

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 9 May 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**
 - 5.1 Minutes of the Council Meeting - 11 April 2018.....3
- 6 MAYORAL MINUTES**
 - 6.1 Mayoral Minute - Prosecution of Bill Posters.....15
- 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.
- 8 REPORTS**
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10	NOTICES OF MOTION	
	Nil	
11	QUESTIONS WITH NOTICE	
12	CALL FOR RESCISSION MOTIONS	

The meeting will be video recorded 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

9/05/2018

Item No	5.1
Subject	Minutes of the Council Meeting - 11 April 2018
Report by	Bruce Cooke, Acting Manager Governance
File	SF17/2772

Officer Recommendation

That the Minutes of the Council meeting held on 11 April 2018 be confirmed as a true record of proceedings.

Present

Mayor, Councillor Bill Saravinovski
Deputy Mayor, Councillor Joe Awada
Councillor Liz Barlow
Councillor Christina Curry
Councillor Tarek Ibrahim
Councillor Ed McDougall
Councillor Scott Morrissey
Councillor Michael Nagi
Councillor Vicki Poulos
Councillor Dorothy Rapisardi
Councillor Paul Sedrak arrived late at 7:27 pm
Councillor Andrew Tsounis

Also present

Meredith Wallace, General Manager
Colin Clissold, Director City Presentation
Debra Dawson, Director City Life
Fausto Sut, Acting Director City Performance
Michael McCabe, Director City Futures
Bruce Cooke, Acting Manager Governance & Risk
Clare Harley, Manager Strategic Planning
Jeremy Morgan, Manager City Infrastructure
Samantha Urquhart, Manager Property
Karen Purser, Manager Community Capacity Building
Michael Azzi, Acting Manager Compliance
John Walsh, Internal Auditor
Tracey Moroney, Manager Airport Business Unit
Liz Rog, Manager Executive Services
Vincenzo Carrabs, Head of Communications & Events
Matthew Walker, Manager Finance
Ian Vong, IT Support Officer
Lauren Thomas, Governance 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 recorded 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 Augustinos Nada from St Mark Coptic Orthodox Church in Arncliffe, opened the meeting in prayer.

3 Apologies

RESOLUTION

Minute 2018/061

Resolved on the motion of Councillors Nagi and Ibrahim

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

Councillor James Macdonald

Councillor Petros Kalligas

Councillor Ron Bezic

And the anticipated late arrival of Councillor Paul Sedrak.

4 Disclosures of Interest

There were no disclosures of interest.

5 Minutes of Previous Meetings

5.1 Minutes of the Council Meeting - 14 March 2018

RESOLUTION

Minute 2018/062

Resolved on the motion of Councillors Tsounis and McDougall

That the Minutes of the Council meeting held on 14 March 2018 be confirmed as a true record of proceedings subject to the following amendment:

Item 8.14 - Conferences - Councillor Attendance – the name ‘Councillor Saravinovski’ be removed from the list of attendees at the National General Assembly of Local Government to be held on 17-20 June 2018 in Canberra.

5.2 Minutes of the Extraordinary Council Meeting - 28 March 2018

RESOLUTION

Minute 2018/063

Resolved on the motion of Councillors Barlow and Tsounis

That the Minutes of the Extraordinary Council meeting held on 28 March 2018 be confirmed as a true record of proceedings.

6 Mayoral Minutes

6.1 Mayoral Minute - Freedom of Entry to the City

RESOLUTION

Minute 2018/064

Resolved on the motion of Councillors Tsounis and Barlow

That Bayside Council acknowledges and agrees to the request to bestow the ‘Freedom of Entry to the City’ to the Army Corps 9th Regiment, Royal Australian Artillery (RAA), Kogarah, observing the military protocols prescribed for the occasion.

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 Draft Community Strategic Plan for Exhibition

RESOLUTION

Minute 2018/065

Resolved on the motion of Councillors Nagi and Awada

That Council resolves to place the Draft Community Strategic Plan on public exhibition for 28 days.

8.2 Impounding of Vehicles Policy

RESOLUTION

Minute 2018/066

Resolved on the motion of Councillors Tsounis and Morrissey

That Council resolves to adopt the Impounding of Vehicles policy.

8.3 Tender Evaluation SC16/5 Synthetic Playing Field and Flood Mitigation Arncliffe Park

RESOLUTION

Minute 2018/067

Resolved on the motion of Councillors Nagi and Ibrahim

- 1 That the attachment to this report be withheld from the press and public as it contains commercial information of a confidential nature 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 these matters 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 Regulation 178(1)(b) of the Local Government (General) Regulations 2005, Council declines to accept any of the tenders as the single tender submitted was deemed to not provide good value for money and the broad scope of services required may have discouraged smaller more specialised firms from bidding.
- 3 That in accordance with Regulation 178(3)(b) of the Local Government (General) Regulations 2005 Council invites fresh quotations based on a reduced scope.

8.4 Supply and Lay Asphalt plus Associated Services for Bayside Council's Annual Road Pavement Maintenance Program

RESOLUTION

Minute 2018/068

Resolved on the motion of Councillors Nagi and Ibrahim

- 1 That the attachment to this report be withheld from the press and public as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council meeting, it would, on balance, be contrary to the public interest due to the issues it deals with.
- 2 That, in accordance with Regulation 178(1) a of the Local Government (General) Regulations 2005, Council accepts the Tender from D & M Excavations and Asphalt Pty Ltd for a lump sum of \$2,151,124.00 (incl. of GST) and provisional items (Utility adjustment, Traffic Loop and associated works) with the amount of \$27,396.87, (incl. of GST) for contract F18/13, Supply and Lay Asphalt plus Associated Services, under Local Government Procurement Pty Ltd (LGP) Contract 213 - Bitumen, Emulsions and Asphalt materials and Services.

8.5 Post Exhibition Report - Amended VPA - 130-150 Bunnerong Road, Pagewood

RESOLUTION

Minute 2018/069

Resolved on the motion of Councillors Awada and Sedrak

- 1 That Council resolves to accept the publicly exhibited amendments to the Voluntary Planning Agreement in relation to 130-150 Bunnerong Road, Pagewood.
- 2 That the General Manager be authorised to finalise the commercial terms of the Amendment to the VPA and sign the required documentation to finalise the mater.

8.6 Exhibition of the Amended Botany Bay s94 Developer Contributions Plan 2016

Mr Ron Hoenig, Member of Parliament, speaking against the Officer Recommendation, addressed the Council in relation to Item 8.6.

RESOLUTION

Minute 2018/070

Resolved on the motion of Councillors Nagi and Ibrahim

That Council resolves to endorse Amendment 1 of the *City of Botany Bay S.94 Developer Contributions Plan 2016*, and publically exhibit the amendment for a minimum of 28 days as required by Clause 28 of the Environmental Planning and Assessment Regulation 2000.

Suspension of Standing Orders

RESOLUTION

Minute 2018/071

Resolved on the motion of Councillors Nagi and Awada

That Item 8.7 be deferred to the Closed Meeting of Council.

8.8 Bint Jbeil Sister City Committee Application for Fee Waiver

RESOLUTION

Minute 2018/072

Resolved on the motion of Councillors Awada and Ibrahim

That Council approves a 100% fee waiver to the Bint Jbeil Sister City Committee for use of the Arncliffe Meeting Room in Coronation Hall for a period of 12 months.

8.9 Bayside Advisory Committees - Terms of Reference

RESOLUTION

Minute 2018/073

Resolved on the motion of Councillors Nagi and Ibrahim

- 1 That the amended Bayside Advisory Committees Terms of Reference, as attached to the report, be adopted.
- 2 That, where possible, Advisory Committee meetings be held on Mondays.

8.10 Statutory Financial Report February 2018

RESOLUTION

Minute 2018/074

Resolved on the motion of Councillors Barlow and Tsounis

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

8.11 Disclosure of Interest Returns - Designated Persons

RESOLUTION

Minute 2018/075

Resolved on the motion of Councillors Awada and Nagi

That the information be received and noted.

8.12 Response to Question - Uncollectable Revenue Relating to Dog Impounding

The response to the question was noted.

9 Minutes of Committees**9.1 Minutes of the Public Works & Maintenance Committee Meeting - 28 February 2018**

RESOLUTION

Minute 2018/076

Resolved on the motion of Councillors Nagi and Awada

That the Minutes of the Public Works & Maintenance Committee meeting held on 28 February 2018 be received and the recommendations therein be adopted.

9.2 Minutes of the Sport & Recreation Committee Meeting - 21 March 2018

Mr Ron Hoenig, Member of Parliament, speaking against the Officer Recommendation for 'Item 5.4 - Sports & Recreation Fees and Charges Harmonisation' - within the Minutes of the Sport and Recreation Committee Meeting held on 21 March 2018, addressed the Council.

RESOLUTION

Minute 2018/077

Resolved on the motion of Councillors Morrissey and Tsounis

That the Minutes of the Sport & Recreation Committee meeting held on 21 March 2018 be received and the recommendations therein be adopted with the following amendment:

Item 5.2 – Angelo Anestis Aquatic Centre Management Plan - point 2 of the resolution should read:

That the Committee defers the BlueFit proposal for reciprocal rights between Angelo Anestis Aquatic Centre and Hurstville Aquatic Leisure Centre as it views the proposal to be a low priority for Council in the short term.

9.3 Minutes of the Bayside Traffic Committee Meeting - 4 April 2018

RESOLUTION

Minute 2018/078

Resolved on the motion of Councillors McDougall and Tsounis

That the Minutes of the Bayside Traffic Committee meeting held on 4 April 2018 be received and the recommendations therein be adopted.

10 Notices of Motion

There were no Notices of Motion.

11 Questions With Notice

11.1 Indicative Line Markings Near Residential Driveways

Councillor McDougall:

What policy does Council have regarding the provision of indicative line markings near residential driveways and what activities led to the policy?

What policy do our neighbouring councils have regarding the provision of indicative line markings near residential driveways?

RESOLUTION

Minute 2018/079

Resolved on the motion of the Mayor, Councillor Saravinovski

That an answer be submitted to the next meeting of Council.

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 2018/080

Resolved on the motion of Councillors Saravinovski and Tsounis:

- 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 - Kendall Street Reserve

In accordance with section 10A (2) (e) of the Local Government Act 1993, the matters dealt with in this report relate to information that would, if disclosed, prejudice the maintenance of law. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

12.2 CONFIDENTIAL - Short Term Use Strategy - Mascot Administration Centre

In accordance with section 10A (2) (c) of the Local Government Act 1993, the matters dealt with in this report relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

12.3 CONFIDENTIAL - Confidential - Sydney Airport Civil Grounds Maintenance - 4826 - SPA, SPB and SBC

In accordance with section 10A (2) (c) of the Local Government Act 1993, the matters dealt with in this report relate to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

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

8.7 Sale of Lots 101,103,104 in DP 445997 at 1545 Botany Road Mascot**RESOLUTION**

Minute 2018/081

Resolved on the motion of Councillors Nagi and Saravinovski

That this matter be deferred until Councillors have an opportunity to inspect the site.

12.1 Kendall Street Reserve**RESOLUTION**

Minute 2018/082

Resolved on the motion of Councillors Nagi and Poulos

- 1 That Council notes that Council has received a Preliminary Investigation Order (Order) under the Contaminated Land Management Act and is required to undertake a number of actions by specified dates prior to the final report to the EPA, with the due date 31 August 2018.
- 2 That Council notes that Edison Environmental and Engineering have been engaged as the suitably qualified contaminated land consultant in accordance with Action 5 a) of the Order.
- 3 That Council notes that a Conceptual Site Model has been completed and submitted to the EPA in accordance with Action 5 b) of the Order.
- 4 That Council notes that a draft Sampling and Analysis Plan (draft SAQP) has been completed and provided to the EPA in accordance with Action 5 c) of the Order.
- 5 That Council notes an expression of interest process has been completed and an EPA accredited Site Auditor has been appointed in accordance with Action 5 d) of the Order.
- 6 That funds of \$250,000 are allocated for consultants engaged to assist in meeting all Actions as outlined by the Preliminary Investigation Order.

12.2 Short Term Use Strategy - Mascot Administration Centre

Mr Ron Hoenig, Member of Parliament, speaking in relation to the subject of Item 12.2, addressed the Council.

RESOLUTION

Minute 2018/083

Resolved on the motion of Councillors Nagi and Barlow

- 1 That the attachment to this report be withheld from the press and public as it contains 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 below issues it deals with.
- 2 Seeking a commercial tenancy for 1011 Botany Road, Mascot (The Cottage).
- 3 Seeking community uses for the 1007 Botany Road, Mascot (Coronation Hall and Mascot Town Hall) by way of an expression of interest campaign.
- 4 Seeking commercial tenancy offers for 141 Coward Street, Mascot (Mascot Administration Building) and report the outcome back to Council.
- 5 That works required to prepare the above three properties for promotion are undertaken without undue delay.
- 6 That a further report be tabled for Council, providing an update on the progress of matters arising from this report.
- 7 That the Local Member of Parliament be briefed prior to the action being taken.

12.3 Confidential - Sydney Airport Civil Grounds Maintenance - 4826 - SPA, SPB and SBC

RESOLUTION

Minute 2018/084

Resolved on the motion of Councillors Nagi and Awada

- 1 That Council agrees to tender for the "Sydney Airport 4826 / 2018 Civil Grounds Maintenance – SPA, SPB and SPC.
- 2 That Council agrees to submit the tenders for the "Sydney Airport 4826 / 2018 Civil Grounds Maintenance –SPA, SPB and SPC.
- 3 That the draft financials tabled at the GM Briefing on 4 April 2018, be the minimum values tendered, pending final checks and balances.
- 4 That the General Manager be given delegated authority to sign the Tender Application and any associated documentation on behalf of Bayside Council in accordance with the commercial principles.

Resumption of Open Council Meeting

RESOLUTION

Minute 2018/085

Resolved on the motion of Councillors Saravinovski 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 General Manager made public the resolutions that were made during the closed part of the meeting.

13 Call For Rescission Motions

There were no Rescission Motions lodged at the meeting.

The Mayor closed the meeting at 8:30 pm.

Councillor Bill Saravinovski
Mayor

Meredith Wallace
General Manager

Attachments

Nil

Council Meeting

9/05/2018

Item No 6.1
Subject **Mayoral Minute - Prosecution of Bill Posters**
File F15/5

Motion

- 1 That Council supports a motion to the National Local Government Conference seeking a change in legislation regarding the prosecution of bill posters. The changes sought will assist Councils to better protect the environment and further enable Councils to prosecute the commercial entities who orchestrate the use of this advertising via placement of bill posters in local government areas across Sydney. Currently, limitations to prosecute and issue fines is restricted to Council's ability to catch the person in the act of placing the bill posters on state and local asset infrastructure.
 - 2 That Council formally writes to the Minister for the Environment, Local Government and Heritage, the Attorney General and local State Members seeking their support to amend current legislation regarding the prosecution of bill posters.
-

Mayoral Minute

I bring to your attention the matter of the illegal use of bill posters in public spaces. The unsightly sticky-taping of bill posters on state and local infrastructure diminishes civic pride and impacts on the environment as these bill posters deteriorate over time. I have recently received correspondence from a concerned member of the public, raising concerns about the illegal use of bill posters in public spaces.

The two main pieces of legislation related to enforcement and penalties for bill posters on state and local infrastructure is the Graffiti Control Act 2008 and the Protection of the Environment Operations Act 1997. It is acknowledged that there are current limitations around existing legislation. Namely, the legislation does not empower local councils to impose penalties on the commercial entities that orchestrate the use of this advertising. On-the-spot fines can only be issued to the individuals who are caught in the act of affixing the bill posters.

Council can currently remove bill posters that are placed on council owned infrastructure in public places, however when bill posters are affixed to assets that do not belong to Council (such as electricity poles), it is technically outside of Council's jurisdiction to have these bill posters removed.

An amendment to current legislation to empower council to prosecute the offending commercial enterprise for placing bill posters on state and local infrastructure would have a positive effect on preventing this illegal form of advertising at its source, creating a cleaner and greener environment and enhance civic pride in local communities.

Attachments

Nil

Council Meeting

9/05/2018

Item No	8.1
Subject	Operational Plan 2017/18 - Progress Report 31 December 2017
Report by	Bruce Cooke, Acting Manager Governance
File	F17/423

Summary

This report provides the statutory six months progress report on Council's Operational Plan 2017/18.

Officer Recommendation

That the attached Operational Plan 2017/18 Progress Report as at 31 December 2017 be received.

Background

Council adopted the current Operational Plan 2017/18 on 29 June 2017.

In accordance with s 404(5) Local Government Act 1993, Council must report progress every six months on the Delivery Program (and Operational Plan).

The attached Report, details the progress of each action in the Operational Plan as at 31 December 2017. In addition to the key capital works program projects, each of the following operational themes includes a summary of the key achievements in that particular area:

- Diverse, active, healthy and inclusive communities
- Liveable, accessible and vibrant neighbourhoods
- Sustainable and valued natural environment
- Trusted, effective and informed leadership.

The report also details progress on major projects:

- Eastgardens Library and Customer Service Centre
- Booralee Park, Botany Amenities Block
- Mutchpark Skatepark
- Bicentennial Park South Synthetic Playing Field
- Jellicoe Park amenities, kiosk and park embellishment.

