

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, 19 September 2023

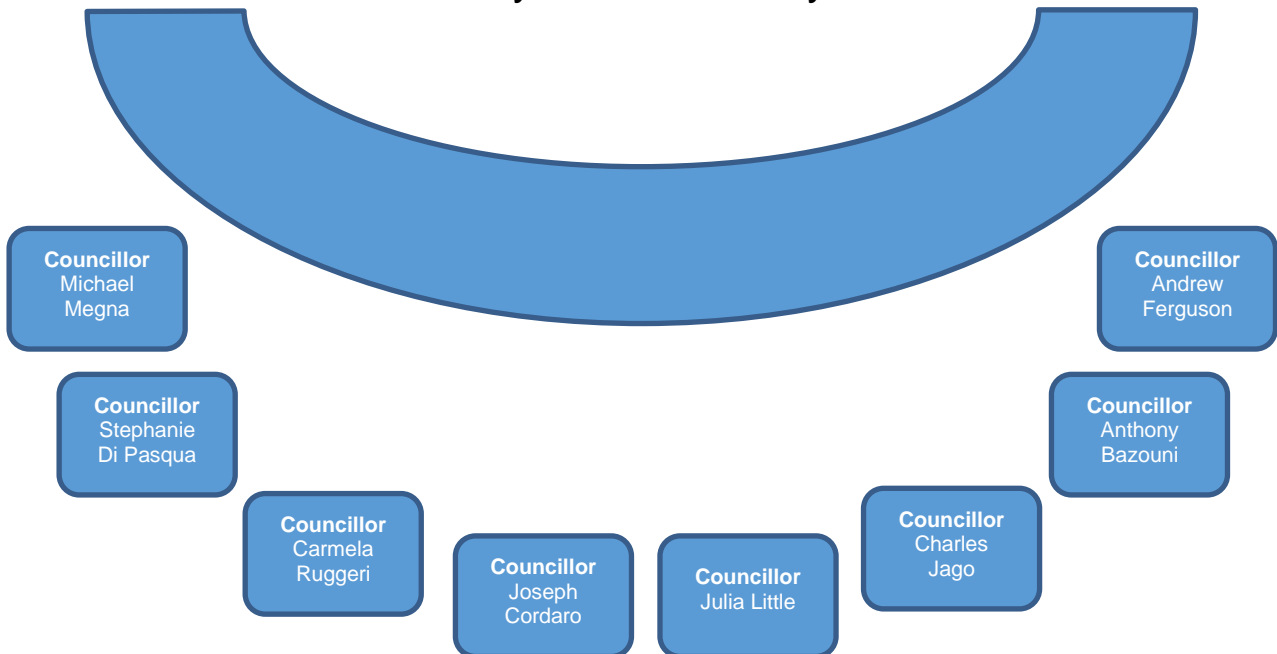
Beginning at 6.00pm for the purpose of considering and determining matters included in this agenda.



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.

**Agenda for an Ordinary Council Meeting
to be held on Tuesday 19 September 2023
at the Council Chambers, City of Canada Bay Civic Centre, Drummoyne
Commencing at 6.00pm**

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1 ACKNOWLEDGEMENT OF COUNTRY

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.

2 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

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.

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 15 AUGUST 2023

RECOMMENDATION

That the minutes of the Ordinary Council Meeting of 15 August 2023 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

4 DISCLOSURES OF INTERESTS

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.

5 MAYORAL MINUTE(S)

ITEM 5.1 MAYORAL MINUTE - CONCORD REPATRIATION GENERAL HOSPITAL COMMEMORATION FOR THE AHS CENTAUR AND VIETNAM VETERANS' DAY

Submitted by: Councillor Angelo Tsirekas (Mayor)

MOTION

That the Mayor write to the General Manager of Concord Repatriation General Hospital Joseph Jewitt, the NSW Minister for Health Ryan Park MP and the NSW Minister for Veterans Affairs Matt Keogh MP requesting that the annual commemorations for the sinking of the AHS Centaur and Vietnam Veterans' Day resume as soon as is practicable.

BACKGROUND

I would like to advise Council of a recent issue that has arisen regarding Concord Hospital and the commemorations for the sinking of the AHS Centaur and Vietnam Veterans' Day.

Our local Concord Repatriation General Hospital has a proud history – erected in 1941–1942 by the Department of the Army, it was first known as the Yaralla Military Hospital and the 113th Australian General Hospital.

It was designed to cater for the treatment of members of the armed forces and received its first patient in March 1941. Following the war, the hospital became a repatriation hospital for returned servicemen under the jurisdiction of the Federal Government. It welcomed general community patients in 1974 and was ultimately transferred to the NSW Department of Health as a public hospital and renamed Concord Repatriation General Hospital.

The hospital features three memorials to our servicemen and women, including a very special stained-glass window adjacent to the main entrance of the hospital commemorating the sinking of the Australian Hospital Ship Centaur in 1943, one of our nation's greatest wartime tragedies and one very important to the Hospital's history.

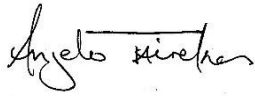
On Friday, 14 May 1943 the AHS Centaur was struck without warning at approximately 4am by a torpedo from a Japanese submarine off the coast of Stradbroke Island. The ship was carrying 257 military personnel including 65 medical staff with some from the 113th Australian General Hospital, now Concord Hospital, and 192 members of the 2/12 Australian Army Field Ambulance. Of those on board, only 64 survived.

The sinking of the Centaur resulted in the loss of many Australian medical personnel, including doctors, nurses and orderlies who were dedicated to providing care to wounded soldiers and civilians at a crucial time in our nation's history.

Recently I have received correspondence from local nurses and veterans expressing their dismay that Concord Hospital has made the decision to cancel its annual commemoration of the sinking of the AHS Centaur in addition to the commemoration of Vietnam Veterans' Day.

I believe that Concord Hospital, with its proud history and significance to our military efforts, should take steps to resume these important commemorations and provide the opportunity for our local community and the wider military community to celebrate the lives and contribution of those who lost their lives.

I ask for Council's support in advocating on this matter to the Hospital General Manager, the NSW Minister for Health and the NSW Minister for Veterans Affairs.



Angelo Tsirekas

MAYOR

ITEM 5.2 MAYORAL MINUTE - SECURING THE FUTURE OF FERRAGOSTO IN FIVE DOCK

Submitted by: Councillor Angelo Tsirekas (Mayor)

MOTION

That the Mayor write to the Federal Minister for Immigration, Citizenship and Multicultural Affairs, Andrew Giles MP, the Member for Reid Sally Sitou MP, the NSW Treasurer Daniel Mookhey, the NSW Minister for Multiculturalism Steve Kamper MP, Member for Drummoyne Stephanie Di Pasqua MP and the CEO of Multicultural NSW Joseph La Posta requesting funding commitment from the Federal and State Government to supplement Council's investment in Sydney's most important celebration of Italian culture and contribution.

BACKGROUND

I would like to thank everyone who contributed to this year's hugely successful Ferragosto festival which was held last month. From local Five Dock businesses to our wonderful sponsors and of course to Council staff who do a great job every year in delivering Sydney's largest celebration of Italian culture.

This year's festival was bigger and better than ever with new stages, new culinary activations and more attendees. I thank our local Federal Member for Reid for celebrating the festival at Federal Parliament:

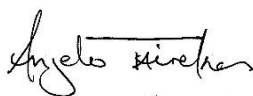
"Last month, on 20 August, more than 150,000 people came to Five Dock to take part in Ferragosto, one of Sydney's most loved festivals. It was started in 1998 with just a few stores in a car park, and it has grown to become one of the premier festivals on our calendar."

Indeed, while the growth of the festival is something that Council and all of our stakeholders can be very proud of, the festival's expansion and ongoing success has created challenges that we must confront to ensure that our Ferragosto celebration can be enjoyed every year in Five Dock.

Costs for the festival have increased significantly in the past few years as the festival has grown. Costs for security and policing as well staging equipment and activations have ballooned and Council must look to ensure the festival is financially secure.

Our events and marketing team have already begun work on sponsorship for 2024 and beyond – but for the festival to be financially viable into the future this support must be supplemented with support from the Federal and State Governments. The NSW Government has been a generous supporter of the festival in the past, however our current funding agreement has come to an end.

I ask for Council's support in seeking renewed commitment from the NSW Government and also funding from the Federal Government to ensure we can bring this vital cultural celebration to life in the years to come.



Angelo Tsirekas

MAYOR

6 PUBLIC FORUM

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).

7 ITEMS RESOLVED BY EXCEPTION

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.

8 EXECUTIVE SERVICES DIRECTORATE REPORTS

ITEM 8.1 ELECTION OF DEPUTY MAYOR

Reporting Manager General Manager

Attachments: 1. **Election of Deputy Mayor Nomination Form** [↓](#)

RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That Council:

1. Elect a Deputy Mayor to hold office through to September 2024.
 2. Note the procedure for the election of a Deputy Mayor by Councillors in accordance with Schedule 7 of the Local Government (General) Regulation 2021.
 3. Determines the method of voting for the election of a Deputy Mayor to be the open voting method, if more than one councillor is nominated.
-

PURPOSE

For Council to elect a Deputy Mayor for the period to September 2024.

REPORT

At its meeting on 20 September 2022 an election for the position of Deputy Mayor was conducted with Councillor Stephanie Di Pasqua declared elected as Deputy Mayor through to September 2023, unopposed.

Council is now required to conduct an election for the position of Deputy Mayor for the period to September 2024.

Before conducting an election, Council is required to determine the method of voting it wishes to use for the election. If more than one nomination is received, the method of voting can be either by open voting method, ordinary ballot method or preferential ballot method.

This report recommends that the open voting method be used.

The procedure for election is as outlined in Schedule 7 of the Local Government (General) Regulation 2021 and is summarised below.

1. The Returning Officer will announce the names of the candidates for whom nomination forms have been received.
2. The Returning Officer will then ask if there are any other nominations.
3. If there is only one (1) councillor nominated, the Returning Officer shall declare that councillor to be elected.
4. If there is more than one (1) councillor nominated, the Returning Officer shall advise the Council that it must resolve whether the election will be by:
 - Open Voting (show of hands)
 - Ordinary Ballot
 - Preferential ballot
5. Once the Council resolves the form of election, the Returning Officer shall conduct the election in accordance with the procedures outlined in the schedule.

Copies of nomination forms have been circulated under separate cover.

STRATEGIC DIRECTION

This report supports Our 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

Section 231 of the Local Government Act states the requirement for election for the position of Deputy Mayor. The procedure for this election is outlined in Schedule 7 of the Local Government (General) Regulation 2021.

**ELECTION OF DEPUTY MAYOR
NOMINATION FORM****We, the undersigned, nominate:**Councillor

For the position of Deputy Mayor

Signed:

<input data-bbox="810 801 1374 862" type="text"/>	
<input data-bbox="810 862 1374 922" type="text"/>	
Date:	<input data-bbox="943 922 1374 976" type="text"/>

I consent to the nomination for the position of Deputy Mayor

Signed:

Date:

Nomination Procedure

1. A Councillor may be nominated without notice for election as Deputy Mayor.
2. The nomination is to be made in writing by 2 or more Councillors, (one of whom may be the nominee). The nomination is not valid unless the nominee had indicated consent to the nomination in writing.
3. The nomination is to be delivered or sent to the Returning Officer.
4. The Returning Officer is to announce the names of the nominees at the Council Meeting at which the election is to be held.

9 ENVIRONMENT AND PLANNING DIRECTORATE REPORTS

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

Reporting Manager Manager Statutory Planning

Attachments: Nil

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND 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 August 2023 and 31 August 2023.

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 30 August 2023

The following applications were listed for consideration at the CBLPP meeting held on 30 August 2023:

- DA2023/0006 – 91- 93 Parramatta Road - Demolition of existing buildings and construction of a self-storage facility – *approved subject to conditions.*
- MOD2022/0170 – 3 Arcadia Avenue, Drummoyne - Major modifications including new second basement level, moving the pool into the basement changes to floor plan design, layouts, fenestration size and location, landscaping and roof – *approved subject to conditions.*
- DA2023/0033 – Timbrell Park – 18P Henley Marine Drive, Five Dock – Demolition of an existing kiosk and construction of a new café and outdoor seating – *approved subject to conditions.*
- DA2023/0010 – 58 Burns Crescent, Chiswick - Demolition of existing dwelling and construction or a new multi storey dwelling, with basement parking, swimming pool and associated landscape works – *refused as per Recommendation.*

- DA2023/0155 – 50 Burns Crescent, Chiswick – Proposed two lot subdivision of existing dual occupancy – *approved subject to conditions*.

Items for CBLPP Meeting on 27 September 2023

The following applications are listed for consideration at the CBLPP meeting to be held on 27 September 2023:

- DA2022/0294 - 34 Walker Street Rhodes - Use of the ground level tenancy on the north-east corner of the site for a pub with gaming area. Internal fit out and external façade treatment works to facilitate the pub. Inclusion of six signage zones. Hours of operation 10.30am to midnight (7 days a week). Maximum patron capacity 140 (excluding 29 staff and security).
- DA2021/0193 – 104 Victoria Road Drummoyne - Demolition of existing single storey structures and construction of a 4 storey mixed use building comprising 11 boarding house rooms, a manager's dwelling, and a cafe at ground level with basement storage.
- DA2021/0298 – 184-190 Victoria Road Drummoyne - Demolition of existing buildings on 4 titles, maintaining the facades to 3 titles. Erection of a mixed-use building with ground floor shops to street, and four levels with 35 boarding house rooms.

