

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 12 February 2020** at **7:00 pm**.

AGENDA

1 ACKNOWLEDGEMENT OF COUNTRY

2 OPENING PRAYER

3 APOLOGIES

4 DISCLOSURES OF INTEREST

5 MINUTES OF PREVIOUS MEETINGS

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7 PUBLIC FORUM

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

Any item the subject of the Public Forum will be brought forward and considered after the conclusion of the speakers for that item.

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The meeting will be 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

12/02/2020

Item No	5.1
Subject	Minutes of the Council Meeting - 11 December 2019
Report by	Michael Mamo, Director City Performance
File	SF19/9462

Officer Recommendation

That the Minutes of the Council meeting held on 11 December 2019 be confirmed as a true record of proceedings.

Present

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

Also Present

Meredith Wallace, General Manager
Michael Mamo, Director City Performance
Debra Dawson, Director City Life
Michael McCabe, Director City Futures
Colin Clissold, Director City Presentation
Bruce Cooke, Acting Manager Governance & Risk
Liz Rog, Manager Executive Services
Matthew Walker, Manager Finance
Samantha Urquhart, Manager Property
Joe Cavagnino, Manager Procurement & Fleet
Karin Targa, Major Projects Director
Clare Harley, Manager Strategic Planning
Maree Girdler, Acting Manager Community Life
Laura Browning, Coordinator Children Services
Ben Heraud, Coordinator Property
Christine Stamper, Communications & Events Lead
Taif George, IT Technical Support Officer
Anne Suann, Governance Officer

The Mayor opened the meeting in the Council Chambers, Rockdale Town Hall, Level 1, 448 Princes Highway, Rockdale at 7.11 pm.

The Mayor informed the meeting, including members of the public, that the meeting is being video recorded and live streamed to the community via Council's Facebook page, in accordance with Council's Code of Meeting Practice.

1 Acknowledgement of Country

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

2 Opening Prayer

The Reverend Adam Clark, Senior Minister at Kensington Eastlakes Anglican Church, opened the meeting in prayer.

Following the prayer, the Mayor offered his condolences to New Zealand and to the Australian tourists and families who have been impacted by the White Island volcanic eruption which occurred on Monday afternoon, 9 December 2019.

3 Apologies

RESOLUTION

Minute 2019/252

Resolved on the motion of Councillors Sedrak and Bezic

That the apology from Councillor Petros Kalligas be received and leave of absence granted.

4 Disclosures of Interest

Councillor Poulos declared a Less than Significant Non-Pecuniary Interest in Item 6.3 on the basis that her husband works for the Minister for Environment, and stated she would leave the Chamber for consideration and voting on the matter.

Councillor Poulos declared a Less than Significant Non-Pecuniary Interest in Item 8.5 on the basis that she works for the Parliamentary Secretary for Roads and Transport, and stated she would leave the Chamber for consideration and voting on the matter.

Councillor Tsounis declared a Significant Non-Pecuniary Interest in Item 8.22 on the basis that he is a Director of one of the organisations receiving funding under the Stronger Communities Fund, and stated he would leave the Chamber for consideration and voting on the matter.

Councillor Saravinovski declared a Less than Significant Non-Pecuniary Interest in Item 8.5 on the basis that his son has previously played on that field and played for the Club concerned but does not play for them now, although he is not a member of any organisation, but stated he would remain in the Chamber for consideration and voting on the matter.

Councillor Nagi declared a Less than Significant Non-Pecuniary Interest in Item 8.4 on the basis that he owns properties within that shopping Town Centre, and stated he would leave the Chamber for consideration and voting on the matter.

Mr Michael McCabe, Director City Futures, declared a Significant Non-Pecuniary Interest in Item 8.5 on the basis that his role at Council is to determine the review of environmental factors associated with this project, and stated he would leave the Chamber for consideration and voting on the matter.

Councillor Ibrahim declared a Less than Significant Non-Pecuniary Interest in Item 8.1 on the basis that he lives in the Local Government Area, in Rockdale, but stated he would remain in the Chamber for consideration and voting on the matter.

Councillor Saravinovski declared a Pecuniary Interest in Item 8.1 on the basis that his family owns property in the Rockdale Town Centre, and stated he would leave the Chamber for consideration and voting on the matter.

Councillor Saravinovski declared a Pecuniary Interest in Item 8.3 on the basis that his family owns property in the Rockdale Town Centre, and stated he would leave the Chamber for consideration and voting on the matter.

Councillor Ibrahim declared a Less than Significant Non-Pecuniary Interest in Item 12.1 on the basis that his wife manages a child care centre in a different Local Government Area, but stated he would remain in the Chamber for consideration and voting on the matter.

Councillor Sedrak declared a Less than Significant Non-Pecuniary Interest in Item 12.1 on the basis that his family owns child care centres, and stated he would leave the Chamber for consideration and voting on the matter.

The Mayor, Councillor Awada, declared a Less than Significant Non-Pecuniary Interest in Item 12.1 on the basis that his family manages child care centres, but stated he would remain in the Chamber for consideration and voting on the matter.

5 Minutes of Previous Meetings

5.1 Minutes of the Council Meeting - 13 November 2019

RESOLUTION

Minute 2019/253

Resolved on the motion of Councillors Barlow and McDougall

That the Minutes of the Council meeting held on 13 November 2019 be confirmed as a true record of proceedings.

Last Meeting of 2019

The Mayor acknowledged all the hard work that has gone on behind the scenes to support our Council Meetings. He thanked all staff who have contributed to officer reports and recommendations throughout the year, and advised he sincerely appreciates the comprehensive briefings and all the background information provided to support Council's decision making. He thanked all his fellow Councillors for their debate and informed discussion as they advocate on behalf of our community.

2019 Mayoral Student Excellence Award - Presentations

The Mayor provided an update on the 2019 Mayoral Student Excellence Awards. This year, Council invited 42 schools to nominate outstanding students. Eight and a half thousand dollars in Westfield Vouchers has been awarded to 62 students across the Bayside Area, with the principal and key staff determining the students being recognised for their academic achievements and positive contribution to their school's culture. The Mayor has attended a few of the presentations and he thanked those Councillors who have also been available to attend school presentations in their local ward.

The Mayor congratulated all recipients, particularly the following who attended the meeting:

- Sophie from Carlton Public School
- Thomas & Neharika from Arncliffe Public School
- Olivia from Sans Souci Public School
- Sasha from St Thomas More Public School.

6 Mayoral Minutes

6.1 Mayoral Minute - Response to the Bushfire Crisis in NSW

RESOLUTION

Minute 2019/254

Resolved on the motion of Councillors Saravinovski and Tsounis

That Council donates \$5000 on behalf of our community to each of the following organisations' appeals:

- Australian Red Cross Disaster Recovery and Relief
- Salvation Army Disaster Appeal
- St Vincent de Paul Society Bushfire Appeal (NSW)

6.2 Mayoral Minute - Drought Assistance

RESOLUTION

Minute 2019/255

Resolved on the motion of Councillors McDougall and Rapisardi

That Council commits to donate \$10,000 to the NSW Farmers Association's Drought Relief Fund.

6.3 Mayoral Minute - Plan to Save Our Recycling

Councillor Poulos had previously declared a Less than Significant Non-Pecuniary Interest, and left the Chamber for consideration of, and voting on, this item.

RESOLUTION

Minute 2019/256

Resolved on the motion of Councillors Rapisardi and Tsounis

- 1 That Council acknowledges the growing imperative to manage waste and recycling within NSW, and calls for urgent action from the State Government to help build a circular economy in NSW.
- 2 That Council endorses Local Government NSW's sector-wide *Save our Recycling* campaign, and asks the State Government to reinvest the Waste Levy in:
 - a Funding councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions.
 - b Supporting the State-led development of priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified.
 - c Support for the purchase of recycled content by all levels of government, as exemplified by the MoU detailed in Recommendation 3, to help create new end markets for materials.
 - d Funding and delivery of a State-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content, and the importance of waste avoidance.
- 3 That Council recognises initiatives and projects taken within the Bayside Council local government area to help achieve this goal, including:
 - a Joining a regional Memorandum of Understanding (MoU) to prioritise recycled materials in procurement, which has had unanimous support from all 11 Southern Sydney Regional Organisation of Councils (SSROC) member councils and the NSW Minister for Environment and Energy, the Hon Matthew Kean MP.

- b Jointly advising on and undertaking a major project through SSROC on metropolitan Sydney Waste Data and Infrastructure Planning to identify necessary waste data and projected material flows to make informed policy and infrastructure decisions.
 - c Bayside Council leading by example by being recognised as the Winner of the 2019 Keep Australia Beautiful NSW Sustainable Cities Circular Economy Award for developing a Community Recycling Innovation Hub for the dropping off of recycling materials, and utilising recycled content within the asphalt and carriage way that leads to this innovative Community Recycling Hub.
- 4 That Council is taking all actions that it can, but urgently calls on the State Government to take further action and that Council write to the local State Members, the Minister for Energy and Environment the Hon Matthew Kean MP; Local Government Minister Shelley Hancock; NSW Treasurer the Hon Dominic Perrottet MP; Premier the Hon Gladys Berejiklian MP; Opposition Leader Jodi McKay MP; Shadow Minister for Environment and Heritage Kate Washington MP; and Shadow Minister for Local Government Greg Warren MP to:
 - a Confirm our support for recycling and outline the urgent need to educate, innovate and invest in local waste and recycling services via the Waste Levy.
 - b Fund the work that Council is doing with SSROC on Sydney Waste Data and Infrastructure Planning.
 - c Fund councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions.
 - d Lead and fund the development of priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified.
- 5 That Council formally write to its own networks advising its members of its support for the *Save Our Recycling* campaign, and asking them to consider endorsing and sharing it on their own networks across the Bayside Council local government area.
- 6 That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.
- 7 That Council shares and promotes the *Save Our Recycling* campaign via its digital and social media channels and via its networks.

6.4 Mayoral Minute - Bayside Council Strategic Resource Recovery Awards and Initiatives

The Mayor acknowledged that Council has been recognised with four prestigious awards at the Keep Australia Beautiful NSW Sustainable Cities Awards 2019.

The Mayor presented a Certificate of Recognition from the Local Government NSW Excellence in the Environment Awards 2019/20 for winning the prestigious State wide Community Waste Services category for the “Bayside Community Recycling Innovation Hub” to the following staff:

- Colin Clissold, Director City Presentation
- Joe Logiacco, Manager Waste & Cleansing Services
- Patricia Chamberlain, Coordinator Waste Avoidance & Resource Recovery
- Heath Delamotte, Team Leader Waste & Cleansing Services
- Ben Bartlett, Team Leader Waste & Cleansing Services
- Geoff Raymond, Waste Avoidance & Resource Recovery Education Officer
- Sasha Radoski, Projects Supervisor City Works
- Phil Perugini, Team Leader Roads & Drainage

RESOLUTION

Minute 2019/257

Resolved on the motion of Councillors Awada and Morrissey

That the following award achievements be noted:

- Keep Australia Beautiful NSW Sustainable Cities Awards 2019:
 - Circular Economy Award
 - Coastal and Waterways Protection Award
 - Recycled Organics Award
 - Overall Sustainable Cities Award
- Local Government NSW Excellence in the Environment Awards 2019/20 for the “Bayside Community Recycling Innovation Hub”

and the General Manager, Director City Presentation, Manager Waste & Cleansing Services, and all the business units involved be congratulated on their strategic leadership.

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.

8.1 Bayside Council Local Strategic Planning Statement

Councillor Ibrahim had previously declared a Less than Significant Non-Pecuniary Interest.

Councillor Saravinovski had previously declared a Pecuniary Interest, and left the Chamber for consideration of, and voting on, this item.

- Ms Yasmina Kovacevic, representing the Bexley Chamber of Commerce, speaking against the Officer Recommendation, addressed the Council.
- Dr Rifaat Hanna, affected neighbour, speaking to the Officer Recommendation, addressed the Council.
- Mr George Antoniou, interested resident, speaking to the Officer Recommendation, addressed the Council.

RESOLUTION

Minute 2019/258

Resolved on the motion of Councillors Rapisardi and Tsounis

- 1 That Council endorses the attached final draft Bayside Local Strategic Planning Statement.
- 2 That Council notes the process for the finalisation of the Bayside Local Strategic Planning Statement.
- 3 That Council considers comments made by the Bexley Chamber of Commerce speaker in Public Forum and interested parties in relation to Bexley.
- 4 That Council nominates Rockdale Town Centre as a core strategic town centre in the Bayside Local Strategic Planning Statement.

Division on planning matter

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

The Motion was carried.

8.4 Arncliffe and Banksia Public Domain Plan and Technical Manual

Councillor Nagi had previously declared a Less than Significant Non-Pecuniary Interest, and left the Chamber for consideration of, and voting on, this item.

- Mrs Mary Byrnes, interested resident, speaking against the Officer Recommendation, addressed the Council.

RESOLUTION

Minute 2019/259

Resolved on the motion of Councillors Awada and Macdonald

- 1 That Council resolves to adopt the Arncliffe and Banksia Public Domain Plan and Technical Manual.
- 2 That Council considers issues raised by the speaker in Public Forum and, in particular, reviews the suggested tree plantings proposed for the area.

Item 5.5 – Off Leash Dog Exercise Area Proposal (of Item 9.1 - Minutes of the Sport & Recreation Committee Meeting – 26 November 2019)

- Mr Michael Matthey, interested resident, speaking for the Officer Recommendation, addressed the Council.

RESOLUTION

Minute 2019/260

Resolved on the motion of Councillors Morrissey and Curry

That the trial of an Off Leash Dog Exercise Area at Mutch Park proceed in accordance with the conditions outlined below:

- 1 Councillor Morrissey proposed a trial Off Leash Dog Exercise Area within a designated zone of Mutch Park, from the northern side of the skate park to Heffron Road between the hours of 4:00 pm - 10:00 am, Monday to Sunday, noting that these times are consistent with the hours for the beach off leash times at Kyeemagh.
- 2 The trial would include a 12 month period with an ensuing review and report to the Sport & Recreation Committee for further discussion and consideration.
- 3 The trial period will commence once necessary signage, controls and communication have been put in place, with a view to having it in place in the first quarter of 2020.
- 4 That monitoring and maintenance at Mutch Park be increased as required to ensure that the implementation of the Environmental Management Plan with respect to contamination is fully compliant at all times.

Division called by Councillor Tsounis

For: Councillors Macdonald, Barlow, Bezic, Curry, McDougall, Morrissey, Saravinovski, Rapisardi and Sedrak

Against: Councillors Awada, Ibrahim, Nagi, Poulos and Tsounis

The Motion was carried.

8 Reports

Item 8.1 was dealt with in Public Forum

8.2 Sydney Gateway Environmental Impact Statement

Councillor Poulos was absent for the voting on this item.

RESOLUTION

Minute 2019/261

Resolved on the motion of Councillors Bezic and Barlow

- 1 That Council notes the economic importance of the Sydney Gateway Road Project.
- 2 That Council endorses the request for delegation to be provided to the General Manager to sign Council's submission on the EIS for the Sydney Gateway Road Project.

8.3 Kogarah Place Strategy

Councillor Saravinovski had previously declared a Pecuniary Interest, and left the Chamber for consideration of, and voting on, this item.

Councillor Tsounis was absent for the voting on this item.

RESOLUTION

Minute 2019/262

Resolved on the motion of Councillors Tsounis and Bezic

- 1 That Council endorses the draft Kogarah Place Strategy.
- 2 That Council notes that the draft Kogarah Place Strategy has been approved by the Greater Sydney Commission's Full Board on 10 December 2019.
- 3 That Council notes that the draft Kogarah Place Strategy will be publicly released by the Greater Sydney Commission early in 2020.

Item 8.4 was dealt with in Public Forum**8.5 Roads and Maritime Services Proposed M6 - Property Matters**

Councillor Poulos had previously declared a Less than Significant Non-Pecuniary Interest, and left the Chamber for consideration of, and voting on, this item.

Councillor Saravinovski had previously declared a Less than Significant Non-Pecuniary Interest.

Mr Michael McCabe, Director City Futures, had previously declared a Significant Non-Pecuniary Interest, and left the Chamber for consideration of, and voting on, this item.

RESOLUTION

Minute 2019/263

Resolved on the motion of Councillors Tsounis and Barlow

- 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 10(A) (2) (c) of the Local Government Act 1993, the attachment relates 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 Council notes the update of the M6 Extension Stage 1.
- 3 That Council approves the key terms of the proposed Memorandum of Understanding and ancillary attachments, including the Deed of Compulsory Acquisition by Agreement, that are annexed to this report as Annexure 2, 4 to 8 inclusive, subject to further negotiation on the remaining terms including those identified in Confidential Annexure 9.
- 4 That the General Manager be delegated to finalise the commercial terms for this matter.
- 5 That the Mayor and General Manager be delegated to sign and seal, where required, all documentation required to complete this matter.

Procedural Motion**RESOLUTION**

Minute 2019/264

Resolved on the motion of Councillors McDougall and Bezic

That Item 8.6, Scarborough Park and Bexley Tennis Courts, be dealt with in Closed Session

8.7 Botany Aquatic Centre

RESOLUTION

Minute 2019/265

Resolved on the motion of Councillors Curry and Morrissey

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

With reference to Section 10(A) (2) (d)(i) of the Local Government Act 1993, the attachment relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.
- 2 That Council resolves to proceed with the preferred option contained within the body of this report – Option 3 and to commence detailed design, a development application and tender documentation for this option.
- 3 That Council resolves to include funding of \$656,000 (exclusive of GST) in the current 2019/2020 capital budget to commence the detailed design and documentation of the Botany Aquatic Centre.
- 4 That \$2,000,000 (exclusive of GST) is included as a budget item in 2020/2021 budget to complete the detailed design and documentation and Development Application for the Botany Aquatic Centre.
- 5 That Council resolves to establish a community reference group for the Botany Aquatic Centre as outlined in this report.
- 6 That Council nominates Councillors Curry, Morrissey and Rapisardi for the membership of the Botany Aquatic Centre Community Reference Group.
- 7 That Council advises the State and Federal Members of Parliament of the resolution and seeks their support in obtaining funding.

8.8 Renew our Libraries Phase 2

RESOLUTION

Minute 2019/266

Resolved on the motion of Councillors Rapisardi and McDougall

- 1 That Council makes representations to the local State Member(s) in relation to the need for a sustainable state funding model for the ongoing provision of public library services.
- 2 That Council writes to the Hon. Don Harwin, Minister for the Arts, and the Hon. Walt Secord, Shadow Minister for the Arts, calling for bi-partisan support for

Consumer Price Index (CPI) indexation of state funding for NSW public libraries, as well as legislation of all elements of the 2019-20 to 2022-23 NSW state funding model.

- 3 That Council endorses the distribution of the NSW Public Libraries Association NSW library sustainable funding advocacy information in Council libraries, as well as involvement in any actions proposed by the Association.

8.9 Eastlakes Shopping Centre MOD 4 - Amended proposal

RESOLUTION

Minute 2019/267

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council in principal opposes the Eastlakes Shopping Centre MOD 4 amended proposal.
- 2 That Council endorses the attached submission, in relation to the revisions proposed by the NSW Department of Planning, Industry and Environment to MOD 4 - Modification to Eastlakes Shopping Centre Mixed Use Development (Commercial, Retail & Residential).
- 3 That Council writes to the State and Federal Members of Parliament, particularly the Member for Heffron, to advise them of Council's opposition to the modification and its decision.

8.10 Draft Submission - Place Based Infrastructure Compact Model

RESOLUTION

Minute 2019/268

Resolved on the motion of Councillors Barlow and Tsounis

That Council delegates to the General Manager the making of a submission to the Greater Sydney Commission which includes:

- 1 Support for the development and use of the Place-based Infrastructure Compact (PIC) model to align growth with the delivery of infrastructure through a sequencing plan.
- 2 Suggestions that:
 - 2.1 councils should be elevated to a PIC Partner alongside government agencies and utility providers; and
 - 2.2 sequencing plans should be implemented through Council's local strategic planning statements.

8.11 Development of Bayside's Water Management Strategy

RESOLUTION

Minute 2019/269

Resolved on the motion of Councillors Saravinovski and Rapisardi

That Council endorses the draft Bayside Water Management Strategy to go on public exhibition until Friday, 7 February 2020.

8.12 Tender - D&C Retaining Wall Replacement at Bexley and Botany

RESOLUTION

Minute 2019/270

Resolved on the motion of Councillors Barlow and Tsounis

- 1 That Appendix A – Tender Assessment attached to this report be withheld from the press and public as it is confidential for the following reason:

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

- 2 That, in accordance with Clause 178(1)(b) of the Local Government (General) Regulation 2005, Council declines to accept any Tender for Contract F19/217, D&C Retaining Wall Replacement at Bexley and Botany and cancel the proposal for the contract. The reason for declining all tenders is because all responses to tender substantially exceed the allocated budget.
- 3 That Council notifies the tenderers of its decision.
- 4 That alternative treatments for the retaining walls at Kingsland Road, Bexley and Ermington Street, Botany be further investigated and that the matter be discussed at a GM Briefing Session in the first quarter of 2020.

8.13 Tender - Wolli Creek Public Domain Road and Stormwater Upgrades F19/1072

RESOLUTION

Minute 2019/271

Resolved on the motion of Councillors Barlow and Tsounis

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

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

- 2 That in accordance with Regulation 178 (1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from Sydney Civil Pty Ltd for Contract F19/1072 Wolli Creek Public Domain Road and Stormwater Upgrades in Wolli Creek for the amount of \$3,676,938.06 exclusive of GST.

8.14 Tender - Botany Town Hall Roof Replacement

RESOLUTION

Minute 2019/272

Resolved on the motion of Councillors Morrissey and Curry

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

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

- 2 That in accordance with Regulation 178 (1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from RELD Group Pty Ltd for the Contract F19/977 being the construction of the new roof, demolition of the 1966 extension and associated works at Botany Town Hall for the total amount of \$427,708.18 exclusive of GST.

8.15 Tender - Hensley Reserve Athletic Track Renewal F19/1067

Councillor Nagi was absent for the voting on this item.

RESOLUTION

Minute 2019/273

Resolved on the motion of Councillors Morrissey and Curry

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

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

considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That in accordance with Regulation 178 (1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from Turf One Pty Ltd for Contract F19/1067 being for the Hensley Reserve Athletic Track Renewal in Eastgardens for the amount of \$536,255.00 exclusive of GST.

8.16 Tender - Cahill Park Cafe & Amenities

Councillor Nagi was absent for the voting on this item.

RESOLUTION

Minute 2019/274

Resolved on the motion of Councillors Rapisardi and Ibrahim

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

With reference to Section 10(A) (2) (d)(i) of the Local Government Act 1993, the attachment relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.
- 2 That in accordance with Regulation 178 (1)(a) of the Local Government (General) Regulations 2005, council accepts the tender from Hibernian Contracting Pty Ltd for the Contract F19/1028 being the construction of the new café and amenities building at Cahill Park, Wolli Creek for the amount of \$2,054,884 exclusive of GST; and
- 3 That Council allocates an additional \$142,000 in the 2020/2021 City Projects Program to the Cahill Park café and amenities project.

8.17 Tender - Graffiti Removal Services

Councillor Nagi was absent for the voting on this item.

RESOLUTION

Minute 2019/275

Resolved on the motion of Councillors Barlow and Bezic

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

With reference to Section 10(A) (2) (d)(i) of the Local Government Act 1993, the attachment relates to 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 accepts the Tender from and enter into a contract with Graffiti Clean Pty Ltd for the provision of Graffiti Removal Services from all Council owned property and assets and all residential property in the former Rockdale LGA. The contract term will be 3 years and will include 2 optional extensions of 12 months each.
- 3 That Council has the ability to extend the services during the term of the contract with the contracted supplier.

8.18 Lunar Lights Festival 2020

Councillor Nagi was absent for the voting on this item.

RESOLUTION

Minute 2019/276

Resolved on the motion of Councillors Curry and Morrissey

- 1 That Council notes the plans and event format for the 2020 Lunar Light Festival.
- 2 That Council approves an additional budget allocation of \$39K for the Night Noodle Market and Lunar Festival

8.19 Citizen of the Year 2020 - Panel Recommendations

Councillor Nagi was absent for the voting on this item.

RESOLUTION

Minute 2019/277

Resolved on the motion of Councillors Rapisardi and Macdonald

- 1 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:
With reference to Section 10(A) (2) (a) of the Local Government Act 1993, the attachment relates to personnel matters concerning particular individuals (other than Councillors).
- 2 That the report be received and noted.

8.20 2018-19 General Purpose Financial Statements - Audit Outcome and Statement by Councillors and Management

RESOLUTION

Minute 2019/278

Resolved on the motion of Councillors Barlow and Sedrak

That the Mayor, Councillor Macdonald, General Manager and Responsible Accounting Officer signs the revised Statement by Councillors and Management (Attachment 2) for the 2018-19 General Purpose Financial Statements.

8.21 Statutory Financial Report - October 2019

RESOLUTION

Minute 2019/279

Resolved on the motion of Councillors Saravinovski and Rapisardi

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

8.22 Stronger Communities Fund - Major Projects and Community Grants Programs - Round One and Two Progress Reporting

Councillor Tsounis had previously declared a Significant Non-Pecuniary Interest, and left the Chamber for consideration of, and voting on, this item.

RESOLUTION

Minute 2019/280

Resolved on the motion of Councillors Saravinovski and Barlow

That Council approves the Stronger Communities Fund 6 monthly Major Projects report for the period from 1 July 2019 – 31 December 2019 and the Stronger Communities Fund 6 monthly Community Grants report for the period from 1 July 2019 – 31 December 2019 for reporting to the NSW Office of Local Government, in accordance with the funding guidelines.

8.23 Petition Policy

RESOLUTION

Minute 2019/281

Resolved on the motion of Councillors McDougall and Poulos

- 1 That the attached draft policy be adopted.
- 2 That any previous policies and / or procedures that deal with this issue are rescinded.

8.24 Response to Question - Annual disclosures by Regional and Local Planning Panels

The response was received.

9 Minutes of Committees

9.1 Minutes of the Sport & Recreation Committee Meeting - 26 November 2019

RESOLUTION

Minute 2019/282

Resolved on the motion of Councillors Macdonald and Tsounis

That the Minutes of the Sport & Recreation Committee meeting held on 26 November 2019 be received and the recommendations therein be adopted with the exception of Item 6.1 as this is the subject of a separate report that has already been dealt with (refer to Item 8.6, Minute No 2019/291), and Item 5.5 that similarly has been previously dealt with in Public Forum (refer to Minute No 2019/260).

9.2 Minutes of the Bayside Traffic Committee Meeting - 4 December 2019

RESOLUTION

Minute 2019/283

Resolved on the motion of Councillors Rapisardi and Saravinovski

That the Minutes of the Bayside Traffic Committee meeting held on 4 December 2019 be received and the recommendations therein be adopted with the exception of Items BTC19.220 (refer to Minute No 2019/284) and BTC19.222 (refer to Minute No 2019/285).

**9.4 BTC19.220 – Fairview Street, Arncliffe rear of 171 Wollongong Road - Proposed 4 hour parking, 'No Parking' and 'No Stopping' restrictions
(Minutes of the Bayside Traffic Committee Meeting – 4 December 2019)**

RESOLUTION

Minute 2019/284

Resolved on the motion of Councillors Ibrahim and Nagi

- 1 That a 32m '4P, 8:30 am – 6 pm Mon - Fri, 8:30 am – 12:30 pm Saturday' restriction be installed along the southern kerbline of Fairview Street east of Wilsons Road rear of No.171 Wollongong Road, Arncliffe.
- 2 That a 'No Parking' restriction be installed 3m either end of the rear driveway of No. 171 Wollongong Road along the southern kerbline of Fairview Street east of Wilsons Road, Arncliffe.
- 3 That the 10m statutory 'No Stopping' restriction at the corner of the southern kerbline of Fairview Street and Wilsons Road be signposted.

**9.5 BTC19.222 – 1-3 Harrow Road, Bexley - Proposed 'No Stopping' restriction and 'Give Way' priority control at Albyn Lane - Condition 109 of DA2017/373
(Minutes of the Bayside Traffic Committee Meeting – 4 December 2019)**

RESOLUTION

Minute 2019/285

Resolved on the motion of Councillors Rapisardi and Tsounis

- 1 That the proposed 'No Stopping' restriction with linemarking on the western side of Albyn Lane, south of Harrow Road, be approved.
- 2 That the proposed 'No Stopping' restriction with linemarking on the eastern side of Albyn Lane, south of Harrow Road, be approved.
- 3 That the proposed 'Give Way' priority control linemarking and double centre lines at Albyn Lane, south of Harrow Road, be approved.
- 4 That the proposed works be completed by the applicant as part of their conditions of consent.

9.3 Minutes of the Botany Historical Trust Meeting - 4 November 2019

RESOLUTION

Minute 2019/286

Resolved on the motion of Councillors Rapisardi and Nagi

That the Minutes of the Botany Historical Trust meeting held on 4 November 2019 be received and the recommendations therein be adopted.

10 Notices of Motion

10.1 Notice of Motion - Remembering Clive James - The 'Kid from Kogarah'

RESOLUTION

Minute 2019/287

Resolved on the motion of Councillors Saravinovski and Nagi

That the General Manager investigate naming a section of public space to the late Clive James (AO), known as the 'Kid from Kogarah' who passed away on 24 November 2019. Any public domain area nominated for dedication, should be located relevant to Clive James' childhood home in Kogarah.

11 Questions With Notice

11.1 Question With Notice - Vanston Parade, Sandringham

Councillor Macdonald asked the following question:

Further to the 11 September 2019 response to a Notice of Motion, could an update be provided on the consultation regarding the social behaviour issue in Vanston Parade, Sandringham?

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 2019/288

Resolved

- 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 - New Child Care Centre - Darrell Lea site Kogarah- Management Options

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.

8.6 Scarborough Park and Bexley Tennis Court

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

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

12.1 New Child Care Centre - Darrell Lea site Kogarah- Management Options

Councillor Ibrahim had previously declared a Less than Significant Non-Pecuniary Interest.

Councillor Sedrak had previously declared a Less than Significant Non-Pecuniary Interest, and left the Chamber for consideration of, and voting on, this item.

The Mayor, Councillor Awada, had previously declared a Less than Significant Non-Pecuniary Interest.

MOTION

Motion moved by Councillors Ibrahim and Nagi

That Council determines Option 1 as the preferred option for management of the new Child Care Centre at Kogarah from the 4 options outlined within this report.

Division called by Councillors Ibrahim and Nagi

For: Councillors Barlow, Ibrahim, Saravinovski, Nagi and Poulos

Against: Councillors Awada, Macdonald, Bezic, Curry, McDougall, Morrissey, Rapisardi, and Tsounis

The Motion was lost.

FORESHADOWED MOTION

Foreshadowed Motion moved by Councillor McDougall and Curry

That this item be deferred in order to consider financial implications of both Option 1 and Option 2.

The Foreshadowed Motion became the Motion.

RESOLUTION

Minute 2019/289

Resolved on the motion of Councillors McDougall and Curry

That this item be deferred in order to consider financial implications of both Option 1 and Option 2.

Procedural Motion

RESOLUTION

Minute 2019/290

Resolved on the motion of Councillors Nagi and Rapisardi

That the concluding time limit of the meeting be extended to 12.30 am.

8.6 Scarborough Park and Bexley Tennis Courts

RESOLUTION

Minute 2019/291

Resolved on the motion of Councillors McDougall and Tsounis

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

With reference to Section 10(A) (2) (c) of the Local Government Act 1993, the attachment relates 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 Council recommends that the leases with Golden Goal for both Scarborough Park and Bexley Tennis Courts be surrendered by Golden Goal by 31 January 2020.
- 3 That Council explores the options of recovering moneys due from the company and / or directors.
- 4 That a further report be prepared for the Sport & Recreation Committee on future options for these courts.

Resumption of Open Council Meeting

RESOLUTION

Minute 2019/292

Resolved on the motion of Councillors Nagi and Ibrahim

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

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

The Mayor closed the meeting at 12:13 am.

Councillor Joe Awada
Mayor

Meredith Wallace
General Manager

Attachments

Nil

Council Meeting

12/02/2020

Item No	6.1
Subject	Mayoral Minute - Update on Council's Response to the Bushfire Crisis
File	F20/47

Motion

That Council acknowledge its staff for demonstrating such camaraderie towards their fellow Australians in these unprecedented times and note the generous level of community fund raising achieved at Bayside's Christmas and Australia Day functions.

Mayoral Minute

I am proud of Bayside Council, as one of the first NSW Councils to put up our hand and register our willingness to participate in the bushfire clean-up effort being coordinated by Local Government NSW and the Office of Local Government.

In registering, we have offered to provide specialist skills as needed to rebuild communities. This includes lending our qualified mechanics, engineers, waste and cleansing teams, and communications professionals as and when they are needed.

As you will all be aware, last December Council on behalf of the Bayside community donated \$15,000 to the NSW Farmers Drought Relief Fund and another \$15,000 shared equally between Red Cross, St Vincent De Paul Society and the Rural Fire Service. At that time, little did we know that the weeks over Christmas and New Year would be so devastating for our country – a national crisis of unprecedented scale with the tragedy of lives and property lost and memories wiped out by raging fires all across Australia.

However, through the crisis comes generosity and community spirit. At our recent events and customer service centres a further \$2,000 was donated by community members. Bayside staff are proudly acknowledged tonight, having donated over \$18,000 as payroll deductions and giving up of Long Service Leave days. These direct financial contributions go towards helping those most affected by the fires. We have another staff team who collected and transported donated sheets and blankets to the RSPCA and WIRES to assist the rehabilitation of injured wildlife, with other staff busily sewing and knitting pouches for orphaned animals.

In late January I attended a meeting with Sydney Metropolitan Mayors to discuss other ideas and initiatives to help those Councils most in need. The level of genuine kindness and desire to support those in need is truly indicative of Aussie mateship and our way of life. To help channel the overwhelming number of offers of donated goods, the NSW Government has commissioned the national not-for-profit organisation GIVIT to oversee and coordinate distribution of much-needed goods and services to bushfire-affected communities across the State.

Council Meeting

12/02/2020

Item No	8.1
Subject	Audited 2018/19 General Purpose Financial Reports
Report by	Michael Mamo, Director City Performance
File	SF19/800

Summary

The Audit Office of NSW as the appointed external auditor for Bayside Council has completed its audit of the financial reports for the period ended 30 June 2019 and has issued a disclaimer of opinion as previously advised to Council.

The audited 2018/19 financial reports were reported to the Risk & Audit Committee on 30 January 2020 and were lodged with the Office of Local Government on 22 January 2020.

To complete the process to finalise the audited 2018/19 financial reports, they are required to be presented at a Council meeting.

Officer Recommendation

That Council receives and notes the presentation of the audited financial report of Bayside Council for the year ended 30 June 2019.

Background

At the Council meeting on 11 December 2019, Council was advised that the audit of the 2018/19 financial reports by the Audit Office of NSW had been completed and Council signed a revised "Statement by Councillors and Management" in order for the audit reports to be finalised and issued. The audit reports for Bayside Councils financial reports for the year ended 30 June 2019 were received on 20 January 2020, with the finalised 2018/19 financial reports being lodged with the Office of Local Government NSW on 22 January 2020.

In finalising the audited 2018/19 financial reports, a number of adjustments were agreed with the Auditor to enable finalisation and receipt of the audit opinion and reports. The adjustments in the final audited 2018/19 financial reports when compared to the draft 2018/19 financial reports issued to Council on 13 November 2019 are summarised below:

Item	Original Amount \$'000	Adjustment	Adjustment Amount \$'000	Revised Amount \$'000
Income Statement				
User charges and fees	13,890	Increased	2,682 ^A	16,572
Materials & contracts	52,702	Decreased	2,198 ^B	50,504

Item	Original Amount \$'000	Adjustment	Adjustment Amount \$'000	Revised Amount \$'000
Depreciation & amortisation expense	24,903	Decreased	17 ^C	24,886
Other expenses	18,835	Increased	117 ^D	18,952
Net result	35,196	Increased	4,780 ^E	39,976
Net operating result before capital grants and contribution	(31) loss	Increased (improved surplus)	4,780 ^E	4,749 (surplus)
Statement of Financial Position				
Infrastructure property plant and equipment	1,341,940	Decreased	1	1,341,939
Intangible assets	2,328	Increased	17 ^C	2,345
Current Payables	31,426	Decreased	4,881 ^{A,B}	26,545
Non-Current Provisions	4,596	Increased	117 ^D	4,713
Net Assets	1,724,328	Increased	4,780 ^E	1,729,108
Equity	1,724,328	Increased	4,780 ^E	1,729,108

Summary of Material Changes:

^A Adjustment required to clear significantly aged and unsupported bond liabilities

^B Adjustment required to reverse a duplicate liability

^C Adjustment required to correct amortisation expense related to intangible assets

^D Adjustment required to increase provision for remediation

^E Net aggregate effect of adjustments ^A to ^D.

