



# Ordinary Council Meeting

7:00 pm  
Wednesday 25 June 2025

**Venue:**  
Rockdale Town Hall, Council Chambers,  
Level 1, 448 Princes Highway, Rockdale

**Contact Us:**

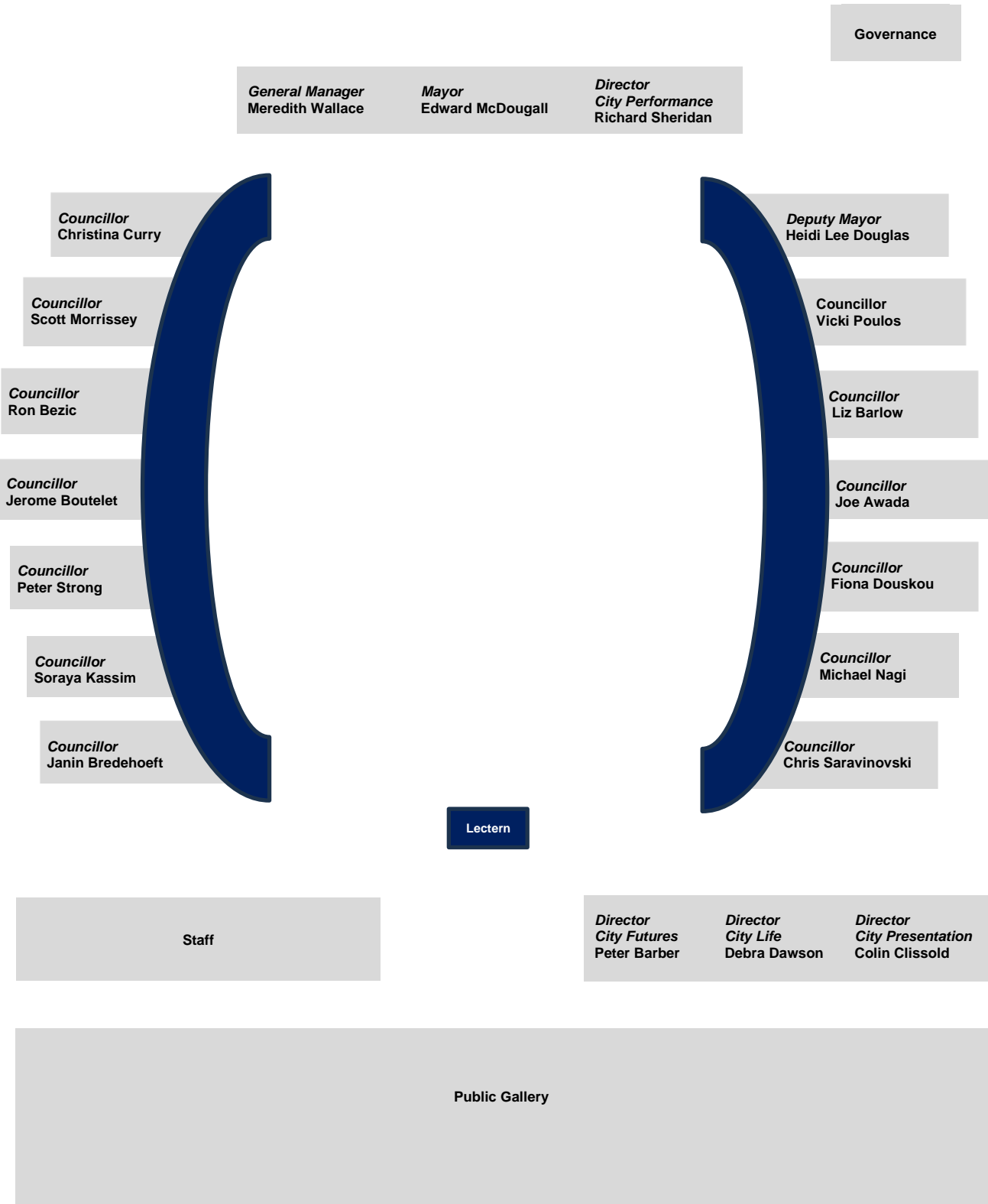
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# Council Meeting Seating



# 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 Council Meeting** of  
**Bayside Council**  
will be held in the Rockdale Town Hall, Council Chambers,  
Level 1, 448 Princes Highway, Rockdale  
on **Wednesday 25 June 2025 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 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.

**3 OPENING PRAYER**

**4 CONDOLENCES**

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

### **Council Meeting**

**25/06/2025**

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Item No	5.1
Subject	<b>Leave of Absence - Councillor Vicki Poulos</b>
Submitted by	Richard Sheridan, Director City Performance
File	SF24/8035

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### **Summary**

Councillor Poulos is seeking leave of absence from the Council Meeting scheduled for 25 June 2025, the City Works & Assets Committee scheduled for 2 July 2025 and the City Services Committee scheduled for 9 July 2025 (she is a member of both of these Committees), if she is unable to attend via audio-visual link.

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### **Officer Recommendation**

That Councillor Poulos's request be received and leave of absence granted for the following meetings of Council if she is unable to attend via audio-visual link:

- Council Meeting - Wednesday 25 June 2025
  - City Works & Assets Committee meeting - Wednesday 2 July 2025
  - City Services Committee meeting - Wednesday 9 July 2025
- 

### **Background**

The Council's Code of Meeting Practice, states:

#### ***'Attendance by councillors at meetings***

- 5.4 *Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.*
- 5.5 *A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.*
- 5.6 *The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.'*

Councillor Poulos's leave of absence will incur apologies at the Council Meeting scheduled for 25 June 2025, the City Works & Assets Committee scheduled for 2 July 2025 and the City Services Committee scheduled for 9 July 2025 (she is a member of both of these Committees), if she is unable to attend via audio-visual link.

**Comment by General Manager:**

This Leave of Absence can be considered.

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**Attachments**

Nil

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## Council Meeting

25/06/2025

Item No	5.2
Subject	<b>Leave of Absence - Councillor Soraya Kassim</b>
Submitted by	Richard Sheridan, Director City Performance
File	SF24/8035

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## Summary

Councillor Kassim is seeking leave of absence for the Bayside Traffic Committee Meeting, City Services Committee Meeting and City Performance Committee Meeting to be held on 9 July 2025 (she is a member of all of these Committees), if she is unable to attend via audio-visual link.

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## Officer Recommendation

That Councillor Kassim's request be received and leave of absence granted for the following Committee meetings if she is unable to attend via audio-visual link

- Bayside Traffic Committee Meeting – Wednesday 9 July 2025.
  - City Services Committee Meeting – Wednesday 9 July 2025.
  - City Performance Committee Meeting – Wednesday 9 July 2025.
- 

## Background

The Council's Code of Meeting Practice, states:

***'Attendance by councillors at meetings***

- 5.4 *Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.*
- 5.5 *A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.*
- 5.6 *The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.'*



Councillor Kassim's leave of absence will incur apologies at the Bayside Traffic Committee Meeting, City Services Committee Meeting and City Performance Committee Meeting to be held on 9 July 2025 (she is a member of all of these Committees), if she is unable to attend via audio-visual link.

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## **Attachments**

Nil

## Council Meeting

25/06/2025

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Item No	5.3
Subject	<b>Leave of Absence - Councillor Heidi Lee Douglas</b>
Submitted by	Richard Sheridan, Director City Performance
File	SF24/8035

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## Summary

Councillor Douglas is seeking leave of absence for the period from 4 July 2025 to 24 July 2025 and will be absent from the City Performance Committee Meeting scheduled for 9 July 2025 (she is a member of this Committee), if she is unable to attend via audio-visual link, and the Council Meeting to be held on 23 July 2025.

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## Officer Recommendation

That Councillor Douglas's request be received and leave of absence granted for the period 4 July 2025 to 24 July 2025.

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## Background

The Council's Code of Meeting Practice, states:

### ***'Attendance by councillors at meetings***

- 5.4 *Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.*
- 5.5 *A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.*
- 5.6 *The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.'*

Councillor Douglas's leave of absence will incur apologies at the City Performance Committee Meeting scheduled for 9 July 2025 (she is a member of this Committee), if she is unable to attend via audio-visual link, and the Council Meeting to be held on 23 July 2025.

**Comment by General Manager:**

This Leave of Absence can be considered.

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**Attachments**

Nil

**6 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.

## **7 MINUTES OF PREVIOUS MEETINGS**

### **Council Meeting**

**25/06/2025**

Item No	7.1
Subject	<b>Minutes of the Council Meeting - 28 May 2025</b>
Report by	Richard Sheridan, Director City Performance
File	SF24/8035

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### **Officer Recommendation**

That the Minutes of the Council Meeting held on 28 May 2025 be confirmed as a true record of proceedings.

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### **Present**

Councillor Edward McDougall, Mayor  
Councillor Heidi Lee Douglas, Deputy Mayor  
Councillor Joe Awada  
Councillor Liz Barlow  
Councillor Ron Bezic  
Councillor Jerome Boutelet  
Councillor Janin Bredehoeft  
Councillor Christina Curry  
Councillor Fiona Douskou  
Councillor Soraya Kassim  
Councillor Scott Morrissey  
Councillor Michael Nagi  
Councillor Vicki Poulos  
Councillor Chris Saravinovski  
Councillor Peter Strong

### **Also Present**

Meredith Wallace, General Manager  
Joe Logiacco, Acting Director City Presentation  
Debra Dawson, Director City Life  
Peter Barber, Director City Futures (via audio-visual link)  
Richard Sheridan, Director City Performance  
Helen Tola, Manager Governance & Risk  
Louise Farrell, Manager City Infrastructure (via audio-visual link)  
Mariam Fares, Acting Manager City Projects (via audio-visual link)  
Hong Nguyen, Manager Environment & Resilience (via audio-visual link)  
Sally Fernandez, Manager Customer Experience  
Bobbie Mayne, Manager Libraries & Lifestyle  
Lorraine Olmedo, Manager Communications & Engagement  
Christine Stamper, Manager Events, Arts & Design  
Christina Chen, Acting Head of Financial Strategy & Reporting (via audio-visual link)  
Louise Sunderland, Lead Events

Anne Suann, Governance Officer  
Nabin Bhattarai, IT Service Management Officer  
David Smith, Manager Strategic Planning

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## **1 Opening Meeting**

The Mayor opened the meeting in the Council Chambers, Rockdale Town Hall, Level 1, 448 Princes Highway, Rockdale at 7:04 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 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.

## **3 Opening Prayer**

Father Vlado Nedeski, from St Petka Macedonian Orthodox Church at Mascot, opened the meeting in Prayer.

## **4 Condolences**

### **Vale Paul Craven**

Paul Craven, affectionately known as Ica, was such a warm and generous presence in our community. He helped start the Stotts Reserve Bushcare group in North Bexley back in 2010, the first group formed after Binnamittalong Gardens in Bexley.

Ica was deeply dedicated to bush regeneration and absolutely loved Stotts Reserve, but his care for the environment didn't stop there. He could often be found lending a hand at Sir Joseph Banks Park or the Landing Lights Wetlands, always giving his time freely and without fuss.

As one of Bayside's longest-serving bushcare volunteers, Ica contributed hundreds and hundreds of hours over the years. Even as his health declined, he continued to turn up. He was always willing to share his knowledge with new volunteers, quietly encouraging others with his calm and generous nature.

It's heartbreaking to know he has passed away at just 65, from a rare illness. His contribution to our natural environment and the community is simply immeasurable, and he'll be remembered with great affection and deep respect.

We pass on our condolences to his family and friends.

### **Vale Lesli Cannon**

Lesli Cannon, who was a long term President of Mascot RSL Sub-Branch, passed away yesterday. We acknowledge his many many years of service and contribution.

We pass on our condolences to his family and friends.

## **Mayoral Announcements**

### **National Volunteer Week**

The Mayor, Councillor McDougall, acknowledged that last week was National Volunteer's Week held between the 19 to 25 May 2025. Volunteer Week celebrates the power of volunteering to bring people together with the theme 'Connecting Communities'.

Volunteering creates lasting relationships that enrich lives and strengthen communities. I would like to acknowledge the spirit of connection and the incredible impact volunteers have in building thriving and inclusive communities.

On behalf of Bayside Council, the Mayor extended thanks to all our volunteers.

## **Presentations at tonight's meeting**

### **Presentation to family of Lilian May Brennan**

This year Council's ANZAC flags featured the images of eight Bayside women who made significant contributions to Australia's WWI and WWII efforts.

One of those women was Lilian May Brennan from Botany. Lilian was enlisted into the Women's Auxiliary Australian Air Force (WAAAF) in August 1943 at the tender age of 19. The WAAAF was the largest of the Second World War women's services. Lillian served as a fabric worker until her discharge in October 1946.

Lillian's family members described her as a true matriarch of the family, who was born and lived in Botany for 94 years. She had two children, five grandchildren and eight great grandchildren with several still residing in Bayside Council area.

The Mayor, Councillor McDougall, invited Lilian's granddaughter Amanda Salas, together with Steve Campbell, Alison Campbell and Wilba Campbell, to accept a certificate from Council as well as a flag that features Lilian Brennan.

## **5 Apologies, Leave of Absence & Attendance Via Audio-Visual Link**

### **Apologies**

There were no apologies received.

### **Leave of Absence**

There were no applications for Leave of Absence received.

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

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

## **6 Disclosures of Interest**

### **The Mayor, Councillor McDougall**

#### **Item 12.4 CP25.021 – Councillor Expenses & Facilities Policy - Review**

The Mayor, Councillor McDougall, declared a Pecuniary Interest in Item 12.4 CP25.021 on the basis that changes to policy related to the Mayoral entitlements, and stated he would leave the meeting for consideration and voting on the matter.

### **Councillor Saravinovski**

#### **Item 12.1 CPE25.013 – CONFIDENTIAL – Development of Draft Rockdale Centre Masterplan**

Councillor Saravinovski declared a Significant Non-Pecuniary Interest in Item 12.1 CPE25.013 on the basis that his family have had businesses in the past but are no longer trading and he knows some owners within the Town Centre, and stated he would leave the meeting for consideration and voting on the matter.

#### **Item 12.3 CS25.010 – Negotiation of new Licence for Rockdale Ilinden Football Club to use Council Owned Facilities**

Councillor Saravinovski declared a Less than Significant Non-Pecuniary Interest in Item 12.3 CS25.010 on the basis that he had formally played at the club for a number of years throughout the grade levels and attended a few social events held at the location, although he does not hold any positions with the club, and stated he would leave the meeting for consideration and voting on the matter.

#### **Item 13.14 – Notice of Motion - Public Guideline for all Sporting Club Sponsorship Arrangements**

Councillor Saravinovski declared a Less than Significant Non-Pecuniary Interest in Item 13.14 on the basis that he was a player for a number of clubs and some local clubs members assisted him on election day. He is not a member or does not hold any positions in any local clubs or sporting groups, and he stated he would remain in the meeting for consideration and voting on the matter.



**Councillor Douskou**

**Item 12.3 CS25.010 – Negotiation of new Licence for Rockdale Ilinden Football Club to use Council Owned Facilities**

Councillor Douskou declared a Less than Significant Non-Pecuniary Interest in Item 12.3 CS25.010 on the basis that the club was a recent support for her when running for the seat of Barton in the last Federal Election, although she is not a member of the club, and stated she would remain in the meeting for consideration and voting on the matter.

**7 Minutes of Previous Meetings**

**7.1 Minutes of the Council Meeting - 23 April 2025**

**RESOLUTION**

Minute No. 2025/102

Resolved on the motion of Councillors Curry and Nagi

That the Minutes of the Council Meeting held on 23 April 2025 be confirmed as a true record of proceedings.

**8 Mayoral Minutes**

**8.1 Mayoral Minute – Violence in our Community**

**RESOLUTION**

Minute No. 2025/103

Resolved on the motion of Councillor McDougall

- 1 That Council, on behalf of the Bayside Community, expresses its deep concern regarding recent and confronting anti-social behaviour at Eastgardens and Mascot.
- 2 That Council extends its thanks to the South Sydney Police Area Command and Eastern Beaches Police Area Command for their prompt action and investigation of the incident.
- 3 That Council notes the work currently being coordinated by the NSW Premier's Department to create a state-wide social cohesion strategy and continues to participate in that significant piece of work.

## **8.2 Mayoral Minute – M6 Delays**

### **RESOLUTION**

Minute No. 2025/104

Resolved on the motion of Councillor McDougall

- 1 That Council notes that there are contractual issues related to the M6 construction contract and that these delays are having an impact on our local community.
- 2 That Council writes to The Hon Jenny Aitchison MP, Minister for Roads, seeking clarification and assurances about the re-commencement of the tunnelling works and a commitment to completing the compensatory works at Pemulwuy Park.
- 3 That Council requests a briefing from Transport for NSW, providing detail about how the project will be progressed and how the extended timeframe, traffic disruptions and other negative local impacts will be mitigated.

## **9 Items by Exception**

### **RESOLUTION**

Minute No. 2025/105

Resolved on the motion of Councillors Douglas and Kassim

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

### **Items Resolved by Exception**

#### **RESOLUTION**

Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

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

- 11.2 Statutory Financial Report - April 2025
- 11.3 Events Report 2025/2026 - Additional information to Item CS25.009
- 11.4 Progress Report on Councillor Notices of Motion

- 
- 12.1 Minutes of the City Planning & Environment Committee Meeting - 7 May 2025
- CPE25.010 Bexley Heritage Survey
- 12.2 Minutes of the City Works & Assets Committee Meeting - 7 May 2025
- CWA25.015 Firmstone Reserve Dog Park Refurbishments - Report on the outcomes of community engagement
- CWA25.016 Installation of lights at Scarborough Park Tennis/Sports Courts
- 12.3 Minutes of the City Services Committee Meeting - 14 May 2025
- CS25.009 Events Report for 2025/2026
- CS25.011 Response to Notice of Motion - Energy from Waste Options Paper
- CS25.012 Draft Bayside Council Circus Policy
- 12.4 Minutes of the City Performance Committee Meeting - 14 May 2025
- CP25.013 Customer Experience Statistics
- CP25.014 Draft Communications & Engagement Strategy Consultation Results
- CP25.015 Final Draft Risk Management Policy
- CP25.016 Tender Report - Lady Robinsons Foreshore Precinct 2 Works 'Preferred Developed Design'.
- CP25.018 City Projects - Quarter 3 Update
- CP25.019 2024-25 Quarterly Budget Review Statement (QBRS) - March 2025
- CP25.020 Councillor Professional Development Policy - Review
- 12.5 Minutes of the Bayside Traffic Committee Meeting - 14 May 2025
- BTC25.074 Banks Avenue, Eastgardens - Relocation of Works Zone
- BTC25.075 Intersection of Barden Street and Barden Lane, Arncliffe - Proposed 'No Stopping' zone
- BTC25.076 Chapel Street - Proposed full road closure
- BTC25.077 13A Church Avenue, Mascot - Proposed 33m Works Zone for 52 weeks
- BTC25.078 Intersection of Clarkes Road and Margate Street - Proposed Roundabout
- BTC25.079 2-8 Cook Avenue, Daceyville - Proposed Resident Parking Scheme
- BTC25.080 Intersection of Daniel Street and Edward Street, Botany - Proposed 'No Stopping' Zone

BTC25.081	Dillon Street, Ramsgate - Changes to on-street parking and one-way arrangement
BTC25.082	Farrar Street, Arncliffe - Modified '15 Minutes Parking' Restriction out the front of Arncliffe Preschool
BTC25.083	Glenfarne Street, Bexley-'1/4P' zone
BTC25.084	Hatfield Street, Mascot - Proposed 90 degree angle parking
BTC25.085	11 Highworth Avenue, Bexley - Proposed 'P5 minute' zone
BTC25.086	22 Herford Street, Botany - Proposed '1P' zone
BTC25.087	King Street, Mascot - Proposed Speed Humps
BTC25.088	McBurney Avenue, Mascot - Proposed '1P' zone
BTC25.089	McMillan Avenue, Sandringham - Proposed 'No Parking' zone
BTC25.090	Cnr of McMillan Ave and Clareville Ave, Sandringham - Proposed Kerb Blisters
BTC25.091	Marsh Street, Wolli Creek - Proposed changes to existing restrictions
BTC25.092	Ossary Street, Mascot - Proposed 'No Stopping' zone
BTC25.093	Pemberton Street, Botany - Proposed '1/2P' zone
BTC25.094	Salisbury Avenue, Bexley - Proposed intersection treatment
BTC25.095	Pedestrian Crossing at Segenhoe St & Avenal St, Arncliffe
BTC25.096	Station Street, Kogarah - Proposed 'No Parking' zone
BTC25.097	1-2 Waines Crescent, Rockdale - Proposed No Stopping Restriction
BTC25.098	General Business
12.6	Minutes of the Audit Risk & Improvement Committee Meeting - 18 March 2025

## 10 Public Forum

### 13.13 Notice of Motion - Gardiner Park - Lighting Upgrades

The following person spoke at the meeting:

- Mr Hassan Chebli, Club President, Banksia Tigers, speaking for the Motion

### **13.14 Notice of Motion - Public Guideline for all Sporting Club Sponsorship Arrangements**

The following people spoke at the meeting:

- Mr Hassan Chebli, Club President, Banksia Tigers, speaking for the Motion
- Mr Edward Yazbeck, member of Bexley North Football Club, speaking for the Motion
- Mr Marcus Andrews, President, Rockdale City Raiders Soccer Club, speaking for the Motion

## **11 Reports to Council**

### **11.1 Australian Local Government Association (ALGA) National General Assembly 2025 - Calling for Councillor Attendance**

#### **RESOLUTION**

Minute No. 2025/109

Resolved on the motion of Councillors Curry and Bezic

- 1 That the Mayor and Deputy Mayor be authorised to attend the 2025 National General Assembly and associated functions.
- 2 That Councillors who wish to nominate to attend the 2025 National General Assembly and associated functions be requested to self-nominate via an expression of interest process.
- 3 That the Councillors endorsed to attend be registered to attend the 2025 National General Assembly and associated functions in Canberra on 24-27 June 2025, in accordance with the Expenses & Facilities Policy.
- 4 That the Mayor or his nominee be the voting delegate for the motions considered by the Assembly.

### **11.2 Statutory Financial Report - April 2025**

#### **RESOLUTION**

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

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

### **11.3 Events Report 2025/2026 - Additional information to Item CS25.009**

#### **RESOLUTION**

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That Council notes Item CS25.009 in the Minutes of the City Services Committee held on 14 May 2025.
- 2 That Council adopt the current program which is fully funded in the 2025/2026 budget and that the events team conduct a comprehensive review of all major events and a report and presentation be prepared for councillors.
- 3 That the Events Team, in consultation with the appropriate council business units, investigate and prepare a comprehensive report, including a budget analysis, outlining the options for reinstating Fireworks, either as a standalone event or incorporated as the finale to an existing event.
- 4 That the Events Team, in consultation with the appropriate council business units, investigate and prepare a report on the options for growing the popular Ramadan Event currently held in Walz Street, Rockdale.
- 5 That a planning workshop be organised to allow councillors to review the program and determine how the budget for 2026/2027 be allocated to ensure the best value and outcome for the Bayside Community.
- 6 That Councils Community Engagement Team work with the Events Team to conduct a community survey/poll on the proposed changes to the events program including fireworks.
- 7 That Council investigates introducing a uniform marketing brand for all Bayside Events.

### **11.4 Progress Report on Councillor Notices of Motion**

#### **RESOLUTION**

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the Progress Report on Councillor Notices of Motion be received and noted.

## 12 Minutes and Reports of Committees

### 12.1 Minutes of the City Planning & Environment Committee Meeting - 7 May 2025

#### RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the Minutes of the City Planning & Environment Committee meeting held on 7 May 2025 be received and the recommendations therein be adopted, with the exception of 12.1 CPE25.011, 12.1 CPE25.012 and 12.1 CPE25.013 which were separately dealt with.

### 12.1 CPE25.010 Bexley Heritage Survey

#### RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That Council receives and notes the additional information provided in relation to the Bexley Heritage Survey.
- 2 That Council adopts Option 2 based on the additional information provided being:

#### **Option 2**

Council does not proceed with further investigations at this time, based on:

- Previous Heritage Studies not identifying the subject area for conservation or more detailed assessment;
  - Community feedback in response to the recent survey;
  - Council's resolution of 26 March 2025 requesting a future report for *Heritage Review – A preliminary investigation into the identification and assessment of significant heritage sites, structures, and precincts across Bayside.*
- 3 That the future report for Heritage Review referenced in Option 2 also include the area within Bexley previously identified.

**12.1 CPE25.011      Planning Proposal to Introduce an Additional Permitted Use to 1 Highworth Avenue, Bexley (For Existing McDonald's Restaurant)**

A written submission was received from the following people:

- Mr Jarrod Dixon and Ms Rachel McNeil, SLR Consulting Australia, for the Committee Recommendation.

and was distributed to Councillors prior to the Council Meeting.

**RESOLUTION**

Minute No. 2025/110

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council notes the advice of the Bayside Local Planning Panel.
- 2 That Council does not endorse the draft Planning Proposal to Introduce an Additional Permitted Use to 1 Highworth Avenue, Bexley noting that community engagement did not occur.

Division (Planning Matter) - Section 375A of the Local Government Act 1993

For: Councillors McDougall, Curry, Morrissey, Bezic, Boutelet, Strong, Kassim, Bredehoeft, Saravinovski, Nagi, Douskou, Awada, Barlow and Poulos

Against: Councillor Douglas (abstention)

The Motion was declared carried.

**12.1 CPE25.012      Planning Proposal to Reclassify Community Land as Operational Land at 5A Waldron Street, Sandringham**

**RESOLUTION**

Minute No. 2025/111

Resolved on the motion of Councillors Morrissey and Bezic

- 1 That Council notes the advice of the Bayside Local Planning Panel.
- 2 That Council endorses the draft Planning Proposal for amendments to Schedule 4 of the Bayside LEP 2021 to reclassify the land at 5A Waldron Street, Sandringham from 'Community' to 'Operational' land within the meaning of the Local Government Act 1993.
- 3 That Council endorses to forward the draft Planning Proposal and supporting documents to the Department of Planning, Housing and Infrastructure for a Gateway determination.



- 4 That Council delegate authority to the General Manager to make any amendments to the draft Planning Proposal and supporting documents required prior to public exhibition.
- 5 Subject to receiving a Gateway determination from the Department of Planning, Housing and Infrastructure, and satisfying any conditions, that Council endorse to proceed to public exhibition for community and stakeholder input.
- 6 That Council endorses holding a public hearing in accordance with the requirements of the Department of Planning Housing and Infrastructure's *LEP Practice Note PN 16-001: Classification and Reclassification of Public Land through a Local Environmental Plan*.
- 7 That Council endorses the consideration of a further report following the results of public consultation to consider any submissions received, and any changes to the draft Planning Proposal arising from the exhibition process and public hearing.

Division (Planning Matter) - Section 375A of the Local Government Act 1993

For: Councillors McDougall, Curry, Morrissey, Bezic, Boutelet, Strong, Kassim, Bredehoeft, Saravinovski, Nagi, Douskou, Awada, Barlow, Poulos and Douglas

Against: Nil

The Motion was declared carried.

### **12.1 CPE25.013      CONFIDENTIAL - Development of Draft Rockdale Centre Masterplan**

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

#### **RESOLUTION**

Minute No. 2025/112

Resolved on the motion of Councillors Douglas and Kassim

That feedback provided by Councillors on the Draft Rockdale Centre Masterplan be incorporated, and a refined Draft be reported back to a meeting of the City Planning and Environment Committee for further consideration.

### **[12.2 Minutes of the City Works & Assets Committee Meeting - 7 May 2025](#)**

#### **RESOLUTION**

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the Minutes of the City Works & Assets Committee meeting held on 7 May 2025 be received and the recommendations therein be adopted, with the exception of 12.2 CWA25.017 which was separately dealt with.

**12.2 CWA25.015 Firmstone Reserve Dog Park Refurbishments -  
Report on the outcomes of community engagement**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That Attachment 2 to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10(A) (2) (a) of the Local Government Act 1993, the attachment relates to personnel matters concerning particular individuals (other than Councillors).

- 2 That the Firmstone Reserve Engagement Outcomes report be received and noted.
- 3 That an additional round of community consultation with the immediately adjoining neighbours takes place on whether or not to retain the Firmstone Reserve Dog Park.
- 4 That a separate 'Have your Say' page be used for the community consultation period for the appropriate period of time.
- 5 That the previous reports of dog park options (including a summary of decisions and options considered in the previously term of Council) be prepared and reported via the at the next City Works & Assets Committee meeting.

**12.2 CWA25.016 Installation of lights at Scarborough Park  
Tennis/Sports Courts**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That community engagement with nearby potentially impacted residents and the local bush heritage group be undertaken in relation to the installation of lights at Scarborough tennis/sports courts.

- 2 That a further report be prepared on the outcome of community engagement for Council's consideration.
- 3 That Sydney Sports Management Group Pty Ltd be advised of Council's decision.

**12.2 CWA25.017 Response to Notice of Motion - Major General William Holmes Memorial - Design options and costings for new turf, shrubs and foliage**

RESOLUTION

Minute No. 2025/113

Resolved on the motion of Councillors Poulos and Douglas

That Major General William Holmes Memorial – Design options and costing for new turf, shrubs and foliage be deferred for a further report to the relevant Committee presenting a revised plan based on feedback which discusses:

- Seating
- Shade/Trees
- Signage
- Turf/Grass footprint to be expanded to the corner site.

**12.3 Minutes of the City Services Committee Meeting - 14 May 2025**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the Minutes of the City Services Committee meeting held on 14 May 2025 be received and the recommendations therein be adopted, with the exception of 12.3 CS25.010 and 12.3 CS25.013 which were separately dealt with.

**12.3 CS25.009 Events Report for 2025/2026**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That Council notes the draft program of events for the 2025/2026 financial year and determines if any events are to be removed or included within the proposed budget allocation.

**12.3 CS25.010      Negotiation of new Licence for Rockdale Ilinden  
Football Club to use Council Owned Facilities**

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

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

**RESOLUTION**

Minute No. 2025/114

Resolved on the motion of Councillors Douskou and Bezic

- 1 That, despite the current licence having over 5 years until its end date, Council endorse the General Manager entering into negotiations with Rockdale Ilinden FC for a 21-year licence over 468 West Botany Street, Rockdale.
- 2 That Council note that discussions in relation to a new licence over Brighton Memorial Playing fields be deferred until TfNSW hand back the completed fields at Bicentennial East.

**12.3 CS25.011      Response to Notice of Motion - Energy from Waste  
Options Paper**

**RESOLUTION**

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the report on Response to Notice of Motion - Energy from Waste Options Paper be submitted and forwarded onto Southern Sydney Regional Organisation of Council (SSROC) this week to ensure it is included in their business papers next week.

**12.3 CS25.012      Draft Bayside Council Circus Policy**

**RESOLUTION**

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That Council notes the Report.

- 2 That Council endorse the draft Circus Policy for Public Exhibition.
- 3 That the outcome of community feedback on the Policy is reported back to the City Services Committee for consideration.

**Procedural Motion - Item 12.3 CS25.013 - CONFIDENTIAL - Response to Notice of Motion: Early Childhood Learning in Bayside Payment and Conditions**

RESOLUTION

Minute No. 2025/115

Resolved on the motion of Councillors Strong and Boutelet

That Item 12.3 CS25.013 - CONFIDENTIAL – Response to Notice of Motion: Early Childhood Learning in Bayside Payment and Conditions be dealt with at the end of the meeting in Closed Session.

**12.4 Minutes of the City Performance Committee Meeting - 14 May 2025**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the Minutes of the City Performance Committee meeting held on 14 May 2025 be received and the recommendations therein be adopted, with the exception of 12.4 CP25.017 and 12.4 CP25.021 which were separately dealt with.

**12.4 CP25.013 Customer Experience Statistics**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the City Performance Committee notes the Customer Experience operating statistics as presented.

**12.4 CP25.014 Draft Communications & Engagement Strategy Consultation Results**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That Council notes the Draft Communications & Engagement Strategy Community Engagement Outcomes Report.
- 2 That Council endorses the proposed amendments to the Draft Communications & Engagement Strategy.
- 3 That Council adopts the revised Communications & Engagement Strategy.

#### **12.4 CP25.015 Final Draft Risk Management Policy**

##### RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That Council receives and notes the report and Draft Risk Management Policy (Attachment 1).
- 2 That Council endorses, for Public Exhibition for a period of 28 days, the Draft Risk Management Policy.
- 3 That Council authorises the General Manager to approve any minor editorial changes prior to public exhibition.

#### **12.4 CP25.016 Tender Report - Lady Robinsons Foreshore Precinct 2 Works 'Preferred Developed Design'.**

##### RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That the Attachment 1 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), (d)(ii) 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 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, 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 in accordance with Regulation 178 (1) (a) of the Local Government (General) Regulation 2021, Council accepts the RFT Submission from Stantec Australia Pty Ltd for feasibility and design of Precinct 2 in the Lady Robinsons Foreshore Management Plan at a lump sum price of \$243,375 exclusive of GST subject to agreement by both parties to contract conditions.
- 3 That Council undertake First Nations Engagement & Public Consultation.

**12.4 CP25.017 Tender Update - F25/75 - Demolition of Bexley Bowling Club**

RESOLUTION

Minute No. 2025/116

Resolved on the motion of Councillors Barlow and Bredehoeft

- 1 That Attachment 2 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)(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 in accordance with Regulation 178 (1) (a) of the Local Government (General) Regulation 2021, Council accepts the RFT Submission from Budget Demolition and Excavation Pty Ltd for the Demolition of the Bexley Bowling Club at a lump sum price of \$299,986.30 exclusive of GST subject to agreement by both parties to contract conditions.
- 3 That Council notes that the tender includes the construction of the fence in brick and that be a separable portion (if required).

**12.4 CP25.018 City Projects - Quarter 3 Update**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 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

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.

**12.4 CP25.019      2024-25 Quarterly Budget Review Statement (QBRs) - March 2025**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That Council reviews the Quarterly Budget Review Statement by the Responsible Accounting Officer (RAO) for the Quarter ended 31 March 2025 and that it be received and noted.
- 2 That Council, in accordance with Clauses 203 and 211 of the Local Government (General) Regulations 2021, adopts the proposed variations to the revised budget detailed in Attachment 1 to this report and the changes to income, expenditure and reserve items be voted.
- 3 That Council resolves that the capital projects and their associated funding sources, as listed in Attachment 2 and deferred in the current year, be incorporated into the draft 2025/26 budget.

**12.4 CP25.020      Councillor Professional Development Policy - Review**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That Council adopts the revised Councillor Professional Development Policy as attached to this report.

**12.4 CP25.021      Councillor Expenses & Facilities Policy - Review**

The Mayor, Councillor McDougall, vacated the Chair and left the meeting due to his declaration of a Pecuniary Interest, the time being 8:26 pm. The Deputy Mayor, Councillor Douglas, assumed the Chair.

RESOLUTION

Minute No. 2025/117

Resolved on the motion of Councillors Curry and Bredehoeft



- 1 That the draft Councillor Expenses and Facilities Policy {v7}, as attached to this report be placed on public exhibition for 28 days in accordance with Section 253 of the Local Government Act.
- 2 That a further report on this matter be submitted to the City Performance Committee Meeting following the expiration of the public exhibition period to consider its recommendation to Council on the adoption of this Policy, subject to Home Office Expenses being increased from \$100 to \$200.

The Deputy Mayor, Councillor Douglas, vacated the Chair at the conclusion of this item and the Mayor, Councillor McDougall, resumed the Chair, the time being 8:28 pm.

### **12.5 Minutes of the Bayside Traffic Committee Meeting - 14 May 2025**

#### **RESOLUTION**

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the Minutes of the Bayside Traffic Committee meeting held on 14 May 2025 be received and the recommendations therein be adopted.

### **12.5 BTC25.074 Banks Avenue, Eastgardens - Relocation of Works Zone**

#### **RESOLUTION**

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That approval be given to the relocation of a 70m 'Works Zone, 7:00 am – 6:00 pm, Mon – Fri and 7:00 am – 1:00 pm, Sat' restrictions along the eastern kerb line of Banks Avenue, Eastgardens, outside Lot D, subject to relevant conditions
- 2 That the applicant must ensure that construction vehicles do not queue within Banks Avenue 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 Banks Avenue not be changed on account of this proposal and two-way traffic flow be maintained in Banks Avenue 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 approval is not given for construction vehicles to use Heffron Road as part of ingress and egress routes.

**12.5 BTC25.075 Intersection of Barden Street and Barden Lane, Arncliffe - Proposed 'No Stopping' zone**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the installation of a statutory 10m 'No Stopping' zone in the form of yellow C3 linemarking on the eastern side of Barden Street, Arncliffe as per attached drawing.

**12.5 BTC25.076 Chapel Street - Proposed full road closure**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the proposed full road closure of Chapel Street and side streets associated with the Sydney Water Sewer Upgrade Project, be approved.

**12.5 BTC25.077 13A Church Avenue, Mascot - Proposed 33m Works Zone for 52 weeks**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That approval be given to the provision of a 33m 'Works Zone, 7:00 am – 5:00 pm, Mon – Fri and 8:00 am – 1:00 pm, Sat' restrictions along the southern kerb line of Church Avenue, for the duration of 52 weeks, subject to relevant conditions.
- 2 That applicant must ensure that construction vehicles do not queue within Church Avenue or any other local roads in the vicinity especially concrete trucks during the construction period waiting to deliver goods to the site.

- 3 That existing parking restrictions in Church Avenue not be changed on account of this proposal and traffic flow be maintained in Church Avenue 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 approval be given to the movement of heavy vehicles be limited to 8.8m 'Medium Rigid Vehicle' due to constraint in the existing road infrastructure.
- 7 That the applicant notifies Council, six (6) weeks in advance of required extension to the 52 week 'Works Zone'.
- 8 That the applicant notifies the adjacent properties of the approved 'Works Zone' and provides a copy to Council for record.

**12.5 BTC25.078 Intersection of Clarkes Road and Margate Street - Proposed Roundabout**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the existing traffic conditions at the intersection of Clarkes Road and Margate Street, Ramsgate, be retained.

**12.5 BTC25.079 2-8 Cook Avenue, Daceyville - Proposed Resident Parking Scheme**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That a '2P, 8:30 am – 6:00 pm Mon-Fri, 8:30 am - 12:30 pm Sat, Permit Holders Excepted' zones be installed in Cook Avenue, Daceyville between Captain Jacka Crescent and Colenso Crescent, as per attached drawing.

**12.5 BTC25.080 Intersection of Daniel Street and Edward Street, Botany - Proposed 'No Stopping' Zone**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the installation of a statutory 10m 'No Stopping' zone in the form of yellow C3 linemarking at the intersection of Daniel Street and Edward Street, Botany as per the attached plan.

**12.5 BTC25.081      Dillon Street, Ramsgate - Changes to on-street parking and one-way arrangement**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the existing traffic arrangement in Dillon Street and Clelland Lane, Ramsgate that were in place prior to construction works associated with 80 Ramsgate Road be reinstated.

**12.5 BTC25.082      Farrar Street, Arncliffe - Modified '15 Minutes Parking' Restriction out the front of Arncliffe Preschool**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1      That the existing 'No Parking, 8.30 am – 9.30 am, 3:00 pm – 6:00 pm, MON-FRI' zone and 'P15 MINUTE, 8.30 am – 9.30 am, 3:00 pm – 6:00 pm, MON-FRI' zone to be replaced with a 'P15 MINUTE, 8:30 am - 9:30 am, 3:00 pm - 6:00 pm SCHOOL DAYS' zone on Farrar Street as per the attached plan.
- 2      That the existing 'No Parking' zone on the eastern side of Farrar Street at the intersection of Forest Road be replaced with a 18m 'No Stopping' zone.
- 3      That a 15m 'No Stopping' zone be installed on the western side of Farrar Street at the intersection of Forest Road.

**12.5 BTC25.083      Glenfarne Street, Bexley-'1/4P' zone**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval a '1/4P, 7:30 am – 9:30 am, 3:00 pm – 5:00 pm, MON-FRI, PUBLIC HOLIDAYS EXCEPTED' zone be installed at the frontage of 84 Glenfarne Street, Bexley.

**12.5 BTC25.084      Hatfield Street, Mascot - Proposed 90 degree angle parking**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the proposed introduction of 90-degree parking on Hatfield Street, Mascot not proceed, and that the existing parallel parking arrangement be retained.

**12.5 BTC25.085      11 Highworth Avenue, Bexley - Proposed 'P5 minute' zone**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the installation of a 'P5 minute, 7AM – 9AM, 4PM – 6PM, School Days' zone adjacent to 11 Highworth Street, Bexley as per the attached plan.

**12.5 BTC25.086      22 Herford Street, Botany - Proposed '1P' zone**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the installation of a '1P' zone adjacent to 22 Herford Street, Botany, as shown on the attached plan.

**12.5 BTC25.087      King Street, Mascot - Proposed Speed Humps**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the proposed traffic calming devices, in the form of speed humps, be installed on King Street, Mascot between Maloney Street and Sutherland Street, as per the attached plan.

**12.5 BTC25.088      McBurney Avenue, Mascot - Proposed '1P' zone**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the installation of a 6m '1P' zone on the eastern side of McBurney Avenue, Mascot as per the attached drawing.

**12.5 BTC25.089      McMillan Avenue, Sandringham - Proposed 'No Parking' zone**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the installation of a 'No Parking' zone at the western cul-de-sac end of McMillan Avenue, Sandringham, as per the attached plan.

**12.5 BTC25.090      Cnr of McMillan Ave and Clareville Ave, Sandringham - Proposed Kerb Blisters**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the installation of kerb blisters on the western side of the intersection of McMillan Avenue and Clareville Avenue, Sandringham, along with associated alterations to linemarking as shown in the attached plan.

**12.5 BTC25.091      Marsh Street, Wolli Creek - Proposed changes to existing restrictions**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the removal of 38m of the existing 'No Stopping' zone on Marsh Street, Wolli Creek, as shown on the attached plan.

**12.5 BTC25.092      Ossary Street, Mascot - Proposed 'No Stopping' zone**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the installation of a 'No Stopping' zone at the frontage of 23 Ossary Street, Mascot, as per the attached plan.

**12.5 BTC25.093      Pemberton Street, Botany - Proposed '1/2P' zone**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the installation of a '1/2P, 7:00 am – 8:00 pm' zone adjacent to 50 Pemberton Street, Botany, as per the attached plan.

**12.5 BTC25.094      Salisbury Avenue, Bexley - Proposed intersection treatment**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1      That Council provide in principle support for the proposed intersection treatment and turning restrictions at the intersection of Salisbury Avenue and Forest Road, Bexley.
- 2      That a Traffic Management Plan (TMP) be submitted to Transport for NSW (TfNSW) for approval of the 'No Right Turn' restrictions at the intersection of Salisbury Avenue and Forest Road.

**12.5 BTC25.095      Pedestrian Crossing at Segenhoe St & Avenal St, Arncliffe**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

- 1 That approval be given for the alteration of existing infrastructure, including kerb ramps, traffic islands, signage, linemarking and kerb blisters, to support a pedestrian crossing.
- 2 That 3.6m at-grade zebra crossings and associated 'No Stopping' zones be installed on the northern and western legs of the intersection of Segenhoe Street and Avenal Street, Arncliffe as per the attached plan.

**12.5 BTC25.096 Station Street, Kogarah - Proposed 'No Parking' zone**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be given for the installation of a 'No Parking' zone at the frontage of 23-26 Station Street, Kogarah, as per the attached plan.

**12.5 BTC25.097 1-2 Waines Crescent, Rockdale - Proposed No Stopping Restriction**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That approval be granted for the installation of a 'No Stopping' zone in the form of C3 linemarking along the frontage of 1-2 Waines Crescent, Rockdale, as per the attached plan.

**12.5 BTC25.098 General Business**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

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



**12.6 Minutes of the Audit Risk & Improvement Committee Meeting - 18 March 2025**

RESOLUTION

Item Resolved by Exception Minute No. 2025/106

Resolved on the motion of Councillors Douglas and Kassim

That the Minutes of the Audit Risk & Improvement Committee meeting held on 18 March 2025 be received and the recommendations therein be adopted.

**Procedural Motion – 12.6 ARIC25.015 ICAC Hector Gap Analysis - Bayside Findings and Improvement Update, 12.6 ARIC25.016 Internal Audit - ICAC Operation Mantis - Self Assessment and 12.6 ARIC25.017 Internal Audit Report [FINAL-ARIC] - Review of the Process of Planning & Scheduling of the Maintenance of Green Spaces (Turf Mowing) and Delivery Against the Schedule**

RESOLUTION

Minute No. 2025/118

Resolved on the motion of Councillors Poulos and Barlow

That the following items considered at the ARIC meeting on 18 March 2025 be discussed at the end of the meeting in Closed Session:

- 12.6 ARIC25.015 - ICAC Hector Gap Analysis - Bayside Findings and Improvement Update
- 12.6 ARIC25.016 - Internal Audit - ICAC Operation Mantis - Self Assessment
- 12.6 ARIC25.017 - Internal Audit Report [FINAL-ARIC]- Review of the Process of Planning & Scheduling of the Maintenance of Green Spaces (Turf Mowing) and Delivery Against the Schedule

## 13 Notices of Motion

### 13.1 Notice of Motion - Investigation into dual naming of Barton Park

#### RESOLUTION

Minute No. 2025/119

Resolved on the motion of Councillors Douglas and Bredehoeft

- 1 That Council initiates an investigation into the potential for dual naming of Barton Park, in accordance with the Geographical Names Board of NSW (GNB) Dual Naming Policy.
- 2 That Council engages the Bayside Reconciliation Action Plan (RAP) Working Group and the Local Aboriginal Land Council as a first step to determine whether the Barton Park area has an existing Aboriginal name that meets the GNB criteria.
- 3 That Council seeks to gather historical, oral, or documentary evidence of an Aboriginal name for the area, including its form, meaning, origin, and use, and to assess whether appropriate cultural authority can be established to support its recognition.
- 4 That Council reports back to Council with the findings of this investigation and a recommended course of action for potential formal submission to the Geographical Names Board.

### 13.2 Notice of Motion - Investigation of lighting at West Botany Street Skate Park, Rockdale

Written submissions were received from the following people:

- Mr James Walker, interested resident, for the Motion
- Mr Rowan Jackson, interested resident, for the Motion
- Ms Andrea Jackson, interested resident, for the Motion

and were distributed to Councillors prior to the Council Meeting.

#### RESOLUTION

Minute No. 2025/120

Resolved on the motion of Councillors Douglas and Bredehoeft

That to enable use of the Gujaga Skate Park (West Botany St, Rockdale) after 5pm outside of the summer season, this motions resolves:

- a to engage with park users, such as families and skate board riders, through a Have Your Say, to get feedback on their needs for use of the park after dark
- b to engage in community consultation with nearby residents for proposed lighting of the skate park
  - Until 9:00 pm in evenings
  - And/or a time equivalent to the use of Ador Reserve soccer fields
  - and/or a time that the residents feel would not be disruptive
- c that the results of the consultations come back to the relevant committee to determine next steps for proposed lighting at Gujaga Skate Park.

### **13.3 Notice of Motion - Accessibility alignment of Council's Events Program to the Disability Inclusion Action Plan 2022-2026**

#### **RESOLUTION**

Minute No. 2025/121

Resolved on the motion of Councillors Douglas and Bredehoeft

- 1 That Council reaffirms its commitment to the principles outlined in Bayside Council's Disability Inclusion Action Plan (DIAP) 2022–2026, which underscores the importance of creating an inclusive community where people with disability can fully participate in civic and cultural life, including access to events, festivals and recreational opportunities.
- 2 That Council acknowledges the need to improve the accessibility of Council's events programme to ensure alignment with the DIAP's strategic priorities, in particular:
  - a Building liveable and inclusive communities by making events accessible for all;
  - b Promoting positive attitudes and behaviours towards people with disability through inclusive practices and representation.
- 3 That Council commits to enhancing accessibility across the events programme by:
  - a Conducting a review of current planning and delivery processes to identify and address gaps in accessibility;
  - b Developing and applying an accessibility checklist or framework to guide event planning and operations, ensuring consideration of physical access, sensory needs, communication supports (such as Auslan interpretation), and inclusive signage and materials;
  - c Ensuring all promotional materials and communications include clear, timely information about accessibility features and available supports;

- d Consulting with people with lived experience of disability and relevant community organisations to inform planning and continuous improvement.
- 4 That Council requests that officers provide a report to Council within six months or as soon as possible outlining:
  - a Findings from the review of current practices;
  - b Recommendations for embedding accessibility in event planning and delivery;
  - c Opportunities for ongoing engagement with the disability community.

### **13.4 Notice of Motion - Investigating a Bayside Circular Economy Hub**

A written submission was received from the following person:

- Ms Andrea Jackson, interested resident, for the Motion

and was distributed to Councillors prior to the Council Meeting.

#### **MOTION**

Motion moved by Councillors Douglas and Bredehoeft

- 1 That Council assesses the need, benefits and risks associated with the establishment of a Circular Economy Hub, including:
  - a Its role as a public-facing facility that diverts reusable and recyclable materials from landfill, offers affordable second-life goods, supports repair and upcycling, and provides community education, which could also possibly include a tool library and food pantry;
  - b The environmental and financial consequences of inaction, such as rising waste disposal costs, failure to meet landfill diversion targets, and missed external funding opportunities.
- 2 That Council prepares a report on available funding through the NSW Environment Protection Authority (EPA) and other relevant state and federal programs to support the development of the Hub.
- 3 That Council identifies and assesses suitable sites, focusing on appropriately zoned land, and considers acquisition using developer contributions or other relevant Council reserves.
- 4 That Council brings a report to Council within six months, detailing:
  - a Available funding opportunities;
  - b Site feasibility and zoning considerations.

- 5 That an options paper be prepared and presented to the relevant Committee in relation to this Notice of Motion – Investigating a Bayside Circular Economy Hub in conjunction with 13.9 Notice of Motion – Council Procurement Supporting Local Circular Economy and 13.10 Notice of Motion - Making Waste Separation at Source Easier for Residents.

#### FORESHADOWED MOTION

Foreshadowed Motion moved by Councillor Barlow

That the General Manager arranges a presentation for the Councillors on Council's waste services to understand the offerings within Bayside Council.

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

#### RESOLUTION

Minute No. 2025/122

Resolved on the motion of Councillors Douglas and Bredehoeft

- 1 That Council assesses the need, benefits and risks associated with the establishment of a Circular Economy Hub, including:
  - a Its role as a public-facing facility that diverts reusable and recyclable materials from landfill, offers affordable second-life goods, supports repair and upcycling, and provides community education, which could also possibly include a tool library and food pantry;
  - b The environmental and financial consequences of inaction, such as rising waste disposal costs, failure to meet landfill diversion targets, and missed external funding opportunities.
- 2 That Council prepares a report on available funding through the NSW Environment Protection Authority (EPA) and other relevant state and federal programs to support the development of the Hub.
- 3 That Council identifies and assesses suitable sites, focusing on appropriately zoned land, and considers acquisition using developer contributions or other relevant Council reserves.
- 4 That Council brings a report to Council within six months, detailing:
  - a Available funding opportunities;
  - b Site feasibility and zoning considerations.
- 5 That an options paper be prepared and presented to the relevant Committee in relation to this Notice of Motion – Investigating a Bayside Circular Economy Hub in conjunction with Notice of Motion – Council Procurement Supporting Local Circular Economy and Notice of Motion - Making Waste Separation at Source Easier for Residents.

