



# City Works & Assets Committee

commences at the conclusion of the  
City Planning & Environment Committee  
meeting Wednesday 5 February 2025

**Venue:**

Committee Room, Botany Town Hall  
1423 Botany Road, Botany  
(Corner of Edward Street and Botany Road, Botany)

Contact Us:

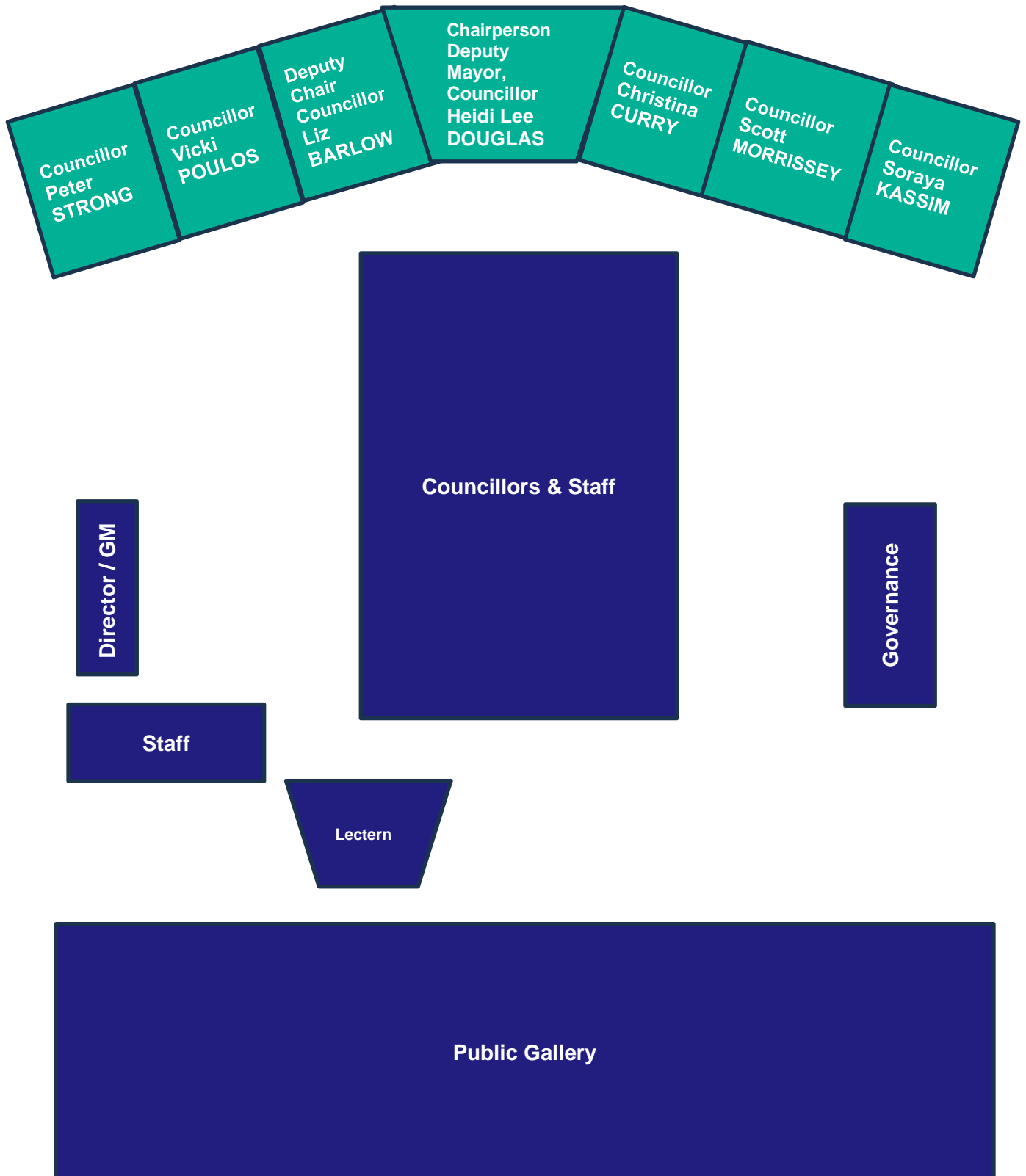
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## City Works & Assets Committee Seating Plan



# 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

A meeting of the  
**City Works & Assets Committee**  
will be held in the Committee Room, Botany Town Hall  
1423 Botany Road, Botany  
(Corner of Edward Street and Botany Road, Botany)  
on **Wednesday 5 February 2025 commences at the conclusion of the  
City Planning & Environment Committee meeting**

## AGENDA

<b>1</b>	<b>ACKNOWLEDGEMENT OF COUNTRY</b> .....	<b>5</b>
<b>2</b>	<b>APOLOGIES, LEAVE OF ABSENCE &amp; ATTENDANCE VIA AUDIO-VISUAL LINK</b>	<b>5</b>
<b>3</b>	<b>DISCLOSURES OF INTEREST</b> .....	<b>5</b>
<b>4</b>	<b>MINUTES OF PREVIOUS MEETINGS</b> .....	<b>6</b>
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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 ACKNOWLEDGEMENT OF COUNTRY**

Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.

