



Ordinary Council Meeting

7:00 pm Wednesday 28 February 2024

Venue:

Rockdale Town Hall,
Level 1, 448 Princess Highway,
Rockdale

Contract Us:

1300 581 299 or 9562 1666

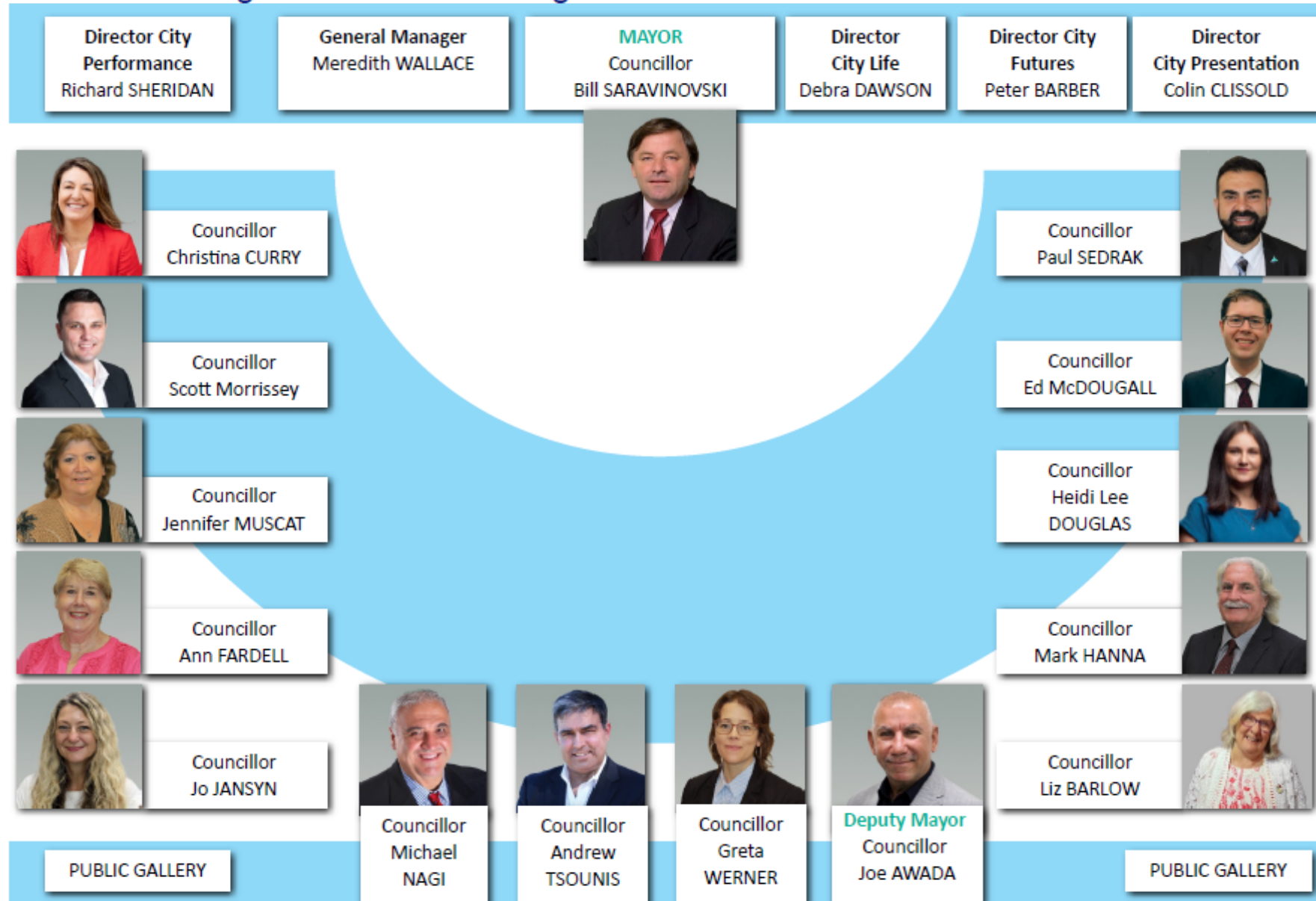
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PO Box 21, Rockdale NSW 2216

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Council Meeting – Councillor Seating



Statement of Ethical Obligations

Obligations

Oath [Affirmation] of Office by Councillors

Oath

I swear that I will undertake the duties of the office of councillor in the best interests of the people of Bayside Local Government Area and the Bayside Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Affirmation

I solemnly and sincerely declare and affirm that I will undertake the duties of the office of councillor in the best interests of the people of Bayside Local Government Area and the Bayside Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.

Code of Conduct conflict of interests

Pecuniary interests

A Councillor who has a **pecuniary interest** in any matter with which the council is concerned, and who is present at a meeting of the council at which the matter is being considered, must disclose the nature of the interest to the meeting.

The Councillor must not be present at, or in sight of, the meeting:

- a) at any time during which the matter is being considered or discussed, or
- b) at any time during which the council is voting on any question in relation to the matter.

Non-pecuniary conflicts of interests

A Councillor who has a **non-pecuniary conflict of interest** in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.

Significant non-pecuniary interests

A Councillor who has a **significant** non-pecuniary conflict of interest in relation to a matter under consideration at a council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.

Non-significant non-pecuniary interests

A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is **not significant** and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.

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 28 February 2024** at **7:00 pm**

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The meeting will be video recorded and live streamed to the community via Council's YouTube channel, in accordance with Council's Code of Meeting Practice.

Meredith Wallace
General Manager

1 OPENING MEETING

2 ACKNOWLEDGEMENT OF COUNTRY

Bayside Council respects the traditional custodians of the land, elders past and present, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans of the Sydney Basin.

3 OPENING PRAYER

4 APOLOGIES

5 DISCLOSURES OF INTEREST

In accordance with Council's Code of Meeting Practice, Councillors are reminded of their Oath or Affirmation of Office made under Section 233A of the Local Government Act and their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

6 MINUTES OF PREVIOUS MEETINGS

Council Meeting

28/02/2024

Item No	6.1
Subject	Minutes of the Council Meeting - 22 November 2023
Report by	Richard Sheridan, Director City Performance
File	SF23/8069

Officer Recommendation

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

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
Fausto Sut, Manager Governance & Risk
Bobbi Mayne, Manager Libraries and Lifestyle
Louise Farrell, Manager City Projects (via audio-visual link)
Guy Hancock, Manager City Works (via audio-visual link)
Hong Nguyen, Manager Environment and Resilience (via audio-visual link)
Luke Phillips, Manager Finance (via audio-visual link)
Waisale Iowane, Head of Financial Strategy & Reporting (via audio-visual link)
Christine Stamper, Manager Communication & Events
Danijel Andric, Chief Information Officer
Wolfgang Gill, IT Service Management Officer

Rakshya Rawat, IT Service Management Officer
Anh Hoang, Governance Officer
Anne Suann, Governance Officer

1 Opening Meeting

The Mayor opened the meeting in the Council Chambers, Rockdale Town Hall, Level 1, 448 Princes Highway, Rockdale at 7:15 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 Maurizio from St Therese Catholic Church, Mascot, opened the meeting in prayer.

4 Apologies and Attendance via audio visual link

Apologies

RESOLUTION

Minute No. 2023/199

Resolved on the motion of Councillors Morrissey and Tsounis

That the following apology be received:

- Councillor McDougall

Attendance Via Audio Visual Link

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

5 Disclosures of Interest

Councillor Awada

11.3 CPE23.031 - Independent Planner's Post-Exhibition Report - Planning Proposal at 88-96 New Illawarra Road & 307-311A Bexley Road, Bexley North

Councillor Awada declared that a conflict of duties arises in Item 11.3 CPE23.031 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.

11.3 CPE23.031 - Independent Planner's Post-Exhibition Report - Planning Proposal at 88-96 New Illawarra Road & 307-311A Bexley Road, Bexley North

Councillor Awada declared a Pecuniary Interest in Item 11.3 CPE23.031 on the basis that his family owns a property that will be impacted by the proposal and would leave the meeting for consideration and voting on the matter.

11.3 CPE23.032 - Planning Proposal Request - 26 Tupia Street, Botany

Councillor Awada declared that a conflict of duties arises in Item 11.3 CPE23.032 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 Nagi

11.3 CPE23.031 - Independent Planner's Post-Exhibition Report - Planning Proposal at 88-96 New Illawarra Road & 307-311A Bexley Road, Bexley North

Councillor Nagi declared that a conflict of duties arises in Item 11.3 CPE23.032 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.

11.3 CPE23.032 - Planning Proposal Request - 26 Tupia Street, Botany

Councillor Nagi declared that a conflict of duties arises in Item 11.3 CPE23.032 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

12.5 - Notice of Motion - Aquatic Centres - Cash Facility

Councillor Hanna declared a Less than Significant Non-Pecuniary Interest in Item 12.5 on the basis that he is a Foundation member of the Angelo Anestis Aquatic Centre.

6 Minutes of Previous Meetings

6.1 Minutes of the Council Meeting - 25 October 2023

RESOLUTION

Minute No. 2023/200

Resolved on the motion of Councillors Nagi and Awada

That the Minutes of the Council Meeting held on 25 October 2023 be confirmed as a

true record of proceedings.

7 Mayoral Minutes

7.1 Mayoral Minute - 16 Days of Activism Against Gender-Based Violence

RESOLUTION

Minute No. 2023/201

Resolved on the motion of Councillor Saravinovski

- 1 That Council acknowledges the impact that domestic and family violence continues to have on our community and notes that we will again participate in the 16 Days campaign that runs from 25 November to 10 December in recognition of those community members who have experienced gender-based violence.
- 2 That Council acknowledges the work of our community partners who work tirelessly to support those experiencing domestic and family violence.

8 Items by Exception

Procedural Motion

RESOLUTION

Minute No. 2023/202

Resolved on the motion of Councillors Fardell and Tsounis

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

Multiple Business Items

RESOLUTION

Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

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

- 10.2 Quarterly Budget Review Statement - September 2023
- 10.6 Response to Question - Soccer Bookings in Parks during Summer
- 10.7 Response to Question - Lighting of Bayside Sport Fields on Tuesdays and

Thursdays

- 10.11 Clause 4.6 Variations to Development Standards - Quarterly Report
- 10.13 Draft Data Breach Policy and Privacy Management Plan
- 10.14 Annual Report 2022/23
- 10.15 Progress Report on Councillor Notices of Motion
- 10.16 Statutory Financial Report - October 2023
- 11.1 Minutes of the City Services Committee Meeting - 1 November 2023
 - CS23.040 Response to Notice of Motion - Summer Foreshores Program - Jet Ski Inclusion
- 11.2 Minutes of the Corporate Performance Committee Meeting - 1 November 2023
 - CP23.021 Customer Experience Strategy Update
- 11.3 Minutes of the City Planning & Environment Committee Meeting - 8 November 2023
 - CPE23.033 Draft Car Share Policy
 - CPE23.034 Draft Electric Vehicle Charging infrastructure Policy
 - CPE23.035 4 Guess Avenue, Wolli Creek- Proposed Naming of Public Reserve
 - CPE23.036 NSW Government Social and Affordable Housing Planning Reforms
- 11.4 Minutes of the City Works & Assets Committee Meeting - 8 November 2023
 - CWA23.027 Quarterly Update - City Projects
 - CWA23.028 Dolls Point Wharf - Future Options
- 11.5 Minutes of the Bayside Traffic Committee Meeting - 8 November 2023
 - BTC23.137 Australian Golf Open 2023 - Class 1 Special Event within Bayside LGA
 - BTC23.138 Chapel Street, Rockdale - No Parking Proposal
 - BTC23.139 Crawford Road, Brighton-Le-Sands - Proposed Parking Restrictions
 - BTC23.140 Dunmore Street South, Bexley - Proposed relocation of 'No Stopping' restriction
 - BTC23.141 Dunmore Street North and Caledonian Street, Bexley - Proposed Watts Profile Speed Humps
 - BTC23.142 Lambert Road, Bardwell Park - Proposed parking restrictions
 - BTC23.143 M6 Project - Proposed Traffic Management Plans
 - BTC23.144 Midjuburi Lane, Kogarah - Parking Restrictions - Post Trial Report
 - BTC23.145 Page Street, Pagewood – Proposed 'No Stopping'

- restrictions
- BTC23.146 Parliament Terrace, Bexley - Proposed Watts Profile Speed Humps
 - BTC23.147 Riverside Drive and Napoleon Street, Sans Souci 'Timed No Stopping' restrictions, 9 pm to 5 am, 7 days a week
 - BTC23.148 72 & 74-76 Robey Street, Mascot - Proposed changes and removal of parking restrictions
 - BTC23.149 Dolls Point, Sandringham and Sans Souci Precinct - Proposed Traffic Calming Treatments
 - BTC23.150 Intersection of Tingwell Boulevard & Banks Avenue, Proposed Roundabout for FW-2023/3
 - BTC23.151 Update on Outstanding Matters Referred to the Bayside Traffic Committee by the Chair
 - BTC23.152 Matters referred to the Bayside Traffic Committee by the Chair
- 11.6 Minutes of the Extraordinary Audit Risk & Improvement Committee Meeting - 17 October 2023
- ARIC23.041 Prior Year Matters: Accounting Papers related to Investment Properties and Bonds
 - ARIC23.042 FY2022/23 Draft General Purpose Financial Statements and External Audit Update
- 11.7 Minutes of the Strategic Land & Property Working Group Meeting - 18 October 2023
- 11.8 Minutes of the Lydham Hall Advisory Committee Meeting - 31 October 2023

9 Public Forum

Procedural Motion

RESOLUTION

Minute No. 2023/204

Resolved on the motion of Councillors Nagi and Tsounis

That Standing Orders be suspended in order to deal with Item 12.4 – Notice of Motion - Motion to Support Ceasefire.

12.4 Notice of Motion - Motion to Support Ceasefire

The following people spoke at the meeting:

- Mr Justin Chorn, interested resident, speaking against the Motion.
- Mr Yair Koren, interested resident, speaking against the Motion (via audio-visual link).
- Mr Robert Kaldor, interested resident, speaking against the Motion.
- Mrs Faikah Behardien, interested resident, speaking for the Motion.
- Miss Batoul Ismail, interested resident, speaking for the Motion (via audio-visual link).
- Ms Hala Abdelnour, interested citizen/resident, speaking for the Motion.
- Ms Erin Hodge, Union member organising for justice in Palestine, United Services Union, speaking for the Motion.
- Mrs Nawal Adhami, interested citizen, speaking for the Motion.
- Mr Peter Strong, interested resident, speaking for the Motion.

10.1 FY2022/23 Audited General Purpose Financial Statements

The following person spoke at the meeting:

- Mr Quentin Wong, Audit Leader | Financial Audit, Audit Office of NSW, speaking for the Officer Recommendation (via audio-visual link).

11.3 CPE23.031 Independent Planner's Post-Exhibition Report - Planning Proposal at 88-96 New Illawarra Road & 307-311A Bexley Road, Bexley North

The following people spoke at the meeting:

- Mr Daniel Fedczyna, applicant's representative, Senior Engineer (Flooding), Catchment Simulation Solutions, speaking against the Committee Recommendation.
- Mr Nigel White, applicant's representative, Town Planning Consultant, Planning Direction P/L, speaking against the Committee Recommendation.
- Mrs Jacqui Pyke, representative of Save Our Valley Committee, speaking for the Committee Recommendation (via audio-visual link).

11.4 CWA23.029 Heath Street, Bexley - Community Feedback for New footpath

The following person spoke at the meeting:

- Mr Harry Christian, affected neighbour, speaking for the Committee Recommendation.

10 Reports to Council

10.1 FY2022/23 Audited General Purpose Financial Statements

The following person spoke at the meeting:

- Mr Quentin Wong, Audit Leader | Financial Audit, Audit Office of NSW, speaking for the Officer Recommendation (via audio-visual link).

RESOLUTION

Minute No. 2023/205

Resolved on the motion of Councillors Morrissey and Curry

That Council receives and notes the presentation of the audited financial report of Bayside Council for the year ended 30 June 2023.

10.2 Quarterly Budget Review Statement - September 2023

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That the Quarterly Budget Review Statement by the Responsible Accounting Officer (RAO) for the quarter ended 30 September 2023 be received and noted.
- 2 That in accordance with Clauses 203 and 211 of the Local Government (General) Regulations 2021, the proposed variations to the adopted revised budget detailed in Attachment 1 to this report are adopted by Council and the changes to income and expenditure items be voted.

10.3 Proposed Licence to Arncliffe Aurora Football Club Inc for Riverine Park (Fields 1 & 2) - Community Feedback

RESOLUTION

Minute No. 2023/208

Resolved on the motion of Councillors Douglas and Saravinovski

- 1 That Council notes the nine submissions received during the statutory advertising period for the proposed Licence over Crown Land to Arncliffe Aurora Football Club Inc being Part of Riverine Park (also known as Part of Barton Park) being east of West Botany Street, Arncliffe (Part Lot 100 DP 1228008).
- 2 That Council resolves to proceed with the Licence over Crown Land to Arncliffe Aurora Football Club Inc being Part of Riverine Park and that the objections be dealt with as detailed in the body of the report.

10.4 Response to Notice of Motion - Mascot Library Hours

RESOLUTION

Minute No. 2023/209

Resolved on the motion of Councillors Jansyn and Morrissey

- 1 That Council receives and notes the report.
- 2 That Council endorses the trial of Saturday opening hours of Mascot Library from 9am-12pm commencing Saturday 6 January 2024 to Saturday 29 June 2024 with an evaluation to be provided to Council at the end of the trial.
- 3 That Council robustly promotes the Saturday opening hours of Mascot Library.

10.5 Response to Notice of Motion - Historical Plaques

RESOLUTION

Minute No. 2023/210

Resolved on the motion of Councillors Jansyn and Nagi

- 1 That Council notes the current initiatives funded by Council and/or NSW Government that recognise and promote Bayside's history and heritage as outlined in this report.
- 2 That Council endorses the continuation of installing local history / heritage signs in parks prioritising new and upgraded parks including Dharaggang Park and Barton Park.
- 3 That Council notes the progress of 2023/24 Operational Plan actions regarding

Heritage signs including:

- 3.1 completion of an audit of current signs across Bayside by March 2024
- 3.2 formalise design hierarchy and standards interpretative signage by July 2024
- 4 That the draft 'Blue Plaques' policy and application form be provided to the February City Services Committee which once adopted will enable the community to nominate a significant historical site, person or event.
- 5 That the audit of current historical signage is to include condition reports and a replacement schedule for damaged or unmaintained signage.
- 6 That Council gives consideration in the February 2024 report as to how all audited future plaques/historic signage are mapped on the Council website and promoted to the community.

10.6 Response to Question - Soccer Bookings in Parks during Summer

The response was received.

10.7 Response to Question - Lighting of Bayside Sport Fields on Tuesdays and Thursdays

The response was received.

10.8 ALGWA NSW 2024 Conference and Professional Development Training

RESOLUTION

Minute No. 2023/211

Resolved on the motion of Councillors Curry and Tsounis

- 1 That Councillors Curry, Morrissey, Muscat, Jansyn, Tsounis, Werner, Barlow, Douglas (and any other interested Councillors) attend the ALGWA – NSW Conference in Ryde from Thursday 14 March - Saturday 16 March 2024.
- 2 That Councillors approved to attend the Conference 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.
- 3 That Council registers any Councillor that advises the General Manager that they want to attend the Executive Certificate for Elected Members professional development training to be conducted by LGNSW between 16-17 February and 22-23 March 2024.

10.9 Draft Car Share Policy and Draft Electric Vehicle Charging Infrastructure Policy - Supplementary Information

RESOLUTION

Minute No. 2023/212

Resolved on the motion of Councillors Douglas and Tsounis

- 1 That the draft Car Share Policy and Site Assessment Matrix template be endorsed for public exhibition.
- 2 That the draft Electric Vehicle Charging infrastructure Policy and Site Assessment Matrix template be endorsed for public exhibition subject to the following changes to the draft Electric Vehicle Charging Infrastructure Policy:

Add the following dot points under **3.2 EVCI provider selection**

- 100% clean green energy

Add the following dot points under **3.4 Site Considerations**

- Potential for multiple bays in one location
- Availability/provision of shade

10.10 NSW Department of Planning and Environment - Reducing the Harmful Effects of Gas

RESOLUTION

Minute No. 2023/213

Resolved on the motion of Councillors Douglas and Barlow

- 1 That Council notes the advice of the NSW Department of Planning & Environment (DPE), including DPE's lack of support for including provisions in the Bayside Local Environmental Plan 2021 to prohibit the installation of gas in new developments.
- 2 That Council considers making a submission to the 2025 SEPP Review about phasing out fossil gas from new residential dwellings at the discretion of the Council of the day.

10.11 Clause 4.6 Variations to Development Standards - Quarterly Report**RESOLUTION**

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That the report on the use of Clause 4.6 of Council's Local Environmental Plans to vary development standards in the determination of development applications during quarter one (1) of FY2024 to be received and noted.

10.12 Code of Meeting Practice**MOTION**

That Council adopts the revised Code of Meeting Practice as exhibited and to be effective from 23 November 2023.

Division called by Councillors Curry and Jansyn

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

Against: Councillor Werner

The Motion was declared carried.

FORESHADOWED MOTION

Foreshadowed Motion moved by Councillor Werner

That Council adopts the revised Code of Meeting Practice as exhibited and to be effective from 23 November 2023 with the following amendment:

- Delete the wording 'nine (9) minutes' from point 4.9.

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

RESOLUTION

Minute No. 2023/214

Resolved on the motion of Councillors Curry and Jansyn

That Council adopts the revised Code of Meeting Practice as exhibited and to be effective from 23 November 2023.

10.13 Draft Data Breach Policy and Privacy Management Plan

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That Council adopts the Data Breach Policy attached to the report.
- 2 That Council adopts the Privacy Management Plan as revised and attached to the report.

10.14 Annual Report 2022/23

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That Council receives and notes the Annual Report 2022/23 attached to this report.
- 2 That Council notes that some final editing/formatting will be done before the document is published on Council's website for the community and for forwarding to the Office of Local Government in accordance with the legislation.

10.15 Progress Report on Councillor Notices of Motion

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That the progress report Councillor Notices of Motion be noted.

10.16 Statutory Financial Report - October 2023

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

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

Procedural Motion

RESOLUTION

Minute No. 2023/215

Resolved on the motion of Councillors Curry and Tsounis

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

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 No. 2023/216

Resolved on the motion of Councillors Saravinovski and Curry

- 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:

10.17 Tender - Botany Golf Club House

In accordance with Section 10(A) (2) (d)(i) of the Local Government Act 1993, the matters dealt with in this report relate 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 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.

Procedural Motion

RESOLUTION

Minute No. 2023/117

Resolved on the motion of Councillors Curry and Morrissey

That the Council Meeting time be extended past 11:30 pm.

10.17 Tender - Botany Golf Club House**MOTION**

Motion moved by Councillors Curry and Muscat

- 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) (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 (3) (e) of the Local Government (General) Regulations 2005, following a negotiation process, Council enters a lease with Three Olives Pty Ltd over Botany Bay Club House on a base rental of \$78,000 exclusive of GST plus the terms and condition included in attachment 6b.

Division called by Councillors Curry and Muscat

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

Against: Councillors Nagi, Tsounis and Werner

The Motion was declared carried.

FORESHADOWED MOTION

Foreshadowed Motion moved by Councillor Nagi and Tsounis

That the matter be deferred.

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

RESOLUTION

Minute No. 2023/218

Resolved on the motion of Councillors Curry and Muscat

- 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) (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 (3) (e) of the Local Government (General) Regulations 2005, following a negotiation process, Council enters a lease with Three Olives Pty Ltd over Botany Bay Club House on a base rental of \$78,000 exclusive of GST plus the terms and condition included in attachment 6b.

Councillor Werner left the meeting at the conclusion of this item at 11:50 pm and did not return to the Chamber.

Resumption of Open Council Meeting

RESOLUTION

Minute No. 2023/219

Resolved on the motion of Councillors Tsounis and Nagi

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.

11 Minutes and Reports of Committees

11.1 Minutes of the City Services Committee Meeting - 1 November 2023

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That the Minutes of the City Services Committee meeting held on 1 November 2023 be received and the recommendations therein be adopted.

11.1 CS23.040 Response to Notice of Motion - Summer Foreshores Program - Jet Ski Inclusion

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell 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) (e) of the Local Government Act 1993, the attachment relates to information that would, if disclosed, prejudice the maintenance of law. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That Council receives and notes the report and presentation.

11.2 Minutes of the Corporate Performance Committee Meeting – 1 November 2023

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That the Minutes of the Corporate Performance Committee meeting held on 1 November 2023 be received and the recommendations therein be adopted.

11.2 CP23.021 Customer Experience Strategy Update

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That the Council receives and notes the report.
- 2 That the Council endorses the public exhibition of the Draft Customer Experience Strategy, Charter and Policy.

11.3 Minutes of the City Planning & Environment Committee Meeting – 8 November 2023

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That the Minutes of the City Planning & Environment Committee meeting held on 8 November 2023 be received and the recommendations therein be adopted with the exception of 11.3 CPE23.031 and 11.3 CPE23.032 which was separately dealt with.

11.3 CPE23.031 Independent Planner's Post-Exhibition Report - Planning Proposal at 88-96 New Illawarra Road & 307-311A Bexley Road, Bexley North

Councillor Awada had previously declared a pecuniary interest and conflict of duty in regard to this item, and left the meeting for consideration of, and voting on, this item.

Councillor Nagi had previously declared that a conflict of duty in regard to this item, and left the meeting for consideration of, and voting on, this item.

The following people spoke at the meeting:

- Mr Daniel Rendzina, applicant's representative, Senior Engineer (Flooding), Catchment Simulation Solutions, speaking against the Committee Recommendation.
- Mr Nigel White, applicant's representative, Town Planning Consultant, Planning Direction P/L, speaking against the Committee Recommendation.
- Mrs Jacqui Pyke, representative of Save Our Valley Committee, speaking for the Committee Recommendation (via audio-visual link).

Written submissions were received from the following people:

- Mr Domenic Di Donato, against the Committee Recommendation
- Mr Simon and Mrs Anna Rabagliati, for the Committee Recommendation

and were distributed to Councillors prior to the Council Meeting.

RESOLUTION

Minute No. 2023/206

Resolved on the motion of Councillors Tsounis and Barlow

- 1 That Council requests that the Minister of Planning and Public Spaces, as the Local Plan Making Authority for this Planning Proposal, does not finalise the Planning Proposal at 88-96 New Illawarra Road and 307-311A Bexley Road, Bexley North (PP-2022-1147) as:
 - a) the proposal is inconsistent with Section 9.1(2) of the Environmental Planning and Assessment 1979, Ministerial Local Direction 4.1 Flooding.
 - b) the Flood Impact Risk Assessment prepared does not adequately address the NSW Flood Prone Land Policy.
 - c) the Flood Impact Risk Assessment does not adequately address the Flood Plain Development Manual 2005.
 - d) the Flood Impact Risk Assessment does not adequately address the Considering Flooding in Land Use Planning Guideline 2021.

- e) the Flood Impact Risk Assessment does not adequately address the Flood Risk Management Manual 2023.
 - f) the proposal will permit development within a floodway and the proposed development sought will result in a larger portion of the site being classified as a floodway.
 - g) the proposal will result in significant flood impacts to neighbouring properties.
 - h) the proposal will facilitate high density residential development within a high hazard flood area.
 - i) the proposal will result in an increase of residential dwellings on flood affected land.
 - j) the proposal would likely result in a significant increase in government spending to reduce and alleviate flood hazards on and surrounding the site.
 - k) The DPE Environment and Heritage Group (EHG) and NSW State Emergency Services (SES) do not support the proposal due to significant community exposure to flood hazard, and evacuation management of the site.
- 2 If Council and/or NSW Department of Planning and Environment support the finalisation of the Planning Proposal, a future report be considered by Council relating to the Planning Agreement Offer, prior to finalisation (notification) of the Planning Proposal.

Division (Planning Matter)

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

The Motion was declared carried.

11.3 CPE23.032 Planning Proposal Request - 26 Tupia Street, Botany

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

Councillor Nagi had previously declared that a conflict of duty in regard to this item, and left the meeting for consideration of, and voting on, this item.

RESOLUTION

Minute No. 2023/220

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council notes the advice of the Bayside Local Planning Panel; and
- 2 That Council does not support the Planning Proposal Request for land at 26 Tupia Street, Botany for the following reasons:
 - a) The Planning Proposal seeks substantially greater height and floor space than is permitted in the Bayside Local Environmental Plan 2021 (BLEP 2021) but fails to provide sufficient justification for these increases.
 - b) The Planning Proposal would not promote the orderly development of land as referred to in s1.3(c) of the Environmental Planning & Assessment Act 1979.
 - c) Given the expected increase in density that the Planning Proposal seeks, it presents increased flooding risks to a greater number of people, yet fails to adequately address the risks to the residents of living on flood prone land, and has not satisfied provisions around the emergency evacuation of residents during flood events.
 - d) The current R3 zoning and planning controls for the site are noted, however, intensification is not appropriate for the site.
 - e) The Planning Proposal is inconsistent with a number of Ministerial directions relating to Planning Proposals made under s9.1 of the Environmental Planning & Assessment Act, 1979.

Division (Planning Matter)

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

The Motion was declared carried.

11.3 CPE23.033 Draft Car Share Policy

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That the draft Car Share Policy and assessment matrix be endorsed for public exhibition.
- 2 That prior to the Council meeting that an updated list of potential sites be circulated to councillors along with the assessment matrix.
- 3 That Clause 5 of the policy is amended to read as follows:

5 Location of Designated Car Share Spaces

When locating Designated Car Share Spaces, Council will generally limit these spaces to:

- Council owned/managed properties, including car parks, and parks.
- The rear/side (inactive frontages) of private properties on local roads.
- The front of residential apartment buildings or multi-unit dwellings on local roads.
- In front of a residential property belonging to a car share member, on local roads.

11.3 CPE23.034 Draft Electric Vehicle Charging Infrastructure Policy

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That the draft Electric Vehicle Charging Infrastructure Policy that meets the site selection criteria be endorsed for public exhibition.
- 2 That service level agreement standards in relation to maintenance of the infrastructure be included in the policy and licensing agreement.
- 3 That prior to Council meeting an updated list be circulated to councillors along with the assessment matrix.
- 4 That the policy ensures low rise residential addresses are avoided.

11.3 CPE23.035 4 Guess Avenue, Wolli Creek- Proposed Naming of Public Reserve

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That Council adopts Dharaggang Park as the name of the new public reserve at 4 Guess Avenue, Wolli Creek.
- 2 That following adoption of the name for the new public Reserve at 4 Guess Avenue, Wolli Creek by Council, an application be made to the Geographical Names Board of NSW for approval.
- 3 That Council installs a plaque that speaks to the history of the site.

11.3 CPE23.036 NSW Government Social and Affordable Housing Planning Reforms

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That Council endorses the feedback letter to the Department of Planning & Environment regarding the proposed amendments to State Environmental Planning Policy (Housing) 2021 and State Environmental Planning Policy (Planning Systems) 2021.

11.4 Minutes of the City Works & Assets Committee Meeting – 8 November 2023

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That the Minutes of the City Works & Assets Committee meeting held on 8 November 2023 be received and the recommendations therein be adopted with the exception of 11.4 CWA23.026 and 11.4 CWA23.029 which was separately dealt with.

11.4 CWA23.026 Gardiner Park - playspace renewal and access options

RESOLUTION

Minute No. 2023/221

Resolved on the motion of Councillors Morrissey and Tsounis

- 1 That Council endorses the preferred option for the location of the playground renewal.
- 2 That Council endorses the path hierarchy structure.

11.4 CWA23.027 Quarterly Update - City Projects

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That the report be received and noted.

11.4 CWA23.028 Dolls Point Wharf - Future Options

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That the report on the condition of the Dolls Point Wharf be received and noted.
- 2 That Council endorses the proposal to partially demolish Dolls Point Wharf subject to available funding.
- 3 That a report come back to committee about possible options regarding the adaptive reuse / arts interpretation project of the remaining concrete piers.

11.4 CWA23.029 Heath Street, Bexley - Community Feedback for New footpath

The following people spoke at the meeting:

- Mr Harry Christian, affected neighbour, speaking for the Committee Recommendation.

RESOLUTION

Minute No. 2023/207

Resolved on the motion of Councillors Hanna and Barlow

- 1 That a concrete footpath generally 1.2m in width be constructed on the odd numbered side of Heath Street Bexley North.
- 2 That the path be located between the kerb and front property boundaries such that there is a grass strip on either side of the path.
- 3 That street tree planting be undertaken on both sides of the street in conjunction with the construction of the footpath, subject to the usual pre-planting community consultation.
- 4 That tree removal and pruning be kept to the minimum required to facilitate construction and safe use of the footpath.

11.5 Minutes of the Bayside Traffic Committee Meeting - 8 November 2023

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That the Minutes of the Bayside Traffic Committee meeting held on 8 November 2023 be received and the recommendations therein be adopted.

11.5 BTC23.137 Australian Golf Open 2023 - Class 1 Special Event within Bayside LGA

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That approval be given to the traffic management plan for the proposed road closure in King Street and Vernon Avenue, Eastlakes, as per the attached document.
- 2 That the applicant seek approval from TfNSW for the establishment of temporary special event clearways in King Street, Vernon Avenue and Florence Avenue.
- 3 That the organisers of the event advise affected local residents of where the proposed 'Special Event Clearway' and the proposed road closure restrictions will be imposed.
- 4 That access for residents to be maintained during the event.
- 5 That the organisers of the event comply with all the requirements of public authorities for the event.
- 6 That Council highlights the event and associated traffic impacts through its Enews updates to the community.

11.5 BTC23.138 Chapel Street, Rockdale - No Parking Proposal

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That approval be given to the provision of 'No Parking' space and associated signage as indicated in the attached plan.

11.5 BTC23.139 Crawford Road, Brighton-Le-Sands - Proposed Parking Restrictions

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That approval be given to the installation of '1P 8:30 am – 6 pm Mon-Fri, 8:30 am - 12:30 pm Sat' parking restriction along the western kerb line in Crawford Road, Brighton Le Sands, as per the attached drawings.

11.5 BTC23.140 Dunmore Street South, Bexley - Proposed relocation of 'No Stopping' restriction

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That approval be given to relocate the existing 'No Stopping' restriction by 2m west of the existing location on the northern kerb line of Dunmore Street South, Bexley, as per attached drawings.

11.5 BTC23.141 Dunmore Street North and Caledonian Street, Bexley - Proposed Watts Profile Speed Humps

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That approval be given to the installation of two (2) speed humps outside number 27/30 and 39/40 Dunmore Street North, Bexley, as per the attached plan.
- 2 That approval be given to the installation of speed hump outside 40 Dunmore Street North on Caledonian Street, Bexley, as per the attached plan.

11.5 BTC23.142 Lambert Road, Bardwell Park - Proposed parking restrictions

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That approval be given for the installation of 6m '1P' parking restriction in Lambert Road, Bardwell Park, as per the attached drawing.
- 2 That approval be given for the installation of 10m Statutory 'No Stopping' restriction in Lambert Road, Bardwell Park, as per the attached drawing.
- 3 That the applicant be informed that enforcement will be carried out subject to availability of resources.

11.5 BTC23.143 M6 Project - Proposed Traffic Management Plans

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That the Report on the various Traffic Management Plans (TMPs) for M6 works along President Avenue be received and noted.
- 2 That the Traffic Committee notes the TMPs impact on the local road network as proposed by CGU to facilitate the works on President Avenue at West Botany Street and O'Connell Street.

11.5 BTC23.144 Midjuburi Lane, Kogarah - Parking Restrictions - Post Trial Report

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That approval be given to retain the existing parking restrictions in Midjuburi Lane, Kogarah, as per the attached drawings.

11.5 BTC23.145 Page Street, Pagewood – Proposed ‘No Stopping’ restrictions

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That approval be given to the installation of statutory 10m ‘No Stopping’ restrictions along the southern kerb line of Page Street, Pagewood, as per the attached plan.

11.5 BTC23.146 Parliament Terrace, Bexley - Proposed Watts Profile Speed Humps

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That approval be given to the installation of a Watts Profile Speed Hump outside 41/43 Princes Street on Parliament Terrace, Bexley as per the attached drawing.
- 2 That approval be given to the installation a Watts Profile Speed Hump outside 6/17 Parliament Terrace, Bexley as per the attached drawing.

**11.5 BTC23.147 Riverside Drive and Napoleon Street, Sans Souci
‘Timed No Stopping’ restrictions, 9 pm to 5 am, 7 days a week**

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That approval be given to the expansion / extension of ‘Timed No Stopping 9 pm to 5 am’, seven days a week, and associated signages as per the attached plan.

11.5 BTC23.148 72 & 74-76 Robey Street, Mascot - Proposed changes and removal of parking restrictions

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That approval be given to increase the existing time parking restrictions '3P 8 am – 6 pm Mon-Fri & 8 am - 12 pm Sat Permit Holders Excepted Area A' by 10.5m along the kerb line in front of 72 & 74-76 Street, Mascot.
- 2 That approval be given for the removal of existing 'No Parking' restrictions fronting 72 & 74-76 Street, Mascot.

11.5 BTC23.149 Dolls Point, Sandringham and Sans Souci Precinct - Proposed Traffic Calming Treatments

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That approval be given to the installation of two speed humps, associated signs and line marking in Malua Street, Dolls Point, as per the attached drawings.
- 2 That approval be given to the installation of two speed humps, kerb blister with concrete island, associated signs and line marking in Russell Avenue, Sans Souci, as per the attached drawings.
- 3 That approval be given to the installation of two speed humps, associated signs and line marking in Ida Street, Sandringham, as per the attached drawings.
- 4 That approval be given to the installation of a speed hump, associated signs and line marking in Riverside Drive, Sans Souci, as per the attached drawings.

11.5 BTC23.150 Intersection of Tingwell Boulevard & Banks Avenue, Proposed Roundabout for FW-2023/3

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That approval is given for:

- 1 A roundabout at the intersection of Tingwell Boulevard and Banks Avenue;
- 2 Asphalt speed humps at each entry of the new roundabout;
- 3 A pedestrian refuge leading up to the roundabout on Tingwell Boulevard; and
- 4 Any other minor amendments to the design stipulated by Council as outlined in the Report.

**11.5 BTC23.151 Update on Outstanding Matters Referred to the
Bayside Traffic Committee by the Chair**

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

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

**11.5 BTC23.152 Matters referred to the Bayside Traffic Committee by
the Chair**

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

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

**11.6 Minutes of the Extraordinary Audit Risk & Improvement Committee
Meeting - 17 October 2023**

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That the Minutes of the Extraordinary Audit Risk & Improvement Committee meeting held on 17 October 2023 be received and the recommendations therein be adopted.

**11.6 ARIC23.042 FY2022/23 Draft General Purpose Financial
Statements and External Audit Update**

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

- 1 That Council notes that the Committee supports the appropriateness of the General Purpose Financial Statements for Council endorsement and the signing of an unmodified '*Statement by Councillors and Management*'.

- 2 That Council receives a progress report on the current infrastructure gap (previously reported as \$109m) including the review funding strategies to address the gap and any changes in strategies required to meet the funding shortfall.
- 3 That the Committee be provided with a copy of the report and Council's decision regarding funding strategies.

11.7 Minutes of the Strategic Land & Property Working Group Meeting - 18 October 2023

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell 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 the Minutes of the Strategic Land & Property Working Group meeting held on 18 October 2023 be received and the recommendations therein be adopted.

11.8 Minutes of the Lydham Hall Advisory Committee Meeting - 31 October 2023

RESOLUTION

Adopted Minute No. 2023/203

Resolved on the motion of Councillors Fardell and Tsounis

That the Minutes of the Lydham Hall Advisory Committee meeting held on 31 October 2023 be received and the recommendations therein be adopted.

12 Notices of Motion

12.1 Notice of Motion - Culture, Inclusion and Diversity reporting

Motion moved by Councillor Werner

- 1 That Council acknowledges the importance of having a diverse and inclusive workplace culture and recognises and thanks Bayside Council for the ongoing work to improve and maintain the diversity of our workforce, as evidenced by the 2023 Strategic Workforce Plan.
- 2 That Council receives additional data as part of the strategic workforce management plan for each new term of Council to build on the work already being conducted with data on human resources, diversity, and culture matters, including metrics to measure organisational culture, identify trends and report on initiatives to improve staff engagement and diversity, including:
 - a) data on staff headcount and turnover, recruitment, new staff, departures, Employee Assistance usage;
 - b) data on staff diversity with respect to age, gender, CALD status, Aboriginal and Torres Strait Islander status and employees with disability, reported in relation to which area of service they fall under (ie, library, waste and cleansing, early childhood education, etc);
 - c) gender and age data in relation to employment type and managerial level;
 - d) pay equity (gender pay gap);
 - e) data on employee satisfaction and number of reported bullying and harassment claims;
 - f) data on what % of people who've left the organisation have completed an exit interview;
 - g) comparative national data on the gender pay gap, employment of people with disability and people of Aboriginal and Torres Strait Islander descent as reported by organisations such as the Workplace Gender Equality Agency (WGEA), IncludeAbility, Closing the Gap, the Diversity Council or similar.

The Motion lapsed due to there being no seconder.

12.2 Notice of Motion - Bike Repair Stations

RESOLUTION

Minute No. 2023/222

Resolved on the motion of Councillors Douglas and Jansyn

- 1 That Council investigates the performance and costs associated with providing Bike Repair Stations in metropolitan Sydney where these stations have been

installed.

- 2 That Council receives a report in early 2024 on the feedback from other councils on the performance and costs associated with providing Bike Repair Stations.

12.3 Notice of Motion - Georges Riverkeeper

RESOLUTION

Minute No. 2023/223

Resolved on the motion of Councillors Sedrak and Tsounis

- 1 That Council congratulates Georges Riverkeeper for winning the prestigious Keep Australia Beautiful NSW (KAB NSW) 2023 Sustainable Cities Award for its “Zero Litter in Georges River” project.
- 2 That Council acknowledges the commitment and combined efforts of member councils, including Bayside Council and its staff, to be able to deliver initiatives to improve the Georges River such as this award-winning project.

12.4 Notice of Motion - Motion to Support Ceasefire

The following people spoke at the meeting:

- Mr Justin Chorn, interested resident, speaking against the Motion.

Procedural Motion – Adjournment of Meeting

Councillor Saravinovski adjourned the meeting at 7:38 pm to allow Councillors and the public to take a break.

The meeting reconvened at 7:49 pm with all Councillors, previously present, present.

- Mr Yair Koren, interested resident, speaking against the Motion. (via audio-visual link).
- Mr Robert Kaldor, interested resident, speaking against the Motion.
- Mrs Faikah Behardien, interested resident, speaking for the Motion.
- Miss Batoul Ismail, interested resident, speaking for the Motion (via audio-visual link).
- Ms Hala Abdelnour, interested citizen/resident, speaking for the Motion.
- Ms Erin Hodge, Union member organising for justice in Palestine, United Services Union, speaking for the Motion.
- Mrs Nawal Adhami, interested citizen, speaking for the Motion.

- Mr Peter Strong, interested resident, speaking for the Motion.

Written submissions were received from the following people:

- Mr Bass E, for the Motion.
- Ms Nadia Deeb, for the Motion.

and were distributed to Councillors prior to the Council Meeting.

MOTION

Motion moved by Councillor Werner and Nagi

- 1 That Council calls on the Australian Government to:
 - a) urge for a ceasefire and peace negotiations in the Middle East;
 - b) work with the international community to end the humanitarian disaster unfolding in Gaza and its nearly one million Palestinian children and to restore access to food, electricity, water, fuel and medicine for around 2 million Palestinian civilians living in Gaza;
 - c) urge for all hostages on both sides to be released.
- 2 That Council writes to Penny Wong and Anthony Albanese to notify them of this motion and to express our support for peace in the region.

Division called by Councillors Awada and Nagi

For: Councillors Saravinovski, Nagi, Tsounis, Werner, Awada and Sedrak

Against: Councillors Curry (abstention), Morrissey (abstention), Muscat (abstention), Fardell (abstention), Jansyn (abstention), Barlow (abstention), Hanna (abstention) and Douglas (abstention)

The Motion was declared lost.

Procedural Motion – Adjournment of Meeting

Councillor Saravinovski adjourned the meeting at 8:57 pm to allow the speakers to leave.

The meeting reconvened at 9:16 pm with all Councillors, previously present, present.

Procedural Motion – Aquatic Centres – Cash Facility**RESOLUTION**

Minute No. 2023/224

Resolved on the motion of Councillors Morrissey and Curry

That a Procedural Motion be granted to allow consideration of a matter of urgency in relation to Angelo Anestis Aquatic Centre and Botany Aquatic Centre as this is the last Ordinary Meeting of Council for 2023 and it relates to Bayside Council, as owner and operator of the Aquatic Centres, accepting cash from patrons of the Centre.

The Chair ruled the Motion to be of great urgency and would be dealt with.

12.5 Notice of Motion - Aquatic Centres - Cash Facility

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

RESOLUTION

Minute No. 2023/225

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Bayside Council, as owner and operator of the Angelo Anestis Aquatic Centre and Botany Aquatic Centre take immediate steps so that patrons can use cash at the Centres.
- 2 That, because of the financial implication of the Notice Of Motion, a report back to Council will be made on the financial implications to the Extraordinary Council Meeting on 6 December 2023 if possible.

13 Questions With Notice**13.1 Question With Notice - Expressions of Interest for the mural projects on the Mascot and Botany public amenities blocks**

Councillor Jansyn asked the following question:

Can you please provide an update on when the Expressions of Interest for the mural projects on the Mascot and Botany public amenities blocks will be announced?

13.2 Question with Notice - Riverine Park Landscape Masterplan Development

Councillor Douglas asked the following question:

Can Council please provide details about the development for the Riverine Park Landscape Masterplan Development, including the scope of the project and the suggested timeframes for councillor and public consultation?

14 Conclusion of Meeting

The Mayor closed the meeting at 11:59 pm.

Councillor Bill Saravinovski
Mayor

Meredith Wallace
General Manager

Attachments

Nil

Council Meeting

28/02/2024

Item No	6.2
Subject	Minutes of the Extraordinary Extraordinary Council Meeting - 6 December 2023
Report by	Richard Sheridan, Director City Performance
File	SF23/8069

Officer Recommendation

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

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 Ed McDougall
Councillor Scott Morrissey
Councillor Jennifer Muscat
Councillor Michael Nagi
Councillor Andrew Tsounis
Councillor Greta Werner (via audio-visual link)

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
Fausto Sut, Manager Governance & Risk
Louise Farrell, Manager City Projects (via audio-visual link)
Bobbi Mayne, Manager Libraries and Lifestyle
Christine Stamper, Manager Communication & Events
Amanda Rutherford, Coordinator Governance (via audio-visual link)
Karen Barrass, Councillor Support Officer
Wolfgang Gill, IT Service Management Officer
Nabin Bhattarai, IT Service Management Officer
Anne Suann, Governance Officer
Anh Hoang, Governance Officer

1 Opening Meeting

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

The Mayor informed the meeting, including members of the public, that the meeting is being 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 Chairperson affirmed that Bayside Council acknowledges the traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to 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

Reverend Stephen Bryan, from St John's Anglican Church, Eastlakes, opened the meeting in prayer.

Presentation

Christmas Card Competition Winners 2023:

The General Manager, presented Certificates of Congratulations to the winners of Bayside Christmas Card Competition 2023:

- Helena Angelov
- Isla McCartney
- Brigid Sitchon
- Estelle Wilson
- Tiana Noy (apology)

Christmas Flag Design Competition Winners 2023

The General Manager, also presented Certificates of Congratulations to the winners of Bayside Christmas Flag Competition 2023:

- Adelaide Leong
- Tiana Noy (apology)

4 Apologies and Attendance via audio visual link

Apologies

RESOLUTION

Minute No. 2023/226

Resolved on the motion of Councillors Awada and Curry

That the following apology be received:

- Councillor Sedrak

Attendance Via Audio Visual Link

RESOLUTION

Minute No. 2023/227

Resolved on the motion of Councillors Nagi and Awada

That attendance by Councillor Werner at tonight's meeting via audio-visual link be granted.

5 Disclosures of Interest

Councillor Curry

8.4 Lease Proposal - 141 Coward Street, Mascot - Windgap

Councillor Curry declared a Less than Significant Non-Pecuniary Interest in Item 8.4 on the basis that she has attended a number of events and is familiar with Windgap Foundation, and stated she would remain in the Chamber for consideration and voting on the matter.

Councillor Jansyn

8.4 Lease Proposal - 141 Coward Street, Mascot - Windgap

Councillor Jansyn declared a Less than Significant Non-Pecuniary Interest in Item 8.4 on the basis that she has attended a number of events and is familiar with Windgap Foundation, and stated she would remain in the Chamber for consideration and voting on the matter.

Councillor Tsounis

8.4 Lease Proposal - 141 Coward Street, Mascot – Windgap

Councillor Tsounis declared a Less than Significant Non-Pecuniary Interest in Item 8.4 on the basis that he has attended a number of events and is familiar with Windgap Foundation, and stated he would remain in the Chamber for consideration and voting on the matter.

Councillor Hanna

8.3 Progress Report - Aquatic Centres - Cash Facilities

Councillor Hanna declared a Less than Significant Non-Pecuniary Interest in Item 8.3 on the basis that he is a Foundation member of the Angelo Anestis Aquatic Centre. Remain in chambers, and stated that he would remain in the Chamber for consideration and voting on the matter.

Councillor McDougall**8.5 Generic Plan of Management - Crown Lands - Community Feedback**

Councillor McDougall declared a Less than Significant Non-Pecuniary Interest in Item 8.5 as a precaution on the basis that it may be perceived that he has a conflict of public duties as he also has a role with the Minister of Lands and Property, and stated he would leave the meeting for consideration and voting on the matter.

6 Items by Exception**Procedural Motion****RESOLUTION**

Minute No. 2023/228

Resolved on the motion of Councillors Awada and Nagi

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

Multiple Business Items**RESOLUTION**

Minute No. 2023/229

Resolved on the motion of Councillors Awada and Nagi

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

- 8.2 Draft Bayside Council Historical Marker Policy and Program
- 8.6 Proposed Naming of New Road and Public Walkway - 128 Bunnerong Road, Eastgardens - Completion of Public Consultation
- 8.7 Tender - Illuminating Community Spaces (incl. Her Way lighting)
- 8.9 Managing Conflicts of Interest for Council-related Development Applications Policy

8 Reports to Council

8.1 Additional Dog Off Leash Exercise Areas

RESOLUTION

Minute No. 2023/230

Resolved on the motion of Councillors Hanna and Tsounis

- 1 That Council approves the implementation of three dog exercise areas at the following locations;
 - 1.1 Ward 1 - Rhodes Street Reserve East (Hillsdale)
 - 1.2 Ward 3 - Ron Gosling Reserve (Bardwell Park)
 - 1.3 Ward 4 - Flynns Reserve (Bexley)
- 2 That a fourth location, Hughes Avenue Reserve, Mascot be trialled for 12 months and that the usage and activity at this location be monitored and reported back to Council at the conclusion of the trial.
- 3 That Council invites applications under the Memorial Policy to potentially fund the seat installation at the chosen locations.
- 4 That the costs associated with the implementation and trial as detail in the report be included in the 2nd Quarter Budget Review.

8.2 Draft Bayside Council Historical Marker Policy and Program

RESOLUTION

Minute No. 2023/229

Resolved on the motion of Councillors Awada and Nagi

- 1 That Council endorses Bayside Council's Historical Marker Policy.
- 2 That Council launch nominations for Bayside's inaugural Historical Marker program in early 2024.
- 3 That a report from the historical marker assessment panel be submitted to Council in May 2024 on the outcome of the nomination process and recommendations for 2024/25 round of Historical Markers to be installed.
- 4 That up to 5 markers be installed by July 2024.

8.3 Progress Report - Aquatic Centres - Cash Facilities

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

RESOLUTION

Minute No. 2023/231

Resolved on the motion of Councillors Barlow and Curry

- 1 That Council endorses Botany Aquatic Centre continue its current operating model (cash accepted at kiosk and cashless for all other transactions) and a review of the model be included in the major redevelopment commencing next year.
- 2 That Council notes that the research and investigation into cash transaction options at Angelo Anestis Aquatic Centre is progressing, including a detailed financial and risk assessment, and will be reported to Council in February 2024.

8.4 Lease Proposal - 141 Coward Street, Mascot - Windgap

Councillors Curry, Jansyn and Tsounis had previously declared a Less than Significant Non-Pecuniary Interest.

RESOLUTION

Minute No. 2023/232

Resolved on the motion of Councillors Tsounis and Fardell

- 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)(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 offers to enter into a 20-year lease for the property with Windgap on the terms and conditions attached to this report and detailed in Annexure A except that:
 - (i) reference to the commencement of the demolition / break clause be amended from the 5th year to the 10th year; and
 - (ii) the table showing the clawback calculation be updated to reflect the change in the commencement of the operation of the demolition/break clause.
- 3 That Council notes that the proposed terms and conditions include the following provision: that should the demolition / lease break clause be instigated by

Council during the 20 year lease, Windgap Foundation (or its successor organisation) be offered first right of refusal on an equivalent space within a new development on 141 Coward Street, Mascot.

8.5 Generic Plan of Management - Crown Lands - Community Feedback

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

RESOLUTION

Minute No. 2023/233

Resolved on the motion of Councillors Tsounis and Jansyn

- 1 That the outcome of the public exhibition is received and noted.
- 2 That that pursuant to Section 3.23 of the Crown Land Management Act 2016 and Section 40 (2) (b) of the local Government Act 1993, Council adopts the draft Generic Plan of Management Crown Lands.

8.6 Proposed Naming of New Road and Public Walkway - 128 Bunnerong Road, Eastgardens - Completion of Public Consultation

RESOLUTION

Minute No. 2023/229

Resolved on the motion of Councillors Awada and Nagi

- 1 That Council adopts Delma Drive and Davison Walkway as the names of the new road and public walkway at 128 Bunnerong Road, Eastgardens.
- 2 That an application be made to the Geographical Names Board of NSW for approval.
- 3 Should the Geographical Names Board of NSW not support the names, alternate names are provided in order of preference:
 - a) Alternate Road Name 1: Chevrolet Drive
 - b) Alternate Road Name 2: Stephenson Drive
 - c) Alternate Walkway Name 1: Commodore Walkway
 - d) Alternate Walkway Name 2: Hartnett Walkway

8.7 Tender - Illuminating Community Spaces (incl. Her Way lighting)

RESOLUTION

Minute No. 2023/229

Resolved on the motion of Councillors Awada and Nagi

- 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 the report be received and noted.
- 3 That in accordance with Regulation 178 (1) (a) of the Local Government (General) Regulations 2005, Council accepts the Tender from Elec Comm Group Pty Ltd for the Illuminating Community Spaces project for the amount of \$464,744 exclusive of GST.
- 4 That additional funding of \$115,000 be allocated from VPA funding and \$65,000 be allocated from the Town Centre Levy Funds to allow for separable portions C & D to proceed.

8.8 2024 LGNSW Annual Conference Attendance

RESOLUTION

Minute No. 2023/234

Resolved on the motion of Councillors Curry and Morrissey

- 1 That Council makes preliminary arrangements for seven (7) Councillors to attend the LGNSW Annual Conference to be held in Tamworth from Sunday 17 November 2024 to Tuesday 19 November 2024.
- 2 That Council notes the preliminary arrangements will be made for attendance based on those numbers and that Council will be asked to nominate Councillors following the 2024 local government elections.
- 3 That Council meets the cost of attendance by Councillors at the Conference in accordance with Council's Expenses and Facilities policy.

8.9 Managing Conflicts of Interest for Council-related Development Applications Policy

RESOLUTION

Minute No. 2023/229

Resolved on the motion of Councillors Awada and Nagi

That Council adopt the Draft Managing Conflicts of Interest for Council-related Development Applications Policy.

9 Conclusion of Meeting

The Mayor closed the meeting at 7:38 pm.

Councillor Bill Saravinovski
Mayor

Meredith Wallace
General Manager

Attachments

Nil

7 MAYORAL MINUTES

Council Meeting

28/02/2024

Item No	7.1
Subject	Mayoral Minute - Cost Shifting onto Local Government
File	F08/50

Motion

- 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.
-

Mayoral Minute

The pressure on councils to continue to provide services of appropriate standard to our communities is now extraordinary.

The unrelenting growth of cost shifting to councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable local government and risking the capacity of councils to deliver tailored, grassroots services to their communities and properly deliver and maintain vital local infrastructure.

Alarmingly, the latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW for the 2021/2022 financial year (www.lgnsw.org.au/costshifting), an amount of \$1.36 billion of expense has been passed on to councils to fund. This is an increase of \$540 million since the last report from the 2017/2018 financial year and represents lost services, lost opportunity and lost amenity for all our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across the state. This means our communities get less or go without. They go without better roads, they go without better parks, they go without important community services that only councils provide, and they and their ratepayers are effectively paying hidden taxes to other levels of government.

Prior to the most recent state election the then Opposition wrote to LGNSW acknowledging that cost shifting had undermined the financial sustainability of the local government sector. I am now pleased to acknowledge that the Minns Government has honoured its commitment to our sector and has agreed to hold an Upper House Inquiry.

Attachments

- 1 Summary and Highlights - Cost Shifting 2023 - How State Costs Eat Council Rates
- 2 Full Report - Cost shifting 2023 - How State Costs Eat Council Rates

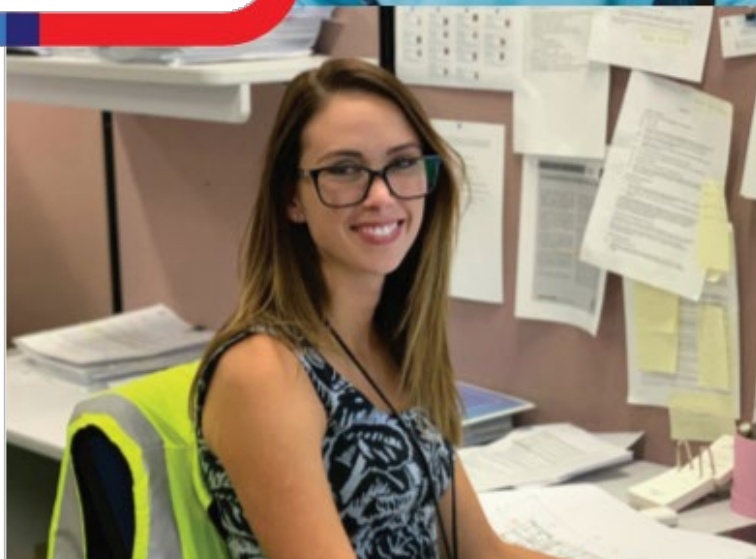


Cost Shifting 2023: How State Costs Eat Council Rates

Report Summary and Highlights



**ONE VOICE
FOR COUNCILS**





President's Foreword



It is with great concern that I present to you Local Government NSW's latest commissioned research on one of the most significant problems facing NSW councils today.

Cost Shifting 2023: How State Costs Eat Council Rates, by independent consultants Morrison Low, reveals the heavy financial burden carried by NSW councils and communities forced to assume ever-greater responsibility for state government services and infrastructure.

That burden is now valued at more than \$1.36 billion per year, up 78 per cent from \$820 million per year in just over five years.

It's fair to say that all levels of government – like families – are doing it tough.

But the difference is that with cost shifting, the financial pressure flows downhill – from the federal level to state governments, onwards to councils.

And of course ultimately to ratepayers, because councils must divert rate revenue away from existing services and infrastructure in order to fund the unrecoverable cost of the services, programs and functions imposed by the State Government.

This new report calculates that the total amount of cost-shifting to councils now represents an average of around \$460 per ratepayer, per year.

Councils are the closest level of government to the community and we see firsthand the very real impact of this endless financial squeeze.

We carry the can, as other levels of government wipe costs from their budgets by eating into ours. And we face the community to answer for rate increases, reduced services or degraded local infrastructure.

It is, quite simply, unsustainable and cannot continue.

After decades of advocacy by the local government sector, I welcomed the Minns' Government acknowledgement that the current funding system is broken. And I am more encouraged than I can say by their commitment to undertake a review of the financial modelling of councils.

LGNSW looks forward to contributing to this review, and to ensure that one of its key focuses will be to address this damaging practice, and drive a more financially sustainable future for the people of NSW.

Cr Darriea Turley AM
LGNSW President

What is Cost Shifting?

Cost shifting occurs when state and federal governments force councils to assume responsibility for infrastructure, services and regulatory functions without providing sufficient supporting funding.

NSW councils are currently being asked to absorb cost shifting worth more than \$1.36 billion each year, with the practice imposing an estimated cumulative burden of more than \$10.15 billion over the last decade.

This now amounts to an average \$460.07 paid by each NSW ratepayer, each and every year.

As councils work to rebuild their communities in the wake of the COVID pandemic and repeated natural disasters, they also find themselves grappling with the same economic challenges and headwinds impacting the State and Federal Governments. The difficult economic climate, rising costs and severe skills and labour shortages are impacting council budgets and affecting service and infrastructure delivery in local communities. The continual shifting of the obligations and costs for State (or Federal) functions and services onto local government, coupled with a defective rate peg system, is only making the situation worse.

Cost shifting onto local government remains one of the most significant challenges facing NSW councils today. The unrelenting growth of cost shifting to councils is increasingly eroding any possibility of financially sustainable local government and risking the capacity of councils to both deliver tailored, grassroots services to their communities and properly maintain vital local infrastructure.

Alarming, the latest research commissioned by LGNSW shows that the increase in cost shifting has been accelerated by various NSW Government policies.



Analysis by independent consultants Morrison Low calculated the total cost shifted onto councils in the 2021/22 financial year at \$1.36 billion.



This is a dramatic increase of 78 per cent since the 2015/16 financial year, when the total cost shift was estimated at \$820 million.



In 2021/22, each NSW ratepayer had the equivalent of \$460.67 of their paid rates eaten by state government costs.



The proportion of council rates subsumed by cost-shifted obligations ranged from \$420.90 for ratepayers on the metropolitan fringes to \$590.80 for rural ratepayers.

\$1.36 Billion

Cost shift to councils per annum

\$460.67

Per ratepayer per year

What is eating council rates?

The largest direct cost shift to councils is from emergency service contributions and other emergency service obligations, totalling \$165.4 million. However, the cost of rate exemptions is higher still, representing a total of \$273.1 million of potential rates that are exempted and redistributed to other ratepayers to pay. An additional \$288.2 million in waste levies are passed onto the ratepayers through the waste collection fees in their rates bill.

A further \$156.7 million in costs for libraries is also being covered by councils to make up the difference between the committed funding for councils' libraries and the subsidies received.