**Note:** Councillor Barlow requested her name be recorded as voting against the Motion.

### **13.5 Notice of Motion - Customer Service**

#### **RESOLUTION**

Minute No. 2025/123

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council affirms that consistently great customer experiences and a strong community focus should guide everything Council does, from planning to day-to-day customer facing activity.
- 2 That Council commits to making customer service a shared responsibility across the whole organisation by:
  - a Making customer experience a priority in every department;
  - b Creating clear service standards (Service Level Agreements) so people know what to expect.
- 3 That Council reviews the current Customer Service Strategy to:
  - a Include customer journey mapping and better use of data;
  - b Make service quality a goal in all Council plans;
  - c Ensure both online and face-to-face services meet community needs.
- 4 That Council builds a better system for collecting and using data, including evaluation mechanisms to measure improvements in customer satisfaction, service responsiveness, and internal efficiency.
  - a Track the full experience people have with Council;
  - b Help improve services;
  - c Keep data accurate, easy to access, and relevant.
- 5 That Council investigates options to create a Council-wide chatbot or virtual assistant to:
  - a Help people find information quickly;
  - b Give staff more time to focus on complex issues.
- 6 That Council uses a clear change plan to:
  - a Help roll out these improvements in a structured way;
  - b Support staff through the changes;

- c Keep day-to-day work in line with long-term goals.
- 7 That Council provides a detailed plan to the relevant Committee within three months including timing, staffing, IT needs, cost, and change management plan.

### **13.6 Notice of Motion - E-Bike Regulation**

#### **RESOLUTION**

Minute No. 2025/124

Resolved on the motion of Councillors Boutelet and Bezic

- 1 That Council notes the community's concerns about safety and amenity issues resulting from a growing number of shared e-bike operators.
- 2 That Council agrees that there is a need for a regulated framework to manage micromobility services in our area.
- 3 That Council notes that some neighbouring councils have developed and entered into MOUs with micromobility service providers.
- 4 That Council researches and reports back on the solutions put into practice in other Council areas, in particular the MOU initiated by Waverley Council, and that the effectiveness of the MOU and the behaviour change experienced since entering into the MOU be provided to Council.

### **13.7 Notice of Motion - Council-wide App**

#### **RESOLUTION**

Minute No. 2025/125

Resolved on the motion of Councillors Boutelet and Bezic

That Council investigates the development of a Council wide mobile app which will expand on the services, information and engagement that is offered by the Bayside Waste app.

Division called by Councillors Boutelet and Bezic

For: Councillors Bezic, Boutelet, Strong, Nagi, Douskou, Awada, Barlow and Poulos

Against: Councillors McDougall, Curry, Morrissey, Kassim, Bredehoeft (abstention), Saravinovski and Douglas

The Motion was declared carried.

### **13.8 Notice of Motion - Maintenance and presentation of Hoardings on Development Sites**

#### RESOLUTION

Minute No. 2025/126

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council requires that proponents of all development sites where hoarding is installed must keep the hoarding clean, in good repair, and free of graffiti, posters, and damage at all times while it is in place.
- 2 That Council encourages the use of public art, murals, or creative designs on hoardings to:
  - a Deter graffiti and vandalism;
  - b Enhance the visual appeal of the streetscape during construction;
  - c Support local artists and contribute to community amenity.
- 3 That Council integrates this requirement as a condition of development approval for all relevant applications, and that compliance be monitored as part of Council's regular site inspections.
- 4 That Council retrospectively applies this condition to all current developments in progress, if there is a mechanism to do so.

### **13.9 Notice of Motion - Council procurement supporting local circular economy**

#### RESOLUTION

Minute No. 2025/127

Resolved on the motion of Councillors Kassim and Douglas

- 1 That Council reports on ways in which Council can lead best practice procurement to support circularity, including by:
  - taking advantage of new filtered search tools recently developed by Local Government Procurement;
  - utilising industry recycled product capability surveys which are expected to be released by the NSW government mid 2025;
  - using the opportunity of major new Council works and assets across the LGA (eg Arncliffe Community Hub, Le Beach Hut, Botany Pool Upgrade, Mascot Oval and other planned park upgrades) to showcase the use of recycled material and modular construction methods consistent with



building a circular economy;

- conduct a review of local industry capability and consider ways of supporting local businesses to best participate in the opportunities offered by the circular economy.
- 2 That an options paper be prepared and presented to the relevant Committee in relation to this Notice of Motion - Council Procurement Supporting Local Circular Economy in conjunction with 13.4 Notice of Motion – Investigating a Bayside Circular Economy Hub and 13.10 Notice of Motion - Making Waste Separation at Source Easier for Residents.

### **13.10 Notice of Motion - Making waste separation at source easier for residents**

#### **RESOLUTION**

Minute No. 2025/128

Resolved on the motion of Councillors Kassim and Strong

- 1 That Council notes the existing highly cost effective system of 22 waste annual collection events in the LGA which give residents the opportunity to drop off a range for items for disposal and recycling.
- 2 That Council reports on the options for placement of multi waste stream collection centres in each suburb in the LGA including co-located collection of:
  - Clothing
  - Polystyrene
  - Soft plastics
  - Tyres
  - Batteries and E-waste
  - Return and earn stations
- 3 That Council reports on the feasibility of operating regular markets for bulky items (and potentially other goods) which are rescued from hard kerbside collections and from specific reusable/resellable goods collections by Council.
- 4 That an options paper be prepared and presented to the relevant Committee in relation to this Notice of Motion - Making Waste Separation at Source Easier for Residents in conjunction with 13.4 Notice of Motion – Investigating a Bayside Circular Economy Hub and 13.9 Notice of Motion - Council Procurement Supporting Local Circular Economy.

## **Procedural Motion – Adjournment of Meeting**

### **RESOLUTION**

Minute No. 2025/129

Resolved on the motion of Councillors Curry and Bezic

That the meeting be adjourned for 5 minutes, the time being 9:00 pm.

**Note:** The meeting reconvened with all Councillors who were previously present, the time being 9:05 pm.

## **13.11 Notice of Motion - Arncliffe Park - Installation of Shelter Seats**

### **RESOLUTION**

Minute No. 2025/130

Resolved on the motion of Councillors Nagi and Saravinovski

That Council provides four (4) shelter seats at Arncliffe Park to improve comfort and amenity for spectators.

## **13.12 Notice of Motion - Discretionary Funding Policy**

### **MOTION**

Motion moved by Councillors Nagi and Bezic

- 1 That Council investigates and establishes a Discretionary Funding Policy for Councillors, consistent with governance best practices, and modelled on similar frameworks such as the policy adopted by Georges River Council.
- 2 That the Policy outlines:
  - The purpose and principles of discretionary funding;
  - Annual allocation limits per Councillor;
  - Eligible and ineligible expenditure (e.g., support for local community groups, events, or small infrastructure improvements);
  - Assessment, approval, and reporting processes to ensure transparency and accountability;
  - Requirements for publishing funding allocations on Council's website.

Division called by Councillors Morrissey and Curry

For: Councillors Bezic, Boutelet, Nagi, Barlow and Poulos

Against: Councillors McDougall, Curry, Morrissey, Strong, Kassim, Bredehoeft, Saravinovski, Douskou, Awada and Douglas

The Motion was declared lost.

### **13.13 Notice of Motion - Gardiner Park - Lighting Upgrades**

The following person spoke at the meeting:

- Mr Hassan Chebli, Club President, Banksia Tigers, speaking for the Motion

Written submissions were received from the following people:

- Ms Leola Lachs, affected neighbour, against the Motion
- Ms Tina Workman, interested resident, against the Motion
- Miss Lynda Ward, affected neighbour, against the Motion
- Mrs Anne Fedoson, affected neighbour, against the Motion
- Mr David Macdonald, affected neighbour, against the Motion
- Mr Constant Chadwick, affected neighbour, against the Motion

and were distributed to Councillors prior to the Council Meeting.

#### **MOTION**

Motion moved by Councillors Nagi and Awada

- 1 That Council investigates the feasibility of lighting upgrades at Gardiner Park to support the full-purpose use of the facility by its custodian clubs.
- 2 That the investigation considers improvements that enable:
  - evening training capacity;
  - enhanced game day experiences for players, officials, and spectators; and
  - improved safety of training facilities for players and officials.
- 3 That Council investigates ways to reduce light spillage via upgrades to lighting in Gardiner Park.

Division called by Councillors Nagi and Awada

For: Councillors McDougall, Curry, Morrissey, Bezic, Boutelet, Kassim, Saravinovski, Nagi, Douskou, Awada, Barlow and Poulos

Against: Councillors Strong, Bredehoeft and Douglas

The Motion was declared carried.

FORESHADOWED MOTION moved by Councillor Douglas

That in recognising the value of sport in our community, and the role Council plays in providing suitable safe sporting grounds, whilst balancing impacts on other community members:

- a That Council conducts a needs assessment for soccer fields in Bayside, in consultation with relevant groups.
- b That pending outcomes from the above, that Council investigates and brings back a report to the relevant committee about the activation by council of the 5th field at Riverine Park for local soccer groups, including what investment council would need to make and by when to ensure this facility came online when other park renewals are complete, and what financial sources might be located to cover the costs of these works.
- c That this work forms the basis for an Open spaces and Recreation Plan for the whole Bayside Local Government Area, to better inform council about users needs, changing demographics, predicted high density areas, and where passive and active recreational space need to be planned for and provided.

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

#### RESOLUTION

Minute No. 2025/107

Resolved on the motion of Councillors Nagi and Awada

#### RESOLUTION

- 1 That Council investigates the feasibility of lighting upgrades at Gardiner Park to support the full-purpose use of the facility by its custodian clubs.
- 2 That the investigation considers improvements that enable:
  - evening training capacity;
  - enhanced game day experiences for players, officials, and spectators; and
  - improved safety of training facilities for players and officials.
- 3 That Council investigates ways to reduce light spillage via upgrades to lighting in Gardiner Park.

#### **13.14 Notice of Motion - Public Guideline for all Sporting Club Sponsorship Arrangements**

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

The following people spoke at the meeting:

- Mr Hassan Chebli, Club President, Banksia Tigers, speaking for the Motion
- Mr Edward Yazbeck, member of Bexley North Football Club, speaking for the Motion
- Mr Marcus Andrews, President, Rockdale City Raiders Soccer Club, speaking for the Motion

Written submissions were received from the following people:

- Miss Lynda Ward, affected neighbour, against the Motion, against the Motion
- Ms Tina Workman, interested resident, against the Motion

and were distributed to Councillors prior to the Council Meeting.

## RESOLUTION

Minute No. 2025/108

Resolved on the motion of Councillors Nagi and Awada

- 1 That Council develops, and is referred to the relevant Committee for consideration, a public guideline for all sporting club sponsorship arrangements, specifically addressing the display of sponsorship signage on Council-owned assets.
- 2 That the Guideline outlines:
  - clear parameters and approval processes for the placement of sponsorship signage by sporting clubs on Council-owned facilities and infrastructure, as part of their sponsorship agreements; and
  - allow sporting clubs, within reason, to display sponsorship banners at their designated club locations on a seasonal basis.

## **13.15 Notice of Motion - Rockdale Arts and Culture Concept and Needs Assessment**

## RESOLUTION

Minute No. 2025/131

Resolved on the motion of Councillors Bredehoeft and Douglas

- 1 That Council notes that it has committed to the development of a dedicated Rockdale Arts and Culture Centre, but that a clear strategy and proposal are yet to be developed to define its purpose, function, and community value.
- 2 That Council initiates Phase 1: Needs Assessment and Scoping (to be completed within six to twelve months), to undertake a comprehensive Rockdale Arts and Culture Needs Assessment that:
  - i. Audits existing cultural assets (e.g. Rockdale Theatre, Town Hall, Museum, Library) in terms of usage patterns, technical capabilities, limitations, and opportunities for activation or upgrade;
  - ii. Identifies gaps in cultural infrastructure, programming, and access that may limit participation and artistic expression;
  - iii. Consults with local artists, arts organisations, cultural groups, businesses, young people, and residents to understand current needs, barriers, and aspirations;
  - iv. Benchmarks comparable cultural hubs or precincts in other LGAs, including Inner West, Sydney, and Parramatta councils;
  - v. Explores opportunities to activate existing and underutilised urban spaces, such as ex-warehouses or industrial sites, to support diverse artistic practices and a vibrant night-time economy;
  - vi. Includes a feasibility review of temporary or long-term cultural activation at 1 Market Street and surrounding areas; and
  - vii. Aligns with and informs the Rockdale Town Spine Masterplan.
- 3 That Council notes, that following Phase 1, Council will consider whether to proceed with a full Phase 2: Rockdale Arts and Culture Hub and Strategy.

### **13.16 Notice of Motion - Development of a Homelessness Policy for Bayside Council**

#### **RESOLUTION**

Minute No. 2025/132

Resolved on the motion of Councillors Bredehoeft and Douglas

That consideration of the Notice of Motion – Development of a Homelessness Policy for Bayside Council be deferred.

### **13.17 Notice of Motion - Story Dogs Reading Program**

#### **RESOLUTION**

Minute No. 2025/133

Resolved on the motion of Councillors Barlow and Curry

- 1 That Council investigates the Story Dog Program with a view if suitable be introduced at Council library/libraries.
- 2 That Council reports back through the appropriate Council Committee on the investigation outcomes.

### **13.18 Notice of Motion - Food trucks and pop up shops Audit**

RESOLUTION

Minute No. 2025/134

Resolved on the motion of Councillors Saravinovski and Douglas

- 1 That Council notes that audits of mobile food premises and pop up shops are currently conducted in accordance with relevant legislation to ensure all food trucks and pop up shops comply with food and safety regulations and the standards set by the health department and Council.
- 2 That Council be provided with a report on the performance of the 13 mobile food vans registered in Bayside (the Home Council) and the other 17 operating in our area but registered with other Councils, noting any complaints received and how these are dealt with.

### **13.19 Notice of Motion - Rooftop Public Recreational Space**

RESOLUTION

Minute No. 2025/135

Resolved on the motion of Councillors Kassim and Bredehoeft

That Council investigates and reports on options for requiring that all major industrial / commercial developments include provision for publicly accessible rooftop recreational areas to help meet the demand for sporting and other facilities for local residents.

### **13.20 Notice of Motion - Walking and Lighting**

RESOLUTION

Minute No. 2025/136

Resolved on the motion of Councillors Kassim and Bredehoeft

- 1 That Council notes that our Safer Cities: Her Way program has resulted in 3 pilot areas for improvement, and that Council has a Customer Service Request system on Council's website to encourage residents to communicate issues to Council in a timely fashion.
- 2 That Council resolves that lighting now be added as a specific issue to the Customer Service Request system.
- 3 That Council resolves that a resident information campaign be initiated to gain feedback on resident walking patterns, with a focus on what action Council might take to enhance recreational and daily commuting walking routes around the LGA. Further that this information be reported to Council's planned Active Transport (Walking and Cycling) Committee.

## **14 Questions With Notice**

There were no Questions With Notice.

## **15 Confidential Matters**

In accordance with Council's Code of Meeting Practice, the Mayor invited members of the public to make representations as to whether this part of the meeting should be closed to the public.

There were no representations.

### **Procedural Motion**

#### **RESOLUTION**

Minute No. 2025/137

Resolved on the motion of Councillors McDougall and Morrissey

That Council resolves into Closed Session in accordance with Section 10A (1) of the Local Government Act 1993, from which the press and public are excluded, to consider the following items:

- 12.3 CS25.013 - CONFIDENTIAL – Response to Notice of Motion: Early Childhood Learning in Bayside Payment and Conditions.
- 15.1 - Request for a report to City Performance Committee – 12.6 ARIC 25.015 ICAC Hector Gap Analysis – Bayside Findings and Improvement Update and 12.6 ARIC 25.016 Internal Audit – ICAC Operation
- 15.2 - Request for a report to City Works & Assets Committee – 12.6 ARIC 25.017 Internal Audit Report [FINAL-ARIC] - Review of the Process of Planning



& Scheduling of the Maintenance of Green Spaces (Turf Mowing) and Delivery Against the Schedule

The meeting moved into Closed Session, the time being 9:40 pm.

**12.3 CS25.013                      CONFIDENTIAL - Response to Notice of Motion:  
Early Childhood Learning in Bayside Payment and  
Conditions**

**MOTION**

Motion moved by Councillors Douglas and Morrissey

- 1        That Council notes this report and the competitive salary system within Council's Early Education and Care Centres.
- 2        That Council endorses the self-funded salary increases to Bayside Council Childcare educators to ensure we remain an Employer of Choice for a childhood centre.
- 3        That Council writes to the United Services Union (USU) to confirm Council's position and the basis on which the decision was made.

**FORESHADOWED MOTION**

Foreshadowed Motion moved by Councillor Strong

- 1        That Council is committed to ensuring that educators in its employ are no worse off than other councils, and should receive both the pay increase and back pay.
- 2        That Council apply for the Worker Retention Payment grant as the most cost-effective way of funding this increase, and apply to the Department of Education for an exemption to the fee cap so that we remain eligible despite the lifting of fees by management.
- 3        That, if the application for an exemption fails, then Council proceeds with a self-funded pay increase inclusive of back pay for educators.
- 4        That Council directs staff to make a report on freezing fee increases into the future, so that Council remain an affordable service provider.

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

**RESOLUTION**

Minute No. 2025/138

Resolved on the motion of Councillors Douglas and Morrissey

**RESOLUTION**

- 1 That Council notes this report and the competitive salary system within Council's Early Education and Care Centres.
- 2 That Council endorses the self-funded salary increases to Bayside Council Childcare educators to ensure we remain an Employer of Choice for a childhood centre.
- 3 That Council writes to the United Services Union (USU) to confirm Council's position and the basis on which the decision was made.

**15.1 Request for a report to City Performance Committee – 12.6 ARIC 25.015 ICAC Hector Gap Analysis – Bayside Findings and Improvement Update and 12.6 ARIC 25.016 Internal Audit – ICAC Operation**

RESOLUTION

Minute No. 2025/139

Resolved on the motion of Councillors Poulos and Boutelet

That a report be prepared to the City Performance Committee to brief Councillors on the following items considered by ARIC at its meeting held on the 18 March 2025:

- 12.6 ARIC25.015 - ICAC Hector Gap Analysis - Bayside Findings and Improvement Update
- 12.6 ARIC25.016 - Internal Audit - ICAC Operation Mantis - Self Assessment.

**15.2 Request for a report to City Works & Assets Committee – ARIC 25.017 Internal Audit Report [FINAL-ARIC] - Review of the Process of Planning & Scheduling of the Maintenance of Green Spaces (Turf Mowing) and Delivery Against the Schedule**

RESOLUTION

Minute No. 2025/140

Resolved on the motion of Councillors Poulos and Boutelet

That a report be prepared to the City Works & Assets Committee to brief Councillors on the following item considered by ARIC at its meeting held on the 18 March 2025:

- 12.6 ARIC 25.017 Internal Audit Report - Review of the Process of Planning & Scheduling of the Maintenance of Green Spaces (Turf Mowing) and Delivery Against the Schedule.

## **Resumption of Open Council Meeting**

### **RESOLUTION**

Minute No. 2025/141

Resolved on the motion of Councillors Morrissey and Boutelet

That, the closed part of the meeting having concluded, the open Council Meeting resume and it be open to the press and public, the time being 10:02 pm.

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

## **15 Conclusion of Meeting**

The Mayor closed the meeting at 10:04 pm.

Councillor Edward McDougall  
**Mayor**

Meredith Wallace  
**General Manager**

## **Attachments**

Nil

**8 MAYORAL MINUTES**

**Council Meeting**

**25/06/2025**

Item No	8.1
Subject	<b>Mayoral Minute - 2025 King's Birthday Honours - Superintendent Paul Dunston</b>
File	F24/38

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**Motion**

That Council congratulates Superintendent Paul Dunston of the St George Police Area Command who was recognised in the 2025 King's Birthday Honours.

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**Mayoral Minute**

I would like to congratulate St George Police Area Commander, Superintendent Paul Dunstan who received an Australian Police Medal in the King's Birthday Honours for his distinguished service as a member of the Australian Police Force.

Bayside Council has always had an excellent working relationship with the St George Police, especially with the roll out of the recent noise camera trials to combat hooning in the area.

I would like to thank Superintendent Paul Dunstan for his commitment to tackling domestic violence, as well as his ongoing work within our multicultural communities here in Bayside.

It is my pleasure to congratulate Superintendent Paul Dunstan and present him with this certificate from Bayside Council.

**Attachments**

Nil

**Council Meeting**

**25/06/2025**

Item No	8.2
Subject	<b>Mayoral Minute - 2025 King's Birthday Honours - Lieutenant Commander Nicole Cherie Sorlie</b>
File	F24/38

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**Motion**

That Bayside Council congratulates Lieutenant Commander Nicole Cherie Sorlie who was recognised in the 2025 King's Birthday Honours.

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**Mayoral Minute**

I would like to congratulate Lieutenant Commander Nicole Cherie Sorlie of Mascot who was awarded the Conspicuous Service Medal (CSM) in the King's Birthday Honours for meritorious achievement in the field of Navy people management.

It is my pleasure to congratulate Lieutenant Commander Nicole Cherie Sorlie and present her with this certificate from Bayside Council.

**Attachments**

Nil

**9 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.

**10 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.

## 11 REPORTS TO COUNCIL

### Council Meeting

25/06/2025

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Item No	11.1
Subject	<b>Fraters Avenue, Sans Souci - Proposed angle parking bays</b>
Report by	Peter Barber, Director City Futures
File	SF24/8035

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### Summary

Council received a request to review the parking conditions on the southern side of Fraters Avenue, Sans Souci, with the view of increasing the available on-street parking capacity in the area.

This report seeks Council's consideration of the proposed angle parking bays on Fraters Avenue, Sans Souci.

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### Officer Recommendation

- 1 That Council undertakes detailed design and community consultation on the proposed angle parking bays on the southern side of Fraters Avenue, Sans Souci during FY2025/26.
  - 2 That the detailed design be reported back to Council via the Bayside Traffic Committee.
- 

### Background

Council has received a request from a resident to review the parking conditions along Fraters Avenue, Sans Souci, with a view to increasing the available on-street parking capacity in the area.

The matter was considered at the Bayside Traffic Committee meeting on 9 April 2025 with the following recommendation:

*That the proposed angle parking on Fraters Avenue, Sans Souci, as per the attached plan, is not supported.*

At the subsequent Council Meeting on 23 April 2025 the following was resolved:

*That Fraters Avenue, Sans Souci – proposed angle parking bays be deferred for an on-site meeting with residents.*

A site meeting was held on 15 May, 2025 and was attended by Councillors, Council staff and several residents of Fraters Avenue. The key issues raised in the meeting were that due to a lack of a formal parking area, some vehicles have received fines for parallel parking on the

unsealed area on the southern side of Fraters Avenue. Additionally, demand for on-street parking exceeds what is available, particularly overnight when residents return home from work. This is exacerbated by seasonal demand from park users, and events at the nearby St George Sailing Club.

Fraters Avenue currently has no formalised kerb and gutter on the southern side and vehicles park informally in the verge of this area. Parts of the landscaped area are owned by Bayside Council with other land holdings in the area owned by Transport for NSW (TfNSW) as part of a future M6 extension corridor.



Google Streetview 2022

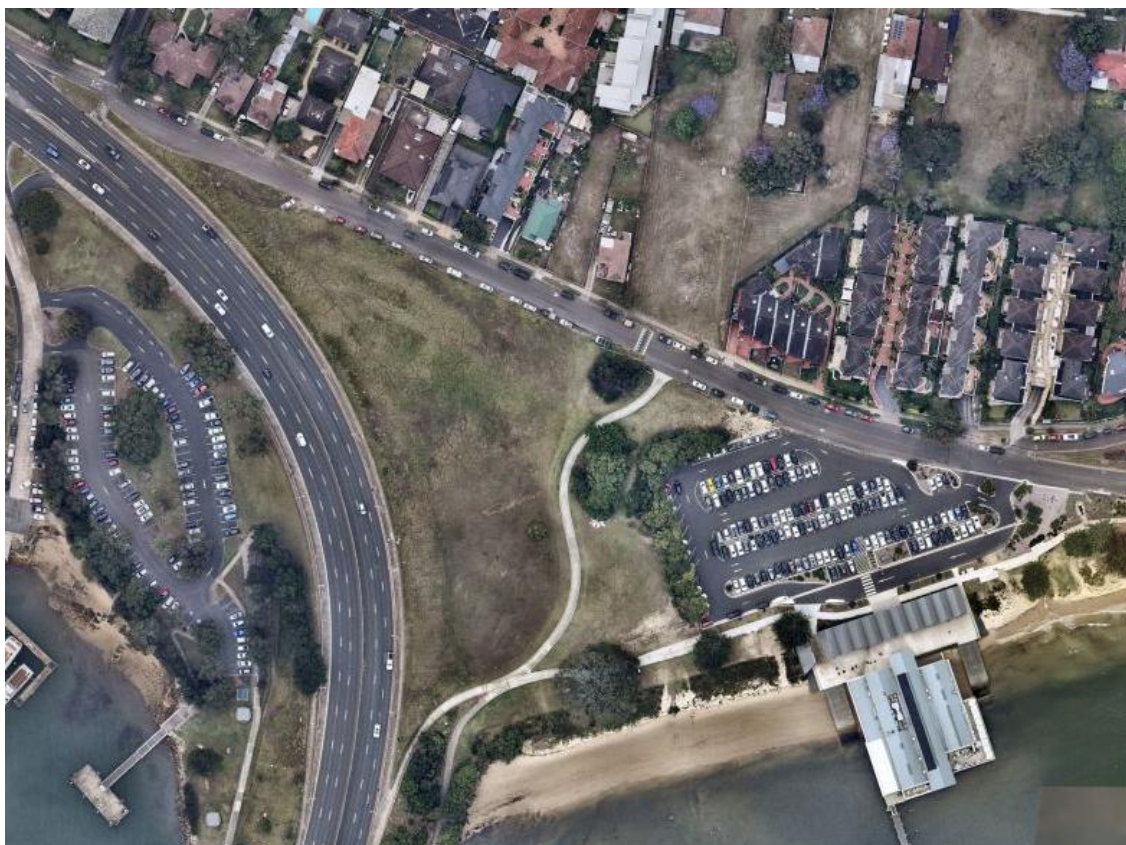
## Discussion

There is an existing Council owned carpark adjacent to St George Sailing Club, which has 140 marked parking spaces. The facility generates parking demand, especially during summer months and particularly on weekends. The Club hosts race days each Saturday from September through to Easter, excluding school holidays. In addition, the Club hosts the State or National Championship in either November or January.

Several site inspections have been undertaken and have noted outside of Sailing Club activities, the existing parking in this area is sufficient for the general demand. In addition, using historical Nearmap aerial imagery, it is noted that the carpark is close to capacity on Saturdays and Sunday during the summer months, and it is over 80% unoccupied during weekdays and off-peak season.

The aerial photos below show a weekend day in Summer and a weekday in winter to provide a comparison of available capacity in Council's car park and in Fraters Avenue:





Sunday 17 November, 2024 – Council car park full, some availability in Fraters Ave. (Nearmap)



Thursday 5 June, 2025 – Spare capacity in Council car park and Fraters Ave. (Nearmap)

## Options

One option would be to regularise the opportunity to parallel park on the southern side of Fraters Avenue through and extension of the pavement and/or signage, so that residents can park there without the possibility of receiving a parking infringement. This would not increase the number of spaces that are typically in use during peak periods, as vehicles tend to parallel park there, presumably unaware that they could be fined.

A preliminary assessment undertaken of the area indicates that on-street parking could be increased from 16 spaces to approximately 41 spaces if formal 90-degree angle parking bays were installed. This is a net increase of 25 parking spaces. Two options have been investigated as part of the feasibility study for the project.

Option A provides for a longer-term solution that includes a retaining wall structure, formalised kerb and gutter, additional drainage works, as the area is a low point, and the proposal removes overland flow to a permeable area. A high-level cost estimate, which includes kerb & gutter, road base, asphalt, dish crossing, drainage and retaining wall installation and contingencies, is estimated at approximately \$900,000.

Option B does not include provision of a retaining wall or formalised kerb and gutter, instead the area would be paved with asphalt and allow for natural stormwater run-off to the existing grassed area. This proposal results in a lower cost, however, the life of the asset will be much shorter as stormwater will sleep under the road surface, accelerating deterioration. A high-level cost estimate, which includes road base, asphalt, dish crossing, wheel stops and contingencies, is estimated at approximately \$485,000.

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## Financial Implications

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

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The project is currently not included in the Capital Projects Program (CPP) for FY2025/26, therefore it is proposed that initial design is undertaken by internal staff, as well as community consultation and approvals, if Council wishes to proceed.

If a 90 degree parking option was to be progressed, funds would need to be allocated in the FY2026/27 budget for construction. The works would not be eligible for funding from the asset renewal levy reserve (due to this being a new asset and not renewal), nor the Developer Contributions Reserve (it is not a project listed in the Plan's works schedule), and it is not a type of project that would typically be eligible for grant funding. General Funds would need diverted from another project or activity to fund construction.

Works to formalise parallel parking on the southern side of Fraters Ave may be eligible for funding from the asset renewal reserve, given that this would be effectively renewing the current gravel parking lane to contemporary standard. This would formalise and legalise parking, though not increase supply.

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## Community Strategic Plan

- |  |                                     |
|--|-------------------------------------|
| Theme One – In 2035 Bayside will be a vibrant and liveable place                                 | <input checked="" type="checkbox"/> |
| Theme Two – In 2035 our Bayside community will be connected and feel that they belong            | <input checked="" type="checkbox"/> |
| Theme Three – In 2035 Bayside will be green, resilient and sustainable                           | <input type="checkbox"/>            |
| Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy | <input checked="" type="checkbox"/> |
- 

## Risk Management – Risk Level Rating

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

## Community Engagement

Not applicable.

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## Attachments

- 1 [↓](#) Fraters Avenue - Angle Parking Concept











## Council Meeting

25/06/2025

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Item No	11.2
Subject	<b>Gilchrist Park new facilities including Basketball Courts - Additional Information to Item CWA25.019</b>
Report by	Peter Barber, Director City Futures
File	SF24/5408

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## Summary

At the City Works and Assets Committee on 4 June 2025, the Committee recommended:

- 1 *That Council explore further Option 3, comprising a full-sized netball court, and full sized basketball court at Gilchrist Park for public consultation, with a post-exhibition report to be considered by Council in due course.*
- 2 *With the additional information provided in Option 3, Council consider which option or options to go to public consultation.*
- 3 *That Council consider other amenities for the wider community*

There were several questions and suggestion made at the Committee, and an undertaking was given to provide Councillors with additional information to support making a decision at the June 2025 Council meeting. This report supplements report CWA25-019 and should be dealt with in conjunction.

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## Officer Recommendation

- 1 That Council notes Item CWA25.019 in the Minutes of the City Works & Assets Committee held on 4 June 2025.
- 2 That Council receives and notes the further information and determines which option or options should proceed to community consultation.

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## Background

At the City Works and Assets Committee on 4 June 2025 the Committee recommended

- 1 *That Council explore further Option 3, comprising a full-sized netball court, and full sized basketball court at Gilchrist Park for public consultation, with a post-exhibition report to be considered by Council in due course.*
- 2 *With the additional information provided in Option 3, Council consider which option or options to go to public consultation.*
- 3 *That Council consider other amenities for the wider community.*

The options presented to the Committee included:

- Option 1 – Full Size Basketball Court only, with Cricket Nets;
- Option 2 – Half Basketball Court, Half Netball Court, with Cricket Nets;
- Option 3 – Multi (full) courts – Basketball & Netball Court with Cricket Nets; and
- Option 4 - Multi-court – Half Basketball & Full Size Netball Court, with Cricket Nets **(Recommended Option)**.

As requested by the committee, Option 3 has been further explored and will now be referred to as Option 5.

### Option 5

- Compliant netball court dimensions;
- Larger than compliant basketball court dimensions (3m longer than standard);
- Standard goal post designs – offset to allow multi use court, but not concurrent usage. Does not require Council to unlock and switch hoops for different codes;
- Larger concrete footprint (requires removal of small tree);
- Fully enclosed double lane cricket wickets;
- Integrated 200m walking loop and connections to pathways; and
- Retains existing rebound wall and integrates seating.

The below option shows two courts overlaid with the goal posts offset. This does not allow concurrent court usage. There is only sufficient space for a single court in this section of the park due to the presence of established trees.



Image 1: Revised Option 3 (now referred to as Option 5).

Officers will prepare a concept plan for the wider park which will consider other amenities suitable for a broader cross-section of the community in Gilchrist Park, as recommended by the Committee. This will be subject to a further report to Council in due course.

**Financial Implications**

Following community engagement, a concept design can be adopted by Council. The final concept will then move into detailed design for construction. Funding has not been allocated beyond concept design stage at this point.

- |                                      |                                     |   |
|--------------------------------------|-------------------------------------|---|
| Not applicable                       | <input type="checkbox"/>            |   |
| Included in existing approved budget | <input type="checkbox"/>            |   |
| Additional funds required            | <input checked="" type="checkbox"/> | Funding for these initiatives is not included in current or future budgets. |



**Community Strategic Plan**

- Theme One – In 2035 Bayside will be a vibrant and liveable place ☒
- Theme Two – In 2035 our Bayside community will be connected and feel that they belong ☐
- Theme Three – In 2035 Bayside will be green, resilient and sustainable ☐
- Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy ☐

**Risk Management – Risk Level Rating**

- No risk ☐
- Low risk ☒
- Medium risk ☐
- High risk ☐
- Very High risk ☐
- Extreme risk ☐

**Community Engagement**

Community engagement will proceed on the selected option or options, with a post-exhibition report to be prepared for consideration by Council.

**Attachments**

Nil

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## Council Meeting

25/06/2025

Item No	11.3
Subject	<b>Statutory Financial Report - May 2025</b>
Report by	Richard Sheridan, Director City Performance
File	SF24/8035

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## 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 May 2025, Bayside Council had \$535.7m in cash and investments with an adjusted portfolio return on investments of 4.99%. Our income and expenditure cash-flow movements for the period primarily comprised the following:

- Income from operating activities totalled \$22.7m from rates, grants, childcare subsidies bookings/leases, and construction fees.
- Expenses from operating activities totalled \$19.9m for payments for employee costs, utilities, waste, contracts, and infrastructure work.

### **Cash & Investment Reserve Balances as at 31 May 2025 amounted to \$535.7m:**

Council's cash and investments balance of \$535.7m comprises externally restricted funds of \$403.9m, internally restricted funds of \$92.2m and unrestricted funds of \$39.6m. External and Internal funds are reconciled monthly to ensure the use of funds complies with the Council Policy.

It is noted that there has been some volatility in the market due to world events. Council has invested with a Medium-term view and can exceed RBA cash rate for the medium term if rates were to suddenly decline.

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## Officer Recommendation

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

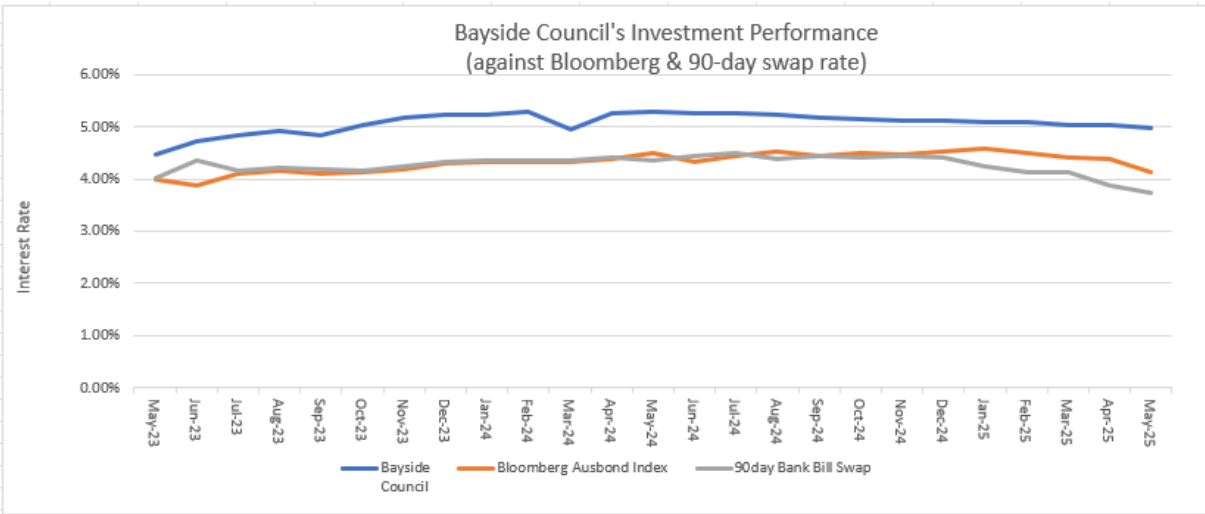
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Background

The following table shows the performance of Council’s investments since May 2023. 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 performance.

The annual inflation rate is currently within the RBA’s target range of 2% - 3%, with wage growth moderated and retail sales remaining flat. The geopolitical uncertainty around tariffs and global trade contributed to the RBA cutting the cash rate 0.25% to 3.85%. The interest rate market is expecting further rate cuts over the next 12 months which will impact the returns that Council will receive from future term deposit placements. It is currently difficult to obtain a term deposit rate above 4.20% for term deposits without taking on substantial additional risk. Council is monitoring the Fixed Rate Note market and may find more favourable longer-term rates.

Council’s investment portfolio has outperformed the market rates by 0.87% and contains approximately 77% in externally restricted reserves such as developer contributions. Council’s current portfolio is generating returns of 4.99%.



## Statement of Bank Balances

The following table shows details of movements in Council's cash at bank for May 2025.

STATEMENT OF BANK BALANCE AS AT 31 MAY 2025		
<b>Cash at bank as per general ledger as at:</b>	<b>30-Apr-25</b>	<b>9,733,492</b>
<b>Income from operating activities</b>		
Rates and annual charges received	\$ 15,975,084	
User fees and charges received	\$ 1,240,850	
Grant and contributions received	\$ 3,329,691	
Interest revenue received	-\$ 412,937	
Bonds received / (paid)	\$ -	
Rates received / (paid)	\$ -	
GST received / (paid)	\$ 971,370	
Other income received	\$ 1,620,034	
<b>Total Income from Operating Activities for the Period</b>	<b>\$ 22,724,091</b>	
<b>Expenses from operating activities</b>		
Accounts paid for period (includes cheques and refunds)	-\$ 12,362,892	
Direct payroll	-\$ 7,628,208	
Borrowing costs	-\$ 8,107	
<b>Total Expenses from Operating Activities for the Period</b>	<b>-\$ 19,999,207</b>	
<b>Total Net Movement from Operating Activities</b>		<b>\$ 2,724,884</b>
<b>Investment Activities for the Period</b>		
(Purchase) / Redemption of TD's	-\$ 10,000,000	
<b>Net Funding Flows for the Period</b>	<b>-\$ 10,000,000</b>	
		<b>-\$ 10,000,000</b>
<b>Funding Activities for the Period</b>		
Proceeds from borrowings	\$ -	
Loan repayments	-\$ 871,574	
<b>Net Funding Flows for the Period</b>	<b>-\$ 871,574</b>	
		<b>-\$ 871,574</b>
<b>Cash at bank as per general ledger as at:</b>	<b>31-May-25</b>	<b>1,586,803</b>

NB: above table may include minor rounding's.

### **Schedule of Investments**

Bayside Council currently holds \$515m in investments and the balance is cash at call. In accordance with current accounting standards, investments are recorded at Fair (Market) Value. The investments are held predominantly in the 4 Major Banks and in compliance with Minister Orders and Council Investment policy. Where there is opportunity to improve our returns on investment, the policy allows us to invest with financial institutions like ING, BOQ and AMP up to the policy limit.

SCHEDULE OF INVESTMENTS HELD ON BEHALF OF COUNCIL AS AT:								31/05/2025
	Credit Rating	Purchase Price	Purchase Date	Maturity Date	Term Days	Prop %	Interest Rate	Market Value
<b>Term Deposits</b>								
National Australia Bank	AA-	\$10,000,000	8-May-24	12-May-26	734	1.94%	5.05%	\$10,000,000
National Australia Bank	AA-	\$10,000,000	8-May-24	10-Jun-25	398	1.94%	5.23%	\$10,000,000
National Australia Bank	AA-	\$5,000,000	28-Jun-24	25-Jun-25	362	0.97%	5.45%	\$5,000,000
National Australia Bank	AA-	\$20,000,000	3-Jul-24	25-Jun-25	357	3.88%	5.45%	\$20,000,000
National Australia Bank	AA-	\$5,000,000	10-Jul-24	9-Jul-25	364	0.97%	5.45%	\$5,000,000
National Australia Bank	AA-	\$5,000,000	31-Jul-24	30-Jul-25	364	0.97%	5.30%	\$5,000,000
National Australia Bank	AA-	\$10,000,000	18-Sep-24	17-Sep-25	364	1.94%	4.80%	\$10,000,000
National Australia Bank	AA-	\$10,000,000	2-Oct-24	1-Oct-25	364	1.94%	4.90%	\$10,000,000
National Australia Bank	AA-	\$10,000,000	5-Jun-24	8-Oct-25	490	1.94%	5.30%	\$10,000,000
National Australia Bank	AA-	\$5,000,000	16-May-25	18-Aug-25	94	0.97%	4.32%	\$5,000,000
National Australia Bank	AA-	\$5,000,000	28-May-25	1-Sep-25	96	0.97%	4.22%	\$5,000,000
						18.45%		
Westpac	AA-	\$5,000,000	28-Sep-23	28-Sep-25	732	0.97%	5.24%	\$5,000,000
Westpac	AA-	\$20,000,000	18-Oct-23	18-Oct-28	1828	3.88%	5.38%	\$20,000,000
Westpac	AA-	\$10,000,000	25-Oct-23	25-Oct-28	1828	1.94%	5.44%	\$10,000,000
Westpac	AA-	\$10,000,000	17-Jan-29	17-Jan-29	1828	1.94%	4.85%	\$10,000,000
Westpac	AA-	\$5,000,000	7-Feb-24	9-Feb-26	734	0.97%	4.80%	\$5,000,000
Westpac	AA-	\$10,000,000	18-Sep-24	18-Feb-26	519	1.94%	4.63%	\$10,000,000
Westpac	AA-	\$10,000,000	18-Sep-24	22-Apr-26	582	1.94%	4.58%	\$10,000,000
Westpac	AA-	\$10,000,000	18-Sep-24	17-Jun-26	638	1.94%	4.52%	\$10,000,000
Westpac	AA-	\$5,000,000	16-Oct-24	20-Oct-27	1100	0.97%	4.65%	\$5,000,000
Westpac	AA-	\$5,000,000	16-Oct-24	16-Oct-29	1827	0.97%	4.76%	\$5,000,000
Westpac	AA-	\$10,000,000	30-Oct-24	31-Oct-29	1828	1.94%	4.89%	\$10,000,000
Westpac	AA-	\$10,000,000	1-Nov-24	3-Nov-25	368	1.94%	5.13%	\$10,000,000
Westpac	AA-	\$10,000,000	1-Nov-24	19-Nov-25	384	1.94%	5.13%	\$10,000,000
Westpac	AA-	\$10,000,000	27-Nov-24	26-Nov-25	365	1.94%	5.08%	\$10,000,000
Westpac	AA-	\$5,000,000	5-Feb-25	5-Feb-26	366	0.97%	4.77%	\$5,000,000
Westpac	AA-	\$5,000,000	5-Feb-25	5-Feb-30	1827	0.97%	4.80%	\$5,000,000
Westpac	AA-	\$5,000,000	19-Feb-25	18-Feb-26	365	0.97%	4.83%	\$5,000,000
Westpac	AA-	\$5,000,000	19-Feb-25	19-Feb-30	1827	0.97%	4.92%	\$5,000,000
Westpac	AA-	\$10,000,000	5-Mar-25	2-Mar-27	728	1.94%	4.52%	\$10,000,000
Westpac	AA-	\$5,000,000	12-Mar-25	12-Mar-30	1827	0.97%	4.62%	\$5,000,000
Westpac	AA-	\$5,000,000	1-May-25	30-Apr-26	365	0.97%	4.22%	\$5,000,000
Westpac	AA-	\$10,000,000	14-May-25	13-May-26	365	1.94%	4.37%	\$10,000,000
						34.95%		
ING Direct	A	\$10,000,000	13-Sep-23	17-Sep-25	736	1.94%	5.06%	\$10,000,000
ING Direct	A	\$10,000,000	8-May-24	11-May-27	1099	1.94%	5.05%	\$10,000,000
ING Direct	A	\$10,000,000	15-May-24	13-Jan-26	609	1.94%	5.21%	\$10,000,000
ING Direct	A	\$10,000,000	22-May-24	20-Aug-25	456	1.94%	5.21%	\$10,000,000
ING Direct	A	\$20,000,000	5-Jun-24	4-Jun-25	365	3.88%	5.31%	\$20,000,000
ING Direct	A	\$10,000,000	17-Jul-24	6-Aug-25	386	1.94%	5.33%	\$10,000,000
ING Direct	A	\$5,000,000	7-Aug-24	6-Aug-25	365	0.97%	5.02%	\$5,000,000
ING Direct	A	\$10,000,000	28-Aug-24	28-Aug-26	731	1.94%	4.63%	\$10,000,000
ING Direct	A	\$5,000,000	28-Aug-24	28-Aug-29	1827	0.97%	4.68%	\$5,000,000
						17.48%		
Suncorp	AA-	\$10,000,000	7-Mar-24	11-Mar-26	735	1.94%	4.92%	\$10,000,000
Suncorp	AA-	\$10,000,000	11-Dec-24	10-Sep-25	274	1.94%	5.05%	\$10,000,000
Suncorp	AA-	\$10,000,000	13-Dec-24	15-Dec-25	368	1.94%	5.03%	\$10,000,000
Suncorp	AA-	\$5,000,000	5-Mar-25	3-Dec-25	274	0.97%	4.70%	\$5,000,000
Suncorp	AA-	\$10,000,000	19-Mar-25	24-Mar-26	371	1.94%	4.72%	\$10,000,000
						8.74%		
BOQ	A-	\$10,000,000	5-Apr-24	11-Apr-29	1833	1.94%	4.99%	\$10,000,000
BOQ	A-	\$5,000,000	22-May-24	22-Apr-26	701	0.97%	5.05%	\$5,000,000
BOQ	A-	\$15,000,000	27-Nov-24	25-Nov-26	729	2.91%	4.85%	\$15,000,000
BOQ	A-	\$5,000,000	19-Feb-25	27-Aug-25	190	0.97%	4.75%	\$5,000,000
BOQ	A-	\$5,000,000	22-Apr-25	22-Oct-25	184	0.97%	4.64%	\$5,000,000
BOQ	A-	\$5,000,000	28-May-25	1-Dec-25	188	0.97%	4.29%	\$5,000,000
						8.74%		
Judo	BBB	\$10,000,000	22-May-24	23-Jul-25	428	1.94%	5.28%	\$10,000,000
						1.94%		
AMP	BBB+	\$10,000,000	18-Dec-24	17-Dec-25	365	1.94%	5.10%	\$10,000,000
AMP	BBB+	\$5,000,000	22-Jan-25	22-Oct-25	274	0.97%	5.05%	\$5,000,000
						2.91%		
AMB	BBB+	\$20,000,000	5-Jun-24	20-Jan-26	595	3.88%	5.36%	\$20,000,000
AMB	BBB+	\$5,000,000	29-Jan-25	29-Jan-27	731	0.97%	4.83%	\$5,000,000
						4.85%		
RAB	BBB+	\$10,000,000	29-Jan-25	30-Jul-25	183	1.94%	5.00%	\$10,000,000
						1.94%		

SCHEDULE OF INVESTMENTS HELD ON BEHALF OF COUNCIL AS AT:				31/05/2025	(Continued)			
	Credit Rating	Purchase Price	Purchase Date	Maturity Date	Term Days	Prop %	Interest Rate	Market Value
<b>Unlisted Community Bank Shares</b>								<b>Market Value</b>
NRMA/IAG Shares		\$10,746				0.00%		\$10,746
Bendigo Bank	BBB	\$5,000				0.00%		\$5,000
						0.00%		
<b>Total Investments</b>		<b>\$515,015,746</b>				<b>95.1%</b>		<b>\$515,015,746</b>
<b>Total Investments and Cash (at FV)</b>								
Total Investments		\$515,015,746						
CASH: Operating Account		\$1,586,803						
CASH: Management Account (CDA)		\$19,100,627						
		<b>\$535,703,176</b>						
<b>Movement in total investments and cash:</b>								
		<b>30-Apr-25</b>	<b>31-May-25</b>	<b>Net Movement</b>				
Total investments		\$ 505,015,746	\$ 515,015,746	\$ 10,000,000				
Operating accounts		\$ 9,733,492	\$ 1,586,803	-\$ 8,146,689				
Short term money market		\$ 14,053,270	\$ 19,100,627	\$ 5,047,358				
		\$ 528,802,508	\$ 535,703,176	\$ 6,900,668				

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 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.

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## Financial Implications

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

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## Community Strategic Plan

Theme One – In 2035 Bayside will be a vibrant and liveable place	<input type="checkbox"/>
Theme Two – In 2035 our Bayside community will be connected and feel that they belong	<input type="checkbox"/>
Theme Three – In 2035 Bayside will be green, resilient and sustainable	<input type="checkbox"/>
Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy	<input checked="" type="checkbox"/>

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## 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"/>

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## Community Engagement

Not applicable

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## Attachments

Nil



## Council Meeting

25/06/2025

Item No	11.4
Subject	<b>Response to Notice of Motion - Address Truck Traffic on Forest Road and Stoney Creek Road</b>
Report by	Peter Barber, Director City Futures
File	SF24/8035

## Summary

At the Council Meeting on 26 February 2025, Council resolved a Notice of Motion titled *Address Truck Traffic on Forest Road and Stoney Creek Road* (Minute No. 2025/036). This report is in response to the matters raised in the Notice of Motion.