The report will be uploaded to Council's website for the benefit of the community.

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 Progress Report will be accessible on Council's website.

Attachments

Operational Plan 2017/18 – Progress Report 31 December 2017 (under separate cover) [⇒](#)

Council Meeting

9/05/2018

Item No	8.2
Subject	Presentation of the Audited financial reports for the former City of Botany Bay Council for period ended 9 September 2016
Report by	Matthew Walker, Manager Finance
File	F09/744

Summary

The Audit Office of NSW as the appointed external auditor for the former City of Botany Bay Council has completed its audit of the financial reports for the period ending 9 September 2016 and has issued a disclaimer of opinion as anticipated and previously advised to Council. The financial reports have been lodged with the Office of Local Government as required and Council is also required to present its audited financial reports at a Council meeting.

Officer Recommendation

That Council receives and notes the presentation of the Audited financial reports for the former City of Botany Bay Council for period ended 9 September 2016.

Background

Council has received the audited reports for the Former City of Botany Bay Council and has lodged them with the Office of Local Government NSW. Under legislation Council is required to advertise the date of the meeting at which the audited financial reports will be tabled at a Council. The advertisements were placed in the local papers for the week commencing 23 April 2018. Further to this submissions can be received on the audited financial reports for a period of seven days following the date of the Council meeting which they are presented.

The Audit Office of NSW as the appointed external auditor for the former City of Botany Bay Council has completed its audit of the financial reports for the period ending 9 September 2016 and has issued a disclaimer of opinion. 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 shortfalls of the former City of Botany Bay Council.

Financial Implications

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

Additional funds required

☐

Community Engagement

Information about the presentation of the audited financial reports for the former City of Botany Bay council was advertised in the relevant local papers, copy of the audited financial reports have been placed on Council website, and available for inspection at the customer services centres, Rockdale and Pagewood. Submissions will be received up to seven days after the date of this meeting.

Attachments

Former City of Botany Bay Council Audited Financial Reports for period ended 9 September 2016 (under separate cover) [⇒](#)

Council Meeting

9/05/2018

Item No	8.3
Subject	Statutory Financial Report March 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 March 2018, Bayside Council had \$373.0m in cash and investments with an adjusted portfolio yield of 3.09%.

- Income from operating activities \$21.9m from rates and development & planning contributions.
 - Expenses from operating activities \$22.1m include payments for waste, utilities, contracts & infrastructure work.
-

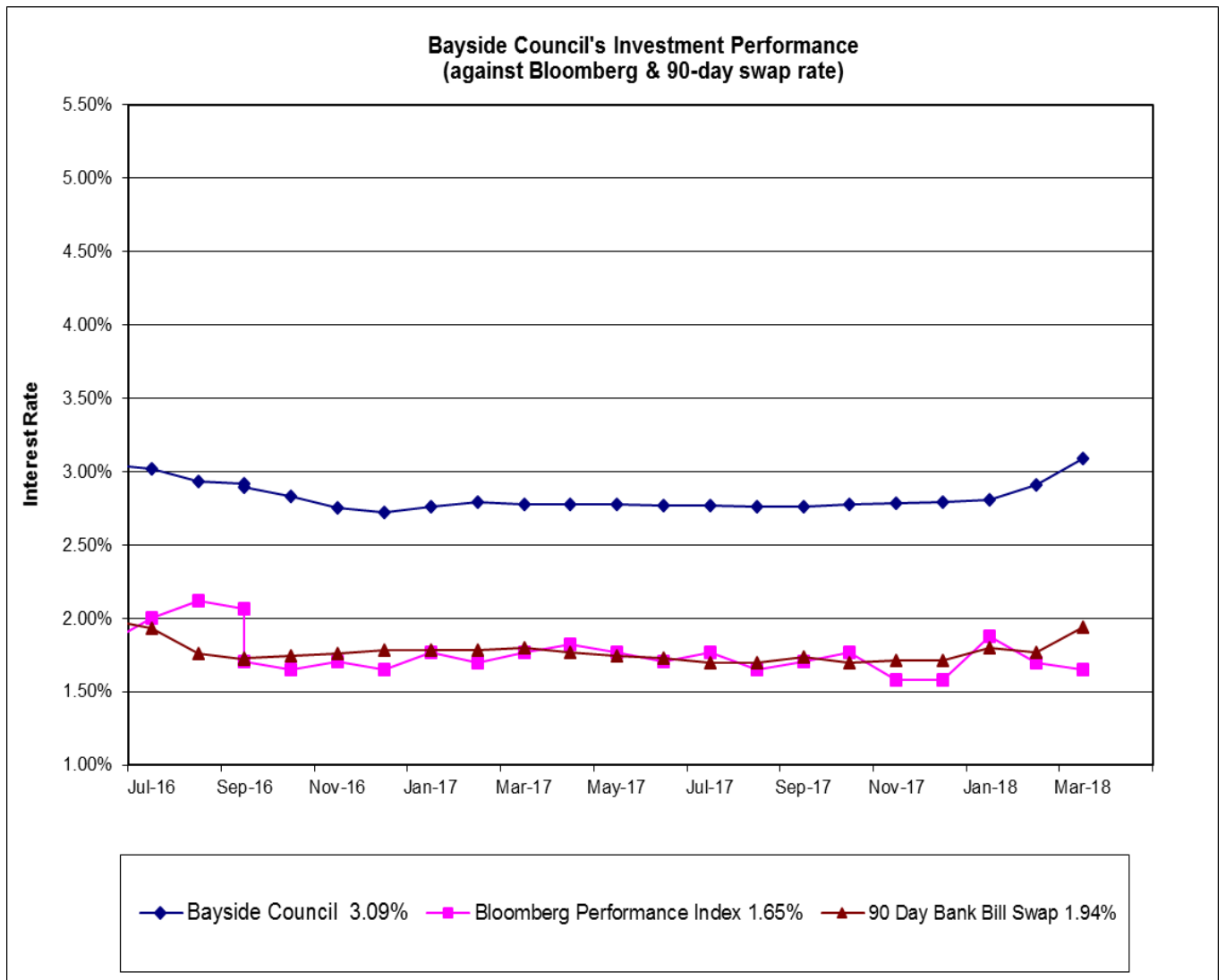
Officer Recommendation

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 144 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 following table shows details of movements in Council's cash at bank for the month of March.

STATEMENT OF BANK BALANCES AS AT 31 March 2018		
	GENERAL FUND	
Cash at Bank (Overdraft) as per Bank Statement as at:	28/02/2018	\$17,718,325
Add:		
Income from Operating Activities for the Period		
- Rates and other receipts*	\$6,406,221	
- Sundry Debtors	\$756,869	
- DA Fees, FCDs & Application Fees	\$765,374	
- Interest	\$522,376	
- Parking and Other Infringements	\$343,272	
- Rents, Leases, Booking Fees, Certificates & Licences	\$724,439	
- Sydney Airport Contract Income	\$923,473	
- Planning Contributions Income Bunnerong Rd	\$8,022,000	
- Grants	\$1,593,247	
- GST Recoverable	\$1,101,505	
- Childcare & Swimming Pool Income	\$278,651	
- S.94 Contributions	\$498,497	
Total Income from Operating Activities for the Period	\$21,935,924	
Less:		
Expenses from Operating Activities for the Period		
Accounts Paid for Period (includes urgent cheques & refunds)	-\$18,004,604	
Direct Payroll	-\$3,790,517	
Presented Cheques	-\$257,117	
Dishonoured Cheques	\$0	
Miscellaneous Expenses	-\$100	
Bank Charges (including Agency Fees)	-\$28,692	
Total Expenses from Operating Activities for the Period	-\$22,081,030	
Total Net Movement from Operating Activities:		-\$145,106
Investment Activities for the Period		
- Investments redeemed	\$25,500,000	
- Transfer from Short-Term Money Market	\$33,090,000	
- Transfer to Short-Term Money Market	-\$39,250,000	
- New Investments	-\$35,000,000	
Net Investment Flows for the Period	-\$15,660,000	
Funding Activities for the Period		
Loan Repayments	-\$105,837	
Net Funding Flows for the Period	-\$105,837	
Total Net Movement from Investment & Funding Activities:		-\$15,765,837
Cash at Bank (Overdraft) as per Bank Statement as at:	31/03/2018	\$1,807,382
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 \$373.0m in investments and cash as detailed in the following table. 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: 31/03/2018								
	Credit Rating	Purchase Price	Purchase Date	Maturity Date	Term Days	Prop %	Interest Rate	Market Value
Term Deposits								
Bank of Western Australia	A1	\$1,203,508	23/01/2018	24/07/2018	182	0.36%	2.55%	\$1,203,508
Bank of Western Australia	A1	\$5,000,000	02/03/2018	30/08/2018	181	1.52%	2.45%	\$5,000,000
Bank of Western Australia	A1	\$2,000,000	20/10/2017	18/07/2018	271	0.61%	2.50%	\$2,000,000
Bank of Western Australia	A1	\$2,098,415	29/08/2017	30/05/2018	274	0.64%	2.45%	\$2,098,415
Bank of Western Australia	A1	\$5,096,782	20/09/2017	20/06/2018	273	1.54%	2.55%	\$5,096,782
Bank of Western Australia	A1	\$5,149,822	21/02/2018	20/11/2018	272	1.56%	2.55%	\$5,149,822
Bank of Western Australia	A1	\$1,191,234	27/02/2018	29/08/2018	183	0.36%	2.55%	\$1,191,234
Bank of Western Australia	A1	\$1,215,894	04/10/2017	03/07/2018	272	0.37%	2.50%	\$1,215,894
Bank of Western Australia	A1	\$1,121,427	28/09/2017	27/06/2018	272	0.34%	2.55%	\$1,121,427
Bank of Western Australia	A1	\$1,096,514	10/10/2017	10/04/2018	182	0.33%	2.45%	\$1,096,514
Bank of Western Australia	A1	\$1,271,017	22/11/2017	21/08/2018	272	0.39%	2.55%	\$1,271,017
Bank of Western Australia	A1	\$1,084,961	06/03/2018	13/09/2018	191	0.33%	2.45%	\$1,084,961
Bank of Western Australia	A1	\$1,084,813	13/02/2018	13/11/2018	273	0.33%	2.50%	\$1,084,813
Bank of Western Australia	A1	\$1,332,203	19/10/2017	17/07/2018	271	0.40%	2.50%	\$1,332,203
Bank of Western Australia	A1	\$1,135,414	05/12/2017	05/09/2018	274	0.34%	2.50%	\$1,135,414
Bank of Western Australia	A1	\$2,305,429	16/11/2017	14/08/2018	271	0.70%	2.55%	\$2,305,429
Bank of Western Australia	A1	\$1,164,104	07/02/2018	10/07/2018	153	0.35%	2.50%	\$1,164,104
Bank of Western Australia	A1	\$1,341,658	10/01/2018	10/07/2018	181	0.41%	2.55%	\$1,341,658
Bank of Western Australia	A1	\$1,340,010	15/11/2017	12/04/2018	148	0.41%	2.45%	\$1,340,010
Bank of Western Australia	A1	\$1,196,307	12/01/2018	09/10/2018	270	0.36%	2.55%	\$1,196,307
Bank of Western Australia	A1	\$1,193,578	12/12/2017	13/06/2018	183	0.36%	2.55%	\$1,193,578
Bank of Western Australia	A1	\$1,194,496	30/01/2018	31/07/2018	182	0.36%	2.55%	\$1,194,496
Bank of Western Australia	A1	\$2,081,679	13/03/2018	13/09/2018	184	0.63%	2.55%	\$2,081,679
Bank of Western Australia	A1	\$1,303,595	14/03/2018	12/12/2018	273	0.40%	2.55%	\$1,303,595
Bank of Western Australia	A1	\$1,303,640	15/02/2018	15/11/2018	273	0.40%	2.55%	\$1,303,640
Bank of Western Australia	A1	\$2,000,000	11/08/2017	08/05/2018	270	0.61%	2.45%	\$2,000,000
Bank of Western Australia	A1	\$2,026,712	14/12/2017	12/09/2018	272	0.61%	2.50%	\$2,026,712
						15.01%		
Illawarra Mutual Building Society	A2	\$1,265,701	7/12/2017	05/06/2018	180	0.38%	2.50%	\$1,265,701
Illawarra Mutual Building Society	A2	\$1,183,890	25/10/2017	24/04/2018	181	0.36%	2.45%	\$1,183,890
Illawarra Mutual Building Society	A2	\$1,566,417	16/01/2018	16/07/2018	181	0.47%	2.50%	\$1,566,417
Illawarra Mutual Building Society	A2	\$2,025,929	31/08/2017	31/08/2018	365	0.61%	2.50%	\$2,025,929
Illawarra Mutual Building Society	A2	\$1,408,349	17/01/2018	17/07/2018	181	0.43%	2.50%	\$1,408,349
Illawarra Mutual Building Society	A2	\$1,393,945	5/10/2017	05/04/2018	182	0.42%	2.45%	\$1,393,945
Illawarra Mutual Building Society	A2	\$1,112,792	18/07/2017	18/04/2018	274	0.34%	2.60%	\$1,112,792
Illawarra Mutual Building Society	A2	\$1,184,044	16/08/2017	16/05/2018	273	0.36%	2.55%	\$1,184,044
Illawarra Mutual Building Society	A2	\$1,353,463	5/09/2017	05/06/2018	273	0.41%	2.45%	\$1,353,463
Illawarra Mutual Building Society	A2	\$1,756,155	11/12/2017	12/06/2018	183	0.53%	2.50%	\$1,756,155
Illawarra Mutual Building Society	A2	\$1,285,116	20/07/2017	19/04/2018	273	0.39%	2.60%	\$1,285,116
Illawarra Mutual Building Society	A2	\$2,000,000	1/09/2017	03/09/2018	367	0.61%	2.50%	\$2,000,000
Illawarra Mutual Building Society	A2	\$3,039,423	30/11/2017	30/05/2018	181	0.92%	2.50%	\$3,039,423
Illawarra Mutual Building Society	A2	\$1,262,628	28/03/2018	27/09/2018	183	0.38%	2.50%	\$1,262,628
						6.62%		
Newcastle Permanent Build Society	A2	\$1,272,595	17/01/2018	19/07/2018	183	0.39%	2.20%	\$1,272,595
Newcastle Permanent Build Society	A2	\$1,284,209	17/10/2017	17/05/2018	205	0.39%	2.10%	\$1,284,209
Newcastle Permanent Build Society	A2	\$1,194,645	27/03/2018	23/10/2018	210	0.36%	2.40%	\$1,194,645
Newcastle Permanent Build Society	A2	\$1,356,407	20/02/2018	22/08/2018	183	0.41%	2.40%	\$1,356,407
Newcastle Permanent Build Society	A2	\$1,230,672	07/03/2018	18/09/2018	195	0.37%	2.40%	\$1,230,672
Newcastle Permanent Build Society	A2	\$1,133,269	29/03/2018	17/10/2018	202	0.34%	2.40%	\$1,133,269
Newcastle Permanent Build Society	A2	\$1,244,932	15/03/2018	26/09/2018	195	0.38%	2.40%	\$1,244,932
Newcastle Permanent Build Society	A2	\$1,310,299	13/12/2017	17/05/2018	155	0.40%	2.10%	\$1,310,299
Newcastle Permanent Build Society	A2	\$1,194,339	16/02/2018	16/08/2018	181	0.36%	2.40%	\$1,194,339
						3.40%		
ME Bank	A2	\$1,000,000	07/12/2017	06/09/2018	273	0.30%	2.57%	\$1,000,000
ME Bank	A2	\$2,000,000	21/08/2017	22/05/2018	274	0.61%	2.60%	\$2,000,000
ME Bank	A2	\$2,000,000	01/09/2017	04/09/2018	368	0.61%	2.60%	\$2,000,000
ME Bank	A2	\$1,000,000	09/11/2017	09/08/2018	273	0.30%	2.52%	\$1,000,000
ME Bank	A2	\$2,000,000	29/11/2017	29/05/2018	181	0.61%	2.55%	\$2,000,000
ME Bank	A2	\$2,000,000	19/12/2017	19/09/2018	274	0.61%	2.57%	\$2,000,000
ME Bank	A2	\$3,000,000	08/03/2018	06/12/2018	273	0.91%	2.50%	\$3,000,000
ME Bank	A2	\$2,000,000	06/12/2017	06/09/2018	274	0.61%	2.57%	\$2,000,000
ME Bank	A2	\$1,000,000	08/11/2017	08/05/2018	181	0.30%	2.50%	\$1,000,000
ME Bank	A2	\$1,000,000	11/01/2018	12/07/2018	182	0.30%	2.60%	\$1,000,000
ME Bank	A2	\$1,000,000	23/08/2017	23/05/2018	273	0.30%	2.60%	\$1,000,000
						5.45%		
Westpac	AA-	\$1,000,000	04/11/2017	04/05/2018	181	0.30%	2.45%	\$1,000,000
Westpac	AA-	\$3,000,000	01/08/2017	01/08/2018	365	0.91%	2.57%	\$3,000,000
Westpac	AA-	\$3,000,000	01/08/2017	01/05/2018	273	0.91%	2.41%	\$3,000,000
Westpac	AA-	\$3,000,000	08/09/2017	08/06/2018	273	0.91%	2.46%	\$3,000,000
Westpac	AA-	\$3,000,000	23/11/2017	23/11/2018	365	0.91%	2.55%	\$3,000,000
Westpac	AA-	\$2,000,000	18/12/2017	18/12/2018	365	0.61%	2.58%	\$2,000,000
Westpac	AA-	\$5,000,000	09/02/2018	10/09/2018	213	1.52%	2.44%	\$5,000,000
Westpac	AA-	\$5,000,000	09/02/2018	11/02/2019	367	1.52%	2.61%	\$5,000,000
Westpac	AA-	\$5,000,000	23/03/2018	25/03/2019	367	1.52%	2.75%	\$5,000,000
Westpac	AA-	\$5,000,000	09/02/2018	09/11/2018	273	1.52%	2.50%	\$5,000,000
Westpac	AA-	\$5,000,000	09/02/2018	09/08/2018	181	1.52%	2.40%	\$5,000,000
Westpac	AA-	\$5,000,000	02/03/2018	03/12/2018	276	1.52%	2.52%	\$5,000,000
Westpac	AA-	\$5,000,000	02/03/2018	02/01/2019	306	1.52%	2.53%	\$5,000,000
Westpac	AA-	\$5,000,000	02/03/2018	04/03/2019	367	1.52%	2.62%	\$5,000,000
						16.67%		