Under legislation, Council is required to advertise the date of the meeting at which the audited financial reports will be tabled at a Council meeting. The advertisements were placed in the local papers for the week commencing 3 February 2020. 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.

Audit Opinion Summary:

The Audit Office of NSW as the appointed external auditor for Bayside Council has completed its audit of the financial reports for the year ended 30 June 2019 and issued a disclaimer of opinion.

The decision by the Audit Office of NSW to issue a disclaimer of opinion is disappointing and does not reflect the success of Council in addressing a number of key audit issues that resulted in the prior year disclaimers. The explanation provided by the Audit Office of NSW is that the complexity of the audit, issues with opening balances (disclaimed prior years) and the flow on effects of this into the Income Statement and Cash Flow Statement combined with issues around Stormwater Drainage assets created a tipping point for the continuation of the disclaimed audit opinion for the 2018/19 financial year.

Over the course of the year, Council has devoted significant resources, time and effort in attempting to remove the historical matters that resulted in “disclaimer of opinions” being issued on Councils previous financial reports. This has been reflected in the reduction in the number of issues noted on the basis of disclaimer for the year ended 30 June 2019 when compared to the basis of disclaimers of previous financial years. Council continues to invest in rectifying the remaining issues in order to remove the “disclaimer” from its financial reports going forward.

This audit opinion does not reflect the sound and stable financial position of Council, as indicated by the performance indicators included in the 2018/19 General Purpose Financial Statements. But rather reflects a technical issue with audit standards and a very narrow and limited materiality threshold when considered with the net assets of Council. This is supported by the following key financial indicators for the year ended 30 June 2019:

Indicator:	2018/19 result:	Benchmark	Purpose of indicator
Operating performance ratio	4.63 %	> 0.00%	Council exceeds the benchmark This ratio measures Council's result for containing operating expenditure within operating revenues.
Own source operating revenue ratio	77.51%	> 60.00%	Council exceeds the benchmark This ratio measure fiscal flexibility and the degree to which Council is reliant on external funding such as grants and contributions.
Unrestricted current ratio	4.69x	> 1.5x	Council exceeds the benchmark This ratio assesses the adequacy of working capital and Council's ability to satisfy short term obligations.
Debt service cover ratio	25.68x	> 2x	Council exceeds the benchmark This ratio measures the availability of operating cash to service debt.

Indicator:	2018/19 result:	Benchmark	Purpose of indicator
Rates, annual charges, interest and extra charges outstanding percentage	6.64%	< 5%	<p>Council does not achieve this benchmark</p> <p>This ratio assesses the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of recovery efforts. Whilst Council does not currently achieve the 5% benchmark, this ratio has been trending in the right direction since amalgamation with a ratio of 9.86% in 2016/17 and 7.04% in 2017/18. A continuation of the current trend is expected.</p>
Cash expense cover ratio	29.26 months	> 3 months	<p>Council exceeds the benchmark</p> <p>This is a liquidity ratio which indicates the number of months Council is able to continue to pay for its immediate expenses without any additional cash inflow.</p>

In addition, to the above key financial indicators, Council's cash and investments balance as at 30 June 2019 was \$421.2 million and the net financial result for the year was a surplus of \$4.749 million (excluding capital grants and contributions).

As indicated by the financial results and indicators above, Council's financial records are better than they have ever been and our financial results continue to improve. Our current 2019/20 budget demonstrates strong fiscal discipline in balancing the needs of the Bayside community, where Council is spending within its means, but still continuing to deliver vital services for the community it is there to serve. This strong financial management and governance is embedded through a strong internal control and decision making environment which will continue to be maintained.

The 2018/19 audit opinion does not recognise the quantum of audit issues resulting in previous year audit disclaimers which have been rectified and implemented as part of finalising the 2018/19 financial statements for audit. As Council would be aware, a detailed project plan known as "Project 2020" was developed to address those audit issues, the following is a summary of some of the improvements that have been implemented throughout and prior to the 2018/19 financial year but not recognised in the audit opinion issued for 2018/19:

- Improved controls over financial systems and segregation of duties
- Improved controls over workflows and approvals
- Implemented comprehensive reconciliation processes
- Embedded an effective cash management and control process

- Resolved errors in employee leave provisions
- Resolved errors in the accuracy of fixed assets data
- Resolved the completeness of accounts receivables
- Resolved the completeness and accuracy of restricted cash and investment disclosures
- Resolved issues with land parcels being recognised on the asset register
- Resolved issues with the accounting for land under roads post 2008
- Resolved issues with the completeness and accuracy of land improvements and other structures
- Resolved issues with accounting for capital works in progress
- Resolved issues with accounting for potential contaminated land liabilities
- Established an effective internal audit function and independent Risk & Audit Committee (2017)
- Harmonised to one Financial Management System (Procurement & Expenditure – June 2017)
- Established a robust Business Process & Controls framework based on risk profile (December 2018)
- Implemented a new budgeting system for monthly and quarterly budget reviews (July 2018)
- Harmonised to one Land Information Management System (April 2018)
- Harmonised to one Financial Management System (Revenue – July 2018)
- Harmonised to one Payroll System (July 2018)
- Harmonised employment conditions (July 2018)
- Harmonised electronic document management systems (November 2018)
- Implemented new Integrated Planning & Reporting and Risk Management software (January 2019)
- Migrated all regulatory functions to one core system (May 2019)
- Completed the implementation of all ICAC recommendations and action plan for the former City of Botany Bay Council (December 2019)
- Harmonised key policies.

In summary, the audit opinion, whilst technically correct according to the Audit Office of NSW, is misleading to the Bayside community and other users of the financial statements. The reality is, the disclaimer is only attributed to the Audit Office being unable to obtain sufficient and appropriate audit evidence on the prior period balances (i.e. opening balances

at 1 July 2018) and material limitations in gathering audit evidence over the completeness and accuracy of the Councils stormwater and drainage assets.

Work is currently ongoing to remediate the remaining issues highlighted through the 2018/19 year-end audit process with an immediate focus on rectifying the quality of Council's stormwater and drainage asset information. Council is working closely with the Audit Office by having their involvement early in the process to collaboratively review the methodology that Council is undertaking to enable their audit requirements to be met for the upcoming 2019/20 year-end and interim audits as Council attempts to remove the disclaimer from its audit reports.

Financial Implications

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

Community Engagement

Information about the presentation of the audited financial reports for Bayside Council were advertised in the relevant local papers, copy of the audited financial reports have been placed on the Council website, and are available for inspection at the customer services centres, Rockdale and Eastgardens.

Submissions will be received up to seven days after the date of this meeting.

Attachments

Bayside Council General Purpose and Special Purpose Financial Reports 30 June 2019
(under separate cover)

Council Meeting

12/02/2020

Item No	8.2
Subject	Draft Arncliffe & Banksia Development Contributions Plan
Report by	Michael McCabe, Director City Futures
File	F18/251

Summary

A new Development Contributions Plan for the Arncliffe and Banksia Priority Precinct has been drafted. The plan has been prepared to enable Council to maintain the current rate of provision of public facilities to meet the demand generated by future development within the Arncliffe and Banksia priority precinct.

The works schedule in the Arncliffe and Banksia Development Contributions Plan will be incorporated into the future consolidated Bayside Contribution Plan being prepared in 2020.

Officer Recommendation

That the Draft Arncliffe and Banksia Development Contributions Plan be exhibited for at least 28 days in accordance with the Bayside Community Participation Plan.

Background

The development of a new s7.11 Contributions Plan for the Arncliffe and Banksia Priority Precinct will enable Council to maintain the current rates of provision of public amenities and public services to meet the demand generated by future development within the Arncliffe and Banksia priority precincts.

The Department of Planning, Industry and Environment (DP&E) rezoned land within Arncliffe and Banksia in October 2018. The population growth forecast for the Arncliffe and Banksia precincts (Figure 1) is an additional 7,607 people and 1469 workers by 2036 and therefore more infrastructure will be needed. The Department of Planning, Industry and Environment commissioned a number of reports which informed the changes to planning controls and have also been used to developing the plan as part of the evidence gathering completed prior to rezoning of Arncliffe and Banksia Priority Precinct, these reports include:

- Arncliffe and Banksia Green Plan
- Bayside West Precincts 2036 Plan
- Arncliffe and Banksia Social Infrastructure studies
- Arncliffe and Banksia Precincts Transport Plan



Figure 1. Land to which the Arncliffe and Banksia Contribution Plan applies

The current infrastructure is already at capacity in several locations, and has no spare capacity to accommodate additional growth. In this scenario a new contributions plan is required in order to support this demand.

The Plan has been prepared using a template provided by the Department of Planning, Industry and Environment.

Council engaged a demographer to analyse the potential mix of dwellings and assess worker numbers. This updated the 2016 demographic study prepared by the Department of Planning and Environment, taking into account the smaller rezoned area.

Staff liaised with other business units for input on where additional infrastructure could be provided to meet additional demand in open space and whether the works proposed in Department of Planning, Industry and Environment documentation were appropriate.

A quantity surveyor was engaged to prepare estimates for the identified works, these estimates include design allowances and contingencies as recommended by IPART as part of their review of the Rockdale Urban Renewal Area Contribution Plan 2016.

Community facilities have been priced based on the square metre of demand from the increased population using established benchmarks. The plan does not include information on the specific location of these facilities and this will be a future decision for Council taking into account the Social Infrastructure Strategy currently being developed.

The apportionment of costs of works in this plan have been established on the basis of the forecast and population driven demand for infrastructure.

The contribution rates that will apply under the plan are provided in Table 1. A Ministerial Planning Direction applies, resulting in these rates being capped at a maximum of \$20,000 per dwelling.

Table 1 Contributions Rates as at adoption date

Dwelling Type	Occupancy Rate	Rate
Studios	1.20	\$13,873
1 bedroom	1.73	\$20,000
2 bedroom	2.52	\$20,000
3+ bedroom	3.32	\$20,000
Residential lot	3.32	\$20,000
Employment Generating		
Per worker	0.33	\$3,854
Other (per person)	1.00	\$11,561

The total value of works is \$93,603,083 summarised below.

Table 2 Summary of Infrastructure costs

Infrastructure Type	Local Infrastructure Cost
Transport	\$29,466,507
Stormwater Management	\$4,308,000
Open Space	\$18,418,203
Community Facilities	\$40,381,575
Administration of the Plan	\$1,028,798

Financial Implications

Not applicable ☐

Included in existing approved budget ☒ The cost for drafting the plan was included in 2019/20 budget

Additional funds required ☐

Community Engagement

The draft contribution plan is required to be exhibited for 28 days in accordance with the Environmental Planning and Assessment Act 1979 and regulations. Post exhibition, the draft contributions plan will be reported back to Council to consider adoption.

Procurement

Not applicable ☒

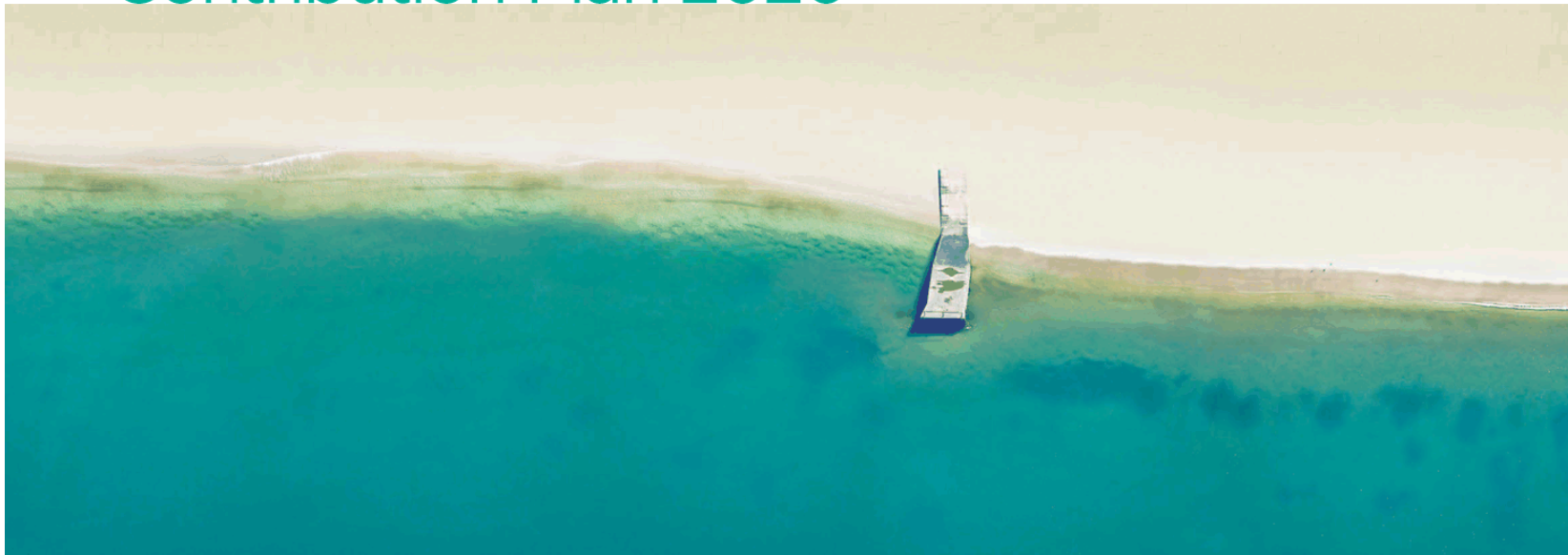
Applicable – procurement method ☐

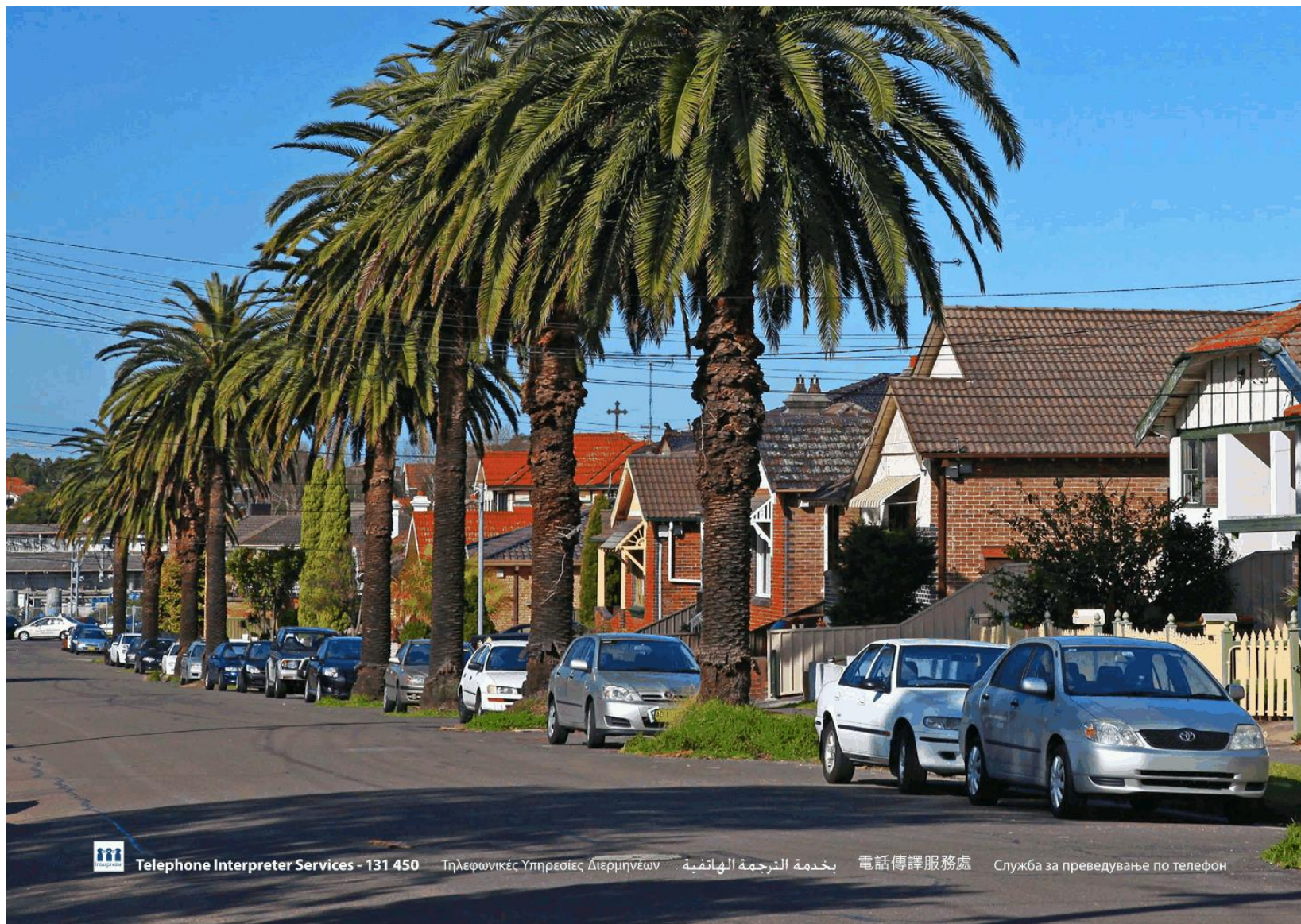
Attachments

Draft Arncliffe and Banksia Contribution Plan [↓](#)



Arncliffe and Banksia Local Infrastructure Contribution Plan 2020





Telephone Interpreter Services - 131 450

Τηλεφωνικές Υπηρεσίες Διερμηνέων

بخدمة الترجمة الهاتفية

電話傳譯服務處

Служба за преведување по телефон



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1 Key information

Part 1, provides a local contributions estimate, shows where the Plan applies and what development it applies to.

The Arncliffe and Banksia Local Infrastructure Contribution Plan 2020 (the Plan) commences on the date on which a public notice is given under clause 31(2) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation), or the date specified in that notice, and authorises Bayside Council (Council) to collect monetary contributions, land or both from developers to provide for local infrastructure needed to support the relevant development and imposed via a condition of development consent.

1.1 Purpose of this Plan

The primary purposes of this Plan are to authorise:

- ▶ The Council, when granting consent to an application to carry out development to which this Plan applies; or
- ▶ An accredited certifier, when issuing a Complying Development Certificate (CDC) for development to which this Plan applies,
- ▶ To require a section 7-11 contribution to be made towards the provision, extension or augmentation of local infrastructure required as a consequence of development in the area identified in Section 1.3, or which were provided in anticipation of, or to facilitate, such development.

The other purposes of the Plan are to:

- ▶ Provide the framework for the efficient and equitable determination, collection and management of contributions towards local infrastructure;
- ▶ Ensure that adequate public facilities are provided for as part of any new development;
- ▶ Ensure developers make a reasonable contribution toward the provision of local infrastructure required for development anticipated to occur up to 2036;
- ▶ Ensure the existing community is not unreasonably burdened by the provision of local infrastructure required either partly or fully as a result of development in the area; and

- ▶ Ensure Council's management of local infrastructure contributions complies with relevant legislation and Department of Planning, Industry & Environment Practice Notes.

This Plan replaces Rockdale Section 94 Contributions Plan 2004 for the land to which it applies, as defined in Figure 1.

The amenities and services levied within the Precinct under the 2004 Plan, and as yet incomplete will be provided and funded with monies already collected under that Plan.

1.2 Local contributions estimate

The contribution rates below are subject to the details in the Plan.

The rates (current at 2019-2020 FY) for specific types of development are provided in Table 1 and applies to the land described in Section 1.3 with occupancy rate data sourced from Arncliffe and Banksia Demographic Analysis Report, March 2019 (GLN 2019).

DWELLING TYPE	OCCUPANCY RATE	RATE
Studios	1.20	\$13,873
1 bedroom	1.73	\$20,000
2 bedroom	2.52	\$20,000
3+ bedroom	3.32	\$20,000
Residential lot	3.32	\$20,000
Employment Generating		
Per worker	0.33	\$3,854
Other (per person)	1.00	\$11,561

Table 1
Contributions Rates as at Plan adoption.

Cap on contributions: On 21 August 2012 the Minister for Planning issued a directive that caps the developer contribution at \$20,000 per dwelling.

To ensure consistency with those directions, the maximum contribution per dwelling will be \$20,000.

The contribution rates in Table 1 reflect the contribution rates at the date that this plan commenced. These rates are adjusted to reflect movements in the value of land acquisition and works in accordance with the methodology specified in section 3.2.

Disclaimer: The consent authority will determine the actual local contribution required in accordance with the Arncliffe and Banksia Local Infrastructure Contribution Plan 2020 and may use an excel calculator to assist. The contribution amount should be considered as an indicative estimate only. Council does not accept any liability for incorrect estimates. For further information, please contact Council Customer Service.

1.3 Land to which this Plan applies

The Arncliffe and Banksia Precinct is located 12 kilometres south of the Sydney CBD and to the west of Sydney Airport. It is identified as a priority growth area in the Greater Sydney Commission's Eastern City District Plan. The importance of the Precinct adjoining the southern portion of the Global Economic Corridor, presents a unique opportunity for renewal and a coordinated Plan. The Precinct will provide new homes and jobs located close to transport and social infrastructure such as open space.

This Plan applies to all land shown in Figure 1.

Figure 1
Land to which this Plan applies.



1.4 Applicable development

This Plan applies to development that needs consent, including the following types of development:

- ▶ 'Development that results in a net population increase and is not excluded below', or
- ▶ 'Development that places a demand on local infrastructure such as commercial or industrial development', or
- ▶ 'Development that places a demand on local infrastructure from workers coming to the locality.

The following developments are exempt from making contributions:

- ▶ Developments exempted by Ministerial Direction.

1.5 Calculating the contributions

Consent authorities, including Council and accredited certifiers, are responsible for determining the contributions in accordance with this Plan.

Contributions are calculated on the expected population in the area, both residents and workers. This involves dividing the total costs by the projected total number of residents and workers that are expected to live and work in the area which this Plan applies.

The contribution formula can be expressed as:

$$\text{Contribution per resident or worker (\$)} = \sum \left(\frac{\$INF}{P_{R+W}} \right)$$

Where:

$\$INF$ = The estimated cost, or if the facility has been completed, the indexed actual cost.

P_{R+W} = The expected total number of residents and workers that will generate the demand.

Council will index contributions annually in accordance with the process described in part 3.2 of this Plan.

2 Planning and infrastructure assumptions

Part 2 provides a summary of planning and infrastructure assumptions, a summary of cost of infrastructure and a summary of the contribution rates. For further detail, including studies and strategies which collectively form the Demand Assessment, refer to the Appendices.

2.1 Expected types of development and population growth

Detailed growth analysis and assumptions are identified in GLN 2019. A summary of the expected types of development and the related population growth associated with the development and detailed assumptions about future development are identified in this report.

The residential population is estimated to increase from 7,093 to 14,700 as a result of new development between 2019 and 2036, a gain of 7,607, in the specific area where this Plan applies.

The anticipated increase of workers is estimated at 1469 with the demand of these workers being one third of the demand generated by a resident resulting in a demand equivalent of 490 residents. This new population will put demands on existing local infrastructure and drive the demand for investment in new local infrastructure.

	NET DWELLING INCREASE	NET INCREASE IN WORKERS	POPULATION INCREASE DEMAND
Residential	3,370	-	7,607
Workers	-	1,469	490
Total			8,097

Table 2
Expected development types and related population/worker growth.

2.2 Infrastructure demand

The relationship between anticipated development and development generated demand for local infrastructure is called 'nexus'. The population is forecast to grow significantly between 2019 and 2036. The proposed infrastructure is considered necessary to ensure the social, economic and environmental well-being of the future community.

Further information in respect of the development generated demand for different types of infrastructure is set out in the Appendices.

Apportionment is the proportion of the cost that is attributed to the new population and expected development. The apportionment of costs of works in this Plan are on the basis of the population that provides the demand for infrastructure. Council has determined what apportionment designation applies to each piece of infrastructure as per Table 3.

DEMAND SOURCE	DESIGNATION	APPORTIONMENT
Arncliffe & Banksia	Local	100.00%
Arncliffe, Banksia, Wolli Creek & Bonar Street	URA	50.00%
Arncliffe & Banksia & surrounding Suburbs	District	26.16%
Larger Bayside Area	Regional	6.61%

Table 3
Apportionment.

Only the appropriately apportioned costs are included in the Summary of Infrastructure Costs in Table 4 and consequently, the Contributions Rates identified in Table 1.

Works that are identified as required to meet the demand of the incoming population of the Arncliffe and Banksia Priority Precinct will be designated as Local in the attached works schedule Appendix A-4 and will be levied 100% of the cost of these works.

Works that are identified as required to meet the demand of the wider population of the suburbs of Arncliffe, Banksia and surrounding suburbs of Turella and Wolli Creek will be designated as District works. The cost of those works will be shared based on the ratio of the predicted increase in the population of the Arncliffe and Banksia Priority Precinct divided by the existing population of the suburbs of Arncliffe, Banksia, Turella and Wolli Creek.

Works that are identified as providing a benefit to the larger Bayside area, west of the airport, will be designated as Regional works and the cost of these works will be apportioned based on a ratio of the predicted increase in the population of the Arncliffe and Banksia Priority Precincts divided by the existing population of Bayside west of the airport.

For the purposes of apportioning the incoming population of Arncliffe and Banksia this Plan adopts the Department of Planning estimate of 3390 new dwellings and 1469 new workers. The Plan adopts the Assessment of Rockdale Urban Renewal Area Contributions Plan, December 2016 by the Independent Pricing and Regulatory Tribunal of New South Wales (IPART) recommended rate for worker demand for services and facilities of one third of a resident.

The existing population of the adjacent suburbs and Bayside LGA west of the airport are based on the demographic advice provided by GLN 2019.

2.3 Local infrastructure provided under this Plan

Under this Plan, contributions are levied for the following local infrastructure:

- ▶ Transport
- ▶ Stormwater Management
- ▶ Open Space
- ▶ Community Facilities
- ▶ Administration of the Plan

A summary of the costs of local infrastructure to be met by development approved under this Plan is shown in Appendix A-4. The costs of preparing and administering this Plan will also be met by contributions imposed under this Plan.

INFRASTRUCTURE TYPE	LOCAL INFRASTRUCTURE COST \$
Transport	\$29,466,507
Stormwater Management	\$4,308,000
Open Space	\$18,418,203
Community Facilities	\$40,381,575
Administration of the Plan	\$1,028,798

Table 4
Summary of Infrastructure costs.

2.4 Summary contribution rates

A summary of contributions rates is included in Table 1. This is a summary table only. Further details on how these rates are calculated, including the scope and costs of items to be funded, as well as location maps are contained in Appendix A-4.

3 How the Plan works

Part 3 provides for the administration of the Plan including how contributions can be paid, what alternatives are available and how contributions will be used.

3.1 Paying the contribution

In the case of a development application, applicants must pay their contribution at the time specified in the condition that imposes the contribution. If no such time is specified, applicants must pay their contribution before obtaining a Construction Certificate. In the case of complying development, applicants must pay their contribution before the issue of the Complying Development Certificate.

3.1.1 Construction Certificates

Certifying authorities are responsible for verifying that each condition requiring the payment of monetary contribution has been satisfied before issuing a Construction Certificate. Exceptions exist where works-in-kind, material public benefit, dedication of land or deferred payment arrangement has been agreed by Council.

Failure to follow the procedure under section 7.21 of the EP&A Act and clause 146 of the EP&A Regulation may render a Construction Certificate invalid.

3.1.2 Complying development

Accredited certifiers are responsible for calculating the contribution for complying development in accordance with this Plan and imposing a condition in the Complying Development Certificate requiring the contribution.

The conditions imposed must be consistent with council's standard section 7.11 consent conditions, shown at Appendix A5, and be strictly in accordance with this development contributions Plan. It is the professional responsibility of accredited certifiers to accurately calculate the contribution and to apply the section 7.11 condition correctly.

Certifiers are reminded that under section 136L of the Environmental Planning and Assessment Regulation 2000 works cannot commence until contributions have been paid.

3.1.3 Deferred / periodic payments

Deferred or periodic payments may be permitted in the following circumstances:

- a. Compliance with the provisions of Section 3.1 is unreasonable or unnecessary in the circumstances of the case.
- b. Deferred or periodic payment of the contribution will not prejudice the timing or the manner of the provision of public facilities included in the works program.
- c. Where the applicant intends to make a contribution by way of a planning agreement, works-in-kind or land dedication in lieu of a cash contribution and council and the applicant have a legally binding agreement for the provision of the works or land dedication.
- d. There are circumstances justifying the deferred or periodic payment of the contribution.

If Council does decide to accept deferred or periodic payment, it may require the applicant to provide a bank guarantee for the full amount of the contribution or the outstanding balance, on condition that:

- ▶ The bank guarantee be for the amount of the total contribution, or the amount of the outstanding contribution, plus an amount equal to thirteen (13) months interest plus any charges associated with establishing or operating the bank security.
- ▶ The bank unconditionally pays the guaranteed sum to the council if the council so demands in writing not earlier than 12 months from the provision of the guarantee or completion of the work.
- ▶ The bank must pay the guaranteed sum without reference to the applicant or landowner or other person who provided the guarantee, and without regard to any dispute, controversy, issue or other matter relating to the development consent or the carrying out of development.

- ▶ The bank's obligations are discharged when payment to the council is made in accordance with this guarantee or when council notifies the bank in writing that the guarantee is no longer required.
- ▶ Where a bank guarantee has been deposited with council, the guarantee shall not be cancelled until such time as the original contribution and accrued interest are paid.

At Councils sole discretion, it may accept a restriction on title in lieu of a Bank Guarantee. Council may impose an administrative fee of 2% and apply interest at a rate equal to that charged for overdue rates.

3.2 Indexing

Council will, without the necessity of preparing a new or amending a contributions Plan, make changes to the contribution rates set out in this Plan to reflect movements in the value of land acquisition or works.

Thus, contributions shall be indexed annually using:

- ▶ The Consumer Price Index (All Groups Index) for Sydney, as published by the Australian Bureau of Statistics, will be used to update the contribution rates for services and for land that has already been acquired by the Council in anticipation of development.
- ▶ The Established House Price Index for Sydney, as published by the Australian Bureau of Statistics, will be used to update the contribution rates for land that is yet to be acquired by the Council.
- ▶ The Producer Price Index (Roads and Bridges) as published by the Australian Bureau of Statistics, will be used to update the contribution rates for works.

3.2.1 Indexing at time of Payment

A monetary contribution amount required by a condition of development consent imposed in accordance with this plan will be indexed between the date of determination and the date on which the contribution is paid in accordance with quarterly movements in the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Bureau of Statistics.

3.3 Alternatives to monetary contributions

Applicants may make an offer to Council to carry out works or provide another kind of material public benefit or dedicate land under this Plan, which will offset the contribution rate by the equivalent amount allocated in the Schedule of Works this Plan indexed appropriately. Council may choose to accept any such offer but is not obliged to do so.

Applicants may offer to enter into a Planning agreement to undertake works, make monetary contributions, dedicate land, or provide some other material public benefit. Planning Agreements, in this circumstance, are the most appropriate mechanism for offers made prior to the issue of a development consent for the development.

If the developer has already received a development consent containing a condition requiring a section 7.11 or 7.12 contribution, the developer may offer to undertake works in kind through a works in kind agreement, or offer to dedicate land through a land dedication agreement to the value indicated in the Schedule of Works.

3.4 Pooling of contributions

This Plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this Plan, and any other contributions Plan approved by Council, to be pooled and applied progressively for those purposes.

Similarly, if agreed to by Council, developers may pool contribution amounts towards a piece of infrastructure under a works-in-kind arrangement to facilitate the timely delivery of infrastructure.

The priorities for the expenditure of pooled monetary contributions under this Plan are the priorities for works set out in the Schedule of Works in Appendix A-4.

3.5 Accountability and public access to information

Council is required to comply with a range of financial accountability and public access requirements. These include:

- a. Maintenance of, and public access to, a contributions register;
- b. Maintenance of, and public access to, accounting records for contributions receipts and expenditure;
- c. Annual financial reporting of contributions; and
- d. Public access to contributions Plans and supporting documents.

Any member of the public can view these records free of charge and upon request with reasonable notice at any of Council's service centres during normal office hours. This Plan is also available on Council's website.

3.6 Exemptions

The following developments are exempt from making contributions:

- Developments exempted by Ministerial Direction.

3.7 Transitional arrangements

This Plan will apply to any application that has been submitted after this Plan has been adopted. Applications to modify a development consent made after the commencement of this Plan shall be determined in accordance with the provisions of this Plan and not the Plan that was in place when the original application consent was issued.

3.8 Review of Plan

This Plan is based on forecasted population growth from 2019 until 2036 that will be generated by development. Council will generally review this Plan every five years or as required to ensure it addresses community needs, Council priorities and relevant legislation.

3.9 Terms used in this Plan

Except as provided for below, words and phrases used in this Plan have the same meaning as the terms defined in the applicable Local Environment Plan or the EP&A Act.

In this Plan, the following words and phrases have the following meanings:

Apportionment means the proportion of the cost that is attributed to the new population and expected development.

Consent Authority has the same meaning as in the EP&A Act but also includes an accredited certifier responsible for issuing a complying development certificate.

Council means Bayside Council.

Dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Nexus means the relationship between anticipated development and development-generated demand for local infrastructure.

EP&A Act means the Environmental Planning and Assessment Act 1979.

EP&A Regulation means the Environmental Planning and Assessment Regulation 2000.

Fit-out means the renovation of existing commercial or retail premises, which does not involve a change of use or increase potential occupancy.

IPART means Independent Pricing and Review Tribunal.

LGA means Local Government Area.

Local Infrastructure means public amenities and public services that are traditionally the responsibility of local government, excluding water supply or sewerage services.



Appendices

Justification and Supporting Material

The Appendices provide detail as to how the contribution rates have been determined and what infrastructure Council will provide using the contributions. It also includes links to the technical studies, reports and materials used in the justification of the specific contribution rates.

A-1 Nexus and apportionment

The public amenities and public services proposed within a Section 7.11 Plan must be:

- ▶ Reasonable in terms of nexus (the connection between development and the demand created).
- ▶ The proposed development contribution is based on a reasonable apportionment between:
 - ▷ Existing demand and new demand for the public amenities and public services; and
 - ▷ Different types of development that generate new demand for the public amenities and public services.

The nexus and apportionment regimes have been utilised for this Plan:

- ▶ Infrastructure strictly associated with development in the land identified within this Plan accounting for an existing development.
- ▶ Infrastructure delivered either within the land to which this Plan applies that provides material benefit to residents or businesses in the Precinct, but also benefits a wider catchment.
- ▶ Infrastructure that is delivered outside the land to which this Plan applies but benefits the residents within it.

The nexus and apportionment approach used by Council is based on an assessment of the contribution as a proportion of the LGA. This is particularly suited to the delivery of regional infrastructure that will service a wider area than the land to which the Plan applies and generally attributed to residential development only e.g. district sports facilities.

Methodology

For the land to which this Plan applies, residential and non-residential apportionment rates have been determined using a Net Change in Population Methodology.

Works that only benefit the incoming population of the Arncliffe and Banksia Priority Precinct will be designated as Local in the attached works schedule (Appendix A-4) and will be levied 100% of the cost of these works.

Works that also benefit the existing population of Arncliffe, Banksia and surrounding suburbs of Turella and Wolli Creek will be designated as District works. The cost of those works will be shared based on the ratio of the predicted increase in the population of the Arncliffe and Banksia Priority Precincts divided by the existing population of the suburbs of Arncliffe, Banksia, Turella and Wolli Creek.

Works that provide a benefit to the part of Bayside west of the airport will be designated as Regional works and the cost of these works will be apportioned based on a ratio of the predicted increase in the population of the Arncliffe and Banksia Priority Precincts divided by the existing population of Bayside west of the airport.

Refer to Table 3 for the apportionment percentages.

Transport

The requirements for transport infrastructure as a result of the expected development of the Arncliffe and Banksia Priority Precinct are documented in the Arncliffe and Banksia Precincts Transport Plans (Aecom 2016) and the Bayside West Precincts 2036 Report, Department of Planning and Environment August 2018 (Bayside 2018).

The Precinct is defined by four major roads Princes highway, Forest Road, Marsh Street and the M5 Motorway. These corridors limit pedestrian permeability and connectivity of neighboring residents to open spaces. In addition, due to their arterial nature, the corridors are characterised by minimal tree canopy cover and pedestrian amenity, Arncliffe & Banksia Green Plan, Aecom 26 September 2018 (Green Plan 2018).

The Arncliffe and Banksia Precincts have good access to public transport with the majority of sites within a 10 minute walk to railway stations on the T4 Illawarra railway line. The area is also serviced by bus routes, including services connecting Central Sydney, Bondi Junction and Randwick.

