

MINUTES

of the **Ordinary Meeting** of
Bayside Council
held in the Rockdale Town Hall, Council Chambers,
Level 1, 448 Princes Highway, Rockdale
on **Wednesday 24 May 2023** at **7:03 pm**

Present

Councillor Christina Curry, Mayor
Councillor Scott Morrissey, Deputy Mayor
Councillor Joe Awada
Councillor Liz Barlow
Councillor Heidi Douglas
Councillor Mark Hanna
Councillor Jo Jansyn
Councillor Ed McDougall
Councillor Jennifer Muscat
Councillor Michael Nagi
Councillor Bill Saravinovski
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
Louise Farrell, Manager City Projects
Bobbi Mayne, Manager Libraries & Lifestyle
Hong Nguyen, Manager Environment & Resilience
Rodney Sanjivi, Finance Transformation Lead
Christina Chin, Senior Financial Business Partner
Amanda Rutherford, Coordinator Governance
Christine Stamper, Manager Communication & Events
Taif George, IT Technical Support 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 7:03 pm.

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

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.

National Reconciliation Week takes place from 27 May to 3 June. This year's theme for National Reconciliation Week is "**Be a Voice for Generations**". The theme urges all Australians to use their power, their words and their vote to create a better, more just Australia for all of us.

National Reconciliation week is also an opportunity to learn about shared histories, cultures and achievements and to explore how each of us can contribute to achieving reconciliation in Australia.

Council also notes National Sorry Day an event held annually in Australia on 26 May, commemorating the Stolen Generations. It is part of the ongoing efforts towards reconciliation between Indigenous and non-Indigenous Australians

Council will host a community information forum on the upcoming Voice to Parliament at 6:00 pm on 1 June at the Novotel Brighton Le Sands. We welcome our community to come along – registrations are essential. Please see Council's website for more information.

3 Opening Prayer

Pastor Andrew Harper, from Bay City Church, Arncliffe, opened the meeting in prayer.

Vale Bruce Sharp and Beverley Scott

The Mayor, Councillor Curry, conveyed her condolences on the death of Bruce Sharp and Beverley Scott, two long time very active community members.

Councillor Barlow and Councillor Saravinovski both shared their memories of Bruce Sharp and Beverley Scott.

Vale Judy Finlason

The Mayor, Councillor Curry, also conveyed her condolences to Judy Finlason's family who recently passed away at 92 years old. Judy was one of the all-time great fighters for the bushland of the Wolli Creek Valley, dating back to the late 70s.

Certificate of Congratulations – NSW RSL State Swimming Championships 2023

The Mayor, Councillor Curry, congratulated 13 swimmers from the Local Government Area who had received multiple medals and achievements at the NSW RSL State Swimming Championships held at the Botany Aquatic Centre on 11 March 2023. The Mayor presented them with Certificates of Congratulations and joined the swimmers for a group photo, together with Councillors Jansyn and Hanna.

4 Apologies and Attendance via audio visual link

Apologies

RESOLUTION

Minute No. 2023/069

Resolved on the motion of Councillors Awada and Jansyn

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

- Councillor Fardell

Attendance Via Audio Visual Link

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

5 Disclosures of Interest

Councillor Curry

Item 10.3 – 2023/24 Bayside Community Grants Program

Councillor Curry declared a Less than Significant Non-Pecuniary Interest in Item 10.3 on the basis that she has attended different events hosted by these organisations but holds no office bearing positions, and stated she would remain in the meeting for consideration and voting on the matter.

Councillor Nagi

Item 11.3 CPE23.013 – Planning Proposal Request - 776,792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot

Councillor Nagi declared that a conflict of duties arises in Item 11.3 (CPE23.013) on the basis he is a delegate on the Sydney Eastern City Planning Panel, and stated he would leave the meeting for consideration and voting on the matter.

Item 11.3 CPE23.015 – Planning Proposal Request - 200 Coward Street, Mascot

Councillor Nagi declared that a conflict of duties arises in Item 11.3 CPE23.015 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 Saravinovski**Item 10.3 – 2023/24 Bayside Community Grants Program**

Councillor Saravinovski declared a Less than Significant Non-Pecuniary Interest in Item 10.3 on the basis that he has been a guest at local games played by Rockdale Illinden at their home game but he has no role in the committee, and stated he would leave the meeting for consideration and voting on the matter.

Item 10.6 – Council Delegate to External Committees

Councillor Saravinovski declared a Less than Significant Non-Pecuniary Interest in Item 10.6 on the basis that he knows the two community representatives, and stated he would leave the meeting for consideration and voting on the matter.

Item 11.1 CS23.020 – Sport Field Allocations

Councillor Saravinovski declared a Less than Significant Non-Pecuniary Interest in Item 11.1 CS23.020 on the basis that his son plays for the Arncliffe Scotts Soccer Club, and stated he would leave the meeting for consideration and voting on the matter.

