



COUNCIL MEETING

AGENDA

*Council Chambers
Canada Bay Civic Centre
1a Marlborough Street
Drummoyne*

*Tuesday, 21st July 2009
Commencing at 6.00 pm*

Manager
Governance &
Support Services

Director Corporate
Services
Bruce Cook

General Manager
Gary Sawyer

Mayor
Cr Angelo
Tsirekas

Director Planning
& Environment
Tony
McNamara

Director
Community
Services
Lisa Miscamble

Director Technical
Services &
Operations
John Osland

**CITY OF CANADA BAY
COUNCILLORS**

Cr Michael
Megna

Cr Helen
McCaffrey

Cr Jeanette
O'Hara

Cr Marian
O'Connell

Cr Neil
Kenzler

Cr Pauline
Tyrrell

Cr Tony
Fasanella

Cr Mirjana
Cestar

Dear Councillor,

An ordinary meeting of the Council will be held in the Council Chambers, Canada Bay Civic Centre, Drummoyne, on Tuesday, 21st July 2009 at 6.00pm.

AGENDA

1. Apologies
2. Disclosures of Pecuniary and Non-Pecuniary Interest
3. Confirmation of Minutes
 - Council Meeting – 16th June 2009
4. Public Forum
5. General Manager's Reports
6. Notices of Motion



Gary Sawyer
General Manager

17th July 2009

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Council Meeting 21 July 2009

General Manager's Reports

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Please Note:

The use of private tape recorders or other electronic devices, including mobile phones, is not permitted.

**ITEM-1 175 THOMPSON STREET, DRUMMOYNE (DA 911/03)
SECTION 96(2) ENABLE SOME UNAUTHORISED
WORKS TO REMAIN AND SOME RECTIFICATION
WORKS TO BE CARRIED OUT TO AN EXISTING
DWELLING UNDER CONSTRUCTION**

Department Planning & Environment

Author Initials: SRA

EXECUTIVE SUMMARY

Owner

M & N Abousleiman

Applicant

R Olsson

Zoning

This property was zoned Residential 2(a) under the Drummoyne Local Environmental Plan 1986 and is currently zoned R2 Low Density Residential under the Canada Bay Local Environmental Plan 2008. Dwelling Houses are permissible under both zones.

Modification Sought

A number of changes will be made to unauthorised works to enable them to remain and a number of works already constructed will remain as constructed.

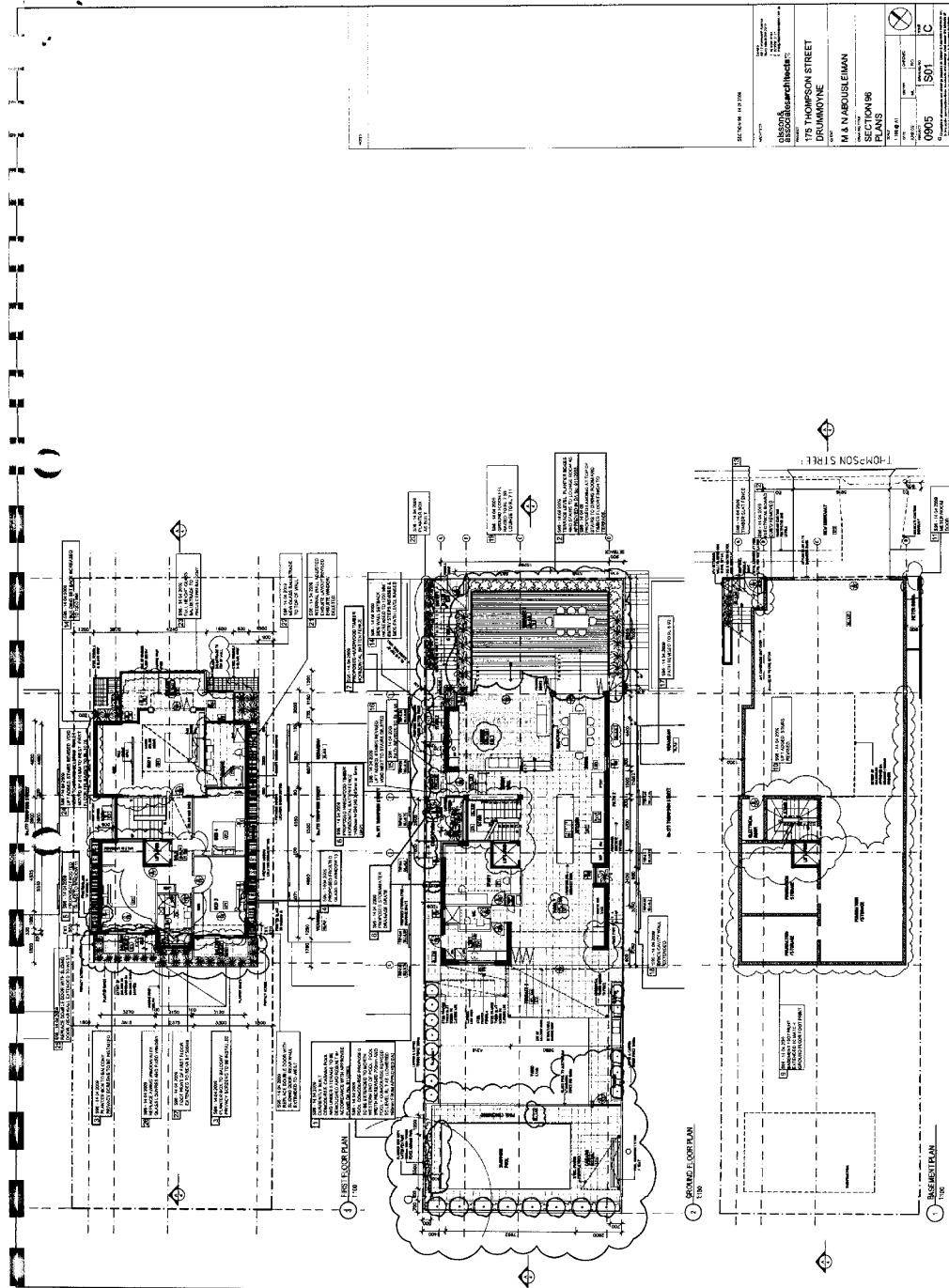
Issues, including those matters raised by objectors

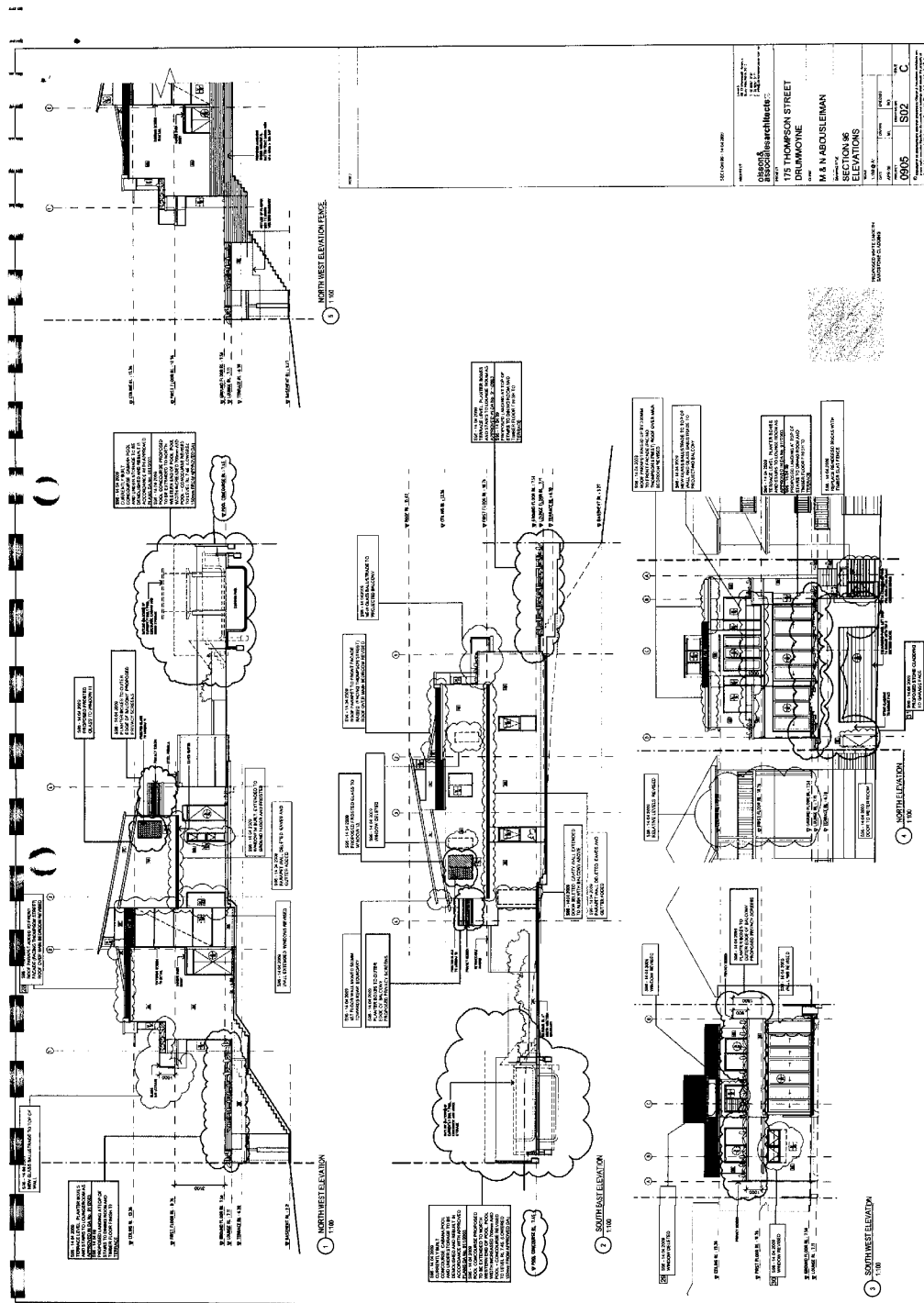
Privacy, boundary fencing, northwest side path level increased, encroachment on northwest boundary, stormwater, loss of property value, damage to adjoining property, floor space ratio and building height.

Location



<i>Subject Site</i>		<i>Properties Notified</i>		<i>Submitters</i>		↑ North
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RECOMMENDATION

Pursuant to the provision of Section 96 of the Environmental Planning and Assessment Act 1979 (as amended)

THAT Council, as the responsible authority, resolve to modify Development Consent No. 911/2003 on land at 175 Thompson Street, Drummoyne only in so far as will provide for the deletion of conditions numbered 1, 23 and 25 on the notice of determination and the insertion in lieu thereof the following new conditions;

1. Consent & Approved Plans:

Development shall take place and operate generally in accordance with this consent accompanied by:

Drawing No.	Prepared by:	Dated:
A101; A102; A201; A301 Rev B	Anthony Vavayis + Associates	30 November 2003
A103 Rev A	Anthony Vavayis + Associates	30 November 2003

As amended by:

Drawing No.	Prepared by:	Dated:
S1001 Rev A	Anthony Vavayis + Associates	8 October 2004
S2001 Rev A	Anthony Vavayis + Associates	8 October 2004
S3001 Rev A	Anthony Vavayis + Associates	8 October 2004
S4000 Rev A	Anthony Vavayis + Associates	3 February 2005
S4001 Rev A	Anthony Vavayis + Associates	3 February 2005
S4002 Rev A	Anthony Vavayis + Associates	3 February 2005

As further amended by:

Drawing No.	Prepared by:	Dated:
S01, Issue C	Olsson & associates architects Pty Ltd	14.04.2009
S02, Issue C	Olsson & associates architects Pty Ltd	14.04.2009
S04, Issue C	Olsson & associates architects Pty Ltd	14.04.2009
Section 96(2) Application, DA 911/2003 (Statement of Environmental Effects)	David Crane & Associates Pty Ltd	April 2009

except where otherwise altered or amended by other conditions of this consent.

Any minor modification to the approved plans will require the lodgement, and assessment of an “Application to Modify Consent” under Section 96 of the Environmental Planning and Assessment Act, 1979, (as amended). Major modifications to the approved plans shall require the lodgement, and consideration of a new Development Application.

(Reason: Statutory requirement and to clarify the terms of the consent)

23. **Height:**

The maximum RL of the proposed development shall be RL 15.62 A.H.D., and measured at the upper most roof form.

(Reason: Compliance)

25. **Materials:**

The colour, texture and substance of all external materials shall be as detailed in the original development application and as modified by any subsequent section 96 applications.

(Reason: Compliance and amenity)

84. **Dividing Fence:**

A 1.8m high common boundary fence, behind the street setback area, must be erected along the northwest, southeast and southwest boundary of the site with the owner/s of 175 Thompson Street paying for the full cost of the fence. The final design of the 1.8m high boundary fence will need to be negotiated between the common neighbours in accordance with the Dividing Fences Act 1991.

(Reason: Information)

85. **Privacy - Windows:**

The Bed 2 window W11 on the northwest elevation and the Bed 3 window W13 on the southeast elevation must contain obscure glazing.

(Reason: Privacy)

86. **Privacy - Lattice Screens:**

The northwest and southeast side of the rear first floor balcony shall be screened to a height of 1.8 metres above the finished first floor level with lattice or similar material, having a minimum density of 85%.

(Reason: Privacy)

87. Stormwater:

The side path along the northwest boundary of the site must be graded so that stormwater runoff is contained and managed on the site and does not discharge onto the neighbouring property at 177 Thompson Street. The stormwater drainage grates proposed on the northwest side path must drain into the approved stormwater drainage system for the site.

(Reason: Stormwater management)

88. Side path:

The side path along the northwest boundary must be demolished and constructed in accordance with the levels on Drawing No. S2001 and S3001, Rev: A, Prepared by Anthony Vavayis + Associates, dated 08.10.04, approved through the previous section 96 modification determined on the 3 May 2005, and located entirely within the subject property.

(Reason: Privacy and amenity)

REPORT

1. BACKGROUND

Council, at its meeting of 1 June 2004 resolved to grant consent to Development Application No. 911/2003 for demolition of an existing dwelling and the construction of a new two storey dwelling and inground swimming pool.

On the 19 November 2004 Council under delegation approved a Section 96 application to amend condition 80 of the consent to require home owners warranty insurance to be provided prior to the commencement of work and not prior to the release of the construction certificate.

Council, at its meeting of 3 May 2005 resolved to grant consent to a Section 96 application to delete Condition 2 to enable the first floor front balcony to be built as originally proposed, amend Condition 3 to increase the height of the approved front terrace from RL 6.02 to RL 6.3, minor modifications to the design of the pool and surrounds, and window openings serving the laundry and an ensuite.

On the 13 June 2008 the Principal Certifying Authority for the site, Peter J Boyce & Associates, issued a Notice of Intention to give an Order to comply with the development consent. This Notice required the applicant to cease all construction work that did not comply with the development approval particularly the swimming pool and surrounding coping levels.