Development Applications – Determined

The following Development Applications have been determined by staff under delegation between 1 August 2023 and 31 August 2023:

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2021/0319	18.11.2021	1 Tulloch Avenue, Concord West	Proposed alterations and first floor addition to single dwelling, construction of detached garage and inground swimming pool	Approved 01.08.2023
DA2023/0012	27.02.2023	6 Tranmere Street, Drummoyne	Alterations and additions to existing dwelling	Approved 01.08.2023
DA2022/0305	07.11.2022	1 Potter Street, Russell Lea	Demolition of existing structures and construction of a two storey dwelling with pool	Approved 02.08.2023
DA2023/0161	28.07.2023	19-19A Roseby Street, Drummoyne	Fitout of existing retail shop 'Asics'	Approved 02.08.2023
DA2023/0165	01.08.2023	19-19A Roseby Street, Drummoyne	Fit out of Shop 11 as 'Lindt' Retail Store	Approved 02.08.2023
DA2023/0156	26.07.2023	19-19A Roseby Street, Drummoyne	Refurbishment of existing Nextra Newsagency within Birkenhead Point Shopping Centre	Approved 02.08.2023
DA2023/0050	14.03.2023	42 Therry Street, Drummoyne	Installation of replacement driveway/hard stand forward of building alignment	Approved 04.08.2023

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2023/0159	25.07.2023	19-19A Roseby Street, Drummoyne	Proposed fit-out for Shop 73 for Levi's	Approved 04.08.2023
DA2023/0121	15.06.2023	1F Homebush Drive, Rhodes	Proposed identification signage for incoming tenant Chery Motor Australia	Approved 04.08.2023
DA2023/0109	06.06.2023	35 Newcastle Street, Five Dock	First floor addition and alteration to an existing residence	Approved 04.08.2023
DA2023/0112	09.06.2023	1 Rider Boulevard, Rhodes	Proposal for a dissolved air floatation plant (DAF) which is required to support the operational needs of Rhodes Waterside, at 1 Rider Boulevard, Rhodes	Approved 07.08.2023
DA2023/0152	19.07.2023	1 Rider Boulevard, Rhodes	The installation of an external fire sprinkler pipe to the southern façade and installation of cladding around the external fire sprinkler pipe of complementary materiality to the existing development	Approved 07.08.2023
DA2022/0187	05.07.2022	4 Marceau Drive, Concord	Demolition of existing structures and construction of an attached dual occupancy with strata subdivision	Approved 07.08.2023
DA2023/0103	31.05.2023	12 Bayswater Street, Drummoyne	Rear addition to the ground floor including new bathroom/laundry and kitchen	Approved 11.08.2023
DA2023/0111	13.06.2023	22 Edward Street, Concord	Ground floor alterations and first floor addition to existing dwelling	Approved 11.08.2023
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	Approved 11.08.2023
DA2023/0047	07.03.2023	89 Cabarita Road, Cabarita	Demolition of Existing Building and Construction of a two storey Dwelling with Basement and Swimming Pool	Approved 11.08.2023

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2022/0241	23.08.2022	10 Udall Avenue, Five Dock	Construction of a two storey dwelling and removal of trees	Approved 11.08.2023
DA2023/0172	11.08.2023	19-19A Roseby Street, Drummoyne	Fitout of existing tenancy; Shop 314 for 'Adventure Megastore'	Approved 16.08.2023
DA2023/0074	13.04.2023	39 Byrne Avenue, Russell Lea	Demolition of existing dwelling and construction of a new attached dual occupancy with basement parking	Refused 18.08.2023
DA2023/0067	04.04.2023	23 Potter Street, Russell Lea	Proposed demolition of existing single level rear extension and construction of new single level rear extension including minor internal modifications to existing dwelling	Approved 18.08.2023
DA2023/0143	10.07.2023	23 Bay Road, Russell Lea	Replacement of dilapidated retaining walls towards street pedestrian footpath and construction of a concrete footpath and stairs	Approved 22.08.2023
DA2022/0347	15.12.2022	62 Clements Street, Russell Lea	Demolition of existing structure and construction of an attached dual occupancy with basement parking	Approved 24.08.2023
DA2023/0131	28.06.2023	12 Argonne Street, North Strathfield	Construction of a Secondary Dwelling	Approved 25.08.2023
DA2023/0016	16.02.2023	6 Curtin Avenue, Abbotsford	Demolition of existing structures and construction of a two storey dual occupancy with basement parking and swimming pool and Strata title subdivision	Approved 29.08.2023
DA2023/0142	14.07.2023	48 Empire Avenue, Concord	Demolish existing single garage and shed. Erect new double garage.	Approved 30.08.2023
DA2023/0155	21.07.2023	50 Burns Crescent, Chiswick	Proposed two lot subdivision of existing dual occupancy	Approved – LPP 30.08.2023
DA2023/0010	03.02.2023	58 Burns Crescent, Chiswick	Demolition of existing dwelling and construction of a new multi storey dwelling, with basement parking, swimming	Refused – LPP 30.08.2023

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
			pool and associated landscape works.	
DA2023/0006	30.01.2023	93 Parramatta Road, Concord	Demolition of existing buildings and construction of a self-storage facility	Approved – LPP 30.08.2023
DA2023/0033	22.02.2023	Timbrell Park, 18P Henley Marine Drive, Five Dock	Demolition of an existing kiosk and construction of a new café with outdoor seating	Approved – LPP 30.08.2023
DA2023/0126	21.06.2023	5 Rider Boulevard, Rhodes	Change of use for Unit 2 on the ground-floor level to a 24/7 “Recreation Facility – Indoor”, including internal fit-out for the proposed purpose, installation of a new entry doorway and associated business identification signage	Approved 31.08.2023

Total Number of DAs Determined = 31

Development Applications - Lodged

The following Development Applications were lodged with Council during the same period, 1 August 2023 and 31 August 2023:

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2023/0165	01.08.2023	19-19A Roseby Street, Drummoyne	Fit out of Shop 11 as 'Lindt' Retail Store
DA2023/0163	01.08.2023	54 College Street, Drummoyne	Tree pruning of Jacaranda on No. 52 College Street and removal of Bottle Brush in rear yard of 54 College Street
DA2023/0164	02.08.2023	69 Kings Road, Five Dock	Demolition of existing dwelling and garage and proposal of a two-storey dwelling with associated landscaping
DA2023/0166	03.08.2023	22 Excelsior Street, Concord	Removal of deck and proposed inground swimming pool
DA2023/0167	04.08.2023	21 Tavistock Street, Drummoyne	Alterations and Additions to dwelling including extension and second storey addition to the rear
DA2023/0158	07.08.2023	444 Concord Road, Rhodes	Proposed integrated development including excavation and construction of a mixed use development. Mixed used development consists of a podium and 285 residential apartments, a medical centre, childcare centre and commercial and retail tenancies,

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
			with associated landscaping and 5 levels of basement car parking
DA2023/0168	08.08.2023	53 Burnell Street, Russell Lea	Demolition of existing dwelling and construction of a new dwelling house with associated landscaping
DA2023/0169	09.08.2023	River Quays Marina, 140 Tennyson Road, Mortlake	Proposed alterations and additions to, and a general reconfiguration of, the approved basement levels of the residential flat building approved on the subject property to ensure that the basement geometry is capable of accommodating car parking associated with any existing and proposed commercial marina
DA2023/0172	11.08.2023	19-19A Roseby Street, Drummoyne	Fitout of existing tenancy; Shop 314 for 'Adventure Megastore'
DA2023/0170	15.08.2023	9 Durham Street, Concord	Alterations and additions to existing dwelling including partial demolition, external walls changes, new attached garage and above open space, and additional rooms
DA2023/0174	18.08.2023	3 Mary Street, Rhodes	Change of use of the residential premises to commercial use as beauty salon operating from 10am to 5pm Monday to Friday. No structural or renovation works are planned as part of this transition
DA2023/0173	21.08.2023	74 Wilga Street, Concord West	Demolition of existing rear extensions and proposed two storey rear additions with swimming pool
DA2023/0175	21.08.2023	118 Ingham Avenue, Five Dock	Alterations to an existing dwelling including first floor addition and rear ground floor extension
DA2023/0176	22.08.2023	3 Creewood Street, Concord	Construction of an in ground swimming pool
DA2023/0177	23.08.2023	River Quays Marina, 140 Tennyson Road, Mortlake	Proposed integrated development including the redevelopment of an existing commercial marina, to provide permanent berthing for 23 vessels, and additional public areas, marina office and kiosk
DA2023/0171	24.08.2023	28 Edwin Street, Mortlake	Additions and alterations to existing strata title townhouse including extension to rear, replacement of balustrades of the front balconies, and amendment of rear landscaping
DA2023/0178	24.08.2023	34 Walker Street, Rhodes	Fit-out and use of part of Level 01 (ground floor) of 34 Walker Street, Rhodes as a

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
			centre-based childcare centre (including trading hours)
DA2023/0179	28.08.2023	29 Stanley Street, Concord	Demolition of existing garage and construction of new double garage
DA2023/0182	28.08.2023	52 Thompson Street, Drummoyne	Proposed LED sign for Drummoyne Public School
DA2023/0180	29.08.2023	13/339-343 Victoria Place, Drummoyne	Pruning of 3 trees and removal of 1 tree for a heritage property
DA2023/0181	30.08.2023	1-9 Mary Street, Rhodes	Integrated development including demolition of the existing buildings, construction of a 32 storey mixed use development comprising 214 apartments. Application also includes associated basement carparking, landscaping and stratum subdivision.

Total Number of DAs Lodged = 21

Variations to development standards

There were three variations 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 August 2023 and 31 August 2023:

DA NO	PROPERTY	LEP DEVELOPMENT STANDARD	JUSTIFICATION	EXTENT	DATE APPROVED
DA2022/0347	62 Clements Street, Russell lea	Minimum lot width, Clause 4.1A	The site is relatively unique in that it is irregularly shaped, shares a common boundary with a Council drainage reserve and the departure will not result in any environmental impact.	1.4m (10%)	24.08.2023
DA2023/0111	22 Edward Street, Concord	Building height, clause 4.3	Variation will not result in any impacts upon any neighbouring developments.	455mm (5.2%)	11.08.2023
DA2023/0155	50 Burns Crescent, Chiswick	Minimum lot size, Clause 4.1A	Result in lot sizes and subdivision pattern not dissimilar to immediate context.	99.9sqm (22.2%) 101.6sqm (22.58%)	30.08.2023

Land and Environment Court Appeals

The following provides an update on Land and Environment Court appeals as at 31 August 2023:

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
DA2021/0132	8 Drummoyne Avenue, Drummoyne	Class 1 appeal against the actual refusal of development application for alterations to an existing dwelling in a heritage conservation area including: upper storey addition, lower storey alterations, internal remodelling, alterations to garaging and associated works	No agreement reached at the conciliation conference held 27 and 28 July. Applicant is considering proposal and possible revisions. Matter relisted for 4 September 2023 with amended plans currently being considered.
DA2023/0064	30-34 Leicester Avenue, Strathfield	Class 1 appeal against the deemed refusal of development application for alterations and additions to existing DA2021/0089, comprising amendments to the unit mix, and addition of 3 levels to result in an 8-storey building comprising 58 residential apartments.	Matter listed for s34 conciliation conference on 14 September 2023
DA2022/0316	52-56 Ramsay Rad, Five Dock	Class 1 appeal against the deemed refusal of development application for the demolition of existing structures and construction of a new shop top housing development containing two basement levels, ground level commercial tenancies, 4 levels of residential apartments, and related landscaping.	Matter listed for s34 conciliation conference on 5 October 2023
DA2022/0351	37 Llewellyn Street, Rhodes	Class 1 appeal against the deemed refusal of development application to demolish a locally listed heritage item and remove select trees from the site	Matter listed for s34 conciliation hearing 13 November 2023
DA2023/0004	43 Dorking Road, Cabarita	Class 1 appeal against the deemed refusal of development application for the construction of a retaining wall and boundary fence between 43 and 45 Dorking Road	New appeal. Date of s34 conciliation hearing is yet to be set by the Court
DA2023/0031	56 Bowman Street, Drummoyne	Class 1 appeal against the actual refusal of development application for alterations and additions to a dwelling and the construction of a new dwelling	Matter listed for a s34 conciliation conference on 1 February 2024

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
		resulting in attached dual occupancy	

Of the above 6 listed matters before the Land and Environment Court, there are currently 6 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 LOCAL CHARACTER AREAS - UPDATE**Reporting Manager** Manager Strategic Planning**Attachments:** 1. Letter to Mayor of Canada Bay - PP to amend Codes SEPP - 17 July 2023 [↓](#)

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That Council note advice received from the Hon Paul Scully MP, Minister for Planning and Public Spaces, provided at Attachment 1.

PURPOSE

To provide advice received from the Hon Paul Scully MP, Minister for Planning and Public Spaces confirming that the Department of Planning and Environment (DPE) does not support local character, as a basis for any exclusion of areas from the application of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (the Codes SEPP).

EXECUTIVE SUMMARY

Council resolved to investigate options to protect the character of local places via an amendment to the Codes SEPP in October 2022. DPE subsequently confirmed that a planning proposal seeking to amend the Codes SEPP would not be supported. Council resolved to write to the Minister for Planning and Public Spaces expressing disappointment and requesting a review of the decision.

The Hon Paul Scully MP responded by confirming that the DPE does not support the protection of local character via Local Environmental Plans or State Environmental Planning Policies.

Arising from the position of the Minister for Planning and Public Spaces, there are no statutory pathways available to Council to protect local character from unsympathetic Complying Development other than to investigate the possibility of certain areas being identified as Heritage Conservation Areas.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

Goal VUL 1: Creative vibrant local village centres and community hubs

BACKGROUND/DISCUSSION

Council's Planning Proposal to introduce local character areas was refused by DPE in August of 2022, as DPE was no longer supportive of the protection of local character through Local Environmental Plans.