Item 14.1 – CONFIDENTIAL – Agreement for Lease Status for 72 Laycock Street, Bexley North

Councillor Saravinovski declared a Less than Significant Non-Pecuniary Interest in Item 14.1 on the basis that he attended the Greek Independence Day March 2021 function at the AHEPA building at Rockdale, and stated he would remain in the meeting for consideration and voting on the matter.

Councillor Tsounis**Item 14.1 – CONFIDENTIAL – Agreement for Lease Status for 72 Laycock Street, Bexley North**

Councillor Tsounis declared a Less than Significant Non-Pecuniary Interest in Item 14.1 on the basis that he was a former member of AHEPA, and stated he would remain in the meeting for consideration and voting on the matter.

Councillor Awada**Item 11.3 CPE23.013 – Planning Proposal Request - 776,792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot**

Councillor Awada declared that a conflict of duties arises in Item 11.3 CPE23.013 on the basis that he has been appointed a delegate on the Sydney Eastern City Planning Panel at this meeting, and stated he would leave the meeting for consideration and voting on the matter.

Item 11.3 CPE23.015 – Planning Proposal Request - 200 Coward Street, Mascot

Councillor Awada declared that a conflict of duties arises in Item 11.3 CPE23.015 on the basis that he has been appointed a delegate on the Sydney Eastern City Planning Panel at this meeting, and stated he would leave the meeting for consideration and voting on the matter.

Item 14.1 – CONFIDENTIAL – Agreement for Lease Status for 72 Laycock Street, Bexley North

Councillor Awada declared a Less than Significant Non-Pecuniary Interest in Item 14.1 on the basis that a family member lives in close proximity to Laycock Street, and stated he would remain in the meeting for consideration and voting on the matter.

Councillor Douglas**Item BTC23.055 – Bay Street, Brighton Le Sands - Trial Road Closure**

Councillor Heidi Lee Douglas declared a Less than Significant Non-Pecuniary Interest in Item 11.5 BTC23.055 on the basis that as a member of Peaceful Bayside she participated in a campaign for the closure of Bay Street, and stated she would remain in the Chamber for consideration and voting on the matter.

Councillor McDougall**Item 11.1 CS23.020 – Sport Field Allocations**

Councillor McDougall declared a Less than Significant Non-Pecuniary Interest in Item 11.1 CS23.020 as a precaution on the basis that he recently started a role with the Minister for Sports, and stated he would leave the meeting for consideration and voting on the matter.

Item 12.4 – Notice of Motion - Affordable Public Housing

Councillor McDougall declared a Less than Significant Non-Pecuniary Interest in Item 12.4 as a precaution on the basis that he recently started a role with the Minister for Sports, and stated he would leave the meeting for consideration and voting on the matter.

Item 14.1 – CONFIDENTIAL – Agreement for Lease Status for 72 Laycock Street, Bexley North

Councillor McDougall declared a Less than Significant Non-Pecuniary Interest in Item 14.1 on the basis that he was invited, in his capacity as Councillor, to attend Greek Independence Day in March this 2021 at the AHEPA building in Rockdale, and stated he would remain in the Meeting for consideration and voting on the matter.

Councillor Sedrak**Item 10.3 – 2023/24 Bayside Community Grants Program**

Councillor Sedrak declared a Less than Significant Non-Pecuniary Interest in Item 10.3 on the basis of perception, as he has had an affiliation with one of the clubs, and stated he would leave the Chamber for consideration and voting on the matter.

Item 11.1 CS23.020 - Sport Field Allocations

Councillor Sedrak declared a Less than Significant Non-Pecuniary Interest in Item 11.1 CS23.020 on the basis that he plays in a soccer team in the area, and stated he would remain in the meeting for consideration and voting on the matter.

6 Minutes of Previous Meetings

6.1 Minutes of the Council Meeting - 26 April 2023

RESOLUTION

Minute No. 2023/070

Resolved on the motion of Councillors Barlow and Nagi

That the Minutes of the Council Meeting held on 26 April 2023 be confirmed as a true record of proceedings subject to the words 'Robinson Street Park' in Resolution 4 of Item 11.1 CS23.012 'Review of Alcohol Free Zones' being amended to read 'Robertson Reserve'.

6.2 Minutes of the Extraordinary Council Meeting - 10 May 2023

RESOLUTION

Minute No. 2023/071

Resolved on the motion of Councillors Saravinovski and Morrissey

That the Minutes of the Extraordinary Council Meeting held on 10 May 2023 be confirmed as a true record of proceedings.

7 Mayoral Minutes

7.1 Mayoral Minute - Homelessness

RESOLUTION

Minute No. 2023/072

Resolved on the motion of Councillor Curry

- 1 That Council lends its support, where it can, to initiatives aimed at providing more beds for the homeless.
- 2 That Council continues to take every opportunity to raise awareness to eliminating family and domestic violence.

