

MINUTES

of the **Ordinary Meeting** of
Bayside Council
held in the Rockdale Town Hall, Council Chambers,
Level 1, 448 Princes Highway, Rockdale
on **Wednesday 28 February 2024** at **7:11 pm**

Present

Councillor Bill Saravinovski, Mayor
Councillor Joe Awada, Deputy Mayor
Councillor Liz Barlow
Councillor Christina Curry
Councillor Heidi Lee Douglas
Councillor Ann Fardell
Councillor Mark Hanna
Councillor Jo Jansyn
Councillor Scott Morrissey
Councillor Jennifer Muscat
Councillor Michael Nagi
Councillor Paul Sedrak
Councillor Andrew Tsounis
Councillor Greta Werner

Also Present

Meredith Wallace, General Manager
Colin Clissold, Director City Presentation
Debra Dawson, Director City Life
Peter Barber, Director City Futures
Richard Sheridan, Director City Performance
Warwick Lawrence, Acting Manager Governance & Risk
Joe Cavagnino, Manager Procurement & Fleet (via audio-visual link)
Louise Farrell, Manager City Projects (via audio-visual link)
Josie Hodgson, Acting Manager Property
Lorraine Olmedo, Manager Communications & Engagement
Luke Phillips, Manager Finance (via audio-visual link)
Bryce Spelta, Manager City Infrastructure (via audio-visual link)
Bobbi Mayne, Manager Libraries & Lifestyle
Karen Barrass, Acting Coordinator Governance
Leesa Schibeci, Financial Controller (via audio-visual link)
Christina Chin, Senior Financial Business Partner (via audio-visual link)
Waisale Iowane, Head of Financial Strategy & Reporting (via audio-visual link)
Patrick Cremin, Arts & Culture Specialist (via audio-visual link)
Wolfgang Gill, IT Service Management Officer
Zeljko Erceg, Systems Engineer – Information Technology
Anne Suann, Governance Officer

1 Opening of Meeting

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 Youtube channel, in accordance with Council's Code of Meeting Practice.

2 Acknowledgement of Country

The Mayor affirmed that Bayside Council acknowledges the traditional custodians, the Gadigal and Bidjigal people of the Eora nation, and pays respects Elders past, present and emerging. The people of the Eora nation, their spirits and ancestors will always remain with our waterways and the land, our Mother Earth.

3 Opening Prayer

Father Valentin Mendoza, from St Therese Parish, Mascot, opened the meeting in prayer.

Condolences

Vale George Murray

Councillor Curry conveyed her condolences for the late George Murray who was a long serving Group Leader at Kingsford Smith Scout Group for over 43 years.

Presentations

Presentation of Award to Ms Dyett

The Mayor presented a certificate to Ms Georgette Dyett to recognise her achievements after competing in the 2023 Shotokan Karate-Do International Federation (SKIF) World Karate Championships in Hungary-Gyor and receiving 1st Place in the KATA Senior Women's Division.

Presentation of Award to Mr Massimo Cassino

The Mayor and Councillors Curry Morrissey, Muscat and Jansyn made a presentation to Mr Massimo Cassino, one of the joint winners of the Bayside Sportsperson of the Year for 2024 Award, for his achievements in athletics.

Presentation from The Greek Orthodox Community of NSW – 42nd Greek Festival of Sydney

Councillor Sedrak represented the Mayor at the 42nd Greek Festival of Sydney held at Darling Harbour last weekend. Bayside Council is a major sponsor of the festival.

The following two items were presented to Councillor Sedrak by The Greek Orthodox Community of NSW who presented them to the Mayor at the Council Meeting:

- A framed Certificate of Appreciation
- A glass plaque in appreciation of Bayside Council's valued sponsorship and support of the 42nd Greek Festival of Sydney 2024

4 Apologies and Attendance via audio visual link**Apologies****RESOLUTION**

Minute No. 2024/001

Resolved on the motion of Councillors Nagi and Douglas

That the following apology be received:

- Councillor McDougall

Leave of Absence

There were no applications for Leave of Absence received.

Attendance Via Audio-Visual Link

There were no Council members in attendance via audio-visual link.

5 Disclosures of Interest**Councillor Saravinovski****Item 11.3 CPE24.002 – Proposed Local 11.3 CPE24.002 Planning Agreement – Cooks Cove Planning Proposal**

Councillor Saravinovski declared a Less than Significant Non-Pecuniary Interest in Item 11.3 CPE24.002 on the basis that when he was Mayor at Rockdale City Council (about 15 years ago) he was briefed by the applicant and the staff who were in attendance, but not about this proposal, and stated he would remain in the meeting for consideration and voting on the matter.

Councillor Curry**Item 11.2 CP24.003 - Tender - SSROC T2023-01 Provision of Temporary and Permanent Staffing - Agency, Vendor Systems and Managed Services**

Councillor Curry declared a Less than Significant Non-Pecuniary Interest in Item 11.2 CP24.003 on the basis that she is a Bayside representative to the SSROC, and stated she would remain in the meeting for consideration and voting on the matter.

Councillor Morrissey**Item 11.2 CP24.003 - Tender - SSROC T2023-01 Provision of Temporary and Permanent Staffing - Agency, Vendor Systems and Managed Services**

Councillor Morrissey declared a Less than Significant Non-Pecuniary Interest in Item 11.2 CP24.003 on the basis that he is a Bayside representative to the SSROC, and stated he would remain in the meeting for consideration and voting on the matter.

Councillor Nagi**Item 11.3 CPE24.002 – Proposed Local Planning Agreement – Cooks Cove Planning Proposal**

Councillor Nagi declared that a conflict of duties arises in Item 11.3 CPE24.002 on the basis he is a delegate on the Sydney Eastern City Planning Panel, and stated he would leave the meeting for consideration and voting on the matter.

Item 11.3 CPE24.004 – Draft Submission on Planning Proposal – 776 & 792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot (Land & Housing Corporation Site)

Councillor Nagi declared that a conflict of duties arises in Item 11.3 CPE24.004 on the basis he is a delegate on the Sydney Eastern City Planning Panel, and stated he would leave the meeting for consideration and voting on the matter.

Councillor Awada**Item 11.3 CPE24.002 – Proposed Local Planning Agreement – Cooks Cove Planning Proposal**

Councillor Awada declared that a conflict of duties arises in Item 11.3 CPE24.002 on the basis he is a delegate on the Sydney Eastern City Planning Panel, and stated he would leave the meeting for consideration and voting on the matter.

Item 11.3 CPE24.004 – Draft Submission on Planning Proposal – 776 & 792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot (Land & Housing Corporation Site)

Councillor Awada declared that a conflict of duties arises in Item 11.3 CPE24.004 on the basis he is a delegate on the Sydney Eastern City Planning Panel, and stated he would leave the meeting for consideration and voting on the matter.

Councillor Hanna**Item 10.12 – Late Item – Aquatic Centres - Cash Facilities - Progress Report**

Councillor Hanna declared a Less than Significant Non-Pecuniary Interest in Item 10.12 on the basis that he is a Foundation Member of the Angelo Anestis Aquatic Centre, and stated he would remain in the meeting for consideration and voting on the matter.

Councillor Douglas**Item 7.2 – Mayoral Minute - Update on Fixed Speed & Noise Cameras**

Councillor Douglas declared a Less than Significant Non-Pecuniary Interest in Item 7.2 on the basis of perception as she is a member of Peaceful Bayside, a group that advocates for safer streets across the whole Bayside LGA, and stated she would remain in the Chamber for consideration and voting on the matter.