However, cycle and pedestrian connectivity is limited across infrastructure barriers of a major road, highway and railway line. Transport infrastructure improvements will include improved pedestrian and cycle movement connections as well as road infrastructure upgrades to support future growth.

The works identified in this seek to provide safe connections between town centres to public transport and open space.

Stormwater Management

The Precinct is located within the Bonnie Doon stormwater catchment and the Spring Street and Muddy Creek Stormwater Catchment. The flood studies by Mott MacDonald for the catchments demonstrate that there is local overland flooding in some areas following rainfall events. The impact of these flood events will become more severe as the density of development increases and the population associated with development increases.

Road blockages that are tolerable in low density environments, will become unacceptable as traffic volumes increase.

Works are needed to improve existing piped systems and manage overland flows.

Pollution control in the form of gross pollutant traps (GPTs) and other suitable technology for water quality improvement will be used to collect litter from waterways within the Precinct. Water quality devices will be provided to improve water quality where benefits can be achieved weighted against pollution intensity, spatial constraints and site conditions.

Open Space

The requirements for open space and recreation facilities as a result of the expected development of the Arncliffe and Banksia Priority Precinct are documented in the Green Plan and the Bayside West Precincts 2036 Plan, August 2018 By the Department of Planning and Environment (BWP).

Key findings include:

- ▶ Many existing open spaces within the Precinct are only minor pocket parks.
- ▶ The current rate of provision is 19.8 sqm of open space per person.
- ▶ The Precinct has a tree canopy cover of about 19% over public and private land.
- ▶ Some residents live more than 400 m from open space.
- ▶ The gaps in open space are mostly around the central area of the Arncliffe Precinct along Forest Road and Wickham Street.

The established nature of this Precinct means there is very little vacant land offered for sale and that it will be costly. The Plan seeks to maintain the current rate of provision of open space.

There are currently 21.9 hectares of open space provided in the Precinct or within 200 metre walk from the Precinct boundaries. There are 11,000 people currently living in the Precinct, this equates to 19.8 square metres (sqm) of open space per person, or 1.98 hectares of open space per 1,000 people.

Even though the existing ratio of open space per person is relatively high, the current network of open space is not distributed uniformly across the Precinct. In addition, multiple infrastructure barriers limit the real catchment area of each park. These conditions define a significant 400 metre accessibility gap mostly concentrated around the area of Forest Road and Wickham Street.

Considering the current and future open space provision ratio, the Green Plan overarching strategy primarily focuses on the open space quality, safety and accessibility. Future possible acquisitions and embellishments of existing open space will be investigated to improve these factors rather than merely adding new open space quantity.

In order to maintain and improve the open space quality within the Precinct, The Green Plan proposes an enhanced interlinked network of green infrastructure. It also identifies 3 parcels for open space:

- ▶ Arncliffe Station Park (Burrows Street) on Roads & Maritime Services (RMS) land either side of the M5 entrance. This park will include at least 7,000 sqm and will be funded by the State Infrastructure Contribution and is therefore excluded from this Plan.
- ▶ Allen Street Park (corner of Allen Street and Arncliffe Street). This open space will provide playground facilities and active and passive recreation opportunities as part of future redevelopment of the site.
- ▶ Eden St Park – A new park about 400 sqm can be provided close to Arncliffe Town Centre, to the east of the railway station, between Eden Street and the Princes Highway as part of any future redevelopment of the social housing estate.

This Plan also proposes an additional open space in the area of land surrounded by major roads Princes Highway, West Botany Street and Wickham road to the south. This pocket park has been proposed to meet the accessibility gap concentrated around the area north of Wickham Street particularly for those less able to travel and cross busy roads such as small children and elderly.

While parks offering playgrounds are quite well distributed among the entire Precinct, parks providing sport fields are mostly located around the periphery of the Precinct within Gardiner Park, Arncliffe Park and Cahill Park. This Plan seeks to create stronger linkages to provide better accessibility to these areas for the entire Precinct, this is reflected in the transport works schedule and tree canopy improvement works.

This Plan proposes to improve connectivity to town centres and the public transport in these centres and connections between existing parks and cycle ways. Some of these connections will be delivered as the objectives of the Development Control Plan are realised, including the north south link to Cahill Park.

As the demand for Open Space is generated by development in the Priority Precinct, the cost of these acquisitions will be borne 100% by new developments in the Precinct.

Tree Canopy

The tree canopy cover throughout the Precinct varies and is relatively low. For example, the tree canopy in the low and medium density residential zones is minimal whereas the tree canopy cover in the light industrial, town centres, commercial centres and major roads is nonexistent.

The northern area of the Precinct and the Princes Highway Corridor has an urbanised character that lacks tree canopy and general amenity. Additional tree canopy within streetscapes is needed to mitigate the increasing density and uplift. Tree canopy not only reduces the heat island affect but also provides other benefits such as:

- ▶ Improve perceived noise, smell aesthetics of streets;
- ▶ Trees provide better shade and thermal comfort than shade structures;
- ▶ An effective cooling method is the integration of water and bushland.

This Plan seeks to meet the recommendations of the Green Plan including improved canopy coverage through street tree planting, public domain works and improved connectivity between areas of increased population and existing parks. Some portions of the residential zone within the Precinct are characterised with wide verges that lack tree canopy cover. These wide verges provide the opportunity to include additional tree canopy, which will be funded by this plan.

Community Facilities

Social Infrastructure provision has been guided by the Arncliffe and Banksia Priority Precinct Social Infrastructure Study (Elton 2016). This assessment of existing social infrastructure indicated that there is already an unmet need for a contemporary multi-purpose community facility to serve the existing population of the area. Further assessment will be carried out to determine appropriate locations for these facilities which will utilise the findings of the Social Infrastructure Strategy developed by Council in 2019.

The urban renewal proposed for the Precinct is forecast to more than triple the existing population over the next 20 years. This very substantial population increase will strengthen the need currently being experienced for a multi-purpose community centre in this area.

With the residential population of the Precinct set to increase to 14,700 people by 2036, it is recommended that a 'Neighbourhood Community Facility' be provided for within the Precinct.

A new community centre would ideally be provided as part of a community hub that co-locates community centre functions and spaces with a (new expanded) branch library and spaces for community service provision (identified as a key gap in the LGA).

Council may pool funds to take advantage of efficiencies of scale and community facilities may be provided near the Precinct.

A new youth centre due for completion by mid-2020 on the Princes Highway, Arncliffe, will meet many needs identified as current shortfalls. However, with the expected population increase, future facilities and services will be required which cater for a greater diversity of backgrounds and cultures. It is envisaged that these future facilities may include indoor and/or outdoor facilities with other shared community facilities.



Administration

The cost of administering this creating and operating this Plan is estimated at 1.5% of the value of the works proposed, not including acquisitions (a rate recommended by IPART).

Administration includes:

- ▶ The cost of writing the Plan, consultant advice and its adoption;
- ▶ The ongoing cost of providing advice on contributions for developments;
- ▶ Annual reporting and indexation of rates, including the valuation of proposed acquisitions; and
- ▶ The cost of assessing and approving projects to be funded by contributions.

Works under previous Plan

Some of the works under the previous Plan have not been completed, however sufficient contributions have been received to do those works. The works are still needed to serve the population increase that has already occurred. Accordingly, it is proposed to add those works to the work schedule under this Plan, but to not collect any further contributions. These works will be funded from contributions already received.

Works proposed to be carried forward are listed in the work schedule as 'Works Carried Forward from 2004 Plan'.

A-2 Occupancy rates

For the purposes of calculating the local contributions, the following occupancy rates (GLN 2019) for different types of new development has been determined:

DWELLING TYPE	OCCUPANCY RATE
Studios	1.20
1 Bedroom dwelling	1.73
2 bedroom dwelling	2.52
3+ bedroom dwelling	3.32
Residential Lots	3.32

Table 5
Residential occupancy rates.

LAND USE TYPE	SQM / WORKER
Enterprise uses (e.g. Automotive related, freight or logistics, retail showrooms)	80
Specialty Retail (e.g. food and drink, hotels, personal services)	40
Commercial (e.g. professional and business services, health)	25
Community (e.g. community centres, youth facilities)	50

Table 6
Non-residential occupancy rates (square meters/worker).

The likely average occupancy rates for residential development adopted in this Plan are provided in Table 5.

The likely occupancy rates for non-residential development adopted in this Plan are provided in Table 6.

Where an applicant can demonstrate that the non-residential occupancy rate will be different to the rates adopted in this Plan, Council may, at its sole discretion, choose to adopt the rates demonstrated by the proponent.

A per worker rate will be applied to scenarios other than those specified at a rate based on the number of workers as determined at the discretion of Council unless the proponent can demonstrate otherwise.

Where an existing residential lot is vacant, the proposed development will be entitled to a credit equal to one lot as per the values in Table 5.

When an existing lot is subdivided, contributions are to be paid at the time of the subdivision based on the number of lots subdivided noting that the credit amount is equal to the number of lots created less the existing lot(s).

A-3 Studies and strategies

The studies and strategies that have been relied on to prepare the Plan are as follows:

Arncliffe Precinct Demographic Profile

October 2016

by NSW Department of Planning and Environment

Bayside West Precincts 2036 Plan

August 2018

by the Department of Planning and Environment

Arncliffe and Banksia Precincts Transport Plan

November 2016

by Aecom

Aeronautical Impact Assessment Arncliffe Banksia Area

June 2015

by APP Corporation Pty Limited

Arncliffe & Banksia Green Plan

September 2018

by Aecom

Banksia Priority Precinct Social Infrastructure Study

October 2016

by Elton Consulting

Arncliffe Priority Precinct Social Infrastructure Study

October 2016

by Elton Consulting

Banksia Priority Precinct, Desktop Literature Review Flooding and Drainage

October 2016

by Mott MacDonald

Arncliffe and Banksia Demographic Analysis Report

March 2019

by GLN and AEC

Assessment of Rockdale Urban Renewal Area Contributions Plan

December 2016

by the Independent Pricing & Regulatory Tribunal of New South Wales (IPART)

www.ipart.nsw.gov.au/Home/Industries/Local-Government/Local-Infrastructure-Contributions-Plans/Current-and-completed-assessment-of-Plans

Local Infrastructure Benchmark Costs

April 2014

by the Independent Pricing & Regulatory Tribunal of New South Wales (IPART)

www.ipart.nsw.gov.au/Home/Industries/Local-Government/Reviews/Benchmark-Costs/Benchmark-costs-for-local-infrastructure-contributions

A-4 Schedule of works and maps

MAP REF.	WORK ITEM	ESTIMATE	CATCHMENT	APPORTION	APPORTIONED COST	INDEXATION	TIMING SHORT, MEDIUM, LONG TERM
Transport – Land Acquisitions							
Not Shown	Acquire land for local road straightening	\$1,751,600	Local	100.00%	\$1,751,600	Valuation	Long
Not Shown	Acquire land for local & regional road intersection upgrade	\$1,300,000	District	26.16%	\$340,080	Valuation	Long
Total Transport Acquisitions					\$2,091,680		
Transport – Road Works							
1	Traffic Study, Wolli Creek Road & Wollongong Road	\$10,000	Local	100.00%	\$10,000	PPI	Short
2	Traffic Study, Fripp St & Wollongong Road	\$10,000	Local	100.00%	\$10,000	PPI	Short
3	Traffic Study, Dowling Street & Wollongong Road	\$10,000	Local	100.00%	\$10,000	PPI	Short
4	Traffic Study, Forest Rd & Firth	\$10,000	Local	100.00%	\$10,000	PPI	Short
Not Shown	Local road straightening	\$1,785,100	Local	100.00%	\$1,785,100	PPI	Long
5	Local & regional road intersection upgrade	\$1,584,543	Local	100.00%	\$1,584,543	PPI	Long
6	Active transport route to access open space	\$2,408,687	Local	100.00%	\$2,408,687	PPI	Medium
7	Arncliffe Public Domain Works	\$5,050,038	Local	100.00%	\$5,050,038	PPI	Medium
Not Shown	Increase tree canopy - Trees on roads	\$2,399,436	Local	100.00%	\$2,399,436	PPI	Medium
8	Arncliffe Town Centre upgrade	\$7,190,000	District	26.16%	\$1,880,904	PPI	Medium
Total Road Works					\$15,148,708		

MAP REF.	WORK ITEM	ESTIMATE	CATCHMENT	APPORTION	APPORTIONED COST	INDEXATION	TIMING SHORT, MEDIUM, LONG TERM
Transport – Cycleways							
9	Separated bike paths	\$6,718,858	Local	100.00%	\$6,718,858	PPI	Medium
10	Shared cycleway on existing footpath. Only to be installed in locations that are not currently 2.5m wide and in areas that will not be developed.	\$315,592	Local	100.00%	\$315,592	PPI	Medium
11	Bicycle Shoulder Lanes	\$134,052	Local	100.00%	\$134,052	PPI	Medium
12	Onroad shared lanes	\$333,242	Local	100.00%	\$333,242	PPI	Short
Not Shown	Bicycle parking cages and racks at town centres	\$40,000	Local	100.00%	\$40,000	PPI	Short
Not Shown	Way finding - cycleway routes	\$75,000	Local	100.00%	\$75,000	PPI	Short
13	Lighting of Eve St cycleway under M5	\$100,000	Local	100.00%	\$100,000	PPI	Short
Total Cycleways					\$7,716,744		
Transport – Pedestrians							
14	Improved pedestrian access to Banksia Station	\$1,628,222	Local	100.00%	\$1,628,222	PPI	Medium
15	Improved pedestrian access to Arncliffe Station	\$1,550,242	Local	100.00%	\$1,550,242	PPI	Medium
16	Improved pedestrian access to Open Space	\$310,583	Local	100.00%	\$310,583	PPI	Medium
Not Shown	Improved pedestrian access along state roads	\$200,000	District	26.16%	\$52,320	PPI	Medium
Not Shown	Way finding - pedestrian routes	\$100,000	Local	100.00%	\$100,000	PPI	Short
17	Traffic study for demand assessment into pedestrian crossing of Forest Road near Roach street	\$10,000	Local	100.00%	\$10,000	PPI	Medium
18	Improve pedestrian safety	\$359,508	Local	100.00%	\$359,508	PPI	Medium
19	New footpaths	\$498,500	Local	100.00%	\$498,500	PPI	Short
Total Pedestrians					\$4,509,375		

MAP REF.	WORK ITEM	ESTIMATE	CATCHMENT	APPORTION	APPORTIONED COST	INDEXATION	TIMING SHORT, MEDIUM, LONG TERM
Stormwater Management – Works							
Not Shown	Improve Bonnie Doon stormwater network in Arncliffe to minimise flooding of Wollongong Rd underpass.	\$5,000,000	District	26.16%	\$1,308,000	PPI	Long
Not Shown	Improve stormwater management in Spring St catchment through stormwater network.	\$3,000,000	Local	100.00%	\$3,000,000	PPI	Long
20	"Pollution control Spring Street catchment. Carried forward from Rockdale 2004 Plan"	\$70,000	Local	100.00%	\$0	PPI	Short
Total Drainage Works					\$4,308,000		
Open Space – Land Acquisitions							
Not Shown	"Open space pocket park (≤ 4000 sqm) between Arncliffe and Gardiner Park. Carried forward \$3,743,593 from Rockdale 2004 Contributions Plan"	\$5,600,000	Local	100.00%	\$1,856,407	Valuation	Medium
Not Shown	Acquire land for open space	\$7,821,264	Local	100.00%	\$7,821,264	Valuation	Medium
Total Open Space Acquisitions					\$9,677,671		

MAP REF.	WORK ITEM	ESTIMATE	CATCHMENT	APPORTION	APPORTIONED COST	INDEXATION	TIMING SHORT, MEDIUM, LONG TERM
Open Space - Works							
21	Increase capacity Marinea Reserve	\$560,033	Local	100.00%	\$560,033	PPI	Short
22	Masterplan and implement capacity improvements to Valda St Reserve	\$484,444	Local	100.00%	\$484,444	PPI	Short
23	Masterplan and implement capacity improvements to Wooroona Reserve	\$556,016	Local	100.00%	\$556,016	PPI	Short
24	Expansion of play equipment and youth facilities in Arncliffe Park	\$495,767	Local	100.00%	\$495,767	PPI	Short
25	Footpaths around Arncliffe Park	\$144,599	District	26.16%	\$37,827	PPI	Short
26	Beehag Park - Master plan and implement improvements to utilisation. Play equipment and landscape upgrades	\$168,316	Local	100.00%	\$168,316	PPI	Short
27	Belmore Street reserve embellishment for shade, seating and landscaping	\$197,389	Local	100.00%	\$197,389	PPI	Short
28	Eve Street Reserve - improve capacity of park including youth activity.	\$202,744	Local	100.00%	\$202,744	PPI	Medium
29	Empress Reserve - increase capacity of reserve	\$478,683	Local	100.00%	\$478,683	PPI	Medium
30	Almond Street reserve - increase capacity of park	\$229,522	Local	100.00%	\$229,522	PPI	Medium
31	Eve Street natural area upgrade to provide access to site and improve amenity	\$550,000	Local	100.00%	\$550,000	PPI	Medium
32	Gardiner Park - increase capacity of existing playground	\$250,000	Local	100.00%	\$250,000	PPI	Medium
Not Shown	Embellish new pocket park (≤ 4000 sqm) between Arncliffe and Gardiner Parks	\$741,929	Local	100.00%	\$741,929		Medium
Not Shown	Increase tree canopy - Trees in Open Space	\$587,862	Local	100.00%	\$587,862	PPI	Medium
33	Park Embellishment, Fortescue reserve	\$300,000	Local	100.00%	\$300,000	PPI	Medium
34	Pocket Park Embellishment	\$300,000	Local	100.00%	\$300,000	PPI	Medium
Not Shown	Open Space Embellishment	\$2,600,000	Local	100.00%	\$2,600,000	PPI	Medium
Total Open Space Embellishment					\$8,740,532		

MAP REF.	WORK ITEM	ESTIMATE	CATCHMENT	APPORTION	APPORTIONED COST	INDEXATION	TIMING SHORT, MEDIUM, LONG TERM
Community Facilities – Land Acquisitions							
Not Shown	Acquisitions for social infrastructure facilities	\$12,218,400	Local	100.00%	\$12,218,400	Valuation	Medium
Total Social Infrastructure - Land Acquisitions					\$12,218,400		
Community Facilities – Works							
Not Shown	New library facility	\$14,657,637.51	Local	100.00%	\$14,657,638	PPI	Medium
Not Shown	Multi Purpose Community Facility	\$13,272,336.00	Local	100.00%	\$13,272,336	PPI	Medium
Not Shown	Regional Sporting Facility	\$3,528,000	Regional	6.61%	\$233,201	PPI	Medium
Total Social Infrastructure					\$28,163,175		
Total Works					\$68,586,534		
Total Land					\$23,987,751		
Administration of Plan							
Plan preparation and administration (1.5% of works)					\$1,028,798		
Total Contributions					\$93,603,083		

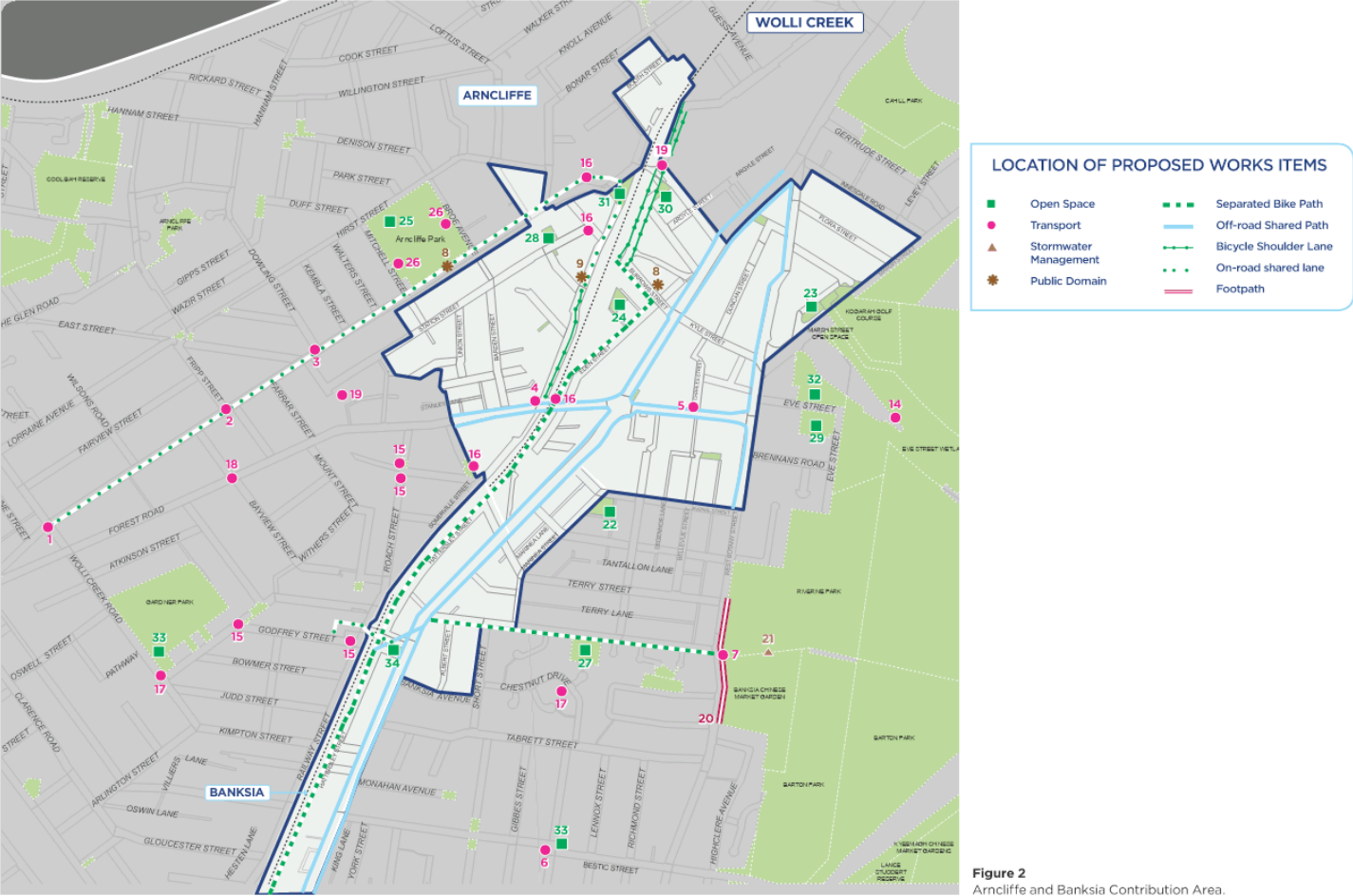


Figure 2
Arncliffe and Banksia Contribution Area.

A-5 Standard consent condition template

This standard consent condition complies with the requirements of the Environmental Planning and Assessment Regulation 2000 Part 6 Division 10 Clause 101 (1).

A Section 7.11 contribution of \$[insert amount] shall be paid to Council. The contribution is calculated according to the provisions contained within Council's adopted Arncliffe - Banksia Contribution Plan 2020, which can be viewed at Council's office at 444-446 Princes Highway, Rockdale.

The amount to be paid is to be adjusted at the time of payment, in accordance with the review process contained Contributions Plan. The contribution is to be paid prior to the issue of any compliance certificate, subdivision certificate or construction certificate.

The contributions will be used towards the provision or improvement of the amenities and services identified below.

FACILITY	APPORTION	CONTRIBUTION
Transport	31.48%	
Stormwater Management	4.60%	
Open Space	19.68%	
Community Facilities	43.14%	
Administration	1.10%	
Total	100%	





Bayside Customer Service Centres

Rockdale Library, 444-446 Princes Highway, Rockdale
Westfield Eastgardens, 152 Bunnerong Road, Eastgardens
Monday to Friday 8:30am – 4:30pm, Saturday 9am – 1pm

Phone **1300 581 299 | 9562 1666**

Email **council@bayside.nsw.gov.au**

Web **www.bayside.nsw.gov.au**

Council Meeting

12/02/2020

Item No	8.3
Subject	Sydney Gateway - Preliminary Draft Major Development Plan (Sydney Airport)
Report by	Michael McCabe, Director City Futures
File	F18/679

Summary

The Sydney Gateway road project will develop a link between WestConnex at St Peters Interchange, Sydney Airport and the Port Botany precinct with the intended outcome being improved freight connectivity between Port Botany and the strategic motorway network.

The Sydney Gateway road project is identified in the Australian Government - Infrastructure Australia Infrastructure Priority List as a 'High Priority Initiative', which seeks to improve road and freight rail transport through the international economic gateways of Sydney Airport and Port Botany.

The project is located on State and Commonwealth owned land leased to Sydney Airport Corporation Limited (SACL). As such, the project is subject to both State and Federal legislation:

1. State Legislation:

The *Environmental Planning and Assessment Act 1979* (EPAA) provides the planning assessment framework for the parts of the project located on State owned land. The Minister for Planning and Public Spaces is the consent authority.

The EPAA requires the proponent (Transport for NSW) to prepare and exhibit an Environmental Impact Statement (EIS). The EIS was exhibited from 20th November 2019 for a period of 28 days.

On the 19th December 2019, Bayside Council's General Manager endorsed a submission on behalf of Council in relation to the EIS. The submission was subsequently forwarded to the Department of Planning, Industry and Environment (DPI&E) for their consideration.

2. Federal Legislation:

The *Airports Act 1996* (Airports Act) provides the planning assessment framework for the parts of the project located on Commonwealth owned land. The Australian Minister for Infrastructure, Transport and Regional Development (the Minister) is the consent authority.

The Airports Act requires the proponent (SACL) to prepare and exhibit a Major Development Plan. The Preliminary Draft Major Development Plan (PDMDP) is on exhibition from 20th November 2019 to 21st February 2020 (60 days).

Exhibition of the PDMDP allows stakeholders the opportunity to provide feedback on the contents of the PDMDP to the Minister.

The purpose of this report is to:

- (i) provide Council with an overview of the PDMDP; and
- (ii) to provide the Minister with Council feedback about the contents of the PDMDP in a draft submission (**Attachment 1**) for Council's endorsement.

Officer Recommendation

That Council endorses the attached submission in relation to the Preliminary Draft Major Development Plan for the Minister's consideration.

Background

'Sydney Gateway' is part of a NSW and Australian Government initiative to improve road and freight rail transport through the important economic gateways of Sydney Airport and Port Botany. Sydney Gateway is comprised of two projects:

- 1 Botany Rail Duplication
- 2 Sydney Gateway Road Project

Botany Rail Duplication

The EIS for the Botany Rail Duplication project was publicly exhibited from 16th October 2019 to 13th November 2019. A submission prepared by Council staff was considered by Council at its meeting on 13th November 2019 and subsequently forwarded to the DPI&E for their consideration.

Sydney Gateway Road Project

- **Key Features**

The Sydney Gateway Road Project aims to create easier road journeys to and from Sydney Airport and improved connections between the terminals and includes the following key features:

- Connection to St Peters Interchange and beyond - A four-lane raised road in each direction with bridges to cross Canal Road and the freight rail line.
- Connection from St Peters to the International terminal - A four-lane road in each direction with two bridges over Alexandra Canal.
- New Link Road - This new airport freight access route will provide connections to Link Road following closure of Airport Drive.

- Widening of Qantas Drive - Widened from two-lanes to three-lanes in each direction to reduce congestion.
- New elevated road or 'flyover' to the Domestic terminals- The 'flyover' will separate vehicles travelling to the Domestic terminals from traffic heading towards Port Botany and Southern Cross Drive. This will enable travel from St Peters Interchange to the Domestic terminals without stopping at a single traffic light.
- Alternative shared cycle and pedestrian pathway - New alternative cycle and pedestrian pathway to connect from Alexandra Canal to Mascot at Coward Street.

- **Approval Pathways**

Sydney Gateway Road Project is located on both State owned land and Commonwealth owned land leased to SACL. The project is subject to two approval pathways set out in State legislation and Commonwealth legislation:

State Legislation: Environmental Planning and Assessment Act 1979 (EPAA)

Environmental Impact Statement:

The EP&A Act requires the proponent to prepare an Environmental Impact Statement (EIS) and exhibit the EIS for a period of 28 days. At its meeting of 13th December 2019, Council endorsed the Council officer recommendation for delegation to be provided to the General Manager to endorse a submission in relation to the EIS.

The submission was forwarded to the DPI&E on the 19th December 2019 for their consideration. Bayside Council's EIS submission can be viewed at:

<https://www.planningportal.nsw.gov.au/major-projects/submission/688901>

Commonwealth Legislation: Airports Act 1996

Major Development Plan:

The parts of the Sydney Gateway road project located on Commonwealth land leased to SACL are defined as 'major airport development' under the *Airports Act 1996* (Airports Act) as they include constructing or extending a road or vehicular access facility, where:

- The construction significantly increases the capacity of the airport to handle movements of passengers, freight or aircraft;
- The cost of construction exceeds the threshold amount (\$25 million); and
- Is likely to have a significant impact on the local or regional community.

Section 90 of the Airports Act requires major airport development to be carried out in accordance with a Major Development Plan approved by the Minister.

Under section 92 of the Airports Act, SACL is responsible for exhibition of the PDMDP. On the 18th November 2019, SACL wrote to Bayside Council advising of the exhibition of the PDMDP from 20th November 2019 to 21st February 2020.

Full documentation of the project can be found at:

<https://www.planningportal.nsw.gov.au/major-projects/project/10156>

In summary, this submission provides feedback to the Minister about the contents of the PDMDP, in particular:

- Traffic flows at the airport and surrounding the airport;
- Employment levels at the airport;
- The projects fit with the local economy and community, including local planning strategies; and
- The proponent's plans for dealing with the environmental impacts of the development.

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 Preliminary Draft Major Development Plan (PDMDP) is on exhibition from 20th November 2019 to 21st February 2020 (60 days).

Exhibition of the PDMDP allows stakeholders the opportunity to provide feedback to the Minister on the contents of the PDMDP.

Attachments

Draft Submission Preliminary Draft Major Development Plan (Sydney Airport) [↓](#)

**BAYSIDE COUNCIL SUBMISSION
SYDNEY GATEWAY ROAD PROJECT
PRELIMINARY DRAFT MAJOR DEVELOPMENT PLAN**

Introduction

On the 20th November 2019, the Department of Planning, Industry and Environment (DPI&E) notified Council of the exhibition of an Environmental Impact Statement prepared by the then Roads and Maritime Service (now Transport for NSW (TfNSW)) for the part of the Sydney Gateway road project located on state owned land.

Sydney Airport Corporation Limited also wrote to Council in a letter dated 18th November 2019 advising of the public exhibition of the Preliminary Draft Major Development Plan (PDMDP), as part of the project is located on Commonwealth land leased to Sydney Airport Corporation Limited.

Sydney Gateway road project is identified in the Australian Government - Infrastructure Australia Infrastructure Priority List as a 'High Priority Initiative', which seeks to improve road and freight rail transport through the international economic gateways of Sydney Airport and Port Botany.

The Sydney Gateway road project will develop a link between WestConnex at St Peters Interchange and the Sydney Airport and Port Botany precinct, improving freight connectivity between Port Botany and the strategic motorway network and will support efficient traffic movement from WestConnex into key transport and trade land uses.

In summary, this submission provides feedback in relation to the projects effects on:

- traffic flows;
- the local and regional economy and community; and
- the environment.

The submission also provides feedback on the proponent's plans for dealing with the environmental impacts of the development

The part of the Sydney Gateway road project located on Commonwealth land leased to Sydney Airport Corporation Limited (SACL) is defined as 'major airport development' under the *Airports Act 1996* (Airports Act) as it includes constructing or extending a road or vehicular access facility, where:

- The construction significantly increases the capacity of the airport to handle movements of passengers, freight or aircraft;
- The cost of construction exceeds the threshold amount (\$25 million); and
- Is likely to have a significant impact on the local or regional community.

Section 90 of the Airports Act requires major airport development to be carried out in accordance with a Major Development Plan approved by the Australian Minister for Infrastructure, Transport and Regional Development (Minister).

The requirements for the contents of a major development plan are set out in Section 91 (1) of the Airports Act which include the requirement for:

- An assessment of the effects of the development on:
 - Traffic flows at the airport and surrounding the airport; and
 - The local and regional economy and community, including an analysis of how the proposed developments fit within the local planning schemes for commercial and retail development in the adjacent area; and
- An assessment of environmental impacts:
 - The airport lessee company's assessment of the environmental impacts that might reasonably expected to be associated with the development; and
- Plans for dealing with environmental impacts:
 - The airport-lessee company's plans for dealing with the environmental impacts, including plans for ameliorating or preventing environmental impacts.

Under section 92 of the Airports Act, SACL is responsible for exhibition of the MDP. On the 18th November 2019, SACL wrote to Bayside Council advising of the exhibition of a Preliminary Draft Major Development Plan from 20th November 2019 until 21st February 2020.

Full documentation of the project can be found at:

<https://www.planningportal.nsw.gov.au/major-projects/project/10156>

The Sydney Gateway road project is proposed to include:

- Connection to St Peters Interchange and beyond - A four-lane raised road in each direction with bridges to cross Canal Road and the freight rail line.
- Connection from St Peters to the International terminal - A four-lane road in each direction with two bridges over Alexandra Canal.
- New Link Road - This new airport freight access route will provide connections to Link Road following closure of Airport Drive.
- Widening of Qantas Drive - Widened from two-lanes to three-lanes in each direction to reduce congestion.
- New elevated road or 'flyover' to the Domestic terminals - The 'flyover' will separate vehicles travelling to the Domestic terminals from traffic heading towards Port Botany and Southern Cross Drive. This will enable travel from St Peters Interchange to the Domestic terminals without stopping at a single traffic light; and
- Alternative shared cycle and pedestrian pathway - New alternative cycle and pedestrian pathway to connect from Alexandra Canal to Mascot at Coward Street.

Council understands that parts of the Sydney Gateway road project are located on State owned land. These parts of the project are defined as 'State significant Infrastructure' under the *Environmental Planning and Assessment Act 1979* (EPAA).

The EPAA requires the proponent to prepare an Environmental Impact Statement (EIS) and exhibit the EIS for a period of 28 days. On the 13th December 2019, Council considered a submission in relation to the exhibition of the Environmental Impact Statement.

A copy of the submission was forwarded to the DPI&E on the 19th December 2019 for their consideration.

Public exhibition

A review of the PDMDP has been undertaken by Council staff and feedback and recommendations are provided at **Table 1**, below, for the Minister to consider.

Note: the feedback below is to be considered simultaneously with Council's submission in relation to the exhibition of the EIS for the Sydney Gateway road project.

