	\$ 13,274.21	Debt for unpaid licence fees and legal costs. The debtor was previously the lessee of Cahill Park Tennis Courts whose licence was terminated for various reasons (including non-payment) in 2012. Legal proceedings commenced against the debtor but the company is no longer a registered company. Officers believe there is no chance of recovery.
71608-9	Mr G Baydoun	\$ 637.30	\$ 57.94	\$ 579.36	Unsecured debt for unpaid footway trading fees. The debtor was previously the owner of a business at Shop 5, 5-7 Geeves Ave Rockdale that has ceased trading. Council Officers have not been able to locate the debtor to date so there is little to no prospect of recovering the debt.
71703-8	Mr J Kyriakou	\$ 289.95	\$ 26.36	\$ 263.59	Unsecured debt for footway trading fees. The debtor/owner of the business located at 187 Ramsgate Road Ramsgate ceased trading. Officers have not been able to locate the debtor. Debt considered not recoverable.
72131-1	Road Management Solutions	\$ 854.99	\$ 77.73	\$ 777.26	Debt raised in 2012 to recover hire costs without required supporting documentation. Debt considered not recoverable.
72280-6	Rockdale 2nd Ward Progress Association	\$ 240.00	\$ 21.82	\$ 218.18	Debt relates to charges for multiple hire of the Arncliffe Meeting Room. The debtor no longer uses the facility. Debt considered not recoverable.
80132-9	Greek Steps Playgroup	\$ 1,920.00	\$ 174.55	\$ 1,745.45	Debt charges for multiple hire of the Brighton Senior Citizen's Centre. Debtor disputed the invoiced amount after the fee structure changed. Debt recovery unsuccessful to date.
80451-3	Mr A K Krayem	\$ 686.55	\$ 62.41	\$ 624.14	Unsecured debt for footway trading fees. The business located at 30 Firth St Arncliffe ceased trading. Officers are unsuccessful in locating the business owner. Debt considered not recoverable.
80464-6	Ms A Hancock	\$ 4,502.48	\$ 409.32	\$ 4,093.16	Debt for impounding two dogs and legal costs owed by the registered dog owner. Officers have not been able to locate the debtor. Debt considered not recoverable.
80647-6	Ms N Dabboussy	\$ 4,832.00	-	\$ 4,832.00	Debt relates to a footpath crossing deposit that was incorrectly refunded due to incomplete receipting and/or record keeping. Debt considered not recoverable.
80674-0	Australian Bureau Of Statistics	\$ 125.00	\$ 11.36	\$ 113.64	Debt relates to one off hire of the Brighton Meeting Room in August 2016. The debtor refused payment of invoice as there is no Council record of the person making the booking. Debt considered not recoverable.
80718-5	Ms S Acharya	\$ 792.75	\$ 72.07	\$ 720.68	Unsecured debt for footway trading fees. The located at Shop 1 & 2 / 158-160 Ramsgate Road, Ramsgate Beach has ceased trading. Officers have not been able to locate the debtor. Debt considered not recoverable.
Total Outstanding Debts Write Off		\$ 72,999.73			
Less GST Recoverable			\$ 2,286.90		
Net Debt Write Off				\$70,712.83	

Council Meeting

14/02/2018

Item No	8.13
Subject	Training and Professional Development Attended by Councillors - 2017
Report by	Liz Rog, Manager - Executive Services
File	F17/222

Summary

This report summarises councillor attendance at Elected Member Induction and provides for additional and relevant training opportunities for Councillors, following the local government election held in September 2017.

Officer Recommendation

- 1 The report on Councillor attendance at Training and Professional Development be noted, including that the report be made publicly available on Council's website.
 - 2 That Councillors consider the relevant training opportunities provided and/or identify relevant training opportunities that individual Councillors would like to attend.
 - 3 That individual Councillors are encouraged to register their interest in attending relevant professional development opportunities, in writing to the Manager Executive Services.
-

Background

As you have previously been informed, the Office of Local Government (OLG) has prepared Draft Guidelines to assist councils to develop and deliver induction and ongoing professional development activities for the Mayor and Councillors. This supports the changes already made to the Local Government Act about the role and responsibilities of Councillors.

Under the Draft Guidelines, Councils induction and professional development programs are to consist of three elements:

- **Pre-election candidate sessions** – these are to ensure prospective candidates are aware of what will be expected of them if elected (these are not mandatory but are encouraged)
- **Induction program** – this aims to equip mayors and councillors with the information they need to perform their role effectively over the first few months and has a particular focus on building positive, collaborative relationships between councillors and staff
- **Professional development program** – this is to be developed in consultation with all councillors and delivered over the term of the council to build the skills, knowledge and personal attributes necessary to be an effective mayor or councillor.

The OLG notes *“Council is required to report on the induction and ongoing professional development activities offered to the mayor and each councillor and whether they participated in them and to make this information publicly available on their websites.”*

As a result of the changes to the Local Government Act 1993, in June 2017, Council adopted a Councillor Professional Development Policy to provide the framework for Councillor attendance and participation in a variety of training courses and development opportunities.

At Bayside, significant progress has been made by Council and Councillors. The following has been implemented in terms of Councillor Professional Development since the local government election in September 2017.

Pre-Election Candidate Session

Bayside Council hosted a community information evening on 19 July 2017 at the Rowers on Cook River, Wolli Creek. Approximately 150 people attended the community information session, encouraging increased community involvement with Council.

The topics presented were provided in a format of “How do I...

- find out more about my community?
- find out what Council is doing?
- volunteer?
- have my say?
- participate in decision making?
- stand for Council?

The topic “How do I stand for Council?” was most relevant to pre-election candidates and included an overview on the:

- Wards of Bayside Council, including the number of eligible voters per ward
- Councillors’ role in community development and advocacy
- Induction Program & ongoing professional development, once elected
- Time Management for a Councillor and what to expect, including a typical month of meetings and events
- Councillors Remuneration and Expenses

Induction Program

The “Connected Councillor” Induction Program for Bayside Council was developed in 2017 and enabled councillors to quickly become familiar with how council works, the ‘rules’ under which council operates and the complexities of the role of elected members.

Ongoing access to the induction program including the various presentations is available as an online resource to all Councillors via the Connected Councillor Portal. The following table outlines the Induction program as delivered and notes the attendance by councillors at each session:

Date	Topic	Attendance
Sat 23/09	Induction Session 1 1 Working Together as a Team - Guest Speaker facilitation 2 Councillor Introductions (around the room 2 minutes each) 3 Changing role of Councillors a. board of management; b. Councillor role; staff roles c. Changes in LG Act 4 Portfolio Briefings by General Manager & Directors 5 Equipment (iPad) 6 Overview of Connected Councillor Portal 7 Business Papers 8 Expenses & Facilities (how to claim online) 9 Annual learning and development program 10 Committee Memberships 11 Overview of Bayside Planning Panel 12 Being Prepared at the Meeting 13 Mayoral Election / Meeting Preparation 14 What's next on the induction program	13/15 Councillors

Date	Topic	Attendance
Wed 27/09	Council Meeting and Swearing in Ceremony Oath / Affirmation	15/15 Councillors
Wed 04/10	Induction Session 2 1 Mock Council Meeting Video including Q&A 2 Code of Conduct 3 Code of Meeting Practice 4 Webcasting/Audio Recording/Voting	11/15 Councillors
Tues 10/10	Induction Session 3 Operation Ricco – ICAC investigation into the former City of Botany Bay Council 1. Guest Speaker - ICAC Chief Investigation Officer	7/15 Councillors
Wed 25/10	Induction Session 4 1. Strategic Planning 2. Guest Speaker – (Solicitor) - Planning Law – 3. Guest Speaker – (Chair Bayside Planning Panel) - IHAPs	13/15 Councillors
Wed 01/11	Induction Session 5 1. Ethical responsibilities – Code of Conduct; Code of Meeting Practice; Conflict of Interest; Gifts and Benefits; Interactions between Councillors and Staff. Presenter Fraud Prevention Services	11/15 Councillors
Tues 07/11	Induction Session 6 1. Guest Speaker – Arthur Moses (Barrister progressing recovery of funds Operation Ricco) 2. Financial Responsibilities	11/15 Councillors
Wed 15/11	Induction Session 7 1. Audit Office – Role - Presenter Audit Office 2. Audit & Risk Committee – Presenter Chair Audit & Risk Committee 3. Insurance & Risk 4. Self insurer – Presenter Civic Risk 5. Risk Management	7/15 Councillors
Sat	Local Government Area – Site Tour	10/15

Date	Topic	Attendance
18/11	informs Councillors about significant sites within the Bayside local government area and the associated issues	Councillors
Wed 7/2	Induction Session 8 (General Manager's Briefing Session) 1. Strategic Aspirations for three year term 2. Community Strategic Plan timelines 3. What is in 2017/18 budget	10/15 Councillors

Overall the induction program has been well attended and well received by Councillors. The general feedback comments include:

- "Very informative, I really enjoyed the session"
- "I can see that you are trying to create a more professional and informed Councillor, its good."
- "Good presentation with relevant examples – thoroughly enjoyed it"
- "I know a lot of this already. It was good to refresh on various topics"

Professional Development Program

In June 2017, Council adopted a Councillor Professional Development Policy in accordance with recent Phase 1 amendments to the *Local Government Act 1993 (the Act)*. The amendments relate to the prescribed role of councillors under section 232, and now states:

Each Councillor has a responsibility to make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a councillor.

It should be noted that Councillors have attended other professional development opportunities in 2017 since their election, including:

Date	Topic	Attendance
Various	Office of Local Government Hit the Ground Running Workshops	10/15 Councillors
4-6/12	NSW Local Government Conference Held in Sydney	8/15 Councillors registered

Bayside Council is proactively taking the opportunity to support the changes to the Act and the draft guidelines as required by the OLG for Councillor Professional Development that:

"Council be required to report on the induction and ongoing professional development activities offered to the Mayor and each Councillor and whether they participated in them and to make this information publicly available on their websites."

Councillors have fulfilled their statutory obligations for the 2017 calendar year. Other opportunities are available in 2018 as listed below, drawn from the LG NSW Course calendar.

Elected members may consider the following courses (amongst others) in the coming twelve months:

Executive Certificate for Elected Members

- (early May (3 days) and early June (2 days) 2018)

Leveraging Excellence Models for Council Wide Improvement

- (2 days 21/22 May 2018)
Mayor's Weekend Seminar
- (across 2 days late March 2018)
Media Skills

- (one day – TBA)
Social Media for Councillors

- (one day 1 June 2018)

Self selected courses of interest that are relevant to their local government role may also be attended. There may be other areas of interest that individual councillor may wish to explore to further their professional development. The Manager Executive Services will contact individual Councillors to discuss their individual training plans to meet their obligations under the Act.