Item 10.6 – Arts and Culture Strategy - Additional Information to Item CS24.004

Councillor Douglas declared a Less than Significant Non-Pecuniary Interest in Item 10.6 on the basis that she has worked in the creative industry, and stated she would remain in the Chamber for consideration and voting on the matter.

Item 11.1 CS24.002 - Bay Street Trial Closure - Final Report

Councillor Douglas declared a Less than Significant Non-Pecuniary Interest in Item 11.1 CS24.002 on the basis of perception as she is a member of Peaceful Bayside, a group that advocates for safer streets across the whole Bayside LGA, and stated she would remain in the Chamber for consideration and voting on the matter.

Item 11.1 CS24.004 – Arts and Culture Strategy

Councillor Douglas declared a Less than Significant Non-Pecuniary Interest in Item 11.1 CS24.004 on the basis that she has worked in the creative industry, and stated she would remain in the Chamber for consideration and voting on the matter.

Item 11.4 BTC23.155 – Bestic Street, Kyeemagh - Raised dual pedestrian and cycleway crossing

Councillor Douglas declared a Less than Significant Non-Pecuniary Interest in Item 11.4 BTC23.155 on the basis of perception as she is a member of Peaceful Bayside, a group that advocates for safer streets across the whole Bayside LGA, and stated she would remain in the Chamber for consideration and voting on the matter.

Item 11.4 BTC23.162 – Riverside Drive, Sans Souci - Proposed Raised Pedestrian Crossing

Councillor Douglas declared a Less than Significant Non-Pecuniary Interest in Item 11.4 BTC23.162 on the basis of perception as she is a member of Peaceful Bayside, a group that advocates for safer streets across the whole Bayside LGA, and stated she would remain in the Chamber for consideration and voting on the matter.

Item 12.3 – Notice of Motion - State Resources for Cooks River

Councillor Douglas declared a Less than Significant Non-Pecuniary Interest in Item 12.3 on the basis that she is a founder of the Bayside Paddle Group, and stated she would remain in the Chamber for consideration and voting on the matter.

Item 12.6 – Notice of Motion - Crush the Cars

Councillor Douglas declared a Less than Significant Non-Pecuniary Interest in Item 12.6 on the basis of perception as she is a member of Peaceful Bayside, a group that advocates for safer streets across the whole Bayside LGA, and stated she would remain in the Chamber for consideration and voting on the matter.

6 Minutes of Previous Meetings

6.1 Minutes of the Council Meeting - 22 November 2023

RESOLUTION

Minute No. 2024/002

Resolved on the motion of Councillors Jansyn and Nagi

That the Minutes of the Council Meeting held on 22 November 2023 be confirmed as a true record of proceedings.

6.2 Minutes of the Extraordinary Council Meeting - 6 December 2023

RESOLUTION

Minute No. 2024/003

Resolved on the motion of Councillors Jansyn and Nagi

That the Minutes of the Extraordinary Council Meeting held on 6 December 2023 be confirmed as a true record of proceedings.

7 Mayoral Minutes

7.1 Mayoral Minute - Cost Shifting onto Local Government

RESOLUTION

Minute No. 2024/004

Resolved on the motion of Councillor Saravinovski

- 1 That Council receives and notes the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year.
- 2 That Council writes to the Premier, the NSW Treasurer and the NSW Minister for Local Government thanking them for instigating an Upper House Parliamentary Inquiry into how Councils are funded, cost shifting and the impacts of rate capping.

7.2 Mayoral Minute - Update on Fixed Speed & Noise Cameras

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

RESOLUTION

Minute No. 2024/005

Resolved on the motion of Councillors Nagi and Douglas

That Council receives and notes the update on the fixed speed cameras and noise camera trial.

7.3 Mayoral Minute - Reviewing Visual Aspects of how Bayside celebrates Christmas

RESOLUTION

Minute No. 2024/006

Resolved on the motion of Councillors Nagi and Tsounis

That Council conducts a review of all decorations to be utilised for Christmas 2024, including budget considerations prior to the adoption of the 2024/25 Operational Plan and Budget.

7.4 Mayoral Minute - Councillor Planning Workshop

RESOLUTION

Minute No. 2024/007

Resolved on the motion of Councillors Nagi and Morrissey

That Councillors and staff involved in the preparation and delivery of the recent Councillor Workshop be acknowledged for their contribution and for their commitment and dedication to the Bayside community.

7.5 Supplementary - Mayoral Minute - Bexley Chamber of Commerce 100 Years

RESOLUTION

Minute No. 2024/008

Resolved on the motion of Councillors Tsounis and Nagi

That Council acknowledges and congratulates Bexley Chamber of Commerce on its 100th anniversary.

8 Items by Exception

Procedural Motion

RESOLUTION

Minute No. 2024/009

Resolved on the motion of Councillors Morrissey and Curry

That the order of business be altered to allow Council to deal with the items by exception.

Multiple Business Items

RESOLUTION

Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the recommendations included in the business paper for the following items be adopted:

- 10.2 M6 Stage 1 Project Exclusive Possession part Lot 4 DP1189311
- 10.8 Statutory Financial Report - January 2024
- 10.10 Response to Question - Riverine Park Landscape Masterplan Development
- 10.11 Response to Question - EOI for the mural projects on the Mascot and Botany public amenities blocks
- 11.1 Minutes of the City Services Committee Meeting - 7 February 2024
 - CS24.001 LGBTQ Inclusion Forum - post-event actions
 - CS24.004 Arts and Culture Strategy
- 11.2 Minutes of the Corporate Performance Committee Meeting - 7 February 2024
 - CP24.001 Tender - Kingsgrove Ave Reserve Amenities
 - CP24.002 Tender - Bus Shelter Advertising
 - CP24.003 Tender - SSROC T2023-01 Provision of Temporary and Permanent Staffing - Agency, Vendor Systems and Managed Services
 - CP24.004 Customer Experience Strategy Exhibition Results and Update

- 11.3 Minutes of the City Planning & Environment Committee Meeting - 14 February 2024
- CPE24.001 Draft Submission on NSW Government's Transport Oriented Development Program
 - CPE24.003 Western Sydney International Airport Flightpaths EIS - Draft Submission
 - CPE24.007 Draft Submission to NSW Department of Planning and Environment - State Significant Development at 26-42 Eden Street & 161-179 Princes Highway, Arncliffe (SSD-11429726)
 - CPE24.009 NSW Government Proposed Reforms to Outdoor Dining on Private Land and Live Music Venues
- 11.4 Minutes of the Bayside Traffic Committee Meeting - 13 December 2023
- BTC23.154 Recommendation for the Installation of a designated Accessible Parking Space on Arncliffe Street, Wolli Creek
 - BTC23.155 Bestic Street, Kyeemagh - Raised dual pedestrian and cycleway crossing
 - BTC23.156 Cadia Street, Kogarah - Proposed conversion of 'No Stopping 8 am - 9:30 am and 2:30 pm - 4 pm School Days' to 'No Stopping' restrictions in cul-de-sac
 - BTC23.157 Dillon Street, Ramsgate - Proposed 10m Works Zone for 31 Weeks
 - BTC23.158 Gordon Street, Rosebery - Proposed 'Motor Bikes Only' Parking and Line Marked Bays Along Short Kerb Section
 - BTC23.159 338-342 King Street, Mascot - Proposed 33m Works Zone for 15 Weeks
 - BTC23.160 Leicester Street intersections with Albert Street and Regent Street, Bexley - 10m Statutory 'No Stopping' restrictions
 - BTC23.161 Monahan Avenue, Banksia - Proposed 'No Parking 6am-10am Thursday' restriction
 - BTC23.162 Riverside Drive, Sans Souci - Proposed Raised Pedestrian Crossing
 - BTC23.163 1A Willison Road, Carlton - Proposed 11m Works Zone for 12 Weeks
 - BTC23.164 Update on Outstanding Matters Referred to the Bayside Traffic Committee by the Chair
 - BTC23.165 Matters referred to the Bayside Traffic Committee by the Chair
 - BTC23.166 General Business
- 11.5 Minutes of the Bayside Traffic Committee Meeting - 14 February 2024
- BTC24.001 Banks Avenue, Daceyville - Proposed Timed 'No Parking' Restrictions