Table 1 – Council staff feedback on the PDMDP

Issue	Feedback
<i>Effect of the development on traffic flows at the airport and surrounding the airport</i>	<ul style="list-style-type: none"> • Traffic <p>Reference is made to Chapter 9 and Technical Working Paper 1 – <i>Transport, Traffic and Access</i>. Council requests that the PDMDP consider and address the following:</p> <ol style="list-style-type: none"> 1. Pg 9.4 – Construction stage modelling – Baseline scenario – 2022. Council requests that the baseline scenario for construction takes into account current network performance (2019) to gauge the impacts of construction activity of the project. The other projects that are likely to be operational will not realise any benefit during the construction periods. Hence the current year baseline is a more reliable indicator for comparison with the 2022 construction stage modelling. 2. Pg 9.8 Figure 9.4 – The following intersections for operation as well as construction impacts as they have significant relevance for the Bayside community: <ol style="list-style-type: none"> a. Ross Smith Drive/ Sir Reginald Ansett Drive – this route is significantly congested and causes delays at both ends of Ross Smith Drive b. Wentworth Avenue underpass/ General Holmes Drive – significant network connection recently completed is not considered in the model c. Botany Road intersections with Robey Street and King Street – important links to the airport from eastern and south Sydney suburbs d. The Church Avenue two-way proposal impacts on local residents. The potential congestion and delay on O'Riordan Street during and post construction has not been assessed. 3. Pg 9.9 and 9.10 Figure 9.5 – Forest Road, Wickham Street, Marsh Street, M5 have not been considered in the model which currently carries high traffic volumes to and from the Airport and Port Botany. Further, routes 1, 2 and 5 must be included in the construction related travel time changes as these will be the most likely routes for construction vehicles to and from the precinct. 4. Sec 9.2.5 – pedestrian linkages to and from the airport are very poor leading to pedestrians currently walking along major road corridors unprotected. The proposal must address and provide better linkages to encourage active transport. 5. Sec 9.3.1 Pg 9.26 - Airport related traffic tends to peak on Fridays and weekends and it is proposed to undertake a lot of construction during that time. This will impact local community access due to delays and congestion that the construction traffic and closures may impose. 6. Pg 9.26 traffic volumes – Holbeach Avenue for compound C3 – workers parking and access – details are required for the intersection performance and right turn at Princes Highway, including potential increase in delays to traffic through Wolli Creek and Arncliffe and impacts on the local network. 7. Sec 9.3.2 – The increase in travel time delays to General Holmes Drive and O'Riordan Street during and post construction is not a good

	<p>outcome for local residential amenity as it will lead to a land-locked situation for local traffic with significant delays to enter or leave the local precinct in Mascot. Delays along General Holmes Drive will also lead to localised traffic queue jumping using local streets in Brighton Le Sands and Kyeemagh.</p> <ol style="list-style-type: none"> 8. Sec 9.3.7 – Parking – The PDMDP is to include an assessment of the number of workers expected to be working on the project at any point in time to assess the impacts of parking and traffic related to construction workers. Given that a lot of the proposed works will be undertaken out of hours and at night time, parking restrictions do not apply in the majority of the residential streets in the vicinity. Night time workers are highly unlikely to use public transport and there is none in the vicinity of the proposed work sites. Workers will be competing with residents for street parking at night time. This has been an ongoing issue with the construction of WestConnex especially at the Marsh Street compound. Impacts of travel and parking associated with construction workers must be addressed in consultation with Bayside Council. (Sec 9.6.2 TT13 pg 9.58). Due to the proposed works an estimated 260 car spaces and 500 sqm of area within terminal 1 for freight will be lost within Sydney Airport land. Details are to be provided to determine how this will be managed by Sydney Airport Corporation Limited. 9. Sec 9.4.2 Fig 9.19 Public transport routes 2 and 3 primarily service Bayside residents. Delays to these routes in the PM westbound direction will be detrimental to the Bayside community and are to be minimised. 10. Sec 9.6.2: Concern is raised that there is a lot of simultaneous construction activity going on in this precinct by various state agencies as well development construction activities. There must be a nominated contact officer to facilitate and coordinate all such activities to ensure that it does not hinder local construction work nor disadvantage residents in the precinct. The PDMP must detail a coordinated approach to minimise local impacts. 11. Sec 9.4.4 – Concern is raised that numerous road sections operate at Level of Service E and F post construction, in particular, the intersections to airport terminals. This outcome is inconsistent with the Planning Priorities stated in the Bayside Local Strategic Planning Statement. Due to non-reliability of travel time there is significant anecdotal evidence of airport customers travelling through other state road networks within Bayside (King Georges Road to Stoney Creek Road to Forest Road to Wickham Street to Marsh Street to airport). Low Level of Service will lead to traffic continuing to use other roads within the precinct to avoid paying tolls for marginal improvements to travel time. 12. Sec 9.4.8 – Concern is raised about the increase in travel time for buses due to the removal of the right turn from Qantas Drive into Sir Reginald Ansett Drive. Any increase in travel times for airport worker due to changes to access, especially for Bayside residents who work at the airport, are to be minimised. The impacts of changes to access to the northern lands is not clear and is to be clarified. 13. Sec 9.5 Cumulative construction impacts of Botany Rail Duplication and Gateway road project creates delays of 8 to 20 minutes to access airport terminals during peak use on weekends. The delays are currently significant. The projection only shows the impact from the 2022 to 2026 construction period and hence will result in significantly poorer outcomes than presented in the PDMDP especially for Rockdale and Mascot communities, which Council considers unacceptable. 14. The proposal does not consider the provision of additional public transport options along the new corridor to discourage private vehicle trips (it is recognised that public transport is not part of this proposal but it should be considered for benefits of our local community). The PDMDP is to give greater consideration of public transport and active transport options as discussed elsewhere in this submission. 15. The proposal does not provide adequate subsurface and direct connections for Port Botany traffic to access this corridor. It heavily relies on surface road network around the airport for connections to
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	<p>north and west which is a large contributor to the intersections operating at LOS of E or F in peak hours. Council considers this outcome unacceptable.</p> <ol style="list-style-type: none"> 16. The proponent is to consult with Council's Development Services staff to determine the cumulative traffic impacts of a number of existing and proposed concrete batching plants on the project. 17. A construction traffic and access management plan must be prepared in consultation with Bayside Council. 18. Internal capacity for pick and drop of passengers and its impact on local traffic accessing airport from the surrounding suburbs especially those who will not be using gateway. There is concern about delays and congestion occurring on the road network impacting airport access for those living in south Sydney and eastern suburbs. 19. With more capacity for private vehicles to access the airport, there will be a likely increase in use of taxi and uber services. Council is currently facing issues with uber drivers idling in streets surrounding the airport to pick up passengers. Provisions must be made for 15min waiting areas for uber drivers within the airport with this increased vehicular traffic being able to now travel to the airports. 20. Details are required of how traffic accessing the airport area through the local road network and gateway project will be prioritised <p>Cruise ship terminal It is noted the <i>Port Authority of New South Wales: Project Update 1 October 2019 Cruise Capacity Newsletter</i> in the following link: https://www.portauthoritynsw.com.au/media/3792/project_update_1_october2019.pdf states in relation to local traffic impacts:</p> <p><i>"Traffic flows associated with a cruise terminal will be modelledThe assessment will consider movements generated by passenger arrivals and departures, potential public transport solutions and the use of vehicles to service and supply provisions to vessels. Other nearby projects such as Sydney Gateway and Port Botany Freight Line Duplication are underway to relieve congestion on the road networks and information from these projects is also being incorporated into planning for a potential terminal"</i></p> <p>This implies that the consideration of a proposed cruise ship terminal at either Molineaux Point, Port Botany or Yarra Bay, Phillip Bay is taking into consideration the outcomes of Sydney Gateway and Botany Rail Duplication in addressing local traffic congestion.</p> <p>The Port Authority, however, has released very few details to the public of what the impacts of the cruise ship terminal will be, particularly in relation to traffic and transport impacts.</p> <p>Therefore, Council is unable to adequately assess traffic benefits of Sydney Gateway without understanding how much of the suggested increased in capacity of the roads being delivered by Sydney Gateway road project will be taken up by traffic requirements of the proposed Cruise Ship terminal.</p> <p>Port Botany and Cooks River Intermodal Freight Access The NSW Ports' 30 Year Master Plan includes the following objective to drive a sustainable future for the port supply chains:</p> <p><i>'Provide efficient road and rail connections to the ports and intermodal terminals'</i></p> <p>The PDMDP does not appear to consider the provision of a Cooks River Intermodal freight access ramp. The absence of this access is critical to the future 'Place' planning for the town centres of Mascot, Wolli Creek and the emerging 'growth centre' of Arncliffe.</p> <p>Following completion of Sydney Gateway, the Canal Road 'Cooks River' Intermodal Terminal is forecast to receive 30% of the Port 'TEU' containers and, as such is a major local freight destination critical to the efficiency of</p>
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	<p>the Port and its ancillary businesses. Despite its central location and key freight role, no motorway access is provided to this intermodal facility via Canal Road or elsewhere. The absence of such a motorway access ramp implies that freight, heavy vehicles and dangerous goods will continue via Mascot Town Centre on the 'O'Riordan, Bourke, Coward, Kent, Ricketty' route. This route currently sees severe road use conflict with these heavy vehicles travelling through the high density Mascot Town centre precinct.</p> <p>For Council and Transport for NSW (TfNSW) to continue to plan for Mascot's growth as a residential and business Strategic Centre as identified by the Eastern City District Plan, its value as a 'Place' relies on the absence of heavy vehicles and freight in the Mascot precinct. As such, the freight passage from Port Botany to the Cook's River Intermodal Terminal must be via Sydney Gateway and not via local roads.</p> <p>Council requests that the PDMDP consider:</p> <p>21. A Cooks River Intermodal link is provided with a dedicated Canal Road (or equivalent) motorway on/ off-ramp. If this motorway access cannot be incorporated into the Sydney Gateway design, Bayside Council request SACL and TfNSW consider the re-location of the Cooks River inter-modal terminal to an alternate, more appropriate location.</p> <p>22. The Sydney Gateway road project delivers improved heavy vehicle access and intersection upgrades in the Port Botany freight route from Foreshore Road through to Sydney Gateway road.</p>																		
<i>The effect of the development on employment levels at the airport</i>	The PDMDP is considered generally consistent with the Bayside Community Strategic Plan 2030 and the Bayside LSPS, as the project will support the growth of employment at Sydney Airport and Port Botany.																		
<i>The effect of the development on the local and regional economy and community, including an analysis of how the proposed developments fit within the local planning schemes for commercial and retail development in the adjacent area</i>	<p>23. The PDMDP is to be amended to address the following local strategic plans:</p> <p>Bayside Community Strategic Plan 2030</p> <p>The PDMDP is to consider the following strategic directions contained in the Bayside Community Strategic Plan 2030. The relevant strategic directions contained in the Bayside Community Strategic Plan 2030 are highlighted in table 2, below:</p> <p>Table 2: Bayside Community Strategic Plan</p> <table><tr><th colspan="3">Theme One – In 2030 Bayside will be a vibrant place</th></tr><tr><th>Strategic Direction</th><th>How we will get there</th><th>Feedback</th></tr><tr><td>Our places connect people</td><td>Walking and cycling is easy in the City</td><td>The proponent is to work with Council and TfNSW to identify opportunities for the inclusion of active transport in the locality.</td></tr><tr><td></td><td></td><td>Refer also to feedback under the subheading 'Transport', below.</td></tr></table> <p>Theme Four – In 2030 we will be a prosperous community</p> <table><tr><td>Opportunities for economic development are recognised</td><td>Major employers support/ partner with local small business</td><td>SACL is a major employer in the Bayside LGA. Council requests the proponent to actively work with local small businesses as part of this project (CHECK).</td></tr><tr><td></td><td>We are an international hub for transport and logistic related business</td><td>The PDMDP is considered generally</td></tr></table>	Theme One – In 2030 Bayside will be a vibrant place			Strategic Direction	How we will get there	Feedback	Our places connect people	Walking and cycling is easy in the City	The proponent is to work with Council and TfNSW to identify opportunities for the inclusion of active transport in the locality.			Refer also to feedback under the subheading 'Transport', below.	Opportunities for economic development are recognised	Major employers support/ partner with local small business	SACL is a major employer in the Bayside LGA. Council requests the proponent to actively work with local small businesses as part of this project (CHECK).		We are an international hub for transport and logistic related business	The PDMDP is considered generally
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		<p>consistent with the strategic direction.</p> <p>Refer also to feedback in relation to the impacts of the project on traffic flows in the locality, above.</p>						
The transport system works	<p>We can easily travel around the LGA – traffic problems/ gridlock are a thing of the past.</p> <p>We can easily travel to work by accessible, Council reliable public transport</p>	<p>The proponent is to work with Council and TfNSW to identify opportunities for the inclusion of active transport in the project. Refer also to feedback under the subheadings 'Traffic', above, and 'Transport', below.</p>						
<p>Draft Bayside Local Strategic Planning Statement (Bayside LSPS)</p> <p>Recent amendments to the EPAA introduced the requirement for a LSPS to be prepared by Councils. It is noted that due to the timing of the preparation of the PDMDP, this strategic document has not been addressed in the PDMDP or in the EIS.</p> <p>Council's LSPS sets the 20-year vision for the Bayside LGA, including identifying the special character and values to be preserved and how change will be managed.</p> <p>The LSPS explains how council is implementing the planning priorities and actions in the relevant district plan in conjunction with their Community Strategic Plan.</p> <p>The PDMDP is to consider the strategic directions contained in the Bayside Local Strategic Planning Statement, summarised in Table 3:</p> <p>Table 3: Bayside LSPS</p> <table> <tr> <th>Bayside Planning Priority</th><th>Actions</th><th>Feedback</th></tr> <tr> <td><i>1 Align land use planning and transport infrastructure planning to support the growth of Bayside.</i></td><td><i>1.6 Council will prepare submissions to the NSW Government in relation to State Significant development applications (and similar) for projects including Sydney Gateway, Port Botany Rail Duplication, Metro Rail and others as they arise.</i></td><td> <p>The Bayside LSPS notes that as the trade gateways are expected to grow, there will be more freight and traffic on roads that are already congested, as noted in the Community Strategic Plan 2030.</p> <p>Transport is therefore a key priority for Council, and Council is committed to working with SACL and TfNSW to ensure the Bayside community benefits from this and other major transport projects.</p> <p>In accordance with the actions under this priority, Council has prepared this submission and the</p> </td></tr> </table>			Bayside Planning Priority	Actions	Feedback	<i>1 Align land use planning and transport infrastructure planning to support the growth of Bayside.</i>	<i>1.6 Council will prepare submissions to the NSW Government in relation to State Significant development applications (and similar) for projects including Sydney Gateway, Port Botany Rail Duplication, Metro Rail and others as they arise.</i>	<p>The Bayside LSPS notes that as the trade gateways are expected to grow, there will be more freight and traffic on roads that are already congested, as noted in the Community Strategic Plan 2030.</p> <p>Transport is therefore a key priority for Council, and Council is committed to working with SACL and TfNSW to ensure the Bayside community benefits from this and other major transport projects.</p> <p>In accordance with the actions under this priority, Council has prepared this submission and the</p>
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	<i>5 Forster healthy, creative, culturally rich and socially connected communities</i>	<i>Prioritise opportunities for people to walk, cycle and use public transport when planning for existing or future centres</i>	<p>The proponent is to work with Council and TfNSW to identify opportunities for the inclusion of active transport in the locality.</p> <p>Refer also to feedback under the subheading 'Transport' in response to the issue 'Effect of the development on traffic flows at the airport and surrounding the airport', above.</p>
	<i>9 Manage and enhance the distinctive character of the LGA through good quality urban design, respect for existing character and enhancement of the public realm</i>	<i>Council will take a place based approach for each local centre and prepare master plans/ urban design studies or public domain plans to create great places including the following centres atMascot (Coward/ Botany Road) and Mascot Station Precinct.</i>	<p>The proponent is to work with Council to identify opportunities to improve the visual impact of the project on Mascot centre.</p> <p>Refer also to feedback under the subheading 'Place making and Urban Design', below.</p>
	<i>12 Delivering an integrated land use and a 30-minute city</i>	<p><i>Advocate for and work with relevant stakeholders for safe cycling and walking connections to Sydney Airport and Port Botany as outlined in the Eastern City District Plan</i></p> <p><i>Advocate for increased east-west public transport links to connect the suburbs east of the airport to the suburbs west of the airport.</i></p>	<p>The proponent is to work with Council and TfNSW to identify opportunities for the inclusion of active transport in the locality</p> <p>Refer also to feedback under the subheading 'Transport', below.</p>
	<i>14 Protect and grow the international trade gateways</i>	<i>Collaborate with Sydney Airport to provide safe cycling and walking connections to the Airport, particularly to Mascot Station.</i>	<p>The proponent is to work with Council and TfNSW to identify opportunities for the inclusion of active transport in the locality</p> <p>Refer also to feedback under the subheading 'Transport', below.</p>

	15 Deliver an integrated land use and transport planning 30-minute city	Develop and implement a Movement and Place framework for identified centres in conjunction with TfNSW.	The proponent is to work with Council and TfNSW to identify opportunities for the inclusion of active transport in the locality Refer also to feedback under the subheading 'Transport', below.
	16 Growing investment, business opportunities and jobs in Bayside's strategic centres	Plan for safe walking and cycling through the centre and from Mascot Station to Sydney Airport in collaboration with City of Sydney, Sydney Airport and relevant agencies.	The proponent is to work with Council and TfNSW to identify opportunities for the inclusion of active transport in the locality Refer also to feedback under the subheading 'Transport', below.
	20 Protect and improve the health of Bayside's waterways and biodiversity	Advocate to State Government that State Significant Infrastructure projects within the Bayside LGA recognise and respond to the importance of Bayside's waterways and biodiversity	Refer to feedback under the subheading 'Biodiversity', below, and to the feedback provided in Council's submission to exhibition of the EIS.
	21 Increase urban tree canopy cover and enhance green grid connections	Develop and commence implementation of Masterplans for the priority green grid corridor of Mill Stream and Botany Wetlands Open Space Corridor.	Refer to feedback under the subheading 'Biodiversity', below, and to Council's submission in response to exhibition of the EIS.
	<p>Discussion Paper – Transport Strategy (May 2019)</p> <p>The Transport Strategy Discussion Paper (discussion paper) provides a high level summary of the strategic transport context, current transport conditions and forecast growth in the Bayside LGA and was commissioned to inform the preparation of the Bayside LSPS.</p> <p>The discussion paper acknowledges the contribution the PDMDP/ Sydney Gateway road project make to traffic movement. However, the discussion paper notes that cycling infrastructure is generally limited to on-road cycling routes and some shared path routes, and that the key cycling connection at Alexandria Canal may potentially be lost with the delivery of the PDMDP/ Sydney Gateway road project.</p> <p>24. Council requests the proponent to work with Council staff to identify opportunities for cycling infrastructure in the locality.</p>		
- The airport-lessee company's assessment of the environmental impacts that might reasonably be expected to be associated with the development; and	<ul style="list-style-type: none"> Transport <u>Public transport</u> <p>Bayside Council notes that Sydney Gateway's primary role is to strengthen Sydney Airport's connection to the motorway network thus creating an environment whereby travel by private cars into the airport terminals is greatly improved, and by comparison, considerably more efficient than the</p>		

<p>- the airport-lessee company's plans for dealing with the environmental impacts.</p>	<p>benefits of similar trips undertaken by public transport. Whilst it is necessary to enable motorway access to the airport, designing for private vehicle access is widely recognised as an unsustainable approach to managing population growth and the associated transport demand.</p> <p>The PDMDP states that the airport and port precinct is Sydney's second largest employment precinct (after the CBD) and planning for increased motor vehicle travel to this precinct seems counter intuitive to the guiding framework outlined in the NSW Government strategic planning documents including Future Transport 2056 and Eastern City District Plan (refer also to Council's submission made in relation to the EIS for Sydney Gateway road project).</p> <p>25. As a key principle, Bayside Council request that the PDMDP component of this project and future development within SACL boundaries be cognisant of the importance of investment into public and active transport to major employment and tourist destinations such as Sydney Airport through:</p> <ul style="list-style-type: none"> i) The provision of bus lanes (possibly bus rapid transit) and other bus priority measures to facilitate an expansion of priority bus services to the airport; and ii) The removal of station access fees and the 'non-compete clause' for the Airport Link heavy rail line which will form the basis for a public transport component of the Sydney Gateway Project which is otherwise absent in the PDMDP. <p>26. The Project should seek to provide significant public transport improvements as proposed above.</p> <p><u>Active transport</u></p> <p>The PDMDP acknowledges that improvements to active transport are an important component of the benefits that the Sydney Gateway project can facilitate. The PDMDP has included a requirement for a detailed active transport plan to be prepared as part of the project. Council requests that key themes in this plan should be based around providing connectivity both through the area and to any relevant facilities that may be created as a result of the project. As such, the following points are highlighted for consideration in the PDMDP:</p> <p>27. It is requested that the Project's Active Transport Plan include the following connectivity:</p> <ul style="list-style-type: none"> i) A grade-separated pedestrian bridge over Qantas Drive from O'Riordan Street that enabling local access between Mascot Station town centre and the Domestic Terminal (and future ground transport interchange). ii) a direct east-west connection within between Alexandria Canal, to Wentworth Avenue enabling high quality connections across, and into the airport terminals to any new facilities created by the project. iii) An improved east-west active transport link utilising state and federal land holdings held by SACL and Sydney Water. <p>28. Additionally, the following elements need to be addressed:</p> <ul style="list-style-type: none"> i) The Alexandra canal path needs to provide safety and amenity for people walking and cycling with the installation of lighting, landscaping and CCTV. ii) Remediation of the current poor pedestrian access to precincts to the east (Botany Road and Airport East underpass) iii) Active transport path widths of at least 5 metres and painted or physical separation between walkers and riders. iv) The proposed traffic signals at the intersection of Terminal 1 Connection and Freight Terminal Access must include bicycle
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	<p>lanterns to ensure people on bicycles will not be crossing the road illegally.</p> <p>v) Additionally, concern is expressed that the shared path along the Alexandra Canal may be subject to hazardous flooding in the future. Consequently, it is requested that details of the proposed mitigation measures should be provided</p> <p>• Noise and Vibration – construction impacts</p> <p>Council is aware of the impact of construction fatigue to local residents caused by infrastructure projects such as the Sydney Gateway project.</p> <p>Qantas Drive, Joyce Drive and surrounding roads are major arterial roads and are proposed to be the site of where the majority of road diversions and construction work will be undertaken. Residents of the surrounding areas such as Mascot, and Botany have lived through a number of years of Airport East and North access construction and will now be impacted by a further 3 years with the construction of the Sydney Gateway project.</p> <p>Impacts to local traffic movement as well as construction fatigue will potentially have a detrimental impact on local business, liveability and human health as local streets and neighbourhoods are overcome by heavy vehicles, detours, construction noise and adverse visual impacts.</p> <p>29. Council requests that:</p> <ol style="list-style-type: none"> The proponent consider the cumulative impacts of recently approved projects and those currently under assessment and to work with Council staff to determine the projects that are to be considered in this assessment. Transport and traffic impacts of the project are regularly communicated to local residents and businesses, with a detailed timeline of the works and upcoming road diversions and should involve extensive community consultation. Measures be included to protect the safety of 'vulnerable road users' (pedestrian and bicycle riders) during construction and when detours are active. Construction compounds during the project period are considered for re-purposing to community open space, with accessible public facilities. <p>• Place making and Urban Design:</p> <p>The Sydney Gateway project represents an opportunity to improve the way in which Mascot, Sydney and Australia represents itself to visitors as well as residents. The significant investment in new infrastructure at this important trade and movement gateway is an opportunity to reimagine the built form, spaces and character of the place. Whilst Council acknowledges the importance of the project from a broader economic and transport perspective, it is also imperative that the active transport and road network fulfils other objectives including amenity at the street level, visual character and accessibility in a north-south as well as east-west direction for all users of the public domain and road network.</p> <p>Bayside Council is currently preparing an Employment and Centres Strategy which identifies Mascot as an important place in Sydney's Economic Corridor as well as at a local level. Located immediately to the north of the Sydney Gateway project Mascot will develop as a major commercial centre in south eastern Sydney. It is strategically positioned between the airport and the inner city industrial and enterprise zone linking Mascot to the southern CBD. Mascot and its surrounding employment area will support emerging businesses that require a mix of commercial and advanced industrial or logistics floorspace. These businesses will benefit not only from proximity to the airport and port but will also value a high quality public realm and access to a range of amenities such as restaurants and cafes.</p>
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	<p>It is also noted that there has been significant growth in hotel accommodation in the area north Qantas Drive/Joyce Drive and that many passengers using the airport stay in the Mascot hotel precinct. It is imperative that a quality active transport environment meets their needs as well as those of local workers and residents.</p> <p>The following comments are in relation to 'Technical Working Paper 13' (TWP 13). Council requests that the PDMDP be amended to consider the following issues:</p> <ol style="list-style-type: none"> 30. Section 6.3 should be amended to expand on the unique qualities of the place including the history of indigenous culture, landscape/ environment (Botany Bay). 31. In general, there is a disconnection between the objectives/ principles and the proposed strategies and structure plan in Section 6.4. This section should be amended to provide an explanation on how each proposals/ strategies of the project meet the objectives. 32. Include reference to Sydney's unique blue sky within Section 6.4. Botany Bay is named because of its large collection of variety of plants and this could be reflected in the landscape plan. Vivid Sydney is the largest festival of light and ideas in the southern hemisphere. The festival could be incorporated into the design of the lighting infrastructure. 33. Figure 93 should be amended to ensure there is easy access/ active transport provision for the community in Mascot Town Centre and the surrounds of the new park/ open space in Tempe. 34. Tempe Lands precinct is not located within Bayside area (page 97). However, option 1 is preferred as it provides more recreational spaces for a variety of community needs. The location of the two mounds in option 1 can be viewed as an interesting landform sitting side by side from the Sydney airport and along the proposed active transport corridor. The two mounds in option 2 are bisected by an 8 lane overpass. <p>Trees:</p> <ol style="list-style-type: none"> 35. Bayside Council has one of the lowest levels of tree canopy amongst the metropolitan councils in Sydney. It is requested that a detailed Arboriculture Assessment is undertaken as part of this project. If trees are required to be removed, Council seeks consideration of a replacement ratio of 5:1. If suitable land in the direct area is not feasible for replanting, Council staff can assist in finding suitable replacement locations. 36. Provide a diagram clearly illustrating the trees that are proposed to be removed. 37. Provide a tree management strategy and clearly illustrate the offset and their location. 38. Vegetation (ground covers, shrubs and trees) should be planted to improve amenity and reduce heat island effects whilst ensuring CPTED principles are applied. <p>Next stage:</p> <ol style="list-style-type: none"> 39. It is recommended that a detailed urban design and landscape plan be provided in the next stage. The plan should provide a more defined vision and design principles to the project. The plan should also provide finer details to guide the design for both built and landscape elements such as palette of colours. It should be ensured there is a consistent approach to landscape design, art installations, lighting are under same framework and design principles. It is recommended a more detailed analysis is provided of every identified built and landscape element, including its aspect, constraints and opportunities and provide design/landscape strategies that is suitable for that
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	<p>location. This process should be overseen by art curator(s) and landscape architect(s) throughout the project.</p> <p>This significant project provides an opportunity to showcase sustainable design and contribute to increasing biodiversity in the locality. It is Council's expectation that the project should go 'above and beyond' minimum requirements.</p>
	<ul style="list-style-type: none"> • Visual Amenity <p>40. Council requests that the PDMDP be amended to consider the following issues:</p> <p>8.3.2 Viewpoint 1: Council request artist impression photo montage to show the proposed changes to the area</p> <p>Concerns are raised about the loss of trees to the overall landscape of the area.</p> <p>Consideration should be given to installing green roofs to some of the existing buildings.</p> <p>Consider incorporating public art to the Gateway project to enhance the view of Sydney City from the passenger waiting area.</p> <p>8.3.3 Viewpoint 2: Council requests an artist impression photo montage to show the proposed changes to the area.</p> <p>Concerns are raised about the loss of trees to the overall landscape of the area.</p> <p>8.3.4 Viewpoint 3: Council requests an artist impression photo montage to show the proposed changes – option 1 and option 2</p> <p>8.3.5 Viewpoint 4: The future design of the noise barriers is critical to add visual interest and future landscaping.</p> <p>8.3.12 Viewpoint 11: What will the space look like after the relocation of the cycleway?</p> <p>The future design of the bridge should be sympathetic to the bank of the water course.</p> <p>8.3.14 Viewpoint 12: Provide opportunities to incorporate art installation and lighting to the underbridge design.</p> <p>8.3.15 Viewpoint 14: The future design of bridge can be seen as an opportunity to add the visual amenity to the Alexandra Canal.</p> <p>8.3.17 Viewpoint 16: Ensure the existing vegetation will not be affected by the project.</p> <p>8.3.18 Viewpoint 17: Opportunity to install an overhang built element over the bridge – similar to Melbourne international gateway project.</p> <p>8.3.19 Viewpoint 19</p>

	<p>Concerns are raised about the visual impact of the removal of significant mature trees and replacement by a 4m tall retaining wall at the Botany Rail Line interface.</p> <p>Support the idea that the retaining wall will incorporate 'living wall installations'. The design of the living walls must allow for on-going maintenance.</p> <p>8.3.27 Viewpoint 26 Council requests an artist impression photo montage to show the proposed changes to the area, including option 1 and option 2 mounds.</p> <p>This is not only a view point from the Giovanni Brunetti Bridge looking north east along Alexandra Canal, the current Kogarah Golf Course will have a similar aspect looking north to the city.</p> <p>Concerns are raised about the visual impact after the tree removal and the proposed mounds options.</p> <p>Excellence in architectural design to minimise the visual impact of the flyover structure</p> <p>Council has noted inclusions of natural, indigenous and artistic design in the PDMDP and support further efforts at visually pleasing and artistically significant components of the Sydney Gateway road project.</p> <p>41. Council requests that:</p> <ul style="list-style-type: none"> The Sydney Gateway road project seeks further development of inclusion of urban design and architectural excellence in its final design
	<ul style="list-style-type: none"> Socio-economic, Land Use and Property <p>Reference is made to the following sections of the EIS:</p> <p>S7.1.1 The project and its alignment In relation to reference made to "Intersection upgrades or modifications" at:</p> <ul style="list-style-type: none"> Link Road/ Airport Drive Robey Street O'Riordan Street/ Joyce Drive Ross Smith Avenue <p>and</p> <p>S7.11.2 Permanent Land Requirements Where reference is made within s7.11.2 to the requirement of 14.1 Hectares of State or Government owned land and 20.6 Hectares of Commonwealth owned land (for which Council may be the reserve trust manager).</p> <p>and</p> <p>Figure 19.14</p> <p>Feedback:</p> <p>42. Council requests more detailed information in order to understand the full extent of impact of acquisitions, particularly to the roads named in s7.1.1, as not all have been included in the land requirements table 19.2. If acquisition of these roads/ other Bayside Council Land, be it Freehold, Leasehold, Strata, Stratum or any other form of interest, Council staff require:</p>

	<ul style="list-style-type: none"> i. Diagrams specifically showing acquisitions of Bayside Council owned land ii. Timing, ie. commencement and term of acquisitions iii. Form of acquisition iv. Draft documentation, ie. leases, Section 30 agreement, MOU to begin negotiations v. Description of how all of the acquisitions pertaining to Council will be wrapped up and managed vi. Environmental Management upon the sites vii. Make Good requirements of the sites viii. Traffic Management ix. Assets requiring removal or being affected <p>19.4.1 - Existing land uses and zoning</p> <p><u>Open space/ recreation</u></p> <p>Council understands that the impact to Bayside Council owned Open Space and Recreation uses is nil based on the proposed project details provided. These impacts are present within adjoining Inner West Council's LGA.</p> <p>43. Council requests TfNSW to provide a statement confirming this.</p>
	<ul style="list-style-type: none"> • Heritage <p>Heritage Status</p> <p>The Heritage Impact Assessment of Aboriginal Heritage identified two sites with a high potential to contain archaeology of Aboriginal significance.</p> <p>These have been identified as Investigation Area 1 and Investigation Area 2.</p> <p>Council is currently undertaking an Aboriginal Heritage Study of Bayside and has undertaken sensitivity mapping which includes the Airport, however the mapped sensitive areas appear to be outside the study area.</p> <p>There is one item listed in the Botany Bay LEP 2013 within the study area:</p> <ul style="list-style-type: none"> • Sydney (Kingsford Smith) Airport group – I170. <p>There are two items listed on the Botany Bay LEP 2013 located within the vicinity of the proposed works:</p> <ul style="list-style-type: none"> • Alexandra Canal (incl. sandstone embankment) – I1 This item is located approximately 15 metres away from the boundary of the study area. • House – "Daktari" – I131 This item is located 100 metres away from the study area. <p>There are two items shown on the heritage map of the BBLEP which are located away from works and are not affected.</p> <ul style="list-style-type: none"> • Commonwealth Water Pumping Station and Sewerage Pumping Station – I3 • Ruins of the former Botany Pumping Station – I168. <p>According to the Heritage Impact Statement the following item has been removed and was originally located 100 metres from the study area. The removal is confirmed by aerial photography.</p> <ul style="list-style-type: none"> • Mature Ficus, 112 High Street, Mascot Lot 2, DP 593694 Local I130 <p>Assessment</p> <p><u>Sydney (Kingsford Smith) Airport group – I170.</u></p>

	<p>The Kingsford Smith Airport Group at Mascot is a complex cultural landscape that demonstrates strong historical, historic association, social, aesthetic and technological significance. It includes both the values associated with contemporary airport and the heritage values associated with the layers of use of the area.</p> <p>The airport is a complex site covering over 900 hectares, with buildings, structures, features and elements that contribute to its heritage values.</p> <p>The following structures are within the curtilage:</p> <ul style="list-style-type: none"> • <i>Botany Water Pumping Station Ruins and Chimney Ruins;</i> • <i>Engine and Mill Ponds and Mill Stream from Botany Road to the point where it enters Botany Bay;</i> • <i>Sewage Pumping Station No. 38;</i> • <i>Main North-South Runway and East-West Runway;</i> • <i>The left bank of Alexandra Canal extending from its confluence with Cooks River to the railway bridge;</i> • <i>Southern and Western Suburbs Ocean Outfall Sewer (SWSOOS) No. 1 & 2, comprising that section extending from Cooks River to General Holmes Drive;</i> • <i>Former ANA Terminal and Control Tower (Building 60);</i> • <i>Third Control Tower & Fire Station (Building 119);</i> • <i>The Fourth Control Tower (Building 239);</i> • <i>Sydney Airport Control Tower (Fifth Control Tower) Building 496;</i> • <i>Buildings 108, 109, 110, 111, 112, 113, & 114, 128 & 143 between Sixth and Seventh Streets. Electricity Substation (Building 325) Ninth Street;</i> • <i>Building 92 Mechanical/ Maintenance Workshop;</i> • <i>Fifteen figs (FICUS RUBIGNOSA and FICUS MACROPHYLLA), associated with the former Ascot Racecourse, located near the helicopter facilities. Other trees including Norfolk Island Pines, Canary Island Palms and a Chinese Redwood (METASEQUOIA GLYPTISROBODES) located between the helicopter facilities and the SWSOOS;</i> • <i>Keith Smith Avenue layout;</i> • <i>Lauriston park sub-division layout.</i> <p>The heritage impact statement (the report) states that the Sydney Airport Heritage Management Plan 2009 (the plan) attributes some of the above items such as buildings, structures trees and subdivision as having little or no significance. The plan has not been provided and was unavailable at the time of this assessment. The statement also refers to policy within the plan and makes an analysis of the gateway projects compliance. The report only mentions some policies so it isn't clear whether there are other relevant policies which have not been discussed.</p> <p>The plan is over 10 years old and accepted practice is that conservation management plans should be reviewed between 5 and 7 years. There is a 2018 draft management plan but this has not been used in the report's assessment. This document is also unavailable.</p> <p>Recommendations:</p> <p>40. The submitted Aboriginal Heritage assessment indicates that the 6,000 dugong remains and stone axes found very close to this area are an isolated find, rather than – as is more likely – being indicative of other archaeological remains in the area. A more detailed Aboriginal Heritage Assessment is required to exclude the possibility that the dugong remains and axes are isolated finds.</p> <p>41. The Sydney Airport Heritage Management Plan 2009 should be made available to Bayside Council staff for comment to ensure there are no inconsistencies between the plan and the state heritage inventory record. This is particularly important as some items listed in the SHI form are proposed for demolition.</p>
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	<p>42. The Draft Sydney Airport Heritage Management Plan 2018 should also be made available to Council for comment, and to ensure the significance of the buildings and structures proposed for demolition have not been revised to have a higher degree of significance.</p>
	<ul style="list-style-type: none"> Biodiversity <p>The subject area represents an opportunity for Bayside to collaborate with the Proponent in increasing the biodiversity values of the area.</p> <p>Vegetation: <i>Technical Working Paper 14 Biodiversity</i> indicates that the project would remove about 0.91 hectares of native vegetation. It should be noted that Bayside Council has the lowest vegetation canopy within the Sydney Basin and it is therefore recommended that the proponent commit to vegetation projects to increase the biodiversity value of this area. Bayside is committed towards greening the LGA, and encourages the proponent to work with Bayside to develop revegetation projects.</p> <p>Bayside is already restricted with its ability to increase the vegetation cover due to the presence of Sydney Airport and Port Botany. By developing another Sydney road project after 2 recent completions, it has the potential to further decrease the connectivity and movement of species as well as prevent future greening projects to be considered.</p> <p>43. Bayside is seeking commitment from the Proponent to consider greening this project in the final design.</p> <p>Aquatic Biodiversity: 44. The proponent is to work with agencies to identify ways in which the project can contribute to the health and accessibility of waterways.</p> <p>Terrestrial Biodiversity Council recognises corridors such as Coastline Corridor, Mill Stream and Botany Wetlands are connections between habitats allowing for species movement, their protection is necessary for ecosystem functions.</p> <p>Council is in the process of establishing protection mechanisms around the Green Grid enhancing biodiversity and ensuring ecological resilience. The direct impacts on fauna and their habitats, summarised in Table 22.4 Chapter 22 of the project documents, is considered a setback for Councils future obligations.</p> <p>45. The proponent should provide further information on the alternative measures for additional foraging habitat for the Grey-headed flying fox, eastern Bent Wing-Bat, as well as mangroves.</p> <p>46. The PDMDP and relevant Technical Working Papers should be updated to reflect the green grid priority corridors and include objectives which refers to the 'enhancement of surrounding terrestrial biodiversity' in line with the Eastern City District Plan.</p>
	<ul style="list-style-type: none"> Flooding <p>The PDMDP identifies that the operational flood impacts for Qantas Drive and Robey Street will not increase flood levels. However the flood risk will increase as the impact will be higher due to the increased number of vehicles and therefore people exposed to the existing flood hazard. The impact of the increased flood risk include more vehicle accidents, greater risk to life and more traffic delays. The risk to life will be to road users but also first responders including Council staff, traffic controllers, NSW State Emergency Service and NSW Police.</p> <p>Options to reduce the current level of flooding have not been explored sufficiently. Comments in the Technical Working Paper include that the</p>

