

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

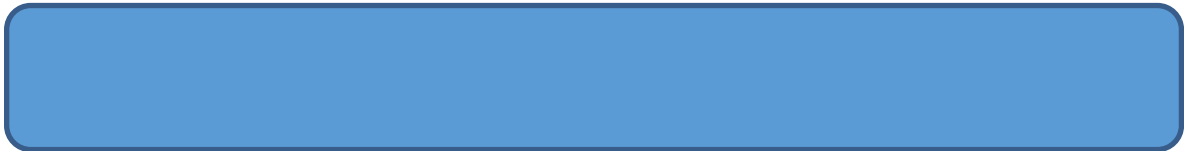
Tuesday, 20 February 2024

Beginning at 6:00 PM for the purpose of considering and determining matters included in this agenda.

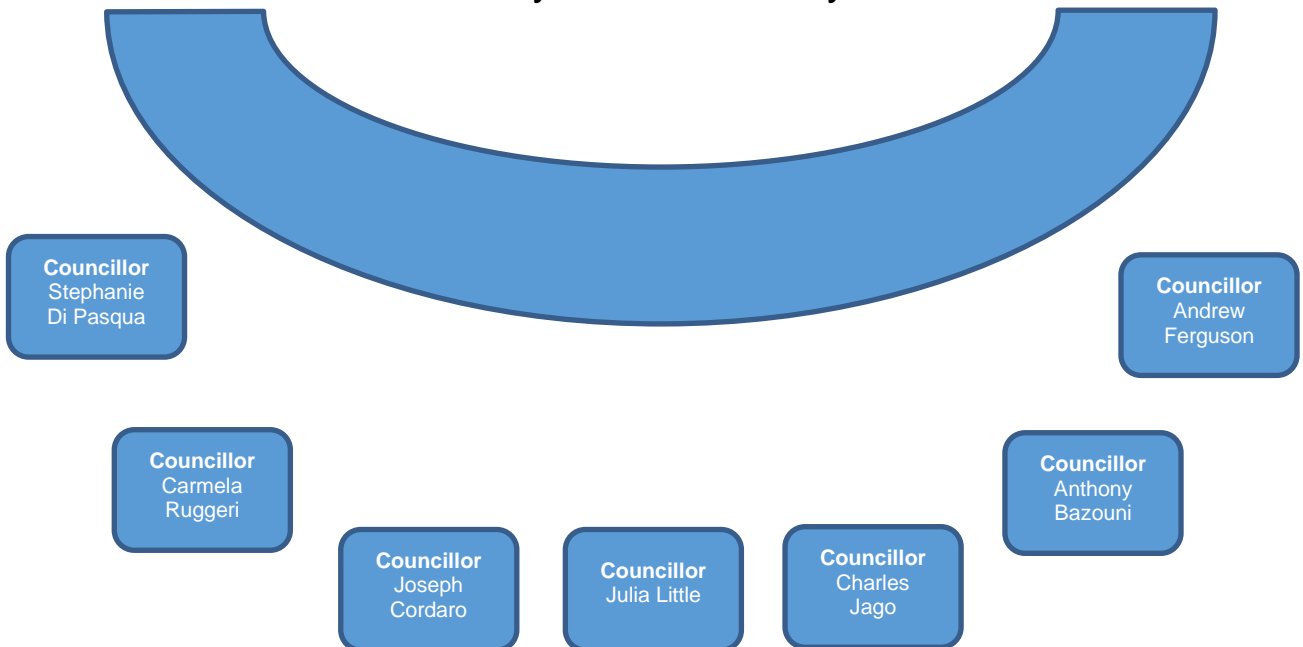


John Clark
General Manager

Melissa Lee Manager Governance & Customer Services	Evan Hutchings Director Corporate Services & Strategy	John Clark General Manager	Mayor Michael Megna	Monica Cologna Director Environment & Planning	Russell Wolfe Director Community, Culture & Leisure	Greig Schuettrumpf Director City Assets
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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 20 February 2024
at the Council Chambers, City of Canada Bay Civic Centre, Drummoyne
Commencing at 6:00 PM**

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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 5 DECEMBER 2023

RECOMMENDATION

That the minutes of the Ordinary Council Meeting of 5 December 2023 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

3.2 MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD 20 DECEMBER 2023

RECOMMENDATION

That the minutes of the Extraordinary Council Meeting of 20 December 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 - 2023 AUSTRALIA DAY HONOURS**Submitted by: Councillor Michael Megna (Mayor)

MOTION

That Council congratulates Andrew Sidney Whitton on his Australia Day honour.

BACKGROUND

I would like to draw Council's attention to the recent Australia Day awards and congratulate Andrew Sidney Whitton of Abbotsford, who has been awarded the Medal of the Order of Australia (OAM) in the General Division.

Andrew's service to the community spans many roles. As President and Board Member of Parkinson's NSW, he has demonstrated leadership, dedication and compassion in supporting individuals affected by Parkinson's disease. His service on the Board of Trustees of the Parkinson's NSW Trust underscores his invaluable contributions to the organisation.

During the COVID-19 pandemic, Andrew volunteered delivering groceries to the Asylum Seekers Centre. He also has a long involvement in local sports, particularly as a coach and manager for rugby and baseball teams. This reflects his passion for nurturing young talent and fostering community spirit. His leadership roles in various community organisations, including the West Pymble Pre-School, further demonstrate his dedication to serving the community.

Andrew's Australia Day Honor is a testament to his exemplary service and dedication, and he serves as an inspiration to us all. On behalf of the City of Canada Bay, I extend our sincerest congratulations and gratitude to Andrew for his remarkable contributions to our community.

ITEM 5.2 **MAYORAL MINUTE - COST SHIFTING ONTO LOCAL GOVERNMENT**Submitted by: Councillor Michael Megna (Mayor)

MOTION

That:

1. Council receive and note the findings of the Local Government NSW Cost Shifting Report for the 2021/2022 financial year.
 2. A copy of the cost shifting report be placed on Council's website so that our community can access it.
 3. Council write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.
-

BACKGROUND

The pressure on councils to continue to provide services of appropriate standard to our communities is now extraordinary.

The unrelenting growth of cost shifting to councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable Local Government and risking the capacity of councils to deliver tailored, grassroots services to their communities and properly deliver and maintain vital local infrastructure.

Alarmingly, the latest research commissioned by Local Government NSW shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of Local Government NSW for the 2021/2022 financial year, \$1.36 billion of expense has been passed on to councils to fund. This is an increase of \$540 million since the last report from the 2017/2018 financial year and represents lost services, lost opportunity and lost amenity for all of our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across the State.

With councils having to fund this ongoing subsidy for the State Government each and every year, it means our communities get less or go without. They go without better roads, they go without better parks, they go without important community services that only councils provide, and they and their ratepayers are effectively paying hidden taxes to other levels of government.

Councillors, our communities deserve better and this must stop. Prior to the most recent State election, the then Minns Opposition wrote to Local Government NSW acknowledging that cost shifting had undermined the financial sustainability of the local government sector.

Now in 2024, it is important to councils and communities that the NSW Government urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

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

Nil

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

Nil

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 25 November 2023 and 31 January 2024.

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 29 November 2023

The following applications were listed for consideration at the CBLPP meeting on 29 November 2023:

- DA2022/0189 – 43 Walton Crescent, Abbotsford - Demolition of existing structures and construction of a multi unit residential flat building consisting of 9 apartments and 3 basement levels of parking – *refused as per Recommendation.*
- MOD2023/0107 – 134-140 Tennyson Road, Mortlake - Section 4.56 Modification to DA2022/0116 including modification to the layouts of LG.02, G.05, 1.05 and 2.05 with the south facing balcony being enclosed and designed as an ensuite and the floor plate reconfigured accordingly. Extension of the private open space area of apartment 3.03 partly over the alignment of the roof to the north – *approved subject to conditions.*

- DA2023/0116 – 3 Averill Street, Rhodes - Alterations and additions to an existing self storage facility for 3 x flooring infills between existing mezzanines forming a first floor, upgraded accessibility including a new accessible ramp and accessible toilet facility. Fire egress is also proposed to be upgraded providing 2 fully enclosed fire stairs and egress corridors to open space – *approved subject to conditions.*
- MOD2023/0070 - 6 Walker Street, Rhodes McDonalds - Amendment of condition 6 with respect to external tables and litter patrols – *approved subject to conditions.*

Items for CBLPP Meeting on 13 December 2023

There were no applications identified for referral to the CBLPP on 13 December 2023.

Items for CBLPP Meeting on 31 January 2024

There were no applications identified for referral to the CBLPP on 31 January 2024.

Development Applications - Determined

The following Development Applications have been determined by staff under delegation between 25 November 2023 and 31 January 2024:

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2023/0250	23.11.2023	104 Cabarita Road, Cabarita	Adjust strata plan between Lots 1 & 2 and Common Property within SP91593	Approved 28.11.2023
DA2022/0189	06.07.2022	43 Walton Crescent, Abbotsford	Demolition of the existing structures and Construction of a Multi Unit Residential Flat Building consisting of 9 apartments and 3 basement levels of parking	Refused – LPP 29.11.2023
DA2023/0116	15.06.2023	3 Averill Street, Rhodes	Alterations and additions to existing self-storage facility including infill mezzanine, access and fire upgrade	Approved – LPP 29.11.2023
DA2023/0263	30.11.2023	117 Majors Bay Road, Concord	Proposed signage on existing shop awning fascia	Approved 01.12.2023
DA2023/0239	02.11.2023	34 Henley Street, Drummoyne	Removal of one box elder tree from rear of property within a heritage conservation area and replacement canopy tree	Approved 01.12.2023
DA2023/0193	12.09.2023	45 Broughton Street, Concord	The demolition of all existing structures and construction of a new	Approved 06.12.2023

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
			two storey dwelling house and a front fence	
DA2023/0208	28.09.2023	22 Duchess Avenue, Rodd Point	Alterations and additions to existing dwelling	Approved 07.12.2023
DA2023/0221	11.10.2023	17 Rosemeadow Drive, Cabarita	Alterations and additions including construction of a first floor bedroom above an existing double garage	Approved 08.12.2023
DA2023/0256	24.11.2023	105 St Georges Crescent, Drummoyne	Removal of 16 dead trees, removal of 7 declining trees and pruning of trees on a property within a conservation area and planting of 5 replacement canopy trees	Approved 08.12.2023
DA2023/0179	28.08.2023	29 Stanley Street, Concord	Demolition of existing garage and construction of new double garage	Approved 12.12.2023
DA2023/0275	08.12.2023	31 Renown Street, Canada Bay	Strata subdivision of an approved detached dual occupancy development	Approved 13.12.2023
DA2023/0220	10.10.2023	14 Wareemba Street, Wareemba	Demolition of the existing detached garage and shed. Proposed new detached double garage with basement and gym above	Approved 13.12.2023
DA2023/0137	03.07.2023	136 Lyons Road, Drummoyne	Demolition of dwelling house with existing detached garage to remain and a construction of a two (2) storey dwelling house with basement	Approved – Deferred Determination 14.12.2023
DA2022/0351	22.12.2022	37 Llewellyn Street, Rhodes	Demolition of an existing heritage listed dwelling house	Approved – Court 15.12.2023

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2023/0133	27.06.2023	91 Cabarita Road, Cabarita	Construction of a double storey residential dwelling and removal of two (2) trees	Approved 15.12.2023
DA2023/0209	04.10.2023	4 Udall Avenue, Five Dock	Installation of a fibreglass pool and landscaping	Approved 15.12.2023
DA2023/0136	05.07.2023	14 Park Avenue, Concord	Alterations and additions to a heritage listed dwelling	Approved 18.12.2023
DA2023/0123	20.06.2023	20 Norman Street, Five Dock	Demolition of existing residence and garage and construction of a new two-storey dwelling	Approved – Deferred Determination 18.12.2023
DA2023/0232	27.10.2023	103 Thompson Street, Drummoyne	Minor extension to existing outbuilding under existing roof structure	Approved 19.12.2023
DA2021/0258	21.09.2021	117 Cabarita Road, Cabarita	Demolish an existing structure and remove one existing tree and to construct new two storey dwelling with basement car park	Approved – Deferred Determination 19.12.2023
DA2023/0204	26.09.2023	4 Barton Street, Concord	Construct a new two-storey dwelling	Approved 19.12.2023
DA2023/0224	18.10.2023	1 Feilberg Place, Abbotsford	Construction of a new swimming pool and related landscaping	Approved 22.12.2023
DA2023/0154	20.07.2023	35 Renwick Street, Drummoyne	Alterations to existing ground floor, new first floor addition and new swimming pool	Approved 03.01.2024
DA2023/0189	12.09.2023	9 Seabrook Avenue, Russell Lea	Proposed erection of inground swimming pool and alteration to existing garage and front fence	Refused 08.01.2024
DA2023/0233	25.10.2023	44 Clements Street, Russell Lea	Proposed construction of a new swimming pool, retaining walls and landscape works	Approved 09.01.2024

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2023/0125	20.06.2023	126 Cabarita Road, Cabarita	Proposed new two-storey dwelling house	Approved – Deferred Determination 10.01.2024
DA2023/0251	23.11.2023	57 Nirranda Street, Concord West	Installation of vergola louvered roof system (awning) to existing rear terrace area of residential dwelling	Approved 12.01.2024
DA2023/0248	20.11.2023	48 Burwood Road, Concord	Proposed replacement signage for existing Veterinary Practice	Approved 17.01.2024
DA2023/0105	01.06.2023	283 Concord Road, Concord West	Demolition of existing dwelling and construction of two dual occupancies and Torrens Title Subdivision	Approved – Deferred Determination 18.01.2024
DA2023/0205	22.09.2023	31 Turner Avenue, Concord	Demolition and removal of existing structures and vegetation, construction of a new two storey dwelling with a detached garage and associated landscape works	Approved 22.01.2024
DA2023/0230	24.10.2023	72 St Georges Crescent, Drummoyne	Demolition of the existing cabana and construction of a new cabana, toilets, and pool pump room	Approved 24.01.2024
DA2023/0200	19.09.2023	37 Cormiston Avenue, Concord	Demolition of existing structures, construction of new 2 storey dwelling over basement including front fence	Approved 25.01.2024
DA2023/0132	28.06.2023	41 Moala Street, Concord West	The demolition of an existing swimming pool and the erection of a new secondary dwelling and garage for off-street parking	Approved 25.01.2024

Total Number of DAs Determined = 33

Development Applications - Lodged

The following Development Applications were lodged with Council during the same period, 25 November 2023 and 31 January 2024:

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2023/0252	27.11.2023	5 Breakfast Point Boulevard, Breakfast Point	Construction of an awning
DA2023/0259	27.11.2023	45 Nield Avenue, Rodd Point	Demolition of existing building structures, construction works for dual occupancy, Swimming Pool, associated structures, and works strata subdivision
DA2023/0261	28.11.2023	6 Janet Street, Drummoyne	Demolition of the existing buildings and construction of a new two storey dwelling, with basement parking, storage areas and landscaping to the rear
DA2023/0264	29.11.2023	78 Wellbank Street, Concord	Demolition of existing structures to site, construction of a new two storey attached dual occupancy dwelling w/ basement parking, Strata Subdivision and associated landscaping
DA2023/0265	29.11.2023	41 Llewellyn Street, Rhodes	Demolition of existing buildings, construction of a two-storey dwelling, swimming pool and related landscaping with retention of existing cabana
DA2023/0257	29.11.2023	13A Altona Street, Abbotsford	Demolition of existing buildings, construction of a two-storey dwelling, swimming pool and related landscaping
DA2023/0263	30.11.2023	117 Majors Bay Road, Concord	Proposed signage on existing shop awning fascia
DA2023/0260	04.12.2023	67 Formosa Street, Drummoyne	Alterations to a private residence
DA2023/0262	04.12.2023	447 Great North Road, Abbotsford	Alterations and additions to Abbotsford Presbyterian Church including an upgrade to the hall to current standards, internal refit of existing toilets, upgrade of external pavement with 1:80 grade to for disabled compliance linking front to the rear hall entry and upgrade of parent seating adjacent playground
DA2023/0267	05.12.2023	9 Harrison Avenue, Concord West	Construction of an attached two storey dual occupancy with strata subdivision and associated landscaping
DA2023/0266	06.12.2023	103 Links Avenue, Concord	Demolition of rear portion of existing dwelling, construction of a two-storey extension, internal modifications to existing dwelling, in-

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
			ground swimming pool and associated landscaping
DA2023/0272	07.12.2023	43 Wrights Road, Drummoyne	Alterations and additions to dwelling on ground and first floor. New plunge pool and landscaping
DA2023/0274	07.12.2023	1-11 George Street, North Strathfield	Conversion of an existing internal space into car parking
DA2023/0276	07.12.2023	15 Hilly Street, Mortlake	Integrated development including demolition of existing buildings and construction of a new mixed used development with 27 apartments with basement parking and associated external works
DA2023/0275	08.12.2023	31 Renown Street, Canada Bay	Strata subdivision of an approved detached dual occupancy development
DA2023/0241	11.12.2023	5 The Esplanade, Drummoyne	Integrated development including construction of a new dual occupancy development and strata subdivision
DA2023/0271	12.12.2023	25 George Street, North Strathfield	New business identification signage attached to two cranes for duration of construction
DA2023/0277	12.12.2023	21 King Street, Concord West	Proposed demolition of existing detached garage and swimming pool and proposed boundary adjustment
DA2023/0268	13.12.2023	94 Great North Road, Five Dock	Internal refurbishment, shopfront alterations, and signage for NAB Five Dock
DA2023/0278	14.12.2023	Suite 1/104A William Street, Five Dock	Change of use - existing commercial suite to residential 1 bedroom apartment and associated minor building works
DA2023/0283	18.12.2023	2/21 Llewellyn Street, Rhodes	Propose alterations and additions to existing attached dwellings within an existing multi-dwelling housing
DA2023/0284	18.12.2023	18 Fortescue Street, Chiswick	Construction of a Boat Shed (Above median high-water mark (MHWM)), Rigging Deck and Timber Skid Ramp (Including Steps) (Partly Above and Below MHWM)
DA2023/0281	19.12.2023	6 Broughton Street, Concord	Demolition of existing structures and construction of a single-storey community facility with a basement level and at-grade car parking
DA2023/0273	20.12.2023	123 Links Avenue, Concord	Demolition of existing two storey dwelling and detached garage, and construction of a new two storey dwelling over basement garage with in-ground swimming pool and associated landscaping

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2023/0289	20.12.2023	8A Drummoyne Avenue, Drummoyne	Alterations and additions to two-storey dwelling and garage
DA2023/0270	21.12.2023	20 Janet Street, Drummoyne	Demolition of existing building and construction of a two-storey dwelling and related front brick wall
DA2023/0280	21.12.2023	41 Links Avenue, Concord	Demolition of existing structures to site, construction of a new two storey dwelling w/ basement parking, in ground swimming pool and associated landscaping
DA2023/0287	21.12.2023	1A Macnamara Avenue, Concord	Demolition of existing structures and construction of new dual occupancy and strata subdivision
DA2023/0282	21.12.2023	22 Rhonda Place, Concord	Demolition of an existing buildings, construction of a double storey dwelling with basement carpark, inground swimming pool, front fence and related landscaping works
DA2023/0279	22.12.2023	35 Myall Street, Concord West	Alterations and additions with new pool
DA2023/0285	22.12.2023	1A Edward Street, Concord	Proposed skillion patio to the rear of dwelling
DA2023/0286	02.01.2024	29 Nirranda Street, Concord West	Demolition of existing structures and construction of an attached dual occupancy
DA2023/0288	02.01.2024	26 Empire Avenue, Concord	Alterations and additions to an existing dwelling, including a first floor addition, a swimming pool and replacement carport
DA2023/0291	02.01.2024	41 St Georges Crescent, Drummoyne	Construction of a new two storey pavilion style addition, as well as new carport and landscaping
DA2023/0292	02.01.2024	25 La Mascotte Avenue, Concord	Demolition of existing house and swimming pool. Retain the existing outbuilding in the backyard. Building of new house 2 storeys with basement garage and storage
DA2023/0290	10.01.2024	23 Phillips Street, Cabarita	Demolition of existing dwelling and associated pool and outbuilding. Construction of new two storey dwelling with basement parking, new pool and associated site works
DA2023/0294	10.01.2024	5 The Crescent, Russell Lea	Alterations and additions to approved CDC two storey dwelling, including balcony and windows
DA2024/0002	12.01.2024	155 Cabarita Road, Cabarita	Metal framed deck and metal pergola

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2024/0004	16.01.2024	361P Victoria Place, Drummoyne	Proposed removal of ten (10) existing outdoor light bollards and the installation of PT Series LED lights in their place
DA2023/0295	17.01.2024	1D Homebush Bay Drive, Rhodes	Alterations and additions to Building D in Rhodes Corporate Park, involving the enclosure of two (2) currently underutilised terrace spaces
DA2024/0006	17.01.2024	12 Moore Street, Drummoyne	Alterations and additions to existing residence
DA2024/0003	18.01.2024	33 Harrabrook Avenue, Five Dock	Application for development consent to excavate beyond 1m depth and for swimming pool to extend beyond 1m depth
DA2024/0005	18.01.2024	26 Carrington Street, North Strathfield	Proposed single storey secondary dwelling
DA2024/0007	19.01.2024	112A Gipps Street, Drummoyne	Alterations and additions to existing dwelling
DA2024/0011	19.01.2024	9 Barnstaple Road, Five Dock	Proposed addition of plunge pool to rear of existing dual occupancy dwellings
DA2023/0269	22.01.2024	31 Wilga Street, Concord West	Additions and alterations to an existing building by way of the addition of a bathroom and kitchen to the existing approved building known as a 'shed' and changing the use of the existing building to a secondary dwelling
DA2024/0008	23.01.2024	75 Byrne Avenue, Russell Lea	Demolition of existing structures on site and construction of a double storey dwelling with swimming pool
DA2024/0014	25.01.2024	19-19A Roseby Street, Drummoyne	New fit-out of Hugo Boss store at Tenancies 36-38 at Birkenhead Point
DA2024/0012	29.01.2024	5 Teviot Avenue, Abbotsford	New access ramp
DA2024/0016	29.01.2024	1-11 George Street, North Strathfield	Internal fit out works, signage and change of use to convert a former office premises within the Bakehouse Quarters to a cue sports centre to be known as Club9
DA2024/0015	30.01.2024	19-19A Roseby Street, Drummoyne	This application seeks consent for minor internal fit outworks involving the relocation of the Centre Management Office for the Birkenhead Point Shopping Centre

Total Number of DAs Lodged = 51

Variations to development standards

There was one variation made to a development standard (e.g. Building Height, Floor Space Ratio) under the provision of Clause 4.6 of the *Canada Bay Local Environmental Plan, 2013* for the period 27 November 2023 and 31 January 2024.

DA NO	PROPERTY	LEP DEVELOPMENT STANDARD	JUSTIFICATION	EXTENT	DATE APPROVED
DA2023/0099	9 Arcadia Avenue, Drummoyne	Floor Space Ratio, Clause 4.4	There is no planning purpose to be served by limiting the floor area to strictly comply given the site constraints and absence of amenity related impacts upon the surrounding developments.	14sqm (7.32%)	25.01.2024

Land and Environment Court Appeals

The following provides an update on Land and Environment Court appeals as at 31 January 2024:

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	Amended proposal addressing heritage, landscaping, privacy and amenity impacts approved by the Court 14 December 2023.
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.	No agreement reached at s34 conciliation conference. Matter listed for hearing 16-17 April 2024.
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	No agreement reached at s34 conciliation conference. Amended plans notified to neighbours. Matter is under consideration by the Court.

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
		basement levels, ground level commercial tenancies, 4 levels of residential apartments, and related landscaping.	
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.	Demolition approved due to the significant degradation of all elements of the dwelling house on 15 December 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.	Section 34 conciliation conference convened on 12 and 13 December 2023. Matter is under consideration 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 resulting in attached dual occupancy.	Matter listed for a s34 conciliation conference on 1 February 2024.
DA2023/0168	53 Burnell Street, Russell Lea	Demolition of existing dwelling and vegetation, and construction of a new dwelling house with associated landscaping.	Matter listed for a s34 conciliation conference on 22 and 23 April 2024.

Of the above 7 listed matters before the Land and Environment Court, there are currently 5 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 PLANNING PROPOSAL - REMOVAL OF 3 WOLSELEY STREET DRUMMOYNE AS A LOCAL HERITAGE ITEM**Reporting Manager** Manager Strategic Planning

- Attachments:**
1. Planning Proposal (*Provided in Attachment Booklet*) [⇒](#)
 2. Heritage Assessment - Weir Phillips Heritage and Planning (*Provided in Attachment Booklet*) [⇒](#)
 3. Report by John Oultram Heritage & Design (*Provided in Attachment Booklet*) [⇒](#)
 4. Heritage Referral Response (*Provided in Attachment Booklet*) [⇒](#)
 5. Planning Panel Meeting Minutes (*Provided in Attachment Booklet*) [⇒](#)

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That:

1. Council endorse the Planning Proposal - 3 Wolseley Street, Drummoyne to remove the property as a heritage item in the *Canada Bay Local Environmental Plan 2013*, for submission to the Department of Planning, Housing and Infrastructure with a request for a Gateway Determination, public authority consultation and exhibition in accordance with any conditions imposed under the Gateway Determination.
2. Council seek authority from the Department of Planning and Environment to exercise the delegation of all functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan.
3. Authority be delegated to the General Manager to make any minor modifications to the planning proposal prior to public exhibition to correct any drafting errors or to ensure consistency with the Gateway Determination.
4. An archival record be prepared on behalf of the applicant by suitably qualified and experienced person and submitted to Council prior to the finalisation of the amendment to the Local Environmental Plan.

PURPOSE

To report on the outcome of a Planning Proposal assessment relating to 3 Wolseley Street, Drummoyne.

EXECUTIVE SUMMARY

A Planning Proposal has been received seeking to remove the heritage listing of a house at 3 Wolseley Street, Drummoyne (Item no. 1505) from Schedule 5 of the *Canada Bay Local Environmental Plan 2013* (LEP).

The house was constructed in c.1900 and was identified as a potential heritage item in 1995. Since this time, a range of works have been approved and changes made to the dwelling.

A detailed assessment of the heritage significance of the house has been undertaken and it is concluded that the subject dwelling no longer satisfies the relevant criteria for heritage listing under the Heritage Council of NSW criteria due to the significant modifications which have been made to the dwelling. The house does not reach the threshold for local heritage listing because it no longer demonstrates the historical development of Drummoyne during the Federation period or the architectural characteristics of a Federation period house.

It is recommended that Planning Proposal proceed to the Department of Planning and Environment for a Gateway Determination. This is not a recommendation which is made lightly, nor will it create

a precedent for the consideration of the status of any other heritage items within the City of Canada Bay.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

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

BACKGROUND/DISCUSSION

On 15 November 2023, Council received a Planning Proposal for a site known as 3 Wolseley Street, Drummoyne legally referred to as Lot 37 DP 964. The Planning Proposal is seeking to remove the heritage listing of the house in Schedule 5 of the *Canada Bay Local Environmental Plan 2013*.

A copy of the Planning Proposal is provided at Attachment 1 and the Heritage Impact Statement prepared by Weir Phillips Heritage and Planning is provided at Attachment 2.

Site Details

The subject site contains a detached two storey rendered brick and terracotta tiled Federation style dwelling house, which has undergone significant modifications. The dwelling is situated on an irregularly shaped parcel of land located on the south-eastern side of Wolseley Street.

The site has dual street frontages to Wolseley Street (north-western frontage) and St Georges Crescent (south-eastern frontage), with the primary entrance located at Wolseley Street. The front boundary to Wolseley Street is approximately 22.6m wide; the northern side boundary is approximately 29.1m in length; the total site area is 706 sqm (see Figure 1). The land falls steeply toward Georges Crescent (rear) of the site.

The site is currently listed as a heritage item of local significance (I505) under Schedule 5, Part 1 of the *Canada Bay Local Environmental Plan 2013*. The site is zoned R3, medium density residential under the *Canada Bay LEP 2013*.



Figure 1: Aerial image of subject site

The site is located within an R3 Medium Density Residential zone (see Figure 2) and has an 8.5m height limit (see Figure 3) pursuant to the *Canada Bay Local Environmental Plan 2013*.