7.2 Mayoral Minute - NSW Bus Industry Taskforce Announced

RESOLUTION

Minute No. 2023/073

Resolved on the motion of Councillor Curry

- 1 That Council writes to the NSW Premier and NSW Minister for Transport to congratulate them on the creation of a Taskforce to improve bus services in NSW and offers our support and willingness to contribute.
- 2 That Council as a key stakeholder provides a submission to the taskforce to advocate for better bus services for our Bayside area.
- 3 That Council writes to our Local Members of Parliament and thank them for their tireless support to assist improving the bus services to our area.

8 Items by Exception

Procedural Motion

RESOLUTION

Minute No. 2023/074

Resolved on the motion of Councillors Morrissey and Muscat

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

Multiple Business Items

RESOLUTION

Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

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

- 10.2 Petition Received Scarborough Park Off Leash Dog Park
- 10.4 Quarterly Budget Review Statement - March 2023
- 10.5 Statutory Financial Report - April 2023
- 10.7 Disclosure of Pecuniary Interest - Designated Persons (First Return)

- 10.8 Response to Question - Bush Regeneration Sites
- 10.9 Response to Question - Natural Resource Management
- 10.10 Response to Question - LGBTIQ+ Forum
- 11.1 Minutes of the City Services Committee Meeting - 3 May 2023
 - CS23.017 Community Consultation Report - Draft Place Naming Policy
 - CS23.018 Draft Domestic Violence Action Plan 2022-2026
- 11.2 Minutes of the Corporate Performance Committee Meeting - 3 May 2023
 - CP23.009 Draft Customer Experience Strategy
 - CP23.010 Tender - Bexley Oval lighting towers
- 11.3 Minutes of the City Planning & Environment Committee Meeting - 10 May 2023
 - CPE23.014 Clause 4.6 Variations to Development Standards - Quarterly Report
 - CPE23.016 Safer Cities Her Way Program - Project Update and Engagement Strategy
- 11.4 Minutes of the City Works & Assets Committee Meeting - 10 May 2023
- 11.5 Minutes of the Bayside Traffic Committee Meeting - 10 May 2023
 - BTC23.056 Greek Festival - Bay Street, Brighton Le Sands
 - BTC23.057 73 Hirst Street, Arncliffe - Proposed 12m Works Zone for 42 Weeks
 - BTC23.058 Horsell Avenue, Arncliffe - Proposed changes to parking for Athelstane Public School
 - BTC23.059 Kings Road, Brighton Le Sands - Proposed Extension of 'No Stopping' restrictions
 - BTC23.060 McBurney Avenue, Mascot – Proposed 'No Parking 8:00 am - 9:30 am & 2:30 pm - 4:00 pm Mon-Fri' restrictions
 - BTC23.061 87 Rhodes Street, Hillsdale - Renewal of 14m Works Zone for 12 Weeks from 11 June 2023
 - BTC23.062 Scarborough Lane, Kogarah - Proposed 4P Parking Restrictions To replace 2P Parking Restrictions
 - BTC23.063 Stephen Road, Botany - Proposed 'Bus Zone 8:30 am – 3:30 pm School Days' and changes to 'No Stopping' restrictions
 - BTC23.065 General Business
- 11.6 Minutes of the Lydham Hall Advisory Committee Meeting - 11 April 2023

9 Public Forum

Details associated with the presentations to the Council in relation to items on this agenda can be found in the individual items.

CS23.020 Sport Field Allocations

The following person spoke at the meeting:

- Mr Garnet Brownbill, interested resident, speaking for the Committee Recommendation.

10 Reports to Council

10.1 Additional Dog Off Leash Exercise Areas

RESOLUTION

Minute No. 2023/077

Resolved on the motion of Councillors Morrissey and Jansyn

- 1 That Council notes the report.
- 2 That Council endorses the proposed locations for unenclosed off leash dog exercise areas:
 - 2.1 Ward 1 - Rhodes Street Reserve East (Hillsdale)
 - 2.2 Ward 2 - Hughes Avenue Reserve (Mascot)
 - 2.3 Ward 3 - Ron Gosling Reserve (Bardwell Park)
 - 2.4 Ward 4 - Flynns Reserve (Bexley)
- 3 That Council endorses the additional locations to be placed on public exhibition for 28 days.
- 4 That Council endorses a final report to be submitted to Council post public exhibition.
- 5 That Council submit some ideas for an education program for educating residents about keeping their dogs on leads in non-leash free areas.

10.2 Petition Received Scarborough Park Off Leash Dog Park

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 1 That Council receives and notes the petition.
- 2 That Council officers bring a report to the City Works and Assets Committee detailing the findings of an investigation into each of the requests raised in the petition.

10.3 2023/24 Bayside Community Grants Program

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

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

RESOLUTION

Minute No. 2023/078

Resolved on the motion of Councillors Jansyn and Nagi

That Council approves distribution of the recommended Small and Seeding Grants to the value of \$69,300.00 as outlined in this report.