Financial Implications

Not applicable ☐

Included in existing approved budget ☒

In accordance with the Councillor Expenses and Facilities Policy 2017

Additional funds required ☐

Community Engagement

Not applicable

Attachments

Nil

Council Meeting

14/03/2018

Item No 8.14
Subject **Conferences - Councillor Attendance**
Report by Liz Rog, Manager - Executive Services
File F08/258

Summary

This report seeks Councillors interest and nomination in attending one or more of the following conferences, listed in date order:

- 1 Australian Mayoral Aviation Council (AMAC) Conference and Annual General Meeting – 2-4 May 2018 in Perth, WA (\$1780 per attendee plus additional travel and accommodation costs)
 - 2 Waste Conference – 8-10 May 2018 in Coffs Harbour, NSW (\$1530 per attendee plus additional travel and accommodation costs)
 - 3 Australian Local Government Association (ALGA) Conferences:
 - a) National General Assembly of Local Government – 17 – 20 June 2018 in Canberra, ACT (save the date option – costs TBA)
 - b) National Local Roads and Transport Congress, 20-22 November 2018 at Uluru, NT (save the date option – costs TBA)
-

Officer Recommendation

That Councillors consider attendance at the following conferences, including nomination of relevant Councillors to attend:

- 1 Australian Mayoral Aviation Council (AMAC) Conference and Annual General Meeting – 2-4 May 2018 in Perth, WA. (\$1780 per attendee plus additional travel and accommodation costs)
 - a. Nominated Councillor(s): Name
 - 2 Waste Conference – 8-10 May 2018 in Coffs Harbour, NSW (\$1530 per attendee plus additional travel and accommodation costs)
 - a. Nominated Councillor(s): Name
 - 3 Australian Local Government Association (ALGA) Conferences:
 - a. National General Assembly of Local Government – 17 – 20 June 2018 in Canberra, ACT (save the date option – costs TBA)
 - b. Nominated Councillor(s): Name
-

- c. National Local Roads and Transport Congress, 20-22 November 2018 at Uluru, NT (save the date option – costs TBA)
- d. Nominated Councillor(s): Name

That the nominations as recorded be registered to attend the relevant conference(s).

That Councillors registered to attend the relevant conference, complete the Attendance Report as soon as possible after the conference.

Background

Bayside Council recognises that attendance at relevant and appropriate local or interstate conferences provides an avenue by which Elected Members are able to increase their knowledge and understanding of Council business in order to effectively carry out their role as an Elected Member of Council.

Supporting information regarding each conference identified in this report is attached for information of Councillors.

The Expenses and Facilities Policy adopted on 12 July 2017, provides for attendance at Conferences and Seminars by Mayor and Councillors at 11.1 where it states:

11 “SPECIFIC EXPENSES FOR MAYORS AND COUNCILLORS

11.1 *Attendance at seminars, conferences, training, education and including Council business.*

Councillors, with the approval of Council or with the written approval of the Mayor and the General Manager are able to attend conferences, seminars, education and training courses etc subject to the following:

- *The conference, seminar etc relates to Local Government, its responsibilities and the functions of civic office;*
- *It is held within Australia; and*
- *All relevant costs are within the available budget.*

Councillors attending conferences, seminars, courses etc will have the following expenses paid, where applicable, provided Council has resolved that the Councillor attend the conference seminar etc or written approval has been provided by the Mayor and the General Manager:

- *Registration fees, official luncheons, dinners and tours relevant to the conference, seminar, courses, etc and meetings.*
- *Accommodation in the hotel where the conference is being held, or the nearest hotel of a similar standard, or as authorised by the host organiser where the conference is not located within the Sydney metropolitan area as defined under the Regional Development Regulation 2012 – Reg 4 or as superseded. The period of accommodation is to not be longer than the night before the official opening of a conference, seminar etc and the night of the last day of the conference, seminar.*

- Reasonable costs (including sustenance, telephone, fax and Internet charges, laundry and dry cleaning charges, newspapers, taxi fares and parking fees). Receipts must be supplied to substantiate reimbursement.
- Reasonable childcare expenses of the Councillor incurred where the Councillor is the nominated Primary Care Giver of any child that may be required to accompany the Councillor to the conference during official conference sessions including conference luncheons and dinners.
- Accommodation cost reimbursement for Council business not covered within this policy will be determined by the Mayor and General Manager.
- Council will make all necessary arrangements for Councillors attending conferences, seminars, courses etc. The procedures will be as follows:
- Council will, where possible, book accommodation in advance and pay expenses directly to the hotel/host organisation.
- Councillors finding they need to pay reasonable expenses incurred in connection with their attendance but not prepaid by Council will submit a claim for reimbursement to the General Manager, as provided in Clause 10.1 of this policy.
- Once all expenses have been finalised, accounts will be forwarded to Councillors for any expenses payable by them, in accordance with Council's normal terms ie 30 days. Any arrangements to finalise an account by periodic payment must be approved by the Mayor and the General Manager. Accounts, with prior approval, will be settled via a deduction from the Councillor's monthly allowance.

All Councillors will, as soon as possible or otherwise within one month after attending a conference/seminar (excluding the LGNSW Annual Conference and Education and Training Courses), provide the Council with a written report on the aspects of the conference/seminar relevant to the Council business. Alternatively copies of papers presented, decisions taken etc in either an electronic or paper form are to be provided to the General Manager who will advise Councillors of their existence and provide copies to interested Councillors."

In accordance with the above, the conference attendance report is an online form available through the Connected Councillor Portal. The form seeks the following information:

Councillor Report on attendance at Conferences
Councillor Name:
Conference Attended:
Venue:
Date(s) of attendance:
Value of Conference (Outline the main purpose of the conference)
Key Messages/Highlights:

(Outline issues raised by key note speakers or main themes discussed)

Benefits to Bayside Council:

(Outline the benefits/learnings for Bayside Council as a result of attending the conference)

Suggestions for Future Action:

(If appropriate, include any suggestions for action that have resulted from the attendance)

Financial Implications

Not applicable

☐

Included in existing approved budget

☒

Additional funds required

☐

Community Engagement

Not applicable

Attachments

- 1 2018 AMAC Conference and AGM registration
- 2 Waste Conference - May 2018 - Coffs Harbour
- 3 2018 ALGA Conferences - Australia's Future Lets Make it Local [↓↓↓](#)

AUSTRALIAN MAYORAL AVIATION COUNCIL



2018 ANNUAL CONFERENCE AND AGM



2 – 4 May 2018
Mercure Perth
10 Irwin Street
Perth, Western Australia

HISTORY AND OBJECTIVES

The Australian Mayoral Aviation Council was initiated through consensus by a number of local authorities meeting in Canberra in December 1982. Initially membership of the organisation was open to the Mayor, Warden and/or Councillor (or an appropriate nominee) of local authorities throughout Australia affected, or potentially affected, by airport operations or aircraft noise. The Constitution has subsequently been updated such that the Council is now the members and so may be represented by Mayors, Councillors and/or relevant staff as the member Council may determine.

The current membership is organised on a State basis wherein members from each State are represented on an Executive Committee which is endorsed at the Annual General Meeting.

The current Executive Committee is President Alderman Jock Campbell, City of Clarence TAS, Vice President Mayor Phil Marks, City of Belmont WA, Councillor Jack Medcraft, City of Hume VIC, Mayor John Trainer, City of West Torrens SA, Councillor Paul Tully, City of Ipswich QLD and Immediate Past President, Ron Hoenig MP, Member for Heffron NSW.

AMAC's primary objective is to ensure that all reasonable measures are taken by relevant authorities to minimise the deleterious effect of aircraft and airport operations on local communities. AMAC also provides a forum to inform and educate member representatives on contemporary aviation issues.

The organisation, therefore, seeks development of an effective aviation system which serves the needs of the Nation while ensuring the rights of residents in communities adjacent to airports are recognised, respected and protected.

AMAC is not an anti-aviation organisation. Rather it seeks to cooperate with the appropriate authorities and the airline industry generally, to achieve an acceptable and balanced solution to the obvious problems associated with the movement of aircraft.

COMMUNICATION WITH AVIATION ORGANISATIONS

Since its inception, AMAC has pursued a course which has resulted in its acceptance by relevant Federal Ministers and authorities so that it is, in effect, the umbrella organisation representing community views on aviation issues throughout Australia.

In response, the major authorities concerned with aviation, such as the Department of Infrastructure Regional Development and Cities, Airservices Australia and various airport and aviation interest groups, recognise and liaise with AMAC. AMAC has also established avenues for input into the legislative process, aviation policy development and operational requirements which may have an effect on community well-being.

A LEARNING EXPERIENCE

AMAC has been fortunate in attracting a diverse range of expert speakers able to equip delegates, whether Councillors or staff, with a better understanding of the direction aviation is taking.

This knowledge in turn informs attendees and assists in building an understanding of the aviation sector equipping them to better represent their community on airport related issues.

INFORMATION SOURCE

In terms of advising members of activities, both current and future, AMAC produces a regular newsletter and convenes its most important forum, the National Conference, on an annual basis.

Conferences are designed to provide delegates with the opportunity to meet and discuss issues, to hear and examine speakers on a wide variety of aviation topics and to determine the future of the organisation through the member forum of the Annual General Meeting.


2018 AMAC Conference

CONFERENCE PROGRAM

WEDNESDAY, 2ND MAY

6:30pm - 7:30pm	Informal welcome cocktails – Beccaria Bar
7:30pm – onwards	Evening Free

THURSDAY, 3RD MAY

9:00am - 9:30am	Arrival Tea/Coffee – Georgiana Room	1:30pm - 2:15pm	Barry Abrams – Executive Director, Board of Airline Representatives of Australia
9:30am - 10:15am	Geoffrey Thomas – Prominent aviation journalist and commentator. Editor-in Chief/Managing Director Airlinerating.com	2:15pm - 3:00pm	Narelle Bell – Aircraft Noise Ombudsman
10:15am – 11:00am	John Gibbon – Assistant Secretary, Department of Immigration and Protection	3:00pm - 3:15pm	Afternoon Tea Break
11:00am - 11:15am	Morning Tea Break	3:15 – 4:00pm	Paul Dewar – Chief Pilot, UASci
11:15am - 12:00pm	Kevin Brown – Chief Executive Officer, Perth Airport	4:00pm – 4:45pm	Caroline Wilkie – Chief Executive Officer, Australian Airports Association
12:00pm - 12:30pm	AMAC Annual General Meeting	7pm	Pre Dinner Drinks – Angelsea 2 Room
12:30pm - 1:30pm	Lunch	7:30pm – 10:30pm	Conference Dinner – Angelsea 2 Room

FRIDAY, 4TH MAY

8:30am - 9:00am	Arrival Tea/Coffee – Georgiana Room
9:00am - 9:45am	Andrew Eldridge – President, Royal Federation of Aero Clubs Australia
9:45am - 10:30am	Captain Rob Edney – Virgin Australia and representative Sydney Airport Community Forum
10:30am - 10:45am	Morning Tea Break
10:45am - 11:30pm	WGCDR Graham Williams – Commanding Officer 798QN – Royal Australian Air Force
11:30am – 12:15pm	David Bell OAM – Chief Executive Officer, Australian Business Aviation Association Inc.
12:15pm – 1:00pm	Lunch
1:00pm – 1:20pm	Bus to Airport Inspection
1:20pm – 3:00pm	Airport Inspection
3:00pm – 3:20pm	Bus return to Hotel

REGISTRATION

Delegates should complete the registration form included with this program and forward to AMAC accompanied by the relevant payment. Registrations should be forwarded no later than **Friday, 13th April 2018**.

Electronic Funds Transfer (EFT) or cheque payments are accepted. We cannot process credit card transactions at this time.