Alternative options to protect the character of local places were subsequently investigated, including whether an amendment to the Codes SEPP would be possible to respond to local circumstances relevant to the City of Canada Bay.

Council Officers met with staff from DPE to discuss variations to the Codes SEPP for Complying Development undertaken in the City of Canada Bay. The amendments would seek to update Schedule 3 of the SEPP to introduce certain design requirements that would apply to Complying Development (dwelling houses and dual occupancies) in select areas of the LGA. The requirements would be minor in nature and were not intended to impact on the development potential of the land. They could include, for example, a requirement for pitched roofs or the use of certain materials.

This approach would ensure new development in certain areas in the LGA that was undertaken as Complying Development is compatible with the Californian and Inter-War bungalow character of those areas, as many of the features of these localities are being eroded under the application of the Codes SEPP via CDC approvals.

On 27 February 2023, Council received a letter from DPE advising that a planning proposal seeking to amend the Codes SEPP would not be supported as “local variations in different LGAs across the state for design elements...is likely to put the Codes policy objectives at risk.”

On 18 April 2023, Council resolved to write to the Minister for Planning and Public Spaces, the Hon Paul Scully “*expressing Council’s disappointment with the decision and to request a review of the decision*”.

The Minister replied on 17 July 2023, reiterating earlier advice from DPE that the Department does not support the protection of local character via Local Environmental Plans or State Environmental Plans. The Minister encouraged Council to work with the Department to “*pilot how the inter-play between the public and private domain in the local character areas that Council has identified could be incorporated into Council’s DCP ... to have local character considered in development applications*”. A copy of the letter from the Minister is provided at Attachment 1.

The advice from the Minister, that the “*best way forward is for each council to use its DCP to have local character considered in development applications*”, is based on an incorrect premise. Whilst Development Control Plans (DCP) are able to influence the built form outcomes from development applications made under Council’s Local Environmental Plan, the DCP does not apply to Complying Development under the Codes SEPP. This would lead to an outcome where different properties in the same street would be subject to different development controls, thereby undermining the objective to ensure all sites consider the character of a locality. It would also be unsustainable in the longer term as Council would have difficulty in justifying the application of local character controls when a Development Application is submitted, when other buildings on the same street do not contribute to local character and were only recently approved through the issue of a Complying Development Certificate. As such, this option is not recommended.

There are no statutory pathways available to Council to protect local character from unsympathetic complying development other than to investigate the possibility of certain parts of these areas being listed as Heritage Conservation Areas (HCAs). HCAs and draft HCAs are exempt from application of the Codes SEPP.

FINANCIAL CONSIDERATIONS

Should Council wish to prepare a heritage study with the specific aim of creating additional conservation areas based on the local character area work undertaken to date, the cost of this work is estimated to be approximately \$200,000. There is currently no budget allocation for a heritage study in Council’s forward work program.

LEGISLATIVE AND POLICY CONSIDERATIONS

Should Council decide to pursue Heritage Conservation Areas as a way of protecting the character of certain areas, a study would first be required to confirm that identified precincts or streets meet the threshold for listing. A planning proposal and further community engagement would then occur prior to the *Canada Bay Local Environmental Plan 2013* being amended.

The Hon Paul Scully MP
Minister for Planning and Public Spaces



Ref: MDPE23/833

Councillor Angelo Tsirekas
Mayor
City of Canada Bay
Locked Bag 1470
Drummoyne NSW 1470
angelo.tsirekas@canadabay.nsw.gov.au

Dear Mayor *Angelo*

Thank you for your correspondence about Canada Bay Council's planning proposal (PP-2022-564) to introduce local character areas into the *City of Canada Bay Local Environment Plan 2013 (LEP)* and communication of the Department of Planning and Environment's (the Department) position on local character provision in LEPs.

I appreciate Council's commitment to conserving local character within its local government area. I also note Council's ongoing consultation with the Department on this issue.

As you would be aware, the Department decided on 24 August 2022 not to proceed with Council's planning proposal. The determination notes the Department does not support local character as a basis for any future exclusion of areas from the application of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (SEPP)*.

I am advised by the Department that consensus could not be reached on the introduction of a model clause for local character into the standard instrument LEP. As such, the best way forward is for each council to use its DCP to have local character considered in development applications.

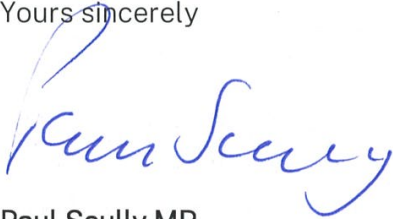
I understand the Department has offered to work with Council to pilot how the inter-play between the public and private domain in the local character areas that Council has identified could be incorporated into Council's DCP. I would encourage Council to take up this opportunity.

A letter to Council with this advice has also been made publicly available on the planning portal as part of the gateway determination for PP-2022-564.

Should you have any questions, Amanda Harvey, Executive Director, Metro East and South, at the Department can be contacted on 02 8275 1128.

Thank you for bringing this matter to the NSW Government's attention.

Yours sincerely



Paul Scully MP
Minister for Planning and Public Spaces

17/7/23

**ITEM 9.3 ELECTRIC VEHICLE CHARGING INFRASTRUCTURE POLICY (EVCI) -
POST EXHIBITION****Reporting Manager Manager Sustainability and Waste****Attachments: 1. Electric Vehicle Infrastructure Policy [↓](#)**

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That:

1. Council adopts the *Electric Vehicle Charging Infrastructure Policy*, attached to the report.
 2. In accordance with section 610F of the *Local Government Act 1993*, the proposed new application fee of \$1,000 for Occupation of Public Space for EV Infrastructure be placed on public exhibition for a 28-day period.
 3. Following the public exhibition referred to in 2 above, a further report be prepared and submitted to Council on any submissions received.
 4. In the event that no submissions are received, the further not be prepared and the new fee become effective immediately.
-

PURPOSE

To seek adoption of a policy framework for electric vehicle charging infrastructure (EVCI) on public land. The report also recommends that an application fee for EVCI proposed on public land, and that this proposed fee (\$1000) for Occupation of Public Space for EV Infrastructure be placed on public exhibition for a 28-day period.

EXECUTIVE SUMMARY

The *Electric Vehicle Charging Infrastructure Policy* (EVCI Policy) attached to this report sets out Council's proposed role in regulating and evaluating the installation of Electric Vehicle (EV) infrastructure on public land.

The draft EVCI Policy was on public exhibition from 22 June to 19 July 2023. Council received three (3) responses via the Collaborate Survey. Feedback was positive and constructive. Minor revisions, listed below, have been made to the draft Strategy post-exhibition to address the feedback.

The draft Policy outlines that any installation of EVCI on Council land will require an agreement to be negotiated with Council. The draft EVCI Policy requires anyone planning to install EVCI on Council property to notify Council as early as possible before installation. This will enable Council to advise on site suitability, parking, leasing/licensing requirements and alignment with Council's *EV Strategy and Action Plan* (recently adopted). EVCI installers must establish an agreement with Council where applicable (for example a lease, licence or other form of contract), which may include fees and/or charges pursuant to the *Local Government Act 1993*.

Council reserves the right to charge appropriate fees for the use of public land, such as the proposed application fee, a fee for allocation of car park spaces, and commercial revenue derived from the associated advertising at approved locations.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 1: Connected Community

Goal CC 4: Promote a community where residents feel safe and enjoy good health

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

- Direction 3: Vibrant Urban Living
- Goal VUL 1: Creative vibrant local village centres and community hubs
- Goal VUL 3: Promote the City as an attractive, welcoming place to do business
- Goal VUL 4: Ensure the built environment respect the unique neighbourhood character and responds deftly to evolving community needs

BACKGROUND/DISCUSSION

The draft Policy supports residents and the emerging industry of EV charging service providers by defining the process they need to follow when seeking to install EVCI on Council property. This Policy supports Council in implementing its *Electric Vehicle (EV) Charging Strategy and Action Plan* (Strategy) adopted in June 2023.

Transport NSW registration data reports that of the 48,543 passenger vehicles registered in City of Canada Bay, 1605 are hybrid, and 666 are battery electric¹. Battery-powered vehicles now account for 8.8% of all new motor vehicles sold, compared to 1.8 per cent this time last year.² This surge in EV purchases is increasing demand for electric vehicle charging infrastructure. EV market growth is supported by NSW and Australian Government policies and funding plus technological change initiated by the vehicle industry.

The draft EVCI Policy was on public exhibition from 22 June to 19 July 2023. Council received three responses via the Collaborate Survey.

Summary of submission	Response	Changes to Policy
Recommended that fees applied to the use of Council land for EVCI and that should not be created for pedestrians.	The draft Policy establishes the principle that Council will charge installers of EVCI for using Council property to locate their infrastructure. Council is preparing a schedule of fees and charges. The draft Policy has been amended to reference legislation and standards for work health and safety.	Reference to Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017 added.
Supportive of EVCI Policy. Recommended additional support for strata residents and that Council be more proactive in establishing EVCI.	Council's <i>EV Strategy and Action Plan</i> was adopted by Council on 20 June 2023. It includes actions to encourage transition to EVs. Council's <i>EV Strategy and Action Plan</i> acknowledges the challenges for people living in strata buildings, and includes actions for Council to advocate that the NSW Government establishes a "right to charge" amendment to the <i>Strata Act</i> . Council's Development Control Plan already includes controls for EV-readiness of new developments.	No changes to the draft Policy as it is a procedural document.
Supportive of Policy. Acknowledged that EV	The draft EVCI Policy aims to regulate the location and terms of use of EVCI on	No changes to draft Policy

¹ Transport NSW Registration Snapshot Report, at 25 July 23 <https://www.transport.nsw.gov.au/data-and-research/drives-reporting-portal/registration-snapshot-report>

² Australia's best-selling electric cars in the first half of 2023, Alex Misoyannis, 6 July 2023, Drive <https://www.drive.com.au/news/electric-car-sales-australia-first-half-2023/>

transition will occur however does not want a proliferation of EVCI reducing local amenity and using public land for private benefit.	public land through owners' consent and traffic committee. The <i>Transport Infrastructure State Environmental Planning Policy (SEPP)</i> allows EVCI infrastructure in a variety of locations on public land.	
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Minor revisions to the draft Policy have been made to address feedback:

- Including a reference to Council's existing Development Control Plan (DCP) which sets controls for public domain advertising and EV-readiness of new development.
- Clarifying that Council property includes land on which existing electricity supply infrastructure is installed – such as substations and power poles.
- Referencing existing requirements for safety compliance including [Work Health and Safety Act 2011](#) and [Work Health and Safety Regulation 2017](#), and *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the TISEPP).
- Including a position that Council will not support advertising on EVCI as this is contrary to Council's DCP.

The draft Policy relates to Council property only, and requires that anyone seeking to instal EVCI on Council property must first consult Council, and that Council may require:

- Planning and development approvals under the *Environmental Planning and Assessment Act 1979* and relevant instruments (noting that the Transport Infrastructure SEPP allows EVCI to be installed in some locations by public authorities or electricity supply authorities without or consent or as exempt development).
- Amendments to Plans of Management under the *Local Government Act 1993* where the land is community land.
- Approvals under the *Roads Act 1993* for use of the road for construction works and/or designation of dedicated parking for electric vehicles.
- Payment of fees and charges relating to any remediation works to restore Council property following installation of ECVI and/or installation of line marking and signs.
- Establishment of a contractual agreement with Council which may take the form of a lease, licence, or other contract with Council for use of public property for private use which may include a lease fee.
- Fees and/or charges pursuant to the *Local Government Act 1993*.

Proposed Application Fee and Public Land Occupancy Arrangements

An application fee of \$1,000 for requests to instal EVCI on Council property is also proposed as part of this report. This fee is proposed to cover the internal costs related to the processing of an application across several business units within Council and includes initial site inspections required to establish and confirm infrastructure installation locations. This fee does not cover any valuation fee which would be the responsibility of the applicant. Being a proposed fee that is not currently in Council's adopted Fees and Charges, it is required to be placed on public exhibition in accordance with s610F of the Local Government Act 1993. Following the public exhibition, any submissions received would be the subject of a further report to Council. In the event that no submissions are received, it is proposed that the need for a further report lapses, and the new fee becomes effective immediately.

Any provision of EVCI on public land will be subject to occupancy arrangements with Council and where appropriate any other authority with associated ownership, care, or control of public land.

Such agreement would contain a maintenance schedule including the requirement for regular inspections and reporting. All maintenance works would be required to be carried out in a timely manner.

All risk, public safety and legal liability issues would also be clearly specified in the agreement, as well as any condition of any development consent where applicable. Costs associated with the negotiation and finalisation of any agreement would be at the cost of the Provider.

RISK CONSIDERATIONS

This draft EVCI Policy has been created to manage the risk of unplanned installation of EVCI that reduce public amenity through opportunistic occupation of public assets for private use and operations. There are minimal risks associated with the Policy, which articulates Council's position in regulating EVCI on Council property, and providing principles for decisions on how Council property may be used for EVCI.

Council owns a significant property portfolio in locations which are attractive for EVCI due to their convenient road access, car parking and public amenity. Unregulated installation of EVCI has the risk of reducing public amenity through opportunistic occupation of public assets for private use and operations.

The draft EVCI Policy helps mitigate risks and implications for Council as a landowner and as a planning authority, particularly in regulating locations, aesthetics, and revenues for provision of EV charging equipment installed on public land.