Top Five Cost Shifts onto NSW Councils

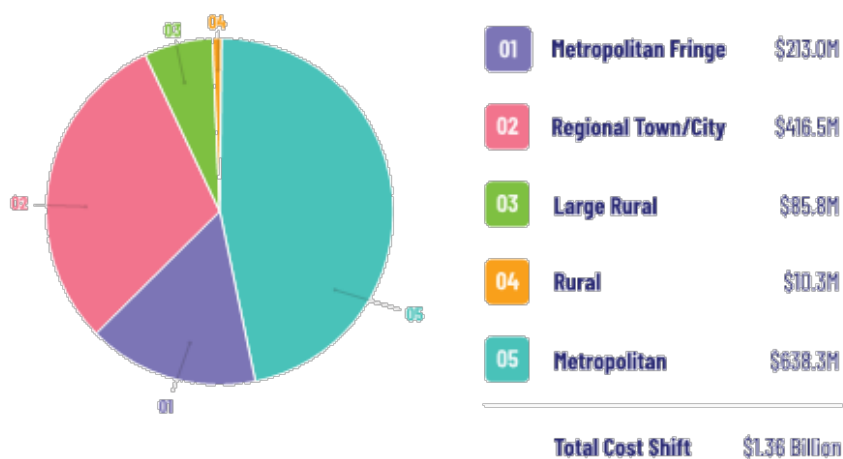




Cost shift per ratepayer per year by council classification



Total cost shift per year by council classification



Local Government NSW

GPO Box 7003 Sydney NSW 2001
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🌐 lgnsw.org.au

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LGNSW Cost Shifting Report – How State Costs Eat Council Rates



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1 Executive Summary

Cost shifting remains one of the most significant challenges facing the NSW local government sector. As the peak organisation representing the interests of all 128 general purpose councils in NSW, as well as special purpose councils and related entities, Local Government NSW (LGNSW) regularly monitors the extent of cost shifting onto local government via its Cost Shifting Survey.

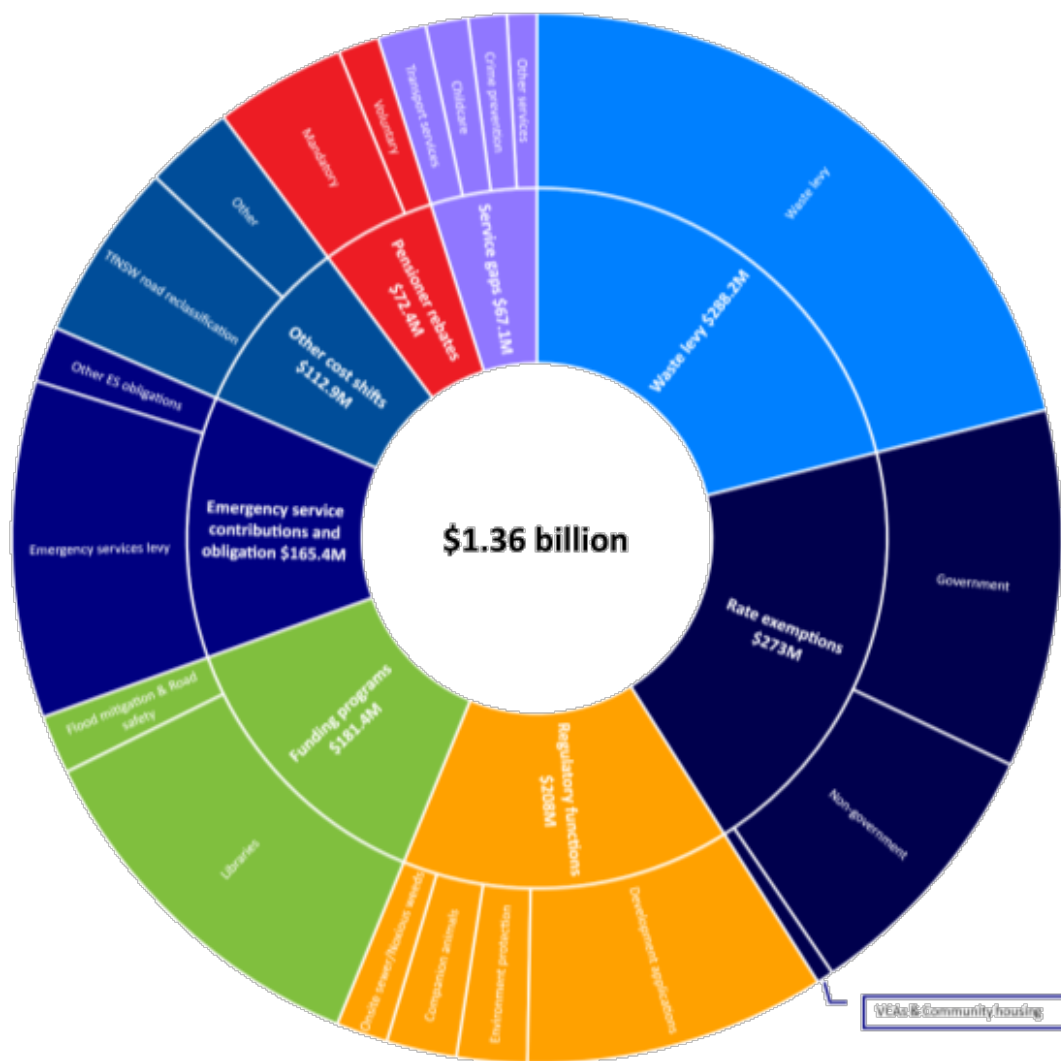
The 2021–22 Cost Shifting Survey has revealed that cost shifting totalled **\$1.36 billion** in 2021–22 (see figure on the next page), far exceeding historical records and representing an increase of \$540 million since the Cost Shifting Survey was last carried out in 2017–18. Alarming, the increase in cost shifting has been accelerated by various State Government policies, with the most significant examples of cost shifting in 2021–22 being:

- The **waste levy**, which remains the largest single contributor to cost shifting in NSW, totalling \$288.2 million, because the NSW Government did not fully reinvest the waste levy, paid by local councils, back into waste and circular economy infrastructure and programs.
- The **Emergency Services Levy** and associated **emergency service contributions**, which totalled \$165.4 million and represented the largest direct cost shift to local councils. In 2021–22, councils contributed \$142 million through the Emergency Services Levy, \$12.7 million through Rural Fire Service (RFS) obligations, and \$10.7 million in depreciation expenses on RFS assets.
- The NSW Government's failure to fully reimburse local councils for mandatory **pensioner rate rebates**, resulting in councils losing \$55.2 million.
- The NSW Government's failure to cover the originally committed 50 per cent of the cost of libraries operations, resulting in an additional \$156.7 million in costs to councils.

Local councils and their communities are facing unprecedented challenges. As they lead the recovery efforts from both the COVID pandemic and repeated natural disasters across much of NSW, local councils are also grappling with the same challenges affecting the State and Federal Governments, such as rising costs, increased economic uncertainty, and severe skills and labour shortages – all of which are impacting council budgets and affecting service and infrastructure delivery in local communities. The continual shifting of the obligations and costs for State and Federal functions and services onto local government coupled with a defective rate peg system, is only making the situation worse. In 2021–22, each ratepayer of NSW has approximately \$460.67 from councils' rates eaten by state government costs.



Figure 1 2021–22 cost shifting components





2 Background

2.1 What is cost shifting?

Cost shifting describes a situation where the responsibility for, or merely the costs of, providing a certain service, concession, asset, or regulatory function is imposed onto local government from a higher level of government (Commonwealth or State Government) without the provision of corresponding funding or the conferral of corresponding and adequate revenue raising capacity other than out of general rates.

As the council cannot raise or receive sufficient revenue to fund the imposed service concession asset or function, cost shifting forces councils to divert funding collected from ratepayers away from planned projects or services that the council has committed to the community to deliver in its Delivery Program.

In NSW, cost shifting has taken a number of forms including:

- **The Emergency Service contributions:** Councils are required to fund 11.7 per cent of the cost of Fire & Rescue NSW, Rural Fire Service (RFS) NSW and the NSW State Emergency Service (SES) through an Emergency Service Levy (ESL). 73.7 per cent of emergency services costs is funded through insurance premiums and the remaining 14.6 per cent from the NSW Government's treasuries. Councils provide additional financial contributions to emergency services agencies in addition to the ESL.
- **The waste levy:** The waste levy is not as much a cost shift to councils as an invisible tax levied on ratepayers through councils. The waste levy is a levy paid by all waste facilities to the NSW Government, the cost of this levy is recovered through the waste collection fees levied by councils, in effect shifting the burden of this tax on to ratepayers.
- **Forced rates exemptions:** Councils are required to exempt government and other organisations from paying rates in the local government area. These organisations utilise local government services and infrastructure. As they are exempt from paying rates, the burden of the costs they incur is shifted to the ratepayers to fund. Examples of exempt organisations include government departments, private schools, and non-government social housing providers.
- **Imposing additional regulatory functions:** State and Federal levels of government implement or increase regulatory requirements through legislation that is then administered by local government. The costs of this new or increased regulatory function is often not funded by the determining level of government and councils must fund this through their own revenue sources including rates.
- **Cutting or failing to adequately continue to fund programs for services that need to continue:** Many funding programs announced by State or Federal government are required to be delivered by local government but are either not fully funded from their initiation or, if an ongoing initiative, funding is reduced over time leaving councils with the decision to either continue the program and make up the burden of the cost or cease the program entirely. An example of this in Libraries, where the original commitment from State Government was to fund 50 per cent of libraries cost, it now covers approximately 8 per cent of the total costs, leaving councils to fund an additional \$156.7 million to make up the difference.



- **Pensioner rebates:** Councils are required to provide pensioner rebates on rates and other charges, for which the State government only subsidises 55 per cent of the cost, the remaining 45 per cent is funded by other ratepayers.
- **Councils absorbing the costs of service and market gaps that should have been provided by State or Federal governments:** This is particularly an issue in rural and regional NSW, where councils often must step in to provide or support a service that is traditionally delivered either directly or through subsidised private providers. This can be for a diverse range of services from aged, disability or childcare through to medical services, education, or public transport services.

2.2 Cost shifting and the rate peg

Cost shifting has been a term used for many years to describe the cost impact on local government of decisions made at the State and Federal level. It is particularly relevant in NSW where a rate pegging system is applied to restrict how local government can raise rates revenue.

The issue of State and Federal decisions having a direct financial impact on local government exists in all States and territories of Australia to some extent. In many cases, local government can be the best and most efficient partner for State and Federal government to deliver its programs or services.

Challenges arise with respect to how the State and Federal initiatives are, or continue to be, funded. In States where there is not a rate pegging system in place, local councils are able to better manage the financial impacts by adjusting rates or levying specific fees and charges to reflect the change in costs of providing the imposed service, concession, asset, or regulatory function.

The rate peg in NSW sets out the maximum amount that local councils can increase their rates by and is set by the Independent Pricing and Regulatory Tribunal (IPART) each year. In determining the rate peg, IPART does not adequately consider the cost shifting impacts on councils. As a result, increases in the costs shifted to councils identified here are not covered by a commensurate increase in rates revenue. This means that councils have to divert funding from other commitments agreed with their communities in their Community Strategic Plan and Delivery Program to fund the cost shift incurred. This has a direct impact on councils' ability to deliver services to the community and their overall financial sustainability.

2.3 This report

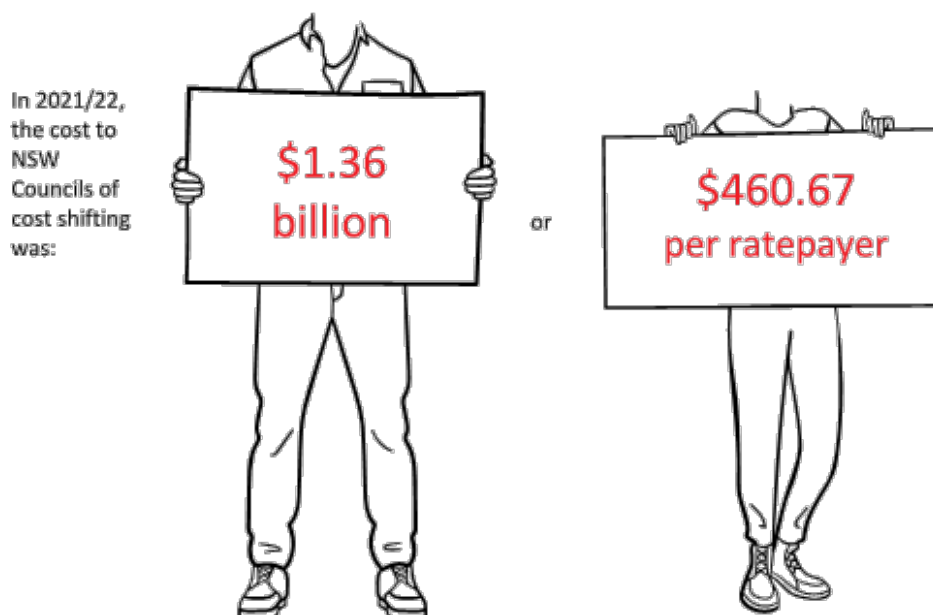
This report provides analysis and insights from the 2021–22 Cost Shifting Survey conducted in May 2023.

Section 3 of this report provides more detail on the findings from the survey, breaking down the findings into their key cost shifting areas, as identified in section 2.1 above, and Section 4 outlines the approach and methodology used in the survey and analysis.



3 Findings

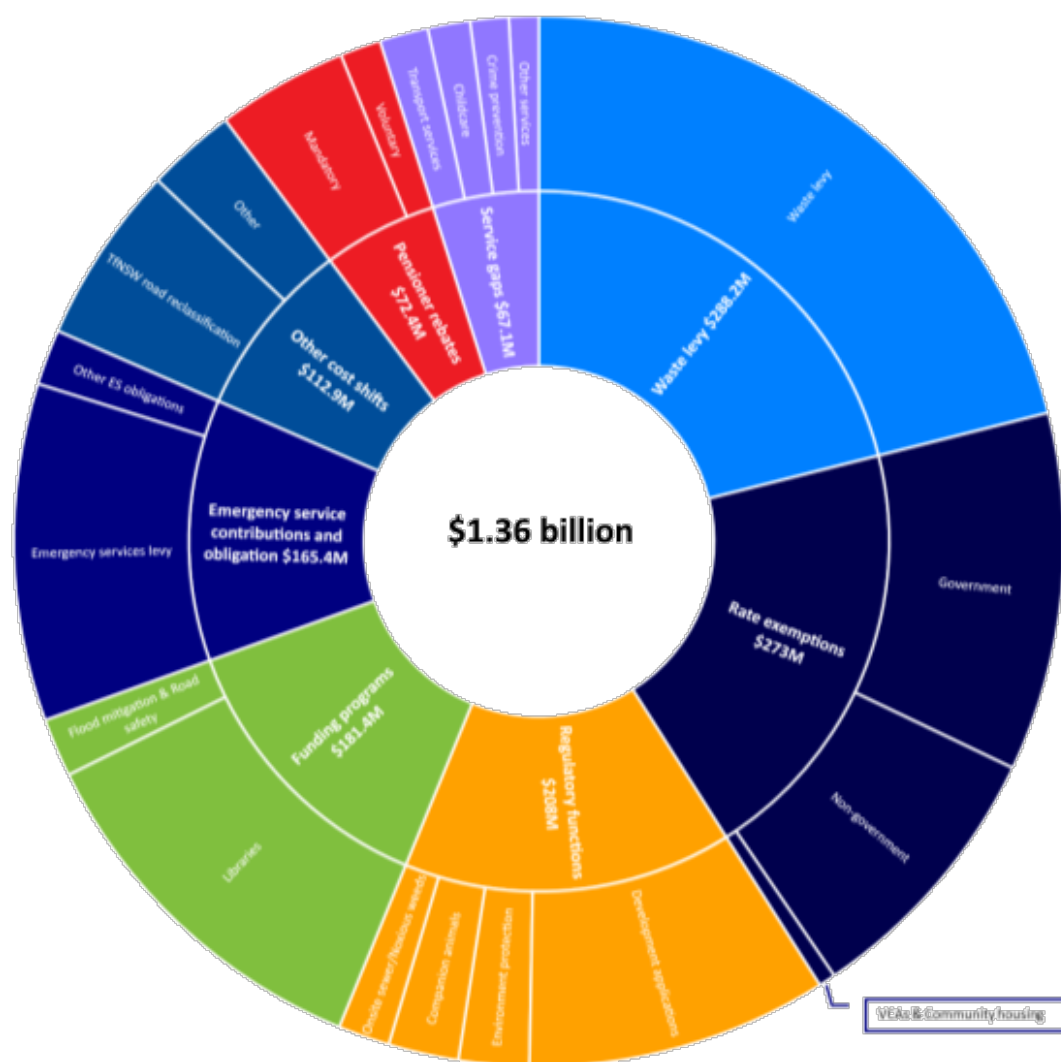
Our survey found that cost shifting cost NSW councils \$1.36 billion in 2021–22, which represents \$460.67 for each ratepayer. In effect, this is the average amount of rates that councils must divert from the services and infrastructure that council has committed to provide the community in order to fund the unrecoverable cost services, programs and functions that are imposed from the State or Federal governments.



Many services, programs, and functions that the State and Federal governments require local councils to deliver, in turn provide benefits to the local communities they serve. This report does not provide an assessment on the merit of these costs, only to bring them to light. Due to the nature of how the services, programs and functions are provided and funded, cost-shifting can be hidden from view. This analysis helps to quantify and highlight these costs for all tiers of government and the community.



Figure 2 2021–22 cost shifting components



The largest direct cost shift to councils is from emergency service contributions and other emergency service obligations, totalling \$165.4 million.

However, the cost of rate exemptions are higher still, representing a total of \$273.1 million of potential rates that are exempted and redistributed to other ratepayers to pay. An additional \$288.2 million in waste levies are passed onto the ratepayers through the waste collection fees in their rates bill. A further \$156.7 million



in costs for libraries has been covered by councils to make up the difference between the committed funding for councils' libraries and the subsidies received.

While in nominal terms the largest total cost shifts have been seen metropolitan councils, was on a per ratepayer basis rural and large rural councils have seen a greater impact, as the graphs below indicate.

Figure 3 Total cost shift by council classification

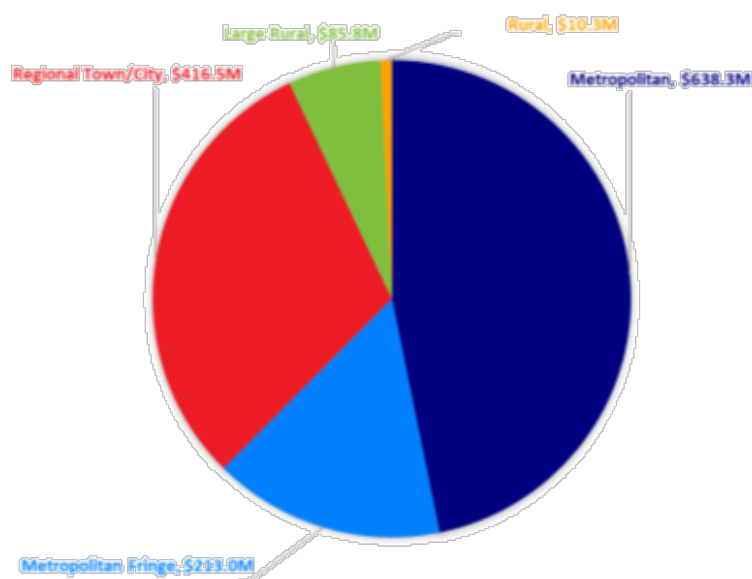
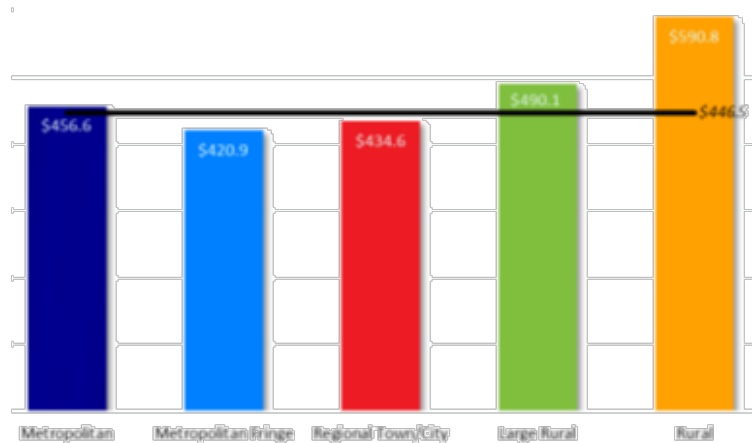


Figure 4 Cost shift per ratepayer by council classification





We will explore each component of rate shifting in the following sections.

3.1 Emergency service contributions and obligations

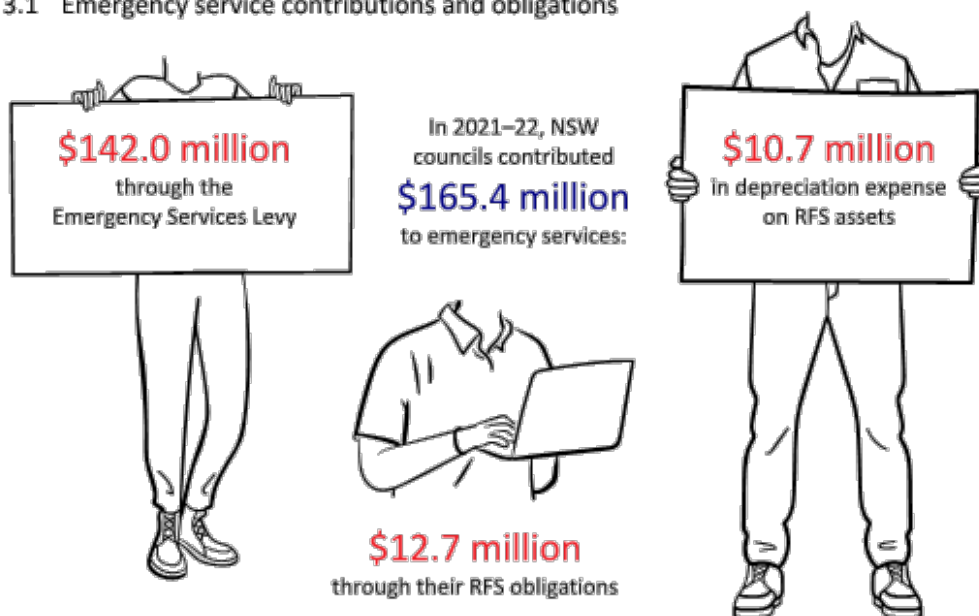




Figure 5 Emergency services contributions and obligations by council classification

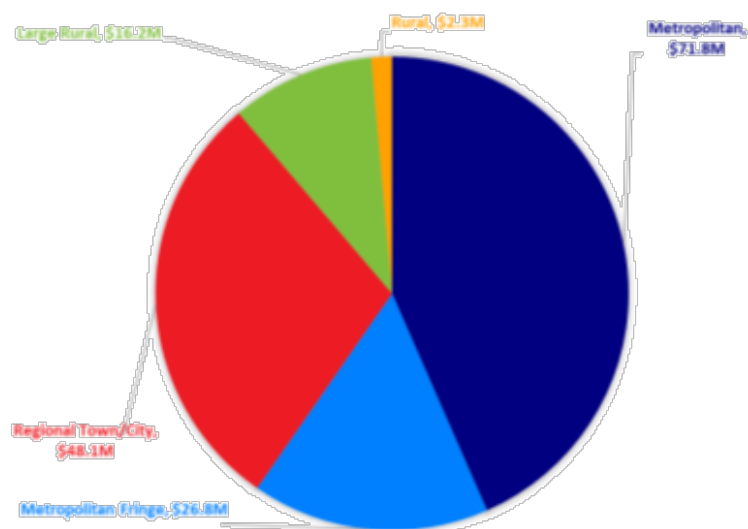


Figure 6 Respondent councils with the highest emergency services contributions and obligations burden

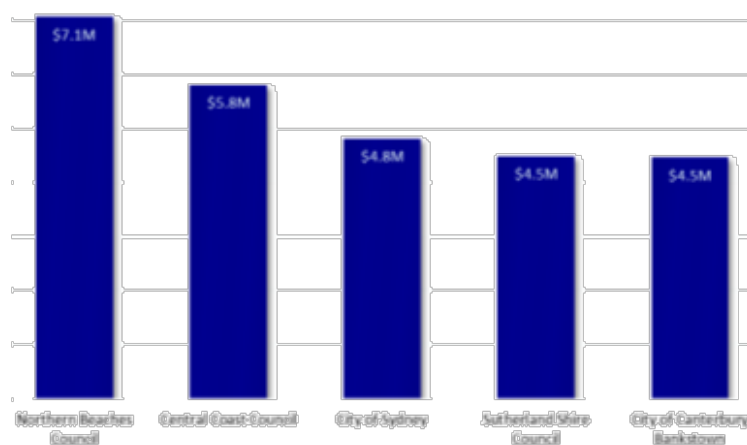
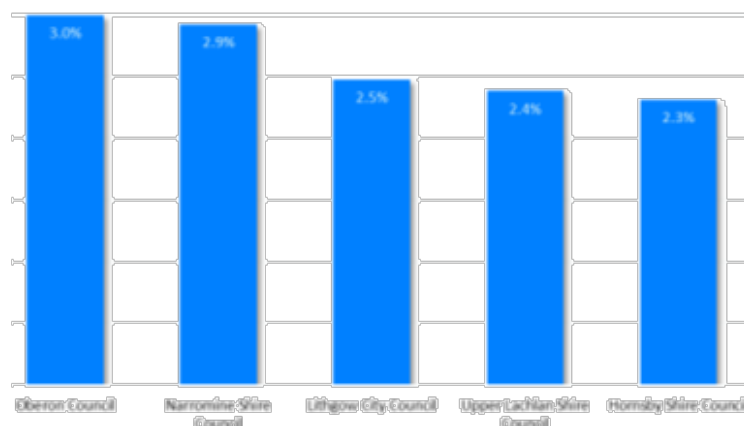




Figure 7 Respondent councils with the highest emergency services contributions and obligations burden as a proportion of total operating expenditure



NSW councils are required to fund 11.7 per cent of the NSW SES, NSW Fire and Rescue and NSW RFS budgets through a direct contribution levied each year by the State Revenue Office. This is funded directly from general revenue, primarily rates, as councils have no ability to raise revenue to fund this in any other way.

Councils also have no influence on the costs or budget setting of these organisations. This contribution of ratepayers' funds is in addition to the Emergency Services Insurance Contribution that is extracted through insurance companies, who cover 73.7 per cent of the agencies' budgets and results in higher insurance premiums for policy holders

The emergency service levy is estimated to have cost NSW councils overall \$142.0 million in 2021–22. That is a total of \$46.23 per ratepayer, which goes directly to the NSW Government as part of the emergency services contribution.



Figure 8 Respondent metropolitan and fringe councils with the largest ESL bill for 2021–22

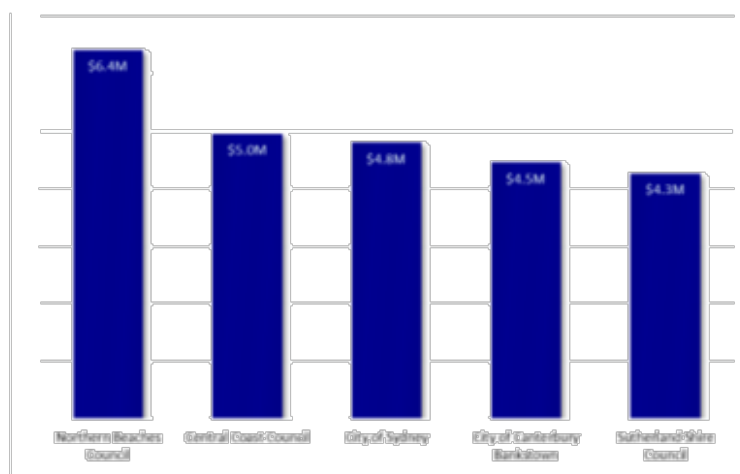


Figure 9 Respondent regional and rural councils with the largest ESL bill for 2021–22

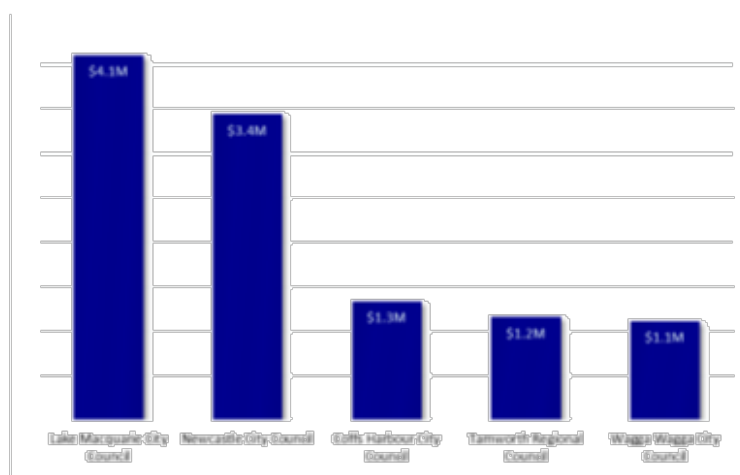
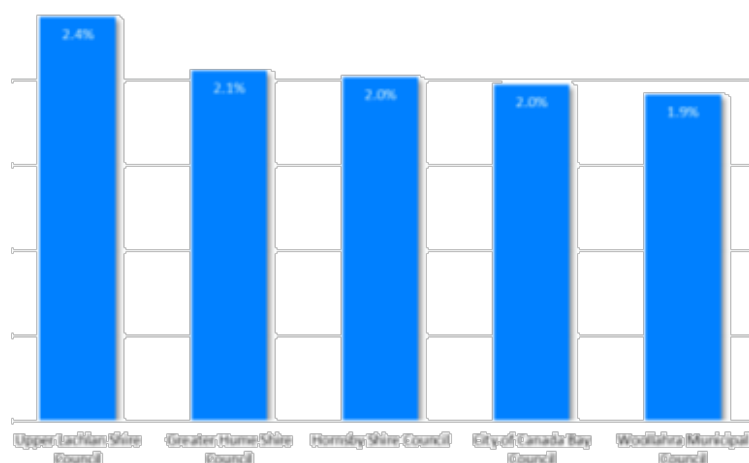




Figure 10 Respondent councils with the largest ESL bill as a proportion of total operating expenditure



In 2019, the NSW Government subsidised councils for the increase in Emergency Service Contribution costs, because of a large increase in the ESL resulting from large increase in workers compensation costs followed by the Black Summer Bushfires and the unfolding COVID pandemic. From the 2023–24 financial year, the NSW Government increased the budgets and therefore costs for the three relevant agencies and removed the subsidy at the same time. Councils were not advised of this change until after they had developed and put their 2023–24 budget on public exhibition as they are required to do. The increase represented a \$41.2 million cost increase from the prior 2022–23 financial year.

With the rate peg set at 3.7 per cent for the 2023–24 rating year, the increase in emergency services contributions has put substantial pressure on the financial sustainability of local government.

Figure 11 Top 10 councils with the highest ESL bill in 2023–24

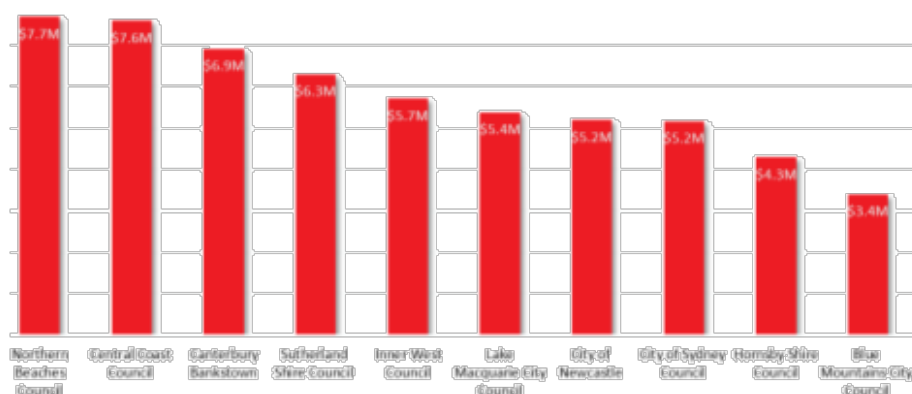
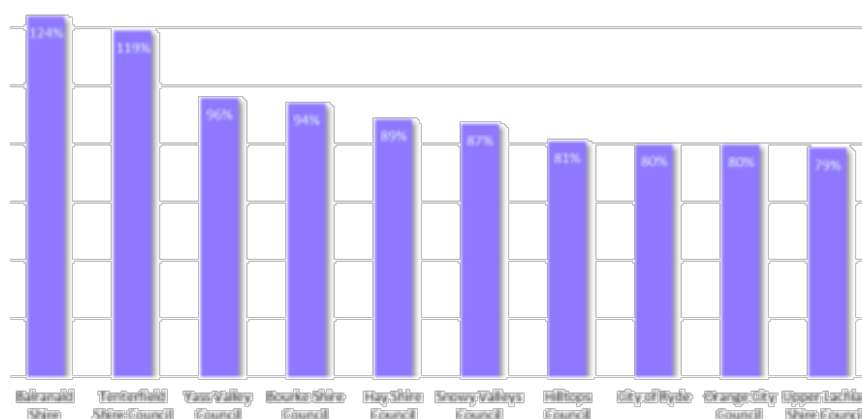




Figure 12 Top 10 councils with the highest 2023–24 ESL increase as a percentage of the rate revenue increase



The increases in emergency services contributions from councils have hit both the largest and smallest of councils.

“Two of the four biggest expense payments that Central Coast Council must make each year are for State government levies: the emergency services levy and the waste levy. They are in the millions each and are funded straight out of our rates and waste revenue.”

David Farmer, CEO, Central Coast Council



“Central Darling Shire is the largest shire in NSW covering an area of 53,000 square kilometres in Far Western NSW, but it has the smallest (and declining) population of less than 2000. CDS is not a typical shire as it consists of a series of isolated communities (Menindee, Ivanhoe, Wilcannia and White Cliffs) and large pastoral holdings. It borders the large unincorporated area of the Far West.

For Council, the Emergency Services Levy has increased by \$70,000 for 2023/24, bringing the total Council contribution to \$318,989. The increase is some \$70,000 which is more than double the increase in rates due to rate pegging.

For the 2023/2024 financial year the Council income from rates is budgeted to be \$913,000. This includes the rate peg increase of 3.7 per cent, which looks like being eaten up by the hike in the ESL.

For a Council like Central Darling this level of increase is simply unsustainable and will result in the further reduction of services to our residents.

There is a clear case for the NSW Government to fully fund this increase as part of its community service obligation as small rural councils with a limited rate base cannot afford to continue to pay.”

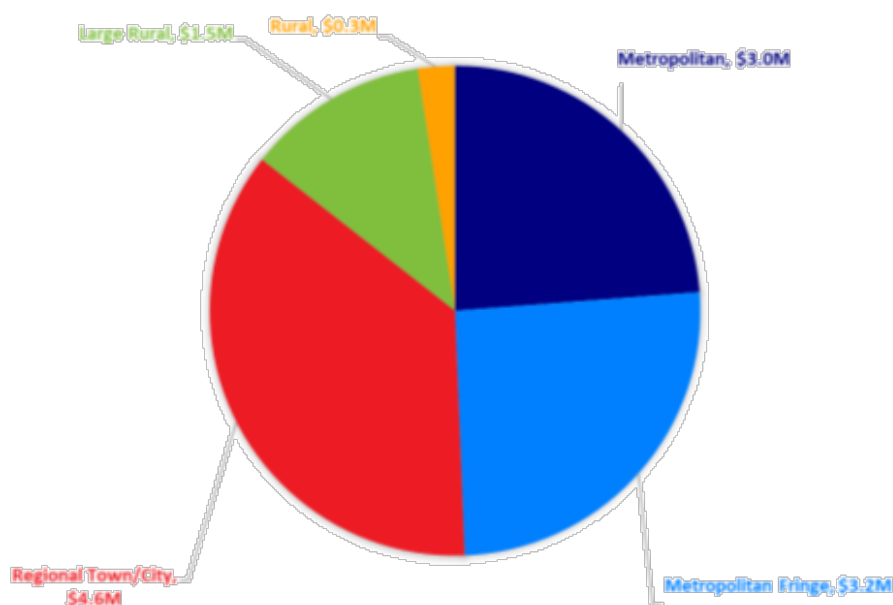
Bob Stewart, Administrator, Central Darling Council²

² Figure 11 does not include Central Darling's actual result as it was not provided to LGNSW.



In addition to the emergency service levy, local councils are required to support the RFS and SES in other ways. This commitment seems to be different for different Councils. For example, for some councils, when the RFS annual budget is allocated back to the districts, some of these funds are vested in councils through the Rural Fire Fighting Fund (RFFF). These funds are then administered by councils to deliver repairs and maintenance of buildings and a small amount of plant and equipment. In some cases, Councils also fund other functions such as training and provision of office supplies. If the RFFF is insufficient to provide these in any one year, some councils will then provide further financial support directly to the districts to meet the difference. In 2021–22, the cost of this additional support has been estimated at \$12.7 million.

Figure 13 Additional RFS contributions by council classification



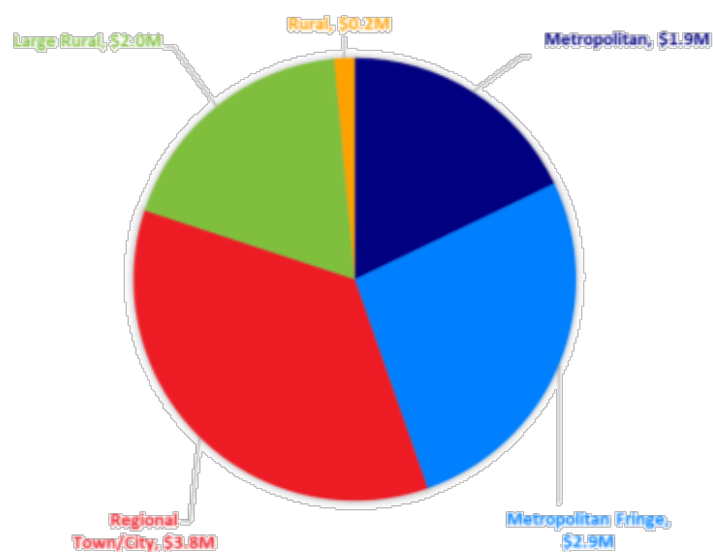
The RFS funding arrangements are the most complex of all the emergency services and creates challenges for both councils and the RFS. While councils are aware that their obligations to provide financial support to the RFS are generally over and above the RFFF, the costs at a district level are extremely volatile from one year to the next and dependent on whether there is a bushfire in the district (in which instance the district will fund some aspects of other districts' costs if they come to support the local bushfire response) or if the district comes to the aid of another district (in which instance they will receive additional funding which reduces the pressure on its own budget and therefore the financial support required from the local council).

What results is that councils have to bear the budget risk of the volatility of RFS costs and funding, while RFS districts don't have accountability for their own budgets and costs, and are not able to help to provide certainty because they don't know where the next emergency will be. Much of these volatility issues are resolved at a State level, when looking at the RFS services overall.



In addition to the direct repair and maintenance costs, councils are also required to recognise RFS red fleet assets and account for their depreciation expense in council financial reports. In 2021–22, this depreciation cost is estimated at \$10.7 million.

Figure 14 RFS Depreciation Expense by council classification



This has been a somewhat contentious issue in recent years and ultimately comes down to identifying where control of these assets lie. In summary, the NSW Government has concluded under the *Rural Fire Services Act 1997*, which states that these assets are vested to councils and therefore “on balance, councils control this equipment” under the Australian Accounting Standards². The NSW Audit Office has accepted this position in undertaking their audit function of local government.

Many councils, with the support of LGNSW, have refused to accept this position, which has resulted in 43 NSW councils receiving a qualified audit opinion of their 2021–22 financial reports. Their position is that control of these assets sits with the RFS, and therefore the NSW Government, based on the Australian Accounting Standards Board Conceptual Framework, which does not necessarily define control as a legal ownership right, but rather:

“... the present ability to direct the use of the economic resource and obtain the economic benefits that may flow from it. Control includes the present ability to prevent other parties from directing the use of the economic resource and from obtaining the economic benefits that may flow from it. It follows that, if one party controls an economic resource, no other party controls that resource.”³

² Audit Office of New South Wales (2023) *Regulation and monitoring of local government*, NSW Government, 23 May 2023.

³ Australian Accounting Standards Board (2022) *Conceptual Framework for Financial Reporting*, AASB, 7 April 2022.



This issue is ongoing, and while depreciation itself is not a cash expense, the accounting for depreciation in local government has two key financial implications. Firstly, the increase in depreciation expense will reduce a council's overall surplus or increase its deficit, which has implication for a council's measures of financial sustainability. Secondly, for most local government assets, depreciation is used as the estimate of required renewal expenditure for councils to maintain assets at their current condition. In other words, councils must fund depreciation with a similar level of capital cashflow to ensure assets are kept at required standards, this is not the case for firefighting equipment, which is funded through the State Government's budget allocation to the RFS. This remains an ongoing issue at the time of writing this report.

3.2 Waste levy

The waste levy is a tax on landfill facilities and only applies to 42 metropolitan and 19 regional levy areas shown in Figure 18. Although, not technically a "cost shift" – as the cost of the levy is recovered through waste charges – it represents a somewhat "invisible tax".

The purpose of the waste levy is to provide economic incentive to alternative waste management processes, such as recycling and resource recovery. The funds raised by the waste levy go directly to NSW Government general revenue. Some funds do come back to communities and councils through grants for a variety of projects, but this only represents 10 to 15 per cent of the funds raised through the tax.

The metropolitan levy at \$147.10 per tonne in 2021–22 is nearly twice the amount per tonne of the regional levy at \$84.70 per tonne in 2021–22. Some councils, such as Central Coast and Newcastle, operate their own landfill facilities and pay the levy directly to the NSW Government. Not all councils operate landfills directly, many councils have their waste managed through contracts with private providers. While these providers will incur the levy directly, councils in the levy areas will collect waste charges that include the waste levy as a component of the waste fees. Depending on how their waste management contracts are structured, some councils have been able to provide an estimate of this levy collected in the waste fees while others have not.

Of the 51 councils surveyed who are in the levy area, 36 provided an estimate of the amount paid, which totalled \$287.8 million in 2021–22. Based on this data, we have estimated the total amount of the waste levy paid through waste collection fees in 2021–22 at \$292.9 million.

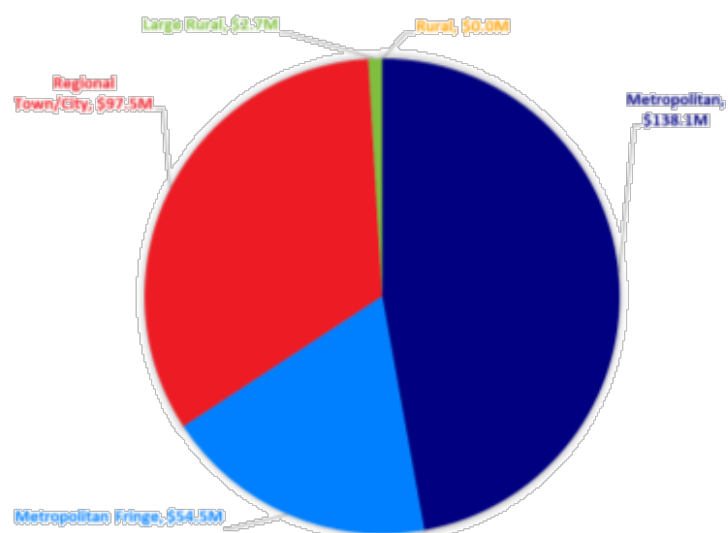
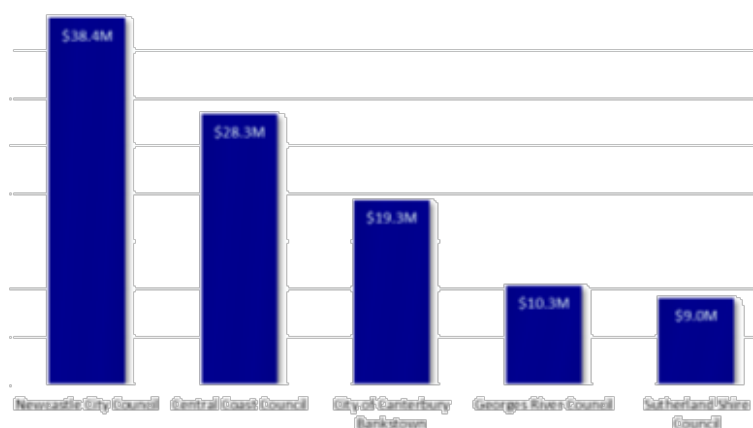
**Figure 15 Waste levy by council classification****Figure 16 Respondent councils with the highest waste levy**



Figure 17 Waste levy area map⁴



⁴ <https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/wasteregulation/levy-area-map.pdf?la=en&hash=C0D135E31055637B88A41FAE8272864C2655B186>



3.3 Rate exemptions

Many government and private property owners in a local government area are exempt from paying rates to councils. Due to the way rates are calculated, this doesn't usually affect the total amount of revenue that councils are able to raise through rates. It does mean that the distribution of the rates burden falls more heavily on the existing ratepayer base.

For government-owned properties, rate exemptions are a part of a complex set of arrangements for exemptions of some taxes between the different tiers of government. State Owned Corporations (SOCs and GTEs) pay tax on lands owned and used for commercial purposes. This is provided for under competitive neutrality policy/National Competition Policy (a notable exception to this arrangement is the Forestry Corporation). Councils are exempt from most State and Federal taxes (for example land tax, payroll tax, stamp duty, and income tax). Councils are also involved in delivering a wide range of services or regulatory functions under various State and Commonwealth Acts and they receive a large number of different grants from State and Federal governments, including the untied Financial Assistance Grants that the States administer and distribute to councils.

Additionally, there are many non-government organisations that are also exempt from paying rates, including private schools, hospitals and retirement villages, as well as not-for-profit organisations such as religious organisations. While these organisations are exempt from paying rates; all expect and receive services and infrastructure from councils, the cost of which is funded by ratepayers.

Community housing was an area that we asked councils about specifically as the NSW government has been in the process of transitioning the ownership and management of public and social housing to non-government Community Housing Providers. Under past practice, social and public housing provided by State Government agencies paid rate equivalents on all their properties. CHPs are exempt from rates and more and more social and public housing is moving into this category. As a result, the rates exempt status seems to be moving with the community housing property.

The total amount of rate exemptions represented \$273.1 million, shifting approximately \$89.04 to each NSW ratepayer.



Figure 18 Rate exemptions by category

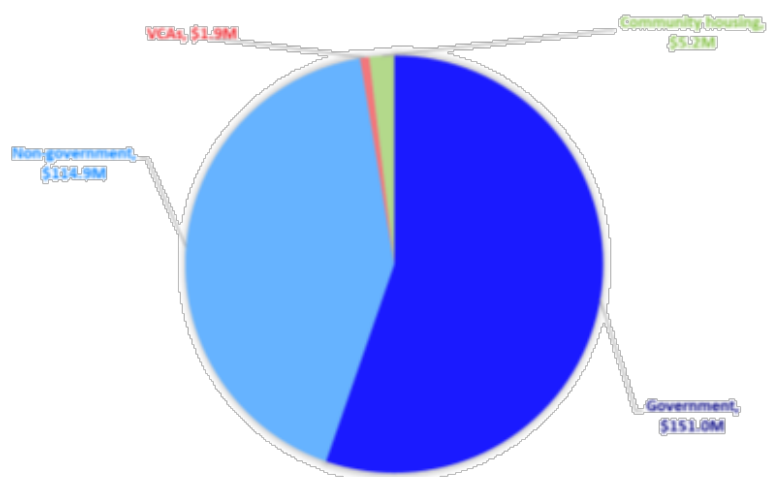


Figure 19 Rate exemptions by council classification

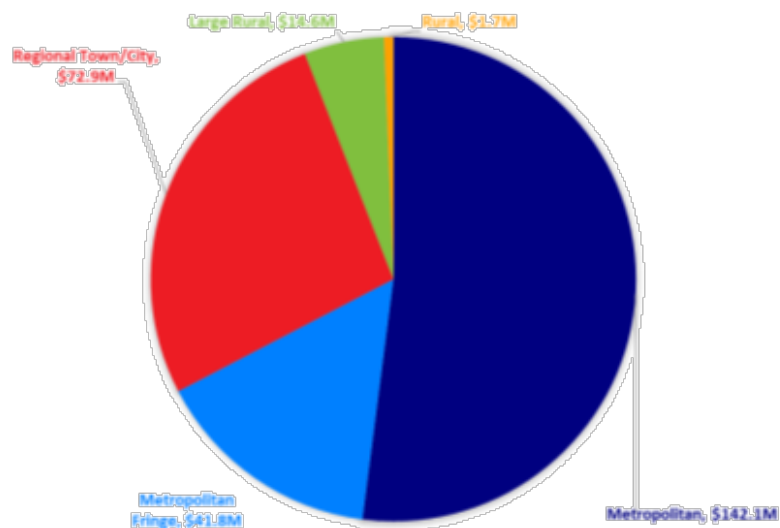




Figure 20 Average rate exemption for respondent councils as a proportion of rates revenue by council classification

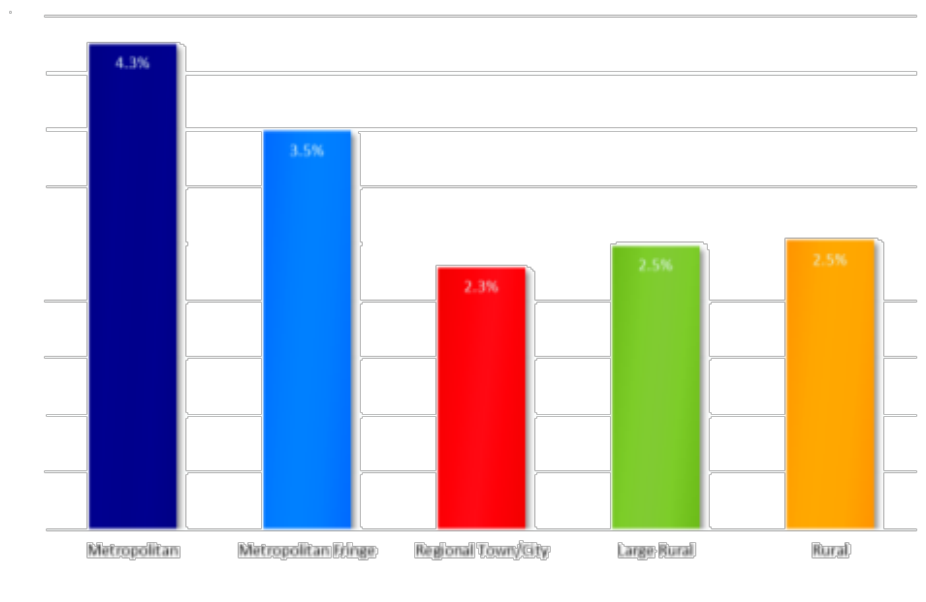


Figure 21 Respondent councils with the highest rate exemptions as a proportion of rates revenue

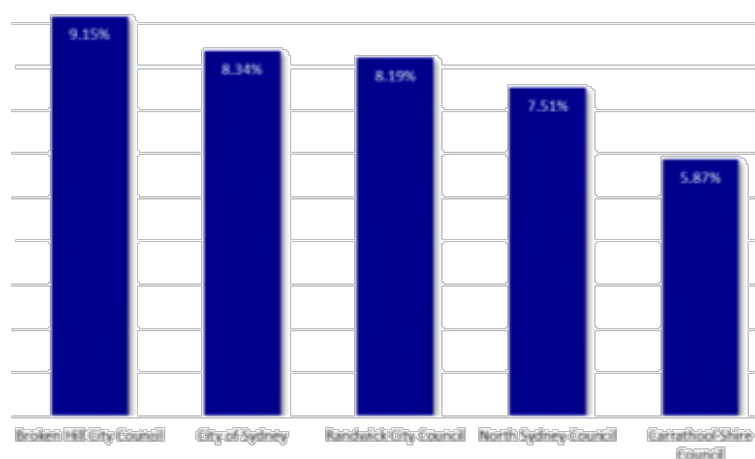




Table 1 Cost for rate exemptions

Rate exemption	Number of councils who responded to this question in the survey with a figure	Total amount of cost shift provided	Estimated total cost shift for all NSW Councils (based on population)
Government-owned property	62 (from which two councils put a figure of 0)	\$95.5M	\$151M
Non-government-owned property	61 (from which one council put a figure of 0)	\$72M	\$115M
Voluntary conservation agreements	47 (from which ten councils put a figure of 0)	\$1.2M	\$1.9M
Community housing	53 (from which 11 councils put a figure of 0)	\$3.3M	\$5.2M

3.4 Regulatory functions

In addition to the obligations under the *Rural Fire Services Act 1997*, *Fire and Rescue NSW Act 1989* and the *State Emergency Service Act 1989*, councils incur additional costs of increased regulatory responsibilities. These are additional functions or requirements that are not fully funded by increases in fees and charges.

In 2021–22, the unfunded costs for regulatory functions represented \$208.0 million.

Figure 22 Unfunded regulatory costs by category

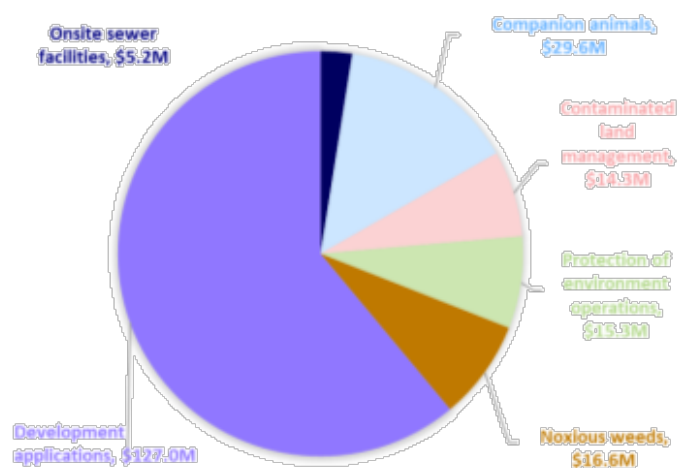




Figure 23 Unfunded regulatory costs by council classification

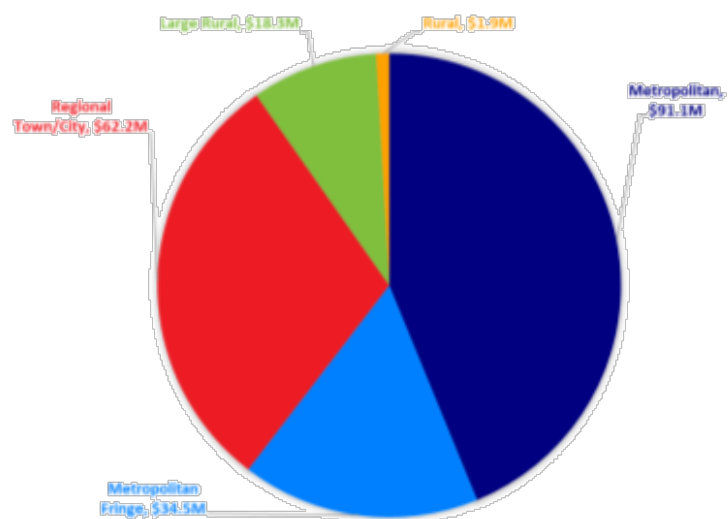
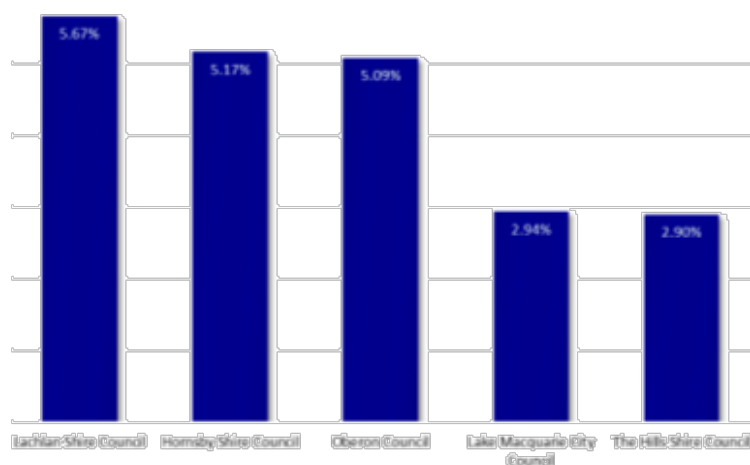


Figure 24 Respondent councils with the largest regulatory cost as a proportion of total operating expenditure



The function and total estimated costs from councils are outlined in the table below.



Table 2 Cost for increased regulatory functions that cannot be recovered through fees and charges

Regulatory function	Number of councils who responded to this question in the survey with a figure	Total amount of cost shift provided	Estimated total cost shift for all NSW Councils (based on population)
Onsite sewer facilities	35 (from which 15 councils put a figure of 0)	\$3.4M	\$5.2M
Companion animals	69 (from which four councils put a figure of 0)	\$19.6M	\$29.6M
Contaminated land management	45 (from which nine councils put a figure of 0)	\$7.2M	\$14.3M
Protection of environment operations	48 (from which four councils put a figure of 0 and one a negative amount)	\$9.9M	\$15.3M
Noxious weeds	64 (from which eight councils put a figure of 0)	\$11.1M	\$16.6M
Development applications	64 (from which five councils put a figure of 0 and one a negative amount)	\$86.7M	\$127.0M

3.5 Funding programs

Councils are occasionally required to fund the continuation of several funding programs that were instigated by the NSW Government, but for which funding commitments have, over time, either been reduced or removed entirely. The three main funding programs councils currently continue to fund are:

- **Library subsidies:** the original library funding subsidy was 50 per cent of the library services costs, however this has reduced over time. In 2021–22, councils paid an estimated \$156.7 million on library services that would have been covered by the originally committed 50 per cent State government subsidy.
- **Flood mitigation:** the program was originally established with the State and Federal governments providing 80 per cent of the costs and councils funding 20 per cent, the shortfall of this funding is estimated to be costing councils \$18.2 million in 2021–22.
- **Road safety program:** funding for programs and ongoing staff for education, however councils were not able to reduce the costs with the removal of the funding program. In 2021–22, councils have an estimated cost burden of \$6.4 million as result.

The total cost to council to continue to meet the funding shortfall of these programs was \$181.3 million, the vast majority which was the shortfall in the library subsidy of \$156.7 million.



Figure 25 Funding program costs shifted by category

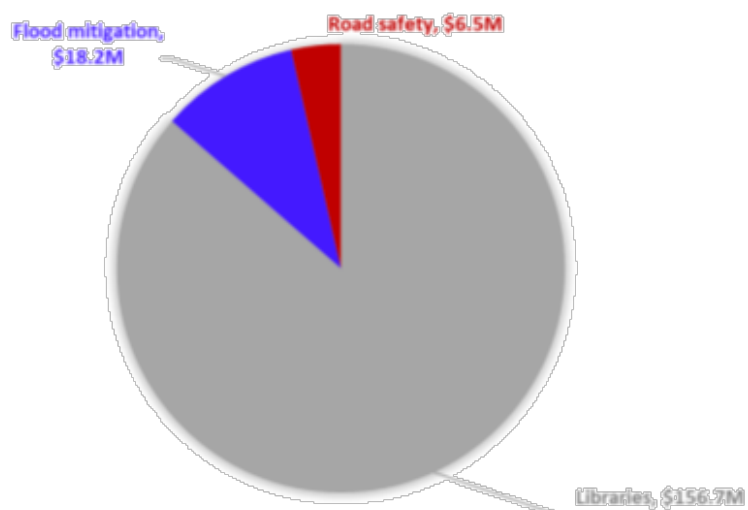


Figure 26 Funding program costs shifted by council classification

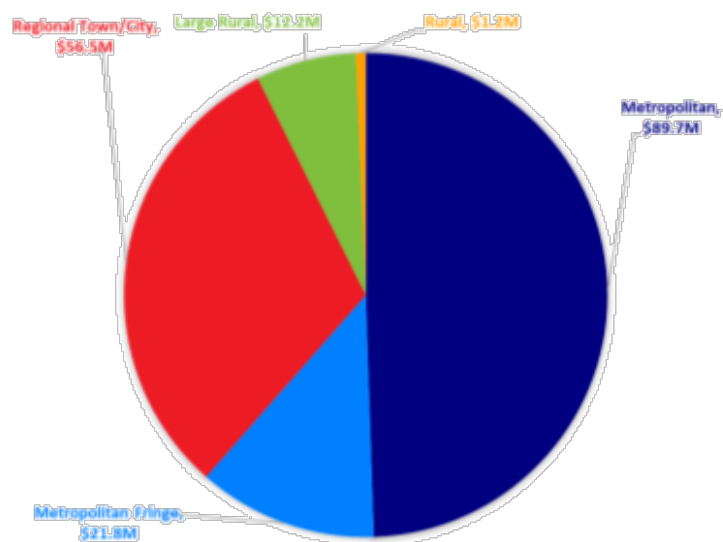
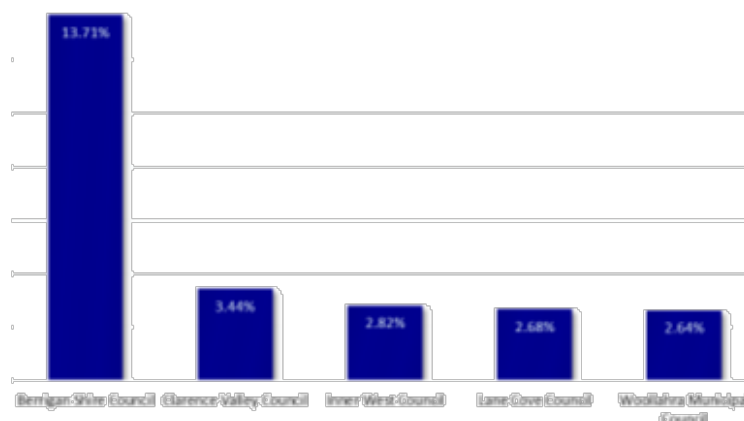




Figure 27 Respondent councils with the largest funding program costs shifted as a proportion of total operating expenditure



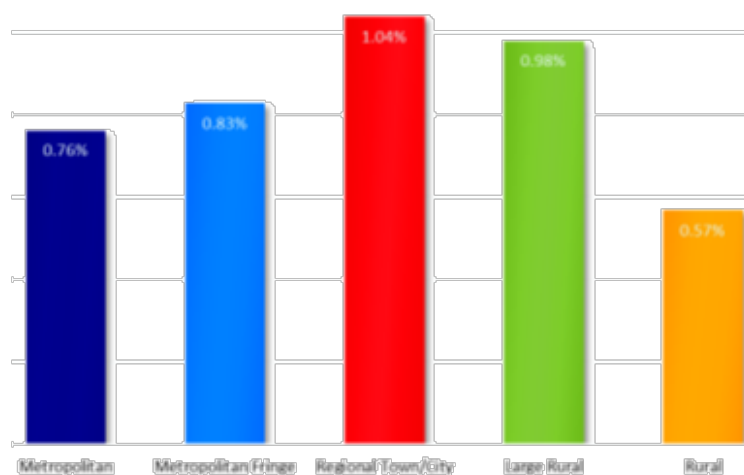
3.6 Pensioner rebates

Councils are required to provide rates rebates to pensioners, which are partially subsidised by the NSW Government. This mandatory pensioner rebate is an estimated net cost to councils of \$55.2 million. This does not include the cost of administering the mandatory pensioner rebates, as each pensioner claim needs to be registered and their details checked by the council.

The level of mandatory rebate has not risen substantially over many years, and therefore has not kept pace with inflation. As a result, many councils have elected to apply further voluntary rebates to ease the financial burden on pensioners. NSW councils incur an additional \$17.2 million in voluntary pensioner rebates. The total cost of pensioner rebates is estimated to be \$72.4 million.