## **2 APOLOGIES, LEAVE OF ABSENCE & ATTENDANCE VIA AUDIO-VISUAL LINK**

## **3 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.

## 4 MINUTES OF PREVIOUS MEETINGS

### City Works & Assets Committee

5/02/2025

Item No	4.1
Subject	<b>Minutes of the City Works &amp; Assets Committee Meeting - 4 December 2024</b>
Report by	Richard Sheridan, Director City Performance
File	F24/865

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### Officer Recommendation

That the Minutes of the City Works & Assets Committee meeting held on 4 December 2024 be noted

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### Present

Councillor Heidi Lee Douglas, Deputy Mayor, Chairperson  
Councillor Liz Barlow, Deputy Chairperson  
Councillor Soraya Kassim (via audio-visual link)  
Councillor Peter Strong  
Councillor Scott Morrissey  
Councillor Christina Curry  
Councillor Vicki Poulos

### Also present

Councillor Edward McDougall, Mayor  
Councillor Joe Awada  
Councillor Janin Bredehoeft  
Meredith Wallace, General Manager  
Peter Barber, Director City Futures  
Colin Clissold, Director City Presentation  
Joe Cavagnino, Manager Procurement and Fleet  
Louise Farrell, Manager City Projects  
Rupert Gilroy, Manager – Property  
Guy Hancock, Manager City Works  
David Smith, Manager - Strategic Planning  
Helen Tola, Manager Governance & Risk  
Sharyn Lindtner, Development Manager  
Karen Barrass, Lead Governance  
Tanya Ryvchin, Procurement Specialist (via audio-visual link)  
Anh Hoang, Governance Officer  
Wolfgang Gill, IT Service Management Officer

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The Chairperson opened the meeting in the Committee Room, Botany Town Hall, at 7:11 pm.

## **1 Acknowledgement of Country**

The Chairperson affirmed that Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.

## **2 Apologies, Leave of Absence, Remote Attendance**

### **Apologies**

There were no apologies received.

### **Leave of Absence**

There were no applications for Leave of Absence received.

### **Attendance Via Audio-Visual Link**

#### **Committee Recommendation**

Moved by Councillors Curry and Morrissey

That Councillor Kassim'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 Works & Assets Committee Meeting - 6 November 2024](#)**

#### **Committee Recommendation**

Moved by Councillors Morrissey and Curry

That the Minutes of the City Works & Assets Committee meeting held on 6 November 2024 be noted.

### **2.2 Business Arising**

The Committee notes that the Minutes of the City Works & Assets Committee of Wednesday 6 November 2024 were received, and the recommendations therein were adopted by the Council at its meeting of 27 November 2024

## 5 Items by Exception

There were no Items by Exception.

## 6 Public Forum

### **CWA24.044 Expressions of Interest - Riverine Park**

The following person spoke at the meeting:

- Mr Sam Thomson, Venue & Government Partnerships Manager – NSW, AFL NSW/ACT, speaking for the Committee Recommendation.

## 7 Reports

### SUSPENSION OF STANDING ORDERS

#### **Committee Recommendation**

Moved by Councillors Curry and Morrissey

That Standing Orders be suspended in order to deal with Item CWA024.044, the time being 7.18 pm.

### **[CWA24.044 Expressions of Interest - Riverine Park](#)**

#### **Committee Recommendation**

Moved by Councillors Curry and Barlow

- 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 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 Council accept in principle the offer from AFL (NSW/ACT) Commission Limited for the Licence over Riverine Park (also known as Part of Barton Park) Site 2 subject to negotiation of the terms and details, including the intended hours of use, community access, and maintenance arrangements for buildings and other assets.
- 4 That the General Manager be authorised to negotiate final terms under part 3 above and execute a licence.



- 5 That Council determines not to execute a licence over Riverine Park Site 1 at this time and proceed to review other options for its use by the community, including through Council's Bookable system.

## RESUMPTION OF STANDING ORDERS

### **Committee Recommendation**

Moved by Councillors Curry and Morrissey

That Standing Orders be resumed, the time being 7.30 pm.

### **CWA24.043 Update Mascot Oval**

#### **Committee Recommendation**

Moved by Councillors Curry and Morrissey

- 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 meeting it would, on balance, be contrary to the public interest due to the issue it deals with. That the report be received and noted.