Council needs to strike the right balance between encouraging well-sited infrastructure in line with Council's adopted *Electric Vehicle Strategy and Action Plan*, whilst protecting existing amenity, avoiding a proliferation of advertising, and setting fees and charges at a fair rate of return for Council/ratepayers.

Whilst the draft EVCI Policy and the recently adopted *Electric Vehicle Strategy and Action Plan* provide a strategic framework for Council to strategically guide and influence the location of this infrastructure, it is noted that the *Transport Infrastructure SEPP* enables the provision of EVCI infrastructure in various circumstances and overrides Council policy (refer to Legislative and Policy considerations below).

FINANCIAL CONSIDERATIONS

The draft EVCI Policy articulates that Council should receive revenue for private use of public property owned by Council. Council may consider and facilitate third-party charging infrastructure on public land using different business funding models. In all cases Council should reserve its right to charge appropriate fees for access and use of public land.

Where appropriate, Council may seek professional valuations, costs for which the applicant is responsible, of identified locations to support occupancy agreement negotiations. Where applicable Council may also seek to enter into profit share agreement with EVCI provider for revenue generated by the infrastructure.

It is proposed that an application fee be implemented to cover Council's costs for the initial investigation and review of EVCI proposals. The investigation and review process will involve engagement across several business units within Council, as well as other public authorities and utility providers. The proposed fee also covers initial site inspections required to establish and confirm infrastructure installation locations.

LEGISLATIVE AND POLICY CONSIDERATIONS

The recent NSW Government amendment to the *Transport Infrastructure SEPP* on 24 February 2023 allows public authorities, electricity supply companies and residents to install Electric Vehicle charging infrastructure under various conditions (with consent, without consent and through exempt provisions).

The *Transport Infrastructure SEPP* permits the installation of advertising/signage on an EV charging unit as exempt development if the EV charging unit is installed by or on behalf of a public authority. Proliferation of signage is an ongoing and ever-increasing problem. It is recommended that Council continue its current approach to regulation of advertising in the public domain by not permitting advertising-enabled EV charging units. This applies to development by public authorities (Clause 2.124) and on existing street furniture (Clause 2.124F).

An advertising enabled EV charging unit can be installed as exempt development in certain premises (Clause 2.124D) (including a bus depot, car park, car washing facility, highway service centre, public admin building, road maintenance depot, service station).

The exempt development provision that is likely to have the greatest impact on the proliferation of signage is where it is installed by an electricity supply authority on an electricity or light pole (Clause 2.124E). Council cannot regulate or prevent this. However, if the provider requires the use of a car space through a lease agreement, then Council may be able to negotiate conditions regarding advertising if advertising is proposed.

The Policy references the following policies and legislation:

City of Canada Bay Environmental Strategy and Emissions Reduction Action Plan

City of Canada Bay Local Movement Strategy

City of Canada Bay Electric Vehicle Strategy and Action Plan

State Environmental Planning Policy (Transport and Infrastructure) 2021, Division 17 Roads and Traffic - subdivision 3 - Electric Vehicle Charging Units (TISEPP).

Roads Act 1993

Local Government Act 1993

[Work Health and Safety Act 2011](#) and [Work Health and Safety Regulation 2017](#)

Austrroads, AP-G98-22 Guidelines for Low and Zero Emission Vehicle Charging Infrastructure Installation

ELECTRIC VEHICLE CHARGING INFRASTRUCTURE POLICY

Date of Adoption:
Effective Date:



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1. Objectives of this Policy

This Policy defines Council's role and standards for electric vehicle charging infrastructure (EVCI) installed on Council property within the City of Canada Bay. It is established to manage risks and implications for Council as an owner of public property, planning authority and public domain manager by:

- communicating Council's preferred approach and standards for the technology, provision, installation, management, maintenance and removal of Electric Vehicle (EV) charging infrastructure on Council property; and
- establishing a procedure for people seeking to install EVCI on Council property.

NOTE: This policy should be read in conjunction with planning provisions in *State Environmental Planning Policy (Transport and Infrastructure) 2021, Division 17 Roads and Traffic - subdivision 3 - Electric Vehicle Charging Units (TISEPP)*. The *TISEPP* allows public authorities, electricity supply companies and residents to install Electric Vehicle charging equipment under various conditions (with consent, without consent and exempt development).

2. Review

Council will review this Policy at least annually and more frequently if required due to the rapid transformation of this sector.

3. Scope

a) Applicable locations

This Policy applies to any EV charging infrastructure in the City of Canada Bay LGA proposed to be installed on Council property. Council property includes, but is not limited to, operational land, community land, road reserves, facilities and assets (including street furniture), on-street parking bays and parking on Council land or facilities. Council property includes land on which existing electricity supply infrastructure is installed – such the land under substations and power poles.

b) Applicable persons

This Policy applies to any resident, legal or actual person, business or organisation installing, owning or operating EV infrastructure on Council property.

c) Types of electric vehicle charging infrastructure

EV charging infrastructure includes:

- charging services for private, commercial or public charging; and
- charging services for any electrified transport options, including e-micro mobility, rideshare/carshare, and new freight and public transport solutions.

d) Relevant legislation

Relevant legislation includes:

- *State Environmental Planning Policy (Transport and Infrastructure) 2021 (TISEPP)* dealing with planning consent or exemptions for installation of electric vehicle charging units on public land (installed with consent, without consent or as exempt development) under the *Environment Planning and Assessment Act 1979* and relevant environmental planning instruments.
- The *Roads Act 1993* and the *Local Government Act 1993* require that a person shall not carry out any activity on a public road or place without the approval of Council. Section 138 of the *Roads Act 1993* requires consent from Council as the roads authority for any works or activities in a public road which includes all parts of the road reserve such as the footpath (nature strip or verge);

- In addition to the *Roads Act 1993*, the *Work Health and Safety Act (2011)* and the *WH&S Regulation (2011)*, governs requirements for health and safety of workers.
 - Section 611 of the *NSW Local Government Act 1993*, which allows Council to make an annual charge on the person for the time being in possession, occupation or enjoyment of a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on, under or over a public place.
 - Section 203B of the *Road Rules 2014*, introduces fines of up to \$2,200 for drivers who are not in an electric powered vehicle and stop in spaces designated for electric vehicles and Section 203C provides that drivers of electric charged vehicles can only stop in those spaces for the purposes of charging their vehicle.
 - *Subdivision 3 Electric vehicle charging units of the State Environmental Planning Policy (Transport and Infrastructure) 2021* (the TISEPP) requires that EVCI must not obstruct:
 - vehicular, cyclist or pedestrian access to or from, or entry into, a building;
 - cyclist or pedestrian movement along a cycleway or footpath; and
 - access to, or interfere with, a structure, device, fixture or equipment used for firefighting or fire protection, including a fire hydrant.
- e) **Relevant Council policies and plans**
- [City of Canada Bay Electric Vehicle Strategy and Action Plan](#)
 - [City of Canada Bay Local Environment Plan](#)
 - [City of Canada Bay Development Control Plan](#)
 - [City of Canada Bay Environmental Strategy and Emissions Reduction Action Plan](#)
 - [City of Canada Bay Local Movement Strategy](#)
 - [Canada Bay Pedestrian Access and Mobility Plan](#)
- f) **Relevant industry guidelines**
- Guidelines for Low and Zero Emission Vehicle Charging Infrastructure Installation, Ausroads 5 September 2022 (Publication no: AP-R676-22)

4. Policy and Procedure

a) Policy

Council is a land and property owner, planning authority, and public domain manager.

Council supports the transition to electric vehicles and will facilitate installation of EVCI in line with City of Canada Bay's *Electric Vehicle Strategy and Action Plan*, relevant legislation and Council policies and plans. Requirements for electric-vehicle readiness in new developments are covered by the City of Canada Bay Development Control Plan. The Local Environment Plan regulates and restricts the locations for advertising signage in City of Canada Bay.

Council owns and manages a significant public property portfolio in locations potentially attractive for EVCI due to convenient road access, car parking and public amenity. Council will ensure EVCI installed on Council property supports the community equitably, sustainably and fairly by:

- Facilitating access to EV charging across the City of Canada Bay in line with City of Canada Bay's *Electric Vehicle Strategy and Action Plan*.
- Requiring that EVCI integrates with the surrounding transport network and respects the unique neighbourhood character and responds deftly to evolving community needs.
- Maintaining public amenities, for example pedestrian access, public carparking, functional street furniture and Council owned streetlighting poles.

- Ensuring that EVCI location, design and charging cables do not create a hazard for pedestrians or other vehicles.
- Limiting the costs to ratepayers arising from use of public property for EVCI and that ratepayers receive revenue for private use of public property owned and managed by Council.
- Allocating parking spaces fairly between EV users and other users.
- Managing impacts of EVCI on neighbours and adjoining premises.
- Choosing not to permit advertising enabled EV charging units or encouraging more advertising in the public domain.

Anyone seeking to install EV charging infrastructure on Council property must first consult Council.

Council may require:

- Planning and development approvals under the *Environmental Planning and Assessment Act 1979* and relevant instruments (noting that TISEPP allows EVCI to be installed in some locations by public authorities or electricity supply authorities without consent or as exempt development).
- Amendments to Plans of Management under the *Local Government Act 1993* where the land is community land.
- Approvals under the *Roads Act 1993* for use of the road for construction works and/or designation of dedicated parking for electric vehicles.
- Payment of fees and charges relating to any remediation works to restore Council property following installation of EVCI and/or installation of line marking and signs.
- Establishment of a contractual agreement with Council which may take the form of a lease, licence or other contract or agreement with Council for use of public property for private use which may include a related fee.
- Restrictions on advertising on EVCI.
- Payment of an annual charge under Section 611 of the *Local Government Act 1993*.

b) Applicable Regulations

The applicable regulations are set out in Table 1 below.

Table 1: Applicable Regulations

Applicable regulations			
Who is seeking to install the EVCI?	Environmental Planning and Assessment Act approvals (planning and development approvals)	Roads Act approvals (including Traffic Committee)	Legal agreement with Council (e.g. contract, lease or licence)
Residents	Yes	Yes	Yes
Companies or other types of organisations	Yes	Yes	Yes
Public Authority	Refer to TISEPP	Yes	Yes
Electricity supply authority	Refer to TISEPP	Yes	Yes

5. Terms of agreements with Council to install Electric Vehicle Charging Infrastructure

Anyone installing EVCI on Council property within the scope of this Policy must establish an agreement with Council in the form of a lease, licence or contract. This may include relevant profit share for revenue generated by the infrastructure under the directions of Section 611 of the *Local Government Act 1993*.

6. Fees and Charges

Council will determine the fee or charge payable pursuant to the Local Government Act 1993. Council may require a charge based on the nature and extent of benefit derived from the installation of the ECVI by the installer, and/or impose a fee listed in its schedule of fees and charges.

7. Enforcement

Council reserves the right to require the removal of any EV charging infrastructure from a site, despite any prior approval, if the EV charging infrastructure or the activity associated with it causes a nuisance, safety issue or the operator fails to adhere to any of the requirements in the agreement with Council. No refund will be forthcoming to the operator if Council deems the EV charging infrastructure to be removed due to noncompliance of the terms.

Revision History

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

DRAFT

ITEM 9.4 CITY OF CANADA BAY ENVIRONMENT ADVISORY COMMITTEE MINUTES - 24 AUGUST 2023**Reporting Manager** Manager Sustainability and Waste**Attachments:** 1. **EAC Meeting Minutes - 24 August 2023** [↓](#)

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That the minutes of the City of Canada Bay Environment Advisory Committee Meeting held 24 August 2023, attached to the report, be received, and noted.

PURPOSE

The City of Canada Bay Environment Advisory Committee seeks Council's endorsement of the attached minutes and associated recommendations/actions.

REPORT

This report provides Council with the minutes of the City of Canada Bay Environment Advisory Committee from the meeting held on 24 August 2023.

The Committee's role is to advise and make recommendations on sustainability and waste issues as they relate to Council's operations, with a focus on the implementation of and achievement of targets in Council's Community Strategic Plan, *Our Future 2036*.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 2: Sustainable and Thriving Environment

Goal STE 1: Reduce greenhouse gas emissions

Goal STE 2: Increase urban tree canopy

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

Goal STE 4: Enhance and protect native flora and fauna to support local biodiversity

Direction 5: Civic Leadership

Goal CL 3: Council works with partners to actively shape the City's future

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

Council has adopted an *Environmental Strategy* and *Resource Recovery and Waste Strategy*.



Environment Advisory Committee Agenda

Thursday 24 August 2023 6.15pm – 8.45pm

Drummoyne Civic Centre - Halliday Room

Dinner Provided at (from 6.30pm)

DISTRIBUTION LIST: David Mansford (DM), Sally Ash (SA), Rolf Muller (RM), Tailoi Ling (TL), Sahar Khalili (SK), Mavis Clements (MC), Alyssa Brown (AB)

APOLOGIES: Robyn Ann Lindner (RL), Danny Ruspandini (DR), Joseph Cordaro (JC), Christina Rojas (CR), Kate Egan (KE)

COUNCIL COMMITTEE STAFF: Belinda Koytz (BK), Robert Adamson (RA), Monica Cologna (MC), Liz Locksley (LL)

CHAIR: Councillor Charles Jago (CJ)

ITEMS:

6.30pm Acknowledgement of Country Clr Jago

6.32pm Announcements and Introductions Clr Jago

- CJ addressed the presence of an observer, noting the need for prior notice for observer attendance.

**6.35pm Workshop
Review of Environmental Strategy Liz Locksley**

- LL provided a presentation on the current strategy and its timeline. Stakeholders actively participated and raised several points for discussion.