Figure 28 Average total pensioner rebates as a proportion of total rates revenue by council classification





3.7 Service gaps

This section captures costs incurred by councils in providing services as a result of insufficient service provision by another level of government or a market failure of a subsidised or privatised public service. In 2021–22, it is estimated that councils spent \$66.6 million on filling these gaps.

Figure 29 Service gap costs by council classification

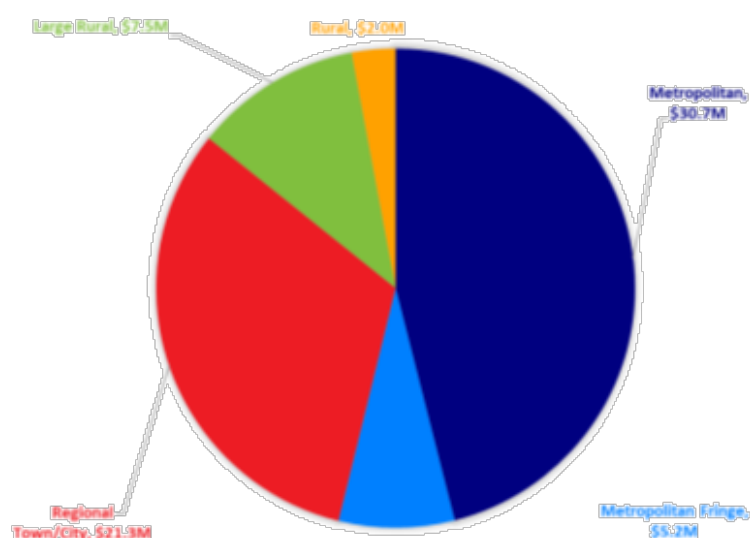
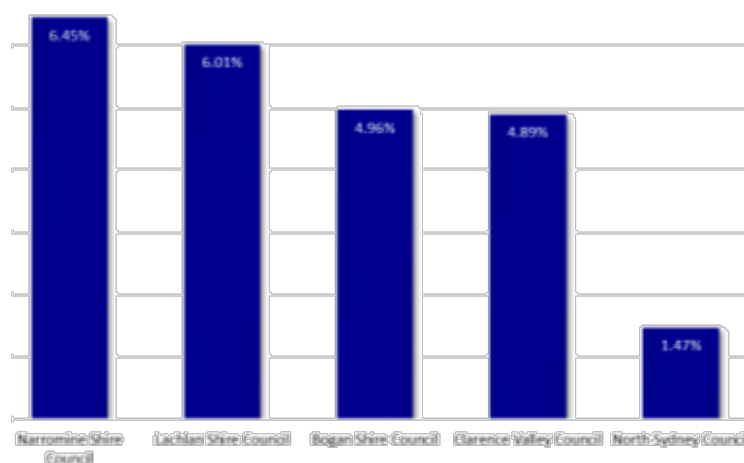


Figure 30 Respondent councils with the highest service gap cost as a proportion of total operating expenditure





The estimated costs are set out in Table 3, below.

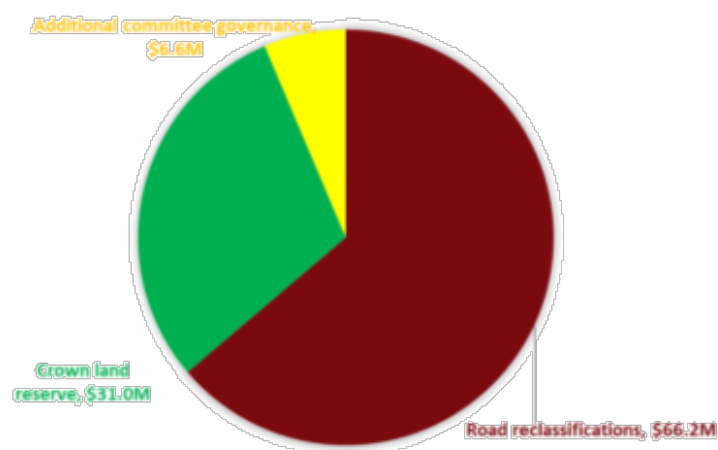
Table 3 Cost for services provided by Council as a result of a State or Federal service gap or market failure

Regulatory function	Number of councils who responded to this question in the survey with a figure	Total amount of cost shift provided	Estimated total cost shift for all NSW Councils (based on population)
Immigration and citizenship ceremonies	60 (from which ten councils put a figure of 0)	\$1.1M	\$1.6M
Crime prevention and policing	51 (from which 11 councils put a figure of 0)	\$10.2M	\$16.2M
Medical services	33 (from which 15 councils put a figure of 0)	\$2.2M	\$3.2M
Aged care services	36 (from which 19 councils put a figure of 0)	\$3.9M	\$5.6M
Disability care services	28 (from which 17 councils put a figure of 0)	\$1.4M	\$2.2M
Childcare services	49 (from which 19 councils put a figure of 0 and two councils a negative figure)	\$12.0M	\$17.8M
Transport services	37 (from which 20 councils put a figure of 0)	\$14.1M	\$20.5M

3.8 Other cost shifts

A number of other areas for cost shifting were identified and gathered in the survey and are outlined here.

Figure 31 Other cost shifts by category





Under the Transport for NSW (formerly RMS) road reclassification program in the 1990s, many roads were reclassified as local or regional road for councils to own and maintain. Of the 68 councils that responded to the survey, 32 were able to estimate the cost of this reclassification, 12 were not able to reliably estimate, and 24 stated that it was not applicable. The total estimate of costs provided by councils was \$26.7 million in 2021–22.

Under the Crown Lands Act 1989, councils have full responsibility to maintain crown reserves under council management and are expected to subsidise shortfalls in maintenance cost from general revenue. This is considered appropriate as the benefits from crown reserves under council management generally accrue to the local community. However, as a result, councils should also be entitled to any current or potential revenue from crown reserves that is required to cover maintenance and improvement cost (e.g., revenue from refreshment facilities, telecommunication facilities). The NSW Government will on occasion take over allowable revenue raising activities on council managed crown reserve land (not including national parks) or will require councils to transfer revenue from council managed crown reserve land to the State Government.

Of the 68 councils surveyed, 22 estimated the lost revenue at \$14.8 million in 2021–22. A further 27 councils were not able to reliably estimate the costs and 19 councils advised that this item didn't apply to them. This estimate does not represent the total net cost of managing (maintaining) crown lands. Nor does it include in transfers associated with the caravan park levy. Only any action by the State Government to limit revenue raising capacity or require the transfer revenue to the State Government has been considered cost shifting.

3.9 Future survey considerations

We asked councils what other areas that should be considered for future surveys. The key areas that respondents identified as costs to be captured in future surveys included:

- Monopoly services costs:
 - NSW Audit Office being the monopoly on local government external audits.
 - NSW Electoral Commission holding a near monopoly on council election administration.
- Cost of Joint Regional Planning Panels (JRPPs) requirement to access councils DAs as per mandated policy.
- Costs of mandatory On-Line Planning Portal – Implementation and ongoing operational costs.
- The Sydney Regional Development Fund Levy.
- Costs associated with Forestry NSW and impact of logging on council owned infrastructure. Rates foregone on State Forest land.
- Capturing the additional cost of Emergency Services administration staff.
- Heritage advisor costs, whilst there is some grant funding towards this it still needs to be administered by council who hand out the grant funds and do general administration.
- Cost involved in Special Variations applications given that councils have to undertake this process to recover costs shifted. This is a lengthy and resource intensive process, which is particularly challenging for smaller councils.
- Net cost of Street Lighting (Less subsidy from Transport for NSW).



- Cost of ongoing maintenance associated with the Community Water Bore program from early 2000s (the program was in conjunction with NSW Office of Water).
- Cost of management of overabundant native species doing damage to infrastructure. This is a NSW government function which is not being undertaken by the State and therefore some councils are doing it.
- Crown Land right to native title compensation (falling to Councils instead of the State).
- Any costs imposed by Service NSW (e.g., disability parking).
- Costs of sharing of facilities especially with Department of Education (schools, parks, playgrounds etc).
- Costs of maintaining State facilities that are located on Crown land.
- Provision of stormwater trunk drainage.

These additional items will need to be validated in terms of the details of what is entailed and whether they are indeed cost shifts before inclusion in any future survey.

We also recommend that some items in the current survey be considered for exclusion in future survey on the basis that they are onerous for councils to quantify and do not materially contribute to the total estimated cost shift for councils, nor are they expected to increase over time. The following items should be reviewed for exclusion:

- Road safety program (Q7) – (0.5% of total cost shift estimate).
- Onsite sewer facilities (Q10) – (0.4% of total cost shift estimate).
- Immigration and citizenship services (Q16) – (0.1% of total cost shift estimate).
- Waste management license fee (Q29) – (0.03% of total cost shift estimate).



4 About the survey

This section outlines the methodology employed to develop and administer the 2021–22 cost shifting survey.

4.1 Development of the survey

The last cost shifting survey of NSW councils was undertaken with 2015–16 financial data. We have used this last survey as the starting point for the 2021–22 Cost Shifting Survey questions. We undertook a review of the previous questionnaire guided by the following guiding principles:

- Ensure that questions are still relevant.
- Where possible maintain questions so that there can be direct year on year comparisons if required.
- Ensure that interpretation of questions is understood and consistent across all councils.
- Identify new areas of cost shifting where required.

An initial review of questions was undertaken by the project team, consisting of Morrison Low and LG NSW staff. We also established a working group that included representatives of senior leaders and financial staff of a cross section of rural, regional, and metropolitan councils. The working group undertook a review of the questions and provided their feedback through a facilitated workshop and feedback gathering tool. We also asked two leading local government academics to provide their feedback through email and one on one meetings on the questionnaire and our approach to understanding cost shifting in local government.

4.2 Conducting the survey

The final survey was provided in a Microsoft Excel format to councils on 17 April 2023 along with a request of councils' 2021–22 Financial Data Return (FDR), which contained council's audited financial Statement information. The FDR was used to gather a small amount of cost shifting information, but predominantly for data validation purposes.

4.3 Responses to the survey

Councils were asked to return their survey responses and FDRs by 8 May 2023. Some councils requested extensions to this date, which were granted up to 19 May 2023. A total of 75 out of 128 councils provided completed surveys (a 58.6% response rate), although not all answers were completed by all responding councils. Only 72 councils provided their FDRs, as three councils were still finalising their 2021–22 financial Statements at the time of survey completion date.

4.4 Data validation and analysis

Data validation included review of outliers both in total terms as well as a proportion of the council's proportion of total operating expenditure. Where possible, we also compared survey responses with councils FDR data returns to understand if there may have been discrepancies or misinterpretations of questions. This



required us to seek further information and validation with some councils on their responses to some questions.

We also utilised State Government financial reports for the Emergency Services agencies to validate to estimate of the ESL against the contributions that these agencies reported in their financial Statements.

For most questions, we have used population as the basis for estimating the total cost shift to all NSW councils for the survey data received. For some we were able to directly estimate through published reports. For example, we used the State Library's 2021–22 report on local council libraries with included operating costs and subsidies received. For other questions, such as the waste levy, where it is not relevant to all councils and there are different levels of the levy between metropolitan and regional councils, we used populations within the relevant and group councils as a basis for estimating the total cost of the waste levy.

Council Meeting

28/02/2024

Item No	7.2
Subject	Mayoral Minute - Update on Fixed Speed & Noise Cameras
File	F24/38

Motion

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

Mayoral Minute

I am very pleased to report that the State Government is acting on the concerns Council and residents have raised and is implementing safety measures to combat excessive speeding, dangerous hooning, and other anti-social behaviour around Bayside.

Three fixed speed cameras, strategically located on expert advice, have been installed on the Grand Parade and are now in operation. These cameras will also be backed up with an ongoing program of enforcement.

I am also pleased to report that, following Council's ongoing campaign for the introduction on noise activated cameras, the EPA has begun developing technical standards that will allow vehicle noise detection cameras to be used in New South Wales. These technical standards are essential to ensure the use of these cameras will stand up in a court of law.

The EPA has also issued a tender for the supply of noise camera hardware for use in a trial.

Bayside has long championed the use of technology – like number plate recognition cameras - to combat hooning and I believe we are well placed to be part of this ground-breaking trial.

None of this would have been possible without the hard work of Mr Steve Kamper the Local Member for Rockdale. I would like to thank Steve Kamper MP who has worked tirelessly to advocate on our behalf in the NSW Parliament.

I would also like to thank my fellow Councillors for their continuing efforts to ensure a long-term solution for the anti-social behaviour our residents have had to put up with is now at hand.

Attachments

Nil

Council Meeting

28/02/2024

Item No	7.3
Subject	Mayoral Minute - Reviewing Visual Aspects of how Bayside celebrates Christmas
File	F24/38

Motion

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.

Mayoral Minute

Council's decision for not installing the Christmas trees in 2023 was based on the decorations having reached their end of life. Giant Christmas baubles were installed in their place in some locations. The baubles were popular with many visiting the area for photo opportunities.

This decision received a mixed response from our community and therefore it is proposed that a comprehensive review of all visual aspects of our end-of-year celebrations be undertaken. The review should include funding considerations. The review should seek ways to strengthen the visual aspects of how Bayside celebrates Christmas.

Our annual Christmas Card and Street Flag design competition continues to be popular with large numbers of high quality entries received in 2023. The Bayside flags looked amazing last year and were highly visible to all travelling across our LGA.

In addition, on the agenda tonight Councillor Hanna and Councillor Barlow have proposed a Bayside Christmas lights competition for residents of our Bayside area. We already have several streets where our residents go to great lengths to decorate their houses. The proposed competition will encourage others to put up Christmas lights and decorations.

It is recommended that a comprehensive review be undertaken bringing together all elements of how we visually celebrate the festive season and be brought to Council to consider as part of its planning and budgeting process for 2024/25.

Attachments

Nil

Council Meeting

28/02/2024

Item No	7.4
Subject	Mayoral Minute - Councillor Planning Workshop
File	F24/38

Motion

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.

Mayoral Minute

The Councillors and I attended a planning workshop earlier this month and on behalf of my fellow Councillors and I we would like to thank the staff for their effort and the dedication that went into planning the day. Your hard work and commitment were evident.

The workshop provided us with a valuable opportunity to reflect on the many achievements of this term and to look ahead at our priorities for the remainder of the term and beyond.

Together, we reaffirmed our commitment to prioritising initiatives that align with our goals and values, ensuring that we remain focused on delivering meaningful outcomes for our community.

During the workshop, several key themes emerged. These included the importance of improving communication with the community, incorporating community feedback and consultation into our decision-making processes, and providing opportunities for the community to come together at cultural events and through new Art & Culture spaces.

Additionally, there was a strong emphasis on the provision of basketball courts, the redevelopment of the Botany Aquatic Centre, and the ongoing maintenance of our roads, parks, and public spaces.

I want to take this opportunity to thank my fellow Councillors for their continued dedication, service, and passion for our community. Together, I am confident that we will achieve even greater success in the remainder of this term and beyond. Thank you for your unwavering commitment to our shared vision.

Attachments

Nil

8 ITEMS BY EXCEPTION

These are items that have been identified to be confirmed in bulk in accordance with the Officer Recommendation and without debate. These items will not include items identified in the Public Forum, items in which councillors have declared a Significant Conflict of Interest and a Pecuniary Interest, items requiring a Division and any other item that a Councillor has identified as one they intend to speak on or vote against the recommendation.

9 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.

10 REPORTS TO COUNCIL

Council Meeting

28/02/2024

Item No	10.1
Subject	Draft Submission on NSW Government's Transport Oriented Development Program - Additional Information to Item CPE24.001
Report by	Peter Barber, Director City Futures
File	SF24/886

Summary

On the 14 February 2024, Item CPE24.001 on the NSW Government's Transport Oriented Development Program was considered at the City Planning and Environment Committee.

The City Planning and Environment Committee requested additional matters to be included in the submission prior to the Council meeting. The purpose of this report is to seek Council's endorsement of the draft submission with additional amendments as marked in **Attachment 1**.

Officer Recommendation

- 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**.
-

Background

In late 2023, the NSW Government introduced the Transport Oriented Development (TOD) Program, aimed at addressing the housing crisis. The Program has two parts with only Part 2 applying to the Bayside LGA, targeting precincts with existing infrastructure within 400m of Banksia Station, Kogarah Station, Rockdale Station and Turrella Station through a new State Environmental Planning Policy.

The Program is expected to commence in April 2024.

Targeted consultation with Council staff commenced on 19 January 2024. A draft submission was submitted to the Department of Planning, Housing and Infrastructure (DPHI) on 5 February 2024.

The draft submission was presented to the City Planning and Environment Committee on 14 February 2024 being CPE24.001 Draft Submission on NSW Government's Transport

Oriented Development Program. A detailed assessment of the proposed changes and their impact upon the prescribed stations is provided in the CP24.001 report.

The Committee made several suggestions and requests for inclusion in the submission prior to it being submitted to the Department of Planning, Housing and Infrastructure (DPHI) for consideration. This supplementary report addresses those matters.

Draft Submission

The 14 February 2024 City Planning and Environment Committee recommendation is as follows:

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.*

The following additional matters were raised by Councillors to be included in the submission:

Additional Concern	Council Officer Comment	Recommended submission amendments
<p>1. Increased demand on existing infrastructure within station precincts (including open space and car parking) may not be covered by contributions alone. DPHI and Council should jointly explore addressing the issue via additional mechanisms, such as VPAs.</p>	<p>VPAs are most effective when community benefit is negotiated prior to providing development uplift. As the proposed changes will apply across extensive precincts, and the provisions will already be in place, there is no leverage for Council to negotiate a VPA on a site by site basis.</p> <p>It is agreed that DPHI must support Council in exploring how additional supporting infrastructure can be effectively delivered.</p>	<p>Council has raised its concerns that Development Contributions may not be sufficient in meeting the demand for supporting infrastructure in section 1(k) of the draft submission.</p>
<p>2. Impacts of M6 tunnel and flight paths on George Street, Rockdale.</p> <p>Impact of development on Sydney Water pipe in Bryant Street, Rockdale.</p>	<p>Only the corners of a few properties affected by the M6 Substratum fall within the 400m precinct of Rockdale. The impacts of the M6 Substratum will be felt more so in the 400m precinct of Banksia. This is addressed in section 2(a)(vi), however further comment can be included in section 1 of the submission.</p> <p>George Street is also affected by aircraft noise as it is within</p>	<p>Insert the following comment in section 1 of the submission:</p> <p><i>Underground Services - Underground services such as the proposed M6 tunnel substratum and underground Sydney Water infrastructure may limit the positioning and configuration of buildings, and providing basement parking may not be feasible, thereby affecting the viability of certain development sites. Clearly notating these limitations is</i></p>

Additional Concern	Council Officer Comment	Recommended submission amendments
	<p>the 15-25 ANEF contour which may pose limitations / higher costs on development. This is addressed in section 2(c)(iii) of the submission.</p> <p>Noted that underground services may impact future basements and construction types as structures are ordinarily not permitted to be built over Sydney Water channels / pipes.</p>	<p><i>essential in ensuring developers understand constraints that may increase development costs.</i></p> <p>Include map of aircraft noise ANEF contours within Mapping analysis 'Airport' map for Rockdale Station precinct.</p>
<p>3. Feasibility of permitting the proposed redevelopment.</p>	<p>Unreasonable owner expectations around sale price of properties, smaller blocks, newly built homes, existing residential flat buildings and other site-specific constraints are likely to render it difficult for developers to acquire the multiple properties required to produce a feasible development. These factors could start to make some properties marginal in terms of viability. Council's submission seeks to collaborate with DPHI to share local knowledge that will redefine the boundaries along lines that work within local constraints.</p>	<p>Council has raised part of these concerns in sections 1(f), 2(b)(iii), 2(c)(iv).</p> <p>Insert the following comment under section 1(a) to address additional feasibility matters:</p> <p><i>Feasibility – High property prices, small lots, newly constructed homes, existing apartment buildings and other constraints specific to each site may result in difficulties around acquiring enough properties to create viable developments. Properties that are unsuitable for this kind of development will be included in the prescribed areas. Their inclusion will be irreversible if the proposed changes are implemented without revision of precinct boundaries. Council strongly encourages further collaboration with DPHI to redefine the boundaries of the station precincts based on local expertise and analysis that will effectively promote high quality and feasible development.</i></p>
<p>4. Bayside West Precincts 2036 Plan from 2018 has a focus on open space for residents, however, the TOD proposal has not proposed a solution for open space or the active transport requirements for a modern, liveable,</p>	<p>Council has raised the concern that there may not be spare capacity within existing supporting infrastructure to accommodate the expected intensification, in section 1(k) of the submission.</p> <p>Additional matters that elaborate upon the importance of appropriate forward planning</p>	<p>The following additional comments to be inserted within section 1(k) of the submission:</p> <p><i>To cope with the expected population growth, the proposed changes will trigger the need for improved railway capacity, widening of train station platforms, accessible open spaces and active transport links, among other</i></p>

Additional Concern	Council Officer Comment	Recommended submission amendments
<p>carbon-free city.</p> <p>As the developments are designed not to have car parking spaces, NSW state government support for active transport links to green and blue open spaces must come first not last if there is increased development in these zones.</p> <p>Additional playgrounds, and open spaces must be created before not after the development.</p> <p>Train platforms are likely to need widening to cater for increased population (refer to Mascot and Green Square Stations in peak hour).</p>	<p>are recommended to be included in the submission.</p>	<p><i>forms of public infrastructure.</i></p> <p><i>The implementation of new and/or expanded supporting infrastructure can be a time-consuming process and delays can lead to community frustrations as existing amenities become overwhelmed beyond their capacities. This can subsequently lead to a decline in the quality of life for our community. Before initiating any development projects in these precincts, it is essential that planning for supporting infrastructure, such as active transport links and open spaces, is undertaken prior to the commencement of the development rather than as an afterthought.</i></p>
<p>5. New developments should be renewable energy hubs and part of the transition to zero emissions, with green roofs and walls to address tree canopy, increase biodiversity, cool our city, and increase rooftop solar PV efficiency.</p>	<p>Sustainability measures are primarily addressed during the Development Assessment stage under <i>State Environmental Planning Policy (Sustainable Buildings)</i>.</p> <p>Section 1(i) of the submission states that the Bayside LEP Design Excellence provisions should apply to the precinct areas. In considering whether a development exhibits Design Excellence, it must be demonstrated by the developer that sustainable design is achieved. Thereby, Councils can have oversight that best practice sustainability measures are regulated and implemented to support a more liveable city.</p> <p>Additional comments that suggest using these precinct areas as a means of promoting 'green' development that leads the way in renewable and sustainable practices can be included in the submission.</p>	<p>Insert the following comment in section 1 of the submission:</p> <p><i>Sustainable Development – The proposed changes provide an opportunity to promote environmentally conscious development that aligns with renewable and sustainable practices. Council strongly urges the State Government seize this opportunity by requiring all new development within the stations to demonstrate that they meet sustainability targets, striving towards the attainment of a net zero carbon footprint.</i></p>

Additional Concern	Council Officer Comment	Recommended submission amendments
<p>6. The precincts should respect heritage within our city.</p>	<p>There are no existing Heritage Conservation Areas affected by the proposed changes.</p> <p>Part of the draft Ocean View Estate Heritage Conservation Area is within the Rockdale Station precinct and is discussed in section 2(ii) of the submission.</p> <p>There are several heritage items scattered across the station precincts which can be further addressed in the submission.</p>	<p>Insert the following comment in section 1 of the submission:</p> <p><i>Heritage Items – Many areas within the station precincts have a coherent and distinctive local character, as well as several heritage items that residents value and appreciate. Some of these items retain their significance when viewed in relation to their surroundings. The TOD SEPP changes may affect the heritage qualities of these Items by introducing different heights, additional bulk and incompatible typologies. It is crucial that developers are informed and conscious of the impacts of their proposed developments, especially when building in close proximity to Heritage Items. Successful building outcomes can be achieved through ADG guidance, and applying Design Excellence to the station precinct areas.</i></p>
<p>7. The precincts must accommodate more than 2% Affordable Housing.</p> <p>Affordable Housing ownership should be in perpetuity, with assets transferred to an Affordable Housing provider, or local government, with mechanisms to ensure that the invested capital remain solely for the purpose of Affordable Housing.</p> <p>Indexation on any future Affordable Housing Contribution rate should be applied in a manner that ensures that contributions are appropriately valued at the time that payment is required.</p>	<p>Council has raised the importance of Affordable Housing in section 1(d) of the submission.</p> <p>Additional comments on increasing the Affordable Housing Contribution Rate, providing Affordable Housing in perpetuity, and the need for clarification on the transfer of Affordable Housing assets are recommended to be included in the submission.</p>	<p>The following additional comment to be inserted within section 1(d):</p> <p><i>As supply alone cannot fully address the housing affordability crisis, it must be complemented with the provision of social and affordable dwellings. By working in tandem, this can mitigate excessively high prices in the LGA. If feasible, the Affordable Housing Contribution Rate should be increased to a higher rate as a more effective strategy in tackling the housing affordability crisis.</i></p> <p><i>Affordable Housing resulting from these policy changes should be provided in perpetuity and transferred to an Affordable Housing provider or local government, with mechanisms to ensure that the invested capital remains solely for those purposes.</i></p> <p><i>More comprehensive details on the Affordable Housing</i></p>

Additional Concern	Council Officer Comment	Recommended submission amendments
		<i>Contribution Rate are also requested to be provided.</i>
<p>8. Flood infrastructure must be updated 'downstream' as new pipes connecting into older existing pipes will result in localised flooding.</p>	<p>As discussed in point 4 above, the need for adequate supporting infrastructure has been raised in section 1(k) of the submission. The specific concern raised on flood infrastructure can be added to this section.</p>	<p>The following additional comments to be inserted within section 1(k) of the submission:</p> <p><i>The integration of new piping systems with older ones may potentially lead to localised flooding. Consequently, it will be necessary to upgrade the flood management infrastructure downstream.</i></p>
<p>9. Maintenance of street frontages must be addressed. If street frontages are not activated with commercial uses such as shops or businesses, they must be architecturally designed to enhance the amenity for the local neighbourhood.</p>	<p>Street character and design are addressed in various sections throughout the submission. Section 1(i) recommends that the prescribed areas be subject to the LEP Design Excellence clause which encourages high quality buildings.</p> <p>Residential zones are not ordinarily required to provide an active street frontage, therefore front setback and building articulation DCP controls dictate how dwelling frontages can provide visual activation.</p> <p>E1 Local Centre and E2 Commercial Centre zone lots that are subject to an Active Street Frontage will still be required to provide uses that promote and attract pedestrian traffic along their ground floor street frontages.</p>	<p>The following additional comment to be inserted within section 1(i):</p> <p><i>It is also recommended that guidelines be established to foster the visual activation of the streetscape. These guidelines should encourage the use of design elements that contribute to a vibrant and aesthetically pleasing urban environment. This could include the incorporation of landscaping, and architectural features that add character and vitality to the streetscape.</i></p>
<p>10. The State Government must open submissions on this proposal to the public.</p>	<p>DPHI have stated that formal community consultation will not occur for this proposal. An additional comment will be included in the submission to request it regardless.</p>	<p>The following additional comment to be inserted within section 1(c):</p> <p><i>Council also values its community and fosters a culture of transparency and accountability. It is regrettable that the opportunity for participation in the consultation process is not open to the public. Council advocates for the</i></p>

Additional Concern	Council Officer Comment	Recommended submission amendments
		<i>inclusion of public input in these consultations, as it enables a comprehensive examination of the potential implications of the proposed changes from the public's perspective.</i>

The feedback provided by Councillors has been considered in this report and included in a marked up version of the submission. The additional matters are marked up in red in **Attachment 1**.

Financial Implications

Not applicable ☒

Included in existing approved budget ☐

Additional funds required ☐

Community Strategic Plan

Theme One – In 2032 Bayside will be a vibrant place ☒

Theme Two – In 2032 Our people will be connected in a creative City ☒

Theme Three – In 2032 Bayside will be green, resilient and sustainable ☐

Theme Four – In 2032 Bayside will be a prosperous community ☒

Risk Management – Risk Level Rating

No risk ☐

Low risk ☒

Medium risk ☐

High risk ☐

Very High risk ☐

Extreme risk ☐

Community Engagement

The Department of Planning, Housing and Infrastructure (DPHI) released the Transport Oriented Program in late December 2023. Targeted consultation was initiated with Council staff on 19 January 2024, and a response to the proposed TOD SEPP provisions was expected by 31 January 2024.

Open, broad community consultation has not been undertaken, and it is not anticipated that it will occur prior to the changes being legislated.

Attachments

- 1 Transport Oriented Development Program Submission (Marked-up)
- 2 Mapping Analysis (Attachment 1 to Draft Bayside Council Submission)



21 February 2024

Our Ref: 24/17915
Our Contact: Ana Trifunovska (02) 9562 1698

Department of Planning, Housing and Infrastructure
Locked Bag 5022
PARRAMATTA NSW 2124

Attn: Isabel Virgona – Acting Director Housing Delivery

Draft Bayside Council Submission on NSW Government's Transport Oriented Development Program

Thank you for the opportunity to comment on the Transport Oriented Development (TOD) Program. Bayside Council provides this as a draft submission, which will be considered by Council for formal endorsement at its meeting to be held on 28 February 2024. A final version will be provided immediately following the Council meeting.

Bayside Council acknowledges the National 'housing crisis' and the urgent need to house Australia's growing population. All stakeholders need to play their part in a solution, including local government.

It is also vitally important that the housing and the neighbourhoods we create in the process provide a good standard of living for our community. Not only are the consequences of poor planning and development very difficult and expensive to remedy after the event, they leave an undesirable legacy that lasts for generations. Expedient short term solutions must not create long term quality of life legacy issues.

The imperative of finding fast solutions in NSW has set aside planning work undertaken by State and local government in recent years, including the Metropolitan, District and Local level plans, and local Housing Strategies. The planning processes set out in documents including the LEP Making Guidelines (2023), have also been truncated. The rapid introduction of broad brush statutory planning controls based on superficial analysis increases the risk of poor outcomes.

Bayside Council is a strong supporter of increasing the provision of homes close to public transport, community services and open space, provided that increased development potential is carefully considered against the opportunities and constraints of each location. DPHI's data shows that Bayside has been fulfilling its obligations in regard to facilitating new homes, exceeding its housing target in the 2016-2021 period. Apart from Sydney City and Parramatta, Bayside facilitated more housing in this period than any other Council within 20km of the Sydney CBD.

With a solid track record of facilitating housing, and commitment to working through its State endorsed Local Housing Strategy to maintain a strong housing delivery pipeline, Bayside would prefer to undertake its own planning in partnership with our community, rather than

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Telephone Interpreter Services: 131 450

Телефонна интерпретация: 131 450

خدمة الترجمة الهاتفية

電話傳譯服務

Служба за преводање по телефон

having broad-brush controls imposed in particular areas that may not deliver optimal outcomes.

Understanding the express priority of the NSW and Federal Government in relation to accelerated provision of housing, Bayside requests as a minimum that it be able to work with DPHI to refine the TOD centres so that the boundaries can be rationalised and the controls shaped to deliver the same quantity of new homes in a more rational way, and to a higher standard of quality.

Only Part 2 of the TOD Program applies to Bayside Council, and includes the following four station precincts:

- Banksia Station,
- Kogarah Station,
- Rockdale Station, and
- Turrella Station.

This submission is structured into two sections: general concerns that are applicable to *all* areas, and concerns that apply to each station precinct's individual context. Council staff have analysed each station precinct against relevant strategic and site-specific parameters. The mapping analysis is provided in **Attachment 1**.

The following key concerns are raised for your consideration:

1 General Concerns

- a. **Boundaries** - Continuity between areas within the station precincts and areas beyond their boundaries is a matter of concern. A sharp cut-off line does not ensure an adequate transition between built form, notably when the boundary bisects a street block or lot. It is unclear how lots that are only partially within the defined area will respond to the proposed provisions. Train station platforms can extend up to 150m in length, posing ambiguity in determining the pinpoint for the 400m radius.

Rather than using a 400m radius to identify the prescribed area, it is recommended that the precincts are mapped using the existing roads, subdivision boundaries, or physical or geographical features as boundaries.

- b. **Proximity of Boundaries** - Rockdale and Banksia stations are close to each other and their radii almost intersect. This results in a narrow strip of sites that will not benefit from the policy changes (**Figure 1**). This will create a poor transition in built form between the two precincts.

Creating a corridor between/around the two station precincts would address this. As recommended in point 1(a) above, this should be mapped to ensure the boundaries are clearly demarcated.



Figure 1 Proximity between Banksia Station precinct's southern boundary and Rockdale Station precinct's northern boundary.

- c. **Stakeholder Engagement** - Consultation with all relevant authorities is essential to both confirm that infrastructure can accommodate increased development, and that there is not infrastructure existing that poses a constraint (such as fuel pipelines).

Council also values its community and fosters a culture of transparency and accountability. It is regrettable that the opportunity for participation in the consultation process is not open to the public. Council advocates for the inclusion of public input in these consultations, as it enables a comprehensive examination of the potential implications of the proposed changes from the public's perspective.

- d. **Affordable Housing** - The requirement that a minimum 2% Affordable Housing Contribution will apply to all developments within the prescribed areas aligns with the priorities of Bayside Council's *Local Housing Strategy*. Council is currently in the early stages of developing an Affordable Housing Strategy and is eager to see an option that maximises the yield of Affordable Housing.

As supply alone cannot fully address the housing affordability crisis, it must be complemented with the provision of social and affordable dwellings. By working in tandem, this can mitigate excessively high prices in the LGA. If feasible, the affordable housing contribution rate should be increased to a higher rate as a more effective strategy in tackling the housing affordability crisis.

Affordable housing resulting from these policy changes should be provided in perpetuity and transferred to an affordable housing provider or local government, with mechanisms to ensure that the invested capital remains solely for those purposes.

More comprehensive details on the affordable housing contribution rate are also requested to be provided.

- e. **Topography** - All station precinct areas nominated in Bayside have areas within their boundaries that are subject to considerable differences in elevation, with a notable

variation in ridges and valleys. The following areas have significant changes in elevation in comparison to surrounding streets:

Banksia: Bayview Street, Withers Street, Mount Street, Knight Street, northern side of Godfreys Street, Rockdale Street, Tabrett Street.

Kogarah: Guinea Street between Stuart Street and Kitchener Street, Dalley Street, Verdun Street between Cameron and Washington Street, northern end of Wolsley Street.

Rockdale: Harrow Road, Herbert Street, Ferrier Street, Pitt Street, southern end of George Street.

Turrella: All streets except Rickard Street, Turrella Street, Amy Street, Loftus Street, Goddard Street.

A 21m blanket building height would not take these topographical differences into account. This poses challenges in enabling future development on sites in compliance with the OLS surrounding Sydney Airport, providing appropriate solar access, visual privacy, and desirable streetscape qualities. Council encourages contemporary roofs and building articulation that will appropriately respond to the constraints of each site and considers that updated guidance in the Apartment Design Guide (ADG) may assist in achieving suitable built form outcomes.

- f. **FSR & Building Height Mismatch** – The proposed FSR of 3:1 is unlikely to be achieved with a height limit of 21m, taking into consideration building separation, setbacks, site coverage, and communal open space requirements. A quick review would confirm that Councils do not typically pair such a high floor space ratio with a 21m height limit.

Whilst consideration may be given to varying the ADG provisions, this will be to the detriment of residential amenity and result in a poor urban form. Council seeks evidence on the practicality of redeveloping sites according to these FSR and height standards without unreasonably compromising quality. There is also a risk that unachievable floor space expectations will inflate property values, and when not realised, inflate the price of new dwellings constructed on these sites.

- g. **Pattern Books** – Council is of the opinion that pattern book designs as the basis of an accelerated approval pathway is not a suitable method to boost supply. Such development may result in uniform and monotonous outcomes that erode the unique character of each precinct. This approach was tried in the 1960's and 1970's and abandoned.

A generic approach does not foster diversity in design, identity of place, or consider the specific challenges that each site faces, such as topography and flood affectation. Council recommends that these pattern books serve as advisory tools rather than accelerated approval pathways.

- h. **Lot Size & Width** – The lack of minimum lot size or lot width standards will pose significant challenges in achieving compliance with ADG requirements, such as minimum setbacks, building separation, deep soil, and communal open space controls. This will hinder Council's ability to guide developers towards high quality design that provides optimal amenity for residents and the surrounding area. This approach also carries the risk of creating isolated sites that will be unsuitable for redevelopment and

undesirable when viewed holistically with the remainder of the street. It is recommended that guidance on minimum lot widths (at the very least) is provided.

Narrow lot subdivisions and fractured ownership patterns can pose a barrier. With no minimum lot size or lot width restrictions, it will be impractical and unfeasible to achieve meaningful growth on a single site and consolidation of multiple sites should be required.

- i. **Design Excellence** – Council believes that proposals that will benefit from the uplift of these controls should be subject to a Design Excellence Clause in the SEPP (including where areas subject to Design Excellence already apply in existing LEPs), that will guarantee that high quality and sustainable development will be achieved.

It is also recommended that guidelines be established to foster the visual activation of the streetscape. These guidelines should encourage the use of design elements that contribute to a vibrant and aesthetically pleasing urban environment. This could include the incorporation of landscaping, and architectural features that add character and vitality to the streetscape.

- j. **Land Reserved for Acquisition** - Clarification is sought on whether sites intended to be acquired for public purposes will continue to function as such.
- k. **Supporting Infrastructure** – The increase in density in some locations will be very significant. In most cases, existing infrastructure provided by State and local government will not have the spare capacity to accommodate the needs of new residents.

To cope with the expected population growth, the proposed changes will trigger the need for improved railway capacity, widening of train station platforms, accessible open spaces and active transport links, among other forms of public infrastructure. The integration of new piping systems with older ones may also potentially lead to localised flooding. Consequently, it will be necessary to upgrade the flood management infrastructure downstream.

The implementation of new and/or expanded supporting infrastructure can be a time-consuming process and delays can lead to community frustrations as existing amenities become overwhelmed beyond their capacities. This can subsequently lead to a decline in the quality of life for our community. Before initiating any development projects in these precincts, it is essential that planning for supporting infrastructure, is undertaken prior to the commencement of the development rather than as an afterthought.

No plans or commitments have been announced as to how new residents in TOD centres will be provided with necessary services, raising concerns about the quality of life that will be created in these centres. It is difficult and often prohibitively expensive to retrospectively increase capacity or to provide new social infrastructure in intensified urban centres. The s.7.12 developer contribution flagged by the State Government will almost certainly be too little too late to service these expanded communities.

- l. **Underground Services** - *Underground services such as the proposed F6 tunnel substratum and underground Sydney Water infrastructure may limit the positioning and configuration of buildings, and providing basement parking may not be feasible, thereby affecting the viability of certain development sites. Clearly notating these limitations is essential in ensuring developers understand constraints that may increase development costs.*

- m. **Feasibility** – High property prices, small lots, newly constructed homes, existing apartment buildings and other constraints specific to each site may result in difficulties around acquiring enough properties to create viable developments. Properties that are unsuitable for this kind of development will be included in the prescribed areas. Their inclusion will be irreversible if the proposed changes are implemented without revision of precinct boundaries. Council strongly encourages further collaboration with DPHI to redefine the boundaries of the station precincts based on local expertise and analysis that will effectively promote high quality and feasible development.*
- n. **Sustainable Development** – The proposed changes provide an opportunity to promote environmentally conscious development that aligns with renewable and sustainable practices. Council strongly urges State Government seize this opportunity by requiring all new development within the stations to demonstrate that they meet sustainability targets, striving towards the attainment of a net zero carbon footprint.*
- o. **Heritage Items** – Many areas within the station precincts have a coherent and distinctive local character, as well as several heritage items that residents value and appreciate. These items retain their significance when viewed in relation to their surroundings. The TOD SEPP changes may affect the heritage qualities of these items by introducing different heights, additional bulk and incompatible typologies. It is crucial that developers are informed and conscious of the impacts of their proposed developments, especially when building in close proximity to Heritage Items. Successful building outcomes can be achieved through ADG guidance, and by applying Design Excellence to the station precincts.*

2 Site-Specific Concerns

a. Banksia Station

The prescribed area for Banksia Station is bisected by two main transport corridors being the rail corridor and Princes Highway, running in a north-south direction. The Mixed Use (MU1) zone and part of the Productivity Support (E3) zone is situated between Princes Highway and the rail corridor, whilst the remainder of employment zones (E1 and E3) adjoin the transport corridors. Employment and Mixed Use zones are not covered by the SEPP, and therefore the proposed changes will not affect the land closest to the Station on the eastern side. The remainder of the precinct area is surrounded by low and medium density housing.

- i. **MU1 Zone** - The MU1 zone adjacent to the station currently has a height limit of 28m and FSR of 2.5:1. There is potential to explore additional FSR for the MU1 zone to facilitate further residential development, however the possible mismatch between the proposed 3:1 FSR and 21m building height is raised as a concern.*
- ii. **Strategic Context** - Parts of the Banksia Station precinct have received an uplift in development controls as part of the Bayside West Precincts 2036. Planning for Bayside West focused on the land currently zoned MU1 and E3. The north-eastern R3 Medium Density Residential zone was also a result of the plan. The *Eastern City District Plan* and Council's Local Strategic Planning Statement (Bayside LSPS) do not identify any further strategic planning for Banksia. In the short term, the focus for Banksia is delivery of dwellings in accordance with the amended planning controls in the urban renewal precinct area.*
- iii. **Zoning Interface** – The E3 zone to the east of Princes Highway has height standards of 14.5m and 18m with a 1.5:1 FSR. If the TOD SEPP proceeds as*

proposed, this will result in a transition to a higher residential built form behind the E3 zone, away from the transport corridor, which is visually inappropriate and does not serve to buffer the residential area from road noise.

Compatibility with permissible uses within the E3 Productivity Support zone is also questioned as some of these uses may generate adverse environmental / amenity impacts and be incompatible with residential uses.

- iv. **Retail & Services** – Banksia lacks access to major supermarkets and services within walking distance. The closest retail centres are located at Wolli Creek or Rockdale Plaza. The TOD SEPP does not encourage any new retail floor space in Banksia, as it only addresses residential uses. This is not consistent with the goal of transit-oriented development, which is to promote mixed use development that meets the daily needs of residents. The DPHI should consider offering incentives for developments that include some retail development such as shops and services.
- v. **Western Section** - There is opportunity to intensify some areas on the western side of the prescribed area. This includes the area south of Godfrey Street linking with Villiers Street to the south where there are existing 'walk-up' Residential Flat Buildings (**Figure 2**). This area is generally characterised by 1-2 storey older detached dwellings and is relatively flat with legible walkability to the local centre and station. However, the lots are relatively small (less than 500 sqm) and narrow, which means consolidation of lots for development will be challenging. Development in this area will need to be conscious of flood planning considerations, as the land south of Godfreys Street and a number of properties immediately west of the station are flood prone.



Figure 2 Properties south of Godfreys Street that may be suitable for residential intensification (Source: Intramaps)

Similar observations apply to the R3 zoned sites located on the eastern side of the prescribed area.

- vi. **Eastern Section** - It is not recommended that the residential zones on the eastern side of the prescribed area be intensified, given that this area is subject to a variety of land use limitations. Excavation for basement car parking is likely to be limited as the M6 corridor and substratum traverses several properties towards the eastern edge.

Under Table 2.1 of the Australian Standards 2021-2015, house, home unit, and flat building types are classified as 'unacceptable' within an ANEF contour greater than 25. Development should also be consistent with Local Planning Direction 5.3 Development Near Regulated Airports and Defence Airports and the National Airports Safeguarding Framework (NASF) Guidelines. The area to the south-east of the prescribed area is affected by aircraft noise (ANEF 20-30) and further residential intensification will expose more residents to aircraft noise.

Note that land close to Princes Highway will also be subject to both aircraft and road noise and will likely require complex acoustic mitigation to retain residential amenity.

The area to the east of Mead Street is subject to geotechnical landslip as the land is raised up to 30m AHD and the OLS height limit is 40-44m. Developments under the proposed SEPP will breach the Airport Obstacle Limitation Surface (OLS).

- vii. **Flood Affection** – The north-eastern part of the prescribed area is flood affected. An open concrete channel first order stream runs from the east through to Short Street and runs underground through Albert Street towards Princes Highway and Banksia Avenue. This is a constraint to development as structures are not ordinarily permitted to be built over such channels. Excavation is likely to be difficult and basement car parking may be unsafe or impractical for some of these flood prone sites. Uplift in a flood prone area will increase the number of people and developments exposed to flood prone land and therefore increases risks to life and property.

Flood hazard is significantly higher for the PMF flood event, with Princes Highway affected by high hazard. Some buildings may need to be structurally designed to consider extreme flood conditions up to the PMF and provide flood-free refuge on higher floors. Given the recent flood inquiry and concerns surrounding climate change and sustainability, Council is hesitant to support any increase in the number of occupants exposed to flood risk. DPHI has not supported some Planning Proposals on similar grounds over recent years and it is recommended that the Department carefully consider Local Planning Direction 4.1 Flooding and the Floodplain Development Manual 2023.

Further information on floodplain management in Bayside Council can be found via the following link:

<https://www.bayside.nsw.gov.au/area/environment/floodplain-management>

- viii. **Station Hierarchy** - Banksia Station is not a major stop on the T4 Illawarra line. Consultation with TfNSW must occur to ensure that train services are adequate to cater for the anticipated uplift in development.

- ix. **Topography** – The area north of Godfrey Street has significant constraints to residential intensification due to the steep topography. Walkability and accessibility to the station is reduced due to the lengthy street blocks and steep stair through-site links. Due to the elevation, some sections of the street (i.e. north-western end of Godfreys Street) have elevated pedestrian footpaths which make it difficult and costly to achieve off-street parking. The majority of the street block between Godfrey Street and Knight Street is affected by landslip which may increase development costs and risk.

The area is also subject to an OLS of 51m AHD. A significant portion of land in this area exceeds 30m AHD with the high point at almost 48m AHD on Bayview Street. The proposed SEPP would allow development up to 21m, which would increase the number of developments that breach the OLS and trigger referral to Sydney Airport, CASA and DITRCA.

- x. **Views & Vistas** – Increased height and FSR, particularly on the eastern side of the prescribed area will likely block views and vistas to significant heritage items (i.e. church steeple of St Francis Xavier Church on Forest Road) and Botany Bay. View sharing controls should be considered to ensure there is equitable distribution of views between properties. This may include encouragement of roof styles, building articulation and/or materiality that allow uninterrupted view corridors to major attractions.
- xi. **Permeability** – Pedestrian permeability from the eastern side of Princes Highway through to Banksia Station is poor. There are limited safe pedestrian crossing opportunities across Princes Highway as this area was planned as an enterprise corridor with specialised retail uses, not a centre with high pedestrian activity. Increasing at-grade pedestrian connections across Princes Highway is encouraged, but unlikely, given the disruption to traffic flow on a main arterial road. Council encourages collaboration with TfNSW in devising solutions that can enhance pedestrian accessibility in this area.

b. Kogarah Station

Half of the Kogarah Station precinct is within the Bayside LGA with the other half in the Georges River LGA, which poses challenges in ensuring an integrated approach between the two Councils is achieved.

- i. **'Strategic Centre' Context** - The State's strategic transport plans have identified Kogarah as an interchange with new high-capacity metro railway lines by 2041. This began with *Future Transport 2056* and continued with the *Greater Sydney Services and Infrastructure Plan* and the *South East Sydney Transport Strategy*. This infrastructure is designed to support the development of Kogarah as a 'Strategic Centre' and Health and Education precinct – as envisioned in the *Eastern City District Plan* - which leverages the economic activity surrounding St George Hospital and clearly demands that Kogarah be developed with an intensity appropriate to the planned infrastructure capacity.

The proposed provisions will include feasible development sites and most likely result in them being developed to a level below their optimal potential in terms of generating employment and delivering housing.

Bayside Council has already committed to undertaking a thorough investigation and detailed planning exercise in West Kogarah and it may be more appropriate that DPHI work collaboratively with Bayside and Georges River Councils to plan

the strategic centre of Kogarah holistically, taking into account site-specific limitations and opportunities.

- ii. **Flood Affectation** - The land west of Kogarah drains into a network of concrete channels, which in places are open, enclosed or piped. These channels follow the natural flow paths dictated by the terrain.

The channels present high flood risks due to their narrow cross sections and the way in which development has been constructed adjacent to, or over, them. All of the channels have been classed as presenting risk of structural damage or failure to building during a 1% AEP flood within the Kogarah Station precinct. Where these channels pass beneath streets, they would create a flood hazard that is unsafe to pedestrians and vehicles during a 1% AEP flood.

If flood prone properties are developed using the proposed provisions, this will increase the number of people living on flood prone land, creating risks to life and property. DPHI has not supported some Planning Proposals on similar grounds over recent years and it is recommended that DPHI carefully consider Local Planning Direction 4.1 Flooding and the Floodplain Development Manual 2023.

- iii. **Feasibility** – Much of the land within the prescribed area is already developed for 2-4 storey 'walk-up' Residential Flat Buildings. Feasibility in the West Kogarah Station precinct is likely to be challenging, particularly while construction costs remain high. Higher development potential on suitable sites may be necessary to affect any real change.

Following on from comments above, there is a risk that the application of the blanket TOD controls will result in prime sites close to the station being under-developed, and sites further away that are dominated by older flat buildings not redeveloping due to lack of financial feasibility.

- iv. **Sydney Airport Airspace Protection** – Kogarah is within the Inner Horizontal Surface on the Obstacle Limitation Surface (OLS), which sets a height plane of 51m AHD. There are parts of the land surface that exceed 32m in altitude, meaning that the OLS would be breached under the proposed provisions.

Development Applications for development that exceeds the OLS will require referral to the relevant airport and regulator, which can add costs and delays.

- v. **Mixed Use Zone** – The proposed provisions do not extend to the Mixed Use (MU1) zone. The property at 1-26 Station Street, Kogarah is within the MU1 zone, whilst the property at 20-26 Station Street has already been developed and benefits from an FSR and building height that is higher than what is allowable under the proposed SEPP. 1-19 Station Street is currently afforded less FSR (2:1 – Clause 4.4(2C)(d)) which may result in a mismatch of built form with the surrounding sites.

c. **Rockdale Station**

A significant portion of the Rockdale Station precinct area is subject to the Rockdale Town Centre (RTC) Masterplan, the majority of which is subject to Design Excellence under the Bayside LEP 2021 (**Figure 3**). All sites within the RTC Design Excellence area (excepting 307 Walz Street) are not subject to FSR controls. Furthermore, as part of the recent review and update of Council's planning framework, the planning controls relating

to the RTC (excepting the civic section: Town Hall and Library) have been updated to unlock capacity for additional dwellings (Amendment 2 of Bayside LEP 2021).

The remaining sites surrounding the RTC are predominately low to medium scale residential.



Figure 3 RTC Masterplan boundaries (left) (Source: Bayside DCP 2022) & RTC Design Excellence boundaries (right) (Source: Intramaps)

- i. **Rockdale Civic Section** – The Bayside Local Strategic Planning Statement (LSPS) lists finalisation and adoption of the Rockdale Masterplan and Urban Design Studies for the remaining civic section of the RTC as a planning priority. Council is concerned that the TOD SEPP will compromise the planning investigations currently underway for this area.

As raised in relation to the strategic context of Kogarah, Council is concerned that the proposed TOD provisions will consume potential development sites that could ultimately accommodate higher densities, and that any development may limit the medium and longer term plans for the RTC civic section.

- ii. **Draft Heritage Conservation Area** – In 2020, Council initiated a Planning Proposal (PP) to create four Heritage Conservation Areas (HCA's) including Ocean View Estate, Bexley. Several properties along Harrow Road and Watkin Street are within the Rockdale Station precinct (**Figure 4**). The new TOD SEPP planning controls will apply in HCA's, which may undermine the objectives of the PP. Council acknowledges the need for more housing but believes that stringent controls are necessary to ensure the conservation of properties within HCA's.



Figure 4 Bexley Draft Heritage Conservation Area.
Note some sites are within the prescribed area (Source: Intramaps)

- iii. **Aeronautical Affections** – Rockdale is within the Inner Horizontal Surface on OLS, which has a height plane that ranges from 48m to 51m AHD.

Development Applications for development that exceeds the OLS will require referral to the relevant airport and regulator, which can add costs and delays.

The northern part of the prescribed area is within the 25-30 ANEF contour indicating that there will be an increase in residents exposed to aircraft noise. Under Table 2.1 of the Australian Standards 2021-2015, house, home unit, and flat building types are classified as 'unacceptable' within an ANEF contour greater than 25. Development should also be consistent with Local Planning Direction 5.3 Development Near Regulated Airports and Defence Airports and the National Airports Safeguarding Framework (NASF) Guidelines.

Flood Affection – Some of the lots within the precinct area are affected by shallow inundation in the 1% AEP event including north of Gloucester Street, south of Fredrick Street, York Street, and the corner of Walz Street, Railway Street, and Frederick Street. This means that built form footprints may need to be reduced to retain temporary flood storage, which will reduce the feasibility of developing these sites.

In the 1% AEP design event, the hazard classification of overland flow throughout the Rockdale Town Centre precinct is generally low (H1/H2 – Generally safe / unsafe for small vehicles) except for properties on the southern side of Frederick Street (H5 – Unsafe for vehicles and people, building vulnerable to structural damage) and the northern side of Gloucester Street (H3 – unsafe for vehicles, children and the elderly). Flood hazard is significantly higher for the PMF event,

with several major roads affected by high hazard, including the Princes Highway, Bryant Street and York Street. Some buildings may need to be structurally designed to consider extreme flood conditions up to the PMF, and provide flood-free refuge on higher floors.

Given the recent flood inquiry and concerns surrounding climate change and sustainability, Council is hesitant to increase the number of residents who may be exposed to flood risk so careful consideration of flood impacts against Local Planning Direction 4.1 Flooding and the Floodplain Development Manual 2023 is recommended.

- iv. **Feasibility** – As discussed in (b)(iii), existing 'walk-up' Residential Flat Buildings, particularly located in the south-western part of the precinct, are unlikely to be redeveloped.

d. Turrella Station

Turrella Station is located west of the centres of Wolli Creek and Banksia. The northern section of the prescribed area is partially zoned E4 General Industrial (between the Wolli Creek and East Hills train line) and is therefore unaffected by the proposed changes. North of Wolli Creek is undeveloped park and bushland located in the Canterbury-Bankstown LGA. The southern portion of the prescribed area is where the proposed controls will largely apply (**Figure 5**).

- i. **Open Space** – Open space to the north is not easily accessible due to the industrial precinct and river limiting permeability, and there are limited open space opportunities to the south due to the topography of the land. The opportunity to acquire additional open space to serve an increased density of development, especially in the absence of a s.7.11 Contributions Plan, is very limited.
- ii. **Permeability** - The Turrella Station precinct mostly consists of low density detached housing. A small pocket of R4 High Density Residential zoned land is located immediately south of the station and contains two Residential Flat Building developments, roughly of similar scale to the proposed SEPP controls.

The developable area (low density housing) consists of small sites with average lot sizes of less than 500 sqm. However, the street blocks are large and do not provide efficient walking routes to the station. The proposed SEPP controls do not enable the delivery of through site links, which can enable enhanced walkability. The existing small lot sizes may be challenging to consolidate, which could result in isolated sites. The absence of a minimum lot area carries the risk of unrealistic development proposed of small sites.

- iii. **Retail & Services** - Turrella does not contain a wide range of services or retail to cater for a larger residential population. The nearest full-line supermarket is in Wolli Creek, which is not within a reasonable walking distance. The TOD SEPP will not produce any new retail space in Turrella. This undermines the purpose of transit-oriented development, which should encourage mixed use development that caters to the everyday needs of residents. The DPHI should consider incentivising developments that provide a portion of retail development including shops and services.



Figure 5 Half of Turrella Station precinct (shaded dark red) is excluded from residential intensification due to industrial precinct (IN1 zone) and parkland (C1 zone) (Source: Intramaps)

- iv. **Topography** – Among all the precinct locations, Turrella exhibits the most pronounced variation in topography. The southern section of the prescribed area (which is the only land that can be redeveloped) consists of sloping land, with risk of landslip in some areas. There are parts of the catchment that are 30m AHD or more, meaning that any development using the maximum 21m building height will likely intersect the OLS, which is set at 51m AHD. Development of 6 storey buildings on top of ridgelines will give result in a poor development outcome and would ordinarily be avoided.
- v. **Station Hierarchy** - Turrella Station is not a major stop on the T8 East Hills line. Consultation with TfNSW must occur to ensure that train services are adequate for the expected development increase.

Conclusion

Bayside Council is committed to increasing the provision of homes in proximity to public transport, community services, and open space so that new residents can enjoy a standard of living that our community expects. The proposed provisions must be carefully evaluated against the opportunities and constraints of each precinct to ensure that the outcomes delivered are acceptable and do not create a legacy of poor quality of life. Council welcomes the opportunity to participate in the review of the draft Instrument to provide input on how these provisions will operate.

We trust that the DPHI will carefully consider the issues raised by Council prior to finalising the TOD SEPP.

If you require further clarification, please do not hesitate to contact Ana Trifunovska, Senior Urban Planner on 9562 1698, or via email: ana.trifunovska@bayside.nsw.gov.au.

Yours sincerely

Peter Barber
Director City Futures

Enclosed:

Attachment 1 – Mapping Analysis

ATTACHMENT 1 - Transport Oriented Development SEPP

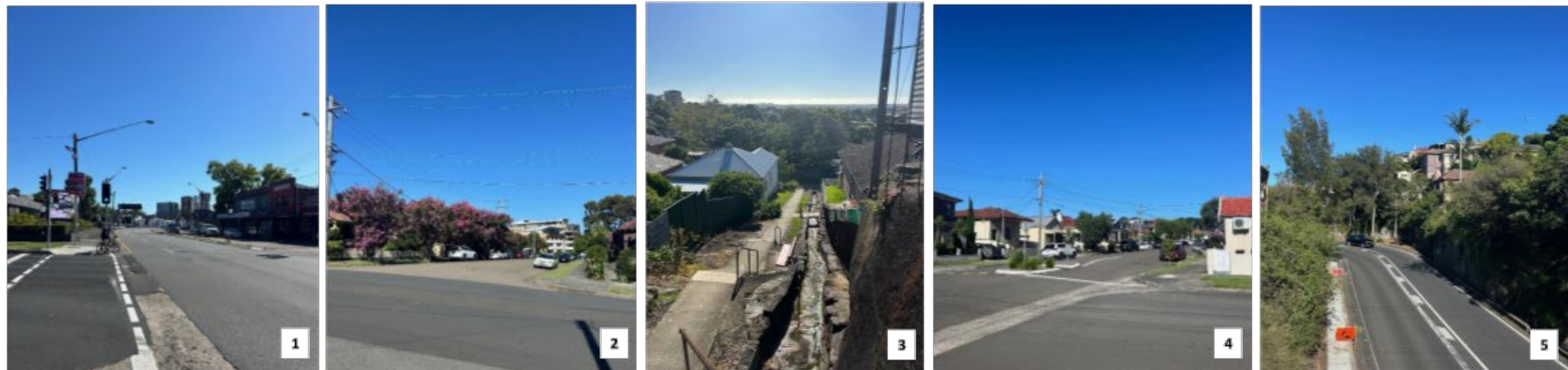
Mapping Analysis

Transport Oriented Development SEPP Banksia Station + 400m Mapping Analysis



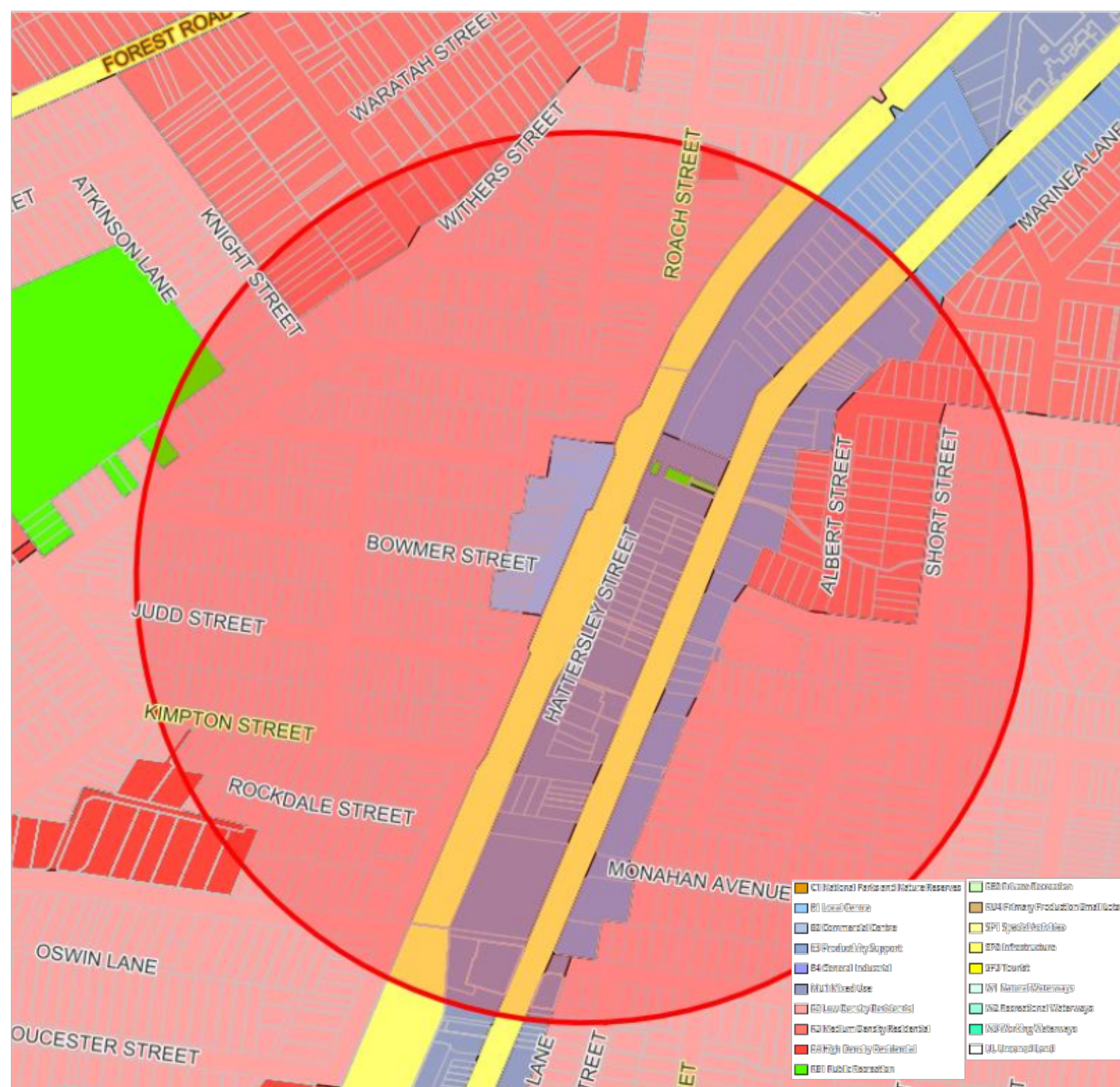
CONTEXT

- Banksia includes a wide variety of existing uses including retail and commercial premises, light industrial and enterprise uses, low and medium scale residential flat buildings, and low scale single and double storey dwellings.
- Bisected by two main transport corridors – T4 rail line and Princes Highway
- North-eastern part of prescribed area was subject to uplift in Bayside West Precincts 2036. Further strategic work not identified for this area – no strategic merit as changes were so recent.
- Public open space available to residents just outside of the prescribed area. There is not a wide variety of shops and services.
- Significant changes in topography – views towards Botany Bay and major heritage items.