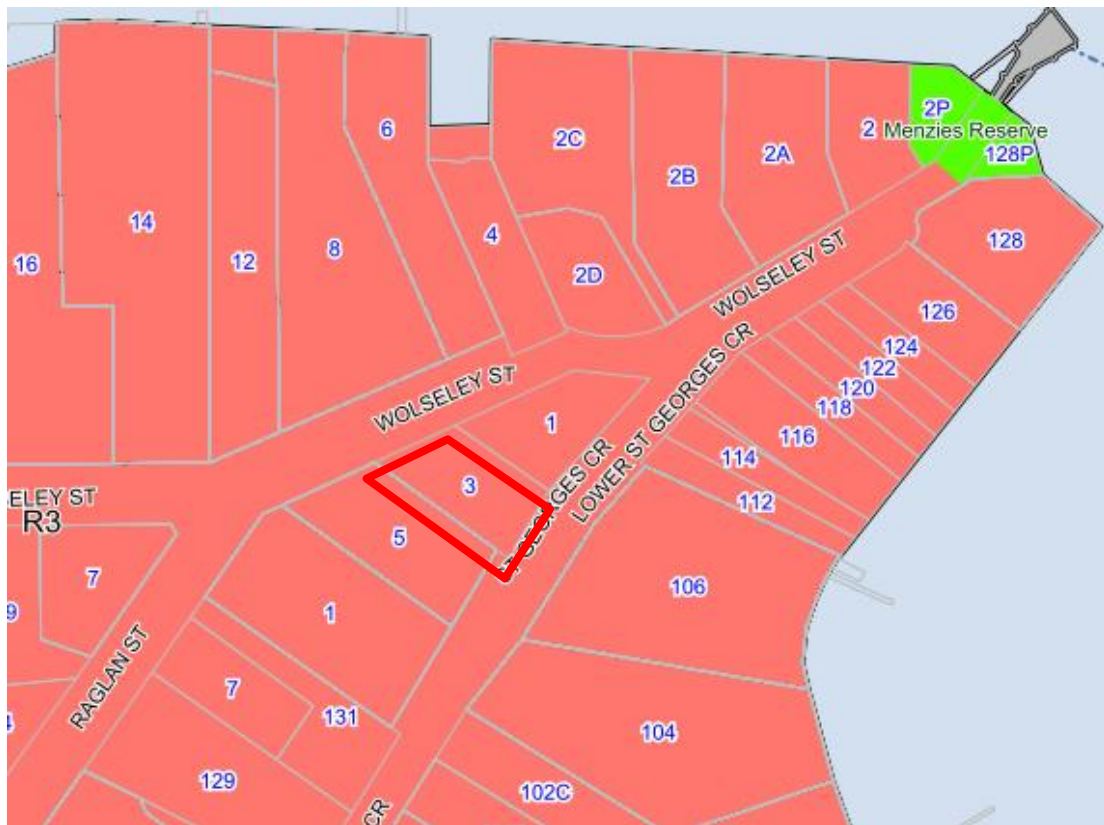


Figure 2: Zoning map

The Statement of Significance provided in the NSW Heritage Inventory is as follows:

3 Wolseley Street, Drummoyne (House) (I505):

The house is of high significance as part of a group at the end of St Georges Crescent which form a very fine streetscape and the house is capable of refurbishment. It is one of a group of fine Federation houses that typified development around the waterfront of Drummoyne.

The subject site is adjacent to a heritage item of local heritage significance, being 1 Wolseley Street (I504) situated to the north-east of the subject site. The Statement of Significance for this heritage item is as follows:

1 Wolseley Street, Drummoyne (House) (I504):

The house is of high significance as part of a group at the end of St Georges Crescent which forms a very fine streetscape and the house is largely intact. It is one of a group of Federation/Edwardian houses that typified development around the waterfront of Drummoyne.

The remnant Eucalyptus Pilularis is a rare survivor in the council area.

The subject site is in the near vicinity of 4 Wolseley Street, Drummoyne (I506), an item of local heritage significance, located to the north-west of the subject site. The Statement of Significance for this heritage item is as follows:

4 Wolseley Street, Drummoyne (House) (I506):

A very fine example of the later Federation Arts and Crafts style residence with excellent detailing and an imposing waterfront location. One of the finest surviving waterfront houses in the area.

About the Heritage Item on the Subject Site

The original house was constructed c.1900 on a residential subdivision of 1882 (the Drummoyne Park Estate). The house was not identified as a potential heritage item in the 1989 *Drummoyne Heritage Study* undertaken by Perumal Murphy. The *Drummoyne Heritage Study Review* by Paul Davies & Associates, 1995, did however identify the property as a potential heritage item. The current heritage inventory sheet was prepared as part of this study. In 2000 the house was subsequently listed as a heritage item in *Drummoyne Local Environmental Plan (LEP) 1986* by Amendment No. 44 to the LEP.

The Heritage Impact Statement (HIS) accompanying the Planning Proposal prepared by Weir Phillips Heritage and Planning, states that it is likely the house was originally constructed in face brick with stone foundations, and characterised by timber framed windows, gables and bay windows in a style typical of the Federation period.

The subject dwelling has since undergone significant modifications unsympathetic to the original Federation style and is no longer considered representative of this style of architecture. The modifications are described below. Figures 5, 6 and 7 provide current views of the house.



Figure 5: Current view of dwelling from Wolseley Street looking east



Figure 6: Current view of dwelling from St Georges Crescent looking north-west



Figure 7: Rear wing of subject dwelling from St Georges Crescent

Changes Made to the Dwelling House

Extensive alterations and additions were made to the house following Council development approval in 1999 (DA 269/1998). The modifications included:

- A new first floor addition
- Ground floor balcony added to the front verandah
- Double garage on Wolseley Street
- Swimming pool
- Laundry
- New Wolseley Street fence
- Rendering of the external face brick walls

Further alterations and additions on the subject site were approved by Council in 2003 (DA 5/2003). The approved work included:

- A new fence to St Georges Crescent
- New double garage to St Georges Crescent
- New steps and path from St Georges Crescent
- Swimming pool (different but not additional to the pool approved in 1999)
- An addition to the northern end of the approved first floor addition.

The heritage assessment report accompanying the planning proposal prepared by Weir Philips notes the following key alterations to the dwelling, in summary:

- The face brick has been rendered.
- The principal roof structure was removed when the first-floor addition was constructed.
- Most of the original openings have been replaced.

- The original front elevation has been enclosed and the entry relocated to Wolseley Street, which has obscured an understanding of the original configuration and the use of the rooms.
- All ceilings have been replaced with uncharacteristic plain plaster ceilings.
- Most of the original joinery including skirting boards and architraves have been replaced.
- The plasterwork in the hallway is not original.
- Most of the leadlight top lights are new.
- The fireplaces have either been removed or replaced.
- All site structures including the boundary fencing, garden stairs, vegetation and so on have been replaced or removed.

Planning Proposal and Heritage Impact Statement

A Planning Proposal has been lodged with Council to initiate a process whereby the property would no longer be listed as a heritage item in Schedule 5 of the *Canada Bay LEP 2013*.

The Planning Proposal is accompanied by a Heritage Impact Statement (HIS) prepared by Weir Phillips Heritage and Planning. The HIS recommends removal of the item from Schedule 5 of the *Canada Bay LEP 2013*, stating (p. 43):

Unlike remaining dwellings from this period, the subject dwelling has undergone alterations and additions over time. These alterations are significant and irreparable and have resulted in the loss of important detail that characterises the style.

The HIS assessed the site for significance against seven (7) criteria under the NSW Heritage Division Criteria and concluded that the dwelling does not meet the threshold for listing. The proponent's reasons for delisting the heritage item are as follows:

- The building is not a fine example of a Federation period and style dwelling, but rather a highly modified typology that has lost its integrity.
- The building has limited historic significance as part of a pattern of substantial dwellings being constructed in this part of Drummoyne during the late 19th and early 20th centuries.
- The building is not associated with any persons or cultural groups determined to be of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).
- The building has not been attributed to any prominent designer or architect.
- The building has been altered so extensively that it can no longer be considered a good example of its type. There are other better examples to be found throughout the City of Canada Bay that would provide this type of information.
- The building does not display any aesthetically distinctive or landmark qualities. The building is of limited aesthetic merit.
- The setting of the item has been irreparably damaged by the construction of medium density development around the site.
- The building is isolated and separated from similar building types and no longer forms part of a larger cohesive group.
- The context, character and amenity of the subject site has been diminished by redevelopment of sites nearby into residential flat buildings.

Previous Recommendation for Delisting by John Oultram Heritage & Design

In 2020, Council engaged an independent heritage consultant, John Oultram Heritage & Design (Attachment 3) to review a request from the owner to remove the heritage item from Schedule 5 of the *Canada Bay LEP 2013*. At that time, no formal Planning Proposal was received by Council from the applicant to delist the subject dwelling as a heritage item.

The report by John Oultram concludes that, based on an assessment of significance undertaken in accordance with the Heritage NSW guideline *Assessing Heritage Significance*, the house does not satisfy the guideline's criteria for local heritage significance. This conclusion is due to the lack of integrity of the original house, the report stating:

The house has been very heavily altered and its form distorted by the later additions. It has lost much of its original characteristics and external detail and much of the interiors detail has been replaced. The garden setting to the water has also been altered. Based on the above we consider that the house would not meet any of the Heritage Manual criteria for identification as a place of local significance.

The overall recommendation made in the report by John Oultram is as follows:

3 Wolseley Street is a poor example of a heavily modified Edwardian house that has lost much its original form and external detail. The property would not meet any of the Heritage Manual criteria for identification as a place of local significance. We would recommend that the listing be removed.

Heritage Assessment

Extensive alterations and additions were made to the house following Council development approval in 1999 (DA 269/1998). The Council planner who assessed the development application in 1999 appears not to have referred the application to Council's Heritage Advisor at the time, but nevertheless included the following assessment of heritage impact in the report:

The following aspects of the proposal respect or enhance the heritage significance of the item:

- *The existing dwelling is preserved and not demolished.*
- *The existing dwelling is in poor condition and is repaired by the proposal maintaining its significance as a remnant part of a significant group at the end of St Georges Crescent.*
- *The original features of the Federation dwelling are maintained.*
- *The landscaping of the property – which is currently in a state of disrepair is maintained.*

Further alterations and additions were approved in 2003 (DA 5/2003). Similarly, the development application appears not to have been referred to Council's Heritage Advisor for review and comment during the assessment in 2003.

The heritage impact statement (HIS) submitted with DA 5/2003 states that the heritage significance of the original house had already been severely eroded by works approved by Council in 1999, and the approved works were considered sufficiently detrimental to render the house below the level of significance needed for local heritage listing. The HIS argues that due to the lack of heritage values, the proposed further changes to the house are acceptable.

The heritage assessment report submitted with the planning proposal (PP2023/0004) prepared by Weir Phillips, assesses the significance of the existing house. The report concludes that the house has undergone extensive alterations that have degraded its heritage value, as the house can no longer be considered a good example of its type and no longer presents as a Federation style dwelling.

The assessments of heritage significance of 3 Wolseley Street undertaken by both Weir Phillips Heritage and Planning, and John Oultram Heritage & Design are consistent in their assessment, agreeing that the lack of integrity of the original house has permanently degraded the heritage values of the house to such an extent that it no longer warrants heritage listing.

Council's Heritage Coordinator has reviewed the Planning Proposal and supports the conclusions of the applicant's heritage consultant and Council's independent heritage consultant. The following summary of reasons as to why the planning proposal to delist the heritage item should be supported:

The planning proposal for the removal of the house at 3 Wolseley Road from Schedule 5 (the heritage schedule) of Canada Bay Local Environmental Plan 2013 is supported as the lack of integrity of the original house greatly limits its ability to demonstrate the historical development of Drummoyne during the Federation period and the architectural characteristics of a Federation period house.

The assessment by Council's Heritage Coordinator is provided at Attachment 4.

It is recommended that the Planning Proposal be endorsed for submission to the Department of Planning and Environment for a Gateway Determination. The existing heritage listing would be removed as the house no longer reaches the threshold of heritage significance required for local heritage listing as required by the following criteria for assessing heritage significance set out in the NSW Department of Planning and Environment guideline *Assessing Heritage Significance*:

- The house no longer adequately demonstrates the history of the suburban development of Drummoyne in the late nineteenth and early twentieth centuries following subdivision of large estates. As a result, Criterion (a) of the criteria for assessing heritage significance in NSW is not satisfied.
- An association of the house to a person or organisation that has made an important contribution to the history of the area has not been demonstrated. As a result, Criterion (b) of the criteria for assessing heritage significance in NSW is not satisfied.
- The appearance of the original house has been so altered that it no longer adequately demonstrates the distinctive aesthetic qualities of a Federation period house, or a high degree of creative or technical excellence at a local level. As a result, Criterion (c) of the criteria for assessing heritage significance in NSW is not satisfied.
- The house does not have a strong or special association with a particular community group and, based on available information, is not esteemed by the community. As a result, Criterion (d) of the criteria for assessing heritage significance in NSW is not satisfied.
- The house has been well researched and does not have the potential to reveal unique information that will contribute to an understanding of past historic, cultural, or technological matters. As a result, Criterion (e) of the criteria for assessing heritage significance in NSW is not satisfied.
- The house is not rare as there are a number of Federation period houses in the Drummoyne area, with this suburb having a strong period of growth during the Federation period. In addition, alterations to the house mean that it is no longer able to adequately demonstrate a house typical of the Federation period. As a result, Criterion (f) of the criteria for assessing heritage significance in NSW is not satisfied.
- The house does not demonstrate the principal characteristics of a Federation period house due to the extensive alterations and additions undertaken c.2004. As a result, Criterion (g) of the criteria for assessing heritage significance in NSW is not satisfied.

Local Planning Panel

On 31 January 2024, the Planning Proposal was referred to the Local Planning Panel (the Panel) for advice. The Panel considered the assessment report, the information presented by the applicant in their address to the Panel, and the matters observed during a site inspection.

The Panel provided the following advice:

1. The Panel recommends the heritage listing removal of the site but notes de-listing is a rare event, however in accordance with the heritage advice and the context surrounding the site, it is appropriate in this exceptional case.
2. It would appear from the records, the 1999 DA and works in 2004 reduced the heritage values of the building.
3. That prior to finalisation of the de-listing, the proponent be required to create an archival record based on the two heritage reports from Weir Phillips and John Oultram.
4. If a DA for redevelopment of the site comes forward, the Panel would recommend that Council require the proponent to explore opportunities for material salvage and re-use for any redevelopment on the site.

The minutes from the Local Planning Panel are provided at Attachment 5.

TIMING CONSIDERATIONS

The Planning Proposal was lodged on 15 November 2023. It is categorised as a 'standard' application with a 95-day assessment timeframe requiring a Council resolution no later than 26 March 2024 and submission to the NSW Department of Planning and Environment (if appropriate) for a Gateway Determination.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

The planning proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and follows the NSW Department of Planning and Environment's 'Local Environmental Plan Making Guideline'.

ITEM 9.3 STATE PLANNING REFORMS**Reporting Manager** Manager Strategic Planning

- Attachments:**
1. **Transport Orientated Development Program** (*Provided in Attachment Booklet*) [⇒](#)
 2. **CCB Submission to TOD Program** (*Provided in Attachment Booklet*) [⇒](#)
 3. **EIE - Changes to create low and mid-rise housing** (*Provided in Attachment Booklet*) [⇒](#)
 4. **CCB Submission - EIE - Changes to create low and mid-rising housing** (*Provided in Attachment Booklet*) [⇒](#)
 5. **CCB Submission - Social and Affordable Housing reforms** (*Provided in Attachment Booklet*) [⇒](#)

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That:

1. Council notes the submissions, provided at Attachments 2 and 5, on the Transit Orientated Development Program and Social and Affordable Housing reforms.
2. Council endorse the submission on the 'Explanation of Intended Effect: Changes to create low and mid-rise housing', provided at Attachment 4, and forward it to the Department of Planning, Housing and Infrastructure.
3. Given the announcements made by the Department of Planning, Housing and Infrastructure, a Planning Proposal and draft Development Control Plan no longer be prepared for the North Strathfield Planning Study area.