- RM enquired that the Bike Strategy was the only document in draft and asked for an update on this. BK and MC will take that on Notice.

- SA raised concerns about trees being planted without proper watering, BK clarified that a grant program mandates weekly watering for 1 - 2 years.

- Various gaps and opportunities were discussed, including the Love Your Place Program, Dogs off leash policy, FOGO Timeline, Cat and Feral Cats Focus, Free Tree and Tree Canopy on Private Land, Community Involvement, Solar for Strata and Renters, Heat pumps for water, Gas in new developments, Native animal data collection, EV Strategy, Stormwater drainage, Community Batteries, and Community Gardens.

- Stakeholder Engagement – Proposed stakeholders included champions from strata (Apartment Recycling Program), Universities/Students, Renters, Active Transport Groups, Primary Schools and Early Education Centers, IWCE/Carbon Zero, Bushcare, Elderly Citizens, and First Nations People. Engagement with Commercial Entities is also a focal point.

7.20pm Council Update Belinda Koytz

- BK discussed new sustainability roles, Ferragosto's successes and challenges, and the upcoming Rhodes e-waste day.

8pm General Business All

- Topic for next meeting – PRCG



ACTION: RA to email Nadia regarding the PRCG attendance

8.15pm Meeting Closed

1. Meeting dates for 2023/2024

- Thursday 26th October 2023
- Thursday 14th December 2023
- Thursday 29th February 2024
- Thursday 18th April 2024
- Thursday 27th June 2024
- Thursday 29th August 2024
- Thursday 31st October 2024
- Thursday 12th December 2024

Standing Items

Next Meeting – Thursday 26th October 2023

10 CITY ASSETS DIRECTORATE REPORTS

ITEM 10.1 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 31 AUGUST 2023

Reporting Manager Manager Roads and Traffic

Attachments: 1. **City of Canada Bay Local Traffic Committee Meeting Minutes - 31 August 2023 (Provided in Attachment Booklet)** [⇒](#)

RECOMMENDATION

That the minutes and recommendations of the City of Canada Bay Traffic Committee Meeting held 31 August 2023, attached to the report, be adopted.

PURPOSE

To report the City of Canada Bay Local Traffic Committee minutes of 31 August 2023 to Council.

REPORT

This report contains the minutes for the City of Canada Bay Local Traffic Committee held on 31 August 2023 for Council's adoption.

STRATEGIC DIRECTION

This report supports Our 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 this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

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

ITEM 10.2 MCILWAINE PARK PROPOSED PROHIBITED AREA**Reporting Manager Manager Open Space****Attachments: Nil**

RECOMMENDATION OF DIRECTOR CITY ASSETS

That dogs are prohibited from the newly established foreshore ecological and beach area at McIlwaine Park, Rhodes.

PURPOSE

A Council decision is required to prohibit dogs from the newly established foreshore ecological and beach area at McIlwaine Park.

EXECUTIVE SUMMARY

The River Activation and Foreshore Upgrade project at McIlwaine Park is nearing completion and the foreshore site is scheduled to re-open in the near future.

The existing timed Dog Off Leash Area (DOLA) has not operated throughout the foreshore upgrade works and will come back into operation when the foreshore site is re-opened to the public.

The foreshore upgrade works includes the establishment of two sensitive ecological areas accessible through a man-made beach and it is appropriate that these areas are protected by prohibiting dog access. Accordingly, this report recommends the establishment of an additional dog prohibited area at McIlwaine Park.

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

The River Activation and Foreshore Upgrade is a significant project including the following works:

- Upgrades to the foreshore areas of the park to provide a new accessible pathway along the foreshore
- Installation of pedestrian lighting
- New environmentally friendly seawall incorporating natural rockpools and saltmarsh for biodiversity
- Construction of a beach area
- Improved facilities for water activities such as kayaking, rowing and stand-up paddle boarding
- New accessible BBQ and picnic facilities
- Native landscaping including the planting of new trees.

Two sensitive ecological areas have been established comprising natural tidal rockpools and saltmarsh. These areas are located close to the DOLA so to ensure they are protected, it is proposed to make them prohibited to dogs. The man-made beach area affords access to the two sensitive

ecological areas. There are also significant maintenance implications in allowing dogs on the man-made beach area. Accordingly, it is proposed that the beach is also prohibited to dogs.

The existing DOLA is time restricted before 9am and after 5pm and will come back into operation when the foreshore site is re-opened.

Dogs will continue to be prohibited within 10m of the playground area at the site as required by the Companion Animals Act 1998.

The remainder of the park remains available to dogs on leash.

The diagram below identifies the existing dog prohibited area around the playground facility, and the proposed new dog prohibited area in red.



TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

Signage will be installed indicating the revised dog prohibited area across the site.

FINANCIAL CONSIDERATIONS

The cost of installation is funded through the current 2023/24 operational budget.

LEGISLATIVE AND POLICY CONSIDERATIONS

The signage will facilitate the monitoring and management of the open space in accordance with relevant legislation by Council's Law Enforcement Officers. Dogs will remain prohibited within 10m of the playground area at the site as required by the Companion Animals Act 1998.

11 COMMUNITY CULTURE AND LEISURE DIRECTORATE REPORTS**ITEM 11.1 CITY OF CANADA BAY ACCESS AND INCLUSION COMMITTEE MEETING MINUTES - 17 AUGUST 2023****Reporting Manager** Manager Library and Community Services**Attachments:** 1. **Minutes of City of Canada Bay Access and Inclusion Committee - 17 August 2023** [↓](#)

RECOMMENDATION OF DIRECTOR COMMUNITY CULTURE AND LEISURE

That the minutes of the ordinary meeting of the City of Canada Bay Access and Inclusion Committee held on 17 August 2023, attached to the report, be received and noted.

PURPOSE

To present the minutes of the City of Canada Bay Access and Inclusion Committee, so that they may be noted.

REPORT

This report provides Council with the minutes of the City of Canada Bay Access and Inclusion Committee from the meeting held on 17 August 2023.

The Committee's role is to advise and make recommendations on access and inclusion issues as they relate to Council's operations, with a focus on the implementation and achievement of targets in Council's Disability Inclusion Action Plan.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 1: Connected Community

Goal CC 1: Foster an inclusive community where diversity is welcomed and celebrated

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

The City of Canada Bay Access and Inclusion Committee Charter was endorsed by Council at the ordinary meeting held on 19 April 2022.

CITY OF CANADA BAY ACCESS AND INCLUSION COMMITTEE MEETING

MINUTES

Held at Concord Library, Concord

Thursday, 17 August 2023



**Minutes of a City of Canada Bay Access and Inclusion Committee Meeting
Held on Thursday, 17 August 2023
At the Concord Library, Concord.
Commencing at 10:00 AM**

Present:

Mayor Angelo Tsirekas	Chairperson	
Cr Julia Little	Councillor	(Teams)
Jeanette O'Hara	Life Member	
Coral Arnold	Community Member	
Kim Becherand	Community Organisation - Touched by Olivia Foundation	
Nicole Bradshaw	Community Member	(Teams)
Min Jung Cha	Community Organisation - Ebenezer Mission	
Adam Clark	Community Member	
Jill Hodder	Community Member	
Nehmet Houssami	Community Member	(Teams)
Robyn Ryan	Community Member	

Officers in attendance:

Stephanie Cascun	Strategic Portfolio Coordinator	(Teams)
Patrick Ceran	Manager - City Projects	
Philippa Dunstan	Landscape Architect	
Philip Edney	Manager - Library and Community Services	
Jason Grenade	Manager - Building Asset Services	
Karen Judd	Senior Social Planner	
Isha Kariavasam	PA to Director, Community Culture and Leisure	
Petrina Nelson	Manager - Open Space	
Russell Wolfe	Director - Community, Culture and Leisure	

NOTES

The meeting commenced at 10:10am and concluded at 11:20am

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1 ACKNOWLEDGEMENT OF COUNTRY

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.

2 APOLOGIES

APOLOGIES

- Jack Nolan Life Member

LEAVE OF ABSENCE

Nil

3 DISCLOSURES OF PECUNIARY AND NON-PECUNIARY INTEREST

Councillor Julia Little disclosed a significant non-pecuniary interest that she is working with the NSW Treasury in case any items come up relating to funding.

4 CONFIRMATION OF MINUTES

4.1 Minutes of City of Canada Bay Access and Inclusion Committee Meeting held on 29 June 2023

RESOLVED:

That the minutes of the City of Canada Bay Access and Inclusion Committee Meeting of 29 June 2023 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

Note: The minutes were acknowledged and adopted.

5 REPORTS

ITEM 5.1 DISABILITY INCLUSION ACTION PLAN (DIAP) PROGRESS REPORT

RESOLVED

That the City of Canada Bay Access and Inclusion Committee members noted the update.

Note: Karen Judd – Senior Strategic Planner presented the findings of the mid-term review and provided an update on the DIAP actions.

- Council has 44 disability inclusion actions which are aligned to NSW Disability Inclusion Action Plan (DIAP) focussing on:
 - Attitudes and behaviours
 - Liveable communities
 - Employment; and
 - Systems and processes
- Of the 44 actions, 4 actions have been completed; 32 actions have commenced and ongoing; 7 actions will be undertaken in the future and 1 action dropped due to unavailability of funding.
- Council is required to report on the progress to the Department of Communities and Justice each year in November.

ITEM 5.2 MCILWAINE PARK FORESHORE UPGRADE

RESOLVED:

That the City of Canada Bay Access and Inclusion Committee members note the draft concept prepared for the upgrade.

Note: Petrina Nelson – Manager, Open Space presented the concept plans ahead of community consultation and highlighted designs in line with the NSW Everyone can play guidelines - “Can I get there, can I play, can I stay?”

Council is working with an Access and Inclusion Consultant during design review.

Feedback was provided on disability parking, safe drop off zones and the role of fencing, shade, toilets and pathways in making spaces more inclusive.

ITEM 5.3 MAJORS BAY RESERVE RECREATION PRECINCT

RESOLVED:

That the City of Canada Bay Access and Inclusion Committee members note the draft concept prepared for the upgrade.

Note: Petrina Nelson – Manager, Open Space presented the upgrades due to be delivered that includes:

- *Jump track*
- *Changing place closer to carpark*
- *Parking - on/ off road parking*
- *Playground and outdoor fitness area*
- *A multi-use court*
- *Pathways and signage*
- *Tree planting and vegetation*

Feedback was provided on wheelchair swings and the role of fencing in making spaces more inclusive. The Council is aiming to deliver the project within the next 6 months

6 GENERAL BUSINESS**ITEM 6.1 DATES OF THE ACCESS AND INCLUSION COMMITTEE MEETINGS**

Note: 19 October 2023 - Concord Library, Concord
. 7 December 2023 - Concord Library, Concord

CHAIRMAN

ITEM 11.2 CITY OF CANADA BAY RHODES COMMUNITY COMMITTEE MEETING MINUTES - 24 AUGUST 2023**Reporting Manager** Director Community Culture and Leisure**Attachments:** 1. **Minutes of City of Canada Bay Rhodes Community Committee Meeting - 24 August 2023** [↓](#)

RECOMMENDATION OF DIRECTOR COMMUNITY CULTURE AND LEISURE

That:

1. The minutes of the Rhodes Community Committee meeting held 24 August 2023, attached to the report, be received and noted.
 2. Copies of the following presentations be provided to Rhodes Community Committee Members: Urban Canopy Strategy, Rhodes Trolley Management Strategy and Place Management Update.
-

PURPOSE

To present the minutes of City of Canada Bay Rhodes Community Committee meeting, so that they may be noted.

REPORT

This report provides Council with the minutes of the City of Canada Bay Rhodes Community Committee from the meeting held on 24 August 2023.

The Committee's role is to facilitate community representation, provide an avenue for two-way communication between Council and community, and to inform strategic matters affecting the Rhodes peninsula.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

Goal VUL 1: Creative vibrant local village centres and community hubs

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

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

The City of Canada Bay Rhodes Community Committee Charter was endorsed by Council at the ordinary meeting held on 19 April 2022.

CITY OF CANADA BAY RHODES COMMUNITY COMMITTEE MEETING

MINUTES

Held at the Event Space 1, The Connection, Rhodes

Thursday, 24 August 2023



**Minutes of a City of Canada Bay Rhodes Community Committee Meeting
Held on Thursday, 24 August 2023
At the Event Space 1, The Connection, Rhodes
Commencing at 6:00 PM**

Present:

Cr Joe Cordaro	Acting Chairperson	
Cr Andrew Ferguson	Councillor	
Harvey Baden	Community Member	
Christopher Castley	Community Member	
Geoff Coffill	Community Member	
Nathan Connor	Community Member	
Rameses Florentino	Community Member	
Jing Hong	Community Member	
Ruiqi Hu	Community Member	
John Kipritidis	Community Member	
Monita Patel	Community Member	
Nazia Zabin	Community Member	
Chiral Yadava	Community Member	(Teams)

By Invitation:

Wendy Bird	Resident
------------	----------

Officers in attendance:

Stephanie Kelly	Manager - Place Management
Tony Pavlovic	Manager - Health, Building & Compliance
Saskia Vromans	Place Manager Rhodes
Darin Wills	Urban Forester
Russell Wolfe	Director - Community, Culture and Leisure

NOTES

The meeting commenced at 6:00pm and concluded at 8:00pm.



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1 ACKNOWLEDGEMENT OF COUNTRY

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.