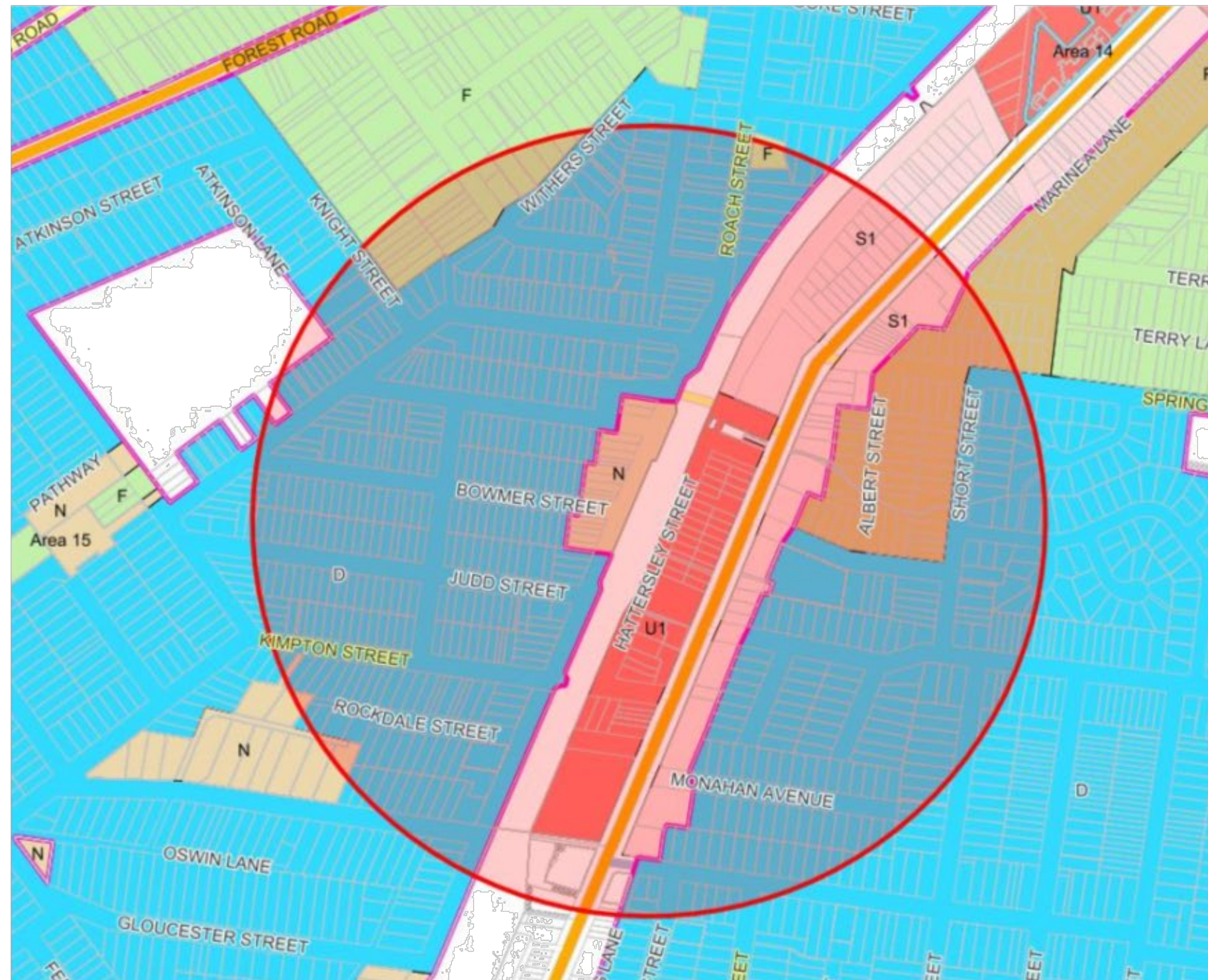
LAND USE ZONING

- Main mixed-use/employment zones is to the east of Banksia Station along the rail and Princes Hwy transport corridors and is surrounded mainly by R2 Low Density Residential characterised by dwelling development.
- E3 Productivity Support to the east of Princes Hwy includes a range of uses including, service station, places of public worship, pubs, fast food outlets hardware and building supplies, vehicle sales and repair shops and mix of 1-2 storey business premises.
- MU1 Mixed Use corridor within the study area is mainly sandwiched between the rail corridor and Princes Highway to the east of the Station and consists of a variety of uses. A small RE1 park lies on the northern end of the zone to the south of Subway Road. To the south of the park on the northern end of the zone is of a mix of low density single storey dwellings opposite the station fronting Hattersley Street and a mix of commercial and business uses on the Princes Hwy side. The Collins Honda car dealership takes up majority of the mid block with a mix of vehicle repair shops, storage yards to the south. Storage King, and bulky goods premises Spotlight, Anaconda complex as well as a new mixed residential commercial building lie to the south of the zone.
- E1 Local Centre area on Railway Street to the west of Banksia Station consists of a variety of uses. 1-2 storey older style shops with some shop top housing. The neighbourhood shops are mostly on narrow subdivisions with fractured individual land holdings making consolidation difficult.
- R3 zones adjoin the E3 zone to the north-east of the prescribed area with another R3 zone to the north-west of the prescribed area. The R3 zones are characterised by low density detached dwellings.
- R4 zone creeps into the prescribed area to the south west.
- Flood prone land runs through the MU1, E3 and R3 zones.



FLOOR SPACE RATIO

- R2 land at FSR of 0.5:1
- R3 land to the north-west is at FSR of 0.6:1 whilst the R3 land to the north-east adjoining the E3 zone has an FSR of 1.25:1
- Area 15 applies generally across the residential zones to limit the FSR of buildings on sites smaller than 460m² to 0.55:1 regardless of the mapped FSR
- R4 and E1 land at 1:1 FSR
- E3 land has an FSR of 1.5:1
- MU1 land generally has an FSR of 2.5:1. Southern end of the MU1 zone within the prescribed area has no FSR as this was part of the Rockdale Town Centre LEP amendment.



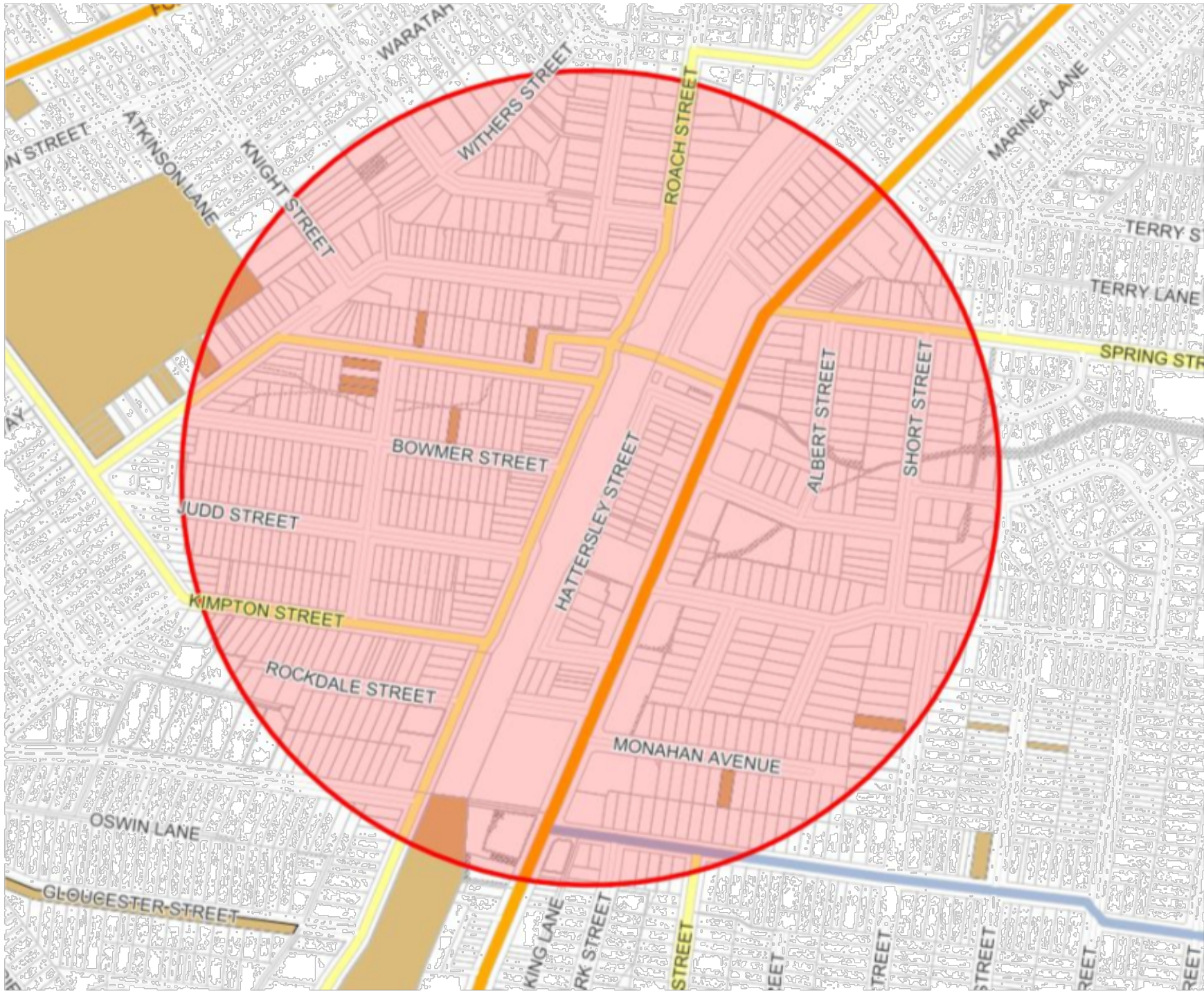
HEIGHT OF BUILDINGS

- R2 and the north-western R3 zone have a maximum height of building of 8.5m
- R3 land to the north-east has a maximum height of building of 12m
- E1 land has a maximum height of building of 13m
- E3 land to the east of Princes Hwy has a height transition from north to south of 18m where it adjoins the R3 zone down to 14.5m where it adjoins the R2 zone.
- MU1 zone to the east of the Station and directly south of the E3 zone has a height of building of 28m and increases to 34m on the southern end after the Spotlight site.
- R4 zoned properties have a height of 14.5m.



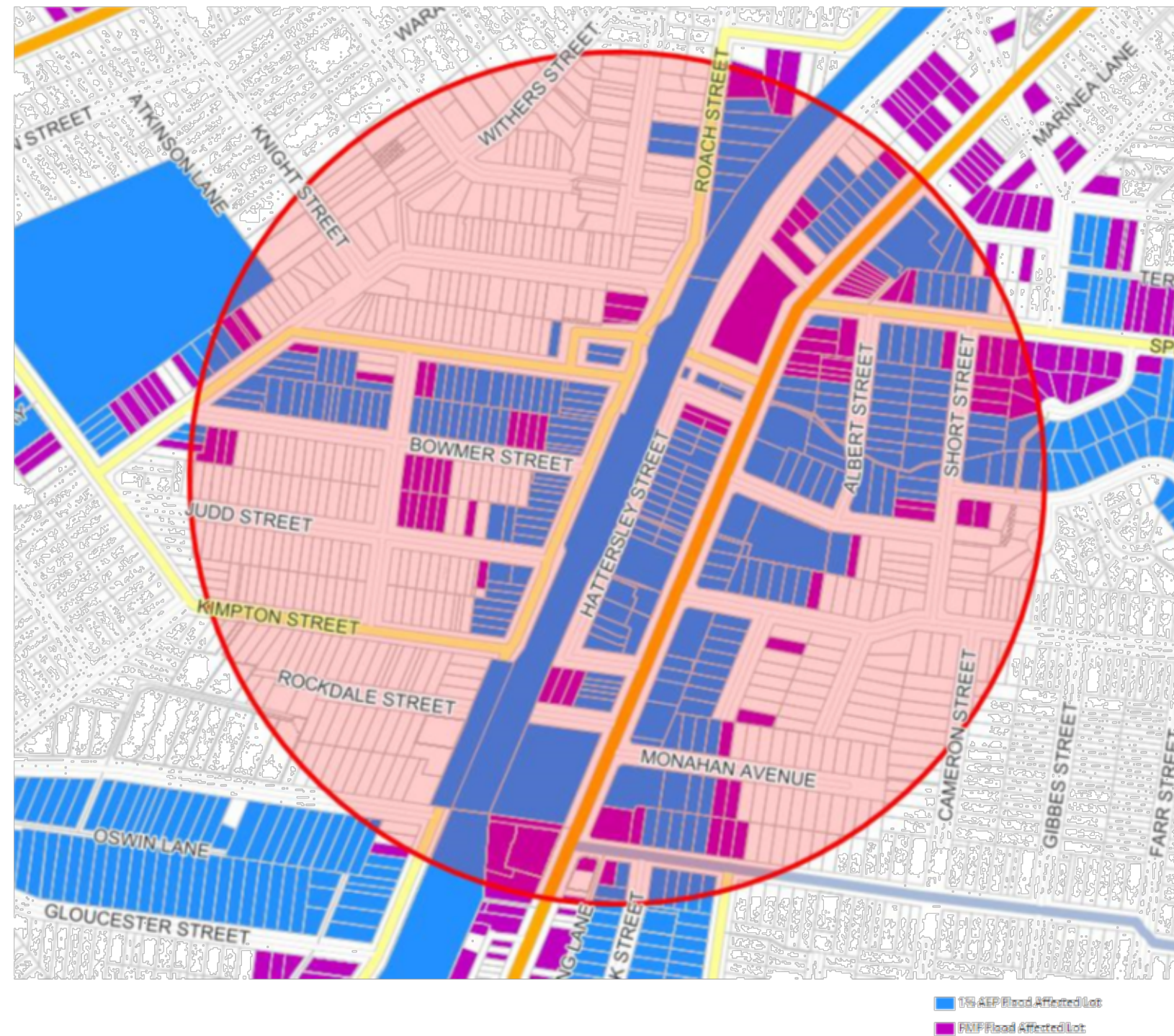
HERITAGE

- No existing or currently proposed heritage conservation areas (HCAs) intersect with the prescribed area. Proposed HCAs for Gibbes and Farr St lie just outside the prescribed area.
- Heritage items on private property:
 - 15 Cameron St - House
 - 15 Bowmer Street, 1, 5 and 7 Curtis Street - Sandstone Victorian cottage
 - 19 Monahan Avenue – Stone house
 - 7 Godfrey Street - Stone house
 - 29 Godfrey Street - Stone Victorian house
- Heritage items on public property:
 - 15A Wolli Creek Road - Gardiner Park
 - Rockdale Railway Station and Yard Group (Rockdale) - Brick buildings on platforms, signal box and overhead booking office



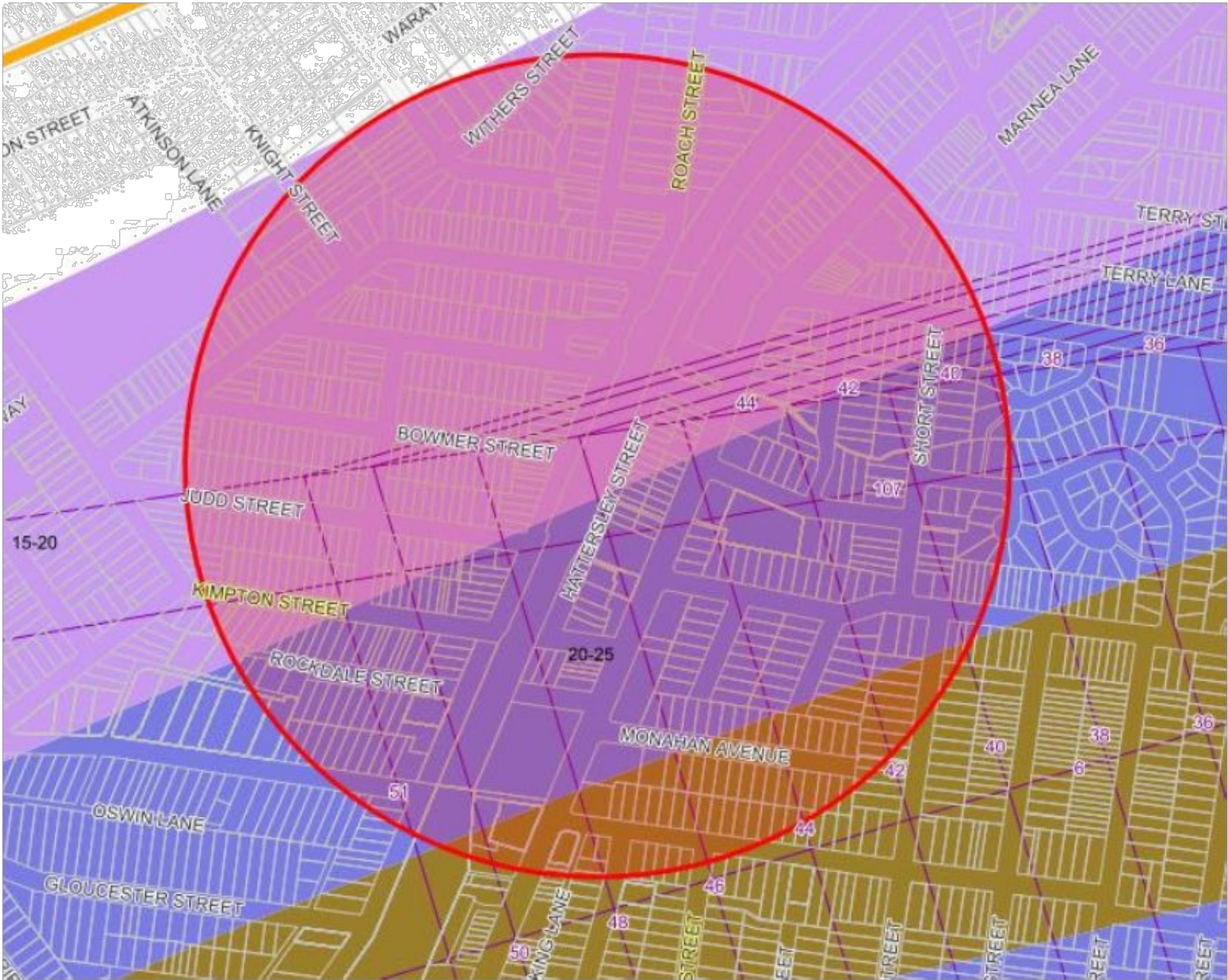
FLOODING

- The flood path runs generally north-south and east-west through the prescribed area.
- An first order open concrete channel stream is located to the east of the prescribed area.
- RE1 recreation land is also flood prone.
- High flood risk areas feature through the north-south transport corridors and surrounding employment zone land including the R3 land to the north-east which is likely to be barrier to increasing residential density.
- Basement carparking may be unsafe and impractical for some of these flood prone sites.
- Increasing the residential density of flood prone land within the prescribed area will place more people and property at risk and increase the cost of land acquisitions that may be required to expand stormwater infrastructure.



AIRPORT

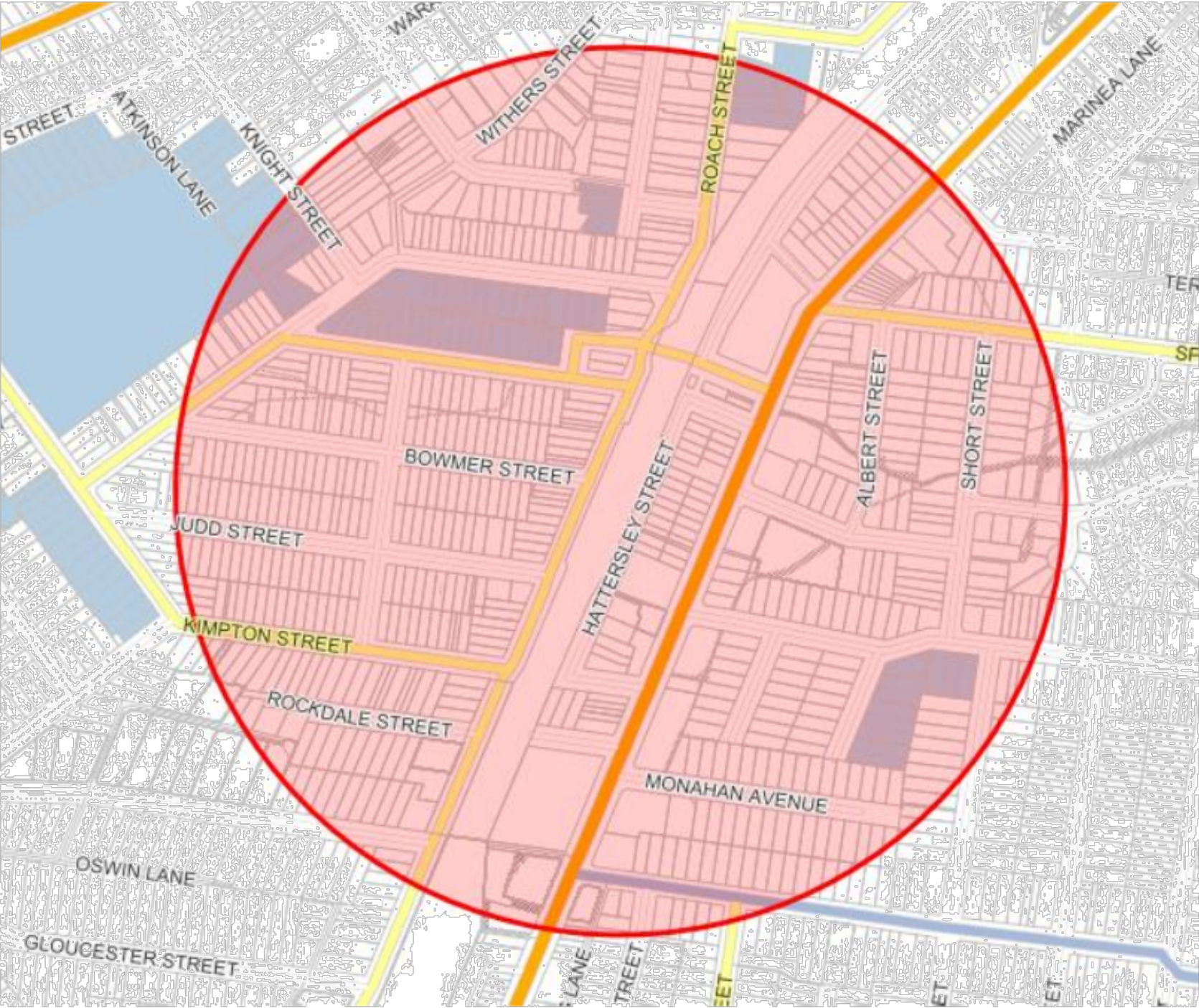
- The prescribed area is subject to aircraft noise with higher ANEF ranges of 25-30 on the south-eastern end of the prescribed area, stepping down to 20-25 with the majority of the north-western half of the prescribed area being affected by ANEF 15-20. Whilst not prohibitive to development, residential development will likely require increased acoustic treatments.
- The majority of the southern half of the prescribed area is subject to the Sydney Airport Obstacle Limitation Surface (OLS). This imposes a varied height plane of 38 to 51m AHD across the prescribed area from east to west.
- Terrain height varies within the prescribed area from a low point of around 7m AHD to the east of the prescribed area, to a high of more than 47m AHD to the north-eastern extent of the area around Bayview St (R3 zone area).
- This means that buildings constructed to the proposed 21m height limit within the prescribed area will breach the OLS in places and require referral under the Airports Act 1996 (Cwlth).



Geotechnical Slip

- A number of sites including the majority of the block between Knight and Godfrey Street, are affected by landslip. We currently don't have any policies for this affectation other than the requirement of a Geotechnical Report at the time of lodgement to determine sub surface conditions.

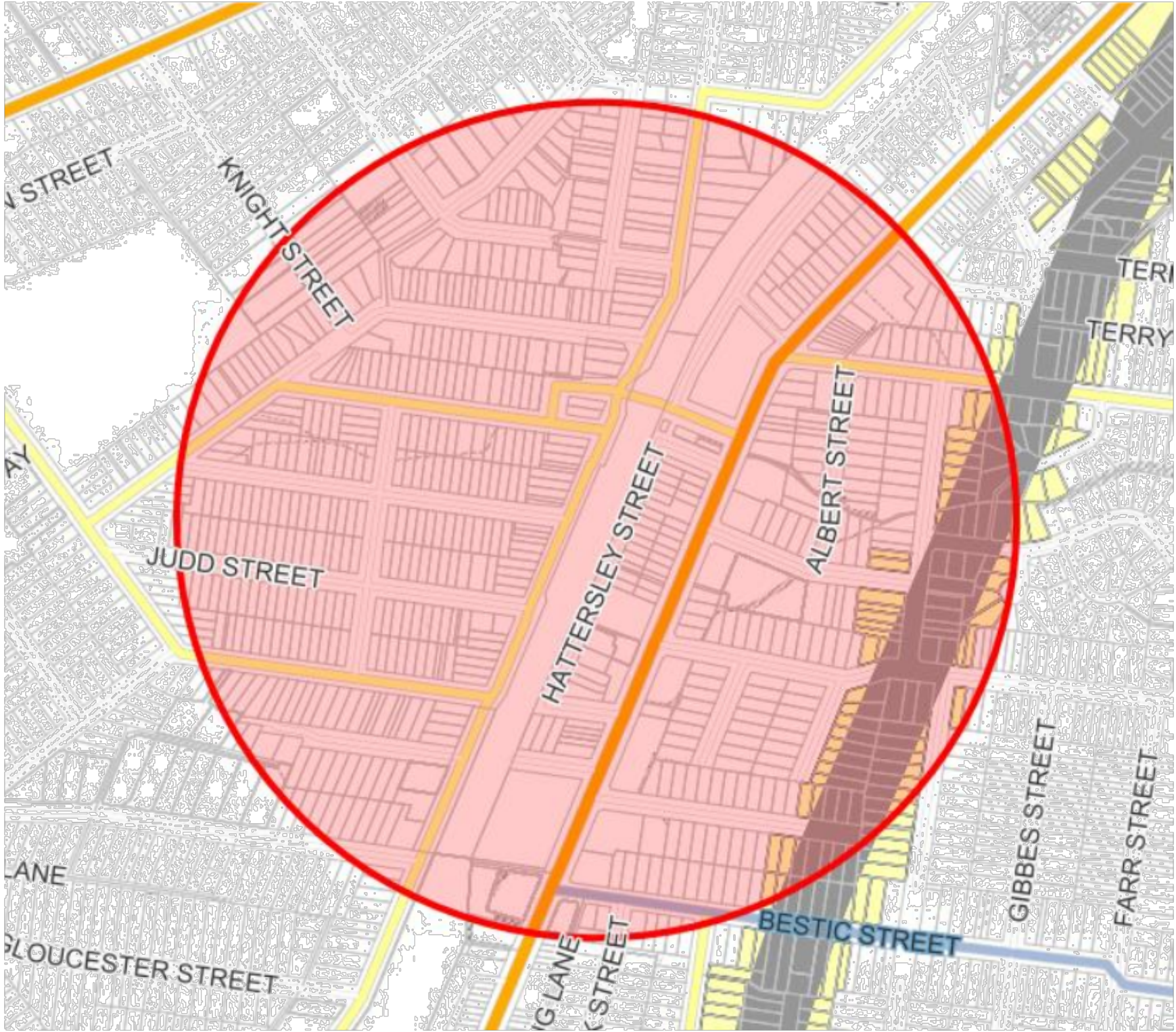
- ☐ SLIP
- ☐ 4PIND
- ☐ BAYST
- ☐ CLIFF
- ☐ NAYLA
- ☐ PIND
- ☐ PIND2



M6 Corridor

- The M6 Corridor and substratum properties traverse a large portion of the Low and Medium residential density sites on the eastern portion of the prescribed area. Excavation is likely to be limited for basement carparking.

- Road M6 Substratum
- Road M6 Substratum Properties



Transport Oriented Development SEPP Kogarah Station + 400m Mapping Analysis



CONTEXT

- The western half of Kogarah falls under Bayside Council LGA whilst the eastern half of Kogarah falls under Georges River Council LGA.
- The main town centre is on the eastern side of the precinct and includes a variety of local shops, business headquarters, both public and private hospitals and newly developed residential flat buildings.
- The western side of the precinct includes a mix of local shops with a scattered local centre extending from Station Street down towards Queen Victoria Street, 'walk-up' residential flat buildings, and low density single and double storey dwellings.
- Public open space, shops and services are available to residents.



LAND USE ZONING

- Main mixed-use/commercial area and St George Hospital are to the east of the railway line within the Georges River LGA (zoning not shown).
- R4 High Density Residential to the west of prescribed area is largely developed as 3-4 storey walk-up RFBs.
- MU1 Mixed Use area west of the Station which has older style shops and more recent high density mixed use.
- E1 Local Centre area on Queen Victoria Street combines older shops, 2-4 storey RFBs and Shop-top housing.
- R2 and R3 zones outside of the prescribed area to the west, north and south. Can provide appropriate transition with the new SEPP areas.
- RE1 contains some of the highly flood prone land.

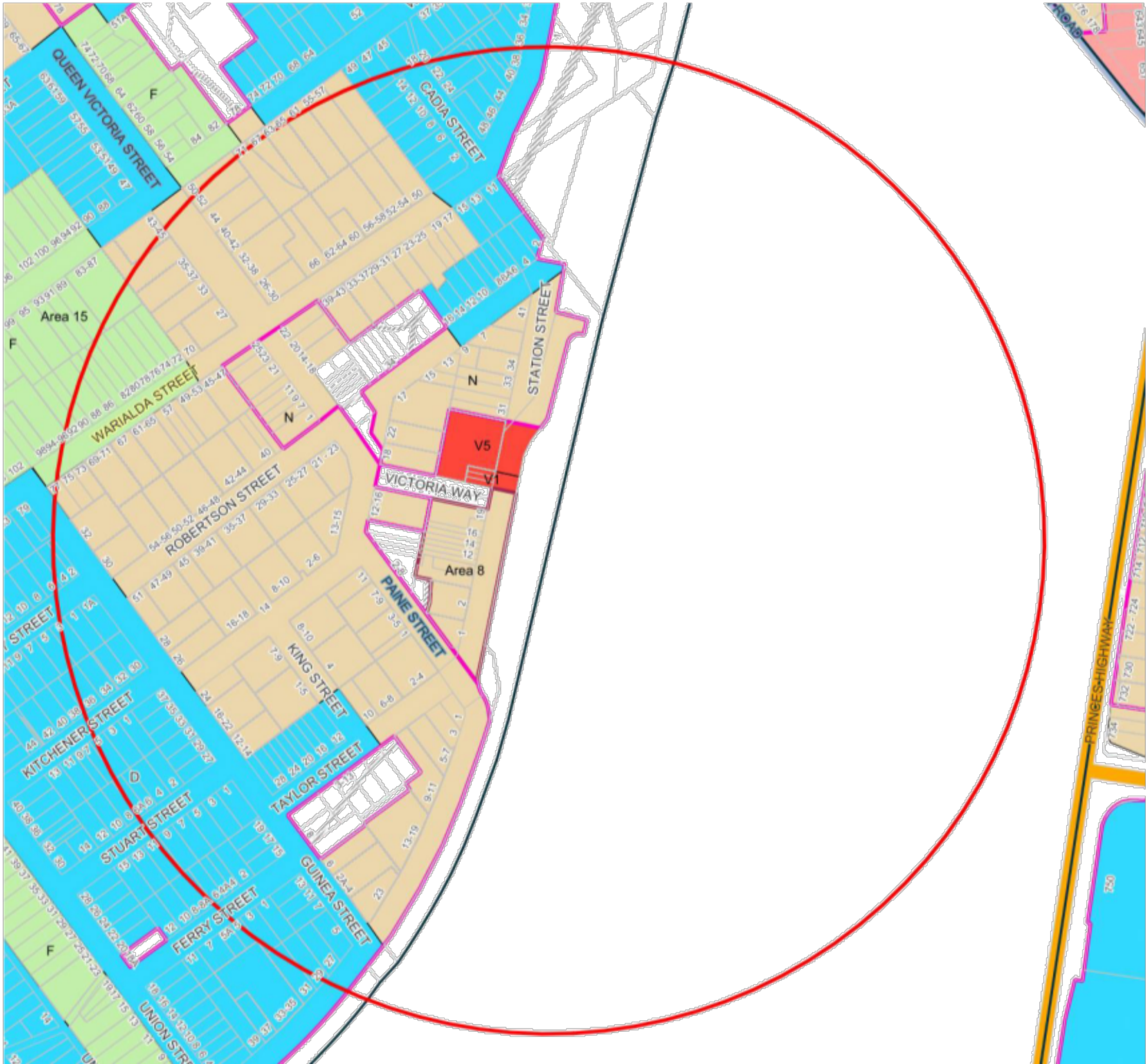
CU National Parks and Nature Reserves	RE1 Private Recreation
E1 Local Centre	RU4 Primary/Production Small Lot
E2 Commercial Centre	SP1 Special Activities
E3 Productivity Support	SP2 Infrastructure
E4 General Industrial	SP3 Tourist
MU1 Mixed Use	W1 Natural Waterways
R2 Low Density Residential	W2 Recreational Waterways
R3 Medium Density Residential	W3 Working Waterways
R4 High Density Residential	U1 Unsealed Land
RE1 Public Recreation	



FLOOR SPACE RATIO

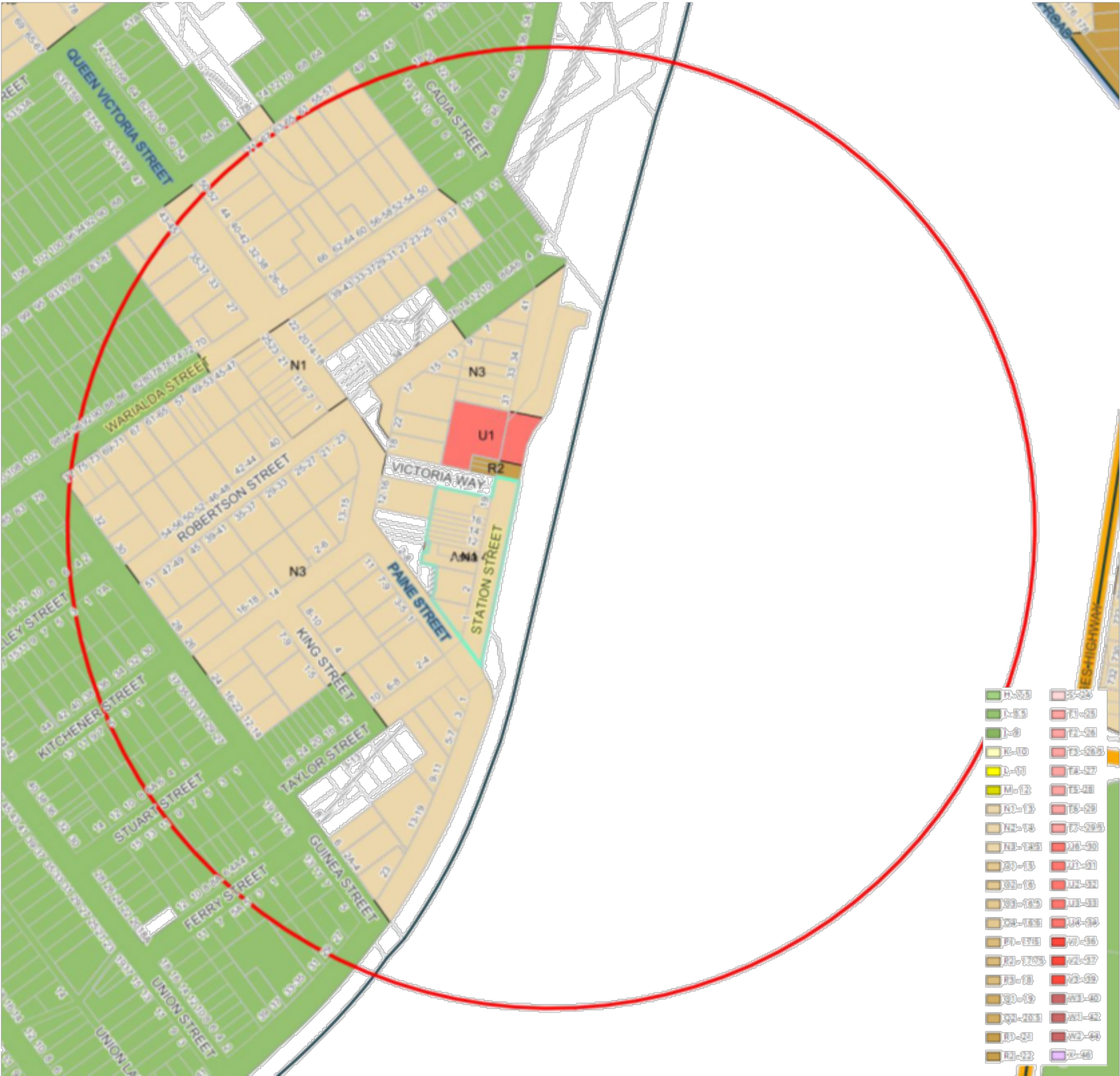
- Majority of the prescribed area has floor space ratios of 1:1 or below.
- R2 land at FSR of 0.5:1
- R3 land at FSR of 0.6:1
- R4, E1 and MU1 land generally at 1:1 FSR
- Area 8 applies alternative FSR of 2:1 on mapped sites in the MU1 zone adjacent to the railway station if their site area is at least 1,000m².
- Area 15 applies generally across the residential zones to limit the FSR of buildings on sites smaller than 460m² to 0.55:1 regardless of the mapped FSR
- Specific sites adjacent to the railway station in the MU1 zone have FSRs of 3 or 3.4:1

D-0.1	F3-1.15	V1-3
E-0.55	F4-1.1	V2-2.1
F-0.6	F5-1.65	V3-2.2
G-0.65	F6-1.75	V4-3.3
H-0.7	F7-1.8	V5-3.4
I-0.65	T1-2	V6-3.55
L-0.9	T2-2.2	V7-3.65
N-1	T3-2.35	Z-4
F1-1.2	U1-2.5	Z-5.2
F2-1.35	U2-2.65	



HEIGHT OF BUILDINGS

- Some properties adjacent to the railway station have height limits equal to or greater than the height mandated by the SEPP.
- MU1 sites within Area 4 benefit from a height limit of 15m if their site area is at least 1,000m².
- R4 zoned properties have a height of 14.5m.
- R2 and R3 zoned properties have a height of 8.5m.
- Surrounding the prescribed area (excepting towards the south) is predominately 8.5m building height. May encounter difficulties in built form transition with SEPP areas.



HERITAGE

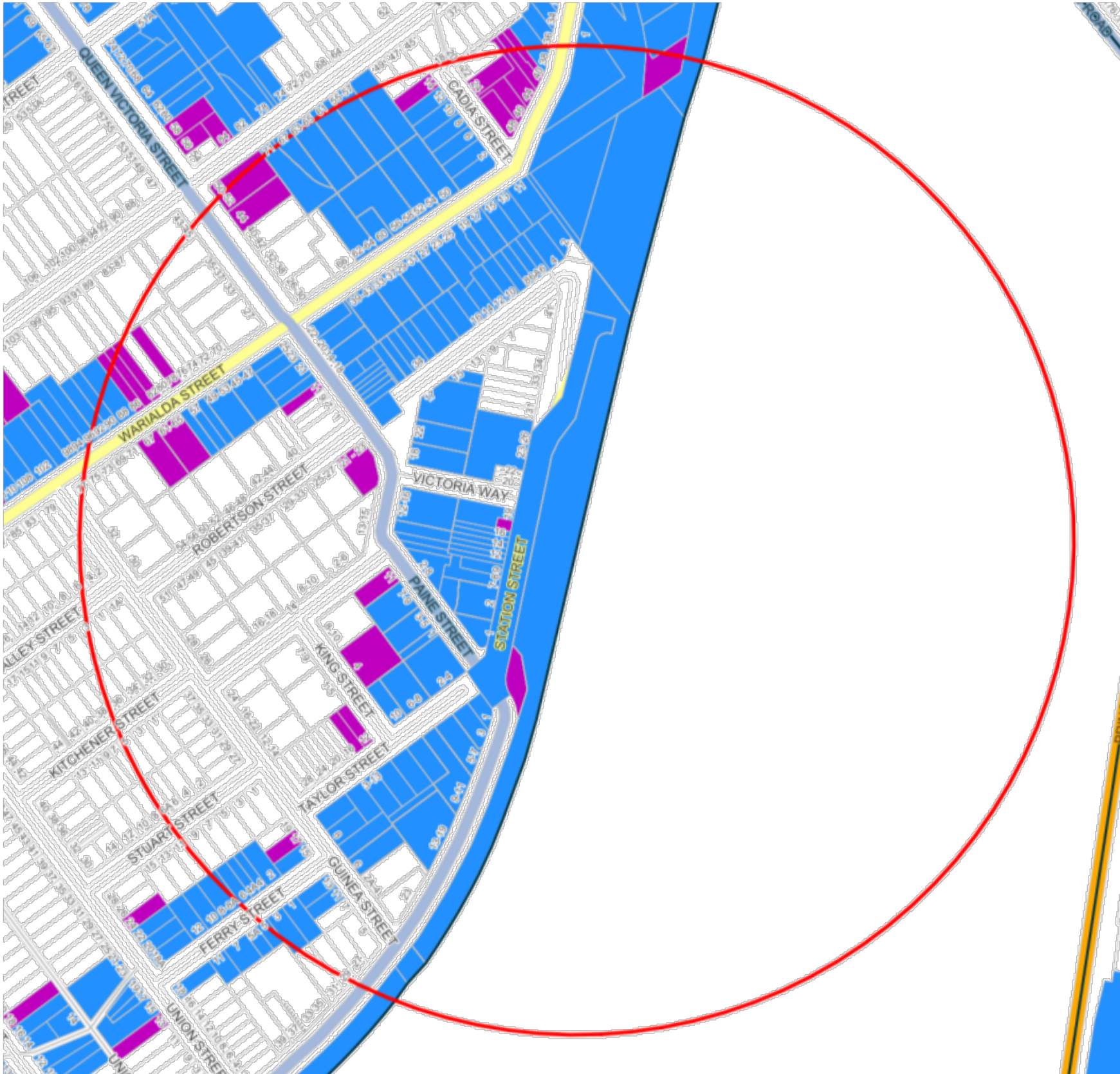
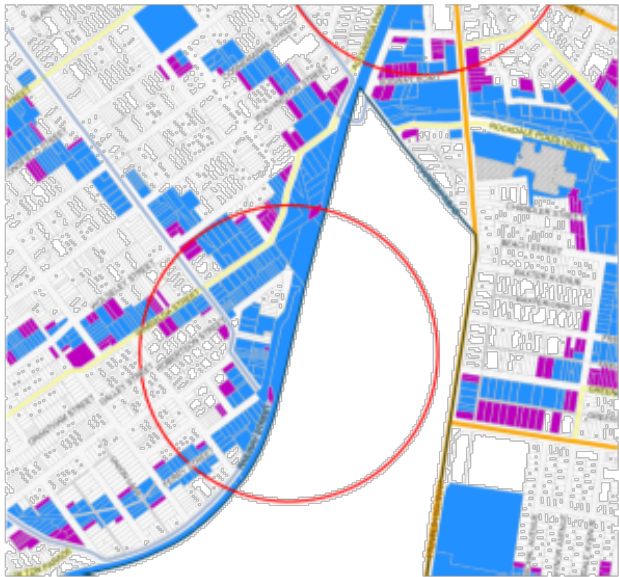
- No existing or currently proposed heritage conservation areas intersect with the prescribed area.
- Heritage items on private property:
 - 34 Kitchener Street - House
 - 38 Kitchener Street - Sandstone Victorian cottage
 - 7 Robertson Street - Stone cottage only
 - 17, 18 & 19 Station Street - Peach Chambers (Federation style commercial building)
 - 16, 18, 20, 22, 24, 26, 28 and 30 Taylor Street - Taylor Street Group
- Heritage items on public property:
 - Queen Victoria Street - Street Plantings
 - Victoria Way - Queens Avenue Landscaping
 - 1 and 1A Warialda Street - Frys Reserve (including railway land)



FLOODING

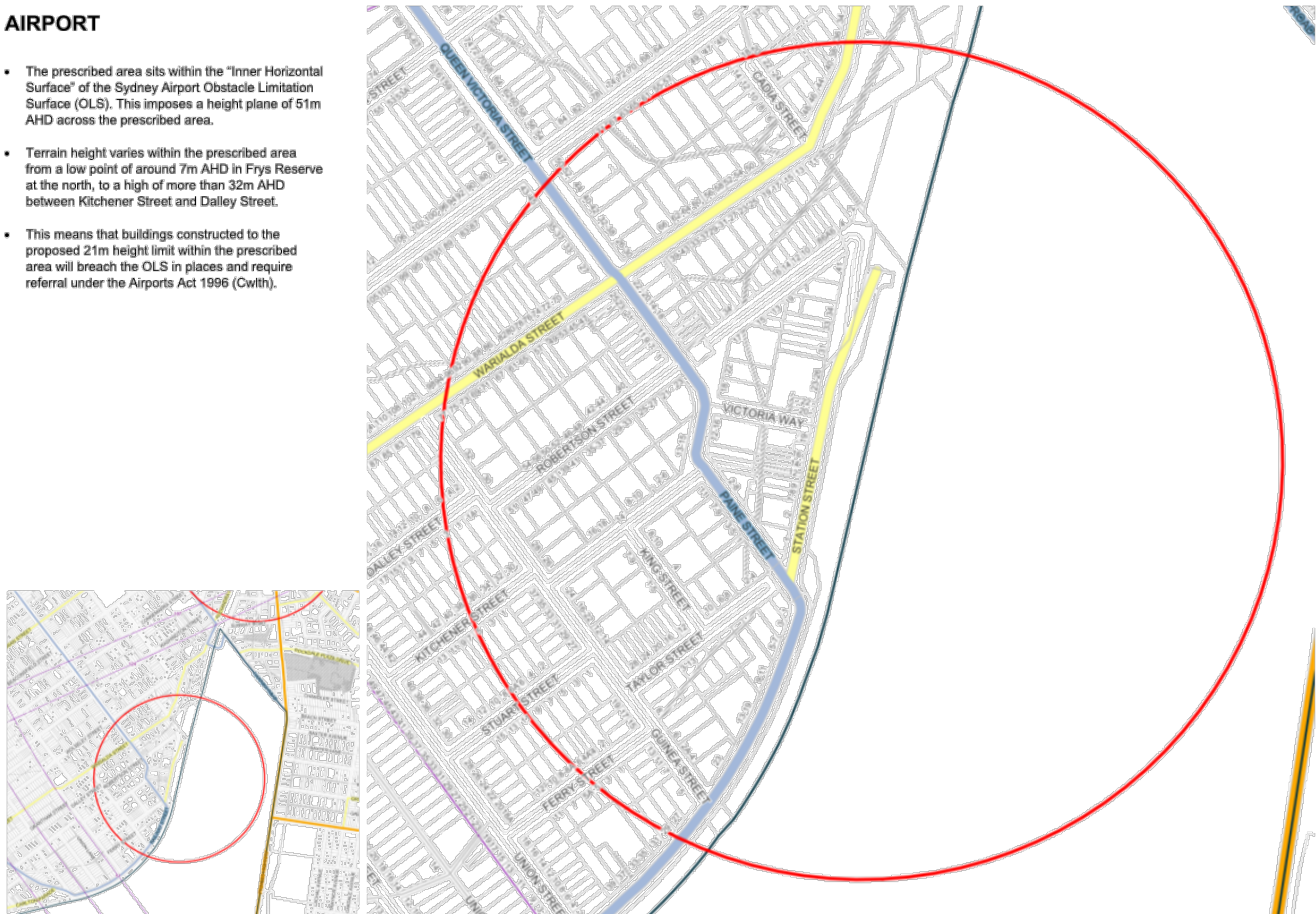
- The prescribed area is at the confluence of 3 significant stormwater drainage channels which follow the route of pre-colonial watercourses.
- The channels run through and under properties in pipes or open concrete channels. In some cases, private properties have bridges to reach the street.
- Some of the most flood prone land has been acquired by Council for use as public open space, however much of it is still in private hands.
- Given the topography and intensity of private development within this flood plain, interventions to reduce or better manage this flood risk are likely to be expensive and may reduce the amenity of the existing public open space for residents.
- Basement carparking may be unsafe and impractical for some of these flood prone sites.
- Increasing the residential density of flood prone land within the prescribed area will place more people and property at risk and increase the cost of land acquisitions that may be required to expand stormwater infrastructure.

TEAEP Flood Affected Lot
RMP Flood Affected Lot



AIRPORT

- The prescribed area sits within the "Inner Horizontal Surface" of the Sydney Airport Obstacle Limitation Surface (OLS). This imposes a height plane of 51m AHD across the prescribed area.
- Terrain height varies within the prescribed area from a low point of around 7m AHD in Frys Reserve at the north, to a high of more than 32m AHD between Kitchener Street and Dalley Street.
- This means that buildings constructed to the proposed 21m height limit within the prescribed area will breach the OLS in places and require referral under the Airports Act 1996 (Cwlth).



TOPOGRAPHY

- Highest point at Kitchener Street (33m AHD) – views towards Kogarah Bay.
- Lowest point at Warialda Street park reserve (7m AHD) – most flood prone area of the precinct.
- Significant difference in elevation along northern side of Wolseley Street just outside the prescribed area which reaches a maximum elevation of 31m AHD and lowers to 13m AHD on the southern side of the street.
- Valleys and ridges in north-west to south-east direction in south-western section of precinct.

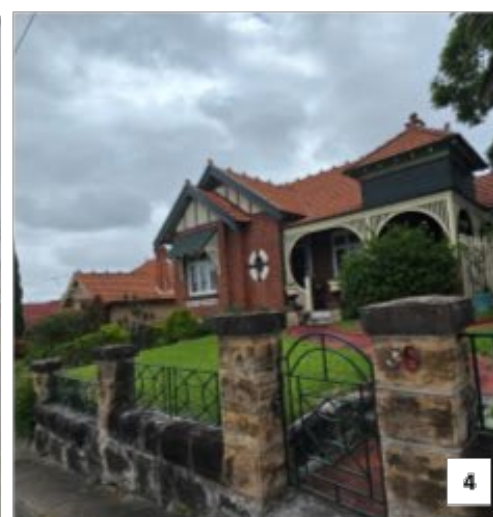


Transport Oriented Development SEPP Rockdale Station + 400m Mapping Analysis



CONTEXT

- Large portion of precinct area subject to Rockdale Town Centre Masterplan and Design Excellence.
- Civic Section of Rockdale Town Centre (area surrounding Town Hall and Library) is currently under investigation in line with priorities of Bayside LSPS as Rockdale is sought to be transitioned to a 'Strategic Centre'.
- Main town centre is on the eastern side of the train tracks however there is also a smaller town centre on the western side.
- Areas surrounding the Rockdale Town Centre are predominately low scale single and double storey dwellings.
- Existing 'Walk-up' residential flat buildings located in the south-west of the precinct.
- Shops and services are available to residents however there is a lack of public open space even within the vicinity of the prescribed area.



LAND USE ZONING

- The area surrounding Rockdale Station is mostly **E1 Local Centre** with a series of **SP2 Infrastructure**, being Classified Roads, intersecting the centre.
- Numerous **RE1 Public Recreation** Zoned areas provide Open Space for the anticipated development in the Rockdale and Kogarah centres.
- At the Northern and Southern ends of the precinct is **MU1 Mixed Use** Zoned land.
- Outside the Local Centre to the South, **R4 High Density Residential** Zoned land borders the Classified Roads to control density along areas where it should be concentrated. This land largely comprises multi storey Residential Flat Buildings.
- Heading away from the centre, land is Zoned **R2 Low Density Residential**, providing an appropriate transition from the dense zoning along the main corridor.

CU Natural Parks and Nature Reserves	RE1 Public Recreation
E1 Local Centre	RU1 Primary Production (Small Lots)
E2 Commercial Centre	SP1 Special Activities
E3 Productivity Support	SP2 Infrastructure
E4 General Industrial	SP3 Tourism
MU Mixed Use	W1 Natural Waterways
R2 Low Density Residential	W2 Recreational Waterways
R3 Medium Density Residential	W3 Working Waterways
R4 High Density Residential	U1 Unzoned Land
RE1 Public Recreation	



FLOOR SPACE RATIO

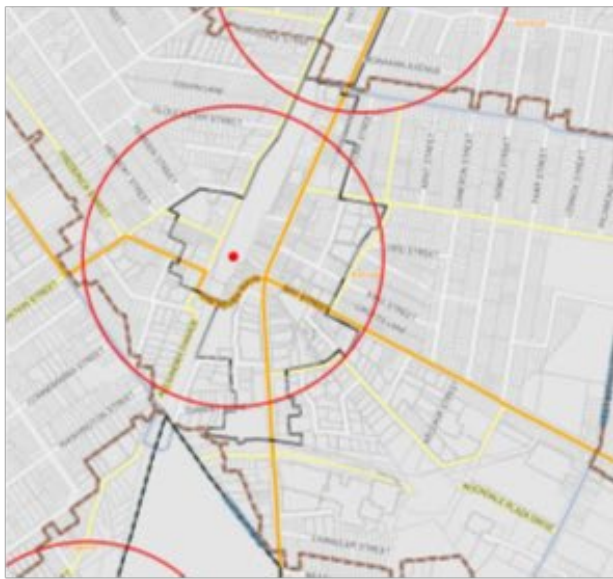
- On 16 December 2022, the Floor Space Ratio (FSR) controls were removed from the Rockdale Town Centre's **E1 Local Centre** and **MU1 Mixed Use** Zoned land (refer to *Bayside Local Environmental Plan 2021 Amendment 2*).
- Residential land zoned **R2 Low Density Residential** has the FSR control of **0.5 : 1**.
- Residential land zoned **R4 High Density Residential** has the FSR control of **1 : 1**.
- Area 15** applies generally across the residential zones to limit the FSR of buildings on sites smaller than 460m² to **0.55 : 1** regardless of the mapped FSR.

D-0.5	F2-1.25	V1-3
E-0.55	G1-1.5	V2-3.1
F-0.6	G2-1.65	V3-3.2
G-0.65	G3-1.75	V4-3.3
H-0.7	G4-1.8	V5-3.4
K-0.85	T1-2	V6-3.55
L-0.9	T2-2.2	V7-3.6
N-1	T3-2.35	X-4
P1-1.2	U1-2.5	Z-5.2
P2-1.25	U2-2.65	



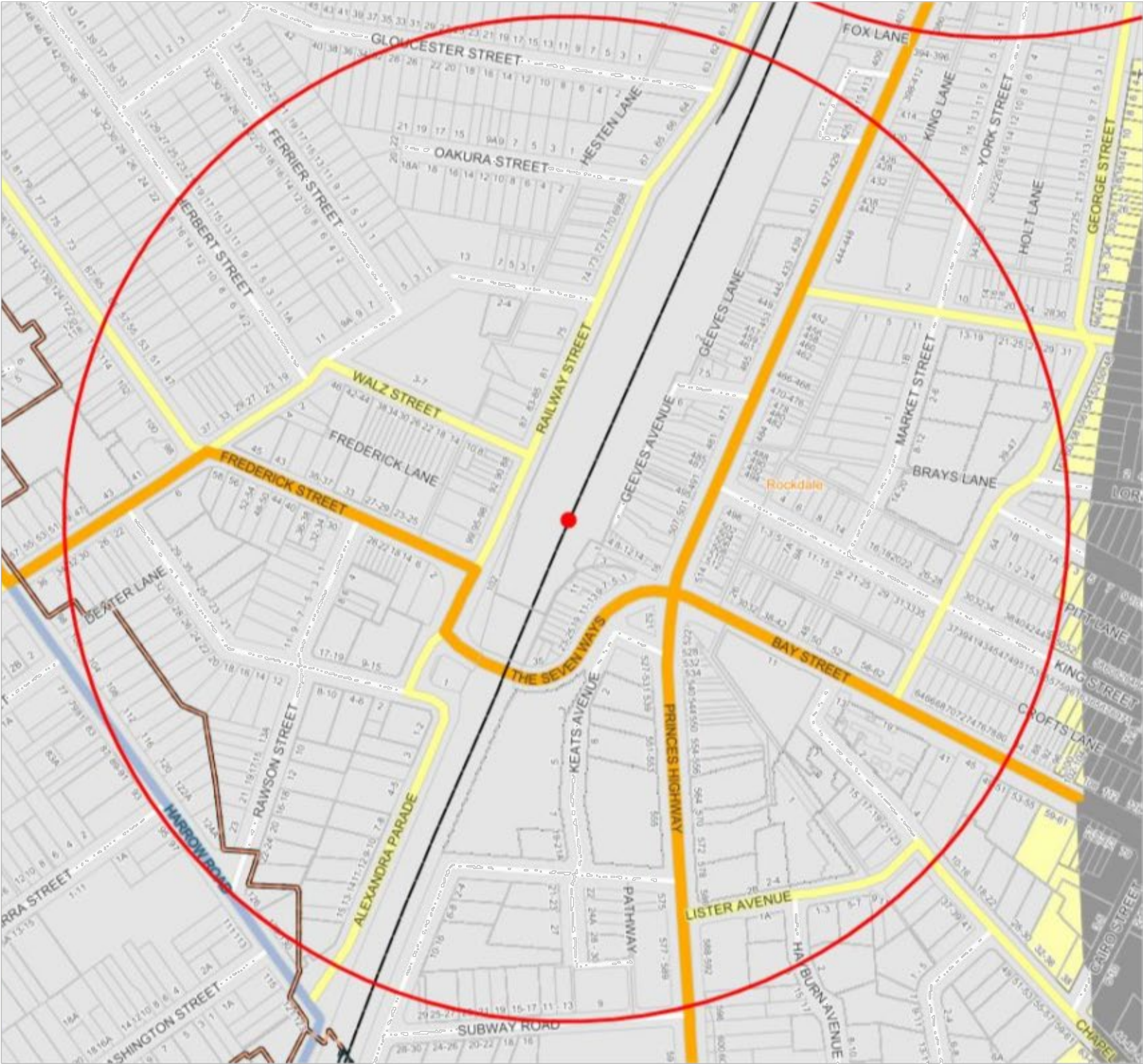
DESIGN EXCELLENCE

- On 16 December 2022, land zoned **E1 Local Centre** and **MU1 Mixed Use** along the rail corridor in Rockdale, as well as 3-11 Walz Street (St Joseph's Convent), was classed as subject to **Clause 6.10 Design Excellence** of *Bayside Local Environmental Plan 2021*.
- The Objective of Clause 6.10 (3) states that "Development consent must not be granted for development to which this clause applies unless the consent authority considers that the development exhibits design excellence." This is based on numerous factors as outlined throughout Clause 6.10 in order to carry out the Objective, which is "to deliver the highest standard of architectural, urban and landscape design."



M6

- Rockdale Station is located just over 400m from the M6 Substratum. It is anticipated that controls will be implemented for developers to consult Transport for New South Wales (TfNSW) before excavating within a certain distance from the M6 tunnel.



HEIGHT OF BUILDINGS

- For land to the West of Princes Highway and North of The Seven Ways, land zoned **MU1 Mixed Use** and **E1 Local Centre** are prescribed **34m** Height of Buildings (HOB) controls, with the exception of the Rockdale Interchange Site (RIS), being the sites bound by Geeves Avenue and the Princes Highway; these properties are allocated **27m** HOB.
- The rest of the land zoned **E1 Local Centre** or **E3 Productivity Support** have been assigned one of the following HOB controls:
 - **R2 – 22m** (some are also in Areas 1, 7, or 8)
 - **T1 – 25m**
 - **T5 – 28m.**
- Land zoned **R4 High Density Residential** has been allocated **N3 – 14.5m**.
- Land zoned **R2 Low Density Residential** has been allocated **I – 8.5m**.



HERITAGE

A draft Heritage Conservation Area intercepts the Rockdale Station 400m boundary along Harrow Road and Watkin Street (affected properties outlined in red).

Heritage items on private property:

- Rockdale Railway Station and Yard Group
- Uniting Church and buildings
- St Joseph's Convent
- Federation House.

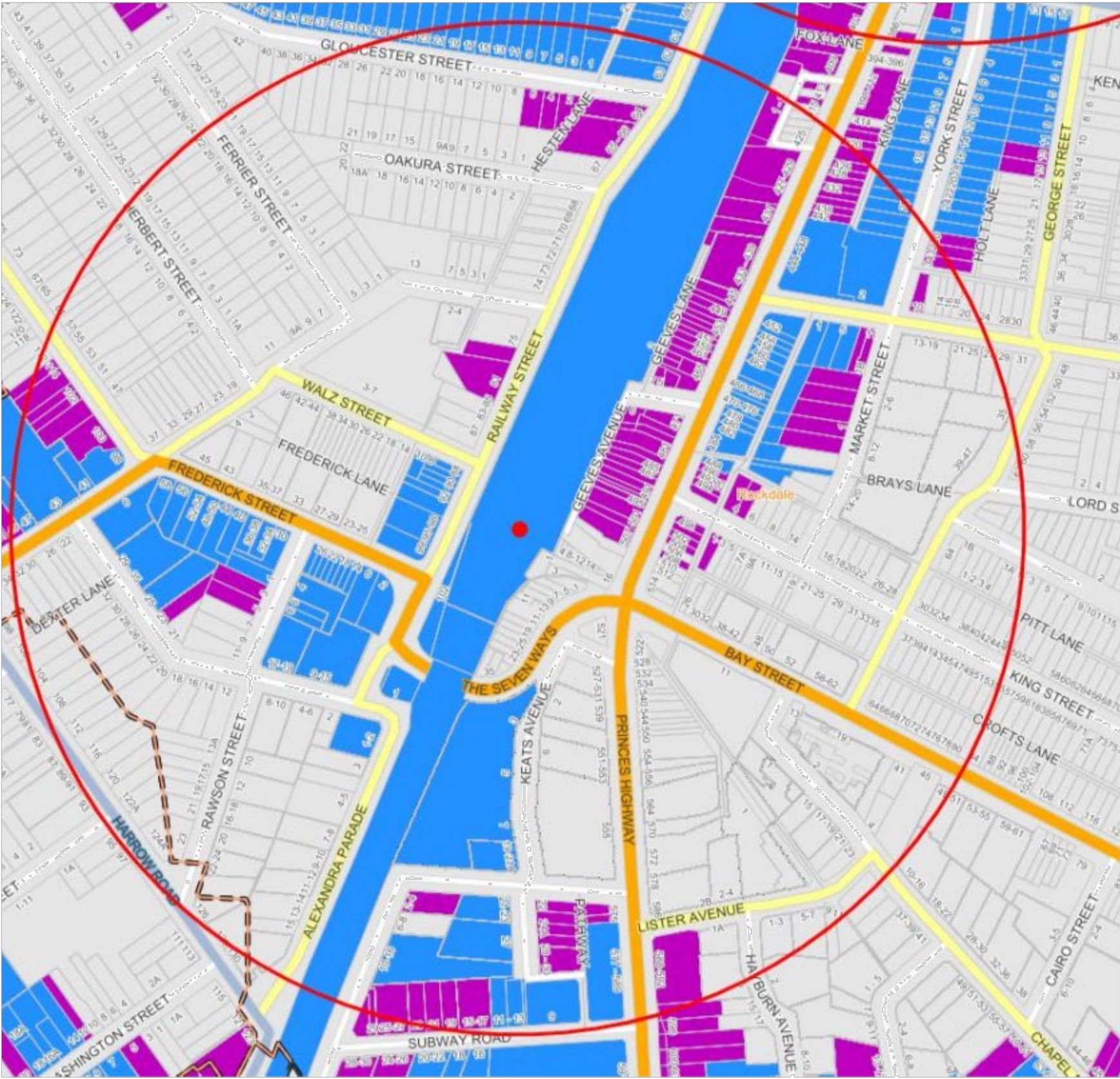
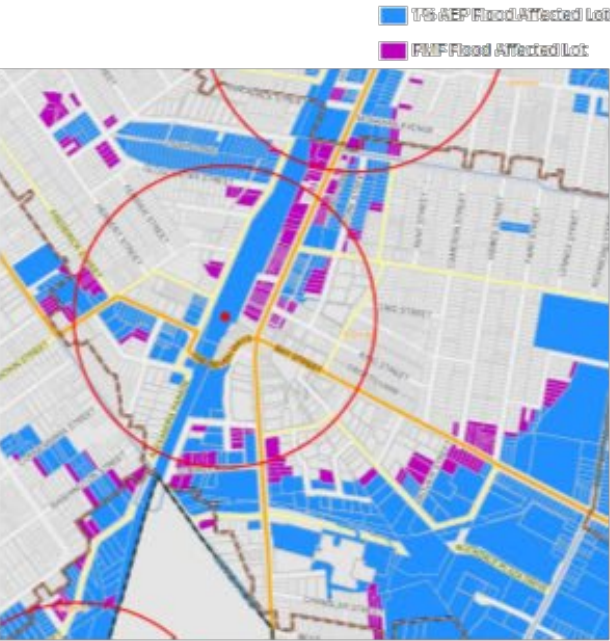
Heritage items on public property:

- Rockdale Public School
- Rockdale Town Hall
- Palm trees on verge (Gloucester Street)
- Rockdale School of Arts (Guild Theatre).