PURPOSE

Provide an overview of the recently released Transit Oriented Development Program, Social and Affordable Housing reforms and the Explanation of Intended Effect: Changes to create low and mid-rise housing and seek endorsement of a draft submission to be forwarded to the Department of Planning, Housing and Infrastructure.

EXECUTIVE SUMMARY

The Department of Planning, Housing and Infrastructure (DPHI) has released a number of initiatives that aim to increase housing supply in metropolitan Sydney and surrounds, including the Transit Oriented Development (TOD) Program, the Explanation of Intended Effect: Changes to create low and mid-rise housing (EIE) and Social and Affordable Housing reforms.

This report provides a summary of the reforms and their impact on the City of Canada Bay (CCB) local government area.

Submissions have been prepared that outline key concerns with the proposals and it is recommended that Council endorse the submission prepared in response to the proposed low and mid-rise housing reforms.

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

Transit Oriented Development Program (TOD)

In mid-December 2023, the NSW Department of Planning, Housing and Infrastructure (DPHI) released the *Transit Oriented Development Program* for public comment, provided at *Attachment 1*.

The TOD Program comprises two initiatives.

1. A new State Environmental Planning Policy (TOD SEPP) will be prepared (by the State Government) that amends planning controls to enable additional housing within 400 metres of 31 stations. One station is located in CCB, being North Strathfield.

Under the new TOD SEPP, Residential flat buildings will be permitted in residential zones within the 400m catchment, area and development standards will be implemented to facilitate buildings to a height of 21m and a Floor Space Ratio of 3.0:1. A requirement for a minimum of 2% affordable housing is proposed.

2. Eight transport hubs have been identified as 'Accelerated Precincts' and will be subject to state-led rezoning and landuse master planning processes. The catchment of the Homebush Accelerated Precinct includes land within Strathfield and North Strathfield in CCB.

Development applications with a construction value of above \$60 million in the Accelerated Precinct area would qualify for a State Government assessment pathway rather than assessment by the local authority.

The submission at *Attachment 2* outlines concerns relating to the proposed TOD Program.

The submission notes that the TOD SEPP represents the erosion of decision-making by local government and the undermining of adopted strategic plans. In particular, the City of Canada Bay has prepared various planning studies within the Accelerated Precinct area of Homebush and the TOD SEPP area of North Strathfield. Any master plan prepared by DPHI should recognise the community engagement and strategic work undertaken by Council for the Parramatta Road corridor and for land within the vicinity of the metro station in North Strathfield.

The TOD SEPP area of North Strathfield also overlaps the boundaries of the Homebush Accelerated Precinct. This situation has the potential to cause confusion and will create an unnecessarily complex planning framework.

There is also an incongruency with the height of building and Floor Space Ratio standards under the proposed TOD SEPP that will create unrealistic expectations in relation to the reasonable development capacity of land.

The submission also references the importance of affordable housing, protection of heritage listed places and design quality controls. It is recommended that DPHI commit to engagement with impacted communities and work collaboratively with Council should the reforms progress.

Submissions on the TOD program were due to DPHI on 31 January, and the submission at Attachment 2 was sent to DPHI by the due date.

Explanation of Intended Effect: Changes to create low and mid-rise housing (EIE)

DPHI also released the *Explanation of Intended Effect: Changes to create low and mid-rise housing* (EIE) for public comment in mid-December 2023, provided at *Attachment 4*.

The intent of the EIE is to increase the supply of low and mid-rise housing typologies in station and town centre precincts. Station and town centre precincts are defined as land within:

- 800m walking distance of heavy rail, light rail or metro stations;
- 800m walking distance of land zoned E2 Commercial Centre; and
- 800m walking distance of land zoned E1 Local Centre or MU1 Mixed Use, but only if the zone contains a wide range of frequently needed goods and services, such as full-line supermarkets, shops and restaurants.

The proposed changes are described in more detail below. Commentary on the implications of these changes for the City of Canada Bay is provided at the end of this section.

Dual Occupancies

The NSW Government proposes to make development for the purposes of a “dual occupancy” permissible on all land in R2 low density residential zones across the State. This includes attached dual occupancies (two dwellings on the same lot that are attached to each other) or detached dual occupancies (two dwellings on the same lot that are not attached, but does not include a secondary dwelling).

The proposed non-refusal standards for dual occupancies include:

- maximum building height: 9.5 metres
- maximum floor space ratio: 0.65:1
- minimum site area: 450m²
- minimum lot width: 12 metres
- minimum car parking spaces: 1 per dwelling

Multi dwelling housing

The NSW Government proposes to make development for the purposes of “multi dwelling housing” permissible on land in R2 low density residential zones within station and town centre precincts. Multi dwelling housing includes development comprising three or more dwellings on a single lot of land, with ground level access to each dwelling. This includes development commonly referred to as townhouses, terraces and manor houses.

The proposed non-refusal standards for multi dwelling housing include:

- multi dwelling housing (terraces):
 - maximum building height: 9.5 metres
 - maximum floor space ratio: 0.7:1
 - minimum site area: 500m²
 - minimum lot width: 18 metres
 - minimum car parking spaces: 0.5 per dwelling
- multi dwelling housing:
 - maximum building height: 9.5 metres
 - maximum floor space ratio: 0.7:1
 - minimum site area: 600m²
 - minimum lot width: 12 metres
 - minimum car parking spaces: 1 per dwelling
- manor houses:
 - maximum building height: 9.5 metres
 - maximum floor space ratio: 0.8:1
 - minimum site area: 500m²
 - minimum lot width: 12 metres
 - minimum car parking spaces: 1 per dwelling

Residential flat buildings and shop top housing

The proposed changes for mid-rise housing relate specifically to development for the purposes of “residential flat buildings” and “shop top housing” in R3 Medium Density Residential zones. Residential flat buildings are more commonly known as apartment buildings, and shop top housing is development wherein one or more dwellings are located above a ground floor commercial premises or health services facility.

For development within 400 metres walking distance of a station or town centre precinct, the proposed non-refusal standards for mid-rise housing include:

- maximum building height: 21 metres
- maximum floor space ratio: 3:1

For development between 400 and 800 metres walking distance of a station and town centre precinct, the proposed non-refusal standards for mid-rise housing include:

- maximum building height: 16 metres
- maximum floor space ratio: 2:1

Comment

The reforms will enable a diverse range of housing to be provided in locations that have good access to services. However, the broad scope of the EIE means that the majority of CCB will be impacted, with established suburbs being irrevocably altered over time.

There are numerous E1 Local Centre zones in the CCB, many of which comprise small groupings of neighbourhood shops. Of these, local centres, three contain a supermarket and Council has not identified any of these Local Centres as being suitable or appropriate for rezoning in any strategy or study. Permitting four to six storey apartment buildings, either within these small neighbourhood centres or within the vicinity of these centres is inconsistent with the existing and desired future character of these places.

The SEPP will also have a significant and irreversible impact on heritage protected places and Council is not aware of any analysis of the impact of such a policy intervention on particular buildings or on the integrity of heritage conservation areas. Numerous historical places will be lost where the protection of a heritage listed place ‘is inconsistent with the new standards’.

The draft submission at *Attachment 4* outlines concerns relating to the EIE. The draft submission recommends:

- removal of E1 Local Centre zones from the application of the SEPP;
- exclusion of heritage items and heritage conservation areas from the application of the SEPP;
- specific improvements of the proposed development standards to be included in the SEPP; and
- a range of other matters for consideration by the Department.

This report seeks Council’s endorsement of this submission (at Attachment 4). Submissions on the EIE are due on 23 February 2024.

Affordable Housing Bonus

In December 2023, the DPHI amended the in-fill affordable housing provisions of *State Environmental Planning Policy (Housing)* to further incentivise the delivery of affordable housing in response to the NSW Government’s commitments under the National Housing Accord (the Accord). This SEPP can be applied to development that includes at least 10-15% of its Gross Floor Area (GFA) as affordable housing. The incentives offered include Floor Space Ratio and Height of Building bonuses of up to 30%, on a sliding scale depending on how much Affordable Housing GFA is proposed.

In-fill affordable housing bonuses may not be achieved on all sites due to site constraints and local impacts such as solar access, privacy or the visual impacts. In this way, development applications that seek to apply the in-fill housing bonus will be subject to a merit assessment and the bonus is not to be treated as an entitlement.

The submission at *Attachment 5*, highlights various concerns with the affordable housing bonus, including the requirement that affordable housing is only required to be maintained for 15 years and potential impacts on the amenity of existing residents, as consent authorities are encouraged to consider the flexible application of development controls where development includes affordable housing.

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

Council officers have raised significant concerns with DPHI regarding the timing of the release of these major planning reforms, as well as the generally insufficient time allowed for briefing of elected Councillors and preparation of submissions.

The submission on the TOD Program was due on 31 January 2024. Due to the deadline for this submission, a draft copy of the submission was circulated to Councillors prior to being forwarded to DPHI. It is anticipated that the TOD SEPP will commence in April 2024 and the Accelerated Precinct will be finalised before the end of 2024.

The EIE relating to low and mid-rise housing is on exhibition until 23 February 2024. At the conclusion of the exhibition period, the NSW Government will consider the submissions it receives before finalising the proposed planning reforms. It is expected that the planning reforms will take effect in 2024.

The social and affordable housing reforms were not publicly exhibited and only a limited timeframe was provided for Council Officers to provide feedback. For this reason, there was insufficient time to refer the draft submission to a Council meeting.

The proposed planning reforms generally undermine the role of the local government in setting land use planning policy in consultation with the local community. In this way, the reforms undermine strategic planning in New South Wales and erode the role of Local Strategic Planning Statements, Local Housing Strategies and Development Control Plans.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

On 16 May 2023, Council resolved to prepare a Planning Proposal and draft Development Control Plan for the North Strathfield Planning Study area. Given the TOD Program will lead to amendment of local planning controls that will prevail over work undertaken by Council, it is recommended that this planning work no longer proceed.

ITEM 9.4 CHANGES TO LOCAL PLANNING PANELS**Reporting Manager** Manager Statutory Planning**Attachments:** Nil

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That Council:

1. Reappoint Ms Geraldine Hoeben as alternate chair to the Canada Bay Local Planning Panel from 28 February 2024 to 30 June 2024.
2. Reappoint Ms Judith Clark, Ms Larissa Ozog, Ms Toney Hallahan, Mr Jason Perica, Ms Tina Christy, Ms Lindsey Dey, Ms Juliet Suich, Ms Heather Warton, Ms Marica Doheny, Ms Kim Crestani, Mr Peter Monks, Mr Garry Chapman, Mr Stephen Alchin and Ms Julie Walsh as independent experts to the Canada Bay Local Planning Panel from 28 January 2024 to 30 June 2024.
3. Reappoint Ms Ruth Frettingham, Ms Alison Webb and Ms Anita Kazi as community representatives to the Canada Bay Local Planning Panel from 28 January 2024 to 30 June 2024.

PURPOSE

This report seeks Council's endorsement to extend the approval of chair and member pools and appoint existing chairs and members to the Canada Bay Local Planning Panel for an interim period from 28 February 2024 to 30 June 2024.

EXECUTIVE SUMMARY

From 28 February 2024, all councils in metropolitan Sydney are required by the State government to modify the operation of their Local Planning Panels and this report seeks Council's approval for the following:

- The interim extension of appointment of one (1) alternate chair from 28 February 2024 to 30 June 2024 who currently sits on the Canada Bay Local Planning Panel.
- The interim extension of appointment of fourteen (14) expert members from 28 February 2024 to 30 June 2024 who currently sit on the Canada Bay Local Planning Panel.
- The interim extension of appointment of three (3) community representatives from 28 February 2024 to 30 June 2024 who currently sit on the Canada Bay Local Planning Panel.

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

The City of Canada Bay Council, along with other metropolitan Sydney councils, has operated a mandatory Local Planning Panel (LPP) since 1 March 2018.

On Tuesday, 23 January 2024, Council received notice from the Department of Planning, Housing and Infrastructure (DPHI) that Council is required to extend the approval of chair and member pools and appoint existing chairs and members of local planning panels for an interim period from

28 February 2024 to 30 June 2024. It should be noted that any panel member who has served two terms on the same local planning panel cannot be reappointed (this includes community representatives), resulting in the following panel's membership concluding from the Canada Bay Local Planning Panel on 28 February 2024:

- Ms Alison McCabe, chair, appointed to the Canada Bay Local Planning Panel from 1 March 2018 to 28 February 2024 (6 years);
- Mr Peter Wells, alternate chair, appointed to the Canada Bay Local Planning Panel from 1 March 2018 to 28 February 2024 (6 years); and
- Ms Helen McCaffrey, community representative, appointed to the Canada Bay Local Planning Panel from 1 March 2018 to 28 February 2024 (6 years).

With the forced departure of two of our three Panel chairs, the remaining alternate chair, Ms Geraldine Hoeben will be the sole chair on the Panel until 30 June 2024.

1. LOCAL PLANNING PANEL

Functions of the Local Planning Panel

There are no changes to the functions of the Local Planning Panel which are detailed below.

The role of the LPP is to determine development applications on behalf of Council; and provide other advice to Council on strategic planning matters such as Planning Proposals. The Panels were introduced by the State Government in March 2018 to “reduce the risk of conflict of interest and corruption, achieve better planning outcomes and elevate the role of the elected Council to focus on strategic planning and policy matters rather than the determination of development applications”.

The consent authority functions of Council with respect to the following matters remain unaltered, and can only be exercised by the Panel:

- Development Applications (DAs) valued at more than \$5million but less than \$30million. Any DA valued at greater than \$30million will be determined by the Sydney Eastern City Planning Panel (regional panel).
- DAs and s4.55(2) applications relating to development previously determined by the Panel.
- DAs where the owner or applicant is the Council or a Councillor, a member of a Councillor's family, a member of Council staff who is involved in exercising Council's functions under the Act, or a State or Federal Member of Parliament, a relative within the meaning of the Local Government Act, 1993 of any such person/s.
- DAs that receive 10 or more objections from 10 or more different households.
- DAs seeking to depart by more than 10% from the development standards contained within the relevant Local Environmental Plan, but not where the Secretary of the Department of Planning, Housing and Infrastructure has given concurrence to the contravention of the development standards or where the concurrence has been assumed.
- DAs associated with sensitive developments such as designated developments, residential flat buildings assessed under State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development, demolition of heritage items, licensed places of public entertainment (e.g., clubs, hotels etc.), sex services premises or restricted premises, and DAs accompanied by a Voluntary Planning Agreement under Section 7.4 (formerly 93F) of the Act.
- Modifications of existing development consents under Section 4.55(2) of the Act that meet the abovementioned criteria.
- All Planning Proposals are required to be referred to the Panel for advice.
- Council can elect to refer any other planning or development matter that is required to be determined by the Council to the Panel for advice.

