

# ORDINARY COUNCIL MEETING

## AGENDA

Notice is hereby given that an Ordinary Council Meeting will be held at the:

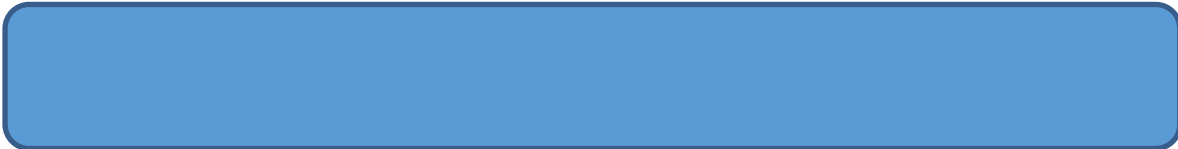
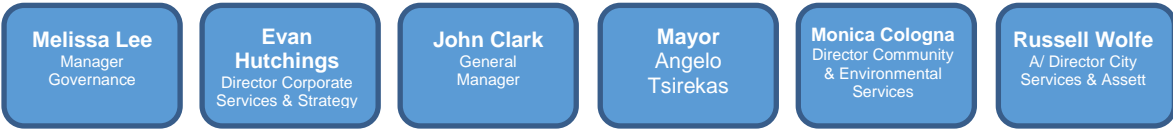
Council Chambers, City of Canada Bay Civic Centre, Drummoyne

**Tuesday, 16 August 2022**

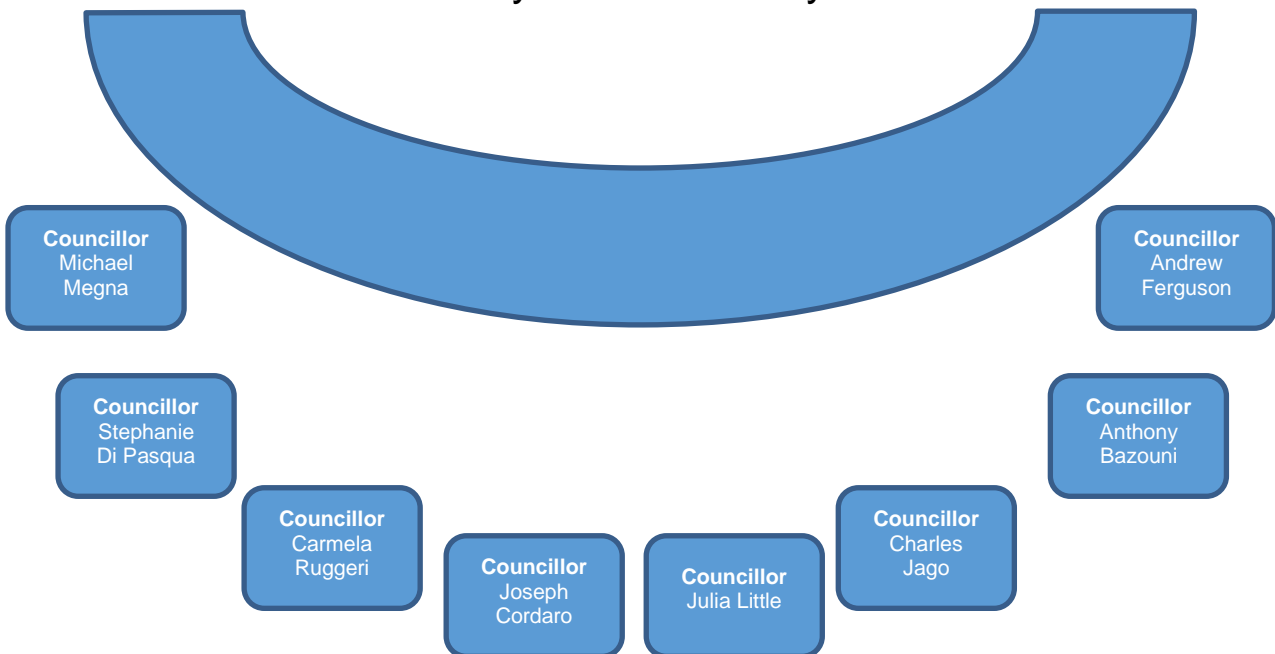
Beginning at 6.00pm for the purpose of considering and determining matters included in this agenda.



**John Clark**  
**General Manager**



**Councillors**  
City of Canada Bay



**Statement of Ethical Obligations**

The Mayor and Councillors are bound by the Oath/ Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Canada Bay and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act or any other Act, to the best of their skill and judgement.

It is also a requirement that the Mayor and Councillors disclose conflicts of interest in relation to items listed for consideration on the Agenda or which are considered at this meeting in accordance with Council's Code of Conduct and Code of Meeting Practice.

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**Agenda for an Ordinary Council Meeting  
to be held on Tuesday 16 August 2022  
at the Council Chambers, City of Canada Bay Civic Centre, Drummoyne  
Commencing at 6.00pm**

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*Note: At its meeting on 19<sup>th</sup> July 2022, following the receipt of an apology and the granting of leave of absence for Councillor Little, Council resolved to defer consideration of this Notice of Motion to this Ordinary Meeting of Council. .... 90*

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## **1 ACKNOWLEDGEMENT OF COUNTRY**

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The City of Canada Bay acknowledges the Wangal clan, one of the 29 tribes of the Eora nation and the traditional custodians of this land.

The City's Council pays respect to Elders past and present and extends this respect to all Aboriginal people living in or visiting the City of Canada Bay.

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## **2 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS**

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In accordance with clauses 6.3, 6.4 and 6.5 of Council's Code of Meeting Practice, apologies must be received and accepted from absent Councillors and a leave of absence from the Council Meeting may be granted.

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## **3 CONFIRMATION OF MINUTES**

### **3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 19 JULY 2022**

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#### **RECOMMENDATION**

That the minutes of the Ordinary Council Meeting of 19 July 2022 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

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## **4 DISCLOSURES OF INTERESTS**

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In accordance with Part 16 of Council's Code of Meeting Practice, all Councillors must disclose and manage any conflicts of interest they may have in matters being considered at the meeting.

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**5 MAYORAL MINUTE(S)****ITEM 5.1 MAYORAL MINUTE - GYM OPERATIONS IN MORTLAKE**

Submitted by: Councillor Angelo Tsirekas (Mayor)

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**MOTION**

That Council prepare a planning proposal to amend the Canada Bay Local Environmental Plan 2013 to permit Recreation Facilities Indoor with consent within the R1 General Residential zone

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**BACKGROUND**

Gyms and local fitness facilities are vital local infrastructure, bringing locals together to get active and further benefit the health of our local community. For all local businesses, the City of Canada Bay is here to provide support and assistance whilst balancing the needs of the business with those of local residents.

There are currently a number of gyms and fitness facilities operating in the Mortlake peninsula. Recent complaints from residents about these gyms has found that certain establishments are operating contrary to the provisions of the Canada Bay Local Environmental Plan.

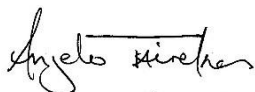
The competing demands of the area have received attention from the media and many community members and business owners have corresponded with Council expressing a desire for a review of their hours of operation to better meet the needs of their patrons.

The majority of Mortlake is zoned R1 General Residential and, under Council's Local Environmental Plan (LEP), Recreation Facilities (Indoor), which includes gyms, are not a permitted use, which means that Council is not able to consider applications for gyms within this zone and therefore is unable to consider requests to change hours of operation of existing gyms.

I have received representations from both gym operators and community members emphasising the benefits of gyms and the patronage by the local community.

To ensure we are able to meet the needs of both local residents and local business operators, I would like to direct Council to review the R1 General Residential zone, with a view to adding Recreation Facilities (Indoor) as a permissible land use, so that Gyms are able to operate with consent within this zone.

Of course, any review of this zone to permit gyms as a land use will involve extensive community consultation as part of the process and Council will ensure that all local stakeholders are able to have their say on this important potential change.



**Angelo Tsirekas**

MAYOR

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**ITEM 5.2**                      **MAYORAL MINUTE - COMMENDATION OF MARLENE BARNES**

Submitted by:                      Councillor Angelo Tsirekas (Mayor)

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**MOTION**

That Council note the report.

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**BACKGROUND**

I would like to draw Council's attention to the important contribution Marlene Barnes has made to our local community through her involvement with the Yaralla RSL Day Club for over two decades.

Before Marlene began with the Yaralla RSL Day Club she worked for Concord Library, first as a volunteer then an employee delivering library books to residents who could not visit the library in person because of illness or disability.

Marlene set up a table at the Club in the Church Hall each week to distribute library books to the club members, and it was here she learned that the club faced closure due to a very small membership.

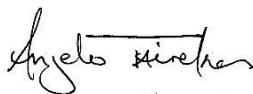
Marlene recognised the important value that the Club offered to our local senior citizens, so she stepped up to the coordinator role and grew the club membership across her time in the role.

Since joining the Club in the year 2000 she has continued her service until March of this year when she decided to stand down in her role but continue as a volunteer.

Her service to our local seniors was in addition to various other volunteer opportunities Marlene has taken up in the past decades. When Marlene's two sons were young, she was a regular volunteer at their schools Concord Primary and Concord High, assisting in the canteens, fetes, and other fundraising activities. She was also a volunteer at Burwood United Rugby League Club and St Luke's Soccer Club.

It is community members like Marlene who are the lifeblood of our wonderful local communities here in the City of Canada Bay, giving their time and their support to others to bring our local area together.

I would like to invite Councillors to join me in celebrating and congratulating Marlene for her service to the Yaralla RSL Day Club and to our community.



**Angelo Tsirekas**

MAYOR

## **6 PUBLIC FORUM**

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In accordance with Part 5 of the Code of Meeting Practice, residents, ratepayers, applicants or other persons may request to address Council in relation to any one matter related to the general business of Council but not the subject of a report on the agenda (Public Forum) and no more than two matters listed for consideration on the agenda (Public Address).

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## **7 ITEMS RESOLVED BY EXCEPTION**

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In accordance with Part 13 of the Code of Meeting Practice, items that are dealt with by exception are items where the recommendations contained in the staff reports in the agenda are adopted without discussion.

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## **8 EXECUTIVE SERVICES DIRECTORATE REPORTS**

Nil



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## 9 COMMUNITY AND ENVIRONMENTAL PLANNING DIRECTORATE REPORTS

### ITEM 9.1 DA DETERMINATIONS BY THE LOCAL PLANNING PANEL AND STAFF UNDER DELEGATION

**Reporting Manager** Manager Statutory Planning

**Attachments:** Nil

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#### RECOMMENDATION OF DIRECTOR COMMUNITY AND ENVIRONMENTAL PLANNING

That Council receive and note the information contained in the report on development application determinations by the Local Planning Panel, and Staff, under delegation for the period 1 July 2022 and 31 July 2022.

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#### PURPOSE

This report outlines development application (DA) determinations by the Canada Bay Local Planning Panel (CBLPP) and Staff under delegation.

#### EXECUTIVE SUMMARY

This report provides Development Application statistical data in accordance with Council's resolution of 6 February 2018 on applications received, determined, and applications considered by the Canada Bay Local Planning Panel (CBLPP).

#### STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

Goal VUL 4: Ensure the built environment respect the unique neighbourhood character and responds deftly to evolving community needs

#### BACKGROUND/DISCUSSION

This report provides DA statistical data in accordance with Council's resolution of 6 February 2018 on applications received, determined and applications considered by the Canada Bay Local Planning Panel (CBLPP).

#### Items for CBLPP Meeting on 27 July 2022

There were no applications referred to the CBLPP meeting on 27 July 2022 and, as such, the meeting was cancelled.

#### Items for next CBLPP Meeting on 31 August 2022

As of the date of this report, the following applications are proposed to be referred to the next meeting of the CBLPP to be held on 31 August 2022. It should be noted that the assessment reports for these matters are yet to be completed and that not all matters may be finalised in time for the agenda for the upcoming CBLPP meeting to be published on Council's webpage by close of business on Thursday, 18 August 2022:

- DA2021/0096 - 7 Burnell Street, Drummoyne - Alteration and extension to existing residential dwelling.

### Development Applications – Determined

The following Development Applications have been determined by staff under delegation between 1 July 2022 and 31 July 2022:

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2022/0052	18.02.2022	99 Parramatta Road, Concord	Change of use to a gymnasium with associated fit-out and signage	Approved 01.07.2022
DA2021/0289	21.10.2021	469 Great North Road, Abbotsford	Installation of new swimming pool and fence	Refused 01.07.2022
DA2021/0137	15.06.2021	2 Mons Street, Russell Lea	Alterations and first floor addition to existing dwelling	Approved 05.07.2022
DA2022/0068	02.03.2022	505 Great North Rod, Abbotsford	Alterations and first floor additions to existing attached dwelling	Approved 05.07.2022
DA2021/0185	28.07.2021	321 Victoria Place, Drummoyne	Demolition of existing structures on site and construction of a new dual occupancy with pools	Approved 05.07.2022
DA2022/0118	20.04.2022	20 Llewellyn Street, Rhodes	Alteration and addition to existing dwelling	Approved 06.07.2022
DA2022/0050	16.02.2022	120-122 Edenholme Road, Wareemba	Strata Subdivision of Common Property and Lots 1-8 included in SP87167	Approved 08.07.2022
DA2022/0098	06.04.2022	17 Merville Street, Concord West	Demolition of existing structures and construction of two storey dual occupancy with basement parking and swimming pools	Approved 11.07.2022
DA2022/0136	12.05.2022	32 Myall Street, Concord West	Alterations and additions to existing dwelling	Approved 15.07.2022
DA2022/0159	30.05.2022	29 Hampden Road, Russell Lea	Alterations and additions to existing dwelling	Approved 15.07.2022
DA2021/0329	26.11.2021	2 Waine Street, Cabarita	Demolition of structures and construction of a new two storey dwelling with attached double garage	Approved 15.07.2022
DA2022/0133	13.05.2022	23 Cormiston Avenue, Concord	Tree to be removed from rear of dwelling	Refused 15.07.2022
DA2021/0207	10.08.2021	5 Speed Avenue, Russell Lea	Demolition of existing structures and construction of a two storey dwelling, basement laundry, storage and double garage	Approved 22.07.2022
DA2022/0034	08.02.2022	469 Lyons Road West, Five Dock	Construction of a second storey office above rear garage	Refused 22.07.2022
DA2022/0190	20.07.2022	19-19A Roseby Street, Drummoyne	Refurbishment of smoothie kiosk	Approved 22.07.2022
DA2022/0070	02.03.2022	5 Gallipoli Street, Concord	Demolition of an existing structures, and the construction of an attached	Approved 26.07.2022

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
			two storey dual occupancy with basement parking and strata subdivision	
DA2021/0301	04.11.2021	410 Concord Road, Rhodes	Demolition of an existing multi storey car park and construction of a 5-storey commercial office building comprising the Hewlett Packard Enterprise Headquarters, along with basement parking, Improvements to the existing hardstand car parking area, site landscaping, and public domain works to Blaxland Avenue	Refused 28.07.2022
DA2021/0264	05.10.2021	2 Bishop Street, Cabarita	Proposed new basement garage and amendment to ground floor for CDC approved two storey dwelling 2021/00052	Approved 29.07.2022
DA2022/0090	22.03.2022	45 Ingham Avenue, Five Dock	Demolition of existing structures and the construction of new two-storey dwelling with basement parking, swimming pool, and landscaping	Approved 29.07.2022

Total Number of DAs Determined = 19

### Development Applications - Lodged

The following Development Applications were lodged with Council during the same period, 1 July 2022 and 31 July 2022:

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2022/0183	01.07.2022	7/30 Fitzroy Street, Abbotsford	Installation of replacement split system air conditioner at existing air conditioner location on balcony
DA2022/0175	01.07.2022	16 Argonne Street, North Strathfield	Demolition of existing dwelling and construction of a new two storey brick and weatherboard-clad dual occupancy
DA2022/0179	01.07.2022	90 Thompson Street, Drummoyne	Alteration and first floor addition for residential dwelling
DA2022/0182	01.07.2022	83 Renwick Street, Drummoyne	Alterations and additions to existing dwelling
DA2022/0184	04.07.2022	124 Lower St Georges Crescent, Drummoyne	Minor works to replace bifold doors on rear façade, addition of skylights, and addition of screen walls to existing patio
DA2022/0187	05.07.2022	4 Marceau Drive, Concord	Demolition of existing structures and construction of a attached dual occupancy with strata subdivision
DA2022/0189	06.07.2022	43 Walton Crescent, Abbotsford	Demolition of the existing structures and construction of a multi-unit residential flat

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
			building consisting of 9 apartments and 3 basement levels of parking
DA2022/0192	07.07.2022	8 Meadow Street, Concord	Demolition of an existing structures and construction of a dwelling house, swimming pool, and landscaping
DA2022/0191	08.07.2022	19 Coranto Street, Wareemba	Construction of a new hard stand parking and vehicular crossing to the existing dwelling
DA2022/0194	08.07.2022	6/3 Harbourview Crescent, Abbotsford	Internal alterations and the addition of a pergola to the lower level balcony
DA2022/0188	11.07.2022	2 Boronia Street, Concord West	Subdivision of 3 lots into 2 lots. Change the presentation to all be facing Nullawarra Avenue instead. Demolition of two existing dwellings, swimming pool and ancillary structures
DA2022/0185	12.07.2022	19 Edwin Street, Drummoyne	Alterations and additions to existing single storey residence
DA2022/0195	12.07.2022	10 Raynor Avenue, Abbotsford	Demolition of existing garage and construction of a colorbond shed
DA2022/0198	13.07.2022	20 Chiswick Street, Chiswick	Alterations and additions to existing dwelling including new garage, changes to balcony, landscaping and new pool
DA2022/0199	13.07.2022	70 Llewellyn Street, Rhodes	Alterations and additions to existing dwelling
DA2022/0197	13.07.2022	38 Queen Street, Concord West	Demolition of existing structures, and construction of a two-storey dual occupancy on each lot including associated landscaping and site works with strata title subdivision
DA2022/0200	19.07.2022	70 Tennyson Road, Mortlake	The change of use to a Pilates Studio 'recreation facility (indoor)' at the property
DA2022/0170	19.07.2022	22 Wrights Road, Drummoyne	First floor addition to existing dwelling
DA2022/0202	19.07.2022	133 Kings Road, Five Dock	Demolish existing structures and construct a warehouse with onsite parking and loading
DA2022/0181	20.07.2022	13 Bevin Avenue, Five Dock	Remove existing car park signage. Construct new signage walls with new car park signage
DA2022/0190	20.07.2022	19-19A Roseby Street, Drummoyne	Refurbishment of smoothie kiosk
DA2022/0201	21.07.2022	99 Hampden Road, Russell Lea	Proposed hardstand car park, front fence and groundworks
DA2022/0203	21.07.2022	25 Links Avenue, Concord	Alterations and additions including new external stair, enclosure of existing balcony, alterations to existing window openings and associated works

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2022/0206	22.07.2022	37 Tait Street, Russell Lea	Alterations and first floor addition to existing dwelling
DA2022/0210	26.07.2022	7 Augusta Street, Five Dock	Demolition of existing structures and construction of a two storey dwelling with basement car parking and a swimming pool
DA2022/0207	26.07.2022	2 Myall Street, Concord West	Remove 4 x liquid amber trees
DA2022/0209	26.07.2022	433 Lyons Road, Five Dock	Demolition of the existing structures and construction of a 72 place two storey childcare centre with basement car parking
DA2022/0213	27.07.2022	51 landra Street, Concord West	Demolition of existing structures and the alterations and additions to the existing dwelling at 51 landra Street, Concord West
DA2022/0208	28.07.2022	76 Wilga Street, Concord West	Alteration and first floor addition to an existing dwelling
DA2022/0196	28.07.2022	37 Nirranda Street, Concord West	Construction of a carport attached to right side of the main existing dwelling
DA2022/0214	28.07.2022	81 Formosa Street, Drummoyne	Pruning two trees for canopy maintenance and clearance
DA2022/0215	28.07.2022	27 Undine Street, Russell Lea	Demolition of existing structures and a proposed two storey dwelling house with basement and swimming pool

Total Number of DAs Lodged = 32

### Variations to development standards

There was one variation made to a development standard (e.g. Building Height, Floor Space Ratio) under the provision of Clause 4.6 of the *Canada Bay Local Environmental Plan, 2013* for the period 1 July 2022 and 31 July 2022:

DA NO	PROPERTY	LEP DEVELOPMENT STANDARD	JUSTIFICATION	EXTENT	DATE APPROVED
DA2022/0090	45 Ingham Avenue, Five Dock	Height of Buildings – Clause 4.3	The proposed form is articulated and sufficiently set back to provide a form that responds to the natural topography of the site	300mm (3.5%)	29.07.2022

### Land and Environment Court Appeals

The following provides an update on Land and Environment Court appeals as at 31 July 2022:

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
DA2019/0380	Gladesville Bridge Marina – 380 Victoria	Class 1 Appeal against the actual Refusal of the development application for	19 July 2022, the Appeal was dismissed. Development application for the expansion of

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
	Place, Drummoyne	alterations and additions to the Gladesville Bridge Marina	the Gladesville Bridge Marina was refused.
DA2021/0167	34 Bayview Road, Canada Bay	Class 1 Appeal against the deemed refusal of the Demolition of existing structures and construction of a 48-place childcare facility, basement parking for 12 vehicles	Matter listed for hearing on 21 and 22 September 2022
DA2021/0290	25 Abbotsford Parade, Abbotsford	Class 1 Appeal against the deemed refusal of the development application for Major alterations and additions existing dwelling	Matter listed for conciliation conference 15 and 16 August 2022
DA2021/0082	71-75 Victoria Road, Drummoyne	Class 1 Appeal against the deemed refusal of the development application for:  Demolition of existing structures, site consolidation and construction of a new mixed use development comprising basement carparking, two (2) retail tenancies, four (4) live/work tenancies and twenty-nine (29) residential apartments. The proposal incorporates the removal of three (3) existing driveways and construction of a new driveway accessing the site from Day Street, and approval will be required pursuant to S138 of the Roads Act 1993	Matter listed for conciliation conference on 8 August 2022
DA2021/0179	2 Swan Avenue Strathfield	Class 1 Appeal against the deemed refusal of the development application for: Demolition of the existing dwelling house and associated structures and construction of a three (3) storey x eighteen (18) room boarding house (incl. Manager's room) with parking for one (1) car, four (4) motorcycles and four (4) bicycles under <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i>	Matter listed for conciliation conference on 3 August 2022

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
DA2022/0065	13-15 and 21-23 Parramatta Road, Five Dock (Illinois Hotel)	Class 1 Appeal against the deemed refusal of the development application for Change of use external area & extension of opening hours at the Illinois Hotel	Matter listed for conciliation conference on 15 September 2022
DA2022/0095	13-15 and 21-23 Parramatta Road, Five Dock (Illinois Hotel)	Class 1 Appeal against the deemed refusal of the development application for Alterations & Additions to existing Pub "The Illinois Hotel"	Matter listed for conciliation conference 15 September 2022

Of the above seven listed matters before the Land and Environment Court, there are currently six active appeals.

### FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

### LEGISLATIVE AND POLICY CONSIDERATIONS

This report is provided for Council's information in response to the Council resolution of 6 February 2018.

**ITEM 9.2 POST EXHIBITION - PLANNING PROPOSAL - 1-7 RAMSAY ROAD AND 5 AND 7 HARRABROOK AVENUE FIVE DOCK****Reporting Manager** Manager Strategic Planning**Attachments:**

1. Attachment A - Summary of Submissions
2. Attachment B - Planning Proposal - 1 Ramsay Road
3. Attachment B1 - Planning Proposal Maps - 1 Ramsay Road
4. Attachment C - draft Development Control Plan - 1 Ramsay Road
5. Attachment D - draft Affordable Housing Contribution Scheme - 1 Ramsay Road

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**RECOMMENDATION OF DIRECTOR COMMUNITY AND ENVIRONMENTAL PLANNING**

That:

1. Council note the matters raised in response to the public exhibition of the Planning Proposal for 1-7 Ramsay Road and 5 and 7 Harrabrook Ave, Five Dock at Attachment A;
  2. Council endorse the Planning Proposal at Attachment B to the report, subject to a maximum floor space ratio of 1.65:1 applied to that part of the land to be zoned B1 Neighbourhood Centre;
  3. Council adopt the draft *Canada Bay Development Control Plan (DCP)* at Attachment C to the report, with the plan coming into effect on the date of publication of the Local Environmental Plan;
  4. Council adopt the draft *Affordable Housing Contribution Scheme* at Attachment D to the report, with the Scheme to come into effect on the date of the publication of the Local Environmental Plan;
  5. Authority be delegated to the General Manager to make minor amendment to the Planning Proposal to correct any drafting errors prior to finalisation of the Local Environmental Plan;
  6. Authority be delegated to the General Manager to make the Local Environmental Plan on behalf of Council, being nominated as the local plan making authority.
- 

**PURPOSE**

This report details the outcome of the public exhibition of the Planning Proposal for land at 1-7 Ramsay Road and 5 and 7 Harrabrook Ave in Five Dock.

**EXECUTIVE SUMMARY**

On 16 March 2021, Council resolved to revise and submit a landowner-initiated Planning Proposal for 1-7 Ramsay Road and 5 and 7 Harrabrook Avenue Five Dock (PP2020/0005) to the (then) Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.

A Gateway Determination was issued, and the Planning Proposal was exhibited. The Planning Proposal seeks to facilitate redevelopment of the site which could allow, with development consent, a part 3 and 4 storey mixed use development, with part ground floor retail and apartments on the upper levels.

Twelve submissions were received from members of the community and public authorities.

The report recommends that the Planning Proposal be endorsed for finalisation, with a reduction of the maximum FSR on part of the site from 1.71:1 to 1.65:1, to address amenity concerns. The report also recommends that Council adopt the draft *Development Control Plan* and draft *Affordable Housing Contribution Scheme*.



## STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

Goal VUL 4: Ensure the built environment respect the unique neighbourhood character and responds deftly to evolving community needs

## BACKGROUND/DISCUSSION

On 11 December 2020, the subject Planning Proposal was lodged with Council for the redevelopment of 1-7 Ramsay Road and 5 and 7 Harrabrook Avenue, Five Dock.

On 18 February 2021, the Planning Proposal was reviewed by the Local Planning Panel (LPP). The LPP supported recommendations to revise the Planning Proposal, namely to reduce the height of the development and ensure suitable setbacks from adjoining low density residences to the north.

On 16 March 2021, Council resolved to revise and submit the Planning Proposal to the Department of Planning and Environment (DPE) for a Gateway Determination. The revisions were to reduce the maximum height of part of the building to 10m and 14m, revise the maximum floor space ratio as a result of the height revision, further investigate the retention and protection of a significant Lilly Pilli, introduce an active frontage to Ramsay Road and extending 20m along Henley Marine Drive; and include a Detailed Environmental Site Investigation. Council also resolved to amend the Canada Bay DCP and the Affordable Housing Contribution Scheme to support proposed changes to the LEP.

On 3 May 2021, an assessment of the condition of the Lilly Pilli was undertaken by an independent Arborist engaged by Council. The review concluded that the tree has a high risk of failure but low risk of harm. Any development of this site was considered to increase the risk of harm caused by the failure of the tree to unacceptable levels and lead to further deterioration in the condition and health of the tree. The independent Arborist recommended that the tree be removed.

On 24 November 2021, the revised Planning Proposal package was submitted to the DPE seeking a Gateway Determination.

On 3 March 2022, a Gateway Determination was issued allowing community and public authority consultation subject to minor revisions to the Planning Proposal.

### The Site

The site is located on the southern boundary of the Canada Bay Local Government Area and comprises seven lots known as 1 and 7 Ramsay Road and 5 and 7 Harrabrook Avenue Five Dock, with a total combined site area of approximately 3,300m<sup>2</sup>. The land has frontages to both Ramsay Road and Henley Marine Drive (see Figure 1).



Figure 1: Subject site shown with red outline.

The site contains the former Roads and Maritime Services building and workshop at 1 Ramsay Road, a neighbourhood shop at 7 Ramsay Road, and two single storey detached dwellings at 5 and 7 Harrabrook Avenue.

To the north of the site are one and two storey residential houses along Harrabrook Avenue and five commercial terraces fronting Ramsay Road. The Five Dock Town Centre is located approximately 500-600m to the north. To the east the site is bounded by Ramsay Road, a four lane road connecting the suburbs of Five Dock and Haberfield. To the south, the site is bounded by Henley Marine Drive and the suburb of Haberfield in the Inner West Local Government Area. To the west, land comprises one and two storey dwelling houses along Henley Marine Drive and Harrabrook Avenue.

### The Planning Proposal

The Planning Proposal, as exhibited, seeks to amend the *Canada Bay Local Environmental Plan (LEP) 2013* to facilitate redevelopment of the site, which could allow with development consent, a part 3 and 4 storey mixed use development, with part ground floor retail and apartments on the upper levels.

The Planning Proposal amends the *Canada Bay Local Environment Plan 2013 (LEP)* by:

- rezoning part of the site from R2 Low Density Residential to B1 Neighbourhood Centre;
- increasing the maximum building height on part of the site from 8.5m to 10m and 14m;
- increasing the floor space ratio (FSR) on part of the site from 0.5:1 and 1:1 to 1.71:1;
- reducing the minimum lot size map for 5 and 7 Harrabrook Avenue from 450m<sup>2</sup> to 360m<sup>2</sup>;
- introducing an Active Street Frontage on land with frontage to Ramsay Road and extending 20m along Henley Marine Drive;
- amending Clause 6.12 to introduce an affordable housing contribution of 5% for the site; and
- amending Schedule 1 Additional Permitted uses to allow residential flat buildings on part of the site zoned B1 Neighbourhood Centre.

Amendments are proposed to the *Canada Bay Development Control Plan (DCP)* by incorporating site specific controls, diagrams, and figures to facilitate a desirable development outcome, including controls for:

- building envelope;
- ground and upper level setbacks; and
- tree and landscaping controls.

The *draft Canada Bay Affordable Housing Contribution Scheme* requires future development to provide a contribution towards affordable housing.



VIEW FROM CORNER OF RAMSAY ROAD & HENLEY MARINE DRIVE

Figure 3: Photomontage of indicative built form, 2020 (Source: Squillace Architects 2020)

### Public Exhibition

The Planning Proposal and supporting documentation was publicly exhibited on Council's website, community engagement platform, Collaborate, and the NSW planning portal for 31 days, from 5 April 2022 to 17 May 2022.

Notification letters were sent to people who made submissions prior to the public exhibition and to owners and residents within 100m radius of the site.

Twelve submissions were received, including one from Transport for NSW.

The submissions from landowners and residents included a number of form letters from residents expressing concern about the planning proposal prior to public exhibition. The issues raised in these submissions have been addressed in this report.

Key issues raised in public exhibition are discussed below. All matters raised in submissions are addressed in detail in Attachment A.

### Key Issues Raised

#### *Traffic*

There are a number of concerns raised in the submissions related to traffic. They include:

- that traffic generated from future development would add to the traffic congestion experienced in the area and the cumulative effect has not been considered;
- an increase to the amount of commercial activity on the right of way, safety risks and hazards associated with the current uses and lack of parking will impact congestion on Harrabrook Avenue; and
- the location of the basement car park on a blind bend and a choke point of the road.

**Response:**

Reference to the traffic generation rates nominated in the RMS Guide to Traffic Generating Developments indicate that the development envisaged by the Planning Proposal could be expected to generate up to 15 vehicles per hour during peak periods.

The projected level of traffic activity expected to be generated by the Planning Proposal is relatively minor when compared with the previous use of the site as a Motor Registry. Future traffic generated by the site will not have any unacceptable traffic implications in terms of road network capacity.

Further assessment of traffic will be undertaken at the development assessment stage when the type and intensity of development is known (number and mix of dwellings). Planning controls set the upper limit of development that may be acceptable. If the proposed development creates unacceptable traffic impacts, the maximum yield may not be realised.

The Right of Way (ROW) is wide enough to accommodate two-way traffic provided no vehicles or items obstruct vehicle movements. Photos submitted show a combination of illegally parked vehicles as well as rubbish and skip bins located in the right of way. *The Conveyancing Act 1919* stipulates that the responsibility to maintain access rests with the parties providing the benefit. This is not a compliance issue that Council is able to enforce and is a civil matter. The draft DCP requires future development to adhere to the terms of the ROW and ensure that all parking that is generated to be provided on site.

Transport for NSW has requested the proposed vehicular access be located as far from Ramsay Road as possible at the detailed design stage. The draft DCP identifies a preferred driveway location from Henley Marine Drive, which is located at the lowest point of the site and at the furthest distance from Ramsay Road.

**Parking**

- A submitter has noted that the use of on-street parking to accommodate retail parking is an inadequate response and fails to consider the detrimental impact to local residents and existing commercial premises.

**Response:**

Parking for the proposed retail tenancy is required to be contained within the development site at rates set out in the *Canada Bay Development Control Plan*. As this planning proposal is seeking to intensify the use of the land, it is appropriate that future development not be permitted to rely on on-street parking to satisfy private demand for parking.

Concept plans submitted with the planning proposal indicate that sufficient parking is able to be provided on site to comply with relevant car parking controls. The number and allocation of parking spaces (retail, visitor and residential) will be further assessed and determined when a development application is prepared and assessed.

**Height and Character**

- The submissions suggest that a development of 14m does not respond to the scale of the existing low-density residences on Harrabrook Avenue and that the substation building on the eastern side of Ramsay Road should not be used as a height reference. There is concern that the height of the building will create new impacts and the low-density residential character of the locality will be diminished.

**Response:**

It is acknowledged that the character of the area surrounding the neighbourhood centre comprises low density residences. The planning proposal provides for a maximum height of 10m (three storeys) where the rear boundary of dwelling houses adjoins the subject site and 14m (four storeys) for that part of the land with a frontage to Ramsay Road. These building heights combined with the envelope outlined in the draft DCP seek to respond to the character of the area, with a transition in height from the proposed development to the low-density residences to the west.

Whilst the substation building on Ramsay Road is not a residential building, it is a building that sets the scale of development in the neighbourhood centre. The part of the site with a maximum 14m height would front Ramsay Road and be considered as part of the neighbourhood centre. It is important to note that the proposed DCP provisions require a three storey street frontage height (approx. 10.6m) on Ramsay Road with the fourth storey set back.

The proposed maximum building height of 14m is considered acceptable given the location of the site within a neighbourhood centre and due to the size of the land being sufficient to accommodate a range of building heights.

#### *Amenity Impacts*

There are a number of concerns raised in the submissions related to amenity impacts. They include:

- loss of privacy, ability for overlooking and decrease of ambient light; and
- neighbouring residents on Harrabrook Avenue will endure additional noise disruption and odours emanating from garbage and/or grease traps from commercial activity.

Response:

The building envelope has been established to reduce amenity impacts for existing dwelling houses to the north and west of the site. To address potential privacy and amenity issues, the proposed DCP requires deep soil areas and landscaping to be provided along the boundary of existing residential properties. The draft DCP will require a minimum of 20% of the site area to be landscaped and the building will be required to be set back a minimum 9m from the northern boundary, consistent with the *Apartment Design Guide*.

Further changes are recommended to the proposed building envelope to remove the cantilever on the Ramsay Road frontage and to reduce the footprint of the building so as to improve the amount of landscaping/deep soil planting area and ensure a 9m setback is provided along all site and rear boundaries to low density zones. These amendments result in a minor reduction to the proposed floor space ratio from 1.71:1 to 1.65:1.

As the site is located within a neighbourhood centre, it is not unreasonable for business uses to occur, provided they do not unreasonably impact the amenity of the surrounding residents. The initial use of the proposed commercial/business floor space will be the subject of a development application and will be approved through a development assessment process. Noise and other amenity impacts will need to be addressed depending on the nature of the use proposed.

#### *Public Interest*

- Three submitters believe that the planning proposal is not in the public interest and that the proposal serves the financial gain of the developer and there is no benefit for the current owners and occupiers.

Response:

Council must assess planning proposals in accordance with the *Environmental Planning and Assessment Act 1979* and State Government guidelines to determine whether the proposal exhibits strategic and site specific merit. The proposal will provide for the orderly development of the land where future development proceeds in accordance with the maximum recommended floor space ratio, building height and the development controls outlined in the draft DCP.

#### **Recommended changes Planning Proposal and DCP**

As a result of the public consultation, the following amendments are recommended to:

- the *Canada Bay Local Environment Plan 2013 (LEP)* and map by:
  - reducing the maximum floor space ratio (FSR) on part of the site from 1.71:1 to 1.65:1. This represents a recalculation of the maximum FSR taking into account setback requirements to address amenity impacts, removal of cantilever to improve building

presentation to Henley Marine Drive and a building footprint that facilitates deep soil planting and landscaping.

- the *Canada Bay Development Control Plan (DCP)* by new or amended provisions:
  - to ensure the removal of trees on site will be offset by replacement planting;
  - to require the use roof colours and materials that minimise the heat island effect;
  - to require all parking generated by the development to be provided on site;
  - to require any use of the laneway to be consistent with the terms of the right of carriageway applying to the land; and
  - to clarify the minimum amount of commercial floor space to be provided.

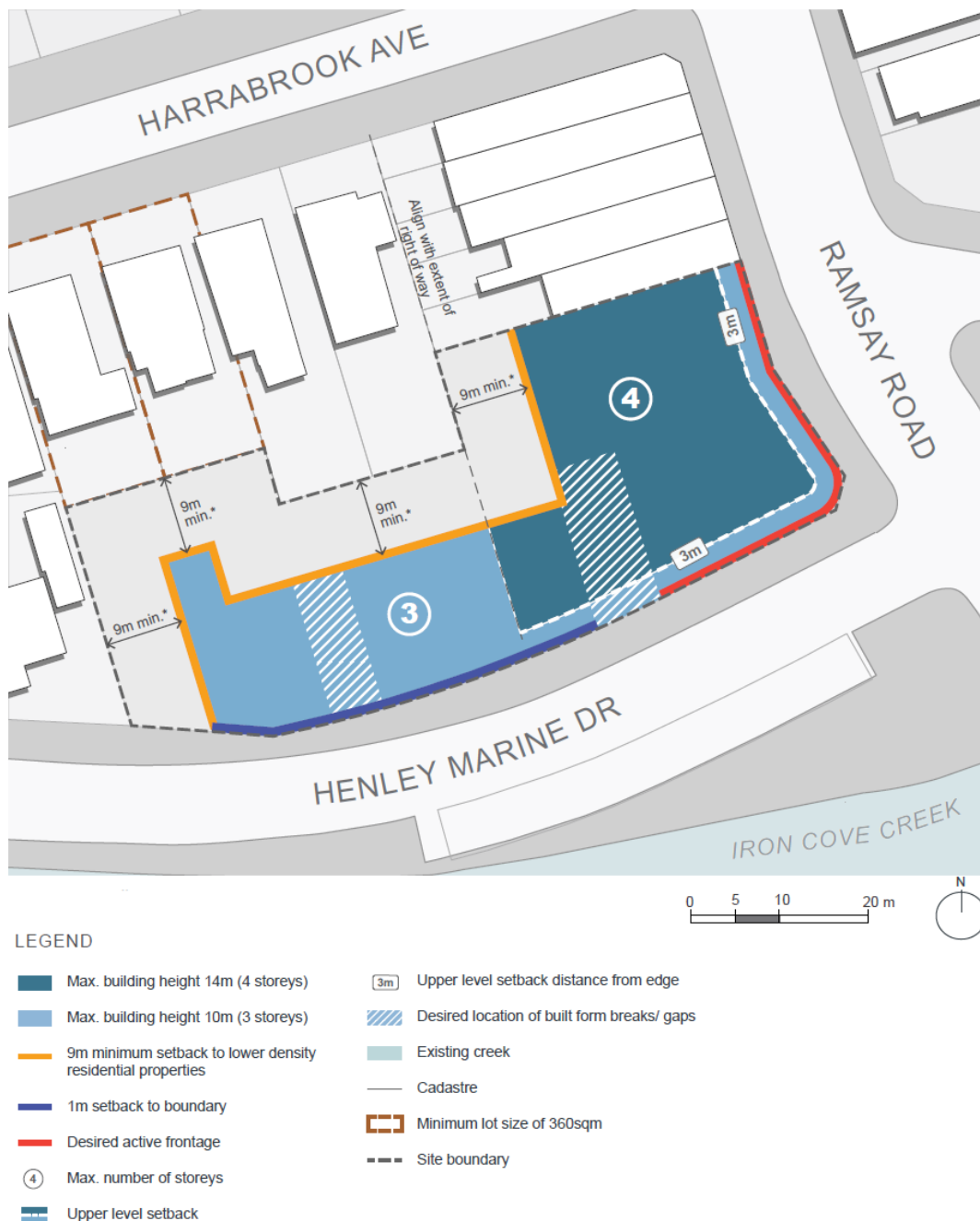


Figure 4: Recommended Building Envelope Plan (Source: Draft DCP)

**TIMING**

The Gateway Determination allows Council to be the local plan making authority for this Planning Proposal. Should Council resolve for the Planning Proposal to proceed, Council officers will work with the Department of Planning and Environment and the Parliamentary Counsel Office to finalise the LEP.

The Gateway Determination requires Council to make the LEP by 3 December 2022. Council has met the exhibition and reporting milestones for this Planning Proposal and is on track to complete the LEP by December 2022.

**FINANCIAL CONSIDERATIONS**

There are no financial considerations associated with this report.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

The Planning Proposal seeks to amend the *Canada Bay LEP 2013*, *Canada Bay DCP* and *Canada Bay Affordable Housing Contribution Scheme*. It has been prepared in accordance with the following legislation and plans:

- *Environmental Planning and Assessment Act 1979*;
- *Environmental Planning and Assessment Regulations 2000*;
- *Eastern City District Plan*, released by the Greater Sydney Commission;
- *Canada Bay Local Strategic Planning Statement* assured by the Greater Sydney Commission on 25 March 2020; and
- *Canada Bay Local Housing Strategy*, adopted by Council on 15 October 2019.

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**ITEM 9.3 COMMUNITY SHARPS POLICY****Reporting Manager** Manager Sustainability and Waste**Attachments:**

1. **Community Sharps Policy Final - For Adoption** [↓](#)
2. **Community Sharps Policy - Consultation Summary** [↓](#)

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**RECOMMENDATION OF DIRECTOR COMMUNITY AND ENVIRONMENTAL PLANNING**That Council adopt the Community Sharps Policy attached to the report.

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**PURPOSE**

The purpose of this report is to recommend the adoption of the *Community Sharps Policy* following public consultation and a review of community feedback.

**REPORT**

Council, at its meeting on 14 June 2022, resolved to place the *draft Community Sharps Policy* on public exhibition. The exhibition ran from 22 June to 20 July 2022 and one (1) submission was received. The submission was supportive of Council's Community Sharps Program, however questioned why pharmacies were unable to use the service for their operational waste, such as vaccination sharps.

The Community Sharps Program is funded via the domestic waste management charge (DWMC) to reduce the risk of sharps entering the domestic waste stream. Therefore, the materials collected through this service should come from households only. Council staff developed a draft policy to outline the intended use of the service and implement a new application process to ensure that the program is available across different suburbs within the City of Canada Bay Council area, to meet the needs of local residents.

This policy will also enable better forecasting of the annual costs of the service, which increased 100% from the 2019/20 financial year to last year, when pharmacies joined the Covid-19 vaccination program led by State Government. This increase was attributed to the use of the community sharps bins for the disposal of vaccination sharps, rather than an increase in demand for household sharps disposal.

The public feedback has been reviewed and considered by Council staff, and no changes to the draft policy to accept operational sharps from pharmacies are recommended. A summary of the public submission and staff comments is provided at Attachment 2. The draft *Community Sharps Policy* proposed for adoption is provided at Attachment 1.

If Council adopts the policy, Council officers will communicate the changes to all participating pharmacies, outlining the updated eligibility criteria and the new application process for the Community Sharps Program.

**STRATEGIC DIRECTION**

This report supports Our Future 2036 outcome area:

Direction 2: Sustainable and Thriving Environment

Goal STE 3: Reduce waste to landfill through avoidance and increased recycling and reuse.

**FINANCIAL CONSIDERATIONS**

The cost of the Community Sharps Program increased from approximately \$3,500 (2019/20) to \$7,500 (2021/22). The draft policy, which specifies the scope of the service for domestic waste purposes only, is expected to stabilise the service costs and ensure that the program can continue to be funded by the DWMC.



**LEGISLATIVE AND POLICY CONSIDERATIONS**

The *Community Sharps Policy* exists within the context of managing sharp injury risk by community and Council's collection contractors. Below is a list of the relevant legislation:

- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Waste) Regulation 2014 (Waste Regulation)
- Local Government Act 1993
- Public Health Regulation 2012
- Work Health and Safety Act 2011
- Community Sharps Management Guidelines for NSW Councils 2004.

# COMMUNITY SHARPS POLICY

Date of Adoption: 14 June 2022

Effective Date:



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FINAL

## 1. Scope

This Policy aims to develop a more effective partnership between Council and local pharmacies through a Community Sharps Program which addresses environmental, health and safety concerns.