10.4 Quarterly Budget Review Statement - March 2023

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 1 That the Quarterly Budget Review Statement by the Responsible Accounting Officer (RAO) for the quarter ended 31 March 2023 be received and noted.
- 2 That in accordance with Clauses 203 and 211 of the Local Government (General) Regulations 2005, the proposed variations to the adopted revised budget detailed in Attachment 1 to this report are adopted by Council and the changes to income and expenditure items be voted.

10.5 Statutory Financial Report - April 2023

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

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

10.6 Council Delegate to External Committees

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

RESOLUTION

Minute No. 2023/079

Resolved on the motion of Councillors Morrissey and Jansyn

- 1 That Council nominates Councillor Tsounis as its member representative on the **CivicRisk Mutual Ltd** to the end of the Council term.
- 2 That Council nominates Councillor Awada as its Council member to the **Sydney Eastern City Planning Panel** to the end of the Council term.
- 3 That Council extend the term of the existing representatives to **Sydney Eastern City Planning Panel** to the end of the Council term.
- 4 That Council notes that all representatives to the **Sydney Eastern City Planning Panel** will need to provide a Statutory Declaration that they are not property developers and/or real estate agents and complete probity checks.

Division called by Councillors Douglas and Werner

For: Councillors Curry, Morrissey, Muscat, Jansyn, Nagi, Tsounis, Awada, McDougall and Sedrak

Against: Councillors Werner, Barlow, Hanna and Douglas

The Motion was declared carried.

10.7 Disclosure of Pecuniary Interest - Designated Persons (First Return)

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That the information in this report be received and noted.

10.8 Response to Question - Bush Regeneration Sites

The response was received.

10.9 Response to Question - Natural Resource Management

The response was received.

10.10 Response to Question - LGBTIQ+ Forum

The response was received.

11 Minutes and Reports of Committees**11.1 Minutes of the City Services Committee Meeting - 3 May 2023****RESOLUTION**

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That the Minutes of the City Services Committee meeting held on 3 May 2023 be noted with the exception of CS23.019 and CS23.020 which were separately dealt with.

CS23.017 Community Consultation Report - Draft Place Naming Policy**RESOLUTION**

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 1 That the Council notes the Engagement Report outlining community feedback during the consultation and public exhibition period(s).
- 2 That the Council receives and notes the updated Place Naming Policy, including proposed amendments to the Policy.
- 3 That the Place Naming Policy be adopted by Council at its Meeting of 24 May 2023.

CS23.018 Draft Domestic Violence Action Plan 2022-2026**RESOLUTION**

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 1 That Council notes the Engagement Report outlining community feedback

during the consultation and public exhibition period.

- 2 That Council updates the action plan to include alignment to Council's strategic plans, formulation of goals, articulates objectives, describes activities, responsibility timeframes and how outcomes are measured, with the update to come back to the July committee.

CS23.019 Progress on Notice of Motion regarding additional Basketball Courts

RESOLUTION

Minute No. 2023/080

Resolved on the motion of Councillors Sedrak and Morrissey

- 1 That the Council notes the progress on the Notice of Motion regarding current and future basketball courts.
- 2 That the installation of a 3 point basketball court at Tonbridge Reserve, Ramsgate Beach, and Shaw Street Reserve, Bexley North, funded from the 2023/24 City Projects Program is endorsed.
- 3 That subject to further site investigation and funding, that Council recommend the following sites:
 - Gilchrist Park, Bexley (northern end) for a full court; and
 - Arncliffe Park or surrounding area for a 3 point ring / full court
- 4 That community engagement through 'Have Your Say' on the locations and concept designs be endorsed.

CS23.020 Sport Field Allocations

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

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

The following person spoke at the meeting:

- Mr Garnet Brownbill, interested resident, speaking for the Committee Recommendation.

RESOLUTION

Minute No. 2023/076

Resolved on the motion of Councillors Awada and Nagi

That the presentation is noted and that the information contained within the presentation inform a Bayside Sports Field Allocation Policy.

11.2 Minutes of the Corporate Performance Committee Meeting - 3 May 2023

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That the Minutes of the Corporate Performance Committee meeting held on 3 May 2023 be noted.

CP23.009 Draft Customer Experience Strategy

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 1 That the Council receives and notes the report and the actions.
- 2 That Council undertakes a Customer Satisfaction Survey to gain a baseline to inform the Customer Experience Strategy and to ensure appropriate measurements are in place. A Progress Report be presented to the Committee within 3 months.
- 3 That actions to be included in the 2023/24 Operational Plan and are reported on twice a year.

CP23.010 Tender - Bexley Oval Lighting Towers

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 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, in accordance with Section 178(1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from Havencord Pty Ltd for the construction of sports lighting upgrades for Bexley Park for the amount of \$173,000 exclusive of GST.