## Officer Recommendation

That Council writes to The Hon. Chris Minns, MP, Premier of NSW, The Hon. John Graham, MLC, Minister for Transport, and the Secretary of Transport for NSW, as follows:

- 1 Requesting an update on the following outstanding matters:
  - a. A review of the existing clearways installed on Stoney Creek Road and Forest Road in 2020, with the view to reinstate parking for local businesses.
  - b. Installation of a redlight/speed camera at the intersection of Stoney Creek Road and Forest Road, Bexley.
  - c. Investigate ways of slowing traffic on Stoney Creek Road and Forest Road from Arncliffe to the boundary of Bayside Council.
  - d. Delivery of the mitigation measures in the *WestConnex M8: Preliminary RNPRP*.
  - e. Consideration of mitigation measures in direct response to the *WestConnex M8: Preliminary RNPRP*'s findings, relating to the noted increase in AM and PM peak traffic on Stoney Creek Road and Forest Road, and the increase in heavy vehicle trips on this road network.
  - f. Response to the letter sent by Cr Bill Saravinovski on 19 July, 2024.
  - g. Response to the letter sent by Bexley Chamber of Commerce on 12 August, 2024.
  - h. Response to the letter sent by Mayor Cr Edward McDougall on 1 April, 2025.
- 2 Requesting a similar treatment for Stoney Creek Road and Forest Road as has been successfully implemented on Pennant Hills Road with the existing NorthConnex.
- 3 Requesting an update on the findings of the NSW Treasury's Independent Toll Review, outlining which recommendations have been listed for implementation and in what timeframe.
- 4 Requesting data and analysis on the effectiveness of the trial Truck Multiplier Rebate and the NSW Government's intentions in relation to the future of the scheme.

## Background

At the Council Meeting on 26 February 2025, Council resolved a Notice of Motion to address truck traffic on Forest Road and Stoney Creek Road as per the below;

- 1 *That Council presents a report on previous submissions and proposals regarding the issue of truck toll avoidance on the M5, particularly those suggesting the use of Forest Road and Stoney Creek Road (Bexley/Arncliffe) as alternative routes for heavy trucks.*
- 2 *That Council reviews past campaigns and identifies solutions that were previously proposed, including alternative truck routes, infrastructure improvements, reducing speed limits and potential toll adjustments to mitigate the current issues.*
- 3 *That Council proposes new strategies and ideas to activate a campaign aimed at rerouting heavy trucks away from Forest Road and Stoney Creek Road, prioritising community safety, reducing environmental impact, and supporting local small businesses.*
- 4 *That Council investigates whether other councils in the region have implemented similar measures or campaigns to address truck traffic issues and report back with best practices and possible solutions for consideration.*
- 5 *That Council ensures that the findings of the report are presented to Council within the next quarter, with a clear outline of next steps and recommended actions.*
- 6 *That Council writes to The Hon. Chris Minns, MP, Premier of NSW and The Hon. John Graham, MLC, Minister for Transport advocating for a similar solution to the Pennant Hills Road Regulation which applies to trucks and buses travelling on the NorthConnex.*

## M5 East tolling

The M5 East Motorway opened in 2001, and links the M5 South West Motorway with the CBD, Sydney Airport, Eastern Suburbs and Port Botany.

As part of the Westconnex project, the King Georges Road interchange was upgraded and works were completed in December 2016. The M8 Tunnel, including the St Peters Interchange, was completed in July 2020.

The NSW Government subsequently introduced a tolling strategy using distance-based charging. A new toll on the existing M5 East began in July 2020 when the M8 opened. Previously drivers could travel in either direction between King Georges Road and General Holmes Drive free of charge.

The below table summarises the truck tolls on the M5 East as of May 2025. These tolls are set to increase a further 3.2% on 1 July 2025. Note that the fees are also payable on the return trip:

Origin location	Exit location	Fee With Tag (\$)	Fee Without Tag (\$)
M5 South-West Motorway	General Holmes Drive	\$43.75	\$44.85
King Georges Road	General Holmes Drive	\$26.41	\$26.96
Kingsgrove Road	General Holmes Drive	\$22.13	\$22.68
M5 South-West Motorway	Marsh Street	\$39.74	\$40.84
King Georges Road	Marsh Street	\$22.40	\$22.95
Kingsgrove Road	Marsh Street	\$18.03	\$18.58
M5 South-West Motorway	Princes Highway	\$39.15	\$40.25
M5 South-West Motorway	King Georges Road	\$17.34	\$17.89

As can be seen from the table above, trucks can save up to \$26.96 by exiting the toll road network at King Georges Road, rather than continuing towards Sydney Airport and Port Botany on the M5 East. The same saving can be made again if the M5 East is avoided on the return trip, making a total saving of almost \$54.

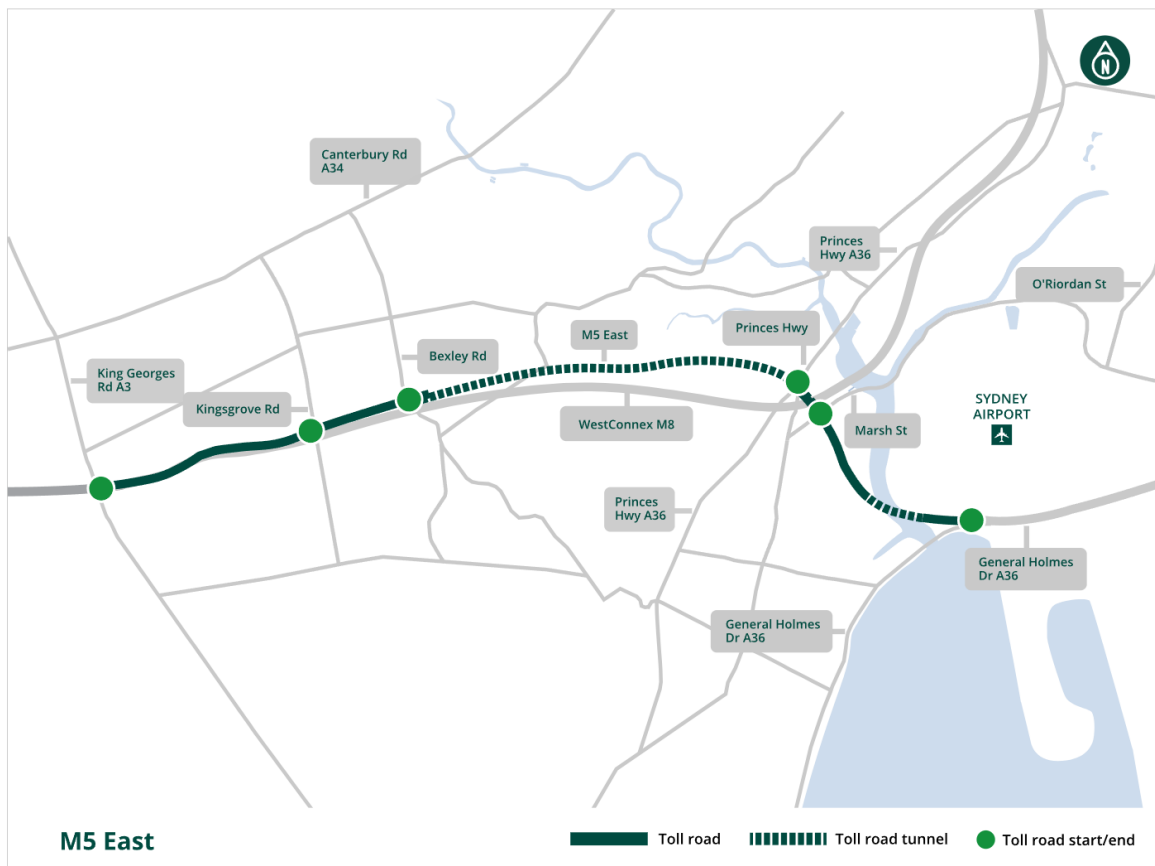
A trip from the M5 South-West Motorway on the M5 East Network to Port Botany would take approximately 15 minutes to travel the 15km toll road network. Comparatively by exiting at the King Georges Road the same trip would take 27 minutes to travel the 16km avoiding the M5 East tolls.

The introduction of a toll on the M5 East appears to be the reason why heavy vehicle traffic increased and has remained high on Forest Road and Stoney Creek Road. Heavy vehicle drivers seem to be concluding that the cost of the additional toll does not represent value in terms of the time saving it provides, and are choosing to avoid the M5 East in favour of free surface roads.

The NSW Government introduced the toll relief *Truck Multiplier Rebate* scheme for a trial period of two years beginning in January, 2024. This entitles B Class heavy vehicles using the M5 East and M8 to receive a one-third rebate on tolls paid on these roads.

Council officers are not aware on any data or analysis of the impact that this trial scheme has had on heavy vehicle volumes on Forest and Stoney Creek Roads. Anecdotally, the volume remains relatively high, and residents and businesses are still experiencing significant adverse impacts.

The image below illustrates the current M5 East network and Toll Points that have been implemented:



## M5 East restrictions

Restrictions apply to the M5 East Tunnel, as they do for all Sydney Tunnels for vehicles carrying dangerous goods.

To ensure tunnel safety, the following vehicles are not permitted in tunnels:

- Vehicles and loads exceeding 4.6m in height;
- Vehicles carrying commercial quantities of dangerous goods;
- Any vehicle displaying a dangerous goods placard;
- Mopeds; and
- Tractors.

The National Heavy Vehicle Regulator (NHVR) shows approved network maps for various types of heavy vehicles. Generally, based on the conditions outlined above, the M5 East Tunnel has a conditional approval for travel, whereas the alternative travel route, which includes King Georges Road, Stoney Creek Road and Forest Road has unconditional approval for heavy vehicles.

In addition to the above, any vehicle over 2.5m in width, 4.3m in height and 19m in length is required to apply for a class 1 permit via the NHVR Portal prior to commencing a journey. These conditions do not apply on the King Georges Road, Stoney Creek Road and Forest Road.

King Georges Road, Stoney Creek Road and Forest Road are all State Roads under the care and control of Transport for NSW (TfNSW).

### **Previous submissions and proposals**

At the Council Meeting on 12 August 2020, Council resolved a Notice of Motion for *M5 East Tunnel New Toll Impacting Traffic Management on Local Roads*, as per below;

*That Council writes to the NSW Premier to express its disappointment in the State Government decision to introduce a new toll on the M5 East, noting the negative impacts on our local road network.*

On 19 October 2020, then Mayor Cr Joe Awada wrote to The Hon Gladys Berejiklian MP, Premier and The Hon Andrew Constance MP, Minister for Transport and Roads. The letter requested the removal of the M5 toll point at King Georges Road.

On 14 December 2020, The Hon Gladys Berejiklian MP, Premier, replied. The response was that the original tunnels constructed by the former Labour Government were not fit for purpose, and were being duplicated as part of the WestConnex project. Tolls are being used to fund the project, which was originally announced in 2012.

On 18 January 2021, The Hon Eleni Petinos MP, Parliamentary Secretary for Transport and Roads also replied, outlining similar points raised by the Premier. She advised that the NSW Government has a Toll Relief program, which offers subsidies on private vehicle registration. This is in addition to the M5 Cashback Scheme (which does not apply to vehicles registered for Business use).

At the Council Meeting on 10 February 2021, Council resolved a Notice of Motion to call on the NSW Government to overturn the new toll on the M5 East, as per below;

*That Council establishes a committee comprising of councillors, business and local residents to prepare an action plan including media campaign, to call on the NSW Government to overturn the new toll on the M5 East forced upon us for a road that was already in existence and had been paid for.*

At the Council Meeting on 14 April 2021, Council approved the Terms of Reference for the new 'M5 East Traffic Management Work Party', the working party was to consist of up to 5 Councillors.

The M5 East Traffic Management Working Party held a meeting on 20 September 2021 and made the following recommendations which were adopted by Council on 13 October 2021;

*That Council:*

- 1 Writes to Transport for NSW outlining its concerns that the EIS failed to adequately predict the increase in vehicle movements on the surrounding road network as a result of toll avoidance, or provide for mitigation measures, which needs to be addressed in the Road Network Performance Review Plan.*
- 2 Requests that Transport for NSW include targeted public engagement of Bayside residents as part of their Road Network Performance Review Plan recognising the cultural diversity of the Bayside Community.*

- 3 *Requests that TfNSW provide a planned scope and timeline for the preparation of the WestConnex Road Network Performance Review Plan including stages of consultation and engagement.*
- 4 *Seeks confirmation from TfNSW on whether the Clearways project along Stoney Creek Road and Forest Road was consistent with approval and that Condition E42 of the approval applies to these roads.*
- 5 *Approaches South Sydney Region of Councils (SSROC) to lobby the relevant NSW Government Ministers and departments in relation to M5 East/M8 matters on behalf of member Councils.*
- 6 *Extends an invitation to the Minister for Planning and Public Spaces to visit the Bexley Town centre to experience the conditions first hand.*
- 7 *Seeks information on the NSW Government noise abatement program being implemented in the immediate vicinity of the Stoney Creek Road and Forest Road and Bexley Road corridors specifically requesting information on justification for works to understand why some residents have been approached with offers of works whereas others have not.*

On 22 October 2021, then Mayor Cr Bill Saravinovski wrote to The Hon Rob Stokes MP, Minister for Roads and Transport, requesting the Minister attend a site meeting to view local traffic conditions.

The M5 East Traffic Management Working Party held a meeting on 1 November 2021 outlining the content of the letter sent by Cr Bill Saravinovski. No further reports were presented and no further Working Party meetings were held.

At the Council Meeting on 22 June 2022, Council noted a Mayoral Minute regarding the continued impact of M5 and M8 tolls, as follows:

- 1 *That Council writes to the Minister for Metropolitan Roads, Natalie Ward MP, expressing our increasing concern about the impact of the M5 East toll avoidance on local residents and businesses along Stoney Creek Rd and Forest Rd.*
- 2 *That Council acknowledges the continued representations made by our local members Chris Minns MP and Steve Kamper MP on behalf of the community in relation to the impact of the M5 East and M8 tolls and note and support the community meeting to be held on 26 June 2022.*
- 3 *That Council calls on the State Government to release the findings of their study, the Network Performance Review, into the impact of the M5 East and M8 tolls on toll avoidance and traffic volumes on local roads.*

On 1 August 2022, Legislative Council released its finding with regards to a self-referred Parliamentary Inquiry lodged on 31 March 2021 to inquire into and report on matters relating to tolling regimes for roads in NSW. There were 3 key findings in the report as follows.

*Finding 1 – That New South Wales drivers now undertake more than one million toll trips a day, raising more than \$2 billion in total revenue every year.*

*Finding 2 – That the NSW Government has failed to provide information to this inquiry about the total toll burden that drivers will be forced to pay under existing toll contracts despite estimates that it is more than \$100 billion in today's dollars.*

*Finding 3 – That the decision by NSW Treasury to withhold from public release contract details and traffic relating to WestConnex until 2060, and possibly longer, is an abuse of executive power.*

In November 2022 TfNSW provided a government response, which included commentary on the 10 recommendations in the report (attached to this report).

In April 2023 TfNSW published the *WestConnex M8: Preliminary Road Network Performance Review Plan (RNPRP)*. A summary of the key findings impacting Bayside Council LGA is set out below:

1. Following the opening of the M8, less drivers (cars) are choosing to exit the M5 at King Georges Road during the morning peak period. Motorists on the M5 East Motorway appear to be willing to pay tolls to commute in the peak direction of travel.
2. Additional traffic on Stoney Creek Road and Forest Road in peak periods, including an increase in the number of heavy vehicles and a decrease in speed at some intersections.
  - a. Increase in traffic by up to 20% in the AM peak and 23% in the PM peak.
  - b. On average, 62 additional heavy vehicles in AM peak hour and 25 in PM peak hour on Stoney Creek Road/Forest Road.
3. The report also noted that the road corridor of Stoney Creek Road and Forest Road had showed an increased number of crashes following the opening of the M8 Motorway. The assessment of crashes noted
  - a. Crashes were isolated incidents with no clusters identified.
  - b. Crashes were largely congestion related and resulted in minor or non-casualty injuries.

As a result of the report several mitigation measures were highlighted in the report including.

Location	Issue identified	Mitigation	Timeframe
Stoney Creek Road and Kingsgrove Road	Vehicles on side roads unable to enter the Stoney Creek Road corridor.	Traffic efficiency and capacity improvements for side streets.	End 2024
Stoney Creek Road and Croydon Road	Vehicles on side roads unable to enter the Stoney Creek Road corridor.	Explore opportunities to improve active transport to local schools at location	Mid 2025
Stoney Creek Road, Forest Road and Kingsland Road	High levels of congestion at Bexley Town Centre.	Place making and pedestrian safety at Bexley Town Centre.	Mid 2025

Forest Road, Bexley Road and Harrow Road	Intersection performs at a reasonable level of service.	Right turn ban was installed in Feb 2020. No further action.	Completed Feb 2020
Salisbury Avenue and Stoney Creek Road	Data provided by Bayside Council for Salisbury Road shows an approx. 40% increase in traffic volumes in the location following the opening of the M8 Motorway.	To assist with easing congestion, install peak hour turn restrictions at the intersection of Salisbury Avenue and Stoney Creek Road.	Mid 2024

Council has approved, via the Bayside Traffic Committee in May 2025, to proceed with construction of an intersection treatment and right turn ban at the intersection of Forest Road and Salisbury Avenue.

Currently a peak hour right turn ban at Stoney Creek Road and Salisbury Avenue is yet to be implemented by TfNSW, however, is currently being investigated.

In April 2025, Council delivered the Bexley Town Centre wayfinding for parking areas at a cost of \$4,886.52 ex GST.

In addition to publishing the *WestConnex M8: Preliminary RNPRP* the NSW Government established an Independent Toll Review to identify reform options to overhaul the toll network. The review looked at whether toll prices were fair, simple, and consistent, while also making sure our roads stayed efficient.

At the Council Meeting on 26 July 2023, Council endorsed a report detailing Council's Submission to Sydney's Motorway Toll Review, as follows:

- 1 *That Council endorses the attached draft Toll Review submission subject to including a call to review the tolling fee structure.*
- 2 *That Council writes and congratulates our local State Member for lifting the curfews along The Grand Parade and the clearways.*
- 3 *That Council writes to the Premier and congratulates the government on the review of the Motorway Toll Review.*

A copy of the full submission is attached to this report.

On the 16 July 2024, the independent reviewers for the NSW Treasury's Independent Toll Review released their final report, the executive summary of the findings is attached to this report. By the end of 2024, the Government:

- Created the NSW Motorways entity through legislation;
- Introduced laws to support tolling reforms, like IPART's role in monitoring tolls and creating a new industry ombudsman; and
- Started direct negotiations with NSW toll road operators and signed an In-Principle Agreement for more detailed discussions on a new pricing model in 2025.

On the 19 July 2024, then Mayor Cr Bill Saravinovski wrote to The Hon Chris Minns MP, Premier of NSW, The Hon John Graham MLC, Minister for Roads and The Hon Steve



Kamper MP, Member for Rockdale, reporting the continued impact of the M5 and M8 tolls on the Bayside community. The letter requested 3 actions.

- 1 *Installation of a redlight/speed camera at the intersection of Stoney Creek Road and Forest Road, Bexley. There are countless daily occurrences of container carrying trucks using these surface roads illegally running the red light at this intersection and endangering other motorists and pedestrians attempting to use the signalised crossing;*
- 2 *Investigate ways of slowing traffic on Stoney Creek Road and Forest Road from Arncliffe to the boundary of Bayside Council; and*
- 3 *Review the clearways installed on Stoney Creek Road and Forest Road in 2020.*

On the 23 July 2024, The Hon Steve Kamper MP, Member for Rockdale responded to Councils letter advising that the matter had been referred to The Hon John Graham MLC, Minister for Roads.

To date no response has been received by the Minister for Roads or the NSW Premier.

On the 12 August 2024, Bexley Chamber of Commerce Inc. wrote to The Hon Chris Minns MP, Premier of NSW. The letter raised the issues of toll avoidance resulting in heavy traffic, noise, vibration and pollution along the Forest Road and Stoney Creek Road transport corridor through Bexley and adjacent streets, with extremely adverse impacts on local businesses and residential communities. Their proposal included:

- 1 *Additional clearway and no stopping restrictions be wound back to conditions before February 2020. Reversal of clearway restrictions will also return vital shop front parking to our business community and encourage residents to return to the local business district. This was supported by yourself and your colleagues at various interactions with you in the last term of parliament.*
- 2 *Impose a 50kph speed limit along Forest Road Bexley between Westminster Street and Stoney Creek Road.*
- 3 *Install a red-light camera at the Stoney Creek and Forest Road intersection.*
- 4 *Adjust timing of pedestrian crossing lights on Forest Road at Frederick Street and Oriental Street to prioritise pedestrians between morning and afternoon peak hours. Currently pedestrians are forced to wait unreasonably long periods to cross Forest Rd. to access vital businesses and retailers at their busiest trading time.*
- 5 *Instigate a time-of-day toll trial on the M5 east and M8.*

Council is unaware of any response to the Chamber's requests.

### **Alternative Truck Routes**

King Georges Road, Stoney Creek Road and Forest Road are frequently used as an alternative to the M5 East tunnel. Additionally, these roads can be accessed via Bexley Road. All of these roads are classified as State Roads.

Under the Roads Act 1993, councils are the owners and roads authority for State Roads other than Freeways. However, the Act allows TfNSW to exercise roads authority functions

to the extent necessary for the functioning of a road as a State Road. TfNSW generally funds and manages:

- The road formation and associated drains in rural areas;
- The main carriageway between kerbs in the Sydney built up area; and
- The central lanes through towns elsewhere, including traffic lights, roundabouts, signs and line markings.

Councils retain responsibility for the road reserve of State Roads, including service roads, footpaths and control of noxious weeds, except in situations where TfNSW has specified to, or agreed with council that TfNSW would be responsible for specific other assets, works or activities within the road reserve.

On the basis of the above, Council is unable to implement changes to the function and operation of State Roads, as this authority sits only with TfNSW.

Local Roads, which are often residential streets, are generally not designed for trucks. Traffic calming infrastructure may limit movements and road pavement surfaces will deteriorate at an increased rate with increased heavy vehicle loading for which they were not designed. Tree canopy can be damaged and overall the amenity of the area can decrease, especially due to noise. Taking this into account, alternative routes outside of the State Road network are not recommended.

The only other alternative to Stoney Creek Road and Forest Road to access General Holmes Drive would be to travel south on King Georges Road to Princes Highway and then travel back northeast. A trip from the M5 South-West Motorway to Port Botany route would take approximately 42 minutes to travel 19.9km. This would be an additional 15 minutes compared to the existing route via Stoney Creek Road and Forest Road, and 27 minutes greater than the existing M5 East Tunnel.

The Princes Highway alternative route also carries existing heavy vehicle traffic. A further increase would have impacts on properties adjacent the Princes Highway, particularly in Rockdale. Based on the additional travel time resulting in more heavy vehicles spending prolonged periods on the road network, an alternative route is not viable on the current road network.

## **Pennant Hills Road and NorthConnex**

The NorthConnex was opened in October 2020 as alternative to Pennant Hills Road. While a grace period for trucks followed it's opening, as of 15 March 2021 any truck or bus longer than 12.5m or higher than 2.8m must use the tunnel or pay a \$194 fine. This fine has increased to \$215 with no loss of demerit points in FY2024/25. The current toll cost for a class B vehicle to use NorthConnex is \$30.15.

The enforcement of heavy vehicles not using NorthConnex consists of 2 gantries at Beecroft/West Pennant Hills and Normanhurst, which photograph vehicles passing through. Fines are issued when trucks and buses pass through both gantries. Cameras in the gantries record the height and length of vehicles. Vehicles that have a genuine pick up or delivery destination only accessible via Pennant Hills Road are not infringed, as they do not pass through both gantries.

There are exemptions similar to the M5 East restrictions that allow for oversized vehicles to still travel on Pennant Hills Road.

Vehicles not permitted to use Pennant Hills Road:

- truck or bus over 12.5m long;
- truck or bus over 2.8m clearance height;
- a Class 1 vehicle up to: 2.5 metres wide; and 4.6 metres clearance height and 25 metres long; and
- a Class 2 or 3 vehicle.

Vehicles permitted to use either Pennant Hills Road or Northconnex are:

- truck or bus 12.5m long or less and 2.8m clearance height or less;
- truck or bus (over 12.5m long or over 2.8 m clearance height) with a pick up or delivery destination only accessible by Pennant Hills Road;
- recreational vehicle (e.g. motorhome or car towing a caravan, trailer, boat or horse float);
- light vehicle (e.g. car); and
- emergency service vehicle.

Vehicles permitted to use Pennant Hills Road and not permitted to use Northconnex:

- a vehicle transporting a placard load of dangerous goods;
- trucks or buses greater than 5.1m in height;
- an oversize vehicle operating under a Class 1 permit or notice approved to use Pennant Hills Road; and
- a vehicle transporting explosives in any quantities under Clause 89 (3) of the Explosives Regulation 2013 of divisions 1.1, 1.2 and 1.5.

The impact of the Pennant Hills Road enforcement strategy has been validated with vehicle GPS data. In August 2021 Transurban published findings from data since the tunnels opening in October 2020. The investigation found that there was a 65% reduction in 'near miss' incidents on Pennant Hills Road and surrounding streets during peak traffic times.

Additionally, the NSW Centre for Road Safety found that crashes on Pennant Hills Road between the M1 and M2 had more than halved, with 10 crashes between November 2020 and February 2021, compared to 22 in the same period the previous year.

By moving traffic from Pennant Hills Road into NorthConnex, including more than 6,000 trucks per day, average speeds on Pennant Hills Road are up to 33 per cent faster in the afternoon peak. This has resulted in improved traffic flex and safer local roads.

In March 2025, Transurban reported that the roadside monitoring site (the Thornleigh Golf Course), nitrogen oxides (NOx) concentrations were about one third lower than they were in 2020, prior to NorthConnex opening and average measured carbon monoxide emission rates

are also consistently lower than predicted rates. This means people living and working in the area are enjoying cleaner air than they were four years ago.

Whilst similar exemptions for specific vehicles exist for the NorthConnex tunnel as they do for the M5 East Tunnel, the Pennant Hills Road treatment shows that overall amenity of an area and road safety can be improved if heavy vehicles are incentivised to use the Motorway instead of surface roads.

### Recommended Next Steps

To date, Council has made multiple representations to the NSW Premier's Office and various State MPs since 2020 with very little progress toward solving the problems caused by heavy vehicle traffic.

There are several items, which have been requested by Council to be undertaken that have not been formally addressed, and items that have been identified by TfNSW that have not yet been actioned. These include;

- A review of the existing clearways installed on Stoney Creek Road and Forest Road in 2020, with the view to reinstate parking for local businesses;
- Installation of a redlight/speed camera at the intersection of Stoney Creek Road and Forest Road Bexley;
- Investigate ways of slowing traffic on Stoney Creek Road and Forest Road from Arncliffe to the boundary of Bayside Council;
- Delivery of the mitigation measures on the *WestConnex M8: Preliminary RNPRP*;
- No mitigation measures have been suggested in direct response to the *WestConnex M8: Preliminary RNPRP*'s findings of the increase in AM and PM peak traffic on Stoney Creek Road and Forest Road, or for the increase in heavy vehicle trips on this road network;
- The letter sent by Cr Bill Saravinovski on 19 July 2024 has not been formally responded to;
- Letter sent by Bexley Chamber of Commerce on 12 August 2024 has not been formally responded to; and
- Letter sent by Mayor Cr Edward McDougall on 1 April 2025 to The Hon. Chris Minns, MP, Premier of NSW and The Hon. John Graham, MLC, Minister for Transport with regards to the Notice of Motion has not been formally responded to.

It is recommended that Council write to The Hon. Chris Minns, MP, Premier of NSW and The Hon. John Graham, MLC, Minister for Transport, as well as TfNSW to request formal written updates on each of the outstanding matters listed above.

It is further recommended that Council request a similar treatment for Stoney Creek Road and Forest Road as has been successfully implemented on Pennant Hills Road with the NorthConnex.

Finally, it is recommended that Council request an update on the findings of the NSW Treasury's Independent Toll Review, including which recommendations have been listed for implementation and in what timeframe.

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## Financial Implications

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

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## Community Strategic Plan

Theme One – In 2035 Bayside will be a vibrant and liveable place	<input checked="" type="checkbox"/>
Theme Two – In 2035 our Bayside community will be connected and feel that they belong	<input checked="" type="checkbox"/>
Theme Three – In 2035 Bayside will be green, resilient and sustainable	<input checked="" type="checkbox"/>
Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy	<input checked="" type="checkbox"/>

---

## Risk Management – Risk Level Rating

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

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## Community Engagement

Not Applicable

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## Attachments

- 1 [🔗](#) Government response - road tolling regimes - 28 October 2022
- 2 [🔗](#) Bayside Council Toll Review Submission
- 3 [🔗](#) NSW Treasury Office - Independent Toll Review - Executive Summary July 2024



## NSW GOVERNMENT RESPONSE

Road Tolling Regimes Inquiry

ROAD TOLLING REGIMES

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## ROAD TOLLING REGIMES

### INTRODUCTION

Transport plays a key role in making NSW a better place to live, work and visit by connecting people and communities and making journeys safer, easier and more reliable. The NSW Government is committed to delivering its record \$112.7 billion four-year infrastructure program, with \$76.7 billion set aside for transport projects.

Utilising alternative sources of funding to deliver motorway infrastructure has been a policy decision of successive NSW Governments, which reduces the burden on NSW taxpayers, encourages investment in the State and enables city-shaping infrastructure to be built years, or even decades, earlier than otherwise. This policy also enables the delivery of other forms of State-led infrastructure including schools, hospitals, road and rail investment that may not have otherwise been possible.

Over time, the tolling arrangements for each new toll road in NSW have been formed on a case-by-case basis. This has resulted in bespoke toll road concessions incorporating many different approaches to charging customers who choose to utilise the asset and receive the associated benefits.

When new motorways are delivered, motorists have a choice to travel on it or utilise a free alternative. A motorist's choice will be informed by a range of factors including the travel time savings and reduced congestion that a new motorway provides. Motorways also provide benefits of faster, safer journeys and save billions of dollars that would otherwise be wasted through congestion.

The Toll Road Pricing Relief and Reform Review ('Tolling Review') which commenced in December 2021 is also considering longer term tolling reform, examining NSW's current tolling regime, and will provide options for the Government to consider. Fairness and equity are important considerations.

The NSW Government acknowledges the community's concerns raised through the inquiry. As a component of the Tolling Review, the NSW Government announced a two-year Toll Rebate Scheme which will ease the cost-of-living pressures for NSW motorists.

The Government thanks Portfolio Committee No.6 for its detailed examination of road tolling regimes.

We note the findings of the inquiry, however the Government rejects the proposition that the Government or Treasury has failed in its obligations to the inquiry or to the people of NSW.

Our response to the final report's recommendations is addressed in the following section.



## ROAD TOLLING REGIMES

### RESPONSE TO RECOMMENDATIONS

#### **Recommendation 1**

That the NSW Government as part of its Toll Road Pricing and Relief Reform Review commit to:

- a) genuine and meaningful reform of road tolling
- b) consultation with affected stakeholders in government, industry and the community
- c) no new tolls or new or revised toll road contracts being issued prior to consideration of such reform, in order to not further limit the government's flexibility and control over toll road pricing.

#### **Noted**

The Government is progressing a comprehensive review of tolling. When completed, the outcomes of the Tolling Review will inform any relevant future decisions around motorway contracts or toll road pricing.

#### **Recommendation 2**

That the NSW Government move to realign toll pricing in corridors where trucks are on suburban streets to ensure trucks can feasibly use toll roads where possible, including the option of the extension of current toll relief schemes to the road freight industry.

#### **Noted**

The Tolling Review is considering the impact on traffic of toll price options. This includes considerations for heavy vehicles.

#### **Recommendation 3**

That the NSW Government immediately release the traffic network performance review plan for the M8 and M5 toll roads, given its release was promised one year ago.

#### **Supported**

The M8 Road Network Performance Review is in progress. In line with the Condition of Approval E40, Transport for NSW has commenced preparation of the Road Network Performance Review Plan and is currently consulting with impacted councils.

Once the plan is completed, it will be made publicly available as per the requirements of the Conditions of Approval.

The review was delayed due to COVID impacts to road use numbers.

#### **Recommendation 4**

That the NSW Government implement a scheme to ensure that buses are not required to pay tolls when carrying passengers.

#### **Supported in part**

Buses providing public transport passenger services on scheduled routes are an important part of the Government's public transport network. The cost of any tolls incurred while providing public transport passenger services is reimbursed under the contracts to operate the services.

Private coach operators are required to pay tolls for commercial trips in the same way that other private companies who rely on the motorway network for their business operation.



## ROAD TOLLING REGIMES

Private coach operators may also be able to claim the cost of tolls as an input and apply a tax deduction as a result.

### **Recommendation 5**

That the NSW Government implement Recommendation 3, relating to transparency for tolling contracts, of the 2017 Upper House inquiry into road tolling in New South Wales without further delay.

### **Noted**

The NSW Government in part supported Recommendation 3 in the 2016-17 Upper House Inquiry (*Road Tolling*).

As noted, in the NSW Government's response to that Inquiry, Transport for NSW complies with NSW Government requirements relating to the disclosure of information including:

- redacted copies of the [project deeds](#) (TfNSW)
- [project summaries](#) (Treasury)
- [Business Case Summaries](#) (Infrastructure NSW).

Environmental Impact Statements requested for project approvals also provide extensive economic analysis including benefit and cost ratios, as well as forecast traffic volumes.

### **Recommendation 6**

That, when a network approach to toll road pricing is considered by the review, the NSW Government should:

- a) consider the introduction of toll caps and appropriate flag falls, rather than just distance-based tolling
- b) review the application of toll escalation rates which often include both a minimum four per cent toll increase or inflation, whichever is higher, rather than take account of real wages growth
- c) review toll relief and cashback schemes to ensure that toll relief is going to the people who most need it based on their ability to pay as well as the existence of public transport alternatives.

### **Noted**

The Tolling Review will consider options on toll road pricing which includes the pricing mechanism and the application of escalation rates.

While the Tolling Review is conducted, the Government has introduced a broad-based Toll Rebate Scheme, allowing all eligible non-business and small business customers to receive a 40 per cent rebate for every dollar spent on tolls once they have reached a minimum spend of \$375. Under the new scheme compared to the existing Registration Relief Scheme, more customers will be eligible receiving their rebate sooner and more often.



## ROAD TOLLING REGIMES

### Recommendation 7

That the NSW Government considers concerns raised by the Australian Competition and Consumer Commission throughout this inquiry and adopts the Commission's recommendations:

- a) to compel toll road operators to publicly release traffic data
- b) for governments to allow sufficient time in their tendering processes for bidders other than Transurban to model traffic forecasts and other relevant commercial considerations.

### Noted

#### *(a) Publicly release traffic data*

Toll road operators release gantry information to the public. Quarterly traffic data is available through the [Sydney motorways traffic data](#) and the [Transport Open Data Portal](#).

Traffic counts on the Cahill Expressway and Eastern Distributor are available on Open Data through the [Traffic Volume Viewer](#), these represent a section of the traffic on the Sydney Harbour Bridge and Tunnel. Transport for NSW is currently working towards a fuller view of traffic counts for the Sydney Harbour Bridge and Tunnel for Open Data Release.

#### *(b) Sufficient time for tendering processes*

The Government has implemented relevant measures in recent tendering processes to allow for information parity between bidders.

### Recommendation 8

That, as a priority, the NSW Government:

- a) reduce administration fees for trips on toll roads without a payment arrangement in place to \$1.10 for the first notice and \$2.20 for a second notice
- b) ensures Transurban implements the reduced administration fees
- c) make it compulsory for all toll road operators to move to aggregated/consolidated toll notices, as has occurred in Queensland.

### Noted

Motorists have a choice of tolled and non-tolled roads on which to travel. When opting to travel on motorways, customers are required by law to have a valid tolling account in place or to take steps to pay the toll within a specific period of time.

In practice most customers pay for tolls incurred through a tolling account or pay their tolls post-travel, for instance directly to the toll road operator or by assigning toll notices fees to their account. Motorway operators also seek to help customers who have genuine difficulty paying for their tolls with support processes and case management for outstanding amounts.

The recovery of tolls involves material costs including resources, systems, printing and postage. Nevertheless, the Government wants to ensure that administration fees are set at a reasonable cost recovery level, with more IT-based solutions offering the opportunity for greater cost efficiencies.

Among other things, the Tolling Review will consider administration fees, electronic notices and aggregations of toll notices for all toll road operators.



## ROAD TOLLING REGIMES

### **Recommendation 9**

That the NSW Government mandate the adoption of an industry-wide Code of Practice for all toll road operators which includes a framework for managing debt for vulnerable customers, consistent with the codes and guidelines used in other sectors.

### **Recommendation 10**

That the NSW Government establish an independent Tolling Customer Ombudsman with a legislative basis similar to, for example, the Energy and Water Ombudsman NSW, and that:

- a) the ombudsman has the power to resolve disputes against all toll road operators
- b) all private toll road operators be required to contribute funding to enable the delivery of a full-time, professional service
- c) the ombudsman has the power to enforce the Codes of Practice foreshadowed at Recommendation 9, including a framework for responding to debt incurred by consumers struggling with financial hardship, mental illness, and domestic and family violence.

### **Noted**

The NSW Government is conscious of the financial needs of all tolling customers. While the vast majority of customers pay the tolls they incur, some with assistance from the NSW Government's Toll Rebate Scheme, others can experience genuine hardship and find it difficult to pay all their tolls.

For vulnerable customers, motorway operators already have a range of support processes in place to help manage debt and establish repayment plans. Transport for NSW, for instance, works with customers who incur large debts to design individual debt management and payment plans that are achievable for both parties. Motorway operators are currently active in this area, diminishing the need for a mandatory, industry-wide Code of Practice.

NSW customers currently have access to ombudsmen processes. E-Toll customers and users of TfNSW-operated motorways can appeal decisions to the NSW Ombudsman. Users of motorways operated by the private sector can appeal decisions to the Tolling Customer Ombudsman which, like the Energy and Water Ombudsman, is industry funded.

The scope of Tolling Review includes consideration of more cost-effective administration processes, electronic notices and aggregations of toll notices for all toll road operators.



27 July 2023

Our Ref: 23/192558  
Our Contact: Bryce Spelta (02) 9562 1670

### Re Tolling Review – Bayside Council Submission

Bayside Council welcomes the opportunity to provide comments in relation to the current toll review discussion paper.

Bayside Council residents, business owners and residents have faced serious and continued negative impacts as a direct result of the opening of M8 motorway and subsequent introduction of tolls on the M5 east. Council's long-held view is that the EIS on which the planning approval for this project was based failed to adequately predict the increase in vehicle movements on the surrounding road network resulting from toll avoidance or provide for mitigation measures.

Since the opening of this project and the introduction of tolls significant displacement of traffic has occurred, particularly heavy vehicles into the surrounding neighbourhoods. Council continues to lobby for a return to the previous tolling regime which allowed toll-free travel along this short section formerly known as the M5 East. Failing the removal of the recently introduced toll on this section Council calls for a system similar to the NorthConnex, where trucks are penalised for avoiding the toll route, to be introduced.

Council's submission will focus on the questions relating to 5.1.2 **D Heavy Vehicles** from the discussion paper:

#### **1 Do current toll multipliers for trucks accurately reflect vehicle capacity in relation to wear and tear per tonne of freight moved?**

No, though nor should they. There are advantages for the local community in removing heavy vehicles from the local road network in the form of improved amenity, safety, parking and ease of travel.

If tolls were based solely on the amount of wear and tear heavy vehicles impose then they would have to increase dramatically in relation to what cars and light vehicles currently pay. This would have the perverse effect of encouraging even less heavy vehicles to use the tollways and encourage them onto the local road network where they can impose increased wear and tear on that road network at no cost.

#### **2 Do current toll multipliers provide sufficient incentive for the use of more productive vehicles?**

In the case of the M5 East, no because there are alternative toll-free routes that can be taken with minimal additional time implications. Multi-trailer vehicles up to super B-double size carrying shipping containers, liquids, and general goods regularly still use surface roads through residential areas to avoid the toll on the M5.

#### Postal address

PO Box 21, Rockdale NSW 2216  
ABN 80 690 785 443

#### Bayside Customer Service Centres

Rockdale Library, 444-446 Princes Highway, Rockdale  
Westfield Eastgardens, 152 Bunnerong Road, Eastgardens

E [council@bayside.nsw.gov.au](mailto:council@bayside.nsw.gov.au)

W [www.bayside.nsw.gov.au](http://www.bayside.nsw.gov.au)

T 1300 581 299 | 02 9562 1666

Telephone Interpreter Services: 131 450

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**3 Are there sufficient incentives/requirements for heavy vehicles to use the motorways rather than the non-motorway network, eg for safer, more sustainable and productive outcomes?**

In Bayside's case and in relation to the M5 East, the clear evidence shows that this must be a resounding no. It is clear that for many freight operators to drive 9.33km and make a time saving of between 5-10 minutes at a cost of \$23.95 does not represent compelling value, and they are choosing to avoid the toll and divert onto surface roads. Traffic analysis of vehicle types using Forest Road and Stoney Creek Road, or a visit to Bexley retail centre will confirm this issue.

**4 Is there scope to improve road use efficiency by modifying non-toll restrictions on the use of trucks?**

Motorways are designed and constructed to improve transport efficiency, however, are only effective when used for their intended purpose. When heavy vehicles avoid a tollway their negative impact in terms of noise, air quality, reduced safety and congestion ripples through local communities. We need both genuine incentives for using motorways and deterrents for using local connections, especially for heavy vehicles.

**Conclusion**

Council officers have repeatedly and continually heard from representatives of the elected Council, business owners, the Bexley Chamber of Commerce and residents about the negative impacts on our local area following the introduction of tolls on the M5 East in 2020. Numerous petitions, emails and phone calls have been received during this time from people negatively impacted by increased traffic on alternate toll-free roads throughout Bayside. There have been significant changes in the volumes and mix of traffic on numerous roads including a noticeable increase in heavy vehicle traffic at all times throughout the day and night.

Our community has borne the brunt of traffic diverting from the M5 East onto alternate toll-free routes like Stoney Creek Road, Forest Road and Bexley Road since 2020. Toll avoidance brings costs and impacts including noise for homes and businesses, repairs to properties from increased vibration damage, accelerated road deterioration, increased accidents, rat-running through our residential areas, impact on safety and amenity, increased congestion and travel delays for local trips, loss of convenient on-street parking in local shopping strips and the flow-on effect that many of these impacts have on the local economy, businesses and people's livelihoods.

Bayside Council wants to see local roads returned to local communities, improving air quality and road safety and reducing noise and congestion. Bayside again calls in the most strenuous terms for a return to the previous tolling regime which allowed toll-free travel along this 9.33km corridor formerly known as the M5 East. Failing the removal of the recently introduced toll on this section of motorway Bayside Council calls for a solution like that implemented for NorthConnex, where trucks are penalised for avoiding the toll route. There is a successful precedent for this system, and Council's opinion is that Bayside residents deserve this solution just as much as communities around NorthConnex.

Please contact Bryce Spelta, Manager City Infrastructure, on 9562 1670 if you require any clarification.

Yours sincerely



Bryce Spelta  
**Manager City Infrastructure**



# INDEPENDENT TOLL REVIEW

## Motorists First

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### Executive Summary

July 2024



## Acknowledgement of Country

The Independent Toll Review acknowledges the traditional custodians of the land on which we work and live.

We pay our respects to Elders past and present and celebrate the diversity of Aboriginal people and their ongoing cultures and connections to the lands and waters of New South Wales.

Many of the transport routes we use today – from rail lines, to roads, to water crossings – follow the traditional Songlines, trade routes and ceremonial paths in Country that our nation's First Peoples followed for tens of thousands of years.

The Independent Toll Review is committed to honouring Aboriginal peoples' cultural and spiritual connections to the lands, waters and seas, and their rich contribution to society.

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## Preface

The NSW Government requested us to review tolls and to consider reforms that would improve their efficiency, fairness, simplicity and transparency. As well we were asked to consider relevant competition and regulation questions.

In our Interim Report we proposed a significant reform agenda.

That report set out proposals for a better system and we promised a Final Report that would include an implementation path.

Responses to the Interim Report indicated strong community and toll road user support for the direction proposed. There was acknowledgement from concessionaires that a move to network tolling was appropriate, but less agreement on the detail of what that looked like, and on the path to get there.

Consultations and other work since the Interim Report confirm our view that significant reforms are needed. Further, as we said in the Interim Report, reforms are achievable in a way that respects contracts and honours the reasonable expectations of the concessionaires.

Key elements of our reform proposals remain as follows:

- First, as far as possible, the interests of motorists and the public should be put first. In particular, a more unified, fairer, consistent, simpler and improved system of tolls that contribute to a better functioning toll network should be adopted.
- Second, the NSW Government should take back control of tolls. It should establish a State-owned entity NSW Motorways to drive toll reform and to deliver overdue consumer and administrative reforms. It should also focus on opportunities to provide competition (especially for new roads) and better regulation, and to consider whether any fundamental reforms in the system (such as a better 'allocation of traffic risk') should occur. The NSW Government announced its intention to establish such a body in the NSW Budget 2024-2025 and in this report we refer to the new entity as NSW Motorways (rather than 'State TollCo' as we had indicated in the Interim Report). The government role in toll decision-making should be overseen by the Independent Pricing and Regulatory Tribunal (IPART), which should also have a broader role of monitoring the impact of reforms and of promoting greater transparency in relation to tolls.
- Third, legislation will be needed as soon as possible to enable the establishment of NSW Motorways and to give the government power to make timely and final decisions on tolls, and provide for the Revenue Adjustment Mechanism. This mechanism is needed to protect concessionaires from losses and to prevent windfall gains for them from the reforms. Within this framework there should be full consultation with and full participation by concessionaires and other stakeholders in delivering the reforms.

In formulating this Final Report, we have considered submissions and responses to our Interim Report including responses by concessionaires and their investors. Concessionaires and their investors did not make substantial proposals for reform prior to our Interim Report. Following the publication of that report and consultations initiated by us, we received in mid-May, a letter indicating that concessionaire owners wished to cooperate with the NSW Government in delivering network reforms.

After follow-up discussions with the concessionaire owners, we received a further letter which suggested a broad process that concessionaire owners would seek to follow with the government to agree a way forward. It provided some indication of what their model of network tolls might look like. In significant ways this departed from the carefully considered reforms we had proposed. It did not support a unified network approach to tolls, but rather indicated support for an untested 'corridor approach', the details of which were not outlined. They rejected a key idea of fairness which we recommend in our report – a declining distance charge. They did, however, suggest that in principle agreements on new tolling methodology between the State and individual concessionaires could be reached by the end of 2024. Contracts could then be re-negotiated on an individual basis and compensation be provided if necessary to keep them in a value neutral position. The government could request them to identify other funding sources. They suggested implementation of new tolling arrangements could begin by late 2025.

We are not confident that such an approach would yield an outcome in the public interest. Rather there is a danger that this would put the interests of concessionaires first. Under this process, the government itself would be held hostage to the agreement of all the concessionaires and investors involved. It would be a process where nothing could be agreed until all agreed.

We consider that an attempt to adopt this process should occur, but the government should in the meantime legislate to enable it, if necessary, to reach timely and final decisions that would achieve reforms in the public interest and take full account of concessionaire entitlements. We have developed principles and approaches for a Revenue Adjustment Mechanism to protect the interests of concessionaires which could provide a basis for those negotiations.

The question of setting new tolls is the feature of our Interim Report which brought most public attention – understandably – although our view is that the most important part of our Review relates to long-term reforms of the system.

Regarding tolls, we have since done a small amount of additional modelling – the most we could do in the time available. Once again, we have modelled 'bookend' scenarios with each bookend being an 'unlikely' finishing point and with an 'actual' likely to be along the spectrum. It should be appreciated that the **Network Tolling A** bookend in the Interim Report – despite much emphasis on it by the Transurban response – is unlikely. **Network Tolling A** assumed that the current injection of taxpayer subsidies of around \$400 million in toll relief is returned to Treasury. As a consequence, the tolls modelled under that scenario do not show many winning motorists. The main winner would be the taxpayer!

In our Final Report we have focused on two 'bookends' – and as well have considered the status quo under which no tolls change.

The first of the two models – the **Network Toll Restructure** model – involves the introduction of network tolls (and the injection of revenues from two-way tolling). We do not favour its adoption without adjustments (that take it closer to the second model below).

The second model – **Network Toll Restructure and Reduction** – combines a restructure and a general reduction in tolls drawing upon funding sources from within the tolling system discussed in the report. We do not propose moving all the way towards the end of this spectrum, but we favour an outcome closer to it than to the restructure only option. Further refinement of this model will take account of funding source constraints and traffic effects as needed.

Some features of the Network Toll Restructure and Reduction scenario include:

- most motorists and trips are winners
- the main losses are for persons crossing Sydney Harbour who are caught by the introduction of two-way tolling and catch-up tolling

- the broad aim of bringing a degree of relief to Western Sydney motorists is realised, especially regarding longer trips; the model outcomes have been driven in part by the application of a number of additional funding sources not identified or included in the Interim Report. These are discussed in the Final Report and will require further analysis and negotiation
- the modelling results have highlighted the flexibility of the declining distance-based approach coupled with infrastructure charges to respond to different conditions on the network, including congestion hotspots.

We consider it has been of public value to include the results of the preliminary modelling in the Interim Report and now this report. The aim of publicising this was to enable people to learn about the kinds of changes and outcomes, including redistributions, that would be achieved with the introduction of network tolls. The modelling work can be further developed before new network tolls are introduced.

We conclude with the following points:

First, the reform will take some time to implement. We consider first steps could be delivered to the public in 2027 with some of the reforms being transitional and with a further set of changes with the establishment of the Western Harbour Tunnel in 2028 and with yet later changes on the path to a final outcome. A considerable effort is required over that period, and it should be led by NSW Motorways in close consultation with concessionaires and other stakeholders.

Second, we emphasise that during that time some consideration should be given to whether there is a better way of operating the tolling system. Under the present system traffic risk is borne by concessionaires. In other words, if traffic exceeds forecasts – they win and if it is less than the forecast – they lose. To take this risk/opportunity they demand a high toll. There are different approaches to dealing with traffic risk which do not have such a high cost. We consider there is much to be said to a different approach to traffic risk. But this will require time to decide and negotiate.

We consider that reform is especially needed because the present system has diminishing legitimacy in the minds of motorists. The burden of tolls on motorists is likely to grow significantly in coming years and Sydney is already showing signs of toll saturation. Our reforms will deliver greater legitimacy and a better social licence for the system.

Finally, we want to acknowledge the considerable help we received from representatives from NSW Treasury and Transport for NSW (TfNSW) in preparing this report and also the submissions and contributions of many other participants.