## 2. Objectives

The objectives of this Policy are to:

- Provide and promote the accessible, free, safe, and easy disposal of community sharps to the community through local pharmacies
- Reduce the number of sharps entering the general waste stream and minimise the possibility of needle stick injuries
- Manage community medical conditions, not pharmacy-related operations such as vaccinations
- Maintain public health and safety and high standards of environmental management
- Outline a process for new pharmacies to participate in the Community Sharps Program
- Identify considerations for Council in accepting new applications
- Develop community resources about sharps disposal.

## 3. Background

Community sharps are medical devices that penetrate the skin and are generated by community members to maintain their health. Community Sharps include:

- Needles – used to give injections, draw blood or insert insulin pump tubing
- Syringes – even if the needle is removed
- Pen needles for insulin pens
- Blood glucose or finger pricker lancets

Inappropriately discarded community sharps have been found in household garbage bins, Council litter bins, and recycling services. Council is committed to maintaining high standards of workplace and public health and safety, and environmental management. Council has funded a Community Sharps Program since 2006, providing a free sharps disposal service for residents through local pharmacies.

## 4. Application

This Policy applies to the management of community sharps relating to the domestic waste collection service and covers:

### 4.1 [The process for participating in the Community Sharps Program](#)

Any pharmacy that wishes to participate in this program can submit an online application form.

- Acceptance into this program will be at Council's discretion, taking into consideration community needs, Council budget and community access.

- The pharmacist in charge or proprietor of the pharmacy should submit the online application form. Council's Terms and Conditions must be read and are deemed agreed to through the submission of the application form.

#### 4.2 Council's assessment to accept new pharmacies

Approval of pharmacies under the new policy will be assessed by Council based on considerations of:

- Accessibility to community members
- A diversity of suburbs
- Budget

#### 4.3 Council's commitment to community education

Council will develop and promote a community sharps awareness program, which will support the implementation of this Policy and the Community Sharps Program and include:

- Promotional material
- Media release and articles in Council newsletters
- Community Sharps Program listed on Council's website
- Produce a poster for community health centres and GPs

### 5. Legislation and supporting documents

This Policy ensures City of Canada Bay Council's compliance with:

- Protection of the Environment Operations Act 1997
- Protection of the Environment Operations (Waste) Regulation 2014
- Local Government Act 1993
- Public Health Regulation 2012
- Work Health and Safety Act 2011
- Community Sharps Management Guidelines for NSW Councils 2004

### 6. Review

This policy will be reviewed in three years.

### 7. Responsibility

The Director of Community and Environmental Planning is responsible for the overall management of this Policy as part of the Domestic Waste Management service.

#### Revision History

Amended by (name and position)	Date	Change Description	Owner Approved	Version	DocsetID

## APPENDIX A – Community Sharps Application Form

### COMMUNITY SHARPS PROGRAM Application Form



#### Applicant details

Surname:	<input type="text"/>	First Name:	<input type="text"/>
Position:	<input type="text"/>		
Pharmacy name:	<input type="text"/>		
Address:	<input type="text"/>		
Suburb:	<input type="text"/>	Postcode:	<input type="text"/>
Phone (h):	<input type="text"/>	Phone (w):	<input type="text"/>
Email:	<input type="text"/>		

**NOTE: Only pharmacist in charge or proprietor of the pharmacy are eligible to apply.**

#### Service Request

Receptacle size:	<input type="checkbox"/> 50L <input type="checkbox"/> 120L
Frequency of service:	<input type="checkbox"/> once per month <input type="checkbox"/> once every two months
Preferred start date:	<input type="text"/>
Where will receptacle be stored?	<input type="text"/>

#### Declaration

- I understand that acceptance into this program will be at Council's discretion and taking into consideration community needs.
- I agree that sharps receptacles will only be used for community sharps and not for pharmacy operations.
- I consent to the collection of my personal information in accordance with Council's Privacy Management Plan.
- All information provided in this application form is true and correct.

#### By signing this form, you agree to the below:

- I have read and understood the Community Sharps Policy and the Terms and Conditions, and I agree to act in accordance with them.**
- I have the authority to sign this application form, requesting the sharps collection service.**

Full Name:	<input type="text"/>	Role:	<input type="text"/>
Address:	<input type="text"/>		
Signature:	<input type="text"/>	Date Signed:	<input type="text"/>

#### Council Details

Address: City of Canada Bay Civic Centre  
1A Marlborough Street, Drummoyne, NSW 2047  
Locked Bag 1470, Drummoyne NSW 1470

Website: [www.canadabay.nsw.gov.au](http://www.canadabay.nsw.gov.au)  
Email: [council@canadabay.nsw.gov.au](mailto:council@canadabay.nsw.gov.au)  
Telephone: 9911 6555  
Fax: 9911 6550

### Terms and Conditions

1. The pharmacy acknowledges the objectives of the Council's Community Sharps Program (the program) which are to:
  - Provide and promote the accessible, free, safe, and easy disposal of community sharps to community members through proper channels found at the local pharmacies
  - Reduce the number of sharps entering the general waste stream and minimise the possibility of needle stick injuries
  - Maintain public health and safety and high standards of environmental management
  - To develop community information resources about sharps disposal.
2. The Community Sharps Program strictly accepts only community sharps from community members and does not accept any sharps generated from the pharmacy operations.
3. Approval for a pharmacy to participate in the program will be at Council's discretion and take into consideration community needs.
4. Any pharmacy requesting Council to collect and dispose of community sharps shall complete an online application form and must read and agree to the Terms and Conditions prior to submitting the form.
5. The pharmacy acknowledges that all collections will be undertaken by Council's approved collection contractor. The name of the collection contractor will be given to the pharmacy by Council before the commencement of the program.
6. Before commencement of the program, a certificate of currency for public liability, professional liability and workers compensation insurance is required from the pharmacy. Council does not accept liability for any accident, injury or death suffered by any person arising from the storage and/or use of the sharps collection bins.
7. The program will continue unless it is terminated by Council with a months' notice provided to the pharmacy.

#### Fees

8. There are no costs to the participating pharmacies in providing the community sharps collection and disposal service. The provisions of sharps collection bins, collection arrangements, disposal costs, replacement of collection bins and promotion of the service will be met by Council.

#### Process

9. Council will provide the pharmacy with a collection service for community sharps in accordance with the service details organised by Council and agreed by the pharmacy.
10. Council will supply to the pharmacy an identified sharps collection bin (50L or 120L).

11. The pharmacy takes full responsibility for the storage and use of the sharps collection bin whilst on the premise. This bin should be kept locked for public safety and located securely and not readily accessible by the general public.
12. Council shall be entitled to refuse collection of material not presented within the issued and identified collection bin.
13. The pharmacy shall ensure that the provided collection bin will only be used for the disposal of community sharps. Council shall be entitled to refuse collection of material that are generated by the pharmacy operations and from any other vaccination programs.
14. The pharmacy will only accept sharps from the community that are presented within a puncture-resistant and shatter-proof container – not in glass containers, plastic bags, cardboard boxes etc.
15. The pharmacy has the right to refuse the acceptance of any community sharps that are not presented in accordance with 14.
16. The pharmacy is responsible for ensuring access to the bin is available for collection at the agreed collection point, and on the appropriate collection day with Council's collection contractor.
17. The pharmacy will not dispose of any community sharps or containers in any waste bin other than the approved collection bin provided under this Agreement. This includes garbage bins, recycle bins, or street litter bins.
18. The frequency of collection can be reviewed on an individual pharmacy basis depending on use and the pharmacy must make the request to Council in writing.
19. The pharmacy is responsible for arranging an additional collection outside the agreed service details. In this event, the pharmacy must notify Council in writing that an additional collection service is required to be arranged. Once approval has been granted, the pharmacy can contact the collection contractor and arrange collection.
20. In the event of damage to the collection bin, the pharmacy shall notify Council immediately.

**Education and promotion**

21. The pharmacy upon submitting an online application form agrees that their business name and location can be used by Council for the promotion of the Community Sharps Program.
22. The pharmacy agrees to promote the program by advising their customers not to dispose of community sharps into Council's waste or recycling bins.



**Safe work procedures**

23. Pharmacies must adhere to the *NSW Occupational Health and Safety Act 2000* and *NSW Occupational Health and Safety Regulation 2001*. If, during handling and opening of sharps cabinets defects and damage are experienced, this must be immediately reported to Council's Resource Recovery Officer. The sharps waste must be immediately isolated and removed from site to ensure public safety and the cabinet repaired, replaced, or temporarily removed.
24. All sharps containers and other plastic vessels that are filled must be sealed and placed into a collection sharps bin.
25. Please note: no single loose needles, syringes and other sharps are to be placed into the collection sharps bin; they must be encased by use of a sharps container and placed into a collection sharps bin.
26. While it is best that the customer places their sharps container in the collection sharps bin, this is not always suitable due to the location of the bin. The pharmacy is to decide on their preferred handling of sharps containers:
  - Staff unlock and relock the bin for the customer with the customer depositing their containers into the collection bin (no direct staff handling); or
  - Staff accept the approved container and place it in the collection bin (direct staff handling).
27. Do not receive glass bottles and jars, if broken, this will create another sharp.
28. If the collection sharps bin is full prior to the service date, the pharmacy must notify Council to arrange an additional or early collection.

**Privacy and personal information protection notice**

29. City of Canada Bay Council has a record management system and Privacy Management Plan.
30. Information collected from the online application form is included in the Council's Community Sharps Program and only shared to Council staff for promoting the program and Council's approved contractor for servicing.
31. Please contact Council's Resource Recovery Officer for access or correction of the provided information.

Submissions and Staff Recommendations – Draft Community Sharps Policy

Submission No.	Staff Summary of Submission	Comments	Changes to Draft Policy
1	<p>Recommends that pharmacies should be able to use community sharps program for operations such as sharps used to demonstrate customers how to use insulin pens and vaccination waste.</p>	<p>The purpose of the Policy is to reduce the number of sharps entering the general waste stream from the community who need to manage medical conditions and minimise the possibility of needle stick injuries. The Policy is funded by the Domestic Waste Management Charge which is used by Council to manage and collect residential waste. This is authorised under Section 504 of the <i>Local Government Act 1993</i>.</p> <p>All properties classified Commercial in Council's rating system can elect to have a Council or private company waste collection. However, Council only services general waste, recycling, and garden organics as part of its paid commercial property waste collection service. Therefore, businesses that require collection of other waste streams must engage a private provider.</p>	None.

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## 10 CITY SERVICES AND ASSETS DIRECTORATE REPORTS

### ITEM 10.1 MAJORS BAY RESERVE RECREATION PRECINCT MASTERPLAN

**Reporting Manager** Manager Parks and Recreation

**Attachments:**

1. [Majors Bay Reserve Masterplan](#) ↓
2. [Majors Bay Reserve Masterplan full document](#) ⇨
3. [Majors Bay Reserve - Round 2 Engagement Report](#) ⇨

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#### RECOMMENDATION OF DIRECTOR CITY SERVICES AND ASSETS

That Council:

1. Adopt the Masterplan for Majors Bay Reserve attached to the report.
  2. Continue to engage with the community on implementation of the Masterplan.
- 

#### PURPOSE

To recommend the draft Masterplan for Majors Bay Reserve (see attachment) be adopted by Council. By adopting the draft Masterplan, it will enable the delivery of the Majors Bay Reserve Recreation project which is funded under the Department of Planning, Industry and Environment, NSW Public Spaces Legacy Program (PSLP).

#### EXECUTIVE SUMMARY

Council has been successful in obtaining \$4,750,000 under the NSW Governments Public Spaces Legacy Program to deliver recreational improvements at Majors Bay Reserve, Concord West. Council conducted two rounds of community engagement in 2022 to aid in development of the Masterplan and design process prior to on-ground works commencing.

The site has a strong sporting presence with the creation of Council's first synthetic soccer pitch and has a long history of other sports including baseball and cricket. The nearby Concord RSL was recently sold to a private group and a separate development assessment is with Council for determination. The site is adjacent to the Ecological Endangered Community (EEC) of Sydney Turpentine Iron Bark Forest, with foreshore pathways stretching around Majors Bay and into the Yaralla Estate.

The Masterplan has been developed to ensure each of the existing aspects of the site are preserved and complimented without taking away the connection to nature and existing vegetation.

The elements included in the Masterplan are:

- Main play area with inclusive playground, outdoor fitness area and accessible toilets
- Youth Zone including multi-use courts, parkour area and pump track facilities
- Biodiversity education shelter and biodiversity corridors protected
- New tree planting
- Mangrove boardwalk
- Off-road parking; and
- Improved entry points, wayfinding and accessible pathways.

Following the adoption of the Masterplan, the project will proceed to delivery of works by June 2023.

## STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 1: Connected Community

Goal CC 5: Provide open space, facilities, and programs that promote active lifestyles.

## BACKGROUND/DISCUSSION

Council has successfully obtained \$4,750,000 funding under the Department of Planning, Industry and Environment, NSW Public Spaces Legacy Program (PSLP) for Majors Bay Reserve recreation precinct. The funding will enable the delivery of quality passive recreational improvements.

Staff have consulted with the community and relevant stakeholder groups to develop a Masterplan for Majors Bay Reserve Precinct.

An initial round of community engagement was conducted in May 2022, which informed a revised Masterplan which was presented for further feedback in the second round of community engagement.

Feedback provided in the first round of community engagement in May 2022, demonstrated lack of community support for the following items:

- Location of proposed fenced dog off leash area
- Number of picnic shelters and loss of green space
- Deakin Street carpark
- Detail on project and staging
- Parking pressure

### ***Community Engagement Results – Round 2***

The following is a summary of the second round of consultation conducted for Majors Bay Reserve Masterplan. Refer to the attached Community Engagement report for full details.

Council received 110 submissions from the community: 53 surveys, 46 emails and 11 drop-in forms.

Overall, many participants felt the long-term plans for the reserve did not match their vision for the space. Many participants wanted to maintain as much green space as possible while upgrading joining pathways and planting new trees. While the variety of recreational opportunities offered during the consultation period was noted by many participants, adjacent neighbours believe the upgrades will attract too many people to the reserve and destroy the current tranquillity of the place.

In the second round of engagement the strongest feedback was as follows:

- Preserving and enhancing nature and biodiversity
- Overdevelopment of the park
- Need for additional parking
- Concern of noise to neighbours

This important community feedback has been incorporated into the final draft Masterplan.

### **Final Draft Masterplan**

The feedback from the community has been incorporated into the final draft Masterplan. The main changes are summarised below.

#### ***Biodiversity and Nature***

The following is a summary of the second round of consultation conducted for Majors Bay Reserve Masterplan. Refer to the attached Community Engagement report for full details.

Council received 110 submissions from the community: 53 surveys, 46 emails and 11 drop-in forms.

Overall, many participants felt the long-term plans for the reserve did not match their vision for the space. Many participants wanted to maintain as much green space as possible while upgrading joining pathways and planting new trees. While the variety of recreational opportunities offered during the consultation period was noted by many participants, adjacent neighbours believe the upgrades will attract too many people to the reserve and destroy the current tranquillity of the place.

In the second round of engagement the strongest feedback was as follows:

- Preserving and enhancing nature and biodiversity
- Overdevelopment of the park
- Need for additional parking
- Concern of noise to neighbours

This important community feedback has been incorporated into the final draft Masterplan.

### **Final Draft Masterplan**

The feedback from the community has been incorporated into the final draft Masterplan. The main changes are summarised below.

#### ***Parking***

In both rounds of consultation, the community expressed the view that there was not enough parking at Majors Bay Reserve. In Round 2 of consultation, Council presented ideas for increased parking at the rear of the former Concord RSL site and angled parking along Norman Street. The parking at the rear of the former Concord RSL site is unviable when considering the Endangered Ecological Community, which is protected by legislation and the value this remnant bushland holds. The preference from the community was for the angled parking along Norman Street. The draft Masterplan failed to clearly indicate that the proposed angled parking was off-road, by means of a slip-lane divided by a median strip. The final draft Masterplan has addressed this issue.

#### ***Noise***

In Round 2 of community engagement, residents along the west of Majors Bay Reserve, near Nullawarra Avenue and Quandong Place, had concerns that the noise from the multi-use courts would be an issue. The final draft Masterplan has taken this into account and the courts' location has been moved further away. Additionally, the courts will be constructed with noise attenuation material to mitigate this complaint. The buffer planting along this side of the reserve will also provide further noise abatement.

### **TIMING**

The delivery of the items funded by the PSLP is required by 30 June 2023. To enable progression to detailed design, further consultation and delivery, the Masterplan first needs to be adopted by Council.

### **FINANCIAL CONSIDERATIONS**

The NSW DPIE PSLP has fully funded the delivery of indicated elements of the Masterplan. The elements not funded by the grant will be delivered as Stage 2 works. Council has been awarded \$4,750,000 towards the project.

The scope of the project considers sufficient contingencies for current market labour and supply costs.

The items that were ineligible for funding under the grant include the redevelopment of amenity buildings. These assets and the timing of their renewal are considered under relevant Asset Management Plans.

## **LEGISLATIVE AND POLICY CONSIDERATIONS**

The proposed project aligns with the following adopted Council strategies:

- Biodiversity Strategy
- Urban Tree Canopy Strategy
- Recreation and Open Space Strategy
- Foreshore Access Strategy
- Dogs in Public Places Strategy
- Let's All Play Strategy

As per the grant funding agreement the project incorporates the following:

- Everyone Can Play design principles
- Premier's Priority : Greener public spaces
- Premier's Priority : Greening our City
- Community Engagement as per IAP2 community engagement principles
- NSW Governments Architect's Designing with Country principles
- NSW Public Space Charter principles

## **RISK CONSIDERATIONS**

The main risk related to this report is the timeline for delivery of the project under the grant funding agreement timelines. The project must be completed by 30 June 2023.

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**ITEM 10.2                    DRAFT PLANNING AGREEMENT FOR 160 BURWOOD ROAD CONCORD****Reporting Manager    Manager Buildings and Property****Attachments:            1.    Draft Planning Agreement [↔](#)**

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**RECOMMENDATION OF DIRECTOR CITY SERVICES AND ASSETS**

That Council:

1. Place the Draft Planning Agreement for 160 Burwood Road Concord, as shown at Attachment 1 on public exhibition.
  2. Note that following consideration of any submissions, the Planning Agreement will be reported back to Council in its final form
- 

**PURPOSE**

This report outlines the Draft Planning Agreement for 160 Burwood Road Concord and recommends endorsement by Council for public exhibition.

**EXECUTIVE SUMMARY**

On 15 October 2019 Council resolved to forward a Planning Proposal for 160 Burwood Road Concord to the Department of Planning, Industry and Environment for Gateway determination. The Planning Proposal was issued Gateway Determination on 31 October 2021 and progressed to public exhibition from 10 June to 8 July 2022.

Council resolved on 19 May 2020, that delegation be granted to the General Manager to negotiate the terms of any Planning Agreement, relating to the Planning Proposal. The Draft Planning Agreement has subsequently been negotiated and achieves the community benefit associated with delivery and dedication of the new Foreshore Park, with further developer works to be effected through conditions of consent relating to any Development Application.

It is recommended that Council now place the Draft Planning Agreement, as shown at Attachment 1 on public exhibition.

**STRATEGIC DIRECTION**

This report supports Our Future 2036 outcome areas:

Direction 1:            Connected Community

Goal CC 5:            Provide open space, facilities, and programs that promote active lifestyles

Direction 2:            Sustainable and Thriving Environment

Goal STE 5:            Improve access to, and enhance the quality of, the City's foreshore and waterways

**BACKGROUND/DISCUSSION**

On 15 October 2019, Council resolved to forward a Planning Proposal for 160 Burwood Road, Concord (known as the Bushell's site and comprising Lot 5 in DP129325, Lot 2 in DP230294, Lot 398 in DP 752023 and Lot 399 in DP 752023) to the Department of Planning, Industry and Environment for Gateway determination. The endorsement by Council was subject to a range of amendments relating to zoning, density, preparation of a Development Control Plan and submission of additional information concerning heritage, traffic and landscaping.

The Planning Proposal was the subject of a rezoning review and the Eastern City Planning Panel (the Panel) considered the matter on 31 March 2020. The Panel recommended that the Planning

Proposal proceed to Gateway determination and Council to be the Planning Proposal Authority and manage the plan making process going forward. On 19<sup>th</sup> May 2020 Council resolved to accept the role as Planning Authority and a Gateway Determination was issued on 31 October 2021. The Planning Proposal was subsequently on public exhibition from 10 June to 8 July 2022.

### ***Summary of the Proposed Development***

The Planning Proposal for the site, proposes the following development:

- (a) rezone part of the Land from IN1 General Industrial to part B1 Neighbourhood Centre, part R3 Medium Density and part RE1 Public Recreation;
- (b) amend Part 6 of the LEP to:
  - (i) apply the Foreshore Building Line to the portion of the Land proposed to be zoned RE1;
  - (ii) introduce a development standard for the Land that sets out a minimum provision of 10,000m<sup>2</sup> GFA for non-residential uses, of which a minimum 3,000m<sup>2</sup> GFA shall be light industrial uses;
- (c) amend Schedule 1 to permit the following additional permissible uses within portion of the Land proposed to be zoned R3: 'commercial premises';
- (d) list the former Bushells factory building as an item of local heritage;
- (e) increase the maximum height of buildings for the Land from 12m to 12m, 15m, 17m, 18m and 21m;
- (f) increase the maximum Floor Space Ratio control for the Land from 1:1 to 1:25:1.

### ***Draft Planning Agreement***

On 19 May 2020, Council resolved that delegation be granted to the General Manager to negotiate the terms of any Planning Agreement relating to the Planning Proposal. The draft Planning Agreement has subsequently been negotiated, as shown at Attachment 1 and is outlined below.

The objectives of the Draft Planning Agreement are to facilitate the dedication of land for the purposes of a public park and recreation area and associated embellishment works on the public park land and land to be publicly accessible.

### ***Effect of the Draft Planning Agreement***

The Developer will make the following public benefit contributions:

- dedication of the New Foreshore Park as shown on the Dedication Plan;
- embellishment of the New Foreshore Park in accordance with the requirements in Schedule 6 in the Draft Planning Agreement and embellishment of the Public Domain Land in accordance with the Public Domain Plan and Schedule 6; and
- registration of an easement over the Public Domain Land to enable public access to the open space.

The key terms within Draft Planning Agreement include:

- The Developer to dedicate the New Foreshore Park, including embellishment works to open space to Councils satisfaction, including remediation of contamination.
- Registration of an easement on land for ongoing public access to the open space,
- contains preconditions to the dedication of the new park, including reconstruction of the seawall
- relates to the carrying out by the Developer of the Development,
- does not exclude the application of ss 7.11, 7.12 or 7.24 of the EPA Act to the Development,
- is to be registered on the title to the Land,
- imposes restrictions on the Developer dedicating the Land or part of the Land and on the Developer from assigning an interest under the draft Planning Agreement,



- provides a dispute resolution method where a dispute arises under the draft Planning Agreement, being expert determination and mediation, amongst other things.