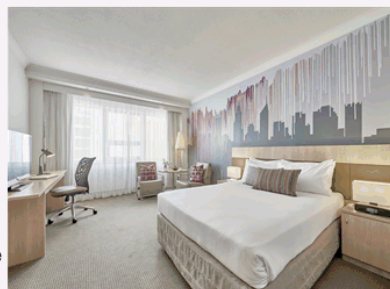
Conference Fee includes: Delegates welcome pack, attendance at the Annual General Meeting, Airport Inspection, conference sessions, arrival and daily tea breaks, lunch and attendance at the conference dinner and welcome function.

Additional Charges: Partner tickets to the conference dinner is an additional fee.

Dress Code: The dress code for the conference, including the airport tour and social dinner is smart casual. Closed in shoes are recommended for the Airport tour.

NOTE: Photo ID (license/passport) required for security registration for the airport tour. Failure to present photo ID will exclude you from joining the tour.

Cancellation Policy: All cancellations must be made in writing to the Australian Mayoral Aviation Council. Cancellations received by 5.00pm Friday, 13th April 2018 will be liable for a \$100.00 administration fee. Those received after this date will not be entitled to any refund. Transfer of registration will be accepted.



Mercure Perth hotel is located in Perth's vibrant city centre and business district, close to shopping, restaurants and nightlife. Just a short stroll from the Swan River, near Elizabeth Quay, Supreme Court Gardens; and many of Perth's attractions.

MERCURE PERTH

101 Irwin Street

Perth, WA

Phone: (08) 9326 7000

Email: H1754@accor.com

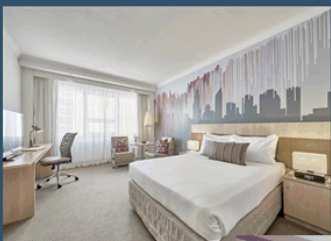
HOTEL ACCOMMODATION

The conference fee does not include accommodation. A discounted rate on a range of accommodation has been negotiated at the Mercure Perth for attending delegates. In order to receive the group rate, please contact the hotel directly and advise reservations that you are attending the AMAC Conference or quote BAY020518. Room rates are subject to availability and early reservation is recommended.

Phone: 08 9326 7000

Email: H1754@accor.com

For more information about the Mercure Perth, please visit the hotel web site at www.mercureperth.com.au



CONFERENCE & REGISTRATION ENQUIRIES

John Patterson

Executive Director

Phone: 0414 276 464

Fax: 02 9562 1777

Email: amac@bayside.nsw.gov.au

Mail: PO Box 21

ROCKDALE NSW 2216

2018 AMAC Annual Conference

Registration Form



**Australian
Mayoral
Aviation
Council**

Delegate information

Title (Dr, Mr, Ms, Mrs, Miss)	
Given Name	
Surname	
Position Title (Mayor/CR/	
Council/Organisation	
Address	
Suburb/Town	
State	Postcode
Phone	Fax
Mobile	
Delegate Email	
Contact Email	
Special requirements (dietary/access or other)	

Accompanying Guest

Title (Dr, Mr, Ms, Mrs, Miss)	
Given Name	
Surname	
Special requirements (dietary/access or other)	

Payment Options

☐ Electronic Funds Transfer

Date: ____/____/____ Ref: _____
 Bank: CBA, Mascot Branch BSB: 062 200 Account #: 100 213 87
 Account Name: Australian Mayoral Aviation Council

☐ Cheque made payable to Australian Mayoral Aviation Council

Please send with this completed form to:
 Australian Mayoral Aviation Council, PO Box 21, ROCKDALE NSW 2216
 T 0414 276 464 • F 02 9562 1777 • E amac@bayside.nsw.gov.au

*Credit card transactions are not available.

Conference Registration

All fees include GST.

Conference Delegates Program		TOTAL
AMAC Member	\$1,780.00	\$
Non Member	\$2,200.00	\$
TOTAL		\$

Conference Registration includes attendance at the Annual General Meeting, Conference sessions on Thursday and Friday, Morning / Afternoon Tea and Lunch where indicated on the program, Airport Inspection and attendance at the, welcome function and Conference Dinner.

Additional Tickets		TOTAL
Conference Dinner Ticket	\$200.00	\$
TOTAL		\$

Total Payment

Delegates Program	\$
Additional Tickets	\$
TOTAL PAYMENT DUE	\$

Confirmation

Your registration will be acknowledged via email within 10 working days. A Tax Invoice will be provided for GST purposes. If you do not receive confirmation please contact John Patterson on 0414 276 464 or email amac@bayside.nsw.gov.au

Privacy

The information provided to complete this form is required to allow AMAC to process your registration.

Cancellation Policy

All cancellations must be made in writing to the Australian Mayoral Aviation Council. Please submit cancellations via email to amac@bayside.nsw.gov.au or post to PO Box 21, Rockdale NSW 2216. Please note that cancellations received by Friday, 13th April 2018 will be liable for a \$100 administration fee. Those received after 5.00pm on this date will not be entitled to any refund.

☐ Yes I will attend the Friday afternoon Airport Tour (Please tick if attending)

REMINDER: A Photo-ID will be required to gain admission to the Tour

Send this completed form to:

AMAC Executive Director • PO Box 21, Rockdale NSW 2216 • T 0414 276 464 • F 02 9562 1777 • E amac@bayside.nsw.gov.au



AMAC CONFERENCE PERTH AIRPORT INSPECTION

FRIDAY 4TH MAY 2018

Please note that the Friday afternoon visit to Perth Airport will involve airside access requiring security clearance.

For security reasons it is essential that those delegates attending the airport visit complete **Part 1 of the “Daily VIC Application” form (copy accompanying).**

The completed Form together with a copy of appropriate photo ID (license or passport) should be forwarded with your conference registration details to AMAC by email amac@bayside.nsw.gov.au or Fax (02) 9562 1777 or by mail, PO Box 21, Rockdale NSW 2216

Forms received will be compiled and forwarded to Perth Airport for preparation of security passes.

Security access passes will then be issued to delegates at the commencement of the tour **on presentation of the original of the photo ID lodged with the “Daily VIC Application” form.**

Failure to produce the relevant photo ID will mean exclusion from airport airside access.

Security passes will need to be returned to airport staff at the conclusion of the tour.

Privacy Notice

Completed “Daily VIC Application” forms and accompanying photo ID are being collected by AMAC solely for the purpose of providing Airport Services – Perth Airport with the information necessary to prepare security passes allowing access to the airport as part of the 2018 AMAC Conference.



Waste 2018 Conference Program

The Waste 2018 Conference program begins with an official welcome and opening address starting at 1pm on Tuesday 8th May and concludes at 5pm on Thursday 10th May. Designed with all delegates in mind, the program is streamed to allow delegates to tailor their learning to their specific needs. There are also 3 social events providing ample networking opportunities.

A selection of additional optional workshops are also available preceding the main conference program and registration for these needs to be booked separately. These include 'Social Media Marketing Workshop', 'Waste Management Demonstration' and 'Waste Community Forum - hosted by Mandalay Technologies'.

[Print](#)

Tuesday, May 8, 2018

	Stream 1
	PRE-CONFERENCE OPTIONAL WORKSHOPS
9:00 AM - 12:00 PM	<p><u>PRE-CONFERENCE WORKSHOP 1: Social Media Marketing - Update your social media knowledge, not your status</u></p> <p><u>Click on 'Pre-Conference Events' tab above for further information and to register</u></p>

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	<p><u>PRE-CONFERENCE WORKSHOP</u></p> <p><u>2: Waste management demonstration – Empowering environmentally conscious minds!</u></p> <p><u>Click on 'Pre-Conference Events' tab above for further information and to register</u></p>
	<p><u>**** WASTE 2018 CONFERENCE BEGINS ****</u></p> <p><u>Registration from 9:00 AM - 7:30 PM in Pre Function Foyer</u></p>
12:00 PM - 1:00 PM	<u>LUNCH - TUESDAY</u>
1:00 PM - 1:25 PM	<p><u>Opening Address & Welcome</u></p> <p><u>Natalie Isaacs, Founder/CEO, 1 Million Women</u></p>
1:25 PM - 2:10 PM	<p><u>Panel Discussion 1: Growing the reuse economy - A collaborative regional network</u></p> <p><u>Click for details on facilitator and panel members</u></p>
	<u>EDUCATION</u>
2:10 PM - 2:30 PM	<p><u>Education - 1</u></p> <p><u>Breaking the bias through brain science - understanding values to improve recycling. Ryan Collins, Recycling Programs Manager, Planet Ark</u></p>
2:30 PM - 2:50 PM	<p><u>Education - 2</u></p> <p><u>Plastic Free July – A case study in behaviour change best practice for waste avoidance. Rebecca Prince-Ruiz, Founder, Plastic Free July Foundation</u></p>

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2:50 PM - 3:10 PM	<u>Education - 3</u> <u>Using theatre to reduce waste. Juliet</u> <u>Scrine, CEO and Ian McColm, Chief</u> <u>Operating Officer, The Eaton Gorge</u> <u>Theatre Company</u>
3:10 PM - 3:40 PM	<u>AFTERNOON TEA - TUESDAY</u>
	EDUCATION CONT.
3:40 PM - 4:00 PM	<u>Education - 4</u> <u>Bayside Council's new waste app –</u> <u>using mobile technology to improve</u> <u>communication with residents. Dr</u> <u>Patricia Chamberlain, Coordinator</u> <u>Waste Avoidance & Resource</u> <u>Recovery, Bayside Council</u>
4:00 PM - 4:20 PM	<u>Education - 5</u> <u>Engaging community through waste to</u> <u>art. Sue Clarke, Environmental</u> <u>Learning Adviser, NetWaste and</u> <u>Grahame Collier, Director, T Issues</u> <u>Consultancy</u>
4:20 PM - 4:40 PM	<u>Education - 6</u> <u>Pledge to recycle and win. Grace</u> <u>Barila, Project Manager, KESAB and</u> <u>Kerry Matulick, Waste Management</u> <u>Officer, City of Unley</u>
4:40 PM - 5:00 PM	<u>Education - 7</u> <u>Recycle night? Recycle right!</u> <u>Humanising resource recovery to</u> <u>lower contamination rates. Julie</u> <u>Briggs, CEO, Riverina Eastern</u> <u>Regional Organisation of Councils</u> <u>(REROC)</u>

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5:30 PM - 7:30 PM	<p><u>Conference Welcome Reception</u> <u>The Welcome Reception will take place outside among the outdoor exhibits (weather permitting).</u></p>
<p style="text-align: center;">Stream 2</p> <p style="text-align: center;">PRE-CONFERENCE OPTIONAL WORKSHOPS</p>	
9:00 AM - 12:00 PM	<p><u>PRE-CONFERENCE WORKSHOP 1: Social Media Marketing - Update your social media knowledge, not your status</u> <u>Click on 'Pre-Conference Events' tab above for further information and to register</u></p> <p><u>PRE-CONFERENCE WORKSHOP 2: Waste management demonstration – Empowering environmentally conscious minds!</u> <u>Click on 'Pre-Conference Events' tab above for further information and to register</u></p>
	<p><u>**** WASTE 2018 CONFERENCE BEGINS ****</u> <u>Registration from 9:00 AM - 7:30 PM in Pre Function Foyer</u></p>
12:00 PM - 1:00 PM	<u>LUNCH - TUESDAY</u>
1:00 PM - 1:25 PM	<p><u>Opening Address & Welcome</u> <u>Natalie Isaacs, Founder/CEO, 1 Million Women</u></p>