**Professor Allan Fels AO**  
Chair



**Dr. David Cousins AM**  
Deputy Chair

# Executive summary

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## A: An introduction and background

### 1. About this Review

This Review has examined the operation of motorway tolling in Sydney. The Review was established by the NSW Government, in line with its election commitments, to consider options for reform. It has been led independently by Professor Allan Fels AO (Chair) and Dr. David Cousins AM (Deputy Chair) supported by NSW Treasury and TfNSW. Views expressed in the report are those of the Chair and Deputy Chair and not necessarily the NSW Government. The government has indicated that it will respond to the report's recommendations in 2024.<sup>1</sup>

The context for the Review is the increasing community concern about the growing prevalence of tolls as the motorway system continues to expand in Sydney. About \$2.5 billion a year is currently spent on tolls by Sydney motorists. Concerns have especially been expressed about the impact of tolls on residents in Western Sydney who have fewer public transport alternatives and often longer distances to travel for work and other activities.

Over the past three decades a comprehensive network of motorways has been developed primarily by governments entering into Public Private Partnership (PPP) agreements with private sector firms to finance, design, build, operate and maintain the motorways. Tolls have been levied by the private concessionaires to recover the costs involved.

The Review was specifically asked to consider the efficiency, fairness, simplicity and transparency of tolls as well as the impact of competition and regulation on tolls.

### 2. Consultation

The Review has engaged significantly with the public and stakeholders to gather insights and test ideas.

Following the release of the Discussion Paper in June 2023, we conducted extensive public consultation sessions between 14 June and 28 July. We engaged over 700 groups and individuals, including the general public, businesses, academics, local councils, government agencies, peak bodies, local business chambers, member organisations, interest groups and industry stakeholders. We held three public hearings in Sydney, Parramatta and Penrith which featured presentations from key stakeholders like Transurban, NRMA and various local councils. In total we received 1120 submissions from the public and 51 from stakeholders alongside 21 private meetings.

After the Interim Report was released in March 2024, we initiated a further round of consultations to gather feedback on our findings and recommendations presented in the report. This phase of consultation received 117 written submissions from diverse groups, including the general public, academics, think tanks, private consultants and toll road operators. We also held an academic roundtable in April 2024 and multiple meetings and interactive sessions with stakeholders, concessionaires, investors and debt financiers to discuss emerging concepts and gather additional insights. The NSW Government's 'Have Your Say' portal enabled us to gather feedback from the public on the key recommendations and findings from the Interim Report.

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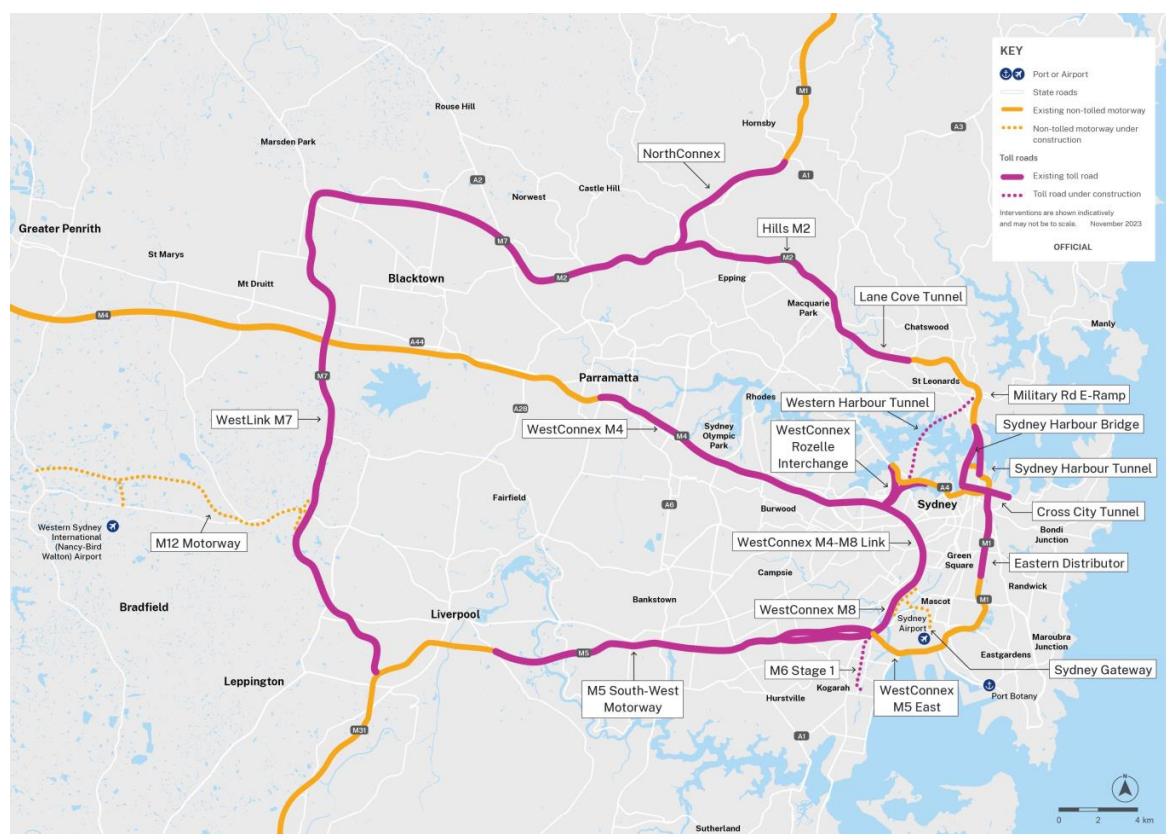
<sup>1</sup> NSW Government. NSW Budget 2024-25, Budget Paper No.01, p.1-11.

The Review acknowledges the contribution of all participants in the consultation process throughout the review period. Submissions and discussions have been carefully considered, informing the Final Report.

### 3. The current tolling landscape

As shown in the figure below, toll roads comprise nearly one-half of the motorway network in Sydney. The motorway network consists of 320 km of roads; the toll roads cover 156 km. Sydney has more toll roads now than any other capital city in Australia. Comparisons with overseas cities are difficult as the nature of tolling schemes can vary significantly. For example, the cordon tolling schemes operating in London, Singapore, Stockholm and Milan effectively cover many roads within their cordon areas. Despite its coverage of tolled motorways, Sydney is also regarded as the most congested capital city in Australia. It is also relatively high up in the rankings of congested cities in the world.

Figure 0.1 The Sydney motorway and state road network

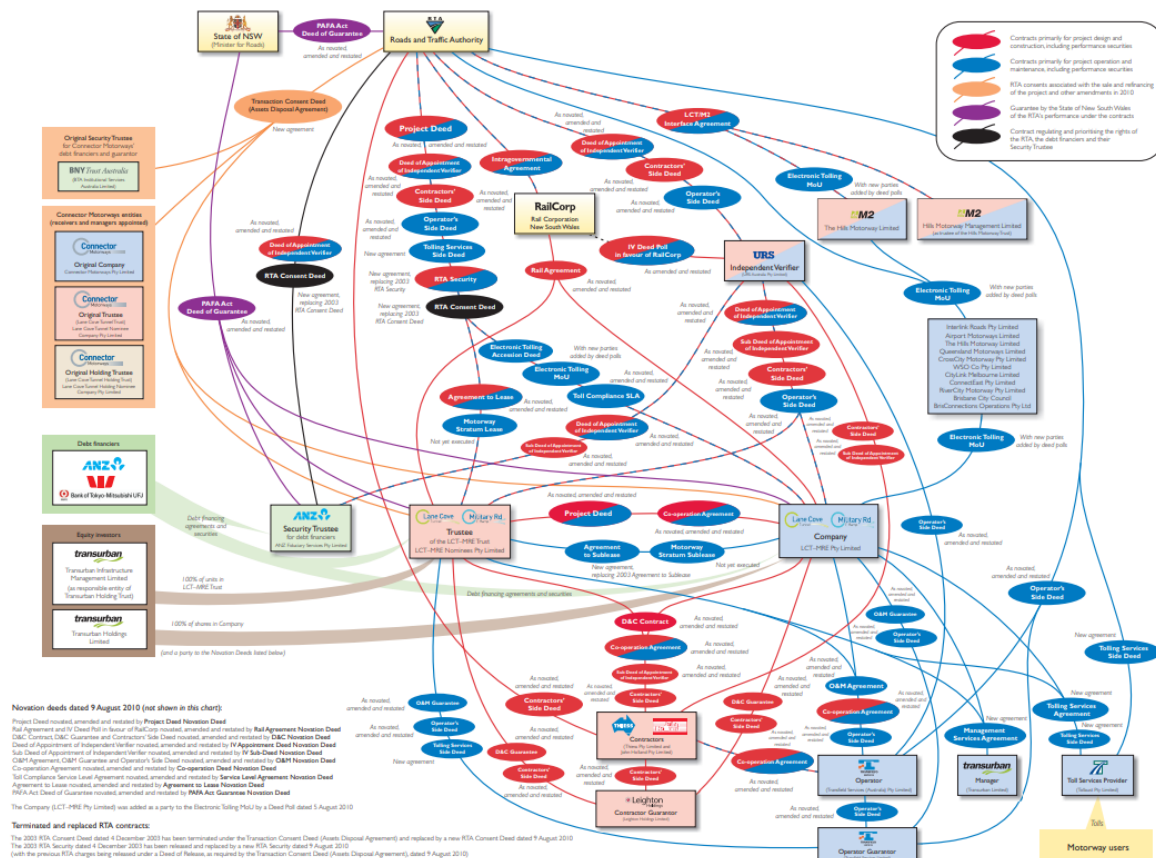


Source: Independent Toll Review

There are now 10 private motorway concessions in operation with three of these under the WestConnex banner. Transurban has a dominant role in these concessions with at least a 50% equity investors and debt providers that have entitlements and rights. The complexity is highlighted in the chart below as just one example – it provides an overview of the structure of contracts and relationships associated with the Lane Cove Tunnel project upon completion of its sale to Transurban in 2010.



Figure 0.2 Overview of the structure of the Lane Cove Tunnel project contracts at time of sale to Transurban on 9 August 2010



Source: Lane Cove Tunnel, updated summary of contracts, incorporating summaries of contract changes to 9 August 2010, p.14

In addition, there are two publicly-owned toll roads in operation, the Sydney Harbour Bridge and Sydney Harbour Tunnel (the Sydney Harbour Crossings). The bridge has been tolled since it commenced operation in 1932. Of modern motorway investment, the Tunnel was the first of the toll roads constructed under a PPP arrangement and, following 30 years of operation, reverted to public ownership in 2022. There are two motorways under construction which are planned to be publicly owned toll roads – the Western Harbour Tunnel and M6 Stage 1.

Tolls are set in line with schedules attached to the concession agreements, or by regulation in the case of the Sydney Harbour Crossings. There is no consistent basis on which these tolls are set. Some tolls are set as fixed amounts, some vary by distance, some have flagfall charges and caps that apply after a certain distance, and some operate in only one direction. Various different toll relief schemes, which have been implemented over time to try to relieve the burden of tolls for motorists, have added complexity to the tolling landscape.

There is variation in how tolls are adjusted. Some roads have their tolls adjusted quarterly or annually, depending on the concession agreement. More than half the private concessions also have a minimum rate of increase, regardless of inflation. For example, tolls on NorthConnex, the Hills M2 and the Eastern Distributor increase by a minimum rate of 1% each quarter. The maximum rate of increase is mostly based on the Consumer Price Index (CPI), but for one road – the Eastern Distributor – this is used in conjunction with Average Weekly Earnings. On seven private motorways, the tolls cannot go down.



The length of the concession agreements determine the period of time in which the concessionaires can collect tolls. Contract durations have generally been 30–40 years but in a number of cases, including the Hills M2 and Westlink M7, contract extensions have occurred following further capital investment works.

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## B: Evaluation of tolls

### 4. Public Private Partnerships and toll roads

NSW has been a leader in the use of PPPs. Governments at different ends of the political spectrum have been attracted to the use of PPPs by a range of factors including the desire to bring forward the funding and construction of roads and other infrastructure than may otherwise be possible if relying just on government funds; by perceptions that government funds were limited, and government debt needed to be restrained; and by perceptions that the private sector could provide necessary functions more efficiently than the public sector. Risks associated with the design, delivery and operation of roads were often considered to be better managed by private sector entities than by the State. User charging through tolls, though not restricted to private ownership, was seen to be an attractive way to fund new roads.

The Review has identified weaknesses in the setting of tolls under PPP arrangements.

- Firstly, it has not always been the case that the use of PPPs has been the best approach to provide new roads. Governments can borrow more cheaply than private sector entities and may be as efficient in providing some services associated with the delivery and operation of new road infrastructure. Typically, where governments provide infrastructure services, they engage private contractors to assist. Public Sector Comparators have been developed to compare the costs of government and private sector provision. We have identified at least one case – the Eastern Distributor – where a private sector road concession had not been deemed to be as cost effective as a public sector led approach.
- Second, under PPP arrangements, competition for concessions has not clearly been based on the level of tolls that bidders proposed to set. Rather, tolls have been determined in advance by governments and bids have been framed on this basis and been determined on other grounds. Ideally, competition should have been harnessed to ensure that firms willing to charge the lowest tolls, subject to appropriate minimum performance standards, were selected.
- Third, the setting of tolls administratively by governments raises questions about the basis on which this was done. Financial considerations, the need to recover costs over a reasonable time, were more in mind than the desirability of setting tolls which reflected economic efficiency and fairness considerations. Tolls have also been set more with considerations of what motorists would be willing to pay. Estimates of value of travel time savings (VTTS) have had a prominent role in this process.
- Fourth, there has been inadequate transparency in the setting of tolls to understand fully the details of how they have been determined and whether they have been set at appropriate levels. This has been a long-standing source of complaint. Over time governments have gradually released more details of concession contracts to the public, but not the essential financial data needed to assess tolls. We reviewed the Base Case Financial Models (BCFMs) applicable to the concession agreements, which have never been made public. We analysed the rates of return that would be obtained by the concessionaires if the assumptions relating to traffic and factors affecting projected revenues and costs were realised. Legal confidentiality reasons prevent us from publishing those rates or a description of them. Projected rates of return were boosted by the risks that concessionaires were perceived to have taken on, in particular that traffic forecasts may not be realised.

- Fifth, a clear indication that tolls were often set above what may be considered competitive market levels, was that for some concessions additional payments were committed by bidders beyond actual project costs. For example, the government sought upfront payments for the Cross City Tunnel, Westlink M7 and Lane Cove Tunnel agreements from the winning bidders to offset expenses incurred by the government in developing the projects and associated works. Although the nature of these additional payments has varied, they are essentially monopoly returns being captured by the government.
- Sixth, over time, governments have followed an approach of trying to minimise their own contributions to the cost of PPP road projects. 'No cost to government' has been a mantra espoused by governments in the past. This may save taxpayers, but it has the consequence for motorists of placing greater reliance on tolls to recover costs. Tolls either have had to be higher or remain in place for longer.
- Seventh, toll schedules, which cover the life of the concessions make no provision for regular reviews of the appropriateness of tolls given changing demand and supply conditions. A re-set of tolls would be costly. It would need to be negotiated with the government and may require compensation to keep the concessionaires 'whole'.

## 5. The structure and level of tolls

Sydney's toll motorway network has been developed over time through individual concession agreements. Concession agreements reflected the relevant considerations affecting each project, but not the desirability of having consistency across the network. There has been no overall system of tolls. One aspect of this is the limited use of time-of-day tolls to help manage traffic across the toll network. Only the Sydney Harbour Crossings have had variable charges of this nature.

As well as being differently structured, the tolls vary in levels so that when considered on an equivalent per kilometre basis, for example, similar trips on the network are charged at different rates. Concerns also were identified with the level of tolls that different types of vehicles have to pay. In some cases, for example motorcycles and small trucks, toll multipliers do not seem to reasonably reflect the cost impacts of their travel on the motorways. The Review found that these differences were adding to perceptions that tolls were unfair. Further, tolls were perceived as encouraging trucks to use non-toll roads as alternatives to the readily available toll roads, with consequent adverse impacts on local amenity, safety and the environment. Issues concerning the use of the Stoney Creek Road and Forest Road were highlighted in this regard.

Evidence on the pattern of congestion on Sydney roads was considered. We looked at traffic speeds across the road network. Operating speed ratios varied across the day and by type of road. As expected, tolled motorways had the highest operating speed ratios. This analysis tended to confirm the potential to relieve congestion across the whole network by attracting more traffic to the toll roads. A concern was identified that high tolls were discouraging many from using the toll roads.

The Review has identified strong community concerns about the continuing escalation of tolls at the rates of general inflation, or higher in the case of WestConnex (minimum of 4% or general inflation), and about the increasing prevalence of toll roads. Survey research conducted for the Review found that most drivers think tolls are too high and unfair. Eighty-seven per cent of Sydney residents strongly or somewhat were of the view that tolls were too high and 73% considered them to be unfair. These results were supported by other survey research provided to the Review. Academic commentators refer to the notion of toll saturation, where people have limited budgets to expend on tolls, in helping to explain driver reluctance to use the toll roads.

The future burden of tolls has been highlighted by NSW Treasury data. The estimated likely future toll collections up to 2060 when the last concession expires, on conservative assumptions, was \$123 billion in today's dollars. Over half of this would come from the WestConnex concessions.

The impact of high and rising tolls is felt particularly in Greater Western Sydney. On a per kilometre basis, tolls are already relatively low on the M7, but the evidence was that people from Western Sydney suburbs spend more on tolls per week than people from elsewhere do.

The Review examined available data on the financial performance of Transurban, which has at least a 50% ownership share in all concessions. Concessionaires' return of and return on investment form a component of tolls and to assess the level of tolls, the rates of return concessionaires receive need to be considered.

Actual rates of return may vary from those projected at the start of concession agreements given the uncertainties involved, including of traffic. Actual rates of return realised on particular projects will vary over time, given the pattern of expenditures and revenues with construction costs being paid off, and tolls and traffic projected to rise over time. It is only at the end of a concession that projected rates of return can be assessed against actuals. The cost of capital to a firm is an important consideration, as a project must at least cover this to be viable. Over time the cost of capital has changed. It is lower today, even with interest rate increases over the past two years, than it was at points in the past when some of the concession agreements were entered into. Higher costs of capital in the past have been reflected in the expected rates of return in BCFMs at the time, and they continue to be incorporated in tolls today.

Risk is an important element affecting the cost of capital and expected rates of return. Traffic risk is a major consideration here. If concessionaires accept traffic risk, they will seek a higher rate of return as compensation. This will cause tolls to be higher relative to if government were to take traffic risk and finance projects at its lower cost of capital.

Generalisation is difficult, and legal restrictions imposed on us prevent greater precision, but we conclude that for older projects entered during periods of higher interest rates, the expected rates of return projected at the time the concession agreements were signed may be perceived as generous in comparison to the expected rates of return in lower interest rate environments, including today. Transurban has paid over \$6.5 billion in dividends to its shareholders over the past five financial years and appears to be regarded as an attractive long-term investment by its major institutional investors. On the face of it, Transurban's returns on total assets over the past five years do not seem excessive. But given the general pattern of cost and revenue growth associated with toll roads, this may grow over time.

Under current tolling arrangements, the toll cap concessionaires operate under does not change to reflect efficiency improvements, so they have every incentive to pursue them. There is no requirement to share any efficiency gains with motorists in the form of lower tolls. It is possible that concessionaires could have predicted some efficiency improvements at the time they bid for concessions, which may have influenced what they were prepared to bid. If so, some efficiency gains may have been captured by governments. In our view, the absence of an efficiency sharing mechanism in toll setting could have been a factor encouraging the continued expansion by Transurban across the industry. It has gained advantages of economies of scale and scope in doing so. The Review considers there is a role for independent monitoring of concessionaire performance against BCFM forecasts and of reported financial performance of concessionaires. This will help the public determine whether tolls are set at appropriate levels in terms of the concessionaire profitability component built into them. The issue of whether tolls are too high or not is ultimately a matter of judgement based on all the relevant considerations. The background and circumstances of each road are different and this needs to be considered. Experiences with the earlier concessions are different from later ones as past learnings have influenced new practice. However, the tolls motorists are paying today all derive from the concession agreements signed in the past. So, whilst the level of concern about tolls on the individual roads may differ, we have reached the general conclusion that tolls are higher than they need to be and higher than desirable. There has been a failure to put motorists first in the tolling of toll roads. This has been reflected in matters such as the over-reliance on tolls as a funding source for the roads, rather than the use of general government revenues or borrowings; weaknesses in the selection criteria used to assess bids from

potential concessionaires, in particular not applying the minimum toll criteria as paramount; concern to extracting maximum value from motorists rather than charging efficient tolls; locking into tolls rates of return for concessionaires that have been significantly higher than current costs of capital; locking into tolling schedules with high and compounding escalation rates which did not require a sharing of efficiency gains with motorists. We note the political attractiveness of setting tolls initially at lower rates and deferring pain to future generations of motorists. The pattern of road congestion across Sydney with toll roads being relatively less congested than other ancillary and local roads, indicating to us that the toll roads may be tolled too highly to attract sufficient traffic to ensure they are used to the optimum extent.

The dissatisfaction of Sydney motorists with the level of tolls is also linked to the emphasis placed on tolls as financial rather than economic instruments. Tolls should be used more to manage the traffic. Motorists are right to consider that the tolls they are paying are too high when they are stuck in congested traffic on toll roads. More flexible tolls would help to overcome these situations.

## 6. Competition

Competition is the process of rivalry between firms in the supply and acquisition of goods and services. Effective competition occurs from an economic perspective when rivalry produces good market performance in terms of efficiency and progressiveness.

We can distinguish two aspects of competition in toll roads. These can be referred to as 'competition in the market' and 'competition for the market'. The latter refers particularly to the competition between bidders for the rights to a concession.

Transurban is by far the dominant player in toll collection and operation, owning at least 50% of all the concessions in the Sydney market and owning the toll retailer Linkt. Other minority equity owners and partners may provide some countervailing power to the influence of Transurban, but direct competition between them is very limited. With the orbital network now essentially complete, there is the possibility of some motorists having some choice in the toll roads they take to get to their destinations. However, for the most part, the individual toll roads have the characteristics of natural monopolies where it is not sensible or economic to have directly competing motorways.

Past governments have allowed Transurban to become a dominant player in the Sydney toll market. NSW governments and the Australian Competition and Consumer Commission (ACCC) have not opposed Transurban's acquisition of other concessions. The ACCC's approach to acquisitions by the company now seems to be changing given their recent opposition to Transurban's proposed acquisition of a majority ownership of Horizon Roads, the operator of EastLink, a Victorian toll road.

Transurban has benefited significantly from its road acquisitions. They have further enhanced its advantages of incumbency and its ability to acquire new concessions, including through Unsolicited Proposals. Transurban's political influence has been enhanced by its market position.

Concession agreements provide for the regulation of tolls through contract. The toll schedules specify what the tolls should be, at least what maximum tolls should be. In practice discounting below maximum levels does not occur. This is not surprising when the impact of toll changes on demand is very limited, but it also possibly reflects the lack of real competition between roads.

The toll schedules limit the use of any market power that Transurban may have but they do not necessarily remove all concerns about tolls being set at undesirably high levels, as previously noted. If this happens, governments, Transurban or both could be the beneficiaries.

Any market power Transurban may have had in competing for concessions is likely to have been weakened by the impact of the undertakings it was required to give to the ACCC at the time of its 51% WestConnex acquisition in 2018. These undertakings required it to publish information about the traffic on its roads. This aimed to offset Transurban's traffic modelling superiority, which gave it an advantage in bidding for new toll road concessions.

Public perception of Transurban's competitive position in the marketplace often does not appear to align with reality. Some comments to the Review suggested that Transurban was an unregulated monopolist setting unreasonably high tolls to maximise profits. The reality is that maximum tolls have been set by governments and vary over time according to rigid pre-determined patterns.

Transurban needs to acquire from the Sydney community a social licence to operate. The company is well aware of this but may have further to go to achieve it. We consider that a good step forward would be for the company to fully engage in the process to reform tolls and to work to further empower motorists.

## 7. Toll transparency and toll relief

There is much that could be done to better enable, inform and educate motorists about tolls to assist in their decision-making. Motorists need to have the ability to plan their travel routes and understand their own costs of using toll roads. It can help them to know how often they have used the toll roads in the past. Education to help motorists better understand how tolls are calculated is also necessary. Motorists need also to understand their financial rights and responsibilities as users of toll roads.

Toll relief schemes have been in place in different forms for many years. They suggest that tolls were not considered to be set appropriately to reflect the concerns of the community in relation to affordability and equity. These concerns may change over time having regard to factors such as general economic circumstances, the growth and distribution of population and so on, but toll determination under the concession contracts continues to be rigidly determined.

Toll relief schemes currently operating or having recently ceased to operate are shown in the table below.

Figure 0.3 Available toll relief schemes from 2020 to 2025

	2020				2021				2022				2023				2024				2025			
Relief scheme	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
M5 South-West Cashback*																								
Registration Relief (TR1)																								
Large Towed Recreational Vehicle Toll Rebate																								
Toll Relief Rebate (TR2)																								
\$60 Toll Cap (TR3)																								

	2020				2021				2022				2023				2024				2025			
Relief scheme	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Truck Multiplier Rebate																								

Source: Independent Toll Review

\*From 1997 to 2010 the Cashback Scheme also applied to the M4.

The M5 Cashback scheme has been operating for over a quarter of a century and the government has committed to retain this scheme at present. The \$60 Toll Cap (TR3) and Truck Multiplier Rebate schemes were introduced by the current government as temporary schemes pending the more fundamental review of tolls being conducted by this Review.

Toll relief rebates add complexity to the tolling system. Many motorists are not fully aware of the rebates they are entitled to or how to claim them and find the administrative arrangements tedious to deal with. For these reasons there have been relatively low claim rates. For example, TfNSW estimates that 35% of trips eligible for the M5 Cashback scheme will not be claimed.

Toll relief is becoming increasingly expensive with \$561 million being budgeted for TR3 in the 2024-25 Budget over two years. Costs of the schemes increase as tolls rise and the number of claimants increases. It can be difficult to replace these schemes as motorists come to expect they will continue and become used to them.

Toll relief schemes are not necessarily fair when considered from a broader perspective, especially when they are just applied to particular parts of the toll network. The total toll burden does not change because of toll relief, only the distribution of who pays changes. It is not always the case that those who receive toll relief need it. The evidence available to the Review suggested that higher income earners not only use toll roads more, but also are more likely to seek toll relief. Toll relief schemes need to have clear objectives in relation to who they are seeking to benefit and to be appropriately targeted in doing so. Current schemes focus on account holders but not household or family income or other relevant socio-economic considerations affecting need. Previous efforts to develop a means tested toll relief approach have fallen short due to difficulties in obtaining required information.

Concessionaires are unintended beneficiaries of toll relief given that motorists' demand to use the toll roads will be enhanced by its availability. The upside sharing provisions contained in the concession agreements are an imperfect way of capturing this benefit for the community. Community views on toll relief are mixed. Many recognise its limitations, but many also consider that it is a very important part of the tolling system which should be retained. Our general view is that toll reform, if it can be achieved, is preferable to toll relief and toll relief should be applied to directly reduce the toll a motorist sees.

## C: Recommended overhaul of tolls

### 8. Tolling principles

In considering possible reforms to tolls it is necessary to have regard to the objectives of toll setting and to the operation of existing tolling schedules attached to the concession agreements.



As to the objectives of toll setting, we have been particularly mindful of our terms of reference which draw attention to the importance of efficiency, fairness, simplicity and transparency in tolling. The economic principles of efficient pricing have been well developed over time, but their application in particular contexts, such as road tolls, can be complex. The financial imperative of concessionaires to recover costs, including an appropriate rate of return, in fixed concession time periods is a particular constraint. It has been said that fairness is what is in the eye of the beholder! Fairness has horizontal aspects (treating people in similar circumstances the same way) and vertical aspects (treating people differently according to their capacities or needs). Simplicity can be seen in the narrow context of an individual road or in a broader system context covering the network of toll roads. Transparency can relate to the openness of the toll setting process and to the visibility of tolls once determined to motorists.

In 2014, the NSW Government agreed a set of principles to guide the setting of tolls on new toll roads. This was a first step toward articulating a more coherent approach to toll setting even though the principles were not explicitly directed to existing roads. The Review carefully considered these principles and has further developed them to reflect a greater emphasis on:

- consistency across the whole tolled network;
- economic efficiency pricing principles including the importance of tolls reflecting costs as well as benefits; and of demand management pricing, including time-of-day and dynamic pricing; and
- fairness especially by the use of declining distance-based tolls.

Our terms of reference also required us to consider the impact of competition and regulation on tolls and these issues are also reflected in the new tolling principles we are proposing.

## Proposed new Tolling Principles

### Principle 1: Level and structure of tolls

Toll setting should be guided by the objectives of efficiency, fairness, simplicity and transparency.

- a. Tolls should have regard to the costs associated with the provision of toll road services as well as benefits. Declining distance-based tolls are consistent with the principle and have efficiency and equity advantages over fixed distance-based tolls or variable zonal distance-based tolls.
- b. In general, it is appropriate that beneficiaries pay for toll roads, for example, where benefits flow to the broader community then government contributions are appropriate. The extent of cost recovery achieved through tolls should reflect the extent to which a toll road's benefits are enjoyed directly by motorists.
- c. The process for setting tolls should be transparent to the public to promote understanding and allow for informed comment.
- d. The methodology for determining tolls should, so far as possible, be applied consistently across the entire network.
- e. Tolls should allow toll road owners/concessionaires to recover their costs incurred in financing the construction of the toll road including an appropriate (i.e. risk adjusted) return, and efficient operating and maintenance costs where relevant. It may be appropriate to apply specific charges to individual parts of the network to allow for cost recovery, for example infrastructure charges to cover the additional costs associated with constructing tunnels or bridges.

#### Principle 1: Level and structure of tolls

- f. Tolls should not be set at a level which would allow excessive, monopoly profits, or inefficient cost levels to prevail over time.
- g. Maintaining flexibility to adjust tolls over time in response to demand and supply changes is important.
- h. Toll setting should take into account fairness as well as efficiency considerations, bearing in mind that other more direct policy approaches may be preferable forms of intervention in relation to fairness.
- i. The different vehicle categories for tolls should balance impactor pays (the extent to which vehicles impose costs on the network and other users due to their weight and size set against the costs imposed by such vehicles on ancillary roads) and beneficiary pays considerations (a higher willingness to pay for travel time savings). For example, under this principle setting higher tolls for heavier and larger vehicles is consistent with efficient tolling.
- j. The structure of tolls should be simple enough to be readily understood by users and avoid creating perverse incentives for the use of the road network. Inconsistent approaches to the tolls of toll roads can cause distortions to traffic flows.
- k. Tolling information should be communicated in real time to inform customer journeys and enable improved decision-making.

#### Principle 2: Consistency with competition policy

Toll road financing arrangements for motorways should be designed and implemented in a way that is consistent with the promotion of competition.

- a. Competitive pressure should be harnessed when setting tolls and assessing concessionaire bids (competition for the market) and when regularly reviewing tolls (competition in the market). Bidding for concessions should focus on ensuring tolls are set at competitive levels.
- b. Unsolicited proposals for toll road extensions should not be considered in isolation of the possibility of first modifying tolls to better manage traffic flows.
- c. Restrictions should not be imposed on the use of any road or public transport in order to enhance the financial viability of a toll road.
- d. Tolls should only apply where motorists have reasonable and effective untolled road options, including arterial roads, or public transport alternatives, except where community benefit may necessitate restriction on access to alternatives.



## 9. Toll reforms

### Concerns about tolls

The evaluation of tolls has highlighted a number of significant concerns about tolls which impact on both efficiency and fairness. Tolls are generally considered to be too high. Motorists are paying more than is necessary and desirable. Although demand for toll road services is relatively unresponsive or inelastic to toll changes, high tolls cause a loss of economic welfare overall and adversely affect motorists struggling to meet the costs involved.

The absence of a consistent network approach to setting tolls is also a source of inefficiency, unfairness and complexity. The significant variations, which now exist between the way tolls are calculated on individual toll roads, impacts on the use of those roads by users. Some roads, such as the Cross City Tunnel, have significantly higher charges, expressed on a per-kilometre basis, than others, for no clear economic rationale. One-way tolling on the Sydney Harbour Crossings and the Eastern Distributor, and toll relief have distorted traffic flows on some toll roads as well as adjacent ancillary and local roads. Zero tolls which effectively apply when toll caps operate after certain distance points or with some toll relief schemes also distort traffic flows.

A further source of inefficiency with tolls is their lack of flexibility in reflecting demand conditions on the toll roads. There needs to be a capacity to change tolls over time and to better manage traffic flows across the network during the day.

Users of the toll roads should have a clear idea of the basis of charging from wherever they join the toll road network. The methodology by which tolls are set should be coherent and economically rational in line with agreed tolling principles.

Current tolls and toll relief lack fairness when they apply unevenly across the whole network. Also, despite the fact that per kilometre rates are lowest on the M7, motorists from Western Sydney appear to be most disadvantaged by current tolls (vertical inequity). Surveys and submissions of stakeholders indicate the financial impact of tolls is greatest in Western Sydney. These areas of Sydney have the highest number of motorists who will be eligible for the government's \$60 Weekly Toll Cap<sup>2</sup>, who report a lack of alternatives to toll roads, and report high use of toll roads. Analysis shows that these areas of Sydney have comparatively lower public transport access. Risks of mobility-related social exclusion, that is, of being unable to access essential services and opportunities due to transportation barriers are also higher.

Tolls can be complex but widespread availability of information about the basis of their calculation can help to deal with this issue. But when the basis of their calculation varies significantly between roads, as it does at present, simplicity is replaced by complexity.

The Review considers that a coherent network tolling approach to setting tolls can help to restore simplicity for users.

The Review is concerned about the lack of transparency generally in toll setting and sees the need for a much more open process for setting tolls to help detailed understanding by the public of the basis on which tolls have been set. The transparency of tolls for motorists once tolls have been determined also could be enhanced.

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<sup>2</sup> Minister for Roads (2023, December 8). \$60 weekly toll cap to provide cost-of-living relief to 720,000 motorists. NSW Government. <https://www.nsw.gov.au/media-releases/toll-cap-cost-of-living-relief>

The Review considers that a stronger competition lens is needed by governments when granting concessions and when considering the terms of concession agreements, including setting tolls and concession length. Regulatory improvements to toll setting arrangements embedded in concession agreements are needed, including enabling tolls to better reflect changes in traffic conditions over time. Independent oversight of the impact of toll setting on motorists and concessionaires is necessary.

### **Key tolling reforms proposed**

Our key reforms are to:

- a. Introduce a new network approach to tolling to provide for a uniform tolling methodology to apply across the whole tolled network so far as possible and to better manage traffic flows.
- b. Reduce the level of tolls to allow for greater use of the toll roads and relieve congestion on ancillary and local roads to improve overall travel times.

### **Network tolls restructuring**

The transition to network tolls as proposed in our Interim Report was supported by industry stakeholders, representative bodies, academic commentators, and the general public. It was recognised that the tolled motorway system had developed to the point that this approach was desirable.

There are major issues to consider and determine before a network approach to tolling can be introduced: what will this look like, what are the implications for making it work, and how can it be implemented?

### **What network tolling will look like and why**

Existing tolling methodologies used for individual toll roads in Sydney vary. There has in recent years been an increased emphasis on distance-based tolls and most discussions of road pricing by experts support this methodology. There seems no reason in principle why a different system for toll roads could not operate in conjunction with distance-based tolls on ordinary roads. Distance-based tolls is consistent with a user pays system, but it has weaknesses in that by itself it does not accurately reflect costs associated with providing toll roads. It does not adequately recognise the fixed cost associated with road construction; nor accurately reflect the marginal costs associated with operating the roads which are likely to decline with distance and vary according to the state of traffic on the roads. Fixed distance-based tolling applies a set toll per kilometre to each kilometre travelled. This is not appropriate in our view to a network approach to tolling for the Sydney orbital network where many people from the outer West still need to travel to the CBD for employment or other purposes and are relatively disadvantaged when it comes to public transport options. This is a fairness consideration that needs to be taken into account. This issue is recognised but is dealt with inappropriately in some concession toll schedules where at a particular kilometre distance a cap is placed on tolls so that beyond that point no tolls are charged.

Fixed costs are often reflected in fixed access charges. For toll roads this could be a charge to enter the network with distance-based charges being set on top of this. A fixed access charge may have the desirable effect of discouraging short trips on the network, which can disrupt smooth traffic flows. However, if there is plenty of available spare capacity on a road it seems inefficient to do this. The level of the charge is critical in this context, and it may be appropriate that it varies according to time-of-day/traffic flows.

The design of any new system of network tolls will need to take account of the significant per kilometre variation in existing tolls as well as the need to reflect efficiency, fairness, and transparency considerations.

A network tolling system should address anomalies associated with one-way tolling on the Eastern Distributor and on the Sydney Harbour Crossings. Also, the latter charge the same tolls for all vehicles, cars as well as trucks. The Sydney Harbour Crossings are the only toll roads to apply time-of-day tolling, and tolls on the crossings and have only been increased once since 2009, this was in October 2023.

The previous government's toll review considered a scheme involving a fixed access charge and zonal fixed distance-based charges. We examined this proposal in detail and the modelling conducted in relation to it, but ultimately concluded that it was not appropriate to meet the objectives set for our Review. Zones were arbitrarily determined and set more in the light of existing road tolling differences than from the objective of achieving network uniformity or reflecting significant variations in cost of specific parts of the network. The preferred model required significant government subsidy to be acceptable.

Our response has been to design a tolling methodology that better reflects our specific objectives and current circumstances. Our preferred tolling system incorporates a uniform declining distance-based component to the toll and a fixed infrastructure charge relevant to the part of the network being travelled on. Declining distance tolls reduces the per-kilometre cost as journey length increases, a variant of distance-based tolls. The infrastructure charge varies according to the tunnel or bridge it relates to but has not been set on a strictly cost reflective basis. It enables the total toll to reach the necessary point where all tolls charged reflect the target of matching concessionaire revenues under the existing system.

The initial block of the declining distance rate is higher than the remaining blocks giving it the feel of an access charge, but it is considerably lower than the proposed access charge set by the previous government's review. The declining distance-based charge applies uniformly on the network and does not depend on where the network is entered onto or where trips occur. In this sense it is fairer. The infrastructure charge more closely aligns with the cost of the infrastructure provision. Where more expensive tunnels or bridges exist the charges will apply, otherwise they will not. Whilst at first blush the declining distance-based charge may appear more complex, when seen in the context of the network as a whole this is much less so. The charge applies uniformly across the whole network unlike other options with different zonal distance-rates. Combined, the declining distance-based and infrastructure components of network tolls provide a fairer toll outcome for motorists in Western Sydney.

A further important aspect of our network approach to tolling relates to the application of demand management of time-of-day or dynamic pricing. We consider this should be an integral part of a network system. The network should be managed to ensure all parts of it operate efficiently in terms of the flow of traffic avoiding persistent under and over utilisation as far as can be achieved.

#### **What are the implications for making network tolls work**

There are significant enabling works to be undertaken to allow for the operation of network tolls. These include upgrades to existing tolling infrastructure and systems development. [Figure 0.4](#) below indicates the network-level toll reconstruction engine (C2.5) which will need to be developed and where it fits in the current process of capturing tolls and calculating tolls, managing customer accounts and compliance. The declining distance-based approach adds no more cost in this regard than any other methodology would do. These costs are an investment for the future and are small in relation to the benefits a new network tolling system could bring for motorists.

Figure 0.4 Network toll reconstruction engine

	C1 Capture	C2 Calculate	(C2.5) NSW Motorways	C3 Customer	C4 Compliance
<b>Purpose</b>	To detect and capture the details of vehicles utilising the toll roads (tags, LPN etc.).	To validate, construct and rate trips from vehicle details captured (toll road, entry point, exit point, time-of-day, vehicle classification).	To apply business rules to day-based toll road usage such as:  1. Construct single concession tolls as multi-concession tolls.  2. Applying distance-based tolling rules.  It also manages non arranged travel/unpaid toll recovery.	To manage customer accounts, toll products and the collections of tolls and fees.	To manage the processing of toll and penalty notices including nominations and objections.
<b>Tech</b>	1. Gantry (new exit points required). 2. Vehicle Detectors. 3. Front Camera Image. 4. Rear Camera Image. 5. Optical Character Recognition (OCR)/Licence Plate Number (LPN) Reader. 6. TAG Sensors.	TfNSW: 1. TRARM: Trip, Reconstruction And Rating Module. 2. TIRMS: Toll Incident Recovery Management System. Other: 1. Foreign Toll Operator/Tolling Back Office.	New C2.5 system: 1. Construct Multi-concession Tolls. 2. Apply distance-based tolling rules. 3. Apply associated business rules. 4. Manage non-arranged travel/unpaid toll recovery.	1. Etoll – TfNSW. 2. LinkT – Transurban.	1. Toll Compliance Management System.
<b>Functions</b>	1. Detect vehicle. 2. Capture vehicle photo (front). 3. Capture vehicle photo (rear). 4. Capture LPN. 5. Capture TAG details.	1. Accounts receivable. 2. Finance movement. 3. Asset management. 4. BI (Business Intelligence) reporting. 5. Trip reconstruction.	1. Construct single concession tolls as multi-concession tolls. 2. Output these as network toll charges to customers via retailers.	1. Tolling web portal. 2. CRM. 3. Tag logistic management. 4. Interoperability (car rental companies, MOU).	1. Process enforcement requests. 2. Obtain vehicle owner details. 3. Letter distribution. 4. Enforcement acknowledgements and updates.

	C1 Capture	C2 Calculate	(C2.5) NSW Motorways	C3 Customer	C4 Compliance
			3. Reconcile inputs and output toll charges to make good variances to concessions.  4. Manage Non-Arranged Travel/recovery management.  5. Compliance management.  6. Toll notice payment portal.	5. Product management.  6. Debt management.  7. BI reporting.  8. Financial accounting.	5. Nominations management.  6. Objections management.  7. Penalty notice updates.  8. Registration for Information Disclosure Agreement (RIDA)/ Additional Request for Information (ARI) processing.

Source: Independent Toll Review

Under network tolling we would want to see motorists being billed just once for each trip, not separately for the components of the trip provided by different concessionaires. There may be opportunities to phase in aspects of network tolling before it is fully implemented. For example, two-way tolling on the Sydney Harbour Crossings may be feasible before the full network system can be implemented; time-of-day trials may be appropriate or changes to toll relief consistent with network tolls could be implemented. Network tolling will have significant impacts for concessionaires depending on how it is implemented. Existing concession agreements outline current tolling arrangements for motorists as well as having provisions affecting the financing of those roads. Financiers will likely also be impacted by any change in tolling arrangements. The contracts protect concessionaires from changes which may adversely affect their financial position. This could be the case unless they were to agree to make changes and likely were compensated for doing so. It was on this basis that we indicated clearly again in the Interim Report that we would respect the contracts and honour the reasonable expectations concessionaires had of them. It was why we have also modelled options for network tolls on the basis that the revenues generated by network tolls were the same as the revenues that would be generated under the existing individual concession agreements in total.

There are a number of ways concessionaires could be kept 'whole' in any move to network tolls. The Interim Report outlined an approach involving network tolls being set by a government-owned tolling company, NSW Motorways, with a Revenue Adjustment Mechanism operating to ensure concessionaires were squared up so as to obtain approximately the same revenues as they would have received under the old tolling approach. A more recent proposal from concession owners, discussed below, is that network tolls could be recognised in the concession contracts after negotiations with the government and identification of funding gaps and sources to keep them 'whole'.

The adoption of network tolls will involve restructuring of tolls across the network with some tolls increasing and some declining. We have assumed that additional revenues from the Sydney Harbour Crossings will be utilised to assist in this restructure and transition to network tolls. It is a policy decision for government as to whether this occurs.

An aim with the initial restructure to network tolls also is to minimise the size of the changes in tolls for individual trips as far as is possible, both when tolls increase or decrease. We consider that once the network system is in play and has had time to settle down, that further adjustments could be made to tolls. This tolling reform is likely to generate more traffic itself. But we also envisage further reforms to concession arrangements could be achieved over time to allow further overall reductions in tolls to be achieved.

Network tolling will result in traffic changes which may not always be readily accommodated by the existing road infrastructure. Changes will need to be anticipated and carefully managed. In some cases, modifications or enhancements may have to be made to existing roads. Demand management tolling initiatives may be required.

The impact of network reforms will need to be monitored and refinements adopted as considered necessary. We consider community acceptance of the new network tolls and their perception of their fairness is essential to the success of this reform.

As regards to what it would look like, the Review has carefully considered what tolling methodology would best meet the objectives of efficiency, fairness, transparency and simplicity. We have examined the previous government's Tolling Principles and approach adopted by the previous government's tolling review as well as other related approaches, including a corridor-based approach as recently suggested by concessionaires, and other approaches such as section tolling, but have not been convinced that these are adequate to meet our objectives.

#### **How can network tolls be implemented**

In our Interim Report, we expressed the view that the government needed to take the lead in toll reform through legislation and the setting of network tolls. This view reflected our perception that the large number of counterparties to the concession agreements and associated financiers would make it difficult to reach agreement between them in a timely manner, that Transurban would inevitably dominate such negotiations, and that competition law prohibited competitors from reaching agreement on matters which are likely to fix or maintain tolls. It was also a reflection of the fact that we had had no substantive proposals for reform of tolls from concessionaires up to that point of time.

In line with these views, we proposed a government-led reform process which included the establishment of a government-owned tolling body (NSW Motorways) which would set network tolls and operate a Revenue Adjustment Mechanism to ensure concessionaires were kept whole in relation to their existing contracts. Motorists would pay network tolls but the concessionaires would still receive around the same expected revenue that they would have received had their existing tolling schedules been operative. Whilst led by government, it was anticipated that NSW Motorways would work in close co-operation with concessionaires and other relevant stakeholders.

In response to our Interim Report a letter was sent to us on 14 May 2024 signed by NSW Toll Road Partners, a group of eight toll road investors, 'noting the Interim Report's concerns over timing and complexity and a desire for 'early reform' and indicating a '...willingness to work with the NSW Government to expeditiously develop a suitable network-wide solution'. They suggested '...the principles of such a solution could be agreed within a short period of time, and in advance of the conclusion of the government's existing rebate schemes in December 2025'.

The Review's Chairs immediately responded seeking more details of this commitment and met with representatives on 22 May 2024.

Following this meeting, the NSW Toll Road Partners further formally responded to the Reviewers on 4 June 2024. The substantive content of this letter is reproduced in the box below.

Figure 0.5 NSW Toll Road Partners letter content

‘As noted in our discussions, we each remain committed to working with the Toll Review and the NSW Government to examine options in relation to delivering toll reform in NSW.

We recognise the importance of developing a solution that achieves the objectives of fairness, efficiency, simplicity and transparency that the Review was asked to consider by the NSW Government.

Therefore, in order to progress the objectives, using building blocks of a distance-based pricing regime as proposed in the Interim Report, it is each out our view that the NSW Government should further develop and work with concessionaires to model the impact of a distance-based per kilometre rate (DBR) regime across the road network. In such modelling, the per kilometre rate could vary between the motorway corridors, reflecting the level of congestion and availability of alternative transport modes in each. We each believe a corridor-based DBR has the potential to deliver the most benefits by providing greater operational efficiency across the network and a better community outcome. These could be coupled with the appropriate Infrastructure Charges to better reflect the cost of delivering and operating complex tunnel infrastructure, as well as two-way tolling should the Government choose to implement this. Noting that Infrastructure Charges could be incorporated into the DBR for the tunnels.

It is each of our view that the NSW Government is best placed to set the tolling pricing parameters and this could be implemented through a renegotiation of the concessions rather than alternative regimes proposed by the Review such as ongoing revenue adjustments. This would ensure the parameters balance key outcomes such as transport network performance and value for money for taxpayers and motorists.

With an understanding of the impact of the proposed regime and toll pricing parameters, the NSW Government could then seek feedback from each concessionaire to quantify the resulting funding deficit or surplus created as a consequence of implementing the proposed DBR so that the parties can engage on mechanisms to compensate the concessionaires, if required to achieve a value neutral outcome for each concessionaire. This would include the impact of other potential toll parameters prescribed by the Government such as Infrastructure Charges and/or escalation rates.

As part of this engagement, the Government could also request for each concessionaire to detail other value sources that may be able to contribute to assist in the funding of the proposed reforms. This will provide a basis for the Government to achieve in-principle agreement with the individual concessionaires by the end of 2024. These principles will then be used to amend individual concession deeds, targeting completion and execution of all documentation by the second half of calendar year 2025, prior to scheduled conclusion of the NSW Government’s toll rebate programs.

Should the NSW Government prefer an alternate approach to that outlined above, we each welcome engagement from the NSW Government on their preferred solution.’

Source: NSW Toll Road Partners Letter to the Interim Report, 2024

The letter raises some doubts in relation to network tolling. It suggests it will use the building blocks of a distance-based regime as proposed in the Interim Report, but then talks about a corridor-based scheme where the per kilometre rate could vary between corridors. This was explicitly not the preferred option of the Reviewers and not one that we would now support. In our early modelling work we did explore the option of corridor tolls as a close variant of zonal tolls but did not proceed with it. In essence it seeks to maintain the status quo.



However, we welcomed these indications of willingness to work with government to achieve toll reforms (albeit late in the day for this Review) and see positive elements to the proposal we would wish to pursue. The idea of amending the concession contracts to incorporate network tolls determined by NSW Motorways in consultation with concessionaires is a good one; but such an outcome is still likely to be extremely challenging as far as reaching agreement is concerned. There is a risk that toll reform outcomes become defined by minor contractual changes that reflect the lowest common denominator positions held by each individual concessionaire, and in so doing fail to achieve the significant toll reform that is required. Identification of funding needs and sources will involve significant negotiation between government and the concessionaires. The proposal, if successful, will likely eliminate the need for a Revenue Adjustment Mechanism to keep concessionaires whole, as they would now do this as part of the negotiations behind agreeing to the new tolling regime. Rather than a government-led process, this option would be a concessionaire-government negotiation process, one that would not be fully transparent to the public.

Whilst we do not doubt the good intentions of concessionaires and their owners to now work towards toll reform, we still consider this will be a difficult path forward. We consider strongly, if this approach was supported by the government, that clear milestones would need to be set for the resolution of matters like funding source discussions and that a target date be set for the introduction of network tolls. There also needs to be in place a sound legislative framework and pathway as outlined in our Interim Report to operate as a backstop should negotiations be delayed, or not result in achieving the objectives underpinning the vision for network tolling.

#### **Network tolls restructuring and toll reduction**

The move to network tolls based on a uniform methodology for their calculation will involve some restructuring of tolls. There will also be some reduction in average tolls, essentially because of the introduction of two-way tolling and other reforms affecting the Sydney Harbour Crossings, but the key focus is the restructuring.

A second element of toll reform considered to be necessary by the Review is achieving a reduction in the level of tolls. We have outlined previously why we consider tolls to be generally too high. This judgement is not linked to current cost-of-living pressures being experienced by many in the community, though toll reductions would no doubt be welcomed from this perspective as well. Toll reform will take several years to be fully achieved and hopefully cost-of-living pressures will be eased by then.

In order to achieve toll reduction as well as toll restructuring it will be necessary to identify funding sources that can be applied to reducing tolls.