### **Conclusion**

The draft Planning Agreement has been negotiated with the proponent and achieves the community benefit associated with delivery and dedication of the new Foreshore Park. Other works which result as an impact of the development will be effected through conditions of Development Consent. It is recommended that Council now endorse the terms of the negotiated Draft Planning Agreement and endorse its public exhibition, after which it will be reported back to Council in its final form for execution.

### **TIMING**

The Voluntary Planning Agreement will be placed on public exhibition immediately following endorsement by Council.

### **FINANCIAL CONSIDERATIONS**

Planning agreements can be used to complement the Council's other infrastructure funding methods to provide benefits to the public.

The draft planning agreement proposes public benefit to an amount equivalent to an appropriate share of the uplift in value of the land, given the change in zoning and increase in GFA of the proposed development.

In addition to the public benefits outlined in the planning agreement (dedication of public open space and the grant of an easement for public access), future development will also be required to make a contribution towards Affordable Housing. The draft Affordable Housing Contribution Scheme requires future development on the site to make an affordable housing contribution equivalent to 10% of the total Gross Floor Area. The value of the public benefits and Affordable Housing Contributions is estimated at over \$30 Million.

Council is satisfied that the value of both the public benefit and the Affordable Housing contributions is reasonable and appropriate given the development proposed.

### **LEGISLATIVE AND POLICY CONSIDERATIONS**

The draft Planning Agreement has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Act (1979)*, and this report recommends public exhibition of the draft Planning Agreement in accordance with the Act. The Planning Agreement has also been prepared in accordance with the *Canada Bay Planning Agreement Policy*.

The dedication of the foreshore park aligns with Councils Foreshore Access Strategy.

### **RISK CONSIDERATIONS**

The Planning agreement contains conditions that mitigate the risk to Council, including but not limited to the following:

- requirements for remediation
- requirements for the make good of the sea wall
- dedication of the open space to the satisfaction of Council
- Timing for the dedication of land.
- Requirements for registration of the planning agreement on title until all conditions are satisfied.
- Requirements for registration of the planning agreement on title until all conditions are satisfied.

**ITEM 10.3 GRANT OPPORTUNITY - ST LUKES OVAL AMENITIES BUILDING****Reporting Manager** Manager Parks and Recreation**Attachments:** 1. **St Lukes Oval Amenities Building Redevelopment - Concept** [↓](#)

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**RECOMMENDATION OF DIRECTOR CITY SERVICES AND ASSETS**

That Council:

1. Apply for funding under the Multi-Sport Community Facility Fund 2022/2023 (Round 2) for the redevelopment of the St Lukes Oval amenities building on the terms set out in the report.
  2. Staff consider revenue opportunities and multipurpose community use in the design of the redevelopment.
- 

**PURPOSE**

Council has an opportunity to apply for a grant under the NSW Office of Sport, Multi-Sport Community Facility Fund 2022/2023 (Round 2). This report seeks approval from Council to apply for the grant.

**EXECUTIVE SUMMARY**

In collaboration with AFL NSW, Canada Bay Canons and Drummoyne Power Junior AFL clubs, it is proposed that Council apply for grant funding to upgrade St Luke Oval amenity building. This upgrade will:

- Provide inclusive change facilities and toilets; and
- Support organised community sport and encourage higher female participation rates.

With the contribution from a Federal Government grant and AFL, the cost to Council is low in ratio for the proposed works.

The amenities upgrade aligns with the long-term plan to improve facilities at St Lukes Oval and is the final phase of the strategic vision for the space.

**STRATEGIC DIRECTION**

This report supports YOUR future 2036 Outcome area:

Direction 1: Connected Community

Goal CC 5: Provide open space, facilities, and programs that promote active lifestyles

**BACKGROUND/DISCUSSION****PROJECT BACKGROUND**

In 2015/16 Council proposed improvements to the St Lukes Oval precinct which included:

1. Amenities refurbishment (minor works) – COMPLETED
2. Scoreboard installation – COMPLETED
3. Sportsfield lighting upgrade - COMPLETED
4. Oval widening – IN-PROGRESS
5. Amenities upgrade - PROPOSED

This proposal assists and encourages participation by all genders in AFL, athletics, cricket and other sporting activities, who share the oval as their home ground. Additionally, the proposal will better service the local community, schools and all future users of the oval.

Items 1-4 have been delivered with assistance of grant funding from other levels of government. The current proposal will see the amenity building upgraded to current standards, provision of adequate amenities to encourage female participation and meet the growing participation in both junior AFL and Little Athletics.

### **DETAILS OF GRANT OPPORTUNITY**

A grant opportunity is currently available under the NSW Office of Sport, Multi-Sport Community Facility Fund 2022/2023 (Round 2).

The grant funding is matching 2:1 to applicant contribution. Funding applications can request between \$1million to \$5million.

The Program is open for funding applications until 2 September 2022. It is expected that funding announcements will be made in November 2022. Construction would need to commence by July 2023 and be completed by December 2025.

### **PRELIMINARY SCOPING AND ESTIMATION**

Architectural concept plans were prepared for the amenity upgrade and have been reviewed and estimated by a Quantity Surveyor. This report has been reviewed by both Council staff and by the AFL project stakeholders and contingencies reviewed.

The upgrade of the amenity and storage buildings are identified in Council's Asset Management Plan and are in fair condition, with some general deterioration. However, the functionality of these facilities is limited. In the asset condition report conducted in 2021, it was observed that: "access and egress are acceptable, however limitations were identified with respect to the provisions for accessibility. The door thresholds to the bathrooms, change rooms and canteen have steps that are not conducive to providing easy access for persons in a wheelchair or with mobility limitations. Male and female bathrooms and change rooms are available, however do not meet current standards for accessibility."

The projected 10-year maintenance plan for these buildings currently sit at \$242,875.

The proposal would see modification of the existing amenity and storage buildings creating a singular two-level building. A Quantity Surveyor has reviewed the concept plans for the building redevelopment and has estimated the project cost at \$5,700,000. This estimate takes into account a contingency to manage escalated construction prices that are currently being experienced.

### **MANAGEMENT MODEL**

A management model for the building would be developed as part of the project planning, which would consider aspects such as shared canteen, storage, any exclusive areas, availability for other users and public toilets.

There is an opportunity to consider including multipurpose community spaces within the venue that optimise the community benefit.

### **TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS**

The grant is open for funding applications until 2 September 2022. It is expected that funding announcements will be made in November 2022. Construction would need to commence by July 2023 and be completed by December 2025.

While some stakeholder consultation is in progress, community consultation is planned for wider community engagement.

Timing of delivery of the project will consider the planning and approvals process of the proposed building.

A level of contingency is built into the budget for the project due to unknown ground conditions, current inflation in construction market supply and unpredictable weather being experienced affecting construction schedules.

### FINANCIAL CONSIDERATIONS

NSW AFL, along with local AFL clubs Canada Bay Canons and Drummoyne Power AFL, have secured \$1.5 million funding commitment from the Federal Government via MP Sally Situ. NSW AFL has also committed up to \$400,000 to the project.

There is no requirement for Council to make a monetary contribution due to the co-contribution by AFL and the Federal Government being sufficient to deliver the project within the grant funding request. If either of these commitments fails to materialise, the project will be unable to proceed.

The funding opportunity is generous with up to 2:1 matched funding of the applicant's total contribution.

Funding put forward is as follows:

Contributor	Amount
Federal grant to AFL	\$1,500,000
AFL club funds	\$400,000
Council Co-contribution	nil
Total applicant contribution	\$1,900,000
Grant funding request	\$3,800,000 (based on 2:1 funds matching)
Potential Project Funding	\$5,700,000

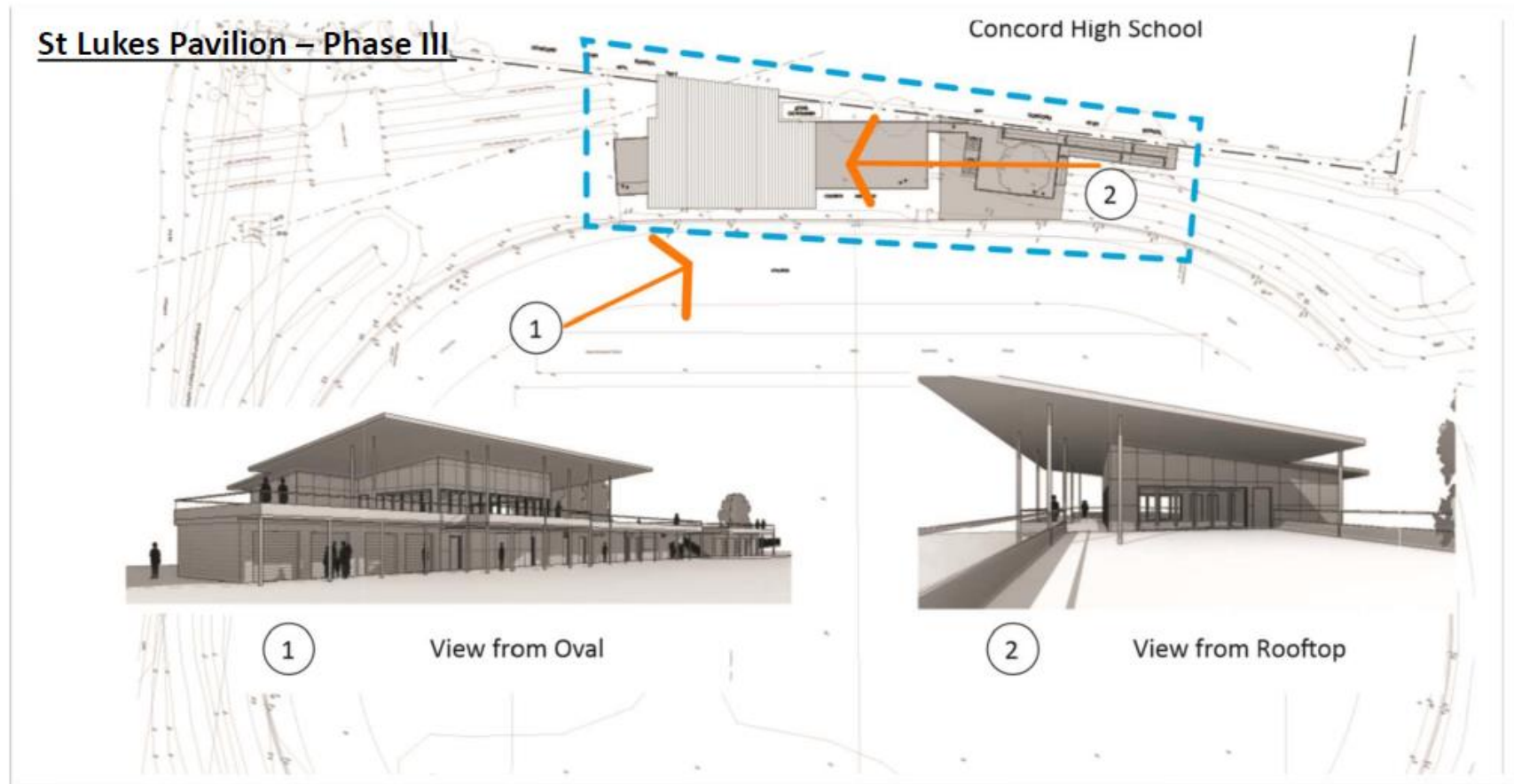
The projected 10-year maintenance plan for this building currently sits at \$242,875 (\$24,287 per year). In recognition of the increased lifecycle cost of a redeveloped facility, Council will need to explore opportunities to generate additional revenue from the development. This will be factored into the design of the redevelopment.

### LEGISLATIVE AND POLICY CONSIDERATIONS

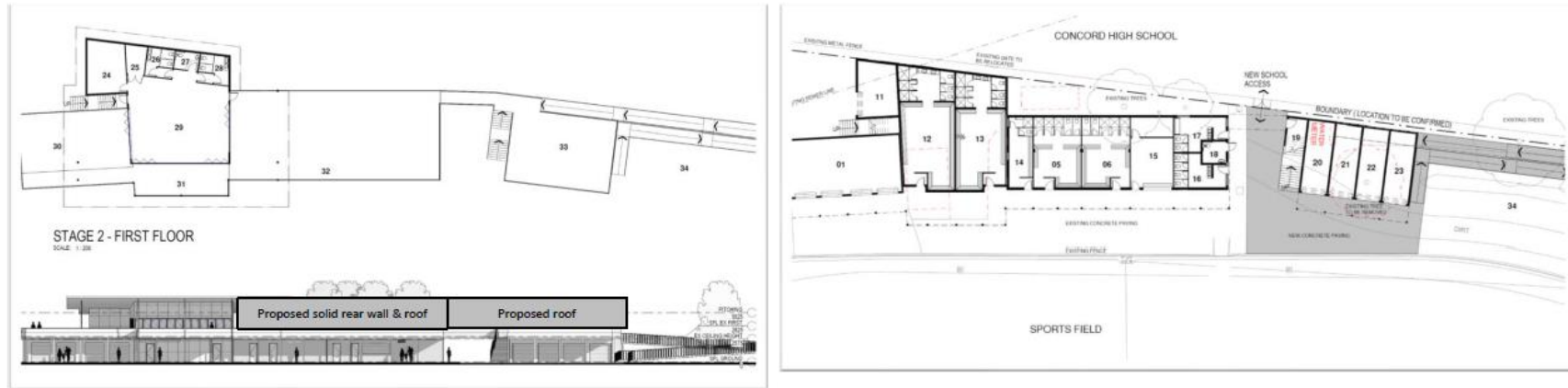
This proposal aligns with the following adopted Council strategies:

- Recreation and Open Space Strategy 2019
- Social Infrastructure Community Strategy 2019

Phase III: St Lukes Oval Pavilion redevelopment – Concepts



### Phase III: St Lukes Oval Pavilion redevelopment



Note: Subject to further design (e.g. consideration of improved weather protection through extended roof and back wall)

**ITEM 10.4 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 28 JULY 2022****Reporting Manager** Manager Roads and Traffic**Attachments:** 1. **Traffic Committee Minutes - 28 July 2022** [↓](#)

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**RECOMMENDATION OF DIRECTOR CITY SERVICES AND ASSETS**

That the minutes and recommendations of the City of Canada Bay Traffic Committee Meeting held 28 July 2022, attached to the report, be adopted.

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**PURPOSE**

To report the City of Canada Bay Local Traffic Committee minutes of 28 July 2022 to Council.

**REPORT**

This report contains the minutes for the City of Canada Bay Local Traffic Committee held on 28 July 2022 for Council's adoption.

**STRATEGIC DIRECTION**

This report supports YOUR future 2036 Outcome area:

Direction 4: Infrastructure and Transport

Goal IT 2: Manage traffic and parking to minimise congestion and increase road safety

**FINANCIAL CONSIDERATIONS**

There are no financial considerations associated with the report.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

The City of Canada Bay Local Traffic Committee meetings are held in line with Transport for NSW guidelines.



## **TRAFFIC COMMITTEE**

**28 July 2022**

***(VIA EMAIL)***

## **MINUTES**

**Committee Members:**

Cr Michael Megna	Chair
Sergeant S Tohme	NSW Police
Kathryn Hawkins	Transport for NSW
Mr J Sidoti	Local Member of Parliament

**Advisory Members:**

Mr B MacGillicuddy	CCB Council
Ms M Carpenter	CCB Council
Mr L Huang	CCB Council
Mr S Lindsay	CCB Council
Mr S Pandey	CCB Council
Mr M Takla	State Transit Authority, Sydney Buses
TBA	Access Committee
Mr G Ashton	Bay Bug – Canada Bay Bicycle Users Group

<b>Minute Taker:</b>	Ms C Di Natale	CCB Council
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**APOLOGIES**

Nil

**DECLARATIONS OF PECUNIARY INTEREST**

Nil

**CONFIRMATION OF MINUTES**

Traffic Committee Meeting – 30 June 2022

**COMMITTEE RECOMMENDATION**

THAT the minutes of the Traffic Committee Meeting of 30 June 2022 be confirmed.

**ITEM 1 DRUMMOYNE AVENUE, DRUMMOYNE – MOTOR BIKES ONLY PARKING**

Council has received correspondence regarding on-going driveway obstruction issues on Drummoyne Avenue near Wrights Road, Drummoyne.

The distances between the driveways to 7B/7C and 7D Drummoyne Avenue is significantly less than the length of a standard vehicle. Noting this, a perpendicular line has previously been installed on the roadway to act as a guide to motorists. Standard vehicles are however continuing to be parked in this location, resulting in driveway obstruction issues.

Noting this, to discourage vehicles from parking in this location and obstructing driveway access, it is proposed to restrict the space to 'Motor Bikes Only' as per the attached plan.

Consultation has been undertaken with adjoining residences regarding the proposed changes, no objections were received.

**STAFF RECOMMENDATION**

THAT a 'P, Motor Bikes Only' zone be installed on the southern side of Drummoyne Avenue between the driveways of 7B/7C and 7D Drummoyne Avenue.

**DISCUSSION**

Item is in order.

**COMMITTEE RECOMMENDATION**

THAT a 'P, Motor Bikes Only' zone be installed on the southern side of Drummoyne Avenue between the driveways of 7B/7C and 7D Drummoyne Avenue.

**ITEM 2            SHORELINE DRIVE, RHODES – BENNELONG BRIDGE  
RUN ROAD CLOSURE**

Council has received an event application for a community fun run of which a section is through Rhodes. This includes the temporary closure of Shoreline Drive between Mary Street and Gauthorpe Street. The event also involves the closures of Bennelong Bridge and streets within Wentworth Point approved by other relevant roads authorities.

It is proposed that the subject section of Shoreline Drive be closed on Sunday, 9 October 2022 from 5am until 10am as detailed in the attached Traffic Management Plan. The traffic management measures proposed to be implemented in Rhodes are generally consistent with those implemented in previous years.

**STAFF RECOMMENDATION**

THAT the temporary closure of Shoreline Drive between Gauthorpe Street and Mary Street from 5am to 10am on Sunday, 9 October 2022 as detailed in the Traffic Management Plan, be approved.

**DISCUSSION**

The TfNSW representative noted that they had issued concurrence for the TMP for the event but that approval should also be subject to approval from Parramatta Council and the Police. Council staff agreed that this could be clarified in the recommendation

**COMMITTEE RECOMMENDATION**

THAT the temporary closure of Shoreline Drive between Gauthorpe Street and Mary Street from 5am to 10am on Sunday, 9 October 2022 as detailed in the Traffic Management Plan, be approved subject to approval also being granted by the Police and Parramatta Council

**ITEM 3            PARKING CONFIGURATION IN ST LUKES NORTH  
CARPARK AND CINTRA PARK TENNIS CARPARK, CONCORD**

Council has received correspondence from the community regarding the need for additional disabled parking spaces in the St Lukes North Carpark located off Crane Street, and in the Cintra Park Tennis Carpark off Gipps Street. The community has also requested consideration be given to maximising car parking capacity within the St Lukes North Carpark.

At present there are approximately 368 parking spaces available in St Lukes North Carpark, which includes three 'Disabled Parking Only' spaces. Cintra Park Tennis Carpark currently does not have any 'Disabled Parking Only' spaces.

A review of the available parking at St Lukes North Carpark, in accordance with Australian Standards, has identified the opportunity to create 22 new parking spaces through minor changes to the existing linemarking. To improve access for the mobility impaired, it is also proposed to install two 'Disabled Parking Only' spaces with an associated shared area at the south-eastern corner of the carpark as shown on the attached plan.

Additionally, Council staff have liaised with Cintra Park Tennis and Sports Centre. Currently there is a small section of parking allocated for staff, accessed off the main Cintra Park Tennis Carpark. In this area it is proposed to install two 'Disabled Parking Only' spaces and to formalise three staff parallel parking spaces.

As part of the works, it is proposed to install additional wayfinding signage as shown on the attached plan. 'No Parking' signage is also proposed to assist in ensuring it is clear where drivers should not park.

Consultation has been undertaken with sporting organisations, associations, and impacted businesses in the area regarding the proposed changes. No objections were received, Cintra Park Tennis and Sports Centre provided their support for the proposal.

**STAFF RECOMMENDATION**

THAT the linemarking and signage in St Lukes North Carpark be adjusted to provide 22 new parking spaces and two 'Disabled Parking Only' spaces with associated shared area as per the attached plan

THAT that linemarking and signage in Cintra Park Tennis Carpark be adjusted to provide two 'Disabled Parking Only' spaces with associated shared area, three parallel parking spaces and 'No Parking' restrictions as per the attached plan.

**DISCUSSION**

The TfNSW representative queried if swept path checks had been undertaken to ensure that all potential vehicle types are able to manoeuvre around the carparks

with ease. Council staff confirmed that the carparks have been designed in accordance with AS/NZS2890.1:2004 and AS/NZS 2890.6:2009.

The Cintra Park Tennis Carpark was assessed by Council staff for B85 vehicles and the turnaround area provides adequate space for a 3-point turn to be done. Larger vehicles would need to perform additional manoeuvres. As has historically been the case, waste collection trucks will need to reverse into or out of this area which occurs outside of peak times. The St Lukes North Carpark has been assessed for B85 vehicles as well as waste vehicles to service the buildings adjoining the carpark area.

The TfNSW representative also queried why the staff parking was located along the landscaped side of the access aisle, as opposed to the tennis court side. Potential issues should landscape maintenance not regularly occur were also queried, along with a suggestion to install wheel stops on the disabled parking spaces.

Council staff advised they had investigated both arrangements however the shape of the area meant the current proposal provided better manoeuvring and clearances. The parallel parking bays have been located such that there is sufficient clearance from existing landscaping, including room for further growth, before maintenance would be required.

Wheel stops are not currently proposed as they have not historically been installed at this location and there is a clear visual difference between the asphalt and adjoining wood chipped area. There are also no objects within the woodchip area that are vulnerable to impact by a vehicle. This can be reconsidered if issues should arise.

The TfNSW representative queried the four proposed spaces outside of the KU Concord Children's Centre which are across what appears to be a driveway. Council staff noted that on-site observations indicated that the gates into the centre at this location are not typically utilised for vehicle access. It was also confirmed that Council staff had consulted with the Children's Centre directly and with their head office, with no objection to the proposal received.

Council staff confirmed that further discussions will be held with the Children's Centre and adjustments made to clarify that it is not a driveway and associated implications for parking across it under the Road Rules.