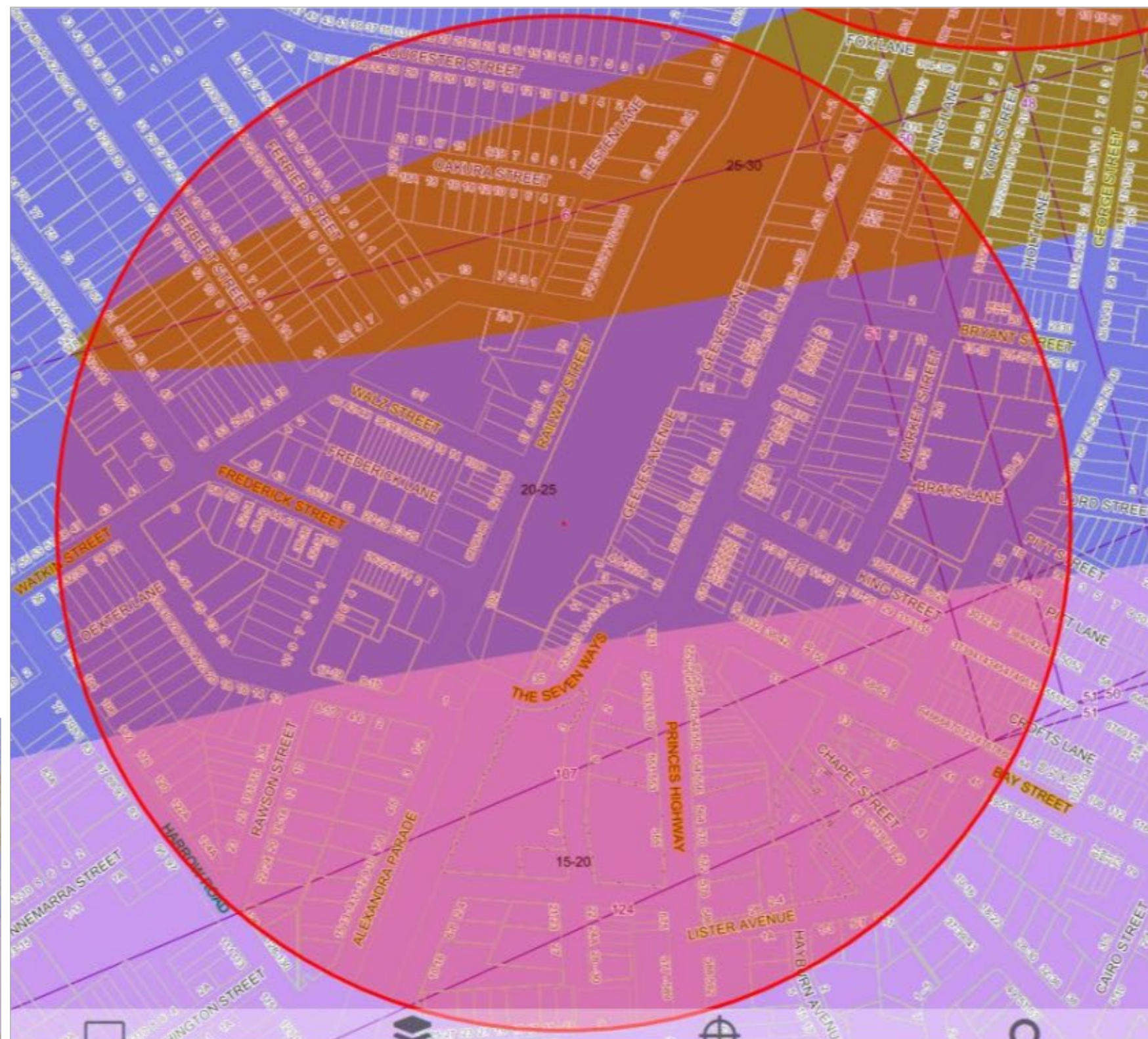
FLOODING

- The Rockdale Precinct straddles two sub-catchments within the Muddy Creek catchment, with Bay Street forming the catchment divide.
- Runoff from areas South of Bay Street drain in an easterly direction towards the Muddy Creek open channel near Rockdale Plaza Drive. Runoff from areas North of Bay Street drain in a northerly direction, discharging into an open channel commencing at Short Street, Banksia.
- Some of the lots within the precinct area are affected by shallow inundation in the 1% AEP event including North of Gloucester Street, South of Frederick Street, York Street, and the Corner of Walz Street, Railway Street, and Frederick Street. This means that built form footprints may need to be reduced to retain temporary flood storage which will reduce the feasibility of these sites.
- In the 1% AEP design event, the hazard classification of overland flow throughout the Rockdale Town Centre precinct is generally low, except for property on the southern side of Frederick Street and the northern side of Gloucester Street.
- Flood hazard is significantly higher for the PMF event, with several major roads affected by high hazard, including the Princes Highway, Bryant Street, and York Street.



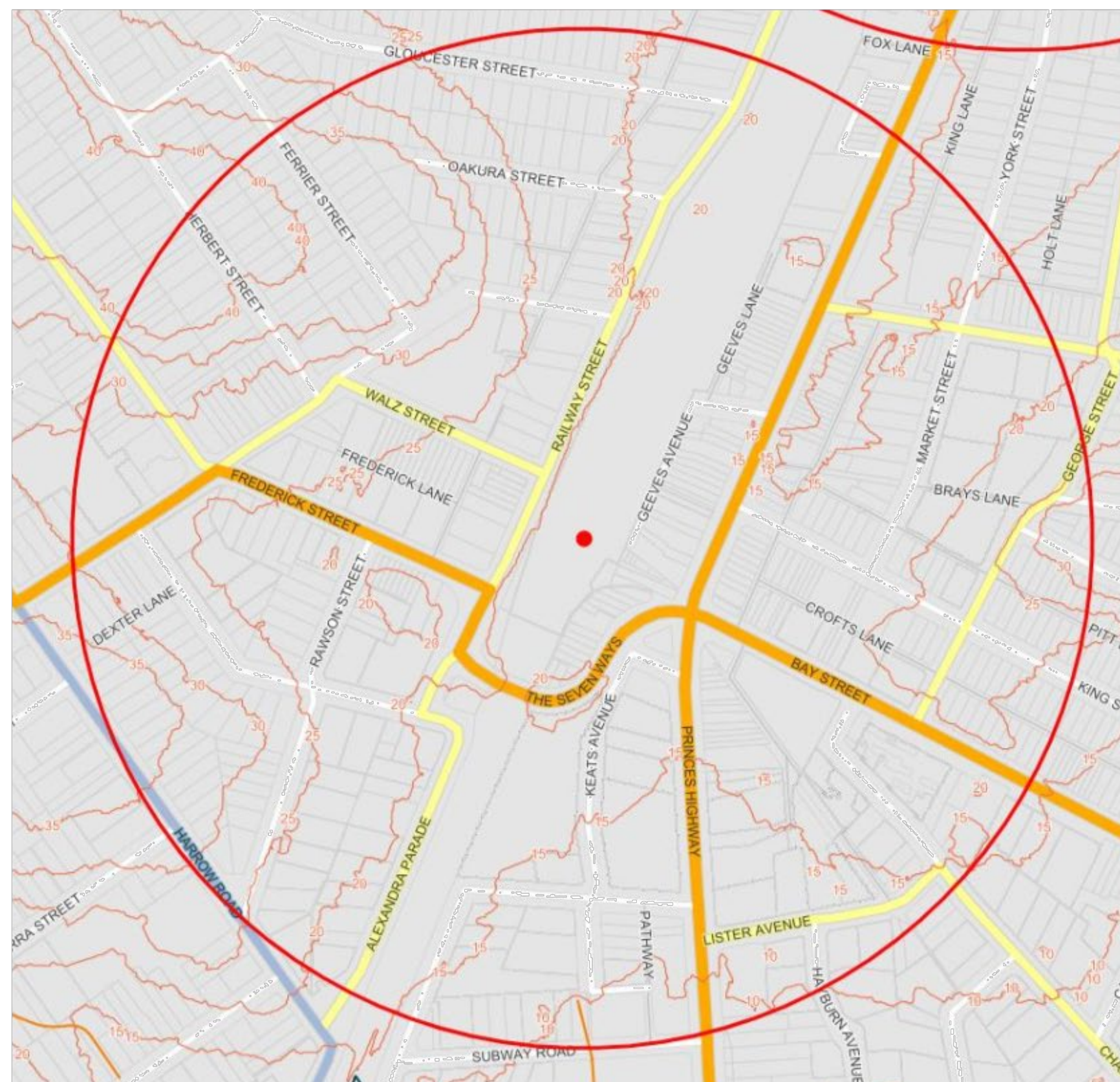
AIRPORT

- A majority of the prescribed area sits within the "Inner Horizontal Surface" of the Sydney Airport Obstacle Limitation Surface (OLS). This imposes a height plane of 51m AHD across the prescribed area.
- However, at the East-North-East-most section of the prescribed area, the OLS height plane is at 48m AHD, progressing to 50m AHD and 51m AHD, as shown in the map to the right.
- Northern part of prescribed area, including Oakura Street, Gloucester Street and Watkin Street within 25-30 ANEF contour. Residential intensification not recommended.
- Middle of prescribed area within 20-25 ANEF contour. Residential development must include acoustic attenuation measures which can increase development costs.

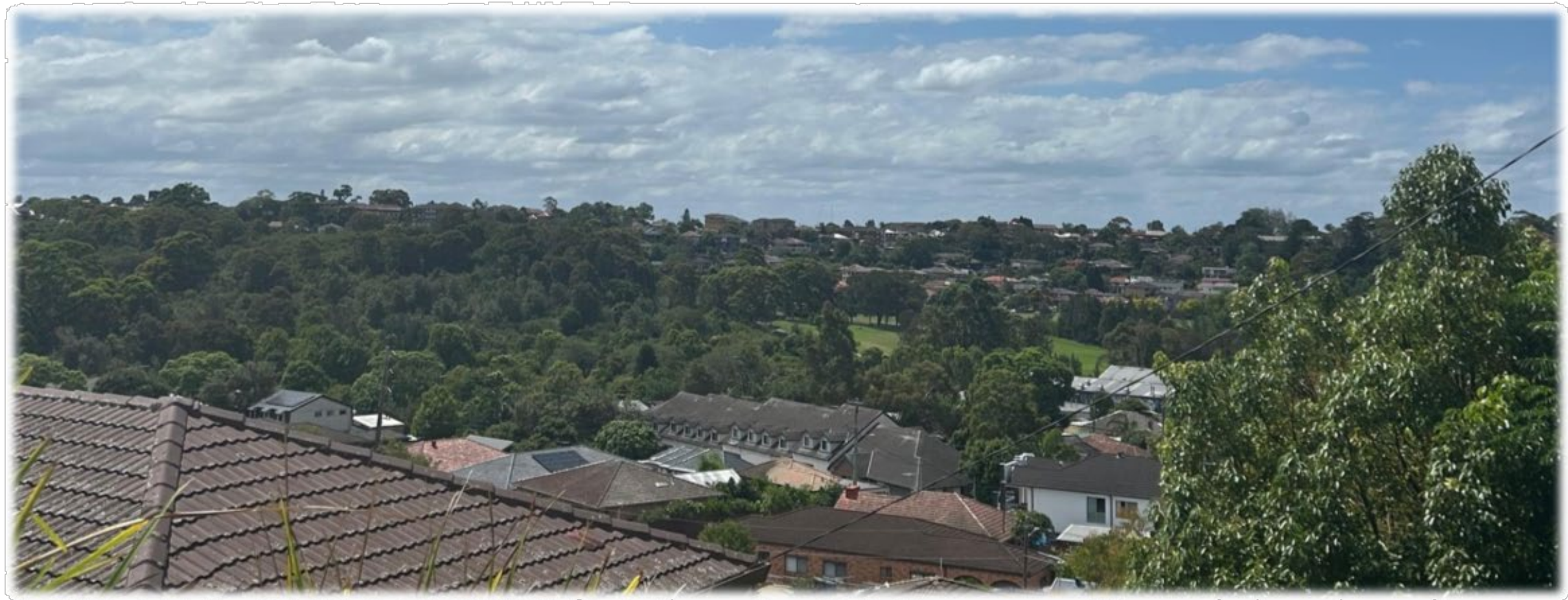


Elevation

- It is noteworthy that at the highest natural point of the are selection (to the Northwest), the topography sits at over 40m AHD.
- As this sits within the 51m AHD OLS zone, this limits development to around 10m above ground level. As seen in the earlier HOB map, the **R2 Low Density Residential** Zoned land in this section is appropriately limited to 8.5m.
- The natural topography is well reflected through the zoning and HOB controls designated throughout the area.
- In land zoned **MU1 Mixed Use**, the topography of the land is around 10-20m AHD. This is not only the lower elevation, but the highest permissible HOB, allowing up to a maximum of 55m where land is allocated 40m HOB within a 15m elevation.
- The HOB controls permitted to land within this area are appropriately set to a similar standard as the above example, utilising a combination of natural topography and the OLS height limits to designate controls.



Transport Oriented Development SEPP Turrella Station + 400m Mapping Analysis



CONTEXT

- Turrella is located approximately 1.2km west of Wolli Creek centre on the East Hills train line. Turrella adjoins open parkland north of the creek line (located in Canterbury Bankstown LGA), however is not easily accessible.
- The predominant character of the area is low scale detached housing. Two RFB developments are located immediately south of the station. Existing industrial zoned land is located to the north and east of the station.
- The southern side of the station consists of sloping topography. Permeability to and around the station is limited, aside from 2 pedestrian walkways that allow access through the large street blocks.
- Limited public open space, shops and services are available to residents.



Existing character of neighbourhood



Adjoining industrial



Adjoining industrial



Public space located in courtyard



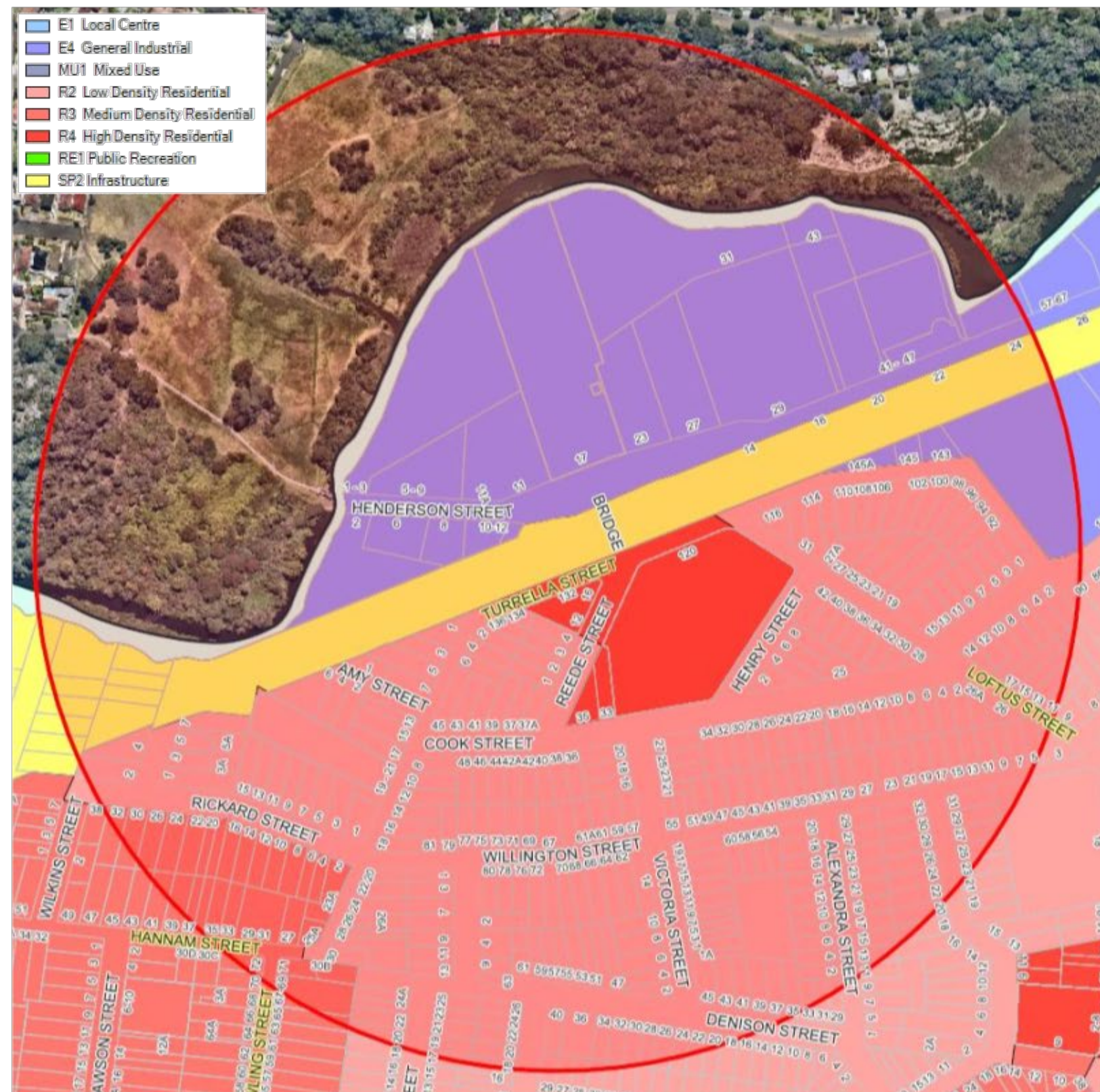
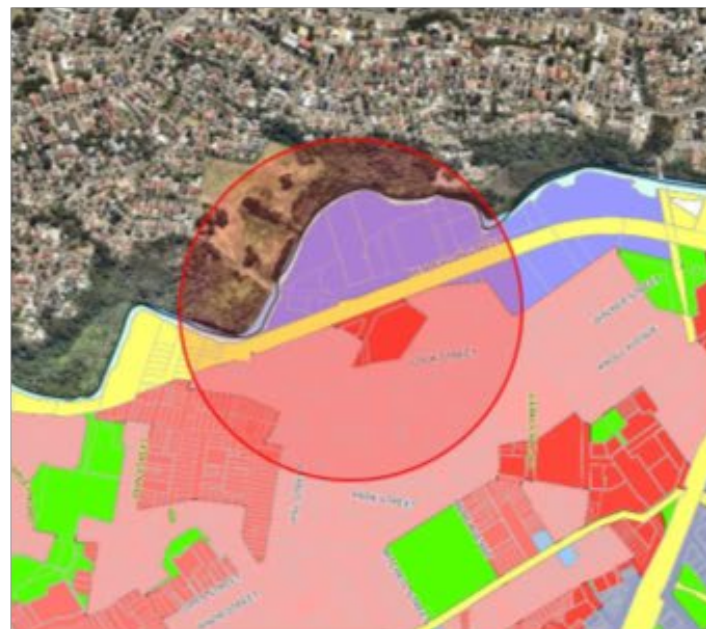
Steep topography



Pedestrian walkways

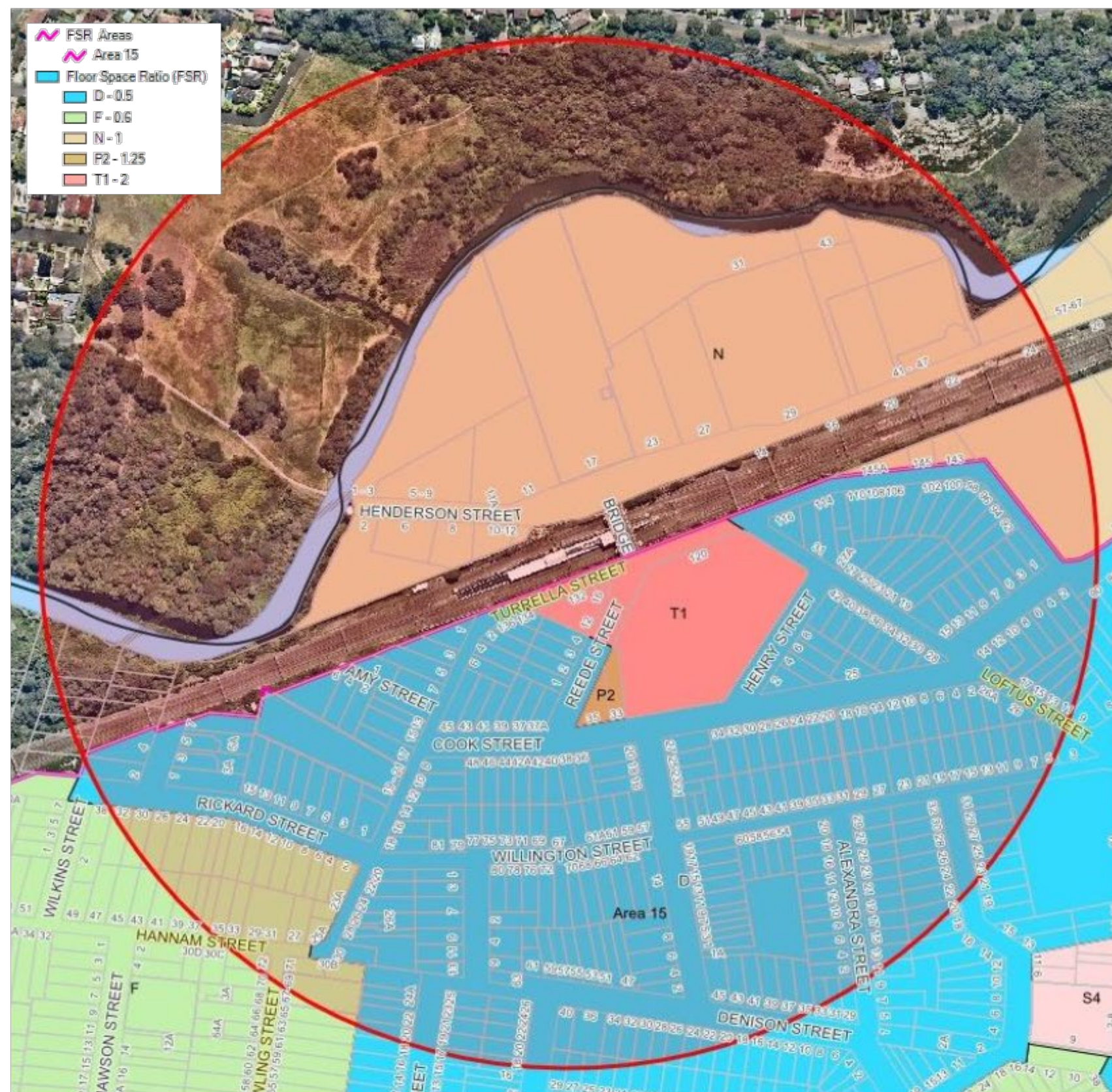
LAND USE ZONING

- E4 Industrial occupies the immediate land north of the station – unaffected by the TOD SEPP.
- Majority of the land to the south is R2, with a small pocket of R4 immediately south of the station. These sites have already developed to 6 storey RFBs, which is a similar scale proposed by the SEPP.
- Small pocket to the south west is zoned R3.
- Northern portion of the 400m catchment radius is falls within Canterbury Bankstown Council. This area is mostly undeveloped bush and parkland.
- Turrella does not contain a wide range of retail or services to cater for a large residential population. The nearest supermarket is in Wolli Creek which is outside a reasonable walking catchment.



FLOOR SPACE RATIO

- Majority of the precinct where the proposed controls apply has a low FSR of 0.5:1 to 0.6:1. This corresponds to the R2 and R3 zoned land. The new SEPP is proposing a 3:1 FSR.
- The surrounding lower density areas will likely encounter difficulties in built form transition with high density areas.

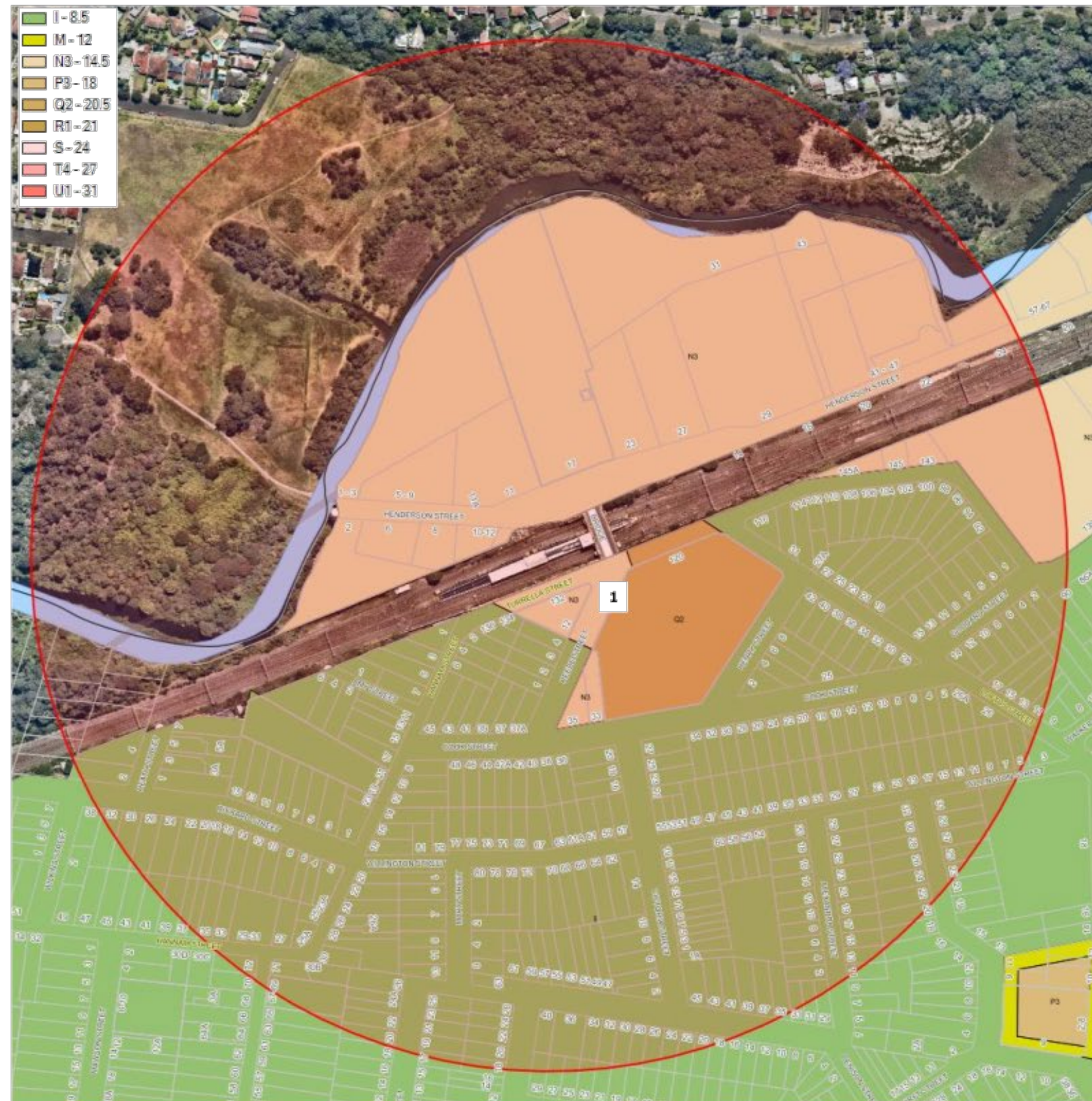


HEIGHT OF BUILDINGS

- Majority of the affected properties have a height limit of 8.5m. The existing R4 area has a height ranging from 14.5 to 20.5m.
- The predominant building typology is 1-2 storey detached dwellings which corresponds to the low density zoning.



Existing 7 storey RFB



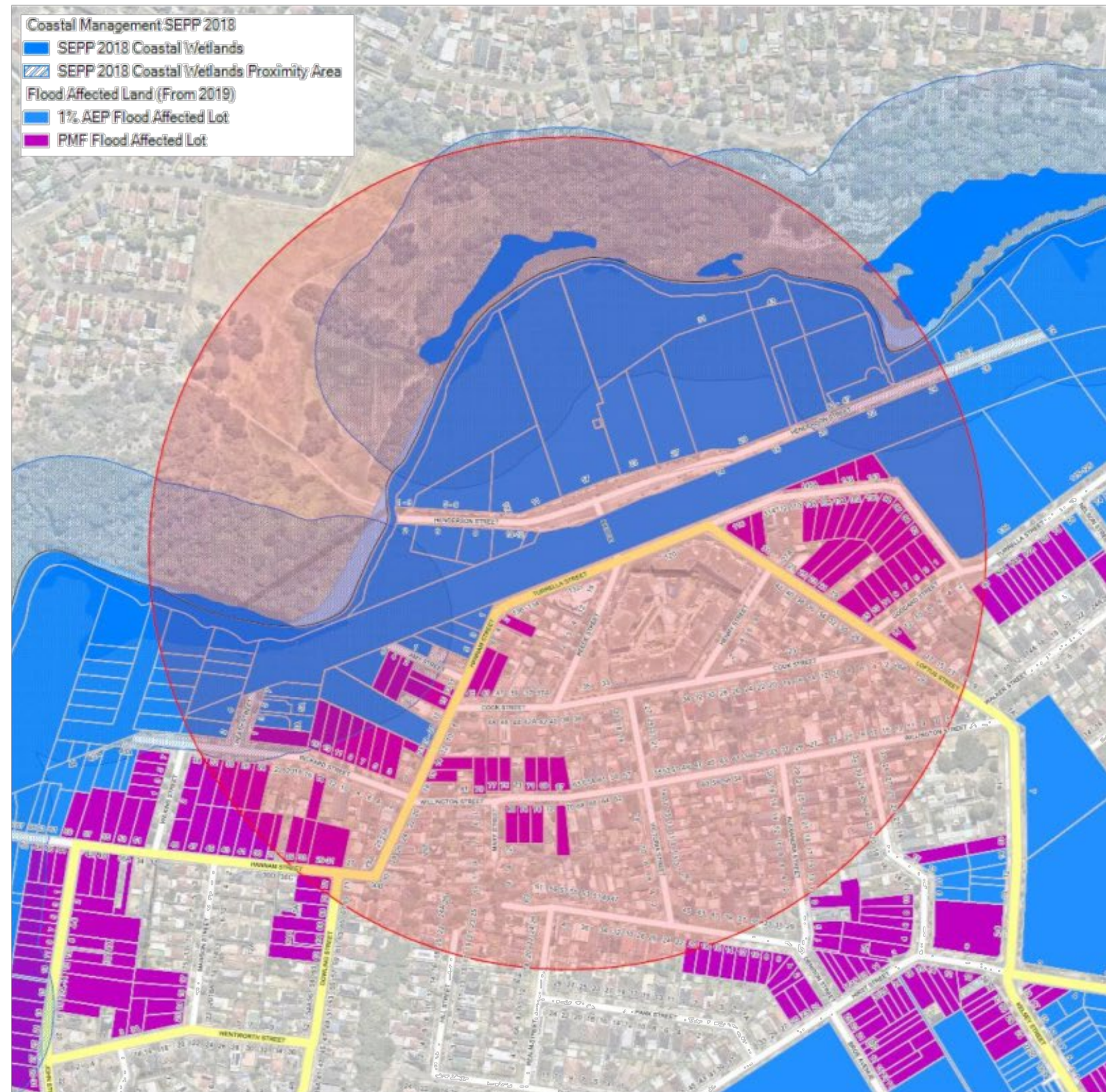
HERITAGE

- There are not many heritage items within the precinct. Heritage is unlikely to be a constraint.
- The two heritage items are:
 - I389 – Wolli Creek Valley
 - I386 – 18 Loftus Street, Turrella – Cairnsfoot Special School



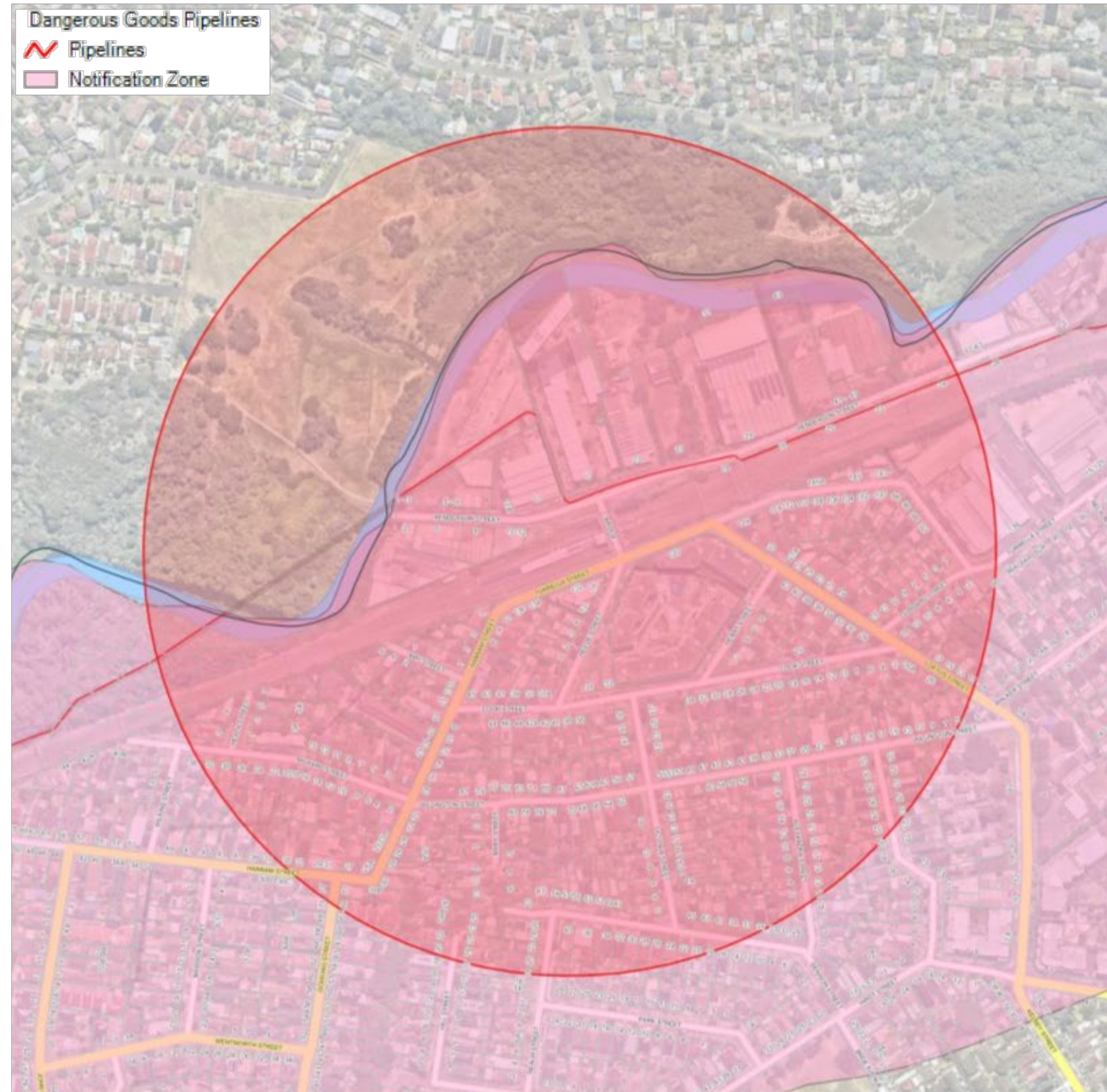
FLOODING & COASTAL WETLANDS

- Flooding mostly affects the northern section of the precinct where the proposed controls won't apply. Flooding is unlikely to be a major constraint.
- Precinct is partially affected by Coastal Wetlands, however, is unlikely to prohibit future development.



DANGEROUS GOODS PIPELINE

- APA gas pipeline runs through the precinct. Notification zone covers area where proposed controls are to take effect.

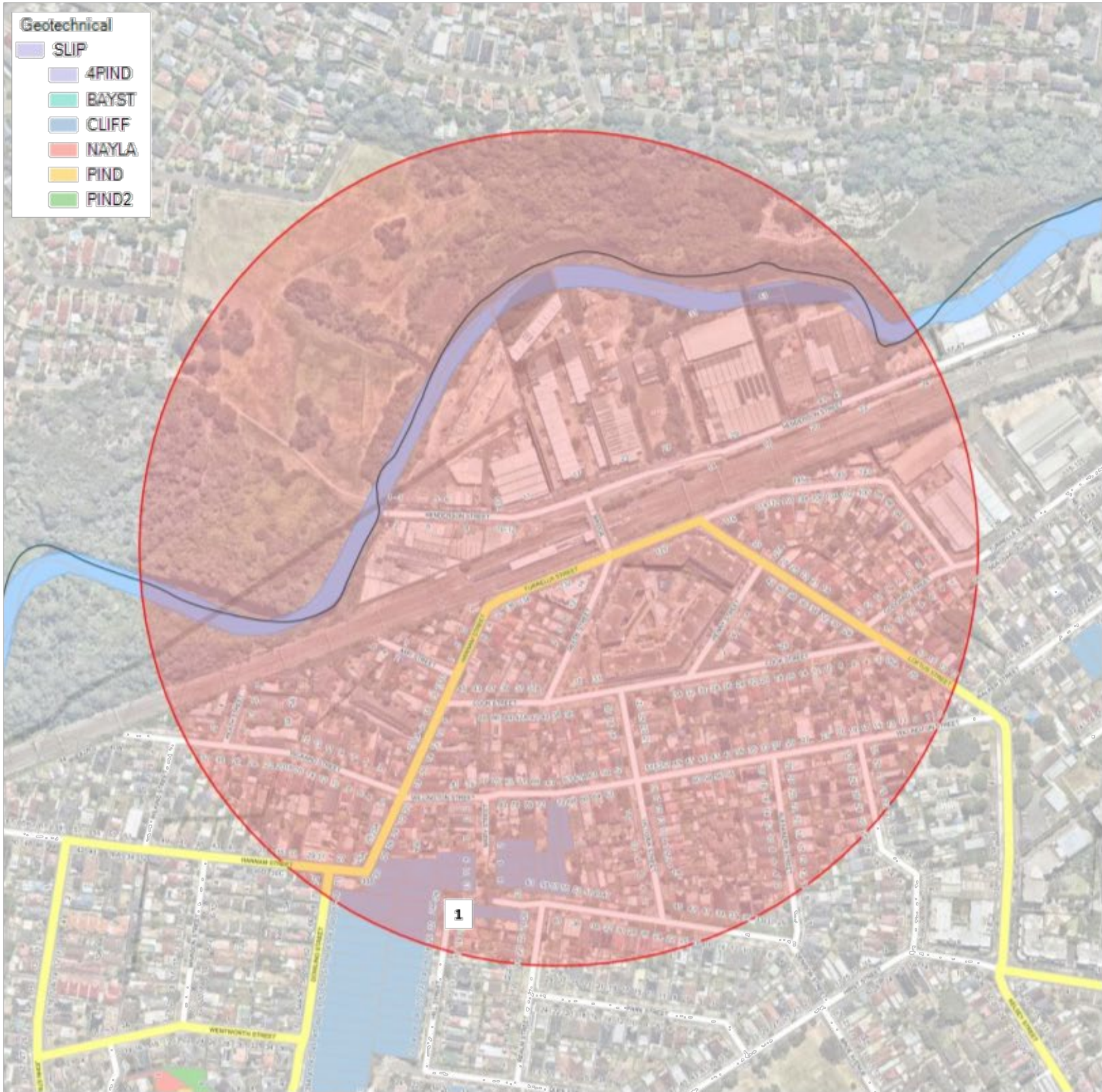


LANDSLIP

- Some sites are affected by landslip. We currently don't have any policies for this affectation other than the requirement of a Geotechnical Report at the time of lodgement to determine sub surface conditions.
- Landslip may affect feasibility on some sites due to a reduction in developable area increased cost of construction.



1 - Steep topography with potential for landslip



TOPOGRAPHY

- The southern portion of the precinct consists of sloping topography.
- 6 storey buildings will not appropriate on the high points.
- Topography may impact feasibility on some sites.



Council Meeting

28/02/2024

Item No	10.2
Subject	M6 Stage 1 Project Exclusive Possession part Lot 4 DP1189311
Report by	Richard Sheridan, Director City Performance
File	F23/298

Summary

Transport for NSW (TfNSW) requires exclusive possession of part of lot 4 in deposited plan 1189311 for the purpose of constructing the Active Transport Corridor (ATC) as part of the M6 project.

Officer Recommendation

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.

Background

A Memorandum of Understanding (MoU) between Bayside Council and TfNSW was executed in May 2020 regarding the construction of the M6 project.

TfNSW requires exclusive possession of the land as shown in red hatching in attachment 1, on 1 March 2024 for approximately 3 years for County Road purposes being for the construction of the ATC M6 Stage 1.

Lot 4 in DP 1189311, 50b Francis Avenue Brighton Le Sands, is owned by Bayside Council subject to a trust as noted on title to the land. The land may only be used for the purposes permitted under the Trust and must be provided to TfNSW at no cost when requested.

Clause 3.6b of the MoU states that any part of the lot that is required for the project will be made available without cost by Council to TfNSW.

By signing the MoU, Council agreed that it would make this parcel of land available to TfNSW for no cost when required for construction of the ATC. Whilst the MoU contemplated a compulsory acquisition process (for no consideration payable to Council), TfNSW has requested an alternative mechanism which has required Community Engagement in accordance with the Local Government Act before Council's consideration. TfNSW requested this parcel be provided to them by letter to Council on 27 September 2023.

On completion of the Active Transport Corridor TfNSW will return the land back to Council.

Community Engagement

The land is classified as Community Land. In accordance with section 47A of the Local Government Act Bayside completed a public notification period from 13 December 2023 to

29 January 2024. Due to the time of year, we conducted a 48 day notice period instead of the required 28 day notice period.

We received one written submission which was in relation to access as outlined below.

Submission	Response
Truck access on Bruce Street	Supplied by TfNSW - The M6 Stage 1 Active Transport Corridor (ATC) construction near CA Redmond Field and Brighton Terraces is expected to commence from Q2 2024, pending approval from the Department of Planning. Sporting activities such as netball and rugby will continue during the winter season. Information about construction activities will be provided as part of monthly notifications to the local residents closer to date. The notifications will also include working hours (standard work hours are from 7am to 6pm, Monday to Friday and 8am to 6pm, Saturday) and any proposed nightworks, an overview of construction activities, including vehicles and equipment for the coming month and control measures related to these activities (i.e. traffic, noise, dust) . The 24-hour Community Information Line phone number and email address will also be included in the monthly notification.
Duration of works	Supplied by TfNSW - Approximately 3-4 years
Area impacted	Highlighted in the map distributed

There were also two phone calls querying if this would impact the whole park. The Council officer identified the map and the area that was impacted was a smaller portion of the whole park. Once they were informed, they were satisfied and did not want to make a written submission.

The customers were satisfied with the responses and no late submissions were received.

Financial Implications

Not applicable ☒

Included in existing approved budget ☐

Additional funds required ☐

Community Strategic Plan

Theme One – In 2032 Bayside will be a vibrant place ☐

Theme Two – In 2032 Our people will be connected in a creative City ☒

Theme Three – In 2032 Bayside will be green, resilient and sustainable ☐

Theme Four – In 2032 Bayside will be a prosperous community ☐

Risk Management – Risk Level Rating

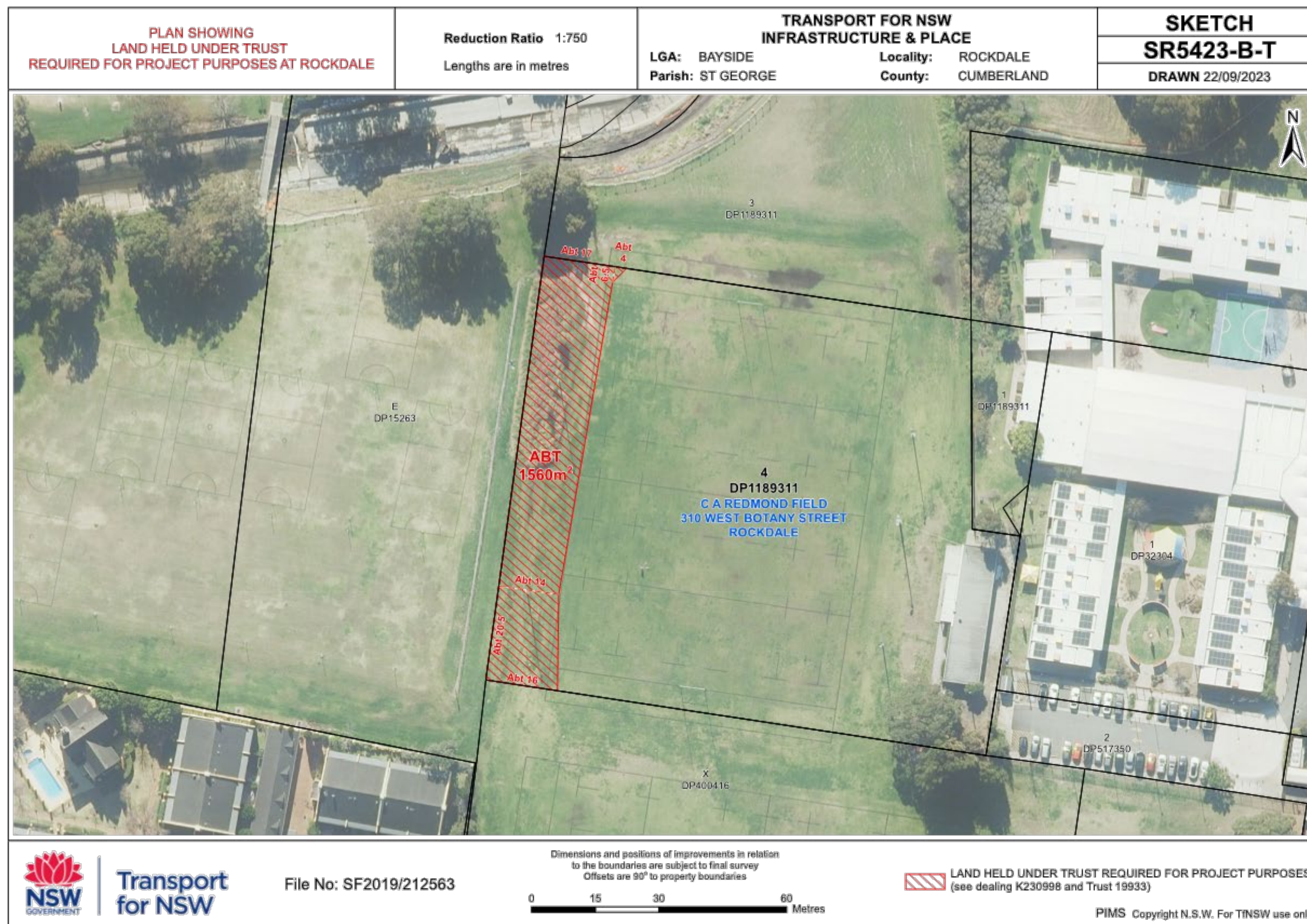
No risk	<input type="checkbox"/>
Low risk	<input checked="" type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

Community Engagement

Yes - detailed in the body of the report.

Attachments

Sketch Lot 4 DP 1189311



Council Meeting

28/02/2024

Item No	10.3
Subject	Quarterly Budget Review Statement - December 2023
Report by	Richard Sheridan, Director City Performance
File	F22/888

Summary

The Quarterly Budget Review Statement (QBRs) provides information on how the Council is tracking against the original budget for the 2023/24 financial year as adopted in Council's Operational Plan. 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 \$41,456 for the Financial Year ending 30 June 2024.

Officer Recommendation

- 1 That the Quarterly Budget Review Statement by the Responsible Accounting Officer (RAO) for the Quarter ended 31 December 2023 be received and noted.
 - 2 That in accordance with Clauses 203 and 211 of the Local Government (General) Regulations 2021, the proposed variations to the adopted revised budget detailed in Attachment 1 to this report are adopted by Council and the changes to income and expenditure items be voted.
-

Background

In compliance with the requirements of Clause 203(2) of the Local Government (General) Regulations 2021, 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 Director City Performance 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. It shows the revised estimated income and expenditure for the year against the original estimate of annual income and expenditure as shown in the Operational Plan and includes recommendations regarding changes to budget to give a projected year-end result.

The budget reviews have resulted in no significant changes to the operating budget. Capital expenditure has been increased but all these changes are from funded reserves or grants.

Financial Implications

Not applicable	<input type="checkbox"/>	
Included in existing approved budget	<input type="checkbox"/>	
Additional funds required	<input checked="" type="checkbox"/>	All variations in the December Quarter review are funded by either reserve movements, additional revenue, or other savings.

Community Strategic Plan

Theme One	– In 2032 Bayside will be a vibrant place	<input type="checkbox"/>
Theme Two	– In 2032 Our people will be connected in a creative City	<input type="checkbox"/>
Theme Three	– In 2032 Bayside will be green, resilient and sustainable	<input checked="" type="checkbox"/>
Theme Four	– In 2032 Bayside will be a prosperous community	<input type="checkbox"/>

Risk Management – Risk Level Rating

No risk	<input type="checkbox"/>
Low risk	<input checked="" type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

Community Engagement

Not Applicable

Attachments

- 1 Quarterly Budget Review Statement FY2023-24 Quarter 2
- 2 Council Meeting - FY2023-24 Quarter 2 Budget Summary



Budget Review for the Period Ended 31 December 2023
Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2021:

It is my opinion that the Quarterly Budget Review Statement for Bayside Council for the quarter ended 31 December 2023 indicates that Council's projected financial position at 30 June 2024 will be satisfactory at year end having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:

A handwritten signature in blue ink, appearing to be "Richard Sheridan", written over a horizontal line.

Date:

8 February 2024

Richard Sheridan
Responsible Accounting Officer



Budget Review for the Period Ended 31 December 2023
Projected Cash Budget

Description	Original Budget 2023/24	Revotes	September Review	Revised Budget 2023/24	Recommended Variations December Quarter	Projected Year End Result	Variance to Revised Budget	YTD Actual December 2023
Total Income from Continuing Operations	221,439,402	(2,647,944)	4,242,933	223,034,391	1,691,226	224,725,617	1,691,226	191,653,032
Total Expenses from Continuing Operations	199,365,083	1,845,252	1,114,476	202,324,811	878,309	203,203,120	(878,309)	94,539,278
Operating Surplus/(Deficit) from Continuing Operations	22,074,318	(4,493,196)	3,128,457	20,709,579	812,917	21,522,496	812,917	97,113,754
Capital and Reserve Movements								
Capital Expenditure	71,782,242	1,489,539	7,703,315	80,975,096	2,738,391	83,713,487	(2,738,391)	50,716,155
Loan Proceeds	-	-	-	-	-	-	-	-
Loan Repayments	3,599,862	499	(499)	3,599,862	-	3,599,862	-	1,753,763
Proceeds from Sale of Assets	(3,849,480)	-	-	(3,849,480)	-	(3,849,480)	-	-
Book Value of Assets Sold	3,849,480	-	-	3,849,480	-	3,849,480	-	-
Net Transfers To/ (From) Reserves	(17,053,067)	(5,983,203)	(4,567,842)	(27,604,112)	(1,924,565)	(29,528,677)	1,924,565	(28,031,555)
Net Capital and Reserve Movements	58,329,037	(4,493,165)	3,134,974	56,970,846	813,826	57,784,672	813,826	24,438,363
Net Result (Including Depreciation)	(36,254,719)	(31)	(6,517)	(36,261,267)	(909)	(36,262,176)	(909)	72,675,390
Add Back Non-Cash Items	36,303,631	-	-	36,303,631	-	36,303,631	-	15,450,054
Cash Budget Surplus/ (Deficit)	48,913	(31)	(6,517)	42,365	(909)	41,456	(909)	88,125,445

NB: Figures are rounded up to the nearest dollar. As a result, there may be some rounding differences contained herein. Comparative figures have been adjusted to exclude internal recharges.



Budget Review for the Period Ended 31 December 2023
Income and Expenses

Description	Original Budget 2023/24	Revotes	September Review	Revised Budget 2023/24	Recommended Variations December Quarter	Note	Projected Year End Result	Variance to Revised Budget	YTD Actual December 2023
Income from Continuing Operations									
Rates and annual charges	141,093,236	-	482,588	141,575,804	25,617	1.0	141,601,421	25,617	141,619,061
User charges and fees	16,253,679	-	(62,409)	16,191,269	866,838	2.0	17,058,107	866,838	7,829,849
Interest and investment revenue	16,490,363	-	-	16,490,363	6,000,000	3.0	22,490,363	6,000,000	14,389,111
Other revenues	16,832,648	-	(792,258)	16,040,390	263,411	4.0	16,303,801	263,411	11,132,883
Operating grants and contributions	11,559,678	139,818	628,420	12,307,917	(5,117,930)	5.0	7,190,007	(5,117,910)	3,948,005
Capital grants and contributions	16,603,275	(2,767,762)	2,921,238	16,754,731	(346,730)	6.0	16,408,001	(346,730)	9,991,616
Other income	2,008,543	-	1,069,374	3,077,918	-		3,077,918	-	2,742,506
Total Income from Continuing Operations	221,439,402	(2,647,944)	4,242,933	223,034,392	1,691,226		224,725,618	1,691,226	191,653,032
Expenses from Continuing Operations									
Employee benefits and on-costs	87,244,535	-	254,852	87,499,387	270,047	7.0	87,769,434	(270,047)	42,185,784
Borrowing costs	193,215	(468)	468	193,215	-		193,215	-	39,573
Materials and services	74,710,305	1,845,720	958,963	77,514,988	600,667	8.0	78,115,655	(600,667)	34,404,902
Depreciation, amortisation and impairment	32,454,151	-	-	32,454,151	-		32,454,151	-	15,450,054
Other expenses	4,762,877	-	(99,807)	4,663,070	7,593	9.0	4,670,663	(7,593)	2,458,966
Total Expenses from Continuing Operations	199,365,083	1,845,252	1,114,476	202,324,811	878,309		203,203,120	(878,309)	94,539,278
Operating Surplus/ (Deficit) from Continuing Operations	22,074,318	(4,493,196)	3,128,457	20,709,581	812,917		21,522,498	812,917	97,113,754
Operating Surplus/(Deficit) from All Operations	22,074,318	(4,493,196)	3,128,457	20,709,581	812,917		21,522,498	812,917	97,113,754

NB: Figures are rounded up to the nearest dollar. As a result, there may be some rounding differences contained herein.



Budget Review for the Period Ended 31 December 2023
Income and Expenses Recommended Variations

Note	Function Details	Recommended Variation Fav/ (Unfav)	Total	Comment	Cross Reference
1.0	Rates and annual charges		25,617		
1.1	Domestic Waste Services	25,617		Increase in revenue to reflect increase in services & equivalent transfer to external reserve	16.1
2.0	User charges and fees		866,838		
2.1	Betany Family Day Care	60,000		Increase in budget to reflect increase in childcare subsidy expected & equivalent to increase in corresponding expenses	8.11
2.2	Public Domain & Referrals	60,000		Increase in revenue to reflect increase in demand for public domain services	
2.3	Besley Pool Operations	706,838		Internal reallocation from other revenues	4.4
3.0	Interest and investment revenue		6,000,000		
3.1	Investment Income	6,000,000		Increase in budget to reflect current market returns on investments with transfers of restricted interest to reserves	16.1
4.0	Other revenues		263,411		
4.1	Strategic Property	503,663		Increase in revenue due to increase in advertising income received & equivalent to transfer to reserve	18.1
4.2	State Cover Rebate	326,586		Increase in budget to reflect State Cover Rebate received & equivalent to transfer to reserve	20.1
4.3	Summer Foreshore Enhancement Program	150,000		Increase in revenue due to increase in fines received	
4.4	Besley Pool Operations	(786,838)		Internal reallocation to user fees and charges	2.3
4.5	Roof repair/removal of Air-Con - Le Sands	100,000		Increase in revenue to reflect reimbursement for repairs from tenant	8.30
5.0	Operating grants and contributions		(5,117,910)		
5.1	Road Management	(61,606)		Realignment of budget funded by Regional Road Block Grants	6.2
5.2	Community Support & Programs	3,739		Increase in budget to reflect grant funding received from Department of Communities and Justice	8.31
5.3	Financial Assistance Grant	(5,587,857)		Realignment of budget as a result of Financial Assistance Grant for current year fully received in advance in prior year	24.2
5.4	Child Care	32,062		Increase in budget to reflect increase in Childcare Special Needs Subsidy received	
5.5	Regional Roads - Maintenance of Signs & Line Markings	31,440		Realignment of budget for projects funded by Regional Roads Block Grant	6.8
5.6	Local Priority Grant	2,305		Increase in budget to reflect grant funding for Local Priority Grant	6.9
5.7	Seniors Festival	(4,536)		Realignment of budget to reflect actual grant expected to be received	8.12
5.8	ICT Security Policy Development	15,750		Increase in budget to reflect funding received from Civic Risk Mutual	8.14
5.9	Commonwealth Home Support Program Grant	28,539		Increase in budget to reflect grant funding received from Department of Health	8.22
5.10	Greening Our City 2023	155,432		Increase in budget to reflect grant funding for Greening Our City Program	8.23
5.11	Start Strong Program	194,010		Increase in budget to reflect grant received for the Start Strong Program for Child Care centres	8.24
5.12	Ramsgate Beach Sand Nourishment	60,000		Increase in budget to reflect grant funding received for Coastal and Estuary Grant	8.26
6.0	Capital grants and contributions		(346,790)		
6.1	Capital Works LRS	(26,164)		Realignment of budget to reflect actual subsidy expected to be received	
6.2	Upgrade of Facilities at Jellicoe Park	(2,288)		Reduction of budget due to completion of grant funded project	11.4
6.3	Bus Shelters and seats	(150,277)		Realignment of budget to reflect change in funding source	18.2
6.4	LRCI Besley Tennis courts	25,872		Reallocation of LRCI grant income from Sir Joseph Banks	6.6
6.5	Sir Joseph Banks Park enhancements to existing play space	(200,000)		Reduction of budget due to completion of grant funded project	11.7
6.6	Sir Joseph Banks Park timber footbridge remediation	(25,872)		Reallocation of LRCI grant income to Besley Tennis Courts	6.4
6.7	Road Renewal - West Betany Street, Rockdale	(110,000)		Realignment of budget to reflect change in funding source	19.12
6.8	Conard Street cycleway feasibility	160,000		Increase in budget to reflect Active Transport Grant received	19.15
7.0	Employee benefits and on-costs		(270,047)		
7.1	Corporate Costs	(270,047)		Increase in budget due to internal restructure of business units	

Note	Function Details	Recommended Variation Fav/ (Unfav)	Total	Comment	Cross Reference
8.0	Materials and services		(600,667)		
8.1	Council events	88,000		Budget adjustment following the conclusion of various events.	
8.2	Road Management	53,000		Realignment of budget for projects funded by Regional Roads Block Grant	5.1
8.3	Building Maintenance	(531,136)		Increase in budget due to increase in cost of maintaining council owned properties	
8.4	Asset Operations	(389,754)		Increase in budget due to increase in cost of maintaining council owned assets	
8.5	Strategy Policy & Heritage	40,000		Internal reallocation of funds to the Georges River Coastal Management Program	8.28
8.6	Innovation Funding	100,000		Internal allocation of budget to cater for internal accommodation changes at Rockdale admin building	10.5
8.7	Local Streets - maintenance of signs & line	(70,000)		Internal reallocation of budget from capital expenses	13.5/13.14
8.8	Regional Roads - maintenance of signs & line	(71,840)		Realignment of budget for projects funded by Regional Roads Block Grant & Internal reallocation from capital expenses	5.5/13.5
8.9	Local Priority Grant	(2,385)		Increase in budget to reflect Local Priority Grant received & corresponding expenses	5.6
8.10	Insurance	(222,000)		Increase in budget to reflect increase in insurance premiums	
8.11	Botany Family Day Care	(60,000)		Increase in budget to align with increase in childcare subsidy	2.1
8.12	Seniors Festival	-4,500		Realignment of budget to reflect actual grant expected to be received for Seniors Festival & corresponding expenses	5.7
8.13	Information Technology	226,941		Realignment of budget due to various project completion	
8.14	ICT Security Policy Development	(15,750)		Allocation of fully grant funded project	5.8
8.15	Crown Land Plans of Management funding	(22,000)		Allocation of budget - fully funded by internal reserve	17.1
8.16	Konica Minolta Partnership Mgt - General printing	40,000		Reduction in budget to reflect actual printing cost	
8.17	Hawthorn St Natural Area - Removal of weeds/restore bushland	27,838		Reduction of budget due to completion of grant funded project	17.2
8.18	Sir Joseph Banks Park - Removal of weeds/restore bushland	16,131		Reduction of budget due to completion of grant funded project	17.3
8.19	Landing Lights Batten - Removal of weeds/restore bushland	10,137		Reduction of budget due to completion of grant funded project	17.4
8.20	Lady Robinson's Beach Ryemagh - Remove weeds/restore bushland	10,210		Reduction of budget due to completion of grant funded project	17.5
8.21	CRF Fox Control Crown Reserves	5,100		Reduction of budget due to completion of grant funded project	17.6
8.22	Commonwealth Home Support Program Grant	(18,538)		Increase in budget to reflect grant received from Department of Health & corresponding expenses	5.9
8.23	Greening Our City 2023	(155,432)		Increase in budget to reflect grant received from Department of Planning & Environment & corresponding expenses	5.10
8.24	Start Strong Program	(154,910)		Increase in budget to reflect grant received for Start Strong Program for Child Care centres & corresponding expenses	5.11
8.25	Cook Park - Dune Restoration	852,000		Deferral of project budget to future year to align with changes to project phasing & equivalent transfer to reserve	17.7
8.26	Ramsgate Beach Sand Nourishment	(120,000)		Allocation of budget - fully funded by grant and internal reserve	5.12/10.14
8.27	AP Automation Project	(54,500)		Allocation of budget - fully funded by internal reserve	28.1
8.28	Georges River Coastal Management Program	(40,000)		Internal reallocation of funds from Strategic Planning & Heritage Management budget	8.5
8.29	Manual Handling Equipment	(10,000)		Allocation of budget - fully funded by internal reserve	29.3
8.30	Roof repair/removal of Air-Con - Le Sands	(100,000)		Increase in budget to reflect repair work performed & equivalent to reimbursement from tenant	4.5
8.31	Community Support & Programs	(3,738)		Increase in budget to reflect grant received from Department of Communities and Justice & corresponding expenses	5.2
9.0	Other expenses		(7,595)		
9.1	Emergency Services Levy	(7,595)		Increase in budget to reflect actual cost for the Emergency Services Levy	
			812,517		

All figures are rounded up to the nearest dollar. As a result, there may be some rounding differences contained herein.