	<p>mitigation is 'constrained by the impact this would have on flooding in Sydney Airport due to displacement of floodwater'.</p> <p>47. The PDMDP is to include the investigation of alternative flood mitigation options to reduce operational flood risk.</p> <p>48. The following serious flood issues are to be addressed in the PDMDP:</p> <ul style="list-style-type: none"> At the Robey Street underpass the depth of flooding in is 0.2-0.3m in a 1EY event (1 exceedance per year) and over 1m in a 10% AEP event. Qantas Drive sag 2, during a 10% AEP event the depth of inundation is 0.8m. Based on depth alone this is defined in ARR 2016 as hazard category 3 – unsafe for vehicles. Even in a more frequent 50% AEP event (1 in 2 year) the depth is 0.5m. This is particularly significant given the long duration of inundation (more than 2.5hrs in a 20% AEP flood). <p>(To highlight the risk of roads being flooded it's important to recognise that driving a vehicle through 0.15m of water can cause it to become unstable and driving a vehicle through 0.6m of water can make it buoyant with the potential for it to tip over and consequently submerge its occupants. Over a ten year period from 2004 there were 159 drowning deaths involving flooding across Australia and over half these were as a result of driving through flood waters.</p> <p>(Source: https://www.royallifesaving.com.au/data/assets/pdf_file/0004/22000/RLS_Floodwater_ReportLRv3.pdf)</p> <p>The impact of future climate conditions is significant and the mitigation measures have been left for future management. This is a short term view that will limit the options available for flood mitigation in future. If the current flood hazards are mitigated there will be more resilience in the road network to cope for the impacts of climate change.</p>
	<ul style="list-style-type: none"> Water – Hydrology and Quality <p>Cooks River Catchment:</p> <p>49. Further information should be provided to address how the Proponent is seeking to work with relevant agencies in achieving the long term aspirational goals for the catchments, whether they relate to Cooks River or Georges River, given that they all share Botany Bay and its catchments.</p> <p><i>'Technical Working Paper 8 Surface Water'</i> outlines that aquatic ecosystems in Alexandra Canal (within the Cooks River catchment, which receives the majority of the project area discharge) are currently 'highly disturbed'. Bayside recognises this project as the opportunity to re-engage with the public realm over the Alexandra Canal, as it recognises it is a vital connecting open space between LGAs. This would require increase permeable surfaces in public domain upgrades particularly those adjacent to these waterways.</p> <p>Water Quality:</p> <p>Council has a strong commitment to regenerate and protect Bayside's waterways and riparian corridors in its Community Strategic Plan. Bayside has more than 60% hard surfaces across the LGA and is facing increased growth pressures in the short term.</p> <p>Council notes that at Table 4.2 the Environmental Protection Authority <i>'recognised the highly disturbed nature of the receiving waterway (Alexandra Canal)'</i>. Council would like to highlight that although Alexandra Canal is highly disturbed, this water ends up in Botany Bay, less than 2km away, and this fact must be reflected in any water quality controls and</p>

	<p>treatment requirements of surface water and groundwater discharge from dewatering prior to entering Alexandra Canal, and ultimately Botany Bay.</p> <p>Section 7.10.9 – Water Quality Measures, states that “<i>all water quality measures would be developed in accordance with the principles of WSUD and with the aim of achieving the water quality targets in the ‘Botany Bay and Catchment Water Quality Improvement Plan’</i>” with a disclaimer “...<i>subject to feasibility during the detailed design</i>” which negates the requirement to implement these requirements. Given that the runoff from this will enter Botany Bay, the words “<i>subject to feasibility during the detailed design</i>” need to be deleted so that design aims to meet the ‘Botany Bay and Catchment Water Quality Improvement Plan’ targets.</p> <p>50. Regeneration and protection of the waterways should be considered in further detail in the PDMDP.</p> <p>Hydrology:</p> <p>51. Council encourages better construction techniques and stormwater management practices to align with the principles of Water Sensitive Urban Design.</p> <p>• Contamination:</p> <p>The contaminated land assessment and the proposed management process follows best practice and guidelines adopted by the NSW Environment Protection Authority. There are appropriate conceptual site models for areas with known contamination, former Tempe Landfill, Sydney Airport northern lands carpark, land north of the rail corridor, and Sydney Airport land. It is proposed to complete Remediation Action Plans at the detailed design stage and prepare and apply relevant chapters in the Construction Environmental Management Plan.</p> <p>The project involves excavation of 90,000 cubic metres of waste material from the former Tempe landfill, and it is proposed to temporarily store these materials prior to re-use if suitable on the development site in the form of mounds covering an area of 3 hectares.</p> <p>52. Council requests that any transfer and movement of these soils and waste materials from one site to another within the development footprint meets the applicable requirements of the NSW Waste Classification Guidelines and the <i>Protection of the Environment Operations Act</i> and Regulations requirements at the minimum in addition to all EPA Guidelines adopted under the <i>Contaminated Land Management Act</i>.</p> <p>• Air Quality</p> <p>53. Any licence controls and environmental criteria for dust control need to consider the cumulative impacts of the project work sites operating at the same dates and times rather than each in isolation.</p> <p>54. Odour from dewatering needs to be considered and managed for impacts on potential residential receivers e.g. dewatering within developments in the area have encountered issues with hydrogen sulphide odours to residential premises. This issue needs to be considered in an Air Quality Management Plan within the Construction Environmental Management Plan.</p> <p>Council notes that DPI&E recommended the following “<i>investigating alternative management measures other than discharge into surface water (Alexandra Canal)</i>”.</p> <p>• Sustainability</p> <p>Carbon Offsets:</p> <p>There is no mention of any carbon offsets from the impact of construction.</p>
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	<p>55. It is recommended that the proponent consider partnerships with organisations for producing renewable energy to offset this cost.</p>
	<ul style="list-style-type: none"> • Climate Change Risk <p>Urban heat island effect: Given that this project is almost certain to increase the urban heat with increasing temperatures coupled with urbanisation it is likely to have an impact on Bayside's vulnerable community members as well as liveability.</p> <p>56. Council requests implementation of heat reduction approaches to meet the increasing need to address climate change, including construction and operation of the Sydney Gateway measures. Measures such as improved vegetation cover, rain gardens, natural cooling systems, heat reflective materials and colours. Best practice water sensitive urban design must be implemented. Innovation in construction and operation of the infrastructure should be pursued to maximise the environmental sustainability of the asset.</p>
	<ul style="list-style-type: none"> • Contamination, air quality, noise, ground water and acid sulfate soils <p>57. Council acknowledges that the issues of air quality, contaminated land and groundwater and acid sulfate soils have been addressed suitably for this level of report. However, as there are many technical reports for these issues, including odour assessments and remedial action plans, and further investigations for contaminated soil and groundwater that will be provided during the detailed design phase, it is requested that Council be involved in the review of these documents prior to finalisation and approval for use for the construction project.</p> <p>58. In addition, some of the affected receptors are strata properties in multistorey structures, and therefore there are many more potential receivers of dust, odour and noise than indicated as there are multiple units within one affected property, especially around the Wolli Creek area. This needs to be reflected in any environmental assessments, management measures and licensing of night works by the NSW Environmental Protection Authority.</p>

Council Meeting

12/02/2020

Item No	8.4
Subject	Classification of Lot 4 in Deposited Plan 1240546 - 2 Garrigarrang Ave, Kogarah
Report by	Michael McCabe, Director City Futures
File	SF19/7330

Summary

Pursuant to an endorsed Voluntary Planning Agreement (VPA) relating to the development situated at 152-206 Rocky Point Road, Kogarah, Council is to receive a child care centre (in freehold title).

Section 25 of the Local Government Act 1993 (the Act) requires all public land to be classified, the classifications of which are prescribed by Section 26 of the Act, namely being either Community or Operational.

Council at their meeting of 13 November 2019 established resolutions to commence the public consultation process for a proposed Operational classification of the freehold land that houses the child care centre (Lot 4 in DP1240546).

This report advises the outcome of the public consultation period, being that no submissions were received. To this end, this report seeks to formally classify, by way of resolution pursuant to Section 31(2) of the Act, to classify Lot 4 in DP 1240546 (holding the address 2 Garrigarrang Ave, Kogarah) as Operational.

Officer Recommendation

- 1 That Council notes that no submissions were received relating to the statutory advertising of its intention to classify Lot 4 in DP 1240546.
 - 2 That Council resolves to classify the land, being Lot 4 in DP 1240546, as operational in accordance with Section 31(2) of the Local Government Act 1993.
-

Background

Council entered into a Voluntary Planning Agreement (VPA) with Land and Portfolio Pty Ltd and D.L.N Pty Ltd (novated to JQZ Nine Pty Ltd as trustee for the JQZ Nine Unit Trust) which relates to the site situated at 152-206 Rocky Point Road, Kogarah. The VPA describes the public benefit to be delivered and of relevance to this report, the VPA outlines the requirement to dedicate land to Council along with a new child care centre on the dedicated land.

The land to be dedicated to Council will be known as 2 Garrigarrang Ave, Kogarah and is registered as Lot 4 in DP 1240546. The land is (at the date of writing this report) pending transfer to Council and the construction of the child care centre is pending practical completion.

Section 25 of the Local Government Act 1993 (the Act) requires all public land to be classified and Section 26 specifies that the classifications are either operational or community.

As canvased in the Council report dated 13 November 2019, given the operational nature of a child care centre an operational classification is considered to be appropriate.

Relevant Legislation

Below is a summary of the sections within the Local Government Act 1993 that are relevant to the classification process:

- (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; including:*
 - *Terms of proposed resolution and description of the land concerned; and*
 - *A period of not less than 28 days during which submissions can be made to Council.*

Financial Implications

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

Community Engagement

The public consultation period commenced on 26 November 2019 and concluded on 15 January 2019 enabling the public to make written submissions on the land becoming operational.

Upon closure of the consultation period there are no records of any submissions being received and in compliance with the Local Government Act 1993, Council can now resolve to classify Lot 4 in DP 1240546 as being Operational.

Attachments

Nil

Council Meeting

12/02/2020

Item No 8.5
Subject **ANZAC Day - Liquor Approval**
Report by Kylie Gale, Coordinator Events
File F19/107

Summary

Bayside Council will be hosting a Memorial Dawn Service in Booralee Park, Botany to support the Returned Services League; Botany and Mascot Sub-Branches.

Officer Recommendation

That Council suspend the alcohol-free zone in Booralee Park, Botany between 6am and 10am on Saturday 25 April 2020 and permit the provision of alcohol by a licensed caterer subject to the Department of Industry, Liquor and Gaming guidelines and within the designated area.

Background

The ANZAC Day dawn service event has been supported by Council since 2011 following the closure of Botany and Mascot RSL Clubs.

Pursuant to Section 645 of the Local Government Act 1993, Council may at its own motion, suspend or cancel the operation of an alcohol-free zone.

Financial Implications

Not applicable ☒

Community Engagement

As per Section 645 of the Local Government Act 1993; Council may suspend the operation of an alcohol - free zone by publishing notice of the suspension in a newspaper circulating in the area as a whole or in a part of the area that includes the zone concerned.

Notice will be provided in the Bayside Council column to be published in the Southern Courier a minimum of 14 Days prior to the event.

Attachments

Nil

Council Meeting

12/02/2020

Item No	8.6
Subject	Request for Financial Support - St Catherine Greek Orthodox Church - Easter Service and Procession
Report by	Meredith Wallace, General Manager
File	F18/946

Summary

The Greek Orthodox Parish of Saint Catherine Mascot and District seek the support of Bayside Council for their 17 April Good Friday Service and Procession and Saturday 18 April for their Resurrection Service. The request is referred to Council in accordance with the Financial Assistance Policy.

Officer Recommendation

That Council provides \$7300 in resources and labour to support the Saint Catherine Greek Orthodox Church Easter Services and Procession, under Council's Financial Assistance Policy.

Background

The Greek Orthodox Parish of Saint Catherine Mascot and District is seeking support for its Easter activities including evening services requiring road closures and traffic management.

Specifically:

Friday 17 April – Good Friday Service and Procession.

The service will commence at approximately 6.30pm with the expectation that over 2500 people will attend. The Service will be followed by a Procession which will commence from the Church premises at approximately 9.15pm and will continue via:

Oliver Street – Southward
Forster street – Eastward
Aloha Street – Northward
Coward Street – Westward

The Procession and Service is anticipated to end at approximately 10.30pm.

Saturday April 18 - Sunday April 19– Resurrection Service

The Service will commence at approximately 11.00pm and more than 2000 people are expected to attend. The Service is expected to end at approximately 2.30am.

The crowds stipulated cannot all be accommodated within the Church premises and accordingly many will be obliged to stand outside on the street. Council has supported this event for a number of years and supplies traffic controllers and vehicles. Additional security requirements again this year mean that heavy vehicles and drivers will be required. To support the church to hold their services Council will need to provide \$7300 in resources.

In addition to Council's financial support the cost to the NSW Police Force to support the event is approximately \$6000.

Friday 17 April - Good Friday

2 x Utes mounted with VMS boards

2 x heavy vehicles with drivers 7.00pm to 11.00pm

4 x Traffic Controllers for road closures 7.00pm to 11.00pm

1 x Traffic Controller to manage the car park and egress of vehicles 7.00pm to 11.00pm

1 x Council Supervisor to liaise with Police and Traffic Control 6.30pm to 11.00pm

10 x road barricades for blocking of "No Parking" zones for emergency services

10 x road barricades for "Road Closure" night vision sign attached

10 x Traffic cones

Saturday 18 - Sunday 19 April

1 x Ute mounted with VMS Board

2 x Traffic Controllers for road closure from 10.30pm to 3.00am

1 x Traffic Controller to manage car park and egress of vehicles 10.30pm to 3.00am

10 x road barricades for blocking off "No Parking" for emergency services

10 x road barricades for "Road Closures" night vision sign attached

10 x Traffic cones

Specifically in relation to donations the Bayside Council Financial Assistance Policy states:

Financial Assistance includes grants, donations, subsidies, in-kind support or other allocation of Council funds to individuals or organisations in accordance with s356 of the Local Government Act 1993 ... concessions (including the waiving of fees) for certain categories of community organisations that apply for short-term permits (such as bookings of Council's facilities) are set by Council's annually adopted Fees and Charges, and may include a subsidy of 50 percent for charities and not-for-profit community organisations. Any additional concessions sought are subject to a "general donation" application to Council.

Donations

A donation is the provision of a one-off monetary contribution to a cause, community organisation or individual that may or may not be part of an ongoing program. Generally there are no conditions attached to the provision of a donation by Council.

Council recognises that there are situations where it is appropriate to respond to requests for a one-off donation to individual a person, a charitable community organisation or a not-for-profit community organisation for a general or a specific purpose.

Ideally ad-hoc requests for donations are held over and dealt with as part of the Community Grants program. However some requests that are time sensitive may be considered on an individual criteria:

General Donations

- Demonstrate a significant contribution to the social, economic and/or environmental well-being of the Bayside Community, or
- Meet needs of people affected by a national or international event that caused human suffering

It is recommended that Council provide resources of \$7300 to the Greek Orthodox Parish of Saint Catherine Mascot and District.

Financial Implications

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

Community Engagement

Not Applicable

Attachments

Letter requesting Financial Assistance - St Catherine's Greek Orthodox Church [↓](#)



Suite 4, 45-47 Belmore Road Randwick NSW 2031

P: (02) 9326 6314 F: (02) 9326 6315

E: mail@vcclawyers.com.au W: www.vclawyers.com.au

Accredited Mediator
Public Notary

3 February 2020

Mr Scott McNairn
Events Officer
Bayside CouncilBy Email: Scott.McNairn@bayside.nsw.gov.au

Dear Sir

ST. CATHERINE GREEK ORTHODOX CHURCH ("the Church")
180 COWARD STREET, MASCOT

I act for the Church and wish to advise that the forthcoming Easter services for the Church shall be conducted, as follows:-

1. Friday, April 17th Good Friday Service and Procession.
The Service shall commence at approximately 6.30 pm with the expectation that over 2500 shall be in attendance. The Service shall be followed by a Procession which shall commence from the Church premises at approximately 9.15 pm and shall continue via:

Oliver Street-Southward

Forster Street-Eastward

Aloha Street-Northward

Coward Street-Westward

The Procession and Service is anticipated to end at approximately 10.30 pm.

2. Saturday, April 18th Resurrection Service.
The Service shall commence at approximately 11.00 pm and is expected to attract over 2000 persons. The Service is expected to end at approximately 2.30 am.

The crowds stipulated cannot all be contained in the Church premises and, accordingly, many shall be obliged to stand outside in the street.

This information is provided with the view to accommodating your usual overseeing of our activities. Should you have any enquiries please contact Father Athanasios on 9667-1001 or 0406033074 (mobile).

Yours sincerely,

for & on behalf of the Church Committee

A handwritten signature in blue ink, appearing to read 'John Efstathiou', followed by a dotted line.
John Efstathiou

A handwritten signature in blue ink, appearing to read 'John Efstathiou', followed by a dotted line.

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Council Meeting

12/02/2020

Item No 8.7
Subject **Citizenship Policy**
Report by Michael Mamo, Director City Performance
File F19/1107

Summary

The report proposes a dress code (included in a Citizenship Policy) as required by the Federal Minister responsible for Australian Citizenship.

Officer Recommendation

- 1 That the attached draft Citizenship Policy, including the Dress Code, be adopted.
 - 2 That the adopted policy be submitted to the Department of Home Affairs as requested by the Federal Minister responsible for Australian Citizenship.
-

Background

On the 19 September 2019, the Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs wrote to the Mayor regarding changes to the Australian Citizenship Ceremonies Code. Council is required to organise such events in accordance with the Code.

Among other things, the Minister requested that Councils establish a dress code for ceremonies to reflect the significance of the occasion. This request has been reinforced in a recent letter from the Department of Home Affairs to councils, including Bayside.

The draft Policy has been endorsed by the Executive Committee and is now submitted to Council for adoption and forwarding to the Department of Home Affairs. It reflects current practice at Bayside Citizenship Ceremonies and sets 'smart casual' or culturally appropriate traditional dress as the dress code.

Financial Implications

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

Community Engagement

Not applicable.

Attachments

Draft Citizenship Policy [!\[\]\(3dfb8d66e81160ad61421a3452093d1b_img.jpg\)](#)



Draft Citizenship Policy

Date



© Bayside Council

Citizenship Policy

File: F19/1107 Document: 19/298835

Policy Register: F16/951 Policy No.:

Class of document: Administrative Policy

Enquiries: Communications & Events



Telephone Interpreter Services - 131 450 Τηλεφωνικός Υποδοχέας Διαμνηστών بخدمة الترجمة الهاتفية 電話傳譯服務處 Служба за превеждане по телефон

Citizenship Policy.

2

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1 Introduction

1.1 Background

The final legal step in the acquisition of Australian citizenship, for most people, is to make the pledge of commitment at an Australian citizenship ceremony. At the citizenship ceremony, conferees pledge that they share Australia's democratic beliefs and respect the rights and liberties of the people of Australia.

Under the *Australian Citizenship Act 2007*, local councils have a role in citizenship ceremonies.

1.2 Definitions

The definitions of certain terms are:

Act

Australian Citizenship Act 2007.

Code

Australian Citizenship Ceremonies Code.

Conferees

A person who has applied for Australian citizenship, and it has been approved.

Department

Department of Home Affairs

1.3 Policy statement

Bayside Council is committed to organising local citizenship ceremonies to provide an appropriate occasion to welcome new citizens as full members of the Australian community, in accordance with the Act and the Code.

1.4 Scope of policy

This policy is applicable to all citizenship ceremonies organised by Bayside Council.

2 The ceremony

2.1 Organising the event

Council organises the ceremony, ensuring that it is conducted in meaningful, dignified, orderly and memorable way with proceedings designed to impress upon candidates the significance of the situation.

The ceremony is held in accordance with the Code.

2.2 Dress code

The attire of conferees and other attendees at citizenship ceremonies should reflect the significance and formality of the occasion. In terms of attire, the minimum appropriate standard is 'smart casual', however traditional dress, that reflects conferees' and attendees' cultural heritage, is very welcome.

2.3 Privacy

Council may provide names and addresses of the new citizens to local Members of Parliament and Councillors if requested after the ceremony – but not before – for the purposes of sending welcome letters and the like to their constituents.

Apart from the Department, Council will not provide names and contact details to any other persons or organisations.

3 Policy implementation

3.1 Policy responsibilities

General Manager – has overall responsibility for the policy.

Manager Communications & Events – is responsible for the detailed implementation of the policy.

3.2 Procedures

Certain procedures that relate to before, during, and after the ceremony are included in the Code. Additional procedures that support this policy may be approved by the General Manager or nominee.

4 Document control

4.1 Review

This policy is reviewed at least every four years and when relevant legislation and /or on Code changes. This Manager Governance & Risk may approve non-significant and/or minor editorial amendments that do not change the policy substance.

4.2 Related documents

Australian Citizenship Act 2007
Australian Citizenship Ceremonies Code

4.3 Version history

Include the details of the original adoption / approval and subsequent changes. Version 1.0 is the initial adopted/approved version.

Version	Release Date	Author	Reason for Change
0.1	TBA	Coordinator Policy	New document

Council Meeting

12/02/2020

Item No	8.8
Subject	Fire Report - 1 Church Avenue Mascot
Report by	Michael McCabe, Director City Futures
File	F20/88

Summary

Council is in receipt of correspondence from Fire & Rescue NSW advising that an inspection of 1 Church Avenue 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), of the Environmental Planning and Assessment Act 1979.

A site inspection of the building was undertaken by a Council Fire Safety Officer on 17 December 2019, which verified the issue of a PVC stormwater pipe within a fire stairway that was raised by Fire & Rescue NSW and also identified that several exit sign lenses were missing.

The site consists of a 13 storey residential development with 4 levels of basement car parking.

A Notice of Proposed Order (Fire Safety Order) requiring the rectification of fire safety breaches has been served on the building owners via their strata manager.

The strata manager has replied to Council advising that they are arranging rectification detailed in the terms of the Order.

Officer Recommendation

1. That Report Reference number BFS 18/36454 (5769) dated 6 August 2019, 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 continue with compliance action, including but not limited to the issue of a Fire Safety Order, requiring the rectification of fire safety breaches at 1 Church Avenue Mascot, in conjunction with the building owner, strata manager and Fire & Rescue NSW.
 3. That Council notify Fire & Rescue NSW of Council's actions in relation to this matter.
-

Background

DA-12(213) and CC-12(213) was approved in 2013 by Council for the construction of a 13 storey residential flat building with 4 levels of basement parking at 1 Church Avenue Mascot, which was also known as 2-4 Haran Street. Construction commenced in the same year. An Occupation Certificate was issued 2015.

The site is Zoned B4 – Mixed Use and is bounded by Haran Street Mascot to the north, Haran Street to the south, a petrol station to the east and a Sydney Water reserve to the west.



Council received correspondence from Fire & Rescue NSW advising that they had received correspondence relating to a large amount of rubbish stored in the carpark and that a fire exit was blocked by the rubbish at 1 Church Avenue Mascot.

An inspection by one of their Authorised Fire Officers found that the rubbish had been cleared but they identified two other issues, one relating to a fault display on the Fire Indicator Panel and the other being a PVC pipe that was located within the fire stair, contrary to the BCA. The Fire Panel issue was rectified by the strata manager after advice from Fire & Rescue. The PVC pipe issue was referred to Council to investigate.

A site inspection of the building was undertaken by a Council Fire Safety Officer, which verified the issue of a PVC stormwater pipe within a fire stairway and also identified that several exit sign lenses were missing within the building.

A Notice of Proposed Order (Fire Safety Order) requiring the rectification of fire safety breaches has been served on the building owners via their strata manager.

The strata manager has replied to Council advising that they are arranging rectification detailed in the terms of the Order.

Financial Implications

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

Community Engagement

Not Applicable

Attachments

- 1 Fire & Rescue Report - 1 Church Avenue Mascot [↓](#)
- 2 1 Church Ave Fire Notice [↓](#)

Unclassified



File Ref. No: BFS18/3645 (5769)
TRIM Ref. No: D19/24157
Contact: Station Officer Paul Scott

6 August 2019

General Manager
Bayside Council
PO Box 21
ROCKDALE NSW 2216

Email: council@bayside.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT
PARKSIDE
1 CHURCH AVENUE 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 in part that:

- *A large amount of rubbish is stored in the carpark. LPG cylinder were seen in the pile;*
- *The amount of rubbish blocked the nearby fire exit.*

Pursuant to the provisions of Section 9.32 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 11 March 2019 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

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.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7437
F (02) 9742 7483

www.fire.nsw.gov.au

Page 1 of 3

Unclassified

Unclassified

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 9.32 (4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act. Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

COMMENTS

The following items were identified as concerns during the inspection:

1. Essential Fire Safety Measures
 - 1A. Fire Sprinkler System – The Fire Indicator Panel (FIP) displayed a fault on the panel indicating the *Ground Block B F/SW Monitor Valve Closed* contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg). Upon investigation FRNSW observed wiring and conduit damaged. The wiring had been disconnected from the control box.
 - 1B. FRNSW contacted the Westside Strata Management company who satisfactorily attended to the fault by 13 March 2019 without the issue of a Fire safety Order.
2. Generally
 - 2A. A 200mm PVC storm water pipe passes through multiple levels of the fire isolated stairs near Unit No. 002. The pipework passes through the floor into the carpark contrary to the requirements of Clause C3.9 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC);
 - 2B. At the time of the inspection the quantity of rubbish stored in the B1 carpark (Haran Street) was not blocking the adjacent fire exit. FRNSW were advised that an area near the south-west B1 fire exit, approximately 24m² was used to dump household bulky items.

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. 2 of this report be addressed appropriately.

Unclassified

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Schedule 5, Part 8, Section 17 (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 BFS18/3645 (5769) for any future correspondence in relation to this matter.

Yours faithfully



Paul Scott
Team Leader Fire Safety Compliance
Fire Safety Compliance Unit

Unclassified

Our Ref: PCox/ES-2019/372

29 January 2020



Owners Of Strata Plan 91306
C/- Westside Strata Management
PO BOX 241
FAIRFIELD NSW 1860

Dear Sir/Madam

NOTICE OF PROPOSED FIRE ORDER

Section 9.34 & Schedule 5 of the Environmental Planning and Assessment Act 1979

PREMISES: SP91306 – 1 Church Avenue Mascot

An inspection of the subject site was undertaken by a Council Fire Safety Officer on 17 December 2019 after receipt of correspondence from Fire & Rescue NSW, that raised concerns with a PVC stormwater pipe that passes through multiple levels of a fire isolated stairway.

The inspection confirmed the presence of the pipe within the fire stairway, which will need to be fire separated or removed. The inspection also revealed some of the exit signage had missing lenses, which need replacing.

Accordingly, Bayside Council intends to give you the attached Fire Order, in accordance with Section 9.34 & Schedule 5 of the *Environmental Planning & Assessment Act, 1979* (the "Act"), which will require you to do or refrain from doing the things specified in proposed Order, within the period specified in the proposed Order.

You may make written representation to Bayside Council, within **twenty eight (28) days** from the date of this notice (26 February 2020) as to why the Order should not be given or alternatively as to the terms of or period of compliance within the Order. Council will consider any written representation made concerning the proposed Order and determine whether to: issue the Order as proposed, issue a modified Order; or no longer issue the Order.

However, if written representation is not made to Council within **twenty eight (28) days** from the date of this Notice; the proposed Order will be unchanged and issued.

Council will not proceed with the Proposed Order if the terms of the Order are satisfied within **twenty eight (28) days** from the date of this Notice.

If you have any queries in relation to this Notice or the proposed Order attached, please contact the undersigned on 0419 588889 or council@bayside.nsw.gov.au.

Please find a copy of the proposed Order attached.

Yours sincerely

Paul Cox
Senior Building Certifier (Fire)

Rockdale Customer Service Centre
444-446 Princes Highway
Rockdale NSW 2216, Australia
ABN 80 690 785 443

Eastgardens Customer Service Centre
Westfield Eastgardens
152 Bunnerong Road
Eastgardens NSW 2036, Australia
ABN 80 690 785 443

T 1300 581 299 | 02 9562 1666
E council@bayside.nsw.gov.au
W www.bayside.nsw.gov.au

Postal address: PO Box 21, Rockdale NSW 2216



Telephone Interpreter Services - 131 450

Τηλεφωνικές Υπηρεσίες Διερμηνέων

خدمة الترجمة الهاتفية

電話傳譯服務處

Служба за преведување по телефон

PROPOSED FIRE ORDER*Section 9.34 & Schedule 5 of the Environmental Planning and Assessment Act 1979***DATE:****ORDER NUMBER:** 1 in Part 2 of Schedule 5**TO WHOM:** The Owners of SP91306**PREMISES:** SP91306 – 1 Church Avenue Mascot**To do what:**

To do or refrain from doing such things as are specified in the order so as to ensure or promote adequate fire safety or fire safety awareness, in particular:

1. Remove or fire separate the 200mm PVC stormwater pipe which passes through the basement and into the fire isolated stairway located adjacent to unit No.2 of 1 Church Avenue Mascot to comply with Clause C3.9 of the Building Code of Australia. Details of how the rectification works will be undertaken are required to be submitted to Council for endorsement prior to commencement of works.
2. Replace the missing exit sign and directional exit sign lenses within common areas, including hallways, stairways and carparks within the building at 1 Church Avenue Mascot so that clear guidance to the emergency exits and to the street is apparent from within the building in accordance with E4.5 & E4.6 of the Building Code of Australia and AS2293.1.

Reasons for the Order:

1. The PVC stormwater pipe located within the basement carpark and fire isolated stairway is contrary to Clause C3.9 of the Building Code of Australia and provides a non-fire rated connection between fire compartments within the building.
2. Numerous exit sign and directional exit sign lenses are missing and provisions for fire safety are not adequate to guide or provide a safe passage to safety or promote the safety of persons in the event of fire.
3. To improve the current level of fire safety at the premises.

Period for Compliance with the Order:

The terms of the Orders are to be complied with no later than **28 days** from the date of the order.

Right of Appeal against the Order:

Pursuant to Section 9.36 Schedule 5 Part 4 (4) of the Act, a person on whom an order is served may appeal to the Land and Environment Court of New South Wales against the Order or a specified part of the Order, within **twenty eight (28) days** after the service of the Order.

Failure to Comply with the Order:

Failure to comply with this Order is an offence under Section 9.37 of the Act.

Council may commence legal proceedings in the Land and Environment Court of NSW or issue a Penalty Infringement Notice pursuant to Section 9.58 of the Act.

In addition, Council may also choose to exercise its powers pursuant to Section 9.36 Schedule 5 Part 11 (33) of the Act to do all such things that are necessary or convenient to give effect to the terms of the order, including the carrying out any work required by the order.

Notes for your assistance:

Should you require any assistance understanding the Order or require further information, contact Paul Cox on 0419 588889 during business hours. Please note that Council cannot provide legal advice to you and therefore recommends that you seek your own legal advice in this regard.

Yours sincerely

Paul Cox
Senior Building Certifier (Fire)

Council Meeting

12/02/2020

Item No	8.9
Subject	Tender - SSROC Washroom Hygiene Services
Report by	Michael Mamo, Director City Performance
File	F16/25

Summary

The Southern Sydney Regional Organisation of Councils (SSROC) ran a Washroom Hygiene Services Tender. It is recommended that Council enter into a contract with the recommended supplier for the provision of these services. The period of the contract is to be for three years with an option to extend for a further two years (1+1) subject to SSROC approval and contractor performance.

Councillors were provided with an overview of this tender at the GM Briefing session held on 5 February 2020.

To finalise the tender process and formalise the contract, each SSROC participating Council is required to seek formal endorsement from their Council in accordance with Local Government Tendering Regulations and Guidelines.

Officer Recommendation

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

With reference to Section 10(A) (2) (d)(i) of the Local Government Act 1993, the attachment relates to 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 engage Alsco Pty Ltd trading as Fresh & Clean – Sydney, for the provision of washroom hygiene services for a period of 3 years with an option to extend for a further 1x1 years.
-

Background

The Washroom Hygiene Services tender is a new tender run by the Southern Sydney Regional Organisation of Councils (SSROC). The services include:

- Washroom Hygiene Unit Cleaning and Replenishment Services
- Supply of Hygiene Products
- Reporting on all services associated with the contract

The three initial participating Councils are:

- Bayside Council
- Canterbury Bankstown Council
- Randwick Council

The remaining SSROC Councils can join the contract as required.

Tender Details

The tender was for a contract of three years duration with two years (1+1) option to extend. The tender was advertised in the Sydney Morning Herald and Tenderlink on 23 July 2019 and closed on 14 August 2019. The tender evaluation panel consisted of the three initial participating Councils.

Tender submissions were received from the following:

- AlSCO Pty Ltd
- Cloverdale Commercial Cleaning Pty Ltd
- Dalmar Industries Pty Ltd
- Enviro-LCS Pty Ltd
- Flick Anticimex Pty Ltd
- Med-X Healthcare Pty Ltd
- Rentokil Initial Pty Ltd

Two tenders were non-conforming in that they did not provide the requisite returnable schedules and/or data. The conforming submission details are shown in the following table.

Company Name	ABN	Address	Director or Nominated Contact
AlSCO Pty Ltd Trading as Fresh & Clean - Sydney	26 000 435 629	Unit 2, 118 Glendenning Road Glendenning NSW 2761	David Liddle, Account Manager
Flick Anticimex Pty Ltd	85 000 059 665	Unit 9, 145 Arthur St Homebush West NSW 2140	Leanne Kyle, National BDM
Enviro-LCS Pty Ltd	20 357 033 529	51-661 Victoria Street, Beaconsfield, NSW 2015	James Shea, Director
Cloverdale Commercial Cleaning Pty Ltd	61 122 606 035	13 Tarkin Court, Bell Park, VIC, 3215	Warwick Drake, Director
Rentokil Initial Pty Ltd	98 000 034 597	Unit A1, 3-29 Birnie Avenue Lidcombe NSW 2141	Marie Nichols, Bids & Tenders Manager

No local providers submitted a tender for these services.

The evaluation panel assessed the submissions and scored them based on non-price and price criteria. The final scoring is shown in the following table.

Rank	Tenderer	Non Price Weighted Score /40	Total Price Tendered	Price Score /60	Total Score
1	Alsco Pty Ltd Trading as Fresh & Clean (Sydney)	29.57	\$149,441.00	60	89.57
2	Flick Anticimex Pty Ltd	26.42	\$156,871.35	57.16	83.58
3	Enviro-LCS Pty Ltd	29.73	\$180,217.50	49.75	79.48
4	Rentokil Initial Pty Ltd	30.15	\$207,924.20	43.12	73.27
5	Cloverdale Group	30.55	\$151,993.01*	38.67	69.22

* Cloverdale Group did not score all items listed. A comparison of the items that were priced by Cloverdale showed that they were the most expensive and scored accordingly.

The evaluation panel recommends that Alsco Pty Ltd (t/a Fresh and Clean Sydney) be awarded the contract for the supply of these services. Alsco Pty Ltd (t/a Fresh and Clean Sydney) are the incumbent providers to Bayside Council. Thus there will be little disruption to current services.

Financial Implications

Not applicable ☐

Included in existing approved budget ☒

Additional funds required ☐

Community Engagement

Not Applicable

Attachments

SSROC Tender Evaluation Report Hygiene Services (confidential)

Council Meeting

12-02-2020

Item No	8.10
Subject	Tender - Road Pavement Rehabilitation and Renewal Program 2019-2020 (Packages 1, 2 and 3)
Report by	Karin Targa, City Projects Director
File	SF20/4

Summary

The 2019/2020 Operational Plan includes a program of road works to renew and replace deteriorated road surfaces and underlying pavements. This is part of an ongoing asset renewal program.

Tenders have been invited for the work, and this report provides a summary of the works and the submissions received and recommends the appointment of a contractor to undertake these works.

Officer Recommendation

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

With reference to Section 10(A) (2) (d)(i) of the Local Government Act 1993, the attachment relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.
 - 2 That in accordance with Regulation 178 (1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from D&M Excavations & Asphaltting Pty Ltd for the Contract 10027621 (F19/7) being the Road Pavement Rehabilitation and Renewal Program 2019/20 for the total amount of \$2,610,130.96 exclusive of GST.
-

Background

The Road Pavement Rehabilitation and Renewal Program of local and regional roads is determined by a review of pavement modelling, and technical analysis aimed at optimising Council's capital investment in road assets.