On the 29 August 2008 Council issued two separate Notices of Intention to serve an Order. The first Notice required the applicant to comply with Development Consent 911/03 as determined on 1/06/2004, construct the pool in accordance with the approved height, construct the internal layout in accordance with the approved plans and construct the front balcony in accordance with the approved plans.

The second Notice required the applicant to demolish the pool and demolish the provision for a lift within the dwelling.

The Section 96 (2) Modification lodged on 24 September 2008 was withdrawn by the owner of the site on 31 March 2009. This modification had sought Council approval for extensive works to a dwelling that is currently under construction and primarily involved works that have been carried out in breach of the original development consent, as modified, without the prior written consent of Council.

The unauthorised works relate to a previously approved in-ground swimming pool which has been so altered as to result in an above-ground swimming pool, an extensive bulk excavation of existing ground levels to create a greatly enlarged basement level including a lift well which was not previously approved under the original development consent (as modified), and alterations to the upper level balcony and windows to the rear of the dwelling.

Council officers inspected the site on 10 October and 31 October 2008. The inspection revealed a number of constructed works that were not consistent with the approved plans. Following a review of the approved plans in consideration of the works revealed during the site inspection, the following unauthorised works were identified:-

- The finished floor level of cabana and the concourse surrounding the pool have been raised from RL 7.60 to RL 8.91, a difference of 1.31 metres. In addition, the original ground level has been excavated to provide a bathroom, shower and pool pump room under the pool. This room appears to have dimensions of approximately 2.3m x 5.1m.
- Increase the width of the landscape bed and paved concourse on the north-eastern boundary from 500mm to 1.4m.

- The size of the garage and basement has been increased by approximately 110sqm, and a void has been created under the entry stairs from the street. As a result, the basement level is now approximately 240sqm in area. It is unclear as to the intent of the use of this area, however, up to 5 vehicles can now be parked in this basement and two separate storage rooms have also been provided.
- The finished ground floor level has been raised between 130mm and 190mm, and the finished first floor level has been increased by 290mm. This has resulted in the overall height of the dwelling increasing by 290mm at its highest point.
- The Bedroom 3 window has been relocated and the size of the window has been increased from 600mm x 1.5m to 1.5m x 1.5m. This window has also been altered from a hopper window opening from the bottom sill outwards to a half-pane clear glass louvres and a fixed clear glass pane.
- The Bedroom 2 window has been relocated and the size of the window has been increased from 600m x 1.5m to 1.1m x 1.5m and is now louvred glass instead of a hopper window opening from the bottom sill outwards.
- The first floor area has been increased by approximately 5sqm and the previously approved separate balconies to the first floor rear bedrooms have been consolidated into a single balcony extending across the entirety of the rear façade.
- A number of internal modifications have been made to the first floor to reconfigure the floor layout.
- The southern corner of the ground floor has been marginally increased.
- The northwest side setback to the forward component of the dwelling has been increased over both levels from 1.0m to 1.2m.
- Bedroom 1 ensuite window has been deleted.
- The planter box on the front first floor balcony has been marginally increased in size.
- The highlight window for the first floor bathroom has been deleted, and,
- The parapet to the front wall of the house has been raised.
- The finished level of the concrete path adjoining the dwelling on its north-eastern side has been raised by 0.69m for a distance of approximately 2m and 0.56m for a distance of approximately 5m.

On the 13 October 2008 the Principal Certifying Authority for the site Peter J Boyce & Associates issued another Notice of Intention to give an Order. The Notice required the applicant to comply with the development consent and cease any works that do not strictly comply with the development consent. The reason provided by the PCA for issuing this second Notice was that the development consent was not being complied with as the works carried out exceed the required RLs for the ground floor by 580mm and the first floor by 390mm and these revised levels are not included in the Development Consent or Construction Certificate Plans.

On the 31 October 2008 Council issued a notice of demand to stop work as an inspection of the subject premises revealed that the construction did not comply with Development Consent 911/03, the pool has not been constructed in accordance with the approved height, the internal layout has not been constructed in accordance with the approved plans and the front balcony has not been constructed in accordance with the approved plans. The applicant was required to immediately stop all development work at the subject premises.

On the 13 November 2008 a meeting was held with the applicant at Council to discuss the unauthorised works. At this meeting it was resolved that the applicant would undertake to do the following:

- Make the certifier aware of all of the works detailed above and any other works not consistent with the approved plans.
- Amend the architectural plans and statement of environmental effects to reflect all of the works detailed above and any other works not consistent with the approved plans. The applicant was also encouraged to make amendments to the proposal to address the concerns of the adjoining neighbours or rectify the constructed works so that they are consistent with the previously approved plans.
- Once the abovementioned information was received by Council, the Section 96 application would be re-notified and, on completion of the notification, an on site meeting would be organised with the objectors, Council and the applicant in attendance. Based on the outcome of this meeting, and in consideration of all other matters associated with the Section 96, Council would seek to determine the application.
- Council officers undertook to forward a copy of all submissions received during the original notification of this application so the applicant could respond to the issues raised.

On 4 December 2008, an amended Statement of Environmental Effects and amended plans were lodged which showed the works as constructed but did not amend the proposal to address the objectors' concerns or provide a written response to the issues raised by the objectors. Secondly, no architectural plans have been provided for the room constructed

underneath the pool which the applicant has indicated is to be used for pool storage.

The amended Section 96 application was re-notified on the 15 December 2008 and three (3) submissions were received objecting to the proposal.

On the 5 March 2009 the Council issued a further Stop Work Order on the site as it became apparent that construction works were continuing despite Council's previous Stop Work Order.

On the 7 March 2009 an onsite meeting was held with the applicant / owner, the owners of the properties immediately surrounding the site, and Council's planning staff. The intent of this meeting was to clarify the facts for the objectors, applicant and Council. The following matters were discussed during the meeting:-

- Clarification of the role of Council and the private certifier.
- The applicant put forward a proposal to erect a boundary fence around the pool with a maximum height of 1.8m above the existing ground levels with a 1.8 metre high privacy screen to be attached to the outer edge of the pool concourse with landscaping in between. The objectors rejected this suggestion and stated that they wanted the pool to be demolished and the proposal to be constructed in accordance with the approved plans.
- The applicant proposed to erect privacy screens on the northwest and southeast elevation of the rear first floor balcony. The objectors rejected this suggestion and stated that they wanted the proposal to be constructed in accordance with the approved plans.
- The objectors reiterated their concerns as raised in their written submissions. The submissions are discussed in further detail below.
- The original notification did not identify all of the works that were constructed onsite. As detailed above the applicant amended the plans to reflect all works on the site and the application was re-notified. In accordance with Council's policy no internal plans were provided to the objectors,
- The principle certifying authority for the site Peter J Boyce & Associates clarified the works that were not constructed in accordance with the approved plans and the action which had been taken, and,
- A commitment was made by Council to send this application to the Committee of the Whole Meeting on the 7 April 2009.

The owner withdrew the section 96 application on the 24 March 2009 prior to determination. They advised Council that they intend to lodge a new Section 96(2) Modification by 30 April 2009 to seek approval to demolish all existing work to the swimming pool and reinstatement of the pool to that as originally approved under Development Consent No. 911/2003. In addition, the owner indicated that the new application will

seek approval for modifications to the existing first floor balcony on the rear elevation of the dwelling, side windows and front balcony. A report on the unauthorised works was considered by Council on the 7 April 2009 at this meeting Council resolved:

"THAT the matter be referred to Council's solicitor's for review and commencement of appropriate legal action to rectify the unauthorised works identified in this report should no application to modify Development Consent No. 911/2003 be forthcoming by 30th April 2009, as stated in a written undertaking from the owner of the site received by Council on 31st March 2009."

In response to the resolution above and the commitment made by the applicant this Section 96 (2) Modification was lodged on the 4 May 2009 and is the subject of this report. The development as approved is subject *inter alia* to the following conditions:

1. **Consent & Approved Plans:**

Development shall take place and operate generally in accordance with this consent accompanied by

<i>Drawing No.</i>	<i>Prepared by:</i>	<i>Dated:</i>
<i>A101; A102; A201; A301 Rev B</i>	<i>Anthony Vavayis + Associates</i>	<i>30 November 2003</i>
<i>A103 Rev A</i>	<i>Anthony Vavayis + Associates</i>	<i>30 November 2003</i>

As amended by:

<i>Drawing No.</i>	<i>Prepared by:</i>	<i>Dated:</i>
<i>S1001 Rev A</i>	<i>Anthony Vavayis + Associates</i>	<i>8 October 2004</i>
<i>S2001 Rev A</i>	<i>Anthony Vavayis + Associates</i>	<i>8 October 2004</i>
<i>S3001 Rev A</i>	<i>Anthony Vavayis + Associates</i>	<i>8 October 2004</i>
<i>S4000 Rev A</i>	<i>Anthony Vavayis + Associates</i>	<i>3 February 2005</i>
<i>S4001 Rev A</i>	<i>Anthony Vavayis + Associates</i>	<i>3 February 2005</i>
<i>S4002 Rev A</i>	<i>Anthony Vavayis + Associates</i>	<i>3 February 2005</i>

except where otherwise altered or amended by other conditions of this consent.

Any minor modification to the approved plans will require the lodgement, and assessment of an "Application to Modify Consent" under Section 96 of the Environmental Planning and Assessment Act, 1979, (as amended). Major modifications to the approved plans shall require the lodgement, and consideration of a new Development Application.

(Reason: Statutory requirement and to clarify the terms of the consent)

23. **Height:**

The maximum RL of the proposed development shall be RL 15.33 A.H.D., and measured at the upper most roof form.

(Reason: Compliance)

25. **Materials:**

The colour, texture and substance of all external materials shall be as detailed in the application.

(Reason: Compliance and amenity)

Councils building and development compliance officer has investigated the unauthorised works and a penalty infringement notice was issued on the 14 July 2009 for a breach of the development consent.

2. PROPOSED MODIFICATION

Application under the provisions of section 96 (2) has been made to modify Council's consent as follows:

- The constructed pool and concourse and under-storage area will be demolished and a new pool will be constructed with the pool concourse at RL 7.45 (The site was inspected on the 3 July 2009 and the pool, concourse and under-storage area have been demolished and a new pool constructed which appears to be constructed in accordance with the current architectural plans),
- A number of changes will be made to unauthorised works to enable them to remain, including:
 - Terrace level planter boxes will be constructed at ground level and stairs will be installed to the lounge room as approved in DA No 911/2003. The works will include a proposed landing to the dining room and timber floor finish to the terrace,
 - A planter box and privacy screens will be constructed around the existing southwest facing balcony of the first floor level,
 - Frosted glass is proposed to be installed into window 13 (Bed 3) on level one on the southeast elevation,
 - Frosted glass is also proposed to be installed into window 11 (Bed 2) on the northwest elevation,
 - A proposed hardwood timber horizontal batten fence (1400mm high with 40 x 40mm w. 5mm gap) will be constructed along part of the northwest boundary,
 - A proposed stormwater drainage grate will be installed at ground level to the southwest of the entry within the side setback.

- A number of works already constructed will remain as constructed, including:
 - The basement floor footprint has been extended to match the ground floor footprint,
 - A lift has been added and stairs revised at basement level and ground floor level,
 - A meter room door has been added at basement level,
 - An electrical cupboard has been removed at the basement level,
 - A timber slat fence has been installed along the front building alignment,
 - The side wall setback has been increased to 1.2m, entry steps have been revised and the side path level raised along the northwest side,
 - Side path level raised along the southeast boundary,
 - A brick cavity wall has been extended at ground floor level in the southern corner of the dwelling,
 - The ground floor level has been raised to RL 7.50 and the lounge to RL 7.11. The first floor level has been raised to RL 10.75,
 - A planter box has been installed along the northwest boundary near the street frontage,
 - An internal wall has been adjusted, an ensuite layout revised and ensuite window deleted at the first floor level,
 - A glass balustrade has been installed to the projecting balcony,
 - Replace double door with sliding door, rear wall extended to west,
 - Replace awning window with glass louvers and fixed window,
 - Footprint of first floor extended to rear by 500mm to southwest at first floor level,
 - Replace double door with sliding door, rear wall extended west.

A full list of the proposed works is provided in the Statement of Environmental Effects, Prepared by David Crane & Associates Pty Ltd, Dated April 2009 and on the plans submitted with the application.

3. ASSESSMENT

Section 96 of the Environmental Planning and Assessment Act allows council to modify consent if:

- (a) **It is satisfied that the development to which the consent as modified relates is substantially the same development,**

The proposal as approved is for the construction of a detached residential dwelling and pool. This section 96 application will in no way change the fundamental residential use of the site.

The building envelope and essence of the proposal will remain largely unchanged. The enlargement of the basement will have no impact upon the building envelope or building footprint. The modifications to the first floor, increased side setback, fenestration changes and increase in height will not alter the overall design of the proposal. The proposal will result in an increase to the overall building height. This increase is minor and does not substantially modify the design or appearance of the proposal. The proposal will not alter the massing, bulk, scale, overall design or residential nature of the proposal.

The development as modified is considered to be substantially the same as that previously approved.

- (b) **Has consulted with the relevant Minister, public authority or approval body in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval,**

No concurrence required.

- (c) **Has notified the application in accordance with the Regulations and Council's Development control Plan for Notification, and**
- (d) **Has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the Development Control Plan.**

In accordance with Council's Notification Development Control Plan, adjoining and nearby property owners and occupiers were advised of the proposed modification and were invited to make submission. The notification generated one (1) submission from 177 Thompson Street objecting to the proposal. The issues raised in the objection are summarised below.

- Frosted glass to Bedroom 2 window is not acceptable as it can be changed after final approval is given. Window must be relocated to originally approved position or the closure of the window altogether will restore privacy in the kitchen, living area and rear yard.

Comment: The proposal includes deletion of the top hung awning window measuring 0.6 x 1.5m servicing Bedroom 2 and the relocation and creation of an obscure glazed louvered window measuring 1.1 x 1.5m. Council will include a condition to enforce the provision of obscure glazing to this window. The applicant will be required to maintain the obscure glazing

and the development in accordance with all conditions of consent and the approved plans for the life of the development.

As the window is operable an assessment of the potential privacy impacts is provided. The first floor window will align with the ground floor kitchen window of 177 Thompson Street. The kitchen window on the adjoining property has a sill height of R.L. 8.58 and the proposed window will have a sill height of R.L. 11.6. Due to the substantial difference in height the proposed window will only have oblique sightlines to the kitchen window. The primary outlook from this window will be onto the rear roof form of 177 Thompson Street.

The proposed window services a low intensity bedroom use with the primary outlook from this bedroom to the southwest towards the rear of the site through the approved sliding glass doors. The applicant is proposing to provide obscure glazing to this window. Based on the assessment provided above the proposed window will not impact upon the privacy of 177 Thompson Street.

- Laundry glass door should contain obscure glazing, as its location gives no privacy in the kitchen and living room.

Comment: The proposal does not include any modification to the laundry door approved through DA911/2003. It is noted that the door services a low intensity laundry use. A standard 1.8m high boundary fence would mitigate any potential overlooking of 177 Thompson Street. As such, the provision of obscure glazing to the glass laundry door is not justified in this instance.