2 APOLOGIES

APOLOGIES

Mayor Angelo Tsirekas	Chairperson
Sean (Hsuan-Hua) Chang	Community Member
Elizabeth Golez	Community Member
Trevor Oates	Community Member
Uma Srinivasan	Community Member

LEAVE OF ABSENCE

Nil

3 DISCLOSURES OF PECUNIARY AND NON-PECUNIARY INTEREST

Jing Hong disclosed that she works for Sally Sitou MP, Member for Reid. It was noted there is no conflict of interest according to the agenda.

4 CONFIRMATION OF MINUTES

4.1 Minutes of City of Canada Bay Rhodes Community Committee Meeting held 25 May 2023

RESOLVED

That the minutes of the City of Canada Bay Rhodes Community Committee Meeting of 25 May 2023, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

Note: The minutes were acknowledged and adopted.

5 REPORTS**ITEM 5.1 URBAN CANOPY STRATEGY**

RESOLVED

1. That the City of Canada Bay Rhodes Community Committee members note the presentation.
 2. That a copy of the presentation be provided to Rhodes Community Committee Members.
-

Note: Darin Wills, Council's Urban Forester presented on the Urban Canopy Strategy and Tree Planting Plans for 2024, including:

- *Planting progress: 4,000+ public trees planted in City of Canada Bay across heat affected priority areas.*
- *Proposed 2024 tree planting sites in Rhodes: 150-200 trees.*
- *Future community engagement opportunities*
- *Funding of tree planting assisted by a Grow Our Canopy NSW Government Grant.*

Feedback was provided on additional planting opportunities.

ITEM 5.2 RHODES TROLLEY MANAGEMENT STRATEGY

RESOLVED

1. That the City of Canada Bay Rhodes Community Committee members note the presentation.
 2. That a copy of the presentation be provided to Rhodes Community Committee Members.
-

Note: Tony Pavlovic - Manager Building, Health & Compliance provided an update on the Rhodes Trolley Management Strategy, including:

- *Challenges and benefits of the NSW Government's legislative changes under the Public Spaces (Unattended Property) Act 2021.*
- *Council may request Trolley Management Plans to mitigate risks of abandoned trolleys and enact Section 28 enforcement notices where Trolley Management Plans and actions are not met.*
- *Primary Rhodes retailers are working with Council to address abandoned trolley issues.*
- *Regular audits showing significant reduction in abandoned trolleys left on streets.*
- *More work to be done in community awareness, education and enforcement to reduce trolleys being taken out into public domain. Whole of community responsibility.*
- *Resident Wendy Bird was thanked for her work highlighting this issue in Rhodes.*

Feedback was provided on the significant improvement noted by the community, but also the difficulty in reporting directly to retailers, particularly for residents where English is a second language.

ITEM 5.3 PLACE MANAGEMENT UPDATE

RESOLVED

1. That the City of Canada Bay's Rhodes Community Committee members note the report.
 2. That a copy of the presentation be provided to Rhodes Community Committee Members.
-

Note: Quarterly progress update provided by Saskia Vromans, Place Manager Rhodes, including:

- *Trevor Oats & Phyllis Heggie led repair and refresh of Rhodes street libraries.*
- *Works in Progress updates: Mcllwaine Park Upgrade & Park Opening; Uhrs Point Shared Pathway Upgrade; Union Square Pavement Repairs; Under Bridges lighting repairs and improvements; Foreshore shared cycleway signage refresh; Lighting upgrade Peg Paterson Park.*
- *Community Engagement Update: Electric Vehicle Charging Infrastructure Policy; Under the Bridges Graffiti Management project; Uhrs Point Reserve existing path upgrade; Rhodes Peninsula Place Plan.*
- *Traffic Management Update: Marquet Street crossing realigned with Annie Leggett; Promenade, construction timeframe to be confirmed by Billbergia; May 2023 speed/volume traffic counts being analysed in conjunction with new TfNSW NSW speed zoning standard; proposed three new traffic signals are not currently supported by TfNSW, they remain on Council plans for further investigation for future consideration.*

Feedback was provided on the update of Walker Street pedestrian bridge to remain on the agenda.

6 GENERAL BUSINESS**ITEM 6.1 DATE OF THE NEXT MEETING**

Note: 6-7.30pm - 30 November 2023 - The Connection, Rhodes

CHAIRPERSON

12 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS

ITEM 12.1 DRAFT PUBLIC INTEREST DISCLOSURES POLICY

Reporting Manager Manager Governance and Customer Services

Attachments: 1. Draft Public Interest Disclosures (PID) Policy (*Provided in Attachment Booklet*) [↔](#)

RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That:

1. The *Public Interest Disclosures Internal Reporting Policy* be rescinded as at 30 September 2023.
 2. The draft *Public Interest Disclosures Policy* attached to the report be adopted and come into effect on 1 October 2023.
-

PURPOSE

The purpose of this report is to adopt a new Public Interest Disclosures Policy to satisfy Council's obligations under the *Public Interest Disclosures (PID) Act 2022* which commences on 1 October 2023, and to rescind the superseded *Public Interest Disclosures Internal Reporting Policy*.

EXECUTIVE SUMMARY

The *Public Interest Disclosures Act 2022* (PID Act 2022) will commence on 1 October 2023 and will supersede the *Public Interest Disclosures Act 1994*.

Council's current policy required under the Public Interest Disclosures Act 1994 (PID Act 1994) is known as the *Public Interest Disclosures Internal Reporting Policy*.

The new PID Act 2022 incorporates some significant changes hence the NSW Ombudsman has published a new model policy for agencies to consider when adopting their policies.

A draft Policy, *Public Interest Disclosures (PID) Policy* has been developed.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 5: Civic Leadership

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

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

BACKGROUND/DISCUSSION

The *Public Interest Disclosures (PID) Act 2022* (of which Council will be required to comply) will commence on 1 October 2023 and will supersede the PID Act 1994.

The objectives of this Act are as follows:

- a) to facilitate the disclosure by public officials of serious wrongdoing in or affecting the public sector,
- b) to promote a culture in which public interest disclosures are encouraged,
- c) to protect public officials, witnesses and other persons from detriment or liability that might arise as a result of public interest disclosures,

- d) to provide for the establishment and publication of policies and procedures for receiving and dealing with disclosures that are or may be voluntary public interest disclosures,
- e) to ensure the interests of all persons affected by public interest disclosures are taken into account in dealing with the disclosures,
- f) to provide for independent oversight of the public interest disclosure scheme established by this Act.

Council's current policy required under the PID Act 1994 is known as the *Public Interest Disclosures Internal Reporting Policy*.

The new PID Act 2022 incorporates some significant changes hence the NSW Ombudsman has published a new template policy for agencies to consider when adopting their policy. Under section 42 of the PID Act 2022 all agencies must have a public interest disclosure policy.

A draft *Public Interest Disclosures (PID) Policy* has been developed and is attached for Council's consideration. This Policy wording is based on the model policy published by the NSW Ombudsman. Additional wording for the City of Canada Bay Council has been added to the model and is shown in blue text.

Discussion

The public interest disclosure framework in NSW is sometimes described as "whistle-blower" legislation. It is the cornerstone of good governance practice as it seeks to promote a 'speak-up' culture for reporting of misconduct by protecting those who speak up from detriment, taking active steps to maintain confidentiality of reports, and imposing duties on agencies to take appropriate action to investigate or otherwise deal with complaints.

The major changes in the new PID Act 2022 include:

- Significantly longer text, more complex and legalistic drafting (and different terminology).
- Greater responsibilities on agencies and the heads of agencies.
- Increased training and awareness obligations.
- Broader scope of the wrongdoing that can be the subject of a report.
- Greater resource implications for agencies.

Overall, there are more than 20 primary obligations placed on agencies under the Act and Regulation. While most of these are technical obligations relating to the process for receiving and handling public interest disclosures, there is a requirement to have a PID policy in place by 1 October 2023.

The training and awareness obligations under the new Act will not only extend to all staff but also to councillors, volunteers and certain categories of contractor. For the most part this will involve the distribution of information (via brochure or email link) about public interest disclosures or delivered through staff e-learning training.

There are approximately 40 staff, however, including the General Manager, Directors, Managers, and others with responsibilities for staff across various worksites, who will require more detailed training (up to 3 hours) and who will require refresher training every 3 years thereafter.

The names and contact details of disclosure officers for Council will be published as an annexure within the Policy following its adoption and updated as and when required on an administrative basis.

The Ombudsman will allow these staff to be trained for up to 6 months after the legislation has come into effect, however, the General Manager and Directors will have received this training prior to 1 October 2023, with Managers and several other staff that are within the definition of a disclosure officer receiving this training soon after. All other staff will receive awareness training within the initial 6-month timeframe and information also distributed to volunteers and contractors.

With the adoption of the new Policy effective from 1 October, the existing Policy will cease to operate and this report recommends that report be formally rescinded.

Conclusion

The *Public Interest Disclosure Policy* seeks to promote a 'speak-up' culture for reporting of misconduct by protecting those who speak up from detriment, taking active steps to maintain confidentiality of reports, and imposing duties on agencies to take appropriate action to investigate or otherwise deal with complaints.

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

Upon adoption, the new *Public Interest Disclosures (PID) Policy* will be effective from 1 October 2023

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report, as the implementation of the new legislation will be managed within existing staff resources.

LEGISLATIVE AND POLICY CONSIDERATIONS

The *Public Interest Disclosures (PID) Act 2022* prescribes the adoption of a new *Public Interest Disclosures (PID) Policy*, to come into effect on 1 October 2023, with that Policy to supersede the existing *Policy, Public Interest Disclosure Internal Reporting*.

ITEM 12.2 GENERAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2023**Reporting Manager Manager Finance****Attachments:** 1. **General Purpose Financial Statements - Draft (*Provided in Attachment Booklet*)** [⇒](#)

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 2023 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 2023.
 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.
-

PURPOSE

To present to Council the Draft Financial Statements for the year ended 30 June 2023 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 2023.

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 2023 are also provided in this report.

The Draft Financial Statements show an operating surplus of \$40.653M including capital grants and contributions. Excluding capital grants and contributions, the operating result is a surplus of \$2.415M.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 5: Civic Leadership

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

BACKGROUND/DISCUSSION

In accordance with Section 413(2)(C) of the Local Government Act 1993, Council must prepare a statement on the General Purpose Financial Reports as to its opinion on the reports prior to referring them to audit.

The City of Canada Bay's Draft Annual Financial Reports for the period ended 30 June 2023 have been completed for external auditing.

The Director Corporate Services and Strategy, as the Responsible Accounting Officer has certified that the 2022/23 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 2022–23 (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 in the week beginning 18 September 2023. These financial reports will also be presented to the Audit, Risk and Improvement Committee on 19 September 2023.

The following table summarises Council's Financial Performance and Position for the year end 30 June 2023.

Financial Performance and Position of Council as at 30 June 2023

Income Statement \$'000	Actual 2023	Actual 2022
Income from Continuing Operations	145,340	148,510
Expenses from Continuing Operations	104,687	94,582
Net Operating Result for the Year	40,653	53,928
Net Operating Result for the year before grants and contributions provided for capital purposes	2,415	(1,367)
Statement of Financial Position \$'000	Actual 2023	Actual 2022
Current Assets	109,927	120,846
Non-Current Assets	2,790,152	2,411,769
Total Assets	2900,079	2,532,615
Current Liabilities	48,728	54,034
Non-Current Liabilities	19,034	19,747
Total Liabilities	67,762	73,781
Net Assets	2,832,317	2,458,834
Total Equity	2,832,317	2,458,834
Statement of Cash Flows \$'000	Actual 2023	Actual 2022
Net Cash Flow from Operating Activities	56,570	45,809
Net Cash Flow from Investing Activities	(33,157)	(53,519)
Net Cash Flow from Financing Activities	(1,381)	14,255
Net increase in Cash	22,032	6,545
Plus: Cash at the beginning of the year	18,824	12,279
Cash at end of year	40,856	18,824
Plus: Investments on hand at end of year	108,500	133,350
Total Cash and Investments	149,356	152,174

RESULTS FOR THE YEAR
Operating Result

Council's operating result from continuing operations (\$40.6 million including depreciation and amortisation and impairment of non-financial assets expense of \$15.5 million) was \$13.3 million lower than the 2021-22 result. The decrease in operating result from continuing operations is mainly due to reduced grants and contributions revenue (\$47.0 million) which has decreased by \$16.7 million (26%) in 2022-23 due to a reduction in grant funding received for milestone capital projects. Further, this result includes an increase in rates and annual charges (\$1.5 million), an increase in user charges and fees (\$1.0 million), an increase in interest and investment income of (\$2.8 million), and an increase in other revenue (\$7.0 million). The increase in other income is mainly due to the increment in the fair value of investment property. The previous revaluation of investment property

occurred in the year end 30/6/2021, where a \$2 million fair value increment on investment properties was recorded.

The net operating result before capital grants and contributions was \$3.8 million greater than the 2021-22 result. This result includes an increase in total expenses of \$10.1 million, (10.7%) to \$104.7 million.

The operating surplus excluding revenue from capital grants and contributions of \$2.4 million compared to the \$1.367 deficit in the previous year (2021/22) means that Council's expenditure on running its day to day operations together with the cost of depreciation of its assets is less than operating income.

However, when this result is adjusted to eliminate the fair valuation increment and the net loss from the disposal of assets, as is required in calculating the Operational Performance Ratio key performance indicator, the result is a deficit of \$1.5 million (1.54%) which is slightly less than the target benchmark of >0%.

All other Key Performance Indicators, as detailed in Note H1-1 to the Draft Financial Statements attached are better than benchmark.

