



# Finance, Community & Services Committee

Monday 4 March 2024  
6.30pm

## Late Correspondence

### Privacy Statement:





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**Subject:** LATE CORRESPONDENCE - FC&S - 4 MARCH 2024  
**Author:** Rhys Johnson, Coordinator Governance  
**File No:** 24/38516  
**Purpose of the Report:** To table late correspondence as submitted for consideration by the Mayor and Councillors relevant to the Finance, Community & Services Committee held on 4 March 2024.  
**Alignment to Delivery Program:** Strategy 11.3: Ensure effective and efficient governance and risk management.

**Recommendation:**

THAT the Finance, Community & Services Committee receives and notes the late correspondence and reads late correspondence in conjunction with the relevant Agenda items.

Please find attached late correspondence relating to matters appearing on the Agenda for the Finance, Community & Services Committee held on 4 March 2024. Correspondence received is listed below:

Item No.	Matter	Author	Page
D2 (Y4)	Local Traffic Committee Minutes - 6 February 2024	John Durack  	3
R3	Monthly Financial Report – 31 January 2024 Investment held as at 29 February 2024	Paul Ryan, Chief Financial Officer  	6

To the Chairperson of the FC&S Meeting on 4 March 2024  
Notes for the Committee's assistance

John Durack 1 March 2024

LATE CORRO	Item: <u>D2</u>
Previously forwarded to Clrs	<u>(Y)</u> N
Meeting:	<u>FC&amp;S</u>
Date:	<u>4 / 3 / 2024</u>

I will be addressing the Committee on 4 March 2024.

The following notes are being provided to assist the Committee in following the main points I will raise in opposing the recommendation of the LCA to adopt the Construction Traffic Management Plan for 23 Elizabeth Street Paddington (the CMP).

Unfortunately, no copy of the CMP is included with the Agenda Papers. That CMP is merely referred to at p.34 of the Agenda as "Attachment 1" to the Minutes of the LCA meeting on 6 February 2024 but is not reproduced in the Agenda papers. References below are to the page numbers in the version of the CMP considered by the LCA.

My wife Robyn and I live at 444 Oxford Street Paddington.

I speak on behalf of many local residents, including some thirty households in Elizabeth Street, Elizabeth Place, Underwood Street, George Street and Oxford Street whose vehicular access, like our own, is via narrow, dead-end Elizabeth Place.

There are problems with the CMP which have not been addressed, and which were not explored by any member of the LCA when the plan came before it, especially how the plan will allow resident access while extensive excavation work is being conducted on the rear of five Oxford Street properties, access to which will also be via Elizabeth Place. That excavation work has been estimated to be completed in approximately six months.

Unless a condition requiring a deferred commencement is imposed, vehicles accessing the Elizabeth St site will be sharing narrow Elizabeth Place with significantly larger vehicles – 7.5m vehicles as well as the 5.2m long B99 vehicles proposed to be used for the 23 Elizabeth Street work.

#### PROBLEMS WITH THE CMP

Problems identified with the present CMP include the following:

- It is difficult to see how the owners of the three Elizabeth Place properties immediately opposite the site as well as the Elizabeth Street properties nos 17, 19 and 21 will be able to enter or reverse out of their properties when a vehicle is standing immediately in front of their access points
- It is clear that this will have to happen on many occasions during excavation and construction though no estimate of the actual number of times appears in the CMP. It is suggested, however, that a vehicle will stand on Elizabeth Place only during a period of approx. 4 weeks (p.v) as well as on an additional maximum of 5 concrete pumping days (p.vii,viii) together with a "small number of other pours" (p.x) when as many as 4 truck movements per hour will occur (p.x) – in other words on at least 5 weeks or 25 days during the construction period.
- Elizabeth Place is only 5.3m wide at the point where it is proposed a truck will stand but it is maintained this will not prevent access for local residents being available "at all times". It is suggested that the truck will "straddle" the site boundary at this point.



How this will be possible while excavation and construction to the boundary is carried out is not explained.