#### **Funding sources to achieve reductions in tolls**

The Review has identified potential funding sources within the tolling system that could potentially be used to achieve reductions in tolls. Some of these sources could come from government and others from concessionaires. Some are essentially of a one-off character, and some are on-going. To achieve sustained reductions in tolls it is necessary to identify ongoing funding sources.

One potential source of funding identified in our Interim Report is the balance of toll relief funding not committed to continue at this stage by government. We note here the current commitment for Cashback to continue on the M5. If toll relief was removed, up to around \$250 million per annum could be diverted into reducing tolls. This could amount to a drop in average tolls of around 10%. Alternatively, if toll relief continued at this level, government should continue to pursue from concessionaires the benefit they obtain from the impact this toll relief has on induced traffic on the tolled motorways.

Transurban has suggested a range of potential funding sources which it considered could be tapped into to help support network tolls and to achieve reductions in tolls. These sources related to existing concession contracts and were considered to have a potential value of around \$1.5 billion to \$2.0 billion. Negotiations with government were flagged as being necessary to unlock this potential.

Given commercial sensitivities and the potential for government-concessionaire negotiations, we will not comment specifically on them. However, this does point to the potential to tap into funding sources to achieve lower tolls. In general, funding sources from concessionaires may be created by initiatives which increase revenues or decrease costs for concessionaires. In our Interim Report we commented on the suggestion that tolls today could be reduced by allowing the length of concessions to increase. We pointed out that this would not amount to real reform if it was just an intertemporal transfer of toll burden. However, if it was accompanied by genuine reforms to tolling arrangements it would be more acceptable. The benefits to concessionaires of extension of contracts cannot be measured on the basis that a single dollar lost today is worth a single dollar in the future. Obviously, market based discount needs to apply to the value of the future dollar. But the discounting should take into account what seems to be a significant revealed preference of investors and Transurban for long-term concessions. There is an intertemporal efficiency case for extending the duration of tolls because the long life of motorway infrastructure (say over one hundred years) exceeds the life of concessions (say thirty years). This point however requires caution and deeper consideration than it has been given in this report, including for example, the competition issues and the reform issues referred to elsewhere in this report. We are also mindful that the potential competition impacts of possible funding sources will need to be considered. This is again a relevant consideration in relation to increasing concession lengths as increasing the lengths of concessions would defer the time when other potential entrants could bid against an incumbent for a renewal of a concession contract. We would be less concerned about this if there was an effective toll oversight mechanism in place over the existing contract. A major issue that should be considered in relation to funding sources is whether traffic risk could be better mitigated than is now the case. Concessionaires and financiers act on the basis that concessionaires have this risk. Their required returns are, therefore, higher than otherwise and accordingly so are tolls. A better system for managing traffic risk is needed. One proposal here, which we call the Net Present Value Revenue Approach (NPVR), which essentially allows concessionaires the time needed to recover their NPVR expectation built into the BCFM attached to their contract. When this NPVR is achieved, the concession ends. Traffic risk is avoided in this process. We consider the merits or otherwise of this approach and its possible implications for new and for existing contracts should be more fully explored by the NSW Government.

Current toll regulation through contracts gives significant incentive for concessionaires to seek improvements in efficiency and lower costs so they are unlikely to want to give any of this away. But contracts may impose restrictions which entail unavoidable costs and removal of the restrictions may enable the costs to be avoided. Some restrictions on financing arrangements may be in this category. Whether the benefits of doing this outweigh the costs is a matter that should be considered.

### **Reforms to toll relief**

Toll relief may contribute to the objectives of toll reform. It may deal with concerns about tolls that may not otherwise be able to be rectified. It may provide transitional assistance until reforms are put into place. It may attempt to deal with issues that are really beyond the scope of tolls but provide some comfort or support to the recipients. Whatever the objective, it is desirable that it be clearly articulated and addressed in a least cost way. Our general presumption is that the government should aim for tolls to be set as efficiently, fairly, transparently and simply as possible and avoid the need for toll relief. Significant benefits could be achieved by the whole community if funding was diverted from existing toll relief schemes into reducing tolls. The review considers that toll relief could be reformed by applying the following principles.

If toll relief is considered necessary, it should:

- be targeted to those most in need, to the extent practicable
- the assessment of need would take account of whether the motorist has viable alternative travel options, such as public transport
- avoid unnecessary distortion to tolls
- apply to travel over the whole toll network; and
- have clear objectives, be monitored and transparently evaluated.

### Vehicle classifications and multipliers

Tolls currently vary by class of vehicle based largely on vehicle dimensions. Class A covers vehicles of 2.8 metres or less in height and 12.5 metres in length. There are a few variations to this affecting the Eastern Distributor and M5 South-West motorway, which should be removed for consistency.

Class A dimensions cover ordinary vehicles mainly and class B covers all vehicles exceeding Class A dimensions. Toll charges for Class B are generally a multiple of those in Class A. There are significant variations between roads as to what this multiple is. On the Sydney Harbour Crossings the multiple is 1 (one-way only); on the Cross City Tunnel and Eastern Distributor (one-way) it is 2; on Lane Cove Tunnel it is 3.4 and on the other five toll roads it is 3. The Review is proposing a modified vehicle classification structure and uniform definitions and multipliers across all the tolled motorways, consistent with the network tolling uniformity objective. Summary of recommended changes to vehicle classes and multipliers provided below.

Figure 0.6 Recommended future vehicle multiplier arrangements.

	Definition	Multiplier	Current toll classification	Proposed new classification
Motorcycle (a new class)	A two wheeled motor vehicle, including motor vehicles with a trailer or side car.	0.5	A	1
Car (Class A)	A vehicle that is: <ul style="list-style-type: none"> <li>• not a motorcycle</li> <li>• is 2.8 metres or less in height</li> <li>• and 12.5 metres or less in length.</li> </ul>	1	A	2
Mid Class Heavy Vehicle	A vehicle that is <ul style="list-style-type: none"> <li>• not Class 1 or 2 and</li> <li>• 3.3 metres or less in height and</li> <li>• 12.5 metres or less in length.</li> </ul>	2	B	3

	Definition	Multiplier	Current toll classification	Proposed new classification
Other Heavy Vehicle (Class B)	A vehicle that is not Class 1, 2 or 3	3	B	4
Notes:	Vehicle dimensions include the dimensions of loads and trailers, except towed recreational vehicles, as registered, which will be rated on the towing vehicle only. The classifications based on axle counts are superseded.			

Source: Independent Toll Review

The Review considers that the impact of these changes should be closely monitored to assess whether the reduction in multiplier for Mid Class Heavy Vehicles achieves the objective of encouraging more of these trucks to use the toll motorways rather than ancillary and local roads. If not successful, the higher multiplier may need to be restored to better balance toll revenues.

We consider that the multiplier on very heavy, high productivity vehicles could be increased based on costs imposed on the roads but have not recommended it at this stage given the impact of other network toll changes affecting these vehicles. Higher productivity vehicles will also have greater capacity to pay.

We note that NSW Government has announced a Freight Policy Reform Program to improve the safety, sustainability and productivity of freight transport, which is currently engaging with industry and the public. Our recommendations should be considered alongside the work of this program, and the outcomes of the current two-year trial offering rebates on current Class B multipliers to vehicles travelling on the M5 East and M8.

## 10. Assessment of toll reforms

The Review has undertaken traffic and modelling of relevant scenarios relating to the introduction of network tolling. Sensitivity testing of key assumptions has also been undertaken.

We have tried different ways of applying our declining distance and infrastructure charging approach, and improved it based on the results. Through modelling we considered how changing and lowering the tolls will affect the drivers' benefits, such as paying less in tolls and travelling faster; and how it will affect the road network, such as more cars using the toll roads, and reduced congestion on toll roads, ancillary and local roads. We anticipate this work continuing and being further refined after the Review and before network tolls are introduced.

The traffic models used have been developed by TfNSW and independent experts over time to world class standard. The key inputs for the traffic modelling process included:

- Traffic Demand: inputs were based on 2022 forecast land use and demographics for Sydney (which determines the size of the travel market) and spatial distribution of employment which significantly shapes travel patterns across the city.
- Transport Network: inputs were based on the physical transport infrastructure and services (including the road network and public transport services), as well as monetary costs (e.g. tolls, parking and public transport fares) which influence travellers' options to travel.
- Economic and Behavioural: Sydney toll roads use various measures to determine toll increases and affordability. These include the Consumer Price Index (CPI) and Average Weekly Earnings (AWE). Updated Value of Travel Time Savings (VTTs) inputs, based on 2023 surveys, were used to estimate users' willingness to pay for travel time savings.

- Observed traffic behaviour: The traffic model has been calibrated and validated using a range of observed datasets which describe the use of the Sydney road network. This includes traffic counts at around 1,000 locations across Sydney, travel time data for key corridors and travel patterns from the Household Travel Survey.
- Modelling was conducted for 2026, considered the earliest possible year for implementing toll reform, and for 2031, 2041 and 2051 when all committed toll roads and major motorway upgrades, such as the Western Harbour Tunnel, M6, Sydney Gateway, M12, and M7 widening, are expected to be operational. However, as the future trends largely mirror those of 2026, the focus of discussion in the Report is 2026.

Three scenarios were modelled, which we refer to as Status Quo; Network Toll Restructure; and Network Toll Restructure and Reduction. These are described in [Figure 0.7](#). The network toll scenarios can be compared to the Status Quo and to each other. The network scenarios are presented as bookends of what we anticipate could apply. On the spectrum of possible outcomes between these ‘bookends’, our preference would be to see something closer to the Network Toll Restructure and Reduction scenario end than the Network Restructure scenario alone.

Figure 0.7 The network scenarios compared to the Status Quo and each other

	Status Quo	Network Toll Restructure	Network Toll Restructure and Reduction
Tolling structure	Based on the continuation of existing tolling arrangements into the future individual concessions	<ul style="list-style-type: none"> <li>• Declining distance and infrastructure charge.</li> <li>• Total tolls paid is equal to Status Quo (2026).</li> <li>• Reduction in tolls through reinvestment of additional revenue flowing to government from a) two-way tolling to lowering tolls, and b) the introduction of heavy vehicle multipliers on the Sydney Harbour Crossings.</li> </ul>	<ul style="list-style-type: none"> <li>• Declining distance and infrastructure charge.</li> <li>• Total tolls paid by motorists is equal to the Status Quo 2026, less \$650m per year (real 2026) of additional funding sources within the tolling system.</li> <li>• Reduction in tolls through reinvestment of additional revenue flowing to government from a) two-way tolling to lowering tolls, and b) the introduction of heavy vehicle multipliers on the Sydney Harbour Crossings.</li> </ul>
Toll relief	Assumes continuation of M5 Cashback.	Assumes continuation of M5 Cashback.	Assumes continuation of M5 Cashback.
Two-way tolling	<ul style="list-style-type: none"> <li>• One-way tolling continues on the</li> </ul>	<ul style="list-style-type: none"> <li>• Two-way tolling is in place on the ED and the SHC from 2026.</li> </ul>	<ul style="list-style-type: none"> <li>• Two-way tolling is in place on the ED and the SHC from 2026.</li> </ul>

	Status Quo	Network Toll Restructure	Network Toll Restructure and Reduction
	Eastern Distributor (ED). <ul style="list-style-type: none"> <li>Two-way tolling is in place on the Sydney Harbour Crossings (SHC) from Western Harbour Tunnel (WHT) opening assumed to be in 2028.</li> </ul>	<ul style="list-style-type: none"> <li>WHT is assumed to be part of the SHC from 2028.</li> </ul>	<ul style="list-style-type: none"> <li>WHT is assumed to be part of the SHC from 2028.</li> </ul>
Vehicle classes	Two vehicle classes: Class A and Class B as per the current arrangements.	Four vehicle classes: Class A and Class B, a new class for motorcycles, and a new class for MCHV.	Four vehicle classes: Class A and Class B, a new class for motorcycles, and a new class for MCHV.

Source: Independent Toll Review

Inputs for modelling Network Toll Restructure and Network Toll Restructure and Reduction scenarios

Figure 0.8 Indicative Network Toll Restructure and Network Toll Restructure and Reduction structures in nominal 2026 dollars

	Network Toll Restructure	Network Toll Restructure and Reduction
Declining distance rate components		
Toll for first distance segment	\$0.65/km	\$0.50/km
Distance segment length	4 km	4 km
Declining percentage	15%	15%
Infrastructure charges		
Sydney Harbour Bridge, Sydney Harbour Tunnel (Western Harbour Tunnel assumed to be aligned from 2028)	\$4.70 (peak) \$1.70 (off-peak)	\$4.20 (peak) \$1.60 (off-peak)
Cross City Tunnel	\$5.00	\$3.00
Eastern Distributor	\$6.00	\$3.00
Lane Cove Tunnel	\$4.00	\$2.00
NorthConnex	\$5.00	\$2.00
WestConnex – M8	\$2.50	\$0.50



	Network Toll Restructure	Network Toll Restructure and Reduction
WestConnex – M4-M8 Link (Haberfield to St Peters)	\$4.00	\$1.00
WestConnex – M4-M8 Link and Rozelle Interchange (Haberfield to Rozelle)	\$1.50	\$0.50
WestConnex – M4-M8 Link and Rozelle Interchange (St Peters Interchange to Rozelle)	\$2.50	\$0.50
WestConnex M4 East Tunnels	\$1.50	\$0.50
WestConnex M5 East Tunnels	\$1.50	\$0.50
M6 Stage 1	\$0.50	\$0.50
Vehicle class multipliers		
Motorcycles	0.5x	0.5x
Light Vehicles	1.0x	1.0x
Mid-Class Heavy Vehicles	2.0x	2.0x
Large Heavy Vehicles	3.0x	3.0x
Point toll		
Military Road E-Ramps	\$2.15	\$2.15

Source: Independent Toll Review

### Modelling outputs

Analysis suggests that changes in tolls and travel times under network tolling, when considered together, are favourable for motorists in Sydney's outer north, south and west. Most travellers across the network will enjoy faster journey times and lower toll costs. Benefits to motorists are greater under the Network Restructure and Reduction scenario than the Network Restructure scenario. Importantly significant travel time savings occur on ancillary and local roads with diversion to the toll roads especially under the Network Restructure and Reduction scenario.

The analysis suggests that two-way tolling on the Eastern Distributor, and the Sydney Harbour Crossings are the changes that are contributing most to some motorists experiencing unfavourable outcomes, not the general structure of network tolls.

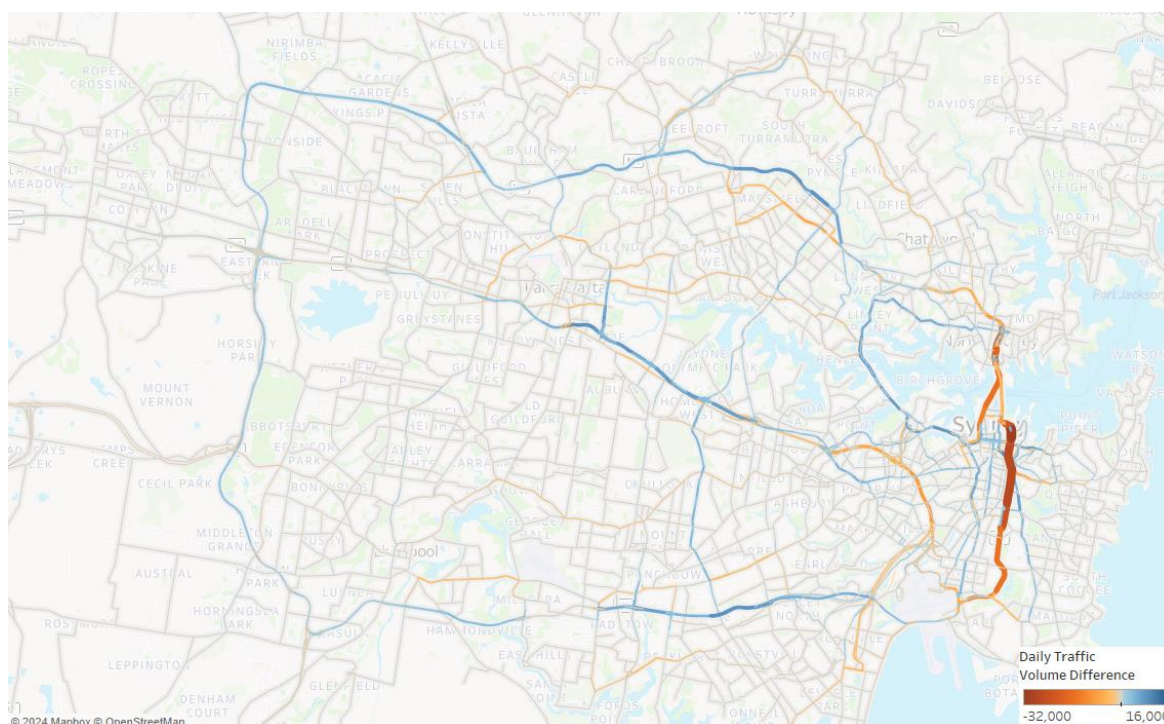
The introduction of network tolls is anticipated to alter motorist behaviour. Traffic impact analysis (shown below) indicates forecast changes in traffic patterns for an average school day in 2026. In some areas (marked orange to red), a reduction in traffic volumes is expected. This reduction is likely to lead to increased network speeds, thereby contributing to overall travel time savings. In contrast, other areas show a forecast increase in traffic volumes (marked in blue). This could mean better use of roads with available capacity. Conceivably there could be added pressure on parts of the road network, requiring further study of options at a more detailed level, including modifying tolls or adjustment of the parameters available in the proposed tolling system, to address this.

### Network Toll Restructure scenario

The Volume Difference Plot illustrates an increase in the volume of trips on tolled roads around the M2, M4, and M5 East sections of the network compared to the Status Quo. Along these corridors, there are often reductions in volume on alternative road routes.

Conversely, traffic is expected to be diverted from motorways such as the Sydney Harbour Bridge and Tunnel, Eastern Distributor, and M8. For the first two, this is primarily due to the introduction of two-way tolling, with the Sydney Harbour Bridge and Tunnel also incorporating time-of-day tolls. Traffic modelling estimates that the modelled time-of-day tolls will reduce traffic volumes on the Harbour Crossing during peak periods and increase traffic during off-peak times. This results in a net decrease in demand for the Harbour Crossings. As a result, alternative routes like the Iron Cove Bridge and Anzac Bridge will experience increased traffic during peak periods and decreased traffic during off-peak times. Whilst this may demonstrate the impact of the changes to peak and off-peak tolls on the Sydney Harbour Crossings that were modelled, this is not an outcome we would want to see. Further adjustments to model inputs can be made to deal with this and optimise network traffic flows.

Figure 0.9 Daily Traffic Volume Difference Map – Status Quo vs. Network Toll Restructure

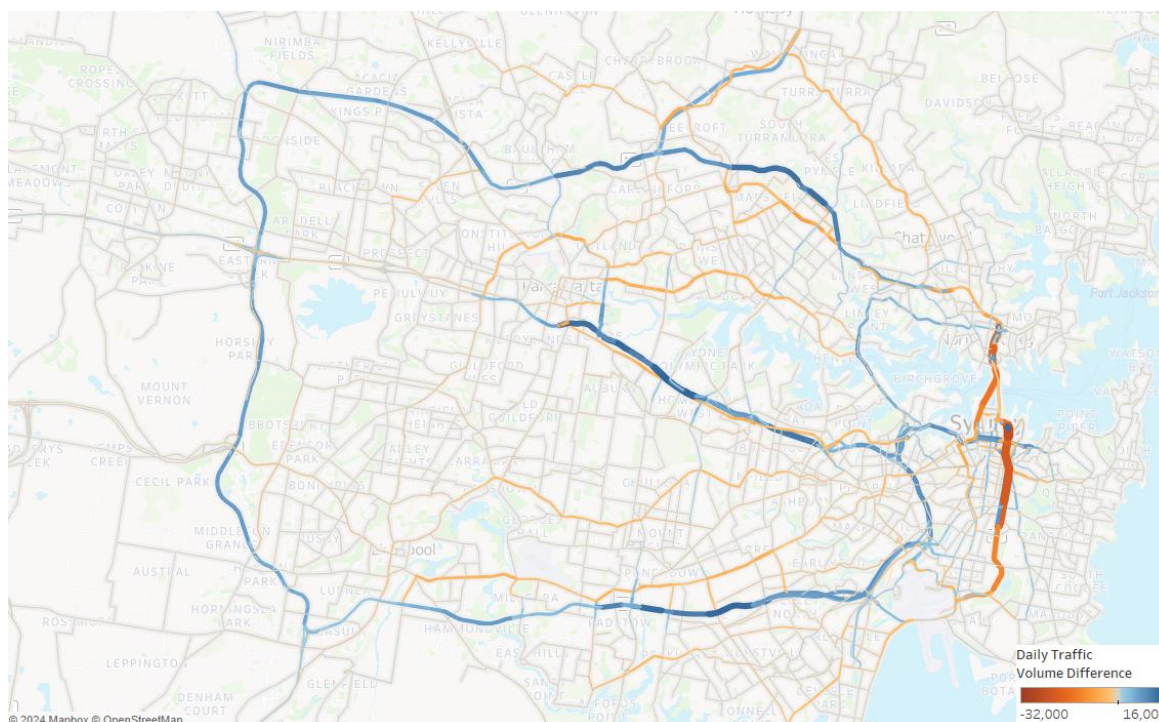


Source: Independent Toll Review

### Network Toll Restructure and Reduction scenario

Traffic volume increases are forecast for the M2, M4, M5 East and M5 South-West, and M7 compared to the Status Quo due to the reduction in tolls under this option. Conversely, traffic reductions are forecast for the Sydney Harbour Crossings and the southbound direction of the Eastern Distributor. The implementation of two-way tolling is again expected to add pressure to roads nearing capacity. A review of daily traffic changes suggests that some mitigation options will need to be investigated to alleviate any potential decrease in road user experience on the M2, M7, and M5 South-West toll roads, as well as key roads such as River Road, Victoria Road, and James Ruse Drive. However, with the opening of the Western Harbour Tunnel, traffic forecasts indicate that traffic may divert from River Road and Victoria Road to the Western Harbour Tunnel.

Figure 0.10 Daily Traffic Volume Difference Map – Status Quo vs. Network Toll Restructure and Reduction



Source: Independent Toll Review

As a snapshot of the outcomes from network tolling, the average toll has been calculated and compared to the Status Quo. This has been completed for Class A vehicles and all vehicles.

Figure 0.11 Average toll by scenario in 2026

Vehicle type	Status Quo	Network Toll Restructure	% reduction: Network Toll Restructure compared to Status Quo	Network Toll Restructure and Reduction	% reduction: Network Toll Restructure and Reduction compared to Status Quo
Class A	\$9.02	\$7.62	16%	\$5.43	40%
All vehicles	\$11.18	\$9.11	19%	\$6.48	42%

Source: Independent Toll Review

Average tolls are lower in both network toll scenarios, for all vehicles, as compared to the Status Quo scenario, but especially with the Network Toll Restructure and Reduction scenario.

A significant factor in the lower average tolls in the network tolling scenarios is that more trips in these scenarios involve paying a toll. This is largely due to the introduction of two-way tolling on the Sydney Harbour Crossings and the Eastern Distributor. With more trips paying a toll, the average toll per tolled trip reduces. Another factor is the introduction of multipliers for heavy vehicles, including the proposed MCHV class on the Sydney Harbour Crossings, which will generate additional revenue.

The reductions in average tolls are significant. For Class A vehicles, average tolls compared to the Status Quo drop by 16% with the Network Toll Restructure scenario and 40% with Network Toll Restructure and Reduction scenario. The equivalent changes for the All Vehicles are 19% and 42% respectively.

Neither of the network toll scenarios we have presented is the final or optimal solution. A more realistic scenario would be somewhere between them, in the direction of the Network Toll Restructure and Reduction scenario, balancing the trade-offs between revenue generation, traffic management, equity and affordability.

The tables below show the proportion of Class A trips (by trip length band) where tolls are expected to increase and decrease under each of the network toll scenarios.

Figure 0.12 Class A, indicative toll difference, Network Toll Restructure compared to Status Quo, 2026

Class A, Toll difference, Network Toll Restructure compared to Status Quo, 2026							
Trip distance	\$3+ lower	\$1-3 lower	\$0-1 lower	\$0-1 higher	\$1-3 higher	\$3+ higher	Total % of trips
<10 km	3%	10%	6%	14%	3%	16%	52%
10-25 km	3%	9%	5%	7%	4%	3%	32%
>25 km	4%	4%	3%	1%	4%	1%	16%
All trips	11%	23%	14%	22%	10%	20%	100%

Source: Independent Toll Review

Figure 0.13 Class A, indicative toll difference, Network Toll Restructure and Reduction compared to Status Quo, 2026

Class A, Toll difference, Network Toll Restructure and Reduction compared to Status Quo, 2026							
Trip distance	\$3+ lower	\$1-3 lower	\$0-1 lower	\$0-1 higher	\$1-3 higher	\$3+ higher	Total % of trips
<10 km	10%	13%	10%	2%	3%	14%	52%
10-25 km	17%	7%	4%	0%	0%	2%	32%
>25 km	14%	1%	1%	0%	0%	0%	16%
All trips	41%	22%	15%	2%	3%	17%	100%

Source: Independent Toll Review

The tables indicate:

- The shares of trips by distance bands are consistent across both network toll scenarios, and most trips are shorter trips of less than 10 km (52%).
- With the Network Toll Restructure scenario, the proportion of trips with lower tolls (48%) and higher tolls (52%) is relatively similar.
- The Network Toll Restructure and Reduction scenario has more and bigger trip toll reductions; around 78% of trips pay less tolls.

The Final Report contains a geographic representation of the average toll change for private vehicles under the Network Toll Restructure scenario and Network Toll Restructure and Reduction scenarios relative to the Status Quo (Figures 10.10 and 10.11).

Also in the Final Report are details of tolls for selected trips under the Network Toll Restructure and Network Toll Restructure and Reduction scenarios compared to the Status Quo (Fig. 10.12). They show many routes where vehicle classes experience lower tolls under the network tolling scenarios.

The selected trip toll data indicates network tolling maintains a correlation between distance and tolls, but the declining distance kilometre rate generally results in lower tolls for long-distance trips compared to the Status Quo.

Network tolling also offers motorists clear benefits on the M2 and M5 South-West, where currently drivers incur charges when they pass fixed toll points. Under network tolling motorists pay instead a declining distance charge for the actual distance they travel (and infrastructure charges as applicable), leading to lower tolls.

There are routes where tolls are forecast to increase. Introducing two-way tolling on the Eastern Distributor and Sydney Harbour Crossings along with higher infrastructure charges on these routes, increases tolls for certain trips, such as those from the CBD or north of the Harbour Bridge to Sydney Airport.

Additionally, the cumulative nature of infrastructure charges raises tolls for routes involving multiple ventilated tunnels and/or the Sydney Harbour Bridge, despite the individual charges being relatively low.

There are some routes where the effects of both two-way tolling and multiple infrastructure charges are evident, resulting in higher tolls.

The introduction of the MCHV class generally leads to lower toll costs across the network for this vehicle class, as it has a multiplier of 2x under network tolls, compared to 3x under the Status Quo.



Heavy Vehicles also generally have a lower set of tolls under network tolls. Exceptions, where tolls are higher for Heavy Vehicles and the MCHV class, occur mainly where tolling has been expanded (northbound tolling on Sydney Harbour Crossings and southbound tolling on the Eastern Distributor) or charging by vehicle class introduced (Sydney Harbour Crossings).

### Sensitivity analysis of results

Sensitivity analysis assists in understanding how modelled travel behaviour changes in response to changes in input assumptions. For example, if we lower the toll per kilometre by a small amount, does the model predict a large or small change in the number of vehicles using toll roads? By doing this kind of analysis we can identify which assumptions are most influential on the modelled outcomes.

Results of sensitivity testing undertaken for the Review on the Network Toll Restructure scenario 2026 are shown below. In general, changes to the VTTS parameters resulted in a larger proportional shift to the number of toll road users. Average tolls were more sensitive to changes in the initial distance segment toll, as opposed to alterations to the segment distance or declining rates. An initial distance segment reduction from \$0.65/km to \$0.60/km increased daily traffic on the network by approximately 23,000 vehicles but resulted in \$120 million less in annual total tolls paid.

Figure 0.14 Modelling sensitivity tests, per cent change from Network Toll Restructure, 2026 all vehicles

Sensitivity test	Change in average school-term weekday toll road users	Change in annual total tolls paid	Change in average toll
Decrease initial segment toll from \$0.65/km to \$0.60/km	+2.0%	-3.6%	-5.5%
Decrease segment distance from 4km to 3km	+0.8%	-4.6%	-5.3%
Increase declining distance rate from 15% to 20%	+0.4%	-3.9%	-4.4%
Decrease all infrastructure charges by 10%	+0.6%	-1.8%	-2.3%
Increase VTTS parameters for all trip purposes and vehicle classes by 20%	+5.9%	+6.6%	0.6%
Decrease VTTS parameters for all trip purposes and vehicle classes by 20%	-7.6%	-8.4%	-0.9%

Source: Independent Toll Review

The sensitivity analysis demonstrates the flexibility of the declining distance and infrastructure charging approach, and how small adjustment to tolling components result in different outcomes. The initial segment toll, segment distance block sizes, declining distance rate and variable fixed infrastructure charges can all, either separately or in combinations, be varied as required to achieve different traffic and tolling outcomes across the network as a whole and importantly at particular parts of the network. For example, increasing the declining distance rate from 15% to 20% generally attracts more trips along corridors that enable long-distance travel, such as the M2 and M7. Conversely, reducing some infrastructure charges has larger impacts on the east side, especially on the Eastern Distributor.



## 11. Institutional reforms

The introduction and operation of network tolls and related reforms will require new institutional arrangements. This will be the case irrespective of the precise way in which network tolls are implemented. Implementation could be either through government-concessionaire negotiation or be government-led.

The Review has proposed the establishment of a State-owned tolling body (NSW Motorways) to lead the reform process and be responsible for determining network tolls in consultation with concessionaires and other stakeholders. It is also recommending IPART have a significant role in oversighting tolls and contributing to the understanding of tolling issues. Legislative change will be necessary to underpin the change to network tolls.

### NSW Motorways

The Review considers that the NSW Government should take control of motorway tolls and the motorist experience through NSW Motorways. It should have responsibility for driving the toll reform agenda. NSW Motorways should be a separate and dedicated State-owned entity with full day-to-day independence over the operational and commercial decisions it takes to achieve the expectations placed upon it by government. Its objectives should align with the long-term interests of NSW motorways and motorists. One of its objectives should be the promotion of competition where feasible and desirable. NSW Motorways should apply a pro-competition focus to every aspect of its decision-making. NSW Motorways would be expected to engage staff with the necessary expertise to perform its functions. With investment over time, NSW Motorways will build strong public sector capability and expertise in its tolled motorways providing government and motorists with enhanced value for money.

NSW Motorways will operate the network trip reconstruction engine (C2.5). It will receive the data collected and processed by individual toll roads and determine the value of each individual trip across one or more separate toll roads based on the new network tolling model. NSW Motorways will provide the necessary trip data to toll retailers to ensure the right amounts are charged to motorists and remitted to toll road operators.

It is proposed that the E-Toll toll retailer business could transfer from TfNSW to NSW Motorways. NSW Motorways, as a dedicated body with greater autonomy, is expected to be able to provide a stronger user focus and be a more proactive competitor.

TfNSW currently issues toll notices (on behalf of toll road operators) to motorists who have not arranged to pay their tolls within 72 hours. It is proposed that this 'fee-for-service' function also transition to NSW Motorways. NSW Motorways would take over from TfNSW in relation to toll notice improvements (e.g. digitised toll notices, immediate notifications and renaming 'toll notices' to 'invoices').

Richer customer-level data will assist NSW Motorways in assessing and modelling the customer impact of toll adjustments and reforms. NSW Motorways will be in a position to understand the characteristics, circumstances and preferences of all toll road users regardless of their choice of toll retailer.

NSW Motorways will work with industry and relevant government agencies to lead the implementation of motorist experience improvements. It will do this as a toll retailer and through a significant customer advocate role.

The Review sees potential merit in a broader role for NSW Motorways as: (i) an operator of government-owned toll roads, and/or (ii) the government counterparty for concession agreements with the private sector. Transferring road ownership would make NSW Motorways a more conventional roads authority, taking a direct role in the development and operation of the toll road network, and directly managing concession contracts. It may also be empowered to undertake direct borrowings and investment if required.

There appears to be significant potential benefits to be achieved by bringing public toll road assets and PPP contract management responsibilities into NSW Motorways. However, there is the potential for conflicts of interest if NSW Motorways was both the network toll setter as well as the operator of some toll roads. These potential conflicts would need to be addressed in appropriate ways, such as ring-fencing governance of regulatory functions from market functions. The involvement of IPART in overseeing toll setting (discussed below) may also assist in dealing with any potential conflicts, real or perceived, if government wished to proceed with a vertically integrated operating model for NSW Motorways.

### **Concessionaire negotiations and revenue adjustments**

Under the current system the tolls paid by motorists are set out in toll schedules in concession agreements. The introduction of a unified system of tolling will change the tolls motorists pay from what is currently in place. This change in tolls is likely to change traffic volumes and toll revenue on each individual toll road – some toll road operators would receive more toll revenue, and some less revenue, than expected under existing contractual arrangements.

A government-concessionaire negotiated approach to establishing network tolls may be possible, with concession agreements then being amended to encompass the new network tolls, as concession owners have shown a willingness to achieve network reform. However, to ensure the deliverability of toll reform outcomes, a Revenue Adjustment Mechanism should be developed where, as far as possible, toll road operators receive a similar amount of revenue as they would have received had motorists been charged under existing toll arrangements in the event that a negotiated outcome is not achievable.

### **Principles for a Revenue Adjustment Mechanism**

Different assumptions, criteria, models and processes can be adopted to achieve revenue adjustment. As a starting point, the Review assumed, as a minimum, that revenue available from two-way tolling on existing toll roads that are currently only tolled one-way, could be injected into the setting of new network tolls. Additional funding sources identified by government and concessionaires can also be applied to support toll reduction as well as restructure.

This will enable some trips to be cheaper for motorists than under Status Quo tolls and, without revenue adjustment, result in some toll road operators collecting less toll revenue relative to the Status Quo. It is proposed that any additional toll revenue earned by operators, together with the toll revenue raised from two-way tolling and other funding sources, be used to 'true-up' the revenue shortfall of those operators that receive less revenue under new network tolls.

Our approach at this stage in considering revenue adjustment is primarily focused on the system as a whole. At the level of each individual toll road operator, we expect a similar approach can be adopted.

We considered potential options for revenue adjustment that were aimed at achieving as far as possible the following principles:

1. Motorists pay, in aggregate, no more than they would under the current tolling regime.
2. There is no cost to the government, other than the implementation cost to establish network tolling and the contribution of revenue raised from two-way tolling.
3. Toll road operators should receive a similar amount of expected revenue as they would have received had motorists been charged under existing toll arrangements (the 'status quo').

In the event that agreement to amend the concession agreements cannot be reached, the NSW Motorways entity should have powers to apply revenue adjustment principles to resolve the revenue adjustment outcome. A centralised independent issue resolution process would support the process.

It is expected that there will be close consultation with toll operators, and all interested parties, in establishing this framework. Enabling the implementation of revenue adjustment via legislation will ensure a timely, effective and equitable outcome for all stakeholders, and transparency for the public who can see where their toll revenue is going.

To support the Revenue Adjustment Mechanism, it is proposed that a toll operators' fund be established to enable the distribution of network toll revenue (including two-way toll revenue and other funding sources) between toll road operators and ensure that each toll road operator is paid the amount due for vehicles travelling on its toll road.

### Principles for revenue adjustment

Two options were developed for preliminary consultation with toll road operators and their investors:

**Option 1 – status quo traffic forecast:** Under this option, toll road operator revenue would be determined by the application of tolls under existing contracts (being the tolls that would have applied if network tolling were not introduced) to forecast traffic volumes expected to have occurred had there been no change to tolls for motorists. The toll road operator's status quo traffic is forecast by modelling the traffic expected under existing contract tolls. The toll road operator's revenue is determined as a calculation of contract toll multiplied by the modelled traffic volume. Conceptually, this keeps toll operators 'whole' from a revenue perspective. A significant side effect of this approach is that it allocates traffic risk and opportunity to the government.

**Option 2 – price elasticity of demand:** This approach works off actual traffic volumes rather than by forecasts. At the aggregate level, the actual traffic volume would be discounted to the extent that the volume was boosted by the lower tolls brought about by support from funding sources (the elasticity adjustment). The elasticity coefficient would initially be determined by forecasting the elasticity coefficient discount. After a period of time under network tolling, the forecast elasticity coefficient could be updated to reflect actual traffic volumes observed from the change in tolls. Under this option, toll road operator revenue remains a function of actual traffic volume and therefore toll operators remain exposed to underlying traffic demand risk and opportunity. This option avoids the problem of traffic risk transfer in option 1.

The preference of concessionaires is to work in partnership with government on potential solutions that could be implemented as a one-off adjustment or reset to support implementation of network tolling rather than having a Revenue Adjustment Mechanism applied. The Review supports a government-concessionaire negotiated approach as long as it meets the end 2024 target timeline but would still want to see motorists being billed once for each trip, not separately for the components of the trip provided by different toll road operators. A statutory-backed Revenue Adjustment Mechanism would be an important backstop to this.

### There are opportunities for IPART to contribute to reform

The involvement of independent regulators such as IPART in NSW is common in industries where substantial investments and inelastic demand are present, including where there is private ownership. These include water, energy, rail and airports.

IPART is established through the *Independent Pricing and Regulatory Tribunal Act 1992* (IPART Act), which sets out its primary functions and governance. IPART's involvement in network tolling issues would bring expertise and greater transparency to the consideration of tolling issues and the impacts of reform.

Industry participants did not generally favour a toll regulation role for IPART as was promoted by academic commentators and strongly supported by other groups and motorists, including the NRMA.

Any involvement of IPART would need to have regard to the provisions in concession contracts as well as its own Act and any other relevant legislation. In current circumstances we do not consider IPART needs to have a role of determining network tolls, but we would not rule out this possibility for some time in the future. We see three important roles for IPART at the current time:

- Price monitoring
- Investigation or analysis of specific tolling issues
- Recommendations on tolls

Annual monitoring would support transparency and public confidence in tolls. It could assist in monitoring the impacts of reforms and related concession-related matters, including progress of concessionaires in realising their BCFM expectations. It could usefully assess the operation of toll relief schemes.

IPART should commence an investigation as soon as possible into the appropriate methodology for assessing tolls. In referring this matter to IPART, the relevant Minister should request that IPART take the Proposed New Tolling Principles into consideration.

IPART could provide input and advice to NSW Motorways on tolls, including advice on time-of day-tolls.

### Legislation

Legislation is needed to provide the framework for the reforms proposed by the Review. Preliminary consideration has been given to what the legislative package should include. It is acknowledged that significant further review and consultation is required to develop the draft legislation.

It is anticipated the reforms would be implemented through a toll reform bill which would include changes to the *Transport Administration Act 1988* (TAA) (to establish NSW Motorways and any statutory functions) and to the *Roads Act 1993* (Roads Act) and *Roads Regulation 2018* (Roads Regulation). The Roads Act and Roads Regulation would be the vehicle for reform of tolls.

A new division would be introduced into the Roads Act, largely replacing the existing tolling provisions.

The proposed bill (together with revised Roads Regulation) would:

- enable efficient, fair, simple and transparent tolls for motorists
- strengthen consumer rights through the establishment of the tolling customer advocate
- improve transparency of decision-making about tolling
- provide for any necessary revenue adjustment principles
- simplify compliance and enforcement
- protect the interests of road owners and lessees in a network tolling scheme
- clarify, as necessary, respective roles and responsibilities of NSW Motorways and TfNSW.

### Establishing NSW Motorways

NSW Motorways would be established under a new part inserted into the *Transport Administration Act 1988* (TAA). NSW Motorways would have the functions conferred on it under the TAA, the Roads Act, and any other relevant Act. A list of suggested functions, powers and obligations is as follows:

Asset owner functions

- Commission infrastructure and systems to facilitate network tolling (including powers to acquire and enter land).

- Operate the network-wide tolling back office for trip processing to ensure the right amounts are charged to motorists and credited to the appropriate road owners.
- Service provider to toll road operators and motorists.
- Manage the toll operators' fund.
- Conduct a business using the assets and staff of NSW Motorways.

#### Retailer functions

- Conduct the E-Toll business of the State on an inter-operable basis.

#### Regulator functions

- Set the toll road network tolls in consultation with concessionaires and in consideration of any recommendations from IPART.
- Promote and drive reform of tolling to enhance transparency and improve the experience for motorists.
- Make revenue adjustment determinations.

The legislation would set out the requirement for NSW Motorways to be overseen by a board of independent directors to be appointed by the relevant Minister.

### Establishing IPART role

The IPART Act provides the framework for the role of IPART. The new legislation would empower IPART (by Ministerial referral) to oversee tolls by providing for three roles:

- price monitoring
- investigation or analysis of specific tolling issues
- recommendation on tolls.

The legislation would also allow IPART to give advice to the Minister on the appropriate maximum roaming fee or mechanism for regulating roaming fees.

Toll road operators and toll retailers will be required to provide information to IPART to enable it to oversee tolls and roaming fees. The legislation would provide IPART with effective information gathering powers to perform this task – equivalent to those the ACCC has for this type of work.

### Phasing

Toll reforms can be seen as occurring over three phases including the establishment of NSW Motorways and new legislation, implementation of network tolls and then identification of further broader reforms. It could be two years before a network system of tolls can be initiated but there are things we recommend that can occur before then, especially reforms to improve the motorists' experience in using toll roads. The Reviewers understand that many will be frustrated about the length of time required to achieve substantive toll reform, however, we are dealing with a legacy of several decades and without these changes this legacy will continue until at least 2060, when the last of the current concessions are due to expire.

#### Phase 1

Phase 1 involves legislation being passed by the government to:

- Provide clear authority, and set criteria, for tolls to be set on a more uniform basis across the network.

- Establish NSW Motorways to assume responsibility for setting network tolls in the future. It would be expected that NSW Motorways would initially move to implement the network structure recommended by the Review.
- Establish a role for IPART to assist network toll setting by NSW Motorways.
- Provide a mechanism to resolve expeditiously and fairly, issues relating to the distribution of network revenues to individual toll road operators to maintain the current status quo in this regard in the event that this may be required to progress toll reform.

### Phase 2

Phase 2 will see the implementation of toll reforms to reduce tolls, including the introduction of new network tolls.

The Review supports negotiation as the first avenue for implementing network tolls. In the event the negotiations fail to deliver true reform, the legislation will be ready to invoke.

### Phase 3

Phase 3 of tolling reform might involve consideration of other ways to reduce the toll burden on motorists by, for example:

- Removing tolls from some roads if the State had the financial capacity.
- Broadening the tolling base by incorporating motorways that are now part of the continuous network but remain untolled. Exemptions from the tolled network create distortions and complicate operation of the tolled network. Including them within the tolled network would be consistent with the efficiency, fairness, simplicity and transparency criteria used to evaluate existing tolls. This may be appropriate in the longer-term particularly with the likelihood of broader road pricing reforms being introduced. However, as it would be contrary to existing government policy to impose tolls on currently untolled roads and also road pricing is not within our terms of reference, we have made no recommendation on these particular matters.
- Amending the approach to PPP agreements to enhance competition. This may involve taking a stronger approach to designing contracts which are consistent with the promotion of competition and improving toll setting processes.

## 12. Competition reforms

Transurban's high toll road market share is likely to give it significant incumbency advantages over other competitors in the market, and over potential competitors. This is despite the requirements imposed on the company by court-enforceable undertakings in 2018 to publish traffic data useful in modelling for concession bids. The company has been able to capture efficiency gains from its growth in market share over time. Through its partnership with the government across the toll road industry, it has been able to garner significant political influence. The company is in a position where it can have considerable influence over transport planning and policy matters, including toll reform.

Transurban's view about toll reform is critical because of its influence in the market. If the market was less concentrated with more competitors toll reforms might be easier. This is not to suggest, however, that there would not have been similar difficult issues to deal with.

Nevertheless, toll reform may itself provide opportunities for other measures to be considered that may help to enhance competition in the longer term. Ensuring that IPART is able to monitor prices and concession performance, report publicly on its work, and provide expert commentary to NSW Motorways and government would be an important step to enhance the transparency of tolls.



There may also be potential for government-owned toll roads to have greater influence on the industry as new roads and tunnels are constructed and remain in government ownership. There are steps that could be taken to achieve better outcomes from competition for the market when new concession agreements become available or extensions to existing agreements are in contemplation. The government could look to revamp tender processes to better reflect the importance of promoting effective competition for the market. This may involve:

- ensuring that there are always a number of competing bids
- ensuring that the bidders are all well informed about the operation of the network, traffic flows and volumes and financial performance of roads that make up the network
- ensuring that bid evaluation criteria focus on the importance of minimising tolls (or adhering to network tolls where these apply) and costs subject to achieving other relevant quality and service outcomes
- ensuring that bid evaluation criteria include consideration of the impact on industry concentration.

An important consideration in relation to concessions concerns the allocation of risks between the contracting parties. This allocation can have significant competition consequences, as well as consequences for tolls. Transurban's in depth knowledge and management of demand risk arguably still gives it an advantage over potential rivals. Not having traffic risk, as for example is the case with availability PPPs, would likely attract new classes of investors who are looking to invest in more stable and certain income streams.

Concession length is related to the issue of traffic risk. Concession length could be determined according to when revenue, including traffic forecasts, determined at the start of the concession were fully realised. Setting concession length in this way may lead to longer or shorter lengths than would have been set in the more traditional way.

Reduced concession lengths may be more conducive to the promotion of competition and toll reform as they give opportunity to renew contract terms more frequently to better reflect these objectives and bids can be assessed with these objectives more sharply in focus. Conversely, longer concession lengths involve great loss of control for the government and less flexibility to respond to technological and other factors affecting supply and demand over time.

Whilst there are competition benefits from shorter concession lengths, we also recognise the potential strategic benefits that can be obtained by trading off increases in concession length for real reforms to competition and tolls.

An Unsolicited Proposal (USP) arises when a proponent independently approaches the government with a commercial proposition, without any prior request from the government. They are a separate pathway for procurement and involve negotiations with one party rather than competitive bidding. USPs have been significant in the growth of Transurban in the Sydney market. The ACCC has argued they advantage incumbent toll operators and that competitive processes offer better value for money. Under network tolling, stronger consideration to demand management tolling measures could be expected. This consideration should be taken into account when assessing any USP to increase network capacity.

Potential regulation of roaming fees provides a safeguard for new entrants concerned about the possibility that a vertically integrated incumbent concessionaire may use its market power to competitive detriment. IPART involvement in this regulation, rather than NSW Motorways, would overcome concerns about possible conflict of interest here.

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## D: A better system for motorists

### 13. Improving the motorist experience

Setting uniform network tolls which are efficient, fair, transparent and simple should significantly improve the motorists' experience of using toll roads, but there are other aspects of this experience which also need to be improved. These relate to trip planning, travelling on the roads, dealing with retailers and receiving toll notices, making complaints and responding to unpaid bills.

Most of the government focus on toll roads seems to have been on the financial aspects of concession deals. The individual experiences of motorists seem to have had lesser priority. Our aim in this Review has been to ensure motorists are put first.

#### Transparency issues

Transparency is an important issue for motorists and the proposals in our Interim Report to improve online resources, signage, and user-specific information through retail accounts were strongly endorsed by motorists.

The Review considers there are opportunities to:

- revamp statements to be more informative and user-friendly, including:
  - fee breakdowns and links to fee information
  - historical usage data so that motorists can understand how much they spend on tolls
- provide predictions of toll road use for motorists based on factors such as historical use, seasonality, and personal factors
- improve information on retailer websites to improve access to existing toll calculators and content which is currently hard to find
- improve information about cashback and rebates with more prominence to each
- provide personalised reminders and notifications to motorists about their eligibility to claim toll relief
- increase convenience by moving from physical tags to tagless technology.

Transitioning E-Toll's customer base and capabilities to NSW Motorways would position E-Toll to take advantage of these opportunities.

Signage should be improved and incorporate electronic signage where practicable showing tolls, travel times and hazards at key decision points as well as along toll routes. Peak/off-peak tolls and dynamic pricing will only prevent congestion from occurring, or encourage motorists to use an underutilised road, if motorists are informed of the higher or lower pricing in advance of the toll road access point.

TfNSW, NSW Motorways and Linkt should work together to develop a 'one stop shop' holistic transport application and corresponding website that provides a single 'source of truth' for motorists and facilitates trip planning. It should also offer features such as trip information and statements, historic spending breakdowns, predictive spend, cost comparisons, rebates and notifications.

Third-party navigation applications should be further customised to be more personalised for the motorist by allowing them to choose which toll roads they are comfortable travelling with as well as showing emissions usage and fuel consumption data for their specific vehicle type, and further integrating tolls within these apps. Relevant apps include Google Maps, Apple Maps, and Waze.

Non-digital education options should be provided to motorists for tolling-related topics. This could include hardcopy pamphlets and brochures distributed at Service NSW Centres and via direct mail when a motorist receives their first toll notice, their first licence or an E-Toll tag.

### **Appointment of a customer advocate**

An important recommendation of this Final Report is the appointment of a customer advocate within NSW Motorways.

This position is intended to bring a dedicated focus to motorist experience improvements. Cooperation across TfNSW, Service NSW and industry will be required to implement our proposed initiatives. NSW Motorways' involvement will help ensure that those key players appropriately prioritise the motorist experience.

The customer advocate will be a contact point for motorists unable to resolve complaints satisfactorily with concessionaires or publicly-owned operators. The customer advocate will seek to investigate and resolve systemic issues raised by complaints. The position will provide a high-profile central point of contact for motorists' complaints and issues of concern.

The customer advocate will champion network-wide improvements based on customer feedback and education programs to improve outcomes for customers.

The customer advocate will monitor progress in implementing transparency reforms proposed by the Review to benefit motorists. Many of these proposals have been suggested before but not acted on.

The transition to network tolling will necessitate an overhaul of the toll collection process. From the customer perspective, there will be a single network toll per trip which may involve multiple toll roads. In the background, via the Revenue Adjustment Mechanism, that toll will be paid to multiple toll road operators. Some aspects of this overhaul will be addressed prior to network tolling when consolidated toll notices are introduced. New 'pain points' are anticipated to emerge with this change. The customer advocate will have a critical role in quickly identifying new issues that arise and working across organisations to resolve them.

The customer advocate should be required to report annually on activities undertaken during the year.

### **Industry Ombudsman**

Our Interim Report contained a preliminary recommendation that the external dispute resolution function for the toll road industry should be established within NSW Motorways. Our final recommendations in relation to toll complaints are to establish a customer advocate role within NSW Motorways and commence discussions with other States to establish a nation-wide external dispute resolution function.