The work under contract involves the removal of the existing wearing course (milling), supply of asphalt and the laying of asphalt, traffic control and associated works. The work involves the use of specialised plant, and is not a service that is offered in-house. Where required, the contract also involves heavy patching of pavement below the road surface. Tenderers were invited to submit rates and a provisional lump sum for a program of works. The provisional lump sum is based on estimated quantities of variable items, such as tonnage of material, night shift allowance and service cover adjustment.

The program of works under this contract (Packages 1, 2 and 3) includes the following streets:

Suburb	Streets	Scope of Work
Arncliffe	Barden Lane (3) Booth Street (3) Coronation Lane (3) Kelsey Street (3) Lansdowne Lane (3) Segenhoe Lane (3) Tantallon Lane (3)	90 linear metres 190 linear metres 65 linear metres 160 linear metres 60 linear metres 100 linear metres 80 linear metres
Bardwell Park	Hartill-Law Avenue (3)	124 linear metres
Bardwell Valley	John Street (3)	335 linear metres (combined)
Bexley	Croydon Road (half) (1) Eddystone Road (1) Iliffe Street (3) Smith Street (1)	365 linear metres 100 linear metres 390 linear metres (combined) 180 linear metres
Bexley North	Mainerd Avenue (1)	220 linear metres
Botany	Luland Street (1)	170 linear metres
Carlton	Grey Street (3) Prospect Lane (3) Xenia Avenue (3)	460 linear metres 100 linear metres 685 linear metres (combined)
Eastlakes	Gray Crescent (2) Longworth Avenue (1)	60 linear metres 100 linear metres
Hillsdale	Rhodes Street (2)	350 linear metres
Kogarah	Harrow Road (half) (3)	170 linear metres
Mascot	Dransfield Street (2) Kent Road (1) King Street (1)	420 linear metres 280 linear metres (combined) 180 linear metres (combined)
Pagewood	Bay Street (2) Monash Gardens (2)	90 linear metres 110 linear metres
Rockdale	Arlington Street (1) Bryant Lane (3) King Lane (3)	330 linear metres 30 linear metres 110 linear metres
Rosebery	Macquarie Street (2)	270 linear metres
Sans Souci	Brantwood Street (3) Jameson Lane (3)	100 linear metres 130 linear metres
Turrella	Henderson Street (1)	390 linear metres

The tender process has been managed by Public Works Advisory on behalf of Bayside Council. They developed a Tender package (based on the GC21 Edition 2 contract) to suit the parameters defined by Bayside Council.

Public Works Advisory requested Expressions Of Interest from a short-list of contractors (listed on the RMS pre-qualified panel for Asphalt Laying By Machine) and invited those with a positive response to a selective Tender. The contractors invited to tender were:

- Avijohn Contracting Pty Ltd
- D&M Excavations and Asphalting Pty Ltd
- NA Group Pty Ltd
- North Shore Paving Company Pty Ltd

The tender documents were published on Wednesday 13th November 2019, and submissions closed on Tuesday 10th December 2019.

The tender submission assessment process and scoring are outlined in the confidential supporting attachment to this report.

The response from the four contractors invited was:

- Avijohn Contracting Pty Ltd – accepted the invitation, but did not lodge a tender response.
- D&M Excavations and Asphalting Pty Ltd – provided a submission which covered all three packages.
- NA Group Pty Ltd – did not make a submission during the tender period; a later response was excluded under Clause 177 of the Local Government (General) Regulation 2005.
- North Shore Paving Company Pty Ltd – provided submission which only covered Package 2.

Company Directors and Company Location

The directors of the companies which provided acceptable responses to the Tender are:

- D&M Excavations and Asphalting Pty Ltd, based in Greenacre NSW 2190
 - Director – Danny Breen
- North Shore Paving Company Pty Ltd, based in Lindfield NSW 2070
 - Director – Ivan Samuel Guy Tarjan
 - Director – Philippa Broughton Tarjan

Financial Assessment of D&M Excavations and Asphalting Pty Ltd

A financial assessment by Equifax Australasia Credit Ratings Pty Limited was conducted for the proposed contract under the three criteria set by the NSW Department of Finance and Services. Details on the assessment are included in the confidential supporting attachment to this report.

Tender Recommendation

References were checked for all submissions as part of the assessment. Based upon the assessment criteria, the tender assessment panel recommends acceptance of the tender from D&M Excavations and Asphaltting Pty Ltd, for all three packages of works. The total value of these three packages is a lump sum (including provisional allowances) of \$2,610,130.96 exclusive of GST.

Financial Implications

- | | | |
|--------------------------------------|-------------------------------------|--|
| Not applicable | <input type="checkbox"/> | |
| Included in existing approved budget | <input checked="" type="checkbox"/> | The Local Road Pavements & Regional Road Pavements Programs are fully funded under the Transport and Infrastructure Program. |
| Additional funds required | <input type="checkbox"/> | |
-

Community Engagement

It is a condition of the agreement that the selected contractor will undertake prior notification of the intention to conduct works in accordance with the works specification, including resident letter-box drops and advance signage, to inform residents and businesses of the potential for traffic delays due to traffic control during the course of the works.

In addition to this notification there will be information on the extent and timing of works on Council's website.

Attachments

Tender (10027621) Recommendation Report by Public Works Advisory NSW (confidential)

Council Meeting

12/02/2020

Item No	8.11
Subject	Tender Outcomes - Demolition of Residential Properties for Open Space
Report by	Karin Targa, City Projects Director
File	SF19/8337

Summary

The City Projects Program for 2019/2020 includes a number of residential demolitions to provide open space for the community. These properties are reserved for open space through the Rockdale LEP 2011 and were acquired by Council. Each property contains existing residential dwellings and these are now vacant and ready to be demolished. This report recommends the appointment of a contractor for the demolition works.

Officer Recommendation

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

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

- 2 That in accordance with Regulation 178 (1) (a) of the Local Government (General) Regulations 2005, Council accepts the Tender from Beasy Pty Ltd for the Contract F19/1148 being the demolition of 10 residential properties to provide open space for the community for the amount of \$249,970.00 exclusive of GST;
-

Background

The City Projects Program for 2019/2020 includes the demolition of 10 residential properties located adjacent existing reserves and parks. The demolition of these properties will increase the public open green space within the LGA.

The following properties are listed for demolition:

- 77 Verdun St, Bexley;
- 79 Verdun St, Bexley;
- 79a Verdun St, Bexley;
- 6 Rawson Ave. Bexley;

- 27 Downey St, Bexley;
- 35 Mimosa St, Bexley;
- 14 Edgehill St, Carlton;
- 18 Edgehill St, Carlton;
- 8 Guinea St, Kogarah; and
- 10 Cross St, Kogarah.

A presentation on the tender process was given to Councillors at the GM Briefing Session on Wednesday 5 February 2020.

The Tender Process

Council invited open tenders for the demolition of the residential properties on Tuesday 12 November 2019. The Tender closed at 10am on Tuesday 10 December 2019.

Tenders Received

Nine (9) Tender submissions were received, as follows (in alphabetical order):

- Beasy Pty Ltd;
- Budget Demolition and Excavation Pty Ltd;
- Drumberg Services Pty Ltd;
- Major Projects Group Pty Ltd;
- Matt Dalley Demolition;
- MW Civil Engineering Constructions Pty Ltd;
- Perfect Contracting Pty Ltd;
- The Civil Experts Pty Ltd; and
- Xtreme Civil.

Directors of the Companies That Submitted Tender Submission:

Company Name	Director	Company Location
Beasy Pty Ltd	Bret Baker	Yennora, NSW
Budget Demolition and Excavation Pty Ltd	Samaan Habib	Clyde, NSW
Drumberg Services Pty Ltd	Kevin Daly & Michael Rogers	Kurri Kurri, NSW

Company Name	Director	Company Location
Major Projects Group Pty Ltd	Paul Adams	Mayfield, NSW
Matt Dalley Demolition	Matt Dalley	Botany, NSW
MW Civil Engineering Constructions Pty Ltd	Munir Toma	Canley Heights, NSW
Perfect Contracting Pty Ltd	Mateusz Jedruszek	Marrickville, NSW
The Civil Experts Pty Ltd	Mohammed Selim, Ashraf Abbas & Raouf Khodr	Homebush, NSW
Xtreme Civil	Gabi Semann	Croydon Park, NSW

Late Tenders

No late tenders were received.

Assessment Methodology

The tender submission assessment process and scoring are outlined in the confidential attachment to this report.

A comprehensive assessment of the tender submissions was undertaken by the Tender Evaluation Panel. The assessment process has been undertaken in accordance with the provisions of the Local Government Act 1993 and Tendering Regulation 2005. The evaluation was undertaken based on the conditions of tendering and the evaluation criteria as provided in the Request for Tender documents.

The Tender submitted by Beasy Pty Ltd was comprehensive and included a detailed methodology and a detailed program taking into consideration the site limitations and constraints.

Proposed Program

The preliminary program submitted as part of the tender has the following project milestones:

- Contract Award – February 2020;
- Commence demolition – March 2020; and
- Demolition complete – May 2020.

The program does not include a wet weather allowance.

Financial Assessment of Beasy Pty Ltd

Corporate Scorecard was engaged to undertake a Detailed Financial and Performance Assessment to assess the financial viability, capacity and risk of Beasy Pty Ltd undertaking the demolition works.

Details on this assessment are included in the confidential supporting attachment to this report.

Tender Recommendation

References were checked for Beasy Pty Ltd and it was found that Beasy Pty Ltd is a reputable contractor that delivers high quality work.

Beasy Pty Ltd have previously completed demolition works for Bayside Council at Rockdale Library, Bexley Oval and Lever Street Reserve.

Based upon the assessment criteria, the tender assessment panel recommends acceptance of the tender from Beasy Pty Ltd for an amount of \$249,790.00 exclusive of GST.

Beasy Pty Ltd has in place insurances of \$20 Million Public Liability and they have the statutory workers compensation policy in place.

Financial Implications

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

Community Engagement

Not Applicable in relation to this tender - although adjoining neighbours will be notified prior to works commencing.

Attachments

- 1 Confidential supporting attachment to report. (confidential)

Council Meeting

12/02/2020

Item No	8.12
Subject	Nominations to Attend the National General Assembly of Local Government 2020 - Canberra
Report by	Meredith Wallace, General Manager
File	SF18/1344

Summary

This report seeks to:

- (a) Endorse nominations from interested Councillors and relevant staff to attend the National General Assembly (NGA) in Canberra on 14-17 June 2020.
 - (b) Put forward Motions that meet the National General Assembly criteria seeking action by the Federal Government.
-

Officer Recommendation

- a) That Council endorse those Councillors nominated at this Council Meeting to attend the 2020 National General Assembly of Local Government in Canberra on 14-17 June 2020.
 - b) That Council endorse the following Motions for submission to the National General Assembly 2020:
 - a) No Cruise Ships in Botany Bay
 - i. *That Bayside Council NSW calls on the Federal Government to remove its support for a Mega Cruise Ship Terminal in Botany Bay at Yarra Bay/Molineux Point.*
 - ii. *That Bayside Council NSW calls on the Australian Government to re-investigate the regional ports of Newcastle, Eden and Port Kembla as the preferred site for a Mega Cruise Ship Terminal to support these regional port communities in developing tourism products; port facilities and increasing regional economic growth for the benefit of their local communities.*
 - b) ICAN United Nations Treaty on the Prohibition of Nuclear Weapons
 - i. *That Bayside Council NSW call on the Australian Government to sign and ratify the United Nations Treaty on the Prohibition of Nuclear Weapons (TPNW) as adopted in July 2017 by the United Nations.*
-

Background

The Australian Local Government Association's (ALGA) National General Assembly (NGA), held in Canberra, attracts more than 870 representatives from councils across the states and territories.

The theme for the 2020 Conference is *Working Together for Our Communities*. This assembly focuses on how Local Governments can work in partnership with the Australian Government to address the challenges our communities face, and the opportunities that are arising as we approach the crossroads before us.

Criteria For Motions

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

- 1 be relevant to the work of local government nationally
- 2 not be focussed on a specific location or region – unless the project has national implications. You will be asked to justify why your motion has strategic importance and should be discussed at a national conference
- 3 be consistent with the themes of the NGA
- 4 complement or build on the policy objectives of your state and territory local government association
- 5 be submitted by Council as a financial member of their state or territory local government association
- 6 propose a clear action and outcome i.e. call on the Australian Government to do something
- 7 not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Based on the above, Council endorses the following Motions for submission to the NGA:

1. **In relation to the State Government's proposal to establish a cruise ship terminal in Botany Bay.**



- a) *That Bayside Council NSW calls on the Federal Government to remove support for a Mega Cruise Ship Terminal in Botany Bay at Yarra Bay/Molineux Point.*
- b) *That Bayside Council NSW calls on the Federal Government to re-investigate the regional ports of Newcastle, Eden and Port Kembla as the preferred site for a Mega Cruise Ship Terminal, demonstrating support for these regional port*

communities in developing tourism products; port facilities and increasing regional economic growth for the benefit of their local communities.

2. In relation to the United Nations Treaty on the Prohibition of Nuclear Weapons

Following Council's endorsement of the International Campaign to Abolish Nuclear Weapons Cities Appeal (ICAN) in July 2019. It is now appropriate that Council calls on the Australian Government to join the United Nations by endorsing the treaty.

The Treaty on the Prohibition of Nuclear Weapons (TPNW) is arguably one of the most significant achievements of the United Nations to date, rejuvenating hope in the international community for a future free of nuclear weapons. The treaty comprehensively outlaws nuclear weapons, setting a pathway for their total elimination.

Council has a responsibility to act locally to encourage and support a safe, healthy and connected community by considering the catastrophic, persistent effects of nuclear weapons on our health, communities and the environment. Our responsibility to act to protect citizens from the threat of nuclear conflict and the promotion of peace cannot be understated. The motion as proposed:

- a) *That Bayside Council NSW call on the Australian Government to sign and ratify the United Nations Treaty on the Prohibition of Nuclear Weapons (TPNW) as adopted in July 2017 by the United Nations.*

Financial Implications

Not applicable	<input type="checkbox"/>	
Included in existing approved budget	<input checked="" type="checkbox"/>	Councillor Expenses & Facilities Policy – Professional Development Training for Elected Members
Additional funds required	<input checked="" type="checkbox"/>	Registration Fees - Early Bird (before 8 May 2020) = \$989.00 + flights; accommodation and sustenance estimates total cost per attendee \$2,500.00

Community Engagement

Not applicable.

Attachments

Nil

Council Meeting

12/02/2020

Item No	8.13
Subject	December 2019 Quarterly Budget Review
Report by	Michael Mamo, Director City Performance
File	F09/744.002

Summary

The Quarterly Budget Review Statement provides information on how the Council is tracking against the original budget as adopted in Council's Operational Plan for 2019-20. It shows the revised estimated income and expenditure for the year against the original and previously revised budget estimates of annual income and expenditure and includes recommendations regarding changes to the adopted revised budget to give a projected year end result.

Should the proposed variations contained within this report be adopted, the December Quarter Review indicates a forecast unrestricted cash surplus of \$30,742 for the Financial Year ended 30 June 2020.

Officer Recommendation

- 1 That the Quarterly Budget Review Statement by the Acting Manager Finance for the quarter ended 31 December 2019 be received and noted.
 - 2 That in accordance with Clauses 203 and 211 of the Local Government (General) Regulations 2005, the proposed revotes and variations to the adopted revised budget detailed in the attachment to this report are adopted by Council and the changes to income and expenditure items be voted.
-

Background

In December 2010 the Office of Local Government released 'Quarterly Budget Review Statement for NSW Local Government' guidelines, which set out the reporting format that NSW councils are required to use for the quarterly financial progress reports to Council.

In compliance with the requirements of Clause 203(2) of the Regulations, the Responsible Accounting Officer must prepare and submit to Council a budget review statement and form an opinion as to whether the statements indicate that the financial position of the Council is satisfactory. The Acting Manager Finance has been delegated as the Responsible Accounting Officer by the General Manager.

The Quarterly Budget Review Statement provides information on how the Council is tracking against its originally adopted budget in the Operational Plan 2019/20. It shows the revised estimated income and expenditure for the year against the original estimate of annual income and expenditure as shown in the Plan and includes recommendations regarding changes to budget to give a projected year end result.

Financial Implications

Not applicable

☐

Included in existing approved budget

☐

Additional funds required

☒

All variations in the December Quarter review are funded by either reserve movements, additional revenue or other savings.

Community Engagement

Not applicable.

Attachments

Quarterly Budget Review Statement for the quarter ended 31 December 2019 [↓](#)



Budget Review for the Period Ended 31 December 2019
Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review Statement for Bayside Council for the quarter ended 31 December 2019 indicates that Council's projected financial position at 30 June 2020 will be satisfactory at year end having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: Rodney Sanjivi

04 February 2020

Rodney Sanjivi
Responsible Accounting Officer



Budget Review for the Period Ended 31 December 2019
Projected cash budget

Description	Original Budget 2019/20	Revotes	September Review	Revised Budget 2019/20	Recommended Variations December Quarter	Projected Year End Result	Variance to Revised Budget	YTD Actual December 2019
Total Income from Continuing Operations	201,224,614	-	(5,227,514)	195,997,101	1,550,026	197,547,127	1,550,026	165,230,232
Total Expenses from Continuing Operations	168,614,373	1,592,044	3,835,937	174,042,354	5,026,062	179,068,416	(5,026,062)	82,709,665
Operating Profit/ (Loss) from Continuing Operations	32,610,241	(1,592,044)	(9,063,451)	21,954,746	(3,476,036)	18,478,710	(3,476,036)	82,520,567
Capital and Reserve Movements								
Capital Expenditure	55,519,235	15,547,134	2,724,220	73,790,589	(1,933,119)	71,857,470	1,933,119	18,199,357
Loan Repayments	991,741	-	446	992,187	-	992,187	-	567,986
Proceeds from Sale of Assets	(1,415,261)	-	(958,250)	(2,373,511)	-	(2,373,511)	-	(39,158)
Book Value of Assets Sold	1,415,261	-	958,250	2,373,511	-	2,373,511	-	-
Net Transfers To/ (From) Reserves	(1,808,587)	(17,139,178)	(10,831,019)	(29,778,784)	(1,514,850)	(31,293,634)	1,514,850	9,158,991
Net Capital and Reserve Movements	54,702,390	(1,592,044)	(8,106,353)	45,003,993	(3,447,969)	41,556,024	(3,447,969)	27,887,176
Net Result (Including Depreciation)	(22,092,149)	-	(957,098)	(23,049,247)	(28,067)	(23,077,313)	(28,067)	54,633,391
Add Back Non-Cash Items	22,149,805	-	958,250	23,108,055	-	23,108,055	-	10,367,260
Cash Budget Surplus/ (Deficit)	57,656	-	1,152	58,808	(28,067)	30,742	(28,067)	65,000,651



Budget Review for the Period Ended 31 December 2019
Income and Expenses

Description	Original Budget 2019/20	Revotes	September Review	Revised Budget 2019/20	Recommended Variations December Quarter	Note	Projected Year End Result	Variance to Revised Budget	YTD Actual December 2019
Income from Continuing Operations									
Rates & Annual Charges	118,010,484	(118,010,484)	120,772,697	120,772,697	-		120,772,697	-	121,839,010
User Charges & Fees	12,113,597	(12,113,597)	12,113,597	12,113,597	2,000,000	1	14,113,597	2,000,000	7,849,245
Interest & Investment Revenue	10,404,858	(10,404,858)	8,647,858	8,647,858	-		8,647,858	-	4,537,866
Other Revenues	14,529,902	(14,529,902)	15,123,866	15,123,866	(18,070)	2	15,105,796	(18,070)	10,308,052
Operating Grants & Contributions	11,281,968	(11,281,968)	9,165,089	9,165,089	406,472	3	9,571,561	406,472	3,814,099
Capital Grants & Contributions	24,401,187	(24,401,187)	19,763,374	19,763,374	(838,376)	4	18,924,998	(838,376)	12,320,889
Internal Income	10,482,619	(10,482,619)	10,410,619	10,410,619	-		10,410,619	-	4,561,071
Total Income from Continuing Operations	201,224,614	(201,224,615)	195,997,100	195,997,101	1,550,026		197,547,127	1,550,026	165,230,232
Expenses from Continuing Operations									
Employee costs	72,080,439	(72,080,439)	72,263,451	72,263,451	(77,250)	5	72,186,201	77,250	35,558,700
Borrowing Costs	166,866	(166,866)	166,420	166,420	-		166,420	-	89,376
Materials & Contracts	45,620,363	(45,620,363)	49,892,522	49,892,522	5,034,444	6	54,926,966	(5,034,444)	21,532,775
Depreciation & Impairment	20,734,544	(20,734,544)	20,734,544	20,734,544	-		20,734,544	-	10,367,260
Other Expenses	19,529,533	(19,529,533)	20,578,498	20,578,498	68,868	7	20,647,366	(68,868)	10,600,329
Internal Expenses	10,482,629	(10,482,629)	10,406,919	10,406,919	-		10,406,919	-	4,561,225
Total Expenses from Continuing Operations	168,614,373	(168,614,374)	174,042,354	174,042,354	5,026,062		179,068,416	(5,026,062)	82,709,665
Operating Profit/ (Loss) from Continuing Operations	32,610,241	(32,610,241)	21,954,746	21,954,746	(3,476,036)		18,478,710	(3,476,036)	82,520,567
Operating Profit/ (Loss) from All Operations	32,610,241	(32,610,241)	21,954,746	21,954,746	(3,476,036)		18,478,710	6,576,088	82,520,567



Budget Review for the Period Ended 31 December 2019
Income and Expenses Recommended Variations

Note	Function Details	Recommended Variation Fav/ (Unfav)	Total	Comment	Reserve Note
1	User Charges & Fees		2,000,000		
1.1	Road Restoration - Operating	2,000,000		Additional income for NBN Road Restorations	
2	Other Revenues		(18,070)		
2.1	Botany Family Day Care	(18,070)		Reduction in Educator Membership levy due to fee reduction	
3	Operating Grants & Contributions		406,472		
3.1	Library Services	127,226		Additional Library subsidy due to implementation of new funding model by NSW Govt	
3.2	Local Priority Grant	(33,098)		Reduction in Local Priority Grant received lower than budget	
3.3	*Crown Land CRIFP Weed Control at Hawthorne St Scarborough PK	11,210		NSW DPIE Grant for Crown land CRIFP Weed Control Hawthorne St, Scarborough Park 6.17	
3.4	*Crown Land CRIFP Weed Control Sir Joseph Banks Pk, Botany	10,273		NSW DPIE Grant for Crown land CRIFP Weed Control Sir Joseph Banks Pk, Botany 6.18	
3.5	Safe as Houses Program (CRIP)	112,361		Grant for Safe as Houses Program (Community Resilience Innovation Program - CRIP) 6.28	18.16;19.1
3.6	Revitalising Sir Joseph Banks Park	60,000		NSW DPIE Grant - CRIF for Revitalising Sir Joseph Banks Park 6.29	
3.7	Crown Reserves in the Bayside Local Gov Area Red Fox Control	5,500		NSW DPIE Grant - CRIF for Crown Reserves in the Bayside Local Gov Area Red Fox Control 6.30	
3.8	Towards Weed Control Lady Robinsons Beach	11,000		NSW DPIE Grant - CRIF for Towards Weed Control Lady Robinsons Beach 6.31	
3.9	Green Grid Master Planning	100,000		NSW DPIE Grant - Green Grid Master Planning 6.32	
3.10	Be Connected Grant	2,000		Grant for Be Connected project offset 7.8	
4	Capital Grants & Contributions		(838,376)		
4.1	Voluntary Planning Agreements	106,624		Additional Voluntary Planning Agreements income related to 152-200 & 206 Rocky Point Road	17.1
4.2	St George Netball Development	(945,000)		Reduction in Grant (\$945K of \$1m) due to project deferral to next financial year 11.3	
5	Employee costs		77,250		
5.1	Training	77,250		Budget relocated from salary training to councillor training 7.1	
6	Materials & Contracts		(5,034,444)		
6.1	Chinese New Year	(29,000)		Additional contractor costs as per Council resolution dated 11 December 2019	
6.2	Australia Day	(29,000)		Additional contractor costs 7.3	
6.3	Citizenship	(10,000)		Additional contractor costs 7.4	
6.4	Road Restoration - Operating	(1,600,000)		Additional contractor expenses for NBN Road Restorations offset fees	
6.5	Development Assessment	50,000		Transfer of expenditure to Mascot Towers co-ordination for cost of legal advice 6.34	
6.6	EPA Better Waste Funds	(360,506)		Additional Waste Services contractor expenses	18.2
6.7	Taste of Mascot	(76,250)		Additional contractor costs relating to this project 7.5	
6.8	Policy Harmonisation	(1,824)		Additional expenditure for this project offset grant	18.3
6.9	Bayside East Existing Property Matters - Completion Project	(191,146)		Transfer of budget to Legal operational expenses from Capital A/c 10.1	
6.10	Pathway Civica Migration	(14,402)		Additional expenditure for NCIF funded project	
6.11	Development Controls DCP	(100)		Additional expenditure for NCIF funded project	
6.12	Data Warehouse Record Management(core app project)	22,354		Reduction in expenditure for NCIF funded project	
6.13	*Botany Bay Foreshore Beach FRMS&P	(252,000)		Transfer of budget to Consultants operational expenses from Capital A/c 8.2	
6.14	Muddy Creek Reserve / Lance Studdert Masterplan	(50,000)		Transfer of budget to Consultants operational expenses from Capital A/c 8.3	
6.15	Peter Depena Reserve Masterplan	30,000		Reduction in expenditure due to Masterplan now being prepared in-house	
6.16	SSROC Lighting The Way Project	(1,639,255)		Transfer of budget to Contracts operational expenses from Capital A/c 13.1	
6.17	Crown Land CRIFP Weed Control at Hawthorne St Scarborough PK	(11,210)		Additional expenditure for Crown land CRIFP Weed Control Hawthorne St, Scarborough Park 3.3	
6.18	Crown Land CRIFP Weed Control Sir Joseph Banks Pk, Botany	(10,273)		Additional expenditure for Crown land CRIFP Weed Control Sir Joseph Banks Pk, Botany 3.4	
6.19	Service Review - Corporate Functions	(12,852)		Additional expenditure for NCIF funded project	18.11
6.20	Events Equipment and Software Purchase	(92,160)		Transfer of budget to Materials operational expenses from Capital A/c 12.1	
6.21	Compulsory Acquisition - F6 Southlink Stage 1	(200,000)		Additional expenditure for legal & consultancy costs associated with compulsory acquisition	29.1
6.22	Organisational Development	100,000		Transfer of budget to Organisational Development project 10.4 (original description: Business Improvement & Innovation Unit)	25.2
6.23	Website Support	(10,320)		Additional expenditure for NCIF funded project	18.13

Note	Function Details	Recommended Variation Fav/ (Unfav)	Total	Comment	Reserve Note
6.24	Thompson Street Reserve Embellishment	70,000		Reduction in expenditure as funding from grant not received - deferred until Bayside west FPRMP is complete	17.7
6.25	Tidal Influence Investigation Hale Street Botany	25,000		Reduction in expenditure - Awaiting Funding of Botany Bay and Foreshore Beach FRMP	22.2
6.26	Bayside Golf Courses Review	(25,000)		Transfer of budget to Consultants operational expenses from Capital A/c 8.4	
6.27	Scarborough Park South LTSMP Contaminated Land Mge Act	(150,000)		Additional expenditure for consultants	20.1
6.28	Safe as Houses Program (CRIP)	(40,000)		Additional contractor costs 3.5	18.16,19.1
6.29	Revitalising Sir Joseph Banks Park	(60,000)		Additional expenditure for Revitalising Sir Joseph Banks Park 3.6	
6.30	Crown Reserves in the Bayside Local Gov Area Red Fox Control	(5,500)		Additional expenditure for Crown Reserves in the Bayside Local Gov Area Red Fox Control 3.7	
6.31	Towards Weed Control Lady Robinsons Beach	(11,000)		Additional expenditure for Towards Weed Control Lady Robinsons Beach 3.8	
6.32	Green Grid Master Planning	(100,000)		Additional expenditure for Green Grid Master Planning 3.9	
6.33	Barton Park (St George Stadium) Safety Risks	(220,000)		Additional expenditure for demolition expenses	21.1
6.34	Mascot Towers Coordination	(50,000)		Additional expenditure for cost of legal advice 6.5	
6.35	45 Crawford St - remediation	(80,000)		Additional expenditure for contract remediation works	20.2
7	Other Expenses		(68,868)		
7.1	Training - Other	(77,250)		Budget relocated from salary training to councillor training 5.1	
7.2	Chinese New Year	(10,000)		Additional external hire charges as per Council resolution 11 December 2019	
7.3	Australia Day	29,000		Reduction in external hire charges 6.2	
7.4	Citizenship	10,000		Reduction in catering expenses 6.3	
7.5	Taste of Mascot	76,250		Reduction in other expenses relating to this project 6.7	
7.6	Library Print Management & PC Booking System	297		Reduction in expenditure for software maintenance NCIF funded project	18.4
7.7	Library Electronic Resources	(85,165)		Additional expenditure for software maintenance - Aurora LMS Support June 2019-May 2020	
7.8	Be Connected Grant	(2,000)		Additional expenditure for Be Connected project 3.10	
7.9	Arndcliffe Youth Centre Operations	(10,000)		Additional expenditure for operational expenses	23.2
		(3,476,036)	(3,476,036)		

***Key note:**

DPIE - Department of Planning, Industry & Environment

CRIFP - Crown Reserves Improvement Fund

FRMS&P - Flood Risk Management Study & Plan



Budget Review for the Period Ended 31 December 2019
Capital Expenditure

Project Program	Original Budget 2019/20	Revotes	September Review	Revised Budget 2019/20	Recommended Variations December Quarter	Note	Projected Year End Result	YTD Actual December 2019
Asset Planning and Systems	-	505,752	25,000	530,752	263,543	8	794,295	39,383
Beaches and Waterways	2,250,000	217,615	533,500	3,001,115	700,000	9	3,701,115	433,665
Buildings and Property	11,708,000	8,829,933	503,070	21,041,003	150,854	10	21,191,857	9,664,008
IT and Communications	2,380,500	-	-	2,380,500	-		2,380,500	126,741
Library Resources	650,000	155,748	-	805,748	-		805,748	275,691
Open Spaces	14,803,577	2,344,118	(1,229,709)	15,917,986	(986,143)	11	14,931,843	4,489,985
Plant, Fleet and Equipment	2,834,320	92,160	2,534,909	5,461,389	(92,160)	12	5,369,229	1,580,443
Roads and Transport	15,269,338	2,487,021	307,450	18,063,809	(1,639,255)	13	16,424,554	382,117
Stormwater Drainage	3,292,000	82,751	-	3,374,751	(250,000)	14	3,124,751	280,109
Town Centres	2,331,500	702,038	50,000	3,083,538	(1,176)	15	3,082,362	927,611
New Council Implementation Fund	-	129,998	-	129,998	(78,782)	16	51,216	-
Not Applicable	-	-	-	-	-		-	759
	55,519,235	15,547,134	2,724,220	73,790,589	(1,933,119)		71,857,470	18,200,513



Budget Review for the Period Ended 31 December 2019
Capital Expenditure Recommended Variations

Note	Description	Recommended Variation Fav/ (Unfav)	Total	Comment	Reserve Note
8	Asset Planning and Systems		(263,543)		
8.1	Botany Aquatic Centre Feasibility and Concept	(590,543)		Additional expenditure resolved by Council for this project	17.2,25.1
8.2	Botany Bay Foreshore Beach FRMS&P	252,000		Transfer of budget from Capital A/c to Consultants operational expenses 6.13	
8.3	Muddy Creek Reserve / Lance Studdert Masterplan	50,000		Transfer of budget from Capital A/c to Consultants operational expenses 6.14	
8.4	Bayside Golf Courses Review	25,000		Transfer of budget from Capital A/c to Consultants operational expenses 6.26	
9	Beaches and Waterways		(700,000)		
9.1	Brighton Le Sands Boardwalk renewal	(700,000)		Reinstatement of original budget removed in Q1 Review	24.1
10	Buildings and Property		(150,854)		
10.1	Bayside East Existing Property Matters - Completion Project	191,146		Transfer of budget from Capital A/c to Legal operational expenses 6.9	
10.2	Arncliffe Youth Centre	(167,000)		Additional expenditure for supply and installation of security system - Council Resolution on 13 November 2019	23.1
10.3	Water & Energy Efficiency Initiatives - Community & Council	360,000		Transfer of budget to Angelo Anestis Aquatic Centre - Solar Panels 10.5	17.5
10.4	Organisational Development	(165,000)		Expenditure for materials 6.22	25.2
10.5	Angelo Anestis Aquatic Centre - Solar Panels	(370,000)		Expenditure for this project. (Transfer of budget (\$360K) from Water & Energy Efficiency Initiatives - Community & Council 10.3)	17.8
11	Open Spaces		986,143		
11.1	Peter Depena Reserve Masterplan	40,000		Reduction in expenditure due to Masterplan now being prepared in-house	6.15,17.3
11.2	Park Signage Re-branding	1,143		Reduction in expenditure for NCIF funded project	18.15
11.3	St George Netball Development	945,000		Project (\$945K of \$1m) deferred to next financial year 4.2	
12	Plant, Fleet and Equipment		92,160		
12.1	Events Equipment and Software Purchase	92,160		Transfer of budget from Capital A/c to Materials operational expenses 6.20	
13	Roads and Transport		1,639,255		
13.1	SSROC Lighting The Way Project	1,639,255		Transfer of budget from Capital A/c to Contracts operational expenses 6.16	
14	Stormwater Drainage		250,000		
14.1	Water Quality - Bardwell Creek	200,000		Reduction in expenditure (\$200K of \$500K) deferred to 2020/21	17.4
14.2	Bonar Precinct Stormwater	50,000		Reduction in expenditure due to funding from grant not received - Deferred until Bayside West FPRMP is completed	17.6
15	Town Centres		1,176		
15.1	Gateway Signage	1,176		Reduction in expenditure for NCIF funded project	18.14
16	New Council Implementation Fund		78,782		
16.1	Trim Software (core app project)	64,755		Reduction in expenditure for NCIF funded project	18.7
16.2	Reservation Management System(core app project)	(111)		Additional in expenditure for NCIF funded project	18.8
16.3	Windows 10 Images (core app project)	14,138		Reduction in expenditure for NCIF funded project	18.9
		1,933,119	1,933,119		