The TfNSW representative suggested that additional measures be put in place to ensure drivers do not inadvertently impact the sandstone block at the southern end of the parallel parking spaces proposed along the western side of St Lukes North Carpark. It was noted that due to its low height, it will be difficult for drivers to see when manoeuvring.

Council staff confirmed that this would be further investigated and appropriate measures put in place, such as a wheel stop or replacement of the sandstone block

with taller clearly visible bollards to protect the electrical infrastructure at this location.

**COMMITTEE RECOMMENDATION**

THAT the linemarking and signage in St Lukes North Carpark be adjusted to provide 22 new parking spaces and two 'Disabled Parking Only' spaces with associated shared area as per the attached plan.

THAT that linemarking and signage in Cintra Park Tennis Carpark be adjusted to provide two 'Disabled Parking Only' spaces with associated shared area, three parallel parking spaces and 'No Parking' restrictions as per the attached plan.

**ITEM 10.5 PUBLIC SPACES CHARTER****Reporting Manager** Manager Parks and Recreation**Attachments:** 1. **NSW Public Spaces Charter** [⇒](#)

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**RECOMMENDATION OF DIRECTOR CITY SERVICES AND ASSETS**

That Council become a signatory to the NSW Public Spaces Charter attached to the report.

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**PURPOSE**

To inform Council of the NSW Public Spaces Charter and to recommend that Council become a signatory.

**REPORT**

The NSW Public Spaces Charter is a document that identifies ten principles to deliver quality public spaces. This is aligned with other key policies and strategies.

The charter is built on three core values:

1. Connection to country
2. Equity and inclusion
3. Community engagement

The Department of Planning and Environment (DPE) has developed a practitioner's guide that directs how these principles can be applied when planning, designing, managing, and activating public space.

It is designed to be used by public space managers. An evaluation tool for public spaces and public life is provided with the Charter. This is useful for the analysis of an existing space as a first step in the planning and design process.

There is an opportunity for Council to become a signatory to the Public Spaces Charter.

The benefits to Council are:

1. Access to a community of practice and support to apply the Charter.
2. Promotional and data sharing opportunities.
3. Acknowledge on the DPE website.

Signatories will be asked to identify goals for how they would like to embed the Charter principles in their practice and complete a short baseline report to be able to track bi-annual progress against.

The purpose of these reports will be to provide DPE with a better understanding of:

- How organisations are progressing with the implementation of the Charter
- How the Department can provide support to signatories

Noting Council already implements these principles in their design process. The checklist would help ensure consistency. An example of where these design principles have been included is on the Majors Bay Reserve Recreation Precinct Masterplan, as required under the funding agreement.



**STRATEGIC DIRECTION**

This report supports YOUR future 2036 Outcome area:

Direction 1: Connected Community

Goal CC 5: Provide open space, facilities, and programs that promote active lifestyles.

**FINANCIAL CONSIDERATIONS**

There are no financial considerations associated with this report.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

There are no legislative or policy considerations associated with this report.

## 11 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS

### ITEM 11.1 CASH AND INVESTMENT REPORT FOR JULY 2022

**Reporting Manager** Manager Finance

**Attachments:** 1. Investment Report July 2022 [↓](#)

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#### RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That the Cash and Investments Report for July 2022 attached to the report be received and noted.

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#### PURPOSE

To present Council's Investment portfolio performance for July 2022.

#### EXECUTIVE SUMMARY

Council's investments are reported monthly to Council in accordance with the Local Government Act 1993, the Local Government (General) Regulation 2021 and Council's Investment Policy.

#### STRATEGIC DIRECTION

This report supports YOUR future 2036 Outcome area:

Direction 5: Civic Leadership

Goal CL 1: Council is accountable, efficient, and ready to meet future challenges

#### BACKGROUND/DISCUSSION

This report incorporates the end of July Cash and Investments Report for Council's consideration.

#### Certification - Responsible Accounting Officer

Evan Hutchings as the Responsible Accounting Officer have certified that the investments listed in the attached report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government General Regulation 2021 and Council's Investment Policy.

#### TIMING

##### Summary position as at end July 2022

The Cash at Bank and Cash Investments are summarised below:

Month	Cash At Bank	Cash Investments	Total Cash
July 2022	\$1,949,090.22	\$141,563,044.18	\$143,512,134.40

The detailed Schedule of Investments held as of 31st July 2022 are also provided over the page.

**Statement of Investments July 2022**

STATEMENT OF CASH INVESTMENTS								
Maturity Date	Bank/Issuer	Long Term Rating	Fair Value	Term	Interest	Issue Date	Investment Type	% of Portfolio
05/08/22	National Australia Bank	AA-	\$3,000,000.00	365	0.35%	05/08/21	Term Deposits	2.12%
12/08/22	National Australia Bank	AA-	\$3,500,000.00	364	0.35%	13/08/21	Term Deposits	2.47%
08/09/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	125	1.78%	06/05/22	Term Deposits	2.12%
09/09/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	364	0.39%	10/09/21	Term Deposits	2.12%
13/09/22	Commonwealth Bank of Australia	AA-	\$2,000,000.00	123	1.77%	13/05/22	Term Deposits	1.41%
15/09/22	Bank of Queensland	BBB+	\$2,000,000.00	363	0.95%	17/09/21	Term Deposits	1.41%
22/09/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	111	1.93%	03/06/22	Term Deposits	2.12%
30/09/22	MyState Ltd	BBB+	\$2,000,000.00	364	0.45%	01/10/21	Term Deposits	1.41%
03/10/22	Westpac Bank	AA-	\$3,000,000.00	367	0.80%	01/10/21	Term Deposits	2.12%
10/10/22	AMP Bank	BBB	\$2,000,000.00	367	0.80%	08/10/21	Term Deposits	1.41%
11/10/22	National Australia Bank	AA-	\$3,000,000.00	180	1.20%	14/04/22	Term Deposits	2.12%
14/10/22	National Australia Bank	AA-	\$2,000,000.00	371	0.39%	08/10/21	Term Deposits	1.41%
08/11/22	National Australia Bank	AA-	\$2,000,000.00	270	0.70%	11/02/22	Term Deposits	1.41%
10/11/22	Bank of Queensland	BBB+	\$3,000,000.00	210	1.50%	14/04/22	Term Deposits	2.12%
08/12/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	216	2.43%	06/05/22	Term Deposits	2.12%
05/01/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	244	2.62%	06/05/22	Term Deposits	2.12%
12/01/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	216	3.06%	10/06/22	Term Deposits	1.41%
02/03/23	Bank of Queensland	BBB+	\$2,000,000.00	216	3.50%	29/07/22	Term Deposits	1.41%
09/03/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	223	3.45%	29/07/22	Term Deposits	2.12%
16/03/23	Macquarie Bank	A+	\$2,000,000.00	365	1.20%	16/03/22	Term Deposits	1.41%
02/05/23	AMP Bank	BBB	\$2,000,000.00	545	1.00%	03/11/21	Term Deposits	1.41%
04/05/23	MyState Ltd	BBB+	\$2,000,000.00	365	2.93%	04/05/22	Term Deposits	1.41%
04/05/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	363	3.18%	06/05/22	Term Deposits	1.41%
23/06/23	National Australia Bank	AA-	\$3,000,000.00	365	0.60%	23/06/22	Term Deposits	2.12%
17/07/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	381	0.60%	01/07/22	Term Deposits	2.12%
28/07/23	National Australia Bank	AA-	\$3,000,000.00	364	0.65%	29/07/22	Term Deposits	2.12%
03/08/23	National Australia Bank	AA-	\$2,000,000.00	734	0.65%	30/07/21	Term Deposits	1.41%
16/02/26	National Australia Bank	AA-	\$2,000,000.00	1461	1.04%	16/02/22	Term Deposits	1.41%
20/10/22	Westpac Bank	AA-	\$1,500,000.00	367	0.47%	18/10/21	Tailored Deposits	1.06%
18/11/22	Westpac Bank	AA-	\$2,000,000.00	364	0.54%	19/11/21	Tailored Deposits	1.41%
02/12/22	Westpac Bank	AA-	\$2,000,000.00	364	0.58%	03/12/21	Tailored Deposits	1.41%
13/04/23	Westpac Bank	AA-	\$3,000,000.00	364	1.89%	14/04/22	Tailored Deposits	2.12%
30/10/23	Westpac Bank	AA-	\$1,000,000.00	732	1.11%	28/10/21	Tailored Deposits	0.71%
19/02/24	Westpac Bank	AA-	\$1,000,000.00	642	1.08%	18/05/22	Tailored Deposits	0.71%
04/03/24	Westpac Bank	AA-	\$2,000,000.00	637	1.68%	06/06/22	Tailored Deposits	1.41%
14/11/24	Westpac Bank	AA-	\$1,500,000.00	917	1.62%	12/05/22	Tailored Deposits	1.06%
02/12/24	Westpac Bank	AA-	\$1,500,000.00	913	1.62%	03/06/22	Tailored Deposits	1.06%
17/02/25	Westpac Bank	AA-	\$2,000,000.00	1006	2.02%	18/05/22	Tailored Deposits	1.41%
24/02/25	Westpac Bank	AA-	\$2,500,000.00	1006	2.10%	25/05/22	Tailored Deposits	1.77%
20/11/25	Westpac Bank	AA-	\$1,500,000.00	1281	1.87%	19/05/22	Tailored Deposits	1.06%
17/02/26	Westpac Bank	AA-	\$2,500,000.00	1371	2.24%	18/05/22	Tailored Deposits	1.77%
24/02/26	Westpac Bank	AA-	\$2,000,000.00	1371	2.31%	25/05/22	Tailored Deposits	1.41%
03/03/26	Westpac Bank	AA-	\$2,000,000.00	1369	2.22%	03/06/22	Tailored Deposits	1.41%
16/08/22	Suncorp Metway	A+	\$2,500,000.00	1390	1.97%	26/10/18	Floating Rate Notes/TDs	1.77%
28/10/22	Teachers Mutual Bank	BBB	\$1,000,000.00	1096	3.05%	28/10/19	Floating Rate Notes/TDs	0.71%
03/02/23	Bank of Queensland	BBB+	\$2,000,000.00	1635	1.76%	13/08/18	Floating Rate Notes/TDs	1.41%
06/02/23	Newcastle Permanent Building Society	BBB	\$2,000,000.00	1707	2.31%	05/06/18	Floating Rate Notes/TDs	1.41%
24/02/23	RACQ Bank	BBB+	\$1,500,000.00	1096	2.00%	24/02/20	Floating Rate Notes/TDs	1.06%
16/08/23	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1826	1.93%	16/08/18	Floating Rate Notes/TDs	1.06%
08/02/24	ANZ Bank	AA-	\$1,500,000.00	1826	2.04%	08/02/19	Floating Rate Notes/TDs	1.06%
29/08/24	ANZ Bank	AA-	\$1,500,000.00	1827	1.94%	29/08/19	Floating Rate Notes/TDs	1.06%
14/11/24	Citibank	A+	\$1,000,000.00	1827	1.88%	14/11/19	Floating Rate Notes/TDs	0.71%
12/02/25	Macquarie Bank	A+	\$2,000,000.00	1827	1.79%	12/02/20	Floating Rate Notes/TDs	1.41%
06/05/25	Royal Bank of Canada	AA-	\$1,000,000.00	1096	1.62%	06/05/22	Floating Rate Notes/TDs	0.71%
09/12/25	Macquarie Bank	A+	\$2,000,000.00	1651	1.96%	02/06/21	Floating Rate Notes/TDs	1.41%
15/06/26	Teachers Mutual Bank	BBB	\$850,000.00	1825	2.42%	16/06/21	Floating Rate Notes/TDs	0.60%
19/08/26	ING Bank	A	\$500,000.00	1826	1.44%	19/08/21	Floating Rate Notes/TDs	0.35%
23/12/26	Commonwealth Bank of Australia	AA-	\$2,000,000.00	1917	2.15%	23/09/21	Floating Rate Notes/TDs	1.41%
15/12/22	NTTC	AA-	\$2,000,000.00	808	0.90%	28/09/20	Fixed Rate Bonds	1.41%
15/12/23	NTTC	AA-	\$2,000,000.00	1186	1.00%	15/09/20	Fixed Rate Bonds	1.41%
15/12/24	NTTC	AA-	\$2,000,000.00	1206	1.00%	27/08/21	Fixed Rate Bonds	1.41%
15/06/25	NTTC	AA-	\$2,000,000.00	1496	1.10%	11/05/21	Fixed Rate Bonds	1.41%
24/08/26	Suncorp Metway	A+	\$2,000,000.00	1587	3.25%	20/04/22	Fixed Rate Bonds	1.41%
	AMP Bank	BBB	\$4,399.84		1.80%		Short Term Money Market	0.00%
	AMP Bank	BBB	\$192.27		0.50%		Short Term Money Market	0.00%
	Commonwealth Bank of Australia	AA-	\$0.00		0.20%		Short Term Money Market	0.00%
	Macquarie Bank	A+	\$200,004.67		0.85%		Short Term Money Market	0.14%
	Macquarie Bank	A+	\$10,008,447.40		1.35%		Short Term Money Market	7.07%
	<b>31/07/22</b>		<b>\$141,563,044.18</b>		<b>1.55%</b>			<b>100.00%</b>
	TOTAL INVESTMENTS at 30/06/22		\$149,260,053.12					
	Net Increase/(Decrease) in Investments		(\$7,697,008.94)					

**FINANCIAL CONSIDERATIONS**

Interest received on cash investments in July was \$107,828.90.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

Council's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation 2021 and Council's Investment Policy. Section 212 of the Local Government (General) Regulation 2021 states:

- (1) The responsible accounting officer of a council:
  - (a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented:
    - (i) if only one ordinary meeting of the council is held in a month, at that meeting, or
    - (ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and
  - (b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.
- (2) The report must be made up to the last day of the month immediately preceding the meeting.

**RISK CONSIDERATIONS**

Council manages the risk associated with investments by diversifying the types of investment, credit quality, counterparty exposure and term to maturity profile.

## Attachment 1 – Investment Report July 2022



INVESTMENT  
REPORT  
JULY 2022

## INVESTMENT REPORT JULY 2022

Investment Report JULY 2022

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Investment Report JULY 2022

## July 2022 Investment Report

Statement of Cash Investments as of 31 July 2022

STATEMENT OF CASH INVESTMENTS							
Maturity Date	Bank/Issuer	Long Term Rating	Fair Value	Term	Interest	Issue Date	Investment Type
05/08/22	National Australia Bank	AA-	\$3,000,000.00	365	0.35%	05/08/21	Term Deposits
12/08/22	National Australia Bank	AA-	\$3,500,000.00	364	0.35%	13/08/21	Term Deposits
08/09/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	125	1.78%	06/05/22	Term Deposits
09/09/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	364	0.39%	10/09/21	Term Deposits
13/09/22	Commonwealth Bank of Australia	AA-	\$2,000,000.00	123	1.77%	13/05/22	Term Deposits
15/09/22	Bank of Queensland	BBB+	\$2,000,000.00	363	0.95%	17/09/21	Term Deposits
22/09/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	111	1.93%	03/06/22	Term Deposits
30/09/22	MyState Ltd	BBB+	\$2,000,000.00	364	0.45%	01/10/21	Term Deposits
03/10/22	Westpac Bank	AA-	\$3,000,000.00	367	0.80%	01/10/21	Term Deposits
10/10/22	AMP Bank	BBB	\$2,000,000.00	367	0.80%	08/10/21	Term Deposits
11/10/22	National Australia Bank	AA-	\$3,000,000.00	180	1.20%	14/04/22	Term Deposits
14/10/22	National Australia Bank	AA-	\$2,000,000.00	371	0.39%	08/10/21	Term Deposits
08/11/22	National Australia Bank	AA-	\$2,000,000.00	270	0.70%	11/02/22	Term Deposits
10/11/22	Bank of Queensland	BBB+	\$3,000,000.00	210	1.50%	14/04/22	Term Deposits
08/12/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	216	2.43%	06/05/22	Term Deposits
05/01/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	244	2.62%	06/05/22	Term Deposits
12/01/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	216	3.06%	10/06/22	Term Deposits
02/03/23	Bank of Queensland	BBB+	\$2,000,000.00	216	3.50%	29/07/22	Term Deposits
09/03/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	223	3.45%	29/07/22	Term Deposits
16/03/23	Macquarie Bank	A+	\$2,000,000.00	365	1.20%	16/03/22	Term Deposits
02/05/23	AMP Bank	BBB	\$2,000,000.00	545	1.00%	03/11/21	Term Deposits
04/05/23	MyState Ltd	BBB+	\$2,000,000.00	365	2.93%	04/05/22	Term Deposits
04/05/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	363	3.18%	06/05/22	Term Deposits
23/06/23	National Australia Bank	AA-	\$3,000,000.00	365	0.60%	23/06/22	Term Deposits
17/07/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	381	0.60%	01/07/22	Term Deposits
28/07/23	National Australia Bank	AA-	\$3,000,000.00	364	0.65%	29/07/22	Term Deposits
03/08/23	National Australia Bank	AA-	\$2,000,000.00	734	0.65%	30/07/21	Term Deposits
16/02/26	National Australia Bank	AA-	\$2,000,000.00	1461	1.04%	16/02/22	Term Deposits
20/10/22	Westpac Bank	AA-	\$1,500,000.00	367	0.47%	18/10/21	ESG TD
18/11/22	Westpac Bank	AA-	\$2,000,000.00	364	0.54%	19/11/21	ESG TD
02/12/22	Westpac Bank	AA-	\$2,000,000.00	364	0.58%	03/12/21	ESG TD
13/04/23	Westpac Bank	AA-	\$3,000,000.00	364	1.89%	14/04/22	ESG TD
30/10/23	Westpac Bank	AA-	\$1,000,000.00	732	1.11%	28/10/21	ESG TD
19/02/24	Westpac Bank	AA-	\$1,000,000.00	642	1.08%	18/05/22	ESG TD
04/03/24	Westpac Bank	AA-	\$2,000,000.00	637	1.68%	06/06/22	ESG TD
14/11/24	Westpac Bank	AA-	\$1,500,000.00	917	1.62%	12/05/22	ESG TD
02/12/24	Westpac Bank	AA-	\$1,500,000.00	913	1.62%	03/06/22	ESG TD
17/02/25	Westpac Bank	AA-	\$2,000,000.00	1006	2.02%	18/05/22	ESG TD
24/02/25	Westpac Bank	AA-	\$2,500,000.00	1006	2.10%	25/05/22	ESG TD
20/11/25	Westpac Bank	AA-	\$1,500,000.00	1281	1.87%	19/05/22	ESG TD
17/02/26	Westpac Bank	AA-	\$2,500,000.00	1371	2.24%	18/05/22	ESG TD
24/02/26	Westpac Bank	AA-	\$2,000,000.00	1371	2.31%	25/05/22	ESG TD
03/03/26	Westpac Bank	AA-	\$2,000,000.00	1369	2.22%	03/06/22	ESG TD
28/10/22	Teachers Mutual Bank	BBB	\$1,000,000.00	1096	3.05%	28/10/19	ESG FRN
23/12/26	Commonwealth Bank of Australia	AA-	\$2,000,000.00	1917	2.15%	23/09/21	ESG FRN
16/08/22	Suncorp Metway	A+	\$2,500,000.00	1390	1.97%	26/10/18	Floating Rate Notes
03/02/23	Bank of Queensland	BBB+	\$2,000,000.00	1635	1.76%	13/08/18	Floating Rate Notes
06/02/23	Newcastle Permanent Building Society	BBB	\$2,000,000.00	1707	2.31%	05/06/18	Floating Rate Notes
24/02/23	RACQ Bank	BBB+	\$1,500,000.00	1096	2.00%	24/02/20	Floating Rate Notes
16/08/23	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1826	1.93%	16/08/18	Floating Rate Notes
08/02/24	ANZ Bank	AA-	\$1,500,000.00	1826	2.04%	08/02/19	Floating Rate Notes
29/08/24	ANZ Bank	AA-	\$1,500,000.00	1827	1.94%	29/08/19	Floating Rate Notes
14/11/24	Citibank	A+	\$1,000,000.00	1827	1.88%	14/11/19	Floating Rate Notes
12/02/25	Macquarie Bank	A+	\$2,000,000.00	1827	1.79%	12/02/20	Floating Rate Notes
06/05/25	Royal Bank of Canada	AA-	\$1,000,000.00	1096	1.62%	06/05/22	Floating Rate Notes
09/12/25	Macquarie Bank	A+	\$2,000,000.00	1651	1.96%	02/06/21	Floating Rate Notes
15/06/26	Teachers Mutual Bank	BBB	\$850,000.00	1825	2.42%	16/06/21	Floating Rate Notes
19/08/26	ING Bank	A	\$500,000.00	1826	1.44%	19/08/21	Floating Rate Notes
15/12/22	NTTC	AA-	\$2,000,000.00	808	0.90%	28/09/20	Fixed Rate Bond
15/12/23	NTTC	AA-	\$2,000,000.00	1186	1.00%	15/09/20	Fixed Rate Bond
15/12/24	NTTC	AA-	\$2,000,000.00	1206	1.00%	27/08/21	Fixed Rate Bond
15/06/25	NTTC	AA-	\$2,000,000.00	1496	1.10%	11/05/21	Fixed Rate Bond
24/08/26	Suncorp Metway	A+	\$2,000,000.00	1587	3.25%	20/04/22	Fixed Rate Bond
	AMP Bank	BBB	\$4,399.84		1.80%		AMP 31Day Notice
	AMP Bank	BBB	\$192.27		0.50%		AMP Business Saver
	Commonwealth Bank of Australia	AA-	\$0.00		0.20%		CBA At Call
	Macquarie Bank	A+	\$200,004.67		0.85%		Macquarie CMA
	Macquarie Bank	A+	\$10,008,447.40		1.35%		Macquarie CMA
	<b>31/07/22</b>		<b>\$141,563,044.18</b>		<b>1.55%</b>		
	TOTAL INVESTMENTS at 30/06/22		\$149,260,053.12				
	Net Increase/(Decrease) in Investments		(\$7,697,008.94)				

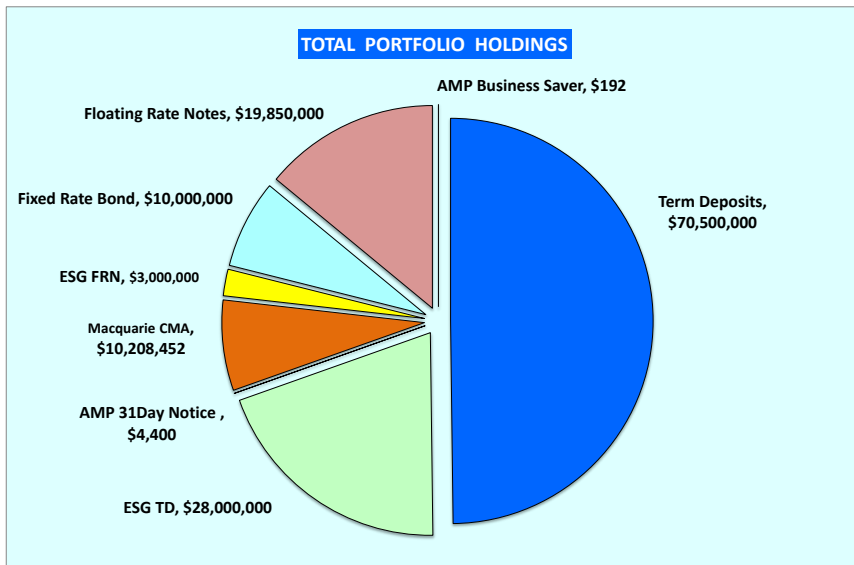
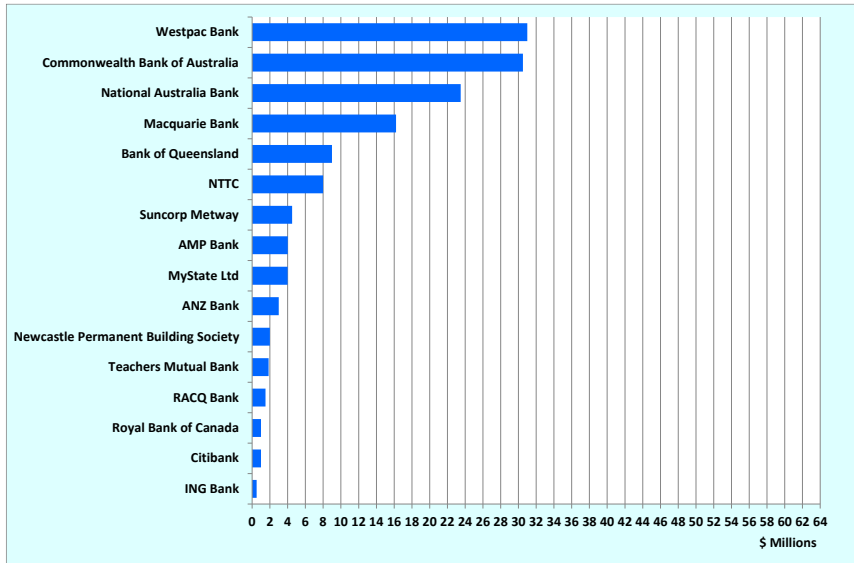
### Certificate of the Responsible Accounting Officer

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.