It is noted that enlargement of the bathroom windows directly adjoining the laundry door do not give rise to any privacy issues as they are identified as containing obscure glazing. Further, Council will condition the provision of a standard 1.8m high boundary fence along the northwest boundary, which would mitigate any potential overlooking of 177 Thompson Street.

- Changes to the first floor rear balcony is unacceptable. Privacy screens installed to each end of the balconies is not acceptable as they can be taken down later which will impact upon privacy in rear yard of 177 Thompson Street.

Comment: The proposal includes increasing the size of the first floor which results in a reduction in the size of the rear first floor balconies. The trafficable area of the proposed balcony servicing Bedroom 2 will be reduced from 1.4 x 3.2m to 1.1x3.1m with the balcony of Bedroom 3 reduced from 1.8x3.2m to 1.1x3.2m through this application. As the balconies service low intensity bedroom uses and the proposal will result in a reduction in the trafficable area of these balconies and the introduction

of timber privacy screens to the northwest and southeast elevation to a height of 1.8m above the ground floor level the modifications to the balcony will not impact upon the privacy of the neighbouring properties.

The privacy screens must be maintained in accordance with the approved plans for the life of the development.

- Boundary fence should be in a vertical position from the front all the way to the back gate to match existing fences. Horizontal fence is unacceptable.

Comment: Council will condition the provision of a standard 1.8m high boundary fence, behind the street setback area, to be erected along the along the northwest, southeast and southwest boundary of the site with the owner/s of 175 Thompson Street covering for the full cost of the fence. Approval will be issued for the erection of the hardwood timber horizontal batten fence as well, however, this will be on the applicants property and will be obscured by the standard 1.8m high boundary fence.

It is noted that the erection of a common boundary fence is a civil matter between the adjoining neighbours which is governed by the Dividing Fences Act 1991. As a boundary fence is in common ownership any changes will require the adjoining owners consent. The final design of the 1.8m high boundary fence will need to be negotiated between the neighbours in accordance with the Dividing Fences Act 1991.

- The increased R.L. to the side path will impact upon the privacy of 177 Thompson Street and will not be mitigated by the horizontal fence.

Comment: The increase in the height of the side path levels along the northwest boundary will impact upon the amenity of the adjoining property at 177 Thompson Street. A 1.8m boundary fence measured from the constructed path level will impact upon the outlook, ambient light and will 'wall in' the property at 177 Thompson Street. A fence measured from the lower path level at 177 Thompson Street would not be high enough to protect the visual privacy of 177 Thompson Street.

It is recommended that a condition be imposed that the side path along the northwest boundary be demolished and constructed in accordance with the levels approved through the previous section 96 application determined on the 3 May 2005. The erection of a 1.8m high boundary fence at this level will protect the privacy and amenity of 177 Thompson Street. A suitable condition has been included in the recommendation above.

The engineering detail (Drawing number 04MB1534/S03, prepared by United Consulting Engineers Pty Ltd, dated Jul 04) approved by Peter Boyce and Associates (construction certificate BCB4262, 7 October 2004) show that the northwest side path is not a continuation of the ground floor slab. As such the demolition of the side path will not impact upon the structural adequacy of the constructed dwelling. If the path has been built on a continuation of the ground floor slab it will need to be cut and rectified to comply with Councils condition. As the basement wall will provide support for the ground floor slab it is unlikely that removal of the path would impact upon the structural adequacy of the constructed dwelling. The building will need undertake the rectification works in consultation with Peter Boyce and Associates and an engineer.

- The increased R.L. to the side path will impact upon the stormwater drainage with water running down the side of 177 Thompson Street.

Comment: The plans detail the provision of two stormwater drainage grates dissecting the side path. It is recommended that a condition be imposed that the side path be graded so that no stormwater runoff from the side path will flow onto 177 Thompson Street. This will mitigate the objectors concerns.

- Brick wall which supports the northwest side path encroaches on 177 Thompson Street.

Comment: This issue will be forwarded through to the certifier Peter Boyce and Associates to investigate. The encroachment can be resolved when the side path level is lowered in accordance with the condition imposed above.

- Work needs to be carried out on 177 Thompson Street to rectify damages made by the neighbour.

Comment: This is a civil matter between the developer / owner of 175 Thompson Street and the owners of 177 Thompson Street.

- Loss of property value on 177 Thompson Street.

Comment: Loss of property value is not a relevant consideration under Section 79C of the Environmental Planning and Assessment Act 1979.

The applicant provided letters of support from the adjoining neighbours at 173 Thompson Street and 54 Denning Street. The neighbours raised no objections to the proposal based on information they reviewed prior to the lodgement of this application. During the notification period these neighbours were notified and no submissions were received.

4. ASSESSMENT UNDER SECTION 79C OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

In determining an application for modification of consent, Council must take into consideration those matters referred to in section 79C (1) relevant to the development as modified.

Following is a discussion of those matters.

It is concluded that the proposal is satisfactory in terms of the considerations required under that section.

5. Environmental Planning Instruments [Section 79C (1) (a) (i & ii)]

5.1.1. State Environmental Planning Policies

The proposed modifications are not subject to any further consideration of any State Environmental Planning Policies.

5.1.2. Local Environmental Planning Instruments

The proposed development, defined as works ancillary to a dwelling house is permissible with the consent of Council, within a Residential 2(a) zone under Drummoyne Local Environmental Plan 1986. Following is a summary table indicating the performance of the proposal against relevant statutory standards.

Statutory Standards

<i>Control</i>	<i>Standard</i>	<i>Approved</i>	<i>Proposed (constructed)</i>	<i>Compliance</i>
Height	7.2m	8.5m	8.79m	No

As indicated in the compliance table, the proposed development does not comply with the height standard of the Environmental Planning Instrument. A detailed discussion of this aspect of the proposal is carried out in section 5.4 below.

5.2. Draft Environmental Planning Instruments [Section 79C (1)(a)(ii)]

The original development application was approved prior to the gazettal of the Canada Bay LEP 2008. As such this section 96 application will consider the Canada Bay LEP 2008 as if it has been exhibited but had not yet commenced. Following is a summary table indicating the performance of the proposal against Draft statutory standards.

Draft Statutory Standards

<i>Control</i>	<i>Standard</i>	<i>Approved</i>	<i>Proposed (Constructed)</i>	<i>Compliance</i>
Building height	8.5m	8.8m	9.09m	No
Floor Space Ratio	0.5:1	0.53:1	0.51:1	No

As indicated in the compliance table, the proposed development does not comply with the Draft building height and floor space ratio standards of the Draft Environmental Planning Instrument. A detailed discussion of these aspects of the proposal is carried out in section 5.4 below.

5.3. Development Control Plans, Council Policies or Codes [Section 79C(1)(a)(iii)]

The proposed development is affected by the provisions of the Drummoyne Comprehensive DCP. Following is a summary table indicating the compliance of the proposal against relevant statutory standards.

Non Statutory Standards

<i>Control</i>	<i>Standard</i>	<i>Approved</i>	<i>Proposed (Constructed)</i>	<i>Compliance</i>
Floor Space Ratio	0.5:1	0.597:1	0.87:1	No*
Side Setback	1.5m	NW: 1m	NW: 1-1.2m	No

**Note: The significant difference in the floor space calculations between the Canada Bay LEP 2008 and the Drummoyne LEP 1986 and the Drummoyne Comprehensive DCP is that wall thicknesses and basement storage are no longer included in the definition of "gross floor area" contained in the Canada Bay LEP 2008.*

As indicated in the compliance table above, the proposed development fails to achieve compliance with the floor space ratio and side setback controls of the Drummoyne DCP. A detailed discussion of these aspects of the proposal is carried out in Section 5.4 below.

5.4. Likely Impacts of the Development [Section 79C (b)]

The likely impacts of the proposed development upon the surrounding area are discussed as follows:

Overshadowing

The Drummoyne Comprehensive Development Control Plan provides performance criteria and minimum standards for solar access and overshadowing as follows:

"P1 Residential buildings should be sited and designed to maximise solar access to north-facing windows of living area and open spaces."

"M2 New development (including additions and alterations) should be designed and sited so that north facing windows of neighbouring properties receive at least three hours of sunlight between 9am and 5pm on 21 June"

The dwelling has been constructed 290mm higher than approved. As the subject site is orientated northeast to southwest the dwelling will cast additional shadow onto the adjoining property at 173 Thompson Street at 12 noon and 3pm.

At 9am the proposal will cast shadow onto the rear yard of the subject site. By 12 noon the proposal will cast shadow onto 173 Thompson Street but will not increase shadow to any north facing windows from that approved. By 3pm the proposal will result in a slight increase to shadow cast onto the first floor windows of 173 Thompson Street. Due to the minor increase in height (290mm) the additional shadow cast by the dwelling is minimal. As indicated on the submitted shadow diagrams the constructed dwelling will result in a minor increase to shadow above that cast by the previously approved development.

Privacy

The Drummoyne Comprehensive Development Control Plan provides objectives and performance criteria for the maintenance of visual and acoustic privacy as follows:

"O3 To ensure development minimises noise and overlooking impacts on adjacent development."

"P1 Direct overlooking of habitable rooms of neighbouring dwellings should be minimised through dwelling layout, location and design of windows, balconies and landscaping."

P2 Upstairs windows of two storey dwellings should avoid direct overlooking of neighbours' private open spaces through careful positioning of windows and the use of screens and planting."

Pool and Cabana

The site was inspected on the 3 July 2009 and the pool, concourse and under-storage area have been demolished and a new pool constructed which appears to be constructed in accordance with the current architectural plans. As the pool is inground the use of the pool will not impact upon the privacy of the neighbouring properties.

Rear first floor balcony

The assessment provided in section 3 above concluded that the proposed rear balcony is not going to unreasonably impact upon the privacy of the neighbouring properties as the proposal includes a reduction in the trafficable area and the introduction of privacy screens.

Window Bedroom 2

The assessment provided in section 3 above concluded that the Bedroom 2 window is not going to unreasonably impact upon the privacy of the neighbouring properties due to the application of obscure glazing.

Window Bedroom 3

The proposal includes deletion of the top hung awning window measuring 0.6 x 1.5m servicing Bedroom 3 and the relocation and creation of an obscure glazed half fixed and half louvered window measuring 1.5 x 1.5m.

As the window is partially operable an assessment of the potential privacy impacts is provided. The proposed window directly adjoins the first floor balcony on 173 Thompson Street. As the balcony on 173 Thompson Street contains a privacy screen on the northwest elevation the proposed location of the window is considered acceptable. The proposed window services a low intensity bedroom use with the main outlook from this bedroom southwest to the rear yard through approved sliding glass doors. It is noted that this window will contain obscure glazing. Based on the assessment provided above the proposed window will not impact upon the privacy of 173 Thompson Street.

Front terrace

The proposal includes the introduction of a landing measuring 900mm which provides level access from the lounge and dining room. This landing does not impact upon the privacy of the neighbouring properties as the outlook will be towards Thompson Street and Five Dock Bay to the northeast. The vast majority of the terrace will be maintained at the approved level of R.L. 6.30.

Front first floor balcony

The proposal includes reducing the size of the first floor balcony and changing part of the balustrade to glass. As the balcony services a low intensity bedroom use and has an outlook onto Thompson Street and across Taplin Park, it is considered that this aspect of the modifications will not impact upon the privacy of the neighbouring properties.

Side path

The assessment provided in section 3 above concluded that a condition be imposed that the side path along the northwest boundary be demolished and constructed in accordance with the levels approved through the previous section 96 application determined on the 3 May 2005. The erection of a 1.8m high boundary fence at this level would protect the privacy and amenity of 177 Thompson Street.

Noise Impact

The pool plant will be located as approved through DA911/2003 and all relevant noise conditions will remain.

Streetscape, Bulk and Scale

The southwest side of Thompson Street is characterised by detached single storey and two storey residential dwellings with single and double garages forward of the dwellings. There are a number of examples of terraces on top of the garages with most constructed at similar heights.

The proposal includes the introduction of a landing measuring 900mm which provides level access from the lounge and dining room, this modification will not impact upon the streetscape as the majority of the terrace will be maintained at the previously approved height of R.L. 6.30.

The dwelling has been constructed 290mm higher than approved. The dwelling will have a maximum height of R.L. 15.62 which is consistent with the height of the adjoining dwellings at 173 Thompson Street at R.L. 16.58 and 177 Thompson Street at R.L. 15.08. The proposed height is considered acceptable as it will provide an appropriate transition between the adjoining sites.

The height of the parapet has been constructed higher than approved. The increased parapet height will partially obscure the roof form behind. This will result in a minor modification to the appearance of the dwelling within the existing streetscape. This change will modify the design of the proposal, however, it will still present a modern design similar to that approved through DA911/2003 and existing dwellings constructed along the waterfront. This modification blends with the design and is consistent with the existing streetscape.

The introduction of a glass balustrade to the first floor balcony is consistent with a number of existing dwellings in the surrounding area. This feature is a common occurrence in the surrounding waterfront developments. Therefore, this modification will not detrimentally impact upon the appearance of the proposal in the existing streetscape.

Based on the assessment provided above the proposal is considered to be satisfactory. The proposal is consistent with the pattern of development in the existing streetscape and the overall height of the neighbouring dwellings. The roof parapet reinforced the design of the dwelling in the context of the surrounding dwellings. The bulk and scale of the proposal will remain largely unchanged and the proposal as modified is considered to fit into the existing streetscape.

Floor Space Ratio

The proposal does not comply with the floor space ratio control of the Drummoyne Comprehensive Development Control Plan and the Draft Canada Bay LEP.

The proposal under the Drummoyne Development Control Plan will result in an increase to the floor space ratio from 0.597:1 to 0.87:1 with the inclusion of basement area and the enlargement of the first floor. The Draft Canada Bay LEP will result in a reduction in the floor space ratio from 0.53:1 to 0.51:1 as under the definition of 'gross floor area' the basement area is excluded as are the wall thicknesses.

The floor space additional to that previously approved is the result of the enlargement of the basement area (105m²) and first floor (6.5m²). The additional floor space in the basement will not impact upon the approved building envelope, building footprint or bulk and scale and will not be visible in the existing streetscape. It is considered that the enlargement of the basement will have no discernable impacts.

The enlargement of the first floor at the rear of the site will result in a minor increase to the approved building envelope towards the rear of the site. The 6.5m² of additional floor space is minor and will not significantly contribute to the bulk and scale of the proposal. The proposal will be largely consistent with that approved as viewed from the neighbouring properties. As the first floor will encroach into the first floor balcony to a maximum of 820mm, it will have a negligible impact upon the shadow cast by the proposal. The increased floor space will not impact upon the neighbouring properties.

Based on the assessment provided above, the additional floor space does not result in any impacts. The proposal results in a reduction in the floor space ratio calculated under the Draft Canada Bay LEP. The Canada Bay LEP was gazetted and came into force on the 7 March 2008 and is applicable to new developments lodged after this date. The proposal will

result in a reduction in FSR under the current provisions applicable to new developments.