Schedule of Investments cont'd								
AMP Bank	A1	\$3,000,000	12/12/2017	12/06/2018	182	0.91%	2.40%	\$3,000,000
AMP Bank	A1	\$2,000,000	15/08/2017	15/05/2018	273	0.61%	2.60%	\$2,000,000
						1.52%		
National Australia Bank	A1	\$2,000,000	11/01/2018	11/07/2018	181	0.61%	2.46%	\$2,000,000
National Australia Bank	A1	\$1,000,000	12/02/2018	12/11/2018	273	0.30%	2.45%	\$1,000,000
National Australia Bank	A1	\$1,000,000	28/02/2018	30/08/2018	183	0.30%	2.43%	\$1,000,000
National Australia Bank	A1	\$1,000,000	21/02/2018	21/11/2018	273	0.30%	2.45%	\$1,000,000
National Australia Bank	A1	\$1,000,000	15/08/2017	15/05/2018	273	0.30%	2.45%	\$1,000,000
National Australia Bank	A1	\$2,000,000	07/03/2018	25/09/2018	202	0.61%	2.51%	\$2,000,000
National Australia Bank	A1	\$2,000,000	28/02/2018	28/11/2018	273	0.61%	2.45%	\$2,000,000
National Australia Bank	A1	\$3,000,000	28/11/2017	29/05/2018	182	0.91%	2.45%	\$3,000,000
National Australia Bank	A1	\$2,000,000	17/08/2017	17/08/2018	365	0.61%	2.50%	\$2,000,000
National Australia Bank	A1	\$2,000,000	23/11/2017	24/05/2018	182	0.61%	2.44%	\$2,000,000
National Australia Bank	A1	\$1,000,000	14/12/2017	14/06/2018	182	0.30%	2.45%	\$1,000,000
National Australia Bank	A1	\$2,000,000	08/02/2018	08/11/2018	273	0.61%	2.45%	\$2,000,000
National Australia Bank	A1	\$2,000,000	21/03/2018	26/09/2018	189	0.61%	2.55%	\$2,000,000
National Australia Bank	A1	\$1,000,000	13/03/2018	13/09/2018	184	0.30%	2.55%	\$1,000,000
National Australia Bank	A1	\$3,000,000	01/03/2018	04/09/2018	187	0.91%	2.50%	\$3,000,000
National Australia Bank	A1	\$5,000,000	19/09/2017	19/06/2018	273	1.52%	2.54%	\$5,000,000
National Australia Bank	A1	\$5,000,000	20/03/2018	20/09/2018	184	1.52%	2.55%	\$5,000,000
National Australia Bank	A1	\$2,000,000	01/09/2017	03/09/2018	367	0.61%	2.55%	\$2,000,000
National Australia Bank	A1	\$2,000,000	22/02/2018	22/11/2018	273	0.61%	2.45%	\$2,000,000
National Australia Bank	A1	\$2,000,000	25/08/2017	28/08/2018	368	0.61%	2.52%	\$2,000,000
						12.73%		
ING Direct	A	\$2,000,000	15/09/2017	25/09/2019	740	0.61%	2.75%	\$2,000,000
ING Direct	A	\$4,000,000	31/08/2017	04/09/2019	734	1.21%	2.75%	\$4,000,000
ING Direct	A	\$3,000,000	13/09/2017	18/09/2019	735	0.91%	2.75%	\$3,000,000
ING Direct	A	\$3,000,000	12/09/2017	12/09/2019	730	0.91%	2.75%	\$3,000,000
ING Direct	A	\$1,000,000	05/12/2017	05/12/2018	365	0.30%	2.52%	\$1,000,000
ING Direct	A	\$1,000,000	14/09/2017	18/12/2018	460	0.30%	2.70%	\$1,000,000
ING Direct	A	\$1,000,000	06/06/2017	06/06/2018	365	0.30%	2.67%	\$1,000,000
ING Direct	A	\$3,000,000	15/09/2017	18/12/2018	459	0.91%	2.70%	\$3,000,000
ING Direct	A	\$2,000,000	21/07/2017	24/07/2018	368	0.61%	2.70%	\$2,000,000
						6.06%		
Direct Investments (Floating Rate & Fixed Rate Term Deposits -TDs)								
CBA- ME Bank FRN	BBB	\$3,000,000	09/08/2016	18/07/2019	1073	0.91%	3.26%	\$3,039,420
CBA- Greater Bank FRN	BBB+	\$2,000,000	30/08/2016	30/08/2019	1095	0.61%	3.34%	\$2,011,440
CBA- Bank of QLD FRN	A-	\$2,000,000	26/02/2016	06/11/2019	1349	0.61%	2.84%	\$2,018,960
CBA- Bendigo & Adelaide FRN	A-	\$2,000,000	26/02/2016	18/08/2020	1635	0.61%	2.87%	\$2,019,400
CBA - Rabobank FRN	A+	\$2,000,000	04/03/2016	04/03/2021	1826	0.61%	3.32%	\$2,051,380
CBA FRN	AA-	\$3,000,000	17/01/2017	17/01/2022	1826	0.91%	2.91%	\$3,051,750
CBA- Greater Bank FRN	BBB-	\$3,000,000	07/06/2016	07/06/2019	1095	0.91%	3.47%	\$3,016,140
CBA- Greater Bank Floating TD	BBB-	\$4,000,000	24/02/2017	24/02/2020	1095	1.21%	3.23%	\$4,012,400
CBA- Greater Bank FRN	BBB-	\$1,000,000	04/08/2017	29/05/2020	1029	0.30%	3.19%	\$1,001,820
CBA- Credit Union Australia FRN	BBB+	\$2,000,000	01/04/2016	01/04/2019	1095	0.61%	3.39%	\$2,013,860
CBA- Credit Union Australia FRN	BBB+	\$2,750,000	20/03/2017	20/03/2020	1096	0.83%	3.27%	\$2,766,610
CBA- Rabobank FRN	A+	\$2,000,000	03/03/2017	03/03/2022	1826	0.61%	2.90%	\$2,027,180
CBA- Bendigo & Adelaide FRN	A-	\$2,000,000	09/08/2016	19/09/2019	1136	0.61%	2.90%	\$2,009,300
CBA-Suncorp FRN	A+	\$2,000,000	12/10/2016	12/10/2018	730	0.61%	2.55%	\$2,014,980
CBA- Bendigo & Adelaide FRN	A-	\$2,000,000	21/11/2016	21/02/2020	1187	0.61%	2.87%	\$2,017,920
CBA- ME Bank FRN	BBB+	\$3,000,000	06/04/2017	06/04/2020	1096	0.91%	3.06%	\$3,011,160
CBA- Greater Bank FRN	BBB-	\$2,000,000	25/03/2017	29/05/2020	1161	0.61%	3.19%	\$2,003,640
CBA- AMP FRN	A	\$2,000,000	06/10/2017	06/10/2020	1096	0.61%	2.56%	\$2,002,640
CBA - Heritage Bank FRN	BBB+	\$2,000,000	27/11/2017	04/05/2020	889	0.61%	3.07%	\$2,019,700
CBA - Newcastle Perm Build Soc FRN	BBB	\$2,000,000	29/11/2017	07/04/2020	860	0.61%	3.16%	\$2,008,940
ANZ - Heritage Bank FRN	BBB+	\$1,450,000	04/05/2017	04/05/2020	1096	0.44%	3.07%	\$1,462,313
ANZ Bank Fixed Rate TD	A1+	\$1,203,555	01/03/2018	01/09/2018	184	0.36%	2.35%	\$1,203,555
ANZ Bank Fixed Rate TD	A1+	\$1,191,338	21/03/2018	21/09/2018	184	0.36%	2.35%	\$1,191,338
ANZ Bank Fixed Rate TD	A1+	\$5,074,460	06/10/2017	06/04/2018	182	1.54%	2.25%	\$5,074,460
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	31/01/2018	30/07/2018	180	0.61%	2.49%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	18/12/2017	18/07/2018	212	0.61%	2.49%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	20/03/2018	20/09/2018	184	0.61%	2.55%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	15/08/2017	14/05/2018	272	0.61%	2.51%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$5,000,000	08/02/2018	05/11/2018	270	1.52%	2.55%	\$5,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	20/10/2017	18/04/2018	180	0.61%	2.42%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	20/10/2017	18/06/2018	241	0.61%	2.50%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	20/10/2017	16/08/2018	300	0.61%	2.55%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$5,000,000	13/10/2017	13/04/2018	182	1.52%	2.43%	\$5,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	08/03/2018	04/09/2018	180	0.61%	2.50%	\$2,000,000
Commonwealth Bank Fixed Rate TD	A1+	\$2,000,000	30/10/2017	30/04/2018	182	0.61%	2.40%	\$2,000,000
Bendigo Adelaide Bank Fixed Rate TD	A2	\$5,000,000	02/03/2018	30/11/2018	273	1.52%	2.50%	\$5,000,000
Bendigo Adelaide Bank Fixed Rate TD	A2	\$5,000,000	02/03/2018	01/03/2019	364	1.52%	2.55%	\$5,000,000
Bendigo Adelaide Bank Fixed Rate TD	A2	\$2,000,000	19/03/2018	18/12/2018	273	0.61%	2.50%	\$2,000,000
Bank of China FRN	A	\$1,000,000	09/04/2015	09/04/2018	1096	0.30%	3.06%	\$1,006,930
Bank of QLD FRN	A	\$1,000,000	29/10/2015	29/04/2019	1278	0.30%	2.93%	\$1,010,096
AMP FRN	A	\$750,000	11/12/2015	11/06/2019	1278	0.23%	2.71%	\$756,293
NAB FRN	AA	\$2,000,000	25/02/2016	25/02/2019	1096	0.61%	2.76%	\$2,014,379
Westpac FRN	AA	\$1,000,000	11/03/2016	10/05/2019	1155	0.30%	2.71%	\$1,010,190
Newcastle PBS FRN	BBB+	\$2,000,000	22/03/2016	22/03/2019	1095	0.61%	3.59%	\$2,013,612
Suncorp FRN	A	\$2,000,000	12/04/2016	12/04/2021	1826	0.61%	3.41%	\$2,047,018
Bank of QLD FRN	A	\$1,000,000	18/05/2016	18/05/2021	1826	0.30%	3.20%	\$1,018,970
CBA FRN	AA	\$2,000,000	12/07/2016	12/07/2021	1826	0.61%	3.01%	\$2,042,860
						32.55%		

FTD= Floating Rate Deposit

FRN= Floating Rate Note

Unlisted Community Bank Shares			
Bendigo Bank	A2	\$5,000	0.01%
Total Investments		\$330,016,783	100.00%
Operating Accounts		\$1,807,382	
Cash Deposit Accounts		\$30,847,583	
AMP 31 Day Notice Account		\$10,334,268	
Total Investments and Cash		\$373,006,017	

Investment and Cash Flows for Bayside Council:

	Feb-18	Mar-18	Total Net Movement
Total Investments	\$302,861,228	\$330,016,783	\$27,155,555
Operating Accounts	\$17,718,325	\$1,807,382	-\$15,910,943
Cash/Short Term Money Market	\$42,042,317	\$30,847,583	-\$11,194,734
AMP 31 Day Notice Account	\$10,317,252	\$10,334,268	\$17,016
TOTAL Investments and Cash:	\$372,939,122	\$373,006,017	\$66,895

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 CDOs 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 ☒

Included in existing approved budget ☐

Additional funds required ☐

Community Engagement

Not required.

Attachments

Nil

Council Meeting

9/05/2018

Item No	8.4
Subject	Recycling Material Supply Agreement
Report by	Colin Clissold, Director City Presentation
File	F14/78

Summary

Council needs to secure a Supply Agreement for processing recyclable material collected within the eastern side of the Bayside Local Government Area (LGA). The previous contract is currently conducted on a month to month basis under the extension provisions within the previous Botany Bay Council contract. The current St George Contract initiated by the former Rockdale City Council (expiry 2023) was intended to be used for processing of this material. However, due to recent significant changes in market conditions, processing this material under this contract would be untenable due to processing capacity and Council needs to secure the original processing capacity as soon as possible.

Officer Recommendation

- 1 That the attachments to this report be withheld from the press and public as they are confidential for the following reason:

With reference to Section 10A(2)(d)(i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That Council pursuant to s 55(3)(i) of the Local Government Act 1993 (NSW) enters into an agreement with Visy Paper Pty Ltd (trading as Visy Recycling) ("Visy") for the provision of Recycling Service without the calling for tenders, as it considers that a satisfactory result will not be achieved by inviting tenders because of the extenuating circumstances as follows:
 - a China's 'National Sword' Policy has placed restrictions on waste imports into China, impacting the entire domestic recycling processes within Australia.
 - b Market conditions are such that there is an unavailability of competitive or reliable tenders which would result due to the limited alternative Material Recovery Facility (MRF) operators available with capacity and viable cost.
 - c The amalgamation of the two previous Councils and subsequent timing has placed Bayside Council in a position where resolving previous arrangements has proved and continues to prove to be slightly problematic due to these current market conditions.
 - d Council is attempting to regularise all contract arrangements of the two previous Councils.
-

- e Council is satisfied that it has no practical alternative than to proceed with Visy in the circumstances, and any delay will result in additional costs to the Council.
- 3 That the 2+3 year Supply Agreement proposed between Visy and Council be accepted and executed.
- 4 That the General Manager be given delegated authority to sign the Supply Agreement and any associated documentation on behalf of Bayside Council in accordance with information contained in this report.

Background

At the beginning of this year, China introduced new trade measures known as “China’s National Sword Policy”, that limit the import of low quality mixed recyclables, including paper, cardboard and plastic. This policy change has had an impact globally, as many countries have relied on China as a major part of their markets for recycled materials.

China has not completely banned the import of all recycled plastic and paper, but now requires a cleaner and more processed version of these materials. Notwithstanding, based on discussions with industry and service providers, the changes effectively mean that China is not currently a viable market for Sydney councils’ kerbside recyclables. Knowingly, significant amounts of recyclables from Sydney region MRF’s (material recycling facility) was being sent to China, including paper and mixed plastics.

There are currently three capable commercial MRF operators available in the greater Sydney region for the processing of recyclable materials from councils’ kerbside yellow-lidded recycling bins. These companies are Visy, Polytrade and SUEZ. SUEZ’s ability to accept and process material from Sydney councils is limited.

The first confidential attachment outlines Council’s assessment of the market conditions and pricing. For the reasons outlined in the report and attachment, it is considered that because of extenuating circumstances a satisfactory result would not be achieved by inviting tenders. Accordingly, it is in Council’s best interests to enter into an agreement with Visy Paper Pty Ltd for the provisional recycling services as detailed in the confidential attachment.

Financial Implications

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

Community Engagement

Not applicable.

Attachments

- 1 Market and Pricing Assessment (confidential)
- 2 Bayside Council Supply Agreement (confidential)

Council Meeting

9/05/2018

Item No	8.5
Subject	Sydney Eastern City Planning Panel - Additional Fees for briefings and site inspections
Report by	Fausto Sut, Acting Director City Performance
File	SF15/665

Summary

Councillor representatives on the Sydney Eastern City Planning Panel are being remunerated in accordance with the letter from the former Minister for Planning, the Hon Kristina Keneally MP received by Council on 31 July 2009. Councillors appointed as member of the Panel currently receive \$600 per Panel meeting. It is proposed to remunerate Councillors on the Panel with an additional allowance of \$150 per hour, minimum one hour up to a maximum of \$600, for attending site visits and briefings of the Panel to recognise the additional workload beyond Panel Meetings required of Panel members.

Officer Recommendation

That Councillors appointed as council representatives on the Sydney Eastern City Planning Panel receive an additional allowance of \$150 per hour, minimum one hour up to a maximum of \$600 for attending site visits and briefings of the Panel.