Evan Hutchings

Date: 04 Aug 2022

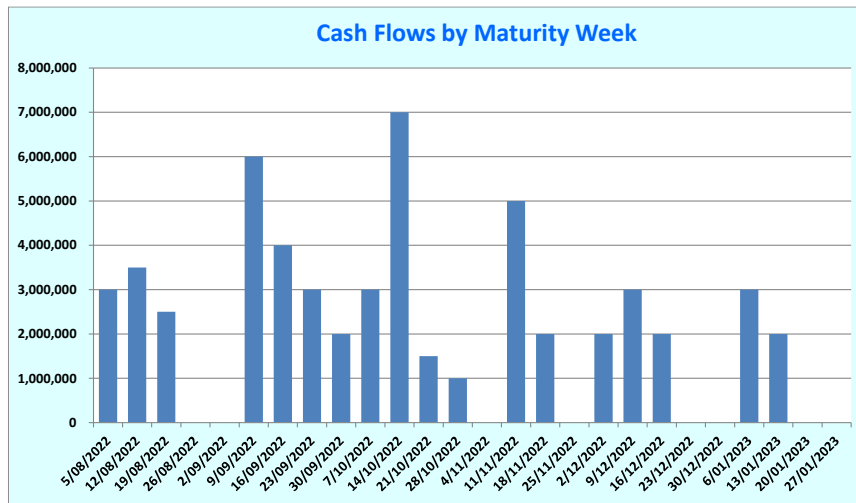
Investment Report JULY 2022  
Total Investment Deposits by Institution as of 31 July 2022





Investment Report JULY 2022

Weekly cash flow forecast for 6 months as of 31 July 2022



Investment Report JULY 2022

## Individual Counterparty Limits for Term Deposits, Fixed Rate Notes, Floating Rate TDs, and FRNs as per Council Investment Policy

ST Ratings	ADI	Policy Limit	% of Portfolio
A-1+	ANZ Bank	45%	2.12%
	Commonwealth Bank of Australia	45%	21.55%
	NTTC	45%	5.65%
	National Australia Bank	45%	16.60%
	Royal Bank of Canada	45%	0.71%
	Westpac Bank	45%	21.90%
A-1	Macquarie Bank	30%	11.45%
	ING Bank	30%	0.35%
	Citibank	30%	0.71%
	Suncorp Metway	30%	3.18%
A-2	AMP Bank	10%	2.83%
	Bank of Queensland	10%	6.36%
	MyState Ltd	10%	2.83%
	Teachers Mutual Bank	10%	1.31%
	RACQ Bank	10%	1.06%
	Newcastle Permanent Building Society	10%	1.41%
	<b>Total Portfolio</b>		<b>100.00%</b>

## Counter Party Class Limits for Term Deposits, Fixed Rate Notes, Floating Rate TDs, and FRNs as per Council's Investment Policy (excluding At Call Deposits)

Type Long Term	Holdings	Policy Limit	% Portfolio
AA-	\$97,000,000.00	Unlimited	73.85%
A+	\$11,500,000.00	80%	8.76%
A	\$500,000.00	80%	0.38%
A-	\$0.00	80%	0.00%
BAA2	\$0.00	80%	0.00%
BBB+	\$14,500,000.00	30%	11.04%
BBB	\$7,850,000.00	30%	5.98%
BBB-	\$0.00	30%	0.00%
NR	\$0.00	15%	0.00%
<b>Total</b>	<b>\$131,350,000.00</b>		<b>100.00%</b>

Investment Report JULY 2022

Investment Transactions during July 2022

Date	Transaction	Bank/Issuer	Type	Term	Int Rate	Amount	Interest Paid
30/06/2022	Balance	Investment Balance Fair Value				\$149,260,053.12	
1/07/2022	Reset	Commonwealth Bank of Australia	Term Deposit	381	0.60%	\$3,000,000.00	
1/07/2022	Reset	Commonwealth Bank of Australia	Term Deposit	381	0.60%	(\$3,000,000.00)	\$8,926.02
7/07/2022	Maturity	Commonwealth Bank of Australia	Term Deposit	62	0.90%	(\$4,000,000.00)	\$6,115.07
7/07/2022	Maturity	Members Equity Bank	Term Deposit	367	0.50%	(\$2,000,000.00)	\$10,054.79
8/07/2022	Maturity	Commonwealth Bank of Australia	Term Deposit	308	0.36%	(\$1,500,000.00)	\$4,556.71
21/07/2022	Maturity	Bank of Queensland	Term Deposit	237	0.65%	(\$1,500,000.00)	\$6,330.82
28/07/2022	Reset	Teachers Mutual Bank	Floating Rate Notes	1096	1.61%	(\$1,000,000.00)	\$4,004.40
28/07/2022	Reset	Teachers Mutual Bank	Floating Rate Notes	1096	3.05%	\$1,000,000.00	
29/07/2022	Maturity	Bendigo and Adelaide Bank	Term Deposit	364	1.90%	(\$2,000,000.00)	\$37,895.89
29/07/2022	Purchase	Bank of Queensland	Term Deposit	216	3.50%	\$2,000,000.00	
29/07/2022	Purchase	Commonwealth Bank of Australia	Term Deposit	223	3.45%	\$3,000,000.00	
29/07/2022	Reset	National Australia Bank	Term Deposit	364	0.65%	\$3,000,000.00	
29/07/2022	Reset	National Australia Bank	Term Deposit	364	0.65%	(\$3,000,000.00)	\$19,499.98
	Activity	AMP Bank 31Day Notice	At Call (AMP)		1.80%	(\$1,998,199.12)	\$1,800.88
	Activity	AMP Business Saver	At Call (AMP)		0.50%	(\$1,101.41)	\$192.27
	Activity	Macquarie Bank	At Call (CMA)		0.85%	\$200,004.67	\$4.66
	Activity	Macquarie Bank	At Call (CMA)		1.35%	\$102,286.92	\$8,447.41
31/07/2022		EOM Balance			Total	\$141,563,044.18	\$107,828.90

Total Interest Received during July 2022

Ledger Account	Type	July
102623-1465-40068	Investments	\$97,383.68
102623-1465-40067	At Call Accounts	\$10,445.22
	<b>Sub-Total</b>	<b>\$107,828.90</b>
102623-1465-40066	General Bank Account	\$696.70
	<b>Total</b>	<b>\$108,525.60</b>

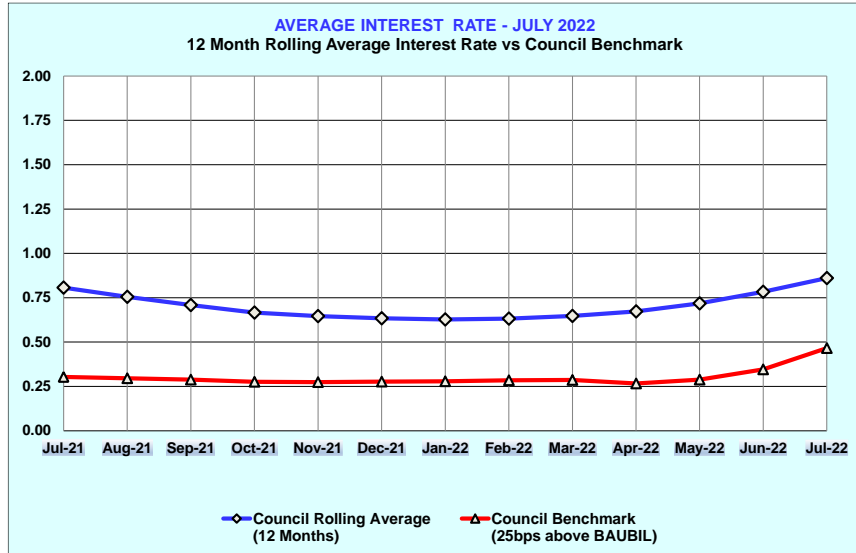
Investment Report JULY 2022

## Statement of Consolidated Cash and Investments as of 31 July 2022

Consolidated Cash & Investments			
<b>Cash &amp; Investments</b>			
Cash At Bank as at 31 July 2022		\$1,949,090.22	
Investments at Fair Value		\$141,563,044.18	
<b>Total Cash &amp; Investments</b>			<b>\$143,512,134.40</b>
The above cash and investments are comprised of:			
<b>Externally Restricted Reserves</b>			
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 Sections 7.11 and 7.12.			
<b>Total External Restrictions</b>			<b>\$96,353,958.81</b>
<b>Internally Restricted Reserves</b>			
Internally restricted reserves are funds restricted in the use by resolution or policy of Council			
<b>Total Internal Restrictions</b>			<b>\$45,448,770.73</b>
<b>Unrestricted Cash &amp; Investments</b>			
<b>Total Unrestricted Cash &amp; Investments</b>			<b>\$1,709,404.86</b>
<b>Total Cash &amp; Investments</b>			<b>\$143,512,134.40</b>
<b>Note: At the time of this report, Council reserves have yet to be finalised for July 2022</b>			

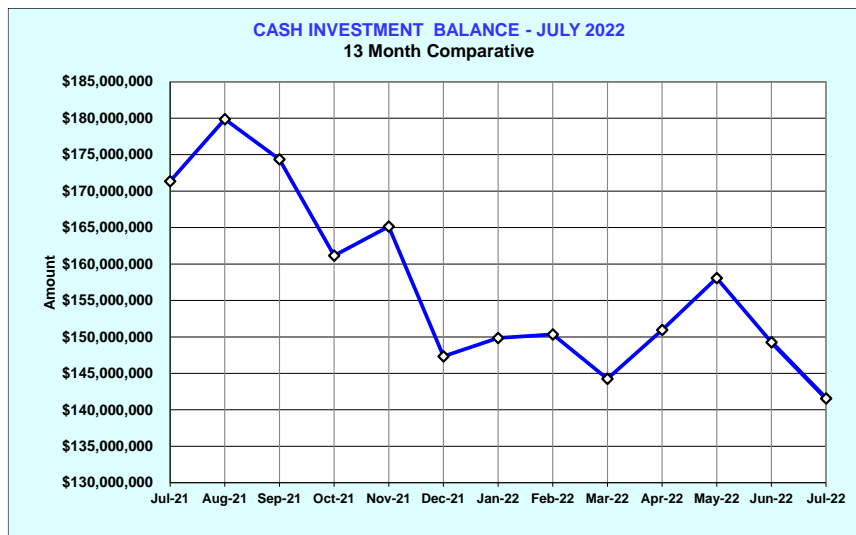
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Comparative Graphs

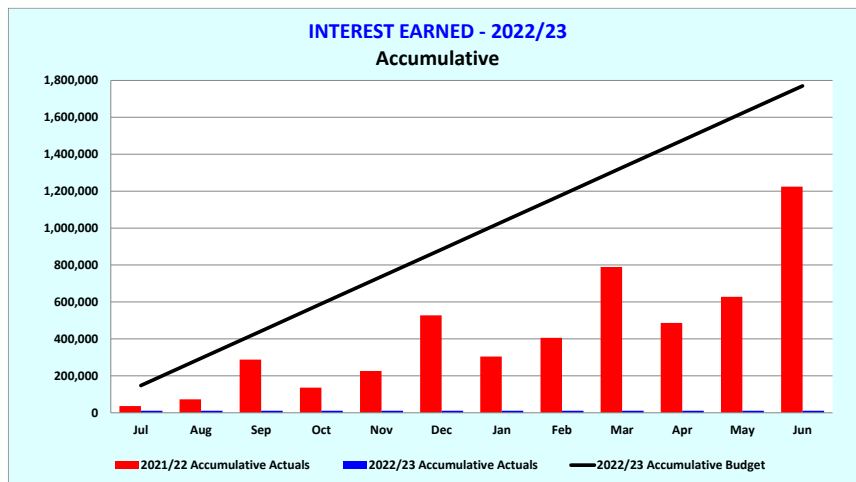
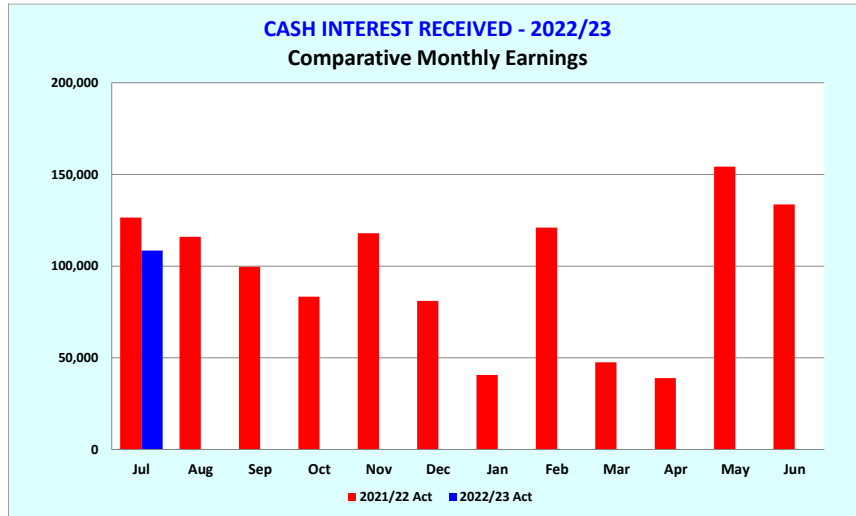


The BAUBIL (Bloomberg Ausbond Bank Bill) Index is engineered to measure the Australian money market by representing a passively-managed short term money market portfolio. This index is comprised of 13 synthetic instruments defined by rates interpolated from the RBA 24-hour cash rate, 1M BBSW, and 3M BBSW.

The Annual Average BAUBIL plus 25bps (a quarter of 1 percent) forms Council's benchmark rate against which Council's actual investment returns are compared.



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**ITEM 11.2 DRAFT 2021-2022 FINANCIAL STATEMENTS****Reporting Manager Manager Finance****Attachments: 1. Draft General Purpose Financial Statements 2021-2022** [↔](#)

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**RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY**

That:

1. Council confirms the receipt, certification and referral of the Draft Financial Statements for the year ended 30 June 2022 to Council's external auditor, the Audit Office of NSW, in accordance with section 413 of the Local Government Act 1993.
2. The Statement by Councillors and Management for the General Purpose Financial Statements be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer, in accordance with Section 413(2)(c) of the Local Government Act 1993.
3. An electronic copy of the audited financial statements be forwarded to the NSW Office of Local Government no later than 31 October 2022.
4. The General Manager be authorised to set the date for public presentation of the audited financial statements, and to give public notice of the public presentation in accordance with section 418 of the Local Government Act 1993.

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**PURPOSE**

To present to Council the Draft Financial Statements for the year ended 30 June 2022 for certification and referral to Council's external auditor, the Audit Office of NSW, and provide a summary on the financial position as at 30 June 2022.

**EXECUTIVE SUMMARY**

In accordance with Section 413(1) of the Local Government Act 1993, Council is required to prepare and refer its Annual Financial Statements for audit as soon as practicable after the end of the relevant financial year. In accordance with Section 413(2)(C) of the Local Government Act 1993, Council must also prepare a statement on the General Purpose Financial Reports as to its opinion on the reports prior to formally referring them to the auditor. This report is presented to satisfy those requirements. Analyses of the financial performance of the Council for the year ended 30 June 2022 are also provided in this report.

The Draft Financial Statements show an operating surplus of \$56.7M including capital grants and contributions. Excluding capital grants and contributions, the operating result is a deficit of \$2.592M, of which \$2.8M relates to a loss on disposal of assets.

**STRATEGIC DIRECTION**

This report supports YOUR future 2036 Outcome area:

Direction 5: Civic Leadership

Goal CL 1: Council is accountable, efficient, and ready to meet future challenges

**BACKGROUND/DISCUSSION**

The City of Canada Bay's Draft Annual Financial Reports for the period ended 30 June 2022 have been completed for external auditing.

The Director Corporate Services and Strategy, as the Responsible Accounting Officer has certified that the 2021/22 Financial Statements have been prepared in accordance with the applicable



Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board, the Local Government Act 1993 and Regulation and the Local Government Code of Accounting Practice and Financial Reporting 2021–22 (the Code).

The financial reports consist of the following General Purpose Financial Reports:

1. Income Statement
2. Balance Sheet
3. Statement of Changes in Equity
4. Cash Flow Statement
5. Notes to the financial report

and Special Schedules:

1. Permissible income for general rates
2. Report on infrastructure assets

Council's external auditor, the Audit Office of NSW will formally commence their Audit on 19 September 2022. These financial reports will also be presented to the Audit, Risk and Improvement Committee on 30 August 2022.

#### **TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS**

The process that Council must follow in the production, audit, adoption, and the advertising of the Financial Statements is prescribed in the Local Government Act 1993. The following timetable will allow these processes to be satisfied and for the Financial Statements to be adopted by Council. It should be noted that Council is required to fix a date whereby it proposes to present its audited financial reports, together with the auditor's report to the public and give public notice of the date. As contained in the following table, it is anticipated that this will occur at the Council meeting scheduled for 15 November 2022.

<b>Event</b>	<b>Date</b>
<b>Ordinary Meeting of Council – 2021/22 Draft Financial Statements</b> presented to Council seeking Council to resolve to certify the draft statements and formally refer them to the auditor (Section 413 - LG Act 1993).	16 August 2022
<b>Audit, Risk &amp; Improvement Committee Meeting – 2021/22 Draft Financial Statements</b> presented to the Committee.	30 August 2022
Audit team starts audit of financial statements	19 September 2022
Audit clearance meeting	10 October 2022
Audit Office issues Engagement Closing Report	12 October 2022
<b>Audit, Risk &amp; Improvement Committee Meeting – Audit team</b> attends Committee meeting to present the Engagement Closing Report.	18 October 2022
<b>Ordinary Meeting of Council – 2021/22 Audited Financial Statements</b> presented to Council to seek approval of the financial statements for lodgement to OLG and for public exhibition	18 October 2022
Audit Office issues to the Council and to the Secretary of the Department of Planning, Industry and Environment (the Department), in accordance with section 417 of the LG Act the:  - Independent Auditor's Report on the general purpose financial statements - Report on the Conduct of the Audit	24 October 2022
<b>Lodge Audited Financial Statements with the Office of Local Government – Council</b> must electronically lodge a complete set of audited financial statements (General Purpose Financial Statements, Special Schedules and Auditors Reports)	31 October 2022

with OLG by no later than the close of business on 31 October following the financial year end.	
<b>Ordinary Meeting of Council –</b> Auditors to present their report on the Audit of the 2021/22 Financial Statements.	15 November 2022

The Draft Financial Statements for the year ended 30 June 2022 have been prepared in accordance with the Local Government Act 1993 (as amended) and Regulations made thereunder, the Australian Accounting Standards and professional pronouncements and the current Local Government Code of Accounting Practice and Financial Reporting. The Draft Financial Statements comprise the following reports:

- General Purpose Financial Statements
- Special Schedules

### Financial Performance and Position of Council as at 30 June 2022

The comments below provide highlights of Council's financial performance during 2021/22 and position as at 30 June 2022. It must be noted that the financial results for 2021/22 are still draft and are subject to final audit opinion. Attachment A1 to this report includes the Draft Financial Statements for the year ended 30 June 2022.

A summary of the financial results from the Draft Financial Statements is presented below:

<b>Income Statement</b> <b>\$'000</b>	<b>Actual</b> <b>2022</b>	<b>Actual</b> <b>2021</b>
Income from Continuing Operations	152,478	151,878
Expenses from Continuing Operations	95,808	94,158
<b>Net Operating Result for the Year</b>	<b>56,670</b>	<b>57,720</b>
Net Operating Result for the year before grants and contributions provided for capital purposes	<b>(2,592)</b>	<b>(12)</b>
<b>Statement of Financial Position</b> <b>\$'000</b>		
Current Assets	120,846	149,250
Non-Current Assets	2,031,481	1,909,605
<b>Total Assets</b>	<b>2,152,327</b>	<b>2,058,855</b>
Current Liabilities	53,922	60,746
Non-Current Liabilities	19,924	13,018
<b>Total Liabilities</b>	<b>73,846</b>	<b>73,764</b>
Net Assets	2,078,481	1,985,091
<b>Total Equity</b>	<b>2,078,481</b>	<b>1,985,091</b>
<b>Statement of Cash Flows</b> <b>\$'000</b>		
Net Cash Flow from Operating Activities	45,647	103,459
Net Cash Flow from Investing Activities	(53,521)	(97,146)

Net Cash Flow from Financing Activities	14,419	(782)
<b>Net increase in Cash</b>	<b>6,545</b>	<b>5,531</b>
Plus: Cash at the beginning of the year	12,279	6,748
<b>Cash at end of year</b>	<b>18,824</b>	<b>12,279</b>
Plus: Investments on hand at end of year	133,350	163,846
<b>Total Cash and Investments</b>	<b>152,174</b>	<b>176,125</b>

### Performance Measurement Indicators

The General Purpose Financial Statements contain a number of Key Financial Performance Measures. The results for 2021/22 are in the main better than industry benchmarks and are included in Attachment A1 – Draft General Purpose Financial Statements.