As the additional floor space does not result in any detrimental impacts upon the surrounding properties and does not undermine the current planning controls, variation to the Drummoyne Comprehensive Development Control Plan is acceptable in this instance.

Side Setbacks

The Drummoyne Comprehensive Development Control Plan stipulates that first floor walls should be setback a minimum of 1.5m. The approved development incorporates a 1m setback from all walls from the northwest boundary. The forward component of the constructed dwelling has been setback 1.2m. The increase in the side setback does not give rise to any issues.

View loss

The neighbouring properties were notified of the proposal and no submissions were received in relation to potential view loss. It is considered that the proposed amendments will not impact upon the existing views of the neighbouring properties.

Building height

As detailed in section 4.1.2 and 4.2 above the proposal does not comply with the 7.2m height provision of the Drummoyne Local Environmental Plan and does not comply with the Draft 8.5m building height provision of the Canada Bay Local Environmental Plan.

As the dwelling has been constructed 290mm above that which is approved an assessment is provided against the underlying objectives of the height provision of the Drummoyne Local Environmental Plan. The underlying objectives of the height provision are generally held to be solar access, bulk, scale, streetscape, privacy and view loss.

The assessment provided above concluded that the proposal satisfies the solar access, privacy and view loss controls and presents an acceptable bulk and scale within the existing streetscape. The proposal will have a maximum height of R.L. 15.62 which is consistent with the height of the adjoining dwellings at 173 Thompson Street at R.L. 16.58 and 177 Thompson Street at R.L. 15.08. The proposed height is considered acceptable as it will provide an appropriate transition between the adjoining sites.

As the proposal satisfies the underlying objectives of the height control and is consistent with the height of the adjoining dwellings, variation to the height control is justified in this instance.

5.5. Suitability of the Site for the Development Proposed

Based on the assessment provided above and the potential impacts associated with the proposed development it is considered that the proposed works are suitable for the subject site.

5.6. Submissions [Section 79C (d)]

Submissions raised in relation to this matter have been discussed in section (d) above.

5.7. The Public Interest [Section 79C (e)]

The proposed development is consistent with the objects of the Environmental Planning and Assessment Act in so far as it promotes the co-ordinated and orderly, and economic use and development of the land. As a result Council may be satisfied that the development subject to conditions is consistent with the public interest.

On the basis of this assessment the modification to the development originally consented to is deemed to be satisfactory from an environmental planning perspective.

On the basis of this assessment the modification to the development originally consented to is deemed to be satisfactory from an environmental planning perspective.

6. CONCLUSION

The proposed modification to the development originally consented to is considered acceptable having regard to the provisions of Sections 79C and 96(2) of the Environmental Planning and Assessment Act 1979.

Attachments:

Mr C & Mrs K Bobolas, 177 Thompson Street, Drummoyne

SCANNED

15 MAY 2009

DOC NO:

14/05/09

MR. C & MRS. K. BOBOLAS

177 THOMPSON ST

DRUMMOYNE NSW 2047

TO: City of Canada Bay Council

REF: D.A. NO: 911/2003

PROPERTY: 175 Thompson st Drummoyne

SECTION 96 Application Amendments.

Att: Anthony Wynen

FIRST FLOOR REAR WINDOW/ROOM- NO2.

Frosted glass to bedroom 2 window is not acceptable it can be changed at any time after final approval is given to the building only the relocation to its original position or the closure of the window all together will be acceptable to restore our privacy in the kitchen , living area & rear yard.

THE LAUNDRY.

The laundry glass door should be the one to be frosted glass, its location gives us no privacy in the kitchen & living room.

FIRST FLOOR REAR BALCONIES.

We object to the changes done to the balconies & it is unacceptable that they are extended instead of leaving the planter boxes as shown on the original plans.

Privacy screens installed to each ends of the balconies is not acceptable they can be taken down later, we have no privacy in our backyard.

FENCE.

The fence needs to be in (vertical) position from the front all the way to the back gate to match the rest of our fences, as previously advised Mr. Abousleiman & he had agreed with us from day one.

We reject the horizontal fence & it is unacceptable.

SIDE PATH R.L. LEVELS NORTH-WEST.

The increased R.L. Levels to the side path has & will place a large invasion on our privacy having a horizontal fence will not maintain our privacy as our neighbour states.

The increased R.L. Levels will cause us big problems with stormwater drainage & water running down to the side of our house & will wash away the soil to the garden. The drainage grades shown on the plans are not good enough & will not provide adequate management of the storm water issue. Also the brick wall to the side path was not built on the boundary line.

Peter Boyce advised us that the current survey dated 8/9/08 showed that the R.L. Levels are incorrect & previous said that if R.L. Levels are not correct the neighbour will need to demolish the side path by law. When using the side path you can see straight in to our dining room & lounge room, also the kitchen & living room.

Nothing else but the demolition of the side path will be acceptable & to bring it to the same level it was originaly, & the right thing needs to be done by Council now, see also letters dated 24/10/08, 14/10/08 & 16/01/09.

Also work needs to be carried out on our property to rectify the damages made by the neighbour, by a person holding a licence & insurance. We are yet to be advised with a date. Peter Boyce & Mr. Abousleiman & Luke Young were advised about R.L. Levels & matters of concern but nothing was done to help us. We were only told that if he has done the wrong thing he will be made to rectify any damages & the side path will be demolished.

I would like to say again our privacy has been invaded & we stand to loose money on our property. We would like the above matters to be resolved A.S.A.P so we can once again live a normal life & not constant stress from our new neighbour.

Yours Faithfully,

A black rectangular redaction box covering the signature of Mr. Con & Mrs. Katina Bobolas.

Mr. Con & Mrs . Katina Bobolas

**ITEM-2 CANADA BAY LOCAL TRAFFIC COMMITTEE
MINUTES 18 JUNE 2009**

Department Technical Services and Operations

Author Initials: JE

REPORT

This report contains the minutes for the Canada Bay Local Traffic Committee meeting held on 18th June 2009 for Council's resolution.

RECOMMENDATION

THAT the minutes and recommendations of the Canada Bay Local Traffic Committee meeting of 18th June 2009, as mentioned above, be adopted.

Attachments:

1. Minutes of the Canada Bay Local Traffic Committee Meeting - 18th June 2009.



TRAFFIC COMMITTEE

Held in the Council Chambers
Canada Bay Civic Centre
1a Marlborough Street, Drummoyne
On Thursday, 18 June 2009, commencing at 9.15am

MINUTES

Committee Members:

Cr T Fasanella	Chair
Sgt T Crowther	NSW Police
Mr D Chui	Roads & Traffic Authority
Ms M Jasadipura	Representing the Local Member of Parliament

Advisory Members:

Mr B Dawson	Access Committee
Mr J Carroll	State Transit Authority, Sydney Buses
Mr G Morris	CCB Council
Mr T Connop	CCB Council
Mr G El Kazzi	CCB Council
Mr M Palamara	CCB Council
Mr G Purves	Bay Bug – Canada Bay Bicycle Users Group
Ms J Papadopoulos	State Transit Authority, Sydney Buses

Minute Taker: Belinda Gibson

CCB Council

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APOLOGIES

Sergeant T Crowther - NSW Police

DECLARATIONS OF PECUNIARY INTEREST

Nil

CONFIRMATION OF MINUTES

Traffic Committee Meeting – 21 May 2009

COMMITTEE RECOMMENDATION

THAT the minutes of the Traffic Committee Meeting of 21 May 2009 be confirmed.

ITEM-1 GEORGE STREET, NORTH STRATHFIELD - NO STOPPING ZONE

REPORT

Council has received correspondence from a resident expressing concern in regards to vehicles parking too close to the roundabout at the intersection of Conway Avenue and George Street, North Strathfield.

A site inspection has revealed that some vehicles park on the south eastern corner too close to the roundabout, so that they partially obstruct southbound traffic as it leaves the roundabout.

It is recommended that 'No Stopping' zone be installed on the east side of George Street through the roundabout to a point 10m south of the roundabout.

STAFF RECOMMENDATION

THAT that 'No Stopping' zone be installed on the east side of George Street through the roundabout to a point 10m south of the roundabout.

DISCUSSION

Item is in order.

COMMITTEE RECOMMENDATION

THAT that 'No Stopping' zone be installed on the east side of George Street through the roundabout to a point 10m south of the roundabout.

ITEM-2 LYONS ROAD, RUSSELL LEA - NO STOPPING

REPORT

Representations have previously been considered from the proprietor of the Blue Star Cake Shop to allow parking at off-peak times on the south side of Lyons Road between Brent Street and Lithgow Street.

At the Traffic Committee meeting held on 16 April 2009 the RTA advised that this location is on a State Road and to ensure safe and efficient traffic flow the RTA would not agree to the recommendation. Council subsequently resolved to write directly to the RTA to request consideration to the request.

The Acting Chief Executive of the RTA has responded advising that "the primary concern is that vehicles turning right into Russell Street would effectively block all southbound traffic on Lyons Road. Due to the volume of traffic on Lyons Road, vehicles would rapidly queue back to the signalised intersection of Lyons Road and Brent Street. For operational reasons, the RTA cannot accede to the request for the installation of period parking along this section of Lyons Road."

STAFF RECOMMENDATION

THAT The response from the RTA be noted.

DISCUSSION

Item is in order.

COMMITTEE RECOMMENDATION

THAT The response from the RTA be noted.

**ITEM-3 BROUGHTON STREET AT PARK AVENUE, CONCORD
- NO STOPPING**

REPORT

Council has received correspondence indicating that vehicles are frequently parked within the mandatory 10m "No Stopping" zone at T-intersection of Broughton Street and Park Avenue near St Mary's Primary School.

Rule 170 of the Australian Road Rules states that vehicles are not permitted to park within the 10m of the nearest point of intersecting roads. It has been noted that cars often park closer to the intersection due to the close proximity of the school causing impaired sight lines for motorists at the T-intersection.

To enhance road safety at the intersection Council is proposing to install "No Stopping" signs 10m back from the intersection in both Broughton Street and Park Avenue.

STAFF RECOMMENDATION

THAT approval is given for the installation of "No Stopping" on the west side of Broughton Street, 10m either side of Park Avenue, and on both sides of Park Avenue, 10m from Broughton Street.

DISCUSSION

Item is order.

COMMITTEE RECOMMENDATION

THAT approval is given for the installation of "No Stopping" on the west side of Broughton Street, 10m either side of Park Avenue, and on both sides of Park Avenue, 10m from Broughton Street.

**ITEM-4 BURTON STREET AT LANSDOWNE STREET,
CONCORD - NO STOPPING**

REPORT

Council has received correspondence indicating that vehicles are frequently parked within the mandatory 10m "No Stopping" zone at the T-intersection of Burton Street and Lansdowne Street near St Mary's Primary School, Concord.

Rule 170 of the Australian Road Rules states that vehicles are not permitted to park within 10m of the nearest point of intersecting roads. It has been noted that cars often park closer to the intersection due to the close proximity of the school causing impaired sight lines for motorists at the T-intersection.

To enhance road safety at the intersection Council is proposing to install "No Stopping" signs 10m back from the intersection in both Burton Street and Lansdowne Street.

STAFF RECOMMENDATION

THAT approval is given for the installation of 'No Stopping' on the north side of Burton Street, 10m either side of Lansdowne Street, and on both sides of Lansdowne Street, 10m from Burton Street.

DISCUSSION

Item is in order.

COMMITTEE RECOMMENDATION

THAT approval is given for the installation of 'No Stopping' on the north side of Burton Street, 10m either side of Lansdowne Street, and on both sides of Lansdowne Street, 10m from Burton Street.

ITEM-5 QUEEN STREET AT WALLAROY STREET, CONCORD - NO STOPPING

REPORT

Council has received correspondence indicating that vehicles are frequently parked within the mandatory 10m "No Stopping" zone at T-intersection of Queen Street and Wallaroy Street near Concord West School.

Rule 170 of the Australian Road Rules states that vehicles are not permitted to park within 10m of the nearest point of intersecting roads. It has been noted that cars often park closer to the intersection due to the close proximity of the school causing impaired sight lines for motorists at the T-intersection.

To enhance road safety at the intersection Council is proposing to install "No Stopping" signs 10m back from the intersection on the east side of Queen Street and on the north side of Wallaroy Street. An indented parking bay is located about 25 metres back on Wallaroy Street on the southern side and No Stopping should be installed from the end of the indented parking area to Queen Street.

STAFF RECOMMENDATION

THAT approval be given for the installation of "No Stopping" on the east side of Queen Street, 10m either side of Wallaroy Street; on the north side of Wallaroy Street, 10m from Queen Street; and on the south side of Wallaroy Street from the indented parking bay to Queen Street.

DISCUSSION

Item is in order.

COMMITTEE RECOMMENDATION

THAT approval be given for the installation of "No Stopping" on the east side of Queen Street, 10m either side of Wallaroy Street; on the north side of Wallaroy Street, 10m from Queen Street; and on the south side of Wallaroy Street from the indented parking bay to Queen Street.

ITEM-6 OFFROAD CYCLEPATH AT RHODES SHORELINE

REPORT

Council has recently taken over care and control of public areas in Precinct A of Rhodes from the development corporation. An off road cycle path has been constructed along the western shoreline, commencing at Rider Boulevard near Oulten Avenue and travelling north towards Gauthorpe Street.

South of Shoreline Avenue the path is 3m wide and is shared by cyclists and pedestrians with no reported issues, however, north of Shoreline Avenue the cyclepath narrows to 2.5m. A wide pedestrian promenade runs directly along the shoreline parallel with the cyclepath, and the majority of pedestrian traffic uses that path, however there are several pedestrian access points from adjacent developments onto the narrow path which necessitates that the narrow path be used by both cyclists and pedestrians. Council has received comments from residents that there are conflicts between pedestrians and cyclists on this section of path.

The 2.5m wide cyclepath in the northern section does not meet current requirements to be linemarked as a shared cycle/pedestrian path. The path cannot be marked as either a cyclepath only due to the pedestrian access points, nor can it be a pedestrian path only because this would transfer cyclists to the shoreline path which is much more heavily used by pedestrians. Widening of the narrow section of the path, which is approximately 800m long, is not justified on a cost benefit basis and is unbudgeted.

A solution to the safety issues raised would be to signpost the cyclepath to indicate it is shared by cyclists and pedestrians and to include safety information. Signs would be required at each end and along the path at regular intervals, and at each pedestrian access point.

STAFF RECOMMENDATION

THAT the off road cyclepath be signposted indicating it is shared by cyclists and pedestrians and appropriate safety information be included on the signs.

DISCUSSION

There was discussion about the cyclepath standard width which applied at the time of the construction, however it was unclear whether the path was planned as a cycle path only or as a shared path at the time. As the residential developments have proceeded, pedestrian accesses to the cycle path have been created, necessitating the path to now be designated as a shared path. The path does not have adequate width for a centreline separating cyclists from pedestrians, and signposting is the appropriate treatment to advise and warn users that the path may be used by both pedestrians and cyclists.

Bay BUG representative also raised the issue of blind corners on the cycleway and whether the erection of mirrors or trimming vegetation will resolve this.

Staff offered to meet with Bay BUG members on-site to discuss these issues.