The results are summarised below:

Performance Measure	Benchmark	2022/23	2021/22	2020/21	2019/20
Operating Performance Ratio	>0.00%	(1.54%)	0.34%	0.97%	1.10%
Own Source Operating Revenue Ratio	>60.00%	66.12%	56.98%	56.76%	83.60%
Unrestricted Current Ratio	>1.50x	2.05	2.99	2.68	1.59
Debt Service Cover Ratio	>2.00x	7.07	17.98	17.71	17.65
Rates and Annual Charges Outstanding	<5.00%	4.05%	3.93%	4.36%	3.28%
Cash Expense Cover Ratio	>3.00mths	13.00	16.44	21.36	11.41

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 21 November 2023.

Event	Date
Ordinary Meeting of Council – 2022-23 Draft Financial Statements presented to Council seeking Council to resolve to certify the draft statements and formally refer them to the auditor (Section 413 - LG Act 1993).	19 September 2023
Audit, Risk & Improvement Committee Meeting – 2022-23 Draft Financial Statements presented to the Committee.	19 September 2023
Audit team starts audit of financial statements in the week beginning	18 September 2023
Audit clearance meeting	10 October 2023
Audit Office issues Engagement Closing Report	13 October 2023
Audit, Risk & Improvement Committee Meeting – Audit team attends Committee meeting to present the Engagement Closing Report.	17 October 2023
Ordinary Meeting of Council – 2022-23 Audited Financial Statements presented to Council to seek approval of the financial statements for lodgement to OLG and for public exhibition	17 October 2023
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	23 October 2023
Lodge Audited Financial Statements with the Office of Local Government – Council must electronically lodge a complete set of audited financial statements (General Purpose Financial Statements, Special Schedules and Auditors Reports) with OLG by no later than the close of business on 31 October following the financial year end.	31 October 2023
Ordinary Meeting of Council – Auditors to present their report on the Audit of the 2022-23 Financial Statements.	21 November 2023

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 12.3 CASH AND INVESTMENTS REPORT FOR AUGUST 2023
Reporting Manager Manager Finance

Attachments: 1. **Investment Report for August 2023** (*Provided in Attachment Booklet*) [⇒](#)
RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That:

1. The Cash and Investments Reports for August 2023, attached to the report, be received and noted.
2. The information contained in the report regarding the financial institutions in which Council invests that offer loans to the fossil fuel industry, be received and noted.

PURPOSE

To present Council's Investment portfolio performance for 31 August 2023.

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 Our 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 August 2023 Cash and Investments Reports, 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 / CONSULTATION AND / OR RISK CONSIDERATIONS
Summary position as at 31 August 2023

The Cash at Bank and Cash Investments as at 31 August 2023 are summarised below:

Month	Cash At Bank	Cash Investments	Total Cash
Aug-23	\$6,106,187.07	\$154,628,708.30	\$160,734,895.37

The detailed Schedule of Investments held for August 2023 are also provided over the page.

Maturity Date	Bank/Issuer	Long Term Rating	Fair Value	Term	Interest	Issue Date	Investment Type
07/09/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	216	4.39%	03/02/23	Term Deposits
14/09/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	197	4.75%	01/03/23	Term Deposits
21/09/23	Bank of Queensland	BBB+	\$2,000,000.00	203	4.63%	02/03/23	Term Deposits
21/09/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	77	4.85%	06/07/23	Term Deposits
28/09/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	209	4.63%	03/03/23	Term Deposits
28/09/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	85	5.03%	05/07/23	Term Deposits
05/10/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	37	4.20%	29/08/23	Term Deposits
05/10/23	National Australia Bank	AA-	\$2,000,000.00	210	4.65%	09/03/23	Term Deposits
12/10/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	98	5.14%	06/07/23	Term Deposits
19/10/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	101	5.18%	10/07/23	Term Deposits
23/10/23	AMP Bank	BBB	\$2,000,000.00	180	4.90%	26/04/23	Term Deposits
02/11/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	115	5.23%	10/07/23	Term Deposits
09/11/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	122	5.26%	10/07/23	Term Deposits
16/11/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	126	4.97%	13/07/23	Term Deposits
23/11/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	127	4.97%	19/07/23	Term Deposits
30/11/23	Bank of Queensland	BBB+	\$3,000,000.00	184	4.95%	30/05/23	Term Deposits
07/12/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	349	4.62%	23/12/22	Term Deposits
14/12/23	National Australia Bank	AA-	\$2,000,000.00	106	4.97%	30/08/23	Term Deposits
11/01/24	National Australia Bank	AA-	\$2,000,000.00	153	5.10%	11/08/23	Term Deposits
18/01/24	National Australia Bank	AA-	\$3,000,000.00	182	5.40%	20/07/23	Term Deposits
24/01/24	National Australia Bank	AA-	\$2,000,000.00	188	5.40%	20/07/23	Term Deposits
01/02/24	National Australia Bank	AA-	\$2,000,000.00	195	5.45%	21/07/23	Term Deposits
08/02/24	Commonwealth Bank of Australia	AA-	\$1,000,000.00	167	5.21%	25/08/23	Term Deposits
15/02/24	National Australia Bank	AA-	\$3,000,000.00	210	5.40%	20/07/23	Term Deposits
22/02/24	Commonwealth Bank of Australia	AA-	\$1,000,000.00	181	5.37%	25/08/23	Term Deposits
29/02/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	276	5.00%	29/05/23	Term Deposits
14/03/24	Commonwealth Bank of Australia	AA-	\$2,000,000.00	257	5.05%	01/07/23	Term Deposits
21/03/24	National Australia Bank	AA-	\$3,000,000.00	237	5.35%	28/07/23	Term Deposits
28/03/24	National Australia Bank	AA-	\$3,000,000.00	239	5.20%	02/08/23	Term Deposits
02/04/24	ING Bank	AAA	\$2,000,000.00	390	5.00%	09/03/23	Term Deposits
11/04/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	252	5.46%	03/08/23	Term Deposits
18/04/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	252	5.47%	10/08/23	Term Deposits
24/04/24	Commonwealth Bank of Australia	AA-	\$2,000,000.00	237	5.19%	31/08/23	Term Deposits
29/05/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	366	5.03%	29/05/23	Term Deposits
22/08/24	ING Bank	AAA	\$3,000,000.00	365	5.37%	23/08/23	Term Deposits
29/08/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	425	4.99%	01/07/23	Term Deposits
16/02/26	National Australia Bank	AA-	\$2,000,000.00	1096	1.04%	16/02/23	Term Deposits
20/10/23	Westpac Bank	AA-	\$1,500,000.00	92	4.53%	20/07/23	Tailored Deposits
30/10/23	Westpac Bank	AA-	\$1,000,000.00	367	1.11%	28/10/22	ESG TD
01/12/23	Westpac Bank	AA-	\$2,000,000.00	182	4.20%	02/06/23	ESG TD
19/02/24	Westpac Bank	AA-	\$1,000,000.00	185	5.15%	18/08/23	ESG TD
04/03/24	Westpac Bank	AA-	\$2,000,000.00	273	1.68%	05/06/23	ESG TD
14/11/24	Westpac Bank	AA-	\$1,500,000.00	458	1.62%	14/08/23	ESG TD
02/12/24	Westpac Bank	AA-	\$1,500,000.00	546	1.62%	05/06/23	ESG TD
17/02/25	Westpac Bank	AA-	\$2,000,000.00	549	2.02%	18/08/23	ESG TD
24/02/25	Westpac Bank	AA-	\$2,500,000.00	549	2.10%	25/08/23	ESG TD
20/11/25	Westpac Bank	AA-	\$1,500,000.00	822	1.87%	21/08/23	ESG TD
17/02/26	Westpac Bank	AA-	\$2,500,000.00	914	2.24%	18/08/23	ESG TD
24/02/26	Westpac Bank	AA-	\$2,000,000.00	914	2.31%	25/08/23	ESG TD
03/03/26	Westpac Bank	AA-	\$2,000,000.00	1002	2.22%	05/06/23	ESG TD
08/02/24	ANZ Bank	AA-	\$1,500,000.00	1826	5.28%	08/02/19	Floating Rate Notes
29/08/24	ANZ Bank	AA-	\$1,500,000.00	1827	4.91%	29/08/19	Floating Rate Notes
14/11/24	Citibank	A+	\$1,000,000.00	1827	5.05%	14/11/19	Floating Rate Notes
12/02/25	Macquarie Bank	A+	\$2,000,000.00	1827	5.01%	12/02/20	Floating Rate Notes
06/05/25	Royal Bank of Canada	AAA	\$1,000,000.00	1096	4.88%	06/05/22	Floating Rate Notes
17/10/25	Suncorp Metway	AAA	\$1,000,000.00	1096	5.18%	17/10/22	Floating Rate Notes
09/12/25	Macquarie Bank	A+	\$2,000,000.00	1651	4.70%	02/06/21	Floating Rate Notes
13/01/26	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1096	5.19%	13/01/23	Floating Rate Notes
24/02/26	Members Banking (RACQ Bank)	BBB+	\$2,300,000.00	1096	5.63%	24/02/23	Floating Rate Notes
15/05/26	Bendigo and Adelaide Bank	BBB+	\$1,000,000.00	1096	5.42%	15/05/23	Floating Rate Notes
15/06/26	Teachers Mutual Bank	BBB	\$850,000.00	1825	4.98%	16/06/21	Floating Rate Notes
19/08/26	ING Bank	AAA	\$500,000.00	1826	4.54%	19/08/21	Floating Rate Notes
23/12/26	Commonwealth Bank of Australia	AA-	\$2,000,000.00	1917	4.73%	23/09/21	ESG FRN
18/08/27	Commonwealth Bank of Australia	AA-	\$1,100,000.00	1826	5.17%	18/08/22	Floating Rate Notes
13/01/28	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1826	5.44%	13/01/23	Floating Rate Notes
19/01/28	Cooperative RABOBank	A+	\$1,000,000.00	1826	5.46%	19/01/23	Floating Rate Notes
16/02/28	Westpac Bank	AA-	\$1,000,000.00	1826	5.14%	16/02/23	Floating Rate Notes
09/05/28	Bank of Queensland	AAA	\$1,250,000.00	1827	5.38%	09/05/23	Floating Rate Notes
17/08/28	Commonwealth Bank of Australia	AA-	\$1,250,000.00	1827	5.12%	17/08/23	Floating Rate Notes
15/12/23	NTTC	Aa3	\$2,000,000.00	1186	1.00%	15/09/20	Fixed Rate Bond
15/12/24	NTTC	Aa3	\$2,000,000.00	1206	1.00%	27/08/21	Fixed Rate Bond
15/06/25	NTTC	Aa3	\$2,000,000.00	1496	1.10%	11/05/21	Fixed Rate Bond
18/08/25	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1096	4.20%	18/08/22	Fixed Rate Bond
24/08/26	Suncorp Metway	AAA	\$2,000,000.00	1587	3.25%	20/04/22	Fixed Rate Bond
	AMP Bank	BBB	\$2,027,153.44		4.95%		AMP
	AMP Bank	BBB	\$1,388.56		2.65%		AMP
	Commonwealth Bank of Australia	AA-	\$1,804,349.59		4.20%		CBA BOS
	Macquarie Bank	A+	\$2,006,964.38		4.10%		Macquarie CMA
	Macquarie Bank	A+	\$3,038,852.33		3.90%		Macquarie CMA
	31/08/23		\$154,628,708.30				
	TOTAL INVESTMENTS at 31/07/2023		\$144,848,872.56				
	Net Increase/(Decrease) in Investments		\$9,779,835.74				

At its Meeting of 18 July 2023, in conjunction with consideration of the June 2023 Cash and Investments report, Council resolved, in part, that:

2. Council write to the NSW Treasurer and the financial spokespersons of the NSW Opposition and NSW Greens requesting that Treasury provide, in the near future, a range of sustainable investment products (i.e. excluding those which include investments in fossil fuel industries) which meet the investment requirements of NSW councils.
3. Council officers prepare and submit a report to Council on the ability to, and options for informing Council on which of the financial institutions in which Council invests offer loans to the fossil fuel industry.

In accordance with that resolution, the correspondence has been issued. Further, information has been collated on which of the financial institutions in which Council invests offer loans to the fossil fuel industry. Council's investment advisor, Imperium Markets, has advised of the website it uses to monitor financial institution lending to the fossil fuel industry. The website is hosted by 'Market Forces', an affiliate member of Friends of the Earth Australia, and can be accessed via the following URL <https://www.marketforces.org.au/info/compare-bank-table/>

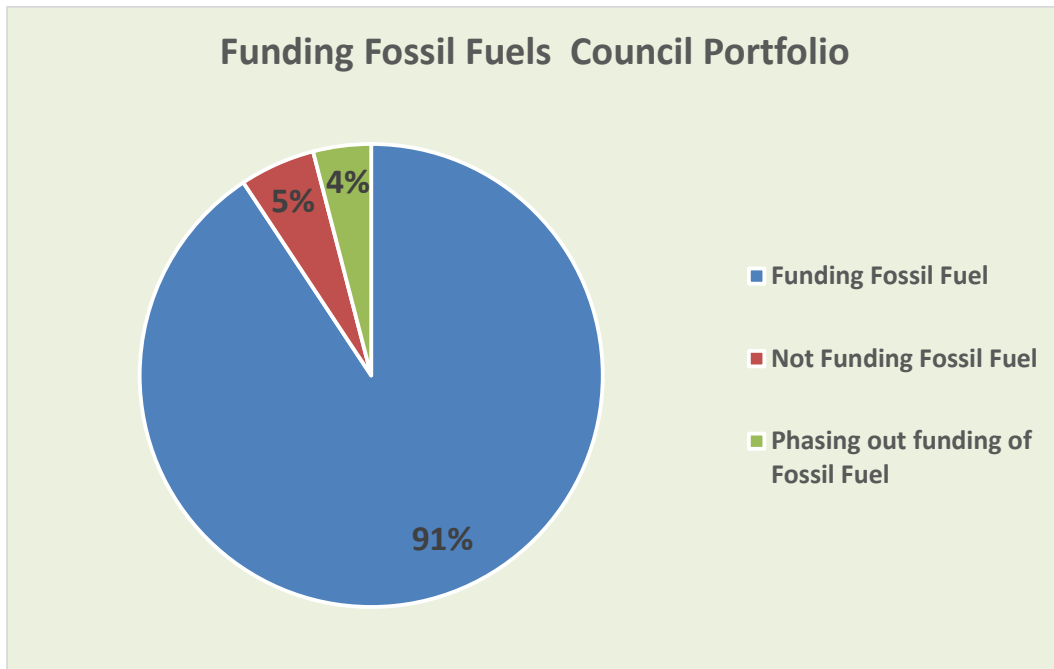
The information extracted from that website, in addition to input from Council's investment advisor, is summarised in the following tables. Quotations provided in the "Position" column are attributable to the respective Bank/Issuer. Where institutions fund fossil fuel industries, the amount loaned in 2022 is provided where available.