- 2 That the Committee endorse the continuation of the lead consultant's engagement (Smith and Tzannes Pty Ltd) to accommodate the increased scope and complexity to the Mascot Oval Upgrade project.

**Note:** Item CWA24.044 - 'Expressions of Interest - Riverine Park' was dealt with after Public Forum.

### **CWA24.045 Compulsory acquisition of land by NSW National Parks & Wildlife Services - Bardwell Park**

#### **Committee Recommendation**

Moved by Councillors Strong and Barlow

- 1 That Council endorse the NSW National Parks & Wildlife Service request to acquire part of Lot1 DP123072, known as 20 Hartill-Law Avenue Bardwell Park under provisions in Section 29 of the *Land Acquisition (Just Terms Compensation) Act 1991*, for the Public Purpose of Wolli Creek Regional Park.
- 2 That the General Manager be authorised to execute all documentation required to finalise the transfer of this property.

### **CWA24.046 The Boulevard Car Park Re-development Project**

#### **Committee Recommendation**

Moved by Councillors Strong and Douglas

- 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), (d)(i), 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 meeting it would, on balance, be contrary to the public interest due to the issue it deals with and 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 meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That The Boulevard Car Park Redevelopment Option 4 and the funding strategy outlined in this report be endorsed.
- 3 That Council explore options for waste management initiatives as part of the development along with the impact that may have on number of car spaces.

### **CWA24.047 Minor Civil Works Tender**

#### **Committee Recommendation**

Moved by Councillors Curry and Barlow

- 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 a panel of contractors, consistent with recommendation of the tender evaluation panel, be endorsed by Council and that panel agreements be entered into with the 14 suppliers recommended in the body of this report.

## **8 Confidential Reports / Matters**

In accordance with Council's Code of Meeting Practice, the Chairperson 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 Committee Meeting**

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

### **CWA24.048 CONFIDENTIAL - Brighton Baths Building - Tenant Update**

In accordance with section 10A (2) (a) of the Local Government Act 1993, the matters dealt with in this report relate to personnel matters concerning particular individuals (other than Councillors).

- 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.

### **CWA24.048 Brighton Baths Building - Tenant Update**

#### **Committee Recommendation**

Moved by Councillors Morrissey and Curry

- 1 That the following repayment plan is offered to the tenant, that will require the arrears balance for Restaurant Rent and other amounts payable to be reduced as follows:
  - 1.1 By 31 December 2024 – balance is \$150,000 or less;
  - 1.2 By 31 January 2025 – balance is \$100,000 or less (the amount in dispute concerning the 2022 rent review); and
  - 1.3 By 28 February 2025 – balance is zero (regardless of status of the dispute concerning the 2022 rent review).
- 2 That if Restaurant Rent is more than one month in arrears at any time after 28 February, 7 days' notice will be provided to make all outstanding payments, otherwise a lease termination notice will be issued with immediate effect.
- 3 That the lease provisions regarding imposition of interest on overdue amounts will be strictly enforced (calculated and accruing daily) and invoiced monthly.
- 4 That the terms of the current lease regarding the rights and obligations of both parties be used going forward to govern the commercial relationship between Council and the tenant.
- 5 That Councillors received an report on the Brighton Baths Building – Tenant Update in February 2025.

### **Resumption of Open Committee Meeting**

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

The Chairperson made public the Committee Recommendations that were made during the closed part of the meeting with an additional Point 5.

The next meeting will be held in the Committee Room, Botany Town Hall, on Wednesday, 5 February 2025.

The Chairperson closed the meeting at 8:15 pm

### **Attachments**

Nil

## **5 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

## **6 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.

## **7 REPORTS**

Nil

## 8 CONFIDENTIAL REPORTS

### City Works & Assets Committee

5/02/2025

Item No CWA25.001  
Subject **CONFIDENTIAL - Brighton Baths Building - Tenant Update**  
Report by Peter Barber, Director City Futures  
File SF23/6402

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### Confidential

It is proposed that this report be considered in closed meeting, with the press and public excluded, for the following reason:

In accordance with section 10A (2) (a) of the Local Government Act 1993, the matters dealt with in this report relate to personnel matters concerning particular individuals (other than Councillors).

### City Works & Assets Committee

5/02/2025

Item No CWA25.002  
Subject **CONFIDENTIAL - Proposed Sale of Lots 101,103,104 in DP445997 at 1543-1545 Botany Road, Botany**  
Report by Peter Barber, Director City Futures  
File F25/46

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### Confidential

It is proposed that this report be considered in closed meeting, with the press and public excluded, for the following reason:

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