Background

Councils eligible for representation to the then Joint Regional Planning Panels received a letter in July 2009 from the then Minister for Planning, the Hon Kristina Keneally MP advising that "As councillors already receive an annual fee set by the Local Government Remuneration Tribunal each year for performing their councillor duties, an additional per meeting fee of no more than \$600 appears reasonable, recognising that membership of the Regional Panel will bring additional responsibilities."

This fee recommendation has not changed since 2009 notwithstanding the workload of the Panel members has increased and in order to properly and diligently fulfill their duties, all panel members are asked to undertake site visits, attend public briefing meetings and briefings with staff.

Planning Panels Operational Procedures issued by the Department of Planning in 2016 as a guide states:

"Councils determine the fees they pay their panel members. The Minister has provided guidance to all councils on appropriate rates of remuneration for travel and subsistence allowances for their members [July 2009 letter]. Each council is responsible for making payments to its panel members when they attend planning panel meetings."

For some years a neighbouring council has recognised the additional workload beyond attendance at panel meeting on councillors representing Council on the panel. The Sydney

Eastern City Planning Panel has a schedule of potential meeting dates of 23 per annum however this is subject to sufficient items being available to hold a Panel Meeting. Recognising the additional workload it is proposed that Councillors appointed as council representatives on the Sydney Eastern City Planning Panel receive an additional allowance of \$150 per hour, minimum one hour up to a maximum of \$600 for attending official organised site visits and briefings of the Panel. The allowance includes travel costs and time for site visits and briefings on multiple applications. Councillors will be paid the allowance on their certifying attendance and the hours spent at the site visits and briefings.

Financial Implications

Not applicable	<input type="checkbox"/>	
Included in existing approved budget	<input type="checkbox"/>	
Additional funds required	<input checked="" type="checkbox"/>	Up to \$27,600pa will be budgetted.

Community Engagement

Not applicable

Attachments

Nil

Council Meeting

9/05/2018

Item No	8.6
Subject	Bayside Floodplain Risk Management Committee - Terms of Reference
Report by	Zoran Sarin, Coordinator Asset Strategy
File	F11/186

Summary

This report responds to Council's decision to establish an advisory committee framework and the associated request that the General Manager prepares draft terms of reference. This report proposes specific Terms of Reference for the Bayside Floodplain Risk Management Committee.

Officer Recommendation

That Council adopts the attached Terms of Reference for the Bayside Floodplain Risk Management Committee.

Background

At its Meeting of 11 October 2017 – Mayoral Minute – Statutory, Council and external Appointments, it was resolved:

- 5 *That the General Manager prepare a draft Charter and Terms of Reference for each committee having regard to the requirements outlined in this Mayoral Minute and report back to the next Council Meeting*
- 7 *That the General Manager manage the Bayside Floodplain Risk Management Committee as required and that minutes of the meeting be submitted to Council.*

The primary responsibility for floodplain risk management rests with Council in accordance with the NSW Government's *Flood Prone Land Policy*. The Policy is detailed within the *Floodplain Management Manual* – the management of flood liable land – April 2005.

The formulation and implementation of floodplain risk management plans is the cornerstone of the Policy. The Manual has been prepared to assist Councils in formulating management plans through the floodplain risk management process, as depicted in Figure 2.1 (as extracted from the Manual) below.

The first formal step in the process is the formation of the Floodplain Risk Management Committee to be chaired by Council. The Manual provides further guidance on the membership and role of the Committee, and the attached Terms of Reference are consistent with the Manual.

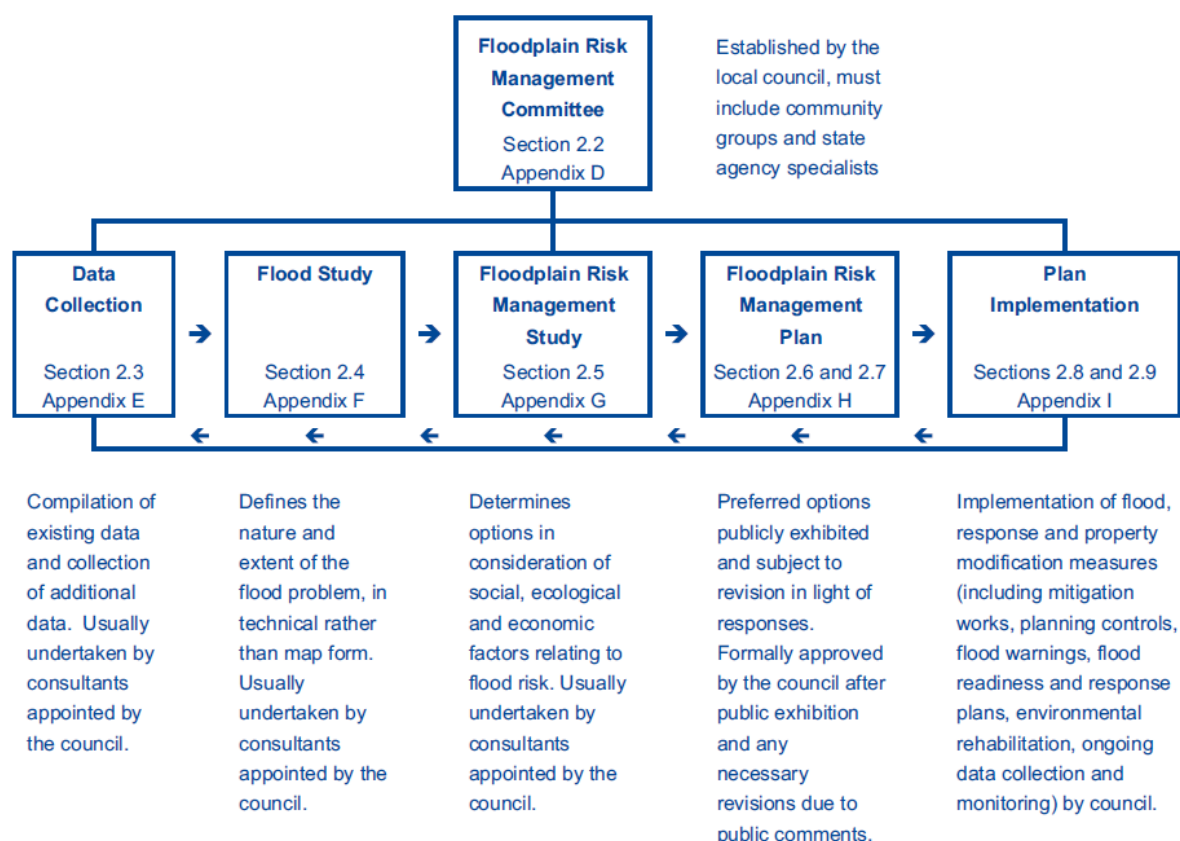


FIGURE 2.1 - The Floodplain Risk Management Process

An important element of any floodplain management committee is the appointment of community representatives, for example local flood affected landowners (residential and business), relevant industry bodies (e.g. the chamber of commerce) and environmental groups.

It is noted that the attached Terms of Reference state that community representation at a Committee meeting is to comprise a maximum of two (2) community representatives at any particular meeting. In seeking expressions of interest for community representatives, Council would ideally secure interest from a community representative from each of the main floodplain catchments. There are approximately 12 main catchments within the Bayside LGA and the aim is to secure a panel of community representatives. When Council undertakes either a Flood Study or Floodplain Risk Management Plan / Study within a particular catchment, one or both of the community representatives invited to attend the Committee Meetings would be from the affected catchment.

An expression of interest process will be conducted for the community representatives.

Financial Implications

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

Community Engagement

An expression of interest process will be conducted seeking community representation on the Bayside Floodplain Risk Management Committee. The outcomes will be reported to Council for confirmation and authorisation of the representatives.

Attachments

Bayside Floodplain Risk Management Committee Terms of Reference [↓](#)



Bayside Council

Serving Our Community

Bayside Floodplain Risk Management Committee Terms of Reference

Draft 30 April 2018



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Bayside Floodplain Risk Management Committee Terms of Reference

File: F11/186 Document: 18/39298

Class of document: Terms of Reference

Enquiries: Manager Governance & Risk



Telephone Interpreter Services - 131 450

Τηλεφωνικές Υπηρεσίες Διερμηνέων

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1 Purpose

The purpose of the Bayside Floodplain Risk Management Committee is to provide advice on the development and implementation of floodplain risk management studies, and plans throughout the Bayside Council area in accordance with the NSW Floodplain Development Manual 2005.

These terms of reference outline the Committee's function, structure, authority and reporting requirements.

2 Interpretation

For the purpose of this document:

Member means a member of the Committee.

Committee means Floodplain Risk Management Committee.

Council means Bayside Council.

Chairperson / Chair means the chairperson of the Committee or Sub-Committee.

Elected members means the elected Councillors of Bayside Council.

3 Status of Committee

The Committee operates as an 'advisory committee' of Council, as defined in Council's Code of Meeting Practice.

4 Delegations

Bayside Advisory Committees may make recommendations to Council on all matters before it. These recommendations are submitted via the minutes of each meeting to Council for consideration.

Substantial recommendations (including any requiring the expenditure of Council funds) are accompanied by a separate report to Council from the appropriate Council officer.

The Committee's recommendations, which are determined by the General Manager to be purely or substantially 'operational' in nature, will be dealt with by the relevant Director and any action or lack thereof reported to the Committee.

Advisory Committees do not have the power to incur expenditure, nor do they have the power to bind Council.

5 Key issues

The Committee considers key issues such as the following:

- State Government policy for floodplain risk management.
- Flood studies and network analysis.

- Floodplain risk management studies, including priorities for management initiatives.
- Floodplain risk management plan implementation, including oversight of floodplain risk mitigation works projects.
- Floodplain risk management learning and development opportunities, and conferences.
- Priorities for future study and analysis.
- Other matters within the role of the Committee as outlined in the NSW Government's Floodplain Development Manual.

6 Membership

6.1 Overview

The Committee may comprise Councillors, Council staff, local community representatives, local industry and / environmental body representatives and government agency representatives – it is supported by Council officers.

6.2 Elected members of Council

Council appoints up to three (3) Councillors to be members of the Committee.

All other Councillors are welcome to attend meetings of the Committee as observers and contribute to discussions but are not entitled to vote.

If no Councillors are appointed as members, the General Manager or nominee represents the elected members.

Elected members (or their representative) are entitled to vote.

6.3 Council staff representatives

The General Manager appoints four (4) Council staff in different disciplines as members of the Committee.

Appointed Council staff members provide a mix of specialist professional advice in engineering, strategic planning, development assessment and environmental management. Appointed Council staff representatives have voting rights.

6.4 Local community representatives

Following an expression of interest process, the General Manager appoints a maximum of two (2) local community representatives that meet the following criteria:

- a broad interest, and understanding of floodplain management
- a commitment to floodplain management in the Bayside Council area
- resident or business person living or working in or near a flood prone area.

Local community representatives have voting rights.

6.5 Government agency representatives

The General Manager (or nominee) invites the following State Government agencies to nominate one (1) representative each:

- Office of Environment and Heritage, NSW Department of Premier and Cabinet
- NSW State Emergency Services
- Sydney Water Corporation.

The nominated agency representatives provide advice in relation to their functions and areas of expertise and have voting rights.

6.6 Chair and Deputy Chair

The Chair of the Committee is one of the elected members (or their representative).

In the absence of the nominated Chair at a particular meeting, the meeting elects a Chair of the meeting.

6.7 Term of office

Elected members (or their representative) continue as members of the Committee until the next ordinary election of the Mayor, or the next general election of Council, or until the Committee is disbanded or completes its purpose in accordance with these Terms of Reference.

Other members continue until the Committee is disbanded or completes its purpose in accordance with these Terms of Reference.

Any casual vacancy in elected members is filled by Council appointment. Any other casual vacancy is filled by the General Manager.

7 Other attendance

7.1 Elected members

Apart from the appointed Councillor members, all other Councillors are welcome to attend meetings of the Committee as observers and may contribute but are not entitled to vote.

7.2 Specialists

The Chairperson and/or the General Manager may invite community representatives, consultants and/or technical specialists to specific meetings of the Committee in order to assist the Committee in the consideration of matters before it.

Invited specialists do not have voting rights.

Such community representatives attend at the invitation of the Chairperson, are not entitled to vote, and may be requested to leave the meeting if confidential matters are before the Committee.

7.3 Council staff

Additional staff may be invited to attend meetings but do not have voting rights.

7.4 General public

The Committee meetings are not open to the public.

8 Support

8.1 Sub-committees

The Committee may establish a technical sub-committee in order to provide assistance to enable the Committee to fulfil its advisory role efficiently.

8.2 Specialist support

Council provides specialist advice and information in the areas of interest of the Committee. Such information includes:

- Proposed strategic issues for consideration by the Committee.
- Background research on issues relevant to the Committee.
- Reports on issues to be considered in Committee meetings.

8.3 Administrative support

Council provides administrative support as determined by the General Manager to assist the Committee in their deliberations. Such support includes:

- Preparing and publishing notices of meeting, agendas and minutes.
- Liaising with Council officers of any reports and actions required.
- Arranging meeting venues and refreshments.

9 Meeting practices and procedures

9.1 Meeting schedule

The location, date and time for meetings may be decided by the Chair in consultation with the General Manager or nominee.

9.2 Quorum

The quorum for a meeting of the Committee is four (4) members. If a quorum is not present within 30 minutes of the scheduled commencement time, the meeting lapses.

9.3 Voting

In general, it is expected that the Committee, and any sub-committee, will develop recommendations by consensus. If however, a voting is required, the Chair has a casting vote.

9.4 Proceedings

The administrative provisions of Council's Code of Meeting Practice apply, in addition to any higher standard imposed by these Terms of Reference.

The General Manager arranges for the Notice of Meeting, along with the business paper to be issued to members in accordance with Council's Code of Meeting Practice.

The proceedings of each meeting are recorded in minutes of the meeting, including those present, apologies, conflict of interests, and recommendations on matters before the Committee.

General business matters may be raised by members at any meeting without notice, however if it is a substantial issue, a report is to be prepared and included on the agenda at a future meeting.

The minutes of each meeting are submitted to the next available Council Meeting with a view to the Committee's recommendations being considered.

10 Code of Conduct

10.1 General

All members of the Committee are required to observe the provisions of the Bayside Council's Code of Conduct and any other policy or requirement applicable to the proper functioning of the Committee.

A breach of the Code of Conduct may lead to the member being expelled from the Committee.

10.2 Confidentiality and privacy

Committee members may come in contact with confidential or personal information retained by Council. If so, members are required to maintain the security of any confidential or personal information and not access, use or remove any information, unless the member is authorised to do so.

Should a member become aware of any breach of the security, or misuses of Council's confidential or personal information please contact the Public Officer.

All members of Council Committees are required to observe the provisions of the Bayside Council Privacy Management Policy relating to their access to personal information.

10.3 Media protocol

Members are not to speak to the media in their capacity as a member of the Committee.

11 Administrative Procedures

The appropriate Council manager may approve administrative procedures that support these Terms of Reference. The procedures may address such issues as:

- Agendas, reports, and minutes arrangements
- Council officer responsibilities.

12 Document control

12.1 Review

These Terms of Reference are reviewed at least at the commencement of each term of Council.

Apart from any inconsequential editing, substantial amendments to these Terms of Reference are approved by the Council.

12.2 Version history

Version	Release Date	Author	Reason for Change
0.2	30/04/2018	Zoran Sarin, Bruce Cooke	New document

Council Meeting

9/05/2018

Item No	8.7
Subject	Classify Lot 14 in DP 1227534 (car park Lot) as Operational land
Report by	Samantha Urquhart, Manager Property
File	F13/461

Summary

On 28 March 2018 Council resolved to publicly notify the proposed classification of Lot 14 in DP 1227534 as operational land and to submit a further report to inform the outcomes of the public notification, finalising the classification of the land as operational, in accordance with Section 31 of the Local Government Act 1993 (as shown at Attachment 1).

The proposed classification was subsequently notified on 3 April 2018, with no public submissions received.

This report details the outcomes and recommends that Lot 14 in DP 1227534 be classified as operational land.

Officer Recommendation

That Council resolve to classify lot 14 in Deposited Plan 1227534 as operational land in accordance with Section 31 of the Local Government Act 1993.

Background

On the 15 March 2017 Bayside Council and Botany Bay GP executed a planning agreement in response to a Development Consent for a staged subdivision of land, known as 20 Beauchamp Road, Banksmeadow that was granted under Section 34 of the Land and Environment Court 2012 on land known as Lot 105 and 111 in DP 1204999.

The public car park is 1001 square metres and is located on the corner of Corish Circuit and Denison Street, Eastgardens, as shown on the site plan at Attachment 2. The car park contains 27 public car spaces.

The subsequent owner/developer lodged a Section 96 application to the court and as part of the negotiations made an offer to enter into a Voluntary Planning Agreement (VPA) with council in relation to the proposed modification where the developer proposed:

- Construction of a car park upon lot 14 in DP1227534 by the developer for and on behalf of the Council at the developers cost and in accordance with the approved plan depicting the car park and in accordance with the Development Consent conditions relating to the construction of the car park.
- Council agreed to accept the transfer of ownership and obligation to use the land as a public car park.