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| BTC24.004 | 8 Hardie Street, Mascot - Proposed '1P' Parking Restriction |
| BTC24.005 | 84 High Street, Mascot - Renewal of 10m Works Zone for 18 Weeks from 31 March 2024 |
| BTC24.007 | Jacobson Avenue, Kyeemagh - Modification to full time Bus Zone |
| BTC24.008 | 338-342 King Street, Mascot - Renewal of 33m Works Zone for 11 Weeks from 12 March 2023 |
| BTC24.009 | King Street & King Lane, Rockdale - Proposed Trial Road Closure & Modification to One-Way Traffic Arrangement |
| BTC24.010 | McPherson Street, Banksmeadow - Proposed sections of 'No Parking' restrictions |
| BTC24.011 | Pemberton Street, Botany - Proposed Double BB Line Marking |
| BTC24.012 | Railway Street, Rockdale - Proposed Changes to Parking Restrictions |
| BTC24.013 | 111 Ramsgate Road, Ramsgate - Proposed '1P' Parking Restriction |
| BTC24.014 | Ramsgate Road and Dillon Street, Ramsgate - Proposed Changes to Existing Parking and Extension of One-Way Arrangement |
| BTC24.015 | Tenterden Road, Botany - Proposed Parking Restrictions |
| BTC24.016 | 10 Tingwell Boulevard, Eastgardens - Request for 70m Works Zone on Banks Avenue |
| BTC24.017 | Traffic congestion at intersection of Princes Highway and Brodie Spark Drive Intersection |
| BTC24.018 | Update on Outstanding Matters Referred to the Bayside Traffic Committee by the Chair |
| BTC24.019 | Matters referred to the Bayside Traffic Committee by the Chair |
| BTC24.020 | General Business |
- 11.6 Minutes of the Audit Risk & Improvement Committee Meeting - 21 November 2023
- 11.7 Minutes of the Botany Historical Trust Meeting - 6 November 2023

9 Public Forum

12.6 Notice of Motion - Crush the Car

The following person spoke at the meeting:

- Mr Daniel Begley, affected neighbour, speaking for the Motion (via audio-visual link).

BTC24.006 Intersection of Sutherland Street and Lyon Street, Mascot - Proposed 10m Statutory 'No Stopping' Restrictions

The following person spoke at the meeting:

- Mr Chris Kintis, interested resident, speaking against the Committee Recommendation.

10 Reports to Council**10.1 Draft Submission on NSW Government's Transport Oriented Development Program - Additional Information to Item CPE24.001****RESOLUTION**

Minute No. 2024/013

Resolved on the motion of Councillors Saravinovski and Morrissey

- 1 That Council notes Item CPE.001 in the Minutes of the City Planning & Environment Committee held on 7 February 2024.
- 2 That Council endorses the draft submission to the NSW Department of Planning, Housing and Infrastructure in response to the targeted consultation on the Transport Oriented Development Program, including the additional amendments as marked in Attachment 1 to the report.
- 3 That a copy of Council's submission be sent to all Local Members of Parliament.

10.2 M6 Stage 1 Project Exclusive Possession part Lot 4 DP1189311**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That Council provides exclusive possession of part of Lot 4 in DP 1189311 at no cost to TfNSW for the period commencing 1 March 2024 for 3 years, to construct the Active Transport Corridor.

10.3 Quarterly Budget Review Statement - December 2023

RESOLUTION

Minute No. 2024/014

Resolved on the motion of Councillors Morrissey and Curry

That the Quarterly Budget Review Statements will remain unchanged and a further budget review be tabled at the next Corporate Performance Committee and then reported back to the March Council Meeting for consideration.

10.4 Australian Local Government Association (ALGA) National General Assembly 2024 - Calling for Notices of Motion and Councillor Attendance

RESOLUTION

Minute No. 2024/015

Resolved on the motion of Councillors Morrissey and Curry

- 1 That the Mayor and Deputy Mayor be authorised to attend the 2024 National General Assembly and associated functions.
- 2 That the Mayor be authorised to attend the Australian Council of Local Government function on 5 July 2024.
- 3 That Councillors Curry and Jansyn (and any other interested Councillors) attend (either at the venue in Canberra or virtually) the 2024 National General Assembly and associated functions.
- 4 That the Councillors endorsed to attend be registered to attend the 2024 National General Assembly and associated functions in Canberra or virtually on 2-4 July 2024, in accordance with the Expenses & Facilities Policy.
- 5 That the Mayor or his nominee be the voting delegate for the motions considered by the Assembly.
- 6 That any notice of motion for submission to the National General Assembly be brought to the Ordinary Council Meeting on 27 March 2024 for consideration and determination.

10.5 Waste Conference 2024 - Call for Nominations to Attend

RESOLUTION

Minute No. 2024/016

Resolved on the motion of Councillors Saravinovski and Nagi

- 1 That Councillors Nagi and Muscat (and any other interested Councillors) attend the annual Waste Conference in Coffs Harbour from Tuesday 14 May – Thursday 16 May 2024.
- 2 That Councillors registered to attend have their attendance recorded against their Professional Development Plans for 2024 and be required to provide an Attendance Report to Council, as soon as possible after the conference.

10.6 Arts and Culture Strategy - Additional Information to Item CS24.004

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

RESOLUTION

Minute No. 2024/017

Resolved on the motion of Councillors Jansyn and Morrissey

- 1 That Council notes Item CS24.004 in the Minutes of the City Services Committee held on 7 February 2024.
- 2 That Council adopts the Strategy attached to the report.

10.7 LGBTQ Inclusion Forum Outcomes - Additional Information to Item CS24.001

RESOLUTION

Minute No. 2024/018

Resolved on the motion of Councillors Werner and Jansyn

- 1 That Council notes Item CS24.001 in the Minutes of the City Services Committee held on 7 February 2024.
- 2 That Council endorses the recommended actions listed in this report.

10.8 Statutory Financial Report - January 2024

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

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

10.9 Progress Report on Councillor Notices of Motion**RESOLUTION**

Minute No. 2024/019

Resolved on the motion of Councillors Curry and Morrissey

That the Progress Report on Councillor Notices of Motion be noted and all future reports to include the Council Resolution for each item.

10.10 Response to Question - Riverine Park Landscape Masterplan Development

The response was received.

10.11 Response to Question - EOI for the mural projects on the Mascot and Botany public amenities blocks

The response was received.

10.12 Late Item - Aquatic Centres - Cash Facilities - Progress Report

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

RESOLUTION

Minute No. 2024/020

Resolved on the motion of Councillors Saravinovski and Tsounis

- 1 That Council notes that 'Load and Go Kiosks' present a potential long term solution to the cash handling issues described in this report but require further investigation.
- 2 That Council introduces cash transactions for all transactions at the Angelo Anestis Aquatic Centre.

Procedural Motion – Adjournment of Meeting

Councillor Saravinovski adjourned the meeting at 9.29 pm for 10 minutes to allow Councillors and the public to take a break.