11.3 Minutes of the City Planning & Environment Committee Meeting - 10 May 2023

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That the Minutes of the City Planning & Environment Committee meeting held on 10 May 2023 be noted with the exception of CPE23.012, CPE23.013 and CPE23.015 which were separately dealt with.

CPE23.012 Planning Proposal - Housekeeping and other amendments to Bayside Local Environmental Plan 2021

RESOLUTION

Minute No. 2023/081

Resolved on the motion of Councillors Morrissey and McDougall

- 1 That Council endorses the planning proposal for housekeeping and other amendments to the Bayside Local Environmental Plan 2021 and forward the planning proposal to the Department of Planning and Environment requesting a Gateway Determination pursuant to s3.34 of the *Environmental Planning & Assessment Act 1979*.
- 2 That Council, subject to receiving a Gateway Determination, publicly exhibits the planning proposal in accordance with the conditions of the Gateway determination and the Bayside Community Participation Plan 2019.
- 3 That Council receives a further report following public exhibition of the planning proposal detailing any submissions received.

Division (Planning Matter)

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

The Motion was declared carried.

CPE23.013 Planning Proposal Request - 776,792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot

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

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

RESOLUTION

Minute No. 2023/081

Resolved on the motion of Councillors Morrissey and Jansyn

- 1 That the planning proposal request for land at 776, 792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot be deferred for the following reasons:
 - a) The site is in an area that has been identified in the Bayside Local Strategic Planning and Local Housing Strategy for further investigation by way of a master planning process, which will allow a more comprehensive and holistic planning outcome to be delivered in the broader precinct.
 - b) Proceeding with a site-specific planning proposal prior to the masterplan finalisation would set an undesirable precedent, lead to ad hoc planning, and undermine any future vision to be established by the master planning process.
 - c) There are unresolved issues including heritage impacts, traffic and access, urban design, impacts on adjoining properties and the streetscape, and impact on community services and commercial activity in the precinct.
- 2 That the planning investigation area along Botany Road, Mascot that Council resolved to progress at its meeting in October 2022 be prioritised ahead of the West Kogarah and Bexley North investigation areas to assist in deciding the NSW Land and Housing planning proposal.
- 3 That Council seeks the view of our Local Members of Parliament on the matter.

Division (Planning Matter)

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

The Motion was declared carried.

CPE23.014 Clause 4.6 Variations to Development Standards - Quarterly Report**RESOLUTION**

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

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 three (3) of FY2023 to be received and noted.

CPE23.015 Planning Proposal Request - 200 Coward Street, Mascot

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

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

RESOLUTION

Minute No. 2023/082

Resolved on the motion of Councillors Morrissey and Jansyn

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

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

- 2 That Council notes the correspondence received from the proponent regarding a potential Planning Agreement.
- 3 That Council rejects the planning proposal request for land at 200 Coward Street, Mascot.

Division (Planning Matter)

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

The Motion was declared carried.

CPE23.016 Safer Cities Her Way Program - Project Update and Engagement Strategy

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That Council receives and notes this report, including the draft Engagement Plan.

11.4 Minutes of the City Works & Assets Committee Meeting - 10 May 2023

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That the Minutes of the City Works & Assets Committee meeting held on 10 May 2023 be noted with the exception of CW23.013 which was separately dealt with.

CWA23.013 Disposal of Asset - 2 Hollingshed Street Mascot

RESOLUTION

Minute No. 2023/083

Resolved on the motion of Councillors Saravinovski and Jansyn

- 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 endorses the disposal of 2 Hollingshed Street, Mascot by way of an Expressions of Interest (EOI) sales campaign to determine the best offer and sale outcome.
- 3 That Council authorises the General Manager to enter into an Agency Sales Agreement with the recommended Agency identified in annexure 1.
- 4 That Council authorises the General Manager to execute all documentation required to finalise the matter and, where required, the application of the Council Seal, including an authorisation for the Mayor to co-sign any document (pursuant to s400 Local Government (General) Regulation 2005).

11.5 Minutes of the Bayside Traffic Committee Meeting - 10 May 2023

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That the Minutes of the Bayside Traffic Committee meeting held on 10 May 2023 be received and the recommendations therein be adopted with the exception of BTC23/054, BTC23/055 and BTC23.064 which were separately dealt with.

BTC23.054 27 Albyn Street, Bexley - Proposed 21.5m Works Zone for 26 Weeks

RESOLUTION

Minute No. 2023/084

Resolved on the motion of Councillors Barlow and Hanna

- 1 That approval be given to the installation of a 21.5m 'Works Zone, 7 am – 5 pm, Mon – Fri and 8 am – 1 pm Sat' restriction along the northern kerb line of Albyn Street, for the duration of 26 weeks, subject to relevant conditions.
- 2 That the applicant must ensure that construction vehicles do not queue within Albyn 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 Albyn Street not be changed on account of this proposal and two-way traffic flow be maintained in Albyn Street at all times unless separate road occupancy approvals have been obtained through Council's Public Domain and Referrals team.
- 4 That approval not be given to the movement of 'Heavy Rigid Vehicles' due to constraints in the existing road infrastructure and be limited to 'Medium Rigid Vehicle'.
- 5 That the applicant notifies Council six weeks in advance of required extension to the 26 week 'Works Zone'.