As a customer advocate, NSW Motorways will be able to have a higher impact in promoting positive reform than it could as an external dispute resolution body which would mostly handle disputed debts.

We commented on the role of the Tolling Customer Ombudsman (TCO) in our Interim Report. Our view remains that there is currently no clear external dispute resolution body resolving complaints in relation to tolling in NSW. The TCO is now funded by Transurban as its only customer. The dominance of Transurban raises questions about the independence of the TCO. The TCO suggested, however, there may be merit in a single, statutorily approved external dispute resolution body for tolling across NSW, Queensland and Victoria. Under this model toll road operators and retailers would be required by law to be members of the new scheme. This model has similarities to that adopted for the Australian Financial Complaints Authority and the Telecommunications Industry Ombudsman. Further work is required to assess the justification for such a legislative scheme. The number of complaints relating to toll roads is significantly lower than the financial and telecommunications services industries. Tolling is also largely a state regulated activity, and the laws in each state differ to a degree.

### Unpaid tolls and debt recovery

Improvements to the toll collection process must start with simplifying and modernising toll notices. The Minns government's election commitments to consolidate toll notices and reduce administration fees are an important first step. Consolidated toll notices will save motorists millions of dollars per year in administration fees. In addition, the government should look at:

- digitising toll notices and introducing immediate notifications
- renaming 'toll notices' to 'invoices' to more clearly communicate their purpose
- removing toll notice administration fees and introducing late payment fees to improve fee transparency and provide better incentives for motorists to not delay payment.

Transurban noted its support and advocacy for improvements to the toll notice processes in its submissions to the Review.

Toll notices should also be accompanied by motorist-centric information. For example, motorists should be provided with helpful advice about how the most common underlying causes for inadvertent toll non-payment (e.g. flat E-Tag battery and the licence plate number is not linked to a retail account, insufficient credit card balance) so motorists can act to resolve the problem from causing further unpaid tolls.

Debt recovery can commence if the motorist had no valid arrangement in place (in most cases this will be a working e-tag) and the toll remains unpaid following the specified notice period (typically 14 days) for the second toll notice. We estimate that there is no valid arrangement in place for about \$125 million worth of trips in NSW each year.

Toll road operators can elect to pursue debt through civil proceedings against the registered operator of the offending vehicle or refer toll offences to the State to enforce. Under the criminal enforcement process, issuing the penalty notice is at the discretion of authorised officers within TfNSW.

In most cases, toll road operators elect to pursue civil debt recovery. Criminal enforcement is a regulatory action, not designed for achieving commercial outcomes for toll road operators.

When pursuing civil debt recovery, private toll road operators are bound by Australian and state consumer protection laws. The ACCC and the Australian Securities and Investments Commission have jointly published the *Debt collection guideline: for collectors and creditors*.<sup>3</sup>

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<sup>3</sup> ACCC. (2021, April). Debt collection guideline: for collectors and creditors April 2021. ACCC. <https://www.accc.gov.au/system/files/Debt%20collection%20guideline%20for%20collectors%20and%20creditors%20-%20April%202021.pdf>

The existence of these two pathways can be confusing for motorists. Whether the toll road operator elects one pathway or the other can create a very different experience for the motorist. These issues were highlighted by the Aboriginal Legal Service.

There are good policy reasons for encouraging the use of civil debt recovery wherever possible for toll collection. Civil debt recovery should be encouraged as it allows for more effective customer engagement (including compliance education to prevent non-payment issues arising) and removes commercial incentives from the exercise of regulatory discretions.

There are significant opportunities to improve civil debt recovery practices. The Aboriginal Legal Service's comment that civil debt recovery can be less clear and transparent than the criminal enforcement process highlights the scope for improvement in this area. NSW Motorways, through the customer advocate, can encourage the use of best practice debt recovery practices by toll road operators supported by appropriate government policies. Opportunities include:

- Each toll road operator developing and publishing a customer charter.
- Reviewing any legislative constraints on civil debt recovery. The legislation currently only recognises that the debt can be recovered against the owner of the vehicle. The legislation should potentially be expanded to recognise that the debt may be owed by the driver.
- Strategies to improve the accuracy of contact information available for registered vehicle owners.

### **The time is right for major reform of toll roads**

This is the first major independent review of tolls in New South Wales. It comes at a time when the State now has a fully developed network of toll roads and when the emphasis on private delivery of this major infrastructure is no longer seen as an imperative. We have no doubt however that new roads will continue to be built over time and that the private sector will continue to have an essential role in this.

The legacy of past decisions made within the context of PPP arrangements is what we now have to deal with. Professor John Quiggin (University of Queensland) describes the problem as 'unscrambling the toll road egg'.<sup>4</sup> Past decisions have left an uncoordinated and inconsistent system of tolls, unsustainable long-term burden for users, underutilised toll roads and continuing problems of congestion on other roads.

Action to deal with these problems will not be easy, but we have painted a realistic vision for the way forward and are encouraged by the responses we have recently received from concessionaires. We recognise that toll roads are unique in significant respects, which justifies the initiatives proposed.

Tolls are regulated under long-term PPP contracts, which have significantly different features to most other infrastructure regulatory schemes. Other schemes have independent regulators, regular reviews of prices, consideration is given to the distribution of efficiency improvements and greater public transparency and accountability applies.

The PPPs affecting toll roads also have unique features and have evolved over time in the light of experience. They are a type of PPP which includes private financing, allocating risks in particular ways and affecting tolls in particular ways.

It would be wrong to suggest that the policy responses we have proposed to deal with the identified problems associated with tolls in anyway suggest a precedent for how we or the NSW Government consider infrastructure investment should be regulated in other circumstances.

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<sup>4</sup> Quiggin, J. & Wang, I. (2019). Unscrambling the toll road egg. *Economic Analysis and Policy*, 61.

Our public interest assessment is that these arrangements now need to be reformed and that unique measures need to be taken to do this. In particular, to establish a proper network system of tolls, it is necessary to replace the existing contractual provisions relating to the setting of tolls with new provisions. And the new institutional arrangements we have proposed will ensure toll roads operate to the benefit of motorists, as well as concessionaires and the State.

In undertaking reforms, the government should respect the contracts it has with concessionaires and the reasonable expectations of concessionaires. In our view, concessionaires should be constructively engaged in the reform process.



## Table of findings and recommendations

Findings:	
Process for setting tolls	<b>Finding 1:</b> The process for setting tolls has been flawed.
Public Private Partnerships	<b>Finding 2:</b> The important details of PPP arrangements relating to toll setting are not disclosed to the public, reducing the information available to assist public understanding.
	<b>Finding 3:</b> Toll road users bear a disproportionately high proportion of the cost of toll roads.
Structure of tolls	<b>Finding 4:</b> There is no overall system of tolls.
	<b>Finding 5:</b> The lack of a unified tolling system creates complexity, inefficiency, inequities and unfairness.
	<b>Finding 6:</b> Tolls are too rigid and are locked-in for decades without options for review.
	<b>Finding 7:</b> On most toll roads, time-of-day tolling is not used to improve traffic management.
	<b>Finding 8:</b> The financial impact of tolls is greatest in Western Sydney.
Level of tolls	<b>Finding 9:</b> Available evidence suggests that Transurban's profitability has not been excessive in recent years. Profitability of its current portfolio of NSW toll roads is likely to increase over time in line with traffic and toll rate escalation and declining construction costs.
	<b>Finding 10:</b> The level of tolls appears to be higher than necessary and desirable.
Competition	<b>Finding 11:</b> Transurban has a dominant market share in the current provision of toll roads in Sydney.
	<b>Finding 12:</b> Transurban has been dominant in the NSW market for acquisition of toll road concession contracts.
	<b>Finding 13:</b> The significant position of Transurban in the toll retailer market could adversely affect competition for tolling concessions.

Findings:	
Toll transparency	<b>Finding 14:</b> Current tolling information fails to adequately enable, inform, and educate motorists, thus reducing user empowerment and efficient decision-making.
Toll relief schemes	<b>Finding 15:</b> Toll reform is preferable to toll relief. The current toll relief schemes are inadequately targeted and underutilised, in part due to overly complex administration. Toll relief is not financially sustainable given the existing pattern of toll escalation and limitations on the availability of government resources to fund relief.
	<b>Finding 16:</b> Concessionaires are an unintended beneficiary of the current approach to toll relief. Increased traffic and patronage of toll roads, through induced demand created by toll relief, directly benefits operators by increasing their revenues.

Recommendations:	
Tolling principles	<b>Recommendation 1:</b> The NSW Government should adopt the Proposed New Tolling Principles.
The opportunity for reform: moving to network tolling	<b>Recommendation 2:</b> The NSW Government should adopt network tolling. Implementation will require detailed planning, investment in infrastructure and close monitoring of impacts.
	<b>Recommendation 3:</b> The NSW Government should adopt declining distance-based tolls as the foundation of network tolling. This would lead to a simpler, more consistent and coherent system of tolls which aligns more closely to the criteria the Review has been asked to consider, namely efficiency, fairness, simplicity and transparency.
	<b>Recommendation 4:</b> The NSW Government should consider ways to reduce the level of tolls for Sydney motorists and explore funding sources, especially from within the tolling system, as a pathway to enable lower tolls.
	<b>Recommendation 5:</b> The Review recommends that the NSW Government further explore the possible application of the NPVR approach to determining concession lengths and removing traffic risk from concessionaires.

Recommendations:	
	<p><b>Recommendation 6:</b> The NSW Government should consider the role of toll relief in supporting the transition to network tolling. Significant changes in toll relief may need to be phased over time.</p>
	<p><b>Recommendation 7:</b> If the NSW Government chooses to extend or phase out toll relief, it should be with consideration of the following principles:</p> <ul style="list-style-type: none"> <li>i. Toll relief should be targeted to those that are most in need to the extent practicable through means-testing.</li> <li>ii. The assessment of need would take account of whether the motorist has viable alternative travel options, such as public transport.</li> <li>iii. Toll relief should avoid distorting price signals (e.g. they should not make trips on the tolled network free unless there are good policy reasons for doing this).</li> <li>iv. Toll relief should apply network-wide.</li> <li>v. Toll relief scheme design should support data collection for post-implementation evaluation of scheme performance against policy objectives. Publication of scheme performance against policy objectives could be contemplated as part of broader transparency measures for tolling, for example price monitoring.</li> </ul>
	<p><b>Recommendation 8:</b> In the transition to network tolling there may be a case for continuing toll relief schemes like the current TR3 (\$60 toll cap), which offer some relief and certainty to motorists. The NSW Government should however consider increasing the cap, for example to \$70, to ease the pressure on government finances. Over time there should also be a move towards means testing in line with our toll relief principles.</p>
	<p><b>Recommendation 9:</b> When the M5 South-West becomes part of WestConnex concession in 2026, if the government still wishes to reform the rebate scheme it should fix the ongoing amount of the rebate at the then nominal rate. The scheme should be reviewed in five years time and reformed to align with principles in Recommendation 7.</p>

Recommendations:	
Future opportunities: using pricing to influence demand	<b>Recommendation 10:</b> Flexible pricing techniques including peak/off-peak tolls, and dynamic pricing should be available as part of a network tolling system.
	<b>Recommendation 11:</b> The NSW Government should consider an initial focus on freight operators for peak and off-peak tolls.
Updating vehicle classifications and charges	<b>Recommendation 12:</b> The NSW Government should further explore refining tolling classes in New South Wales, adopting a uniform definition for Class A vehicles, and a fairer classification for towed recreational vehicles and motorcycles.
	<b>Recommendation 13:</b> The NSW Government should continue to apply toll multipliers to vehicles exceeding Class A vehicle dimensions.
	<b>Recommendation 14:</b> The NSW Government should investigate a new classification for mid-class heavy vehicles to incentivise these vehicles to use toll roads.
	<b>Recommendation 15:</b> Vehicle multipliers should be applied consistently across the toll road network.
	<b>Recommendation 16:</b> The NSW Government should simplify the arrangements allowing public bus services to be exempt from tolls to ensure consistency across the network.
Expanding toll coverage	<b>Recommendation 17:</b> Consistent two-way tolling should be part of the network tolling system. Practical issues with the implementation should continue to be investigated.
	<b>Recommendation 18:</b> The NSW Government should investigate the scope of the tolled network in Sydney to achieve greater consistency, efficiency, and fairness.
Initial assessment of toll reforms	<b>Recommendation 19:</b> The NSW Government should note the modelling conducted by the Review. Modelling will need to continue prior to the introduction of any network tolling.

Recommendations:	
NSW Motorways entity	<p><b>Recommendation 20:</b> The NSW Government should establish a government-owned special purpose entity (NSW Motorways) with responsibility for improving outcomes and transparency for motorists to strengthen governance and accountability over NSW toll roads.</p> <p>The NSW Motorways entity will drive and implement toll reforms:</p> <ol style="list-style-type: none"> <li>The NSW Motorways entity will, in consultation with toll road operators, establish network tolls payable by motorists. The NSW Motorways entity will have the power to set network tolls and in doing so it would take full account of the existing interests of toll road operators. If necessary periodic adjustments will be made in consultation with toll road operators.</li> <li>The NSW Motorways entity will seek to improve competition outcomes.</li> <li>The NSW Motorways entity will absorb current TfNSW toll collection functions (E-Toll retail business and issuing toll notices).</li> <li>The NSW Motorways entity will have an ongoing focus on constantly innovating to improve the toll road experience for motorists in New South Wales.</li> </ol>
	<p><b>Recommendation 21:</b> The NSW Government should consider options for the contract management of privately operated toll roads, including whether to bring them under the NSW Motorways entity from TfNSW.</p>
	<p><b>Recommendation 22:</b> The NSW Government should consider options for administrative arrangements concerning public toll roads, including whether to bring them under the NSW Motorways entity from TfNSW.</p>
Concessionaire negotiations	<p><b>Recommendation 23:</b> The NSW Government should seek to obtain in principle agreement with concessionaires to implement network tolling by the end of 2024. If agreement is unlikely to be reached to the satisfaction of the government within this timeframe, the legislative package referred to in Recommendation 27 should be activated.</p>

Recommendations:	
Independent oversight of toll setting	<b>Recommendation 24:</b> The NSW Government should introduce a legislative framework for toll oversight by IPART. The framework should allow for IPART to monitor prices, undertake investigations and recommend tolls on Ministerial referral.
	<b>Recommendation 25:</b> The relevant Minister should make a referral to IPART to work with TfNSW and the NSW Motorways entity to monitor prices including: <ul style="list-style-type: none"> <li>a. The financial and traffic impact of network tolls.</li> <li>b. The operation of toll relief schemes.</li> <li>c. The need for and operation of time-of-day tolling.</li> <li>d. Concessionaire performance in relation to their BCFM expectations.</li> </ul>
	<b>Recommendation 26:</b> The relevant Minister should make a referral to IPART to undertake an investigation into the methodology IPART could adopt in future to make recommendations in relation to tolls.
Setting tolls – legislative package	<b>Recommendation 27:</b> If in principle agreement is not reached with concessionaires to implement network tolling by the end of 2024, in addition to establishing the NSW Motorways entity and IPART roles, the legislative package should also: <ul style="list-style-type: none"> <li>a. Enable network tolls to be set independently of contractual frameworks if necessary.</li> <li>b. Provide for a Revenue Adjustment Mechanism to enable appropriate sharing of network toll revenues between toll road operators if necessary.</li> <li>c. Provide for an independent toll issue resolution mechanism.</li> <li>d. Modernise the legislative framework for NSW toll roads.</li> </ul>
Competition measures	<b>Recommendation 28:</b> The NSW Government should ensure future procurement processes have greater regard for the desirability of maintaining a competitive industry structure.
	<b>Recommendation 29:</b> The NSW Government should review existing concession agreements with the aim of enhancing competition.



Recommendations:	
	<b>Recommendation 30:</b> The NSW Government should place a greater focus on long-term implications for control and competition rather than short-term benefits in the approach to future procurement of toll roads.
	<b>Recommendation 31:</b> As with other aspects of toll setting, there should be clear public transparency in relation to determining the length of concession agreements. The concession period should be based on clear public interest considerations, including maintaining competitive industry structures.
	<b>Recommendation 32:</b> The NSW Government should favour competitive tender processes over unsolicited proposals for new toll road concessions.
	<b>Recommendation 33:</b> The NSW Government should regulate roaming fees to promote competition for future toll road PPPs.
	<b>Recommendation 34:</b> Full details regarding the setting of tolls should be disclosed to the public. The Review recommends that the NSW Government with concessionaires seek to remove impediments to the disclosure of relevant BCFM information in this regard
Transparency for motorists	<b>Recommendation 35:</b> Improve the retail experience for motorists by providing personalised insights into past and projected toll spend.
	<b>Recommendation 36:</b> The NSW Government should improve decision-making and trip planning information available to motorists online, on the road and through Service NSW.
Tolling customer advocate	<b>Recommendation 37:</b> The NSW Government should establish a tolling customer advocate function within the NSW Motorways entity to: <ul style="list-style-type: none"> <li>a. Consider systemic complaints affecting motorists and, where relevant, refer complaints to other relevant agencies.</li> <li>b. Influence improvements to systems, processes and legislation to minimise future customer complaints and improve toll compliance.</li> <li>c. Manage customer education and awareness campaigns.</li> </ul>

Recommendations:	
	<ul style="list-style-type: none"> <li>d. Resolve new 'pain points' which arise from the transition to network tolling.</li> <li>e. Ensure customer complaints are escalated, and responded to within appropriate timeframes and that responses are thorough and fair.</li> <li>f. Publish regular reports on the implementation of toll reform by government and industry.</li> </ul>
	<p><b>Recommendation 38:</b> The NSW Government should ensure that toll road operators are required to suspend debt recovery action while the NSW Motorways entity in its customer advocate role is assisting a motorist with a disputed debt.</p>
Industry ombudsman	<p><b>Recommendation 39:</b> The NSW Government should work with the Victoria and Queensland Governments to investigate co-operative legislation requiring toll road operators and retailers to be members of a statutorily approved independent dispute resolution scheme.</p>
Toll notice	<p><b>Recommendation 40:</b> The NSW Government should simplify and modernise toll notices.</p>
Debt recovery – criminal enforcement	<p><b>Recommendation 41:</b> The NSW Government should review legislation and policies relating to toll default offences, including:</p> <ul style="list-style-type: none"> <li>a. Prior to the introduction of network tolling, amending the offence to ensure there is only one offence for non-payment for a trip for those roads where aggregated trip tolls are used (currently WestConnex).</li> <li>b. As part of the introduction of network tolling, amending the toll default offence so that only one offence can occur for each trip.</li> <li>c. Ensuring the offence applies to either the driver or registered vehicle owner in the most optimal and fair way.</li> </ul>

Recommendations:	
Debt recovery – civil	<p><b>Recommendation 42:</b> Through its customer advocate role the NSW Motorways entity should pursue further opportunities to improve civil debt recovery practices including:</p> <ul style="list-style-type: none"><li>a. Each toll road operator developing and publishing a best practice customer charter.</li><li>b. Reviewing any legislative constraints on civil debt recovery.</li><li>c. Developing strategies to improve the accuracy of contact information available for registered vehicle owners.</li></ul>

## Glossary

Term	Description
<b>2014 Principles</b>	A broad set of principles approved by the NSW Government in 2014 to guide future tolling decisions on Sydney's motorway network.
<b>ACCC</b>	Australian Competition and Consumer Commission.
<b>AWE</b>	Average Weekly Earnings.
<b>Availability PPP</b>	A Public Private Partnership (PPP) model where the private sector is responsible for delivering specified assets and services (including financing of those services) through an outcome-based contract. The government retains demand risk and the primary form of revenue for the private sector is a regular periodic service payment for making the asset available and providing services to the required performance standard i.e. based on key performance indicators.
<b>BCFM</b>	Base Case Financial Model. A financial model referred to in a concession contract containing initial forecasts of a concessionaire's cash flow, including revenue and expenditure, over the term of a concession.
<b>Class A</b>	A tolling class which includes cars and motorcycles.
<b>Class B</b>	A tolling class for vehicles which exceed the Class A dimensions.
<b>Concessionaire</b>	For the purposes of this report, the holder of a toll road concession. Concessionaires are typically granted the right to finance, build, operate, toll and maintain a motorway for a set term, before returning the motorway back to Transport for NSW in the required condition.
<b>CPI</b>	Consumer Price Index.
<b>Declining distance</b>	For the purposes of this report, a toll calculation method that involves a variable charge based on travel distance on toll roads. This variable charge is declining, that is, motorists pay a lower rate on a per kilometre basis the longer they travel on tolled motorways. Declining distance is a specific type of distance-based toll.
<b>Distance-based toll</b>	A toll calculation method based on the distance travelled on a toll road or network of toll roads.
<b>Dynamic pricing</b>	For the purposes of this report, real-time adjustments to a toll to maintain traffic flow.

Term	Description
<b>Economic PPP</b>	A Public Private Partnership (PPP) model where the primary revenue stream is in the form of third-party user charges and not service payments from government. The financial impact to government is significantly less for an Economic PPP than for an Availability PPP.
<b>Environmental Impact Statement</b>	For the purposes of this report, a report prepared by a proponent for the development of a new toll road (or toll related infrastructure or activity) and exhibited for public consultation under the <i>Environment Planning and Assessment Act 1979</i> (NSW).
<b>Escalation</b>	For the purposes of this report, a regular (quarterly or annual) increase in the toll provided for under a concession contract.
<b>Flagfall</b>	A fixed fee component of a toll. Also referred to as an ‘access charge’.
<b>Fixed toll</b>	A toll which is constant and not dependent on other variables, e.g. distance travelled or time of day.
<b>GIPA Act</b>	<i>Government Information (Public Access) Act 2009</i> (NSW).
<b>GSF Act</b>	<i>Government Sector Finance Act 2018</i> (NSW).
<b>IPART</b>	Independent Pricing and Regulatory Tribunal.
<b>IPART Act</b>	<i>Independent Pricing and Regulatory Tribunal Act 1992</i> (NSW).
<b>Independent Reviewers</b>	Professor Allan Fels AO and Dr David Cousins AM appointed by the NSW Government in April 2023 to identify reform options for the NSW tolling network.
<b>MCHV</b>	Mid-Class Heavy Vehicle. A potential new tolling class considered by this Review.
<b>Means-tested</b>	Where eligibility for financial assistance is based on income/asset levels.
<b>Motorway</b>	A distinct type of road that has a pure mobility function with minimal or no access to adjoining land. Motorways provide for major regional and inter-regional traffic movement.
<b>Multiplier</b>	A method for calculating a toll for one tolling class based on the toll for another tolling class.
<b>NPVR</b>	Net Present Value of Revenue
<b>Network tolling</b>	A toll pricing structure that is consistent across the toll road network.
<b>NSW Motorways</b>	A new entity proposed by this review to drive toll reform in NSW. The Interim Report referred to this entity as ‘State TollCo’.

Term	Description
<b>NSW Toll Road Partners</b>	<p>A group of toll road investors in NSW who jointly provided feedback to the Review on the Interim Report:</p> <ul style="list-style-type: none"> <li>• Australian Super</li> <li>• Caisse de dépôt et placement du Québec</li> <li>• Canadian Pension Plan Investment Board</li> <li>• IFM investors</li> <li>• Queensland Investment Corporation</li> <li>• Platinum Tawreed Investments, a wholly owned subsidiary of the Abu Dhabi Investment Authority</li> <li>• Transurban</li> <li>• UniSuper.</li> </ul>
<b>Peak/off-peak tolls</b>	A form of variable toll where the toll differs based on the time of day.
<b>Proposed New Tolling Principles</b>	The Independent Reviewers' proposed tolling principles to guide toll setting in future, detailed at <a href="#">Chapter 8</a> .
<b>PTAL</b>	<p>Public Transport Accessibility Level.</p> <p>A measure of a location's connectivity by public transport. Based on walking distance to nearest stations/stops, waiting times at nearest stations/stops, number of services passing through nearest stations/stops, whether there are major rail stations nearby.</p>
<b>PPP</b>	<p>Public Private Partnership.</p> <p>The creation of an infrastructure asset through private sector financing and private ownership for a concession period (usually long-term). The government may contribute to the project by providing land or capital works, through risk sharing, revenue diversion or purchase of the agreed services.</p>
<b>Review</b>	The independent review led by the Independent Reviewers to identify reform options to overhaul the toll network.
<b>RMS</b>	<p>Roads and Maritime Services.</p> <p>RMS merged with Transport for NSW on 1 December 2019.</p>
<b>Roads Act</b>	<i>Roads Act 1993 (NSW).</i>
<b>Roads Regulation</b>	Roads Regulation 2018 (NSW).
<b>Roaming fee</b>	A fee paid by toll road operators to toll retailers for collecting tolls from motorists.



Term	Description
<b>Status quo</b>	A strategic traffic modelling scenario which retains the current tolling regimes, escalation rates and tolling classes. This scenario is used as a comparator for the analysis of alternative options.
<b>STP</b>	Sydney Transport Partners. A Transurban-led consortium which owns 100% of the WestConnex concessionaires.
<b>Sydney Harbour Crossings</b>	The Sydney Harbour Bridge, Sydney Harbour Tunnel and, from its opening, the Western Harbour Tunnel.
<b>TAA</b>	<i>Transport Administration Act 1988</i> (NSW).
<b>TCO</b>	Tolling Customer Ombudsman.
<b>TfNSW</b>	Transport for New South Wales.
<b>Toll</b>	A charge imposed for traffic using a toll road.
<b>Toll relief</b>	A government policy to reduce the financial impact of tolls to motorists. Most toll relief schemes have been provided as a rebate.
<b>Toll retailer</b>	A service provider which issues motorists with an account to enable them to pay their tolls. There are currently two toll retailers in NSW, Linkt (owned by Transurban) and E-Toll (owned by Transport for NSW). The Roads Regulation and the Road Transport (Vehicle Registration) Regulation 2017 refer to toll retailers as 'toll service providers'.
<b>Toll road</b>	A road (or bridge or tunnel forming part of a road) whose use requires the payment of a toll. Includes both the Sydney Harbour Bridge and tollways established under the Roads Act
<b>Toll road network</b>	A collective description for the toll roads in Sydney. They are not a network in a conventional sense as they are commonly separated by sections of public (untolled) roads.
<b>Toll Road Operator</b>	Operators of toll roads whether private or public. The toll road operators in New South Wales are the concessionaires and TfNSW. Referred to as 'toll operators' in the Roads Act and other legislation.
<b>Toll Road Pricing and Relief Reform Review</b>	A review which commenced in December 2021, under the previous Coalition government to consider longer term tolling reform.
<b>USP</b>	Unsolicited Proposal. An Unsolicited Proposal is an approach to government from a Proponent with a proposal to deal directly with the government over a commercial proposition, where the government has not requested the proposal. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction.

Term	Description
VTTS	Value of Travel Time Savings. The benefits provided by reductions in the amount of time spent on travel. <sup>5</sup>

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<sup>5</sup> Victoria Transport Policy Institute. (2023). Transportation Cost and Benefit Analysis II – Travel Time Costs.  
<https://www.vtpi.org/tca/tca0502.pdf>.

## Disclaimer

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**Council Meeting**

**25/06/2025**

Item No	11.5
Subject	<b>Response to Question - Early Childhood Learning in Bayside - Pay and Conditions</b>
Report by	Debra Dawson, Director City Life
File	F17/1432

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**Question**

The following Question With Notice was submitted at Council's Meeting of 28 May 2025 by Councillor Strong:

Councillor Strong asked the following questions:

1. How much does labour hire in early learning cost Council per day, broken down by qualification, compared to their in-house equivalent? How many educators do we employ in-house broken down by qualification and status as casual and permanent?
  2. How much of each of our centres' staffing budgets has been spent on labour hire over the last three years as both a proportion and a dollar amount? Of this expenditure by Council, how much of this do labour hire employees receive?
  3. How many of our early learning centres have spent less than their allocated staffing budget at the end of the 2023-24 financial year? How many have exceeded the staffing budget?
  4. When was the last time that we allocated a real term funding increase to the budgets of our early learning centres that was above inflation and the standard increases in the Award (not including the construction of a new centre)?
  5. Have we provided paid time for all union meetings to our employees in the last financial year, noting in particular that there has been bargaining in our Early Childhood Education and Care (ECEC) section?
  6. How many properties does council maintain for the purposes of providing early learning services, and how many of these are operated privately by not-for-profits and companies? When does the lease for each of these expire? And how does the pay for employees in these centres compare to their equivalents in in-house services?
  7. What is the difference in starting wages - including allowances - between feminised job roles like early childhood educators, and masculinised job roles like waste disposal?
  8. Are there any properties which Council used to own that provided early learning services but have since been surrendered to the private market?
  9. What plans, if any, does the Council currently have on fee increases for families who use our early learning services?
-

## Response

1. *How much does labour hire in early learning cost Council per day, broken down by qualification, compared to their in-house equivalent? How many educators do we employ in-house broken down by qualification and status as casual and permanent?*

External labour hire is only utilised when Council casual educators are not available. As this is infrequent, it is not possible to break this down by qualification per day. Likewise, ratios and staff absences will determine what qualification level is required on the floor and this also is unable to be broken down by qualification or by permanent or casual status.

2. *How much of each of our centres' staffing budgets has been spent on labour hire over the last three years as both a proportion and a dollar amount? Of this expenditure by Council, how much of this do labour hire employees receive?*

External labour hire employees are paid by their employer not Council, therefore Council is unable to state how much these employees receive.

4. *When was the last time that we allocated a real term funding increase to the budgets of our early learning centres that was above inflation and the standard increases in the Award (not including the construction of a new centre)?*

2024-25 when childcare fees were increased above CPI.

5. *Have we provided paid time for all union meetings to our employees in the last financial year, noting in particular that there has been bargaining in our Early Childhood Education and Care (ECEC) section?*

Educators get paid to attend union meetings.

7. *What is the difference in starting wages - including allowances - between feminised job roles like early childhood educators, and masculinised job roles like waste disposal?*

Matters relating to educator salaries have been extensively dealt with at the City Services Committee and Council meetings of 14 and 28 May 2025, respectively.

8. *Are there any properties which council used to own that provided early learning services but have since been surrendered to the private market?*

No.

9. *What plans, if any, does the council currently have on fee increases for families who use our early learning services*

The 2025-26 draft Fees and Charges outline Council's childcare fees for the new financial year.

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## Attachments

Nil

## **Council Meeting**

**25/06/2025**

Item No	11.6
Subject	<b>Progress Report on Councillor Notices of Motion - June 2025</b>
Report by	Richard Sheridan, Director City Performance
File	F16/908

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## **Summary**

This report provides details on the progress of Notices of Motion, outlining the progress of actions arising out of such resolutions and lists the completed Notices of Motion since the last report was presented to the Council.

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## **Officer Recommendation**

That the Progress Report on Councillor Notices of Motion be received and noted.

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## **Background**

This report lists the Notices of Motion currently in progress and/or recently completed.

The list provided the minutes of the Motion title together with commentary on current status including progress comments with the expected completion dates based on budgetary, resourcing and other scheduling requirements etc.

### **Notices of Motion Open – In Progress**

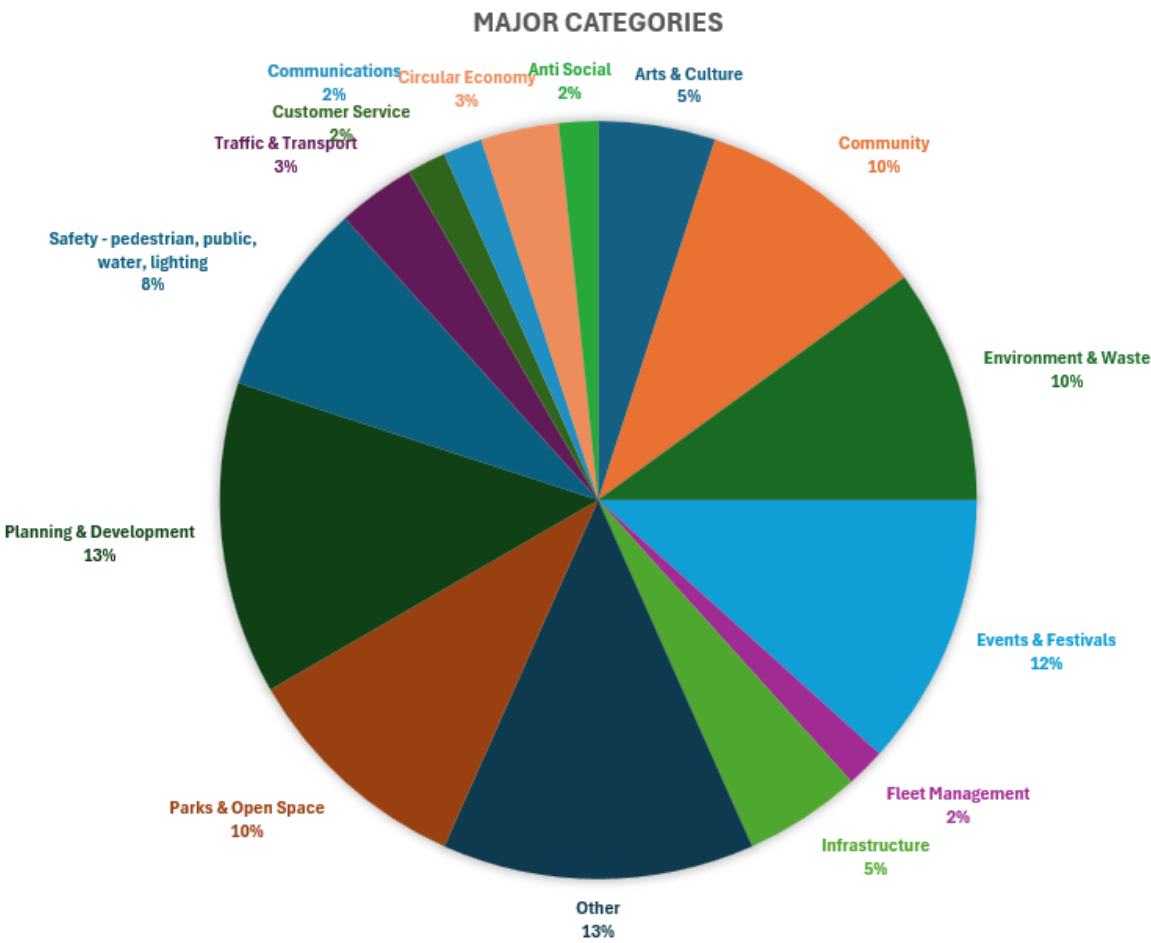
There are forty-three (43) Notices of Motion are 'On Track' or 'Substantially Completed' as at the date of this report.

Notices of Motion which are open will be progressed by management as these remain decisions of Council and the progress will continue to be reported to the Council in the future.

Please refer to **Attachment 1** for further information.

### **Completed Notices of Motion**

There were eight (8) Notices of Motion completed since the last report was presented to the previous Council meeting.



The report is presented for the information of Council as of June 2025.

**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 2035 Bayside will be a vibrant and liveable place                                 | <input checked="" type="checkbox"/> |
| Theme Two – In 2035 our Bayside community will be connected and feel that they belong            | <input checked="" type="checkbox"/> |
| Theme Three – In 2035 Bayside will be green, resilient and sustainable                           | <input type="checkbox"/>            |
| Theme Four – In 2035 Bayside will be financially sustainable and support a dynamic local economy | <input checked="" type="checkbox"/> |



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## 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"/>

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## Community Engagement

Not applicable.

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## Attachments

1 [↓](#) Notices of Motion Progress Report - June 2025

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Forty-three (43) Notices of Motion are outstanding, of which most are 'On Track' or 'Substantially Completed'.

No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
1	28/02/2024	12.5	Notice of Motion - Walking and Cycling Committee	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.	Director City Performance	On Track	Draft Terms of Reference have been prepared. An EOI process for community and interested organisations will be advertised in July 2025.
2	22/05/2024	12.6	Notice of Motion – Petition – Proposal for Fenced Off-Leash Dog Park in Linear Park, Mascot	1. That Council acknowledges the concerns voiced by residents and commits to addressing the issues and proposed solutions outlined in the tabled petition and supporting documents titled 'Proposal for Fenced Off-Leash Dog Park in Linear Park, Mascot'. This includes considering the establishment of a fenced off-leash dog park in a designated section of Linear Park, specifically located towards the end of the park at the intersection of Gardeners Road and O'Riordan Street, in alignment with Bayside Council's Dog Off-Leash Policy. 2. That Council, recognising the intricate history of the site, commits to conducting a comprehensive examination of all barriers and potential solutions presented in the petition. 3. That, as a first step, Council writes to Sydney Water (as landowner) prior to 29 May 2024, and seeks approval for a fenced dog off-leash area.	Director City Futures	Substantially Completed	Letter sent and response received indicating Sydney Waters willingness to discuss the proposal.  A meeting was held with Sydney Water and Council on the 22 August 2024.  Council prepared and provided a concept for Sydney Water consideration in December 2024.  Council received correspondence from Sydney Water who have given in principle support for the creation of a dog off leash in Linear Park. A report was presented in April 2025 followed by public exhibition.  An action is included in the Draft Operational Plan and once adopted this NOM will be closed.
3	26/06/2024	12.9	Notice of Motion - Bus Stop Commute Waiting Area - Safety Enhancements	1. That Council allocates funding in the 2024/2025 budget for improvements to the commuter waiting area next to the bus stop located in front of the Mascot Post Shop at 972 Botany Road, Mascot. 2. That the scope of works for these improvements be based on the newly installed seating and lighting in Laycock Walk, Mascot and also addresses any surface trip hazards. 3. That options for improvements be sent to the relevant Committee in August 2024 for consideration. 4. That this site be referred to Council's bus shelter advertising partner for consideration to fund improvements in the future.	General Managers Unit	Substantially Completed	Budget has been allocated in the quarterly review and designs are underway. Procurement documentation has been prepared and ready to go to market.
4	26/06/2024	12.1	Notice of Motion - Timeline for Electrification of Bayside Council Fleet	That Council develops a timeline for the electrification of Council's fleet, and reports this to the appropriate committee meeting in the next term of Council.	Director City Performance	On Track	A report will be prepared for the City Performance Committee Meeting by August 2025.

KEY



Completed



Substantially Completed



On Track



Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
5	24/07/2024	12.2	Notice of Motion - Daceyville Precinct Masterplan	<p>1. That the minor review of Bayside Development Control Plan 2022 programmed for the current financial year includes a review of part "7.17 Daceyville" with the aim of:</p> <p>a) Maximising the protection of the existing Heritage Conservation Area; and</p> <p>b) Protecting the quality and amenity of the residential area from potential increased intensity of non-residential uses in Daceyville.</p> <p>2. That a draft masterplan for Astrolabe Park be presented to Council no later than March 2025, and include provision for a connection to the potential shared path through the wetlands corridor between Bonnie Doon and The Lakes golf courses shown in Council's adopted Green Grid Corridor Spatial Framework.</p> <p>3. That discussions be initiated with Sydney Water about securing a new lease over Astrolabe Park to ensure its continued use as public open space.</p> <p>4. That grant funding opportunities be pursued to progress the link NS9 between Daceyville and Eastgardens shown in Council's Bike Plan, to improve active transport connectivity in this area.</p> <p>5. That in the delivery of the above initiatives, Council actively engage with community stakeholders, residents, and experts to gather input and ensure the initiatives align with local aspirations and needs.</p>	Director City Futures	On Track	<p>Completed. Draft Masterplan for Astrolabe Park was considered at the Planning &amp; Environment Committee in March 2025 and then at Council in March 2025. Once adopted, draft Masterplan will be basis for discussion with Sydney Water about lease.</p> <p>In progress. The review of the Bayside DCP is underway, including part 7.17 and will be reported to City Planning &amp; Environment Committee before the end of this calendar year.</p>
6	24/07/2024	12.9	Notice of Motion - Introduction of New Events in 2025	<p>1. That Council approves the establishment of an annual People and Pets Day event at Mascot Oval or another suitable location in Ward 2 to celebrate and promote the bond between community members and their pets.</p> <p>2. That Council approves the establishment of an annual Night Noodle Market event in Cahill Park, Wollli Creek to celebrate Lunar New Year and tie in with existing Lunar New Year activity.</p> <p>3. That local businesses are invited to participate in both events as a priority.</p>	General Managers Unit	On Track	<p>Parts 2 and 3 of the resolution has been completed.</p> <p>Part 1 to be scheduled to coincide with a dog off leash area in Linear Park.</p> <p>A very successful Lunar New Year event was held and local businesses participated. People and Pets day to be linked to the launch of the Linear Park dog off leash area.</p> <p>An Action is included in the Draft Operational Plan and once adopted this NOM will be closed.</p>
7		13.5	Notice of Motion - Review of Community Facilities at Brighton Le Sands	<p>1. That Council prepare a report to a Committee Meeting in early 2025 that details information about library initiatives that have been introduced, and are planned for Operational Year 2024/25 and beyond, to fill the service gap caused by the closure of the part-time Brighton Le Sands Library until a more permanent solution is in place and considers the use of the space in the Business Centre of the Coles Supermarket precinct at Brighton Le Sands.</p> <p>2. That Council includes in the plans to redevelop the Boulevard Car Park facilities that reflect community expectations for a library/community hub.</p> <p>3. That Council designates the Boulevard Car Park redevelopment as one of the '10 Bold Moves' for the next Council term, noting that funding for this project is included in the Long-Term Financial Plan split over the next three years.</p> <p>4. That Council develops options for community-based amenities for the site of the Brighton Library, including the possibility of extending Heslehurst Reserve for an even better play experience, and that these options be the foundation of a community 'Have Your Say'.</p>	Director City Futures	On Track	<p>Refer to NOM 13.4 - Brighton Le Sands Town Centre Masterplan (above).</p> <p>Point 4 included on the Strategic Planning Work Program for 2024/25.</p> <p>Community Consultation and then Point 4 further report to Council regarding demolition.</p> <p>Report to be prepared for consideration at the City Planning &amp; Environment Committee by August 2025.</p>

KEY



Completed



Substantially Completed



On Track



Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
8	26/02/2025	13.1	Notice of Motion - Action on Tree Poisoning	That Council provides a report on the frequency of illegal tree poisoning in our LGA, and what is and could be done to mitigate this problem, including: 1. Current fines, and whether an increase in fines by the state government may be considered an effective way to prevent further tree poisoning. 2. Public education in Bayside around the value of trees, particularly for cooling in heat island-impacted areas in our Local Strategic Planning Statement. 3. How the amount of tree poisoning and vandalism is impacting our Council goals for increasing tree canopy.	Director City Life	On Track 	Report to be prepared for consideration at the City Services Committee in July 2025.
9	26/02/2025	13.2	Notice of Motion - Fairy Lights at Ramsgate Beach Shops	That Council provides a report about the cost of providing fairy lights at Ramsgate Beach shops to: 1. Create a more atmospheric and inviting atmosphere. 2. Consider the inclusion of this lighting in the FY25/26 Operational Budget.	General Managers Unit	On Track 	Three quotes and three very different proposals have been received. Clarification has been sought asking each of the suppliers to quote on the same proposal to allow council to make a proper determination and budget allocation. As soon as the quotes are in hand, a report will be prepared in response to the NOM. A report will be prepared to the City Works & Assets Committee in August 2025.
10	26/02/2025	13.3	Notice of Motion - Maintenance of First Fleet Monument in Brighton Le Sands	That Council conducts an urgent inspection of the First Fleet monument in Brighton Le Sands as action needs to be taken to reinstate the names of the First Fleeter plaques as they are severely faded and worn out.	Director City Futures	Substantially Completed 	Inspection undertaken and costings have been received in the amount of \$30,000 and included in the 25/26 financial year draft budget. NOM to be closed once Draft Operational Plan and Budget are adopted.
11	26/02/2025	13.4	Notice of Motion - Community Car Park on Geeves Avenue, Rockdale and Additional Parking along Railway Street, Rockdale	1. That Council works with Transport NSW on providing a 2 level community car park on Geeves Avenue, Rockdale and provides additional parking along Railway Street, Rockdale towards Banksia Station on surplus land owned by Transport NSW. 2. That the General Manager provide an update in 3 months' time, of negotiations with Transport NSW.	General Managers Unit	On Track 	Included for discussions at next quarterly meeting with Transport NSW scheduled on 1 May 2025. Letter drafted. A report will be prepared to the City Planning & Environment Committee by August 2025.
12	26/02/2025	13.8	Notice of Motion - Woll Creek Community Markets	1. That Council develops and releases an Expression of Interest for the operation of monthly weekend community markets to be held in Cahill Park, Woll Creek. 2. That the EOI includes conditions to ensure maximum benefit to the local community including: 2.1 At least 50% of stallholders live within the Bayside LGA. 2.2 Markets include a variety of stalls including arts and crafts, as well as culturally and religiously diverse food. 2.3 The venue is set out to maximise physical accessibility. 2.4 Operators can demonstrate relevant experience. 3 That fees from the successful licensee be set to ensure that all Council costs are covered, and as the market grows that a proportion of the additional profits be shared with Council.	Director City Life	On Track 	EOI is being drafted.

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Completed



Substantially Completed



On Track



Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
13	26/02/2025	13.12	Notice of Motion - Accelerate the Upgrade of Victory Reserve/Park Cross Street, Kogarah	<p>1. That Council prioritises the upgrade of Victory Reserve/Park and expedites the project timeline, ensuring the commencement of works at the earliest possible opportunity.</p> <p>2. That Council reviews budget allocations and funding opportunities to facilitate the acceleration of this upgrade.</p> <p>3. That Council engages with the community to reaffirm needs and preferences for the park's facilities, ensuring the upgraded space meets current and future demands.</p> <p>4. That Council reports back to Council with a revised timeline and funding strategy by the next Council meeting.</p> <p>5. That Council ensures a fair distribution of parks and recreational facilities across the Local Government Area (LGA) to promote equitable access to public amenities for all residents.</p> <p>6. That this matter be considered as part of the Capital Works Program for 2025/26 depending on funding and resource availability and reprioritising parks and playground projects to be delivered in the next financial year.</p>	General Managers Unit	On Track	Funding has been allocated in the 2025-26 Draft CCP. The NOM will be closed once Draft Operational Plan and Budget are adopted.
14	26/03/2025	13.6	Notice of Motion - Major General William Holmes Memorial	<p>1. That Council acknowledges the accomplishments and memory of Major General William Holmes, CMG, DSO, VD by supporting in principle an undertaking to enhance the area around and including the memorial located on General Holmes Drive, Brighton Le Sands.</p> <p>2. That Council provides a further report detailing design options, costings and identifying potential federal and state government grant funding opportunities such as the Community War Memorials Fund to assist with this project.</p>	General Managers Unit	On Track	The Memorial has been repaired and lettering restored. The surrounding area landscape plan is still to be completed. Report presented to City Works & Assets Committee meeting in May 2025. Council will proceed to implement existing plans and a further report will be provided with additional landscaping options to a future City Works & Assets Committee.
15	26/03/2025	13.7	Notice of Motion - Rockdale Cultural Festival and Laneway Activation	<p>1. That Council considers the inclusion of a Rockdale Cultural Festival and Laneway Activation in its 2026 Events Plan to celebrate the area's cultural diversity and enhance community engagement.</p> <p>2. That Council investigates opportunities to apply for relevant NSW State Government grants to support the festival's development and associated programs.</p> <p>3. That Council engages with local cultural organisations, including the Rockdale Opera Society, Guild Theatre, Regals Musical Society, Rockdale Musical Society and Lydham Hall, to showcase local talent and strengthen community participation.</p> <p>4. That Council explores options for incorporating cultural festivals such as a Nepalese Festival and a Cultural Music Festival, alongside laneway activations featuring public art, live performances, and interactive spaces to revitalise underutilised areas and foster community connection.</p>	General Managers Unit	On Track	<p>The Arts &amp; Culture Specialist and the Events Team will continue to look for grant opportunities to hold events that showcase Bayside's Cultural Diversity and Creative Communities.</p> <p>Council's Arts and Cultural Specialist will continue to build relationships and work with these groups to ensure they are included where possible to showcase Bayside's talent.</p> <p>Bayside's Art and Cultural Specialist is investigating and exploring opportunities to make laneways more attractive and safer by improving the visual amenity with local artworks. Council has received a grant from the State Government to streamline road closures under the Permit, Play, Plug program. This includes an event to test run procedures. An event, celebrating the Diwali Festival will be held in King Street, Rockdale.</p>

KEY



Completed



Substantially Completed



On Track



Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
16	26/03/2025	13.8	Notice of Motion - Scoping/Feasibility Report on Heritage Review and Local Character Assessment	1. That Council prepares a scoping/feasibility report outlining the costs, timeframe, and approach for: a Heritage Review – A preliminary investigation into the identification and assessment of significant heritage sites, structures, and precincts across Bayside. b Local Character Assessment – A scoping assessment of key character traits across Bayside's suburbs to inform future development. 2 That scoping/feasibility report include: •Estimated costs •Required resources •Possible funding opportunities. 3. That Council liaises with the Botany Historical Trust and St George Historical Society in relation to the Heritage Review and the Local Character Assessment.	Director City Futures	On Track	In progress. Indicative costs being sought from heritage consultants.
17	26/03/2025	13.10	Notice of Motion - Woll Creek Traffic Study	That Council provides an update on the recommendation of the Bayside Traffic Committee (BTC24.017) and subsequently adopted by Council, including progress by TfNSW to achieve the following:  1. An investigation by TfNSW into opportunities to address current congestion and safety issues associated with peak hour movements into Woll Creek and Arncliffe along the Princes Highway, particularly the intersection of Brodie Spark Drive and Princes Highway. 2. Short, medium and long-term solutions be considered as part of any potential scenarios, including the opportunity to provide for additional turning movements to and from Princess Highway after the opening of the M6 Stage 1.	Director City Futures	On Track	Update report will be prepared for the City Works & Assets Committee meeting in July 2025.
18	26/03/2025	13.11	Notice of Motion - Green Space - Mascot Station Precinct	That Council be provided with an options paper describing actions that can be taken to enhance and expand the availability of green space in the Mascot area, and as part of future developments within the Mascot area.	Director City Futures	On Track	To commence.
19	23/04/2025	13.1	Notice of Motion – Booralee Park	That Council receives a report back following the condition assessment of lighting at Booralee Park to determine works and funding required to improve the lighting at the Park.	General Managers Unit	On Track	To commence.
20	23/04/2025	13.3	Notice of Motion – Princess Lane Traffic Planning	1. That Council undertakes a review of the traffic planning for Princess Lane, Brighton-Le-Sands to address safety concerns of local residents in regards to new increased traffic from Seychelles Beachfront Apartments and Terraces. 2. That Council includes as part of the review a staff site visit with local residents to enable them to receive their concerns, and that the staff site visit be advertised through a letter box drop to local residents. 3. That Council receives a report on the review through the Bayside Traffic Committee and the report to include a summary of residents' concerns and a proposal for a solution.	Director City Futures	On Track	A site visit was held on 12 June with the Mayor and Deputy Mayor, Councillors, Council staff and residents in attendance. The outcomes of the site visit will be reported back through the Traffic Committee and subsequent Council Meeting.