Item is in order.

COMMITTEE RECOMMENDATION

THAT the off road cyclepath be signposted indicating it is shared by cyclists and pedestrians and appropriate safety information be included on the signs.

ITEM-7 RIDER BOULEVARD, RHODES - PEDESTRIAN CROSSING

REPORT

Several letters have been received concerning pedestrian safety at the crossing on Rider Boulevard north of Shoreline Avenue. Near misses are reported to occur regularly. Council has recently taken over care and control of Rider Boulevard from the development corporation, and a review of the pedestrian crossing has been carried out.

The crossing is well located close to an intersection and directly in front of the main pedestrian access to Rhodes Shopping Centre. It is well line marked, has zig zag lines on both approaches, walking leg style crossing signs and No Stopping restrictions which provide adequate sight distance. However several issues were noted:

- The crossing is wider than normal, at just over 14 metres. This means pedestrians are exposed on the roadway for an extended period while they cross.
- The downgrade for southbound traffic is quite steep leading to some drivers having difficulty stopping for pedestrians.
- There are no advance warning signs, and existing walking leg signs are small and easily lost in the background.

- Cars, taxis and other vehicles often stop in the No Stopping area to drop off or pick up passengers from the centre.

This pedestrian crossing would greatly benefit by being reconstructed as a raised and indented crossing, as this would reduce the width of the crossing, improve visibility between motorists and waiting pedestrians, eliminate sight blockages caused by illegal parking and slow vehicles with the raised hump. While this treatment is recommended, limited resources for such works together with the number of other locations already in Council's future program of works means that major works at this location are unlikely within the next few years.

In the meantime it is suggested that many of the above benefits could be achieved by use of temporary kerb blocks to provide semi-permanent indented islands on both sides of the crossing. Also that signage be improved by installation of advance warning signs on both approaches, plus replacing the walking leg signs with larger signs on a fluorescent background.

STAFF RECOMMENDATION

THAT Council install temporary kerb blocks to provide semi-permanent indented islands on both sides of the crossing, and that signage be improved by installation of advance warning signs on both approaches, plus replacing the walking leg signs with larger signs on a fluorescent background.

DISCUSSION

Bay BUG representative asked for confirmation that kerb blocks will not produce squeeze points for bicycles. Staff advised that squeeze points won't be produced however bike lane widths may have to be addressed.

Item is in order.

COMMITTEE RECOMMENDATION

THAT Council install temporary kerb blocks to provide semi-permanent indented islands on both sides of the crossing, and that signage be improved by installation of advance warning signs on both approaches, plus replacing the walking leg signs with larger signs on a fluorescent background.

ITEM-8 LATE ITEM -TENNYSON ROAD, MORTLAKE - PEDESTRIAN REFUGE

Council made a request for the Traffic Committee to consider the possibility of a new pedestrian refuge on Tennyson Road near Herbert Street, during

consideration of an application for a new medical centre on the corner of this intersection.

The Committee was advised that Tennyson Road has two sharp curves to the east and west of this location and that sight distances for pedestrians crossing the road were not good. However it was noted that the road is less than 10 metres wide at this location, so pedestrians crossing the road are only exposed to traffic for a short period.

Installation of a pedestrian refuge will necessitate No Stopping restrictions on both sides of Tennyson Road. On the south side, 2 parking spaces would be lost west of Herbert Street. On the north side, parking would be lost from Bertram Street to opposite Herbert Street, a distance of about 50 metres, with a loss of 8-9 parking spaces. This effectively would cover the full frontage of the residential complex at No 20 Tennyson Road. Considering this substantial loss of on-street parking, it was felt that the provision of a pedestrian refuge should be deferred until after the new medical centre is operational and an assessment of the pedestrian volumes at the location can be carried out.

COMMITTEE RECOMMENDATION

THAT in view of the loss of 10 on-street parking spaces which would be required if a pedestrian refuge were to be installed, that the matter be deferred until after the medical centre is operational and an assessment of pedestrian activity can be carried out.

ITEM-9 LATE ITEM - MAJORS BAY ROAD, CONCORD - NO PARKING AND DISABLED SPACE

Council's enforcement officers have advised that kerbside signs are incorrectly installed and are unenforceable on the west side of Majors Bay Road, opposite Jellicoe Street (between the pedestrian crossing in front of Coles and the angle parking to the north). Several vehicles regularly park in the area where the signs are unclear and although they park at 90 degrees to the kerb and partly obstruct the disabled parking space, no enforcement can be carried out. A letter of complaint has been received from a disabled motorist about this issue.

An inspection showed that the disabled space is signposted with a single disabled parking sign, which does not define the beginning and end of the space, and that there are no other parking restrictions between the pedestrian crossing and the angle parking area. New signs are proposed to clarify the extent of the disabled parking zone, and install No Stopping between the pedestrian crossing and the disabled space, and No Parking between the disabled space and the angle parking. Using existing street light poles means that these new signs will require

only 2 new parking sign posts to be installed. Council officers will consult with the adjacent property owners prior to installation of the new signs.

COMMITTEE RECOMMENDATION

THAT kerbside signage be installed on the west side of Majors Bay Road to clarify the extent of the disabled space opposite Jellicoe Street, and provide No Stopping between the pedestrian crossing and the disabled space, and No Parking between the disabled space and the angle parking to the north, subject to consultation with adjacent property owners.

THE MEETING CLOSED AT 9.45am

**ITEM-3 LOCAL TRAFFIC COMMITTEE MINUTES CANADA
 BAY - 16TH JULY 2009**

Department Technical Services and Operations

Author Initials: JE

REPORT

This report contains the minutes for the Canada Bay Local Traffic Committee meeting held on 16th July 2009 for Council's resolution.

RECOMMENDATION

THAT the minutes and recommendations of the Canada Bay Local Traffic Committee meeting of 16th July 2009, as mentioned above, be adopted.

Attachments:

1. Minutes of the Canada Bay Local Traffic Committee Meeting - 16th July 2009



TRAFFIC COMMITTEE

Held in the Council Chambers
Canada Bay Civic Centre
1a Marlborough Street, Drummoyne
on Thursday, 16 July 2009, commencing at 9.15am

MINUTES

Committee Members:

Mr G Morris	Chair
Sgt T Crowther	NSW Police
Mr D Chui	Roads & Traffic Authority
Ms M Jasadipura	Representing the Local Member of Parliament

Advisory Members:

Mr T Connop	CCB Council
Mr B Dawson	Access Committee
Mr G Purves	Bay Bug – Canada Bay Bicycle Users Group
Mr J Carroll	State Transit Authority, Sydney Buses

Minute Taker: Belinda Gibson CCB Council

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Traffic Committee Meeting 16 July 2009

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APOLOGIES

Nil

DECLARATIONS OF PECUNIARY INTEREST

Nil

CONFIRMATION OF MINUTES

The minutes of 18th June will be presented at next Council meeting.

COMMITTEE RECOMMENDATION

THAT the minutes of the Traffic Committee Meeting of 18th June 2009 and 16th July 2009 be confirmed.

ITEM-1 GREAT NORTH ROAD, FIVE DOCK - PETITION RE VARIOUS ROAD AND PARKING ISSUES

REPORT

Council has received a copy of a petition, which has also been directed to the RTA, signed by 13 residents of Great North Road near Parramatta Road, concerning the following issues:

- Install peak period No Parking restrictions on the west side of Great North Road from Parramatta Road to No. 11 Great North Road;
- Reducing the speed limit on Great North Road from 60 km/hr between Queens Road and Parramatta Road;
- Replacing the road pavement of Great North Road in the same section as the above point;
- Illegal parking across driveways and in the bus stop by staff of nearby car sales offices and require them to use on-site parking, or install one hour parking restrictions on both sides of Great North Road between Queens Road and Harrabrook Road, residents excepted.

This section of Great North Road is a State Road under the care and control of the RTA. The first 3 points above are ones for the RTA to consider, and it is understood that the RTA will reply direct to the petitioners. The final point is for consideration by Council in consultation with the RTA.

Council's parking patrol officers have been made aware of the comments about illegal parking and carry out patrols of the area. The petitioners also should be advised that Council officers can act on complaint regarding cars parking across driveways. Regarding staff parking on-street, Council has no powers to restrict

staff of commercial premises from parking in legal parking spaces on any road, and as all residential properties along this section of Great North Road have off-street parking, a Resident Parking Scheme is not justified.

STAFF RECOMMENDATION

THAT the petitioners be advised that regarding the matters relating to Council in the petition, Council officers will monitor and enforce parking restrictions in this area and that they will act on complaint regarding cars parking across driveways. Further, that Council has no powers to restrict staff of commercial premises from parking in legal parking spaces on any road, and as all residential properties along this section of Great North Road have off-street parking, a Resident Parking Scheme is not justified.

DISCUSSION

RTA advised that No Stopping has been installed during peak hours along Great North Road to Harrabrook Street, improving flow of southbound traffic.

RTA would not consider implementing a resident parking scheme at this location.

RTA has responded directly to the petition.

Item is in order.

COMMITTEE RECOMMENDATION

1. THAT the petitioners be advised that regarding the matters relating to Council in the petition, Council officers will monitor and enforce parking restrictions in this area and that they will act on complaint regarding cars parking across driveways.
2. THAT Council has no powers to restrict staff of commercial premises from parking in legal parking spaces on any road, and as all residential properties along this section of Great North Road have off-street parking, a Resident Parking Scheme is not justified.

ITEM-2 GARFIELD STREET, FIVE DOCK - TAXI ZONE

REPORT

The Taxi Zone on Garfield Street Five Dock was last considered by the Traffic Committee on 19 February 2009, when a detailed submission from the NSW Taxi Council was considered. The matter had previously been considered several times since the zone had been shortened during construction of the Supabarn and Five

Dock Library building. The zone currently has space for 2 taxis, and is frequently overflowing with taxis from pre-dawn to 10 am each day, and at other times, partly because the zone is the base for radio bookings for the area and partly that it is a very popular taxi zone for locals.

The Committee considered the Taxi Council request as follows:

A minimum length of 5 spaces at all times, with an extra 3 spaces each morning up to midday.

In view of the substantial impact on period parking this request would cause, the Committee considered an alternate option with much lower impact on parking. This was to only extend the rank from 2 to 5 spaces between 4 am & 9 am and 3 pm & 5 pm, allowing the existing half hour parking outside the Supabarn to remain between 9 am & 3 pm, and in the evenings.

However, at its meeting held on 3 March, Council resolved that the Taxi Zone remain unaltered.

Subsequently the Taxi Council requested a meeting with Mayor, seeking further consideration of their request. They have also written to the NSW Ministry of Transport, appealing for assistance in resolving this matter with Council. In view of Council's previous determination on this matter no staff recommendation is made to the Committee in this instance.

STAFF RECOMMENDATION

THAT this matter be reconsidered by the Committee.

DISCUSSION

It was suggested that due to this area being the radio point for the entire area and an important taxi location for the whole community, a compromise could be reached. The Committee recommended that the Taxi Zone be extended to 5 spaces between 4 am and 9 am, 7 days a week. At all other times the existing period parking would remain.

COMMITTEE RECOMMENDATION

1. THAT the taxi zone be extended to 5 spaces between 4 am and 9 am, 7 days a week.
2. THAT nearby residents be advised of this change, and Council's Law Enforcement Officers be requested to enforce the restrictions in the area during peak taxi periods.

ITEM-3 GEORGE STREET AT POMEROY STREET, NORTH STRATHFIELD - TRAFFIC SIGNAL PHASING AND PEAK PARKING RESTRICTIONS

REPORT

A resident of George Street has advised of extensive queuing of northbound traffic in George Street caused by delayed right turners, and suggests that the traffic signals at this intersection have a right turn phase added. Further, that peak period parking restrictions be installed on the west side of George Street, from Malta Street to Pomeroy Street, to assist through traffic past the delayed right turn queue.

On site observations have confirmed that sometimes in the evening peak period, right turning vehicles (northbound to eastbound) cause queuing for several hundred metres, back to the Bakehouse Quarter. However, a possible cause of this queuing is that eastbound motorists are turning off Parramatta Road due to queuing back from the M4 intersection, to find their way through North Strathfield and Concord instead of staying on Parramatta Road. If the right turn is improved, this may encourage greater volumes of by-passing traffic through residential streets in North Strathfield and Concord. There needs to be a balance struck between ensuring good accessibility without opening up local roads to ever-increasing through traffic volumes.

Also, to install a right turn phase may require the opposing right turn to be prohibited, reducing accessibility for southbound traffic. For these reasons, it is suggested that only the peak period No Parking restrictions be installed at this time, to allow northbound traffic to get past delayed right turners.

STAFF RECOMMENDATION

THAT morning and afternoon peak period No Parking restrictions be installed on the west side of George Street, between Pomeroy Street and Malta Street.

DISCUSSION

RTA representative advised that increasing No Parking along George Street from Pomeroy Street to Malta Street is the best solution.

Staff advised that this issue appears to be worse in the afternoon peak and suggested the recommendation be changed to adopt the No Parking restrictions during the afternoon peak only.

COMMITTEE RECOMMENDATION

THAT afternoon peak period No Parking restrictions, 3 pm to 7 pm Monday to Friday, be installed on the west side of George Street, between Pomeroy Street and Malta Street.

ITEM-4 TRAFFIC MATTERS RAISED BY STATE MEMBER OF PARLIAMENT

REPORT

The following table summarises traffic related matters recently referred to Council by the office of the State Member of Parliament, Ms Angela D'Amore.

On Behalf Of	Issue	Response	Letter Sent
M Reddy	Kings Rd, Five Dock. Traffic speed and volume in narrow road. Consider 40 k/hr speed limit.	40 k/hr limits only used in school zones & locations of very high pedestrian activity, and can only be approved by RTA. Previous surveys and inspection show traffic speeds and volumes are in normal range for a residential street.	Yes
G Koray	Bus shelter in Hampden Rd at Bourke Pl, Abbotsford.	This location is not in the current Capital Works Program for a shelter, but will be considered in future, as part of a new contract for advertising bus shelters.	Yes
J Barrie	Various problems in Drummoyne - No Left Turn sign into Thompson St is ineffective; ban right turn into Millar St; traffic by-passing along Bowman St ignoring Stop sign at Thompson St; wants speed humps in Thompson St	Motorists ignoring Stop and No Left Turn signs referred to Police for enforcement; suggestions regarding No Right Turn at Millar St, traffic conditions in Thompson and Bowman Sts is under review as part of the traffic impact of the duplication of Iron Cove Bridge and closure of Carey St.	Drafted

On Behalf Of	Issue	Response	Letter Sent
B Curran	Traffic speed and heavy vehicle parking in Wareemba St, Wareemba.	Speed issue referred to Police; parking of tradesmen's vehicles not illegal, but heavy vehicles will be enforced by Council officers.	Yes
R Hull	Speeding and request to close Plunkett St at Gipps St, Drummoyne.	Traffic conditions in this area is under review as part of the traffic impact of the duplication of Iron Cove Bridge and closure of Carey St. Closure of any particular local street is not favoured at this time as it would divert traffic to parallel local streets.	Drafted
T La Rosa	Speeding in William St, Five Dock. Suggests speed humps.	Speeding referred to Police for enforcement. Speed humps not justified and would create noise impacts.	Yes
M Gilmour	Relocate Bus Stop from in front of newsagent on Great North Rd, Wareemba.	Matter previously considered and recommended not to relocate bus stop, as it is well located for passengers and provides a clear area on approach to the pedestrian crossing.	Drafted

STAFF RECOMMENDATION

THAT the matters and responses be noted

DISCUSSION

Item is in order.