Under Section 4.8 of the Act, any Development Application which has a value of \$5million or less and which falls outside the remainder of the above criteria will be determined by staff under delegation.

Membership of the Canada Bay LPP

It should be noted that the following persons are excluded from membership of the Panel as follows:

- Councillors
- Property Developers
- Real Estate Agents

If any of the Panel members become a Councillor, property developer or real estate agent, they must cease being a Panel member.

The Canada Bay LPP will continue to have a minimum of four (4) members present at each meeting. The Chairperson, independent experts and community member of the Panel will rotate between meetings, selected from the pool of members appointed to the Canada Bay LPP. Each Canada Bay LPP meeting will have a minimum of four members (Chair, two independent experts and a community representative) comprising the following:

- Alternate Chair – Ms Geraldine Hoeben will remain as the sole Chair.
- A minimum of two (2) independent members who must be qualified in at least one of the following areas - planning, architecture, heritage, the environment, urban design, economics, traffic and transport, law, engineering, tourism or government and public administration (until 30 June 2024).
- A community member nominated by Council. The community member does not have to be an expert in one of the fields referred to above but should be chosen to enhance the Panel's knowledge of local matters (discussed below) (until 30 June 2024).

It is noted that the membership of local planning panels will need to be renewed in June 2024 and this will be the subject of a further report to Council closer to that date.

Expert Members

The Canada Bay LPP has been functioning effectively to date with fourteen (14) independent experts: Mr Jason Perica, Ms Larissa Ozog, Ms Toney Hallahan, Ms Judith Clark, Ms Tina Christy, Ms Lindsey Dey, Ms Juliet Suich, Ms Heather Warton, Ms Marica Doheny, Ms Kim Crestani, Mr Peter Monks, Mr Garry Chapman, Mr Stephen Alchin and Ms Julie Walsh.

It is recommended that the independent experts listed above be reappointed to the panel from 28 January 2024 to 30 June 2024.

Community Members

The Canada Bay LPP has been functioning effectively to date with four (4) community representatives: Ms Helen McCaffrey, Ms Ruth Frettingham, Ms Alison Webb and Ms Anita Kazi.

It is recommended that three (3) community representatives, Ms Ruth Frettingham, Ms Alison Webb and Ms Anita Kazi be reappointed to the panel from 28 January 2024 to 30 June 2024.

As Ms Helen McCaffrey has now served six (6) years on the panel, she is not able to be reappointed.

Administration and Coordination Support

The efficient operation of the LPP will continue under the established administration support, which includes a Senior Planner and a Panels' Coordinator to assist in the administration and functions of the Panel.

Future Reporting

Monthly reports on items considered and determined at the CBLPP will continue to be provided to Council. These reports will also continue to include all development and other planning applications determined under delegated authority by staff.

FINANCIAL CONSIDERATIONS

There are no statutory fees included in the *Environmental Planning and Assessment Regulation 2021* enabling Council to recover any of the financial costs associated with the operation of the Panel. This is consistent with the financial costs of running the current LPP.

All costs associated with the members of the LPPs and the administration costs for the Panel will continue to be covered by individual councils from development application fees.

The Department has maintained remuneration rates for LPP members, which are as follows:-

- Chair = \$2000 plus GST per meeting
- Independent experts = \$1500 plus GST per meeting
- Community members = minimum of \$500 up to a maximum of \$1500 per meeting

The above rates assume a full day per meeting (i.e. 7 hours) and includes time for meeting preparation, site inspections and participation at the LPP meetings.

The LPP meetings will continue to be convened once per month with standing meetings set for the last Wednesday of the month.

LEGISLATIVE AND POLICY CONSIDERATIONS

This report is prepared in response to the Ministerial Direction made under s9.1 of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation (2021)*.

ITEM 9.5 ALL ELECTRIC HOMES AND BUSINESSES IN CANADA BAY LGA**Reporting Manager** Manager Strategic Planning**Attachments:** 1. **Attachment 1 - All Electric Homes and Business in Canada Bay LGA** [↓](#)**RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING**

That:

1. A draft amendment to the Canada Bay Development Control Plan which requires new or replacement dwellings and new commercial buildings to use only electricity for all energy requirements, as outlined in Attachment 1 attached to the report, be placed on public exhibition.
2. A further report be provided to Council following the conclusion of the exhibition period.

PURPOSE

To report on options for updating Council's planning documents to ban gas installations and appliances in new residential and commercial development.

EXECUTIVE SUMMARY

Council resolved that a report be prepared on options for updating Council's planning documents to ban gas installations and appliances in new residential and commercial development.

Under existing legislation in NSW, it is not possible for Council to ban the use of gas to reduce carbon emissions, however Council can require all-electric homes and businesses to address health and safety risks and to reduce financial impacts.

It is recommended that a draft amendment to the Canada Bay Development Control Plan (DCP) be placed on public exhibition that requires new residential and commercial buildings to be gas-free.

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**Background**

On 19 September 2023, Council resolved that:

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:

(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. *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.*

Planning Policy

State Environmental Planning Policy (Sustainable Buildings) 2022, referred to as the Sustainable Buildings SEPP, includes a requirement that planning instruments must not impose standards on development for the purpose of reducing greenhouse gas emissions. The purpose of this requirement is to ensure that a consistent approach is applied to achieving sustainability outcomes throughout NSW. The effect of this legislation is that Council cannot impose a ban on gas through a Local Environmental Plan or Development Control Plan where the aim is to reduce greenhouses gas emissions.

It is however possible to justify a prohibition on the use of gas for other reasons, including for the purpose of reducing air pollutants associated with on-site combustion. It is also possible to justify a requirement for all-electric buildings in order to create cost savings to developers and occupants through the avoidance of gas installation, and ongoing connection and disconnection charges.

For non-residential buildings, higher standards than those that currently apply to large commercial development under the Sustainable Buildings SEPP may be applied, given that consent authorities are required to consider whether the development minimises the use of on-site fossil fuels as part of the goal to achieve net zero emissions by 2050.

Role of Government

Various State and local governments in Australia have moved to require new development to be gas-free, in response to the established health science and the climate emergency.

Councils in NSW that have, or are in the process of, amending their Development Control Plans (DCP) include:

- Lane Cove Council - Recently adopted a new DCP that requires all new development within the LGA to use only electricity for all energy requirements, unless it can be demonstrated that a process or equipment cannot be served by electricity, in which case only that process or equipment is able to rely on fossil fuels. Where outdoor barbeques require gas, only bottled gas may be used.

Lane Cove's new planning controls came into effect on 28 September 2023. Four (4) submissions were received in relation to the draft DCP, with the submissions generally seeking stricter sustainability measures. One submission sought a total ban on gas in new developments and to be applied to "any installations of energy-consuming equipment."

- Waverley Council - Recently adopted a new DCP that does not permit gas cooktops, gas ovens or gas internal space heating systems in residential developments, and requires gas hot water systems that are able to be easily retrofitted for electric hot water systems in the future.

Waverley's new planning controls came into effect on 9 December 2022. Four (4) submissions were received during the public exhibition of their proposed controls, with 2 submissions in support and 2 submissions objecting. Waverley Council has had most success in applying the control to new Residential Flat Buildings as new developments are able to incorporate new utilities and there is less emotional attachment for developments that do not contain residents who do not use gas. The control is generally being applied more flexibly to alterations and additions in comparison to new development.

- City of Parramatta Council - Recently adopted a new DCP that requires all-electric appliances in new commercial and residential development in the Parramatta CBD. The DCP permits some flexibility, in permitting gas where it is demonstrated that the intended use is unable to be served by electricity. At the same time, City of Parramatta Council resolved to review the DCP provisions relating to all-electric buildings outside of the CBD.

Parramatta's amended DCP 2023 came into effect on 2 December 2022 with the ban on gas in new development in the City Centre. Two (2) submissions were received during the public exhibition, both generally in support of the proposed controls. Council has to date had 'push back' from only one applicant, who had already commenced construction under a previous Development Consent that allowed for a gas connection. Council conceded due to the previous approval.

- City of Newcastle Council – Recently adopted a new DCP that 'includes strengthened objectives and controls to restrict indoor gas usage within residential development, for better health outcomes and to avoid unnecessary financial burdens. The Council report stated that this reflects best practice and draws on wording from the Lane Cove DCP.'

Newcastle's amended DCP was resolved by Council on 12 December, but the DCP has not yet been updated on Council's website. Seventeen (17) submissions were received during

exhibition, which requested all-electric buildings and more broadly applied development controls.

- Inner West Council – Recently resolved to exhibit a draft DCP that proposes to prohibit gas appliances in all residential and commercial development for cooking, heating, and water heating, as well as expanding the application of the all-electric requirements to apply to commercial development applications as well. The draft DCP also requires existing gas cooktops, ovens, and internal space heaters to be replaced by an electric system, and prohibits solid fuel heating and cooking systems.
- City of Sydney - Recently resolved to exhibit a draft DCP that proposes to prohibit gas cooktops, gas ovens or gas internal space heating systems in new residential development to reduce indoor air pollutants associated with the onsite combustion of gas to improve air quality.
- Canterbury-Bankstown - Is preparing a masterplan for Campsie and Bankstown city centres, which will be translated into DCP controls, that will require all-electric appliances in new buildings.

Outside of NSW, the Victorian Government has banned gas connections in all new homes as of 1 January 2024. The ACT Government has banned new gas connections in all residential, commercial and community landuse zones and all residential use buildings in non-residential zones.

Issues relating to the banning of gas in new development

BASIX data for detached dwellings in the Canada Bay Local Government Area shows that in the period 2011-2020:

- 92% of households use gas for hot water heating, mainly for instantaneous heating;
- 88% use gas for cooking, mainly for the cooktop.

The data does not exist for multi-dwelling housing, but it is likely to be similar. The high uptake of gas in the City of Canada Bay is likely to be due to gas being readily available and due to this source of energy having been viewed historically as reliable and generally affordable. There are therefore significant impediments to requiring existing buildings to be gas-free.

However, as the supply of electricity from renewable sources increases, it is expected that there will be an increasing shift towards electric energy and appliances. In this way, the installation of gas connections in newly constructed buildings will become redundant and future residents and businesses will be responsible for the effort and cost of converting gas installations and appliances.

Established medical health and scientific data confirms that the burning of gas, particularly in confined spaces, has negative health impacts for occupants. This impact is an important consideration that would justify the imposition of development controls at a local level in relation to this issue. The information contained in the Council resolution has not been repeated here.

Lower income households are likely to be disproportionately impacted by the cost of converting existing gas appliances to electric. Converting apartment buildings and rental properties from gas to electric would be particularly challenging and expensive. The gradual transition to all electric buildings will also result in a reduction in the number of households on the gas network, who therefore have to pay increasingly higher energy bills as progressively fewer consumers remain on the network.

Early conversion to all electric buildings will negate future retrofitting of buildings that rely on gas. Further, research by 350 Australia suggests that once all-electric appliances are in place in Sydney, households could save an average of \$430 per year on energy bills.

In relation to commercial development, gas has about 17% of the energy share in commercial buildings and is overwhelmingly used for space heating. The Sustainable Buildings SEPP requires that certain new large commercial development and certain state significant development must demonstrate that they are capable of operating without fossil fuels by 2035. This is likely to have the

effect of making gas connections unattractive due to the cost of constructing infrastructure with built-in redundancy.

Benefits

If Council were to amend the Canada Bay DCP to require new homes and businesses to be all-electric and gas-free, the benefits would include:

- creating healthy and safer indoor environments;
- future proofing against escalating fossil-fuel energy prices and connection charges; and
- ensuring that buildings are constructed so as to avoid obsolescence of utility infrastructure.

The above benefits are consistent with the requirements of the Sustainable Buildings SEPP. However, it is also noted that a move towards all electric homes and business will have environmental benefits. Whilst the burning of natural gas emits fewer greenhouse gases than oil or coal and is less polluting, it is still a fossil fuel and non-renewable. Achieving emission reduction targets by reducing combustion of fossil fuels will assist to achieve net-zero by 2035 and/or 2050. The Sustainable Buildings SEPP states that *NSW has whole-of-economy targets to reduce greenhouse gas emissions by 70 per cent by 2035 compared to 2005 levels and reach net zero emissions by 2050. Achieving these targets will require all new and existing buildings in NSW to be operating at net zero well before 2050.*

Given the high gas connection rates for existing dwellings in the City of Canada Bay, it is recommended that only new or replacement dwellings be required to convert to electricity.

Draft development control

It is recommended that the following draft control be included in the Canada Bay Development Control Plan (DCP):

All Electric Buildings

Objectives

- Reduce indoor air pollutants associated with the combustion of gas to improve the air quality for occupants.*
- Reduce the cost to future occupants by minimising the need to upgrade gas infrastructure and for ongoing gas connection charges.*

Controls

- All development involving a new or replacement dwelling or new commercial building are to use only electricity for all energy requirements.*
- Where it is demonstrated that the intended use of the building requires a process or equipment that is not able to be served by electricity, fossil fuels may be provided to serve that service only. Evidence shall be provided with the application of market testing and equipment supplier advice to confirm that an electrically powered alternative is not technically possible.*

Note. The above control does not apply to external appliances that use bottled gas.

TIMING, CONSULTATION AND RISK CONSIDERATIONS

Should Council resolve to progress this initiative, the draft Canada Bay Development Control Plan amendment will be placed on public exhibition for a period of 28 days. Following the exhibition period, a further report will be provided to Council advising of any submissions received.

Should Council resolve to progress this initiative, there are relatively low risks as the next step involves public exhibition. Any feedback received during an exhibition would be provided to Council in a subsequent report to further inform Council's decision making on this issue.

FINANCIAL CONSIDERATIONS

There are no direct financial considerations for Council associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

The draft amendments to the *Canada Bay Development Control Plan* are consistent with the requirements of *State Environmental Planning Policy (Sustainable Buildings) 2022*.

Attachment 1 All electric homes and business in Canada Bay LGA

Proposed draft amendment to the Canada Bay Development Control Plan:

All Electric Buildings*Objectives*

- a. *Reduce indoor air pollutants associated with the combustion of gas to improve the air quality for occupants.*
- b. *Reduce the cost to future occupants by minimising the need to upgrade gas infrastructure and for ongoing gas connection charges.*

Controls

- a. *All development involving a new or replacement dwelling or new commercial building are to use only electricity for all energy requirements.*
- b. *Where it is demonstrated that the intended use of the of the building requires a process or equipment that is not able to be served by electricity, fossil fuels may be provided to serve that service only. Evidence shall be provided with the application of market testing and equipment supplier advice to confirm that an electrically powered alternative is not technically possible.*

Note. The above control does not apply to external appliances that use bottled gas.