The meeting reconvened at 9:39 pm with all Councillors who were previously present.

11 Minutes and Reports of Committees

11.1 Minutes of the City Services Committee Meeting - 7 February 2024

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Minutes of the City Services Committee meeting held on 7 February 2024 be received and the recommendations therein be adopted with the exception of Items 11.1 CS24.002 and 11.1 CS24.003 which were separately dealt with.

11.1 CS24.001 LGBTQ Inclusion Forum - post-event actions

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council endorses the recommended actions listed in this report.
- 2 That the language in the recommended actions be strengthened to reflect Council's commitment and an update be provided at Council's meeting of 28 February 2024 and a timeline be provided.

11.1 CS24.002 Bay Street Trial Closure - Final Report

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

RESOLUTION

Minute No. 2024/021

Resolved on the motion of Councillors Tsounis and Sedrak

- 1 That Council receives and notes this report.
- 2 That officers brief Council on the expenditure for this event.

11.1 CS24.003 Wild Things and Gardens for Wildlife Programs

RESOLUTION

Minute No. 2024/022

Resolved on the motion of Councillors Morrissey and Jansyn

That this item be deferred to the next City Services Committee for consideration.

11.1 CS24.004 Arts and Culture Strategy

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

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council notes the Engagement Report outlining community feedback during the consultation and public exhibition period.
- 2 That Council adopts the amended Arts and Culture Strategy 2024-2029, subject to a reworking of the introduction, which can be presented at the 28 February 2024 Council Meeting.

11.2 Minutes of the Corporate Performance Committee Meeting - 7 February 2024

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Minutes of the Corporate Performance Committee meeting held on 7 February 2024 be received and the recommendations therein be adopted.

11.2 CP24.001 Tender - Kingsgrove Ave Reserve Amenities

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That the attachment/s 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)(ii) of the Local Government Act 1993, the attachment relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That in accordance with Regulation 178 (1) (a) of the Local Government (General) Regulations 2005, Council accepts the Tender from Carfax Commercial Constructions Pty Ltd for the contract F23/690 being the Kingsgrove Ave Reserve Amenities for the amount of \$1,969,165 exclusive of GST.
- 3 That additional funding of \$400,000 be allocated from the Infrastructure Levy Reserve to allow for the Lump Sum works (Building A) to proceed.

11.2 CP24.002 Tender - Bus Shelter Advertising

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That the attachment/s 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) General of the Local Government Act 1993, the attachment relates to the matters in this report are confidential, as it is considered that it is in the public interest that they not be disclosed to the public. In accordance with the Code of Conduct, the matters and the information contained within this report must not be discussed with or disclosed to any person who is not a member of the meeting or otherwise authorised.

- 2 That Council awards the Bus Shelter Advertising Tender contract to Claude Outdoor Pty Ltd.
- 3 That Council officers discuss with supplier additional shelters as per Council's request.
- 4 That Council investigates the impacts of privatisation on the maintenance of existing bus shelters.

11.2 CP24.003 Tender - SSROC T2023-01 Provision of Temporary and Permanent Staffing - Agency, Vendor Systems and Managed Services

Councillors Curry and Morrissey had previously declared a Less than Significant Non-Pecuniary Interest.

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

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 the decision by the SSROC tender evaluation panel to establish panels of contractors, as detailed in the body of the report, be endorsed.

11.2 CP24.004 Customer Experience Strategy Exhibition Results and Update

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That the report is received and noted.
- 2 That the Customer Experience Strategy, Policy and Charter be endorsed.

11.3 Minutes of the City Planning & Environment Committee Meeting - 14 February 2024

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Minutes of the City Planning & Environment Committee meeting held on 14

February 2024 be received and the recommendations therein be adopted with the exception of Items 11.3 CPE24.002, 11.3 CPE24.004, 11.3 CPE24.005, 11.3 CPE24.006 and 11.3 CPE24.008 which were separately dealt with.

11.3 CPE24.001 Draft Submission on NSW Government's Transport Oriented Development Program

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council endorses the draft submission to the NSW Department of Planning, Housing and Infrastructure in response to the targeted consultation on the Transport Orientated Development Program.
- 2 That feedback be provided to the Director City Futures by 5:00 pm on Tuesday, 20 February 2024 and that this feedback be included in the submission. A marked up version to also be provided to Councillors prior to the February meeting of Council.

11.3 CPE24.002 Proposed Local Planning Agreement - Cooks Cove Planning Proposal

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

Councillor Awada had previously declared a conflict of duties, and left the meeting for consideration of, and voting on, this item.

Councillor Nagi had previously declared a conflict of duties, and left the meeting for consideration of, and voting on, this item.

RESOLUTION

Minute No. 2024/023

Resolved on the motion of Councillors Tsounis and Barlow

- 1 That Council endorses the offer to enter into a Planning Agreement with Cooks Cove Inlet Pty Ltd for local infrastructure and development contributions resulting from the Cooks Cove Planning Proposal as detailed in this report.
- 2 That the final Draft Planning Agreement be publicly exhibited in accordance with legislative requirements.
- 3 That the General Manager and delegate(s) are authorised to negotiate and finalise all documentation necessary following the conclusion of the public exhibition period, taking into consideration any submissions.

- 4 That the final Planning Agreement be reported back to Council before execution.

Division (Planning Matter)

For: Councillors Saravinovski, Curry, Morrissey, Muscat, Fardell, Jansyn, Tsounis, Barlow, Hanna, Douglas and Sedrak

Against: Councillor Werner

The Motion was declared carried.

**11.3 CPE24.003 Western Sydney International Airport Flightpaths EIS
- Draft Submission**

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That Council endorses the attached draft submission in relation to the exhibited *Environmental Impact Statement for Western Sydney International (Nancy-Bird Walton) Airport - Airspace and flight path design*.

11.3 CPE24.004 Draft Submission on Planning Proposal - 776 & 792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot (Land & Housing Corporation Site)

Councillor Awada had previously declared a conflict of duties, and left the meeting for consideration of, and voting on, this item.

Councillor Nagi had previously declared a conflict of duties, and left the meeting for consideration of, and voting on, this item.

RESOLUTION

Minute No. 2024/024

Resolved on the motion of Councillors Fardell and Saravinovski

That the draft submission (Attachment 1 to the report) in response to the Planning Proposal for 776 & 792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot be endorsed and formally submitted to the NSW Department of Planning, Housing and Infrastructure.

Division (Planning Matter)

For: Councillors Saravinovski, Curry, Morrissey, Muscat, Fardell, Jansyn, Tsounis,

Hanna, Douglas and Sedrak

Against: Councillors Werner and Barlow (abstention)

The Motion was declared carried.

**11.3 CPE24.005 Pre-Gateway Report: Draft Planning Proposal at
Wentworth Avenue, Eastlakes (Land Occupied by
Pedestrian Bridge)**

RESOLUTION

Minute No. 2024/025

Resolved on the motion of Councillors Jansyn and Morrissey

- 1 That Council notes the advice of the Bayside Local Planning Panel.
- 2 That Council:
 - a) endorses the draft Planning Proposal for the inclusion of *Signage* as an Additional Permitted Use for the extent of land occupied by the pedestrian bridge over Wentworth Avenue, Eastlakes;
 - b) forwards the draft Planning Proposal and supporting documents to the Department of Planning, Housing and Infrastructure for a Gateway Determination with a request that Council be authorised as the Local Plan Making Authority (LPMA);
 - c) delegates authority to the General Manager to make any amendments to the Planning Proposal and supporting documents prior to public exhibition;
 - d) subject to receiving a Gateway determination from the Department of Planning, Housing and Infrastructure, and satisfying any conditions, proceeds to public exhibition for community and stakeholder input; and
 - e) considers a further report following the results of public exhibition to consider any submissions received, and any changes to the draft Planning Proposal arising from the exhibition process.