COMMITTEE RECOMMENDATION

THAT the matters and responses be noted.

ITEM-5 LATE ITEM - BRETT PARK CAR PARK DRUMMOYNE - 2 HOUR PERIOD PARKING

The RTA is currently constructing a temporary car park in Brett Park, at the corner of Henley Marine Drive and Formosa Street, Drummoyne. The car park provides a limited amount of replacement parking for spaces lost during construction of the duplicated Iron Cove Bridge.

The spaces lost are currently signposted as 2 hour period parking during normal business hours (8.30am to 6.00pm, Mon-Fri; 8.30am to 12.30pm Sat), and it is proposed that the spaces provided in the new car park also be signposted as 2 hour parking during normal business hours, to ensure adequate turnover of parking in the area. The RTA has agreed to install the signs if Council approves the time limits.

DISCUSSION

BayBUG representative questioned the access after construction. Staff advised that line marking and the cycle facility on-road will be unchanged, with the new carpark entry/exit driveway on Henley Marine Drive.

COMMITTEE RECOMMENDATION

THAT the new temporary Brett Park car park be signposted as 2-hour period parking during normal business hours.

ITEM-6 LATE ITEM - DRUMMOYNE AVENUE DRUMMOYNE SCHOOL SPECIAL BUS STOP

Council has received correspondence from residents regarding road safety concerns for the School Special Bus Stop in Drummoyne Avenue, Drummoyne at the intersection of Cambridge Road close to the Gladesville Bridge overpass.

The Bus Stop in its current location is designated by a sign on a power pole which is in conflict with mandatory 10 metres No Stopping signage at the intersection. Therefore, buses picking up and dropping off children at the bus stop are in breach of a No Stopping sign and also create impaired sight lines for motorists at the intersection.

Sydney Buses have advised they recommend relocation of the School Special Bus Stop sign away from the intersection to a suitable position south of Cambridge Street, where it will not be in front of any residential properties.

DISCUSSION

Item is in order.

COMMITTEE RECOMMENDATION

THAT Sydney Buses relocate the School Special Bus Stop on Drummoyne Avenue, Drummoyne to a suitable position, south of Cambridge Street.

Meeting Closed 9.45am

ITEM-4 ACCESS COMMITTEE MINUTES - 23RD JUNE 2009

Department Community Development

Author Initials: LDM

REPORT

This report provides Council with the Access Committee Minutes from the meeting held on Tuesday, 23 June 2009.

The Committee's role is to examine access issues. The Access Committee seeks Council's endorsement of the attached minutes and the recommendations/actions contained therein.

RECOMMENDATION

THAT the minutes of the ordinary meeting of the City of Canada Bay Access Committee for 23 June 2009 be received and noted.

Attachments:

1. Access Committee Minutes 23 June 2009

City of Canada Bay Access Committee

Minutes of Meeting Tuesday, 23 June 2009

1. Attendance

Cr Jeanette O'Hara (Chairperson), Tim Clancy (Manager, Assets), Jennifer Moon (Guide Dogs), Keith Steward, Irene Jones, Jill Hodder, Victoria Cannone, Jo Shaw, Margaret Mason, Pat Bradwell, Lil Bradwell, Cynthia Prasad, Bill Dawson, John Smith, Jack Nolan, Peter Mc Gill.

2. Apologies

Wayne Boyle, Jack McEnally, Noleen Heenan

3. Previous Minutes

The minutes of the City of Canada Bay Access Committee held on April 28 2009 were adopted as an accurate account of the meeting.

Moved by John Smith
Seconded by Victoria Cannone

4. Business arising from previous minutes

- 4.1 Bus shelter at Bayview Park, Concord - clarification of previous minutes that no bus shelter has been put in yet.
- 4.2 Customer request - clarification that request for trees trimmed is not yet completed.
- 4.3 Lunch after November annual elections will be held at on Tuesday, 24 November at Sydney Rowers Club.
- 4.4 Annual BBQ will be held on Wednesday, 2 December 2009.
- 4.5 Gutter crossing in front of Concord Library - Cynthia reported that Technical Services and Operations have agreed to install the gutter crossing. They have requested scopes and approvals in order to commence construction.

Action: Cynthia to follow up with TS&O for scopes and approvals.
- 4.6 Cabarita footpath - Keith Steward reported that no further contact was made with him to discuss the issue.

Tim Clancy, Manager Assets reported that the proposal cannot be achieved as it is a funding issue. Tim agreed to organise a meeting with John Earls, Keith Steward, Bill Dawson to discuss the issue further.

Action: Tim to organise meeting between both parties.

- 4.7 Wheelchair resident's experience at Rhodes - Tim Clancy reported that the whole Rhodes area development was undertaken by NSW Planning which was beyond Council's control. Council is now slowly taking responsibilities of the area but no access audit has been made. The area needs a lot of changes to be done which includes addressing some of the access issues.
- 4.8 MLAK keys - 10 copies of MLAK are being made which will be available for distribution by the next meeting.
- 4.9 Companion Card - Jeanette O'Hara reported that she put the request to Council requesting Council to become an affiliated member of Companion Card. A draft report was distributed to the Committee. This report will be presented to the July Council meeting.

**5. City of Canada Bay Pedestrian and Mobility Plan (PAMP)
Tim Clancy, Manager, Assets, City of Canada Bay**

The PAMPS is a comprehensive action plan to develop policies and build pedestrian facilities. PAMPS aim to co-ordinate investment in safe, convenient and connected pedestrian routes. The current PAMP provides a broad overview of proposed improvements to achieve greater accessibility throughout the city.

Tim reported that Council recognises the importance of pedestrian ramps in the City and Capital Works has voted to allow \$25K to upgrade pedestrian ramps on high usage traffic areas. Council is also seeking an extra levy of \$50K bringing the total amount to \$75K which will fund access repairs. The \$50k is subject to approval from the Minister for Local Government as a special rate variation. Council suggests to the Committee to prioritize repairs to high pedestrian usage areas such as around schools and shopping centers. Council will make recommendations on which ramps to be considered as priority. Council also requests the Committee be mindful that not all ramps will be a certain grade will comply and to consider good use of money.

Action: Tim to arrange meeting to discuss matters of driveway design (in particular lip issue) and Cabarita Park path installation. Tim update Access Committee regarding status of additional funding.

6. "Guide Dogs Welcome Here Campaign" - Jennifer Moon, Community Education Coordinator, Guide Dogs

Guide Dogs NSW/ACT exists to enhance the quality of life of people living with blindness or impaired vision, by assisting in their achievement of independence through access and mobility. The service believes that

people living with impaired vision have equal rights to other people, and respect their right for human dignity.

There is evidence that shows guide dog users continue to be discriminated against in restaurants and cafes. Recent research commissioned by Guide Dogs has revealed one in three Australians believe Guide Dogs are not allowed inside restaurants. Guide Dogs NSW also receives anecdotal evidence from guide dog users on a regular basis indicating that some restaurant and wait staff mistakenly believe that the Food Standards Code prevents them from allowing guide dogs into restaurants and cafes. Under the Federal Disability Discrimination Act, refusing a guide dog user entry to a restaurant is illegal.

The campaign was originally launched on International Guide Dog Day, April 29, 2009 to encourage restaurants and cafes to show their support of the needs and rights of people using Guide Dogs. The campaign was devised following a recent survey which stated that 1 in 3 Australians were unaware that people using Guide Dogs could enter cafes and restaurants.

Guide Dogs NSW/ACT is inviting the owners of restaurants, clubs, bars and cafes to support the new *Guide Dogs welcome here* campaign. A kit is developed to educate owners about the campaign. The kit contains a Guide Dogs welcome here sticker that can be displayed on the shops window, and as well as all the information the shop owner needs to know about legislation, and guiding techniques when assisting people who have impaired vision.

Action: Cynthia to invite Jennifer to attend the next Access Forum to present information on the campaign to businesses attending the forum and arrange a number of kits for distribution by Access Committee members.

Action: Access Committee members to help distribute the kits to local shops in Canada Bay area and to inform Jennifer the names of the shops accepting the kit and willing to display the stickers. Contact Jennifer on (02) 9412 9390.

7. Correspondence Received

The Access Committee resolved to note the following correspondence received;

- P.D.C.N (Physical Disability Council of NSW) newsletter.
- Paraquad Newsletter.
- Independent Living Journal.
- A fax from Nigel Bertus for Keith Steward regarding Cabarita Footpath.
- A fax from Keith Steward for Pauline Webb regarding Cabarita Footpath.

- A letter from Mayor Angelo Tsirekas thanking Jack Nolan for being on the Main Street Committee for the last thirteen years.

Correspondence Issued

The Access Committee resolved to note the following correspondence issued;

- Twelve customer service requests sent to Customer Services.

8. Customer Requests

8.1 Report of requests made - from 27 April to 23 June 2009:

- a. Great North Rd - Edenholme Rd (Corner) - Request for a tree to be trimmed.

Update - request pending.

- b. Great North Rd & Coranto St (Corner) - Request for a tree to be trimmed.

Update - request completed.

- c. Russell St & Lyons Rd - Request for repair to damage footpath and kerb and also replacement of ramp on the right hand side of Russell Street.

Update - request completed.

- d. 289 Lyons Rd - Request for footpath and kerb outside is in bad shape and needs repairs.

Update: Committee has been informed that repairs will take place under the new financial year budget with works scheduled for possibly next year.

- e. 282- 284 Great North Rd - Request for Council to inspect area where Cars exiting the property come out too fast making it dangerous for pedestrians.

Update: Council is investigating the matter.

- f. Shop 181 Great North Road - Chairs and tables not in the right place and have three sign boards outside the shop on the foot path. This is not the first time a request has been put in for this restaurant.

Update: Request is still incomplete. Rangers are yet to inspect the area.

- g. 14 Pine Avenue, Five Dock - footpath needs maintenance as it's unsafe for wheelchair scooter users, mothers with prams and frail and aged people.

Update - request pending.

- h. 21 Bryne Avenue, Russell Lea - this section needs urgent attention, first reported with photo.

Update - Request completed.

- l. 59 Bryne Avenue, Russell Lea - Concrete has lifted, first reported 20/5/09.

Update - Request completed.

- j. Corner Russell - Siddick - Myalora Street, Russell Lea - Ramp to be replaced with Australian Standards Ramp.

Update - works to be considered under PAMPS.

- k. Marlborough Street, Drummoyne - fire water pipes and valves on footpath.

Update - request pending.

- l. Harris Street bus shelter - 79 Harris Street honeysuckle bush over fence and onto footpath.

Update - request completed.

8.2. Outstanding requests - No outstanding requests to date.

9. Sub-Committees

9.1 **Traffic Committee:** No report.

9.2 **The Great North Road Committee:** No Report.

9.3 **Development Application Sub-Committee:**

42 Walker Street Rhodes - Amendments to ground levels and landscaping for previously approved Point Park.

Access DA committee had a meeting with Council (Ursula Lang) and developer representative to discuss the proposal.

Keith Stewart presented a number of items (as below) for discussion. The developer representative advised that this DA had been approved and they could continue without further discussion, however, they would be willing to implement any suggestions provided they did not alter the plans already drawn up.

Committee agreed to refer the following comments to Council for consideration:

- Pram ramp 1.2 metres beside the stairs to be considered by the developer.
- Cycle track should be 3.5 metres complying with Council standards. The response to this was that the existing paths in the development are 3 metres but discussion with Council will be undertaken to resolve the issue.
- All paths should be 2 metres wide.
- The toilet is Council responsibility as there had been no mention of a toilet in the original DA. Ursula commented that Council is to upgrade the boat ramp area and Council should be approached to erect a toilet block in that area.
- Location of garbage bins to be discussed with Council.
- Picnic tables will be constructed so that they will be accessible by wheelchair users as used in Rhodes Park, the drawings have been submitted. The picnic tables will be covered by a Pergola.
- Shade cloth areas for children, held over for discussion with Council.
- Children's dinky and cycle facilities were rejected because of site topography.
- That Council consider making the park alcohol, smoke, ballgames and amplified music free.
- Water drinking fountains for humans and dogs to be considered.
- A small forum area was dismissed because of the sloping ground.
- Historical photos and details- The developer is to provide \$5000 for this. Details will be submitted to the Access committee for its input.
- Parking OK with 1 disabled parking bay with gutter crossing altered.
- Eliminate the stairway with a ramp to viewing area. This suggestion was impracticable owing to space limitations.
- Dog litter bags and bins to be considered by Council.
- Feature paving should have 3mm gap which will not affect wheel chairs etc.
- Plans for the adjacent park on the southern side of Point Park. The developer produced plans which show that the paths all link in the future.

- Accessing beach area - The Maritime Board does not want to encourage access to the water to protect mangroves.
- Facilities to prevent items falling into the water. Theis Bros are constructing a sea wall which will have a timber border along the path. This should prevent articles rolling into the water.
- Consider connection from the cycle/walk track to the proposed foreshore walk from under the rail bridge. State rail owns some of the land where the proposed walk is to go. It is understood that negotiations for accessing this land are underway.
- Details of water catchment and reuse - No water catchment or reuse is planned.
- Agree strongly with the use of asphalt on paths.
- Grass lawn must be able to grow in shade and not need watering. There will be grassed areas and tree planting with no grass growing under them. There is no reticulated water, plants etc will be native.
- Width of all paths should be 2 metres.
- Seats required along high side of bike track.
- Kerb needed on water side of foreshore path. Already answered in item 20.

4a, 19,19a Roseby Street Drummoyne - Internal alterations to convert level 3 offices to a major retail tenancy and convert an existing major tenancy on level 2 to a specialty tenancies.

The Committee made no comments on the development application.

4a, 19,19a Roseby Street Drummoyne - Modifications to Spotlight entry.

The Committee made no comments on the development application.

206 Lyons Rd & 1 Byrne Ave Drummoyne - Alterations and additions to existing hotel, including demolition of structures at 1 Byrne Ave to construct a new dining, bar and kitchen facilities, additional accommodation and basement parking alterations and additions to existing café known as 'The Cove'.

The Committee could not comment on the development application as no access report was presented.

484A Concord Rhodes - Demolition of existing toilet facilities and alterations and additions to existing building, including construction of new toilet facilities and access ramp.

The Committee made no comments on the development application.

10. Projects

- 10.1 May 09 Access Forum - The Access Committee's first Forum on Transport and Disability was successfully held on Thursday, 28 May from 10am to 12pm at Concord Library.