Budget Review for the Period Ended 31 December 2019

Cash and Investments

Note: Closing Balances are subject to change based on external audit review

Description	Opening Balance 2019/20	Transfers To 2019/20	Transfers From 2019/20	Closing Balance 2019/20	Revotes	September Review	Revised Balance 2019/20	December Quarter Tfrs to/ (Tfrs from)	Note	Forecast Balance 2019/20
External Restrictions										
Developer Contributions	286,806,559	22,982,389	21,160,996	288,627,953	(2,400,313)	(1,846,000)	284,381,640	552,081	17	284,933,721
Specific Purpose Unexpended Grants	11,425,409	-	249,000	11,176,409	(1,750,917)	(4,841,237)	4,584,255	(268,145)	18	4,316,110
Local Area Funds	13,342,942	530,706	332,996	13,540,652	(669,052)	(599)	12,871,001	-		12,871,001
Advertising SEPP64	8,487	-	-	8,487	-	-	8,487	-		8,487
Community Safety Levy	867,986	446,260	394,820	919,426	-	(34,281)	885,145	(20,000)	19	865,145
Domestic Waste Management	13,394,189	13,907,344	14,546,432	12,755,101	-	2,143,032	14,898,133	(295,000)	20	14,603,133
Infrastructure Levy	14,516,973	11,526,044	13,760,138	12,282,879	(1,381,247)	(193,861)	10,707,771	(220,000)	21	10,487,771
Mascot Local Parking	1,382,248	104,338	-	1,486,586	-	-	1,486,586	-		1,486,586
Mascot Main Street	902,354	104,338	-	1,006,692	-	-	1,006,692	-		1,006,692
Stormwater Levy	4,377,306	877,132	1,651,500	3,602,938	(331,499)	420,000	3,691,439	469,214	22	4,160,653
Total External Restrictions	347,024,453	50,478,551	52,095,882	345,407,122	(6,533,028)	(4,352,946)	334,521,148	218,150		334,739,298
Internal Restrictions										
Arncliffe Youth Centre	2,961,892	-	1,154,000	1,807,892	(6,015)	(26,000)	1,775,877	(177,000)	23	1,598,877
Asset Replacement	200,000	-	115,000	85,000	-	(9,318)	75,682	-		75,682
Audit and Legal Recoveries	4,816,744	-	-	4,816,744	-	(1,076,470)	3,740,274	-		3,740,274
Brighton Bath Amenities Building	3,698,821	-	1,155,000	2,543,821	(76,789)	-	2,467,032	(700,000)	24	1,767,032
Business Improvement and Efficiency	1,781,257	800,000	-	2,581,257	-	(969,582)	1,611,675	-		1,611,675
Children's Services	31,489	-	-	31,489	(31,143)	-	346	-		346
Church Ave Road Widening	200,000	-	-	200,000	-	-	200,000	-		200,000
Community & Environmental Projects	506,851	1,500,000	-	2,006,851	-	-	2,006,851	-		2,006,851
Contribution to Works	373,757	-	-	373,757	-	(25,932)	347,825	-		347,825
Council Election	860,000	140,000	-	1,000,000	-	-	1,000,000	-		1,000,000
Deposits, Retentions and Bonds	2,000,000	-	-	2,000,000	-	-	2,000,000	-		2,000,000
Domestic Waste Management (Bot)	122,000	-	4,000	118,000	-	4,000	122,000	(122,000)	25	-
Employee Leave Entitlements	6,307,484	-	-	6,307,484	-	-	6,307,484	-		6,307,484
Financial Assistance Grants in Advance	2,521,979	-	-	2,521,979	-	(2,521,979)	-	-		-
General Funds Revote	1,081,549	-	-	1,081,549	(955,435)	(450)	125,664	-		125,664
Infrastructure Replacement	100,000	-	-	100,000	-	-	100,000	(100,000)	26	-
Mascot Oval	80,000	-	-	80,000	-	-	80,000	-		80,000
O'Riordan St Cables	210,000	-	-	210,000	-	-	210,000	(210,000)	27	-
Office Equipment and IT	4,266,077	370,000	2,380,500	2,255,577	-	-	2,255,577	-		2,255,577
Open Space and s94 Obligations	1,808,609	-	-	1,808,609	-	-	1,808,609	-		1,808,609
Plant and Equipment	6,646,444	1,886,115	2,554,232	5,978,327	-	(1,576,659)	4,401,668	-		4,401,668
Public Liability Claims	586,673	-	-	586,673	-	-	586,673	-		586,673
Public Works	224,000	-	-	224,000	-	-	224,000	(224,000)	28	-

**Budget Review for the Period Ended 31 December 2019****Cash and Investments***Note: Closing Balances are subject to change based on external audit review*

Description	Opening Balance 2019/20	Transfers To 2019/20	Transfers From 2019/20	Closing Balance 2019/20	Revotes	September Review	Revised Balance 2019/20	December Quarter Tfrs to/ (Tfrs from)	Note	Forecast Balance 2019/20
Ramsgate Civic Upgrade	1,510,247	-	-	1,510,247	-	-	1,510,247	-		1,510,247
Strategic Priorities	29,752,520	4,385,205	2,091,310	32,046,415	(7,333,510)	(275,682)	24,437,223	(200,000)	29	24,237,223
Street Lighting Hardware	554,359	-	-	554,359	-	-	554,359	-		554,359
Synthetic Fields Replacement	-	205,966	24,500	181,466	-	-	181,466	-		181,466
Workers Compensation	694,479	-	-	694,479	-	-	694,479	-		694,479
Consolidated Borrowing Against Internal Reserves	(624,524)	-	-	(624,524)	(2,203,258)	-	(2,827,782)	-		(2,827,782)
Total Internal Restrictions	73,272,706	9,287,286	9,478,542	73,081,450	(10,606,150)	(6,478,072)	55,997,228	(1,733,000)		54,264,228
Total Restricted	420,297,159	59,765,837	61,574,424	418,488,572	(17,139,178)	(10,831,018)	390,518,376	(1,514,850)		389,003,526
Unrestricted	920,709			978,365			979,517			951,450
Cash and Investment Balance	421,217,868			419,466,937			391,497,893			389,954,976



Budget Review for the Period Ended 31 December 2019
Cash & Investments Recommended Variations

Note	Description	Recommended Variation To/ (From)	Total	Comment	Reserve Note
17	Developer Contributions		552,081		
17.1	Voluntary Planning Agreements	106,624		Transfer to Voluntary Planning Agreements Reserve related to 152-200 & 206 Rocky Point Road	4.1
17.2	Botany Aquatic Centre Feasibility and Concept	65,457		Reduction in Transfer from Botany 2016 s94A Plan as not required for project	8.1
17.3	Peter Depena Reserve Masterplan	70,000		Reduction in Transfer from Voluntary Planning Agreements Reserve due to Masterplan now being prepared in-house	6.15,11.1
17.4	Water Quality - Bardwell Creek	200,000		Reduction in Transfer from Rockdale 2004 s94 Plan (\$200K of \$500K) due to deferral to 2020/21	14.1
17.5	Water & Energy Efficiency Initiatives - Community & Council	360,000		Reduction in Transfer from Rockdale 2008 s94A Plan (Transfer of budget (\$360K) to Angelo Anestis Aquatic Centre - Solar Panels)	10.3
17.6	Bonar Precinct Stormwater	50,000		Reduction in Transfer from Rockdale 2016 URA Plan due to funding from grant not received - Deferred until Bayside West FPRMP is completed	14.2
17.7	Thompson Street Reserve Embellishment	70,000		Reduction in Transfer from Rockdale 2016 URA Plan as grant funding not received - deferred until Bayside west FPRMP is complete	6.24
17.8	Angelo Anestis Aquatic Centre - Solar Panels	(370,000)		Transfer from Rockdale 2008 s94A Plan (Transfer of budget (\$360K) from Water & Energy Efficiency Initiatives - Community & Council)	10.5
18	Specific Purpose Unexpended Grants		(268,145)		
18.1	City Life Directorate Management	(98,254)		Transfer from NCIF Grant Reserve to fund position of City Life Project Manager	
18.2	EPA Better Waste Funds	(360,506)		Transfer from Special Purpose Unexpended Grants to fund Waste Service Contractor	6.6
18.3	Policy Harmonisation	(1,824)		Transfer from NCIF Grant Reserve to fund additional expenditure	6.8
18.4	Library Print Management & PC Booking System	297		Reduction in Transfer from NCIF Grant Reserve funding software maintenance	7.6
18.5	Pathway Civica Migration	(14,402)		Transfer from NCIF Grant Reserve to fund additional expenditure	6.10
18.6	Development Controls DCP	(100)		Transfer from NCIF Grant Reserve to fund additional expenditure	6.11
18.7	Trim Software (core app project)	64,755		Reduction in Transfer from NCIF Grant Reserve funding for project	16.1
18.8	Reservation Management System(core app project)	(111)		Transfer from NCIF Grant Reserve to fund additional expenditure	16.2
18.9	Windows 10 Images (core app project)	14,138		Reduction in Transfer from NCIF Grant Reserve funding for project	16.3
18.10	Data Warehouse Record Management(core app project)	22,354		Reduction in transfer from NCIF Grant Reserve due to reallocation of funding	6.12
18.11	Service Review - Corporate Functions	(12,852)		Transfer from NCIF Grant Reserve to fund additional expenditure	6.19
18.12	Project 2020	34,000		Transfer from NCIF Grant Reserve to partly fund project	
18.13	Website Support	(10,320)		Transfer from NCIF Grant Reserve to fund additional expenditure	6.23
18.14	Gateway Signage	1,176		Reduction in Transfer from NCIF Grant Reserve funding for project	15.1
18.15	Park Signage Re-branding	1,143		Reduction in Transfer from NCIF Grant Reserve funding for project	11.2
18.16	Safe as Houses Program (CRIP)	92,361		Unexpended Grant for project transferred to Special Purpose Unexpended Grants Reserve	3.5,6.28
19	Community Safety Levy		(20,000)		
19.1	Safe as Houses Program (CRIP)	(20,000)		Transfer from Community Safety Levy Reserve to fund contractor costs	3.5,6.28
20	Domestic Waste Management		(230,000)		
20.1	Scarborough Park South LTSMP Contaminated Land Mge Act	(150,000)		Transfer from Domestic Waste Management Reserve to fund consultants costs	6.27
20.2	45 Crawford St - remediation	(80,000)		Transfer from Domestic Waste Management Reserve to fundcontract remediation works	6.35
21	Infrastructure Levy		(220,000)		
21.1	Barton Park (St George Stadium) Safety Risks	(220,000)		Transfer from Infrastructure Levy Reserve to fund demolition expenses	6.33
22	Stormwater Levy		469,214		
22.1	Botany Rates Revenue	444,214		Transfer to Stormwater Levy Reserve not included in original budget	
22.2	Tidal Influence Investigation Hale Street Botany	25,000		Reduction in transfer from Stormwater Levy Reserve - Awaiting Finding of Botany Bay and Foreshore Beach FRMP	6.25
23	Arncliffe Youth Centre		(177,000)		
23.1	Arncliffe Youth Centre	(167,000)		Transfer from Arncliffe Youth Centre Reserve to fund supply and installation of security system	10.2
23.2	Arncliffe Youth Centre Operations	(10,000)		Transfer from Arncliffe Youth Centre Reserve to fund operational expenses	7.9
24	Brighton Bath Amenities Building		(700,000)		
24.1	Brighton Le Sands Boardwalk renewal	(700,000)		Transfer from Brighton Bath Amenities Building Reserve - Re-instatement of original budget removed in Q1 Review	9.1
25	Domestic Waste Management (Bot)		(187,000)		
25.1	Botany Aquatic Centre Feasibility and Concept	(122,000)		Transfer from Botany Domestic Waste Management Reserve to fund project	8.1
25.2	Organisational Development	(65,000)		Transfer from Botany Domestic Waste Reserve to fund waste initiatives	
26	Infrastructure Replacement		(100,000)		
26.1	Botany Aquatic Centre Feasibility and Concept	(100,000)		Transfer from Infrastructure Replacement Reserve to fund project	8.1
27	O'Riordan St Cables		(210,000)		

Note	Description	Recommended Variation To/ (From)	Total	Comment	Reserve Note
27.1	Botany Aquatic Centre Feasibility and Concept	(210,000)		Transfer from O'Riordan St Cable Reserve to fund project	8.1
28	Public Works		(224,000)		
28.1	Botany Aquatic Centre Feasibility and Concept	(224,000)		Transfer from Public Works Reserve to fund project	8.1
29	Strategic Priorities		(200,000)		
29.1	Compulsary Acquisition - F6 Southlink Stage 1	(200,000)		Transfer from Strategic Priorities Reserve to fund legal & consultancy costs associated with compulsory acquisition	
			(1,514,850)		



Budget Review for the Period Ended 31 December 2019
Contracts and Other Expenses

Contracts

Contractor	Contract Detail and Purpose	Contract Value	Start Date	Duration	Budgeted (Y/N)
Galaxy 42 Pty Ltd	TechnologyOne Reimplementation Project	796,180	4/10/2019	Until completion	Y
Centium Group Pty Ltd; BDO East Coast Patnership; Grant Thornton Australia Ltd	Internal Audit Services	180,000 p/a	4/10/2019	2 years + 2x1 year	Y
Sydney Civil Pty Ltd	Wolli Creek Public Domain Road and Stormwater Upgrades in Wolli Creek	3,676,938	11/12/2019	1/01/2021	Y
RELD Group Pty Ltd	Botany Town Hall roof replacement and demolition of the 1966 extension	427,708	11/12/2019	1/04/2020	Y
Turf One Pty Ltd	Hensley Reserve Athletic Track Renewal	536,255	11/12/2019	1/04/2020	Y
Hibernian Contracting Pty Ltd	Cahill Park Café and Amenities	2,196,884	11/12/2019	1/09/2020	Y
Graffiti Clean Pty Ltd	Graffiti Removal Services	435,000	11/12/2019	3 years + 2x1 year	Y



Budget Review for the Period Ended 31 December 2019
Consultancy and Legal Expenses

Consultancy

Business Unit/ Project	Amount	Budgeted (Y/N)
100002 - Governance and Risk Management	28,300	Y
100004 - Internal Audit	39,597	Y
100027 - Workplace Relations	5,775	Y
100049 - Procurement	4,920	Y
100087 - Infrastructure Assets	17,618	Y
100103 - Road Safety Officer Projects	4,191	Y
100105 - Development Referrals	25,401	Y
100117 - Property Services	19,577	Y
100119 - Voluntary Planning Agreements	2,272	Y
100121 - Heritage Conservation	12,060	Y
100122 - Special Studies/Strategies	55,005	Y
100123 - Statutory Planning Proposals	29,480	Y
100124 - Policy & Strategy	2,357	Y
100125 - Strategic Planning Management	6,016	Y
100140 - Financial Accounting (Strategy and Reporting)	3,200	Y
100142 - Rates and Revenue (Revenue Management)	5,640	Y
100381 - Core Infrastructure Project Operating	25,000	Y
100405 - Cooks Cove Precinct 2015/16	8,706	Y
100408 - Brighton Fisho Lease	14,955	Y
100520 - EPA Better Waste Funds	70,000	Y
100567 - Waste Resource Education & Regulation	22,000	Y
100595 - General Manager and Executive Support	2,000	Y
100697 - Brighton Le Sands Parking Solution-EOI	15,200	Y
100715 - Kendall Reserve Environmental EPA order	107,127	Y
100724 - Pathway Civica Migration	29,928	Y
100738 - Development Controls DCP	33,619	Y
100739 - Development Controls LEP	185,720	Y
100848 - Botany Bay Foreshore Beach FRMS&P	45,421	Y
100862 - Muddy Creek Reserve / Lance Studdert Masterplan	35,346	Y
100872 - Town Centres - Arncliffe, Banksia, Priority Precinct	15,595	Y
100937 - Wentworth Ave/ Baker St/ Page St Intersections	166,278	Y
100976 - Service Review - Corporate Functions	38,851	Y
101011 - Cooks Cove EPA Notification and Monitoring	76,495	Y
101015 - 2-4 Guess Avenue Planning Proposal	81,450	Y
101018 - Local Area Traffic Management Study--Margate Street precinct	39,786	Y
101033 - Development Control - LEP (Grant Funded)	297,656	Y
101035 - Project 2020	455,678	Y
101044 - TechOne Post Implementation	245,600	Y
101047 - Bryant St Acquisition (Churches of Christ)	16,040	Y
101067 - F6 Extension Project Management	13,490	Y
Total consultancy expenses	2,303,347	

Legal

Business Unit/ Project	Amount	Budgeted (Y/N)
100002 - Governance and Risk Management	4,372	Y
100062 - Waste Management	23,219	Y
100104 - City Futures Directorate Management	6,040	Y

Business Unit/ Project	Amount	Budgeted (Y/N)
100108 - Development Assessment	5,047	Y
100109 - Development Administration Support	305,157	Y
100110 - Health & Environ Compliance	31,779	Y
100116 - Property Development	4,926	Y
100117 - Property Services	122,912	Y
100119 - Voluntary Planning Agreements	11,936	Y
100129 - Council Events	2,468	Y
100146 - Rates Revenue	86,678	Y
100150 - Graffiti & Community Safety	2,002	Y
100337 - Operation Ricco	244,996	Y
100403 - Part Closure of Chapel Lane	5,267	Y
100708 - Fomer Botany Council-Property Projects	13,366	Y
101030 - Grand Pde Brighton Le Sands (Funded from Brighton Amenities	6,713	Y
101034 - Compulsary Acquisition - F6 Southlink Stage 1	197,021	Y
101047 - Bryant St Acquisition (Churches of Christ)	5,428	Y
101062 - Cook Cove Preliminary Investigations	15,966	Y
101241 - Acquisition of 32 York St	7,509	Y
101259 - AHEPA Redevelopment - 72 Laycock St,Bexley North	3,672	Y
Total legal expenses	1,106,474	

Council Meeting

12/02/2020

Item No	8.14
Subject	Statutory Financial Report - November 2019
Report by	Michael Mamo, Director City Performance
File	F09/605.002

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 30 November 2019, Bayside Council had \$442.6m in cash and investments with an adjusted portfolio return on investments of 1.81%. Our income and expenditure cash-flow movements for the period primarily comprised the following:

- Income from operating activities totalled \$22.5m from rates, interest, grants and tax rebate.
 - Expenses from operating activities totalled \$14.5m for payments for employee costs, utilities, waste, contract and infrastructure work.
-

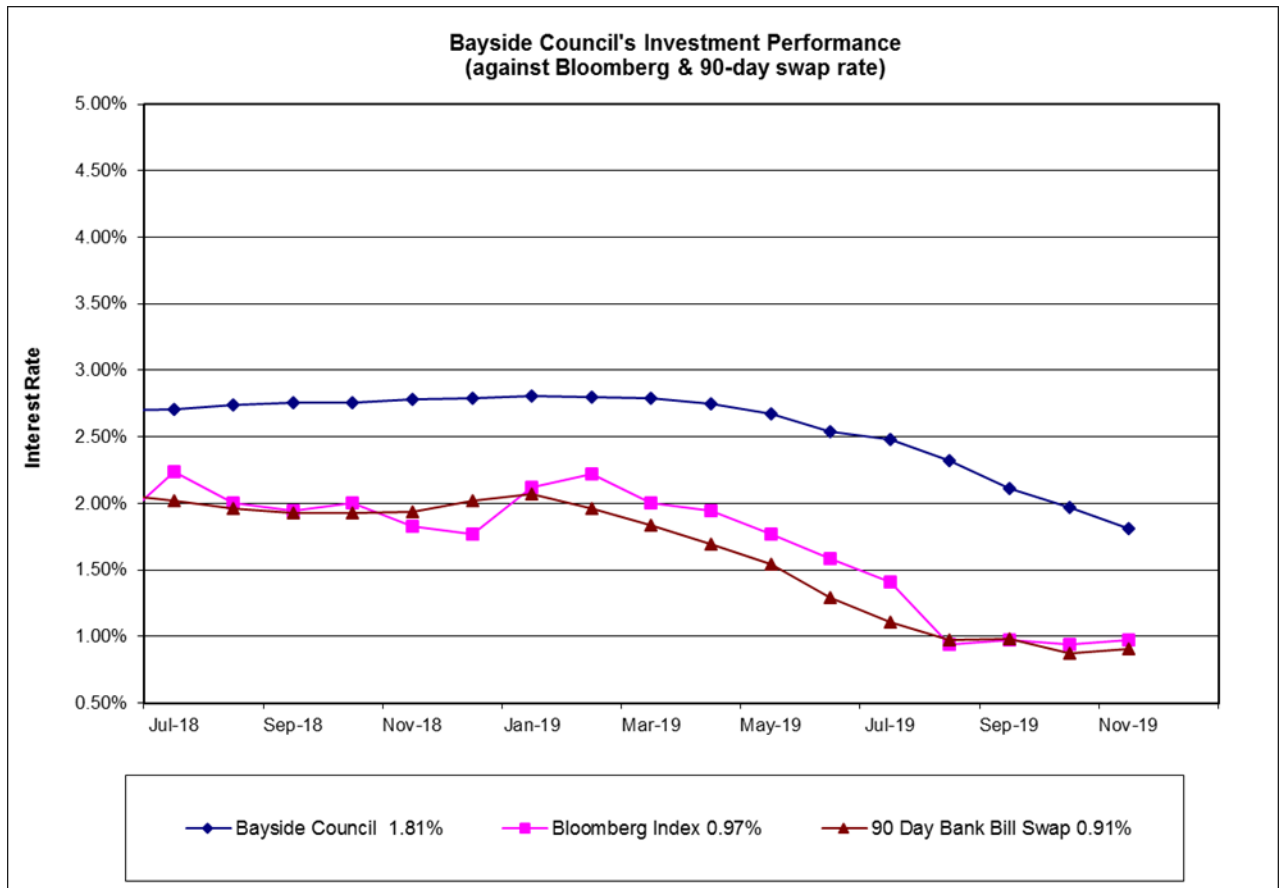
Officer Recommendation

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

Background

The following table shows the performance of Council's investments since July 2018. 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 84 basis points. As demonstrated by the investment performance graph, average investment returns are slightly on the decline due to the recent Reserve Bank interest rate cuts but consistently above the industry benchmark and 90-day Bank Bill Swap Rate.



Statement of Bank Balances

The table below shows details of movements in Council's cash at bank for November 2019.

STATEMENT OF BANK BALANCES AS AT 30 November 2019		
	GENERAL FUND	
Cash at Bank (Overdraft) as per Bank Statement as at: 31/10/2019		\$969,425
Add: Income from Operating Activities for the Period		
- Rates and other receipts*	\$17,246,396	
- Sundry Debtor Deposits	\$380,653	
- DA Fees, FCDs & Application & Construction Fees	\$634,564	
- Interest	\$966,004	
- Parking and Other Infringements	\$497,466	
- GST Recoverable from ATO	\$1,450,686	
- Rents, Leases, Booking Fees, Certificates & Licences	\$16,471	
- Sale of Assets	\$145,910	
- Grants	\$581,600	
- Childcare Income & Subsidies	\$427,665	
- Pool, Golf, Mutch Park & Library Income	\$66,540	
- S.94 & Planning Contributions	\$114,615	
Total Income from Operating Activities for the Period	\$22,528,570	
Less: Expenses from Operating Activities for the Period		
Accounts Paid for Period (includes urgent cheques & refunds)	-\$9,297,479	
Direct Payroll	-\$5,034,678	
Presented Cheques	-\$134,477	
Bank Charges (including Agency Fees)	-\$5,862	
Total Expenses from Operating Activities for the Period	-\$14,472,496	
Total Net Movement from Operating Activities:		\$8,056,074
Investment Activities for the Period		
- Investments redeemed	\$7,000,000	
- Transfer from Short-Term Money Market	\$10,100,000	
- Transfer to Short-Term Money Market	-\$18,320,000	
- New Investments	-\$5,000,000	
Net Investment Flows for the Period	-\$6,220,000	
Funding Activities for the Period		
Loan Repayments	\$0	
Net Funding Flows for the Period	\$0	
Total Net Movement from Investment & Funding Activities:		-\$6,220,000
Cash at Bank (Overdraft) as per Bank Statement as at: 30/11/2019		\$2,805,499
Bank overdraft limit for operating account is \$350,000.		
* other receipts include Australia Post & Bank Tape		

Schedule of Investments

Bayside Council currently holds \$442.6m in investments and cash at call. In accordance with current accounting standards, investments are recorded at Fair Value (market value).

SCHEDULE OF INVESTMENTS HELD ON BEHALF OF BAYSIDE COUNCIL AS AT: 30/11/2019								
	Credit Rating	Purchase Price	Purchase Date	Maturity Date	Term Days	Prop %	Interest Rate	Market Value
Term Deposits								
Bank of Western Australia	A1	\$5,000,000	14/08/2019	15/01/2020	154	1.23%	1.65%	\$5,000,000
Bank of Western Australia	A1	\$10,000,000	14/08/2019	12/02/2020	182	2.48%	1.65%	\$10,000,000
Bank of Western Australia	A1	\$5,000,000	04/09/2019	04/03/2020	182	1.23%	1.60%	\$5,000,000
Bank of Western Australia	A1	\$5,000,000	12/09/2019	11/03/2020	181	1.23%	1.60%	\$5,000,000
Bank of Western Australia	A1	\$10,000,000	18/09/2019	18/03/2020	182	2.48%	1.60%	\$10,000,000
Bank of Western Australia	A1	\$10,000,000	25/09/2019	25/03/2020	182	2.48%	1.55%	\$10,000,000
Bank of Western Australia	A1	\$5,000,000	09/10/2019	11/03/2020	154	1.23%	1.45%	\$5,000,000
Bank of Western Australia	A1	\$5,000,000	16/10/2019	15/04/2020	182	1.23%	1.45%	\$5,000,000
Bank of Western Australia	A1	\$5,000,000	23/10/2019	22/04/2020	182	1.23%	1.45%	\$5,000,000
Bank of Western Australia	A1	\$5,000,000	30/10/2019	26/02/2020	119	1.23%	1.40%	\$5,000,000
Bank of Western Australia	A1	\$5,000,000	06/11/2019	04/03/2020	119	1.23%	1.40%	\$5,000,000
						<u>17.28%</u>		
Illawarra Mutual Building Society	A2	\$10,000,000	28/08/2019	04/12/2019	98	2.48%	1.65%	\$10,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	4/09/2019	11/12/2019	98	1.24%	1.65%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	11/09/2019	18/12/2019	98	1.24%	1.65%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	25/09/2019	29/01/2020	126	1.23%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	2/10/2019	15/01/2020	105	1.23%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	30/10/2019	29/04/2020	182	1.23%	1.60%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	6/11/2019	05/02/2020	91	1.23%	1.60%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	20/11/2019	18/03/2020	119	1.23%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	20/11/2019	19/02/2020	91	1.23%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	27/11/2019	25/03/2020	119	1.23%	1.55%	\$5,000,000
						<u>13.57%</u>		
ME Bank	A2	\$5,000,000	15/03/2019	11/12/2019	271	1.23%	2.60%	\$5,000,000
ME Bank	A2	\$5,000,000	24/07/2019	19/02/2020	210	1.23%	1.85%	\$5,000,000
ME Bank	A2	\$5,000,000	31/07/2019	04/12/2019	126	1.23%	1.80%	\$5,000,000
ME Bank	A2	\$5,000,000	01/08/2019	04/12/2019	125	1.23%	1.80%	\$5,000,000
ME Bank	A2	\$5,000,000	07/08/2019	11/12/2019	126	1.23%	1.80%	\$5,000,000
ME Bank	A2	\$5,000,000	14/08/2019	15/01/2020	154	1.23%	1.75%	\$5,000,000
ME Bank	A2	\$10,000,000	22/08/2019	22/01/2020	153	2.48%	1.65%	\$10,000,000
ME Bank	A2	\$10,000,000	25/09/2019	26/02/2020	154	2.48%	1.65%	\$10,000,000
ME Bank	A2	\$5,000,000	02/10/2019	29/04/2020	210	1.24%	1.60%	\$5,000,000
ME Bank	A2	\$5,000,000	16/10/2019	15/07/2020	273	1.23%	1.55%	\$5,000,000
ME Bank	A2	\$5,000,000	23/10/2019	12/08/2020	294	1.23%	1.55%	\$5,000,000
ME Bank	A2	\$5,000,000	27/11/2019	25/03/2020	119	1.23%	1.55%	\$5,000,000
						<u>17.27%</u>		
Westpac	AA-	\$5,000,000	03/12/2018	04/12/2019	366	1.23%	2.73%	\$5,000,000
Westpac	AA-	\$5,000,000	02/01/2019	08/01/2020	371	1.23%	2.70%	\$5,000,000
Westpac	AA-	\$5,000,000	11/02/2019	11/02/2020	365	1.23%	1.70%	\$5,000,000
Westpac	AA-	\$5,000,000	04/03/2019	04/03/2020	366	1.23%	2.65%	\$5,000,000
Westpac	AA-	\$10,000,000	07/03/2019	11/03/2020	370	2.48%	2.60%	\$10,000,000
Westpac	AA-	\$5,000,000	28/03/2019	25/03/2020	363	1.24%	1.77%	\$5,000,000
Westpac	AA-	\$5,000,000	06/06/2019	04/06/2020	364	1.24%	2.10%	\$5,000,000
Westpac	AA-	\$10,000,000	31/07/2019	29/07/2020	364	2.48%	1.70%	\$10,000,000
Westpac	AA-	\$5,000,000	09/08/2019	06/08/2020	363	1.23%	1.61%	\$5,000,000
Westpac	AA-	\$5,000,000	29/08/2019	27/08/2020	364	1.23%	1.57%	\$5,000,000
Westpac	AA-	\$5,000,000	11/09/2019	09/09/2020	364	1.23%	1.70%	\$5,000,000
Westpac	AA-	\$5,000,000	18/09/2019	16/09/2020	364	1.23%	1.70%	\$5,000,000
Westpac	AA-	\$5,000,000	06/11/2019	04/11/2020	364	1.23%	1.58%	\$5,000,000
Westpac	AA-	\$5,000,000	28/11/2019	02/12/2020	370	1.23%	1.43%	\$5,000,000
						<u>19.74%</u>		
AMP Bank	A2	\$3,000,000	12/06/2019	11/12/2019	182	0.74%	2.40%	\$3,000,000
AMP Bank	A2	\$5,000,000	20/11/2019	20/05/2020	182	1.23%	1.90%	\$5,000,000
						<u>1.97%</u>		

Schedule of Investments cont'd								
National Australia Bank	A1	\$5,000,000	19/03/2019	18/12/2019	274	1.23%	2.48%	\$5,000,000
National Australia Bank	A1	\$5,000,000	24/04/2019	22/01/2020	273	1.23%	2.39%	\$5,000,000
National Australia Bank	A1	\$5,000,000	19/06/2019	18/12/2019	182	1.23%	2.00%	\$5,000,000
National Australia Bank	A1	\$5,000,000	17/07/2019	29/01/2020	196	1.23%	1.88%	\$5,000,000
National Australia Bank	A1	\$5,000,000	04/09/2019	04/03/2020	182	1.23%	1.62%	\$5,000,000
National Australia Bank	A1	\$5,000,000	09/10/2019	08/04/2020	182	1.23%	1.55%	\$5,000,000
National Australia Bank	A1	\$10,000,000	23/10/2019	01/04/2020	161	2.48%	1.55%	\$10,000,000
National Australia Bank	A1	\$10,000,000	06/11/2019	08/04/2020	154	2.48%	1.43%	\$10,000,000
National Australia Bank	A1	\$5,000,000	27/11/2019	26/02/2020	91	1.23%	1.40%	\$5,000,000
NAB- Suncorp FRN	A+	\$2,000,000	12/04/2016	12/04/2021	1826	0.50%	2.27%	\$2,028,036
						14.07%		
ING Direct	A	\$1,000,000	06/06/2018	06/12/2019	548	0.25%	2.80%	\$1,000,000
ING Direct	A	\$5,000,000	18/12/2018	24/06/2020	554	1.23%	2.70%	\$5,000,000
						1.48%		
Direct Investments (Floating Rate & Fixed Rate Term Deposits -TDs)								
CBA- Bendigo & Adelaide FRN	A-	\$2,000,000	26/02/2016	18/08/2020	1635	0.49%	2.00%	\$2,010,900
CBA - Rabobank FRN	A+	\$2,000,000	04/03/2016	04/03/2021	1826	0.49%	2.48%	\$2,025,460
CBA- Bank of QLD FRN	BBB+	\$1,000,000	18/05/2016	18/05/2021	1826	0.25%	2.38%	\$1,012,560
CBA FRN	AA-	\$2,000,000	12/07/2016	12/07/2021	1826	0.49%	2.07%	\$2,029,760
CBA- Bendigo & Adelaide FRN	A-	\$2,000,000	21/11/2016	21/02/2020	1187	0.49%	1.99%	\$2,004,440
CBA FRN	AA-	\$3,000,000	17/01/2017	17/01/2022	1826	0.74%	1.97%	\$3,045,270
CBA- Greater Bank FRN	BBB-	\$4,000,000	24/02/2017	24/02/2020	1095	0.99%	2.33%	\$4,006,860
CBA- Rabobank FRN	A+	\$2,000,000	03/03/2017	03/03/2022	1826	0.49%	1.97%	\$2,022,580
CBA- Credit Union Australia FRN	BBB+	\$2,750,000	20/03/2017	20/03/2020	1096	0.69%	2.22%	\$2,770,020
CBA- Greater Bank FRN	BBB-	\$2,000,000	25/03/2017	29/05/2020	1161	0.49%	2.29%	\$2,004,910
CBA- ME Bank FRN	BBB+	\$3,000,000	06/04/2017	06/04/2020	1096	0.74%	2.09%	\$3,016,500
CBA- Greater Bank FRN	BBB-	\$1,000,000	04/08/2017	29/05/2020	1029	0.25%	2.29%	\$1,002,455
CBA- AMP FRN	A	\$2,000,000	06/10/2017	06/10/2020	1096	0.49%	1.59%	\$1,999,540
CBA - Heritage Bank FRN	BBB+	\$2,000,000	27/11/2017	04/05/2020	889	0.49%	2.23%	\$2,010,700
CBA - Newcastle Perm Build Soc FRN	BBB	\$2,000,000	29/11/2017	07/04/2020	860	0.49%	2.19%	\$2,012,580
ANZ - Heritage Bank FRN	BBB+	\$1,450,000	04/05/2017	04/05/2020	1096	0.37%	2.23%	\$1,457,419
Bendigo Adelaide Bank Fixed TD	BBB	\$5,000,000	28/08/2019	27/05/2020	273	1.24%	1.60%	\$5,000,000
Bendigo Adelaide Bank Fixed TD	BBB	\$10,000,000	04/09/2019	04/03/2020	182	2.48%	1.60%	\$10,000,000
Bendigo Adelaide Bank Fixed TD	BBB	\$5,000,000	16/10/2019	15/04/2020	182	1.23%	1.50%	\$5,000,000
Bendigo Adelaide Bank Fixed TD	BBB	\$5,000,000	20/11/2019	17/06/2020	210	1.23%	1.45%	\$5,000,000
						14.62%		
FTD= Floating Rate Deposit								
FRN= Floating Rate Note								
Unlisted Community Bank Shares								
NRMA/IAG Shares	Unrated	\$7,552				0.01%		
Bendigo Bank	A2	\$5,000				0.00%		
Total Investments		\$405,212,552				100.00%		
Operating Accounts		\$2,805,499						
Cash Deposit Accounts		\$23,912,479						
AMP 31 Day Notice Account		\$10,714,898						
Total Investments and Cash		\$442,645,428						
Investment and Cash Flows for Bayside Council:								
	Oct-19	Nov-19	Total Net Movement					
Total Investments	\$407,212,552	\$405,212,552	-\$2,000,000					
Operating Accounts	\$969,425	\$2,805,499	\$1,836,074					
Cash/Short Term Money Market	\$15,686,667	\$23,912,479	\$8,225,812					
AMP 31 Day Notice Account	\$10,699,860	\$10,714,898	\$15,038					
TOTAL Investments and Cash:	\$434,568,504	\$442,645,428	\$8,076,924					
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.								
RODNEY SANJIVI								
RESPONSIBLE ACCOUNTING OFFICER								

Investment Translation

The following investment information is provided as translation of what the types of investments are:

- * A Term Deposit is a short term deposit held at a financial institution for a fixed term and attracts interest at the prevailing market rate.
- * A Bank Bill is a short term investment issued by a bank representing its promise to pay a specific sum to the bearer on settlement. The amount payable to Council at maturity is the face value which represents the purchase price and interest earned.
- * A Floating Rate Note is a longer term investment issued by a financial institution with a variable interest rate. The adjustments to the interest rate are usually made every three months are tied to a certain money-market index such as the Bank Bill Swap Rate (BBSW).
- * A CDO (Collateralised Debt Obligation) is an investment backed by a diversified pool of one or more classes of debt. These investments are for longer terms and offer a higher rate of interest. Council does not invest in CDOs.
- * A Capital Guaranteed Note is a longer term investment issued by a financial institution with a fixed coupon that is paid contingent on the performance of the underlying investments, being equities, property bonds etc. In addition, this form of investment also can attract capital growth. The issuer of the note has provided a guarantee that the capital is guaranteed at maturity.
- * A Floating Term Deposit and Variable Rate Deposits are exactly the same as term deposits except they automatically roll over (reinvest) at the end of the 90-day period for up to 2 years.
- * Money Market Call Account refers to funds held at a financial institution and can be recalled by Council either same day or overnight.
- * Unlisted Community Bank Shares refer to bank shares not listed on the Australian Stock Exchange. The local community owns and operates the Bendigo Bank branch which assists the bank in providing banking infrastructure and community support.

Credit Ratings

- * AAA - Extremely strong capacity to meet financial commitments (highest rating).
- * AA - Very strong capacity to meet financial commitments.
- * A - Strong capacity to meet financial commitments, but somewhat more susceptible to adverse economic conditions and changes in circumstances.
- * BBB - Adequate capacity to meet financial commitments with adverse economic conditions or changing circumstances more likely to lead to a weakened capacity of the obligor to meet its financial commitments.
- * BB - Less vulnerable in the near term, but faces uncertainties and exposures to adverse business, financial and economic conditions.
- * B - More vulnerable to non-payment than obligations rated 'BB', but the obligor has the capacity to meet its financial commitment on the obligation.
- * CCC - Currently vulnerable, dependent upon favourable business, financial and economic conditions to meet its financial commitments.
- * CC - Currently highly vulnerable.
- * C - Highly likely to default.