BTC23.055 Bay Street, Brighton Le Sands - Trial Road Closure

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

RESOLUTION

Minute No. 2023/085

Resolved on the motion of Councillors Jansyn and Werner

That the Council notes the proposed two-weekend trial of the temporary and partial road closure of Bay Street, Brighton Le Sands, from Friday 2 June 2023 to Monday 12 June 2023, subject to TfNSW approval of the submitted TMP.

BTC23.056 Greek Festival - Bay Street, Brighton Le Sands

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 1 That the proposed Greek Festival in Bay Street, Brighton Le Sands, proposed from Friday 26 May 2023 to Sunday 28 May 2023, be designated a Class 2 Special Event in accordance with the Guide to Traffic and Transport for Special Events.
- 2 That the event be authorised to proceed subject to relevant conditions and Transport for NSW approval of the submitted Traffic Management Plan (TMP).

BTC23.057 73 Hirst Street, Arncliffe - Proposed 12m Works Zone for 42 Weeks

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 1 That approval be given to the installation of a 12m 'Works Zone, 7 am – 5 pm, Mon – Fri and 8 am – 1 pm Sat' restriction along the northern kerb line of Hirst Street, for the duration of 42 weeks, subject to relevant conditions.
- 2 The applicant must ensure that construction vehicles do not queue within Hirst 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 Hirst Street not be changed on account of this proposal and two-way traffic flow be maintained in Hirst Street at all times unless separate road occupancy approvals have been obtained through Council's Public Domain and Referrals team.
- 4 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'.
- 5 That approval not be given to construction vehicles to arrive or depart from the site during school zone hours i.e. 8:00 am – 9:30 am and 2:30 pm – 4:00 pm school days.

- 6 That the applicant notifies Council six weeks in advance of required extension to the 42 week 'Works Zone'.

BTC23.058 Horsell Avenue, Arncliffe - Proposed changes to parking for Athelstane Public School

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 1 That approval be given for the removal of all existing 'No Parking 8:30 am – 9:30 am, 2:30 pm – 3:30 pm School Days Permit Holders Excepted' signage on the southern kerb line of Horsell Avenue, as per the attached drawings.
- 2 That approval be given for a 21.0m 'No Parking 8:30 am – 9:30 am, 2:30 pm – 3:30 pm School Days' restriction on the southern kerb line of Horsell Avenue, as per the attached drawings.
- 3 That approval be given for a 10.5m 'No Parking School Days restriction' on the southern kerb line of Horsell Avenue, as per the attached drawings.

BTC23.059 Kings Road, Brighton Le Sands - Proposed Extension of 'No Stopping' restrictions

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That approval be given to relocate the existing 'No Stopping' restriction 6.0m west, on the northern kerb line of Kings Road, Brighton Le Sands, as per the attached drawings.

BTC23.060 McBurney Avenue, Mascot – Proposed 'No Parking 8:00 am - 9:30 am & 2:30 pm - 4:00 pm Mon-Fri' restrictions

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That approval be given for the installation of 'No Parking 8:00 am – 9:30 am, 2:30 pm – 4:00 pm Mon-Fri' restrictions on the southern kerb line of McBurney Avenue, Mascot, as per the attached drawing.

BTC23.061 87 Rhodes Street, Hillsdale - Renewal of 14m Works Zone for 12 Weeks from 11 June 2023**RESOLUTION**

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 1 That approval be given to the installation of a 14m 'Works Zone, 7 am – 5 pm, Mon - Fri and 7 am – 1 pm Sat' restriction at 87 Rhodes Street, Hillsdale, on the western kerb line for a duration of 32 weeks, subject to relevant conditions.
- 2 That approval be given for the temporary relocation of 'No Stopping' restriction by 5m on the western kerb line to facilitate the construction vehicles as per the attached drawing.
- 3 That approval not be given to the movement of 'Heavy Rigid Vehicles' due to constraint in the existing road infrastructure.
- 4 That other existing parking restrictions on the Rhodes Street not be changed and two-way traffic flow be maintained in Rhodes Street at all times unless separate road occupancy approvals have been obtained through Council's Public Domain and Referrals team.
- 5 That applicant must ensure that the construction vehicles do not queue within Rhodes Street and any other local roads in the vicinity especially concrete trucks during the construction period waiting to deliver goods to the site.
- 6 That the applicant notifies Council six weeks in advance of required extension to the 32 week 'Works Zone'.
- 7 That approval is not given for construction vehicles to use Flint Street as part of ingress and egress routes.