**ITEM 9.6 CITY OF CANADA BAY ENVIRONMENT ADVISORY COMMITTEE
MINUTES 14 DECEMBER 2023****Reporting Manager** Manager Sustainability and Waste**Attachments:** 1. **Environment Advisory Committee Meeting Minutes - 14 December
2023** [↓](#)

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That the minutes of the City of Canada Bay Environment Advisory Committee Meeting held 14 December 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 14 December 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

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 14 December 2023 6.30pm – 8.15pm

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), Robyn Lindner (RL), Kate Egan (KE), Mavis Clements (MC), Danny Ruspandini (DR), Christina Rojas (CR), Alyssa Brown (AB)

APOLOGIES: Danny Ruspandini (DR), Christina Rojas (CR), Alyssa Brown (AB)

COUNCIL COMMITTEE STAFF: Belinda Koytz (BK), Monica Cologna (MC), Ilona Islam (II), Aidan Salvatore (AS), Lachlan Prentice (LP)

CHAIR: Councillor Charles Jago (CJ)

ITEMS:

- | | | |
|---------------|--|-----------------|
| 6.30pm | Acknowledgement of Country | Clr Jago |
| 6.32pm | Announcements and Introductions | Clr Jago |
| 6.35pm | Presentation | |
| | <ul style="list-style-type: none"> • MUDs Energy Efficiency Program Ilona <ul style="list-style-type: none"> ○ What we are doing now, plans for the next 6 months and feedback | |

Il presented Councils current solar and energy efficiency program. Following that, committee members raised several points for discussion.

- CJ enquired about the expected savings from solar and energy efficiency audit program. Il noted that the consultant report provides a summary of expected savings.
- BK explained complexities of Strata and noted Strata governance and timeframes as a challenge in implementation of the program.
- SK asked for clarification on matched funding of the program. BK clarified that making a matched commitment holds residents accountable for agreed actions. JA added the importance of a champion for MUDs.
- SK asked for clarification regarding the requirement to install solar. BK clarified that the program is designed to help facilitate solar in MUDs.
- MC commented on the importance of a 5-year plan for MUDs to ensure that they are in their capital works plans.
- CJ suggested Inner West Community Energy working with MUDs. JA noted that IWCE have made attempts but stepped away from MUDS due to complexity.
- RM recommended Greenpower offsetting electricity. BK noted that Council ran one last year and may consider this again in the future.

- **Solar for Community** **Aidan**



- AS delivered a presentation on Energy efficiency for single unit dwellings. The program with IWCE has resulted in 22 solar installations. A new video promoting 3 houses in Concord that have installed solar went live today on social media.
- RM suggested promoting heat pumps as a part of Council's energy efficiency campaign as a quicker win for households.
- Upcoming community energy efficiency workshops scheduled for:
 - Solar Information Night by Inner West Community Energy on 20 February
 - Electrify Everything by Canada Bay Zero Carbon Community on 5 March

• **Bringing Back Biodiversity** **Lachlan**

LP provided an update on Biodiversity programs to be delivered as part SRV funding.

- RM enquired about additional guidance or examples that people could follow for more native species in their backyards. LP recommended Backyards for biodiversity booklet for information and the importance of incorporating natural systems.
- KE enquired about the development of green balconies and walls. LP has made mention of green balconies and walls in proposed Develop Control Plan updates.
- SA recommended Gardening Australia as a useful resource.
- LP promoted the importance of local champions promoting their backyards, an area of focus for Council.

7.20pm **Council Update** **Belinda Koytz**

- BK discussed the recent Council resolution to expand the FOGO trial, and new bins at the Community Recycling Centre for oversize cardboard recycling. BK advised the group that Council recently received awards at LGNSW Environment Award the joint winner for Net zero emissions and Community Empowerment and Engagement award for work on the Godwits.

<https://collaborate.canadabay.nsw.gov.au/>

7:45pm **General Business** **All**

- Topic for next meeting

COP 28: The group discussed their disappointment at the lack of global action to phase out fossil fuels at the 28th meeting of the Conference of Parties (COP) United Nations Climate Change conference held this week. The group acknowledged the strong leadership role that Canada Bay Council is taking in this space, declaring a climate emergency, reducing corporate emissions by 77%, purchasing 100% renewable electricity and adopting a motion to phase out gas in Council buildings. Council was recently awarded the NSW Local Government Environment Award, Net Zero Emissions acknowledging this work along with another award to protect local biodiversity in the area.

Through this minute, the Committee seeks to highlight the importance of Council:

1. Continuing to take a leadership role in helping residents and local businesses more broadly transition to net zero emissions to reduce the impacts of climate change.
2. Continuing to advocate to other levels of government for strong action to reduce greenhouse gas emissions, increasing urban canopy and biodiversity.
3. Working towards adaptation and mitigation locally to minimise Council's and the broader community's exposure to financial, social, health and environmental risk in the future from climate change.



Water Sustainability: The group discussed concerns about the lack of water retention measures with predicted increasing temperatures. Water-Sensitive Urban Design measures were proposed as an effective measure. BK discussed Council water recycling projects such as the Cintra Park water recycling facility, water recycling in Drummoyne Oval and the review of the water efficiency plan.

McIlwaine Park Grand Opening: The group discussed the success of the grand opening with positive education and engagement on seawalls and saltmarsh occurring, with a focus on more responsible dog ownership. CJ made note of litter around the rockpools, and the group suggested the park as a Love Your Place site. The group also acknowledged the work undertaken by PRCG to make the site a reality.

8pm Meeting Closed

1. Meeting dates for 2024
 - **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 29th February 2024

10 CITY ASSETS DIRECTORATE REPORTS

ITEM 10.1 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 7 DECEMBER 2023

Reporting Manager Manager Roads and Traffic

Attachments: 1. **Traffic Committee Minutes - 7 December 2023** (*Provided in Attachment Booklet*) [↗](#)

RECOMMENDATION OF DIRECTOR CITY ASSETS

That the minutes and recommendations of the City of Canada Bay Traffic Committee Meeting held 7 December 2023, attached to the report, be adopted.

PURPOSE

To report the City of Canada Bay Local Traffic Committee minutes of 7 December 2023 to Council.

REPORT

This report contains the minutes for the City of Canada Bay Local Traffic Committee held on 7 December 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 the report.

LEGISLATIVE AND POLICY CONSIDERATIONS

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

11 COMMUNITY CULTURE AND LEISURE DIRECTORATE REPORTS**ITEM 11.1 REVIEW OF CITY OF CANADA BAY COMMUNITY FUNDING PROGRAMS****Reporting Manager** Manager Sustainability and Waste**Attachments:** 1. **Community Grants Policy** [↓](#)

RECOMMENDATION OF DIRECTOR COMMUNITY CULTURE AND LEISURE

That:

1. Council notes the findings of the review into Council's Community Funding Programs.
2. Council adopts the recommend changes to the City of Canada Bay Community Funding Programs, as detailed in the report.
3. Council adopts the draft City of Canada Bay Community Grants Policy 2024.
4. Council enter into a 3 year Memorandum of Understanding with Communities for Communities for the delivery of the Community Fun Day and Carols in the Park events.
5. The General Manager be authorised to finalise and execute the Memorandum of Understanding agreement referred to in 4 above.

PURPOSE

To present the findings of the review into Council's Community Funding Programs and propose that the recommended changes be adopted by Council. If adopted, the recommended changes will be implemented prior to commencement of the 2024/25 Community Funding Program, scheduled to commence in March 2024.

EXECUTIVE SUMMARY

In June 2023, Council resolved to undertake a review of Council's Community Funding Programs. This report presents the findings of the review and recommends a number of changes be made to the program. The recommendations include improvements to the governance of the program and adoption of a new Community Grants Policy.

The Policy outlines the proposed grant-making process for Event Grants, Community Project Grants and Environmental Grants, to bring the three funding streams under the one grants framework. The Policy includes the guiding principles for the structure and categories of funding.

The review also recommends that Council enter into a 3 year memorandum of understanding with Communities for Communities for the delivery of the Community Fun Day and Carols in the Park events.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 1: Connected Community

Goal CC 3: Provide the community with equitable access to a range of programs, services, and facilities

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

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

BACKGROUND/DISCUSSION

In June 2023, Council resolved that Council staff undertake a review of the Community Sponsorship Program and the Community Grant Program and Guidelines and report the findings back to Council.

The City of Canada Bay has been offering annual Community Funding under the following funding streams: Community Sponsorship, Community Grants and Small Environmental Grants for Schools.

This Community Funding provides opportunities for not-for-profit community organisations and groups to receive funding for projects which benefit the community.

Council's current policy and guideline documents include:

- Sponsorship Policy (2023)
- Community Funding Guidelines 2023-2024

Each of the three programs have separate application, assessment and reporting processes.

Community Sponsorship Program provides a contractual agreement between Council and a third party. It is a commercial arrangement which offers cash and/or in-kind support to a project, event or initiative in return for a specified benefit. In a sponsorship agreement, Council has an expectation, such as increased Council profile through the initiative's publicity and promotional activities.

Community Grants Program provides funding to local not-for-profit organisations to undertake projects that benefit the community. This is provided via direct cash funding and/or in-kind support. Grant recipients are required to submit an acquittal at the end of their funding period to demonstrate how they have expended the funding and to report on the outcome for the community.

Small Environmental Grant for Schools provides support to primary and secondary schools and their Parents & Citizens/Parents & Friends organisations to deliver environmental projects that demonstrate additional community benefit and align with Council's adopted strategic environmental objectives as per the funding guidelines.

REVIEW PROCESS

The purpose of the review was to identify recommendations for Council to ensure that Council's community funding programs:

- Are relevant and meet community needs
- Provide a robust grant-making framework including key principles of transparency, accountability, probity and value for money
- Provide a high-quality customer experience

The review methodology included consultation with the community and considered Council's current policy and guideline documents against other Council's grants programs to ensure best practice.

CONSULTATION

Council officers engaged with external stakeholders between 26 September – 31 October 2023. 18 survey responses were received as well as feedback from 14 workshop participants.

Feedback indicated that most believed the funding opportunities are available to the appropriate groups with a good mix of small and large funding options. Recommendations included:

- Increased funding for events due to increasing event logistic costs (event logistic costs are 30 – 50% higher).
- Fundraising should not be the primary aim of projects.
- Projects should demonstrate a community need and align with Council plans.
- Council should support the sharing of resources, networking, collaboration and volunteering via their funding programs.

- Improved promotion of the program especially information regarding venue support and funding of equipment.
- Continue to provide a clear application process which includes assessment criteria and the assessment and evaluation processes.
- Continue to provide grant writing support.

Benchmarking and best practice

An investigation of best-practice examples from other council grants programs was undertaken to inform the recommendations of this review and to align our grant-making with best-practice principles.

The review identified the following opportunities:

- An overarching Community Grants policy to set a robust grant-making framework.
- Link funding streams under the same program.
- Providing clear links between the funding awarded and the Community Strategic Plan and other relevant Council plans.
- Providing clear information to the community about the assessment criteria including assessment weightings in the grant guidelines.
- Providing an upper limit to the amount of funding that can be awarded in each category (some categories can have tiered amounts depending on the size of the project).
- Providing the community with an outline of total funding amount available in each category and provide an indicative number of grants that will be awarded.
- Providing an acquittal process that is proportionate to the size of the funding awarded.

Findings and Proposed Framework

It is proposed that the three funding streams are combined under one program and policy. The Community Grants Policy will outline the framework and guiding principles for the grants program.

One grant round per year will be available.

Categories

Category	Maximum amount per application
Event Grants	Small - up to \$2,500 Medium - up to \$7,500 Major - up to \$15,000 (matched funding)
Community Project Grants:	
Social Connection	Up to \$2,000
Community Development	Up to \$7,500
Environmental Grants:	
Support Grants	Up to \$1,000
Development Grants	Up to \$3,000

Acquittal requirements

Grant Amount Awarded	Acquittal Requirements
Grants below \$5,000	Acquittal report Proof of project (eg. photo, promotional flyer), Proof of budget expenditure (receipt), acknowledgement of Council support
Grants between \$5,000 and \$14,999	Acquittal report Report of outcomes Proof of project (eg. photo, promotional flyer), Proof of budget expenditure + financial report Acknowledgement of Council support, Proof of donation for activities that include fundraising
Grants over \$15,000	Acquittal report Report of outcomes Proof of project (eg. photo, promotional flyer), Audited financial report Acknowledgement of Council support Proof of donation for activities that include fundraising

Communities for Communities

Council has been providing funding to support Communities for Communities to run community events for over 20 years. Until 2023/24, this arrangement was governed by a memorandum of understanding. This review recommends Council enter into a 3 year memorandum of understanding with Communities for Communities for the delivery of the Community Fun Day and Carols in the Park events. In June 2023, Council allocated funding of \$58,000 to Communities for Communities for these events. It is recommended that the budget allocation for 2024/25 (Year 1) is \$61,178 (\$58,000 + 5.48% cpi) and that it be reallocated from the Event Grants budget.

Summary

In summary, the following changes are recommended based on the findings of the review and the increased funding for the Community Environmental Grants (an additional \$20,000 was allocated as part of Council's Special Rate Variation):

	Current Operation	Recommended Change
1	Community event sponsorship, community grants and small environment grants have separate processes	Combine the three funding streams under one grants process - change events sponsorship to event grants
2	Sponsorship Policy (covers events only) and Community Funding Guidelines 2023-2024 (covers three funding streams).	Adopt the Community Grants Policy and prepare one set of guidelines covering the three funding streams.
3	Sponsorship arrangements include support for activities with fundraising as primary aim.	Applications must demonstrate benefit for the community and aligned to Council plans (purely fundraising activities should not be funded).
4	Total current annual funding (2023/24): Event Sponsorship: \$118,679 (including Communities for Communities) Community Grants: \$69,680 Small Environmental Grants for Schools: \$10,000.	Total recommended annual funding: Event Grants: \$65,000 (note Communities for Communities to be funded through an MoU) Community Grants: \$73,500 Environmental Grants: \$30,000

5	<p>Funding amounts per application: Events: No specified maximum amount</p> <p>Community Grants: Small grants- \$1,000 Community Development- \$5,000</p> <p>Small Environmental Grants for Schools: Support Grant- \$1,000 Development Grant- \$3,000 <i>In-kind venue hire requests are considered in addition to financial support.</i></p>	<p>Funding amount per application: Events: Small - up to \$2,500 Medium - up to \$7,500 Major - up to \$15,000 (matched funding)</p> <p>Community Projects Grants: Social Connection Grant - up to \$2,000 Community Development- up to \$7,500</p> <p>Environmental grants: Support Grant- up to \$1,000 Development Grant- up to \$3,000 <i>In-kind venue hire requests are considered in addition to financial support. Waste management charges will not be waived.</i></p>
6	<p>Acquittal requirements are not linked to the amount of funding received</p>	<p>Tiered acquittal process proportionate to the amount of funding provided.</p>
7	<p>Schools Environmental Grants only: Schools and Parent & Citizen/Parent & Friend (P&C/P&F) organisations only eligible for funding pool.</p>	<p>Rename program to Environmental Grants Program with schools plus all not-for-profit organisations now eligible.</p>

It is proposed that the recommended changes take effect from the opening of the next grant round in March 2024.