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1:25 PM - 2:10 PM	<p><u>Panel Discussion 1: Growing the reuse economy - A collaborative regional network</u></p> <p><u>Click for details on facilitator and panel members</u></p>
	SOCIAL ENTERPRISE
2:10 PM - 2:30 PM	<p><u>Social Enterprise - 1</u> <u>Auckland's Resource Recovery Network. Ian Stupple, General Manager Waste Solutions, Auckland Council</u></p>
2:30 PM - 2:50 PM	<p><u>Social Enterprise - 2</u> <u>The Brisbane Tool Library: toward a real sharing economy and collaborative consumption. Sabrina Chakori, Founder & Project Coordinator, Brisbane Tool Library</u></p>
2:50 PM - 3:10 PM	<p><u>Social Enterprise - 3</u> <u>Topic and presenter TBC</u></p>
3:10 PM - 3:40 PM	<u>AFTERNOON TEA - TUESDAY</u>
	WASTE MANAGEMENT IN ABORIGINAL COMMUNITIES
3:40 PM - 4:00 PM	<p><u>Aboriginal Communities - 4</u> <u>Caring for Country together: Collaborating to improve waste outcomes on Aboriginal Communities.</u> <u>Danyelle Carter, Manager Regional Delivery and Tash Morton, Project Officer NSW Environment Protection Authority</u></p>

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4:00 PM - 4:20 PM	<u>Aboriginal Communitites - 5</u> <u>Effective waste management in</u> <u>Central NT. Michael Davis, Regional</u> <u>Waste Coordinator, Central Australia</u> <u>Remote Waste Management Program</u>
4:20 PM - 4:40 PM	<u>Aboriginal Communitites - 6</u> <u>Cleanaway's Reconciliation Action</u> <u>Plan: Building sustainable</u> <u>relationships with Indigenous</u> <u>Australians within the waste industry.</u> <u>Reg Yarran, National Aboriginal</u> <u>Engagement Advisor, Cleanaway</u>
4:40 PM - 5:00 PM	<u>Aboriginal Communitites - 7</u> <u>Turning waste into wages in</u> <u>Kununurra, NT. Allison Borland,</u> <u>Manager, Reviva Re-Use Shop, Moss</u> <u>Vale and Lynsey Gannon, Resource</u> <u>Recovery Manager, Revive,</u> <u>Kununurra</u>
5:30 PM - 7:30 PM	<u>Conference Welcome Reception</u> <u>The Welcome Reception will take</u> <u>place outside among the outdoor</u> <u>exhibits (weather permitting).</u>
	Stream 3
	PRE-CONFERENCE OPTIONAL WORKSHOPS

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9:00 AM - 12:00 PM	<p><u>PRE-CONFERENCE WORKSHOP</u> <u>1: Social Media Marketing - Update your social media knowledge, not your status</u> Click on 'Pre-Conference Events' tab above for further information and to register</p> <p><u>PRE-CONFERENCE WORKSHOP</u> <u>2: Waste management demonstration – Empowering environmentally conscious minds!</u> Click on 'Pre-Conference Events' tab above for further information and to register</p>
	<p><u>**** WASTE 2018 CONFERENCE BEGINS ****</u> Registration from 9:00 AM - 7:30 PM in Pre Function Foyer</p>
12:00 PM - 1:00 PM	<p><u>LUNCH - TUESDAY</u></p>
1:00 PM - 1:25 PM	<p><u>Opening Address & Welcome</u> Natalie Isaacs, Founder/CEO, 1 Million Women</p>
1:25 PM - 2:10 PM	<p><u>Panel Discussion 1: Growing the reuse economy - A collaborative regional network</u> Click for details on facilitator and panel members</p>
	<p><u>ECONOMICS</u></p>

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2:10 PM - 2:30 PM	<u>Economics - 1</u> <u>Utilising technology as a stakeholder engagement tool and value add.</u> <u>Simone Thomas, Senior Project Officer – Business Recycling Unit and</u> <u>Pauline Coppin, Senior Project Officer, NSW Environment Protection Authority</u>
2:30 PM - 2:50 PM	<u>Economics - 2</u> <u>Capturing waste – a new data platform for businesses, industry and the environment.</u> <u>Karinne Taylor, Senior Project Manager - NABERS Waste, NABERS, Office of Environment & Heritage NSW</u>
2:50 PM - 3:10 PM	<u>Economics - 3</u> <u>Topic and presenter TBC</u>
3:10 PM - 3:40 PM	<u>AFTERNOON TEA - TUESDAY</u>
	LANDFILL
3:40 PM - 4:00 PM	<u>Landfill - 4</u> <u>No airspace and squeezed budget?</u> <u>What's a local government to do?</u> <u>Kerry Dalton, Coordinator Waste and Recycling Environmental Compliance, Bundaberg Regional Council and</u> <u>Rowan Cossins, Principal Engineer, ATC Williams</u>
4:00 PM - 4:20 PM	<u>Landfill - 5</u> <u>Topic and presenter TBC</u>
4:20 PM - 4:40 PM	<u>Landfill - 6</u> <u>Drone data - A powerful tool in landfill management.</u> <u>Loren Otto, Director, AirBorn Insight</u>

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4:40 PM - 5:00 PM	<u>Landfill - 7</u> <u>Game changer - Building Cessnock's</u> <u>transfer facility. Michael Alexander,</u> <u>Environment & Waste Manager,</u> <u>Cessnock City Council</u>
5:30 PM - 7:30 PM	<u>Conference Welcome Reception</u> <u>The Welcome Reception will take</u> <u>place outside among the outdoor</u> <u>exhibits (weather permitting).</u>

Wednesday, May 9, 2018

	Stream 1
7:30 AM - 8:30 AM	<u>REGISTRATION & COFFEE -</u> <u>WEDNESDAY</u>
8:30 AM - 8:40 AM	<u>Introduction and Welcome from</u> <u>Chair</u> <u>Presenter TBC</u>
8:40 AM - 8:50 AM	<u>Welcome from Mayor</u> <u>Cr Denise Knight, Mayor, Coffs</u> <u>Harbour City Council</u>
8:50 AM - 9:20 AM	<u>Keynote Address 1: Title TBC</u> <u>Presenter TBC</u>
9:20 AM - 9:50 AM	<u>Keynote Address 2: A London and</u> <u>European perspective on the</u> <u>transition to a circular economy</u> <u>Andrea Crump, Circular Economy</u> <u>Policy and Projects Officer, London</u> <u>Waste and Recycling Board</u> <u>(LWARB)</u>

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9:50 AM - 10:20 AM	<u>Keynote Address 3: Title TBC</u> <u>Presenter TBC</u>
10:20 AM - 10:50 AM	<u>MORNING TEA - WEDNESDAY</u>
10:50 AM - 12:10 PM	<u>Panel Discussion 2 - The impact of Chinese decisions on the Australian recycling industry</u> <u>Click for details on facilitator and panel members</u>
12:10 PM - 1:10 PM	<u>LUNCH - WEDNESDAY</u>
	<u>INFRASTRUCTURE (METRO)</u>
1:10 PM - 1:30 PM	<u>Infrastructure - 1</u> <u>Topic TBC. Mark Taylor, GM - NSW Resource Recovery, Veolia Australia and New Zealand</u>
1:30 PM - 1:50 PM	<u>Infrastructure - 2</u> <u>The inside story on Australia's newest and largest waste derived fuel (PEF) processing facility. Ben Sawley, CEO ResourceCo Sustainable Energy, ResourceCo</u>
1:50 PM - 2:10 PM	<u>Infrastructure - 3</u> <u>Kimbriki Resource Recovery Project - facts and findings. Ben Connell, CEO, Kimbriki Environmental Enterprises</u>
2:10 PM - 2:30 PM	<u>Infrastructure - 4</u> <u>The Perth Super Material Recovery Facility: A new standard in environmental sustainability. Erin Smith, Business Unit Manager, Cleanaway</u>

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2:30 PM - 2:50 PM	<u>Infrastructure - 5</u> <u>Shellharbour's Resource Recovery</u> <u>Redevelopment (R3). Courtney</u> <u>Williams, Team Leader Waste</u> <u>Management, Shellharbour City</u> <u>Council and Garth Lamb, Business</u> <u>Development Manager, Re.group</u>
	1:10 PM - 2:50 PM - PRODUCT INNOVATION AND DEVELOPMENT FORUM
2:49 PM - 2:50 PM	<u>Product Innovation and</u> <u>Development Forum</u> <u>Click here to see details of topics and</u> <u>presenters</u>
2:50 PM - 3:20 PM	<u>AFTERNOON TEA -</u> <u>WEDNESDAY</u>
	PLANNING (METRO)
3:20 PM - 3:40 PM	<u>Planning - 6</u> <u>Greater Sydney waste flows and</u> <u>pressure points – today and 2036.</u> <u>Richard Collins, Principal Consultant,</u> <u>Waste Advisory, Arcadis and Kirk</u> <u>Bendall, Manager Freight, Port &</u> <u>Precinct Strategies, Transport for</u> <u>NSW</u>
3:40 PM - 4:00 PM	<u>Planning- 7</u> <u>Topic and presenter TBC</u>

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4:00 PM - 4:20 PM	<p><u>Planning - 8</u></p> <p><u>Waste or amenity: An economic analysis. Joshua Romeo, Innovation Officer, Penrith City Council and Dr Neil Perry, Research Lecturer in Corporate Social Responsibility, Western Sydney University</u></p>
4:20 PM - 4:40 PM	<p><u>Planning - 9</u></p> <p><u>Better waste planning for the future: Issues and challenges. Wayne O'Connor, Regional Manager, Domestic Contracts (NSW/ACT), JJ Richards and Sons Pty.Ltd</u></p>
4:40 PM - 5:00 PM	<p><u>Planning - 10</u></p> <p><u>Best fit infrastructure for residential flat buildings. Wendy Xing, Regional Waste Coordinator, Western Sydney Regional Organisation of Councils (WSROC) and Tanya Henley, Senior Waste & Resource Recovery Management , Consultant, Jacobs</u></p>
6:30 PM - 11:59 PM	<p><u>Conference Dinner</u></p> <p><u>The conference dinner will be a Hollywood theme and will be held offsite in the C.ex Coffs. Free scheduled transport will be provided between all venues.</u></p>
	Stream 2
7:30 AM - 8:30 AM	<p><u>REGISTRATION & COFFEE - WEDNESDAY</u></p>