The event consisted of guest speakers from a broad range of transport services such as Ministry Transport, Inner West Community Transport and Council's Community Services and Road Safety. The speakers presented information on the activities that their organisation was undertaking to address and improve access on transport services for people with a disability. The participants had an opportunity to ask questions and give suggestions and feedback to the speakers at the end of the forum.

In total 35 participants attended the forum. They were mainly disability workers from local disability services such as the Blind Citizens Australia, Concord Hospital, Department of Aged Care and Disability, Home Care and as well as Access Committee members. Overall the Forum provided an excellent opportunity for the Access Committee and disability service providers to network, exchange information and contribute their views on disability and transport issues. Positive feedback was received from the attendees with only some comments for improvements to include question time after speaker presentations.

Next Access Forum - Committee agreed to hold the next Forum in November. The focus of the forum will be local businesses where information will be given to them on how to improve access to their business.

Action: Working group to continue meeting to discuss the planning of the forum.

11. General Business

- 11.1 Jack Nolan reported that Pat Bradwell and he attended the Inner West Disability Network meeting held on Thursday 18 June to present on the role, functions and projects of City of Canada Bay Access Committee. Also present at the meeting was Michael Small from the Human Rights Commission, Disability Unit presenting on the draft 'Access to Premises' and on Disability Action Plans of Local Government.
- 11.2 Cynthia reported that the Sustainability Committee has advised that there will only be 5 invitations available to the Sustainability Awards Dinner this year due to costs.

The Committee was unhappy with this decision and wished to express their disappointment.

Action: Jack Nolan to write a letter to the Mayor regarding the matter.

11.3 Tim Clancy reported to the Committee on what Council will be spending money on for the next financial year.

- 'All Access Abilities' playground at Timbrell Park - which will be delivered in partnership with Touched by Olivia Foundation.
- Cabarita Pool - shade, disabled parking and hand rails are being put in.
- Footpath expansion on the Esplanade, Crane Street and Heslet Street.
- Lighting at Kokoda Park.

11.4 The Committee agreed to move the 27 October Meeting to Tuesday 24 November to coincide with the Committee's elections.

12. Next meeting:

10:00am Tuesday, 25 August 2009 at Concord Senior Citizens Centre, Wellbank Street.

Meeting closed at 11:50am.

**ITEM-5 NSW DEPARTMENT OF COMMUNITY SERVICES
 FUNDING AGREEMENT**

Department Community Services

Author Initials: DG

PURPOSE

This report seeks Council approval to sign and affix the Common Seal to the 2009/2010 Service Agreement from the NSW Department of Community Services supporting a salary contribution towards the position of Manager Community Services.

REPORT

Council has received a service agreement from the NSW Department of Community Services for the period 1 July 2009 to 30 June 2010 under the Community Services Grants Program (CSGP). The Service Agreement provides recurrent funding annually for a contribution towards the salary of the Manager Community Services position.

The Department of Community Services will provide \$13,135 in the 2009/10 financial year. Council provides a funding acquittal to the Department at the end of each financial year detailing the full salary expense and achievements of the position.

LINKS TO FUTURESPLAN20

The Service Agreement enables Council to provide community services and to meet outcomes required in the FuturesPlan20 Delivery Plan. In particular, the salary component funds management and administration of direct community services including meals on wheels and childcare services and community development projects.

FINANCIAL IMPLICATIONS

Council will receive \$13,135 in funding from the Department of Community Services to support a contribution towards the salary of the Manager Community Services position.

RECOMMENDATION

THAT Council authorise the signing and affixing of the Common Seal to the 2009/2010 Service Agreement from the Department of Community Services supporting a salary contribution towards the position of Manager Community Services.

ITEM-6 DEPARTMENT OF AGEING, DISABILITY & HOME CARE - FUNDING AGREEMENT

Department Community Services

Author Initials: DG

PURPOSE

This report seeks Council's approval to sign and affix Council's Common Seal to the NSW Department of Ageing, Disability & Home Care (DADHC) funding agreement for the period 1 July 2009 to 30 June 2012 to support the provision of the Drummoyne Food Service and Community Project Officers.

REPORT

Council has received the funding agreement from the Department of Ageing, Disability & Home Care (DADHC) for the period 1 July 2009 to 30 June 2012 to support the following programmes:

- The Drummoyne Food Service - \$68651 per annum indexed annually;
- Community Project Officer - \$25,949 per annum indexed annually; and
- Community Project Officer - \$31,727 per annum indexed annually.

These programmes have been operating for a number of years and are funded by DADHC under a recurrent programme with the funding agreements renewed every three years. The grant income for each programme is included Council's Budget for the 2009/10 financial year.

Council is being requested to re-sign the agreement and affix the Common Seal.

LINKS TO FUTURESPLAN20

The funding agreement enables Council to provide services for the aged and people with a disability and to meet outcomes required in FuturesPlan20 Delivery Plan strategies for a Healthy City. Specifically to provide ongoing Meals on Wheels Services, developing and implementing the Positive Ageing Strategy and delivering a range of community health and education programs for the aged and people with a disability.

FINANCIAL IMPLICATIONS

Council will receive \$126,327 in funding from DADHC to support the provision of the Drummoyne Food Service and to contribute towards the salaries of Council's Community Project Officers.

RECOMMENDATION

THAT Council authorise the signing and affixing of the Common Seal to the Department of Ageing, Disability & Home Care Funding Agreements.

**ITEM-7 REPORT TO BECOME AN AFFILIATED MEMBER OF
THE COMPANION CARD NSW**

Department Community Development

Author Initials: CIP

EXECUTIVE SUMMARY

This report seeks Council's endorsement to implement the Companion Card program. A Companion Card provides free access to venues and events for the companion of a person with a disability.

REPORT

The Access Committee at its meeting held on April 2009 requested that Council become an affiliated member of the Companion Card NSW.

The Companion Card allows people with a significant and permanent disability, who require attendant care for the rest of their lives, to participate in community activities and events without discrimination.

People with a disability, who require attendant care support, are often required to pay two admissions and/or booking fees; one for themselves and one for their companion. This has the effect of increasing the admission and/or booking price for the person with a disability.

A Companion Card allows a person with a significant life long disability to participate in community activities and events without discrimination. This means that the person with the life long disability will not be required to pay two admissions or booking fees in order to take their attendant with them to participating events and venues. An affiliate member agrees to issue a second ticket at no charge to card holders in these situations.

Affiliate members include other Councils, CityRail, government ferry services, CountryLink, museum, art galleries, cinemas, and other sporting centres.

Council currently allows free entry for carers or support workers to Drummoyne and Cabarita swimming pools and to Five Dock Leisure Centre (provided that the companion is only supervising and not using the equipment). It is suggested that the same principle be applied at Council's Golf Courses.

RECOMMENDATION

- 1 THAT the City of Canada Bay Council becomes an affiliate member to the Companion Card.

**ITEM-8 DRAFT AMENDED DRUMMOYNE OVAL PRECINCT
PLAN OF MANAGEMENT AND MASTERPLAN**

Department Community Development

Author Initials: VGC

PURPOSE

This report advises Council of the need to amend the existing Plan of Management for the Drummoyne Oval Precinct. The precinct consists of Drummoyne Oval, and Taplin and Drummoyne Parks.

The report recommends proposed amendments to the Plan as a result of planning undertaken in relation to works associated with the recent Australian Government Funding and a proposal to increase broadcast lighting from 1200 to 1400 lux. The amendments are currently on exhibition.

REPORT

Background

The Drummoyne Oval Precinct is located in Drummoyne and consists of Drummoyne Oval and Drummoyne and Taplin Parks.

Bayswater Street forms the northern boundary of the precinct and Cometrowe and Thompson Streets mark its southern perimeter.

The Plan of Management adopted by Council in 2008 replaced the previous Plan of Management for Drummoyne and Taplin Parks adopted by Drummoyne Council in 1996. The 2008 Plan satisfied the requirements for content and process in preparing a Plan of Management under both the Local Government Act 1993 and Crown Lands Act 1989.

The comments and submissions Council received during the consultation process in preparing the 2008 Drummoyne Oval Precinct Plan of Management contributed significantly to the final Plan of Management.

The Drummoyne Oval Precinct Plan of Management and Master Plan aims to:

- Establish a sound and balanced approach to the management of the Precinct while providing a flexible framework within which Council can respond to current needs and opportunities, as well as future directions and pressures as demands change.
- Reflect the values and expectations of the local Canada Bay and wider community and other users for future use and enjoyment of the Precinct

- Be consistent with Councils Management Plan and its other strategies, plans and policies.
- Reflect planning and implementation of improvements to the Parramatta River foreshores.
- Support the conservation and interpretation of the heritage values of the area.
- Present a plan that illustrates the actions required to implement proposed physical changes and improvements to the Precinct.

Discussion

In accordance with advice to all stakeholders when the 2008 Plan of Management was adopted, further consultation would be undertaken with the community when funding became available to address improvements proposed in the Precinct.

The Australian Government recently announced funding of \$5,321,880 under the Community Infrastructure Program – Strategic Projects (CIP-SP) for Stage 2 of the Drummoyne Oval Precinct Development. This stage includes a new community facility, spectator seating, refurbish existing player amenities and upgrade stormwater treatment facility.

As a result of this funding and a proposal from NSW Cricket to further upgrade broadcast lighting previously proposed for Drummoyne Oval to 1400 lux from 1200 lux.

An amended draft Plan of Management and Masterplan to commence the next stage of community consultation was placed on public exhibition on 10 July 2009.

A community facility proposed to be located between Drummoyne Oval and Taplin Park and the proposal to further upgrade lighting is not consistent with the adopted plan of management and therefore amendments are required.

A Community Information Day similar to that previously held on site in late 2007 will be held on Saturday 25 July 2009 to provide an opportunity for all stakeholders to view the amended draft Plan of Management and Masterplan and provide feedback.

The finalised plans for the boat ramp and pontoon will also be available for inspection.

As part of this process residents within 200 metres, have been notified by a fact sheet in a letter box drop. Those who made submissions during the 2008 Plan of Management process have also received similar notification.

Communication Strategy

The Drummoyne Oval Precinct is one of the principal sporting and leisure facilities in the City of Canada Bay. Facilities in the precinct currently include the Drummoyne Oval and Taplin Park sporting infrastructure, Drummoyne Community Centre and a range of recreation opportunities and landscape features.

The Drummoyne Oval Precinct is a valuable resource for the local community and the many visitors who use the Precinct. The amended draft Plan of Management for the Precinct has been prepared to address revised Council and community intent for the precinct, and how it is to be used, improved, maintained and managed into the future.

The amended draft Drummoyne Oval Precinct Plan of Management when adopted by Council will replace the previous Plan adopted by Council in 2008.

As Council is aware a Generic Plan of Management to address all Crown and community land managed by Canada Bay Council was adopted in March 2007. The amended Drummoyne Oval Precinct Plan of Management is consistent with the Generic Plan of Management.

The Drummoyne Oval Precinct Plan of Management is a site specific plan such as the Plan which was recently adopted for Cabarita Park. Site specific plans of management are generally for individual parks or park precincts where varied and complex issues require attention. Examples of other existing site specific plans for parks within the City would be Brays Bay Foreshore Reserve and Charles Heath Reserve.

The objectives of the amended draft Drummoyne Oval Precinct Plan of Management remain consistent with those previously stated in this report.

Department of Lands

The majority of land in the Drummoyne Oval Precinct is Crown Land and therefore Council has sought and received consent pursuant to section 112(2) of the Crowns Lands Act 1989 from the Minister's delegate to the preparation of the amended Plan of Management

Exhibition Period

The amended draft Drummoyne Oval Precinct Plan of Management will be on public exhibition for 28 days in accordance with the requirements of the Crown Lands Act 1989, Council will accept written submissions to the General Manager during this period. The exhibition period for the draft plan has been advertised in the local media, on Council's website and via a mail box drop to residents adjacent to the park.

The draft plan is available for viewing on Council's website, at libraries and from the Customer Service counter.

The Department of Lands has placed a notice in the NSW Government Gazette consistent with Councils advertising.

Council has also advised all stakeholders identified during the previous consultation processes that the amended draft plan has been placed on public exhibition.

The Local Government Act requires Council, when preparing Plans of Management, to categorise Community Land as Sportsground, Park, Natural Area, Area of Cultural Significance, or General Community Use.

Under these requirements the small section of community land on the south western side the Precinct will not be affected by the proposed changes and will retain its categorisation.

Therefore a public hearing to address categorisation during the public exhibition period for the amended draft Plan of Management will not be required. It should also be noted as the amendments to the Plan of Management are proposed on Crown land the public exhibition period of 28 days under the Crown Land Act days has been adopted rather than 42 days applicable under the Local Government Act.

The draft amended "Drummoyne Oval Precinct Plan of Management" has been circulated to Councillor's under separate cover.

FINANCIAL POSITION

There are no financial implications for Council associated with this matter as funding for the preparation has been provided in the 2009/10 Delivery and Operational Plan 2009 - 2013.

LINKS TO FUTURESPLAN20

The upgrading of the Drummoyne Oval Precinct is in accordance with the Delivery and Operational Plan 2009 - 2013 which addresses an engaged, green, healthy, liveable, moving, prosperous and vibrant city in partnership with the community to provide an improved sporting and cultural precinct throughout the City.

RECOMMENDATION

1. THAT Council endorse the draft amended "Drummoyne Oval Precinct Plan of Management" as prepared by Sandra Hoy from Parkland Environmental Planners and Phillips Marler for the purpose of public exhibition.

2. THAT Council endorse the exhibition of the draft amended "Drummoyne Oval Precinct Plan of Management" for 28 days between Friday, 10 July and Thursday, 6 August and advertise broadly in the local community.
3. THAT a further report be prepared for Council consideration at the end of the exhibition period.

Attachments: Under separate cover:

1. Draft amended "Drummoyne Oval Precinct Plan of Management and Masterplan"

ITEM-9 GRANTS, AWARDS AND SPONSORSHIP UPDATE

Department Communications and Public Relations

Author Initials: GLI

EXECUTIVE SUMMARY

This report seeks to provide Council with an update on grants, awards and sponsorships secured since March 2009. Council is committed to securing grant funding for a number of its initiatives, encouraging sponsor investment in events and capital works, and marketing Council programs in award competitions.

REPORT

Grants

Since the last report the City of Canada Bay has been successful in receiving grant funding from a number of sources.

Grant	Council team	Project title	Grant amount	Date received
NSW Department of Environment and Climate Change - AustCycle Cycling Proficiency Training	Whole of Council	Internal Bike User Group	\$360	Apr-09
NSW State Library - Development Grants 2008/09	Library Services	Canada Bay Connections	\$15,186	Mar-09
Sydney Water - Every Drop Counts Business Program	Economic Development	Council Partnership Pilot (joint with Leichhardt Council)	\$100,000	Apr-09
Department of Infrastructure, Transport, Regional Development and Local Government - Community Infrastructure Program	Whole of Council	Drummoyne Oval Precinct upgrade	\$5.3m	May-09
NSW Department of Environment and Climate Change - Waste Project Grants	Environment and Health	Illegal Dumping Planning Tool Kit	\$10,000	Jun-09
NSW Attorney Generals - Department Crime Prevention Division Grants	Community Development	City of Canada Bay Council Safe Community Spaces, Steal from Motor Vehicle Crime Prevention Project	\$50,000	Jun-09

Grant	Council team	Project title	Grant amount	Date received
Department of Families, Housing, Community Services and Indigenous Affairs - National Rental Affordability Scheme	Community Development	Affordable Housing	\$8,000 per unit p/a (24 units)	Will be received Jun-10

Awards

Since the last report, Council has received the following awards and commendations.