The only below benchmark result relates to the Own Source Operating Revenue Ratio of 55.49% which is below the 60% benchmark. The ratio measures revenue (excluding all grants and contributions) to total revenue inclusive of all grants and contributions. During 2021/22 over \$59.3M of Capital Grants and Contributions have been accounted for (previous year \$57.7M). Significant amounts relate to capital projects including the redevelopment of Concord Oval.

The results are summarised below:

<b>Performance Measure</b>	<b>Benchmark</b>	<b>2021/22</b>	<b>2020/21</b>	<b>2019/20</b>	<b>2018/19</b>
Operating Performance Ratio	>0.00%	0.43%	0.97%	1.10%	4.02%
Own Source Operating Revenue Ratio	>60.00%	55.49%	56.76%	83.60%	82.01%
Unrestricted Current Ratio	>1.50x	3.00	2.68	1.59	3.39
Debt Service Cover Ratio	>2.00x	22.45	17.71	17.65	27.03
Rates and Annual Charges Outstanding	<5.00%	3.93%	4.36%	3.28%	2.96%
Cash Expense Cover Ratio	>3.00mths	16.44	21.36	11.41	11.43

### FINANCIAL CONSIDERATIONS

There are no financial impacts associated with the recommendations contained in the report.

### LEGISLATIVE AND POLICY CONSIDERATIONS

Adoption of the recommendations contained in the report will achieve compliance with the Local Government Act 1993.

**ITEM 11.3 SPECIAL RATE VARIATION AND UPDATED DRAFT LONG TERM FINANCIAL PLAN****Reporting Manager** Manager Finance**Attachments:**

1. [Updated Long Term Financial Plan Final Aug 2022](#) ⇨
2. [Background Paper - the Special Rate Variation](#) ⇨

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**RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY**

That:

1. Community engagement on a proposed Special Rate Variation, as detailed in the report, be undertaken with this engagement to commence on Monday 5 September 2022 and conclude on Monday 17 October 2022.
2. A Community Engagement Plan for the proposed Special Rate Variation, as referred to in the report, be developed in accordance with the Council's Community Engagement Strategy.
3. The updated draft Long Term Financial Plan attached to the report be placed on public exhibition from Monday 5 September 2022 to Monday 17 October 2022.
4. That a report on feedback received as a result of the community engagement and public exhibition referred to in 1 and 3 above be prepared and submitted to the Council meeting scheduled for 15 November 2022.

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**PURPOSE**

For Council to consider undertaking Community Engagement on the proposal for a permanent Special Rate Variation (SRV) and to undertake public exhibition of the updated draft Long Term Financial Plan.

**EXECUTIVE SUMMARY**

Analysis identified in the Community Strategic Plan – Our Future 2036, and the Delivery Program 2022-26 and Operational Plan 2022-23, has highlighted that Council is unable to continue to provide services at current levels, maintain and renew its infrastructure, deliver new or enhanced services expected by the community, and continue to replace ageing community assets within the currently available revenues.

On the basis that the community is unlikely to accept the reduction of services currently offered by Council, coupled with the fact that there is a range of additional services both expected and desired by the community, Council may wish to consider making application for a permanent SRV.

Prior to determining whether it wishes to make application for a SRV it is necessary for Council to undertake extensive community engagement. Should Council wish to pursue this option, a community engagement strategy would be developed and implemented, with the outcomes of the community engagement being subsequently reported to Council.

Associated with the financial analyses undertaken to inform this report and the relevant background information, it has become very evident that there have been significant changes to assumptions resulting from the impacts of recent shifts in the economic circumstances. As a consequence the Long Term Financial Plan has been updated and it is appropriate for the amended draft to be exhibited for public exhibition.

## STRATEGIC DIRECTION

This report supports YOUR future 2036 Outcome area:

Direction 5: Civic Leadership

Goal CL 1: Council is accountable, efficient, and ready to meet future challenges

## BACKGROUND/DISCUSSION

A Special Rate Variation (SRV) applicable to residential and business land has been further analysed since the Long Term Financial Plan (LTFP) was adopted by Council in June 2022. The prospect of this analysis being undertaken was identified in the Community Strategic Plan – Our Future 2036 and was also specified in the Delivery Program 2022-26 and Operational Plan 2022-23. From the analysis it is evident that Council is unable to continue to provide services at current levels, maintain and renew its infrastructure, deliver new or enhanced services expected by the community, and continue to replace ageing community assets within the currently available revenues.

Based on feedback received over previous years, it is considered unlikely that the community would be willing to accept reduced service levels or declining infrastructure.

In conjunction with this analysis Council's LTFP has been reviewed and a draft of the amended LTFP has been developed and is attached. The draft Plan projects rate pegging set by IPART increasing by 11.19% cumulatively over the four year period commencing 1 July 2023, as follows:

	2023/24	2024/25	2025/26	2026/27	Cumulative
Rate peg	3.25%	2.5%	2.5%	2.5%	11.19%

The annual rate peg is the maximum percentage amount a council can increase its income from rates. This amount is set by IPART, to reflect the change in costs incurred by councils and is based on the changes in costs of a selection of goods and services that NSW councils purchase. The calculation to determine the percentage considers cost trends over the past year to inform the rate peg for the next financial year. Therefore, the 2023-24 rate peg will be based on cost increases experienced by councils in 2022-23. This year, annual inflation is currently projected to be approximately 5%. For the purposes of the modelling, Council has assumed a rate peg of 3.25% for 2023-24 to reflect this. Further details on these assumptions are outlined in Council's updated draft Long Term Financial Plan.

Taking into consideration these assumptions, and in order to fund the identified increase in services and improvement to the condition of its assets, as modelled in the LTFP "Growth Scenario", it has been calculated that Council requires an additional cumulative rate increase of 19.78% over and above the IPART rate peg.

This scenario includes a proposed new and permanent SRV from 2023-24 onwards to allow Council to:

- fund service improvements,
- maintain current service levels,
- increase funding for the renewal of infrastructure assets,
- ensure and improve financial sustainability,
- deliver key priorities in the Community Strategic Plan and Delivery Program, and
- reduce reliance on external grant funding for asset renewals.

This special variation would generate additional revenue of \$8.28 million over 4 years. This would specifically fund operational services listed in the following table which have an annual cost of \$4.98 million, with the balance funding of \$3.3 million being allocated to infrastructure renewal.

<b>Service Area</b>	<b>Purpose of service increase</b>	<b>Operational per year (\$000)</b>	<b>Capital per year (\$000)</b>
<b>Buildings and trade maintenance</b>	Increase maintenance and management of buildings	\$590	
<b>Cleansing operations for public areas</b>	Expand town centre cleaning and footpath sweeping	\$400	
<b>Community services</b>	Expansion of Community Development services	\$500	
<b>Environmental sustainability</b>	Enhanced biodiversity programs	\$155	
<b>Environmental sustainability</b>	Enhanced environmental sustainability services	\$130	
<b>Environmental sustainability</b>	Increase in funding to implement Climate Risk Strategy	\$120	
<b>Governance</b>	Increase in resources for Internal Audit, Risk and Governance	\$200	
<b>Information systems</b>	Renewal and systems expansion for Information Technology		\$250
<b>Other</b>	Business improvement programs - project management, systems and processes	\$400	
<b>Place Management</b>	Increase resources to deliver a Cultural Plan	\$150	
<b>Road maintenance services</b>	Expand Footpath Management program	\$220	
<b>Sports fields and golf courses/garden services and bushcare</b>	Increase resources for Open Space assets	\$670	
<b>Statutory planning</b>	Increase resources to reduce assessment times for Development Applications	\$300	
<b>Strategic planning</b>	Deliver commitments under State-led strategies (Rhodes and Parramatta Road corridor)	\$600	

<b>Strategic asset management</b>	Increased resources to renew assets including Roads, Footpaths and Seawalls		\$2,900
<b>Strategic asset management</b>	Increased resources to maintain and renew drainage assets	\$100	\$150
<b>Traffic and transport</b>	Increase resources for Strategic Traffic Management	\$200	
<b>Tree services</b>	Expand Tree Maintenance and Management service	\$245	
<b>Total</b>		<b>\$4,980</b>	<b>\$3,300</b>
<b>Grand Total</b>		<b>\$8,280</b>	

A break down of the proposed rate increase above the projected rate peg is provided in the following table:

	<b>2023/24</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>Cumulative</b>
<b>Permanent increase above the projected rate peg</b>	<b>12.24%</b>	<b>2.31%</b>	<b>2.19%</b>	<b>2.08%</b>	<b>19.78%</b>

In aggregate the LTFP 'Growth' scenario is reliant on a cumulative increase of 19.78% over and above the rate peg over four years, reflecting an overall increase, including rate peg of 32.52%

The following tables project the average rates for residents and businesses in the City of Canada Bay in 2026/27 should the SRV proceed, including a comparison to surrounding local councils. It should be noted that these projections assume application of the rate peg by the other councils and no Special Rate Variation over the course of the next four years by those councils.

**Average residential rates 2026-27**

Rank	Council	Avg rate (2026-27)
1	Hunters Hill	\$2,269.99
2	Burwood	\$1,573.19
3	Lane Cove	\$1,461.31
4	Inner West	\$1,419.96
<b>5</b>	<b>Canada Bay</b>	<b>\$1,357.48</b>
6	Ryde	\$1,239.46
7	Strathfield	\$943.18

**Average business rates 2026-27**

Rank	Council	Avg rate (2026-27)
1	Ryde	\$11,525.11
2	Burwood	\$7,536.94
3	Inner West	\$7,183.78
4	Strathfield	\$6,038.31
5	Lane Cove	\$5,466.53
<b>6</b>	<b>Canada Bay</b>	<b>\$4,299.72</b>
7	Hunters Hill	\$1,322.11

The projections clearly demonstrate that the proposed rate variation would maintain Council's relative rate level comparison to these councils.

Should Council wish to consider making application to the Minister for Local Government for a Special Rate Variation, extensive community engagement would be undertaken over the coming months, with that community engagement outlined later in this report.

Irrespective of the outcome of Council's consideration of the proposed SRV, the significant changes to assumptions resulting from the impacts of recent shifts in the economic circumstances warrant that the updated draft Long Term Financial Plan be publicly exhibited.

### Rate Structure Review

#### Determine the appropriate level of the minimum rate.

A minimum rate is the minimum amount of a rate that can be levied on each parcel of land. As rates are calculated on unimproved land values, the difference between the rates calculated for a house and a unit can be very different, even though the costs of services that a council provides to each, and the capacity to pay for those services, might be similar.

The minimum rate must not exceed permissible limits provided in the Local Government Act and Regulations unless the Independent Pricing and Regulatory Tribunal (IPART) or the Minister for Local Government approves a higher amount.

As the City of Canada Bay continues to see a greater proportion of residential unit development, it is appropriate to consider the level of its minimum rates to ensure services can be extended to these new developments while not disproportionately increasing the rates burden to single house dwellings.



### Proposed increase to minimum rates

In response, and as a component of the modelling undertaken in relation to a possible SRV, an increase in the minimum of \$250 over and above the projected rate peg is proposed. The following table demonstrates the minimum rate SRV increases that would apply over the four years commencing 2023-24, noting that the minimum rate in 2022-23 is \$761.71.

*Table 1 Proposed minimum rate increase excluding rate peg*

Current Minimum Rate	2023-24	2024-25	2025-26	2026-27
\$761.61	\$250 increase over 4 years			
	\$93.22	\$52.26	\$52.26	\$52.26

For residents and businesses on the minimum rate, following the proposed Special Rate Variation and including the projected NSW Independent Pricing and Regulatory Tribunal annual rate peg, rates would increase by \$3.98 per week in 2023-24, and in the following years by \$0.77, \$0.79 and \$0.81 per week which equates to a cumulative increase of \$6.35 per week in total over four years including the projected rate peg.

The following table compares minimum rates for residences and businesses in the City of Canada Bay in 2026-27 should the SRV proceed against other councils with a minimum rate structure.

It should be noted that these projections assume application of the rate peg by the other councils and no Special Rate Variation over the course of the next four years by those councils.

#### Minimum residential rates 2026/27

Rank	Council	Avg rate (2026-27)
1	Burwood	\$1,203.05
2	Ryde	\$1,167.23
3	Ku-ring-gai	\$1,109.61
4	<b>Canada Bay</b>	<b>\$1,108.07</b>
5	Georges River	\$1,092.71
6	Sutherland	\$1,065.62
7	Lane Cove	\$1,053.34
8	Inner West	\$957.01

Again, these projections clearly demonstrate that the proposed minimum rate would position Council's rate in the mid-range level in comparison to these councils.

Additional and more detailed information on the proposed SRV is contained in the attached background paper prepared by MorrisonLow.

### **TIMING AND CONSULTATION CONSIDERATIONS**

In making an application for an SRV, Council must demonstrate that it has engaged the community about the possibility of an SRV and consider its views. Should Council resolve to undertake the community engagement, a detailed Community Engagement Plan will be developed with the aims of:

- Informing: to raise awareness and inform all stakeholder groups of the SRV being considered
- Consulting: to seek considered community feedback on the proposed SRV and draft LTFP to inform the Council in its final deliberations on a potential SRV application.

The Plan would include the following mechanisms:

- Media releases
- Translated news stories in local language papers
- E-mail/conventional mail out
- E-newsletter
- Collaborate Canada Bay page
- Reference materials for Council call centre and customer service teams
- Online and face-to-face forums
- Social media

It is proposed that the Community Engagement be undertaken from Monday 5 September until Monday 17<sup>th</sup> October 2022. Following that process, a report on the Community Engagement and feedback received would be prepared and submitted to the Council meeting on 15 November 2022.

It should be noted that IPART seeks community feedback separate from those processes and mechanism undertaken by councils, with this typically undertaken in the subsequent February/March.

### **FINANCIAL CONSIDERATIONS**

The work necessary to be undertaken prior to any application for an SRV can be completed within existing staff resources and budget allocation. Consideration of the subsequent lodgement of an SRV application would be the subject of a further report to Council following the community engagement process. Approval of such application would have a financial impact as outlined in this report.

### **LEGISLATIVE AND POLICY CONSIDERATIONS**

The report recommends actions necessary to achieve compliance with the Local Government Act 1993 and Office of Local Government Guidelines should Council resolve to undertake Community Engagement/Public Exhibition on the proposed SRV and updated draft Long Term Financial Plan respectively.

**ITEM 11.4                   SIX MONTH REPORT ON PROGRESS JANUARY TO JUNE 2022****Reporting Manager   Corporate Planner****Attachments:           1.   Report on Progress January to June 2022** [↔](#)

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**RECOMMENDATION OF GENERAL MANAGER**

That the six-monthly Report on Progress for the period January to June 2022, attached to the report be received and noted.

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**PURPOSE**

The Local Government Act 1993 prescribes that the General Manager “must ensure that progress reports are provided to the Council, with respect to the principal activities detailed in the Delivery Program, at least every six months.” The submission of this report and attachments to Council satisfies that requirement.

**REPORT**

The Report on Progress attached to this report documents the status of the actions and projects contained in the Operational Plan 2021/22, following the six-monthly period of January to June 2022. This in turn reflects progress in achievement of Delivery Program commitments.

The report includes capital work highlights, performance measures for each service, and reporting on specific Operational Plan actions.

The Report on Progress ensures that both the Council and the community are kept informed of the activities that Council is undertaking to deliver its commitment towards achieving the community’s aspirations, as articulated in the Community Strategic Plan, YOUR future 2030. This progress report is the final one reporting against YOUR future 2030, as a new Community Strategic Plan has been adopted to apply from the commencement of the 2022/23 financial year.

**STRATEGIC DIRECTION**

This report supports YOUR future 2036 Outcome area:

Direction 5:       Civic Leadership

Goal CL 1:       Council is accountable, efficient, and ready to meet future challenges.

**FINANCIAL CONSIDERATIONS**

Council’s financial position against the Operational Plan is reported on a quarterly basis through separate reports.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

Council’s Report on Progress is prepared in accordance with the Local Government Act 1993 and the Office of Local Government’s Integrated Planning and Reporting Guidelines.

## ITEM 11.5 LOCAL GOVERNMENT NSW CONFERENCE 2022 - VOTING DELEGATES

Reporting Manager Manager Governance and Customer Services

Attachment LOCAL GOVERNMENT NSW CONFERENCE 2022 PROGRAM

RECOMM	23 OCTOBER	24 OCTOBER	25 OCTOBER	SOCIAL EVENTS	OPTIONAL	WORKSHOPS	
That Council accompany Government 25 October	12.15pm	Pre-booked bus transfers to Crowne Plaza Hunter Valley from selected hotels					Councillors, to at the Local to Tuesday
	12.30pm – 7.45pm	Galleria foyer (ground level) Registration desk operational					
PURPOSE To determine 2022.	1.30pm – 3.00pm	Semillon Room 1 (level 2) Workshop #1: Universal Urban Design and local government: creating welcoming, vibrant, safe and inclusive communities					V) Conference
	1.30pm – 3.00pm	Semillon Room 2 (level 2) Workshop #2: Creating Smart Places – How Your LGA can Benefit					
REPORT Conference The Local Tuesday 23	1.30pm – 3.00pm	Semillon Room 3 (level 2) Workshop #3: Managing Pests and weeds: Biosecurity and your council protecting the economy, environment and community					23 October to
	1.30pm – 3.00pm	Verdelho Room (level 2) Workshop #4: Building a new, resilient LG sector – Reset, Reshape and Resilience					
The confer opportunity help deter governmen the sector	2.45pm	Pre-book bus transfers to Crowne Plaza Hunter Valley from selected hotels					ng Council the motions which event for local shape the way
	3.00pm – 3.40pm	Trade Area (Exhibition Centre, ground level) Refreshment Break					
Council ha Council no Director Co	3.45pm – 3.50pm	Cabernet Merlot Room (ground level) Keynote sponsor introduction by <a href="#">TPG Telecom</a>					mended that l Manager and
	3.50pm – 4.40pm	Cabernet Merlot Room (ground level) Keynote address: John Brogden AM (Lifeline International)					
The registr on 24 Octo day at a co	4.45pm – 5.00pm	Cabernet Merlot Room (ground level) Presentation of the A.R. Bluett Awards by the Trustees					ference dinner the following
	5.00pm – 5.15pm	Cabernet Merlot Room (ground level) Official Opening LGNSW Conference					
Attached to Accommod	5.15pm – 7.45pm	Poolside, Crowne Plaza Hunter Valley President's Welcome Reception sponsored by <a href="#">Statewide Mutual</a> (featuring Hunter Valley food and wine)					
STRATEG	Pre-booked bus transfers from Crowne Plaza Hunter Valley to selected hotels						

This report supports YOUR future 2030 Outcome area:

Direction 5: Civic Leadership

Goal CL 1: Council is accountable, efficient, and ready to meet future challenges.

### FINANCIAL CONSIDERATIONS

The cost of attendance, travel and accommodation at this conference will be funded in accordance with the Council's Payment of Expenses and Provision of Facilities to Councillors Policy.

### LEGISLATIVE AND POLICY CONSIDERATIONS

Conference attendance is covered under the Payment of Expenses and Provision of Facilities to Councillors Policy.