<https://www.coffswasteconference.com.au/QuickEventWebsitePortal...> 23/02/2018

8:30 AM - 8:40 AM	<u>Introduction and Welcome from Chair</u> <u>Presenter TBC</u>
8:40 AM - 8:50 AM	<u>Welcome from Mayor</u> <u>Cr Denise Knight, Mayor, Coffs</u> <u>Harbour City Council</u>
8:50 AM - 9:20 AM	<u>Keynote Address 1: Title TBC</u> <u>Presenter TBC</u>
9:20 AM - 9:50 AM	<u>Keynote Address 2: A London and European perspective on the transition to a circular economy</u> <u>Andrea Crump, Circular Economy</u> <u>Policy and Projects Officer, London</u> <u>Waste and Recycling Board</u> <u>(LWARB)</u>
9:50 AM - 10:20 AM	<u>Keynote Address 3: Title TBC</u> <u>Presenter TBC</u>
10:20 AM - 10:50 AM	<u>MORNING TEA - WEDNESDAY</u>
10:50 AM - 12:10 PM	<u>Panel Discussion 2 - The impact of Chinese decisions on the Australian recycling industry</u> <u>Click for details on facilitator and</u> <u>panel members</u>
12:10 PM - 1:10 PM	<u>LUNCH - WEDNESDAY</u>
	<u>EDUCATION CONT..</u>

<https://www.coffswasteconference.com.au/QuickEventWebsitePortal...> 23/02/2018

1:10 PM - 1:30 PM	<u>Education - 1</u> <u>Building a better platform for community engagement - Virtual reality to enable safer, more immersive and interactive recycling education. Robbie Ladbroke, Education Team Leader, ACT NoWaste and Garth Lamb Business Development Manager, Re.group</u>
1:30 PM - 1:50 PM	<u>Education - 2</u> <u>Household recycling behaviours social research findings. Marcelle Psaila, Senior Project Officer, NSW Environment Protection Authority</u>
1:50 PM - 2:10 PM	<u>Education - 3</u> <u>Education by the numbers; Where data is education and education is data. Donald Munro, Regional Manager (VIC & NSW), Sandie Johnston, Area Manager, Sunshine Coast and Chris Dart Environmental Consultant, EnviroCom Australia</u>
2:10 PM - 2:30 PM	<u>Education - 4</u> <u>Talking rubbish – a case study in innovative waste education. Janine Collins, Principal, J9CCC</u>
2:30 PM - 2:50 PM	<u>Education - 5</u> <u>How a strong brand propels project success. Kim Potter, Business Project Coordinator, North East Waste</u>
	1:10 PM - 2:50 PM - PRODUCT INNOVATION AND DEVELOPMENT FORUM

<https://www.coffswasteconference.com.au/QuickEventWebsitePortal...> 23/02/2018

2:49 PM - 2:50 PM	<u>Product Innovation and Development Forum</u> <u>Click here to see details of topics and presenters</u>
2:50 PM - 3:20 PM	<u>AFTERNOON TEA - WEDNESDAY</u>
	ORGANICS
3:20 PM - 3:40 PM	<u>Organics - 6</u> <u>Halve Waste – delivering real diversion from landfill. Andrea Baldwin, Team Leader Waste Management, Albury City Council</u>
3:40 PM - 4:00 PM	<u>Organics - 7</u> <u>Love Food Hate Waste New Zealand – the power of collaboration. Jenny Marshall, Project Lead Love Food Hate Waste New Zealand, WasteMINZ</u>
4:00 PM - 4:20 PM	<u>Organics - 8</u> <u>Food organics, which bin is it really in? Justin Jones, Director, Justwaste Consulting</u>
4:20 PM - 4:40 PM	<u>Organics - 9</u> <u>Our organics bin – a 3 council partnership. Tricia Donnelly, Sustainability Officer, Cessnock City Council and Leanne Sanderson, Education Officer, Solo Resource Recovery</u>
4:40 PM - 5:00 PM	<u>Organics - 10</u> <u>Busting the FOGO myths. Virginia Brunton, MRA Consulting Group</u>

<https://www.coffswasteconference.com.au/QuickEventWebsitePortal...> 23/02/2018

6:30 PM - 11:59 PM	<p><u>Conference Dinner</u> <u>The conference dinner will be a Hollywood theme and will be held offsite in the C.ex Coffs. Free scheduled transport will be provided between all venues.</u></p>
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	Stream 3
7:30 AM - 8:30 AM	<u>REGISTRATION & COFFEE - WEDNESDAY</u>
8:30 AM - 8:40 AM	<p><u>Introduction and Welcome from Chair</u> <u>Presenter TBC</u></p>
8:40 AM - 8:50 AM	<p><u>Welcome from Mayor</u> <u>Cr Denise Knight, Mayor, Coffs Harbour City Council</u></p>
8:50 AM - 9:20 AM	<p><u>Keynote Address 1: Title TBC</u> <u>Presenter TBC</u></p>
9:20 AM - 9:50 AM	<p><u>Keynote Address 2: A London and European perspective on the transition to a circular economy</u> <u>Andrea Crump, Circular Economy Policy and Projects Officer, London Waste and Recycling Board (LWARB)</u></p>
9:50 AM - 10:20 AM	<p><u>Keynote Address 3: Title TBC</u> <u>Presenter TBC</u></p>
10:20 AM - 10:50 AM	<u>MORNING TEA - WEDNESDAY</u>

<https://www.coffswasteconference.com.au/QuickEventWebsitePortal...> 23/02/2018

10:50 AM - 12:10 PM	<p><u>Panel Discussion 2 – The impact of Chinese decisions on the Australian recycling industry</u></p> <p><u>Click for details on facilitator and panel members</u></p>
12:10 PM - 1:10 PM	<u>LUNCH - WEDNESDAY</u>
	<u>CIRCULAR ECONOMY</u>
1:10 PM - 1:30 PM	<p><u>Circular Economy - 1</u></p> <p><u>Pathways to circular economy for food waste. Dr Melita Jazbec, Senior Research Consultant, Institute for Sustainable Futures, UTS</u></p>
1:30 PM - 1:50 PM	<p><u>Circular Economy - 2</u></p> <p><u>Collaboration Connection</u></p> <p><u>Communication – the 3c's to create a successful circular economy at a local level. Samantha Cross, Director, Cross Connections Consulting</u></p>
1:50 PM - 2:10 PM	<p><u>Circular Economy - 3</u></p> <p><u>Measuring beneficial waste management differently within a circular economy. Darren Perrin, Associate Director, International, Ricardo Energy and Environment</u></p>
2:10 PM - 2:30 PM	<p><u>Circular Economy - 4</u></p> <p><u>Collaboration for the circular economy – private and public partnerships for systemised industry change. Blake Lindley, Senior Sustainability Consultant, Edge Environment and Esther Bailey, Sustainability Team Leader, City of Sydney Council</u></p>

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2:30 PM - 2:50 PM	<u>Circular Economy - 5</u> <u>Topic and presenter TBC</u>
	1:10 PM - 2:50 PM - PRODUCT INNOVATION AND DEVELOPMENT FORUM
2:49 PM - 2:50 PM	<u>Product Innovation and Development Forum</u> <u>Click here to see details of topics and presenters</u>
2:50 PM - 3:20 PM	<u>AFTERNOON TEA - WEDNESDAY</u>
	REGIONAL ISSUES
3:20 PM - 3:40 PM	<u>Regional - 6</u> <u>Landfill consolidation and</u> <u>environmental improvements for</u> <u>regional communities. Elissa Bishop,</u> <u>Project Officer, NSW Environment</u> <u>Protection Authority</u>
3:40 PM - 4:00 PM	<u>Regional - 7</u> <u>Regional & rural recycling – creating</u> <u>the environment to make it happen.</u> <u>Giles Perryman, Principal Consultant</u> <u>(Director), ASK Waste Management</u>
4:00 PM - 4:20 PM	<u>Regional - 8</u> <u>What! Communicating whilst</u> <u>amalgamating?!? Waste projects in a</u> <u>changing environment. Tania</u> <u>Parkinson, Waste Coordinator,</u> <u>Broome Shire Council and Meagan</u> <u>Cooper, Communications Officer,</u> <u>MidCoast Council</u>

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4:20 PM - 4:40 PM	<u>Regional - 9</u> <u>Topic and presenter TBC</u>
4:40 PM - 5:00 PM	<u>Regional - 10</u> <u>Topic and presenter TBC</u>
6:30 PM - 11:59 PM	<u>Conference Dinner</u> <u>The conference dinner will be a</u> <u>Hollywood theme and will be held</u> <u>offsite in the C.ex Coffs. Free</u> <u>scheduled transport will be provided</u> <u>between all venues.</u>

Thursday, May 10, 2018

	Stream 1
8:00 AM - 8:40 AM	REGISTRATION AND COFFEE - THURSDAY
8:40 AM - 8:45 AM	<u>Welcome Address from the Chair</u> <u>Gayle Sloan, CEO, Waste</u> <u>Management Association of Australia</u>
8:45 AM - 9:05 AM	<u>Keynote Address 4: Title TBC</u> <u>Presenter TBC</u>
9:05 AM - 9:25 AM	<u>Keynote Address 5: Title TBC</u> <u>Presenter TBC</u>
9:25 AM - 9:45 AM	<u>Keynote Address 6: What is the</u> <u>future of waste in Australia & New</u> <u>Zealand</u> <u>Justin Frank, Director of Marketing,</u> <u>Communications & Key Accounts,</u> <u>SUEZ</u>

<https://www.coffswasteconference.com.au/QuickEventWebsitePortal...> 23/02/2018

9:45 AM - 11:00 AM	<p><u>Panel Discussion 3: Waste policies and regulations in Australia's states and territories</u></p> <p><u>Click for details on facilitator and panel members</u></p>
11:00 AM - 11:30 AM	MORNING TEA - THURSDAY
	INNOVATION
11:30 AM - 11:50 AM	<p><u>Innovation - 1</u></p> <p><u>Rejuvenating the Buy Back Centre – Strategies for Boosting Sales and Recovery. Mark Winser, General Manager - Asset Manager, Kimbriki Environmental Enterprises</u></p>
11:50 AM - 12:10 PM	<p><u>Innovation - 2</u></p> <p><u>Dropoffwaste.com: Key learnings for building a multi-stakeholder waste technology platform. Zac Lambert, Project Officer, Community Recycling Unit, NSW Environment Protection Authority</u></p>
12:10 PM - 12:30 PM	<p><u>Innovation - 3</u></p> <p><u>Topic and presenter TBC</u></p>
12:30 PM - 12:50 PM	<p><u>Innovation - 4</u></p> <p><u>Waste: What Do Others Do? The most commonly asked questions of a Waste Consultant. Lacey Webb, Consultant & Waste Industry Strategist, Mandalay Technologies</u></p>

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12:50 PM - 1:10 PM	<u>Innovation - 5</u> <u>Project to improve rate of reusing</u> <u>textiles recovered from municipal and</u> <u>kerb waste. Enrique Arquiga,</u> <u>Business Development Director,</u> <u>Broadspectrum</u>
1:10 PM - 2:10 PM	<u>LUNCH - THURSDAY</u>
	<u>COLLECTION</u>
2:10 PM - 2:30 PM	<u>Collection - 6</u> <u>Fleet of the future. Emmanuel Vivant,</u> <u>Executive Director - Development,</u> <u>Performance & Innovation, SUEZ</u>
2:30 PM - 2:50 PM	<u>Collection - 7</u> <u>Chain of responsibility laws – waste</u> <u>management impacts. Katherine</u> <u>Driscoll, Senior Consultant, Impact</u> <u>Environmental Consulting</u>
2:50 PM - 3:10 PM	<u>Collection - 8</u> <u>The maths of Council verge</u> <u>collections. Mike Ritchie, Managing</u> <u>Director, MRA Consulting Group</u>
3:10 PM - 3:30 PM	<u>Collection - 9</u> <u>Guiding best practise waste collection</u> <u>in multi unit dwellings. Kylie</u> <u>Howarth, Senior Waste Management</u> <u>Officer, City of Perth</u>
3:30 PM - 4:00 PM	<u>AFTERNOON TEA - THURSDAY</u>
	<u>TENDERS & CONTRACTS</u>