KEY



Completed



Substantially Completed



On Track






Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
21	23/04/2025	13.4	Notice of Motion – Increasing Urban Area Safety for Women in Bayside	<p>1. That Council create a "Have your Say" with the aim of increasing urban safety for women in Bayside (NSW):</p> <p>a) To enable women, and people who identify as at risk, to report urban areas where they feel unsafe in our Local Government Area, in regard to lighting, lack of passive or active surveillance, urban design issues and other relevant factors.</p> <p>b) That this information be handled with confidentiality and sensitivity, with all personal details or information which could put women at risk redacted before presenting to the public in any form.</p> <p>c) That information from this Have Your Say is used in the development of Council's future infrastructure renewals, budgets and operational plans to increase women's safety in Bayside.</p> <p>d) And where relevant, that this resource be used by this council to advocate to the state government and Ausgrid for necessary improvements to increase women's safety in Bayside.</p> <p>2. That Council requests a confidential report from St George Area Police which summarises where street assaults and public violence have happened over the last 5 years, to help inform our advocacy and urban renewal programs.</p>	General Managers Unit	On Track 	To commence.
22	23/04/2025	13.5	Notice of Motion – Walking and Cycling Committee – Terms of Reference	That Council, through the relevant committee, receives a report, as soon as possible, outlining the proposed terms of reference for the Walking and Cycling Committee, which Council resolved to establish at its meeting on Wednesday, 23 October 2024.	Director City Performance	On Track 	Draft Terms of Reference have been prepared. An EOI process for community and interested organisations will be advertised in July 2025.
23	23/04/2025	13.6	Notice of Motion – Muddy Creek Master Plan Delivery	<p>That a report be submitted, as soon as possible, to the relevant Bayside Council Committee outlining:</p> <p>1. An overview of the Muddy Creek Masterplan to accurately inform new Councillors of the ongoing investment by Bayside Council for renewal of this area.</p> <p>2. That the overview includes:</p> <p>a) Known ecology and biodiversity information about the site.</p> <p>b) History of this site, including the various public consultations engaging council staff and outside Consultants, and the approved results of the master planning process.</p> <p>c) The current status of this masterplan delivery, and inclusion of these plans in this council term's Delivery Program, and the next financial year's Operational Plan and Budget.</p> <p>d) Information about financial pathways and grants that have been secured to enact this site renewal.</p> <p>e) Resident or prospective community groups involved with the site.</p>	Director City Futures	On Track 	A report will be prepared for the City Works & Assets Committee Meeting by September 2025.

KEY



Completed



Substantially Completed



On Track



Delayed



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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
24	23/04/2025	13.8	Notice of Motion – Protection and Relocation of the George Hanna Memorial Museum Collection	<p>1.That Council recognises the important work of the Bayside local history team and commends initiatives such as the Historical Markers Program and the Women in War Project, which celebrate and preserve the unique history of our local area.</p> <p>2.That Council notes that the George Hanna Memorial Museum Collection, comprising approximately 50 artefacts donated by members of the Bayside community, is currently housed in AMAC House.</p> <p>3.That Council further notes that the collection was relocated to AMAC House in 2016 following the redevelopment of the Eastgardens Library, and that the building is scheduled for demolition in the coming months as part of the Botany Aquatic Centre redevelopment.</p> <p>4.That Council requests the General Manager provide a report to Council detailing:</p> <p>a)the current condition and location of the George Hanna Memorial Museum Collection;</p> <p>b)plans for the safe relocation and storage of the collection prior to the demolition of AMAC House;</p> <p>c)proposed timelines for relocation; and</p> <p>d)options for future public access and potential display of the collection.</p> <p>5.That Council supports the investigation of appropriate, sustainable long-term storage and display options to ensure the preservation and public accessibility of the collection as part of Bayside's commitment to preserving its local heritage.</p> <p>6.That Council consults with the Botany Historical Trust.</p>	Director City Life	On Track	A report is being prepared for the City Services Committee in July 2025 on the condition and relocation of Bayside Museum Collection from AMAC House.
25	23/04/2025	13.9	Notice of Motion – Supporting the concept of Circular Economy – Clothing Bins	<p>1.That Council review and update its Clothing Bin Policy.</p> <p>2.That a further report be prepared to address the following:</p> <p>a)Adopting best practice provisions to ensure clothing bins and the surrounds are maintained to preserve local amenity.</p> <p>b)Identifying conveniently located sites for the placement of Clothing Bins on Council owned or controlled land and adopting strategies to raise community awareness.</p> <p>c)Outlining the timeframes and criteria for interested parties to participate in an EOI.</p> <p>d)Determining guidelines to compel operators to adhere to ethical standards and the Modern Slavery Act if applicable.</p> <p>e)Evaluating options for Council to obtain a market return where possible. Registered charities could be offered a reduced fee.</p> <p>f)Any other matters.</p>	Director City Life	On Track	Report to proceed to City Services Committee in November 2025 in conjunction with the Waste Options Paper.

KEY



Completed



Substantially Completed



On Track



Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
26	28/05/2025	13.1	Notice of Motion - Investigation into dual naming of Barton Park	1. That Council initiates an investigation into the potential for dual naming of Barton Park, in accordance with the Geographical Names Board of NSW (GNB) Dual Naming Policy. 2. That Council engages the Bayside Reconciliation Action Plan (RAP) Working Group and the Local Aboriginal Land Council as a first step to determine whether the Barton Park area has an existing Aboriginal name that meets the GNB criteria. 3. That Council seeks to gather historical, oral, or documentary evidence of an Aboriginal name for the area, including its form, meaning, origin, and use, and to assess whether appropriate cultural authority can be established to support its recognition. 4. That Council reports back to Council with the findings of this investigation and a recommended course of action for potential formal submission to the Geographical Names Board.	Director City Life	On Track	To commence.
27	28/05/2025	13.2	Notice of Motion - Investigation of lighting at West Botany Street Skate Park, Rockdale	That to enable use of the Gujaga Skate Park (West Botany St, Rockdale) after 5pm outside of the summer season, this motions resolves: a) to engage with park users, such as families and skate board riders, through a Have Your Say, to get feedback on their needs for use of the park after dark b) to engage in community consultation with nearby residents for proposed lighting of the skate park • Until 9:00 pm in evenings • And/or a time equivalent to the use of Ador Reserve soccer fields • and/or a time that the residents feel would not be disruptive c) that the results of the consultations come back to the relevant committee to determine next steps for proposed lighting at Gujaga Skate Park.	Director City Futures	On Track	To commence.
28	28/05/2025	13.3	Notice of Motion - Accessibility alignment of Council's Events Program to the Disability Inclusion Action Plan 2022-2026	1. That Council reaffirms its commitment to the principles outlined in Bayside Council's Disability Inclusion Action Plan (DIAP) 2022-2026, which underscores the importance of creating an inclusive community where people with disability can fully participate in civic and cultural life, including access to events, festivals and recreational opportunities. 2. That Council acknowledges the need to improve the accessibility of Council's events programme to ensure alignment with the DIAP's strategic priorities, in particular: a) Building liveable and inclusive communities by making events accessible for all; b) Promoting positive attitudes and behaviours towards people with disability through inclusive practices and representation. 3. That Council commits to enhancing accessibility across the events programme by: a) Conducting a review of current planning and delivery processes to identify and address gaps in accessibility; b) Developing and applying an accessibility checklist or framework to guide event planning and operations, ensuring consideration of physical access, sensory needs, communication supports (such as Auslan interpretation), and inclusive signage and materials; c) Ensuring all promotional materials and communications include clear, timely information about accessibility features and available supports; d) Consulting with people with lived experience of disability and relevant community organisations to inform planning and continuous improvement. 4. That Council requests that officers provide a report to Council within six months or as soon as possible outlining: a) Findings from the review of current practices; b) Recommendations for embedding accessibility in event planning and delivery; c) Opportunities for ongoing engagement with the disability community.	General Managers Unit	On Track	To commence.

KEY



Completed



Substantially Completed



On Track



Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
29	28/05/2025	13.4	Notice of Motion - Investigating a Bayside Circular Economy Hub	<p>1. That Council assesses the need, benefits and risks associated with the establishment of a Circular Economy Hub, including:</p> <p>a) Its role as a public-facing facility that diverts reusable and recyclable materials from landfill, offers affordable second-life goods, supports repair and upcycling, and provides community education, which could also possibly include a tool library and food pantry;</p> <p>b) The environmental and financial consequences of inaction, such as rising waste disposal costs, failure to meet landfill diversion targets, and missed external funding opportunities.</p> <p>2. That Council prepares a report on available funding through the NSW Environment Protection Authority (EPA) and other relevant state and federal programs to support the development of the Hub.</p> <p>3. That Council identifies and assesses suitable sites, focusing on appropriately zoned land, and considers acquisition using developer contributions or other relevant Council reserves.</p> <p>4. That Council brings a report to Council within six months, detailing:</p> <p>a) Available funding opportunities;</p> <p>b) Site feasibility and zoning considerations.</p> <p>5. That an options paper be prepared and presented to the relevant Committee in relation to this Notice of Motion – Investigating a Bayside Circular Economy Hub in conjunction with 13.9 Notice of Motion – Council Procurement Supporting Local Circular Economy and 13.10 Notice of Motion - Making Waste Separation at Source Easier for Residents.</p>	Director City Life	On Track	Report to proceed to City Services Committee in November 2025 in conjunction with the Waste Options Paper.
30	28/05/2025	13.5	Notice of Motion - Customer Service	<p>1. That Council affirms that consistently great customer experiences and a strong community focus should guide everything Council does, from planning to day-to day customer facing activity.</p> <p>2. That Council commits to making customer service a shared responsibility across the whole organisation by:</p> <p>a) Making customer experience a priority in every department;</p> <p>b) Creating clear service standards (Service Level Agreements) so people know what to expect.</p> <p>3. That Council reviews the current Customer Service Strategy to:</p> <p>a) Include customer journey mapping and better use of data;</p> <p>b) Make service quality a goal in all Council plans;</p> <p>c) Ensure both online and face-to-face services meet community needs.</p> <p>4. That Council builds a better system for collecting and using data, including evaluation mechanisms to measure improvements in customer satisfaction, service responsiveness, and internal efficiency.</p> <p>a) Track the full experience people have with Council;</p> <p>b) Help improve services;</p> <p>c) Keep data accurate, easy to access, and relevant.</p> <p>5. That Council investigates options to create a Council-wide chatbot or virtual assistant to:</p> <p>a) Help people find information quickly;</p> <p>b) Give staff more time to focus on complex issues.</p> <p>6. That Council uses a clear change plan to:</p> <p>a) Help roll out these improvements in a structured way;</p> <p>b) Support staff through the changes;</p> <p>c) Keep day-to-day work in line with long-term goals.</p> <p>7. That Council provides a detailed plan to the relevant Committee within three months including timing, staffing, IT needs, cost, and change management plan.</p>	Director City Performance	On Track	To commence.

KEY



Completed



Substantially Completed



On Track



Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
31	28/05/2025	13.6	Notice of Motion - E-Bike Regulation	1.That Council notes the community's concerns about safety and amenity issues resulting from a growing number of shared e-bike operators. 2.That Council agrees that there is a need for a regulated framework to manage micromobility services in our area. 3.That Council notes that some neighbouring councils have developed and entered into MOUs with micromobility service providers. 4.That Council researches and reports back on the solutions put into practice in other Council areas, in particular the MOU initiated by Waverley Council, and that the effectiveness of the MOU and the behaviour change experienced since entering into the MOU be provided to Council.	Director City Futures	On Track	To commence.
32	28/05/2025	13.7	Notice of Motion - Council-wide App	That Council investigates the development of a Council wide mobile app which will expand on the services, information and engagement that is offered by the Bayside Waste app.	General Managers Unit	On Track	To commence.
33	28/05/2025	13.8	Notice of Motion - Maintenance and Presentation of Hoardings on Development Sites	1.That Council requires that proponents of all development sites where hoarding is installed must keep the hoarding clean, in good repair, and free of graffiti, posters, and damage at all times while it is in place. 2.That Council encourages the use of public art, murals, or creative designs on hoardings to: a a)Deter graffiti and vandalism; b)Enhance the visual appeal of the streetscape during construction; c)Support local artists and contribute to community amenity. 3.That Council integrates this requirement as a condition of development approval for all relevant applications, and that compliance be monitored as part of Council's regular site inspections. 4.That Council retrospectively applies this condition to all current developments in progress, if there is a mechanism to do so.	Director City Futures	On Track	The Public Domain and Referrals team are working on a policy which covers most aspects to this resolution. The are also conducting an audit of existing hoardings and a review of the application form and permits along with the standard conditions of DA consent relating to hoardings.
34	28/05/2025	13.9	Notice of Motion - Council Procurement Supporting Local Circular Economy	1.That Council reports on ways in which Council can lead best practice procurement to support circularity, including by: •taking advantage of new filtered search tools recently developed by Local Government Procurement; •utilising industry recycled product capability surveys which are expected to be released by the NSW government mid 2025; •using the opportunity of major new Council works and assets across the LGA (eg Arncliffe Community Hub, Le Beach Hut, Botany Pool Upgrade, Mascot Oval and other planned park upgrades) to showcase the use of recycled material and modular construction methods consistent with building a circular economy; •conduct a review of local industry capability and consider ways of supporting local businesses to best participate in the opportunities offered by the circular economy. 2.That an options paper be prepared and presented to the relevant Committee in relation to this Notice of Motion - Council Procurement Supporting Local Circular Economy in conjunction with 13.4 Notice of Motion – Investigating a Bayside Circular Economy Hub and 13.10 Notice of Motion - Making Waste Separation at Source Easier for Residents.	Director City Life	On Track	To commence.

KEY



Completed



Substantially Completed



On Track



Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
35	28/05/2025	13.10	Notice of Motion - Making Waste Separation at Source Easier for Residents	<p>1.That Council notes the existing highly cost effective system of 22 waste annual collection events in the LGA which give residents the opportunity to drop off a range for items for disposal and recycling.</p> <p>2.That Council reports on the options for placement of multi waste stream collection centres in each suburb in the LGA including co-located collection of: •</p> <ul style="list-style-type: none"> <li>•Clothing</li> <li>•Polystyrene</li> <li>•Soft plastics</li> <li>•Tyres</li> <li>•Batteries and E-waste</li> <li>•Return and earn stations</li> </ul> <p>3.That Council reports on the feasibility of operating regular markets for bulky items (and potentially other goods) which are rescued from hard kerbside collections and from specific reusable/resellable goods collections by Council.</p> <p>4.That an options paper be prepared and presented to the relevant Committee in relation to this Notice of Motion - Making Waste Separation at Source Easier for Residents in conjunction with 13.4 Notice of Motion – Investigating a Bayside Circular Economy Hub and 13.9 Notice of Motion - Council Procurement Supporting Local Circular Economy.</p>	Director City Life	On Track	Report to proceed to City Services Committee in November 2025 in conjunction with the Waste Options Paper.
36	28/05/2025	13.11	Notice of Motion - Arncliffe Park - Installation of Shelter Seats	That Council provides four (4) shelter seats at Arncliffe Park to improve comfort and amenity for spectators.	Director City Futures	On Track	Picnic shelter seats included in the Draft 25/26 CPP 25/26 for delivery of 2 picnic shelters and listed in the Draft CPP 26/27 for an additional 2 shelters. NOM to be closed once Draft Operational Plan and Budget are adopted.
37	28/05/2025	13.13	Notice of Motion - Gardiner Park - Lighting Upgrades	<p>1.That Council investigates the feasibility of lighting upgrades at Gardiner Park to support the full-purpose use of the facility by its custodian clubs.</p> <p>2.That the investigation considers improvements that enable: •</p> <ul style="list-style-type: none"> <li>•evening training capacity;</li> <li>•enhanced game day experiences for players, officials, and spectators; and</li> <li>•improved safety of training facilities for players and officials.</li> </ul> <p>3.That Council investigates ways to reduce light spillage via upgrades to lighting in Gardiner Park.</p>	Director City Futures	On Track	To commence.
38	28/05/2025	13.14	Notice of Motion - Public Guideline for all Sporting Club Sponsorship Arrangements	<p>1.That Council develops, and is referred to the relevant Committee for consideration, a public guideline for all sporting club sponsorship arrangements, specifically addressing the display of sponsorship signage on Council-owned assets.</p> <p>2.That the Guideline outlines:</p> <ul style="list-style-type: none"> <li>•clear parameters and approval processes for the placement of sponsorship signage by sporting clubs on Council-owned facilities and infrastructure, as part of their sponsorship agreements; and</li> <li>•allow sporting clubs, within reason, to display sponsorship banners at their designated club locations on a seasonal basis.</li> </ul>	Director City Life	On Track	To commence.

**KEY**



Completed



Substantially Completed



On Track



Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
39	28/05/2025	13.15	Notice of Motion - Rockdale Arts and Culture Concept and Needs Assessment	1.That Council notes that it has committed to the development of a dedicated Rockdale Arts and Culture Centre, but that a clear strategy and proposal are yet to be developed to define its purpose, function, and community value. 2.That Council initiates Phase 1: Needs Assessment and Scoping (to be completed within six to twelve months), to undertake a comprehensive Rockdale Arts and Culture Needs Assessment that: i.Audits existing cultural assets (e.g. Rockdale Theatre, Town Hall, Museum, Library) in terms of usage patterns, technical capabilities, limitations, and opportunities for activation or upgrade; ii.Identifies gaps in cultural infrastructure, programming, and access that may limit participation and artistic expression; iii.Consults with local artists, arts organisations, cultural groups, businesses, young people, and residents to understand current needs, barriers, and aspirations; iv.Benchmarks comparable cultural hubs or precincts in other LGAs, including Inner West, Sydney, and Parramatta councils; v.Explores opportunities to activate existing and underutilised urban spaces, such as ex-warehouses or industrial sites, to support diverse artistic practices and a vibrant night-time economy; vi.Includes a feasibility review of temporary or long-term cultural activation at 1 Market Street and surrounding areas; and vii.Aligns with and informs the Rockdale Town Spine Masterplan. 3.That Council notes, that following Phase 1, Council will consider whether to proceed with a full Phase 2: Rockdale Arts and Culture Hub and Strategy.	General Managers Unit	On Track	To commence.
40	28/05/2025	13.17	Notice of Motion - Story Dogs Reading Program	1.That Council investigates the Story Dog Program with a view if suitable be introduced at Council library/libraries. 2.That Council reports back through the appropriate Council Committee on the investigation outcomes.	Director City Life	On Track	Report to be prepared and presented to City Services Committee in July 2025.
41	28/05/2025	13.18	Notice of Motion - Food trucks and pop up shops Audit	1.That Council notes that audits of mobile food premises and pop up shops are currently conducted in accordance with relevant legislation to ensure all food trucks and pop up shops comply with food and safety regulations and the standards set by the health department and Council. 2.That Council be provided with a report on the performance of the 13 mobile food vans registered in Bayside (the Home Council) and the other 17 operating in our area but registered with other Councils, noting any complaints received and how these are dealt with.	Director City Life	On Track	Report to be prepared and presented to City Services Committee in August 2025.
42	28/05/2025	13.19	Notice of Motion - Rooftop Public Recreational Space	That Council investigates and reports on options for requiring that all major industrial / commercial developments include provision for publicly accessible rooftop recreational areas to help meet the demand for sporting and other facilities for local residents.	Director City Futures	On Track	To commence.
43	28/05/2025	13.20	Notice of Motion - Walking and Lighting	1.That Council notes that our Safer Cities: Her Way program has resulted in 3 pilot areas for improvement, and that Council has a Customer Service Request system on Council's website to encourage residents to communicate issues to Council in a timely fashion. 2.That Council resolves that lighting now be added as a specific issue to the Customer Service Request system. 3.That Council resolves that a resident information campaign be initiated to gain feedback on resident walking patterns, with a focus on what action Council might take to enhance recreational and daily commuting walking routes around the LGA. Further that this information be reported to Council's planned Active Transport (Walking and Cycling) Committee.	Director City Futures	On Track	To commence.

KEY



Completed



Substantially Completed



On Track



Delayed

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Eight (8) Notices of Motion were completed since the last report to Council in May 2025.

No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
1	27/11/2024	13.4	Notice of Motion - Brighton Le Sands Town Centre Masterplan	That Council staff prepare a report into creating a new MasterPlan for Brighton Le Sands, that addresses: 1. Parking for the beach and businesses at Brighton Le Sands, including the renewal of the Boulevard Carpark. 2. Delivery of a community hub/library. 3. Options for partial or full pedestrianisation of Bay Street. 4. An active transport corridor from Brighton Le Sands along Bay Street to Rockdale, to connect the Rockdale Transport Orientated Development to Cook Park and Lady Robinson Beach and connect Brighton Le Sands Town Centre and Rockdale Town Centre with the M6 Active transport corridor. 5. Integrating public transport access to bus and train routes. 6. Integrating the Brighton Le Sands masterplan with the new Rockdale masterplan, to create an overall precinct plan for the neighbouring areas. 7. Laneways activation in Brighton Le Sands, including options for resolving local business waste management. 8. Recognition of the importance of traffic calming to deal with long running issues with antisocial motor vehicle drivers.	Director City Futures	Completed	A report on a Masterplan for Brighton Le Sands was considered at the June City Planning and Environment Committee. This NOM will now be closed.
2	27/11/2024	13.6	Notice of Motion - Creation of a Reference Group for the Pump Track Project	1. That Council establishes a reference group by April 2025 to provide advice and guidance throughout the planning, design, and implementation phases of the Pump Track Project. 2. That Council issues an Expression of Interest (EOI) for community members to join the reference group, with the goal of ensuring broad community input and representation from Ward 1 Councillors, a diverse range of stakeholders, including local residents, youth, and pump track users.	Director City Life	Completed	Terms of Reference have been updated following the EOI. Reported to Council on 23 April 2025. Completed.
3	27/11/2024	13.8	Notice of Motion - Investigation into Creating a Family-Friendly Halloween Event on William Street, Botany, for 2025	1. That Council investigates options to create a fun and safe, family-friendly Halloween event on and around William Street, Botany, for Halloween Friday, 31 October 2025, in consultation with the community, and potential road closure.	General Managers Unit	Completed	Report presented to City Services Committee in June 2025. This NOM will now be closed.

**KEY**



Completed



Substantially Completed



On Track



Delayed



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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
4	26/02/2025	13.9	Notice of Motion - Balancing Accountability with Effective Parking Management	<p>1. That Council notes that the Bayside parking inspection team be commended for its efforts to try to enforce parking infringements, including in hotspots such as around Gertrude/Levey/Innesdale Streets in Wollie Creek. This includes consistently taking photographs of all offences, submitting all notices promptly, and attempting to place hard copy notices on cars wherever it is safe for them to do so and where they are themselves able to park legally. As a result of their work, in the last 6 months, over 2000 fines have been issued in that small area of Wollie Creek alone.</p> <p>2. That Council also notes the initial positive impact of a new designated space at the airport for ride share driver parking, implemented as a result of the representations by former Labor Councillor Ann Fardell, with the support of former Labor Councillor Jo Jansyn.</p> <p>3. That Council notes that, despite these valiant efforts, there remains a very significant problem of illegal parking, anti-social behaviour and dangerous altercations with local residents in the area, largely attributable to the return of ride share drivers utilizing our streets as a parking lot.</p> <p>4. That Council notes that there has been an investment of over \$1m in cameras to assist with detection of parking and other infringements in the LGA, and that recently passed legislation banning most ticketless parking fines may put in jeopardy this investment.</p> <p>5. That Council makes representations to the State Government to amend legislation and/or regulation in order to ensure that:</p> <p>a) Designated ticketless parking zones can be established by Council around all town centres and in hotspots such as the Gertrude/Levey/Innesdale Streets zone of Wollie Creek.</p> <p>b) Council's current practice of photographing all ticketing offences and electronically submitting all fines within 72 hours of an offence be enshrined as standard operating procedure.</p> <p>c) The State Government provide that all ride share operators require that their drivers utilize the Service NSW app so that they are able to promptly receive all fines.</p> <p>d) The State Government investigate avenues for escalating fines for repeat offenders in designated ticketless parking zones as above.</p> <p>e) The State Government require that ride share operators cooperate with parking and policing staff and the results of electronic surveillance, in order to confirm that ride share drivers were logged into the ride share systems at the time of recorded offences.</p> <p>6. That Council, noting the successful installation of Licence Plate Recognition (LPR) cameras across the foreshore area of the Bayside LGA to police hooning and anti-social behaviour, includes in its submission to the Minister for Finance all situations that Council is affected by.</p>	General Managers Unit	Completed	Letter prepared. This NOM will now be closed.
5	26/02/2025	13.10	Notice of Motion - Cahill Park Activation Event – Celebrating Diversity & Sustainable Waterways	<p>1. That Council considers establishing a vibrant, multicultural event at Cahill Park, Wollie Creek later in 2025 or in 2026 to invigorate the local area, boost the economy, raise awareness about water management, waste reduction, and plastic pollution in the Cooks River, while celebrating the cultural diversity of our community.</p> <p>2. That Council considers this event when planning its Calendar of Events for 2025/2026.</p>	General Managers Unit	Completed	This item was considered in conjunction with the annual Events calendar of events which was reported to City Services Committee in May 2025. City Life have diverted funds from other projects to build a Sustainability and Environmentally focused event in Cahill Park to be held in October 2025. This NOM will now be closed.
6	26/02/2025	13.11	Notice of Motion - Bayside Pride – Supporting LGBTQI+ Visibility and Inclusion	<p>1. That Council notes that LGBTQI+ people are a valued and integral part of the Bayside community and notes that:</p> <ul style="list-style-type: none"> <li>• Mardi Gras and Trans Day of Visibility are culturally significant events that celebrate diversity and inclusion.</li> <li>• Mardi Gras, in particular, is a major driver of arts, tourism, and hospitality in Sydney. Councils such as City of Sydney, Randwick, Waverley, Georges River, and Inner West actively engage in Mardi Gras-related events and LGBTQI+ visibility initiatives.</li> </ul> <p>2. That Council investigates the feasibility of developing a program of Bayside Council activations and events for the Mardi Gras season and Trans Day of Visibility from 2026 onwards.</p> <p>3. That a report be presented, via the appropriate Committee, to Councillors with recommendations on how these initiatives can be implemented in time for the 2026 season.</p> <p>4. That Council note the Bayside Diversity Action Plan (DAP) and considers this event when planning its Calendar of Events for 2025/2026.</p>	General Managers Unit	Completed	This item was considered in conjunction with the annual Events calendar of events which was reported to Committee in May 2025. A small budget exists to cover Pride Street Flags. City Life run an LGBTQI+ Forum. The Events report went to Council on 28th May and was adopted.

KEY



Completed



Substantially Completed



On Track



Delayed

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No.	Date of Meeting	Item No.	Notice of Motion Title	Council Resolution	Responsible Executive	Status	Comments
7	26/02/2025	13.13	Notice of Motion - Regeneration and Bushcare for Bardwell Valley and Creek	<ol style="list-style-type: none"> <li>1. That Council commits to the regeneration and ongoing bushcare of Bardwell Valley and its creek, focusing on removing rubbish and controlling invasive weeds to restore the natural ecosystem.</li> <li>2. That Council allocates appropriate resources and funding to initiate a comprehensive clean-up and weed management program for both the valley and the creek.</li> <li>3. That Council engages with local community groups, schools, and volunteers to foster community participation and stewardship in maintaining the area.</li> <li>4. That Council collaborates with environmental experts to develop a long-term bush regeneration plan that promotes native biodiversity and improves the health of the valley's ecosystem, including the creek.</li> <li>5. That Council prioritizes the planting and restoration of native plant species, which are better suited to the local environment, require less maintenance, and provide essential habitat for native wildlife.</li> <li>6. That Council focuses on the rehabilitation of Bardwell Creek to improve water quality, enhance habitat connectivity, and support native aquatic species.</li> <li>7. That Council implements regular monitoring and maintenance schedules to ensure the ongoing cleanliness and ecological integrity of Bardwell Valley and Creek.</li> <li>8. That Council reports back to Council with a detailed action plan, budget implications, and timeline for implementation by the next Council meeting.</li> <li>9. That prior to any actions above being taken, a report be referred to the next Committee Meeting in relation to what Council already does in relation to bushcare and regeneration.</li> </ol>	Director City Life	Completed	The current resourcing and works that have been and are currently being undertaken were subject to a presentation to the City Services Committee in June 2025. This NOM will now be closed.
8	23/04/2025	13.2	Notice of Motion – Managing Food Delivery E-Bike Impacts in Bayside	<ol style="list-style-type: none"> <li>1. That Council notes the growing number of food delivery riders using electric bicycles across Bayside and the concerns raised by residents about safety, footpath obstructions, and rider behaviour.</li> <li>2. That Council requests that Council officers prepare a brief report outlining: <ol style="list-style-type: none"> <li>a) the scope of Council's current responsibilities regarding food delivery ebikes;</li> <li>b) any recent complaints or incidents reported in relation to these riders; and</li> <li>c) potential short-term actions Council could take to improve safety and amenity, including engagement with delivery companies and relevant authorities.</li> </ol> </li> </ol>	Director City Life	Completed	Report presented back to City Services Committee in June 2025 as per NOM resolution. The NOM will now be closed.

**KEY**



Completed



Substantially Completed



On Track



Delayed

## 12 MINUTES AND REPORTS OF COMMITTEES

Key: \* Substantial Recommendation/s

### Council Meeting

**25/06/2025**

Item No	12.1
Subject	<b>Minutes of the City Planning &amp; Environment Committee Meeting - 4 June 2025</b>
Report by	Richard Sheridan, Director City Performance
File	SF24/8035

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### Officer Recommendation

That the Minutes of the City Planning & Environment Committee meeting held on 4 June 2025 be received and the recommendations therein be adopted.

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### Summary of Substantial Recommendations

The minutes of this Committee contain substantial recommendations which either have a major financial impact and/or a major policy impact:

#### **\*CPE25.014 Brighton Le Sands Masterplan**

Please note other Committee recommendations listed below may also have financial and/or policy impacts and readers are encouraged to review the Committee Minutes in their entirety.

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### Present

Councillor Scott Morrissey, Chairperson  
Councillor Liz Barlow, Deputy Chairperson  
Councillor Heidi Lee Douglas  
Councillor Janin Bredehoeft  
Councillor Soraya Kassim  
Councillor Christina Curry  
Councillor Peter Strong

### Also present

The Mayor, Councillor Edward McDougall (via Audio-Visual Link)  
Councillor Vicki Poulos  
Meredith Wallace, General Manager  
Peter Barber, Director City Futures  
Rupert Gilroy, Manager Property  
Helen Tola, Manager Governance & Risk (via Audio-Visual Link)

David Smith, Manager Strategic Planning  
Anne Suann, Governance Officer  
Linda Hackett, Governance Officer  
Wolfgang Gill, IT Service Management Officer  
Damien Carson, IT Service Management Officer

The Chairperson opened the meeting in the Committee Room, Botany Town Hall at 6:40pm.

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

### **Apologies**

There were no apologies received.

### **Leave of Absence**

There were no applications for Leave of Absence 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 Planning & Environment Committee Meeting - 7 May 2025](#)**

#### **Committee Recommendation**

Moved by Councillors Barlow and Strong

That the Minutes of the City Planning & Environment Committee meeting held on 7 May 2025 be noted.

## 4.2 Business Arising

The Committee notes that the Minutes of the City Works & Assets Committee of Wednesday 17 May 2025 were received, and the recommendations therein were adopted by the Council at its meeting of 28 May 2025 with the following exception:

### **12.1 CPE25.011 Planning Proposal to Introduce an Additional Permitted Use to 1 Highworth Avenue, Bexley (For Existing McDonald's Restaurant)**

#### RESOLUTION

Minute No. 2025/001

Resolved on the motion of Councillors Morrissey and Curry

- 1 That Council notes the advice of the Bayside Local Planning Panel.
- 2 That Council does not endorse the draft Planning Proposal to Introduce an Additional Permitted Use to 1 Highworth Avenue, Bexley noting that community engagement did not occur.

## 5 Items by Exception

There were no Items by Exception.

## 6 Public Forum

There were no speakers for Public Forum.

## 7 Reports

### **[CPE25.014 Brighton Le Sands Masterplan](#)**

Note: A presentation was given by Peter Barber, Director City Futures.

#### **Committee Recommendation**

Moved by Councillors Douglas and Kassim

- 1 That Council proceeds with investigating the items identified for Brighton Le Sands in the 27 November 2024 resolution via a "Complete Streets" Project.
- 2 That Council explore opportunities for improved active transport on Bay Street and revisit the previous Bay Street Planning Proposal to connect Brighton Le Sands and Rockdale.

- 3 That the scope includes investigation of increased residential density in Brighton Le Sands, including a review of the urban design and feasibility work previously undertaken by Council, to provide redevelopment scenario options including planning controls from Brighton Le Sands to the Rockdale spine.

#### **CPE25.015 Planning Proposal - Signage in Zone SP2 Infrastructure**

Note: A presentation was given by David Smith, Manager Strategic Planning.

#### **Committee Recommendation**

Moved by Councillors Curry and Barlow

- 1 That Council notes the advice of the Bayside Local Planning Panel.
- 2 That Council endorses the draft Planning Proposal for the inclusion of *Signage* as a permissible use with consent in the Land Use Table for the SP2 Infrastructure zone.
- 3 That Council 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).
- 4 That Council delegates authority to the General Manager to make any amendments to the Planning Proposal and supporting documents prior to public exhibition.
- 5 That Council, 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.
- 6 That Council 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.
- 7 That Council reviews and updates the Bayside Development Control Plan 2022 in a corresponding amendment to ensure the controls are consistent with the Planning Proposal.

#### **CPE25.016 NSW Housing Pattern Book Planning Pathways**

Note: A presentation was given by David Smith, Manager Strategic Planning.

#### **Committee Recommendation**

Moved by Councillors Douglas and Strong

That Council notes the comments provided to the NSW Department of Planning, Housing and Infrastructure in response to the targeted consultation on the Discussion Paper - NSW Housing Pattern Book Planning Pathways.

The next meeting will be held in the Committee Room, Botany Town Hall at 6:30pm on Wednesday, 2 July 2025.

The Chairperson closed the meeting at 8:02pm.

### **Attachments**

Nil



## **Council Meeting**

**25/06/2025**

Item No	12.2
Subject	<b>Minutes of the City Works &amp; Assets Committee Meeting - 4 June 2025</b>
Report by	Richard Sheridan, Director City Performance
File	SF24/8035

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## **Officer Recommendation**

That the Minutes of the City Works & Assets Committee meeting held on 4 June 2025 be received and the recommendations therein be adopted.

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## **Summary of Substantial Recommendations**

There were no Substantial Policy or Financial Recommendations identified.

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## **Present**

Councillor Heidi Lee Douglas, Deputy Mayor, Chairperson  
Councillor Liz Barlow, Deputy Chairperson  
Councillor Vicki Poulos  
Councillor Soraya Kassim  
Councillor Peter Strong  
Councillor Scott Morrissey  
Councillor Christina Curry

## **Also present**

Councillor Janin Bredehoeft  
Meredith Wallace, General Manager  
Peter Barber, Director City Futures  
Colin Clissold, Director City Presentations  
David Smith, Manager Strategic Planning  
Rupert Gilroy, Manager Property  
Helen Tola, Manager, Governance and Risk (Via Audio-Visual Link)  
Anne Suann, Governance Officer  
Linda Hackett, Governance Officer  
Wolfgang Gill, IT Service Management Officer  
Damian Carson, IT Service Management Officer

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The Chairperson opened the meeting in the Committee Room, Botany Town Hall at 8:10pm.

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

### **Apologies**

There were no apologies received.

### **Leave of Absence**

There were no applications for Leave of Absence 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 Works & Assets Committee Meeting - 7 May 2025](#)**

#### **Committee Recommendation**

Moved by Councillors Kassim and Strong

That the Minutes of the City Works & Assets Committee meeting held on 7 May 2025 be noted.

### **4.2 Business Arising**

The Committee notes that the Minutes of the City Works & Assets Committee of Wednesday 17 May 2025 were received, and the recommendations therein were adopted by the Council at its meeting of 28 May 2025 with the following exception:

**12.2 CWA25.017      Response to Notice of Motion - Major General William Holmes Memorial - Design options and costings for new turf, shrubs and foliage**

**RESOLUTION**

Minute No. 2025/001

Resolved on the motion of Councillors Poulos and Douglas

That Major General William Holmes Memorial – Design options and costing for new turf, shrubs and foliage be deferred for a further report to the relevant Committee presenting a revised plan based on feedback which discusses:

- Seating
- Shade/Trees
- Signage
- Turf/Grass footprint to be expanded to the corner site.

**5      Items by Exception**

There were no Items by Exception.

**6      Public Forum**

There were no speakers for Public Forum.

**7      Reports**

**Procedural Motion - Item CWA25.018 - 7 Chalmers Crescent, Mascot**

**Committee Recommendation**

Moved by Councillors Morrissey and Douglas

That Item CWA25.018 - 7 Chalmers Crescent, Mascot be dealt with at the end of the meeting in Closed Session.

### **CWA25.019 Gilchrist Park new facilities including Basketball Courts**

Note: A presentation was given by Peter Barber, Director City Futures.

#### **Committee Recommendation**

Moved by Councillors Poulos and Kassim

- 1 That Council explores further Option 3, comprising a full-sized netball court, and full-sized basketball court at Gilchrist Park for public consultation, with a post-exhibition report to be considered by Council in due course.
- 2 With the additional information provided in Option 3, Council consider which option or options to go to public consultation.
- 3 That Council consider other amenities for the wider community.

## **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**

#### **Committee Recommendation**

Moved by Councillors Kassim and Curry

- 1 That, in accordance with section 10A (1) of the Local Government Act 1993, the Committee considers the following item in closed Committee Meeting, from which the press and public are excluded, to consider the confidential attachment.

#### **CWA25.018 7 Chalmers Crescent, Mascot.**

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

#### **CWA25.020 CONFIDENTIAL - Le Beach Hut – Tenant Update**

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.

- 3 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.

The meeting moved into Closed Session, the time being 8:36 pm.

### **CWA25.018 7 Chalmers Crescent, Mascot**

Note: A presentation was given by Peter Barber, Director City Futures.

#### **Committee Recommendation**

Moved by Councillors Kassim and Morrissey

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

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

- 2 That Council endorses the proposed valuation approach to be taken for the sale of land to F Mayer as contained in the confidential attachment to this report.
- 3 That Council notes that a follow up report will be submitted once negotiations with the developer are concluded.

### **CWA25.020 Le Beach Hut – Tenant Update**

Note: A presentation was given by Peter Barber, Director City Futures.

#### **Committee Recommendation**

Moved by Councillors Morrissey and Curry

- 1 That Council notes that the Le Beach Hut building has structural issues resulting in significant water penetration during weather events since early October 2024.
- 2 That Council authorises the General Manager to negotiate a Deed of Settlement whereby rent will not be charged for the function room area from 1 October 2024, the tenant will waive its right to claim compensation for damages, and the tenant will pay overdue accounts with Sydney Water.
- 3 That Council authorises the General Manager to negotiate a new 6-month lease, with provision for monthly holdover for a further 12 months, to allow the tenant to

continue operating the kiosk and outdoor area of Le Beach Hut until redevelopment begins.

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

Committee Recommendation

Moved by Councillors Douglas and Morrissey

That, the closed part of the meeting having concluded, the open Committee Meeting resume and it be open to the press and public, the time being 9:13pm.

The Chairperson made public the Committee Recommendations that were made during the closed part of the meeting.

The next meeting will be held in the Committee Room, at Botany Town Hall on Wednesday, 2<sup>nd</sup> July 2025.

The Chairperson closed the meeting at 9:13pm.

### **Attachments**

Nil

## **Council Meeting**

**25/06/2025**

Item No	12.3
Subject	<b>Minutes of the City Services Committee Meeting - 11 June 2025</b>
Report by	Richard Sheridan, Director City Performance
File	SF24/8035

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## **Officer Recommendation**

That the Minutes of the City Services Committee meeting held on 11 June 2025 be received and the recommendations therein be adopted

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## **Summary of Substantial Recommendations**

The minutes of this Committee contain substantial recommendations which either have a major financial impact and/or a major policy impact:

**\*CS25.014 Halloween William Street, Botany Engagement Outcomes Report**

**\*CS25.016 Response to Notice of Motion - Regeneration and Bushcare for Bardwell Valley and Creek**

Please note other Committee recommendations listed below may also have financial and/or policy impacts and readers are encouraged to review the Committee Minutes in their entirety.

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## **Present**

Councillor Edward McDougall, Mayor  
Councillor Joe Awada, Chairperson  
Councillor Soraya Kassim, Deputy Chairperson  
Councillor Peter Strong  
Councillor Janin Bredehoeft  
Councillor Christina Curry  
Councillor Vicki Poulos

## **Also present**

Councillor Liz Barlow (via Audio-Visual link)  
Councillor Chris Saravinovski (arriving at 7:38pm)  
Councillor Heidi Lee Douglas  
Meredith Wallace, General Manager  
Debra Dawson, Director City Life  
Richard Sheridan, Director City Performance  
Phoebe Mikhie, Manager Compliance and Community Safety



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Lorraine Olmedo, Manager Communications and Engagement  
Rani Param, Manager Community Life  
Hong Nguyen, Manager Environment & Resilience  
Helen Tola, Manager Governance & Risk  
Steve Hughes, Chief Financial Officer, The Infants Home  
Cathy Jackson, Manager Family Day Care, The Infants Home  
Anne Suann, Governance Officer  
Linda Hackett, Governance Officer  
Nabin Bhattarai, IT Service Management Officer

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The Chairperson opened the meeting in the Committee Room, Botany Town Hall at 6:33pm.

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

### **Apologies**

There were no apologies received.

### **Leave of Absence**

There were no applications for Leave of Absence 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 - 14 May 2025](#)**

#### **Committee Recommendation**

Moved by Councillors McDougall and Curry

That the Minutes of the City Services Committee meeting held on 14 May 2025 be noted.

## **4.2 – Business Arising**

The Committee notes that the Minutes of the City Services Committee of Wednesday 14 May 2025 were received and the recommendations therein were adopted by the Council at its meeting of Wednesday 28 May 2025.

## **5 Items by Exception**

There were no Items by Exception.

## **6 Public Forum**

There were no speakers for Public Forum.

## **7 Reports**

### **[CS25.014 Halloween William St, Botany Engagement Outcomes Report](#)**

Note: A presentation was given by Lorraine Olmedo, Manager Communications & Engagement.

#### **Committee Recommendation**

Moved by Councillors Curry and Strong

- 1 That Council notes the Halloween William Street, Botany Community Engagement Outcomes Report.
- 2 That Council supports the implementation of minimal traffic management measures, based on advice from Council's Traffic Management Team.

### **[CS25.015 Response to Notice of Motion - Managing Food Delivery E-Bike Impacts in Bayside](#)**

Note: A verbal update was given by Debra Dawson, Director City Life.

#### **Committee Recommendation**

Moved by Councillors Curry and Strong

- 1 That Council notes the limited but important role that local government plays in managing the impacts of food delivery e-bikes on local communities.
- 2 That Council writes to the NSW Minister for Transport and the NSW Minister for Work Health and Safety, requesting a review of the recommendations of the Joint Taskforce: Food Delivery Rider Safety.

- 3 That Council investigates the feasibility of a local education campaign and increased engagement with delivery platforms.
- 4 That Council notes that only 2 complaints relating to food bike delivery have been received.
- 5 That a motion to the NSW Local Government Conference be drafted for Councils consideration.

**CS25.016 Response to Notice of Motion - Regeneration and Bushcare for Bardwell Valley and Creek**

Note: A verbal update was given by Debra Dawson, Director City Life.

**Committee Recommendation**

Moved by Councillors Poulos and Kassim

- 1 That the Response to Notice of Motion - Regeneration and Bushcare for Bardwell Valley and Creek report be received and noted.
- 2 That Council pursue Sydney Airport and/or other funding sources for Regeneration and Bushcare for Bardwell Valley and Creek, urban eco-systems and waterways.

**CS25.017 Memorandum of Understanding - Cooks River Alliance 2025-2029**

Note: A verbal update was given by Debra Dawson, Director City Life.

**Committee Recommendation**

Moved by Councillors Bredehoeft and Kassim

- 1 That Council commits to Cooks River Alliance's member contributions fees for Bayside as outlined in the report for the next 4 years (2025-2029)
- 2 That Council authorises the General Manager to sign the MoU with Cooks River Alliance from 1 July 2025 – 30 June 2029.
- 3 That Council request the Cooks River Alliance provides an annual report to be tabled in Council Committee papers.

## 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

#### Committee Recommendation

Moved by Councillors Bredehoeft and Curry

- 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:

#### **CS25.018 CONFIDENTIAL - Service Review - Children's Services**

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.

#### **CS25.018 Service Review - Children's Services**

Note: A presentation was given by Debra Dawson - Director City Services, Rani Param - Manager Community Life, Cathy Jackson - Manager Family Day Care, The Infants Home and Steve Hughes – CEO, The Infant's Home.

#### Committee Recommendation

Moved by Councillors McDougall and Bredehoeft

- 1 That Council note the issues raised in this report, including the substantial efforts of staff to increase the number of home-based educators, particularly over the past five years.
- 2 That Council approves the closure of Botany Family Day Care Program effective from 30 September 2025 to allow the transfer of remaining educators and families to The Infant's Home.

- 3 That Council note the ongoing utilisation of 149 Coward Street, Mascot will be the subject of a future decision.

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

#### **Committee Recommendation**

Moved by Councillors Curry and Kassim

That, the closed part of the meeting having concluded, the open Committee Meeting resume and it be open to the press and public, the time being at 7:46pm.

The Chairperson made public the Committee Recommendations that were made during the closed part of the meeting.

The next meeting will be held in the Committee Room, Botany Town Hall at 6:30pm on Wednesday, 9 July 2025.

The Chairperson closed the meeting at 7:47pm.

### **Attachments**

Nil

## **Council Meeting**

**25/06/2025**

Item No	12.4
Subject	<b>Minutes of the City Performance Committee Meeting - 11 June 2025</b>
Report by	Richard Sheridan, Director City Performance
File	SF24/8035

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## **Officer Recommendation**

That the Minutes of the City Performance Committee meeting held on 11 June 2025 be received and the recommendations therein be adopted

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## **Summary of Substantial Recommendations**

The minutes of this Committee contain substantial recommendations which either have a major financial impact and/or a major policy impact:

**\*CP25.022 Tender Report - Botany Aquatic Centre Early Works**

**\*CP25.027 Draft Operational Plan & Budget 2025-26 and Draft Fees & Charges 2025-26 - Post Public Exhibition**

Please note other Committee recommendations listed below may also have financial and/or policy impacts and readers are encouraged to review the Committee Minutes in their entirety.

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## **Present**

Councillor Edward McDougall, Mayor  
Councillor Soraya Kassim, Chairperson  
Councillor Fiona Douskou, Deputy Chairperson (via Audio-Visual Link)  
Councillor Heidi Lee Douglas  
Councillor Chris Saravinovski  
Councillor Janin Bredehoeft

## **Also present**

Councillor Christina Curry  
Councillor Liz Barlow (via Audio-Visual Link)  
Meredith Wallace, General Manager  
Richard Sheridan, Director City Performance  
Louise Farrell, Manager City Infrastructure (Acting)  
Lorraine Olmedo, Manager Communications & Engagement  
Helen Tola, Manager Governance & Risk (via Audio-Visual Link)  
Mariam Fares, Manager City Projects (Acting)  
Luke Phillips, Manager Finance  
Wendy Kloppe, Manager Business Transformation

Neville Naicker, Coordinator Asset Planning  
Joanne Butler, Corporate Planner  
Anne Suann, Governance Officer  
Linda Hackett, Governance Officer  
Nabin Bhattarai, IT Service Management Officer

The Chairperson opened the meeting in the Committee Room, Botany Town Hall at 7:55pm.

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

### **Apologies**

Moved by Councillor McDougall and Bredehoeft

That the apology from Council Jerome Boutelet be received and leave of absence granted.

### **Leave of Absence**

There were no applications for Leave of Absence received.

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

Moved by Councillors McDougall and Bredehoeft

That Councillor Douskou'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 Performance Committee Meeting - 14 May 2025](#)**

#### **Committee Recommendation**

Moved by Councillors McDougall and Bredehoeft

That the Minutes of the City Performance Committee meeting held on 14 May 2025 be noted.



## **4.2 Business Arising**

The Committee notes that the Minutes of the City Performance Committee of Wednesday 14 May 2025 were received and the recommendations therein were adopted by the Council at its meeting of Wednesday 28 May 2025.

## **5 Items by Exception**

There were no Items by Exception

## **6 Public Forum**

There were no speakers for Public Forum.

## **7 Reports**

### **[CP25.022 Tender Report - Botany Aquatic Centre Early Works](#)**

Note: No presentation or verbal update for this report

#### **Committee Recommendation**

Moved by Councillors McDougall 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) (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 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) Regulation 2021, Council accepts the RFQ Submission from Ford Civil Contracting Pty Ltd for the Botany Aquatic Centre Early Works at a lump sum price of \$3,573,983.50 (exclusive of GST), subject to agreement by both parties to contract conditions.

**CP25.023 Draft Delivery Program 2025-2029 - Post Public Exhibition**

Note: A presentation was given by Joanne Butler, Corporate Planner.

**Committee Recommendation**

Moved by Councillors Douglas and McDougall

That the Committee:

- 1 Recommends that Council, at its Ordinary Meeting of 25 June 2025, adopts the Draft Delivery Program 2025-2029 (Attachment 1).
- 2 Authorises the General Manager to approve any minor editorial and design changes prior to publication.

**CP25.024 Draft Asset Management Policy, Draft Asset Management Strategy 2025-2035 & Draft Asset Management Plans for Property, Transport, Stormwater and Open Space - Post Public Exhibition**

Note: A presentation was given by Joanne Butler, Corporate Planner.

**Committee Recommendation**

Moved by Councillors McDougall and Bredehoeft

That the Committee:

- 1 Recommends that Council, at its Ordinary Meeting of 25 June 2025, adopts the:
  - 1.1 Draft Asset Management Strategy 2025-2035 - Post Public Exhibition (Attachment 1);
  - 1.2 Draft Asset Management Plan - Transport 2025-2035 - Post Public Exhibition (Attachment 2);
  - 1.3 Draft Asset Management Plan - Stormwater 2025-2035 - Post Public Exhibition (Attachment 3);
  - 1.4 Draft Asset Management Plan - Property 2025-2035 - Post Public Exhibition (Attachment 4); and
  - 1.5 Draft Asset Management Plan - Open Space 2025-2035 - Post Public Exhibition (Attachment 5).
- 2 Authorises the General Manager to approve any minor editorial changes prior to publication.

**CP25.025    Draft Workforce Management Strategy 2025-2029 - Post Public Exhibition**

Note: A presentation was given by Joanne Butler, Corporate Planner.