- The agreement is explicit in the construction and transfer of the land as a public car park, at no cost to council is a material and public benefit, which constitutes a public purpose.

On 28 March 2018 Council resolved:

- 1 *That Council classifies lot 14 in Deposited Plan 1227534 as Operational land in accordance with Section 31 of the Local Government Act 1993;*
- 2 *That Council publicly notifies that "The Council has acquired land, known as Lot 14 in DP 1227534 and classify the acquired land, detailed herein as operational land in accordance with Section 31 of the Local Government Act 1993", as shown on the draft notice at Attachment 4;*
- 3 *That Council notes that a further report, to inform the outcomes of the public notification and recommendation on the land classification, will follow the notification period.*

Pursuant to Section 34 of the Local Government Act 1993, the proposed classification of Lot 14 in DP1227534 was placed on public notification for a period of 28 days. The notification period commenced on 3 April 2018. No submissions were received

This report recommends adopting the proposed classification of Lot 14 in DP 1227534 as operational land.

Relevant Legislation

The following sections of the Local Government Act 1993 are relevant:

- (a) section 25 requires all public land to be classified as either community or operational
- (b) section 31(2) permits Council to resolve to classify land prior to or within three months after its acquisition of the land;
- (c) section 34 requires public notice to be given of classification or reclassification by Council resolution; and
- (d) Section 34(3) requires the public notice to specify a period of not less than 28 days during which submissions may be made to the Council.

Critical Dates / Time Frames

Section 31 of the Local Government Act 1993 places a time restriction on the Council resolution to classify the land.

The Act requires Council to pass a resolution to classify a property within three months of acquisition; otherwise the land automatically reverts to community classification.

Public Consultation

Public notification under Section 34 of the Local Government Act 1993 has been completed.

Financial Implications

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

Community Engagement

Public Notification in accordance with the Act was completed.

Attachments

- 1 Attachment 1 - Council Report 28 March 2018
- 2 Attachment 2 - Site plan [↓↓](#)

Extraordinary Council Meeting**28/03/2018**

Item No	7.1
Subject	Classify Lot 105 and 111 in DP 1204999 (Car Park Lot) Operational Land
Report by	Samantha Urquhart, Manager Property
File	F13/461

Summary

As part of a staged subdivision of the land at 20 Beauchamp Road Banksmeadow, the owner of the land Botany Bay GP Pty Limited entered into a planning agreement with Council, where the developer would construct a car park at the developers cost and transfer the land to council for the council to use as a public car park.

The car park works are now complete and the developer has met all its obligations under the planning agreement, including transfer of the land (car park) to council as shown in Attachment 1 site plan and Attachment 2 site photos.

In Accordance with Section 32 (2) of the Local Government Act, 1993 (The Act) Council has 3 months to classify land (including 28 days notification) that is transferred to Council or the land will be automatically classified as community land.

Within this report we propose to classify this land as operational.

Officer Recommendation

- 1 That Council classifies lot 14 in Deposited Plan 1227534 as Operational land in accordance with Section 31 of the Local Government Act 1993;
- 2 That Council publicly notifies that "The Council has acquired land, known as Lot 14 in DP 1227534 and classify the acquired land, detailed herein as operational land in accordance with Section 31 of the Local Government Act 1993", as shown on the draft notice at Attachment 4;
- 3 That Council notes that a further report, to inform the outcomes of the public notification and recommendation on the land classification, will follow the notification period.

Background

On the 15 March 2017 Bayside Council and Botany Bay GP executed a planning agreement in response to a Development Consent for a staged subdivision of land, known as 20 Beauchamp Road, Banksmeadow that was granted under Section 34 of the Land and Environment Court 2012 on land known as Lot 105 and 111 in DP 1204999.

Orica (original owner) mutually agreed to the terms of the court decision, including provision of some land for public car parking. Orica has subsequently sold the land to Botany Bay GP

Extraordinary Council Meeting

28/03/2018

Pty Limited who have upheld the commitment to transfer the public car park land as part of their subdivision of the land.

The public car park is 1001 square metres and is located on the corner of Corish Circuit and Denison Street, Eastgardens, as shown on the site plan at Attachment 1. The car park contains 27 public car spaces.

The subsequent owner/developer lodged a Section 96 application to the court and as part of the negotiations made an offer to enter into a Voluntary Planning Agreement (VPA) with council in relation to the proposed modification where the developer proposed:

- Construction of a car park upon proposed Lot 26 (now lot 14) by the developer for and on behalf the Council at the developers cost and in accordance with the approved plan depicting the car park and in accordance with the Development Consent conditions relating to the construction of the car park.
- Council agreed to accept the transfer of ownership and obligation to use the land as a public car park.
- The agreement is explicit in the construction and transfer of the land as a public car park, at no cost to council is a material and public benefit, which constitutes a public purpose.

Under the provisions of The Act, public land is classified as either operational land or community land. All community land is to be managed under a plan of management and the provisions of The Act, including categorisation of the land.

The use of community land is constrained and is not ideal for land being used as a public car park. The classification of public land as community land is generally not contemplated unless considered as an ancillary public purpose.

The more appropriate classification for this portion of land would be as operational land, providing a simpler framework to maintain and use the land as a public car park and not restrict public car parking operational models that council may consider.

This report recommends the proposed classification of Lot 14 in DP 1227534105 as operational land and it be publicly notified in accordance with the Local Government Act 1993. The proposed notice is shown at Attachment 4.

Relevant Legislation

- 1 The following sections of the Local Government Act 1993 are relevant:
 - (a) section 25 requires all public land to be classified as either community or operational
 - (b) section 31(2) permits Council to resolve to classify land prior to or within three months after its acquisition of the land;
 - (c) section 34 requires public notice to be given of classification or reclassification by Council resolution; and
 - (d) Section 34(3) requires the public notice to specify a period of not less than 28 days during which submissions may be made to the Council.

Item 7.1

2

Extraordinary Council Meeting28/03/2018

Critical Dates / Time Frames

Section 31 of the Local Government Act 1993 places a time restriction on the Council resolution to classify the land.

The Act requires Council to pass a resolution to classify a property within three months of acquisition (refer Annexure 3 – Lot and DP); otherwise the land automatically reverts to community classification.

Public Consultation

Public notice to be given of classification or reclassification by council resolution

- 1 A council must give public notice of a proposed resolution to classify or reclassify public land.
- 2 The public notice must include the terms of the proposed resolution and a description of the public land concerned.
- 3 The public notice must specify a period of not less than 28 days during which submissions may be made to the 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

Public Notification under the Local Government Act

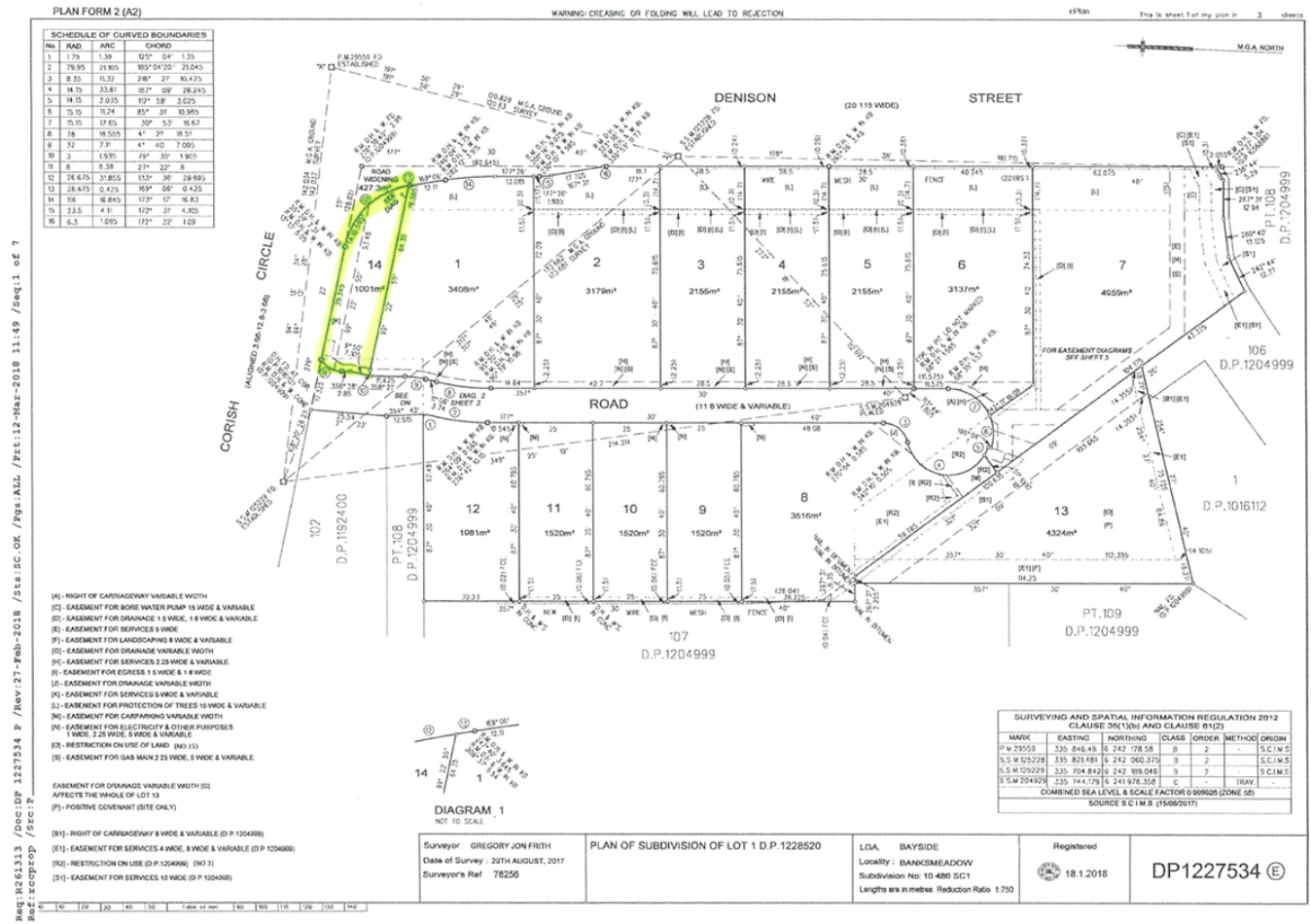
Attachments

- 1 Site Plan
- 2 Site Photos
- 3 Lot and DP
- 4 Draft Public Notice

Item 7.1

3

Attachment 1





SITE LOCATION AERIAL (EXISTING)

BAYSIDE COUNCIL (MASCOT OFFICE)

DEVELOPMENT APPROVAL

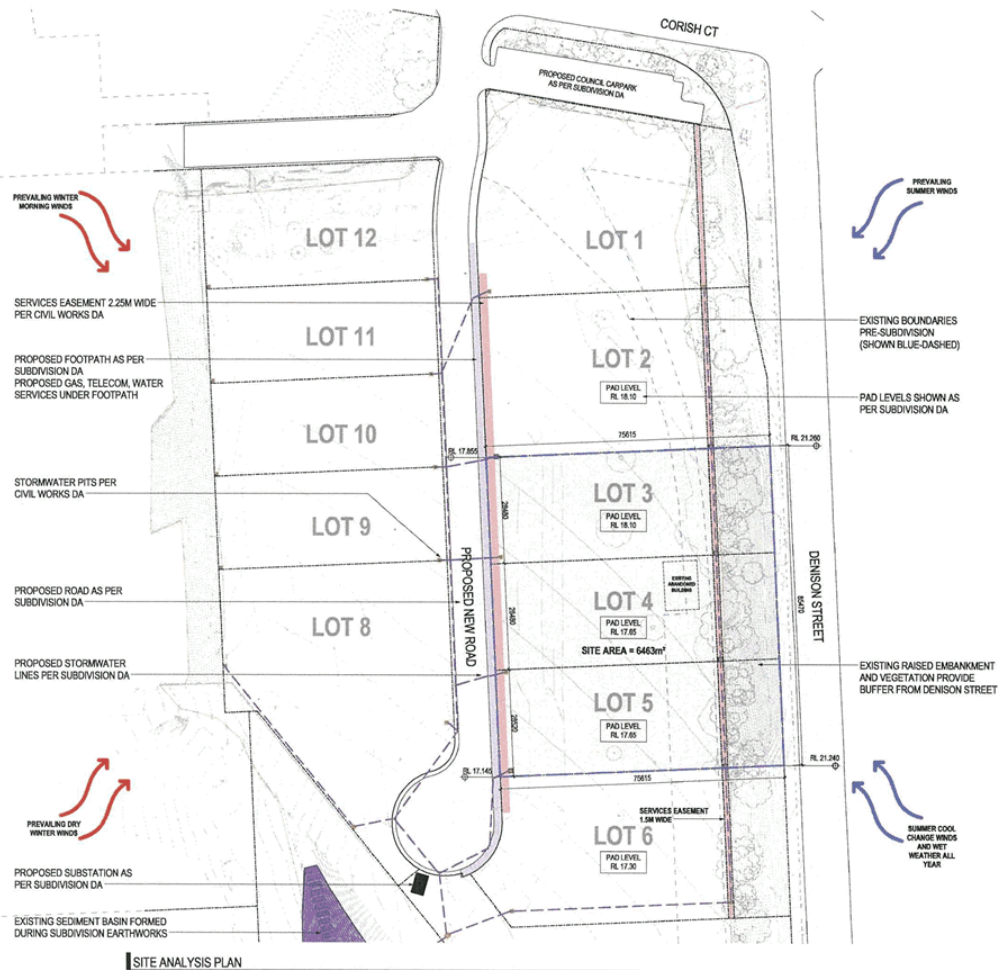
These are the approved plans subject to conditions by Council pursuant to Section 81 (1) of the Environmental Planning and Assessment Act 1979.

Application No. DA/2016/243
Date of Determination: 9 November 2017

DEVELOPMENT APPLICATION

Revised: 18.12.16 DEVELOPMENT APPLICATION SL

19/10/2016 11:02:34 AM



SITE ANALYSIS PLAN

Project: **BANKSMEADOW INDUSTRIAL**
Drawing: **SITE ANALYSIS PLAN**
Project No: **216211**
Date: **29.11.16**
Author: **SL**
Scale: **0.11/As Indicated**
Drawing No: **TP00.11**

rothelawman

Brisbane, Melbourne, Sydney
www.rothelawman.com.au

Attachment 2



Attachment 3

DLA 2000
(AN88934)



NEW SOUTH WALES
CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900



TORRENS TITLE REFERENCE	
14/1227534	
EDITION	DATE OF ISSUE
2	16/2/2018
CERTIFICATE AUTHENTICATION CODE	
HK6M-DN-W9S5	

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.

REGISTRAR GENERAL



LAND

LOT 14 IN DEPOSITED PLAN 1227534
AT BANKSMEDOW.
LOCAL GOVERNMENT AREA: BAYSIDE.
PARISH OF BOTANY COUNTY OF CUMBERLAND.
TITLE DIAGRAM: DP1227534

FIRST SCHEDULE

BAYSIDE COUNCIL

(T AN88933)

SECOND SCHEDULE

1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2. DP1204999 RIGHT OF CARRIAGEWAY VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
3. DP1204999 EASEMENT FOR DRAINAGE APPURTENANT TO THE LAND ABOVE DESCRIBED
4. DP1204999 EASEMENT TO DRAIN SEWAGE 3 METRE(S) WIDE APPURTENANT TO THE LAND ABOVE DESCRIBED
5. DP1227534 EASEMENT FOR SERVICES 2.25 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
6. DP1227534 EASEMENT FOR SERVICES 2.25 METRE(S) WIDE AND VARIABLE APPURTENANT TO THE LAND ABOVE DESCRIBED
7. DP1227534 EASEMENT FOR SERVICES 5 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
8. DP1227534 EASEMENT FOR ELECTRICITY 1, 2.25, 5 METRE(S) WIDE AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
9. DP1227534 EASEMENT FOR GAS MAIN 2.25, 5 METRE(S) WIDE AND VARIABLE

**** END OF CERTIFICATE ****

ANY ATTEMPT TO ALTER THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.141 REAL PROPERTY ACT).

WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT FOLIO OF THE REGISTER

7373151

Certificate of Title

Certificate of Title

Attachment 4

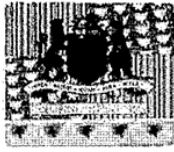
PUBLIC NOTICE

Bayside Council gives this public notice of a proposed resolution to classify a portion of land situated on the south-western corner of Corish Circuit and Denison Street, Banksmeadow, being Lot 14 in DP1227534, which has been transferred to Bayside Council by Botany Bay GP Pty Limited as 'operational land' in accordance with Section 31 of the Local Government Act 1993.

The proposed resolution can be inspected at the Councils Customer Service Centre at 444 – 446 Princes Highway, Rockdale.

A statement regarding the proposal may be made in writing to Council within (28) days from the date hereof. Submissions should be addressed to the Manager Property at Bayside Council, 444-446 Princes Highway, Rockdale NSW 2216

DOA 2030
(AN88934)



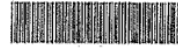
NEW SOUTH WALES
CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900



TORRENS TITLE REFERENCE	
14/1227534	
EDITION	DATE OF ISSUE
2	16/2/2018
CERTIFICATE AUTHENTICATION CODE	
HK6M-DN-W9S5	

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.