FINANCIAL CONSIDERATIONS

Funding for the Community Grants Program is provided for in the 2023/24 operating budget. Following adoption of Council's Special Rate variation, the budget for the Environmental grants has increased by \$20,000 to provide a total funding pool of \$30,000.

LEGISLATIVE AND POLICY CONSIDERATIONS

Section 356 of the NSW Local Government Act (1993).

Community Grants Policy

1. Purpose

This policy outlines how Council supports and funds events, programs and projects that deliver Community Strategic Plan outcomes via a grants process. It provides a framework for the administration of these grants.

2. Scope

This policy applies to all applicants seeking financial or in-kind assistance via the Community Grants Program.

The policy aims to establish best-practice grant-making principles. The following principles provide a framework for the management of the Community Grants Program:

- Capacity Building - The Community Grants Program provides an opportunity to build the capacity of organisations to deliver projects and programs which provide benefit to the community of the City of Canada Bay, including the development of partnerships, skills and collaborations.
- Access and Equity- The Community Grants Program aims to support projects and programs representing a broad range of accessible, inclusive and equitable interests and needs within the community.
- Outcomes Focused - The Community Grants Program aims to support outcomes that align with Council's Community Strategic Plan and other relevant Council plans. Projects and programs must clearly demonstrate how their outcomes align with Council's plans and how they will measure the outcomes.
- Governance and Accountability- The Community Grants Program aims to have effective and efficient grant making processes where decisions are made in the public interest. Application and acquittal requirements are applied that are proportional to the grant awarded.
- Probity and Transparency- The Community Grants Program follows a clearly outlined process to assess applications. Funding is awarded via a competitive process according to set criteria listed in the Community Grant Guidelines. Conflicts of interest are declared and addressed throughout the assessment process.
- Value for Money- The Community Grants Program supports projects and programs which demonstrate good value for money. Projects should not duplicate existing activities and services. An efficient grant management process is implemented to minimise the administrative costs to Council.

3. Definitions

Term	Meaning
Grant	Funding or in-kind support awarded to an applicant for the completion of a specific project.

4. Policy principles

Grant Management

- Grant guidelines are available in a separate document to outline the specific eligibility and assessment criteria for each grant category (Event Grants, Community Project Grants and Environmental Grants).
- Each application is assessed by a panel of Council officers. The panel makes recommendations to Council for approval.
- Funding agreements must be signed by all successful grant applicants prior to receiving funding. Funding will only be deposited into the account of the named incorporated organisation.
- Recipients must meet acquittal requirements to be eligible for future grants.
- Organisations are eligible to submit up to two grant applications per year in total (the two applications cannot be for the same project).
- Organisations can auspice up to two grant application per year in total (this can be in addition to grant applications from the organisation).
- Applications must be received by the specified closing date. Late applications will not be considered.

Categories

Category	Aim	Funding Amount
Events Grants	Support community-based events and festivals which activate public areas, connect people to place and promote the diverse community and culture.	Small (up to \$2,500) Medium (up to \$7,500) Major (up to \$15,000) (matched funding)
Community Project Grants: Social Connection	Increase participation, social networks and resident wellbeing.	Up to \$2,000
Community Project Grants: Community Development	Address issues of disadvantage to create a supported, inclusive community.	Up to \$7,500
Environmental Grants: Small Grant	Enhancement of existing environmental project.	Up to \$1,000
Environmental Grants: Development Grant	Funding for new environmental projects.	Up to \$3,000

5. Responsibilities

Role	Responsibility
Relevant staff	Administer the community grants program in accordance with this policy.
Business Unit Managers	Oversee the community grants program and prepare reports to Council.
Council	Approve allocation of grant funding.

6. Laws and standards

Section 356 – NSW Local Government Act (1993).

7. Related City of Canada Bay policies and procedures

Sponsorship Policy

8. Consultation

Consultation was undertaken with the Library & Community Services Team, Place Management Team and Sustainability & Waste Team, with input from previous grant recipients.

9. Approval status

Council approved this policy on - TBC.

10. Approval history

Stage	Date	Comment	ECM ID
Original Policy	TBC		
Next review	2027		

11. Ownership and approval

Responsibility	Role
Author	Community Development Manager
Owner	Manager – Library and Community Services
Endorser	City of Canada Bay Executive
Approver	City of Canada Bay Council

[Community Grants Policy]

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ITEM 11.2 CITY OF CANADA BAY ACCESS AND INCLUSION COMMITTEE MEETING MINUTES - 7 DECEMBER 2023**Reporting Manager** Manager Library and Community Services**Attachments:** 1. Minutes of the City of Canada Bay Access and Inclusion Committee - 7 December 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 7 December 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 7 December 2024.

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, 7 December 2023



**Minutes of a City of Canada Bay Access and Inclusion Committee Meeting
Held on Thursday, 7 December 2023
At the Concord Library, Concord.
Commencing at 10:00 AM**

Present:

Russell Wolfe	Acting Chairperson
Jack Nolan	Life Member
Jeanette O'Hara	Life Member
Coral Arnold	Community Member
Nicole Bradshaw	Community Member
Jill Hodder	Community Member
Robyn Ryan	Community Member

Officers in attendance:

Melissa Blain-Woodley	Community Development Officer
Fernanda De Barros	Community Development Support Officer
Philip Edney	Manager – Library and Community Services
Tania Gamble	Community Development Manager
Karen Judd	Senior Social Planner
Isha Kariavasam	EA to Director Community, Culture and Leisure
Anselm McManus	Town Planner – Statutory Planning

NOTES

The meeting commenced at 10:00am and concluded at 11:15am.



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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

Cr Joe Cordaro	Deputy Mayor
Cr Julia Little	Councillor
Kim Becherand	Community Organisation – Touched by Olivia Foundation
Min Jung Cha	Community Organization – Ebenezer Mission
Adam Clark	Community Member
Nehmet Houssami	Community Member

LEAVE OF ABSENCE

Nil

3 DISCLOSURES OF PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 CONFIRMATION OF MINUTES

4.1 Minutes of City of Canada Bay Access and Inclusion Committee Meeting held 19 October 2023

RESOLVED

That the minutes of the City of Canada Bay Access and Inclusion Committee Meeting of 19 October 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 MATTERS ARISING FROM PREVIOUS MINUTES**ITEM 5.1 EXTENSION OF FOOTPATH FROM WELLBANK STREET TO YARALLA ESTATE AND CONCORD HOSPITAL**

Note: Brendan MacGillicuddy – Coordinator, Traffic and Transport has discussed the wheelchair accessibility issue with Jill Hodder – Committee Member and has responded to her via email.

Council's Pedestrian Access and Mobility Plan (PAMP) to be presented to the committee at the next meeting. A copy of the PAMP to be distributed with the minutes.

ITEM 5.2 FEEDBACK RAISED BY KIM BECHERAND – COMMITTEE MEMBER

Note: Russell Wolfe – Director Community Culture and Leisure advised that he and Petrina Nelson – Manager Open Space had met with Kim Becherand – Committee member to discuss the feedback raised.

A range of topics were discussed, including agreement regarding the importance of early consultation to avoid the risk of having to make alterations later on in a project.

6 REPORTS**ITEM 6.1 DIAP ACTION 4.7 - INCLUDE DIAP GUIDING PRINCIPLES WITHIN THE ORGANISATION VALUES**

RESOLVED

1. That the City of Canada Bay Access and Inclusion Committee provides feedback to assist with the implementation of the values and associated behaviours.
-

Note: City of Canada Bay Council has five Organisation Values.

- *We empower our people*
- *We innovate*
- *We act with integrity*
- *We work together*
- *We are respectful*

Anselm McManus – Town Planner advised that 295 staff had attended Council's values workshops, with a focus on desirable and undesirable behaviours.

The Committee are able to provide feedback to assist with the implementation of the values and associated behaviours.

ITEM 6.2 PEDESTRIAN ACCESS AND MOBILITY PLAN (PAMP)

Note: This item was deferred.

ITEM 6.3 NEW COMMUNITY DEVELOPMENT TEAM

RESOLVED

1. That the City of Canada Bay Access and Inclusion Committee notes the appointment of the new Community Development Team.

Note: As a result of the Special Rate Variance (SRV), the Community Development Team has expanded and it will assist Council to take on more projects and complete them successfully in a timely manner.

Philip Edney – Manager, Library & Community Services introduced the new Community Development Team and spoke about the priorities for 2024.

ITEM 6.4 DIAP PRIORITIES FOR 2024/25 OPERATIONAL PLAN

RESOLVED

1. That the City of Canada Bay Access and Inclusion Committee notes the DIAP priorities to be considered for 2024/25 Operational Plan.

Note: Council's Disability Inclusion Action Plan has 44 disability inclusion actions. Feedback was gathered on the DIAP priorities for the 2024/25 Operational Plan.

The following feedback was provided:

- *issues in getting around the LGA independently, (e.g. footpaths);*
- *provide local businesses with support to be more accessible and inclusive (e.g. checklists, guidelines);*
- *celebrate events, (e.g. International Day of People with Disability)*
- *work with local organisations, (e.g. Chambers of Commerce) to raise awareness of the benefits of employing people with disability.*

7 GENERAL BUSINESS

ITEM 7.1 DATES OF THE ACCESS AND INCLUSION COMMITTEE MEETINGS

Note: Dates to be confirmed in 2024.

CHAIRMAN

**ITEM 11.3 CITY OF CANADA BAY RHODES COMMUNITY COMMITTEE MEETING
MINUTES - 7 DECEMBER 2023****Reporting Manager** Manager Place Management**Attachments:** 1. **Minutes of City of Canada Bay Rhodes Community Committee - 7
December 2023** [↓](#)

RECOMMENDATION OF DIRECTOR COMMUNITY CULTURE AND LEISURE

That:

1. The minutes of the Rhodes Community Committee meeting held on 7 December 2023, attached to the report, be received and noted.
2. Copies of the following presentations be provided to Rhodes Community Committee Members: Rhodes Planning, Rhodes Infrastructure Update 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 7 December 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 in the Event Space 1, The Connection, Rhodes

Thursday, 7 December 2023



**Minutes of a City of Canada Bay Rhodes Community Committee Meeting
Held on Thursday, 7 December 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
Trevor Oates	Community Member
Nazia Zabin	Community Member

Officers in attendance:

Monica Cologna	Director – Environment and Planning
Paul Dewar	Manager – Strategic Planning
Franco Guerrisi	Manager – Roads and Traffic
Greig Schuettrumpf	Director – City Assets
Saskia Vromans	Place Manager Rhodes

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

Sean (Hsuan-Hua) Chang	Community Member
Elizabeth Golez	Community Member
Ruiqi Hu	Community Member
John Kipritidis	Community Member
Trevor Oates	Community Member
Monita Patel	Community Member
Uma Srinivasan	Community Member
Russell Wolfe	Director - Community Culture and Leisure
Chiral Yadava	Community Member

LEAVE OF ABSENCE

Nil

3 DISCLOSURES OF PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 CONFIRMATION OF MINUTES

4.1 Minutes of City of Canada Bay Rhodes Community Committee Meeting held on 24 August 2023.

RESOLVED

That the minutes of the City of Canada Bay Rhodes Community Committee Meeting of 24 August 2023, copies of which were previously circulated, are hereby confirmed as a true and correct record of that meeting.

Note: The minutes were acknowledged and adopted.

5 REPORTS**ITEM 5.1 PRESENTATION - RHODES PLANNING**

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: Paul Dewar, Manager Strategic Planning provided an update on Rhodes Planning, including:

- Overview of the planning framework, Rhodes Place Strategy, Local Environmental Plan, Development Control Plan, Place Plan and Public Domain Plan
- Development of 34 Walker Street Recreation Centre
- Current Rhodes East and West development applications under assessment

ITEM 5.2 PRESENTATION - RHODES INFRASTRUCTURE UPDATE

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: Greig Schuettrumpf, Director City Assets provided an update on Rhodes infrastructure plans and projects including:

- Station Precinct public domain area and Marquet Street pedestrian crossing
- Shoreline Drive pedestrian crossing proposal
- Rhodes Speed Management – additional traffic calming devices proposed
- Uhrs Point shared path upgrade
- Opening of Mcllwaine Park, foreshore upgrade

Feedback was provided on the significant improvements to the suburb, highlighting the Mcllwaine Park project. Recommendations were made to educate the community on the rock pools and the water quality to understand their purpose and functions.

ITEM 5.3 PLACE MANAGEMENT UPDATE

RESOLVED

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

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

- Events and activations from September-December 2023 – Rhodes Moon festival; Infinity goes outdoors – a digital art projection event under Bennelong Bridge; DJ nights by the Bridge and Christmas activations

- *Bi-lingual education session on Water Quality of Mcllwaine Park delivered in partnership with Metro Assist, Sydney Water and the Parramatta River Catchment*
- *Additional infrastructure works delivered: LED light pole upgrade at Peg Paterson Park; foreshore shared cycleway signage refreshed; LED lighting repairs at John Whitton Reserve*
- *Community Engagement Updates: Rhodes Peninsula Place Plan review; First Nations Listening project; Parramatta to Sydney foreshore link*
- *Native Land Title Claims: Claims are managed by NSW Crown Lands. Council's role is to collate the evidence for Crown Lands for the Minister to make a decision. Council is not permitted to discuss any details regarding claims without seeking approval from Crown Lands*
- *Future Events: DJ nights under the bridge on 15 December; final project stage for delivery of Under the Bridges – Graffiti Management project; Luna New Year in Rhodes from 9-25 February*

Feedback was provided for Rhodes to be considered as a gamble free suburb.

6 GENERAL BUSINESS

ITEM 6.1 DATE OF THE NEXT MEETING

Note: 6-8pm – 29 February 2024 - The Connection, Rhodes

CHAIRPERSON

12 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS

ITEM 12.1 CASH AND INVESTMENTS REPORT FOR DECEMBER 2023 AND JANUARY 2024

Reporting Manager Chief Financial Officer

Attachments:

1. **December 2023 Investment Report** (*Provided in Attachment Booklet*) [⇒](#)
2. **January 2024 Investment Report** (*Provided in Attachment Booklet*) [⇒](#)

RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That the Cash and Investments Report for December 2023 and January 2024, attached to the report, be received and noted.

PURPOSE

To present Council's Investment portfolio performance for December 2023 and January 2024

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 December 2023 and January 2024 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 December 2023 and 31 January 2024

The Cash at Bank and Cash Investments are summarised below:

Month	Cash At Bank	Cash Investments	Total Cash
31 December 23	\$4,008,080.11	\$150,815,637.76	\$154,823,717.87
31 January 24	\$2,822,117.60	\$150,209,754.27	\$153,031,871.87

The detailed Schedule of Investments held, for both December and January are also provided over the next 2 pages.