Budget Review for the Period Ended 31 December 2023
Capital Expenditure

Project Program	Original Budget 2023/24	Revotes	September Review	Revised Budget 2023/24	Recommended Variations December Quarter	Note	Projected Year End Result	YTD Actual December 2023
Asset Planning and Systems	280,000	68,636	200,000	548,636	-		548,636	8,770
Beaches and Waterways	665,000	155,788	2,712,056	3,532,844	-		3,532,844	2,855,758
Buildings and Property	5,866,000	(66,321)	207,149	6,006,828	(455,487)	10.0	5,551,391	1,135,140
IT and Communications	1,475,000	(2,994)	(272,006)	1,200,000	-		1,200,000	-
Library Resources	500,000	-	50,000	550,000	-		550,000	197,983
Open Spaces	34,981,232	(1,556,264)	4,322,776	37,747,744	5,326,108	11.0	43,073,852	33,098,061
Plant, Fleet and Equipment	9,120,000	-	-	9,120,000	185,000	12.0	9,305,000	2,836,368
Roads and Transport	14,345,010	2,809,796	(626,660)	16,528,146	(1,062,802)	13.0	15,465,344	7,748,606
Stormwater Drainage	4,450,000	(119,141)	1,110,000	5,440,859	(1,200,000)	14.0	4,240,859	2,740,186
Town Centres	100,000	200,039	-	300,039	(54,478)	15.0	245,561	95,284
	71,782,242	1,489,539	7,703,315	80,975,096	2,738,391		83,713,487	50,716,155

NB: Figures are rounded up to the nearest dollar. As a result, there may be some rounding differences contained herein.



Budget Review for the Period Ended 31 December 2023
Capital Expenditure Recommended Variations

Note	Description	Recommended Variation Fav/ (Unfav)	Total	Comment	Cross Reference
10.0	Buildings and Property		455,437		
10.1	Beach Hut Bells Point	223,415		Deferral of project budget to future year to align with changes to project phasing & equivalent transfer to reserve	20.4
10.2	URC/Booley Tennis courts	71,155		Realignment of Budget for projects funded by Local Roads and Community Infrastructure Program & change in funding source	13.10/20.11
10.3	Museum Oval Upgrade Works	410,867		Deferral of project budget to future year to align with changes to project phasing & equivalent transfer to reserve	16.9
10.4	Workshop Equipment	(15,000)		Allocation of project expenditure fully funded by internal reserve	20.2
10.5	12 Admin Bldg Refurbishment Works	(100,000)		Internal reallocation from materials and services	8.6
10.6	Pagewood Seniors Centre – Roof replacement	(135,000)		Allocation of project expenditure fully funded by internal reserve	20.6
11.0	Open Spaces		(5,326,130)		
11.1	Botany Aquatic Centre Redevelopment	671,354		Deferral of project budget to future year to align with changes to project phasing & equivalent transfer to reserve	16.3
11.2	Barton Park Open Space and Recreation Renewal	(7,612,510)		Allocation of project expenditure fully funded by external reserve	21.1
11.3	Cahill Park Oval Irrigation	(65,000)		Allocation of project expenditure fully funded by external reserve	16.5
11.4	Upgrade of Facilities at Jellicoe Park	3,395		Reduction of budget due to project completion	6.3/16.6
11.5	Playground renewal – Taylor Street Reserve	(70,000)		Allocation of project expenditure fully funded by external reserve	20.12
11.6	Scarborough Park Improvements – detailed design and commence	750,000		Deferral of project budget to future year to align with changes to project phasing & equivalent transfer to reserve	16.7
11.7	St Joseph Banks Park enhancements to existing play space	600,000		Reduction of budget due to project completion	6.5/16.8
11.8	Rosedale Women's and Netball court reconstruction	481,885		Deferral of project budget to future year to align with changes to project phasing & equivalent transfer to reserve	20.13
11.9	Rhodes St Reserve Dog Off-Leash	(16,383)		Allocation of project expenditure fully funded by external reserve	20.15
11.10	Wynns Reserve Dog Off-Leash	(12,187)		Allocation of project expenditure fully funded by external reserve	20.16
11.11	Ben-Grossing Reserve Dog Off-Leash	(4,463)		Allocation of project expenditure fully funded by external reserve	20.17
11.12	Hughes Ave Reserve Dog Off-Leash	(4,185)		Allocation of project expenditure fully funded by external reserve	20.18
11.13	Administration of Development Contributions Plans	(60,000)		Allocation of project expenditure fully funded by external reserve	16.9
12.0	Plant, Fleet and Equipment		(185,000)		
12.1	UPRn Project	(185,000)		Internal reallocation	13.19
13.0	Roads and Transport		1,062,002		
13.1	Footpath Rehabilitation and Renewal Program	11,240		Internal reallocation	13.8
13.2	Bridge and Structures Renewal Program	60,000		Internal reallocation	13.7
13.3	Traffic Committee Program	200,000		Internal reallocation	13.16/13.17/13.18
13.4	Footpath – Rosebery Shops	256,780		Reduction of budget due to project completion	23.4/24.1
13.5	Traffic Facility Renewal	60,000		Internal reallocation to materials and services	8.7/9.8
13.6	Redevelopment of The Boulevard Carpark – Planning Stage	(34,850)		Allocation of project expenditure fully funded by internal reserve	28.2
13.7	Bridge Renewal – Stan Moses Reserve Sans Souci Footbridge	(60,000)		Internal reallocation	13.3
13.8	Cook Park Showway/BSA findings – Installation of Signs	(11,940)		Internal reallocation	13.1
13.9	Depress Reserve and Cook Park Sandringham – Carpark upgrade	300,000		Deferral of project budget to future year to align with changes to project phasing & equivalent transfer to reserve	20.10
13.10	St Joseph Banks Park timber footbridge remediation	25,872		Realignment of Budget for projects funded by Local Roads and Community Infrastructure Program	10.3
13.11	Pedestrian Links Amendment to Barton Park	250,000		Deferral of project budget to future year to align with changes to project phasing & equivalent transfer to reserve	16.10
13.12	Road Renewal – West Botany Street, Rockdale	150,000		Realignment of budget to reflect change in funding source	6.7
13.13	Pallaple Fence renewal of female handrail	(40,000)		Allocation of project expenditure fully funded by external reserve	16.11
13.14	Sign Replacement	50,000		Internal reallocation to materials and services	8.7
13.15	Concord Street cycleway feasibility	(100,000)		Allocation of project expenditure fully funded by grant	6.8
13.16	Traffic Calming Scheme	(100,000)		Internal reallocation	13.9
13.17	Speed Humps – Dunmore Street Mt, Bexley	(40,000)		Internal reallocation	13.9
13.18	Speed Humps – Parliament Terrace, Bexley	(30,000)		Internal reallocation	13.9
13.19	Parking & Safety	185,000		Internal reallocation	12.1
14.0	Stormwater Drainage		1,200,000		
14.1	Beacon Street Stormwater Stage 2	1,200,000		Reduction of budget due to project completion	18.4
15.0	Tennis Centres		54,478		
15.1	Kempsville Beach bollards – outdoor dining areas	54,478		Reduction of budget due to project completion	27.3
			(2,718,311)		

MR: Figures are rounded up to the nearest dollar. As a result, there may be some rounding differences contained herein.



Budget Review for the Period Ended 31 December 2023
Cash and Investments

Description	Opening Balance 2023/24	Transfers To 2023/24	Transfers From 2023/24	Closing Balance 2023/24	Revotes	September Review	Revised Balance 2023/24	December Quarter T1s to/ (T1s from)	Note	Forecast Balance 2023/24
External Restrictions										
Developer Contributions	335,985,662	19,515,005	(23,991,714)	331,509,053	1,633,878	(31,807,803)	311,265,726	8,398,037	16.0	319,613,763
Specific Purpose Unexpended Grants	7,944,758	-	(69,299)	7,875,362	(5,741,803)	(1,532,803)	801,259	899,389	17.0	1,700,646
Local Area Funds	16,850,515	787,998	(200,000)	17,438,506	(157,643)	(18,180)	17,267,719	54,498	22.0	17,322,197
Advertising SEP64	2,146,501	687,000	-	2,803,505	-	-	2,803,505	353,388	18.0	3,156,891
Community Safety Levy	733,205	510,833	(874,800)	272,238	-	694,000	876,238	-	-	876,238
Domestic Waste Management	23,825,985	37,350,659	(38,304,500)	23,245,528	39,597	229,798	21,522,791	29,617	19.0	21,548,408
Energy Efficiency	353,345	-	-	353,345	-	-	353,345	-	-	353,345
Infrastructure Levy	24,055,285	33,322,061	(22,868,839)	34,398,507	(493,742)	6,868,354	20,695,019	1,688,535	20.0	22,184,354
Internal Borrowing against OWM Reserve	(10,000,000)	325,242	-	(9,666,758)	-	-	(9,666,758)	-	-	(9,666,758)
Internal Borrowing against ST-33 Reserve	-	-	-	-	-	8,184,669	8,184,669	(8,184,669)	21.0	-
Roads	515,925	-	(235,000)	280,925	(127,600)	-	221,520	17,688	23.0	218,925
Stormwater Levy	7,251,405	1,383,000	(683,944)	7,949,460	(252,948)	(59,000)	7,640,512	-	-	7,640,512
Total External Restrictions	409,640,581	73,603,901	(18,978,023)	364,345,660	(4,981,701)	(7,793,820)	381,965,136	3,003,383		384,968,519
Internal Restrictions										
Affordable Housing	623,111	437,994	-	1,060,705	-	-	1,060,705	-	-	1,060,705
Arts & Youth Centre	970,513	-	-	970,513	-	-	970,513	-	-	970,513
Assets and Legal Reserves	4,226,222	-	(80,000)	4,146,222	-	-	4,146,222	-	-	4,146,222
Barton Park Loan Rounding Reserve	10,037,327	-	-	10,037,327	-	-	10,037,327	-	-	10,037,327
Batong Aquatic Centre	121,930	-	-	121,930	-	-	121,930	-	-	121,930
Brighton Club Amenities Building	1,808,798	-	-	1,808,798	-	-	1,808,798	-	-	1,808,798
Business Improvement and Efficiency	3,006,029	-	(95,877)	2,950,952	(83,746)	-	2,863,212	-	-	2,863,212
Community & Environmental Projects	5,046,504	1,350,072	(250,000)	5,997,676	(7,983)	-	5,989,773	-	-	5,989,773
Contribution to Works	485,380	-	-	485,380	-	(167,864)	322,516	-	-	322,516
Council Election	809,190	250,000	-	1,059,190	-	-	1,059,190	-	-	1,059,190
Deposits, Retentions and Bonds	2,600,000	-	-	2,600,000	-	-	2,600,000	500,000	-	3,100,000
Employee Leave Entitlements	6,770,603	-	-	6,770,603	-	-	6,770,603	-	-	6,770,603
Energy Efficiency	-	80,000	-	80,000	-	(90,000)	30,000	-	-	30,000
Financial Assistance Grants in Advance	5,973,995	-	-	5,973,995	-	-	5,973,995	(1,973,995)	24.0	-
General Funds Reserve	1,195,241	-	-	1,195,241	(619,471)	-	575,790	-	-	575,790
Infrastructure Maintenance Reserve	5,958,138	-	(770,000)	5,188,138	-	283,129	5,471,267	164,638	25.0	5,635,896
Loan Funding	-	-	(6,385,000)	(2,545,000)	-	3,585,000	-	-	-	-
Minority Civil	80,000	-	-	80,000	-	-	80,000	-	-	80,000
Office Equipment and IT	5,794,650	1,085,481	(8,246,570)	5,883,471	-	(169,000)	5,883,471	(64,588)	26.0	5,518,971
Parking Infrastructure	2,908,259	-	-	2,908,259	-	-	2,908,259	-	-	2,908,259
Planning Proposals	359,662	374,350	(236,943)	507,672	-	-	507,672	-	-	507,672
Plant and Equipment	4,421,351	(5,370,684)	(6,370,000)	3,872,035	-	-	3,872,035	-	-	3,872,035
Public Liability Claims	691,856	-	-	691,856	-	-	691,856	-	-	691,856
Smart Compliance	667,051	150,000	-	817,051	-	-	817,051	-	-	817,051
Strategic Priorities	32,925,207	0,000,000	(439,975)	35,505,232	(284,800)	273,005	35,492,836	284,327	28.0	35,737,163
Synthetic Fields Replacement	1,013,454	376,238	(63,290)	1,322,472	-	90,000	1,152,472	-	-	1,152,472
Work Health and Safety	249,400	-	(300,000)	99,400	-	(28,267)	71,133	201,586	29.0	272,699
Confidential Borrowing Against Internal Reserves	(189,737)	100,000	(205,400)	(195,137)	-	-	(263,137)	-	-	(163,137)
Total Internal Restrictions	98,554,125	12,423,711	(14,350,865)	96,625,981	(276,496)	3,828,984	98,645,469	(4,627,940)		93,737,521
Total Restricted	508,214,716	86,085,682	(103,138,648)	491,162,650	(5,981,203)	(4,567,842)	480,610,605	(1,624,556)	-	478,486,046
Unrestricted	1,060,807	-	-	1,060,807	-	-	1,060,807	-	-	1,060,807
Cash and Investment Balance	509,276,634			492,272,485			481,714,887			479,789,413



Budget Review for the Period Ended 31 December 2023
Cash & Investments Recommended Variations

Note	Description	Recommended Variation To/ (From)	Total	Comment	Reserve Note
16.0	Developer Contributions		8,348,037		
16.1	Investment Income (Restricted)	4,800,000		Increase in transfer to reserve due to increase in restricted income received	3.1
16.2	Botany Aquatic Centre Redevelopment	671,304		Deferral of project budget to future year to align with changes to project phasing	11.1
16.3	Administration of Development Contributions Plans	(80,000)		Allocation of project funding	11.13
16.4	Bonar Street Stormwater Stage 2	3,200,000		Reduction of budget due to project completion & equivalent transfer to external reserve	14.1
16.5	Cahill Park Oval Irrigation	(65,000)		Allocation of project funding	11.3
16.6	Upgrade of Facilities at Bellrose Park	806		Reduction of budget due to project completion & equivalent transfer to external reserve	11.4
16.7	Scarborough Park Improvements - detailed design and commence	258,000		Deferral of project budget to future year to align with changes to project phasing	11.7
16.8	Sir Joseph Banks Park enhancements to existing play space	450,000		Reduction of budget due to project completion & equivalent transfer to external reserve	11.7
16.9	Massey Oval Upgrade Works	410,887		Deferral of project budget to future year to align with changes to project phasing	10.3
16.10	Pedestrian Links Arncliffe to Barton Park	250,000		Deferral of project budget to future year to align with changes to project phasing	11.11
16.11	Pallside fence renewal of unsafe handrail	(40,000)		Allocation of project funding	11.13
17.0	Specific Purpose Unexpended Grants		859,387		
17.1	Crown Land Plans of Management funding	(22,000)		Allocation of project funding	8.15
17.2	Hawthorn St Natural Area - Removal of weeds/restore bushland	27,818		Reduction of budget due to project completion & equivalent transfer to external reserve	8.17
17.3	Sir Joseph Banks Park - Removal of weeds/restore bushland	16,131		Reduction of budget due to project completion & equivalent transfer to external reserve	8.18
17.4	Landing Lights Barton - Removal of weeds/restore bushland	10,137		Reduction of budget due to project completion & equivalent transfer to external reserve	8.19
17.5	Lady Robinson's Beach Ryemough - Remove weeds/restore bushland	10,210		Reduction of budget due to project completion & equivalent transfer to external reserve	8.20
17.6	CRF Fox Control Crown Reserves	5,100		Reduction of budget due to project completion & equivalent transfer to external reserve	8.21
17.7	Cook Park - Dune Restoration	852,000		Deferral of project budget to future year to align with changes to project phasing	8.25
18.0	Advertising SEPP64		353,386		
18.1	Strategic Property	503,663		Increase in transfer to reserve due to increase in advertising income received	4.1
18.2	Bus Shelters and seats	(150,277)		Reassignment of budget to reflect change in funding source	6.3
19.0	Domestic Waste Management		25,617		
19.1	Domestic Waste Services	25,617		Increase in transfer to reserve due to increase in restricted revenue received less internal reallocation	1.1
20.0	Infrastructure Levy		1,489,335		
20.1	Local Streets - maintenance signs & line	(20,000)		Internal reallocation	20.7
20.2	Regional Roads - maintenance signs and line	(40,000)		Internal reallocation	20.7
20.3	Footpath Rehabilitation and Renewal Program	7,580		Internal reallocation	20.9
20.4	Beach Hut Dolls Point	223,415		Deferral of project budget to future year to align with changes to project phasing	10.1
20.5	Bridge and Structures Renewal Program	60,000		Internal reallocation	20.8
20.6	Barton Park Open Space and Recreation Renewal	571,940		Reassignment of project budget to reflect change in funding source	11.1
20.7	Traffic Facility Renewal	60,000		Internal reallocation	20.1/20.3
20.8	Bridge Renewal - Stan Moses Reserve Sans Souci Footbridge	(60,000)		Internal reallocation	20.5
20.9	Cook Park Shaneway RSA Findings - Installation of Signs and	(7,560)		Internal reallocation	20.9
20.10	Depena Reserve and Cook Park Sandringham - Carpark upgrade	300,000		Deferral of project budget to future year to align with changes to project phasing	11.9
20.11	URC Bexley Tennis courts	97,027		Reassignment of budget for projects funded by Local Roads and Community Infrastructure Program	10.2
20.12	Playground renewal - Taylor Street Reserve	(10,000)		Allocation of project funding	11.5
20.13	Rockdale Women's turf Netball court reconstruction	431,885		Deferral of project budget to future year to align with changes to project phasing	11.8
20.14	Ramsgate Beach Sand Nourishment	(60,000)		Allocation of project funding	8.26
20.15	Rhodes St Reserve East Dog Off-Leash	(16,383)		Allocation of project funding	11.9
20.16	Flynn's Reserve Dog Off-Leash	(12,183)		Allocation of project funding	11.10
20.17	Ron Gosling Reserve Dog Off-Leash	(8,183)		Allocation of project funding	11.11
20.18	Hughes Ave Reserve Dog Off-Leash	(8,183)		Allocation of project funding	11.12

Note	Description	Recommended Variation To/ (From)	Total	Comment	Reserve Note
22.0	Internal Borrowing against 17.11 Reserve		(8,184,460)		
22.1	Barton Park Open Space and Recreation Renewal	(8,184,460)		Allocation of project funding & Realignment of project budget to reflect change in funding source	19.2/20.6
22.0	Local Area Fund – Ramsgate Beach		54,478		
22.1	Ramsgate Beach ballards – outdoor dining areas	54,478		Reduction of budget due to project completion & equivalent transfer to external reserve	25.1
23.0	Roads		17,603		
23.1	Footpath – Rosebery Shops	17,603		Reduction of budget due to project completion & equivalent transfer to external reserve	25.4
24.0	Financial Assistance Grants in Advance		(5,973,995)		
24.1	Road Management	(5,468,189)		Increase in transfer from reserve as a result of Financial Assistance Grant for current year fully received in advance in prior year	5.1
24.2	Rockdale Rates Reserve	(4,505,806)		Increase in transfer from reserve as a result of Financial Assistance Grant for current year fully received in advance in prior year	5.9
25.0	Infrastructure Maintenance Reserve		164,634		
25.1	Corporate Costs	209,634		Increase in transfer to the reserve as a result of budget savings	
25.2	Local Streets – maintenance signs & line	(50,000)		Internal reallocation	25.5
25.3	Footpath Rehabilitation and Renewal Program	3,780		Internal reallocation	25.4
25.4	Cook Park Shareway RSA findings – installation of Signs and	(3,780)		Internal reallocation	25.3
25.5	Sign Replacement	50,000		Internal reallocation	25.3
25.6	Pagewood Senior Centre – Roof replacement	(195,000)		Allocation of project funding	20.6
26.0	Office Equipment and IT		(64,500)		
26.1	AP Automation Project	(64,500)		Allocation of project funding	8.29
28.0	Strategic Priorities		244,327		
28.1	Footpath – Rosebery Shops	209,177		Reduction of budget due to project completion & equivalent transfer to internal reserve	25.4
28.2	Redevelopment of The Boutique Carpark – Planning Stage	(64,850)		Allocation of project funding	25.6
29.0	Work Health and Safety		201,586		
29.1	State Cover Rebate	226,586		Increase in transfer to reserve to reflect State Cover Rebate received	4.3
29.2	Workshop Equipment	(15,000)		Allocation of project funding	20.4
29.3	Manual Handling Equipment	(10,000)		Allocation of project funding	8.20
30.0	Deposits, Retention & Bonds		500,000		
30.1	Corporate Costs	500,000		Increase in transfer to the reserve as a result of budget savings	
			(1,924,563)		

All figures are rounded up to the nearest dollar. As a result, there may be some rounding differences exhibited herein.



Budget Review for the Period Ended 31 December 2023
Contracts and Other Expenses

NB: The list of contracts below contain multi-year contracts. The budgets for multi-year contracts are included in the respective financial years in accordance with the timeline for project delivery and schedule of payments.

Contracts

Contractor	Contract Detail and Purpose	Contract Value	Start Date	End Date	Budgeted (Y/N)
Ford Civil Contracting P/L	Barton Park Recreational Precinct	41,419,898	7/10/2022	15/04/2025	Y
Veolia Environmental Services	Advanced Waste Treatment (Processing) Contract	15,800,000	14/07/2017	14/07/2032	Y
All Pavement Solutions Pty Ltd, ANI Paving Pty Ltd, Asphalt Laying Services, Bigoni Pty Ltd, Bitupave t/as Borai Asphalt, Citywide Civil Works, Giveco Pty Ltd, Colas Solutions, D&M Excavations, Downer EDI Works, Fulton Hogan, Hiway Stabilizers, Mack Civil, NA Group, Northshore Paving Co P/L, Ozpave Aust Pty Ltd, Planet Civil Pty Ltd, RL Civil Works Pty Ltd, Roadwork, Stabilised Pavements of Australia SPA, State Asphalt Services Pty Ltd, State Civil Pty Ltd, Stateline Asphalt Pty Ltd, TL Excavations Asphalt Pty Ltd	SSRDC "Paving the Way" Road Resheeting & Services	15,000,000	1/07/2021	30/06/2026	Y
Bucher Municipal Pty Ltd	Specialised trucks and parts	5,000,000	1/12/2020	30/11/2025	Y
Stateline Asphalt Pty Ltd	2023 Regional and Local Roads Repair Program	4,001,228	1/07/2023	29/02/2024	Y
Maxi-Tankers Pty Ltd, Ampol Petroleum Pty Ltd	Bulk Fuel, Fuel Card Services and Oils, Lubricants and Vehic	3,000,000	1/02/2018	1/01/2024	Y
FujiFilm	Printing and Scanning Services	3,000,000	1/01/2021	31/12/2025	Y
Ford Civil Contracting P/L	Sandringham Seawall and Cycleway Restoration	2,623,560	30/06/2023	19/04/2024	Y
LogiCall Australia P/L	LogiCall Network Implementation and Support	2,550,000	18/12/2023	17/12/2026	Y
Bingo Waste Services Pty Ltd	Receival and Processing of Municipal Material	2,500,000	31/08/2020	30/08/2030	Y
Norton Rose, Bartier Perry, HWL Ebsworth, Maddocks, Marsdens Law Group, Matthews Folbigg Lawyers, Lindsay Taylor Lawyers LTL P/L, BAL Lawyers, Holding Redlich, Kells Lawyers, Proximity, Recoveries & Reconstruction (Aust) Pty Ltd, Thomson Geer	Legal Services	2,000,000	1/02/2021	31/01/2026	Y
Ally Civil, DKCore Pty Ltd, Day Pave Pty Ltd, KK Civil Engineering, Planet Civil Pty Ltd, State Civil Pty Ltd, Stateline Asphalt Pty Ltd	Minor Civil Works F18/1060	2,000,000	3/07/2019	3/07/2024	Y
Glascott Landscape & Civil P/L	Scarborough Park Courts Upgrade	1,915,117	30/06/2023	26/02/2024	Y
Datacom Systems (AU) Pty Ltd - NSW Division	Support and Maintenance Agreement	1,500,000	28/02/2021	27/02/2024	Y
Technology One Pty Ltd	Support and Maintenance Agreement	1,500,000	1/07/2021	30/06/2024	Y
CO-OP Studio Pty Ltd	Botany Aquatic Centre Principal Consultant - Construction	1,448,030	8/04/2020	29/05/2026	Y
The Hills Bank Blower	Supply and Install Landscape Materials	1,200,000	12/05/2021	12/05/2024	Y
IQ3	Support and Maintenance Agreement	1,000,000	1/07/2021	5/02/2024	Y
Sullivans Constructions Pty Ltd, Bayot Building Services, Makki Constructions, Metal Fencing Specialists Pty Ltd, Mourad Tiling, R.S.A Bobcat, Rachael Fallon & Carl Fallon (Sea Dragon), Screen graphics Printing Pty Ltd, Selby's Pty Ltd, Summit Fencing, Triton Group Co Pty Ltd, Asbee Mulch Pty Ltd, Mastercut Concrete Pty Ltd, Sydney Core Cutting & Drilling, Xpresscut Pty Ltd, Conclusive Concrete Solutions t/a CIR Concrete Pumping	Minor Operational Works F18/403	1,000,000	14/01/2019	13/01/2024	Y
Altrelec Pty Ltd, Infraworks Plumbing Pty Ltd, Mark Ellison Plumbing, Komarin Holdings Pty Ltd t/a Modern Electric, Sydney Electrical Company Pty Ltd, Pronto Plumbing Pty Ltd	Electrical and Plumbing Services F18/402	1,000,000	10/01/2019	9/01/2024	Y

NB: The list of contracts below contain multi-year contracts. The budgets for multi-year contracts are included in the respective financial years in accordance with the timeline for project delivery and schedule of payments.

Contracts

Contractor	Contract Detail and Purpose	Contract Value	Start Date	End Date	Budgeted (Y/N)
AAPT	AAPT	960,000	1/07/2021	30/06/2024	Y
Sportszone Group P/L	Bexley Tennis Courts	904,364	12/10/2022	15/04/2024	Y
Servicelink, Storm International Pty Ltd, TST Property Services P/L	Cleaning Services	861,702	14/07/2021	13/07/2024	Y
WSP Australia P/L	Wentworth Ave and Page Street Intersection	737,406	26/04/2023	25/04/2024	Y
WINC Australia Pty Ltd	SSROC Stationery and Associated Products	725,000	14/04/2021	13/04/2026	Y
Sydney Arbor Trees Pty Ltd, Asplundh Tree Expert (Australia) Pty Ltd, Plateau Tree Service Pty Ltd, TreeServe Pty Ltd, Waratah LawnCare and Garden Management Pty Ltd, Active Tree Services Pty Ltd	Tree Maintenance Services	600,000	22/02/2022	21/02/2025	Y
Cognition Pty Ltd	Support and Maintenance Agreement	600,000	1/07/2021	30/06/2024	Y
Infor Global Solutions (ANZ) Pty Ltd, Databank Escrow Services Pty Ltd	Support and Maintenance Agreement	600,000	1/07/2021	30/06/2024	Y
ACES Group, Reddawn Australia Pty Ltd, Ultimate Security Australia Pty Ltd, ISEC Pty Ltd	Integrated Security Contract	500,000	8/02/2021	7/02/2028	Y
The Book House	Library books, resource material and furniture	500,000	1/03/2021	28/02/2026	Y
Ultimate Security Australia Pty Ltd	Security Services	500,000	00/04/2021	29/04/2024	Y
Pipe Management Australia, Total Drain Cleaning Services, Affords Point Drain Inspections Pty Ltd, Bell Environmental, Ecosol Wastewater Filtration Services, Optimal Stormwater Pty Ltd, Trox Free Australia Pty Ltd	SSROC Cleaning and Inspection of Gross Pollutant Traps	500,000	25/03/2019	24/03/2024	Y
Konica Minolta Business Solutions, Ball & Doggett, Konica Minolta Payment Solutions	MFD Fleet - Supply, Maintenance and Consumables	500,000	1/01/2021	31/12/2025	Y
Summit Services	Play space Renewals at Patricia Carlon and Noel Sieffert	473,939	30/10/2023	2/01/2024	Y
Planet Civil Pty Ltd	Bayside Council Sharepath Projects	469,622	1/07/2023	2/01/2024	Y
Eleccomm services	Illuminating Community Spaces	464,744	14/12/2023	4/03/2025	Y
Data43	VMWare ELA 3-Year Renewal	436,352	1/04/2021	31/03/2024	Y
Graffiti Clean Pty Ltd	Graffiti Removal Services	435,000	1/01/2020	30/11/2025	Y
Evolve Housing Limited	Management of Affordable Housing Portfolio	393,750	1/07/2021	30/06/2026	Y
J Blackwood & Son Pty Ltd, WINC Australia Pty Ltd, Bunnings Group Limited, Aqua Terra Oil and Mineral Service & Supply Co. Pty Ltd, Marque Haus Pty Ltd, Onsite Safety Australia Pty Ltd	Provision and Delivery of Hardware, Protective Clothing and	350,000	27/09/2023	26/09/2026	Y
Dragonfly Environmental, Apunga Ecological Management, Southern Habitat (NSW) Pty Ltd, Tonliosa Pty Ltd, Total Earth Care Pty Ltd	SSROC Bush Regeneration Services	350,000	1/02/2023	31/01/2026	Y
The Somerville Group Pty Ltd	Support and Maintenance Agreement	330,000	1/07/2021	30/06/2024	Y
Avante Linemarking, Complete Linemarking Services, Guidance Road Management, Workforce Road Services	SSROC Linemarking Services	300,000	1/02/2023	31/01/2026	Y
MobileCorp	Support and Maintenance Agreement	300,000	1/07/2021	30/06/2024	Y
WATERMATIC IRRIGATION	Irrigation of Cahill Park	271,344	30/06/2023	16/10/2024	Y
Booms Australia Pty Ltd	Support and Maintenance Agreement	250,000	31/01/2020	30/01/2024	Y
Logicalis Australia P/L	Zscaler	248,048	1/09/2023	31/08/2025	Y
Infor Global Solutions (ANZ) Pty Ltd	Pathway annual licence renewal	225,847	1/07/2023	30/06/2024	Y
The Globe Australia Pty Ltd t/a Globe Growing Solutions, Greenshed Pty Ltd t/a Living Turf, Greenway Turf Solutions Pty Ltd	Provision of Agricultural Products, Equipment & Services	225,000	1/09/2021	31/08/2026	Y
Sullivan's Constructions Pty Ltd	Moorefield Bowling Club Remediation Works	223,280	16/05/2023	31/07/2024	Y
Plateau Tree Service Pty Ltd	Tree Services- Arncliffe Lookout- Dewag	214,500	5/05/2021	26/10/2026	Y
Dalski Pty Ltd	Bridge Renewal Package	214,002	11/09/2023	9/11/2024	Y

NB: The list of contracts below contain multi-year contracts. The budgets for multi-year contracts are included in the respective financial years in accordance with the timeline for project delivery and schedule of payments.

Contracts

Contractor	Contract Detail and Purpose	Contract Value	Start Date	End Date	Budgeted (Y/N)
Shakeup Architecture	Depena Carpark Upgrade - Lead Consultancy Contract	200,791	30/07/2023	8/03/2026	Y
Ixom Pty Ltd, Redox Pty Ltd, Roejen Services Pty Ltd	SSROC Supply and Delivery of Chemical and Associated Product	200,000	1/09/2021	31/08/2026	Y
Frontier Software Pty Ltd	Support and Maintenance Agreement	200,000	1/08/2023	31/07/2026	Y
SSL Lock & Key Pty Ltd t/a St George Locksmiths	Keying Master System & Locksmith Services F18/625	200,000	13/12/2019	30/06/2025	Y
Devicor PTY LTD	Devicor (SOE Management)	185,365	30/06/2023	29/06/2026	Y
Hayes Environmental Consulting, Kamen Engineering Pty Ltd, Durkin Construction Pty Ltd	Soil Testing, Geotechnical and Pavement Design Services	180,000	8/10/2021	7/10/2024	Y
LG Software Solutions Pty Ltd	Support and Maintenance Agreement	180,000	1/07/2021	30/06/2024	Y
CommsChoice Pty Ltd	Support and Maintenance Agreement	180,000	1/07/2021	30/06/2024	Y
Manly Hydraulics Laboratory	Foreshore Management	160,200	27/10/2023	30/06/2024	Y
RELD Group Pty Ltd	Accessible Amenities Upgrade	159,820	28/04/2023	7/08/2024	Y
Esri Australia Pty Ltd	Support and Maintenance Agreement	150,000	1/07/2021	30/06/2024	Y
Database Consultants Australia	Support and Maintenance Agreement	150,000	1/07/2021	30/06/2024	Y
InfoTrust	InfoTrust CrowdStrike Antivirus	140,000	1/06/2023	31/05/2026	Y
Premier Control Point	Support and Maintenance Agreement	120,000	3/07/2023	30/06/2024	Y
Green Options Pty Ltd, Asplundh Tree Expert (Australia) Pty Ltd, Waratah Lawncare and Garden Management Pty Ltd, Alpine Nurseries P/L, Andreassen's Green (NSW) P/L, The Tree Guardian Group P/L	SSROC Supply of Plants and Trees and Associated Services	100,000	1/02/2023	31/01/2026	Y
Optima X Prime Pty Ltd, Alliance Alarms Fire Systems Pty Ltd, Newsound Fire Services P/L	Fire Protection Services	100,000	2/05/2022	1/05/2025	Y
FusionS Pty Ltd	Support and Maintenance Agreement	100,000	1/07/2021	30/06/2024	Y
Infocouncil	Support and Maintenance Agreement	100,000	1/07/2021	30/06/2024	Y
Cleanaway Co Pty Ltd	Multiple Waste Streams Collection F19/998	100,000	30/09/2020	30/09/2024	Y
BG & E Pty Ltd	Wentworth Avenue - Construction Consultancy	95,860	18/10/2023	26/06/2024	Y
Blue Stone Management (Australia) Pty Ltd	Botany Aquatic Centre- Stage 2- QS	89,990	17/02/2022	31/12/2024	Y
ACS	Support and Maintenance Agreement	76,997	11/10/2023	11/10/2024	Y
Sullivans Constructions Pty Ltd	Banksmeadow Depot Roof Remediation	75,780	14/04/2023	5/05/2024	Y
WebVine Consulting Pty Ltd	Support and Maintenance Agreement	60,000	1/07/2021	30/06/2024	Y
Task Exchange Pty Ltd	Support and Maintenance Agreement	60,000	1/07/2021	30/06/2024	Y
InfoTrust	InfoTrust Abnormal Security	51,386	7/09/2023	8/09/2024	Y
Nearmap Australia Pty Ltd	Nearmap Australia Pty Ltd	40,000	1/07/2021	30/06/2024	Y
iPlatinum	Support and Maintenance Agreement	30,000	1/07/2021	30/06/2024	Y
Aten Systems P/L	Support and Maintenance Agreement	30,000	1/07/2021	30/06/2024	Y
Digital Networks Australia Pty Ltd	Support and Maintenance Agreement	30,000	1/07/2021	24/09/2024	Y
Kapish Services Pty Ltd	Support and Maintenance Agreement	18,000	1/08/2021	31/07/2024	Y
Datafuel Pty Ltd	Support and Maintenance Agreement	6,000	1/07/2021	30/06/2024	Y
		126,822,581			



Budget Review for the Period Ended 31 December 2023
Consultancy and Legal Expenses

Consultancy

Project	Amount Spent (YTD)	Budgeted (Y/N)
100004 - Internal Audit	48,511	Y
100050 - Stores	15,435	Y
100062 - Waste Management	38,144	Y
100076 - Road Management	11,729	Y
100117 - Strategic Property	5,790	Y
100123 - Planning Policy	12,480	Y
100125 - Strategic Planning Management	4,960	Y
100127 - City Performance Directorate Management	12,950	Y
100140 - Financial Accounting	50	Y
100175 - Street Lighting	14,114	Y
100569 - Community History & George Hanna Museum	829	Y
100811 - Property System (REST replacement)	10,200	Y
100847 - Botany Aquatic Centre Redevelopment	97,065	Y
101042 - Lady Robinson Beach Study	22,340	Y
101056 - Kendall Reserve Contamination Monitoring	49,094	Y
101166 - Bonar Street & Mt Olympus Lighting	6,899	Y
101173 - Beach Hut Dolls Point	49,665	Y
101222 - Road Pavement Testing and Design	30,705	Y
101236 - Administration of Development Contributions Plans	11,541	Y
101320 - Business Improvement	280	Y
101324 - Strategy and Reporting	22,750	Y
101329 - SACL Replacement Tree Planting	13,561	Y
101335 - Spatial and ePlanning	8,669	Y
101336 - Traffic and Road Safety	7,020	Y
101337 - Asset Planning	1,725	Y
101395 - Barton & Riverine Park Remediation	10,650	Y
101406 - Barton Park Open Space and Recreation Renewal	142,676	Y
101421 - Play space Renewal - Heslehurst Reserve, Brighton-Le-Sands	950	Y
101480 - Picnic Shelters Renewal	78,507	Y
101483 - Rockdale Community and Civic Centre Renewal	23,500	Y
101619 - Bicentennial Park Long Term Site Management Plan	24,500	Y
101717 - RSP Raised Pedestrian Crossing Florence St Ramsgate	22,464	Y
101718 - RSP Raised Pedestrian Crossing Shaw St Kingsgrove	4,052	Y
101770 - Rockdale Town Hall Pergola Renewal	4,000	Y
101771 - Page Street Pedestrian Crossing lighting	5,164	Y
101772 - Bexley Oval Sports field lights	5,860	Y
101781 - Kingsgrove Avenue Reserve Amenities	51,994	Y
101801 - Riverine Park Masterplan	67,069	Y
101806 - Cahill Park Oval irrigation	1,600	Y
101807 - Downey Street and Mimosa Street new open space upgrade	4,600	Y
101812 - Building Condition Assessments	1,500	Y
101814 - Asset Inspection and Revaluation Program	16,200	Y
101841 - Wolli Creek Town Park	88,698	Y
101858 - Upgrade of Facilities at Jellicoe Park	28,920	Y
101886 - M6 Stage 1 Project - TfNSW Project Lead	66,000	Y
101895 - Advertising Bus Shelter Tender	10,325	Y

Project	Amount Spent (YTD)	Budgeted (Y/N)
101914 - Sustainable Waste Management	25,394	Y
101920 - Alf Kay Eastlakes Community Hall Renewal	4,200	Y
101928 - Cook Park Shareway RSA findings - Installation of Signs and	2,320	Y
101929 - Depena Reserve and Cook Park Sandringham - Carpark upgrade	45,900	Y
101933 - Fitout of 1-7 Green Street	17,880	Y
101938 - Hartill-Law Ave Bardwell Park Bridge Remediation - Stage 2	39,512	Y
101944 - McBurney Reserve embellishment	15,335	Y
101951 - Playground renewal - Empress Reserve	2,620	Y
101954 - Playground renewal - Victory Reserve	4,600	Y
101957 - Play space Renewal - Patricia Carlon Reserve	868	Y
101982 - Sandringham Seawall - Rock Armouring	162,393	Y
101983 - Scarborough Park Improvements - detailed design and commence	10,070	Y
101986 - Sir Joseph Banks Park - car park and toilet design	19,263	Y
101996 - Mill Pond/Botany Shared Path	33,295	Y
102006 - Asset Management Review	43,470	Y
102008 - Hogan Assessment & Profiling	43,197	Y
102009 - T8 Corridor Design (cycling) Grant	52,008	Y
102017 - Feasibility & Concept Design - Flood Mitigation - Botany Bay	850	Y
102035 - Her Way - Engagement and Design	17,979	Y
102036 - Mascot Oval Upgrade Works	25,493	Y
102055 - Kogarah West Senior Citizens Centre Renewal	9,720	Y
102056 - Mascot Public Toilet Block - Botany Rd	4,090	Y
102059 - Bona Park Girl Guide Hall	1,073	Y
102060 - Botany Golf Course Amenities and Proshop	8,055	Y
102061 - Botany Shopping Centre Public Toilet Block	7,840	Y
102063 - Demolition of Toilet block Shaw St Bexley North	4,673	Y
102064 - Demolition of Toilet Block Booralee Park - Daniel Street	1,073	Y
102074 - Sir Joseph Banks Foreshore Rd Carpark	9,020	Y
102081 - Angelo Aristis - Hard cover shelter over Grandstand	2,700	Y
102123 - Bestic Street Traffic Facilities	2,000	Y
102126 - Demolition of Cahill Park Dog Club Store	1,073	Y
102127 - Demolition of Gilchrist Park Scout Hall	1,073	Y
102140 - Palisade fence renewal of unsafe handrail	71,770	Y
102153 - Community Satisfaction Survey	64,832	Y
102155 - Planning Proposal - LOGOS Site	15,385	Y
102160 - Coward Street cycleway feasibility	20,529	Y
102165 - Wentworth Ave Planning Proposal	16,490	Y
Total Consultancy Expenses	1,963,776	






Legal

Project	Amount Spent (YTD)	Budgeted (Y/N)
100002 - Governance and Risk Management	2,144	Y
100108 - Development Assessment	569,753	Y
100110 - Compliance	18,586	Y
100117 - Strategic Property	120,750	Y
100119 - Voluntary Planning Agreements	1,808	Y
100146 - Rockdale Rates Revenue	334,340	Y
101722 - Gardiner Park - Legals	1,061	Y
Total Legal Expenses	1,048,441	

Quarterly Budget Review Statement FY2023-24 Quarter 2

Final Audit Report	2024-02-08
Created:	2024-02-08
By:	christina chin (christina.chin@bayside.nsw.gov.au)
Status:	Signed
Transaction ID:	CBJCHBCAABAA_JEVDB_e4fSH2LrD8rB72elcmGJboLvP

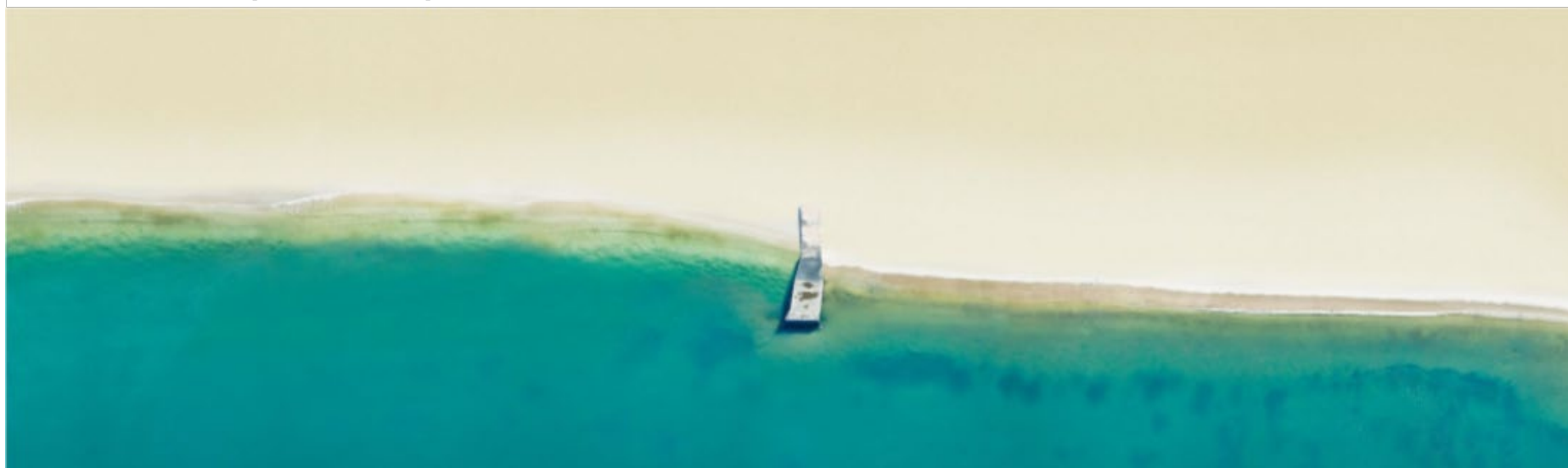
"Quarterly Budget Review Statement FY2023-24 Quarter 2" History

-  Document created by christina chin (christina.chin@bayside.nsw.gov.au)
2024-02-08 - 2:53:14 AM GMT
-  Document emailed to Richard Sheridan (richard.sheridan@bayside.nsw.gov.au) for signature
2024-02-08 - 2:59:36 AM GMT
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-  Document e-signed by Richard Sheridan (richard.sheridan@bayside.nsw.gov.au)
Signature Date: 2024-02-08 - 3:21:14 AM GMT - Time Source: server
-  Agreement completed.
2024-02-08 - 3:21:14 AM GMT



FY 2023/24 – Quarter 2 Budget Review Council Meeting

Wednesday, 28 February 2024





Content



1. Revised Cash Budget Result
2. Revised Statement of Income & Expenditure
3. City Projects Program – Major Variations



1. Revised Cash Budget Result



Description	Revised Budget (\$'000)	Q2 Proposed Budget (\$'000)	Variations (\$'000)
Total Income from Continuing Operations	235,484	237,175	1,691
Total Expenses from Continuing Operations	(214,774)	(215,652)	(878)
Gross Operating Result	20,710	21,523	813
Capital Expenditure	(80,975)	(83,713)	(2,738)
Loan Repayments	(3,600)	(3,600)	-
Net Reserve Transfers	27,604	29,529	1,925
	(56,971)	(57,784)	(813)
Net Result	(36,261)	(36,261)	-
Add Back Non-Cash Items	36,304	36,304	-
Cash Budget Result	43	43	-



2. Revised Statement of Income & Expenditure



Description	Revised Budget (\$'000)	Q2 Proposed Budget (\$'000)	Variations (\$'000)
Rates and annual charges	141,576	141,601	25
User charges and fees	16,191	17,058	867
Interest and investment revenue	16,490	22,490	6,000
Other revenues	16,040	16,304	264
Operating grants and contributions	12,308	7,190	(5,118)
Capital grants and contributions	16,755	16,408	(347)
Other Income	3,674	3,674	-
Total Income from Continuing Operations	235,483	237,174	1,691
Employee costs	87,499	87,769	270
Borrowing costs	193	193	-
Materials and contracts	77,515	78,116	601
Depreciation and impairment	32,454	32,454	-
Other expenses	4,663	4,671	8
Total Expenses from Continuing Operations	214,773	215,652	879
Gross Operating Result	20,710	21,522	812
Operating Result excluding Capital Grants and Contributions	3,955	5,114	1,159

User Fees & Charges

- Reallocation to Other revenues for Bexley Aquatic Centre - \$716k

Interest Income

- Adjusted to reflect current investment returns (approx. 80% restricted income transferred to reserve)

Other revenues

- Reallocation from user fees and charges for Bexley Aquatic Centre - (\$716k)
- Increase in revenue for property advertising income - \$504k

Operating Grants & Contributions

- FY2023/24 Financial Assistance Grant 100% received in advance in FY2022/23. Funding brought in from the reserve instead.

Materials & Contracts:

- Increase in City Works costs - \$891k
- Increase in insurance cost - \$222k
- Reduction in IT costs - (\$226k)
- Reallocation of opex budget to capex - (\$100k)
- Reduction in events budget - (\$88k)

3. City Projects Program – Major Variations



- **Major Additions**

- Barton Park – \$7.6m
- Coward Street Cycleway Feasibility – \$160k
- Pagewood Senior Centre Roof – \$135k

- **Major Budget Realignments**

- Bonar street Stormwater Stage 2 – \$1.2m
- Sir Joseph Banks Park enhancements – \$650k

- **Major Deferrals**

- Scarborough Park Improvements – \$750k
- Botany Aquatic Centre Redevelopment – \$671k
- Rockdale Woman's Turf Netball – \$431k
- Mascot Oval Upgrade Works – \$410k
- Depena Reserve and Cook Park Car park – \$300k



Questions Comments Feedback



Council Meeting

28/02/2024

Item No	10.4
Subject	Australian Local Government Association (ALGA) National General Assembly 2024 - Calling for Notices of Motion and Councillor Attendance
Report by	Richard Sheridan, Director City Performance
File	F20/102

Summary

The National General Assembly of Local Government (NGA) is an important opportunity for Council to influence the national policy agenda. This year's conference will be held on 2-4 July 2024 in Canberra.

This seeks nominations from Councillors to attend the Conference physically or possibly virtually (if this becomes an option). It is general practice for the holders of the positions of Mayor and Deputy Mayor to attend the Conference and the position of Mayor to have the voting rights on matters before the Assembly.

In addition, the Federal Government has again offered to host Mayors at the Australian Council of Local Government (ACLG) on 5 July 2024. This provides an opportunity for Mayors to speak directly to Federal Ministers about the challenges and opportunities in our community.

The Conference provides an opportunity for Councils to submit relevant Notices of Motion to be considered at the Conference. A further report will be presented to the March Ordinary Council Meeting to consider any Notices of Motion proposed to be submitted to the Conference. Any Councillor wishing Council to consider a Notice of Motion for the Conference should submit the proposed Notice of Motion by Monday 18 March 2024.

Officer Recommendation

- 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 Council nominates and endorse any other Councillor to 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.

Background

The National General Assembly and associated functions is an annual event held for Councillors to come together to share ideas and debate issues. This event provides a unique opportunity for Local Government to engage directly with the Federal Government, to develop national policy and to influence the future direction of our councils and our communities.

Currently, the 2024 National General Assembly is proposed to be held as a hybrid conference from 2-4 July 2024 by physical attendance in Canberra or via virtual attendance. This year's theme is 'Building Community Trust'.

This report seeks as normal practice authorisation for the attendance of the Mayor and Deputy Mayor (if they so desire) and seeks nominations from interested Councillors for endorsement.

National General Assembly – Call for Motions

As part of the conference, councils can submit motions for inclusion on the business paper no later than 11.50pm on Friday **29 March 2024**. All motions should have a contact officer, a clear objective, a summary of key arguments in support of the motion, and the endorsement of Council.

To submit motions for consideration at the National General Assembly, members must satisfy the following criteria 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:

- how all levels of government in Australia can build trust in each other and earn greater trust from the community;
- practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- new program ideas that that would help the local government sector to deliver the Australian Government's objectives.

Any councillor wishing to submit a Notice of Motion for the Conference for consideration by Council must submit their proposed Motion meeting the above criteria to the General Manager by 5pm Monday 18 March 2024.

In terms of voting on the motions, there is one vote per Council. It can be made by any one of Council's delegates. As is normal practice, it is proposed that the Mayor or her nominee be the voting delegate.

Financial Implications

The Expenses and Facilities Policy adopted on 23 November 2022, enables Councillors to attend conferences and for Council to meet the costs associated with such attendance. A budget is set for Councillors Expenses and Facilities. The registration costs for the

Conference are \$945 per delegate (early bird price) attending in person or \$800 attending remotely (virtually). Accommodation ranges from approximately \$200 to \$395 per night and it is anticipated there will be some travel costs.

Financial Implications

Not applicable ☐

Included in existing approved budget ☒ Estimated attendance virtual \$800 per Councillor or physical presence \$945 per Councillor from the Councillor Professional Development budget.

Additional funds required ☐

Community Engagement

Not applicable.

Attachments

ALGA 2024 Discussion Paper



KEY DATES

29 March 2024 | Acceptance of Motions

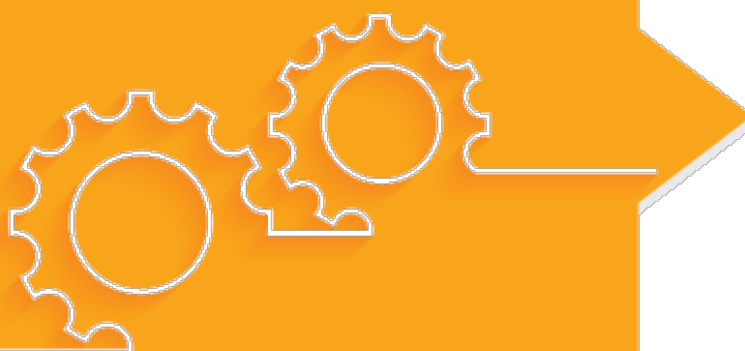
2 July 2024 | Regional Cooperation & Development Forum

3 - 4 July 2024 | National General Assembly

5 July 2024 | Australian Council of Local Government

TO SUBMIT YOUR MOTION

VISIT: **ALGA.COM.AU**





The Australian Local Government Association (ALGA) is pleased to convene the 30th National General Assembly of Local Government (NGA), to be held in Canberra from 2-4 July 2024.

As convenor of the NGA, the ALGA Board cordially invites all councils to send representatives to this important national event.

The NGA is the premier national gathering of local governments, and provides councils with the opportunity to come together, share ideas, debate motions, and most importantly unite and further build on the relationship between local government and the Australian Government.

This discussion paper contains essential information for Australian councils considering submitting motions for debate at the 2024 National General Assembly of Local Government (NGA).

It is recommended that all councils and delegates intending to attend the 2024 NGA familiarise themselves with the guidelines for motions contained in this paper on page 6.

BACKGROUND TO ALGA AND THE NGA

ALGA was established 1947. In structure, ALGA is a federation of member state and territory associations. Its mission is to achieve outcomes for local government through advocacy with impact, and maximise the economic, environmental and social wellbeing of councils and our communities.

Since 1994, the NGA has built the profile of local government on the national stage, showcased the value of councils, and most importantly demonstrated - particularly to the Australian Government - the strength and value of working with local government to help deliver on national priorities.

Debate on motions was introduced to the NGA as a vehicle for councils from across the nation to canvas ideas. Outcomes of debate on motions (NGA Resolutions) could be used by participating councils to inform their own policies and priorities, as well as their advocacy when dealing with federal politicians.

At the same time, they help ALGA and its member state and territory associations gain valuable insight into council priorities, emerging national issues, and the level of need and support for new policy and program initiatives.

Given the structure of ALGA, its Constitution, and level of resources, the NGA does not bind the ALGA Board. However, the Board carefully considers NGA resolutions as it determines ALGA's policies, priorities and strategies to advance local governments within the national agenda.

This is your NGA and ALGA is pleased to act as the convenor. ALGA's policies and priorities will continue to be determined by the ALGA Board in the interests of all councils.

The ALGA Board thanks all councils for attending the NGA and those that will take the time to reflect on the purpose of debate on motions outlined in this paper, and to submit motions for debate at the 2024 NGA.

SUBMITTING MOTIONS

Australia is one of the world's great democracies. It is held in high regard across the world but should never be taken for granted.

The theme of the 2024 NGA is – Building Community Trust.

This theme aims to explore the critical importance of trust in governments, between governments, its institutions, and its citizens. This trust is a fundamental building block of our nation's democracy.

While relatively low key, over the past decade there has been increasing public debate by scholars and policy makers about the level of trust in government, its institutions and indeed the operation of our democracy more broadly.

Mark Evans et al (2019) published research in 'The Conversation' indicating that Australians' trust in politicians (our political representatives) and democracy has hit an all-time low. This report indicates 'fewer than 41% of Australian citizens are satisfied with the way democracy works in Australia, down from 86% in 2007.

Public satisfaction has fallen particularly sharply since 2013, when 72% of Australian citizens were satisfied. Generation X is least satisfied (31%) and Baby Boomers most satisfied (50%). Some political authors suggest that these trends in part explain the rise in popularity and the relative success of independents and micro or single-issue parties.

These statistics should be of concern to every level of government and those interested in the future of our communities and Australia's democratic system.

It is said that 'trust is hard-earned, easily lost, and difficult to re-establish – and a key to absolutely everything.' While media and public attention frequently focuses on levels of trust in the national and state governments, local governments have an equally important role in building, maintaining and indeed, often repairing government-community relationships.

At its most fundamental level, the 2024 NGA focusses on the role of local government and how all levels of government can help each other build, maintain and strengthen government-community relationships.

This discussion paper is a call for councils to submit motions for debate at the 2024 NGA to be held in Canberra from 2-4 July 2024.



Motions for this year's NGA should consider:

- how all levels of government in Australia can build trust in each other and earn greater trust from the community;
- practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- new program ideas that that would help the local government sector to deliver the Australian Government's objectives.

Motions should be concise, practical and implementable and meet the guidelines for motions set out in the paper.

You are encouraged to read all the sections of the paper but are not expected to respond to every issue or question. Your council's motion/s must address one or more of the issues identified in the discussion paper.

Motions must be lodged electronically using the online form available on the NGA website at: www.alga.com.au and received no later than 11:59pm AEST on Friday 29 March 2024.

All notices of motions will be reviewed by the ALGA Board's NGA Sub-committee prior to publishing the NGA Business Paper to ensure that they meet these guidelines. This sub-committee reserves the right to select, edit or amend notices of motions to facilitate the efficient and effective management of debate on motions at the NGA.

All NGA resolutions will be published on www.nationalgeneralassembly.com.au.

As the host of the NGA, ALGA will communicate resolutions to the relevant Australian Government Minister and publish Ministerial responses as they are received on this website.

Please note that if your council does submit a motion, there is an expectation that a council representative will be present at the NGA to move and speak to that motion if required.

We look forward to hearing from you and seeing you at the 2024 NGA.

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 focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome ie call on the Australian Government to act on 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.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Motions must commence with the following wording:

This National General Assembly calls on the Australian Government to ...

Please note that resolutions of the NGA do not automatically become ALGA's national policy positions.

OTHER THINGS TO CONSIDER

It is important to complete the background section of the submission form. Submitters of motions should not assume that NGA delegates will have background knowledge of the proposal. The background section helps all delegates, including those with no previous knowledge of the issue, in their consideration of the motion. Please note, motions should NOT be prescriptive in directing how the matter should be pursued.

Try to keep motions practical, focussed and capable of implementation to ensure that relevant Australian Government Ministers provide considered, thoughtful and timely responses.

Try to avoid motions that are complex, contain multi-dot points and require complex cross-portfolio implementation.

All motions submitted will be reviewed by the ALGA Board's NGA Sub-committee, in consultation with state and territory local government associations, to determine their eligibility for inclusion in the NGA Business Papers.

When reviewing motions, the Sub-committee considers the criteria, clarity of the motion and the importance and relevance of the issue to local government.

If there are any questions about the substance or intent of a motion, ALGA will raise these with the nominated contact officer. With the agreement of the submitting council, these motions may be edited before inclusion in the NGA Business Papers.

To ensure an efficient and effective debate, where there are numerous motions on a similar issue, the NGA Sub-committee will group these motions together under an overarching strategic motion. The strategic motions will have either been drafted by ALGA or will be based on a motion submitted by a council which best summarises the subject matter.

Debate will occur in accordance with the rules for debate published in the Business Papers and will focus on the strategic motions. Associated sub-motions will be debated by exception only or in accordance with the debating rules.

Any motion deemed to be primarily concerned with local or state issues will be referred to the relevant state or territory local government association and will not be included in the NGA Business Papers.

All motions require:

- a contact officer;
- a clear national objective;
- a summary of the key arguments in support of the motion; and
- endorsement of your council.

**Motions should be lodged electronically using the online form available at www.alga.asn.au.
Motions should be received no later than 11:59pm AEST on Friday 29 March 2024.**

SETTING THE SCENE

The theme for NGA24 'Building Community Trust' aims to focus on the role of local government in the Australian system of government and explore the critical importance of trust in governments, between governments, its institutions, and our citizens.

In a recent essay on Capitalism after the Crisis (2023) the Treasurer the Hon Dr Jim Chalmers MP wrote:

'Our mission is to redefine and reform our economy and institutions in ways that make our people and communities more resilient, and our society and democracy stronger as well.'

The need to strengthen our democracy was also emphasised the Prime Minister the Hon Anthony Albanese MP in a speech at Queensland's Woodford Folk Festival toward the end of 2022:

'I urge anyone who thinks our democracy is unassailable to have a look around the world. Even some of the oldest, most stable democracies have come under attack from a whole range of corrosive, insidious forces. No one is immune. Our democracy is precious, something we have carefully grown and nurtured from one generation to the next. One of our core responsibilities is to make it stronger, and the key to that strength is transparency and accountability.'

In early 2023 the Australian Government established a taskforce to advise government on 'what can be done – practically – to strengthen Australian democracy'.



The 2024 NGA provides you - the elected representatives of Australia's local councils and communities - with the opportunity to engage with the Federal Government and key Ministers.

Further, it is your opportunity to advocate for new or expanded programs and key policy initiatives that could strengthen local governments, its capacity to deliver services and infrastructure to local communities across the nation. This service delivery is critical to build, maintain and strengthen the trust of our citizens.

This year's call for motion focusses on twelve priority areas:

- Intergovernmental relations;
- Financial sustainability;
- Roads and infrastructure;
- Emergency management;
- Housing and homelessness;
- Jobs and skills;
- Community services;
- Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation;
- Data, digital technology and cyber security;
- Climate change and renewable energy;
- Environment; and
- Circular economy.



1. INTERGOVERNMENTAL RELATIONS

'Australia's federal structure, built upon reciprocal financial, legislative and policy responsibilities, requires intelligent cooperation on issues of strategic national significance.'

National Cabinet is a forum for the Prime Minister, Premiers and Chief Ministers to meet and work collaboratively. National Cabinet was established on 13 March 2020 and is chaired by the Prime Minister. The National Cabinet is a key mechanism in Australia's current intergovernmental architecture.

A representative of local government, the President of ALGA, is invited to meet with National Cabinet once each year. The President of ALGA also attends one meeting per year of the Council on Federal Financial Relations comprising the Commonwealth Treasurer as Chair and all state and territory treasurers.

A substantial body of research, from Australia and internationally, has highlighted that governments that work together are generally more successful in achieving shared national objectives, including economic recovery from events like the COVID-19 pandemic as well as in service and infrastructure delivery.

This research reinforces the need for local government to be included in relevant ministerial forums that support national priorities – from housing affordability to reaching net-zero emissions. ALGA currently participates in National Cabinet (1/year), Council on Federal Financial Relations (1/year), Infrastructure Transport Ministers Meeting, National Emergency Managers Meeting, Local Government Ministers Forum, Joint Council on Closing the Gap, Planning Ministers Meeting, Meeting of Environment Ministers, Energy and Climate Change Ministers and the Road Safety Ministers Meeting, to represent local government views.