BTC23.062 Scarborough Lane, Kogarah - Proposed 4P Parking Restrictions To replace 2P Parking Restrictions**RESOLUTION**

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That approval be given to replace the existing timed parking restrictions within the car park in Scarborough Lane, Kogarah, along the eastern kerb line between Wilson Street and Austral Street, from '2P, 8 am – 1 pm, SAT' to '4P, 8 am – 4 pm, SAT'.

BTC23.063 Stephen Road, Botany - Proposed 'Bus Zone 8:30 am – 3:30 pm School Days' and changes to 'No Stopping' restrictions**RESOLUTION**

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

- 1 That approval be given to reduce the existing 'No Stopping' restriction on the western kerb line of Stephen Road, north of Brighton Street, from 25.0m to 15.0m.
- 2 That approval be given to increase the 'No Stopping' restriction on the western kerb line of Stephen Road, south of Brighton Street, from 15.0m to 23.0m.
- 3 That approval be given for the installation of a '20.0m school 'Bus Zone 8:30 am – 3:30 pm School Days' adjacent to the 'No Stopping' zone along the western kerb line of Stephen Road, south of Brighton Street.

BTC23.064 Matters referred to the Bayside Traffic Committee by the Chair**RESOLUTION**

Minute No. 2023/086

Resolved on the motion of Councillors McDougall and Barlow

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

BTC23.065 General Business**RESOLUTION**

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That the matters raised in General Business be received, noted and action taken as necessary.

11.6 Minutes of the Lydham Hall Advisory Committee Meeting - 11 April 2023

RESOLUTION

Adopted Minute No. 2023/075

Resolved on the motion of Councillors Morrissey and Muscat

That the Minutes of the Lydham Hall Advisory Committee meeting held on 11 April 2023 be noted.

Procedural Motion – Adjournment of Meeting

Councillor Curry adjourned the meeting at 9:25 pm for 15 minutes to allow Councillors and the public to take a break.

The meeting reconvened at 9:40 pm with all Councillors, previously present, present.

12 Notices of Motion

12.1 Notice of Motion - Shorebird Friendly Zones

RESOLUTION

Minute No. 2023/087

Resolved on the motion of Councillors Douglas and Jansyn

That Council requests Georges River Keeper (a collaboration of Councils along the River and extending into Botany Bay) to:

- Provide a shorebird protection plan which acknowledges the different character and capacity of parts of the river system and Bay to accommodate shore and migratory birds.
- Include both advocacy to the State and Federal Government, and actions that Council can undertake.

12.2 Notice of Motion - Electric Lawn Mowers

RESOLUTION

Minute No. 2023/088

Resolved on the motion of Councillors Douglas and Nagi

- 1 That Council investigates and reports back to the relevant Committee in regards to transitioning Council's ride-on mower fleet from diesel to electric.

- 2 That Council undertakes additional investigation on all minor and major plant.

12.3 Notice of Motion - Restricting Advertising on Council-owned Sites for Companies Involved in the Extraction/Sale of Fossil Fuels.

MOTION

Motion moved by Councillors Werner and Douglas

That, in recognition of the health and climate impacts of fossil fuels, Council:

- a Will not accept sponsorships from companies involved in the extraction or sale of fossil fuels.
- b Provides a report into options to restrict advertising from companies whose main business is the extraction or sale of coal, oil, and gas across council owned sites. Staff are encouraged to look at numerous councils around Australia who are currently implementing a similar process.

Division called by Councillors Werner and Douglas

For: Councillors Werner and Douglas

Against: Councillors Curry, Morrissey, Muscat, Jansyn, Nagi, Saravinovski, Tsounis, Awada, Barlow, Hanna, McDougall and Sedrak

The Motion was declared lost.

12.4 Notice of Motion - Affordable Public Housing

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

MOTION

Motion moved by Councillors Werner and Douglas

That Council:

- 1 believes that public housing should not just be a safety net for vulnerable people but should be a significant element of the housing system that should be available to everyone who needs it, including low income earners;
- 2 notes previous Council resolution in support of affordable housing including 'Taking action on Affordable Housing across Bayside LGA (Minute 2022/355);
- 3 notes that according to Council's Delivery Program and Operational Plan 2023-24, 35.9% of households are in rental stress and 23.1% are in mortgage stress;