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4:00 PM - 4:20 PM	<u>Tenders - 10</u> <u>Waste contracting in NSW. Tony Khoury, Executive Director, Waste Contractors & Recyclers Association of NSW</u>
4:20 PM - 4:40 PM	<u>Tenders - 11</u> <u>New waste tender, new contracts – Five into one, Council's transition post amalgamation. Anthony Collins, Manager Sustainability & Waste, City of Parramatta Council</u>
4:40 PM - 5:00 PM	<u>Tenders - 12</u> <u>Waste collection contract changeover, post Council amalgamations- Experiences and learnings. Rebecca Evered, Centre for Sustainability Manager, Cleanaway and James Lawson, Team Leader Waste Contracts, Central Cost Council</u>
6:30 PM - 11:59 PM	<u>Conference Finale Buffet</u> <u>The Conference Finale Buffet will be held on the outdoor terrace at Opal Cove Resort (weather permitting), and in the Horizons Restaurant</u>

	Stream 2
8:00 AM - 8:40 AM	REGISTRATION AND COFFEE - THURSDAY
8:40 AM - 8:45 AM	<u>Welcome Address from the Chair</u> <u>Gayle Sloan, CEO, Waste Management Association of Australia</u>

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8:45 AM - 9:05 AM	<u>Keynote Address 4: Title TBC</u> <u>Presenter TBC</u>
9:05 AM - 9:25 AM	<u>Keynote Address 5: Title TBC</u> <u>Presenter TBC</u>
9:25 AM - 9:45 AM	<u>Keynote Address 6: What is the future of waste in Australia & New Zealand</u> <u>Justin Frank, Director of Marketing, Communications & Key Accounts, SUEZ</u>
9:45 AM - 11:00 AM	<u>Panel Discussion 3: Waste policies and regulations in Australia's states and territories</u> <u>Click for details on facilitator and panel members</u>
11:00 AM - 11:30 AM	MORNING TEA - THURSDAY
	LITTER & ILLEGAL DUMPING
11:30 AM - 11:50 AM	<u>Illegal Dumping - 1</u> <u>EPA's illegal landfilling prevention program, Sally Bowers, Project Officer - Illegal Dumping Unit and Christy Groves, Senior Operational Policy Officer, NSW Environment Protection Authority</u>
11:50 AM - 12:10 PM	<u>Illegal Dumping - 2</u> <u>Bondi unwrapped – A litter prevention program. Leslie Mallinson, Sustainable Communities Officer, Waverley Council</u>

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12:10 PM - 12:30 PM	<u>Illegal Dumping - 3</u> <u>How to choose and use the correct</u> <u>litter bin infrastructure in this era.</u> <u>Guada Lado, Regional Waste</u> <u>Coordinator, Western Sydney</u> <u>Regional Organisation of Councils</u> <u>(WSROC)</u>
12:30 PM - 12:50 PM	<u>Illegal Dumping - 4</u> <u>Litter prevention - will it be sustained?</u> <u>Kathryn Odgers, Waste Contracts and</u> <u>Projects, Ku-ring-gai Council</u>
12:50 PM - 1:10 PM	<u>Illegal Dumping - 5</u> <u>The need to account for the impacts of</u> <u>marine litter in LCA methodology.</u> <u>Jimmy Thomas, Sustainability</u> <u>Consultant, Edge Environment</u>
1:10 PM - 2:10 PM	<u>LUNCH - THURSDAY</u>
	PRODUCT STEWARDSHIP
2:10 PM - 2:30 PM	<u>Product Stewardship - 6</u> <u>Topic and presenter TBC</u>
2:30 PM - 2:50 PM	<u>Product Stewardship - 7</u> <u>Product Stewardship - More than a</u> <u>take back program. Spyro Kalos,</u> <u>Manager - Recycling, AMTA</u> <u>(MobileMuster)</u>
2:50 PM - 3:10 PM	<u>Product Stewardship - 8</u> <u>Reimagining solutions for paint and</u> <u>packaging product stewardship.</u> <u>Harman Sandhu, Materials Innovation</u> <u>Manager, 3R Group Ltd</u>

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3:10 PM - 3:30 PM	<u>Product Stewardship - 9</u> <u>Give reuse a fair go. Guido Verbist,</u> <u>The Bower Reuse and Repair Centre</u>
3:30 PM - 4:00 PM	<u>AFTERNOON TEA - THURSDAY</u>
	<u>ENERGY FROM WASTE</u>
4:00 PM - 4:20 PM	<u>Energy from Waste - 10</u> <u>Rocking EfW in the West. Marc</u> <u>Stammbach, Managing Director,</u> <u>Hitachi Zosen Inova Australia Pty Ltd</u>
4:20 PM - 4:40 PM	<u>Energy from Waste - 11</u> <u>Topic and presenter TBC</u>
4:40 PM - 5:00 PM	<u>Energy from Waste - 12</u> <u>Topic and presenter TBC</u>
6:30 PM - 11:59 PM	<u>Conference Finale Buffet</u> <u>The Conference Finale Buffet will be</u> <u>held on the outdoor terrace at Opal</u> <u>Cove Resort (weather permitting), and</u> <u>in the Horizons Restaurant</u>

	<u>Stream 3</u>
8:00 AM - 8:40 AM	<u>REGISTRATION AND COFFEE -</u> <u>THURSDAY</u>
8:40 AM - 8:45 AM	<u>Welcome Address from the Chair</u> <u>Gayle Sloan, CEO, Waste</u> <u>Management Association of Australia</u>
8:45 AM - 9:05 AM	<u>Keynote Address 4: Title TBC</u> <u>Presenter TBC</u>

<https://www.coffswasteconference.com.au/QuickEventWebsitePortal...> 23/02/2018

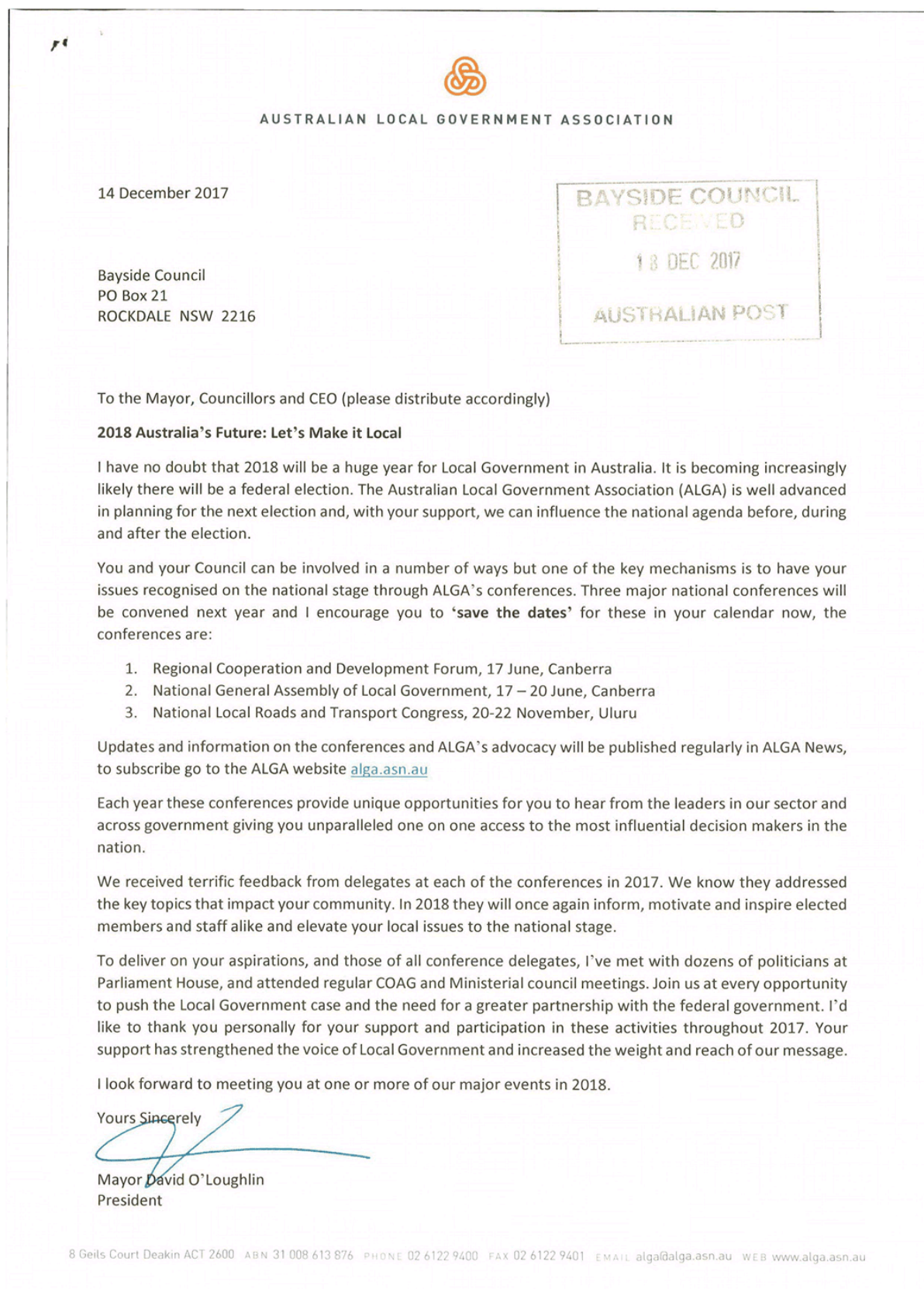
9:05 AM - 9:25 AM	<u>Keynote Address 5: Title TBC</u> <u>Presenter TBC</u>
9:25 AM - 9:45 AM	<u>Keynote Address 6: What is the future of waste in Australia & New Zealand</u> <u>Justin Frank, Director of Marketing, Communications & Key Accounts, SUEZ</u>
9:45 AM - 11:00 AM	<u>Panel Discussion 3: Waste policies and regulations in Australia's states and territories</u> <u>Click for details on facilitator and panel members</u>
11:00 AM - 11:30 AM	MORNING TEA - THURSDAY
	PROBLEM & HAZARDOUS WASTE
11:30 AM - 11:50 AM	<u>Problem Waste - 1</u> <u>Bringing life back to end of life tyres.</u> <u>Katherine Dodd, Senior Environmental Scientist, AECOM Australia</u>
11:50 AM - 12:10 PM	<u>Problem Waste - 2</u> <u>Lessons from the international experience managing end-of-life mattresses - Awkward end of life goods. Janelle Wallace, General Manager, Soft Landing Mattress Product Stewardship Scheme</u>
12:10 PM - 12:30 PM	<u>Problem Waste - 3</u> <u>Getting Smart with eWaste: an Australian maturity index. Blaise Porter, Sustainability Manager, Oceania, Fujitsu</u>