Local government input can provide a community voice, enabling our intergovernmental forums to make decisions with greater legitimacy and authority.

Given the importance of trust in governments, between governments and its citizens, how can intergovernmental arrangements be further improved in Australia?

Are there ways of maintaining and enhancing the community's trust in local government?

Are there new initiatives and programs that could be adopted to improve the level of cooperation and collaboration between the Australian Government and local government?

2. FINANCIAL SUSTAINABILITY

Trust in governments is highly correlated with their ability to fulfill the implicit social contract between government and its citizens by keeping promises.

Local government is the third sphere of government in Australia's system of government. Councils are comprised of locally elected representatives who understand local needs and engage locally on strategies to meet those needs.

Councils are responsible for providing a wide range of critical local area services including planning, libraries, waste management systems, transport and infrastructure (eg roads and footpaths, parks, sporting grounds and swimming pools) and social services.

These services are critical to the wellbeing, liveability and productivity of all local communities, and therefore the nation. Equally important is the sustaining of democratic processes at the local and regional level.

Local government's total annual expenditure in 2021 -22 was approximately \$43.6 billion. Non-financial assets including roads, community infrastructure such as buildings, facilities, airports, water, and sewerage (in some states) including land, are valued at \$539 billion [ABS Government Finance Statistics, Australia, 2021-22].

In 2021-22, the Australian Government provided \$2.6 billion in Financial Assistance Grants funding to councils. This included \$1.3b which was brought forward from the 2021-22 estimate and paid through state and territory governments in 2020-21.

Nationally, local government derives nearly 90% of its revenue from its own sources (including rates and services charges), compared to around 50% for state governments. Grants from other levels of government make up just over 10% of local government's total revenue, however these grants are particularly important in areas with a low-rate base, and/or high growth rates, and rapidly expanding service and infrastructure needs.

In 2021-22 Financial Assistance Grants to local governments was less than 0.6% of Commonwealth taxation revenue (CTR), a significant drop from 1996 when these grants were at 1% of CTR. In 2023-24 Financial Assistance Grants have fallen to 0.5% of Commonwealth taxation.

What improvements are needed to the intergovernmental financial transfer system, particularly the Commonwealth transfers to local government, to enhance the community's trust in local government and by extension all governments?

Noting that Commonwealth tied funding is provided with detailed requirements how can this system be improved to provide flexibility and maximize the benefit to local communities?

3. ROADS AND INFRASTRUCTURE

ALGA's 2021 National State of the Assets Report (NSoA) is currently being updated and expected to be launched in 2024. The most recent NSoA shows that while most local government assets such as roads, bridges, buildings, parks and recreation, stormwater, water and wastewater, and airports and aerodromes are generally in good to very good condition, around 10% are not fit for purpose, and around 20–25% are only fair and over time will need attention.

The last NSoA found that in 2019–20 non-financial infrastructure assets were valued at \$342 billion and were depreciating at \$7.7 billion per year. Replacement costs of these infrastructure assets were in the order of \$533 billion.

Local government assets make up a significant proportion of the physical structure of local communities and often provide critical access to and support for citizens to engage in state and national assets and opportunities.

For example, local roads provide important “first and last-mile access” for communities and industry to road networks, integral to economic development and community connection. Local sporting grounds can provide access for community groups to build community participation that has social, health and economic benefits.

Are there programs or initiatives that the Australian Government could adopt to improve the long-term sustainability of local government infrastructure?

Are there programs or initiatives that the Australian Government could provide to improve the sector's capacity to manage local government infrastructure and to integrate these plans into long-term financial plans?

Are there programs or initiatives that the Australian Government could develop to maintain, strengthen and enhance the reputation of Australia's infrastructure providers, including local government?

4. EMERGENCY MANAGEMENT

In 2022 alone, 46 disasters were declared across Australia, covering more than 300 different council areas. In recent years, almost every Australian council has been impacted in some way by fires, floods, or cyclones.

Last year's flooding caused a damage bill of approximately \$3.8 billion to local roads across Queensland, New South Wales, Victoria and South Australia. This was just a fraction of the total disaster costs incurred by governments across the country.

There have been numerous NGA motions in recent years regarding natural disasters and this has been a significant priority in ALGA's advocacy program.

In 2022 ALGA successfully advocated for a new \$200 million per year Disaster Ready Fund, with the first round of funding allocated in June 2023. This fund will support councils and communities to mitigate against the risk of future disasters and help address the significant imbalance between mitigation and recovery spending.

Councils are encouraged to draw on their practical experience of the improvements that could be made to managing emergencies.

Please note that many aspects of emergency management are state or territory responsibilities, and your motions should focus on how the Australian Government could assist.

What new programs, or improvements to existing programs, could the Australian Government develop to partner with local government to improve the current natural disaster management systems to further assist in recovery and build resilience?

5. HOUSING AND HOMELESSNESS

Almost every Australian council and community is facing challenges around a lack of affordable housing.

Alarming research by the UNSW City Futures Research Centre shows 640,000 Australian households – or one in 15 households – are under housing stress.

All levels of government, including councils, have a fundamental role to play in addressing this crisis, which is being compounded by high interest rates, rising construction costs and skills shortages.

At a national level, ALGA is a signatory to the National Housing Accord, and in 2023 successfully advocated for a new \$500 million Housing Support Program for state and local governments to deliver supporting infrastructure for new housing developments.

While the provision of affordable housing is not a local government responsibility, councils have a role to play in ensuring there is enough suitably located land available for housing and that a diversity of housing stock is supported. Councils also want to ensure that new housing developments are supported with the necessary services and infrastructure to create liveable and sustainable communities.

Many councils are also addressing thin markets and developing land and housing themselves, delivering local solutions to meet the needs of their communities.

Councils also want to ensure that they engaged with planning decisions that affect local communities. Taking planning powers away from councils does not always support the best local outcomes.

Councils also play an important role addressing some of the causes of homelessness, including social inclusion programs that can assist mental health and family violence issues, as well as providing support for people currently experiencing homelessness.

What new programs and policies could the Australian Government develop to partner with local government to support the provision of more affordable housing?

How can the Australian Government work with councils to address the causes and impacts of homelessness?

6. JOBS AND SKILLS

Local government is a major employer in Australia providing employment, career advancement and training opportunities for more than 190,800 Australians, across an estimated 400 occupations.

However, councils are facing significant jobs and skills shortages that are constraining their capacity to deliver services and build and maintain local infrastructure.

ALGA's 2022 National Local Government Workforce Skills and Capability Survey indicated that more than 90 percent of Australia's 537 councils were experiencing skills shortages.

The survey also showed that for approximately two-thirds of these councils, these shortages were impacting on project delivery.

In particular, councils are facing a shortage of planners, engineers, building surveyors, environmental officers and human resources professionals.

Skills shortages occur for a variety of reasons including an inability to compete against the private sector, worker accommodation, support services for families, ageing of the workforce and geographic isolation.

Are there programs or initiatives that the Australian Government could implement that would enhance local government's capacity to attract and retain appropriately skilled staff now and into the future?

Are there programs or changes to existing programs that would increase local government's ability to employ apprentices and trainees?

Are there other initiatives that the Australian Government could provide to improve the sector's ability to plan and develop skills fit for the future?

7. COMMUNITY SERVICES

Councils provide a wide range of services based on local characteristics, needs, priorities, and the resources of their community. Indeed, it is this level of responsiveness and accountability to the local community that is an essential feature of democratic local governments worldwide.

Some of these services are provided to address market failure, and many of them are provided by councils on behalf of other levels of government.

It is important to note that nationally local government is more than 83% self-sufficient ie funded at the local level either through rates, fees and charges, sale of goods and services, or interest. The Australian Bureau of Statistics data shows that total local government annual expenditure in 2021-22 was \$43.6 billion.

Only 17% comes from grants and subsidies from other levels of government. Unfortunately, many of these grants and subsidies are tied, or require matching funding which restricts the ability to address local priorities in the way the council and community might need.

Arguably there is no greater obligation upon government than to maintain the trust that citizens have in meeting their community services obligations and promises, particularly to society's most vulnerable.

Local government community services are broadly defined, and may include but are not limited to:

- environmental health including food safety;
- childcare, early childhood education, municipal health;
- aged care, senior citizens;
- services to people living with disability;
- programs to address disadvantage, to reduce poverty and homelessness;
- sporting and recreational programs;
- arts and cultural activities, programs and festivals;
- tourism and economic development activities; and
- library services.

Noting the funding arrangements for the provision of local government community services are there programs and initiatives that the Australian Government could implement to improve the delivery of these services?

Are there reforms or improvements in national community services program that would help local governments support the Australian Government to deliver on its national objectives?

8. CLOSING THE GAP AND ABORIGINAL AND TORRES STRAIT ISLANDER RECONCILIATION

In 2021, ALGA co-signed a landmark national agreement to close the gap between Indigenous and non-Indigenous Australians. At the heart of the National Agreement on Closing the Gap Partnership are four agreed priority reform targets and 19 socio-economic targets in areas including education, employment, health and wellbeing, justice, safety, housing, land and waters, and Aboriginal and Torres Strait Islander languages.

The Indigenous Voice Co-design Final Report to the Australian Government was released in December 2021. The Local & Regional Voice will contribute to achieving the Closing the Gap outcomes by providing avenues for Indigenous voices to be heard, including to provide feedback to government on Closing the Gap.

As the level of government closest to the people, councils have an essential role supporting and helping to steer the development of policies and programs in partnership with local Indigenous peoples that address closing the gap priorities at the local and regional level.

Local government plays a positive role in reconciliation and celebrating Indigenous culture and identity, and sustainably funded could work effectively to reduce Indigenous disadvantage in all its forms.

On 14 October 2023, Australians voted in a referendum about whether to change the Constitution to recognise the First Peoples of Australia by establishing a body called the Aboriginal and Torres Strait Islander Voice. The referendum did not pass.

Are there programs or initiatives that the Australian Government could adopt to assist local government to advance reconciliation and close the gap?

Are there practical programs or initiatives that local government and the Australian Government could introduce to maintain, build and strengthen the level of trust between Aboriginal and Torres Strait Islanders and governments?

9. DATA, DIGITAL TECHNOLOGY AND CYBER SECURITY

Provision of information technology to all Australians is vital to innovation, economic growth, and social equity. However, it is potentially even more important to regional Australia where the tyranny of distance increases the inequity of services available – including education, health, economic and social. Innovative technology is becoming more broadly available and could boost productivity and economic growth.

Councils around Australia continue to embrace new technologies to improve their service delivery standards and broaden consultation and engagement with their local communities. However, implementation can be hindered without access to basic technological infrastructure and the necessary IT skills and resources.

In recent times, cyber-attacks on major corporations and other businesses have resulted in significant data breaches. It is a timely reminder as digital information, services and products become an increasing feature of modern business operation including in local government.

Like all risks, local government must manage the risk of cyber-attacks and address cyber security. At a national level, there is limited understanding of local governments' vulnerability to cyber-attacks, preparedness and adequacy of risk management strategies or business continuity planning.

While this is primarily a responsibility of the sector itself, governments at all levels must work together to ensure that the public have confidence in government information management systems and its security.

Drawing upon your council's experience, and your knowledge of other councils within your state or territory, are there programs and initiatives that the Australian Government could implement to help local government develop its digital technology services and infrastructure?

Are there actions the Australian Government could take to improve cyber security within the local government sector?

10. CLIMATE CHANGE AND RENEWABLE ENERGY

Australia's changing climate presents a significant challenge to governments, individuals, communities, businesses, industry, and the environment.

The Australian Government has committed to address climate change and in June 2022 submitted its revised National Determined Contribution (NDC) to the United Nations Framework Convention on Climate Change. The revised NDC included reaffirming a target of net zero emissions by 2050 and committing to reduce greenhouse gas emissions by 43% from 2005 levels.

Local governments have played an important leadership role in addressing climate change, and councils have supported a wide range of community-based programs and initiatives to lower the carbon footprint of their own business operations and of their local communities.

As a sector, local government has been an advocate and active participant in the debate for lowering carbon emissions, is sourcing renewable energy, has responded creatively to reduce greenhouse gas emissions from landfills, and facilitated the construction of green buildings and water sensitive design of cities and towns.

Local government has been at the forefront in addressing the impacts of climate change and adaptation to climate change. In particular, councils have a practical understanding of the risk and impact of climate change on Australia's infrastructure and physical assets, natural ecosystems, local economies and their community.

Noting the Australian Government's approach to reducing emissions, are there partnerships, programs, and initiatives that local government and the Australian Government can form to achieve Australia's 2050 net zero emissions target?

Are there initiatives that could assist local governments to build trust in the community for implementation of key climate change and emissions reduction initiatives?

11. ENVIRONMENT

Australia's 537 local councils play an essential role in providing, regulating and managing Australia's environmental services and infrastructure.

Whether it's biodiversity, biosecurity, natural resource management (NRM), contaminated lands, waste management, water resources, sustainability or roadside environments, councils are responsible for educating households and businesses on environment policy, as well as driving environmental programs and initiatives in their local communities.

In recent years the National General Assembly has considered a range of environmental issues, and passed resolutions on biodiversity, biosecurity, conservation, climate change and water security.

How could the Australian Government partner with local government to strengthen Australia's environmental services and infrastructure?

What new programs could the Australian Government partner with local government in to progress local regional and national objectives?



12. CIRCULAR ECONOMY

Local government is responsible for the management of household and domestic waste and has a critical role to play in further developing the circular economy.

Australia's 537 councils manage approximately 26 percent of Australian waste, either directly or through contractual arrangements. Each year, local governments collect around 9.7 million tonnes of waste from kerbside bin services, sort it at material recovery facilities (MRFs), and dispatch what can be recycled to reprocessing facilities in Australia and overseas.

Where waste cannot be recovered it is landfilled, and local governments in most jurisdictions must pay a significant levy per tonne for landfilled waste, as well as incur the operational costs of maintaining and managing a landfill.

Collecting, treating, and disposing of Australian domestic waste costs local government an estimated \$3.5 billion annually. Local government also dedicates resources to administering community waste-education programs, collecting litter, addressing illegal rubbish dumping, and ensuring compliance with waste bylaws.

In November 2023, Australia's Environment Ministers agreed that the Federal Government would establish new regulations for packaging as well as mandate how packaging is designed, develop minimum recycled content requirements and prohibit harmful chemicals being used. These changes are expected to have a positive impact on the amount of waste sent to landfill, and the costs borne by councils and their communities.

How could the Australian Government further strengthen product stewardship arrangements to support local governments in their endeavours to increase recycling and reduce the volume of waste?

How could the Australian Government partner with local government to advance the circular economy?

CONCLUSION

Thank you for taking the time to read this discussion paper and your support for the 2024 National General Assembly of Local Government.

A FINAL REMINDER:

- » Motions should be lodged electronically at www.alga.com.au and received no later than 11.59pm on Friday 29 March 2024.
- » Motions must meet the criteria published in this paper.
- » Motions should commence with the following wording: 'This National General Assembly calls on the Australian Government to...'
- » Motions should not be prescriptive in directing how the matter should be pursued.
- » Motions should be practical, focussed and relatively simple.
- » It is important to complete the background section on the form.
- » Motions must not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
- » When your council submits a motion there is an expectation that a council representative will be present at the 2024 National General Assembly to move and speak to that motion if required.
- » Resolutions of the National General Assembly do not automatically become ALGA's national policy positions. The resolutions are used by the ALGA Board to inform policies, priorities and strategies to advance local governments within the national agenda.

We look forward to hearing from you and seeing you at the 2024 National General Assembly in Canberra.





Council Meeting

28/02/2024

Item No	10.5
Subject	Waste Conference 2024 - Call for Nominations to Attend
Report by	Richard Sheridan, Director City Performance
File	F24/122

Summary

This report seeks Councillors' interest and nomination in attending the Waste 2024 Conference in Coffs Harbour, Tuesday 14 May – Thursday 16 May.

Officer Recommendation

- 1 That Councillors nominate their interest in attending 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.

Background

The Coffs Harbour Waste Conference is the leading conference for the waste management industry in Australia. Targeted at anyone who works in, or has an interest in waste management issues, particularly local government, this is an event not to miss.

The 2023 Conference attracted over 670 delegates from across the nation.

It featured onsite and online attendance as well as participation in the interactive Equipment and Technology Expo which enabled delegates to hear from the suppliers firsthand and see live demonstrations of their equipment in action. Networking opportunities are paramount to the success of this event. Featuring 3 dedicated functions over the 3-day period, delegates are provided with ample time to interact in a social setting with other likeminded industry professionals.

Council requires final confirmation & commitment to nomination no later than close of business on Friday 8 March 2024, as registration and accommodation bookings open on the 12 March 2024.

Financial Implications

Not applicable	<input type="checkbox"/>	
Included in existing approved budget	<input checked="" type="checkbox"/>	Indicative costs are between \$2,000 - \$3,500 per attendee including travel and accommodation costs, noting any costs associated with Councillor attendance at the

Conference are in accordance with the
Expenses and Facilities Policy.

Additional funds required

☐

Community Strategic Plan

- | | | |
|-------------|--|-------------------------------------|
| Theme One | – In 2032 Bayside will be a vibrant place | <input type="checkbox"/> |
| Theme Two | – In 2032 Our people will be connected in a creative City | <input type="checkbox"/> |
| Theme Three | – In 2032 Bayside will be green, resilient and sustainable | <input type="checkbox"/> |
| Theme Four | – In 2032 Bayside will be a prosperous community | <input checked="" type="checkbox"/> |

Risk Management – Risk Level Rating

- | | |
|----------------|-------------------------------------|
| No risk | <input checked="" type="checkbox"/> |
| Low risk | <input type="checkbox"/> |
| Medium risk | <input type="checkbox"/> |
| High risk | <input type="checkbox"/> |
| Very High risk | <input type="checkbox"/> |
| Extreme risk | <input type="checkbox"/> |

Community Engagement

Not applicable.

Attachments

Nil

Council Meeting

28/02/2024

Item No	10.6
Subject	Arts and Culture Strategy - Additional Information to Item CS24.004
Report by	Meredith Wallace, General Manager
File	SF23/1534

Summary

The Arts and Culture Strategy was presented to the City Services Committee on Wednesday 7 February 2024 for adoption following the strategy coming off exhibition.

The report presented was updated to include feedback from the community.

However, on reflection the Committee added a note to the recommendation “That the council adopt the amended Arts and Culture Strategy 2024-2029 subject to the reworking of the introduction which can be presented at the Council Meeting this month.”

The attached document incorporates the changes requested by the Committee.

Officer Recommendation

- 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 this report.
-

Background

At the City Services Committee held on Wednesday 7 February, 2024, the Committee resolved to adopt the Bayside Arts and Culture 2024-2029 on the proviso that the introduction was rewritten in Plain English, in line with the introduction presented by the staff on the night.

The introduction in the attached document has been reworked to reflect that request.

A minor change has also been made to Action 2.2.3 *Working with the Economic Development Team to investigate opportunities to grow Bayside’s creative economy*, to include by promoting Bayside as a destination of choice for location scouts and film makers. This change is made to highlight Bayside’s potential for location shoots which has the potential to translate into financial benefits for local residents and businesses, through making their properties available.

The staff have also taken the opportunity to include the *Bayside Public Arts Policy* under the Related Documents referenced at the end of the strategy.

Financial Implications

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

Community Strategic Plan

Theme One	– In 2032 Bayside will be a vibrant place	<input checked="" type="checkbox"/>
Theme Two	– In 2032 Our people will be connected in a creative City	<input checked="" type="checkbox"/>
Theme Three	– In 2032 Bayside will be green, resilient and sustainable	<input type="checkbox"/>
Theme Four	– In 2032 Bayside will be a prosperous community	<input checked="" type="checkbox"/>

Risk Management – Risk Level Rating

No risk	<input type="checkbox"/>
Low risk	<input checked="" type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

Community Engagement

The attached strategy was on exhibition and promoted to the wider community for feedback. All submissions and comments received were reviewed and the attached document updated before it was presented to the City Services Committee.

Attachments

Arts and Culture Strategy 2024-2029



Arts and Culture Strategy 2024-2029



Acknowledgment of Country

Bayside Council acknowledges the
Traditional Custodians, the Gadigal/Bidjigal
people of the Eora Nation.

The people of the Eora Nation, their spirit
and ancestors will always remain with our
waterways and the land, our Mother Earth.

Amelia Bates, The hand saving the lost generation





Introduction

The Bayside Council Arts and Culture Strategy 2024-2029 has been carefully researched and crafted to strengthen Bayside's commitment and support for the arts across all forms. Bayside is an exciting place to live, work and play, and now is the time to position ourselves within the wider arts landscape. This strategy forms an overarching vision with a proactive and realistic approach to take the next steps.

Located around the foreshore of Kamay / Botany Bay, and adjacent to Australia's largest airport and seaport, Bayside forms the gateway to Sydney, and for many, Australia.

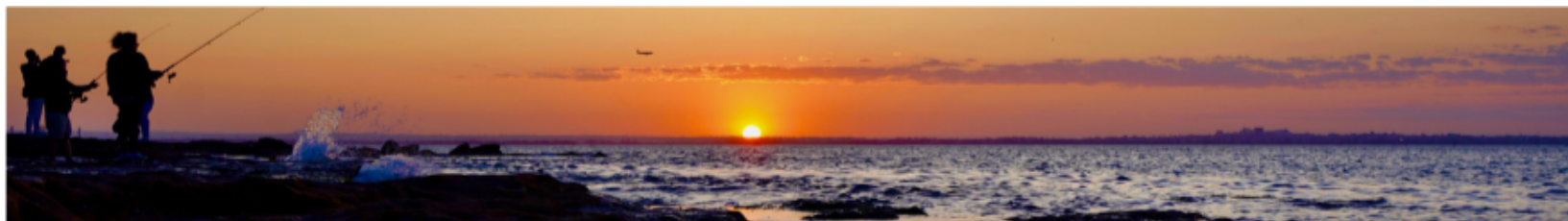
Bayside is on the lands and waterways of the Bidjigal and Gadigal People of the Eora Nation, who have lived on Country for thousands of years. Kamay / Botany Bay and its surrounds is the site of first contact between Australia's First Nations People and the early settlers of this country, an event that changed the course of this country's story.

Today, our suburbs are made up of a diverse population from across the globe, living and working together.

This important location of arrival and change presents a vibrant place where arts and culture are influenced by both a local and global community, creating a unique cultural exchange in Southern Sydney.

Bayside, and the former councils of Rockdale and Botany Bay, have traditionally been known for their outstanding sporting facilities and successful sporting clubs and organisations. The interest in the arts in Southern Sydney has grown rapidly as the landscape of the local government area has changed bringing a new wave of residents and businesses, including many from the creative industries – such as visual artists, musicians, ceramicists, writers and actors – who now call Bayside home.





This strategy addresses the creative shift in our community and provides a pathway for making the arts and culture part of our everyday lives.

Through this strategy council looks forward to working closely with this growing community to raise the profile of arts and culture in Bayside as well as improving the programs and activities accessible by the wider community and utilizing murals and sculptures to improve the visual amenity.

Finding opportunities to create new cultural spaces is key to expanding Bayside's artistic and cultural output and will help creativity to flourish in our community. A proactive calendar of public programs will highlight arts and culture in our neighbourhoods, while bringing new ideas from further afield.

To be a proactive leader in the arts, Bayside will create meaningful relationships with its local cultural communities, provide creative opportunities for its residents and seek out key partnerships. This includes working with Creative NSW to promote Bayside as a destination of choice for location scouts within the film industry; encouraging major events to the area; and promoting Bayside as a tourist destination.

Economically, the cultural sector generates significant social benefits to NSW, generating revenue, and creating jobs. Expanding investment to cultural organisations, artists and creative industries provides a proven return on investment of \$1.88 to every dollar spent.*

From humble beginnings supporting local theatre companies, cultural organizations and music programs, Bayside looks forward to becoming a place where the Arts are incorporated into our everyday lives, and a place where creative seeds are sown and new ideas grow.

* KPMG - The economic Value of Arts, Screen and Culture to NSW 2018.

Vision

Bayside is Sydney's gateway, a place steeped in history where new ideas connect with traditional customs.

Our city's unique stories are told through its artistic and cultural output.

Through a proactive arts and culture strategy, Bayside will become a thriving creative cultural exchange.

Bayside aims to strengthen its growing arts community, supporting the regions thriving cultural ecosystem while encouraging a healthy creative economy.



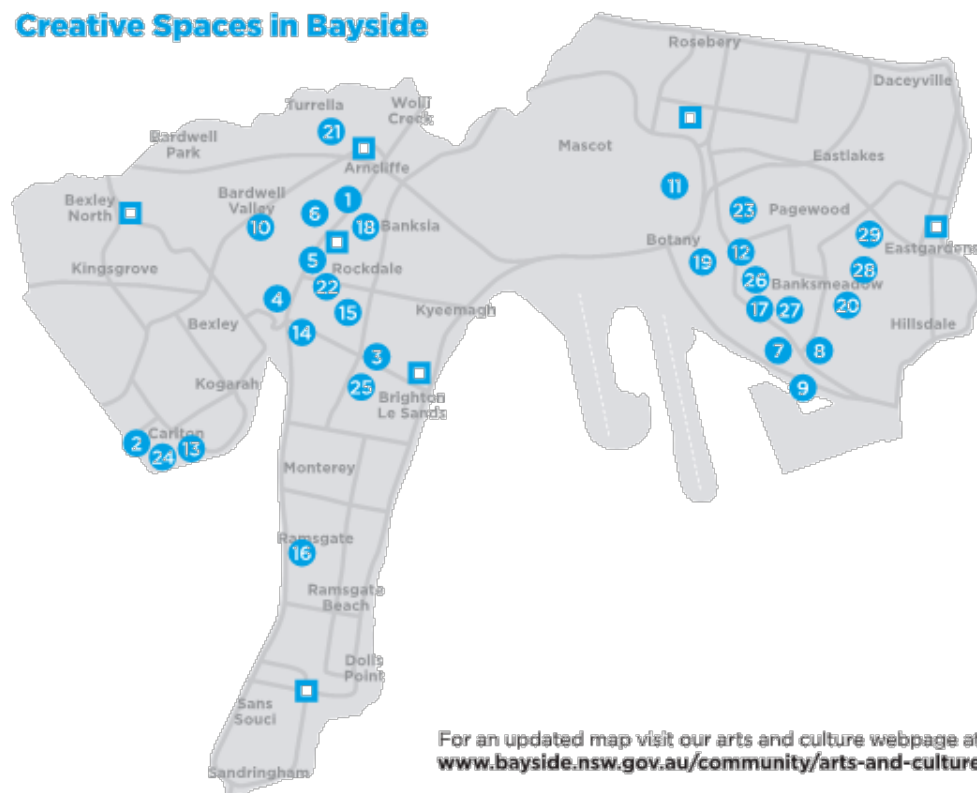
Purpose



To develop arts and culture at a local level with a meaningful and long term strategy, strengthening creativity across our neighbourhoods and increasing Bayside's arts and culture profile.

Creative Spaces

Creative Spaces in Bayside



For an updated map visit our arts and culture webpage at www.bayside.nsw.gov.au/community/arts-and-culture

- 1 Arncliffe Youth Centre
 - 2 Shopfront Arts
 - 3 Palms
 - 4 Guild Theatre
 - 5 Rockdale Town Hall
 - 6 Banksia Art Gallery
 - 7 Claypool
 - 8 Studio Enti
 - 9 Block of J
 - 10 Lydham Hall
 - 11 Mascot Museum
 - 12 Botany Town Hall
 - 13 Carlton School of Arts
 - 14 Aisle Ten Studios
 - 15 Turtle Lane Studios
 - 16 San Souci Literary Institute
 - 17 Sydney Art Store
 - 18 Work-shop Arncliffe
 - 19 Gillie and Marc Art
 - 20 Windgap Foundation
 - 21 St George Potters
 - 22 Rockdale Cultural Centre (2025)
 - 23 Art Atrium
 - 24 Bus Stop Films
 - 25 Pink Cactus
 - 26 Lumen Arty Film Studios
 - 27 La Botanique
 - 28 The Front
 - 29 Baker Street Studios
- Bayside Libraries

8 | Bayside Council

Bayside's Principles in Action

Leadership	Be forward thinking and innovative leaders in the arts and culture sector.
People Centred	Highlight the diverse voices in our community and include a wide demographic in our planning. Creativity has a positive impact on community wellbeing, it contributes to social prosperity through community connection and pride of place.
Collaboration	Create meaningful partnerships and programs with community, industry partners, and government on a local, state and national level to enrich Bayside's arts and culture ecosystem.
Inclusion	Work with our thriving creative community to highlight the importance of art in society and the benefits it brings to a local community.

Strategic Focus

Commitment to Arts and Culture	We will support at policy and political level, increasing resources for arts and culture, driving forth a strong creative ecosystem.
Supporting Artists	We will support local arts and cultural organisations, where possible to develop new ideas and opportunities that benefit the local community.
Creative Spaces	We will work with the community to identify public spaces that may be transformed into creative spaces and precincts.
Public Art	Murals and public sculpture add to the visual amenity, attract visitors and highlight the historical, social and cultural fabric of a city.

Arts and Culture Strategy

At a Glance

Outcome 1 Structure

Bayside will be a creative hub, celebrating and supporting our unique arts and culture

Key Objectives

- 1.1 Investigate opportunities to increase cultural infrastructure across the whole LGA.
- 1.2 Highlight the significance of our First Nations community through public art, public programs and placemaking initiatives.
- 1.3 Investigate ways to increase current resources dedicated to promoting arts and culture within the local community. As our arts program grows, further resources and staffing can be allocated.

Outcome 2 Program

Bayside will be a creative destination, a place where everyone can be creative in their own neighbourhood and visitors enjoy cultural experiences

Key Objectives

- 2.1 Implement an ongoing public Arts and Culture programs schedule across the LGA.
- 2.2 Highlight Bayside as a creative destination.
- 2.3 Partner with government, local industry and community organisations to celebrate local creativity and bring new artistic ideas to Bayside.

Timeline



Outcome 1 – Structure

Strategic Actions

1.1 Investigate opportunities to increase cultural infrastructure across the whole LGA

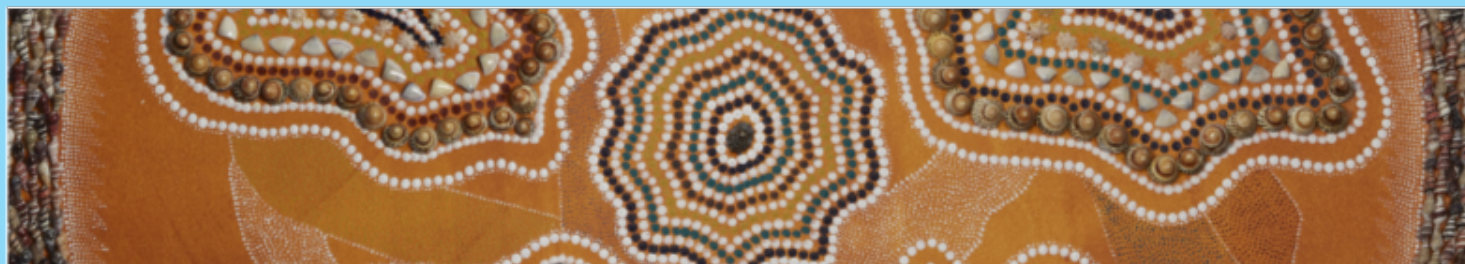
ACTION	WHO IS RESPONSIBLE
1.1.1 Conduct an audit of all council owned properties to ensure they are being used to their full potential and providing maximum benefit to the community. Identify opportunities where, buildings or spaces, maybe shared or activated to promote arts and cultural programs including possible artist-in-residence studios. Short & Medium Term	Arts and Culture City Infrastructure City Projects
1.1.2 Investigate the potential of updating Bayside Council's Development Control Plan and Voluntary Planning Agreements to include opportunities for public art installations, or contributions, from future development proposals when appropriate. Medium & Long Term	All business units
1.1.3 Work with Bayside City Future Staff on all public art projects to ensure proper procedures are followed and that all acquisitions or installations have the necessary approvals as well as an ongoing management and maintenance plan. Medium Term	Strategic Planning Events
1.1.4 Establish an ongoing partnership with the Bayside City Future's teams to share knowledge and information to support the inclusion of successful and inspiring art and culture proposals when planning for Bayside's future. Short Term	Arts and Culture Community Life City Projects
1.1.5 City Life Historian to produce guidelines for the acceptance and preservation of historical documents or artefacts – Deliver the annual historical markers program. Medium Term	Libraries and Lifestyle
1.1.6 Investigate future uses of the San Souci Literary Institute by 2024 to continue its original purpose of being a community meeting place. Medium Term	Arts and Culture City Projects Strategic Planning
1.1.7 Work with local property owners, local industry and government to activate vacant shopfronts for temporary/meanwhile purposes across the LGA. Medium Term	Arts and Culture Business Development

Outcome 1 – Structure

Strategic Actions

1.2 Highlight the significance of First Nations history through public art, public programs and placemaking initiatives

ACTION	WHO IS RESPONSIBLE
1.2.1 Work in partnership with the local Aboriginal community to identify an appropriate form and site for a statement public art piece that acknowledges the enduring connection to country by the local Bidjigal or Gadigal peoples – Align with Council's RAP framework and deliverables (2025/26). Medium & Long Term	Strategic Planning Arts and Culture Community Life
1.2.2 Increase First Nations participation in Council's arts and culture initiatives, factoring in the 2023 Revive Federal Arts Policy Pillar 'First Nations First' – Align with Council's RAP framework and deliverables. Short Term	Arts and Culture Community Life
1.2.3 Highlight the significance of First Nations history through public placemaking initiatives such as walking trails, historic markers and public art – Align with Council's RAP framework and deliverables. Medium Term	All business units
1.2.4 Incorporate First Nations voices in the planning and delivery of all First Nations Public Art and infrastructure – R.A.P Working Group – Align with Council's RAP framework and deliverables. Short & Medium Term	Arts and Culture Community Life City Projects



Outcome 1 – Structure

Strategic Actions

- 1.3 Investigate ways to increase current resources dedicated to promoting arts and culture within the local community.
As our arts program grows, further resources and staffing can be allocated**

ACTION	WHO IS RESPONSIBLE
1.3.1 Establish an Arts and Culture Advisory Group with local stakeholders and creative industry members. Short Term	Arts and Culture
1.3.2 Investigate and plan for future staffing requirements for the Rockdale Community Cultural Centre administration and an expanded yearly public arts programs calendar. Medium & Long Term	GM Unit
1.3.3 Review Public Art Policy and establish a Public Art Strategy by 2024 along with an implementation plan for the creation of site-specific public artworks in Bayside through an expression of interest process. Medium Term	Arts and Culture Community Life



Outcome 2 – Program

Strategic Actions

2.1 Implement an ongoing public programs schedule across the LGA

ACTION		WHO IS RESPONSIBLE
2.1.1	Plan, organise and deliver an arts and culture program which engages and interacts with the local community, across the LGA (exhibitions, community art initiatives, artist commissions, performances). Medium Term	Arts and Culture Community Life Events
2.1.2	Recognise, value and celebrate our First Nations communities through public programs, exhibitions and events run with community – Align with Council's RAP framework and deliverables. Medium Term	Arts and Culture Community Life
2.1.3	Investigate the demand for and feasibility of contracting local artists to teach regular classes or hold workshops within council facilities (libraries, community centres, arts spaces). Short & Medium Term	Arts and Culture City Life
2.1.4	Celebrate and share our diversity to support greater understanding and connection between our residents. Including people of all ages. Short Term	Arts and Culture Business Improvement Community Life
2.1.5	Develop a laneway activation plan that looks at how Council can better utilise its lanes as creative activation sites. Medium Term	Strategic Planning City Life
2.1.6	Organise an annual handmade creative market with a strong focus of local artisans in Bayside. Short & Medium Term	Arts and Culture
2.1.7	Continue and foster Bayside Photography Prize. Short Term	Arts and Culture
2.1.8	Identify steps and work with appropriate organisations to make all future arts and culture programs more accessible to those with disability. Short & Medium Term	Comms and Events City Life

Outcome 2 – Program

Strategic Actions

ACTION	WHO IS RESPONSIBLE
2.1.9 Develop and encourage opportunities for artists to be involved in council-run events and functions. Medium Term	All business units
2.1.10 Increase small business literacy within the creative community and identify opportunities to host workshops and seminars addressing shortfalls in business acumen. Medium Term	Arts and Culture Business Development
2.1.11 Encourage business development within our creative community and foster networking between individuals, small business and arts organisations – Target/measure. Medium Term	Arts and Culture Business Development



Outcome 2 – Program

Strategic Actions

2.2 Highlight Bayside as a creative destination

ACTION	WHO IS RESPONSIBLE
2.2.1 Establish a night-time economy plan by 2024 that is inclusive of activation, night safety, increased night-time business. Medium Term	Business Development Strategic Planning
2.2.2 Investigate a Bayside LGA wide festival that draws attention to Southern Sydney, backed up by a marketing and tourism campaign highlighting the unique identity of our LGA. Medium & Long Term	City Life Comms and Events
2.2.3 Working with the Economic Development Team to investigate opportunities to grow Bayside's creative economy by: <ul style="list-style-type: none"> ▶ Promoting Bayside as a destination of choice for film makers looking for local locations. Film companies will provide financial compensation for the use of homes, buildings, shop fronts, roads, parks etc. ▶ Promoting Bayside as a venue/location for major external shows and events. ▶ Promoting Bayside as a place of interest for tourists both national and international. Short Term	Comms and Events City Life
2.2.4 Support arts and culture through Bayside Council's grants program, investigating arts specific grants for community. Short Term	City Life Arts and Culture
2.2.5 Highlight Botany as a creative suburb and strengthen this growing creative precinct by developing a plan to activate the area. Medium Term	Arts and Culture
2.2.6 Highlight Carlton as a creative suburb and strengthen its growing creative precinct by developing a plan to activate the area. Medium Term	Arts and Culture
2.2.7 Develop and resource a public mural program that connects local business with street artists to increase artistic visibility in our high streets. Medium Term	Arts and Culture



Outcome 2 – Program

Strategic Actions

ACTION	WHO IS RESPONSIBLE
2.2.8 Highlight local creative businesses with an online directory and map that is automated on website. Short & Medium term	Arts and Culture
2.2.9 Working with the Economic Development Team investigate opportunities to encourage external Arts and Cultural events to be held within the Bayside LGA to bring tourists and visitors and boost the local economy. Medium Term	Comms and Events Sports and Recreation
2.2.10 Create a street entertainment and busking policy and guidelines. Short Term	Arts and Culture Business Development Compliance



Outcome 2 – Program

Strategic Actions

2.3 Partner with government, local industry and community organisations to celebrate local creativity and bring new artistic ideas to Bayside

ACTION	WHO IS RESPONSIBLE
2.3.1 Establish key partnerships with local industry to collaborate on major arts activations and artist commissions. Short Term	Arts and Culture
2.3.2 Investigate external funding opportunities for Bayside Arts and Culture program through grants and sponsorship. Short & Medium Term	Arts and Culture
2.3.3 Evaluate and make future recommendations regarding arts and culture for Council's major partnerships, sponsorships, and philanthropic arrangements. Medium Term	Arts and Culture



Feedback

What our community has told us over the years

Our residents have said that the majority of their arts and cultural activities they participate in are outside of our LGA.

They also want to be creative in their own neighbourhood, where they can engage in new ideas walking distance from their home.

A selection of community quotes from past consultation

"Open an art gallery"

"Consult with professional artists and makers to raise the standard of activities"

"Run more activities on the weekends"

"Provide exhibition opportunities to local artists"

"Create more temporary public artworks as part of events in local neighbourhoods"

"Support new and existing creative groups"

"Create accessible studios spaces for artists to create new work in"

"Establish a cultural centre where arts, crafts and cultural activities are held regularly"

"Provide a substantial gallery facility like Hazelhurst at Gympie"

"Put more money in marketing arts crafts and cultural activities"

"Build a multi-disciplinary cultural and community centre that supports both artists and arts participants"

"Bigger budget = bigger shows and advertisement"

"Incentivise smaller private galleries coming to the area. Those bring good crowd of people and that leads to good food, coffee and general feel of the place"

"Council could be providing any unused building stock to artists for ongoing artist-in-residence program for contemporary artists who could then offer regular workshops for local residents"

"Facilitate more live music venues. Emphasis live music at Council events"

"Have a local art and cultural centre as a focal point for various art and cultural exhibitions, performances, events, displays, activities, lessons and information"

"Inviting significant artists or arts practitioners, with credentials to participate in collaborative works with the local community would make me more likely to attend or be part of an arts activity"

"Support more local/community groups in performing arts , opera company/society, theatre group"

"I would like more funding or art opportunities for artists, a residency program would be beneficial to the community and local artists as studios in Sydney are expensive"

"Provide periodic hanging/display of the works of indigenous artists. Include indigenous arts in displays of art generally"

"Grants for grass roots level art and music and making venues available, open air cinema, small bars, more festivals, area more lively late at night, make it more attractive for people to visit"

"Have heritage tours of our local area"

"Provide more facilities,studios and occupying abandoned buildings with art related activities. Liaising with developers to negotiate on-site residencies and artist contributions and exchanges"

"Provide more children's art workshops that are affordable for all"

"Bayside need to acknowledge the Indigenous community more and raise cultural awareness within the community"

When consulted about the upcoming Rockdale Community Cultural Centre, our community said

"It would be great for Bayside to have a vibrant arts centre including an art gallery and a café"

"Studios for artists in residence, print workshop, rehearsal room for musicians, room with a number of computers for workshops with the community"

References

Reference Documents

INTERNAL

Aboriginal Heritage Study

Arts and Culture Survey Results 2018

Bayside 2032 Community Strategic Plan

Bayside Arts Survey 2018

Bayside Delivery Program and Action Plan 2022-26

Bayside Library Strategy

Bayside Public Art Policy

Disability Inclusion Action Plan

Reflect Reconciliation Action Plan

Rockdale Community Cultural Centre – HYS Survey Result 2023

EXTERNAL

Creative Communities – NSW Arts, Culture and Creative Industries Policy 2024/2033

Greater Cities Commission – Eastern District Plan

KPMG – The Economic Value of Arts Screen and Culture to NSW 2018

National Standards for Australian Museums and Galleries 2023

NSW 2021 – A Plan to Make NSW Number One

NSW Cultural Infrastructure Plan 2025+

REVIVE – National Cultural Policy 2023

Specific Guiding Actions

DPOP: 1.2.4. Support and deliver cultural and arts facilities, programs, events and opportunities (deliver, partner, advocate)

Bayside Reflect Reconciliation Action Plan: 11.3 - Encourage First Nations participation in Council's arts initiatives

Bayside Disability Inclusion Action Plan: Investigate the potential benefits of an Arts & Events Policy that embeds accessibility. Improve participation of people with disability in Council's events and arts programs



Bayside Customer Service Centres
Rockdale Library, 444-446 Princes Highway, Rockdale
Westfield Eastgardens, 152 Bunnerong Road, Eastgardens
Monday to Friday 8:30am – 4:30pm

Phone **1300 581 299 | 9562 1666**
Email **council@bayside.nsw.gov.au**
Web **www.bayside.nsw.gov.au**

Council Meeting

28/02/2024

Item No	10.7
Subject	LGBTQ Inclusion Forum Outcomes - Additional Information to Item CS24.001
Report by	Debra Dawson, Director City Life
File	SF19/9015

Summary

At its meeting of 7 February 2024, City Services Committee received a report with recommended actions following an LGBTQ Inclusion Forum, held in September 2023 to discuss ways Council can be more inclusive of this community. The Committee requested minor amendments to the actions and additional information as to when actions would be delivered.

Officer Recommendation

- 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.

Background

Council's first LGBTQ Inclusion Forum was held on 16 September as a sundowner at Rowers on Cooks River featuring a keynote presentation from ACON (formerly the Aids Council of NSW) and small group workshop. The forum resulted from a Council resolution at the March 2023 Council meeting requesting the forum be prioritised.

The forum had 73 RSVPs and 55 attendees on the night. ACON kicked off the forum with a presentation that set the scene with facts, correct terminology, the health and wellbeing of LGBTQ people in today's society, what good LGBTQ inclusion looks like, and dispelling misinformation about LGBTQ people.

A report of recommended actions, and participant feedback was tabled at City Services Committee on 7 February 2024, with the Committee requesting minor changes as follows:

- Strengthen the wording in the actions to incorporate active voice
- Include timeframe for delivery of actions
- Identify those actions requiring grant funding to complete

The amended action plan for 2024 is thus:

Identified barrier	Recommended action	Timeframe
Prejudice, discrimination and assumptions about LGBTQ people	Partner with ACON and other services to offer activities during these periods that raise awareness of LGBTQ inclusion. Activities will be promotions or awareness	Pride Month, Feb/June 2024

	raising and leveraging our community stakeholders as partners in co-designing initiatives.	
Religious and/or cultural barriers to LGBTQ inclusion	Participate in Pride activities to promote awareness among the general community.	Pride Month, June 2024
Welcoming and inclusive places and spaces	<p>Investigate the feasibility of joining Council facilities as Welcome Here spaces: https://www.welcomehere.org.au/about</p> <p>Town Halls lit up in rainbow colours during the Pride celebrations.</p> <p>Pride flag displayed during the Pride Festival/Month activities.</p> <p>Create a webpage on Council's website that lists services for LGBTQ people in the same way as exists for other groups.</p> <p>Collaborate with clubs and community groups to build their knowledge and skills around LGBTQ inclusion. At least one club at the forum has expressed a willingness to partner with Council for this.</p> <p>Increase the diversity represented in Council's promotional materials and communications.</p>	<p>April 2024</p> <p>Pride Fest (Feb – Mar 2024) and Pride Month (June 2024)</p> <p>Pride Month (June 2024)</p> <p>March 2024</p> <p>July 2024</p> <p>February 2024</p>
Current, accurate data about LGBTQ people in Bayside	Standardise collection of identity data across <u>relevant</u> Council forms on case by case basis in conjunction with Managers Governance and Customer Experience (for consistency with Council's policies on data collection)	October 2024

Financial Implications

Not applicable ☒

Included in existing approved budget ☐

Additional funds required ☐

Community Strategic Plan

Theme One – In 2032 Bayside will be a vibrant place ☐

Theme Two – In 2032 Our people will be connected in a creative City ☒

Theme Three – In 2032 Bayside will be green, resilient and sustainable ☐

Theme Four – In 2032 Bayside will be a prosperous community ☐

Risk Management – Risk Level Rating

No risk	<input type="checkbox"/>
Low risk	<input checked="" type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

Community Engagement

The Forum was attended by 55 participants representing a range of organisations, groups and backgrounds. Detailed participant feedback was tabled in the report to City Services Committee on 7 February 2024.

Attachments

Nil

Council Meeting

28/02/2024

Item No	10.8
Subject	Statutory Financial Report - January 2024
Report by	Richard Sheridan, Director City Performance
File	F22/528

Summary

This report is provided in accordance with the Local Government (General) Regulations, 2005, Division 5, paragraph 212 and s625 of the Local Government Act, 1993. The necessary certificate by the Responsible Accounting Officer is included in this report and the Statutory Financial Reports are presented as follows:

- Investment Performance against Benchmark
- Statement of Bank Balances
- Schedule of Investments

As at 31 January 2024, Bayside Council had \$499.5m in cash and investments with an adjusted portfolio return on investments of 5.24%. Council's portfolio has outperformed the market rates by 0.91%.

Our income and expenditure cash-flow movements for the period primarily comprised the following:

- Income from operating activities totalled \$14.5m from rates, grants, childcare subsidies, bookings/leases, and construction fees.
- Expenses from operating activities totalled \$13.4m for payments for employee costs, utilities, waste, contracts, and infrastructure work.

Cash & Investment Reserve Balances at 31 January 2024 amounts to \$499.5 million:

Council's cash and investments balance of \$499.5 million comprises externally restricted funds of \$382.8m and internally restricted and unrestricted funds of \$116.7m.

Officer Recommendation

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

Background

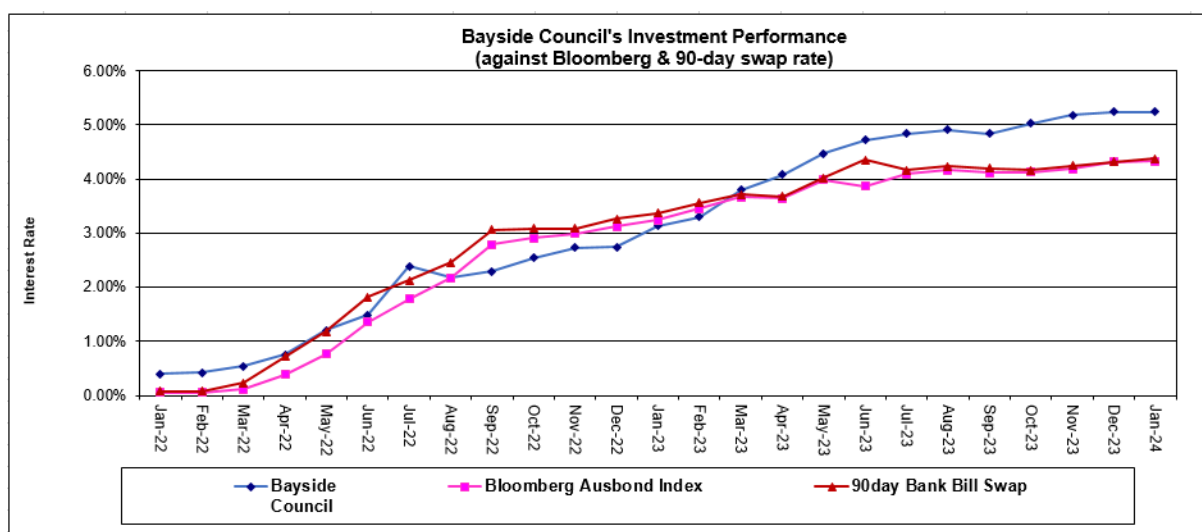
The following table shows the performance of Council's investments since January 2022. The Bloomberg (former UBS) Index is used for comparison as this is a generally accepted industry benchmark used by Australian businesses. The 90-day Bank Bill Swap Rate is the worldwide rate that is reviewed by the financial markets every 90 days. This rate underpins the majority of investments providing a meaningful comparison for measuring investment performance.

As previously reported TCorp had notified Council of their intention to relax some of its lending requirements by removing restrictive loan covenants and allowing Council to invest in accordance with our investment policy which complies with the Local Government Act 1993 (NSW), the Investment Policy Guidelines issued by the Office of Local Government, and the Investment Order issued by the Minister for Local Government. Following a review of the amendment to the loan agreement by legal counsel, TCorp and Council executed the amendment in December 2023. The result is that Council is now able to invest in accordance with its investment policy.

The investment policy was reviewed in December 2023 in consultation with an Arlo Advisory Pty Ltd to ensure that it complied with the legislative requirements and investment terms. Minor amendments were made to the policy which was endorsed and approved by the Executive on 18 January 2024 as the changes are minor administrative changes.

The RBA increased the official cash rate in November bringing the cash rate to 4.35% and has remained on hold since. The RBA has retained their tightening bias, noting inflation continues to moderate but remains high, a future increase to interest rates cannot be ruled out.

Council's investment portfolio contains approximately 75% in externally restricted reserves such as developer contributions.



Statement of Bank Balances

The table below shows details of movements in Council's cash at bank for January 2024.

STATEMENT OF BANK BALANCE AS AT 31 JANUARY 2024		
Cash at bank as per general ledger as at:	31-Dec-23	22,437,752
Income from operating activities		
Rates and annual charges received	\$ 3,110,584	
User fees and charges received	\$ 1,347,567	
Grant and contributions received	\$ 1,827,381	
Interest revenue received	\$ 6,744,719	
Bonds received / (paid)	\$ -	
Rates received / (paid)	\$ -	
GST received / (paid)	\$ -	
Other income received	\$ 1,439,003	
Total Income from Operating Activities for the Period	\$ 14,469,254	
Expenses from operating activities		
Accounts paid for period (includes cheques and refunds)	-\$ 6,011,816	
Direct payroll	-\$ 7,401,004	
Borrowing costs	-\$ 2,359	
Total Expenses from Operating Activities for the Period	-\$ 13,415,180	
Total Net Movement from Operating Activities		\$ 1,054,073
Investment Activities for the Period		
(Purchase) / Redemption of TD's	-\$ 20,000,000	
Net Funding Flows for the Period	-\$ 20,000,000	
		-\$ 20,000,000
Funding Activities for the Period		
Proceeds from borrowings	\$ -	
Loan repayments	-\$ 31,421	
Net Funding Flows for the Period	-\$ 31,421	
		-\$ 31,421
Cash at bank as per general ledger as at:	31-Jan-24	3,460,405

NB: above table may include minor rounding's.

Schedule of Investments

Bayside Council currently holds \$499.5m 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 COUNCIL AS AT:						31/01/2024		
	Credit Rating	Purchase Price	Purchase Date	Maturity Date	Term Days	Prop %	Interest Rate	Market Value
Term Deposits								
National Australia Bank	AA-	\$10,000,000	13-Jul-23	10-Jul-24	363	2.11%	5.40%	\$10,000,000
National Australia Bank	AA-	\$5,000,000	13-Jul-23	10-Jul-24	363	1.05%	5.40%	\$5,000,000
National Australia Bank	AA-	\$15,000,000	19-Jul-23	17-Jul-24	364	3.16%	5.35%	\$15,000,000
National Australia Bank	AA-	\$15,000,000	10-Jan-24	7-Aug-24	210	3.16%	5.09%	\$15,000,000
National Australia Bank	AA-	\$20,000,000	29-Nov-23	27-Nov-24	364	4.21%	5.35%	\$20,000,000
National Australia Bank	AA-	\$5,000,000	24-Jan-24	22-Jan-25	364	1.05%	5.13%	\$5,000,000
						14.74%		
CBA	AA-	\$20,000,000	8-Feb-23	7-Feb-24	365	4.21%	4.83%	\$20,000,000
CBA	AA-	\$25,000,000	24-May-23	22-May-24	365	5.26%	5.20%	\$25,000,000
CBA	AA-	\$5,000,000	31-May-23	29-May-24	365	1.05%	5.02%	\$5,000,000
CBA	AA-	\$80,000,000	7-Jun-23	5-Jun-24	365	16.84%	5.50%	\$80,000,000
CBA	AA-	\$40,000,000	13-Sep-23	13-Sep-24	367	8.42%	5.29%	\$40,000,000
						35.79%		
ING Direct	A	\$5,000,000	10-May-23	8-May-24	365	1.05%	4.85%	\$5,000,000
ING Direct	A	\$5,000,000	10-May-23	8-May-24	365	1.05%	4.85%	\$5,000,000
ING Direct	A	\$20,000,000	10-May-23	8-May-24	365	4.21%	4.85%	\$20,000,000
ING Direct	A	\$15,000,000	17-May-23	15-May-24	365	3.16%	4.93%	\$15,000,000
ING Direct	A	\$15,000,000	17-May-23	15-May-24	365	3.16%	4.93%	\$15,000,000
ING Direct	A	\$10,000,000	12-Apr-23	10-Apr-24	365	2.11%	4.68%	\$10,000,000
ING Direct	A	\$20,000,000	5-Jul-23	3-Jul-24	365	4.21%	5.67%	\$20,000,000
ING Direct	A	\$10,000,000	13-Sep-23	17-Sep-25	736	2.11%	5.06%	\$10,000,000
						21.05%		
Westpac	AA-	\$5,000,000	15-Feb-23	14-Feb-24	365	1.05%	4.97%	\$5,000,000
Westpac	AA-	\$5,000,000	20-Dec-23	20-Mar-24	92	1.05%	5.01%	\$5,000,000
Westpac	AA-	\$10,000,000	3-May-23	1-May-24	365	2.11%	4.75%	\$10,000,000
Westpac	AA-	\$5,000,000	4-Oct-23	4-Oct-24	367	1.05%	5.25%	\$5,000,000
Westpac	AA-	\$10,000,000	25-Oct-23	25-Oct-24	367	2.11%	5.36%	\$10,000,000
Westpac	AA-	\$25,000,000	1-Nov-23	1-Nov-24	367	5.26%	5.50%	\$25,000,000
Westpac	AA-	\$15,000,000	13-Dec-23	13-Dec-24	367	3.16%	5.23%	\$15,000,000
Westpac	AA-	\$5,000,000	28-Sep-23	28-Sep-25	732	1.05%	5.24%	\$5,000,000
Westpac	AA-	\$20,000,000	18-Oct-23	18-Oct-28	1828	4.21%	5.38%	\$20,000,000
Westpac	AA-	\$10,000,000	25-Oct-23	25-Oct-28	1828	2.11%	5.44%	\$10,000,000
Westpac	AA-	\$10,000,000	17-Jan-24	17-Jan-29	1828	2.11%	4.85%	\$10,000,000
						25.26%		
AMP	BBB	\$5,000,000	22-Dec-23	11-Dec-24	356	1.05%	5.35%	\$5,000,000
AMP	BBB	\$10,000,000	22-Dec-23	18-Dec-24	363	2.11%	5.35%	\$10,000,000
						3.16%		
SCHEDULE OF INVESTMENTS HELD ON BEHALF OF COUNCIL AS AT:						31/01/2024	(Continued)	
	Credit Rating	Purchase Price	Purchase Date	Maturity Date	Term Days	Prop %	Interest Rate	Market Value
Unlisted Community Bank Shares								
NRMA/IAG Shares		\$8,316				0.00%		\$8,316
Bendigo Bank	BBB	\$5,000				0.00%		\$5,000
						0.00%		
Total Investments		\$475,013,316				100.0%		\$475,013,316
Total Investments and Cash (at FV)								
Total Investments		\$475,013,316						
CASH: Operating Account		\$3,460,405						
CASH: Management Account (CDA)		\$21,015,678						
		\$499,489,400						
Movement in total investments and cash:								
		31-Dec-23	31-Jan-24	Net Movement				
Total investments	\$	455,013,316	\$ 475,013,316	\$ 20,000,000				
Operating accounts	\$	22,437,752	\$ 3,460,405	-\$ 18,977,347				
Short term money market	\$	25,982,255	\$ 21,015,678	-\$ 4,966,577				
	\$	503,433,323	\$ 499,489,400	-\$ 3,943,923				

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.

Richard Sheridan

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 and 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 Strategic Plan

- | | | |
|-------------|--|-------------------------------------|
| Theme One | – In 2032 Bayside will be a vibrant place | <input type="checkbox"/> |
| Theme Two | – In 2032 Our people will be connected in a creative City | <input type="checkbox"/> |
| Theme Three | – In 2032 Bayside will be green, resilient and sustainable | <input type="checkbox"/> |
| Theme Four | – In 2032 Bayside will be a prosperous community | <input checked="" type="checkbox"/> |

Risk Management – Risk Level Rating

No risk	<input checked="" type="checkbox"/>
Low risk	<input type="checkbox"/>
Medium risk	<input type="checkbox"/>
High risk	<input type="checkbox"/>
Very High risk	<input type="checkbox"/>
Extreme risk	<input type="checkbox"/>

Community Engagement

Not applicable.

Attachments

Nil

Council Meeting

28/02/2024

Item No	10.9
Subject	Progress Report on Councillor Notices of Motion
Report by	Richard Sheridan, Director City Performance
File	F16/908

Summary

This report provides details on the progress of Notices of Motion resolutions, outlining the progress of actions arising out of such resolutions, including estimated completion dates.

This report also lists the completed Notices of Motion since the previous Council meeting.

Officer Recommendation

That the Progress Report on Councillor Notices of Motion be noted.

Background

This report lists the Notices of Motion currently in progress or recently completed. The list provides the minuted Motion title together with commentary on current status and expected completion dates based on budgetary, resourcing and other scheduling requirements.

Notices of Motion in Progress

There are seventeen Notice of Motions in progress at the date of this report.

Meeting	Item No.	Notice of Motion Title	Responsible Executive	Current Status
23/03/2022	12.1	Notice of Motion - Recognition of Significant Historical Sites and Events: Installation of Historical Plaques and Interpretive Signs	Director City Life	Status Change Report submitted to the Council Meeting on 22 November 2023. Nominations open Feb 24.
26/10/2022	12.2	Notice of Motion - Safer Pedestrian Crossings on Bestic Street	Director City Futures	Status Change A project has been included in the current Capital Projects Program to construct a pedestrian crossing on the eastern side of the roundabout on Bestic Street at Francis Street. This project was approved by the Bayside Local Traffic Committee at its December meeting and will be

Meeting	Item No.	Notice of Motion Title	Responsible Executive	Current Status
				presented to the February Council meeting for endorsement.
28/9/2022	12.4	Advertising on Council Assets	Director City Performance	<p>Status Change</p> <p>The Bus Shelter Advertising tender report was presented to the Corporate Performance Committee on 7 February 24 and advertising on roadways was discussed at the Strategic Land & Property Working Group on 21 February 24. A further report addressing all aspects of Advertising on Council assets will be presented to Councillors at a later date.</p>
24/05/2023	12.2	Notice of Motion - Electric Lawn Mowers	Director City Presentations	<p>Status Unchanged</p> <p>A 12-month trial of various electric equipment is being conducted to assess the performance of these items of plant, particularly over the heavy growing, summer season. A report will be provided to Council in June 24 at the completion of the trial.</p>
24/05/2023	12.5	Notice of Motion - Accessibility to Cenotaphs	General Manager	<p>Status Change</p> <p>Permanent handrails have been installed at Booralee Park Cenotaph and the remainder of the permanent handrails prior to Anzac Day 2024.</p>
26/07/2023	11.1	Report in Response to Notice of Motion - Gardens for Wildlife	Director City Life	<p>Status Change</p> <p>A report will be submitted to the City Services Committee in February 2024.</p>
26/07/2023	12.2	Notice of Motion - Traffic Management Measures: Using Speed Humps to Reduce Speeding, Hooning and Anti-Social Behaviour	Director City Futures	<p>Status Change</p> <p>Installation of 7 new speed humps and supported by the Bayside Traffic Committee in November 2023, and approved by</p>

Meeting	Item No.	Notice of Motion Title	Responsible Executive	Current Status
				Council at the November 2023 Council meeting. The works have been allocated to City Projects for construction.
25/10/2023	10.9	Response to Notice of Motion - Shorebird Friendly Zones	Director City Life	<p>Status Change</p> <p>Items listed under Point 4 will be considered when the Biodiversity Strategy & Action Plan is reviewed and updated in March 2024.</p>
25/10/2023	11.1	Response to Notice of Motion - Bayside Bushcare Program	Director City Life	<p>Status Change</p> <p>Report to be submitted to the March 2024 City Services Committee.</p>
25/10/2023	12.1	Notice of Motion – Bexley Heritage	Director City Futures	<p>Status Change</p> <p>Report to be submitted to the March 2024 City Planning and Environment Committee.</p>
25/10/2023	12.2	Notice of Motion – Petition to protect Fig Tree at Alfred St, Sans Souci	Director City Life	<p>Status Change</p> <p>Council has been notified by Sydney Water that they have identified an alternative solutions to protect the tree.</p>
25/10/2023	12.3	Notice of Motion – Display of Mayoral Chains (former City of Botany Bay Council)	Director City Performance	<p>Status Change</p> <p>Council has accepted a quote for a display cabinet and polishing of the Mayoral Chains and the Mayoral Chair and will be reported back to the Council meeting in March 24.</p>
25/10/2023	10.8	Response to Notice of Motion – Accessible Beaches	Director City Life	<p>Status Change</p> <p>Information about beach wheelchair provided to Councillors via email from Director City Life</p>
25/10/2023	12.5	Notice of Motion – Mascot Library Hours	Director City Life	<p>Status Change</p> <p>That Council endorses the trial of Saturday opening hours of Mascot Library from 9am-12pm commencing Saturday 6 January 2024 to Saturday 29 June 2024 with an</p>

Meeting	Item No.	Notice of Motion Title	Responsible Executive	Current Status
				evaluation to be provided to Council at the end of the trial. That Council robustly promotes the Saturday opening hours of Mascot Library.
25/10/2023	12.4	Notice of Motion – Renaming Hensley Field Grandstand	General Manager	Status Change Mock up design was provided to Cr Curry to consult with the family. Current feedback is they have selected a design but want to see the wording in different fonts. They have asked for Tony's wife, Judy, to be included as she passed shortly after Tony. Motion to be amended at the February 24 Council meeting.
22/11/2023	12.5	Notice of Motion - Aquatic Centres - Cash Facility	Director City Life	Status Change A report will be submitted to the Council Meeting of 28 February 2024.
22/11/2023	12.2	Notice of Motion - Bike Repair Stations	Director City Futures	Status Change A report will be submitted to the City Works & Assets Committee on 6 March 2024.