- No trial runs have been carried out to determine if it is in fact feasible, even if a truck is “straddling” the boundary, and no diagrams are provided in the CMP to suggest that 7.5m vehicles approaching the Oxford Street development will be able to pass a truck standing outside the property on Elizabeth Place. Elizabeth Place is, as noted, only 5.3m wide.
- If 7.5 m trucks are also accessing the Oxford Street properties, the conditions will be extremely problematic, especially bearing in mind trucks will often be being reversed with the assistance of traffic marshals – suggesting local residents coming down Elizabeth Street and trying to turn right into Elizabeth Place will be forced to continue down Elizabeth Street and look for parking for indeterminate periods elsewhere in Paddington
- It is suggested that vehicles standing on Elizabeth Place will be restricted to a maximum loading time of 10 minutes but this requirement appears only once in the CMP itself – and appears to relate only to “loading out” activities (p.viii). If the CMP is approved there should be a specific condition to the effect that this limit will apply whenever any vehicle is standing at the rear of the property and occupying Elizabeth Place. There also needs to be a limit on how often this occurs – for example, four times an hour for 10 minutes would amount to a permanent obstruction.
- It is repeatedly suggested in the CMP that the project is a “small scale” one and that the impact of the works will be “negligible” notwithstanding that under the heading “Impact of Works on the Public” (p.x) it is suggested that there will be up to 5 vehicle movements per day over the estimated 55 week period as well as numerous truck movements on concrete pour days. This translates to more than 1,400 truck movements in all.
- Even this estimate seems very doubtful because it is said at p.x that the “total spoil” to be removed is around 250 cubic metres “equating to 105 vehicle movements to clear the site.” This is clearly an error and conflicts directly with the Soil and Waste Management Plan entered on Council’s website on 24 July 2023 in association with the latest amended architectural plans. This plan shows the excavation material at 670 cubic metres, of which only some 5 cubic metres is to be recycled (see Table for Construction Stage in this document). Apart from showing that the DA condition requiring the CMP to specify the volume to be excavated (Condition D11(o)) has not been satisfied, this would appear to require at least another 170 odd vehicle movements, bringing the total number up to well over 1,500.
- This total of truck movements would be occurring at the same time as the estimated 1,050 truck movements required to clear the Oxford Street properties of approximately 5,250 cu metres of spoil. (This is according to p.x of the CMP for the Oxford Street development DA554/2021.) In other words a total of more than 2,500 truck movements will be required for the two construction sites.

#### CONCLUSION

It is considered by residents that far from being on a “small scale” and having a negligible impact on them, the proposed development is a significant one and likely to severely impact the lives of the more than thirty households in Elizabeth Street, Elizabeth Place and neighbouring properties whose vehicular access is via Elizabeth Place. In rejecting the

original DA (before the developer's L&E Court appeal concluded with the Council agreeing to modestly revised plans), the Local Planning Panel said this

***“The proposed excavation ..... results in a proposed development that is unsuitable to the site. The excavation is unnecessary given the excessive amount of material to be removed to provide facilities that are beyond the reasonable requirements of a single dwelling house in the heritage conservation area. The unnecessary excavation will create unacceptable amenity impacts through excessive truck movements, acoustic impacts, and the length of the construction period to the surrounding residential development.”***

Council traffic engineers considered it appropriate, given what they called “the complexity of traffic and parking conditions for the subject site” that the CMP be referred to the LCA for “review and approval”. It would be difficult to call what is reflected in the minutes of the LCA meeting a “review” in any meaningful sense.

In the opinion of local residents, the LCA's recommendation should not be followed and this CMP should not be approved. The developer should be required to canvass other options to reduce the impact on residents. Unless this is done, there is the very real risk of the inevitable traffic confrontations escalating into physical altercations.

If it is the Committee's view that it should be approved, that approval should be conditional on commencement being deferred till the end of the excavation stage of the Oxford St properties development and on an a limit of 10 minutes for any vehicle standing on Elizabeth Place at the rear of the site – and a limit on how many times per hour this can occur.