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12:30 PM - 12:50 PM	<u>Problem Waste - 4</u> <u>Glass recycling: Trials and tribulations... the Local Government experience. Kevin Trustum, Commercial Services Business Manager, Lismore City Council</u>
12:50 PM - 1:10 PM	<u>Problem Waste - 5</u> <u>Tyre pyrolysis: Guidance for regulators, councils and investors on pyrolysis initiatives. Liam O'Keefe, Market Development Manager, Tyre Stewardship Australia</u>
1:10 PM - 2:10 PM	<u>LUNCH - THURSDAY</u>
	<u>REGULATION & LEVIES</u>
2:10 PM - 2:30 PM	<u>Regulation & Levies - 6</u> <u>Participating in the National Greenhouse and Energy Reporting (NGER) scheme. Stuart Dyke, Assistant Director, Compliance and Assessment, Clean Energy Regulator</u>
2:30 PM - 2:50 PM	<u>Regulation & Levies - 7</u> <u>Topic and presenter TBC</u>
2:50 PM - 3:10 PM	<u>Regulation & Levies - 8</u> <u>Updates from the Land & Environment Court on recent key waste case law. Kim Glassborow, Partner, G&B Lawyers</u>
3:10 PM - 3:30 PM	<u>Regulation & Levies - 9</u> <u>Challenges and opportunities for the waste management sector under the Emissions Reduction Fund. Mr James Bulinski, Managing Director, CO2 Australia Limited</u>

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3:30 PM - 4:00 PM	<u>AFTERNOON TEA - THURSDAY</u>
	DISASTER WASTE MANAGEMENT
4:00 PM - 4:20 PM	<u>Disaster - 10</u> <u>From Quake to Skate: recycling the</u> <u>broken into recovery and recovery into</u> <u>the future. Natalie Absalom, Case</u> <u>Manager (Waste), Kaikoura District</u> <u>Council</u>
4:20 PM - 4:40 PM	<u>Disaster - 11</u> <u>Emergency waste management</u> <u>planning. Alex Upitis, Senior Waste</u> <u>Management Consultant - Waste Lead</u> <u>NSW & VIC, Talis Consultants</u>
4:40 PM - 5:00 PM	<u>Disaster - 12</u> <u>Emergency waste management in</u> <u>Western Australia. Alison Edmunds,</u> <u>Senior Consultant, ASK Waste</u> <u>Management</u>
6:30 PM - 11:59 PM	<u>Conference Finale Buffet</u> <u>The Conference Finale Buffet will be</u> <u>held on the outdoor terrace at Opal</u> <u>Cove Resort (weather permitting), and</u> <u>in the Horizons Restaurant</u>



Established ALGA Policy Areas

Financial Assistance Grants

Adequate and appropriate Local Government services and infrastructure are critical to all communities. The Commonwealth Financial Assistance Grants are important to all councils. Success has been achieved in the last 12 months by restoration of the indexation of the Financial Assistance Grants (FAGs). ALGA's priority in this area is to continue advocating for FAGs funding to be increased to a level equal to at least one per cent of commonwealth taxation revenue.



Freight Strategy

Local government manages around 75 per cent of Australia's local roads network. These roads were generally built decades ago and today are required to carry increasing amounts of freight, including higher productivity vehicles. Poor and unsafe roads are a barrier to increased productivity. ALGA's priority is the promotion and development of a freight strategy with funding of \$200m per year for five years to address first and last mile access issues, leading to an increase in local, regional and national productivity.



Roads to Recovery

The Roads to Recovery Program provides councils with essential additional funding to help address the backlog of maintenance and renewal of local roads. Success was achieved with Roads to Recovery by having the expiration date removed and essentially creating an ongoing program. Further work in this area is being undertaken to ensure Roads to Recovery funding is permanently doubled.



Additional Local Roads Funding for South Australia

Additional funding for South Australian local roads to address an anomaly in FAGs ceased in 2014. It was reinstated in 2017–18 but only for two years. The focus is now on securing ongoing additional funding for South Australian local roads, indexed annually in line with FAGs.



Climate Change Plans

Many councils are addressing or wish to address climate change. With the important role Local Government can play helping the Australian Government to achieve internationally agreed climate change targets, a priority has been placed on supporting councils to work with local businesses and communities to implement local and regional Climate Change Adaptation Plans.



Indigenous

Addressing Indigenous disadvantage across Australia is a priority for all Australian governments. Advocacy is about closing the gap between Indigenous and non-Indigenous Australians in the areas of housing, health, early childhood development, education, economic participation and remote service delivery.



Community Infrastructure

Funding support for community infrastructure will enable all local councils to plan and deliver adequate and appropriate community infrastructure. ALGA is urging political parties to commit to specific local government community infrastructure funding at the level of \$300 million per annum over the next four years.



NGA 2018

National Convention Centre Canberra
17-20 June 2018

National General Assembly of Local Government Call for Motions Discussion Paper

Australia's Future, Make it Local

The purpose of this discussion paper is to provide guidance to councils for the development of Motions for debate at the 2018 National General Assembly. The paper provides an overview of policy areas in which the NGA has well-established positions and identifies potential new and emerging policy areas which are being developed by ALGA and require detailed consideration. Councils are particularly encouraged to submit Motions on these policy areas.

Highlighting the issues below contributes to implementing ALGA's Strategic Plan 2017-2020 and its objectives to:

- strengthen Local Government in the areas of financial sustainability; delivering services in regional cities; infrastructure; and innovation and digital transformation, as well as,
- facilitating collaboration between state and territory associations in Local Government's role in Indigenous policy issues, scale and capacity; women in Local Government; and diversity in representation.

Criteria for Motions

Motions must meet the following criteria:

- ✓ be **relevant** to the work of local government **nationally**
- ✓ be **consistent with the theme** of the NGA
- ✓ **complement or build** on the policy objectives of your state and territory local government association
- ✓ be submitted by a council which is a **financial member** of their state or territory local government association
- ✓ propose a **clear action and outcome**
- ✓ **not be advanced** on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Your Opportunity

The primary focus of all Motions should be to strengthen the capacity of local government to provide services and infrastructure in Australia. Providing clear actions within areas that are still emerging provides councils with an opportunity to influence the development of ALGA policy and advocacy by ALGA on federal election commitments.

Emerging Issues

Councils across Australia are constantly being asked to do more with less. Changing community needs, including ageing populations, technological advancements and changing economic circumstances, are a challenge for all communities.

Analysis suggests that a Commonwealth election may well be called between August 2018 and May 2019. The 2018 NGA therefore provides an important opportunity to progress Local Government issues in the Federal agenda. Below are some critical areas in which Local Government needs to consider the role it can in local communities on the national stage. In particular, the 2018 NGA is calling for Motions that provide clear policy advice and/or policy initiatives that will help Local Government to address the following policy challenges:

Housing Affordability

Housing affordability is a major challenge in many communities. The Commonwealth frequently asserts that housing affordability is a problem because of the supply of housing. As such there has been a focus on planning reform.

Motions are called for on ways to improve housing supply and improve land use planning and associated local government infrastructure to support increased housing supply.

Financial Sustainability – Oppose Cost Shifting

In 2005 The House of Representatives Inquiry into Cost Shifting from States onto Local Government estimated that cost shifting amounted to between \$500m - 1.4b annually. This includes regulatory and other services that Local Government provided on behalf of states without adequate compensation.

Motions are called for on ways to reduce cost shifting from states and the Commonwealth on to Local Government and on areas of regulatory reform and services that Local Government could provide efficiently and effectively on behalf of states or the Commonwealth if appropriately funded.

Innovation and Digital Transformation – Smart Communities

Technological advancements are changing the way councils communicate with citizens and deliver services and infrastructure.

Motions are called for on ways to improve the ability of councils to support their community to understand and benefit from digital transformation, ways to improve data, protect privacy and increase security of council-held data.

Harmonising Local Government Data

National Local Government data is held in a variety of places and is often of variable quality. National advocacy on behalf of Local Government needs a strong evidence base. ALGA has been working with JRA on the State of the Assets project which collects data on the quality and condition of all local government assets. Increasingly, councils are being required to provide data to third parties.

Motions are called for on ways to improve the collection of local government data, how data could be better linked across the sector, and ways to improve the quality of data.

Cyber Security

Recent malware attacks have highlighted the vulnerability of business and government computer systems. Strong measures are required to ensure that all Australians and Australian businesses and governments are aware of the risks and take appropriate measures to ensure cyber security.

Motions are called for on ways to improve local government cyber security.

Environment

Local Government plays a critical role in environmental management, with actions often embedded into other day to day operations as well as included in economic management considerations

Motions are called for on what should be national priorities and on ways to improve environmental management systems, waste management, product stewardship and biodiversity.

Regional Development

Local Government plays a critical role in regional development, with an active role working with neighbouring councils, industry, state government agencies, community and other key stakeholders to set and achieve regional goals.

Motions are called for on ways to improve regional policy approaches, funding ideas on regional sustainability and equity.

Motions should be lodged electronically using the online form available on the NGA webpage at: alga.asn.au. All Motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and the endorsement of your Council.

Motions should be received by ALGA no later than **11:59pm on Friday 30 March 2018**.

Council Meeting

14/03/2018

Item No	8.15
Subject	Disclosure of Interest Returns - Designated Persons
Report by	Fausto Sut, Manager Governance & Risk
File	SC17/287

Summary

This report provides information regarding Returns recently lodged with the General Manager by Designated Persons.

The Local Government Act 1993 details the statutory requirements in respect of the lodgement of Disclosure of Pecuniary Interest and Other Matters Returns by Councillors and Designated Persons. In accordance with those requirements Council is asked to note that the Disclosure of Pecuniary Interest and Other Matters lodged with the General Manager have been tabled.

Officer Recommendation

That the information be received and noted.

Background

Section 450A of the Local Government Act, 1993, relates to the register of Pecuniary Interest Returns and the tabling of these Returns, which have been lodged by Designated Persons.

Section 450A of the Act is as follows:

450A Register and tabling of Returns:

- 1 The general manager must keep a register of returns required to be lodged with the general manager under section 449.***
- 2 Returns required to be lodged with the general manager under section 449 must be tabled at a meeting of the council, being:***
 - a in the case of a return lodged in accordance with section 449(1) – the first meeting held after the last day for lodgement under the subsection, or***
 - b in the case of a return lodged in accordance with section 449(3) – the first meeting held after the last day for lodgement under that subsection, or***
 - c in the case of a return otherwise lodged with the general manager – the first meeting after lodgement.***

With regard to Section 450A(1), a register of all Returns lodged by Councillors and Designated Persons in accordance with Section 449 of the Act is currently kept by Council as required by this part of the Act.

With regard to Section 450A(2)(a), all Returns lodged by Designated Persons under Section 449(1) of the Act, (i.e. their first Return) must be lodged with the General Manager within three months of being a Designated Person and the General Manager must table Returns at the first meeting after the three month period.

Accordingly, in accordance with Section 450A(2)(a) the following Section 449(1) returns have been lodged by the due date.

Position	Return Date	Due Date	Date Lodged
Senior Strategic Asset Engineer	13 December 2017	13 March 2018	19 December 2017
Asset Project Officer	4 December 2017	4 March 2018	4 March 2018
Asset Project Officer	4 December 2017	4 March 2018	4 March 2018

The returns are now tabled in accordance with Section 450A(2)(a) of the Act and are available for inspection if required.