REGISTRAR GENERAL



LAND

LOT 14 IN DEPOSITED PLAN 1227534
AT BANKSMEADOW.
LOCAL GOVERNMENT AREA: BAYSIDE.
PARISH OF BOTANY COUNTY OF CUMBERLAND.
TITLE DIAGRAM: DP1227534

FIRST SCHEDULE

BAYSIDE COUNCIL

(T AN88933)

SECOND SCHEDULE

1. RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
2. DP1204999 RIGHT OF CARRIAGEWAY VARIABLE WIDTH AFFECTING THE PART(S) SHOWN SO BURDENED IN THE TITLE DIAGRAM
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9. DP1227534 EASEMENT FOR GAS MAIN 2.25, 5 METRE(S) WIDE AND VARIABLE

**** END OF CERTIFICATE ****

ANY ATTEMPT TO ALTER THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.141 REAL PROPERTY ACT).

WARNING: BEFORE DEALING WITH THIS LAND. SEARCH THE CURRENT FOLIO OF THE REGISTER

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Certificate of Title

Certificate of Title



Council Meeting

9/05/2018

Item No	8.8
Subject	Pemberton Street, Botany Road: Update to Signalisation and Streetscape Improvements
Report by	Robert Allen, Transport Planner
File	F18/47

Summary

At the Council Meeting held on 14 March 2018, Council considered a report in relation to streetscape improvements in the Botany Road shopping precinct and were advised that Strategic Planning were progressing discussions with the RMS and Transport for NSW in relation to traffic and road conditions. Council resolved:

- 3 *That Council continue to advocate around the short term safety issues and monitor the traffic on Pemberton Street and Botany Road, Banksmeadow to consider the location of the pedestrian crossing.*
- 4 *That Council continue to consider additional parallel parking for the area.*

This report has been prepared in response to these resolutions.

Officer Recommendation

- 1 That Council supports the undertaking of a future traffic study for the Pemberton Street/Botany Road/Wilson Street precinct when population increases achieve the level required to meet the RMS traffic warrants.
 - 2 That Council supports the introduction of a pedestrian crossing of Botany Road, Banksmeadow at Lenthell Lane.
 - 3 That Council supports the relocation of the bus stop, near the intersection of Pemberton Street and Botany Road (southern side) to 30m to the east of its current location, subject to the outcomes of community engagement.
-

Background

A number of large scale residential projects have been constructed in Banksmeadow and have resulted in changes to the functioning of the road network. In 2012 and 2017 traffic studies were completed to better understand the traffic and road network in the area, in particular the intersection of Botany Road and Pemberton Street. The studies considered whether the junction required the implementation of a signalised intersection, also known as a traffic control signal (TCS) treatment. Council has also commenced design and documentation for streetscape improvement works at the Banksmeadow shopping precinct in Botany Road.

Both the 2012 and 2017 traffic studies noted that the intersection did not meet any of the requirements (known as a warrant) that would qualify it for the installation of a TCS. Further

to this, upon review of the 2017 study, the RMS noted that Botany Road is a State Road, and also stated that they would not support the signalisation of that intersection for the following reasons:

- It would promote an increase in heavy vehicle through-traffic to access the industrial precinct at Clevedon Street. The mixing of industrial traffic with residential street traffic in such environments is not supported.
- It does not have suitable TCS and pedestrian space allocation and would require substantial street re-design and most likely, the acquisition of at least one of the surrounding properties to facilitate the appropriate vehicle 'sweep' path.

The RMS indicated that they prefer Pemberton Street to remain primarily for use by residential traffic, and Clevedon Street to remain the designated industrial street that provides accessible entry and exit routes for heavy vehicle traffic via Sir Joseph Banks Street.

The streetscape upgrade currently being progressed by Council at the Botany Road, Banksmeadow precinct include two notable features (refer Figure 1) that will promote the safe pedestrian movement across Botany Road are as follows:

- The introduction of a pedestrian crossing at Lenthell Lane
- The relocation of the (southern side) bus stop 30m closer to the proposed pedestrian crossing to further discourage pedestrian crossing of Botany Road that have been observed at Pemberton Street.

These modifications have been supported, in principle, by the RMS and it is anticipated that the works will occur in 2019, subject to funding allocation.

Council will conduct a follow-up traffic study in this area to monitor traffic in the precinct once notable development has completed and the traffic has 'stabilised' accordingly. The RMS are supportive of this approach. An approximate timeframe for this follow-up traffic study to be undertaken is 2023.

In relation to the provision of additional parallel parking Council's Strategic Planning team will liaise with City Infrastructure and Major Projects to identify further opportunities within and around the site.

Financial Implications

Not applicable

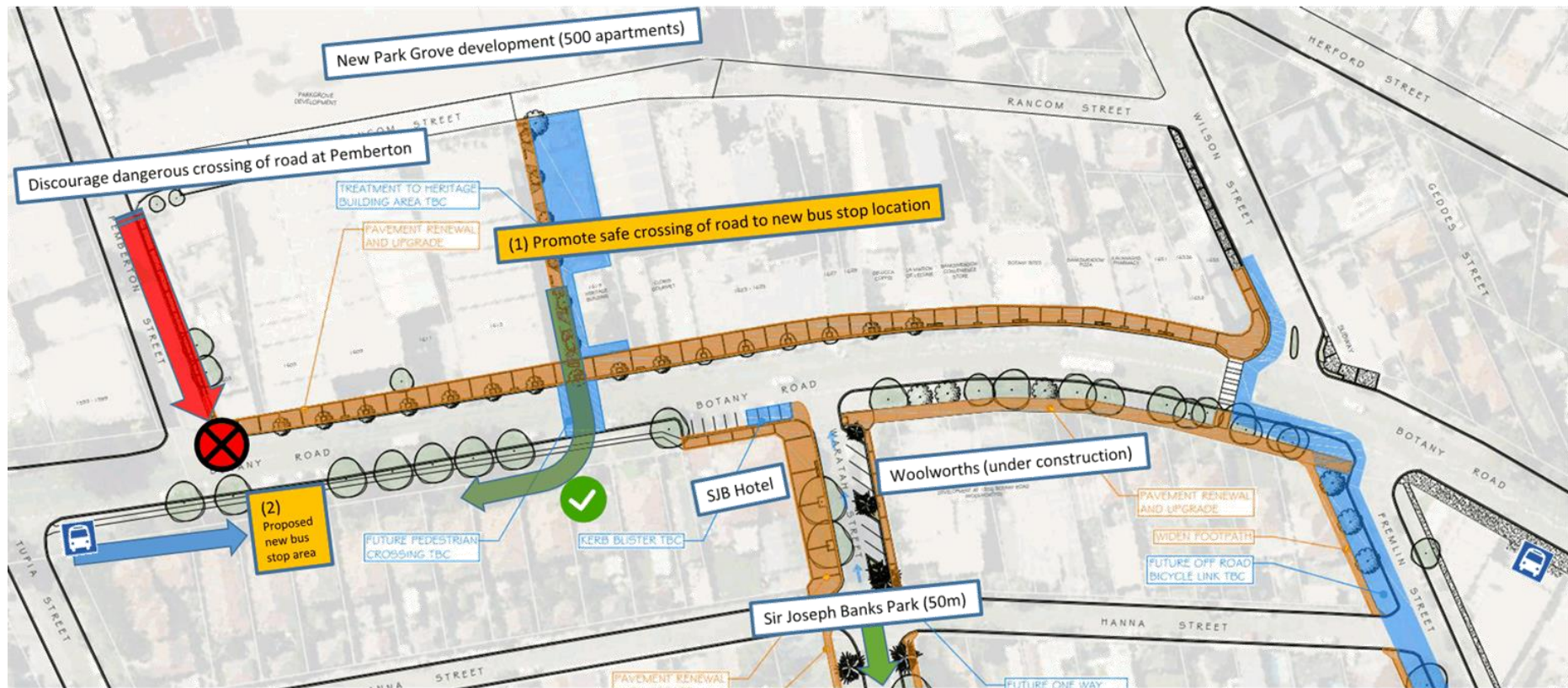


Community Engagement

Council will undertake appropriate community consultation in relation to the implementation of the proposed relocation of the bus stop.

Attachments

Figure 1: Banksmeadow pedestrian crossing and bus stop schematic [↓](#)



Council Meeting

9/05/2018

Item No	8.9
Subject	Botany Foreshore Erosion
Report by	Colin Mable, Executive Engineer
File	SF17/2772

Summary

Council considered the ongoing issues of beach erosion along Lady Robinsons Beach at Meetings on 13 December, 2017 and 14 February, 2018 and endorsed its support for seeking grant applications to address the issue.

Council requested that the General Manager contact the Minister for Environment, The Hon. Gabrielle Upton MP to request Lady Robinsons Beach to be added to the list of coastal erosion hotspots in the hope of gaining additional funding for beach restoration works.

This Report summaries the response from the Minister's Department which states that Lady Robinsons Beach will not be added to the Hotspot List as it does not satisfy the criteria under the Act. A Hotspot in a location where five or more houses or a Public Road are at immediate risk due to beach erosion and the Department has concluded that this is not the case along Lady Robinsons Beach.

Officer Recommendation

- 1 That Council notes the advice of the NSW Office of Environment and Heritage that Lady Robinsons Beach will not be identified as a Coastal Erosion Hot Spot.
 - 2 That Council notes and supports Beach Nourishment Works at Ramsgate subject to the approval of a grant under the 2017/18 Coastal Management Program.
 - 3 That Council notes and supports the submission of a grant application to the OEH for the detailed planning and design of works to address the ongoing beach erosion issues along Lady Robinsons Beach.
-

Background

Council requested the General Manager to seek funding under the State Government Coastal Erosion "Hot Spot" list for works along Lady Robinsons Beach. The General Manager on 28 February 2018 met the Minister for Environment the Hon. Gabrielle Upton MP seeking funding opportunities to assist Council in implementing actions along Lady Robinsons Beach and to include the Beach in the list of coastal erosion hotspots.

The Director of Office of Environment and Heritage has replied to Council on behalf of the Minister and advised that Lady Robinsons Beach does not satisfy the criteria for a hotspot location. In fact in the new Coastal Management Act 2016 there is no reference to coastal erosion hotspots.

The letter acknowledged receipt of Council's Grant Application for beach nourishment works at Ramsgate Baths, and advised that an announcement is expected to be made in due course.

The letter further encouraged Council to apply to the Office of Environment and Heritage (OEH) for funding to undertake the detailed planning and design for further works along Lady Robinsons Beach with these grant applications closing on 30 June 2018.

And finally the letter encouraged Council to work with the Roads and Maritime Services and Sydney Airport Corporation Limited with implementing the actions of the Worley Parson's Reports as both Organisations have in the past contributed to shoreline restoration projects.

Also as mentioned in previous Reports to Council, Lady Robinson Beach has been subject to ongoing beach erosion issues for over 50 years, Major works were undertaken in 1997 and 2006 to restore the beach between Sandringham Bay, Sans Souci to President Avenue, Brighton Le Sands. This involved the construction of 13 groynes and the placement of 447,000m³ of sand at a total cost of \$13.3M with Council contributing \$1M towards the projects.

While these works created some benefit at the time, they are not a final solution as the foreshore is a dynamic environment that is constantly changing due to natural events and changes to the built environment in Botany Bay.

To manage these changes Council engaged the Coastal Expert Worley Parsons to assess the performance of the current measures and develop strategies to maintain and improve the existing structures.

The Consultant has developed a Table of Works involving lengthening groynes, constructing new groynes and additional beach nourishment with works estimated at over \$7M.

Proposal

As a first stage in implementing the Worley Parson's Management Plan for Lady Robinson Beach it is proposed to undertake beach nourishment works around Ramsgate Baths at an estimated cost of \$490,000. This is subject to a grant application to the OEH under the 2017/18 Coastal Management Program with Council being required to contribute \$245,000 towards the Project.

As a next stage Council proposes to apply to the OEH for a grant to undertake the detailed planning and design of works recommended by Worley Parsons and addressing the erosion issues between Solander Street, Monterey and O'Neil Street, Brighton Le Sands. The estimated cost of these works is \$500,000. This grant application closes on 30 June, 2018.

This detailed planning and design of these strategies is mandatory before OEH will even consider granting funds for the implementation of works.

Risk Management

Failure to implement the Worley Parsons Recommendations will result in continuing erosion along Lady Robinson Beach with its adverse impacts on beach usage, undermining of the existing seawall and the adjacent Cook Park.

Approval Process

Prior to undertaking any works along Lady Robinson Beach Council will undertake a Part V Environmental Assessment and obtain all approvals as required under the Act.

Conclusion

Lady Robinsons Beach/Cook Park is a recognised Regional Asset that not only benefits local residents but also the Greater Region of Sydney and International Visitors.

Therefore it is recommended that Council approve the Officer Recommendations for addressing beach erosion along Lady Robinson Beach.

Financial Implications

Not applicable ☐

Included in existing approved budget ☐

Additional funds required ☒

Funds up to \$250,000 will be required for the additional grant application with funds sourced from the SRV – Foreshore Account.

Community Engagement

Community Consultation would not be required for the Grant Application for planning and design but would be undertaken prior to the undertaking of any works along Lady Robinson Beach.

Attachments

Nil

Council Meeting

9/05/2018

Item No	8.10
Subject	Fire & Rescue NSW Inspection Report - 39 Kent Road Mascot
Report by	Paul Cox, Senior Building Certifier - Fire Safety
File	SF17/2772

Summary

Council is in receipt of correspondence from Fire & Rescue NSW dated 7 March 2018 advising that an inspection of 39 Kent Road, Mascot by one of their Authorised Fire Officers has identified a concern relating to fire safety. A copy of the report and recommendations has been referred to Council as required by Part 9.3 Sch.5 Part 8 (17), formerly Section 121ZD (2) of the Environmental Planning and Assessment Act 1979.

A site inspection of the building was undertaken by Council Fire Safety Officers on 22 March 2018 which verified the concerns raised by Fire & Rescue NSW. The inspection also identified some other areas that will require attention. Verbal instructions were given to the building manager on site to rectify issues that pose the most serious risk to safety.

A follow up inspection on 27 March 2018 revealed that the urgent matters, including removing a lock on a fire door, had been rectified.

A Notice of Proposed Order (Fire Safety Order) requiring the rectification of fire safety breaches has been served on the building owner.

Officer Recommendation

- 1 That Report Reference number BFS 17/3098 (2336) dated 7 March 2018 forwarded on behalf of the Commissioner of Fire and Rescue NSW, be tabled at Council's meeting as required by Part 9.3 Sch.5 Part 8 (17), of the Environmental Planning and Assessment Act 1979.
 - 2 That Council follows up compliance with the Notice of Proposed Order (Fire Safety Order) requiring the rectification of fire safety breaches at 39 Kent Road Mascot, in conjunction with the building owner, strata manager and Fire & Rescue NSW.
 - 3 That Council notifies Fire & Rescue NSW of Council's actions in relation to this matter.
-

Background

Council is in receipt of correspondence from Fire & Rescue NSW advising that an inspection of 39 Kent Road Mascot by one of their Authorised Fire Officers has identified a concern relating to fire safety. A copy of the report and recommendations has been referred to Council as required by Part 9.3 Sch.5 Part 8 (17), formerly Section 121ZD (2) of the Environmental Planning and Assessment Act 1979.