23 OCTOBER	24 OCTOBER	25 OCTOBER	SOCIAL EVENTS	OPTIONAL	WORKSHOPS
	From 7.30am	<p><b>Pre-booked bus transfers to Crowne Plaza Hunter Valley from selected hotels</b></p> <p><b>Trade Area (Exhibition Centre, ground level)</b> <b>Light refreshments</b></p>			
	7.30am - 5.00pm	<p><b>Galleria foyer (ground level)</b> <b>Registration desk operational</b></p>			
	9.05am - 9.10am	<p><b>Cabernet Merlot Room (ground level)</b> Conference Introduction by <b>Scott Phillips</b>, Chief Executive, LGNSW</p>			
	9.10am - 9.15am	<p><b>Cabernet Merlot Room (ground level)</b> <b>Welcome to Country</b> on behalf of Metropolitan Local Aboriginal Land Council</p>			
	9.15am - 10.00am	<p><b>Cabernet Merlot Room (ground level)</b> <b>Opening of the Federal and State conferences, adoption of standing orders, business sessions and consideration of motions and conference business.</b> <b>Opening Address</b> by Cr Darriea Turley AM President, LGNSW Presentation of <b>financial reports</b> (Treasurer)</p>			
	10.00am	<p><b>Cabernet Merlot Room (ground level)</b> Demonstration of voting procedure. Commencement of consideration of motions and conference business</p>			
	10.55am - 11.00am	<p><b>Cabernet Merlot Room (ground level)</b> Presentation from <b>Cr Linda Scott</b>, President Australian Local Government Association (ALGA)</p>			
	11.00am	<p><b>Trade Area (Exhibition Centre, ground level)</b> <b>Refreshment break</b> with distinguished partner <a href="#">Transport For NSW</a></p>			
	11.30am - 11.35am	<p><b>Cabernet Merlot Room (ground level)</b> <b>Address by Premier Partner</b> <a href="#">nbn</a></p>			
	11.35am - 1.00pm	<p><b>Cabernet Merlot Room (ground level)</b> <b>Consideration of Conference Business (continued)</b></p>			
	1.00pm - 1.05pm	<p><b>Cabernet Merlot Room (ground level)</b> <b>Address</b> by Elite Sponsor <a href="#">StateCover Mutual</a></p>			
	1.05pm - 2.15pm	<p><b>Trade Area (Exhibition Centre, ground level)</b> <b>Lunch</b> with Elite Sponsor <a href="#">StateCover Mutual</a></p>			

1.05pm – 2.20pm	<p><b>Semillon Ballroom (level 2)</b>  <a href="#">StateCover Mutual</a> <b>Members' Lunch</b> – GMs and CEOs are invited to join StateCover Mutual for a member networking event</p>
2.20pm – 3.30pm	<p><b>Cabernet Merlot Room (ground level)</b>  <b>Consideration of Conference Business (continued)</b></p>
3.30pm – 4.00pm	<p><b>Trade Area (Exhibition Centre, ground level)</b>  <b>Refreshment Break</b> with Distinguished Partner <a href="#">Landcom</a></p>
4.00pm – 5.05pm	<p><b>Cabernet Merlot Room (ground level)</b>  <b>Consideration of Conference Business</b></p>
5.05pm – 5.35pm	<p><b>Trade Area (Exhibition Centre, ground level)</b>  <b>Networking</b></p>
5.15pm	<p><b>Pre-booked bus transfers from Crowne Plaza Hunter Valley to selected hotels</b></p>
6.30pm	<p><b>Pre-booked bus Transfers to Hope Estate Vineyards from selected hotels</b></p>
From 7.00pm	<p><b>Hope Estate Vineyards</b>  Local Government NSW <b>Conference Dinner and entertainment</b> with Elite Sponsor <a href="#">StateCover Mutual</a>. Presentation of <b>Local Government Service Awards</b></p>
10.30pm	<p><b>Pre-booked bus Transfers from Hope Estate Vineyards to selected hotels</b></p>

23 OCTOBER	24 OCTOBER	25 OCTOBER	SOCIAL EVENTS	OPTIONAL	WORKSHOPS
From 7.30am		<p><b>Galleria foyer (ground level)</b> Registration desk operational</p> <p>Pre-booked bus transfers to Crowne Plaza Hunter Valley from selected hotels</p> <p><b>Trade Area (Exhibition Centre, ground level)</b> Light refreshments</p>			
7.30am - 8.45am		<p><b>Semillon Ballroom (level 2)</b> Australian Local Government Women's Association (ALGWA NSW) Breakfast</p>			
9.00am - 10.00am		<p><b>Cabernet Merlot Room (ground level)</b> Housekeeping and introduction</p> <p>Keynote address followed by Q&amp;A - The Future of Local Government</p>			
10.00am - 10.05am		Address from Distinguished partner <a href="#">Transport For NSW</a>			
10.05am - 10.40am		<p><b>Trade Area (Exhibition Centre, ground level)</b> Refreshment break with Distinguished Partner <a href="#">Active Super</a></p>			
10.40am - 10.45am		Address from Distinguished partner <a href="#">Active Super</a>			
10.45am - 11.40am		<p><b>Cabernet Merlot Room (ground level)</b> Keynote address - Re-imagining Our Future Workforce with Simon Kuestenmacher, followed by case studies and Q&amp;A</p>			
11.40am - 11.45am		Address from Distinguished partner <a href="#">Landcom</a>			
11.45am - 12.45pm		<p><b>Cabernet Merlot Room (ground level)</b> Final Keynote Session - Crime Prevention in NSW</p>			
12.45pm - 1.00pm		<p><b>Cabernet Merlot Room (ground level)</b> Final remarks from <b>President LGNSW</b>, including Annual Conference 2023 announcement and Conference Close</p>			
1.00pm - 2.00pm		<p><b>Trade Area (Exhibition Centre, ground level)</b> Collect and go - lunch box style. Trade Exhibition closes at 2.00pm</p> <p>Pre-booked bus transfers from Crowne Plaza Hunter Valley to selected hotels</p>			



**President's Welcome Reception** **Poolside, Crowne Plaza Hunter valley**  
**23 October, 5.15pm to 7.45pm.** Featuring Hunter Valley Food and wine. Sponsored by [StateWide Mutual](#)  
 The President's Welcome Reception is included in your registration. Tickets for partners and extra guests of members can be purchased at time of registration.

**Conference Dinner** **Hope Estate Vineyards**  
**24 October, 7pm to 10.30pm.**  
 The conference dinner and entertainment is optional and tickets are \$250.00pp (inc GST). Pre-booked bus transfers from 6.30pm. Presentation of Local Government Service Awards will be made during the Conference Dinner. Sponsored by [StateWide Mutual](#)



**Conference Dinner** **Hope Estate Vineyards**  
**24 October, 7pm-10.30pm - \$250.00pp (inc GST).** Pre-booked bus transfers from 6.30pm. Will include presentation of Local Government Service Awards.

**StateCover Mutual Lunch** **Semillon Ballroom (level 2)**  
**24 October, 1.05pm to 2.20pm;** Exclusive to GMs and CEOs.  
 Sponsored by [StateCover Mutual](#)

**ALGWA Breakfast** **Semillon Ballroom Level 2**  
**25 October: Australian Local Government Women's Association (ALGWA NSW) Breakfast** from 7.30am - 8.45am. Cost is \$88.00pp (inc GST)



**1.30pm - 3.00pm** **Choose any one of the four workshop options**  
**Semillon Room 1 (level 2)**  
**Workshop #1:** Universal Urban Design and Local Government: Creating Welcoming, Vibrant, Safe and Inclusive Communities - \$99.00pp (inc GST).  
 Afternoon tea served in Exhibition Centre at conclusion of workshop.

**1.30pm - 3.00pm** **Semillon Room 2 (level 2)**  
**Workshop #2:** Smart Places - How Can Your LGA Benefit? \$99.00pp (inc GST).  
 Afternoon tea served in Exhibition Centre at conclusion of workshop.

**1.30pm - 3.00pm** **Semillon Room 3 (level 2)**  
**Workshop #3:** Managing Pests And Weeds: Biosecurity and Your Council Protecting The Economy, Environment and Community - \$99.00pp (inc GST).  
 Afternoon tea served in Exhibition Centre at conclusion of workshop.

**1.30pm - 3.00pm** **Verdelho Room (level 2)**  
**Workshop #4:** Building a new, resilient LG Sector, reset, reshape and resilience - \$99.00pp (inc GST).  
 Afternoon tea served in Exhibition Centre at conclusion of workshop.



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**ITEM 11.6 AMENDMENT TO NOVEMBER 2022 COUNCIL MEETING DATE****Reporting Manager** Manager Governance and Customer Services**Attachments:** Nil

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**RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY**

That the Council Meeting resolved to be held on Tuesday 8 November 2022 be rescheduled to Tuesday 15 November 2022.

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**PURPOSE**

To amend the November 2022 Council Meeting date.

**REPORT**

At its meeting on 1 November 2021, Council resolved its Council Meeting dates for the 2022 calendar year. The City of Canada Bay Council generally holds its meetings on the third Tuesday of the month.

The adoption of all dates for the 2022 calendar year took into account public holidays, and relevant conferences and events where the Mayor, Councillors and General Manager may typically attend. At the time the report was published and subsequently adopted, the Local Government NSW Annual Conference was slated to be held between 16-18 November 2022, conflicting with the general Council schedule.

The November 2022 Council Meeting was therefore scheduled to be held on the second Tuesday of November, being Tuesday 8 November 2022.

Since that time, it has been confirmed that the Local Government NSW Conference is being held between 23-25 October 2022, resulting in no requirement for the November 2022 meeting to be held out of Council's regular schedule.

It is therefore recommended that the November meeting be rescheduled to fall on the third Tuesday of November as per the regular cycle for Council, being 15 November 2022.

**STRATEGIC DIRECTION**

This report supports YOUR future 2036 Outcome area:

Direction 5: Civic Leadership

Goal CL 4: The City of Canada Bay community is well informed and eager to engage in issues and decisions that impact them.

**FINANCIAL CONSIDERATIONS**

There are no financial considerations associated with this report.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

In accordance with Section 4.1 of Council's Code of Meeting Practice, Council Meeting dates and any amendments to these dates must be made by resolution of Council.

**12 NOTICES OF MOTION****ITEM 12.1 NOTICE OF MOTION - 25TH ANNIVERSARY OF NSW APOLOGY TO STOLEN GENERATIONS**

Submitted by: Councillor Julia Little

*Note: At its meeting on 19<sup>th</sup> July 2022, following the receipt of an apology and the granting of leave of absence for Councillor Little, Council resolved to defer consideration of this Notice of Motion to this Ordinary Meeting of Council.*

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**MOTION**

That Council:

1. Seek information and engage with Wangal and local indigenous people through appropriate means, including but not exclusive to the indigenous Land Councils, existing community relationships and public records;
  2. Provide information to the community about the different historic Wangal sites in our local area through existing communication platforms;
  3. Seek advice during a workshop on the cost of the joint naming of important Indigenous sites in Canada Bay.
  4. Invite members of the Indigenous community to a Workshop to advise on meaningful ways our Council can support our indigenous members living in Canada Bay.
- 

**BACKGROUND FROM COUNCILLOR JULIA LITTLE**

On 18 June 1997 the former NSW Premier, the Honourable Bob Carr, made an unreserved apology to the Aboriginal people of NSW for the policies and practices that led to the removal of generations of Aboriginal children from their families. The Stolen Generations were Aboriginal infants and children forcibly removed from their families from the 1920's until 1969.

The Apology acknowledged the impact the previous NSW government policies and practices had on the children, their families and the subsequent generations of Aborigines.

On 7 June this year, the NSW Parliament marked the 25<sup>th</sup> Anniversary of the Apology.

Locally, Canada Bay Council acknowledges the land on which we meet as Wangal Land. As a Council, Indigenous policy includes elders officiating Welcome to Country ceremonies, our Acknowledgment to Country and more recently, incorporating First Nations history in our place naming and place making.

After enquiries as to any known Wangal Clan elders or relatives, I was informed that there are no known Wangal members.

**ITEM 12.2                    NOTICE OF MOTION - STAY ON DIVESTMENT OF COUNCIL PROPERTY**

Submitted by: Councillor Julia Little

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**MOTION**

That Council does not divest any Council property until the Commissioner delivers his report.

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**BACKGROUND FROM COUNCILLOR JULIA LITTLE**

The NSW ICAC has recently completed a public inquiry following Operation Tolosa.

The inquiry included examination of the sale of Council property.

Although the ICAC public inquiry is completed, the report from the Commissioner is yet to be delivered.

**ITEM 12.3                      NOTICE OF MOTION - CHRISTMAS CELEBRATIONS**

Submitted by: Councillor Andrew Ferguson

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**MOTION**

That:

1. Council supports in principle the installation of a Christmas tree at Concord West, preferably adjacent to or nearby Concord West Railway Station;
  2. A report on the feasibility of the proposal, including costs, be prepared and submitted to Council;
  3. The report referred to in 2 above be prepared following a Councillor Workshop on additional initiatives Council could take to celebrate Christmas across our LGA.
- 

**BACKGROUND FROM COUNCILLOR ANDREW FERGUSON**

Council recognises the importance of Christmas celebrations each year in our Council area. It is recognized these are probably the most important celebration universally enjoyed by local families and our local community.

Presently Council installs four Christmas trees in key locations in our Council area each year. Council would be aware that some residents of Concord West/North Strathfield have appealed for the installation of a Christmas tree in their local neighbourhood, preferably adjacent to or nearby to the Concord West Railway Station. It is my view that this proposed site is ideal being high profile, and a tree installation there would be very well received by not just local businesses but more broadly by the local Concord West/North Strathfield community.

**ITEM 12.4                      NOTICE OF MOTION - CENTENARY CELEBRATIONS FOR NORTH STRATHFIELD PUBLIC SCHOOL**

Submitted by: Councillor Julia Little

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**MOTION**

That Council:

1. Send a letter acknowledging and congratulating the school community on the centenary year.
  2. Work with the school community to discuss ways Council may assist the school in its celebrations.
- 

**BACKGROUND FROM COUNCILLOR JULIA LITTLE**

Strathfield North Public School is celebrating its Centenary year.

The local primary school is one of the largest primary schools in Canada Bay and currently has an enrolment of 480 students.

Local schools are a very important part of our community, a place for people to meet, to learn and to contribute.

As my alma-mater, I have extremely fond memories of my time at Strathfield North Public school and continue to enjoy the life-long friendships that were fostered in Kindergarten.

I know that many changes have been made at the school but the core business remains the same- educating and caring for the next generation.

The Centenary is a wonderful milestone and it is an opportunity to acknowledge the work, effort and success of each member, staff and student, principal and parent, over the past 100 years.

Strathfield North Public School is organising a photo gallery of images on the perimeter fences of the school on 12 November this year, to highlight the and celebrate the 100 years of high quality education and community.

**ITEM 12.5 NOTICE OF MOTION - CONCORD HOSPITAL CAR PARK**

Submitted by: Councillor Julia Little

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**MOTION**

That Council:

1. Seek detailed designs and traffic studies from the NSW State Government and provide those details to the community.
  2. Traffic Committee review the plans to ensure the design will cover the increased population growth as outlined in our CSP and review the number of spaces allocated to health care workers in light of the wait list.
  3. Write to the NSW Health Minister seeking a commitment that the new car park will not be privatised.
- 

**BACKGROUND FROM COUNCILLOR JULIA LITTLE**

Recent community announcements have confirmed that a new multi-storey car park will be constructed at Concord Hospital.

It is said to cost \$32.4m and is part of the recent upgrades at Concord Hospital.

For many years, parking around Concord Hospital has been an issue for local residents, visitors, patients and health workers

In light of the unprecedented COVID pandemic, in particular, the COVID testing centres at the hospital, Council provided Lovedale Place, a public reserve, as free all-day parking for health workers. This is COVID specific measure and cannot be a long-term parking solution.

This raises the need to review the carpark plans to ensure the design will alleviate the pressure on surrounding neighbourhood streets, improve provision of staff parking and ample visitor parking.

To date, no details of the multistorey carpark have been provided to our community. The design, the location, the number of spaces, the additional capacity compared to predicted increase in service provision or indeed, population increase.

Investigations into longer term parking solutions for health workers at Concord Hospital revealed that staff parking is extremely limited and waiting lists for staff passes are extremely long. Further investigations revealed that this issue is not unique to Concord Hospital.

Coupled with this concern is the emerging pattern of newly constructed hospital car parks being privatised, leading to increased parking fees for everyone, visitors and health workers alike.

If carparks are profitable enough for private companies, surely they are profitable enough to remain in public hands.

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**ITEM 12.6 NOTICE OF MOTION - SUPPORT FOR DOMESTIC VIOLENCE VICTIMS**

Submitted by: Councillor Julia Little  
Councillor Stephanie Di Pasqua

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**MOTION**

That:

1. Council contact Escabags for details on pick-up and drop-off locations and discuss potential locations in the Canada Bay area.
  2. A report be brought to a Councillor Workshop on the most effective ways Council can support this initiative, including but not limited to, promoting pick-up and drop-off locations in our area and publish the contact information of the charity on Council platforms.
- 

**BACKGROUND FROM COUNCILLORS JULIA LITTLE AND STEPHANIE DI PASQUA**

At the 25th Ferragosto Ball, attendees heard the story of a brave domestic violence survivor, Stacy Jane.

Stacy spoke about her personal experience and the journey she took to leave an abusive relationship and start a new life.

It is an incredible story of an Australian family recognising the signs of an abusive relationship and offering to help this young woman they did not know.

Leaving her home country of England, she found safety and love in her adopted Australian family.

During time spent in women's shelters, Stacy learnt to sew. As she made bag after bag, she thought about the ways in which she could help other domestic violence survivors.

This led to Escabags, a charity that provides victims with an escape bag. It contains many essentials such as shampoo, conditioner, deodorant, toothpaste and sanitary items.

Stacy proudly quotes 6,000 bags have already been provided to women in need.

Her initial mission statement included a pick-up point in every suburb in Australia.

Moved by her incredible story and charity work, Cr Di Pasqua and I discussed how we could support and promote this charity in Canada Bay, either providing pick-up points at community centres or promoting all locations designated for pick-up.

We spoke with Stacy who advised that pick-up points can be any place a woman feels safe attending.

We note Club Five Dock has already nominated to be a pick-up point for Escabags.

Escabags are always looking for donations, big or small and some pick-up locations have drop-off bins for donation of specific items, too.

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**ITEM 12.7 NOTICE OF MOTION - POLITICAL STALLS AT COUNCIL EVENTS**

Submitted by: Councillor Charles Jago

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**MOTION**

That Council:

1. On page 10 of its Community Event Policy as most recently adopted on 28/4/2020, removes the section entitled “Political advertising” and replaces it with the following:  
Additional conditions applicable to political stall holders
    - Political stall holders in any Council event may not distribute political materials from any location except within their assigned stall.
    - Political stall holders in any Council event may attach signage on the outside of their stall but may not place it in any location separate to the stall.
  2. Exhibits the revised policy in the community for a period of 28 days and returns it to Council adoption.
- 

**BACKGROUND FROM COUNCILLOR CHARLES JAGO*****Stalls and political promotion***

For nearly twenty years, Council has banned political parties from booking stalls at Council events such as Concord Carnival and Ferragosto. Council’s Community Event Policy (updated in 2020) states:

**“Political advertising”**

Political advertising is not permitted at any City of Canada Bay events. This includes but is not limited to:

- Stalls held by any political parties
- Electoral candidates, councillors or members of parliament or third party organisations promoting political parties or campaigns through flyers, posters or items of clothing.”

Political advertising normally refers to placing advertisements in publications such as a newspaper, or on radio, TV or digital publications including social media. This policy is not actually about political advertising. Rather, the policy bans stalls and any other contact by political parties with the public including distribution of flyers, posters or items of clothing at council events.

Critically, the policy does not provide a reason for the ban; there is no stated explanation for it. Although Burwood and Strathfield apparently have similar policies, this policy is rare. Most councils – including City of Sydney, Inner West Council and others – operate quite well without any political restriction on their public events.

These events, while organised by Council, are fundamentally an opportunity for people to gather from all parts of the community. People go to meet their friends, eat food they don’t have to cook themselves and find out what is happening in the community. The events often include Council stalls which have an educational component about activities undertaken by Council, as well as other interesting stalls with new products and ideas.



In 1992, the High Court found that Australians have an implied right of freedom of political communication. Of course, governments regulate aspects of our political life. But Council's existing policy does not regulate political expression in our public events – it indiscriminately bans all political expression without exception. The policy not only bans political parties from Council events, but also all campaigns by third party organisations without limitation.

In my view, this policy represents a denial of people's rights to be informed and involved in community issues. It also blocks the ability of political organisations and advocacy groups to raise important issues. Within the limits of respectful communication which apply to everybody attending a community event, political organisations should be able to express their views. Residents have a right to be able to access information about political views and meet possible candidates at community events. Equally, if residents are not interested, they can simply ignore these stalls.

The policy is extreme. As written, it bans not just political parties but any group with any campaign at all. Any issue at all from any group such as a Mortlake group recently talking about traffic problems, people talking about overdevelopment in Council's plan for Majors Bay Reserve, discussion about flooding in Concord West or broader issues like climate change or animal rights and so on – all are banned.

For a council that puts a great deal of effort into community consultation, it is completely out of step to have a policy with a main effect of limiting community expression. In practice, Council's current policy allows virtually any kind of commerce in event stalls, but nothing that raises public issues, either locally or more broadly. This policy thus defines the residents attending our events as consumers not citizens.

It must be acknowledged that some organisations with views that a majority of the community would disagree with may then book stalls, including some that many people would call racist or otherwise objectionable. Yet nevertheless it is not the role of Council to attempt to create some "sanitised" version of community, treating citizens like children. Such a stance is totally undemocratic. It also follows that the decision to allow political and advocacy organisations to have a stall at Council-run events does not imply and should not be seen as Council support for any political view.

It is important to note that the push to "sanitize" public events by removing politics does not actually remove politics, but in fact reinforces the status quo. It pushes resistance and innovation to the margins of the community – literally out of the public square and onto the street. It characterises those with a different point of view as somehow separate to the community. Most importantly, it denies the expression of alternative points of view.

It may be suggested that political parties are out of place in local government. However, this does not fit with the fact that Canada Bay Council currently has no independent councillors – all are members of political parties, including the Mayor's "Our Local Community" party. Further, stalls might be promoting candidates for a state or federal election, for which our area is represented entirely by members (or recent ex-members) of political parties, not independents. More generally, these community events are not about local government, but an opportunity for the community to gather and interact on their own terms.

While politics has positive and negative aspects, suppressing political expression will keep the local community in the dark on issues they may be concerned about, while blocking opportunities to raise them. Without the ban, the local community benefits from seeing a human face on politics and having the opportunity to raise and discuss issues.

Consequently, the ban on stalls and political expression should be removed. However, additional points which could be added to the [existing terms and conditions](#) to ensure that political participants stay within the bounds of their stalls could include:

- a) Political stall holders in any Council event may not distribute political materials from any location except within their assigned stall.
- b) Political stall holders in any Council event may attach signage on the outside of their stall, but may not place it in any location separate to the stall.

**13 NOTICES OF MOTION OF RESCISSION**

Nil

**14 MATTERS OF URGENCY**

Nil

**15 QUESTIONS WITH NOTICE**

Nil

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**16 CONFIDENTIAL MATTERS**

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**RECOMMENDATION**

That

1. Council moves into closed session to deal with the matters listed below, which are classified as confidential under section 10A(2) of the *Local Government Act, 1993* for the reasons specified:

**ITEM 16.1 BULK HOUSEHOLD TRIAL**

This matter is considered to be confidential under Section 10A(2) - (c) of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Further it is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure the optimum outcome for the community.

**ITEM 16.2 EXTENSION OF EXISTING LICENCE AGREEMENT - CINTRA PARK - WESTS TIGERS**

This matter is considered to be confidential under Section 10A(2) - (d) (i) of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Further it is considered that discussions of this matter in open Council would, on balance, be contrary to the public interest as it would prejudice Council's ability to secure the optimum outcome for the community.

2. Pursuant to section 10A(1), 10(2) and 10A(3) of the Local Government Act, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the Local Government Act.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the Local Government Act.
4. The resolutions made by the Council in Closed Session be made public after the conclusion of the closed session and such resolutions be recorded in the minutes of the Council meeting.

**BACKGROUND/DISCUSSION**

In accordance with section 10A(2) of the Act, Council may close part of its meeting to deal with business of the following kind:

- (a) Personnel matters concerning particular individuals (other than councillors).
- (b) Personal hardship of any resident or ratepayer.
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) Commercial information of a confidential nature that would, if disclosed:
  - (i) Prejudice the commercial position of a person who supplied it: or
  - (ii) Confer a commercial advantage on a competitor of Council;
  - (iii) Reveal a trade secret.

- (e) Information that would, if disclosed, prejudice the maintenance of law.
- (f) Matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440.

It is considered that the business listed in the recommendation is of a kind referred to in section 10A(2) of the Local Government Act 1993 and, under the provisions of the Act and the Local Government (General) Regulation 2021, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clauses 14.9–14.10 of the City of Canada Bay Code of Meeting Practice, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

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**17 CONFIDENTIAL RESOLUTIONS**

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In accordance with Part 14 of the Code of Meeting Practice, resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson as soon as practicable. The resolution must be recorded in the publicly available minutes of the meeting.

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