Financial Implications

Not applicable



Community Engagement

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

Attachments

Nil

Council Meeting

14/03/2018

Item No 9.1
Subject **Minutes of the Community Relations Committee Meeting - 21 February 2018**
Report by Meredith Wallace, General Manager
File SF17/2770

Officer Recommendation

That the Minutes of the Community Relations Committee meeting held on 21 February 2018 be received and the recommendations therein be adopted.

Present

Councillor Michael Nagi
Councillor Dorothy Rapisardi
Councillor Ed McDougall

Also present

Meredith Wallace, General Manager
Karen Purser, Community Capacity Building & Engagement
Fausto Sut, Manager Governance & Risk
Vince Carrabs, Head of Communications and Events
Kylie Gale, Coordinator of Events
Councillor Andrew Tsounis
Councillor Ron Bezic
Councillor Liz Barlow

The Chairperson opened the meeting in the Meeting Room, Botany Town Hall at 6:00pm.

1 Acknowledgement of Traditional Owners

The Chairperson 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 Apologies

The following apologies were received:

Councillor Scott Morrissey

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

Nil

5 Reports

5.1 Terms of Reference

Committee recommendation

- 1 That the attached Terms of Reference be received and noted.
- 2 That the schedule of meeting dates be received and noted.

5.2 Major Event Calendar 2018

Committee recommendation

- 1 That consideration of the item be deferred for the next meeting to enable councillors an opportunity to further the proposed events schedule.
- 2 That a report come back to the Committee on the options for providing more food outlets and/or a market type activity along Bay Street during the New Year's Eve (NYE) Fireworks Event.
3. That the Chair of the Committee or his nominee be invited to attend the next briefing with external agencies on the NYE Event.

5.3 Key Focus Areas and Name Change

Committee recommendation

- 1 That the name of the Committee be retained as the "Community Relations Committee" with objectives as previously approved.
- 2 That the Committee maintain the name "Community Relations Advisory Committee" and the key focus areas be as outlined this report and include community engagement, communications and events, customer service and electoral matters.

6 General Business

6.1 Additional Events

Councillor McDougall raised the issue of planned events for the suburbs of Arncliffe and Banksia. Firth Street, Arncliffe and Walz Street, Rockdale were identified as the type of locations that might be considered and the aim of something similar to Lakemba's Eid Festival.

Committee recommendation

That a report come back to the Committee on options for an EID festival including suitable locations.

6.2 Customer Service Update

Councillor Nagi sought a progress report on Council's Customer Improvement Program.

Committee recommendation

That a progress report be provided to the next meeting of the Community Services and Library Advisory Committee on the progress of the Customer Service Improvement Program, including suggested key performance measures and current statistics.

6.3 Standfield Park

Councillor Nagi enquired about the consultation processes and progress on the works at Standfield Park.

Committee recommendation

That a status report on the works at Standfield Park be provided to the next meeting.

6.5 Summary of Actions arising from the Meeting of 21 February 2018

Meeting	Item	Action	Due Date	Responsible Officer
21/2/18	5.2.2	That a report come back to the Committee on the options for providing more food outlets and/or a market type activity along Bay Street during the New Year's Eve (NYE) Fireworks Event.	18/4/18	Head of Communication & Events
21/2/18	5.2.3	That the Chair of the Committee or his nominee be invited to attend the next briefing with external agencies on the NYE Event.	28/2/18	Head of Communication & Events

Meeting	Item	Action	Due Date	Responsible Officer
21/2/18	6.1	That a report come back to the committee on options for an EID festival including suitable locations.	18/4/18	Head of Communication & Events
21/2/18	6.2	That a progress report be provided to the next meeting of the Community Services and Library Advisory Committee on the progress of the Customer Service Improvement Program including suggested key performance measures and current statistics.	21/3/18	Manager Customer Experience
21/2/18	6.3	That a status report on the works at Standfield Park be provided to the next meeting.	18/4/18	Manager City Infrastructure.

7 Next Meeting

The next meeting is to be held in the Meeting Room, Botany Town Hall at 6.30pm on Wednesday, 18 April 2018.

The Chairperson closed the meeting at 7.18pm

Attachments

Nil

Council Meeting

14/03/2018

Item No	9.2
Subject	Minutes of the Bayside Traffic Committee Meeting - 7 March 2018
Report by	Jeremy Morgan, Manager City Infrastructure
File	SF17/2770

Officer Recommendation

That the Minutes of the Bayside Traffic Committee meeting held on 7 March 2018 be received and the recommendations therein be adopted.

Present

Councillor Ed McDougall – Convenor,
Senior Constable Andrew Chu, St George Local Area Command,
Senior Constable Alexander Weissel, Botany Bay Police
Les Crompton, representing State Member for Kogarah,
George Perivolarellis, representing State Members for Rockdale and Heffron,

Also present

Jeremy Morgan, Manager City Infrastructure, Bayside Council,
Pintara Lay, Coordinator Traffic and Road Safety, Bayside Council,
Lyn Moore, NSW Pedestrian Council,
Joe Scarpignato, St George Cabs,
Peter Whitney, State Transit Authority
Tony Moujalli, State Transit Authority
Peter Hannett, St George Bicycle User Group,
David Carroll, Acting/Coordinator Regulations,
Agasteena Patel, Traffic Engineer, Bayside Council,
Pat Hill, Traffic Committee Administration Officer, Bayside Council,
Julie Gee, Senior Project Landscape Architect, Bayside Council (Informal Session, Pine Park & Brighton Street)
Faisal Nadeem, Project Engineer, Bayside Council (Informal Session, BTC18.21)
Sonia Tung, Project Manager, Bayside Council (Informal Session, BTC18.21)
Colin Mable, Executive Engineer, Bayside Council (Informal Session, (1) Innesdale Road/Marsh Street and (2) Heffron Road and Banks Avenue)

The Convenor opened the meeting in the Rockdale Town Hall – Pindari Room, Level 1, 448 Princes Highway, Rockdale at 9.25 am.

1 Apologies

The following apologies were received:

James Suprain, representing Roads and Maritime Services,

2 Disclosures of Interest

There were no disclosures of interest.

3 Minutes of Previous Meetings

BTC18.019 Minutes of the Bayside Traffic Committee Meeting - 7 February 2018

Committee Recommendation

That the Minutes of the Bayside Traffic Committee meeting held on 7 February 2018 be received and the recommendations therein be adopted.

4 Reports

BTC18.020 Alexandra Parade, Rockdale - Detailed Design Drawings for the proposed traffic calming scheme

Committee Recommendation

That endorsement be given for the implementation of speed humps in Alexandra Parade as shown in the attachment.

BTC18.021 Alfred Street north of Ramsgate Road, Ramsgate Beach - proposed new parking at the landscaped median island and the installation of 4 hour parking limit

Committee Recommendation

- 1 That endorsement be given to the construction of the new car park, comprising of 24 x 90 degree angle parking, in the landscaped median island of Alfred Street north of Ramsgate Road, Ramsgate Beach.
- 2 That approval be given to the installation of '4P, 8.30 am – 6 pm, Mon – Sat' restriction on the 14 parking spaces in the southern side of the car park, nearer to the shops, in Alfred Street north of Ramsgate Road.

BTC18.022 Beaconsfield Street, Bexley - proposed 'No Parking' restrictions adjacent to the traffic island near number 77

Committee Recommendation

That approval be given to the installation of 'No Parking' restriction across the existing traffic island on both sides of Beaconsfield Street as follows:

- 1 32m 'No Stopping' restriction along northern kerbline from the chicane to property boundary of 62 and 58A

- 2 22m 'No Stopping' restriction along southern kerbline from the chicane to 1m west of driveway of number 77

BTC18.023 Dalley Avenue, Pagewood Public School - proposed change from 90 degree angle parking to parallel parking arrangements

Committee Recommendation

That this matter be deferred for further consultation with the Principal and Port Botany Ward Councillors.

BTC18.024 Russell Avenue car park east of Malua Street, Dolls Point - proposed change from 'No Stopping, 10pm-5am' restriction to unrestricted parking limit

Committee Recommendation

That approval be given to the proposed change from 'No Stopping, 10 pm – 5 am' restriction to unrestricted parking limit for 12 parking spaces in Russell Avenue Car Park between Malua Street and Primrose House, Dolls Point.

BTC18.025 St Catherine Greek Orthodox Church, Coward Street, Mascot - Road Closures for the Easter Service on Friday 6 April 2018 between 9.15pm and 10.30pm

Committee Recommendation

- 1 That Committee endorse the proposed partially road closures of Oliver Street, Forster Street, Aloha Street, and Coward Street near St Catherine Greek Orthodox Church on Friday 6 April 2018 starting from 9.15pm to 10.30pm subject to conditions.
- 2 That the Church Management be requested to organise with Botany Bay Police for the escort or provide their own traffic control plan and notify public authorities of their event.
- 3 That the Church Management be requested to instruct the participants to keep the noise to the minimum level when participating in the street procession.
- 4 That affected residents and local businesses in the area be notified of the event by the Church Management, a 5 day prior to the event.

BTC18.026 Warrana Street east of Pemberton Street, Botany - Proposed No Stopping" restrictions

Committee Recommendation

That approval be given to the provision of additional traffic safety measures in

Warrana Street east of Pemberton Street as follows:

- 1 A 22m 'No Stopping' along the southern kerb line
- 2 A 20m 'No Stopping' along the northern kerb line

BTC18.027 38 Wilson Street, Botany - Proposed removal of parking space for people with disability

Committee Recommendation

That the proposed removal of parking space for people with disability in front of No. 38 Wilson Street, Botany, be approved.

BTC18.028 General Business Session - Additional Items

Committee Recommendation

There were no additional items raised.

5 General Business

The Convenor closed the meeting at 10.06am.

Attachments

Nil

Council Meeting

14/03/2018

Item No	10.1
Subject	Notice of Motion - Proposed Works for Standfield Park, Mascot
Submitted by	Bill Saravinovski, Mayor Michael Nagi, Councillor
File	F17/72

Summary

This Motion was submitted by Councillors Saravinovski and Nagi.

Motion

- 1 That Council expedite the works to improve Standfield Park, Mascot to the budget estimate of \$75,000.
 - 2 That Council prioritise allocating the funding for the works at its 3rd Quarter 17/18 Budget review.
-

Background

Supporting Statement by Councillors

Council previously received information about the cost of improvements to Standfield Park, Mascot including the construction of a shade sail. At the 3rd Quarterly Review there will undoubtedly be savings in the Operational Budget. This motion, if adopted, ensures that the required funding (\$75k) will be allocated to the works at Standfield Park from those identified savings.

As the works require a 22 week program from survey and soil testing to completing the construction it is important that we expedite this project to ensure completion prior to next summer.

Comment by General Manager:

This Notice of Motion is in order and can be dealt with.

Attachments

Nil

Council Meeting

14/03/2018

Subject **Closed Council Meeting**

Summary

This report recommends that the Council Meeting be closed to the press and public in order to consider the items 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 items in closed Council Meeting, from which the press and public are excluded, for the reasons indicated:

12.1 CONFIDENTIAL - Sydney Airport Civil Grounds Maintenance - 4826 - SPA, SPB and SPC.

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.