Division (Planning Matter)

For: Councillors Saravinovski, Curry, Morrissey, Muscat, Fardell, Jansyn, Nagi, Tsounis, Werner, Awada, Barlow, Hanna, Douglas and Sedrak

The Motion was declared carried.

**11.3 CPE24.006 Post Exhibition Report - Concept Design:
Banksia/Arncliffe to Barton and Riverine Park
Pedestrian and Cycle Link**

RESOLUTION

Minute No. 2024/026

Resolved on the motion of Councillors Douglas and Werner

- 1 That the exhibited design for the Arncliffe to Barton and Riverine Park Pedestrian and cycle links project is endorsed.
- 2 That the Banksia/Arncliffe to Barton and Riverine Park Pedestrian and cycle links project proceeds to the detail design phase.
- 3 That all contributors to the engagement process be advised of the Council's decision and thanked for their submissions.

**11.3 CPE24.007 Draft Submission to NSW Department of Planning
and Environment - State Significant Development at
26-42 Eden Street & 161-179 Princes Highway,
Arncliffe (SSD-11429726)**

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That Council endorses the draft submission in relation to Modification 3 for the State Significant Development Application (SSDA) for 26-42 Eden Street and 161-179 Princes Highway, Arncliffe.

**11.3 CPE24.008 Post Exhibition Report - Planning Proposal for
Housekeeping and Other Amendments to the Bayside
LEP 2021**

RESOLUTION

Minute No. 2024/027

Resolved on the motion of Councillors Jansyn and Sedrak

- 1 That Council notes the submission received during exhibition of the Planning Proposal.
- 2 That Council proceeds with the Planning Proposal and forwards it to the Department of Planning, Housing and Infrastructure, as the Local Plan Making Authority, requesting that the LEP amendment be finalised.

- 3 That Council notes the Department of Planning, Housing and Infrastructure, as the Local Plan Making Authority, will determine whether the Planning Proposal will proceed, pursuant to Section 3.36 of the *Environmental Planning and Assessment Act 1979*.

Division (Planning Matter)

For: Councillors Saravinovski, Curry, Morrissey, Muscat, Fardell, Jansyn, Nagi, Tsounis, Werner, Awada, Hanna, Douglas and Sedrak

Against: Councillor Barlow (abstention)

The Motion was declared carried.

11.3 CPE24.009 NSW Government Proposed Reforms to Outdoor Dining on Private Land and Live Music Venues

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That Council endorses the submission made on 15 November 2023 to the Department of Planning, Housing and Infrastructure in relation to the proposed reforms to Outdoor Dining on Private Land and Live Music Venues, noting that a number of the proposed reforms have already been finalised and implemented by the State Government.

11.4 Minutes of the Bayside Traffic Committee Meeting - 13 December 2023

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Minutes of the Bayside Traffic Committee meeting held on 13 December 2023 be received and the recommendations therein be adopted.

11.4 BTC23.154 Recommendation for the Installation of a designated Accessible Parking Space on Arncliffe Street, Wolli Creek

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That approval be given to the installation of a designated accessible parking space on Arncliffe Street, Wolli Creek, as indicated in the attached plan.

11.4 BTC23.155 Bestic Street, Kyeemagh - Raised dual pedestrian and cycleway crossing

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

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That a dual pedestrian and cycleway raised crossing is constructed in Bestic Street, Kyeemagh (in front of No.93 Bestic Street).
- 2 That a pram ramp is installed in Francis Avenue to allow Cyclists to safely manoeuvre the intersection with Bestic Street.
- 3 That lighting is designed and installed over the new dual pedestrian and cycleway raised crossing as per the required lighting standard.

11.4 BTC23.156 Cadia Street, Kogarah - Proposed conversion of 'No Stopping 8 am - 9:30 am and 2:30 pm - 4 pm School Days' to 'No Stopping' restrictions in cul-de-sac

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That approval be given to the proposed conversion of 'No Stopping 8 am - 9:30 am and 2:30 pm - 4 pm School Days' to full time 'No Stopping' restrictions in the cul-de-sac, as per attached drawings.

11.4 BTC23.157 Dillon Street, Ramsgate - Proposed 10m Works Zone for 31 Weeks

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given to the installation of a 10m 'Works Zone, 7 am – 5 pm, Mon – Fri and 8 am – 1 pm Sat' restriction along the southern kerb line of Dillon Street, for the duration of 31 weeks, subject to relevant conditions.
- 2 That the applicant must ensure that construction vehicles do not queue within Dillon Street or any other local roads in the vicinity especially concrete trucks during the construction period waiting to deliver goods to the site.
- 3 That approval not be given to the movement of 'Heavy Rigid Vehicles' due to constraint in the existing road infrastructure and be limited to 'Medium Rigid Vehicle'.
- 4 That the applicant notifies Council 6 Weeks in advance of required extension to the 31 week 'Works Zone'.
- 5 That the applicant notifies the adjacent properties of the approved Works Zone and provides a copy to Council for record.

11.4 BTC23.158 Gordon Street, Rosebery - Proposed 'Motor Bikes Only' Parking and Line Marked Bays Along Short Kerb Section

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given for the kerb to be utilised for the provision of two (2) line marked motorbike parking bays, 2.5m x 1.2m each.
- 2 That approval be given for the signposting of a 2.4m wide 'Motor Bikes Only' parking zone.

11.4 BTC23.159 338-342 King Street, Mascot - Proposed 33m Works Zone for 15 Weeks

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given to the installation of a 33m 'Works Zone, 7 am – 5 pm, Mon – Fri and 8 am – 1 pm Sat' restriction along the southern kerb line of King Street, for the duration of 15 weeks, subject to relevant conditions.
- 2 That applicant must ensure that construction vehicles do not queue within King Street or any other local roads in the vicinity especially concrete trucks during

the construction period waiting to deliver goods to the site.

- 3 That the existing parking restrictions in King Street not be changed on account of this proposal and two-way traffic flow be maintained in King Street at all times unless separate road occupancy approvals have been obtained through Council's Public Domain and Referrals team.
- 4 That the developer and associated sub-contractors notify Council's Traffic and Road Safety Team of any proposed applications through the 'National Heavy Vehicle Regulator' authority.
- 5 That the developer and associated sub-contractors comply with conditions imposed by the 'National Heavy Vehicle Regulator' approved Permits.
- 6 That the applicant notifies Council 6 Weeks in advance of required extension to the 36 week 'Works Zone'.
- 7 That the applicant notifies the adjacent properties of the approved Works Zone and provides a copy to Council for record.

11.4 BTC23.160 Leicester Street intersections with Albert Street and Regent Street, Bexley - 10m Statutory 'No Stopping' restrictions

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the proposed 'No Stopping' signage, as indicated on the attached plan, be approved.

11.4 BTC23.161 Monahan Avenue, Banksia - Proposed 'No Parking 6am-10am Thursday' restriction

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That approval be given to the proposed installation of 'No Parking 6 am – 10 am Thursday' restriction at the cul-de-sac end of Monahan Avenue, Banksia, as per the attached drawing.

11.4 BTC23.162 Riverside Drive, Sans Souci - Proposed Raised Pedestrian Crossing

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

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That approval be given to the proposed installation of a raised pedestrian crossing with associated signs and linemarking, as per attached drawings, to improve pedestrian safety at this location.