Financial Implications

Not applicable



Community Engagement

Not Applicable

Attachments

Fire & Rescue NSW Inspection Report - 39 Kent Road, Mascot [↓](#)



**Fire &
Rescue NSW**

Unclassified

File Ref. No: BFS17/3098 (2336)
TRIM Ref. No: D18/3044
Contact: Station Officer Paul Scott

7 March 2018

General Manager
Bayside Council
PO Box 21
ROCKDALE NSW 2216

Email: council@bayside.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT
39 KENT ROAD MASCOT ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *The fire facilities at this site are not to code and unsafe which is surprising noting it's a reasonably new development.*
- *The fire stair from the car park to the street was this morning locked meaning my partner was trapped in these needing to be rescued and unable to exit safely. I don't understand why these are even lockable.*
- *Other items include:*
 - *external fire doors located next to each other and opening onto each other meaning if both are in operation one is blocked*
 - *works done in fire corridor to a poor standard and with compromised fire stopping*
- *We only visit the building to see friends occasionally so areas of the building we see are very limited which concerns me what standards in other areas are like.*
- *If there was an emergency situation at this apartment block I would be very surprised if everyone was able to exit safely.*

Fire & Rescue NSW

Community Safety Directorate
Fire Safety Compliance Unit

firesafety@fire.nsw.gov.au

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Pursuant to the provisions of Section 119T (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 15 January 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T (4) and Section 121ZD (1) of the EP&A Act. Please be advised that Section 121ZD (2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016, Volume 1 Building Code of Australia (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed outline concerns that may contradict development consent approval or relate to the building's age. In this regard, it is council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measure

- 1A. Annual Fire Safety Statement (AFSS) and Fire Safety Schedule (FSS) – An AFSS and FSS are not displayed in a prominent location within the building contrary to the requirements of Clause 177 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg). However, a Fire Safety Certificate is posted in the main foyer and is dated 13 October 2016.
- 1B. Maintenance – Maintenance books for the Fire Hydrant Installation, Fire Sprinkler System and the Smoke Detection and Alarm Systems were not available to view on the day of the inspection. Given a current AFSS was not displayed at the time of the inspection, it is unclear whether the essential fire safety measures are being maintained in accordance with Clause 182 of the EP&A Reg.
- 1C. Fire Hydrant Installation – Having regard to Australian Standard AS2419.1 – 2005, the following concerns were observed:

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- A. The boost pressure signage located at the fire hydrant booster assembly stipulates a boost pressure of 800 kPa. It appears that the pressure is insufficient to achieve a pressure of 700 kPa at the most hydraulically disadvantage hydrant within the building contrary to the requirements of Clause 2.3.1.1 of AS2419.1-2005;
 - B. Signage adjacent to the fire hydrant boost inlet connection incorrectly identifies the boost inlets as "ATTACK" hydrants. It is recommended that the ATTACK signage be removed.
- 1D. Smoke Detection – Having regard to Performance Requirement EP2.2 of the NCC, the following concerns were observed as there may be insufficient warning to allow occupants to safely evacuate:
- A. A smoke detector identified as number 34, installed in Zone 4 on the Fire Indicator Panel (FIP), has been isolated since 25 September 2017
 - B. The detector located in the retail service corridor was found to be covered with a plastic bag which was removed whilst FRNSW were at the premises;
 - C. D&H Asian Mart – the following was observed of the smoke detectors:
 - i. Do not appear to be installed in accordance with the requirements of AS1670.1-2005.
 - ii. Dust caps remain installed on the detectors throughout the shop.
 - iii. Are not mounted to the ceiling and are located approximately 1800mm from the floor surface.
 - iv. The store room located at the back of the store does not have any smoke detection installed.

2. Access and Egress

- 2A. Fire Isolated Stairs – The stairs in the fire isolated stairwells providing egress from the residential tower and the carparking levels have not been installed in accordance with Clause D2.13 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC). In this regard;
- A. Risers and Goings – A similar audit of the risers and goings may also be required as the risers vary between 145mm and 190mm and the goings vary up to 100mm in the northern fire isolated stairs from the carpark.

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B. Impediments – Clause 184, 185 and 186 of the EP&A Reg requires specific exits to be clear of obstructions and impediments. The following items may be considered impediments or obstruction as per the EP&A Reg, dynabolts, concrete, wire and loose waterproofing material.

2B. Egress – Clause D2.21 of the NCC requires doors in a required exit to be openable without a key. The door located on the southern end of the visitors' carpark appears to be a required exit, the concern is that the door is capable of being locked and prevents egress from the building.

3. Compartmentation

3A. Openings – There were multiple openings that appear to be unprotected between the fire isolated stairs and the pumproom and mechanical plantrooms located on Level 14 contrary to the requirements of Clause C3.9 of the NCC;

3B. Fire Door – There is door frame that appears to separate the retail service corridor and the residential foyer. Clause C3.5 of the NCC requires the installation of fire door in fire walls, given the frame appears to separate the two areas, a fire door may require installation.

4. Generally

4A. Cladding – A visual inspection of the external façade has revealed that the material may be a combustible façade. In this regard, the following may require council's discretion as the appropriate regulatory authority to inspect 'the premises', review its records and consider the most appropriate action by confirming:

A. Whether the building has been approved as Type (A / B) construction in accordance with Clause C1.1 of the NCC.

B. Whether the building material is considered combustible and requires further enforcement action as an "external wall" or an "attachment" as defined by the NCC.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

FIRE SAFETY ORDER NO. 6

The inspecting Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW issued an Order No. 6, dated 14 February 2018, in accordance with the provisions of Section 121B of the EP&A Act, to have item no. 1D (A) and item no. 1D (C) (ii) of this report rectified.

In accordance with the provisions of Section 121ZE of the EP&A Act, a copy of the Order is attached for your information.

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Fire & Rescue NSW

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RE-INSPECTION

Pursuant to the provisions of Section 119T(1)(b) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 189(a) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation), an inspection of 'the premises' on 19 February 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

At the time of the inspection, the terms of 'the order' issued on 'the premises' were compliant. Please be advised that 'the order' is not an exhaustive list of non-compliances, it is at Council's discretion to inspect and address any other deficiencies identified on 'the premises'.

RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises' and require item no. 1 through to item no.4 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Section 121ZD (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Station Officer Paul Scott of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS17/3098 (2336) for any future correspondence in relation to this matter.

Yours faithfully



Edren Ravino
Building Surveyor
Fire Safety Compliance Unit

Attachment: [Appendix 1 – Emergency Order 6 - Three pages]

Fire & Rescue NSW

Community Safety Directorate
Fire Safety Compliance Unit

firesafety@fire.nsw.gov.au

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Appendix 1 – Emergency Order 6

Unclassified



**Fire &
Rescue NSW**

File Ref. No: BFS17/3098 (2336)
TRIM Ref. No: D18/7349
Contact: Station Officer Paul Scott

7 February 2018

The Owners of Strata Plan No. 94599
C/- Dependable Strata
21 Forest Road
Arncliffe NSW 2205

Dear Owners

RE: **EMERGENCY ORDER**
39 KENT STREET MASCOT("the premises")


Pursuant to the provisions of Section 119T (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 15 January 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of Fire and Rescue NSW (FRNSW).

At the time of the inspection there were fire safety matters that were identified as a significant concern to FRNSW, as the activity or deficiencies identified constitute an emergency or a serious risk to safety. As a result, an Emergency Fire Safety Order (Order No. 6) is issued in accordance with the provisions of Section 121B of the EP&A Act (copy attached).

A report of the inspection and a copy of the Order will also be forwarded to Bayside Council in accordance with the requirements of Sections 119T, 121ZC, 121ZD and 121ZE of the EP&A Act. Further inspections will be conducted by FRNSW to assess compliance with the terms of the Order.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Station Officer Paul Scott of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS17/3098 (2336) for any future correspondence in relation to this matter.

Yours faithfully



John Brusino
Building Surveyor
Fire Safety Compliance Unit

CC: David Pegler
Strata Manager
david@dependablestrata.com.au

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**Fire &
Rescue NSW**

Emergency Fire Safety Order

**Under the *Environmental Planning and Assessment Act 1979*
Part 6 - Implementation and Enforcement: Division 2A – Orders
Tables to Section 121B: Emergency Order No. 6 – Fire Safety Order**

Please note:

- Pursuant to Section 121ZC (2) of the Act, this Order has been given as an Emergency Order as the issuing officer believes activity or deficiencies identified constitute an emergency or a serious risk to safety.
- Pursuant to Section 121ZK (2) of the Act, there is no right of appeal against this Order.
- Failure to comply with this Order may result in further Orders and/or fines being issued.
- Substantial penalties may be imposed under Section 125 of the Act for failure to comply with an Order.

I, **Paul Scott** **Station Officer** **6776**
(name) (rank) (number)

being an authorised Fire Officer within the meaning of Section 121ZC of the *Environmental Planning and Assessment Act 1979*, and duly authorised for the purpose, hereby order:

The Owners of Strata Plan No. 94599 **Owners**
(name of person whom Order is served) (position i.e. owner, building manager)

with respect to the premise

39 KENT STREET MASCOT ("the premises")
(name/address of premises to which Order is served)

to do, or refrain from doing, the following things:

1. Ensure the Automatic Smoke Detection and Alarm System installed in 'the premises' is fully operational, by:
 - a. Removing the isolation to Zone 34, displayed on the Fire Indicator Panel, and
 - b. Removing all dust caps installed on the smoke detectors within the tenancy of 'D&H Asian Mart'.


The terms of the Order are to be complied with:

By no later than **1200 hours** on the **14 February 2018**.

Fire & Rescue NSW
 Community Safety Directorate
 Fire Safety Compliance Unit
 firesafety@fire.nsw.gov.au

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The reasons for the issue of this Order are:

- a. At the time of the inspection:
 - i. The building was occupied;
 - ii. The Fire Indicator Panel (FIP) displayed an isolated detector located in the retail service corridor (Zone 34);
 - iii. Smoke detectors in the D&H Asian Mart had dust caps installed to them.
- b. Isolations and faults in the Automatic Smoke Detection and Alarm System may leave occupant unaware of an emergency.
- c. To ensure the Automatic Smoke Detection and Alarm System is fully operational, so occupants are provided with early notification of a fire within the building so that they may safely evacuate the premises.
- d. To ensure the Automatic Smoke Detection and Alarm System can operate in accordance with the designed standard of performance.
- e. To comply with the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000.

This Order No. 6 was sent by mail on **7 February 2018**.


 Paul Scott
 Fire Safety Officer
 Fire Safety Compliance Unit

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Council Meeting

9/05/2018

Item No	8.11
Subject	Fire and Rescue Inspection Report - 586 Princes Highway Rockdale
Report by	Paul Cox, Senior Building Certifier - Fire Safety
File	F08/584P02

Summary

Council is in receipt of correspondence from Fire & Rescue NSW dated 21 March 2018 advising that an inspection of 586 Princes Highway Rockdale by one of their Authorised Fire Officers has identified a concern relating to fire safety. A copy of the report and recommendations has been referred to Council as required by Part 9.3 Sch.5 Part 8 (17), formerly Section 121ZD (2) of the Environmental Planning and Assessment Act 1979.

An external site inspection of the building was undertaken by a Council Fire Safety Officer on 17 April 2018, which verified several of the issues raised by Fire & Rescue NSW.

The site is a recently completed 9 storey mixed commercial/residential development with 3 levels of basement parking, which contains 3 Strata Plans.

Council has contacted the Strata Managers, the builder and private certifier to arrange a more comprehensive audit of the sites fire services.

A Notice of Proposed Order (Fire Safety Order) requiring the rectification of fire safety breaches will be served on the building owner at the completion of Council's investigation.

Officer Recommendation

- 1 That report Reference number BFS 17/3050 (2292) dated 21 March 2018, forwarded on behalf of the Commissioner of Fire and Rescue NSW, be tabled at Council's meeting as required by Part 9.3 Sch.5 Part 8 (17), of the Environmental Planning and Assessment Act 1979.
 - 2 That Council proceeds with compliance action, including but not limited to the issue of a Notice of Proposed Order (Fire Safety Order), requiring the rectification of fire safety breaches at 586 Princes Highway Rockdale, in conjunction with the building owner, strata managers, builder, private certifier and Fire & Rescue NSW.
 - 3 That Council notifies Fire & Rescue NSW of Council's actions in relation to this matter.
-

Background

Council is in receipt of correspondence from Fire & Rescue NSW advising that an inspection of 586 Princes Highway Rockdale by one of their Authorised Fire Officers has identified a concern relating to fire safety. A copy of the report and recommendations has been referred to Council as required by Part 9.3 Sch.5 Part 8 (17), formerly Section 121ZD (2) of the Environmental Planning and Assessment Act 1979.

Financial Implications

Not applicable



Community Engagement

Not applicable

Attachments

Fire & Rescue NSW Inspection Report - 586 Princes Highway, Rockdale [↓](#)

**Fire &
Rescue NSW**

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File Ref. No: BFS17/3050 (2292)
TRIM Ref. No: D18/17670
Contact: Conor Hackett

21 March 2018

The General Manager
Rockdale City Council
2 Bryant Street
Rockdale NSW 2216

Email: rcc@rockdale.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear General Manager

**Re: INSPECTION REPORT
586 PRINCES HIGHWAY ROCKDALE ("the premises")**

Fire & Rescue NSW (FRNSW) received correspondence on 13 December 2017, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated, in part, that:

- *Automatic Evacuation Tones did not activate in automatic fire mode.*
- *Magnetic Fire Doors in basement parking were wedged open.*
- *ABLOY key locks have been installed to hydrant boosters, electrical switch room and throughout. Difficult to access and navigate building.*
- *Basement levels not sprinklered.*

Please be advised that the inspection for 'the premises' was conducted prior to the amendments of the Environmental Planning and Assessment Act 1979 (EP&A Act) on 1 March 2018. As such, all references to the relevant sections in this report are provided prior to the amendments of the EP&A Act.

Pursuant to the provisions of Section 119T (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 20 February 2018 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

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The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T (4) and Section 121ZD (1) of the EP&A Act. Please be advised that Section 121ZD (2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

COMMENTS

This report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016, Volume 1 Building Code of Australia (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed outline concerns that may contradict development consent approval or relate to the building's age. In this regard, it is council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures

1A. Hydrant Booster – Having regard to performance requirement EP1.3 of the NCC, the following may require council's consideration and review:

- A. The hydrant booster assembly enclosure on Lister Avenue, did not include a lock compatible with FRNSW access key (003 key), and as a result, access was not available at the time of the inspection. Typically, locks are installed to be compatible with FRNSW, in accordance with Clause 7.9.1(a) of Australian Standard AS 2419.1.2005.
- B. The hydrant valve at the lowest basement level was observed without a Storz aluminium alloy coupling. Clauses 7.1 and 8.5.11.1 of Australian Standard AS 2419.1.2005 specifies that attachments to the hydrant must be compatible with FRNSW appliances and equipment. Observations at the time indicate that FRNSW's ability to attach a hose in a timely manner to the hydrant booster may not be possible.

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- 1B. Maintenance – Clause 182 of the Environmental Planning and Assessment Regulation 2000 requires that an essential fire safety measure must be maintained to a standard no less than when it was first installed. The following essential services were identified as concerns:
- A. Exit signs – At the time of inspection a number of exit signs in the basement area were either not operating when the test button was pressed or were not illuminated.
 - B. Emergency Lighting – At the time of the inspection there were a number of spit fires that were not operating when the test button was pressed.
 - C. Emergency Warning and Intercommunication System – At the time of the inspection, there was a fault showing at the Fire Indicator Panel for the evacuation control system. It is assumed that council has received regular Annual Fire Safety Statements (AFSS) in relation to 'the premises', in this regard it may be in council's interest to review its records and compel the owners to address this anomaly and any other concerns.
- 1C. Automatic Smoke Detection and Alarm System – Typically, Section 3.10 of the Australian Standard 1670.1 -2015 requires a Zone Block Plan to be securely mounted and located adjacent to the Fire Indicator Panel (FIP). At the time of the inspection, a Zone Block Plan could not be located beside the FIP.

2. Egress

- 2A. Goings and Risers – Clause D2.13 of the NCC requires the configuration of the stairs to be constant goings and risers throughout each flight. Multiple stair flights in the fire-isolated stairs to the northern elevation appear to be contrary to this requirement.
- 2B. Landings – Clause D2.14 of the NCC requires landings to be used to limit the number of risers in each flight of stairs. It appears that steps have been incorporated into one of the landings in the fire-isolated stairs to the northern elevation.
- 2C. Store Room – Clause D2.7 of the NCC restricts the type of installation in exits and paths of travel. At the time of the inspection rooms that contained cleaning equipment and material were observed along the fire-isolated passageway. Without copies of the approved plans, it is unclear whether development consent has been granted to install rooms of this nature within the fire isolated stairs.

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3. Compartmentation

- 3A. Compartmentation – Having regard to performance requirement CP2, CP4 and CP8 of the NCC, the following items were observed as concerns in relation to maintaining the tenable conditions of the building to prevent the spread of fire to exits, SOUs, public corridors, openings and penetrations:
- A. Typically, doors that allow access into a fire isolated passageway are installed in accordance with Clause C3.8 of the NCC. The following was observed:
 - a. Multiple doors at the pedestrian entry level, appear to open into what appears to be a fire isolated passageway, and do not appear to be fire doors.
 - b. If the doors are confirmed to be fire doors, Self-closing devices have not been installed and a metal tag was not affixed to the edge of all door leaves and doorframes as required under AS1905.1.
 - B. The fire door from the fire isolated stair at Exit Level G, failed to return to the fully closed position after each opening, contrary to the requirements of Clause C3.4 of the NCC.
 - C. The double fire door-set to the garbage room on the ground floor, have not been provided with self-closing devices, contrary to the requirements of Clause C3.4 of the NCC.
 - D. Multiple service penetrations through the ground floor fire-isolated passageway did not appear to be adequately fire stopped in accordance with Clause C3.15 and Specification C3.15 of the NCC.
 - E. A sliding fire door in the basement carpark was wedged open, prohibiting the doors from activating in contravention with Clause C3.6 of the NCC.
- 3B. Vertical Separation – C2.6 of the NCC requires that a building of Type A Construction requires appropriate protection for openings that open directly above another in different storeys along the external wall. At the time of the inspection the balconies to Princes Highway and Lister Avenue were observed to have been enclosed, such an installation may compromise the separation between storeys.

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4. Generally

- 4A. It is noted that the Fire Engineering Brief (FEB) submitted to FRNSW in support of the development, prepared by Fire Modelling & Computing dated May 2010, proposed an automatic sprinkler system in the basement carpark. Observations at the time indicate that the basement carparking has not been installed in the basement carpark in accordance with the FEB. In this regard, it may be in council's interest to review it's records and determine what approvals has been relied upon to negate the installation of sprinklers.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

RECOMMENDATIONS

FRNSW recommends that Council:

- a) Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 4 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Section 121ZD (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact Conor Hackett of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS17/3050 (2292) for any future correspondence in relation to this matter.