Financial Implications

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

Community Engagement

Not applicable

Attachments

Nil

Council Meeting

12/02/2020

Item No	8.15
Subject	Statutory Financial Report - December 2019
Report by	Michael Mamo, Director City Performance
File	F09/605.002

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 December 2019, Bayside Council had \$437.9m in cash and investments with an adjusted portfolio return on investments of 1.73%. Our income and expenditure cash-flow movements for the period primarily comprised the following:

- Income from operating activities totalled \$12.6m from rates, interest, grants and development planning contributions.
 - Expenses from operating activities totalled \$17.2m for payments for employee costs, utilities, waste, contract and infrastructure work.
-

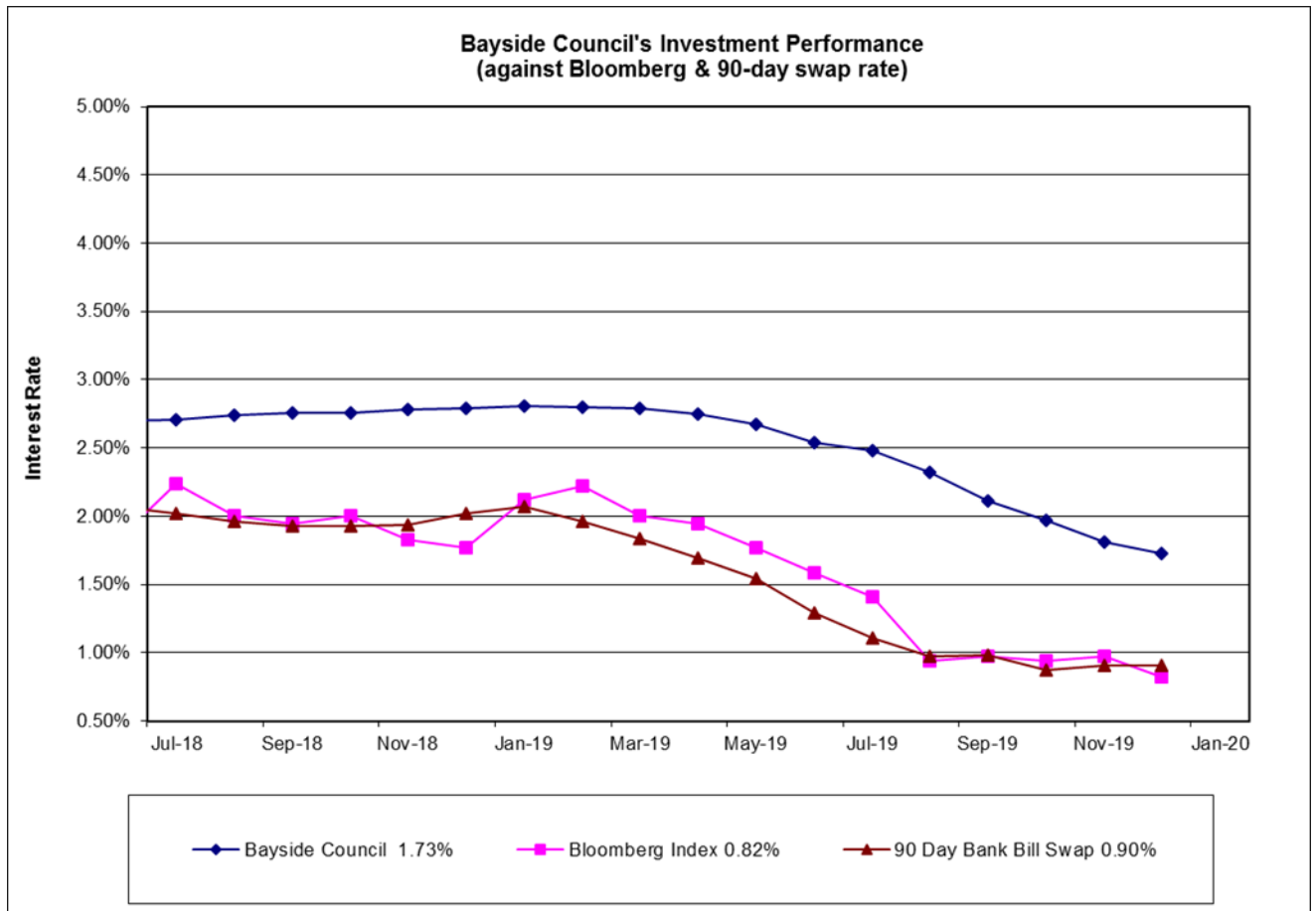
Officer Recommendation

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

Background

The following table shows the performance of Council's investments since July 2018. 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 91 basis points. As demonstrated by the investment performance graph, investment returns are slightly on the decline due to the recent Reserve Bank interest rate cuts but consistently above the industry benchmark and 90-day Bank Bill Swap Rate.



Statement of Bank Balances

The table below shows details of movements in Council's cash at bank for December 2019.

STATEMENT OF BANK BALANCES AS AT 31 December 2019		
	GENERAL FUND	
Cash at Bank (Overdraft) as per Bank Statement as at: 30/11/2019		\$2,805,499
Add: Income from Operating Activities for the Period		
- Rates and other receipts*	\$7,840,606	
- Sundry Debtor Deposits	\$443,035	
- DA Fees, FCDs & Application & Construction Fees	\$377,869	
- Interest	\$876,008	
- Parking and Other Infringements	\$480,291	
- Rents, Leases, Booking Fees, Certificates & Licences	\$332,321	
- Sale of Assets	\$29,995	
- Grants	\$435,785	
- Long Service Levy	\$403,568	
- Childcare Income & Subsidies	\$358,584	
- Pool, Golf, Mutch Park & Library Income	\$62,784	
- S.94 & Planning Contributions	\$910,635	
Total Income from Operating Activities for the Period	\$12,551,481	
Less: Expenses from Operating Activities for the Period		
Accounts Paid for Period (includes urgent cheques & refunds)	-\$11,218,898	
Direct Payroll	-\$5,907,022	
Presented Cheques	-\$27,955	
Bank Charges (including Agency Fees)	-\$28,591	
Total Expenses from Operating Activities for the Period	-\$17,182,466	
Total Net Movement from Operating Activities:		-\$4,630,985
Investment Activities for the Period		
- Investments redeemed	\$8,000,000	
- Transfer from Short-Term Money Market	\$16,000,000	
- Transfer to Short-Term Money Market	-\$14,880,000	
- New Investments	-\$7,000,000	
Net Investment Flows for the Period	\$2,120,000	
Funding Activities for the Period		
Loan Repayments	-\$105,837	
Net Funding Flows for the Period	-\$105,837	
Total Net Movement from Investment & Funding Activities:		\$2,014,163
Cash at Bank (Overdraft) as per Bank Statement as at: 31/12/2019		\$188,677
Bank overdraft limit for operating account is \$350,000.		
* other receipts include Australia Post & Bank Tape		

Schedule of Investments

Bayside Council currently holds \$437.9m in investments and cash at call. In accordance with current accounting standards, investments are recorded at Fair Value (market value).

SCHEDULE OF INVESTMENTS HELD ON BEHALF OF BAYSIDE COUNCIL AS AT: 31/12/2019								
	Credit Rating	Purchase Price	Purchase Date	Maturity Date	Term Days	Prop %	Interest Rate	Market Value
Term Deposits								
Bank of Western Australia	A1	\$5,000,000	14/08/2019	15/01/2020	154	1.24%	1.65%	\$5,000,000
Bank of Western Australia	A1	\$10,000,000	14/08/2019	12/02/2020	182	2.46%	1.65%	\$10,000,000
Bank of Western Australia	A1	\$5,000,000	04/09/2019	04/03/2020	182	1.24%	1.60%	\$5,000,000
Bank of Western Australia	A1	\$5,000,000	12/09/2019	11/03/2020	181	1.24%	1.60%	\$5,000,000
Bank of Western Australia	A1	\$10,000,000	18/09/2019	18/03/2020	182	2.47%	1.60%	\$10,000,000
Bank of Western Australia	A1	\$10,000,000	25/09/2019	25/03/2020	182	2.47%	1.55%	\$10,000,000
Bank of Western Australia	A1	\$5,000,000	09/10/2019	11/03/2020	154	1.24%	1.45%	\$5,000,000
Bank of Western Australia	A1	\$5,000,000	16/10/2019	15/04/2020	182	1.24%	1.45%	\$5,000,000
Bank of Western Australia	A1	\$5,000,000	23/10/2019	22/04/2020	182	1.24%	1.45%	\$5,000,000
Bank of Western Australia	A1	\$5,000,000	30/10/2019	26/02/2020	119	1.24%	1.40%	\$5,000,000
Bank of Western Australia	A1	\$5,000,000	06/11/2019	04/03/2020	119	1.24%	1.40%	\$5,000,000
						<u>17.32%</u>		
Illawarra Mutual Building Society	A2	\$5,000,000	25/09/2019	29/01/2020	126	1.24%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	2/10/2019	15/01/2020	105	1.24%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	30/10/2019	29/04/2020	182	1.24%	1.60%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	6/11/2019	05/02/2020	91	1.24%	1.60%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	20/11/2019	18/03/2020	119	1.24%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	20/11/2019	19/02/2020	91	1.24%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	27/11/2019	25/03/2020	119	1.24%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$10,000,000	4/12/2019	03/06/2020	182	2.46%	1.55%	\$10,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	4/12/2019	06/05/2020	154	1.23%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	11/12/2019	10/06/2020	182	1.23%	1.55%	\$5,000,000
Illawarra Mutual Building Society	A2	\$5,000,000	18/12/2019	01/04/2020	105	1.24%	1.55%	\$5,000,000
						<u>14.84%</u>		
ME Bank	A2	\$5,000,000	24/07/2019	19/02/2020	210	1.24%	1.85%	\$5,000,000
ME Bank	A2	\$5,000,000	14/08/2019	15/01/2020	154	1.24%	1.75%	\$5,000,000
ME Bank	A2	\$10,000,000	22/08/2019	22/01/2020	153	2.47%	1.65%	\$10,000,000
ME Bank	A2	\$10,000,000	25/09/2019	26/02/2020	154	2.47%	1.65%	\$10,000,000
ME Bank	A2	\$5,000,000	02/10/2019	29/04/2020	210	1.24%	1.60%	\$5,000,000
ME Bank	A2	\$5,000,000	16/10/2019	15/07/2020	273	1.24%	1.55%	\$5,000,000
ME Bank	A2	\$5,000,000	23/10/2019	12/08/2020	294	1.24%	1.55%	\$5,000,000
ME Bank	A2	\$5,000,000	27/11/2019	25/03/2020	119	1.24%	1.55%	\$5,000,000
ME Bank	A2	\$10,000,000	04/12/2019	02/09/2020	273	2.46%	1.55%	\$10,000,000
ME Bank	A2	\$8,000,000	11/12/2019	09/09/2020	273	1.98%	1.55%	\$8,000,000
						<u>16.82%</u>		
Westpac	AA-	\$5,000,000	02/01/2019	08/01/2020	371	1.24%	2.70%	\$5,000,000
Westpac	AA-	\$5,000,000	11/02/2019	11/02/2020	365	1.24%	1.70%	\$5,000,000
Westpac	AA-	\$5,000,000	04/03/2019	04/03/2020	366	1.24%	2.65%	\$5,000,000
Westpac	AA-	\$10,000,000	07/03/2019	11/03/2020	370	2.46%	2.60%	\$10,000,000
Westpac	AA-	\$5,000,000	28/03/2019	25/03/2020	363	1.24%	1.74%	\$5,000,000
Westpac	AA-	\$5,000,000	06/06/2019	04/06/2020	364	1.23%	2.10%	\$5,000,000
Westpac	AA-	\$10,000,000	31/07/2019	29/07/2020	364	2.46%	1.70%	\$10,000,000
Westpac	AA-	\$5,000,000	09/08/2019	06/08/2020	363	1.24%	1.61%	\$5,000,000
Westpac	AA-	\$5,000,000	29/08/2019	27/08/2020	364	1.24%	1.57%	\$5,000,000
Westpac	AA-	\$5,000,000	11/09/2019	09/09/2020	364	1.24%	1.70%	\$5,000,000
Westpac	AA-	\$5,000,000	18/09/2019	16/09/2020	364	1.24%	1.70%	\$5,000,000
Westpac	AA-	\$5,000,000	06/11/2019	04/11/2020	364	1.24%	1.58%	\$5,000,000
Westpac	AA-	\$5,000,000	28/11/2019	02/12/2020	370	1.24%	1.43%	\$5,000,000
Westpac	AA-	\$5,000,000	04/12/2019	02/12/2020	364	1.24%	1.40%	\$5,000,000
						<u>19.79%</u>		
AMP Bank	A2	\$5,000,000	20/11/2019	20/05/2020	182	1.24%	1.90%	\$5,000,000
AMP Bank	A2	\$3,000,000	11/12/2019	18/06/2020	190	0.74%	1.80%	\$3,000,000
AMP Bank	A2	\$2,000,000	11/12/2019	10/06/2020	182	0.49%	1.80%	\$2,000,000
						<u>2.47%</u>		

Schedule of Investments cont'd								
National Australia Bank	A1	\$5,000,000	24/04/2019	22/01/2020	273	1.24%	2.39%	\$5,000,000
National Australia Bank	A1	\$5,000,000	17/07/2019	29/01/2020	196	1.24%	1.88%	\$5,000,000
National Australia Bank	A1	\$5,000,000	04/09/2019	04/03/2020	182	1.24%	1.62%	\$5,000,000
National Australia Bank	A1	\$5,000,000	09/10/2019	08/04/2020	182	1.24%	1.55%	\$5,000,000
National Australia Bank	A1	\$10,000,000	23/10/2019	01/04/2020	161	2.47%	1.55%	\$10,000,000
National Australia Bank	A1	\$10,000,000	06/11/2019	08/04/2020	154	2.47%	1.43%	\$10,000,000
National Australia Bank	A1	\$5,000,000	27/11/2019	26/02/2020	91	1.24%	1.40%	\$5,000,000
National Australia Bank	A1	\$5,000,000	18/12/2019	20/05/2020	154	1.24%	1.55%	\$5,000,000
NAB- Suncorp FRN	A+	\$2,000,000	12/04/2016	12/04/2021	1826	0.48%	2.32%	\$2,030,535
						12.86%		
ING Direct	A	\$5,000,000	18/12/2018	24/06/2020	554	1.24%	2.70%	\$5,000,000
						1.24%		
Direct Investments (Floating Rate & Fixed Rate Term Deposits -TDs)								
CBA- Bendigo & Adelaide FRN	A-	\$2,000,000	26/02/2016	18/08/2020	1635	0.49%	2.00%	\$2,012,940
CBA - Rabobank FRN	A+	\$2,000,000	04/03/2016	04/03/2021	1826	0.49%	2.40%	\$2,028,260
CBA FRN	AA-	\$1,000,000	18/05/2016	18/05/2021	1826	0.25%	2.38%	\$1,013,760
CBA- Greater Bank FRN	BBB-	\$2,000,000	12/07/2016	12/07/2021	1826	0.49%	2.07%	\$2,032,460
CBA- Greater Bank FRN	BBB-	\$2,000,000	21/11/2016	21/02/2020	1187	0.49%	1.99%	\$2,006,600
CBA- Credit Union Australia FRN	BBB+	\$3,000,000	17/01/2017	17/01/2022	1826	0.75%	1.97%	\$3,049,380
CBA- Rabobank FRN	A+	\$4,000,000	24/02/2017	24/02/2020	1095	0.99%	2.33%	\$4,012,380
CBA- Bendigo & Adelaide FRN	A-	\$2,000,000	03/03/2017	03/03/2022	1826	0.49%	1.97%	\$2,025,440
CBA- ME Bank FRN	BBB+	\$2,750,000	20/03/2017	20/03/2020	1096	0.69%	2.21%	\$2,757,728
CBA- Greater Bank FRN	BBB-	\$2,000,000	25/03/2017	29/05/2020	1161	0.49%	2.29%	\$2,007,540
CBA- AMP FRN	A	\$3,000,000	06/04/2017	06/04/2020	1096	0.75%	2.09%	\$3,004,680
CBA - Heritage Bank FRN	BBB+	\$1,000,000	04/08/2017	29/05/2020	1029	0.25%	2.29%	\$1,003,770
CBA - Newcastle Perm Build Soc FRN	BBB	\$2,000,000	06/10/2017	06/10/2020	1096	0.49%	1.59%	\$1,994,940
CBA FRN	AA-	\$2,000,000	27/11/2017	04/05/2020	889	0.49%	2.23%	\$2,013,000
CBA- Bank of QLD FRN	BBB+	\$2,000,000	29/11/2017	07/04/2020	860	0.49%	2.19%	\$2,003,960
ANZ - Heritage Bank FRN	BBB+	\$1,450,000	04/05/2017	04/05/2020	1096	0.38%	2.23%	\$1,459,103
Bendigo Adelaide Bank Fixed TD	BBB	\$5,000,000	28/08/2019	27/05/2020	273	1.24%	1.60%	\$5,000,000
Bendigo Adelaide Bank Fixed TD	BBB	\$10,000,000	04/09/2019	04/03/2020	182	2.47%	1.60%	\$10,000,000
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FTD= Floating Rate Deposit FRN= Floating Rate Note								
Unlisted Community Bank Shares								
NRMA/AG Shares	Unrated	\$7,552				0.01%		
Bendigo Bank	A2	\$5,000				0.00%		
Total Investments		\$404,212,552				100.00%		
Operating Accounts		\$188,677						
Cash Deposit Accounts		\$22,796,983						
AMP 31 Day Notice Account		\$10,728,549						
Total Investments and Cash		\$437,926,761						
Investment and Cash Flows for Bayside Council:								
	Nov-19	Dec-19	Total Net Movement					
Total Investments	\$405,212,552	\$404,212,552	-\$1,000,000					
Operating Accounts	\$2,805,499	\$188,677	-\$2,616,822					
Cash/Short Term Money Market	\$23,912,479	\$22,796,983	-\$1,115,496					
AMP 31 Day Notice Account	\$10,714,898	\$10,728,549	\$13,651					
TOTAL Investments and Cash:	\$442,645,428	\$437,926,761	-\$4,718,667					
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.								
RODNEY SANJIVI RESPONSIBLE ACCOUNTING OFFICER								

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Credit Ratings

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- * AA - Very strong capacity to meet financial commitments.
- * A - Strong capacity to meet financial commitments, but somewhat more susceptible to adverse economic conditions and changes in circumstances.
- * BBB - Adequate capacity to meet financial commitments with adverse economic conditions or changing circumstances more likely to lead to a weakened capacity of the obligor to meet its financial commitments.
- * BB - Less vulnerable in the near term, but faces uncertainties and exposures to adverse business, financial and economic conditions.
- * B - More vulnerable to non-payment than obligations rated 'BB', but the obligor has the capacity to meet its financial commitment on the obligation.
- * CCC - Currently vulnerable, dependent upon favourable business, financial and economic conditions to meet its financial commitments.
- * CC - Currently highly vulnerable.
- * C - Highly likely to default.

Financial Implications

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

Community Engagement

Not applicable

Attachments

Nil

Council Meeting

12/02/2020

Item No 8.16
Subject **Disclosure of Interest Return**
Report by Michael Mamo, Director City Performance
File SF19/84

Summary

The Code of Conduct now details the requirements in respect of the lodgement of Disclosure of Pecuniary Interest and Other Matters Returns by Councillors and Designated Persons upon commencement at Council, annually, and when there is a change in circumstances disclosed in the Return. It requires any Returns of Interest lodged with the General Manager to be tabled at the first meeting of Council held after the last day of lodgement of the Return.

This report provides information regarding the Return recently lodged with the General Manager by a Designated Person who has recently commenced at Council and has been requested to lodge their Return within three months of starting.

Officer Recommendation

That the information be received and noted.

Background

Clause 4.21 of the Code of Conduct relates to the requirement to lodged written returns.

Clauses 4.24 and 4.25 of the Code of Conduct relates to the register of Disclosure of Interest Returns and the tabling of this Return, which has been lodged by a Designated Person.

As required by Clause 4.24, a register of all Returns lodged by Designated Person in accordance with Clause 4.21 is established by Council.

With regard to Clause 4.25, all Returns lodged by a Designated Person must be tabled at the first Council Meeting held after the last day of the three month lodgement date.

In accordance with Clause 4.21(a), the following Return has been lodged by an employee who has commenced at Council and is a Designated Person.

Position	Return Date	Date Lodged	Lodgement Date
Project Manager Major Projects	01/10/2019	28/11/2019	01/01/2020

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

12/02/2020

Item No	9.1
Subject	Minutes of the Risk & Audit Committee Meeting - 28 November 2019
Report by	Michael Mamo, Director City Performance
File	SF19/9462

Officer Recommendation

That the Minutes of the Risk & Audit Committee meeting held on 28 November 2019 be received and the recommendations therein be adopted.

Summary

The minutes of this Committee do not contain any recommendations that are controversial or that significantly impact on the budget.

Present

Jennifer Whitten, Independent External Member
Lewis Cook, Independent External Member
Catriona Barry, Independent External Member
Barry Munns, Independent External Member Barry Munns
Councillor Liz Barlow
Councillor Scott Morrissey

Also Present

Meredith Wallace, General Manager
Michael Mamo, Director City Performance
Matthew Walker, Manager Finance
Christine Stamper, Communications & Events Lead (from 7pm)
Joe Cavagnino, Manager Procurement & Fleet
Natasha Balderston, Internal Audit
Tracey Maroney, Acting Coordinator Fleet Operations & Stores
David Nolan, Director Financial Audit Services - Audit Office of NSW

The Chairperson opened the meeting in the Level 2 Conference Room at 6.39pm.

1 Acknowledgement of Country

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

2 Apologies

The following apologies were received:

Fausto Sut, Manager Governance & Risk
Luis Melim, Manager Development Assessment
Rodney Sanjivi, Acting Manager Finance

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

4.1 Minutes of the Risk & Audit Committee Meeting - 22 August 2019

Committee Recommendation

That the Minutes of the Risk & Audit Committee meeting held on 22 August 2019 be confirmed as a true record of proceedings.

Item	Action	Responsible Officer
23/05/19 6.1	A report come back to the Committee's November 2019 meeting on Council's Legislative Compliance Framework.	Manager, Governance & Risk
22/8/19 5.4	A report come back to the Committee in six months on the effectiveness of the recommendations of the Rates Management Audit in achieving the identified key improvements.	Manager, Finance
22/8/19 5.6	A report come back to the Committee in six months on the progress in implementing the improvements of the Fraud and Corruption Audit.	Manager Governance & Risk
28/11/19 5.1	Audit report to be lodged in January 2020 to the OLG and then issued to Risk & Audit Committee.	Manager Finance
28/11/19 5.4	Progress on Fleet & Plant audit report and recommendations be provide to the Committee over the next four scheduled meetings.	Internal Auditor

4.2 Minutes of the Extraordinary Risk & Audit Committee Meeting - 24 October 2019

Committee Recommendation

That the Minutes of the Extraordinary Risk & Audit Committee meeting held on 24 October 2019 be confirmed as a true record of proceedings.

5 Reports

5.1 Audited 2018-19 General Purpose Financial Reports and associated schedules and Project 2020 Update

Committee Recommendation

- 1 That the update from the Audit Director be received and noted.
- 2 That the Audited 2018-19 General Purpose Financial Reports be referred to the February 2020 Council Meeting.
- 3 That the Risk & Audit Committee Chair makes a presentation on the Audited 2018-19 General Purpose Financial Reports at the February 2020 Council Meeting.
- 4 That the Risk & Audit Committee members are invited to attend the February 2020 Council Meeting.
- 5 That the update on Project 2020 be received and noted.
- 6 That the Risk & Audit Committee meets on 30 January 2020 to consider the external Audit Report prior to the Council Meeting on 12 February.
- 7 That the work undertaken and completed by Bayside Council to date be acknowledged.

5.2 Final Development Assessment Audit Report

Committee Recommendation

- 1 That the Final Internal Audit report on Development Assessment be received and noted.
- 2 That Internal Audit will follow up and verify the implementation of the recommendations when they become due is noted.

5.3 Final Events Management Audit Report

Committee Recommendation

- 1 That the Final Internal Audit Report on Events Management be received and noted.
- 2 That Internal Audit will follow up and verify the implementation of the recommendations when they become due is noted.

5.4 Fleet and Plant Audit Report - with Management Comments

Committee Recommendation

- 1 That the final Fleet & Plant audit report be received and noted.
- 2 That the recommendation of a restructure of the Fleet & Plant business unit which has been completed to include the Fleet & Stores function as part the Procurement & Fleet business unit is noted.
- 3 That Internal Audit will follow up and verify the implementation of the recommendations when they become due is noted.

5.5 Internal Audit Recommendations - verification of implementations of outstanding recommendations.

Committee Recommendation

- 1 That this report be received and noted.
- 2 That the revised due dates for the recommendations which are overdue are approved.
- 3 That Internal Audit will verify audit recommendations on a bi-annual basis and present the results at the relevant scheduled meetings is noted.

5.6 ICAC Operation Ricco - Verification of Implementation of Outstanding Recommendations

Committee Recommendation

- 1 That the status of implementation of Council's management progress towards finalising the implementation of the Operation Ricco ICAC Action Plan is noted.
- 2 That the audit recommendations were independently reviewed by an audit consultant from BDO is noted.
- 3 That Council's progress update on the implementation of ICAC's Operation Ricco's recommendations will be submitted to ICAC in December 2019 with all actions finalised is noted.

5.7 Internal Audit Program - Progress & Review

Committee Recommendation

- 1 That the report be received and noted.
- 2 That the updated audit program, including the replacement of the Asset Management audit with the Certifications audit be approved.

5.8 Risk Management Overview

Committee Recommendation

That the report be deferred to the February Committee meeting.

6 General Business

6.1 Extended Leave Protocol for Members

Lewis Cook advised he will be travelling from February to August 2020 and unable to attend three scheduled Committee meetings.

Committee Recommendation

- 1 That the leave of absence by Lewis Cook be approved.
- 2 That the Internal Auditor provides advice regarding the protocol should a Committee member be absent for an extended period of time.

7 Next Meeting

An Extraordinary Meeting is to be held in the Level 2 Conference Room at 6:30 pm on Thursday, 30 January 2020.

The Chairperson closed the meeting at 9:05 pm.

Attachments

Nil

Council Meeting

12/02/2020

Item No	9.2
Subject	Minutes of the Extraordinary Risk & Audit Committee Meeting - 30 January 2020
Report by	Michael Mamo, Director City Performance
File	SF19/9462

Officer Recommendation

That the Minutes of the Extraordinary Risk & Audit Committee meeting held on 30 January 2020 be received and the recommendations therein be adopted.

Summary

The subject matter of these minutes, ie the audited financial statements for the period ending 30 June 2019, is also the subject of a separate item on the Council agenda.

Present

Jennifer Whitten, Chairperson and Independent External Member (by Teleconference)
Independent External Member Lewis Cook
Independent External Member Catriona Barry
Independent External Member Barry Munns
Liz Barlow, Councillor

Also Present

Meredith Wallace, General Manager
Michael Mamo, Director City Performance
Fausto Sut, Manager Governance & Risk
Aaron Green, Assistant Auditor General – Audit Office of NSW
Karen Taylor, Audit Director - Audit Office of NSW
Matthew Walker, Project Lead
Rodney Sanjivi, Acting Manager Finance

The Chairperson opened the meeting in the Conference Room, Administration Building Rockdale at 6:30pm.

1 Acknowledgement of Country

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

2 Apologies

The following apologies were received:

Scott Morrissey, Councillor

Natasha Balderston, Internal Auditor

3 Disclosures of Interest

There were no disclosures of interest.

4 Reports

4.1 Audited 2018/19 Financial Statements and Audit Report

Committee Recommendation

- 1 That the finalised 2018/19 Financial Statements and Audit Reports for the year ended 30 June 2019, along with other special purpose reports and the respective Auditor's reports be received and noted.
- 2 That the independent Committee members be invited to attend the Council Meeting of 12 February 2020 and that the Chairperson be invited to speak on the 2018/19 financial statements at the meeting.
- 3 That David Nolan (Audit Director, Audit Office of NSW) be thanked for his work and efforts during his assignment to Bayside Council.

5 General Business

There was no General Business.

6 Next Meeting

That the next meeting be held in the Conference Room, Administration Building Rockdale at 6:30pm on 27 February 2020.

The Chairperson closed the meeting at 7:20 pm.

Attachments

Nil

Council Meeting

12/02/2020

Item No	9.3
Subject	Minutes of the Bayside Traffic Committee Meeting - 5 February 2020
Report by	Michael McCabe, Director City Futures
File	SF19/9462

Officer Recommendation

That the Minutes of the Bayside Traffic Committee meeting held on 5 February 2020 be received and the recommendations therein be adopted.

Present

Councillor Dorothy Rapisardi (Convener),
Traffic Sergeant Sandra Dodd, St George Police Area Command,
Senior Constable Alexander Weissel South Sydney Police Area Command,
Senior Constable Sarah Trivett, South Sydney PAC,
Senior Constable Corinne Dawes, Eastern Beaches PAC,
Senior Constable Matthew Chaplin, St George PAC,
James Suprain, representing Roads and Maritime Services,
Les Crompton, representing State Member for Kogarah,
George Perivolarellis, representing State Members for Rockdale and Heffron,

Also Present

Jeremy Morgan, Manager City Infrastructure, Bayside Council,
Agasteena Patel, Coordinator Traffic and Road Safety, Bayside Council,
Lyn Moore, NSW Pedestrian Council,
Peter Whitney, Transit Systems,
Bushara Gidies, State Transit Authority,
Col Drever, St George Bicycle User Group,
Faisal Nadeem, Project Engineer, Bayside Council, (Item BTC20.003)
Robbie Allen, Transport Planner, Bayside Council
Glen McKeachie, Coordinator Regulations, Bayside Council,
David Carroll, Senior Parking Patrol Officer, Bayside Council,
Malik Almuhanha, Traffic Engineer, Bayside Council,
Erika Pontes, Traffic Engineer, Bayside Council,
Satwinder Saini, Traffic Engineer, Bayside Council
Pat Hill, Traffic Committee Administration Officer, Bayside Council,

The Convenor opened the meeting in the Rockdale Town Hall, Pindari Room, Level 1, 448 Princes Highway, Rockdale at 9:20 am and affirmed that Bayside Council respects the traditional custodians of the land, elders past, present and emerging, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans of the Eora Nation.

1 Apologies

An apology was received from Dean Superina, representing the Office of Michael Daley MP.

2 Disclosures of Interest

Councillor Dorothy Rapisardi declared a Less than Significant Non-Pecuniary Interest in Item BTC20.003 but stated she would remain in the meeting for consideration and voting on the matter.

3 Minutes of Previous Meetings

BTC20.001 Minutes of the Bayside Traffic Committee Meeting - 4 December 2019

Committee Recommendation

That the Minutes of the Bayside Traffic Committee meeting held on 4 December 2019 be confirmed as a true record of proceedings.

4 Reports

BTC20.002 Bryant Street, Rockdale - Proposed extension of 'No parking' restrictions

Committee Recommendation

That approval be given to extend the existing 'No Parking' restriction along the southern kerb line of Bryant Street, Rockdale, by 20m between No.99 and No.109 to improve safety for the moving traffic.

BTC20.003 Haran Street, Mascot design and Linear Park area street signage

Committee Recommendation

- 1 That the civil design for Haran Street is approved.
- 2 That the proposed street signage changes to John Street at the Linear Park frontage (south side) are approved.

BTC20.004 Laycock Street, Bexley North - linemarking approaches to the intersection with Park Street**Committee Recommendation**

That approval be given to install:

- 1 10m (BB) double barrier lines and RPMs at Laycock Street, north of Park Street, Bexley North.
- 2 10m (BB) double barrier lines and RPMs at Laycock Street, south of Park Street, Bexley North.

BTC20.005 Marinea Street, Arncliffe between Avenal Street and Avenal Lane, Arncliffe - Proposed P15 minutes parking**Committee Recommendation**

- 1 That approval be given for the installation of a 12 m 'P15 min 7:30 am – 9:30 am, 3:30 pm – 6 pm, Mon-Fri' along the northern kerb line of Marinea Street between Avenal Street and Avenal Lane, Arncliffe, at the applicant's cost.
- 2 That the applicant be informed that the proposed stand-alone parking restriction will be enforced subject to availability of Council resources based on competing priorities.

BTC20.006 Sutherland Street, Mascot - Proposed removal of disabled parking space**Committee Recommendation**

That the proposed removal of parking space for people with mobility difficulty in front of No. 100 Sutherland Street, Mascot, be approved as it is no longer required.

BTC20.007 Sutherland Street south of King Street, Mascot - Proposed extension of a 'Bus Zone' outside L'Estrange Park**Committee Recommendation**

That the existing Bus Zone be extended from 30m to 40m as follows:

- 1 That the existing 'Bus Zone' restriction on the eastern kerb line of Sutherland Street south of King Street, Mascot, be extended by 5m south of its existing position.
- 2 That the existing 25m 'No Stopping' restriction on the eastern kerb line of Sutherland Street south of King Street be shortened by 5m to allow for the 'Bus Zone' extension.

BTC20.008 Warialda Street south of Queen Victoria Street - detailed drawing for the pedestrian refuge island**Committee Recommendation**

That endorsement be given for the upgrade of existing pedestrian refuge island in Warialda Street, west of Queen Victoria Street as per detailed design drawings.

BTC20.009 Wilsons Road, Bardwell Valley - Proposed 'No Parking' restriction**Committee Recommendation**

That approval be given for the installation of 43m of 'No Parking' restrictions along the cul-de-sac end of Wilsons Road to improve access to driveways and enable safe waste collection.

BTC20.010 Matters referred to the Bayside Traffic Committee by the Chair**Committee Recommendation**

No matters were raised by the Chair to be considered.

BTC20.011 General Business**Committee Recommendation**

- 1 Manager City Infrastructure informed the Committee that the new clearway restrictions along Stoney Creek and Forest Roads will be operational from 17 February 2020. The implementation of necessary signage will start from 13 February 2020.
- 2 Coordinator Traffic and Road Safety raised the issue of implementation of 'No Right Turn' restriction at Frederick Street from Forest Road prior to Christmas without adequate notification to Council and Community. The RMS representative further informed the Committee that the 'No Right Turn' restrictions at the above location as well as Harrow & Bexley Roads and Princes Highway & Forest Road were implemented as part of WestConnex/M5 Project.
- 3 State Transit Authority representative raised the issue of signal phasing at the intersection of Coward Street and Bourke Road with regard to bus priority as a result of the new 'No Right Turn' Mascot at grade intersections project.
- 4 Coordinator Traffic and Road Safety confirmed with the Committee that they endorsed the proposed change to the location of the pedestrian crossing on New Illawarra Road following an electronic voting on the item on the 13 January 2020.

The Convenor closed the meeting at 9:52 am.

Attachments

Nil

Council Meeting

12/02/2020

Item No	10.1
Subject	Rescission Motion - Off Leash Dog Exercise Area Proposal
Submitted by	Bruce Cooke, Coordinator Policy
File	F19/604

Summary

This Motion proposes to rescind the resolution relating to Item 5.5 of the Minutes of the Sport & Recreation Committee Meeting of 26 November 2019 adopted at the Council Meeting held on 11 December 2019 and to move an alternative Motion.

Motion

That Council rescinds the following Council resolution relating to Item 5.5 of the Minutes of the Sport & Recreation Committee Meeting of 26 November 2019 adopted at the Council Meeting held on 11 December 2019:

That the trial of an Off Leash Dog Exercise Area at Mutch Park proceed in accordance with the conditions outlined below:

- 1 Councillor Morrissey proposed a trial Off Leash Dog Exercise Area within a designated zone of Mutch Park, from the northern side of the skate park to Heffron Road between the hours of 4:00 pm - 10:00 am, Monday to Sunday, noting that these times are consistent with the hours for the beach off leash times at Kyeemagh.*
 - 2 The trial would include a 12 month period with an ensuing review and report to the Sport & Recreation Committee for further discussion and consideration.*
 - 3 The trial period will commence once necessary signage, controls and communication have been put in place, with a view to having it in place in the first quarter of 2020.*
 - 4 That monitoring and maintenance at Mutch Park be increased as required to ensure that the Environmental Management Plan with respect to contamination is fully compliant at all times.*
-

Background

The above Rescission Motion has been lodged by Councillors Nagi, Poulos and Tsounis in accordance with Section 372 of the Local Government Act and the Council's Code of Meeting Practice.

In the event of this Motion being adopted the Councillors have given notice that it is their intention to move the following Motion:

That Council continues to explore an appropriate safe location for an additional off-leash dog park that does not pose an environmental risk or a health or safety risk to residents and users of Bayside open space.

Attachments

Nil

Council Meeting

12/02/2020

Subject **Closed Council Meeting**

Summary

This report recommends that the Council Meeting be closed to the press and public in order to consider the items below.

Council's Code of Meeting Practice allows members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Officer Recommendation

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

12.1 CONFIDENTIAL - New Child Care Centre - 2 Garrigarrang Avenue Kogarah - Management Options

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.