11.4 BTC23.163 1A Willison Road, Carlton - Proposed 11m Works Zone for 12 Weeks**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given to the installation of a 11m 'Works Zone, 7 am – 5 pm, Mon – Fri and 8 am – 1 pm Sat' restriction along the southern kerb line of Willison Road, for the duration of 12 weeks, subject to relevant conditions.
- 2 That the applicant must ensure that construction vehicles do not queue within Willison Road or any other local roads in the vicinity especially concrete trucks during the construction period waiting to deliver goods to the site.
- 3 That the two-way traffic flow be maintained in Willison Road at all times unless separate road occupancy approvals have been obtained through Council's Public Domain and Referrals team.
- 4 That approval be given to limit the movement of heavy vehicle till Heavy Rigid Vehicle due to constraint in existing road infrastructure.
- 5 That the applicant notifies Council 6 Weeks in advance of required extension to the 42 week 'Works Zone'.
- 6 That the applicant notifies the adjacent properties of the approved Works Zone and provides a copy to Council for record.

11.4 BTC23.164 Update on Outstanding Matters Referred to the Bayside Traffic Committee by the Chair**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the update on outstanding matters referred to the Bayside Traffic Committee by the Chair be noted.

11.4 BTC23.165 Matters referred to the Bayside Traffic Committee by the Chair**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the matters raised by the Chair be received, noted and action taken as necessary.

11.4 BTC23.166 General Business**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Chair confer with formal Committee members on Items without notice.

11.5 Minutes of the Bayside Traffic Committee Meeting - 14 February 2024**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Minutes of the Bayside Traffic Committee meeting held on 14 February 2024 be received and the recommendations therein be adopted with the exception of Items 11.4 BTC24.002, 11.4 BTC24.003 and 11.4 BTC24.006 which were separately dealt with.

11.5 BTC24.001 Banks Avenue, Daceyville - Proposed Timed 'No Parking' Restrictions

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That approval be given to the proposed conversion of 20-metre unrestricted parking to 'No Parking 8 am – 9:30 am and 2:30 pm – 4 pm School Days' restrictions along Banks Avenue, Daceyville, between the southern driveway of Hartford College and Gwea Avenue.

11.5 BTC24.002 Banksia Bridge (Railway St) Parapet Traffic Protection

RESOLUTION

Minute No. 2024/028

Resolved on the motion of Councillors Werner and Tsounis

That approval be provided for the upgrade of Railway Street, Banksia, near the Banksia Bridge, as per the drawings attached to the report.

11.5 BTC24.003 Bexley North Toilet Amenities Demolition - Installation of Loading Zone Signage

RESOLUTION

Minute No. 2024/029

Resolved on the motion of Councillors Barlow and Tsounis

That approval be given for the installation of a 'Loading Zone' on Shaw Lane, outside the Bexley North Library, as per the drawing attached to the report.

11.5 BTC24.004 8 Hardie Street, Mascot - Proposed '1P' Parking Restriction

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given for the installation of '1P' parking restrictions in Hardie Street, Bexley, as per the attached drawing.
- 2 That the applicant be informed that enforcement will be carried out subject to availability of resources.

11.5 BTC24.005 84 High Street, Mascot - Renewal of 10m Works Zone for 18 Weeks from 31 March 2024

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given to the installation of a 10m 'Works Zone, 7 am – 5 pm, Mon – Fri and 8 am – 1 pm Sat' restrictions along the southern kerb line of 84 High Street, Mascot, for the duration of 26 weeks, subject to relevant conditions.
- 2 That the applicant must ensure that construction vehicles do not queue within High Street or any other local roads in the vicinity especially concrete trucks during the construction period waiting to deliver goods to the site.
- 3 That the existing parking restrictions in High Street not be changed on account of this proposal and two-way traffic flow be maintained in High Street at all times unless separate road occupancy approvals have been obtained through Council's Public Domain and Referrals team.
- 4 That the developer and associated sub-contractors notify Council's Traffic and Road Safety Team of any proposed applications through the 'National Heavy Vehicle Regulator' authority.
- 5 That the developer and associated sub-contractors comply with conditions imposed by the 'National Heavy Vehicle Regulator' approved Permits.
- 6 That the developer limits the movement of vehicles to 8m 'Medium Rigid Vehicles' (MRV) due to constraint in the existing road infrastructure.
- 7 That all inbound construction vehicles approaching the site must use Botany Road, turn left into High Street. All outbound construction vehicles must manoeuvre within the site and turn left onto High Street and proceed into O'Riordan Street.
- 8 That the applicant notifies Council 6 Weeks in advance if further extension is required.
- 9 That the applicant notifies the adjacent properties of the approved Work Zone and provides a copy to Council for record.

11.5 BTC24.006 Intersection of Sutherland Street and Lyon Street, Mascot - Proposed 10m Statutory 'No Stopping' Restrictions

The following person spoke at the meeting:

- Mr Chris Kintis, interested resident, speaking against the Committee Recommendation.

A written submission was received from:

- Mr Chris Kintis, interested resident, against the Committee Recommendation

and was distributed to Councillors prior to the Council Meeting.

RESOLUTION

Minute No. 2024/012

Resolved on the motion of Councillors Curry and Tsounis

- 1 That approval be given for the installation of yellow line marking instead of statutory 10m 'No Stopping' signs at the intersection of Sutherland Street and Lyon Street, Mascot.
- 2 That the Communications & Engagement team undertake an education drive via E-news regarding the reasons and benefits of 'Yellow Edge Line Marking'.
- 3 That Council investigates options for disability parking or alternative arrangements in the area.

11.5 BTC24.007 Jacobson Avenue, Kyeemagh - Modification to full time Bus Zone**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That approval be given to modify existing full-time Bus Zone to "7 am – 9 am and 2 pm - 4:30 pm on school days", as outlined in the attached plan.

11.5 BTC24.008 338-342 King Street, Mascot - Renewal of 33m Works Zone for 11 Weeks from 12 March 2024**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given to the renewal of a 33m 'Works Zone, 7 am – 5 pm, Mon – Fri and 8 am – 1 pm Sat' restriction along the southern kerb line of King Street, for the duration of 11 weeks, subject to relevant conditions.
- 2 That the applicant must ensure that construction vehicles do not queue within King Street or any other local roads in the vicinity especially concrete trucks during the construction period waiting to deliver goods to the site.
- 3 That the existing parking restrictions in the King Street not be changed on account of this proposal and two-way traffic flow be maintained in King Street at all times unless separate road occupancy approvals have been obtained through Council's Public Domain and Referrals team.
- 4 That the developer and associated sub-contractors notify Council's Traffic and Road Safety Team of any proposed applications through the 'National Heavy Vehicle Regulator' authority.
- 5 That the developer and associated sub-contractors comply with conditions imposed by the 'National Heavy Vehicle Regulator' approved Permits.
- 6 That the applicant notifies Council 6 Weeks in advance of required extension to the 11 week 'Works Zone'.

11.5 BTC24.009 King Street & King Lane, Rockdale - Proposed Trial Road Closure & Modification to One-Way Traffic Arrangement

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That the Bayside Traffic Committee endorse the proposed 12-month trial road closure of King Street, Rockdale, between the Princes Highway and King Lane.
- 2 That the Bayside Traffic Committee endorse the proposed change in traffic flow along King Lane, Rockdale, between King Street and Pitt Lane, for the duration of the trial period subject to approval of the TMP by TfNSW.
- 3 That a report be presented to the Traffic Committee following the completion of the 12-month trial period with a decision on whether to make the closure permanent.