**Committee Recommendation**

Moved by Councillors McDougall and Bredehoeft

That the Committee:

- 1     Recommends that Council, at its Ordinary Meeting of 25 June 2025, endorses the Draft Workforce Management Strategy 2025-2029 - Post Public Exhibition (Attachment 1).
- 2     Authorises the General Manager to approve any minor editorial and design changes prior to publication.

**CP25.026    Draft Long-Term Financial Plan 2025-2035 - Post Public Exhibition**

Note: A presentation was given by Joanne Butler, Corporate Planner.

**Committee Recommendation**

Moved by Councillors McDougall and Bredehoeft

That the Committee:

- 1     Recommends that Council, at its Ordinary Council Meeting on 25 June 2025, adopts the Draft Long-Term Financial Plan 2025-2035 - Post Public Exhibition.
- 2     Authorises the General Manager to approve any minor editorial and design changes prior to publication.

**CP25.027    Draft Operational Plan & Budget 2025-26 and Draft Fees & Charges 2025-26 - Post Public Exhibition**

Note: A presentation was given by Joanne Butler, Corporate Planner and Luke Phillips, Manager Finance.

**Committee Recommendation**

Moved by Councillors McDougall and Douglas

That the Committee:

- 1 Receives and notes the Community Submissions & Council Responses - Draft Operational Plan 2025-26 (Attachment 3).
- 2 Receives and notes the Internal Submissions - Draft Operational Plan 2025-26 (Attachment 4).
- 3 Receives and notes the Internal Submissions - 2025-26 Draft Fees & Charges (Attachment 5).
- 4 Recommends that Council, at its Ordinary Council Meeting of 25 June 2025, adopts the Draft Operational Plan & Budget 2025-26 - Post Public Exhibition (Attachment 1) and the Draft Fees & Charges 2025-26 - Post Public Exhibition (Attachment 2) which includes the proposed changes.
- 5 That Council makes the rates and charges for the period 1 July 2025 to 30 June 2026. (Refer to Attachment 1 on pages 59 to 60 for rates and pages 66 to 70 for charges).
- 6 That Council authorises the General Manager to levy rates and charges notices pursuant to the *Local Government Act 1993* and the Regulations made thereunder.
- 7 Authorises the General Manager to approve any minor editorial and design changes prior to publication.

#### **CP25.028 Mayor and Councillor Fees 2025-26**

Note: A presentation was given by Helen Tola, Manager Governance & Risk.

#### **Committee Recommendation**

Moved by Councillors Douglas and Bredehoeft

That the Committee recommend to Council:

- 1 That the annual fee for Councillors for 2025-26 be set at the maximum for a Metropolitan Large council as determined by the NSW Local Government Remuneration Tribunal (i.e. Option 1).
- 2 That the additional annual fee for the Mayor for 2025-26 be set at the maximum for a Metropolitan Large council as determined by the NSW Local Government Remuneration Tribunal (i.e. Option 1).
- 3 That Council considers a Deputy Mayoral payment, in addition to the fee as a Councillor, an amount equal to 20% of the Mayoral Annual Fee for times where the Deputy Mayor acts in the role of the Mayor subject to the amount of the fee so paid to the Deputy Mayor being deducted from the Mayor's Annual Fee.

**CP25.029 Delegations to the General Manager**

Note: A presentation was given by Helen Tola, Manager Governance & Risk.

**Committee Recommendation**

Moved by Councillors McDougall and Douglas

- 1 That the General Manager be delegated all of the functions of the Council other than those specified in Section 377(1) of the Local Government Act 1993.
- 2 That Council, delegate to the General Manager, or to the person acting in the position of General Manager, all the powers and functions of the Council that it may under any Act of Parliament lawfully delegate, other than those specified below:
  - (i) those functions designated in Section 377(1) of the Local Government Act 1993 as functions which may not be delegated.
  - (ii) any function designated in any other Act of Parliament as a function which may not be delegated.
  - (iii) the writing off of debts over the amount of \$10,000 in accordance with clause 213(2) of the Local Government (General) Regulation 2005, in that the amount above which debts to the Council may be written off only by resolution of the Council is set at \$10,000.
  - (iv) the writing off of an individual rate or charge over the amount of \$5,000 in accordance with clause 131(1) of the Local Government (General) Regulation 2005, in that the amount above which any individual rate or charge may be written off only by resolution of the council is set at \$5,000.
  - (v) any adopted policy, decisions or directions of the Council.
- 3 That the General Manager be delegated the function relating to the granting of financial assistance subject to the limitations specified in section 377(1A) of the Local Government Act.
- 4 That under Section 377 (2) Council sub-delegate to the general manager any function delegated to the council by the Departmental Chief Executive except as provided by the instrument of delegation to the council.
- 5 That in accordance with section 381 of the Local Government Act 1993, the Council delegates to the General Manager of the Council, or to the person acting in the position of General Manager, the plan making functions under Section 3.36 of the Environmental Planning & Assessment Act 1979.

**CP25.030 Draft Code of Meeting Practice - Public Exhibition**

Note: A presentation was given by Helen Tola, Manager Governance & Risk.

**Committee Recommendation**

Moved by Councillors McDougall and Bredehoeft

That the Committee:

- 1 Recommends that Council, at its Ordinary Council Meeting of 25 June 2025, endorses the Draft Code of Meeting Practice (Attachment 1) for the purpose of public exhibition for a period of 28 days (open for public consultation/feedback for 42 days), subject to the following:

**Public Forum**

- i) That Council notes that the Model Code of Meeting Practice for NSW Councils describes Council and Committee Meetings as decision making meetings and advises that, where possible, public forums should not be held as part of those meetings.
- ii) That Bayside Council's Public Forums be held immediately prior to each Committee Meeting and Ordinary Council Meeting to hear submissions from members of the public on items of business to be considered at the meeting.
- iii) A Committee Chair or Council Meeting Chair may permit a member of the public to address a Committee or Ordinary Council Meeting as part of that meeting if required, and the community member has not previously spoken at the public forum on the agenda item.

**Notices of Motion**

- iv) That the maximum number of Notices of Motion per Ordinary Council Meeting be capped at 15 in total. Councillors are encouraged to submit no more than one NOM per meeting but may submit more. Those NOMS numbered 2 or greater per councillor will only be included on the business paper if less than 15 have been submitted by councillors collectively.
  - v) That point iv) be reviewed within 12 months.
- 2 Authorises the General Manager to approve any minor editorial changes prior to public exhibition.
- 3 Notes that a further report will be presented to the City Performance Committee in following the public exhibition period, detailing submissions received, and amendments made, and recommending adoption of the Code.

- 4 Requests that Councillors continue to receive ongoing training and induction on what Council is doing, the use of Notices of Motion (NOMs) and Questions with Notice (QWNs).

The next meeting will be held in the Committee Room, Botany Town Hall on Wednesday, 9 July 2025.

The Chairperson closed the meeting at 9:22pm.

## **Attachments**

- 1 [↓](#) Addendum to City Performance Committee Minutes - 11 June 2025 (Submission from Bexley Chamber of Commerce)



# Addendum



To Mayor & Councillors cc General Manager  
Directors  
Manager Communications & Engagement  
Governance

From Manager Governance & Risk  
Corporate Planner

Date 24 June 2025 File No SF25/200424

## Re: Addendum to Minutes of City Performance Committee - 11 June 2025

Dear Mayor & Councillors

Further to Council's consideration of Draft Delivery Program 2025-2029 and Draft Operational Plan & Budget 2025-26 at the City Performance Committee in June 2025, it has been brought to our attention that a submission from the Bexley Chamber of Commerce was accidentally omitted from being reported to Committee.

The following table has been prepared in response to the additional Submission in relation to Item CP25.023 - Draft Delivery Program 2025-2029 - Post Public Exhibition and CP25.027 - Draft Operational Plan & Budget 2025-26 and Draft Fees & Charges 2025-26 - Post Public Exhibition.

Submission		Response
<b>Draft Delivery Program 2025 - 2029</b> (page 29 of this document)		
DP14	<p>Councils proposed Capital Projects Program is summarised by asset group.</p> <p>Under the roads and transport program we request that consideration be given to improving parking capacity in Westminster Street by introducing angle parking. This is in the context of nearby businesses along Forest Road having limited parking adjacent to their premises.</p> <p>Under the Thriving Town Centres program expenditure for 2025-2026 is projected at \$490,000. To meaningfully comment on this, we need more information on fund distribution across all Town Centres as well as work proposed for Bexley Town Centre.</p>	<p>Council had not considered the inclusion of Westminster Street in the 4-year Delivery Program. The suggestion of introducing angle parking in Westminster Street is appreciated and has been listed for review in future planning, noting that the first step would be to undertake community consultation.</p> <p>The current \$490,000 funding outlined on page 56 of the Capital Projects Program in the Operational Plan, is funded from a separate funding source and distributed across the following:</p> <ul style="list-style-type: none"> <li>- Banksia Town Centre</li> <li>- Bardwell Park Shopping Centre</li> <li>- Rockdale Town Centre Upgrade.</li> </ul>
<b>Draft Operational Plan &amp; Budget 2025-26</b> (At page 23 of this document)		
OP11	<p>Item 1.3.1.1.1</p> <p>Promote the Footway Trading Policy</p> <p>Measure: Report on progress</p> <p>Target: 6 monthly</p>	<p>The Delivery program is a 4 year plan and not all actions to deliver the objective will be commenced in year 1.</p>

Submission	Response
<p>Comment: This is the only 2025-2026 action planned to address the Delivery Program Objective that by 2029 Bayside's local areas and town centres are vibrant and active. Footpath Trading alone will not lead to vibrant and active town centres. Further actions need to be developed in consultation with town centre communities</p>	<p>Further actions will be considered for including in future operational plans after engagement with our town centre communities.</p>
<p>OP12 Item 1.3.2.2.2 Delivery Town Centres Cleaning Program. Measure: Cleaning to be completed weekly. Target: 95%</p> <p>Comment: Cleaning needs to be greatly improved for Bexley Town Centre especially regarding rubbish collection in landscaped areas and the cleaning of pavements.</p>	<p>This action relates to scheduled, regular cleaning of all Town Centres, which includes daily street sweeping, daily litter removal and scheduled high pressure cleaning.</p> <p>A meeting will be arranged between relevant staff and the Bexley Chamber of Commerce to discuss this matter.</p>
<p>OP13 Item 1.3.2.2.3 Landscape and maintain Council's gardens Measure: Scheduled maintenance is completed within service level agreements Target: &gt;98%</p> <p>Comment: Landscaping in Bexley Town Centre is not being effectively maintained. We look forward to discussing an appropriate service level which should be more effective as well as transparent and accountable to the community.</p>	<p>Council welcomes your feedback on what the chamber believes is an appropriate service level.</p> <p>A meeting will be arranged between relevant staff and the Bexley Chamber of Commerce to discuss this matter.</p>
<p>OP15 <b>Local Area Fund Strategy</b> In last year's Operational Plan and Budget, at item 4.2.1.1, there was an action to "Adopt and Implement Local Area Fund Strategy".</p> <p>We have previously expressed an interest in taking part in the development of the LASF which doesn't appear to be included in the current draft plan. We would appreciate more information on its status</p>	<p>A meeting will be arranged between relevant staff and the Bexley Chamber of Commerce to discuss this matter.</p>

The submission from the Bexley Chamber of Commerce was either asking for further information or requesting additional works, which have been listed for review in future planning, therefore the Delivery Program and the Operational Plan are not required to be updated.

An additional part to the recommendation is proposed as follows:

- 8 That Council formally notes the submission made by the Bexley Chamber of Commerce and notes that meetings will be arrange with the Bexley Chamber of Commerce and relevant staff to discuss the matters raised.**

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## Council Meeting

**25/06/2025**

Item No	12.5
Subject	<b>Minutes of the Bayside Traffic Committee Meeting - 11 June 2025</b>
Report by	Peter Barber, Director City Futures
File	SF24/8035

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## Officer Recommendation

That the Minutes of the Bayside Traffic Committee meeting held on 11 June 2025 be received and the recommendations therein be adopted.

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## Summary of Substantial Recommendations

There were no Substantial Recommendations identified. Substantial Recommendations are those which have a major Financial and/or Policy implications.

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## Present

Councillor Soraya Kassim (Convenor)  
Councillor Liz Barlow  
Les Crompton, representing State Member for Kogarah  
Samantha Ortado, representing State Members for Rockdale and Heffron  
Vinoth Srinivasan, representing TfNSW  
Senior Constable Steven STEVEN, South Sydney Police Area Command  
Senior Constable Fang XU, St George Police Area Command

## Also present

Michael Takla, Transit Systems  
Louise Farrell, Manager City Infrastructure, Bayside Council  
Sam Lindsay, Coordinator Traffic & Road Safety, Bayside Council  
Jason Huang, Senior Traffic Engineer, Bayside Council  
Raj Shah, Traffic Engineer, Bayside Council  
Romel Ayoub, Traffic Engineer, Bayside Council  
Syed Hasan, Traffic Engineer, Bayside Council  
Utsav Dhakal, Student/Graduate Engineer, Bayside Council  
Phoebe Mikhiel, Manager Compliance & Community Safety  
Paul Adams, Coordinator Parking & Safety, Bayside Council  
Shobna Maharaj, Traffic Committee Administrative Officer

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## 1 Acknowledgment of Country

The Chairperson 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 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**

There were no apologies received.

## **3 Disclosures of Interest**

There were no disclosures of interest.

## **4 Minutes of Previous Meetings**

### **[4.1 Minutes of the Bayside Traffic Committee Meeting - 14 May 2025](#)**

#### **Committee Recommendation**

That the Minutes of the Bayside Traffic Committee meeting held on 14 May 2025 be confirmed as a true record of proceedings.

### **4.2 Business Arising**

The Committee notes that the Minutes of the Bayside Traffic Committee of Wednesday 14 May 2025 were received and the recommendations therein were adopted by the Council at its meeting of 28 May 2025.

## **5 Reports**

### **[BTC25.099 Albyn Street, Bexley - Proposed extension of 'No Stopping' zone](#)**

#### **Committee Recommendation**

- 1 That the existing 'No Stopping' zone on the southern side of Albyn Street, Bexley, west of the pedestrian crossing, be extended by 5m, as per the attached plan.
- 2 That Council note that a proposal is currently underway for the conversion of the existing pedestrian crossing to a raised pedestrian crossing at this location.

**BTC25.100 Bellevue Court, Arncliffe - Proposed 'Stop' Sign**

**Committee Recommendation**

That approval be given for the installation of a 'Stop' sign and associated line marking at the intersection of Bellevue Court and Bellevue Street, Arncliffe, as per the attached plan.

**BTC25.101 Charles Street, Arncliffe - Proposed 15m Works Zone for 26 Weeks**

**Committee Recommendation**

- 1 That approval be given to the provision of a 15m 'Works Zone, 7:00 am – 5:00 pm, Mon – Fri and 8:00 am – 1:00 pm, Sat' restrictions along the eastern kerb line of Charles Street, Arncliffe for the duration of 26 weeks, subject to relevant conditions.
- 2 That the applicant must ensure that construction vehicles do not queue within Charles 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 existing parking restrictions in Charles Street not be changed on account of this proposal and traffic flow be maintained in Charles Street at all times unless separate road occupancy approvals have been obtained through Council's Public Domain and Referrals team.
- 4 All inbound construction vehicles must access the site via Charles Street. Vehicles approaching from the east must turn right from Wickham Street into Charles Street, while those coming from the west must turn left from Wickham Street into Charles Street. Construction vehicles are not permitted to use Kyle Street or Duncan Street.
- 5 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.
- 6 That the developer and associated sub-contractors comply with conditions imposed by the 'National Heavy Vehicle Regulator' approved Permits.
- 7 That the applicant notifies Council, six (6) weeks in advance of required extension to the 52 week 'Works Zone'.
- 8 That the applicant notifies the adjacent properties of the approved 'Works Zone' and provides a copy to Council for record.

**BTC25.102 35-39 Duncan Street, Arncliffe - Renewal of 10m Works Zone for 6 Weeks**

**Committee Recommendation**

- 1 That approval be given to the renewal of a 10m 'Works Zone, 7:00 am – 5:00 pm, Monday – Friday and 8:00 am – 1:00 pm Saturday' restriction along the western kerb line of Duncan Street, for the duration of 6 weeks, subject to relevant conditions.
- 2 That the applicant must ensure that construction vehicles do not queue within Duncan 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 12m 'Heavy Rigid Vehicles' due to constraints in the existing road infrastructure and be limited to 11m heavy vehicles only.
- 4 That the applicant notifies the adjacent properties of the approved Works Zone and provides a copy to Council for record.

**BTC25.103 Gertrude Street, Wolli Creek - Proposed Linemarking**

**Committee Recommendation**

That approval be given to install S1 centre linemarking across the length of Gertrude Street, and BB unbroken centre linemarking be installed 30m from the intersection with Levey Street.

**BTC25.104 Intersection of Ann Street and Arncliffe Street, Wolli Creek - Proposed 'No Stopping' zone**

**Committee Recommendation**

That approval be given for the installation of a statutory 10m 'No Stopping' zone in the form of yellow C3 linemarking at the intersection of Ann Street and Arncliffe Street, Wolli Creek as per the attached plan.

**BTC25.105 Intersection of Alsace Avenue and Lorraine Avenue, Bardwell Valley - Proposed 'No Stopping' zone**

**Committee Recommendation**

That approval be given for the installation of a statutory 10m 'No Stopping' zone in the form of yellow C3 linemarking on the intersection of Alsace Avenue and Lorraine Avenue, Bardwell Valley as per attached drawing.

**BTC25.106 Intersection of Charles Street and Wickham Street, Arncliffe - Proposed 'No Stopping' restrictions**

**Committee Recommendation**

That approval be given for the installation of a statutory 10m 'No Stopping' zone in the form of yellow C3 linemarking on the west and east side of Charles Street, Arncliffe as per the attached plan.

**BTC25.107 Intersection of York Street and Bestic Street, Rockdale - Proposed 'No Stopping' zone**

**Committee Recommendation**

That approval be given for the installation of a statutory 10m 'No Stopping' zone at the intersection of York Street and Bestic Street, Rockdale, as per the attached plan.

**BTC25.108 Knight Street, Arncliffe - Proposed 'No Parking' zone**

**Committee Recommendation**

That a 'No Parking' zone be installed on the southern side of Knight Street, Arncliffe, opposite 5 Knight Street, as per the attached plan.

**BTC25.109 Mascot Station Precinct Traffic Study**

**Committee Recommendation**

- 1 That the draft Mascot Precinct Local Area Traffic Management Study be received and noted.
- 2 That the recommendations of the report be reported back to Traffic Committee following further investigation, design, stakeholder and community consultation.
- 3 That a high-level timeline of estimated delivery of actions be prepared for monitoring and progress.

**BTC25.110 May Street, Bardwell Park - Proposed "No Parking"**

**Committee Recommendation**



That approval be given for the installation of 'No Stopping' zones in the form of yellow C3 linemarking and 'No Parking' zones on May Street, Bardwell Park, as per the attached plan.

**BTC25.111 Middlemiss Street, Rosebery - Proposed kerb islands and '3P' zone**

**Committee Recommendation**

- 1 That approval be given for the installation of 4 kerb islands and associated 'No Stopping' zones, adjacent to the driveways of 10-12 Middlemiss Street, Rosebery, as shown in the attached plan.
- 2 That approval be given to convert the existing '8P, 8AM – 6PM, Mon – Fri, Permit Holders Excepted, Area E' zone on the western side of Middlemiss Street, between Coward Street and Rolfe Street to a '3P, 8AM – 6PM, Mon – Fri, Permit Holders Excepted, Area E' zone.

**BTC25.112 Oldham Crescent, Dolls Point - Proposed 'No Stopping' zone**

**Committee Recommendation**

That approval be given for the installation of a statutory 10m 'No Stopping' zone in the form of yellow C3 linemarking on the west & east kerblines of Oldham Crescent, Dolls Point as per attached drawing.

**BTC25.113 40 Percival Street, Bexley - Renewal of 9m of Works Zone for 15 weeks**

**Committee Recommendation**

- 1 That approval be given to the renewal of a 9m 'Works Zone, 7:00 am – 5:00 pm, Monday – Friday and 8:00 am – 1:00 pm Saturday' restriction along the north-eastern kerb line of Percival Street, Bexley for the duration of 15 weeks, subject to relevant conditions.
- 2 That the applicant must ensure that construction vehicles do not queue within Percival 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 two-way traffic flow is always maintained in Percival Street at all times unless separate road occupancy approvals have been obtained through Council's Public Domain and Referrals team.
- 4 That approval is limited to 8.8m 'Medium Rigid Vehicles' only due to constraints in the existing road infrastructure.

- 5 That approval is not 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 (6) Weeks in advance of required extension to the 15 weeks 'Works Zone'.
- 7 That the applicant notifies the adjacent properties of the approved 'Works Zone' and provides a copy to Council for record.

**BTC25.114 Warren Avenue, Kogarah - Proposed '1P' zone and 'Loading Zone'**

**Committee Recommendation**

That the existing '2P' zone be converted to a '1P' zone, and a 'Loading Zone' be installed on the northern side of Warren Avenue, Kogarah as per the attached plan.

**BTC25.115 Wilson Street, Kogarah - Proposed 'No Stopping' zone**

**Committee Recommendation**

That approval be given for the installation of a statutory 10m 'No Stopping' zone in the form of yellow C3 linemarking on the northern side of Wilson Street, Kogarah as per attached drawing.

**BTC25.116 Wollongong Road, Arncliffe - Proposed removal of 'No Stopping' zone**

**Committee Recommendation**

That approval be given to the removal of the 'No Stopping' zone on the southern side of Wollongong Road, Arncliffe between Done Street and Firth Street, as per attached drawings.

**BTC25.117 General Business**

**The following matters were raised by the Chair:**

- 1 Poor visibility at Pedestrian Crossing outside Graphic Arts Club, Mascot – Request for:
  - Improved street lighting directly above and around the crossing
  - Advanced warning signage positioned further back for oncoming vehicles
  - Additional road markings or reflective elements to draw more attention to the crossing at nightCouncil Officers to investigate and report back.
- 2 Request for update on the status of the Notice of Motion raised at the Council Meeting in February 2025 – Balancing Accountability with Effective Parking Management. Council Officers to investigate and advise.
- 3 Bonar Street, Arncliffe – Road noise complaint. Council Officers to investigate and report back to the next Traffic Committee Meeting.

**The following matters were raised by the Representative for State Member for Kogarah:**

- 1 76 Stoney Creek Road – Development requires compliant driveway/ footpath. Referred to Public Domain for follow up.
- 2 Intersection of Stoney Creek Road & Forest Road – Recent incident reported by a local resident regarding a near hit and miss. Numerous requests have been made to Transport for a redlight speed camera at this intersection. Council Officers to follow up response from TfNSW. The Representative for TfNSW also advised that they are currently assessing Stoney Creek Road for potential locations for installing speed cameras.
- 3 Intersection of Preddy's Road & Stoney Creek Road – Request for dedicated right turn signal (both directions) due to frequent accidents. Council Officers to submit a request to TfNSW.
- 4 Potholes in Preddy's Road, Kinsel Grove, cnr of Kingsland & Abercorn Street, Bexley. Council Officers to action.
- 5 Carpark at cnr of Forest Road & Stoney Creek Road – 5 vehicles parked without number plates. Enforcement team advised that they regularly inspect and issue warnings/fines for illegal parking in and around the carpark and continues to monitor and manage these issues.

**The following matters were raised by Cr Liz Barlow:**

- 1 Signalised Pedestrian crossing request at the intersection of Forest Road & Queen Victoria Road – Council Officers to refer to TfNSW.
- 2 Mitre10 – Request for time limit enforcement. Enforcement team to action.
- 3 Carlton Shopping Centre – Request for 40k zone. Council Officers advised that this location is under consideration with other high pedestrian activity areas in the precinct.

**Committee Recommendation**

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

The Chairperson closed the meeting at 10.02 am.

**Attachments**

Nil

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## Council Meeting

25/06/2025

Item No	12.6
Subject	<b>Minutes of the Audit Risk &amp; Improvement Committee Meeting - 27 May 2025</b>
Report by	Meredith Wallace, General Manager
File	SF24/8035

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## Officer Recommendation

That the Minutes of the Audit Risk & Improvement Committee meeting held on 27 May 2025 be received and the recommendations therein be adopted.

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## Summary of Substantial Recommendations

The minutes of this Committee contain substantial recommendations which either have a major financial impact and/or a major policy impact:

**\*ARIC25.024      ARIC Annual Workplans - F24/25 and FY25/26**

**\*ARIC25.034      Status of Implementation of Internal Audit Improvement Opportunities**

**\*ARIC25.035      DRAFT - Strategic Four-Year Internal Audit Plan [2025-2029]**

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## Present

Mark Sercombe, Chairperson, Independent External Member  
Sheridan Dudley, Independent External Member  
Robert Lagaida, Independent External Member  
Councillor Janin Bredehoeft, Councillor Representative (via audio visual link)

## Also present

Meredith Wallace, General Manager  
Richard Sheridan, Director City Performance  
Fausto Sut, Manager Mayoral & Councillor Support  
Luke Phillips, Manager Finance  
Guy Hancock, Manager City Works  
Helen Tola, Manager Governance & Risk  
Nicole Bardsley, Co-ordinator Risk Management  
Didier Dejean, Co-ordinator safety  
Umayal Sivanandan, Internal Auditor  
Ege Dogan, Cadet Internal Auditor  
Bola Oyetunji, NSW Auditor General, Audit Office of NSW (AONSW)

Chris Harper, AONSW  
Quentin Wong, AONSW  
Bianca Camuglia, National Manager Safety, Compliance OHS (via audio visual link)

The Chairperson opened the meeting in the Yarra Conference Room, Bayside Administration Building, Rockdale at 2.00 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 & Attendance Via Audio-Visual Link**

### **Apologies**

There were no apologies received.

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

Cr Bredehoeft was in attendance via audio-visual link.

## **3 Disclosures of Interest**

Sheridan Dudley declared that her term as ARIC member of Ryde Council ended.

Robert Lagaida declared that he has been appointed as ARIC Chair of Tamworth Regional Council, but this would not conflict with his duties as independent member of Bayside Council ARIC.

## **4 Minutes of Previous Meetings**

### **[4.1 Minutes of the Audit Risk & Improvement Committee Meeting - 18 March 2025](#)**

#### **Committee Resolution**

That the Minutes of the Audit Risk & Improvement Committee meeting held on 18 March 2025 be confirmed as a true record of proceedings.

### **4.2 Business Arising**

There was no Business Arising.

## 5 Reports

### ARIC25.022 Presentation - NSW Auditor-General

The NSW Auditor General provided an update on the following matters:

- Council has presented solid financial statements and made strong journey from its high risk position on merger
- Early closure procedures for Councils are supported by the Auditor General but not yet mandatory for local government
- The financial statement requirements are complex and as such may lead to misinterpretation or misunderstanding of a council's financial position
- The AONSW intends to review the requirements as it believes that there are opportunities to simplify the requirements for better understanding by councillors and public
- The AONSW workplan proposes publication of case studies on good practice and improvements.
- Cyber security remains a high risk for the public sector including local government

#### **Committee Resolution**

That the update by the NSW Auditor General be received and noted.

### ARIC25.023 Report - ARIC Action Items

#### **Committee Resolution**

That the report be received and noted.

### ARIC25.024 ARIC Annual Workplans - F24/25 and FY25/26

Some observations:

- It is noted that the BCP and Legal Compliance are areas not covered in FY2024/25
- Reporting on risk management at this ARIC meeting is very limited
- Council's practice of reporting matters required by the Local Government Regulations and the Office of Local Government (OLG) Guidelines – particularly matters requiring Council endorsement - through the ARIC minutes and its recommendations should be verified with legal counsel and/or OLG

#### **Committee Recommendation**

1. That the report on the ARIC Annual Workplan 2024-25 and its status be received and noted.
2. That the ARIC Annual Workplan for 2025/26 attached to this report be endorsed by Council.



## **ACTION**

Council to obtain in-house legal advice and/or OLG advice on its practice of reporting certain matters required by the Local Government Regulations and the OLG Guidelines through the ARIC minutes and its recommendations for Council endorsement.

### **ARIC25.025                      General Manager's Update**

The General Manager provided the Committee with an update on the following matters:

- Engagement and feedback on the draft Delivery Program and Operational Plan – improved engagement compared to last year
- M6 – Contractor has terminated the contract with NSW Government and new arrangements are being examined
- Cooks Cove Development planning proposal received approval from Sydney Eastern City Planning Panel
- Impact of small/medium housing policy

## **Committee Resolution**

That the Committee notes the General Manager's Update.

### **ARIC25.026                      Cyber Security Program Update - May 2025**

Some observations:

- Good progress in implementing identified actions
- The report does not articulate clearly the status or maturity level of each Foundation Requirements (of which the Essential 8 is one) contained with the Cyber Security NSW Guidelines for local government
- An annual self-assessment (using suggested templates) and report (to Executive and ARIC) on the Foundation Requirements is recommended as per the Cyber Security NSW Guidelines and AONSW
- Annual reporting is essential to ensure status is clear against the requirements and it is well documented

## **Committee Resolution**

The Audit Risk and Improvement Committee notes this report.

## **ACTION**

1. The Committee receive a report, at an upcoming meeting, showing Council's status/level of maturity against the Foundation Requirements outlined in the Cyber Security NSW Guidelines for local government.
2. The Committee receive, annually, a report updating Council's self-assessment of the status/level of maturity of the Foundation Requirements outlined in the Cyber Security NSW Guidelines for local government.

#### **ARIC25.027**      **Finance Update**

Some observations:

- Currently trending in line with approved budget
- Interim Audit by AONSW currently underway

#### **Committee Resolution**

1. That the Committee notes and receives the summary of the Statutory Financial Report – March 2025 that was presented and adopted by Council on 23 April 2025.
2. That the Committee notes and receives the verbal update on Council's YTD financial position.

#### **ARIC25.028**      **Draft Long-Term Financial Plan 2025-2035**

Some observations:

- Investment income supporting financial position
- Level of maintenance factor important in projecting position
- Council will need to address underlying cause of deficit
- Assess implications of sustainability of base scenario in light of changes to SRV and IPART decision on North Sydney Council

#### **Committee Resolution**

That the Committee receives and notes the draft Long-Term Financial Plan 2025-2035.

#### **ARIC25.029**      **Integrated Planning & Reporting Update**

#### **Committee Resolution**

That the report be received and noted.

### **ARIC25.030                      Organisational Resilience Framework Update**

Some observations:

- There is only limited mention of Risk Management
- Fraud and Corruption Framework and Policy requires review to ensure consistency, improve conciseness and reduce repetition
- Following review and update, the revised draft should be presented to the Committee

#### **Committee Resolution**

That the Committee receive and note the report on the status of the implementation of the Organisational Resilience Framework.

#### **ACTION**

Report back following the review and update of the Fraud and Corruption Framework/Policy.

### **ARIC25.031                      Claims Management - Quarterly Report**

#### **Committee Resolution**

That the Claims Management – Quarterly Report is noted by the ARIC.

### **ARIC25.032                      Final-WHS Compliance and Operational Audit Report-Mechanical Workshops-April 2025**

Some observations:

- Explained audit methodology including desktop and site visit
- Audit reports should have an audit objective
- The Committee noted that the welding shop has been excluded from the scope of the audit
- The Committee questioned the high risk recommendation
- Report contained many recommendations only partially agreed which should be resolved by management prior to reporting to the Committee.

#### **Committee Resolution**

That Council receive and note the report of the 'WHS Compliance and Operational Review-Mechanical Workshops'.

**ARIC25.033**      **Verification Audit - High Risk Audit Actions (March 2025)**

Some observations:

- Good result with all high risk audit actions completed
- Self-reporting status by Managers in PULSE not overstated
- Future reporting to include aging of any outstanding actions as this may impact on the risk rating

**Committee Resolution**

That Council receive and note the verification audit report for the high risk audit actions due by 31 March 2025.

**ACTION**

Future verification audit reports should include the age of incomplete actions

**ARIC25.034**      **Status of Implementation of Internal Audit Improvement Opportunities**

Some observations:

- Independent assessment of internal audit function required at least every 5 years therefore by 2026.
- New internal auditing standard introduced, and assessment will need to be against the new standard.

**Committee Recommendation**

- 1 That the report be received and noted.
- 2 That the key performance indicators for internal audit outlined in the report be endorsed

**ARIC25.035**      **DRAFT - Strategic Four-Year Internal Audit Plan [2025-2029]**

Some observations:

- Strategic four year plan subject to at least annual review and change subject to external and internal factors
- Management has identified that an audit of an element of WH&S should be undertaken annually

- Management should consider whether the scope of the audit of Bexley Pool should be expanded to all pools including ocean pools because of a perceived higher risk
- Management should consider whether the audit of fraud & corruption should be deferred to a later year given the work to be completed in that area.
- Management should consider whether the Complaints Management Framework be scheduled earlier.
- Committee should review objective/scope of each audit prior to commencement as an “out of session” request if required

### **Committee Recommendation**

That the Council endorses the draft Strategic Four-Year Internal Audit Plan [2025-2029] noting ARIC comments may result in some amendments to the Plan.

### **ACTION**

Report back to the Committee on the objective/scope of audits to be undertaken in FY25/26.

### **ARIC25.036 Internal Audit Plan FY24/25 - Progress Report**

Some observations:

- All remaining audits commenced, and outstanding audits should be reported back to the next meeting
- Report should clearly show which meeting the Committee should expect to receive the audit report
- Where there are delays in reporting, internal audit and/or the relevant management area (whichever is primarily responsible for the delay) should explain to the Committee the reasons for the delay

### **Committee Resolution**

That the progress on the FY24/25 Internal Audit Plan be received and noted.

### **ARIC25.037 General Manager's Attestation - draft**

Some observations:

- Council compliant and matter of interpretation re strategic four year internal audit plan was discussed
- For annual report an abridged version should be presented without the additional commentary provided to ARIC
- The final version of the Attestation should be presented to ARIC prior to inclusion in the Annual Report

### **Committee Resolution**

1. That the report on draft attestation statement for 2024/25 by the General Manager be received and noted.
2. That the Committee's comments be considered and the final attestation be submitted to the Committee.

### **ARIC25.038 Proposed Meeting Schedule for 2026**

### **Committee Resolution**

That the Meeting Schedule as outlined in the report be adopted.

## **6 General Business**

### **6.1 In Camera Session**

The independent members held an in camera meeting with the Head of Internal Audit and the Internal Auditors prior to the ARIC meeting.

### **6.2 ICAC Webinar**

The Chair mentioned that ICAC was running a webinar on 4 June 2025 on "Why the Small Stuff Matters": Unpacking common forms of corruption.

## **7 Next Meeting**

The next meeting be held in the Yarra Conference Room, Level 2 Bayside Administration Building, Rockdale at 2.00pm on Tuesday, 26 August 2025.

An in camera session with Legal Counsel will be held prior to the Committee Meeting at 1:45pm.

The Chairperson closed the meeting at 4:55pm.

## **Attachments**

Nil

## 13 NOTICES OF MOTION

### Council Meeting

25/06/2025

Item No	13.1
Subject	<b>Notice of Motion - Sir Joseph Banks Park, Botany</b>
Submitted by	Councillor Curry and Councillor Morrissey
File	F18/135

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### Summary

This Motion was submitted by Councillors Curry & Morrissey.

### Motion

- 1 That Council investigates the design and delivery of a full-sized, outdoor basketball court at Sir Joseph Banks Park, Botany, at the site of the existing 3-point court.
  - 2 That Council identifies and allocates potential funding sources for the project, which may include Council's Open Space and Recreation budget, NSW Government's Community Building Partnership Program, Australian Government's Local Roads and Community Infrastructure Program, Developer contributions under the Section 7.11 Plan and Corporate or community sponsorship/branding opportunities.
  - 3 That Council engages in community consultation as part of the design process to ensure alignment with local needs and park usage.
  - 4 That Council receives an initial report to the relevant committee within 6 months detailing feasibility, cost estimates, funding options, and proposed timeline.
- 

### Background

#### Supporting Statement by Councillors

Sir Joseph Banks Park is a vital recreational hub in Botany, servicing a rapidly growing population due to increased housing density and development. Community demand for sports facilities, particularly basketball, continues to grow with this demographic shift, with residents seeking inclusive, free-to-access facilities that promote physical activity and social connection.

A full-sized basketball court would complement the park's existing features, including the playground, off-leash dog area, walking tracks and the proposed pump track, by diversifying active recreation options. It would serve both casual users and organised community groups. Strategically located, the court would enhance the park's role as a vibrant, multifunctional open space for all age groups and abilities.



**Comment by General Manager**

In accordance with cl 3.13(b) of the Bayside Code Of Meeting Practice, this Notice of Motion is deferred for consideration from the Council Meeting of 25 June 2025 to the Council Meeting of 27 August 2025 pending a report by the General Manager.

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**Attachments**

Nil

## Council Meeting

25/06/2025

Item No	13.2
Subject	<b>Notice of Motion - Recognising First Nations History in our First Contact LGA</b>
Submitted by	Councillor Kassim
File	F23/104

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## Summary

This Motion was submitted by Councillor Kassim.

## Motion

That Council undertakes a program of dual interpretation of major historical monuments in the Bayside local government area (LGA) which would:

- 1 Audit all monuments and interpretative signage of place throughout the LGA.
  - 2 Consult with the Bayside Reconciliation Action Plan (RAP) Working Group and Gujaga Foundation regarding the options for adding new interpretative signage alongside existing signage, with a view to educating any visitors to our monuments and places of significance, regarding the Aboriginal significance of the personality/event being commemorated and/or the place.
  - 3 Report back to Council on the options for a public education program which could accompany the placement of Aboriginal interpretative signage alongside existing signage throughout the LGA.
- 

## Background

### Supporting Statement by Councillors

Bayside Council is bounded by Kamay (Botany Bay), which is the site of James Cook's first landing on Australia in 1770. Kamay was also the site of first landing by the British (and the French) in 1788, before the First Fleet moved to Port Jackson, where the British flag was eventually officially planted.

The Sydney Basin, including the land which now forms part of Bayside, was a site of considerable resistance to colonization. In addition to those who fell victim to armed conflict and alienation from land and traditional food sources, it is estimated that the year after first settlement (1789), almost half of Sydney's Aboriginal population died in an epidemic of introduced diseases, particularly smallpox.

Bayside now has a comparatively small Aboriginal population – about 2% of our residents. Nevertheless, they will always be the custodians of the land we now all call home. Their history runs in parallel with the history of settlement from 1770 until the present.

The concept of dual interpretative signage is to recognize that a place has more than one history and there is always more than one interpretation of the significance of places and

events. The placement of interpretative signage regarding colonial history, in particular, needs to be told from the perspective of both the colonist and the traditional custodians of the land which they colonized. This is particularly important in our LGA as a site of first contact.

**Comment by General Manager**

In accordance with cl 3.13(b) of the Bayside Code Of Meeting Practice, this Notice of Motion is deferred for consideration from the Council Meeting of 25 June 2025 to the Council Meeting of 27 August 2025 pending a report by the General Manager.

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**Attachments**

Nil

## **Council Meeting**

**25/06/2025**

Item No	13.3
Subject	<b>Notice of Motion - Improving Compliance with Water Sensitive Urban Design (WSUD)</b>
Submitted by	Councillor Kassim
File	F13/179

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## **Summary**

This Motion was submitted by Councillor Kassim.

## **Motion**

That Council investigates the utility of the WSUD Maintenance Compliance Framework, which has been developed by Ocean Protect to assist Councils in the task of effectively and efficiently regulating stormwater quality and detention systems on private property, and report on whether it would be appropriate for usage by us.

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## **Background**

### **Supporting Statement by Councillors**

Stormwater runoff is a significant cause of pollution to our waterways. Private developments are required to install assets to fulfil functions such as stormwater detention, infiltration and treatment as part of their development consent. However, it is estimated that only 20% of those private assets are adequately maintained at present (Parramatta River Catchment Group, 2022). In many cases this may be due to lack of familiarity with their legal obligations, or resourcing issues.

The WSUD Framework seeks to address some of that lack of information and also provides some assistance with templates to reduce resourcing costs to implementors and regulators. It is free.

Council has an important role in WSUD with regard to maintaining our own assets but can also provide guidance to private owners of assets to assist them with their performance monitoring, as part of our compliance responsibilities.

As the Framework is new, there is an opportunity for Council to take a leading role in trialling its usage and contributing towards its development for the sake of our waterways.

### **Comment by General Manager**

In accordance with cl 3.13(b) of the Bayside Code Of Meeting Practice, this Notice of Motion is deferred for consideration from the Council Meeting of 25 June 2025 to the Council Meeting of 23 July 2025 pending a report by the General Manager.

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## **Attachments**

Nil

**Council Meeting**

**25/06/2025**

Item No	13.4
Subject	<b>Notice of Motion - Request for picnic table and seating in Jack Munday Reserve</b>
Submitted by	Councillor Kassim
File	F21/85

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**Summary**

This Motion was submitted by Councillor Kassim.

**Motion**

That Council installs a picnic table under the existing shaded area in Jack Munday Reserve, Eastlakes.

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***Background***

**Supporting Statement by Councillors**

Jack Munday Reserve is a treasured piece of green space for the people of Eastlakes. It is very well used and loved by people of all ages. It currently has a good playground and outdoor picnic tables. However, there is no undercover seating. There is a large covered area in the middle of the reserve but it is hardly used as there are no seats under it.

**Comment by General Manager**

Funding for this small project is available in Council's operational budget.

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**Attachments**

Nil

## Council Meeting

25/06/2025

Item No	13.5
Subject	<b>Notice of Motion - Electrification and Degasification of New Developments</b>
Submitted by	Councillor Strong
File	F18/262

## Summary

This Motion was submitted by Councillor Strong.

## Motion

- 1 That Council notes the findings of Electric Savings, a recent report by 350 Australia which models significant cost and emissions reductions that would result from mandating all-electric new residential and commercial developments through amendments to local Development Control Plans (DCPs).
- 2 That Council acknowledges that:
  - a) For Bayside, the report estimates average household energy bill savings of \$626 per year, totalling \$118 million over 40 years across all new residential buildings.
  - b) Commercial buildings could save an additional \$25 million over the same period.
  - c) More than 1 million tonnes of CO<sub>2</sub>-equivalent emissions could be avoided through full electrification.
  - d) Doctors for the Environment Australia support the move due to growing evidence of serious health risks from gas use indoors, including respiratory illness and cancer.
  - e) Legal advice confirms that councils can implement electrification standards via DCPs, with no legal appeals to date in against the five 13 NSW councils where similar measures have been implemented (Hornsby, Lane Cove, Newcastle, Waverley and Parramatta councils). adopted or progressed.
  - f) Another nine councils are progressing similar electrification changes to their DCPs, including Queanbeyan-Palerang, North Sydney, Inner West, Blue Mountains, Canada Bay, Ryde, Wagga Wagga and Canterbury-Bankstown councils.
- 3 That Council recognises that with growing Transport Oriented Development (TOD) in Bayside, including increased housing and commercial density near transit hubs, there is a pressing need to ensure new development is affordable, environmentally sustainable, and aligned with community health outcomes.
- 4 That Council requests that the General Manager organise a briefing for councillors to explore policy pathways for requiring electrification and degasification in Bayside's



planning framework and help Council develop a roadmap for more sustainable, cost-effective future growth, with the briefing session to include:

- a) Representatives from 350 Australia;
- b) Medical professionals from Doctors for the Environment Australia;
- c) Relevant Council officers in Planning and Sustainability.

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## Background

### Supporting Statement by Councillors

No supporting statement provided.

### Comment by General Manager

This matter can be considered by Council and a workshop/briefing organised.

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## Attachments

Nil

## Council Meeting

25/06/2025

Item No	13.6
Subject	<b>Notice of Motion - Proposal for a Pedestrian and Bicycle Path Under the Wolli Creek Bridge</b>
Submitted by	Councillor Strong
File	SF24/8035

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## Summary

This Motion was submitted by Councillor Strong.

## Motion

- 1 That Council investigates the feasibility of constructing a shared pedestrian and bicycle path beneath the Wolli Creek bridge to connect Discovery Point Park and Cahill Park.
  - 2 That Council assesses the potential benefits of this connection, including:
    - a) Enhanced safety by reducing the need for pedestrians and cyclists to cross the busy Princes Highway at-grade.
    - b) Improved connectivity between key recreational spaces, promoting active lifestyles.
    - c) Support for local businesses through increased foot and bicycle traffic.
    - d) Alignment with the objectives of the Bayside Bike Plan and the Wolli Creek Traffic and Transport Study.
  - 3 That Council engages with relevant stakeholders, including local residents, cycling groups, and state transport agencies, to gather input and support for the project.
  - 4 That Council reports back to Council with findings and recommendations, including potential funding sources and timelines for implementation.
- 

## Background

### Supporting Statement by Councillors

**Safety Enhancement:** Providing a dedicated under-bridge path would allow pedestrians and cyclists to avoid the high-traffic intersection near Woolworths, reducing the risk of accidents.

**Promoting Active Transport:** This connection would encourage walking and cycling by offering a continuous, scenic route along the Cooks River, aligning with Council's goals to promote sustainable transport options.

**Economic and Community Benefits:** Improved access between parks can increase usage of these spaces, benefiting local businesses and fostering a stronger sense of community.

Environmental Impact: Encouraging non-motorized transport options contributes to reduced emissions and supports environmental sustainability goals.

*Next Steps*

Community Engagement: Gather support from local residents, cycling groups, and businesses to demonstrate community backing for the project.

Consultation with Council: Present the motion to your local council representative and discuss potential pathways for feasibility studies and funding.

Explore Funding Opportunities: Investigate state and federal grants aimed at improving active transport infrastructure, which could support the project's implementation.

**Comment by General Manager**

In accordance with cl 3.13(b) of the Bayside Code Of Meeting Practice, this Notice of Motion is deferred for consideration from the Council Meeting of 25 June 2025 to the Council Meeting of 27 August 2025 pending a report by the General Manager.

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**Attachments**

Nil

## Council Meeting

25/06/2025

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Item No	13.7
Subject	<b>Notice of Motion - Upgrade of Electrical System at Lydham Hall</b>
Submitted by	Councillor Kassim and Councillor Bredehoeft
File	F22/446

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## Summary

This Motion was submitted by Councillors Kassim and Bredehoeft.

## Motion

- 1 That Council immediately obtains quotes to upgrade the electrical system for Lydham Hall, including for any archaeological support if necessary. These quotes are to be obtained in recognition of the need to:
    - a) Urgently provide for a safe working commercial kitchen. This will enable St George Historical Society to continue its excellent public education and engagement work, and to earn income to put towards the maintenance of the Hall; and
    - b) Provide electricity upstairs for basic heating or dehumidifying equipment for use by the Writer in Residence which is proposed as part of a new cultural initiative for the Hall. Given that this program is scheduled to start in the second half of this year, the electrical refit is urgent.
  - 2 That Council reports back to the relevant Committee regarding funding options in time for consideration of this important project at the first quarterly budget review of 2025-26.
- 

## Background

### Supporting Statement by Councillors

Lydham Hall is Bayside's premier historic house. It is managed by St George Historical Society on a voluntary basis. They have developed a program of events to promote the hall and help fund its maintenance.

Their most popular and successful events involve serving food. This includes monthly events attended by over a hundred visitors. Conducting these events is, however, currently very difficult due to the antiquated electrical wiring of the building. If this was fixed to enable a more adequate commercial kitchen it may also be possible to hire out the grounds for other events. This would greatly contribute towards the physical safety and self-sufficiency of efforts to maintain this historic asset.

Council is also proposing a new initiative for a Writer in Residence to be housed at Lydham House. The plan is that they will utilize the upper floor of the building (which is not accessible to other visitors). The issue, however, is that it is not possible to run the upper

and lower floors of the building at the same time. This makes it very difficult to provide an appropriate working space for the writer in residence.

Council is seeking quotations for the electrical works. There appear to be a couple of options to achieve the necessary electrical works:

#### Option 1

The new electrical cabling could be enclosed in the existing underground PVC pipe which currently houses all the electrical cabling for the museum. This pipe is 150mm round which would appear to be sufficient to accommodate extra cabling required for the new sub-board. This option would require no digging whatsoever. However, it will require a camera investigation by the electrical contractor to determine where the pipe finishes. This is not expected to be difficult for most electrical contractors. 2 quotes have already been obtained by St George Historical Society for this work, amounting to approximately \$10 000.

#### Option 2

If the above turns out to be not feasible, the new electrical cables can be laid in the existing service trench. This would require approximately 7 metres of digging following the line of the existing cabling. Under this option, the new cables can be:

- a. fed underneath the verandah boards (enclosed and protected in conduit). There is no digging required under the verandah; or
- b. concealed within a conduit that sits under the overhang of the verandah floorboards. The conduit can be painted brown to match the fascia of the verandah.

All of the above is compliant with Australian Standards for electrical work according to the two electrical companies with which St George Historical Society has consulted.

Some concerns have been expressed regarding the need to employ an archaeologist to supervise any digging on the site. This should not, in itself be prohibitive.

However, there is also a view that archaeological supervision may not be necessary because, while the site is of state heritage significance, different parts of the site are graded differently. While digging around the Pavillion has been found to require an archaeologist, Options 1 and 2 do not go anywhere near the Pavillion and, instead, cover areas for which an exemption would be likely to apply.

- According to the NSW Environment and Heritage Office, Subsection 57 (1) Standard exemption 8 (clause a.i.) says works/activities to an item do not require approval: "for the purpose of exposing underground utility services infrastructure which occurs within an existing service trench".
- The 1970s kitchen is documented in the Conservation Management Plan (CMP) as having "little" heritage grading. Therefore, work can be done to the kitchen with exemptions and without input from the Heritage Office. The Heritage Office says that exemptions to this grade can be self-assessed.
- In regard to any alterations to the brickwork under the verandah floor, the CMP does not grade this at all. Those bricks were introduced in the late 1970s to 'beautify' the verandah and a matching front fence was constructed at the same time. The brickwork on the front fence is graded as having "little" significance so we can assume the same

would apply to the bricks under the verandah. At the back of the house there are no bricks. It is a mixture of concrete, grates or nothing.

**Comment by General Manager**

In accordance with cl 3.13(b) of the Bayside Code Of Meeting Practice, this Notice of Motion is deferred for consideration from the Council Meeting of 25 June 2025 to the Council Meeting of 27 August 2025 pending a report by the General Manager.

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**Attachments**

Nil

**14      QUESTIONS WITH NOTICE**



**15 CONFIDENTIAL REPORTS / MATTERS**

**Council Meeting**

**25/06/2025**

Item No	15.1
Subject	<b>CONFIDENTIAL - Property Acquisition Rockdale</b>
Report by	Peter Barber, Director City Futures
File	F24/233

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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) (d)(ii) 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, 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.

**16 CONCLUSION OF THE MEETING**