LATE CORRO Item: R3

Previously forwarded to Cirs Y/N

FC+S

**DETAILS OF INVESTMENTS PORTFOLIO AS AT 29 FEBRUARY 2024**

RATING	BANK & SECURITY	PURCHASE DATE	MATURITY DATE	TOTAL TERM (DAYS)	REMAINING DAYS TO MATURITY	Meeting Date: % /	BOOK VALUE / \$
	<b>1. OAKVALE CAPITAL Limited</b>						
	Emerald Reverse Mortgage Backed Security Face Value 1 Million						727,156.28
	<b>2. WMC DIRECT INVESTMENTS</b>						
A	<b>ING DIRECT</b>						
	TERM DEPOSIT	9/03/2023	11/03/2024	368	11	4.98	3,000,000.00
AA	<b>WESTPAC BANKING CORPORATION</b>						
	TERM DEPOSIT	9/03/2023	11/03/2024	368	11	4.81	5,000,000.00
AA	<b>NATIONAL AUSTRALIA BANK</b>						
	TERM DEPOSIT	9/03/2023	11/03/2024	368	11	4.85	5,000,000.00
AA	<b>WESTPAC BANKING CORPORATION</b>						
	TERM DEPOSIT	29/03/2023	28/03/2024	365	28	4.39	4,000,000.00
AA	<b>NATIONAL AUSTRALIA BANK</b>						
	TERM DEPOSIT	13/04/2023	15/04/2024	368	46	4.50	3,000,000.00
BBB	<b>BENDIGO ADELAIDE BANK</b>						
	TERM DEPOSIT	27/04/2023	26/04/2024	365	57	4.70	5,000,000.00
BBB	<b>BANKVIC</b>						
	TERM DEPOSIT	29/05/2023	29/05/2024	366	90	5.11	5,000,000.00
BBB	<b>AMP BANK</b>						
	TERM DEPOSIT	8/06/2023	11/06/2024	369	103	5.45	4,000,000.00
AA	<b>NATIONAL AUSTRALIA BANK</b>						
	TERM DEPOSIT	19/07/2023	22/07/2024	369	144	5.44	5,000,000.00
BBB	<b>AMP BANK</b>						
	TERM DEPOSIT	19/07/2023	22/07/2024	369	144	5.75	3,000,000.00
AA	<b>COMMONWEALTH BANK</b>						
	TERM DEPOSIT	21/08/2023	20/08/2024	365	173	5.53	5,000,000.00
A	<b>SUNCORP BANK</b>						
	TERM DEPOSIT	21/08/2023	21/08/2024	366	174	5.21	5,000,000.00
AA	<b>NATIONAL AUSTRALIA BANK</b>						
	TERM DEPOSIT	20/09/2023	23/09/2024	369	207	5.30	8,000,000.00
AA	<b>WESTPAC BANKING CORPORATION</b>						
	TERM DEPOSIT	31/10/2023	31/10/2024	366	245	5.50	2,000,000.00
A	<b>SUNCORP BANK</b>						
	TERM DEPOSIT	28/11/2023	28/11/2024	366	273	5.47	2,000,000.00
BBB	<b>BANK OF QUEENSLAND</b>						
	TERM DEPOSIT	20/12/2023	21/01/2025	398	327	5.10	1,000,000.00
A	<b>SUNCORP BANK</b>						
	TERM DEPOSIT	20/12/2023	21/01/2025	398	327	5.20	7,000,000.00
A	<b>ING DIRECT</b>						
	TERM DEPOSIT	20/12/2023	21/01/2025	398	327	5.23	7,000,000.00
AA	<b>NATIONAL AUSTRALIA BANK</b>						
	TERM DEPOSIT	24/01/2024	4/02/2025	377	341	5.15	3,000,000.00
AA	<b>WESTPAC BANKING CORPORATION</b>						
	TERM DEPOSIT	24/01/2024	4/02/2025	377	341	5.16	7,000,000.00
AA	<b>NATIONAL AUSTRALIA BANK</b>						
	TERM DEPOSIT	27/02/2024	4/03/2025	371	369	5.10	5,000,000.00
AA	<b>WESTPAC BANKING CORPORATION</b>						
	TERM DEPOSIT	27/02/2024	4/03/2025	371	369	5.12	5,000,000.00
	<b>AT CALL:</b>						
AA	<b>COMMONWEALTH BANK</b>						
	ONLINE SAVER A/C					4.35	10,000,000.00
AA	<b>NATIONAL AUSTRALIA BANK</b>						
	LOANS REPAYMENT A/C					4.75	434,121.49
	Total WMC Direct Investments						109,434,121.49
	Weighted Average Days to Maturity of WMC Direct Investments				193		
	Weighted Average Return of WMC Direct Investments					5.14	
	<b>PORTFOLIO TOTALS</b>						<u>110,161,277.77</u>

I hereby certify that the above investments have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005 and Council's investment policy.

P. Ryan  
 CHIEF FINANCIAL OFFICER