Yours faithfully



Edren Ravino
Building Surveyor
Fire Safety Compliance Unit

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Fire & Rescue NSW

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Council Meeting

9/05/2018

Item No	8.12
Subject	Disclosure of Interest Returns - Designated Persons
Report by	Bruce Cooke, Acting 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 of the lodgements 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 Development Assessment Planner	15 January 2018	15 April 2018	15 January 2018
Coordinator Development Assessment	22 January 2018	22 April 2018	19 March 2018
Development Assessment Planner	22 January 2018	22 April 2018	19 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 issue raised in this report does not require community consultation under Council's Community Engagement Policy.

Attachments

Nil

Council Meeting

9/05/2018

Item No	8.13
Subject	Response to Question - Dockless Bike Share
Report by	Robert Allen, Transport Planner
File	SF12/575

Question

The following Question With Notice was submitted at Council's Meeting of 14/2/2018 by 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?

Response

Although no bike share companies have officially been distributed at points within Bayside Council, these bikes are widely used in inner Sydney and are now common place across our suburbs. There are a number of challenges and potential solutions not limited to Council boundaries with regard to dockless bike sharing, and the application of regional, network-wide guidelines to support the responsible use of these bicycles may be the most appropriate course of action.

As a result, we have signalled our intention to join other inner-city Councils in a coordinated 12-point plan in response to dockless bike share operations and to establish guidelines and set out minimum standards and expectations for bike share operators. Some of these guidelines may include, but are not limited to:

- offer incentives to customers to relocate bikes in built-up areas and communal parking areas (eg geo-fencing);
- deactivate broken bikes immediately and remove them within a week;
- provide parking stations across the LGA
- educate users about correct bike parking
- move bikes in dangerous spots within three hours and be proactive in the redistribution of bikes;
- resource a customer service phone-line between 6am and 9pm;
- unlock bikes for council staff when requested so that they can move bikes with more ease;

The benefits of Bayside Council joining this initiative include:

- Short and long-term standardised plan of management across councils
- Promotion of a clear line of communication with operators
- Definition of clear roles and responsibilities for respective parties

Council, is also rolling out a demand-based bicycle parking initiative in stages to complement both community bicycle parking increases and those observed by dockless bike-share.

The first point of contact for the community to report an apparent dumped dockless bike is the operator. The contact details for these operators can be found on Council Website. 3rd party smart phone apps such as 'Snap, Send, Solve' will allow users to photograph and generate a report, with the bikes location to be sent directly to the operators. The link to this app, can be found on Council's website.

Attachments

Nil

Council Meeting

9/05/2018

Item No	9.1
Subject	Minutes of the Community Relations Committee Meeting - 18 April 2018
Report by	Vincenzo Carrabs, Head of Communications & Events
File	SF17/2772

Officer Recommendation

That the Minutes of the Community Relations Committee meeting held on 18 April 2018 be confirmed as a true record of proceedings.

Present

Councillor Ed McDougall (Chair)
Councillor Michael Nagi
Councillor Dorothy Rapisardi

Also present

Mayor Bill Saravinovski
Councillor Liz Barlow
Councillor James Macdonald
Meredith Wallace, General Manager
Vince Carrabs, Head of Communications and Events
Christine Stamper, Coordinator Communications
Fausto Sut, Acting Director City Performance
Angela Hume, Manager Customer Experience
Kylie Gale, Coordinator of Events

The Chairperson opened the meeting in the Meeting Room, Botany Town Hall at.....

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

There were no apologies received.

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

4.1 Minutes of the Community Relations Committee Meeting - 21 February 2018

Committee recommendation

That the Minutes of the Community Relations Committee meeting held on 21 February 2018 be received and the recommendations therein be adopted.

5 Reports

5.1 Research of Events

Committee recommendation

That the committee note the report.

5.2 Cultural Festival in Arncliffe or Rockdale

Committee recommendation

- 1 That the Committee note the report.
- 2 That further investigations be undertaken of the Firth Street option.
- 3 That arrangements be made for the Committee and relevant officer to attend the Haldon Street event, organised by Canterbury Bankstown Council.

5.3 Review of Elector Numbers and Ward Boundaries

Committee recommendation

- 1 That the report be received and noted.
- 2 That a report on the ward boundaries be resubmitted to the Committee around September 2018.

5.4 Proposed International Jet Ski Event in Botany Bay 18 - 21 October 2018

Committee recommendation

That further discussion take place once further information comes to hand from the Australian Jet Ski Association and RMS approvals have been granted to the event organiser.

5.5 Markets in Bayside LGA

Committee recommendation

- 1 That the report on the proposal to have markets in Cook Park Kyeemagh be noted.
- 2 That Council consider a new fee for markets as part of its Fees and Charges for 2018/19 including delegations to the General Manager to allow a fee waiver for a short period to encourage new businesses.

5.6 Major Event Calendar 2018/2019

Committee recommendation

That the draft events program outlined in the report be noted and that a further report be provided to Council before the end of the current Financial Year.

6 General Business

There was no General Business.

7 Next Meeting

That the next meeting be held in the Meeting Room, Botany Town Hall at 6.30pm on Monday, 18 June 2018.

The Chairperson closed the meeting at 8.00pm.

Attachments

Nil

Council Meeting

9/05/2018

Item No	9.2
Subject	Minutes of the Public Works & Maintenance Committee Meeting - 18 April 2018
Report by	Jeremy Morgan, Manager City Infrastructure
File	SF17/2772

Officer Recommendation

That the Minutes of the Public Works & Maintenance Committee meeting held on 18 April 2018 be confirmed as a true record of proceedings.

Present

Councillor Dorothy Rapisardi (Chair)
Councillor James Macdonald
Councillor Michael Nagi

Also present

Councillor Bill Saravinovski (Mayor)
Councillor Liz Barlow
Meredith Wallace, General Manager
Colin Clissold, Director City Presentation
Jeremy Morgan, Manager City Infrastructure
Kyle Jamieson, Manager Parks & Open Spaces
Carl Briscoe, Tree Preservation Officer

The Chairperson opened the meeting in the Meeting Room, Botany Town Hall at 8.05pm.

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 apology was received:

Councillor Tarek Ibrahim

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

4.1 Minutes of the Public Works & Maintenance Committee Meeting - 28 February 2018

Committee recommendation

That the Minutes of the Public Works & Maintenance Committee meeting held on 28 February 2018 be received and the recommendations therein be adopted.

5 Reports

5.1 Sutherland and King Street Signalised Intersection - review of funding strategy

Officer Recommendation

- 1 That Council writes to the Roads Minister and Local Member seeking support for an exemption from the current signal standards, by leaving the signals on the power poles saving approximately \$1mil.
- 2 That Council continue to investigate Option 3.

5.2 Re-opening of Chuter Avenue Exit Ramsgate Beach Town Centre

Officer Recommendation

- 1 That the Public Works and Maintenance Committee receives and notes the report.
- 2 That the Committee recommends clearer signage highlighting entry points and mix of retail offers at the western end of the centre.
- 3 That the reopening of the western end of Chuter Avenue be reassessed 6 months after installation of signage.

5.3 Tree Management Principals

Officer Recommendation

- 1 That the report on the principles and guidelines around Council Tree

Management be received and noted.

- 2 That a fact sheet be prepared and loaded on the website about procedure for tree trimming and removals.

6 General Business

6.1 SACL Tender

The Committee was briefed on the SACL tender, which had been signed off on Thursday, 12 April 2018.

6.2 Poppies on Vehicles

It was noted that the Poppies on Vehicles Anzac memorials have been set up and ready for Anzac Day 2018.

6.3 Uniforms

The Committee was informed that the issuing of new uniforms to outdoor staff had commenced the week before this Committee meeting.

7 Next Meeting

That the next meeting be held in the Meeting Room, Botany Town Hall at 6.30pm on Monday, 25 June 2018.

The Chairperson closed the meeting at 9.48pm.

...

8 Next Meeting

That the next meeting be held in the Meeting Room, Botany Town Hal at 6.30pm on Monday, 25 June 2018.

The Chairperson closed the meeting at

Attachments

Nil

Council Meeting

9/05/2018

Item No	9.3
Subject	Minutes of the Bayside Traffic Committee Meeting - 2 May 2018
Report by	Jeremy Morgan, Manager City Infrastructure
File	SF17/2772

Officer Recommendation

That the Minutes of the Bayside Traffic Committee meeting held on 2 May 2018 be received and the recommendations therein be adopted.

Present

Councillor Ed McDougall (Convener)
Traffic Sergeant Frank Gaal, St George Police
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

Joe Scarpignato, St George Cabs
Jeremy Morgan, Manager City Infrastructure, Bayside Council
Michael Azzi, A/-Manager Regulations, Bayside Council
Pintara Lay, Coordinator Traffic and Road Safety, Bayside Council
Agasteena Patel, Traffic Engineer, Bayside Council
Malik Almuhanha, Asset Officer - Traffic, Bayside Council
Pat Hill, Traffic Committee Administration Officer, Bayside Council
Glen McKeachie, Coordinator Regulations, Bayside Council
David Carroll, Senior Parking Patrol Officer, Bayside Council
Julie Gee, Senior Project Landscape Architect, Bayside Council, (Item BTC18.46 Brighton St)
Colin Mable, Executive Engineer, Bayside Council (Informal Items)

The Convenor opened the meeting in the Pindari Room, Level 1, 448 Princes Highway, Rockdale at 9.15 am.

1 Apologies

The following apologies were received:

Lyn Moore, NSW Pedestrian Council,
James Suprain, representing Roads and Maritime Services
Peter Whitney, State Transit Authority
Peter Hannett, St George Bicycle User Group

2 Disclosures of Interest

There were no disclosures of interest.

3 Minutes of Previous Meetings

BTC18.043 Minutes of the Bayside Traffic Committee Meeting - 4 April 2018

Committee Recommendation

That the Minutes of the Bayside Traffic Committee meeting held on 4 April 2018 be received and the recommendations therein be adopted.

4 Reports

BTC18.044 63 Alfred Street, Mascot - Works Zone

Committee Recommendation

That approval be given to the installation of an 8m 'Works Zone, 7 am- 6.30 pm, Mon – Fri and 8.00 am – 3.30 pm Sat' restriction, on the frontage of 63 Alfred Street, Mascot for a duration of 16 weeks, subject to relevant conditions.

BTC18.045 Barnsbury Grove, Bexley North - Proposed Pedestrian Crossing South of Kingsland Road

Committee Recommendation

That approval be given to the installation of a marked footcrossing at the existing pedestrian refuge island in Barnsbury Grove, Bexley North, south east of Kingsland Road.

BTC18.046 Brighton Street, Banksmeadow, eastern side footpath, opposite Banksmeadow Public School - proposed nine (9) additional 90 degree angle parking with landscaping

Committee Recommendation

- 1 That approval be given to the conversion of the parallel parking to 90 degree rear to kerb angle parking in order to provide nine (9) additional parking spaces in front of Nos. 45 to 49 Brighton Street, Banksmeadow, as part of the "*Street Tree Masterplan Civil Implementation*" project in the 2017/18 FY capital program. The new parking spaces will be time unrestricted.
- 2 That existing ten (10) of 90 degree angle parking spaces with '8P, 6 am - 6 pm, Mon – Fri' restriction in front of Nos. 49 to 53 Brighton Street be retained.

BTC18.047 Chegwyn Street, Botany - Proposed Two 90 Degree Disabled Parking Spaces South of Bay Street

Committee Recommendation

- 1 That Two (2) 90 Degree Disabled Spaces with a Shared Zone be installed on the western side of Chegwyn Street, near Bay Street. The linemarking and space widths are to comply with AS/NZS 2890.6:2009 Part 6. No bollard is proposed in the Shared Zone.
- 2 That R5-1-3(L) and R5-1-3(R) signs be installed to provide a Disabled Parking zone width, inclusive of Shared Zone of approximately 7.8m.
- 3 That a landscaped Kerb Blister be installed north of the proposed disabled spaces to increase safety for users.

BTC18.048 Fontainebleau Street, Sans Souci - Proposed signposting of 'NST' and 'Bus Zone' restrictions at existing bus stops

Committee Recommendation

That approval be given to the installation of the following parking restrictions along Fontainebleau Street at various locations:

- 1 From 0m to 10m – 'No Stopping' restriction (starting from Brentwood Street westwards) outside number 56 Fontainebleau Street
- 2 From 10m to 30m – 'Bus Zone' restriction (outside 56 and 54 Fontainebleau Street)
- 3 From 0m to 10m – 'No Stopping' restriction (starting from Brentwood Street westwards) outside number 47 Fontainebleau Street
- 4 From 10m to 30m – 'Bus Zone' restriction (outside 45 and 47 Fontainebleau Street)
- 5 From 0m to 10m – 'No Stopping' restriction (starting from Tuffy Avenue eastwards outside the café)
- 6 From 10m to 30m – 'Bus Zone' restriction (outside 66A Fontainebleau Street)
- 7 30m 'Bus Zone' restriction outside number 15A and 19 Fontainebleau Street from property boundary of numbers 13 and 15A to 1m east of driveway of house number 19.
- 8 30m 'Bus Zone' restriction outside number 22 and 26 Fontainebleau Street from 1m east of driveway of house number 22 westwards up to number 26.

BTC18.049 Harris Street, Rosebery - Proposed Pedestrian Crossing improvements near St Therese Catholic Primary School

Committee Recommendation

- 1 That two (2) "Children's Crossing" flag posts be relocated to both approaches of Harris Street, Rosebery to the marked foot crossing approximately six metres away from their current locations in front of St Therese Catholic Primary School.
- 2 That two (2) additional Marker Posts be installed.
- 3 That two (2), 6m long and 300mm wide Stop Lines be painted on both approaches to the marked footcrossing in Harris Street.

BTC18.050 62-64 Iliffe Street, Bexley, east of Regent Street - Proposed Works Zone

Committee Recommendation

That approval be given to the installation of 22m of 'Works Zone, 7am- 6:30pm, Mon – Fri and 8.00 am – 3.30 pm, Sat' restriction in Iliffe Street for Nos 62-64 Iliffe Street, Bexley, for a duration of 17 weeks, subject to relevant conditions.

BTC18.051 Johnson Lane, rear of 5 Wentworth Avenue, Mascot - Proposed 30m No Parking Zone opposite vehicular crossing

Committee Recommendation

That this matter be deferred to the next available Traffic Committee meeting.

BTC18.052 5 Lindsay Street, Rockdale - Proposed 'No Stopping' restrictions across access road

Committee Recommendation

That approval be given for the installation of 35m 'No Stopping' restriction in Lindsay Street, Rockdale, starting from 1m east of the industrial warehouse building driveway westwards past the access road at the applicant's expense.

BTC18.053 Sutherland Street, Rosebery - Proposed Pedestrian Crossing Improvements near St Therese Catholic Primary School

Committee Recommendation

- 1 That a "Children's Crossing" flag post be installed at each approach of

Sutherland Street to the existing marked footcrossing. Two (2) posts to be installed in total.

- 2 That four (4) Marker Posts be installed.
- 3 That a 6m long, 300mm wide Stop Line be painted on each approach of Sutherland Street to the Pedestrian Crossing. Two (2) Stop Lines, 12m in total to be painted.

BTC18.054 The Glen Road, Bardwell Valley- Proposed 'No Parking' restrictions outside number 26 to 34

Committee Recommendation

That this matter be deferred to the next available Traffic Committee Meeting.

BTC18.055 The Little Grand Parade, Brighton Le Sands - Proposed 'Motor Bikes Only' restrictions, between driveways of number 3 and 4'

Committee Recommendation

That approval be given to the installation of 'Motor Bikes Only' between the driveways of Nos. 3 and 4 The Little Grand Parade, Brighton Le Sands.

BTC18.056 Tuffy Avenue southern approach to Fontainebleau Street, Sans Souci - Amended detailed design drawings for traffic calming scheme

Committee Recommendation

- 1 That endorsement be given to the construction of a raised pedestrian refuge island and associated 'No Stopping' signs on the northern approach of Tuffy Avenue at its intersection with Fontainebleau Street, Sans Souci.
- 2 That endorsement be given to the installation of painted traffic island on the southern approach of Tuffy Avenue of its intersection with Fontainebleau Street instead of the raised pedestrian refuge island and associated 'No Stopping' signs.

BTC18.057 New Business

Committee Recommendation

That this report be received and noted.

5 General Business

**BTC18.058 12 Holland Street, Rockdale - proposed disabled parking -
raised by George Perivolarellis, representing State
Members for Rockdale and Heffron**

Committee Recommendation

That the matter raised be investigated.

**BTC18.059 Wentworth Avenue at McBurney Avenue, Botany -
proposed marked footcrossing - raised by George
Perivolarellis, representing State Member for Rockdale
and Heffron**

Committee Recommendation

That the State Member for Heffron be advised that this pedestrian crossing matter has been referred to the RMS to investigate as Wentworth Avenue is a State Road which comes under the jurisdiction of the RMS.

Note: Council has forwarded this matter to the RMS to consider as the proposed pedestrian crossing is on a State Road.

The Convenor closed the meeting at 10.38 am.

Attachments

Nil