Bank/Issuer	Funding Fossil Fuel	Position
AMP Bank	Funding Fossil Fuel	No current data on lending to fossil fuels, however AMP (via AMP Capital Investors) holds more than \$1 billion of shares in numerous coal, oil and gas companies, including Whitehaven Coal, Santos, Woodside and ExxonMobil (shareholdings current as of latest filing date reported by financial data provider Bloomberg in July 2023).
ANZ Bank	Funding Fossil Fuel	Continues to fund fossil fuels. Loaned \$2.6 billion in 2022.
Bank of Queensland	Phasing out Fossil Fuel	<i>"BOQ Group's lending portfolio does not directly fund fossil fuel mining projects, has no exposure to fossil fuel power generation and minimal direct exposure to equipment used in fossil fuels extraction. The Group has committed to cease funding equipment directly involved in the extraction of fossil fuels by 2024."</i>
Bendigo and Adelaide Bank	Not Funding Fossil Fuel	<i>"Our Bank does not and will not provide finance directly to projects or large scale electricity generation in the following sectors: Coal; Coal seam gas; Crude Oil; Natural gas; Native forest logging."</i>
Citibank	Funding Fossil Fuel	Owned by NAB, which lends to fossil fuels.
Commonwealth Bank of Australia	Funding Fossil Fuel	Continues to fund fossil fuels. Loaned \$267 million in 2022.
Cooperative RABOBank	Funding Fossil Fuel	Continues to fund fossil fuels. Loaned \$2.5 billion in 2022.
ING Bank	Funding Fossil Fuel	Continues to fund fossil fuels. Loaned more than \$7 billion in 2022.

Bank/Issuer	Funding Fossil Fuel	Position
Macquarie Bank	Funding Fossil Fuel	Continues to fund fossil fuels. Loaned \$202 million in 2022.
Members Banking (RACQ Bank)	Not Funding Fossil Fuel	"RACQ Bank does not lend to or invest directly in companies involved in the fossil fuel industry."
National Australia Bank	Funding Fossil Fuel	Continues to fund fossil fuels. Loaned \$1.7 billion in 2022.
Northern Territory Treasury Corp.	Funding Fossil Fuel	No information available on website, Australian federal and state/territory governments continue to fund fossil fuels.
Royal Bank of Canada	Not Funding Fossil Fuel	No position statement has been provided to Market Forces however Imperium have confirmed this investment does not fund fossil fuel.
Suncorp Metway	Not Funding Fossil Fuel	"Suncorp's businesses will not directly invest in, finance or underwrite new thermal coal mining projects or electricity generation, or new oil and gas exploration or production."
Teachers Mutual Bank	Not Funding Fossil Fuel	"We don't take money from the fossil fuel industry, and we don't lend them your money either."
Westpac Bank	Funding Fossil Fuel	Continues to fund fossil fuels. Loaned \$1.7 billion in 2022.

Based on the information provided above, the following schedule and graph details Council Investments by "Fossil Fuel Funding" category.

Funding Fossil Fuel	Bank/Issuer	Total
<input type="checkbox"/> Funding Fossil Fuel	Commonwealth Bank of Australia	62,654,349.59
	National Australia Bank	24,000,000.00
	Westpac Bank	24,000,000.00
	Macquarie Bank	9,045,816.71
	NTTC	6,000,000.00
	ING Bank	5,500,000.00
	AMP Bank	4,028,542.00
	ANZ Bank	3,000,000.00
	Citibank	1,000,000.00
	Cooperatieve RABOBank	1,000,000.00
Funding Fossil Fuel Total		140,228,708.30
<input type="checkbox"/> Not Funding Fossil Fuel	Suncorp Metway	3,000,000.00
	Members Banking (RACQ Bank)	2,300,000.00
	Bendigo and Adelaide Bank	1,000,000.00
	Royal Bank of Canada	1,000,000.00
	Teachers Mutual Bank	850,000.00
Not Funding Fossil Fuel Total		8,150,000.00
<input type="checkbox"/> Phasing out funding of Fossil Fuel	Bank of Queensland	6,250,000.00
Phasing out funding of Fossil Fuel Total		6,250,000.00
Grand Total		154,628,708.30



Whilst the above information highlights approximately \$140M of Council's investment portfolio being with institutions that currently lend to fossil fuel industries, Council has progressively increased its investment in ESG Term Deposits and Floating Rate Notes with Westpac and the Commonwealth Bank. Whilst these institutions lend to fossil fuel industries, these particular investments totalling \$23.5M are ring fenced to fund "ethical or green" projects.

FINANCIAL CONSIDERATIONS

Council's adopted Budget for 2023-24 anticipated investment earnings of \$4.565M. Investment earnings are now forecast to be \$5.7M due to favourable market interest rates and more funds than expected being available to invest. The additional \$1.1M will be brought to account in the first quarter budget review.

The RBA met on 5 September 2023, and left cash rates unchanged at 4.10%. Market sentiment is leaning towards a view that the interest rate cycle has peaked.

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.

13 NOTICES OF MOTION**ITEM 13.1 NOTICE OF MOTION - CR JAGO - CREATNG ALL-ELECTRIC HOMES AND BUSINESSES IN CANADA BAY LGA**

Submitted by: Councillor Charles Jago

MOTION

1. That Council note:

- (a) "Natural" gas is a fossil fuel which can significantly degrade human health, especially indoors in gas heating or gas cooking. The literature on health issues and other risks related to the use of gas include:
 - (i) An Australian study published in the Medical Journal of Australia (1) found that gas cooktops are associated with around 12 per cent of childhood asthma in Australia.
 - (ii) According to Doctors for the Environment Australia, the most serious complication of burning gas indoors arises from carbon monoxide poisoning (2), which can cause fatigue, headaches, nausea, confusion, shortness of breath, chest pain and death. Longer-term exposure at lower levels can also lead to significant illness. Carbon monoxide poisoning is the leading cause of accidental poisoning worldwide (3), with the actual extent far higher than actually diagnosed (4).
 - (iii) Burning of gas produces oxides of nitrogen (and specifically NO₂) cause airway constriction and sensitisation to allergens (5). Short-term exposure to NO₂ may be associated with cardiovascular effects and premature mortality and that long-term exposure may be associated with cardiovascular effects, diabetes, poorer birth outcomes, premature mortality, and cancer (6) (with some qualifications regarding those effects).
 - (iv) In addition, US researchers from Stanford University have linked gas stoves and ovens to carcinogenic chemicals like benzene (7). Long-term exposure to benzene is linked to acute lymphocytic leukaemia, chronic lymphocytic leukaemia, multiple myeloma, childhood leukaemia and non-Hodgkins lymphoma (8).
 - (v) Gas appliances create a risk of fires.
 - (b) The Australian Capital Territory and Victoria have now introduced new planning rules which require new developments (both residential and non-residential) to be all-electric and have set dates to phase out their gas supply networks. In the USA, similar measures have been passed so far in New York State and 50 municipalities in California, including San Jose, Berkeley and San Francisco. Likewise, Holland and Denmark also are banning many connections of new developments to the gas network. In addition, the UK is phasing out new gas boilers for home heating.
 - (c) In addition, a number of councils in NSW and Victoria have made recent decisions to replace gas with electricity in new developments on health grounds (not covering existing dwellings). Specifically:
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- (i) In December 2022, Waverley Council implemented a new DCP which requires electric stoves, cooktops and heaters (not gas) to be installed in new residential development.
 - (ii) Parramatta Council recently implemented new planning rules that require new developments (both residential and non-residential) in its city centre to be all-electric. They are currently considering further changes to require all new non-residential buildings to be all-electric.
 - (iii) The City of Sydney has recently agreed to investigate amending their planning controls to require all new residential developments to be all electric, with a report back to councillors as soon as possible.
 - (iv) The City of Canterbury Bankstown Council has introduced plans to ban gas in a precinct of new apartments.
 - (v) Melbourne City Council has introduced plans to ban gas in new apartments.
2. That Council staff prepare a report on options for updating Council's planning documents to ban gas installations and appliances in all new residential and commercial developments, to address the range of issues arising in implementing this direction, and to identify possible further measures to reduce the prevalence of gas installations in buildings.
 3. That Council seek to gain additional support for this issue through LGNSW and SSROC.
-

BACKGROUND FROM COUNCILLOR CHARLES JAGO

The purpose of this motion is to address a key health safety issue – indoor air pollution – in new developments. This motion does not apply for existing dwellings.

As detailed in the recommendations above, evidence has been emerging for some time about significant health problems caused by the use of natural gas in the home, in particular for cooking and for heating.

In its planning and compliance responsibilities, Council has a duty of care for health and safety. This is why we have rules requiring fences around swimming pools and ban the use of asbestos in construction. It is now time to apply the same approach to indoor air quality, and specifically to ban the installation of fossil gas in new residential and commercial developments. Clear evidence exists of the effect of fossil gas in carbon monoxide poisoning and contributing to childhood asthma, plus clear indications of other issues.

Electric appliances offer an alternative which is not only safer, but also cheaper. Gas is expensive, and expected to become even more so. In the current housing and cost-of-living crisis, households face increases of 20 per cent or more in 2023/24, even under caps set by the Australian Energy Regulator (9). Research by Energy Consumers Australia and the CSIRO, published in August 2023, found that as more households electrify all their appliances, the households that remain connected to gas are likely to pay much higher bills, with gas becoming increasingly expensive compared to electricity (10).

The environmental benefits of phasing out gas should also be noted.

With safer and cheaper alternatives on hand, it is time to rule out gas installations in new developments.

References/ Links

1. Knibbs et al., 'Damp Housing, Gas Stoves, and the Burden of Childhood Asthma in Australia'. <https://www.mja.com.au/system/files/issues/208_07/10.5694mja17.00469.pdf>
2. Doctors for the Environment Australia, Home gas appliances fact sheet, <<https://dea.org.au/wp-content/uploads/2020/12/Home-gas-appliances-fact-sheet.pdf>>

3. Watt S, Prado CE, Crowe SF. Immediate and delayed neuropsychological effects of carbon monoxide poisoning: a meta-analysis. *J Int Neuropsychol Soc* 2018;24(4):405-15, <<https://doi.org/10.1017/S1355617717001035>>.
4. Kar-Purkayastha I, Finlay S, Murray V. Low-level exposure to carbon monoxide. *Br J Gen Pract* 2012;62(601):404, <<https://doi.org/10.3399/bjgp12X653480>>.
5. Ewald, Ben, Crisp, George, Carey, Marion, Health risks from indoor gas appliances, *Australian Journal of General Practice (AJGP)*, Volume 51, Issue 12, December 2022. <https://www1.racgp.org.au/ajgp/2022/december/health-risks-from-indoor-gas-appliances>
6. U.S. EPA. Integrated Science Assessment (ISA) for Oxides of Nitrogen – Health Criteria (Final Report, Jan 2016). U.S. Environmental Protection Agency, Washington, DC, EPA/600/R-15/068, 2016. <<https://cfpub.epa.gov/ncea/isa/recordisplay.cfm?deid=310879>>
7. Yannai S. Kashtan, Metta Nicholson, Colin Finnegan, Zutao Ouyang, Eric D. Lebel, Drew R. Michanowicz, Seth B.C. Shonkoff, and Robert B. Jackson, 'Gas and Propane Combustion from Stoves Emits Benzene and Increases Indoor Air Pollution'. *Environmental Science & Technology* 2023 57 (26), 9653-9663. <<https://pubs.acs.org/action/showCitFormats?doi=10.1021/acs.est.2c09289&ref=pdf>>
8. 'Benzene and Cancer Risk'. American Cancer Society. <<https://www.cancer.org/cancer/risk-prevention/chemicals/benzene.html>>
9. Independent Pricing and Regulatory Tribunal (IPART), 1 July 2023 electricity price increases, <<https://www.ipart.nsw.gov.au/1-july-2023-electricity-price-increases#:~:text=On%201%20July%2C%20the%20%E2%80%9Cdefault,by%20the%20Australian%20Energy%20Regulator>>
10. Energy Consumers Australia, Stepping up: A smoother pathway to decarbonising homes, <https://energyconsumersaustralia.com.au/wp-content/uploads/Stepping-Up-Report-Final.pdf>

14 NOTICES OF MOTION OF RESCISSION

15 MATTERS OF URGENCY

16 QUESTIONS WITH NOTICE

17 CONFIDENTIAL MATTERS

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 17.1 CONCORD COMMUNITY CLUB AND MAJORS BAY RESERVE PARKING

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.

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.
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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.

18 CONFIDENTIAL RESOLUTIONS

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.