Completed Notices of Motion

Two Notices of Motions were completed since the last report as listed below.

Meeting	Item No.	Notice of Motion Title	Responsible Executive	Completion Status
28/06/2023	12.3	Notice of Motion - Summer Foreshore Program - Jet Ski inclusion	Director City Life	Reported to City Services Committee on 1 November 2023 and then Council Meeting of 22 November 2023. Council received and noted report and

				presentation.
22/11/2023	12.3	Notice of Motion – Georges Riverkeeper	General Manager	Council wrote to Georges Riverkeeper on 17/1/2024.

Financial Implications

Not applicable ☒

Included in existing approved budget ☐

Additional funds required ☐

Community Strategic Plan

Theme One - In 2032 Bayside will be a vibrant place ☐

Theme Two - In 2032 Our people will be connected in a creative City ☐

Theme Three - In 2032 Bayside will be green, resilient and sustainable ☐

Theme Four - In 2032 Bayside will be a prosperous community ☒

Risk Management - Risk Level Rating

No risk ☒

Low risk ☐

Medium risk ☐

High risk ☐

Very High risk ☐

Extreme risk ☐

Community Engagement

Not applicable.

Attachments

Nil

Council Meeting

28/02/2024

Item No	10.10
Subject	Response to Question - Riverine Park Landscape Masterplan Development
Report by	Peter Barber, Director City Futures
File	SF20/2311

Question

The following Question with Notice was submitted at Council's Meeting of 22 November 2023 by Councillor Douglas:

Can Council please provide details about the development for the Riverine Park Landscape Masterplan Development, including the scope of the project and the suggested timeframes for councillor and public consultation?

Response

A draft Masterplan for Riverine Park is under preparation, which will set the framework for the arrangement of activities in the park, the relationship to the broader transport network, opportunities to enhance the environment, and to coordinate with other nearby projects, including elements such as:

- Opportunities for sporting activities;
- Movement framework for pedestrians, cyclists and vehicles;
- Opportunities for open space activities, both active and passive;
- Protection of water and natural environments;
- Rehabilitation and community use of currently underutilised areas;
- Connectivity beyond the site to Spring St, Barton Park, Kyeemagh, and Pemulway Park; and
- Ensure that the aspirations of sporting partners integrates with the expectations of the broader community.

Design Considerations

In developing the Masterplan, consideration has been given to:

- Endangered Ecological Communities (EEC); Spring Street Wetland – poor performance and known issues;
- Existing wetlands, ponds and drains;
- Environmental buffers to habitat and sensitive environments;

- Stormwater issues including 100-year flood zone, floodway capacity and overland flow paths and ageing stormwater assets and opportunities for naturalisation;
- M6 Reserve Corridor;
- M5 Emergency Access;
- Proximity to Sydney Airport specifically the Public Safety Area (PSA) and Obstacle Limitation Surface (OLS);
- Location of the Desalination pipeline;
- Land Ownership;
- Movement and accessibility through the site;
- Crime Prevention through Environmental Design;
- History of the site land uses including areas of landfill and contamination;
- Opportunities to improve commuter and recreational cycle links; and
- Broader connectivity to areas beyond the site and future open space.

The Riverine Park Masterplan is an opportunity to prepare a vision for the future so that, as funding becomes available, Council can:

- Ensure asset renewal is consistent with Council's vision for the site;
- Improve flood management and water quality and consider naturalisation of aging stormwater assets;
- Enhance fish habitat and improve on environmental quality to create rich habitats;
- Improve park accessibility to the broader community as part of a network of unique environmentally rich open spaces;
- Create an inviting and vibrant waterfront spine linking Riverine and Barton Park and connecting beyond to Pemulway Park; and
- Manage user groups to ensure the park offers a place for the broader community.

Project Timeframe

The draft Riverine Park Masterplan will be presented to the City Planning and Environment Committee within the next 3 months for consideration to proceed to public exhibition.

Once the engagement process is complete, a report on the results of the engagement process will be presented back to the City Planning and Environment Committee seeking Council endorsement of the final Riverine Park Masterplan.

Community Engagement

An engagement process will be required to give the public an opportunity to comment on the draft masterplan once endorsed by Council. This will include public exhibition of the Riverine Park Masterplan and associated documents using the Have your Say platform. An engagement strategy will be prepared and will include preliminary engagement with existing tenants and internal stakeholders.

Attachments

Nil

Council Meeting

28/02/2024

Item No	10.11
Subject	Response to Question - EOI for the mural projects on the Mascot and Botany public amenities blocks
Report by	Meredith Wallace, General Manager
File	F20/433

Question

The following Question With Notice was submitted at Council's Meeting of 22 November 2023 by Councillor Jansyn:

Can you please provide an update on when the Expressions of Interest for the mural projects on the Mascot and Botany public amenities blocks will be announced?

Response

The revitalisation of the toilet blocks will be completed in late March 2024, with the painting taking place soon after. The EOI opened at the end of January and over 40 submissions were received. The selection panel, of which Cr Jansyn is a member, meet on Wednesday 21 February at Rockdale Administration Centre, to select two artists who they will now work with to refine a concept design which will be delivered in April.

Attachments

Nil

11 MINUTES AND REPORTS OF COMMITTEES

Council Meeting

28/02/2024

Item No	11.1
Subject	Minutes of the City Services Committee Meeting - 7 February 2024
Report by	Richard Sheridan, Director City Performance
File	SF23/8069

Officer Recommendation

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

Summary of Substantial Recommendations

The minutes of this Committee contain the following substantial recommendations:

CS24.001 LGBTQ Inclusion Forum - post-event actions

Committee Recommendation

- 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.
-

Present

Councillor Joe Awada, Chairperson
Councillor Jo Jansyn
Councillor Scott Morrissey
Councillor Jennifer Muscat
Councillor Michael Nagi
Councillor Bill Saravinovski, Mayor
Councillor Paul Sedrak

Also present

Councillor Liz Barlow
Councillor Christina Curry
Councillor Heidi Lee Douglas
Councillor Ann Fardell
Councillor Greta Werner

Meredith Wallace, General Manager
Debra Dawson, Director City Life
Richard Sheridan, Director City Performance
Joe Cavagnino, Manager Procurement & Fleet
Louise Farrell, Manager City Projects
Josie Hodgson, Acting Manager Property
Hong Nguyen, Manager Environment & Resilience
Rani Param, Manager Community Life (via audio-visual link)
Maria Pavlides, Manager Customer Experience
Christine Stamper, Manager Events, Arts & Design
Eli Cowley, Coordinator Strategic Property
Patrick Cremin, Arts & Culture Specialist
Karen Barrass, Acting Coordinator Governance
Anh Hoang, Governance Officer
Gina Nobrega, Governance Officer
Nabin Bhattarai, IT Service Management Officer

The Chairperson opened the meeting in the Committee Meeting Room, Botany Town Hall at 6:40 pm.

1 Acknowledgement of Country

The Chairperson affirmed that Bayside Council acknowledges the traditional custodians the Gadigal and Bidjigal people of the Eora nation, and pays respects to 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.

2 Apologies and Attendance via Audio Visual link

Apologies

There were no apologies received.

Attendance Via Audio Visual Link

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

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

[4.1 Minutes of the City Services Committee Meeting - 1 November 2023](#)

Committee Recommendation (Councillors Jansyn and Morrissey)

That the Minutes of the City Services Committee meeting held on 1 November 2023 be noted.

4.2 Business Arising

There was no Business Arising.

The Committee notes that the Minutes of the City Services Committee of Wednesday 1 November 2023 were received and the recommendations therein were adopted by the Council at its meeting of 22 November 2023.

5 Items by Exception

There were no Items by Exception.

6 Public Forum

There were no speakers for Public Forum.

7 Reports

[CS24.001 LGBTQ Inclusion Forum - post-event actions](#)

Committee Recommendation (Councillors Jansyn and Muscat)

- 3 That Council endorses the recommended actions listed in this report.
- 4 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.

[CS24.002 Bay Street Trial Closure - Final Report](#)

Committee Recommendation (Councillors Morrissey and Sedrak)

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

[CS24.003 Wild Things and Gardens for Wildlife Programs](#)

Committee Recommendation (Councillors Morrissey and Jansyn)

- 1 That Council decides on the name of the program, either 'Wild Things' or rebrand to 'Gardens for Wildlife'.
- 2 That Council renews the content on the 'Wild Things' webpage to align with Council's current capacity to deliver a backyard habitat program.
- 3 That Officers provide an update on the budget and operation issues of Gardens for Wildlife.

CS24.004 Arts and Culture Strategy**Committee Recommendation** (Councillors Jansyn and Sedrak)

- 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.

The next meeting will be held in the Committee Room, Botany Town Hall, on Wednesday 6 March 2024.

The Chairperson closed the meeting at 7:53 pm.

Attachments

Nil

Council Meeting

28/02/2024

Item No	11.2
Subject	Minutes of the Corporate Performance Committee Meeting - 7 February 2024
Report by	Richard Sheridan, Director City Performance
File	SF23/8069

Officer Recommendation

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

Summary of Substantial Recommendations

The minutes of this Committee contain the following substantial recommendations:

CP24.004 Customer Experience Strategy Exhibition Results and Update

Committee Recommendation

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

Present

Councillor Scott Morrissey, Chairperson
Councillor Christina Curry
Councillor Ann Fardell
Councillor Michael Nagi
Councillor Paul Sedrak
Councillor Greta Werner

Also present

Councillor Jo Jansyn
Councillor Jennifer Muscat
Meredith Wallace, General Manager
Richard Sheridan, Director City Performance
Joe Cavagnino, Manager Procurement & Fleet
Louise Farrell, Manager City Projects
Josie Hodgson, Acting Manager Property
Maria Pavlides, Manager Customer Experience
Karen Barrass, Acting Coordinator Governance
Eli Cowley, Coordinator Strategic Property
Andrew Ford, Coordinator Design (via audio-visual link)

Anh Hoang, Governance Officer
Gina Nobrega, Governance Officer
Nabin Bhattarai, IT Service Management Officer

The Chairperson opened the meeting in the Committee Meeting Room, Botany Town Hall at 8:00 pm.

1 Acknowledgement of Country

The Chairperson affirmed that Bayside Council acknowledges the traditional custodians the Gadigal and Bidjigal people of the Eora nation, and pays respects to 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.

2 Apologies and Attendance via Audio Visual link

Apologies

There were no apologies received.

Attendance Via Audio Visual Link

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

3 Disclosures of Interest

Councillor Curry

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 CP24.003 on the basis that she is a Bayside representative to the SSROC, but stated she would remain in the meeting for consideration and voting on the matter.

Councillor Morrissey

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 CP24.003 on the basis that he is a Bayside representative to the SSROC, but stated he would remain in the meeting for consideration and voting on the matter.

4 Minutes of Previous Meetings

[4.1 Minutes of the Corporate Performance Committee Meeting - 1 November 2023](#)

Committee Recommendation (Councillors Sedrak and Werner)

That the Minutes of the Corporate Performance Committee meeting held on 1

November 2023 be noted.

4.2 Business Arising

There was no Business Arising.

The Committee notes that the Minutes of the Corporate Performance Committee of Wednesday 7 February 2024 were received, and the recommendations therein were adopted by the Council at its meeting of 22 November 2023.

5 Items by Exception

There were no Items by Exception.

6 Public Forum

There were no speakers for Public Forum.

7 Reports

CP24.001 Tender - Kingsgrove Ave Reserve Amenities

Committee Recommendation (Councillors Sedrak and Nagi)

- 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.

CP24.002 Tender - Bus Shelter Advertising

Committee Recommendation (Councillors Nagi and Sedrak)

- 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.

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

Committee Recommendation (Councillors Fardell and Werner)

- 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.

CP24.004 Customer Experience Strategy Exhibition Results and Update

Committee Recommendation (Councillors Curry and Nagi)

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

The next meeting will be held in the Committee Room, Botany Town Hall, on Wednesday 6 March 2024.

The Chairperson closed the meeting at 9:20 pm.

Attachments

Nil

Council Meeting

28/02/2024

Item No	11.3
Subject	Minutes of the City Planning & Environment Committee Meeting - 14 February 2024
Report by	Richard Sheridan, Director City Performance
File	SF23/8069

Officer Recommendation

That the Minutes of the City Planning & Environment Committee meeting held on 14 February 2024 be received and the recommendations therein be adopted.

Summary of Substantial Recommendations

There were no Substantial Recommendations identified.

Present

Councillor Jo Jansyn, Chairperson
Councillor Bill Saravinovski, Mayor (via audio-visual link until 7:44pm)
Councillor Heidi Lee Douglas
Councillor Liz Barlow
Councillor Christina Curry
Councillor Jennifer Muscat
Councillor Greta Werner

Also present

Councillor Ann Fardell
Councillor Scott Morrissey
Meredith Wallace, General Manager
Peter Barber, Director City Futures
Josh Ford, Coordinator Planning Policy
Robert McKinlay, Senior Urban Planner
Ana Trifunovska, Senior Urban Planner
Anh Hoang, Governance Officer
Gina Nobrega, Governance Officer
Wolfgang Gil, IT Service Management Officer

The Chairperson opened the meeting in the Committee Room, Botany Town Hall, at 6:36pm.

1 Acknowledgement of Country

The Chairperson affirmed that Bayside Council acknowledges the traditional custodians the Gadigal and Bidjigal people of the Eora nation, and pays respects to 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.

2 Apologies and Attendance via Audio Visual link

Apologies

There were no apologies received.

Attendance Via Audio Visual Link

Committee Recommendation (Councillor Douglas and Muscat)

That Councillor Saravinovski's attendance at tonight's meeting via audio-visual link be granted.

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

4.1 Minutes of the City Planning & Environment Committee Meeting - 8 November 2023

Committee Recommendation (Councillor Muscat and Douglas)

That the Minutes of the City Planning & Environment Committee meeting held on 8 November 2023 be noted.

4.2 Business Arising

There was no Business Arising.

The Committee notes that the Minutes of the City Planning & Environment Committee of Wednesday 8 November 2023 were received and the recommendations therein were adopted by the Council at its meeting of 22 November 2023.

5 Items by Exception

There were no Items by Exception.

6 Public Forum

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

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

Written submissions were received from the following people:

- Ms Leonie Bunch, Affected Resident, FOR the Officer Recommendation
- Ms Natalie Fisher, Affected Resident, FOR the Officer Recommendation
- Mr Gibran Khouri, Affected Resident, FOR the Officer Recommendation

and were distributed to Councillors prior to the Committee Meeting.

The following people spoke at the meeting:

- Ms Leonie Bunch, Affected Resident, speaking FOR the Officer Recommendation
- Ms Natalie Fisher, Affected Resident, speaking FOR the Officer Recommendation (apology)

7 Reports

[CPE24.001 Draft Submission on NSW Government's Transport Oriented Development Program](#)

The following person spoke at the meeting:

- Ms Leonie Bunch, Affected Resident, speaking FOR the Officer Recommendation

Committee Recommendation (Councillors Barlow and Werner)

- 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.

[CPE24.002 Proposed Local Planning Agreement - Cooks Cove Planning Proposal](#)

Committee Recommendation (Councillors Saravinovski 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.

Councillor Werner abstained from voting on this item.

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

Committee Recommendation (Councillors Barlow and Douglas)

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*.

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

Committee Recommendation (Councillors Muscat and Douglas)

That the draft submission (**Attachment 1**) 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.

Councillor Werner abstained from voting on this item.

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

Committee Recommendation (Councillors Curry and Muscat)

- 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.

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

Committee Recommendation (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.

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)

Committee Recommendation (Councillors Douglas and Muscat)

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.

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

Committee Recommendation (Councillors Douglas and Curry)

- 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*.

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

Committee Recommendation (Councillors Douglas 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.

The next meeting will be held in the Committee Room, Botany Town Hall, on Wednesday 13 March 2024.

The Chairperson closed the meeting at 8:40 pm.

Attachments

Nil

Council Meeting

28/02/2024

Item No	11.4
Subject	Minutes of the Bayside Traffic Committee Meeting - 13 December 2023
Report by	Peter Barber, Director City Futures
File	SF23/8069

Officer Recommendation

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

Summary of Substantial Recommendations

There were no Substantial Recommendations identified.

Present

George Perivolarellis, representing State Members for Rockdale and Heffron
Les Crompton, representing State Member for Kogarah
Vinoth Srinivasan, representing Transport for NSW
Sergeant Adam Neale, St George Police Area Command
Constable Fang Xu, South Sydney Police Area Command

Also present

Roderick Primerano, Regional Manager UGL
Bryce Spelta, Manager City Infrastructure, Bayside Council (Convenor)
Scipio Tam, Senior Traffic & Road Safety Engineer, Bayside Council
Raj Shah, Traffic Engineer, Bayside Council
Romel Ayoub, Traffic Engineer, Bayside Council
Phoebe Mikhiel, Manager Compliance & Community Safety, Bayside Council
Paul Adams, Coordinator Parking & Safety, Bayside Council
Shobna Maharaj, Traffic Committee Administrative Officer, Bayside Council

The Convenor opened the meeting in the Rockdale Town Hall, Pindari Room, Level 1, 448 Princess Highway, Rockdale at 9.15am and affirmed that Bayside Council acknowledges the traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to 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.

1 Apologies

The following apologies were received:

Councillor Christina Curry

Councillor Liz Barlow
Robert Ristevski, Coordinator Traffic & Road Safety, Bayside Council

2 Disclosures of Interest

There were no disclosures of interest.

3 Minutes of Previous Meetings

[3.1 Minutes of the Bayside Traffic Committee Meeting - 8 November 2023](#)

Committee Recommendation

- 1 That the Minutes of the Bayside Traffic Committee meeting held on 8 November 2023 be confirmed as a true record of proceedings.
- 2 That it be noted that the Committee recommendations included in the Minutes of the Bayside Traffic Committee meeting held on 08 November 2023 were adopted by the Council at its meeting held on 22 November 2023.

4 Reports

[BTC23.154 Recommendation for the Installation of a designated Accessible Parking Space on Arncliffe Street, Wolli Creek](#)

Committee Recommendation

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

[BTC23.155 Bestic Street, Kyeemagh - Raised dual pedestrian and cycleway crossing](#)

Committee Recommendation

- 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.

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

Committee Recommendation

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.

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

Committee Recommendation

- 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.

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

Committee Recommendation

- 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.

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

Committee Recommendation

- 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.

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

Committee Recommendation

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

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

Committee Recommendation

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.

BTC23.162 Riverside Drive, Sans Souci - Proposed Raised Pedestrian Crossing**Committee Recommendation**

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.

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

- 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.

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

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

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

The following matter was raised by the chair:

Sight lines are restricted when exiting Aboukir Street onto Bay Street, Rockdale and TfNSW should consider parking restrictions at this location to improve safety.

Committee Recommendation

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

BTC23.166 General Business**Committee Recommendation**

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

The Convenor closed the meeting at 9.27am.

Attachments

Nil

Council Meeting

28/02/2024

Item No	11.5
Subject	Minutes of the Bayside Traffic Committee Meeting - 14 February 2024
Report by	Peter Barber, Director City Futures
File	SF23/8069

Officer Recommendation

That the Minutes of the Bayside Traffic Committee meeting held on 14 February 2024 be received and the recommendations therein be adopted.

Summary of Substantial Recommendations

There were no Substantial Recommendations identified.

Present

Councillor Christina Curry (Chair)
Councillor Liz Barlow
Vinoth Srinivasan, representing Transport for NSW
Sergeant Adam Neale, St George Police Area Command
Senior Constable Matt Chaplin, St George Police Area Command

Also present

Bryce Spelta, Manager City Infrastructure, Bayside Council
Robert Ristevski, Coordinator Traffic & Road Safety, Bayside Council
Scipio Tam, Senior Traffic & Road Safety Engineer, Bayside Council
Romel Ayoub, Traffic Engineer, Bayside Council
Phoebe Mikhie, Manager Compliance & Community Safety, Bayside Council
Paul Adams, Coordinator Parking & Safety, Bayside Council
Robbie Allen, Transport Planner, Strategic Planning, Bayside Council
Shobna Maharaj, Traffic Committee Administrative Officer, Bayside Council

The Convenor opened the meeting in the Rockdale Town Hall Pindari Room, Level 1, 448 Princes Highway, Rockdale at 9.15am and affirmed that Bayside Council acknowledges the traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to 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.

1 Apologies

The following apologies were received:

George Perivolarellis, representing State Members for Rockdale and Heffron

Les Crompton, representing State Member for Kogarah
Jeff Gould, Sergeant, South Sydney Police Area Command
Peter Scott, Senior Constable, Eastern Beaches Police Area Command

2 Disclosures of Interest

There were no disclosures of interest.

3 Minutes of Previous Meetings

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

Committee Recommendation

That the Minutes of the Bayside Traffic Committee meeting held on 13 December 2023 be confirmed as a true record of proceedings.

4 Reports

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

Committee Recommendation

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.

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

Committee Recommendation

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

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

Committee Recommendation

That the demolition of Bexley North Toilet Amenities be put on hold subject to further information regarding the future development proposal.

BTC24.004 8 Hardie Street, Mascot - Proposed '1P' Parking Restriction**Committee Recommendation**

- 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.

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

- 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.

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

Committee Recommendation

- 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 Media & Communications team undertake an education drive via E-news regarding the reasons and benefits of 'Yellow Edge Line Marking'.

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

Committee Recommendation

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.

BTC24.008 338-342 King Street, Mascot - Renewal of 33m Works Zone for 11 Weeks from 12 March 2023

Committee Recommendation

- 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'.

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

Committee Recommendation

- 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.

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

Committee Recommendation

- 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.

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

Committee Recommendation

- 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.

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

Committee Recommendation

- 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.

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

Committee Recommendation

- 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.

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

Committee Recommendation

- 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.

BTC24.015 Tenterden Road, Botany - Proposed Parking Restrictions

Committee Recommendation

- 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.

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

Committee Recommendation

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.

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

Committee Recommendation

- 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.

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

Committee Recommendation

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

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

The following matters were raised by the Chair:

- 1 TfNSW requested to review all existing parking restrictions along Botany Road including the designated 'Police Parking' located near Botany shops outside the carpark next to IGA and the timed clearways that are on the opposite side of Botany Road to the predominate peak traffic flow.
- 2 'Clearways' on Botany Road – TfNSW Representative confirmed that any review of existing or new requests for clearways are currently on hold and there is presently no timeline for when this will resume.
- 3 'Bus Zone' outside Botany Town Hall – Request for converting the M20 'Bus Zone' into parking spaces if it is no longer in use. TfNSW Representative to investigate if

the 'Bus Zone' is still in use and confirm if the area can be converted to parking.

- 4 Church Avenue and Bourke Street, Mascot – TfNSW are aware of this issue and currently engaging with Council on possible improvements. Council will be undertaking a Local Area Traffic Management (LATM) study of the Mascot Train Station precinct with an aim to identify any traffic issues. The study will propose measures to positively influence driver and pedestrian behaviour. The intersection of Church Avenue and Bourke Street will be considered as part of this study. Council will work together with TfNSW to achieve the desired outcome.

Committee Recommendation

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

BTC24.020 General Business

The following matters were raised by Cr Barlow:

- 1 'Left Turn Only' at The Seven Ways, Rockdale – TfNSW to investigate installation of additional on-road markings to indicate left turn ahead, in order to provide advance notice to drivers who do not wish to turn left.
- 2 Medway Street and Stoney Creek Road, Bexley – TfNSW to investigate the current traffic signal phasing for the left turn movement from Medway Street into Stoney Creek Road, to improve road safety.
- 3 Wolli Creek Road and Forest Road, Arncliffe – TfNSW to investigate the current traffic signal phasing which is limiting the left turn movement from Wolli Creek Road into Forest Road.

Committee Recommendation

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

The Convenor closed the meeting at 10.23am.

Attachments

Nil

Council Meeting

28/02/2024

Item No	11.6
Subject	Minutes of the Audit Risk & Improvement Committee Meeting - 21 November 2023
Report by	Meredith Wallace, General Manager
File	SF23/8069

Officer Recommendation

That the Minutes of the Audit Risk & Improvement Committee meeting held on 21 November 2023 be received and the recommendations therein be adopted.

Summary of Substantial Recommendations

There were no Substantial Recommendations identified.

Present

Jennifer Whitten, Independent External Member (Chairperson)
Mark Sercombe, Independent External Member
Sheridan Dudley, Independent External Member
Robert Lagaida, Independent External Member
Greta Werner, Councillor (via audio visual link)

Also present.

Meredith Wallace, General Manager
Rani Param, Manager Community Life
Fausto Sut, Manager Governance & Risk
Cathryn Bush, Coordinator Risk Management
Christine Cheng, Internal Auditor
Wendy Kloppe, Manager Business Transformation
Umayal Sivanandan, Internal Auditor
Quentin Wong, Audit Leader – Audit Office of New South Wales (audio-visual link)

The Chairperson opened the meeting in the Yarra Conference Room at 1:42pm.

1 Acknowledgement of Country

The Chairperson affirmed that Bayside Council acknowledges the traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to 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.

2 Apologies and Attendance via Audio Visual link

Apologies

Apology was received from Councillor Morrissey, Richard Sheridan, Director City Performance, Lawrissa Chan, Director, Financial Audit Services - Audit Office of New South Wales.

Attendance Via Audio Visual Link

Councillor Werner attended the meeting via audio-visual link.

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

[4.1 Minutes of the Audit Risk & Improvement Committee Meeting - 22 August 2023](#)

Committee Resolution

That the Minutes of the Audit Risk & Improvement Committee meeting held on 22 August 2023 be confirmed as a true record of proceedings.

4.2 Minutes of the Extraordinary Audit Risk & Improvement Committee Meeting - 17 October 2023

Committee Resolution

That the Minutes of the Audit Risk & Improvement Committee meeting held on 17 October 2023 be confirmed as a true record of proceedings.

4.3 Business Arising

There was no Business Arising.

5 Reports

[ARIC23.043 Report - ARIC Action Items](#)

Committee Resolution

That the report be received and noted.

ARIC23.044 General Manager's Update

The following areas were covered by the General Manager:

- Minor restructure including separation of separating events and communications functions and the internal audit function reporting directly to the General Manager via a new managerial role responsible for internal audit and mayoral and councillor support. Changes at Randwick Council has also meant the internal audit shared services discussions will not progress at this stage.
- IPART decision of 2024-25 financial year using a new rate peg methodology means Council's rate peg is 4.8%. This will have a positive impact on Council's LTFP.
- Report on cybersecurity framework has been drafted but requires some additional information prior to it being presented to the Executive and then ARIC.
- Council has complied with IPC requirements and placed the Designated Persons Returns with some redactions on Council's website. It has notified the OLG of the action.
- Recent developments with Woodlawn Waste facility.
- Representations to the Minister for Local Government highlighting the serious issues (eg land valuations) impacting the delivery of audited General Purpose Financial Statements in timely manner.

Committee Resolution

That the Committee notes the General Manager's Update.

ARIC23.045 2022/23 Audited General Purpose Financial Statements

Some observations were:

- Only one change since report to ARIC meeting of 17/10/23
- Escalation protocol for high risk matters not previously addressed resulted in three matters being reported to the Mayor.
- Financial benchmarks noted with debtors still above benchmark requirements notwithstanding ratio has decreased.
- AO has not issued its final management letter arising from the audit.

Committee Resolution

That the Audit Risk & Improvement Committee receives and notes the audited 2022/23 General Purpose Financial Statements and reports.

ACTION 23.045

- 1 Circulate copy of Final Management Letter from AONSW once received.

- 2 Circulate copy of Engagement Closing Report 2023 from AONSW.

ARIC23.046 Internal Audit - Six Monthly Verification Audit

Some observations noted were:

- Protocols in place for escalation to General Manager for non-adherence to target date and/or changes to target date.

Committee Recommendation

That the report be received and noted.

ARIC23.047 Regulatory Inspection of Garrigarrang Early Education and Care Centre - 18 October 2023

Some observations noted are:

- Compliance officer recommendations to achieve best practice have been addressed.

Committee Resolution

That this report be noted.

ARIC23.048 Internal Audit Report - Review of Communication Framework

Some observations noted were:

- Move narrative on audit scope and approach to the body of the template report rather than as an appendix.
- Audit findings should clearly address audit scope.

Committee Recommendation

- 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.

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

Committee Recommendation

That the report be received and noted.

ARIC23.050 Internal Audit Plan Progress Report

Some observations noted were:

- Consider providing ARIC members with audit scope for audit prior to commencement.
- Cyber Security audit scope to be drafted once matter reported to the Executive as discussed in the General Manager update.
- Include in progress reporting due dates for audit reports to be presented to ARIC.

Committee Recommendation

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

ARIC23.051 Risk Management - Strategic Risk Reviews

Some observations noted were:

- Presentation on Strategic Risk 5 – Personnel – Attract, develop, retain, skilled competent employees.
- Requires benchmarking metrics and improved effectiveness measures.
- Climate change risk management assessment as result of recent Council resolution to be reported to ARIC at future meeting.
- Risk related to Lady Robinson Beach should be in Operational Risk register.

Committee Recommendation

That the report be received and noted.

ARIC23.052 Confidential - Claims Management - Quarterly Report**Committee Recommendation**

That the Claims Management report be received and noted.

ARIC23.053 Compliance Attestations and Designated Persons for 2023

Some observations were:

- Part of Council's Compliance Management framework
- Managers required to lodge annual attestations of compliance.
- Council now compliant with IPC requirements to place Designated Person Returns on Council's website.

Committee Resolution

That the report be received and noted.

ARIC23.054 Business Intelligence Reporting - Pathway Dashboards**Committee Resolution**

That the report and demonstration and report be deferred to future meeting.

ARIC23.055 Audit, Risk & Improvement Committee Annual Report 2022-23

Some observations noted were:

- Draft report should be reviewed to ensure alignments with reporting requirements of legislation.
- Some elements of legislation not addressed in Report.
- Noted that compliance was not addressed in 2022-23
- Members emailed comments on draft to be reflected in the report.

Committee Resolution

That the draft ARIC Annual Report 2022-23 be reviewed and resubmitted to members for approval.

ARIC23.056 ARIC Annual Workplan 2023-24

Some observations noted were:

- Section 428A of the Local Government Act requires 9 aspects of Council's operations to be kept under review.
- Annual workplan should reflect ARIC's full legislative responsibilities and outcomes to keep these areas under review noting that the area of compliance was not addressed in 2022-23.
- Member comments emailed should be reflected in Workplan.

Committee Resolution

That ARIC Strategic Workplan 2022-2024 and the Annual Program for 2023-24 be reviewed to ensure alignment to ARIC's legislative responsibilities.

ARIC23.057 Proposed Meeting Schedule - 2024**Committee Recommendation**

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.

ARIC23.058 Quarterly Budget Review - September 2023

Some observations were:

- Deferment and additions to Capital Projects Program in Quarter 1 suggests there may be issues to examine with the budget and/or project management processes.
- Funding on major projects, running ahead of schedule, will need to be brought forward.
- General Manager has initiated improved reporting on progress of the Capital Projects Program.

Committee Resolution

- 1 That the report on the quarterly budget review for 30 September 2023 be received and noted.
- 2 That the Audit Risk & Improvement Committee independent members are notified of Council's decision in respect of the quarterly budget review following the November Council meeting.

6 General Business

6.1 General Matters

- A pre-meeting briefing on the Agenda was held with members.
- The website be updated on ARIC information.
- A discussion was held on the term of the Chair, the rotation of the Chair and members and the method of appointment of members under the NSW Government Guidelines. A report would be presented to the next meeting of the Committee.
- A review of the ARIC terms of reference including membership is required to meet compliance with NSW Government Guidelines.

6.2 Action Items

The following action items were outstanding and/or agreed at this meeting:

Item	Action	Responsible Officer	Status
22/8/23 Item 23.028	A report back to ARIC on Council's progress to align its Bayside Cyber Security Framework with the OLG Cyber Security Guidelines. The report should include action activities, and a business self-assessment based on maturity level.	Manager Chief Information Officer	Commenced. The report will be included on the agenda for the March ARIC meeting.
22/8/23 Item 23.039	An Outstanding Audit Actions Report, that includes Audit Office past years recommendations, is to be presented to Executive with an Action Plan on how and when they will be resolved. This also needs to address what	Internal Audit	Incomplete. Outstanding high risk audit action items (due by 30/9/2023) were presented to the Executive Committee. Action plans, timeframes and mitigate measures were

Item	Action	Responsible Officer	Status
	steps Council is currently taking to manage the risk until the full action from the recommendation can be implemented		discussed in the Executive Committee Meeting held on 2/11/2023 with GM sign off. All other outstanding audit action items are reported as part of Six-month verification report. A reconciliation of any outstanding past year Audit Office NSW audit action items will be undertaken in framing the management responses and action plan to address the actions in the 2022/23 management letter once received. .
22/8/23 Item 23.039	Outstanding Items to ARIC to be a half to one page overview, by exception, similar to the Audit Office format.	Internal Audit	Incomplete. Some refinement to the verification audit reporting has been completed including a section and attachment focusing on the outstanding high risk audit actions.
21/11/23 Item 23.045	Circulate copy of Engagement Closing Report 2023 from AONSW	Manager Finance	New Item
21/11/23 Item 23.045	Circulate copy of Final External Audit Letter from AONSW	Manager Finance	New Item
21/11/23 Item 23.050	Update and circulate the ARIC Annual Report for approval	Manager Governance & Risk	New Item
21/11/23 Item 23.054	Business Intelligence Reporting - Pathway Dashboards	Manager Business Transformation	Item to be represented to next meeting as deferred.
21/11/23 Item 23.058	Circulate copy of Council's decision in respect of the quarterly budget review following the November 2023 Council meeting.	Manager Finance	New Item
21/11/23 Item 6.1 General	A report back to the next meeting on the term of the Chair, the rotation of the Chair and the method of appointment of members to the Committee to meet the OLG Guidelines	Manager Governance & Risk	New Item
21/11/23 Item 6.1 General	A review of the ARIC Terms of Reference to align to the new OLG Guidelines be reported back to the next meeting.	Manager Governance & Risk	New Item

6.3 In Camera Sessions

The Committee noted the previously circulated, and endorsed by email, in camera sessions for 2024 as follows:

Month	Date	Meeting	Time	In Camera	Time
March	Thursday, 14 th	Ordinary	6:00pm	Legal	5:45pm
June	Thursday, 20 th	Ordinary	6:00pm	Internal Audit	5:45pm
August	Thursday, 22 nd	Ordinary	6:00pm	Risk Management	5:45pm
October	Thursday, 17 th	Extra-Ordinary	6:00pm	External Audit	5:45pm
November	Thursday, 21 st	Ordinary	6:00pm	Governance & Compliance	5:45pm

7 Next Meeting

The next meeting will be held in the Yarra Conference Room at 6:00 pm on Thursday, 14 March 2024.

The Chairperson closed the meeting at 4:48pm.

Attachments

Nil

Council Meeting

28/02/2024

Item No	11.7
Subject	Minutes of the Botany Historical Trust Meeting - 6 November 2023
Report by	Debra Dawson, Director City Life
File	SF23/8069

Officer Recommendation

That the Minutes of the Botany Historical Trust meeting held on 6 November 2023 be received and the recommendations therein be adopted.

Summary of Substantial Recommendations

There were no Substantial Recommendations identified.

Present

Robert Hanna, President and Chairperson
Christopher Hanna, Senior Vice President
Richard Smolenski, Treasurer
Warren Hensley, Secretary
Carole Nestor, Committee Member
Cr Jennifer Muscat, Committee Member
Cr Jo Jansyn, Committee Member

Also present

Bobbi Mayne, Manager Libraries and Lifestyle
Alison Wishart, Local History Librarian
Christopher Mackey, Coordinator Development Assessment

The Chairperson opened the meeting in the Mascot Library and George Hanna Memorial Museum at 6:30pm.

1 Acknowledgement of Country

The Chairperson affirmed that Bayside Council acknowledges the traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to 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.

2 Apologies and Attendance via Audio Visual link

Apologies

The following apologies were received:

Dr Peter Orlovich, Committee Member
Jacqueline Milledge, Vice President

Attendance Via Audio Visual Link

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

3 Disclosures of Interest

Councillor Muscat

Item 5.1.6 – Planning, Development & Compliance Matters

Councillor Muscat declared a Less than Significant Non-Pecuniary Interest in Item 5.1 on the basis that she lives in Tenterden Road, Botany, and stated she would remain in the meeting for consideration and voting on the matter.

4 Minutes of Previous Meetings

4.1 Minutes of the Botany Historical Trust Meeting - 7 August 2023

Committee Recommendation

That the Minutes of the Botany Historical Trust meeting held on 7 August 2023 be confirmed as a true record of proceedings.

Moved by Chris Hanna
Seconded by Councillor Muscat

4.2 Business Arising

All BHT Executive members that were present at the meeting confirmed that they are happy for their email addresses and phone numbers to be shared within the BHT Executive only. Bobbi to check with the BHT Executive Members who were not present to see if they agree before distributing.

Committee Recommendation

That Council gives a formal response to BHT motion 6.1 from the BHT meeting held on 7 August 2023 regarding the BHT 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.

Note: That Committee note that the Minutes of the Botany Historical Trust of Monday 7 August 2023 were received and the recommendations therein be adopted by the

Council at its meeting of 23 August 2023.

5 Reports

5.1 Planning, Development & Compliance Matters

Bayside's Coordinator Development Assessment, Christopher Mackey was present for this matter.

Planning, Development and Compliance matters were tabled for discussion with the BHT Executive.

1. DA-2023/45 1015 - 1019 Botany Road, Mascot:
 - Development of shops opposite Mascot Memorial Park: The height limit is 14 metres (3 stories).
 - There are heritage considerations from the shops/buildings that are the subject to planning controls.
2. Update on Marina Theatre re-development:
 - No progress on building works to date.
 - Chris Mackey to confirm lapse date of consent.
3. DA-2023/209 686 Botany Rd Mascot:
 - No issues raised by BHT.
4. DA-2023/199 19 Boussole Rd, Daceyville:
 - Council's heritage architect asked that the developer comply with heritage colours.
5. DA-2023/264 – 18 Cook Ave, Daceyville:
 - Proposal to build another story and a carport at the rear which will require removal of some large trees.
6. DA-2023/291 63 Tenterden Rd, Botany
 - No issues raised by BHT.
7. Demolition of façade at Banksmeadow shops on La Perouse Road
 - The current modification before the NSW Land and Environment Court is ongoing and likely the applicant/developer will submit amended plans to the Court for an entirely new façade.
 - No further update from Compliance team regarding any action taken to date.
8. Councillor Muscat enquired if there were any development on the re-use of the former Botany Police Station

- Christopher Mackey advised that there is no update yet from NSW Government.

Committee Recommendation

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.

Committee Resolution

1. That the Committee notes the information provided about heritage related planning, development and compliance matters
2. That Council provides DA information for DA-2023/45 105 Botany Road, Mascot and DA-2023/264 – 18 Cook Ave, Daceyville to BHT Executive members.
3. That Council provides the Council decision regarding the Botany Police station to BHT Executive members.

5.2 President's Report - Robert Hanna**Committee Resolution**

That the President's Report be noted.

5.3 Botany War Memorial - Robert Hanna**Committee Recommendation**

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. Endorse a progress report on this matter via the BHT in March 2024.

Committee Resolution

1. That the President of the BHT writes to the Botany RSL sub-branch seeking their input into the proposal.
2. That the President of the BHT writes to the Minister for Veteran's Affairs seeking their input into the proposal.

Moved by Richard Smolenski
Seconded by Chris Hanna

5.4 Local History Update

Councillor Jansyn suggested a call-out in the BHT newsletter for volunteers to transcribe oral history audio recordings as outlined in the report.

Alison advised that Council will investigate some AI software to create draft transcripts that may reduce time and effort for the volunteers to assist.

Councillor Jansyn and the BHT thanked Alison Wishart for her work on the Home Sweet Home exhibition and the Nancy Hillier lecture.

Committee Resolution

1. That the BHT Executive note the report.
2. That Council investigates some AI software to create draft transcripts.

5.5 Program and Activities for 2023/2024

Possible activities for 2024 were tabled by the BHT members:

- Trip to Botany Council Chambers to see the old Mayoral chair and Mayor's chains.
- Trip to the War Memorial in Hyde Park.
- Trip to Parliament House in Macquarie Street.
- Movie night using old films in the Local History collection and sharing memories and stories.

Committee Resolutions

1. That the BHT President, Rob Hanna confirm BHT's entertainment for the Christmas Function with BHT Executives and advise Council.
2. That all BHT members are asked via the BHT Christmas newsletter what kind of activities they would like the BHT Executive to consider for 2024.
3. That the Committee review suggestions, discuss and confirm the 2024 program at the next BHT meeting in February 2024.

Moved by Richard Smolenski
Seconded by Warren Hensley

5.6 General Business

Committee Recommendation

1. That the BHT accept the nominations from Max Evers, Greg Page and Alan Nicholas as general (non-Executive) members.
2. That the BHT Executive note the general items discussed.

Moved by Rob Hanna

Seconded by Richard Smolenski

6 General Business

6.1 Hand rail at the Botany War Memorial

Rob Hanna raised the issue of the temporary handrail at the Botany War Memorial. Councillor Jansyn confirmed that the current handrail is temporary and that a heritage sympathetic handrail is being fabricated to make the war memorial more accessible.

6.2 Lunatiques

Carole Nestor mentioned her visit to Lunatiques, an antiques business at 2 Kent Road, Mascot. Alison advised that she will do some research on the history of the building for Carole.

6.3 BHT meeting dates in 2024

Executive meetings:

- Monday, 5 February 2024
- Monday, 6 May 2024
- Monday, 5 August 2024

AGM followed by an Executive meeting:

- Wednesday, 6 November 2024

7 Next Meeting

That the next meeting be held in the George Hanna Memorial Museum at Mascot Library at 6:30pm on Monday, 5 February 2024.

The Chairperson closed the meeting at 8:25pm.

Attachments

Nil

12 NOTICES OF MOTION

Council Meeting

28/02/2024

Item No	12.1
Subject	Notice of Motion - Renaming of Hensley Grand Stand
Submitted by	Christina Curry, Councillor
File	SF23/8069

Summary

This Motion was submitted by Councillor Curry.

Motion

- 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.
-

Background

Supporting Statement by Councillors

This motion is being updated in memory of Judy Vecellio who sadly passed away in December. They both dedicated 50 years of service to Randwick Botany Little Athletics.

Comment by General Manager:

This Notice of Motion is in order and can be dealt with.

Attachments

Nil

Council Meeting

28/02/2024

Item No	12.2
Subject	Notice of Motion - Residential Christmas Lights Competition
Submitted by	Mark Hanna, Councillor Liz Barlow, Councillor
File	SF23/8069

Summary

This Motion was submitted by Councillors Hanna and Barlow.

Motion

- 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.
-

Background

Supporting Statement by Councillors

Many residents decorate their homes each year with Christmas Lights. Some spend many weeks setting up the displays and expend significant amounts of money on lights, decorations and running costs. These displays attract children and adults from all backgrounds and bring happiness to a sometimes troubled world.

A number of these residents raise money for charities through these displays.

Council can play a role in these worthwhile undertakings by making a financial contribution through a Christmas Lights Competition, similar to those run by other Councils, the nearest being Canterbury Bankstown which shares a border with Bayside.

Comment by General Manager:

This Notice of Motion is in order and can be dealt. The 2024/25 draft budget and Operational Plan will be submitted to Council in April and will include this initiative if supported.

Attachments

Nil

Council Meeting

28/02/2024

Item No	12.3
Subject	Notice of Motion - State Resources for Cooks River
Submitted by	Ann Fardell, Councillor Jo Jansyn, Councillor
File	SF23/8069

Summary

This Motion was submitted by Councillors Jansyn and Fardell.

Motion

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.

Background

Supporting Statement by Councillors

This motion aligns with the initiative put forth by the Cooks River Valley Association (CRVA), which advocates for the allocation of resources by the NSW Government to naturalise the Cooks River and address stormwater challenges. Comprising local residents dedicated to the restoration of the Cooks River and fostering community unity within the Cooks River Valley, the CRVA operates as an incorporated association.

The objectives of the CRVA are in harmony with those of The Cooks River Alliance, a collaboration among councils in the Cooks River Catchment area, including Bayside, Canterbury-Bankstown, Inner West, Strathfield, and Sydney Water.

The naturalisation of waterways offers numerous advantages, such as enhancing water quality, restoring ecological balance, mitigating floods, promoting urban cooling, and providing opportunities for community recreation and amenity.

Comment by General Manager:

This Notice of Motion is in order and can be dealt with.

Attachments

Nil

Council Meeting

28/02/2024

Item No	12.4
Subject	Notice of Motion - Compost Revolution
Submitted by	Greta Werner, Councillor
File	SF23/8069

Summary

This Motion was submitted by Councillor Werner.

Motion

- 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.
-

Background

Supporting Statement by Councillors

In 2024 Council is aiming to introduce green bins to Western Bayside. This is a wonderful opportunity to collect organic material for commercial composting. The next step will be to introduce FOGO, but before that is rolled out, council can encourage and facilitate those residents who would like to, to compost food scraps in their own yard.

The Compost Revolution can help residents with information, subsidised composting and worm farming products, tutorials, and support.

The compost revolution website[\[1\]](#) says:

“About half of what the average Australian household throws out is compostable organic material, so using home composting systems significantly reduces the amount of stuff we send to landfill. It also helps with climate change because food waste releases harmful greenhouse gases as it breaks down in landfill.

Currently working with 37 councils across Australia, the Compost Revolution is an award-winning platform that inspires, educates, and equips households so they can recover their food waste. Our fun online tutorials and integrated ordering system allow residents to choose their composting gear and have it delivered straight to their door.

The Compost Revolution started in 2010 as a joint workshop-based education initiative in the Eastern Suburbs of Sydney between three neighbouring councils, Waverley, Randwick, and Woollahra, as part of the 3-Council Regional Environment Program, established with funding from the NSW Environmental Trust.

The program was expanded Australia-wide in 2012, as a partnership between the 3 Councils and social venture Revolution Apps, which is rapidly scaling the impact of the program under licence from council partners.

Over the last 10 years, the Compost Revolution has grown to become Australia's largest community of composters and worm farmers **with 89,528 households joining the revolution to date.**

We've diverted over 31,711 tonnes of waste from landfill and avoided more than 50,640 tonnes of CO2-equivalent greenhouse gas emissions!*

All this while actually **saving councils (and rate payers) in excess of \$1.6M in net waste management costs!**

** as of 25 Nov, 2023."*

<https://compostrevolution.com.au/about/>

Comment by General Manager:

This Notice of Motion is in order and can be dealt with.

Attachments

Nil

Council Meeting

28/02/2024

Item No	12.5
Subject	Notice of Motion - Walking and Cycling Committee
Submitted by	Heidi Lee Douglas, Councillor
File	F11/349.002

Summary

This Motion was submitted by Councillor Douglas.

Motion

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.

Background

Supporting Statement by Councillors

Safe walking and cycling routes reduce traffic congestion, parking, vehicle emissions and noise pollution, and our cost of living. Conversely, safe walking and cycling routes increase community connections, physical and mental well-being, and community satisfaction.

Bayside Council's Draft Transport and Bike Plan identified the need to establish a Walking and Cycling Committee, which was marked as a short-term action.

The draft insights from the Bayside Council community survey presented to the Councillors Workshop 2024 revealed the community's strong desire for more active transport infrastructure in Bayside.

The creation of the Bayside Walking and Cycling Committee is supported by groups like BIKEast, St George BUG and Walk Sydney, who also request to receive an invitation to participate.

While it is too late in this current council term to establish a new committee, a Walking and Cycling Committee/Advisory Group could help a future Bayside Council create a strategic pedestrian and cycling network to improve access to centres, schools, open space and neighbouring LGA's

Examples from other Councils:

Paramatta City Council Active Transport Advisory Committee terms of reference:

Specific Roles and Responsibilities of the Active Transport Advisory Committee

- 2.5 To provide advice to Council on matters relating to active transport initiatives, including best practice planning and design, and behavioural change strategies.

2.6 To provide advice, input and feedback on Council's business relating to active transport.

<https://www.cityofparramatta.nsw.gov.au/sites/council/files/2022-05/FINAL%20Active%20Transport%20Advisory%20Committee%20TOR.pdf>

Lake Macquarie Council Active Transport Advisory Group minutes:

<https://shape.lakemac.com.au/57251/widgets/294573/documents/178429>

Randwick Council Cycleways & Bicycle Facilities Advisory Committee:

The Cycleways and Bicycle Facilities Advisory Committee is set up to advise on bicycle infrastructure related matters. It was established from a Council Resolution on 10 October 2017.

The Committee is advisory in nature and reports to Council. Randwick City Council welcomes members of the public wanting to attend and speak at the meetings. For more information contact us.

The Cycleways and Bicycle Facilities Advisory Committee meets quarterly, and alternates between a morning (7:30am) and evening (6:30pm) meeting.

Every attempt is made to prepare the agenda and place it on this website one week prior to the meeting. Once finalised, a link to the agenda will appear below.

<https://www.randwick.nsw.gov.au/services/transport/bicycles/cycleways-and-bicycle-facilities-advisory-committee>

Ku ring ai Council Active Transport Reference Committee:

Meetings are generally held on the second Thursday every 3 months.

<https://www.krg.nsw.gov.au/Council/Council-meetings/Committees-and-Panels/Active-Transport-Reference-Committee>

Sunshine Coast Council Active Transport Advisory Committee

The Sunshine Coast Active Transport Advisory Committee (SCATAC) is an advisory body which brings together strong active travel advocates with varying experiences in an open and collegiate atmosphere.

<https://www.sunshinecoast.qld.gov.au/living-and-community/roads-and-transport/transport-options/active-transport-advisory-committee>

General information about Active Transport Advisory Committees

<https://bicyclensw.org.au/advocacy2/committees/>

Comment by General Manager:

This Notice of Motion is in order and can be dealt with. It does not commit the future council to a particular form of consultation or committee structure.

Attachments

Nil

Council Meeting

28/02/2024

Item No	12.6
Subject	Notice of Motion - Crush the Car
Submitted by	Paul Sedrak, Councillor Ed McDougall, Councillor
File	F08/752P02

Summary

This Motion was submitted by Councillors Sedrak and McDougall.

Motion

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 after 3 Strikes across NSW to combat Dangerous Speeding, Hooning and Anti-Social Behaviour.

Background

Supporting Statement by Councillor

Dangerous speeding, excessive noise pollution, hooning and anti-social behaviour is not unique to Bayside Council particularly in Ward 5. It is an issue across NSW. Hence, the NSW Government needs to take a tougher tailored stand on combating this behaviour in NSW, similar to other states across Australia.

A series of meetings with local residents, St George police and car enthusiasts has provided a platform for the community to voice their experiences and concerns regarding the persistent issues of anti-social behaviour, hazardous driving, street racing, burnouts, donuts, excessive noise pollution and rampant hooning. These discussions have shed light on the profound impact these activities have on the community, highlighting not just the nuisance but the genuine fear for personal safety, families and visitors to the area.

Residents have expressed a significant erosion of the area's liveability, with many expressing deep-seated frustrations over the diminished quality of life and the constant threat to safety that has become a daily reality. The community's outcry underscores the urgent need for effective solutions to reclaim the peace and security of their neighbourhood and ensure the well-being of all who live, work, and visit Bayside.

We've reached a critical juncture where frustration no longer captures the gravity of our situation. Our community is grappling with profound mental health challenges, triggered by the relentless disturbances of late-night anti-social car gatherings. The roaring engines in the dead of night are just the tip of the iceberg.

It's time we refuse to let a small minority impinge upon the peace and well-being of the Bayside community. The impact is profound: our elderly are jolted awake in the dead of night, children are frightened from their sleep at 2am, and parents are repeatedly disturbed,

their rest shattered. This is no way to live. It's a call to action for all of us to stand up against this intrusion, to reclaim the tranquillity of our homes and the quality of our lives.

To truly effect change, we must introduce tougher 'Anti-Hoon Laws', implementing penalties that resonate deeply and deter decisively, with an escalating scale of fines, loss of points and culminating in loss of licence and confiscation of vehicle.

These are not mere punitive measures; they are transformative deterrents designed to fundamentally alter the mindset and behaviour of potential violators across the state. Such stringent penalties not only promise safer roads but also aim to alleviate the mental anguish inflicted on countless residents by the rampant hooning.

As a council, we find ourselves at a pivotal moment, urging the NSW Government to initiate a thorough investigation into formulating a robust policy to address the issue of hooning. It's time for NSW to take definitive action and demonstrate its commitment to safeguarding its communities against the disruptive impact of hooning.

A summary of the different 'Anti Hoon Laws' across Australia:

South Australia

The new vehicle impound laws that came into effect July 2021 also mean an alleged offender will be required to pay \$1,135.00 within 28 days, or up to \$1,395.50 within 38 days, to release their impounded vehicle after which the vehicle can be crushed or sold by the Police.

An amendment to 19ADA to the Criminal Law Act in 2021 empowers a Magistrate to disqualify or suspend a driver's licence sentence and sentence a driver to term of imprisonment for basic and aggravated offences between three-to-five years.

Section 20 of the Criminal Law (Clamping, Impounding and Forfeiture of Vehicles) Act 2007 empowers the Police Commissioner with making the decision regarding the method of disposal of vehicles forfeited by the court. This includes the option to sell or crush a vehicle.

Tasmania

Targeting speeding, disqualified driving, risky and dangerous driving behaviour. Vehicle clamping and confiscation laws are enacted to deter people from using their vehicles in an irresponsible and dangerous manner on our roads.

The Offences

If you are the driver of a vehicle that is involved in:

- Reckless or dangerous driving
- Street racing or time trials
- Making unnecessary and unreasonable noise
- An exhibition of speed, acceleration or loss of traction (burnouts or donuts)
- Speeding at, or in excess of, 45 kilometres per hour over the speed limit
- Driving while disqualified, when caught on a second or subsequent occasion.
- Evading police under the Police Powers (Vehicle Interception) Act 2000
- Trespassing on the property of another with that vehicle, or
- Refusing to leave an area, or returning to an area, after being told by a police officer to leave.

The Consequences

- The vehicle may be clamped or impounded by police for at least twenty-eight days.
- You may be arrested.
- You may be required to appear in court at a later date.
- If convicted, you may be fined a large sum and will be ordered to pay a special compulsory penalty.
- You may lose your licence for up to two years.
- You may face imprisonment for up to three months.

If you are caught committing any of the offences listed above for a second or subsequent time, the following penalties apply

- The vehicle can be clamped or confiscated for a period of three months or longer.
- Police may seize the vehicle until all existing charges are resolved.
- Police may seek a forfeiture order (the vehicle can be seized permanently).
- If you are not the owner of the vehicle the court may impose a significant monetary penalty on you.

It does not matter if the vehicle you are driving at the time of the offence is yours. The vehicle may be clamped or confiscated at any time during the 14 day period immediately following the time of the offence.

Northern Territory

First Offence

For a first offence, police can immobilise or immediately impound the vehicle for 48 hours. The driver will also be fined \$2,980.00. The driver will also be billed for the cost of removing, transporting and storing the impounded vehicle, or the costs of immobilising it. The impound order will be reconsidered by a senior police officer within 24 hours who will check that there were reasonable grounds for impounding it. There is no appeal to that decision. The police can however reverse the decision if they are satisfied that the vehicle is a rental vehicle or that the driver did not have the owner's authority to be driving it.

Second Offence

If a driver is caught hooning again within a two-year period, the court can make an order impounding the car for a period of between three to six months and receive a fine. The court will consider whether impounding the vehicle will cause severe physical or financial hardship before making any order. During the time the vehicle is impounded the registration for the vehicle cannot be cancelled or transferred, the vehicle can't be sold, and nothing can be removed from it (other than personal property). The driver is also responsible for all costs to do with moving the car to the storage and keeping it there.

Third Offence

For a third hoon law offence, the court can make an order that the car is forfeited, and it may be then either sold or destroyed. There is also a fine of up to \$2980.00 or can be sent to jail for up to 12 months and the driver/owner have to pay all of the costs of the removal, transporting and storage of their impounded or immobilised vehicle. However, if the court is satisfied that taking the vehicle would cause severe hardship to someone, it has the option of making an impounding order for a period between three months and six months so long as it is satisfied that impounding the vehicle will not also cause severe hardship.

Defences

In the Northern Territory, it is a defence to impoundment charges if the driver was not the owner of the vehicle, and the owner was unaware that the vehicle was being used for hooning. If it is a second offence and the court is satisfied that you were not aware your car was being used for hooning it can order your vehicle be returned to you and can impose a punishment on the driver.

Forfeiture orders

The vehicle becomes the property of the Northern Territory once a forfeiture order is made. The vehicle may be destroyed or sold. If it is sold then monies are allocated first to cover the sale costs, then the costs associated with the seizure and storage of the vehicle, then to any amount owing under a registered security interest (such as a loan), and the balance goes to the Territory.

Western Australia

For offences that fall under the 'hoon legislation' the police can confiscate the car for 28 days if it is your first offence; three months for your second offence, and for your third offence your car can be confiscated or impounded for six months. There will also be fines and other penalties possibly imposed at the discretion of the Magistrate, depending on the severity of the offence.

What if I own the car but I wasn't driving?

If you have loaned your car to your friend, and they were subsequently charged with hooning in it, it will still be impounded, regardless of your personal circumstances and how much you may rely on your car. The driver of the vehicle will be responsible for the impoundment costs and towing costs, but if they fail to pay then you may have no option but to pay the fees before your car will be released.

Victoria

Alternatively, the vehicle may be crushed or otherwise disposed of by police. In addition to the seizure or forfeiture of the vehicle, if found guilty of a 'hoon driving offence', the courts can impose a fine of up to 240 penalty units (in excess of \$28,000) and/or a period of imprisonment of up to two years.

Queensland

Vehicle forfeiture for hooning if a person commits two Type 1 hooning offences or four Type 2 hooning offences within five years, the vehicle can be forfeited to the state to be sold at

auction or crushed for scrap metal. This is regardless of the value of the vehicle or whether there is money owing on a loan for it.

Australian Capital Territory

The ACT Government is considering new powers which would allow police to crush cars seized from hoon drivers. Reckless drivers in the ACT could soon face having their cars destroyed, as the government considers stronger 'anti-hoon laws'.

Canberra police currently have the power to seize the vehicles of drivers accused of street racing, speed trials, burnouts or menacing driving for up to 90 days for a first offence. If a driver is caught again, their vehicle can be seized and forfeited if ordered by the court.

Comment by General Manager:

This Notice of Motion is in order and can be dealt with.

Attachments

Nil

Council Meeting

28/02/2024

Item No	12.7
Subject	Notice of Motion - Bay Street Cycleway
Submitted by	Heidi Lee Douglas, Councillor
File	F11/349.002

Summary

This Motion was submitted by Councillor Douglas.

Motion

That Council includes a project in the draft Operational Plan FY 2024/25 to scope options for a shared path utilising the current wider footpaths on the north side of Bay Street, to create a better connection between Rockdale and the foreshore of the Bay.

Background

Supporting Statement by Councillors

There is a train station at Rockdale and increasing population density with high rise development. There are also parking and traffic congestion issues at Brighton Le Sands.

Numerous residents have requested a safer cycling route or shared path that would enable people from Rockdale to more easily access the beach and Brighton shops without driving and allow Brighton residents including students to commute to the train station.

This shared path could also connect with the new bike path from Muddy Creek to AS Tanner Reserve.

This motion acknowledges a previous proposal for the development of Bay Street included a bike path on the north and south sides by widening the street, however, this motion asks for a proposal that's more limited in scope and cost.

Comment by General Manager:

This Notice of Motion is in order and can be dealt with.

Attachments

Nil

Council Meeting

28/02/2024

Item No	12.8
Subject	Notice of Motion - Sydney Water Application to Allow Raw Sewage Overflow into Mill Stream
Submitted by	Christina Curry, Councillor Scott Morrissey, Councillor
File	SF23/8069

Summary

This Motion was submitted by Councillors Curry and Morrissey.

Motion

- 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.

Background

Supporting Statement by Councillors

A Motion was submitted in September 2020 in relation to this issue. Sydney Water discharges sewage into the Mill Stream, which flows into Botany Bay. They are licensed to do so by the Federal Department of Infrastructure, Transport, Regional Development, Communications and the Arts, and must renew the license every three years. Whilst license renewal has been ongoing, it appears to be a 'tick-a-box' exercise; there has never been an end-date conditioned into the agreement. This motion seeks to confirm our opposition to the

Sydney Water's activity, understand when Sydney Water will stop, and have a flow of regular transparent community updates.

Comment by General Manager:

This Notice of Motion is in order and can be dealt with.

Attachments

Nil

Council Meeting

28/02/2024

Item No	12.9
Subject	Notice of Motion - Change to the Code of Meeting Practice
Submitted by	Liz Barlow, Councillor
File	SF23/5085

Summary

This Motion was submitted by Councillor Barlow.

Motion

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.”

Background

Supporting Statement by Councillors

Currently Clause 15.23 of our Code of Meeting Practice requires Councillors, Council staff and members of the public to ensure that their mobile phones are turned to silent during meetings of Council. This also applies to Committee meetings. However, even on silent Councillors are still able to text and use their phone for other purposes. This appears discourteous, unprofessional to the gallery and those watching on YouTube and is distracting to others. There may be an urgent issue that a Councillor may need to attend to during the meeting and, therefore, on that basis the Councillor should leave the Chamber to attend to that issue.

Comment by General Manager:

This Notice of Motion is in order and can be dealt with. Should the motion be carried, the changes to the Code of Meeting Practice will be publicly exhibited in accordance with the requirements of the Local Government Act and a report back to Council following the exhibition process.

Attachments

Nil

13 QUESTIONS WITH NOTICE

14 CONFIDENTIAL REPORTS / MATTERS

Council Meeting

28/02/2024

Item No	14.1
Subject	Confidential - Code of Conduct Matter
Report by	Meredith Wallace, General Manager
File	SF23/1200

Confidential

It is proposed that this report be considered in closed Council Meeting, with the press and public excluded, for the following reason:

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.

15 CONCLUSION OF THE MEETING