Award source	Award title	Council team	Project title	Announced
National Awards for Local Government 2009	Community Capacity Building – Youth Engagement Award	Community Development	What Would Your Mother Say: a retrospective of young women's fashion culture and identity	May-09
Public Relations Institute of Australia (NSW)	Golden Target Awards (Community Relations) - Finalist	Whole of Council	FuturesPlan20	Jun-09

Sponsorship

Council seeks to attract sponsorship from local businesses to help Council deliver a high quality program of community events and activities. Since the last report, Council has received sponsorship from a number of organisations for the following activities.

Incoming sponsorships

Event/initiative	Council team	Sponsor	Value of sponsorship
Ferragosto'09	CPR	Cleanaway	In-kind support valued at \$5,000
Concord Carnival 2009	CPR	Cleanaway	In-kind support valued at \$5,000
Ferragosto'09	CPR	Adshel	In-kind support valued at \$4,800
Concord Carnival 2009	CPR	Adshel	In-kind support valued at \$4,800
Ferragosto'09	CPR	Canada Bay Club	\$4,500
Concord Carnival 2009	CPR	Canada Bay Club	\$4,500
Ferragosto'09	CPR	Club Five Dock	\$3,000
Inner West Expo	Economic Development	Cumberland Newspapers	In-kind support valued at \$1833
Inner West Expo	Economic Development (jointly with other councils)	RM Gregory Print	10,000 flyers \$2,000
Inner West Expo	Economic Development	West's Ashfield	waiving room hire fees and support with venue arrangements

Event/initiative	Council team	Sponsor	Value of sponsorship
	(jointly with other councils)		\$2,000
Inner West Expo	Economic Development (jointly with other councils)	Aus Industry	\$500
Inner West Expo	Economic Development (jointly with other councils)	various speakers event	\$20,000

Outgoing Sponsorships

Council agreed to sponsor the following activities since the last report.

Event/initiative	Organiser	Value of sponsorship
Masquarade Ball 09	Communities for Communities	\$2,000

RECOMMENDATION

THAT the report be received and noted.

ITEM-10 LOCAL GOVERNMENT CONFERENCES 2009

Department Executive

Author Initials: LM

REPORT

The 2009 Local Government Association Conference will be held Tamworth from Saturday 24 October to Wednesday 28 October 2009.

Council normally sends four delegates and observers to the Conference and these are chosen by Council so that registrations can be forwarded to the Local Government Association of New South Wales.

Council can nominate four delegates and up to two observers for this year's Conference.

Motions to the Conference must be submitted to the Association by Monday 10 August 2009. Generally, motions should seek to alter existing policy, through the addition or deletion of elements, or to introduce new policy. Motions must be adopted by Council before submission to the Association, and must include a detailed supporting case setting out reasons for raising the issue.

The Australian Mayoral Aviation Conference (AMAC) is to be held in Queensland on Wednesday, 2 September 2009.

The Mayor or his delegate has represented Council at these Forums since its inception in 1982.

One of the prime objectives of AMAC is to progress noise abatement with the view to balancing the needs and benefits of the aviation industry with the needs and expectations of the local communities.

RECOMMENDATION

1. THAT Council call for nominations for four delegates and up to two observers at this year's Local Government Association Conference in Tamworth.
2. THAT Council give consideration to the submission of any motions to the Conference.
3. THAT Council endorse the attendance of the Mayor or his delegate at the Australian Mayoral Aviation Conference in order for Council to have a representative at that Forum.

ITEM-11 FINANCE REPORTS JUNE 2009

Department Corporate Services

Author Initials: BKC

REPORT

Bank Reconciliation as at 30 June 2009

<i>Commonwealth</i>		<i>General Fund</i>	<i>Trust Fund</i>	<i>Total Funds</i>
Balance:	<i>B/F</i>	\$749,840.04	\$46,923.06	\$796,763.10
Receipts:	<i>Current</i>	\$12,511,292.96	\$254,505.01	\$12,765,797.97
		\$13,261,133.00	\$301,428.07	\$13,562,561.07
Payments:	<i>Current</i>	\$11,708,354.77	\$116,309.48	\$11,824,664.25
Balance:	<i>C/F</i>	\$1,552,778.23	\$185,118.59	\$1,737,896.82

Payments General

	May-09	Jun-09
Advertising & Promotions	\$18,223.00	\$24,837.00
Agency Personnel	\$25,957.00	\$25,510.00
Auditors Remuneration	\$0.00	\$40,000.00
Capital Acquisitions	\$79,469.00	\$23,004.00
Contractors	\$755,819.00	\$1,648,607.00
Contractors-Cleaning	\$21,362.00	\$38,378.00
Contractors-Waste	\$560,757.00	\$531,836.00
CTP Insurance	\$0.00	\$61,278.00
Fuel & Oil	\$44,257.00	\$46,554.00
Lease Payments	\$14,018.00	\$62,130.00
Legal Services	\$215,260.00	\$71,230.00
Materials	\$216,860.00	\$182,799.00
Payroll	\$1,586,759.06	\$1,600,096.09
Superannuation	\$133,139.00	\$270,264.00
Utilities	\$195,949.00	\$139,939.00
Workers Comp	\$174,156.00	\$0.00

Income General

	May-09	Jun-09
Debtor Receipts	\$868,846.76	\$1,435,603.00
Fees	\$89,853.00	\$368,091.00
Fines	\$84,714.00	\$158,955.00
Golf Fees	\$103,939.00	\$125,891.00
Grants/Contributions	\$641,870.00	\$4,046,182.00
Interest	\$26,325.00	\$80,473.00
Lease Rentals	\$150,622.00	\$186,296.00
Planning Fees	\$78,988.00	\$71,252.00
Rates Receipts	\$3,271,744.30	\$3,242,846.00
Section 94	\$66,543.70	\$114,507.00
Wellbank Childcare Fees	\$90,841.00	\$74,433.00

June 2009 Statement of Cash Investments

STATEMENT OF CASH INVESTMENTS						
Date	Bank/Issuer	Term	Interest	Amount	Due	
Commercial Bills & Negotiable Certificates Of Deposit						
29/07/2008	CBA	1061	4.02	\$500,000.00	25/06/2011	
				\$500,000.00		
Term Deposits						
16/12/2005	CBA	1826	3.23*	\$500,000.00	16/12/2010	
7/06/2009	NAB	183	4.35	\$750,000.00	7/12/2009	
18/06/2009	QLD Police Credit Union	39	4.00	\$500,000.00	27/07/2009	
2/06/2009	Police and Nurse Credit	31	4.20	\$750,000.00	3/07/2009	
7/05/2009	IMB	60	3.70	\$1,000,000.00	6/07/2009	
12/05/2009	Bank West	62	4.00	\$1,000,000.00	13/07/2009	
21/01/2009	Bank of Queensland	180	4.80	\$500,000.00	20/07/2009	
3/06/2009	Savings & Loans	58	4.30	\$1,000,000.00	31/07/2009	
5/05/2009	Heritage Building Society	92	4.00	\$1,000,000.00	5/08/2009	
12/02/2009	Macquarie Bank	180	4.25	\$500,000.00	11/08/2009	
24/06/2009	AMP Banking	90	4.30	\$1,000,000.00	22/09/2009	
25/06/2009	Westpac	120	4.30	\$660,940.00	23/10/2009	
25/06/2009	ANZ	120	4.20	\$1,000,000.00	23/10/2009	
1/06/2009	Bankstown City CU	95	4.00	\$500,000.00	4/09/2009	
				\$10,660,940.00		
Short Term Money Market						
	CBA		2.95	\$232,330.00		
	CBA		2.95	\$915,829.90		
				\$1,148,159.90		
Floating Rate Notes & CDOs						
6/09/2004	Endeavour		4.38	\$500,000.00	4/08/2011	
17/03/2005	Ethical CDO 1 Ltd - Green		4.25	\$1,000,000.00	20/03/2014	
9/11/2005	HSBC - Blue Gum		4.65	\$750,000.00	22/06/2013	
22/06/2006	Aphex Pacific - Glenelg		4.95	\$750,000.00	22/12/2014	
				\$3,000,000.00		
Capital Protected Property Linked Note						
7/09/2006	Longreach		2.63*	\$1,000,000.00	6/09/2012	
				\$1,000,000.00		
TOTAL INVESTMENTS at 30/06/09				\$16,309,099.90		
TOTAL INVESTMENTS at 31/05/09				\$12,866,090.96		
Net Increase/(Decrease) in Investments				\$3,443,008.94		

*Denotes annualised rate of return.

Certificate of the Responsible Accounting Officer

I certify that as at the date of this report, the investments listed have been made and are held in compliance with Council's Investment Policy and applicable legislation.



13 July 2009

Bruce Cook

Date

Interim June 2009 Report

CONSOLIDATED CASH & INVESTMENTS

Cash & Investments

Cash At Bank	\$1,737,896.82
Investments	\$16,309,099.90

Total Cash & Investments \$18,046,996.72

The above cash and investments are comprised of:

Externally Restricted Reserves

Externally restricted reserves refer to funds received that are restricted by externally imposed requirements for expenditure on specific purposes. Externally restricted reserves include unexpended developer contributions under Section 94.

Total External Restrictions **\$7,750,533.01**

Internally Restricted Reserves

Internally restricted reserves are funds restricted in the use by resolution or policy of Council to reflect forward plans and identified programs of works.

Internally restricted reserves include funds set aside for employee leave entitlements, plant reserve and asset acquisition.

Total Internal Restrictions **\$2,705,056.41**

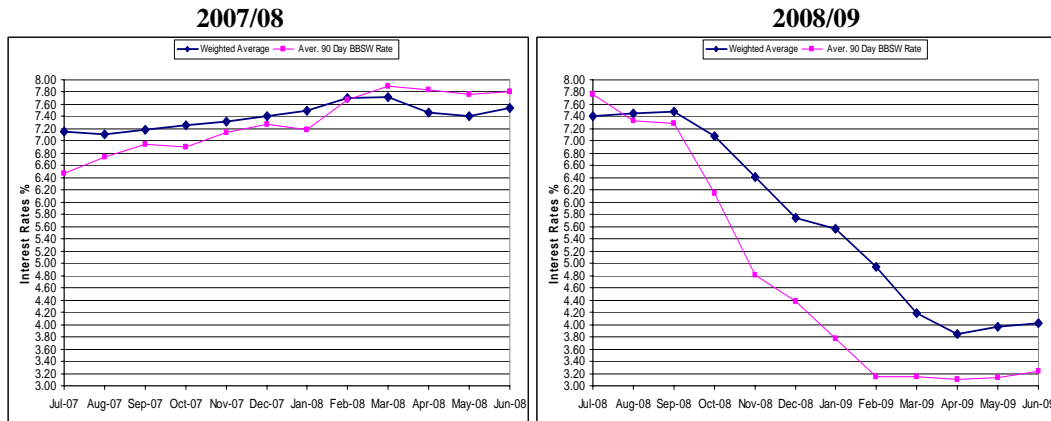
Unrestricted Cash & Investments

Total Unrestricted Cash & Investments **\$7,591,407.30**

Total Cash & Investments \$18,046,996.72

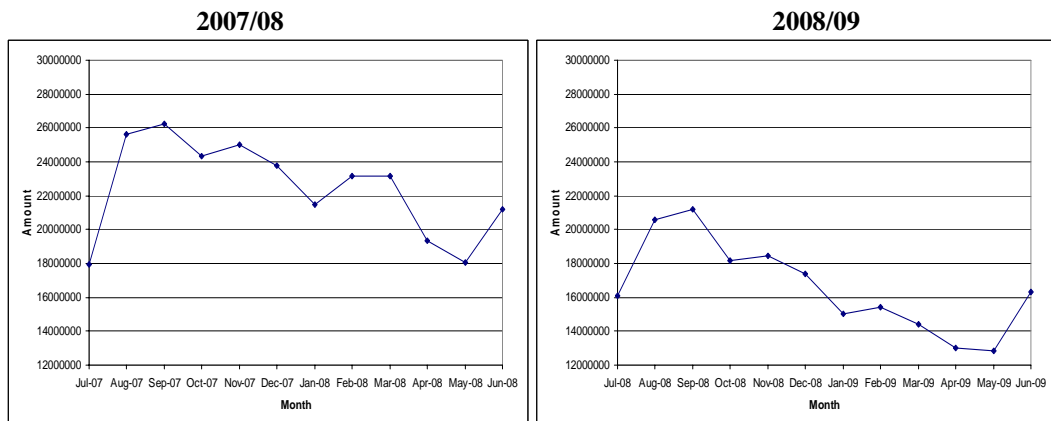
The balance of reserves is subject to change, as Council has not yet finalised its 2008/09 Financial Reports.

Monthly Weighted Average Interest Rates Vs Monthly Average 90 Day BBSW Interest Rates

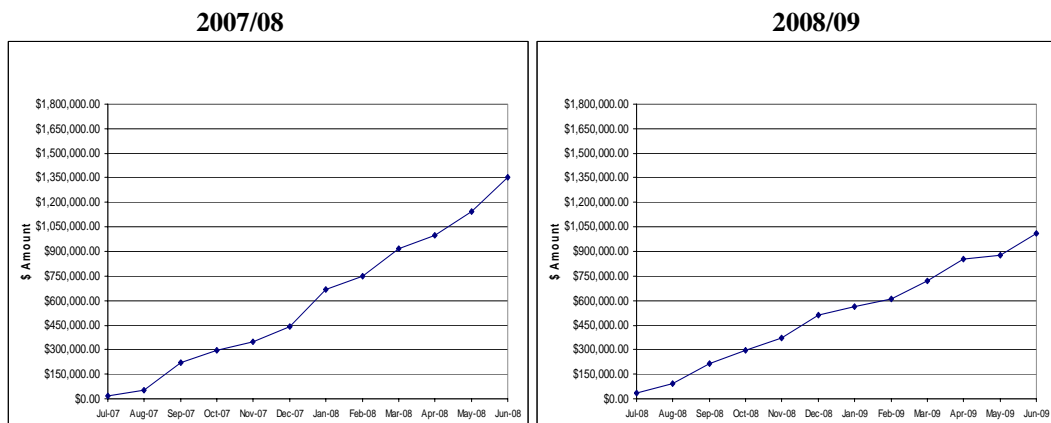


BBSW (Bank Bill Swap Reference Rate) is a daily average of interest rates quoted by the major market makers in the Australian interest market. BBSW is the reference rate against which Council's investment returns are compared.

Monthly Balance of Investments held



Accumulative Interest Earned from Bank Deposits and Investments



RECOMMENDATION

THAT the Financial Reports for June 2009 be received and noted.