11.5 BTC24.010 McPherson Street, Banksmeadow - Proposed sections of 'No Parking' restrictions

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That a 6-metre 'No Parking' be implemented along the southern side of McPherson Street, Banksmeadow, between the vehicle and heavy vehicle egress driveways for property 15 McPherson Street, Banksmeadow.
- 2 That a 5-metre 'No Parking' be implemented along the southern side of McPherson Street, Banksmeadow, immediately west of the heavy vehicle ingress driveway for property 15 McPherson Street, Banksmeadow.

11.5 BTC24.011 Pemberton Street, Botany - Proposed Double BB Line Marking

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given for the installation of yellow kerb line marking in Pemberton Street, Botany, to improve road user safety.
- 2 That the residents in the vicinity be notified of the proposed changes.

11.5 BTC24.012 Railway Street, Rockdale - Proposed Changes to Parking Restrictions

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given to the proposed conversion of 'Mail Zone 12 pm to 8 pm Mon-Fri, Loading Zone At Other Times' to 'Mail Zone 9 am - 11 am, 3:30 pm - 6 pm Mon-Fri, Loading Zone At Other Times' on Railway Street, Rockdale, as per the attached drawing.
- 2 That approval be sought from Transport for New South Wales (TfNSW) directly prior to the installation of these parking restrictions as the subject site lies within a 1km radius of Rockdale Train Station, as per the attached drawing.

11.5 BTC24.013 111 Ramsgate Road, Ramsgate - Proposed '1P' Parking Restriction**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given for the installation of '1P' parking restrictions in Ramsgate Road, Ramsgate, as per the attached drawing.
- 2 That the applicant be informed that enforcement will be carried out subject to availability of resources.

11.5 BTC24.014 Ramsgate Road and Dillon Street, Ramsgate - Proposed Changes to Existing Parking and Extension of One-Way Arrangement**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given to the proposed changes to the existing unrestricted parking arrangement while the development is progressing, and that these changes be reviewed to be made permanent once the development is completed.
- 2 That approval be given to extend the existing one-way westbound direction on Dillon Street, between Campbell Street and Rocky Point Road, Ramsgate, until 31 March 2025.
- 3 That a possible future extension of the one-way arrangement be reviewed and presented to the Traffic Committee for consideration.

11.5 BTC24.015 Tenterden Road, Botany - Proposed Parking Restrictions**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That approval be given for the installation of '1P' parking restrictions outside 44 Tenterden Road, Botany, as per the attached drawing.

- 2 That the applicant be informed that enforcement will be carried out subject to availability of resources.

11.5 BTC24.016 10 Tingwell Boulevard, Eastgardens - Request for 70m Works Zone on Banks Avenue

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the installation of a 70m 'Works Zone, 7 am – 6 pm, Mon – Fri and 7 am – 3 pm Sat' restrictions along the eastern kerb line of Banks Avenue, for the duration of 23 weeks is declined due to the existing Works Zone currently in place in Tingwell Boulevard, Eastgardens.

11.5 BTC24.017 Traffic congestion at intersection of Princes Highway and Brodie Spark Drive Intersection

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Transport for New South Wales investigate opportunities to address current congestion and safety issues associated with peak hour movements into Wolli Creek and Arncliffe along the Princes Highway, particularly at the intersection of Brodie Spark Drive and Princes Highway.
- 2 That short, medium and long-term solutions are considered as part of any potential scenarios, including the opportunity to provide for additional turning movements to and from Princes Highway after the opening of the M6 Stage 1.

11.5 BTC24.018 Update on Outstanding Matters Referred to the Bayside Traffic Committee by the Chair

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the update on outstanding matters referred to the Bayside Traffic Committee by the Chair be noted.

11.5 BTC24.019 Matters referred to the Bayside Traffic Committee by the Chair**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the matters raised by the Chair be received, noted and action taken as necessary.

11.5 BTC24.020 General Business**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Chair confer with formal Committee members on Items without notice.

11.6 Minutes of the Audit Risk & Improvement Committee Meeting - 21 November 2023**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Minutes of the Audit Risk & Improvement Committee meeting held on 21 November 2023 be received and the following Committee Recommendations to Council be adopted.

11.6 ARIC23.046 Internal Audit - Six Monthly Verification Audit**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the report be received and noted.

11.6 ARIC23.048 Internal Audit Report - Review of Communication Framework

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That the internal audit report of the Review of Communication Framework be received and noted.
- 2 That the Audit Report be revised to clearly reflect the conclusion of the audit against the audit scope and include the audit methodology as part of the reporting template.

11.6 ARIC23.049 Compliance Audit - DRIVES24 - User Access for TfNSW 2023

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the report be received and noted.

11.6 ARIC23.050 Internal Audit Plan Progress Report

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the progress report on the status of the current internal audit plans be received and noted.

11.6 ARIC23.051 Risk Management - Strategic Risk Reviews

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the report be received and noted.

11.6 ARIC23.052 Confidential - Claims Management - Quarterly Report**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Claims Management report be received and noted.

11.6 ARIC23.057 Proposed Meeting Schedule - 2024**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Meeting Schedule as outlined in the report be adopted subject to the Audit Office of NSW confirming the timing of readiness of the unaudited financial statements for FY23/24 to be presented to Council.

11.7 Minutes of the Botany Historical Trust Meeting - 6 November 2023**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That the Minutes of the Botany Historical Trust meeting held on 6 November 2023 be received and the following Committee Recommendations to Council be adopted.

11.7 BHT4.2 Business Arising - Restoration of the Marina Theatre**RESOLUTION**

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That Council gives a formal response to Item 6.1 (Restoration of the Marina Theatre) of the Botany Historical Trust Meeting held on 7 August 2023 regarding the Botany Historical Trust Executive's support of the examination and assessment to restore the Marina Theatre in public ownership under the control of Bayside Council as community asset.

11.7 BHT5.1 Planning, Development & Compliance Matters

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council confirms when the Development consent for the Marina Theatre expires.
- 2 That Council provides information about the penalties for non-compliance of the development consent including removal of the historic façade at the Banksmeadow shops on La Perouse Road.

11.7 BHT5.3 Botany War Memorial - Robert Hanna

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That Council:

- 1 Provides in principle support for the BHT's proposal to update the names on the Botany War Memorial based on the research undertaken by the BHT.
- 2 Endorses the BHT and Bayside Council Library and Lifestyle Team working together to develop an action plan to progress the project including engagement with the community, Botany RSL Sub-Branch and Dept of Veteran Affairs, the formal approval process and funding requirements to update the memorial.
- 3 Endorses a progress report on this matter via the BHT in March 2024.

11.7 BHT5.6 General Business

RESOLUTION

Item Resolved by Exception Minute No. 2024/010

Resolved on the motion of Councillors Morrissey and Curry

That Council accept the nominations from Max Evers, Greg Page and Alan Nicholas as general (non-Executive) members.

12 Notices of Motion

12.1 Notice of Motion - Renaming of Hensley Grand Stand

RESOLUTION

Minute No. 2024/030

Resolved on the motion of Councillors Curry and Morrissey

- 1 That Council renames Hensley Grand Stand (Council motion 2023) to Tony Vecellio OAM.
- 2 That Tony Vecellio's wife, Judy Vecellio, be also added in memory of their shared dedication to Randwick Botany Little Athletics for 50 years.