- 4 notes the significant reduction in available public housing stock in the Eastern Suburbs and Inner City between 2016 - 2021, dropping from 3103 to 2803 (-300) in the Randwick LGA, 2127 to 1835 (-292) in the Bayside LGA, and 6534 to 5689 (-845) in City of Sydney according to the 2021 ABS census;
- 5 notes that as of June 2022 there were 51,031 applicants listed on the NSW Housing Register, with an additional 6, 519 on the priority list, with a waiting time of 10 + years for studio or single bedroom dwellings, and 10 + years for 2 to 4+ bedroom dwellings in the St George region;
- 6 notes that during the 2023 NSW election campaign, NSW Labor committed to immediately end the sale of public housing in NSW, and to implement legislation to place a moratorium on the privatisation of public housing including the sale, outsourcing, or leasing of any public housing assets or services; and committed to urgently reviewing re-development projects which have been announced, or are underway, on public land; and
- 7 calls on the NSW State Government to:
 - a. institute an immediate ban and reversal on all public housing sell offs, including loss of public land through redevelopment of LAHC sites such as the estates at Eden Street, Arncliffe and at Henry Kendall Crescent, Mascot;
 - b. invest in building more public housing;
 - c. retain all current public housing stock as public housing;
 - d. ban no-grounds evictions and forced re-locations;
 - e. ensure security of tenure for housing tenants;
 - f. ensure prompt maintenance and repair of public housing - no more 'demolition by neglect'; and
 - g. protect long standing communities.

The Motion was put and lost.

FORESHADOWED MOTION

Foreshadowed Motion moved by Councillor Saravinovski and Tsounis

That Council writes to the Premier and the Minister for Housing to congratulate them on their swift action to freeze all sales of public and social housing in NSW.

The Foreshadowed Motion became the Motion and was carried.

RESOLUTION

Minute No. 2023/089

Resolved on the motion of Councillors Saravinovski and Tsounis

That Council writes to the Premier and the Minister for Housing to congratulate them on their swift action to freeze all sales of public and social housing in NSW.

12.5 Notice of Motion - Accessibility to Cenotaphs

RESOLUTION

Minute No. 2023/090

Resolved on the motion of Councillors Jansyn and Muscat

- 1 That Council inspects all Bayside Cenotaphs to ensure that access is available to all members of the community.
- 2 That Council ensures that appropriate safety standards are in place at each location by Anzac Day 2024.
- 3 That Council installs, as a minimum, site appropriate handrails where there are none, to a standard that is befitting of a cenotaph.
- 4 That Council considers further opportunities and funding for accessibility improvements (for example, ramps) where memorial services are held.

12.6 Notice of Motion - Old Botany Police Station - Transfer of Ownership and Community Use

RESOLUTION

Minute No. 2023/091

Resolved on the motion of Councillors Morrissey and Jansyn

- 1 That Council advocate to the relevant Ministers and The Hon Michael Daley, Attorney General and Member for Maroubra, and liaise with NSW Land and Housing Corporation to transfer the ownership of the locally heritage listed Old Botany Police Station to Bayside Council after conservation and refurbishment works are complete, to facilitate it's use for community purposes.
- 2 That Council write to the Honourable Member for Heffron to support Council's request to transfer ownership.

12.7 Notice of Motion - Code of Meeting Practice – Amendment to Order of Business to Recognise Condolences

RESOLUTION

Minute No. 2023/092

Resolved on the motion of Councillors Barlow and Tsounis

That Council receive a report as to the appropriate amendments to the Code of Meeting Practice and processes required to formally recognise, as an item of business, the practice of providing condolences on the death of residents and employees (including former employees) who have made a significant contribution to the Council and/or the Bayside community.

13 Questions With Notice

11.1 Question With Notice - Recording Gender on Council Documents

Councillor Werner asked the following question:

How is sex and/or gender recorded on Council forms and in Council systems (particularly those forms not related to the department of education such as library membership and memberships of pools and sporting facilities etc)? Do we follow the ABS standards?

11.2 Question With Notice - Council Exit Interviews

Councillor Werner asked the following question:

Does Bayside Council conduct exit interviews with staff who leave the organisation? If so, what percentage of people who've left the organisation have completed an exit interview?

14 Confidential Reports

Notwithstanding the report was confidential, this item was considered in Open Council.

14.1 Agreement For Lease Status for 72 Laycock Street, Bexley North

Councillors Saravinovski, Tsounis, Awada and McDougall had previously declared a Less than Significant Non-Pecuniary Interest.

RESOLUTION

Minute No. 2023/093

Resolved on the motion of Councillors Saravinovski and McDougall

- 1 That 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 report 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 receives and notes the information contained in this report.
- 3 That Council notes that clause 5.2 of the Agreement for Licence and Lease

(AFL) includes the right for either Council or AHEPA to rescind the AFL from 21 May 2023.

- 4 That Council also notes that:
 - a following refusal of AHEPA's DA by the Bayside Planning Panel, the AFL mandates that Council and AHEPA discuss in good faith whether the DA Works can be varied;
 - b Council is attempting to convene a meeting for this purpose; and
 - c the content of such discussion, or AHEPA's failure to meet with Council in a timely fashion for such discussion, will be one consideration for Council to take into account if it wishes to consider whether to rescind the AFL.
- 5 That should a future decision be made by either party to rescind, Council will need to consider options for the use of 72 Laycock Street, Bexley North.

15 Conclusion of Meeting

The Mayor closed the meeting at 10:47 pm.

Councillor Christina Curry
Mayor

Meredith Wallace
General Manager