12.2 Notice of Motion - Residential Christmas Lights Competition

RESOLUTION

Minute No. 2024/031

Resolved on the motion of Councillors Barlow and Hanna

- 1 That Council allocates up to \$5,000 in the 2024/25 budget, and thereafter on a yearly basis, as prize money for up to five individual residential Christmas Light Displays, with an additional amount allocated from the prize pool for an overall Bayside LGA winner.
- 2 That Council advertises the competition to ensure maximum interest from residents.
- 3 That the General Manager structures the competition in a similar manner to other Councils who run Christmas Lights Competitions.
- 4 That a report comes back to the City Services Committee encompassing the following suggestions for further consideration:
 - That Council work with the Economic Development Team to offer a Best Business Display category as part of the competition, and possible category for schools.
 - That Council collates information and promotes all local Christmas market activity alongside this Christmas initiative.
 - That the business team look at 1st, 2nd and 3rd prizes for residential Christmas Light Displays.
 - That Council seek business sponsorship for the awards.

12.3 Notice of Motion - State Resources for Cooks River

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

RESOLUTION

Minute No. 2024/032

Resolved on the motion of Councillors Jansyn and Fardell

That Council writes to the NSW Minister for the Environment, as well as Bayside State Members of Parliament, to urge the NSW Government to commit resources to naturalise the Cooks River and mitigate storm water issues.

12.4 Notice of Motion - Compost Revolution

MOTION

Motion moved by Councillors Werner and Nagi

- 1 That Council investigates partnering with The Compost Revolution to provide information, subsidies and technical support on composting and worm farming and related products for Bayside residents.
- 2 That Council provides a report on expected benefits and costs of the program to the relevant committee within 3 months.

The Motion was lost.

12.5 Notice of Motion - Walking and Cycling Committee

RESOLUTION

Minute No. 2024/033

Resolved on the motion of Councillors Douglas and Muscat

That the establishment of a Walking and Cycling Advisory Committee be considered by the next Council (post September 2024) when Council committees, advisory groups and working parties are agreed and set up for the next Council term.

Division called by Councillors Fardell and Muscat

For: Councillors Muscat, Fardell, Nagi, Tsounis, Werner, Barlow, Hanna and Douglas

Against: Councillors Saravinovski, Curry, Morrissey, Jansyn, Awada and Sedrak

The Motion was declared carried.

12.6 Notice of Motion - Crush the Car

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

The following person spoke at the meeting:

- Mr Daniel Begley, affected neighbour, speaking for the Motion (via audio-visual link).

RESOLUTION

Minute No. 2024/011

Resolved on the motion of Councillors Sedrak and Tsounis

That Council formally request (lobby) the NSW Government, including the Premier, Local State Members, Minister of Police, Minister of Roads, Minister for the Environment and others to investigate legislating tougher 'Anti-Hoon Laws: Crush the Cars and Motorbikes after 3 Strikes across NSW to combat Dangerous Speeding, Hooning and Anti-Social Behaviour'.

12.7 Notice of Motion - Bay Street Cycleway

MOTION

That Council includes a project in the draft Operational Plan FY 2024/25 to scope options to create a better walking and cycling connection between Rockdale and the foreshore of the Bay.

Division called by Councillors Douglas and Fardell

For: Councillors Nagi, Tsounis, Werner and Douglas

Against: Councillors Saravinovski, Curry, Morrissey, Muscat (abstention), Fardell, Jansyn, Awada, Barlow, Hanna and Sedrak

The Motion was declared lost.

Procedural Motion

RESOLUTION

Minute No. 2024/134

Resolved on the motion of Councillors Curry and Tsounis

That the Council Meeting time be extended past 11:00 pm.

12.8 Notice of Motion - Sydney Water Application to Allow Raw Sewage Overflow into Mill Stream

RESOLUTION

Minute No. 2024/035

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Bayside Council continues its opposition to allow Sydney Water to continue to allow raw sewage to overflow into the Mill Stream.
- 2 That Council provides a submission to the Sydney Airport Environment Officer to confirm our Community's view: that Bayside does not accept "diluted wastewater overflows" into the Mill Stream.
- 3 That the submission includes a demand for a clear and deliverable timeline as to when Sydney Water will stop this environmentally reckless practice. It is noted the submission period was over the 2023/24 holiday season and closed on 21/01/2024.
- 4 That Council provides a status report and timeline of events since this issue was last raised in September 2020, to the next City Planning & Environment Committee meeting.
- 5 That Council demands transparent and regular community updates, on at least a quarterly basis, from Sydney Water on the program of work designed to remove the need to discharge into the Mill Stream.
- 6 That a copy of relevant correspondence be provided to our local State and Federal MPs, including a note of thanks to the Hon. Matt Thistlethwaite MP for advocating on behalf of Bayside residents.

12.9 Notice of Motion - Change to the Code of Meeting Practice

RESOLUTION

Minute No. 2024/036

Resolved on the motion of Councillors Barlow and Tsounis

- 1 That Council amends Section 15.23 of the Code of Meeting Practice to say "Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of Council and Committees of Council. Councillors that need to use their phone for any purpose, eg text, talk or engage in social media activity, must leave the Chamber to do so."
- 2 That a further report be prepared for Council following public exhibition of the Code of Meeting Practice.

Division called by Councillors Barlow and Tsounis

For: Councillors Saravinovski, Muscat, Fardell, Nagi, Tsounis, Awada, Barlow, Hanna and Douglas

Against: Councillors Curry, Morrissey, Jansyn, Werner and Sedrak

The Motion was declared carried.

13 Questions With Notice

13.1 Question With Notice - Signs on Public Council Toilet Doors

Councillor Curry asked the following question:

As per Council's Domestic Violence Action Plan, have support service information signs been placed at the back of all public Council amenity toilet doors?

13.2 Question With Notice - Summer Foreshore Program Jet Ski Safety Initiatives Summer 23/24

Councillor Douglas asked the following question:

Can Council provide a report back about Summer Foreshore Program Jet Ski Safety Initiatives Summer 23/24, including the results of increased police and Transport for NSW Maritime resourcing to this area of beach and water safety?

13.3 Question With Notice - Gardiner Park - Plantings to Mitigate Loss of Privacy

Councillor Werner asked the following question:

In 2021 residents living next to Gardiner Park were assured that there would be plantings to mitigate loss of privacy due to people being able to see into their backyard because of the extra height of the synthetic field installed there. What are Council's current plans for these plantings and will residents be consulted in the choice of plants?

14 Confidential Reports / Matters

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

Councillor Werner left the meeting at 11.28 pm and did not return to the Chamber.

RESOLUTION

Minute No. 2024/037

Resolved on the motion of Councillors Saravinovski and Tsounis

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

14.1 CONFIDENTIAL - Code of Conduct Matter

In accordance with section 10A (2) (i) of the Local Government Act 1993, the matters dealt with in this report relate to alleged contraventions of any code of conduct requirements applicable under section 440.

- 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.

14.1 CONFIDENTIAL - Code of Conduct Matter

RESOLUTION

Minute No. 2024/038

Resolved on the motion of Councillors Tsounis and Sedrak

That, in accordance with clause 7.58(h) of the Procedures for the Administration of the Code of Council, Councillor Werner be formally censured under section 440G of the Local Government Act, as Council is satisfied based on the investigation report dated November 2023 by the conduct reviewer, that Council Werner has breached clauses 3.1 (a), (b), (c), 5.4 and 5.9(b) of the Council's Code of Conduct for her failure to declare a significant non-pecuniary interest in relation to a notice of motion titled "Stop the Commercialisation of Gardiner Park" she proposed to the Council Meeting of 22 February 2023.

Resumption of Open Council Meeting

RESOLUTION

Minute No. 2024/039

Resolved on the motion of Councillors Jansyn and Tsounis

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

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

15 Conclusion of Meeting

The Mayor closed the meeting at 12:05 pm.

Councillor Bill Saravinovski
Mayor

Meredith Wallace
General Manager