STATEMENT OF CASH INVESTMENTS - 31 December 2023							
Maturity Date	Bank/Issuer	Long Term Rating	Fair Value	Term	Interest	Issue Date	Investment Type
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
02/05/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	244	5.19%	01/09/23	Term Deposits
09/05/24	National Australia Bank	AA-	\$2,000,000.00	244	5.15%	08/09/23	Term Deposits
16/05/24	National Australia Bank	AA-	\$2,000,000.00	251	5.15%	08/09/23	Term Deposits
23/05/24	National Australia Bank	AA-	\$2,000,000.00	231	5.14%	05/10/23	Term Deposits
29/05/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	366	5.03%	29/05/23	Term Deposits
06/06/24	Commonwealth Bank of Australia	AA-	\$2,000,000.00	244	5.01%	06/10/23	Term Deposits
13/06/24	Bank of Queensland	BBB+	\$2,000,000.00	266	5.25%	21/09/23	Term Deposits
20/06/24	Commonwealth Bank of Australia	AA-	\$2,500,000.00	266	5.25%	28/09/23	Term Deposits
27/06/24	Commonwealth Bank of Australia	AA-	\$2,000,000.00	258	5.07%	13/10/23	Term Deposits
27/06/24	Commonwealth Bank of Australia	AA-	\$2,000,000.00	223	5.23%	17/11/23	Term Deposits
04/07/24	Commonwealth Bank of Australia	AA-	\$1,000,000.00	279	5.28%	29/09/23	Term Deposits
04/07/24	Commonwealth Bank of Australia	AA-	\$2,500,000.00	259	5.19%	19/10/23	Term Deposits
11/07/24	Commonwealth Bank of Australia	AA-	\$2,500,000.00	252	5.31%	02/11/23	Term Deposits
18/07/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	252	5.30%	09/11/23	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
05/09/24	Bank of Queensland	BBB+	\$2,000,000.00	274	5.39%	06/12/23	Term Deposits
12/09/24	Bank of Queensland	BBB+	\$3,000,000.00	287	5.40%	30/11/23	Term Deposits
21/11/24	Commonwealth Bank of Australia	AA-	\$1,500,000.00	363	5.39%	24/11/23	Term Deposits
29/11/24	Auswide Bank Ltd	BBB+	\$2,000,000.00	366	5.67%	29/11/23	Term Deposits
16/02/26	National Australia Bank	AA-	\$2,000,000.00	1096	1.04%	16/02/23	Term Deposits
19/02/24	Westpac Bank	AA-	\$1,000,000.00	91	5.38%	20/11/23	ESG TD
04/03/24	Westpac Bank	AA-	\$2,000,000.00	91	1.68%	04/12/23	ESG TD
21/10/24	Westpac Bank	AA-	\$1,500,000.00	367	5.25%	20/10/23	ESG TD
30/10/24	Westpac Bank	AA-	\$1,000,000.00	366	5.41%	30/10/23	ESG TD
14/11/24	Westpac Bank	AA-	\$1,500,000.00	367	1.62%	13/11/23	ESG TD
02/12/24	Westpac Bank	AA-	\$1,500,000.00	364	1.62%	04/12/23	ESG TD
17/02/25	Westpac Bank	AA-	\$2,000,000.00	455	2.02%	20/11/23	ESG TD
24/02/25	Westpac Bank	AA-	\$2,500,000.00	455	2.10%	27/11/23	ESG TD
20/11/25	Westpac Bank	AA-	\$1,500,000.00	731	1.87%	20/11/23	ESG TD
17/02/26	Westpac Bank	AA-	\$2,500,000.00	820	2.24%	20/11/23	ESG TD
24/02/26	Westpac Bank	AA-	\$2,000,000.00	820	2.31%	27/11/23	ESG TD
03/03/26	Westpac Bank	AA-	\$2,000,000.00	820	2.22%	04/12/23	ESG TD
08/02/24	ANZ Bank	AA-	\$1,500,000.00	1826	5.51%	08/02/19	Floating Rate Notes
29/08/24	ANZ Bank	AA-	\$1,500,000.00	1827	5.15%	29/08/19	Floating Rate Notes
14/11/24	Citibank	A+	\$1,000,000.00	1827	5.29%	14/11/19	Floating Rate Notes
12/02/25	Macquarie Bank	A+	\$2,000,000.00	1827	5.26%	12/02/20	Floating Rate Notes
06/05/25	Royal Bank of Canada	AAA	\$1,000,000.00	1096	5.05%	06/05/22	Floating Rate Notes
17/10/25	Suncorp Metway	AAA	\$1,000,000.00	1096	5.03%	17/10/22	Floating Rate Notes
09/12/25	Macquarie Bank	A+	\$2,000,000.00	1651	4.84%	02/06/21	Floating Rate Notes
13/01/26	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1096	5.04%	13/01/23	Floating Rate Notes
24/02/26	Members Banking (RACQ Bank)	BBB+	\$2,300,000.00	1096	5.88%	24/02/23	Floating Rate Notes
15/05/26	Bendigo and Adelaide Bank	BBB+	\$1,000,000.00	1096	5.65%	15/05/23	Floating Rate Notes
15/06/26	Teachers Mutual Bank	BBB	\$850,000.00	1825	5.04%	16/06/21	Floating Rate Notes
19/08/26	ING Bank	AAA	\$500,000.00	1826	4.78%	19/08/21	Floating Rate Notes
14/09/26	Macquarie Bank	A+	\$1,600,000.00	1096	5.20%	14/09/23	Floating Rate Notes
23/12/26	Commonwealth Bank of Australia	AA-	\$2,000,000.00	1917	4.78%	23/09/21	ESG FRN
18/08/27	Commonwealth Bank of Australia	AA-	\$1,100,000.00	1826	5.40%	18/08/22	Floating Rate Notes
13/01/28	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1826	5.29%	13/01/23	Floating Rate Notes
19/01/28	Cooperative RABOBank	A+	\$1,000,000.00	1826	5.40%	19/01/23	Floating Rate Notes
16/02/28	Westpac Bank	AA-	\$1,000,000.00	1826	5.37%	16/02/23	Floating Rate Notes
09/05/28	Bank of Queensland	AAA	\$1,250,000.00	1827	5.61%	09/05/23	Floating Rate Notes
17/08/28	Commonwealth Bank of Australia	AA-	\$1,250,000.00	1827	5.33%	17/08/23	Floating Rate Notes
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	\$4,016,636.96		5.20%		AMP
	AMP Bank	BBB	\$1,013.94		3.30%		AMP
	Macquarie Bank	A+	\$2,007,547.95		4.75%		Macquarie CMA
	Macquarie Bank	A+	\$4,610,438.23		4.15%		Macquarie CMA
	Commonwealth Bank of Australia	AA-	\$1,830,000.68		4.35%		CBA BOS
	31/12/23		\$150,815,637.76				
	TOTAL INVESTMENTS at 30/11/2023		\$153,280,732.79				
	Net Increase/(Decrease) in Investments		(\$2,465,095.03)				

STATEMENT OF CASH INVESTMENTS - 31 January 2024							
Maturity Date	Bank/Issuer	Long Term Rating	Fair Value	Term	Interest	Issue Date	Investment Type
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	73	5.05%	01/01/24	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	A	\$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
02/05/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	244	5.19%	01/09/23	Term Deposits
09/05/24	National Australia Bank	AA-	\$2,000,000.00	244	5.15%	08/09/23	Term Deposits
16/05/24	National Australia Bank	AA-	\$2,000,000.00	251	5.15%	08/09/23	Term Deposits
23/05/24	National Australia Bank	AA-	\$2,000,000.00	231	5.14%	05/10/23	Term Deposits
29/05/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	366	5.03%	29/05/23	Term Deposits
06/06/24	Commonwealth Bank of Australia	AA-	\$2,000,000.00	244	5.01%	06/10/23	Term Deposits
13/06/24	Bank of Queensland	BBB+	\$2,000,000.00	266	5.25%	21/09/23	Term Deposits
20/06/24	Commonwealth Bank of Australia	AA-	\$2,500,000.00	266	5.25%	28/09/23	Term Deposits
27/06/24	Commonwealth Bank of Australia	AA-	\$2,000,000.00	258	5.07%	13/10/23	Term Deposits
27/06/24	Commonwealth Bank of Australia	AA-	\$2,000,000.00	223	5.23%	17/11/23	Term Deposits
04/07/24	Commonwealth Bank of Australia	AA-	\$1,000,000.00	279	5.28%	29/09/23	Term Deposits
04/07/24	Commonwealth Bank of Australia	AA-	\$2,500,000.00	259	5.19%	19/10/23	Term Deposits
04/07/24	Commonwealth Bank of Australia	AA-	\$2,000,000.00	174	4.88%	12/01/24	Term Deposits
11/07/24	Commonwealth Bank of Australia	AA-	\$2,500,000.00	252	5.31%	02/11/23	Term Deposits
18/07/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	252	5.30%	09/11/23	Term Deposits
25/07/24	National Australia Bank	AA-	\$2,000,000.00	196	5.10%	11/01/24	Term Deposits
01/08/24	Commonwealth Bank of Australia	AA-	\$2,000,000.00	195	4.91%	19/01/24	Term Deposits
08/08/24	National Australia Bank	AA-	\$2,000,000.00	196	5.15%	25/01/24	Term Deposits
22/08/24	ING Bank	A	\$3,000,000.00	365	5.37%	23/08/23	Term Deposits
29/08/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	241	4.99%	01/01/24	Term Deposits
05/09/24	Bank of Queensland	BBB+	\$2,000,000.00	274	5.39%	06/12/23	Term Deposits
12/09/24	Bank of Queensland	BBB+	\$3,000,000.00	287	5.40%	30/11/23	Term Deposits
21/11/24	Commonwealth Bank of Australia	AA-	\$1,500,000.00	363	5.39%	24/11/23	Term Deposits
29/11/24	Auswide Bank	BBB	\$2,000,000.00	366	5.67%	29/11/23	Term Deposits
16/02/26	National Australia Bank	AA-	\$2,000,000.00	1096	1.04%	16/02/23	Term Deposits
19/02/24	Westpac Bank	AA-	\$1,000,000.00	91	5.38%	20/11/23	ESG TD
04/03/24	Westpac Bank	AA-	\$2,000,000.00	91	1.68%	04/12/23	ESG TD
21/10/24	Westpac Bank	AA-	\$1,500,000.00	638	5.25%	22/01/23	ESG TD
30/10/24	Westpac Bank	AA-	\$1,000,000.00	274	5.41%	30/01/24	ESG TD
14/11/24	Westpac Bank	AA-	\$1,500,000.00	367	1.62%	13/11/23	ESG TD
02/12/24	Westpac Bank	AA-	\$1,500,000.00	364	1.62%	04/12/23	ESG TD
17/02/25	Westpac Bank	AA-	\$2,000,000.00	455	2.02%	20/11/23	ESG TD
24/02/25	Westpac Bank	AA-	\$2,500,000.00	455	2.10%	27/11/23	ESG TD
20/11/25	Westpac Bank	AA-	\$1,500,000.00	731	1.87%	20/11/23	ESG TD
17/02/26	Westpac Bank	AA-	\$2,500,000.00	820	2.24%	20/11/23	ESG TD
24/02/26	Westpac Bank	AA-	\$2,000,000.00	820	2.31%	27/11/23	ESG TD
03/03/26	Westpac Bank	AA-	\$2,000,000.00	820	2.22%	04/12/23	ESG TD
08/02/24	ANZ Bank	AA-	\$1,500,000.00	1826	5.51%	08/02/19	Floating Rate Notes
29/08/24	ANZ Bank	AA-	\$1,500,000.00	1827	5.15%	29/08/19	Floating Rate Notes
14/11/24	Citibank	A+	\$1,000,000.00	1827	5.29%	14/11/19	Floating Rate Notes
12/02/25	Macquarie Bank	A+	\$2,000,000.00	1827	5.26%	12/02/20	Floating Rate Notes
06/05/25	Royal Bank of Canada	AAA	\$1,000,000.00	1096	5.05%	06/05/22	Floating Rate Notes
17/10/25	Suncorp Metway	AAA	\$1,000,000.00	1096	5.23%	17/10/22	Floating Rate Notes
09/12/25	Macquarie Bank	A+	\$2,000,000.00	1651	4.84%	02/06/21	Floating Rate Notes
13/01/26	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1096	5.25%	13/01/23	Floating Rate Notes
24/02/26	RACQ Bank	BBB+	\$2,300,000.00	1096	5.88%	24/02/23	Floating Rate Notes
15/05/26	Bendigo and Adelaide Bank	BBB+	\$1,000,000.00	1096	5.65%	15/05/23	Floating Rate Notes
15/06/26	Teachers Mutual Bank	BBB	\$850,000.00	1825	5.04%	16/06/21	Floating Rate Notes
19/08/26	ING Bank Covered	AAA	\$500,000.00	1826	4.78%	19/08/21	Floating Rate Notes
14/09/26	Macquarie Bank	A+	\$1,600,000.00	1096	5.20%	14/09/23	Floating Rate Notes
23/12/26	Commonwealth Bank of Australia	AA-	\$2,000,000.00	1917	4.78%	23/09/21	ESG FRN
18/08/27	Commonwealth Bank of Australia	AA-	\$1,100,000.00	1826	5.40%	18/08/22	Floating Rate Notes
13/01/28	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1826	5.50%	13/01/23	Floating Rate Notes
19/01/28	Rabobank	A+	\$1,000,000.00	1826	5.52%	19/01/23	Floating Rate Notes
16/02/28	Westpac Bank	AA-	\$1,000,000.00	1826	5.37%	16/02/23	Floating Rate Notes
09/05/28	Bank of Queensland Covered	AAA	\$1,250,000.00	1827	5.61%	09/05/23	Floating Rate Notes
17/08/28	Commonwealth Bank of Australia	AA-	\$1,250,000.00	1827	5.33%	17/08/23	Floating Rate Notes
15/12/24	NTTC	AA-	\$2,000,000.00	1206	1.00%	27/08/21	Fixed Rate Bond
15/06/25	NTTC	AA-	\$2,000,000.00	1496	1.10%	11/05/21	Fixed Rate Bond
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	\$4,000,000.00		5.20%		AMP
	AMP Bank	BBB	\$1,000.00		3.30%		AMP
	Macquarie Bank	A+	\$2,008,528.77		4.65%		Macquarie CMA
	Macquarie Bank	A+	\$3,013,463.84		4.15%		Macquarie CMA
	Commonwealth Bank of Australia	AA-	\$1,836,761.66		4.35%		CBA BOS
	31/01/24		\$150,209,754.27				
	TOTAL INVESTMENTS at 31/12/2023		\$150,815,637.76				
	Net Increase/(Decrease) in Investments		(\$605,883.49)				

FINANCIAL CONSIDERATIONS

Council's revised Budget for 2023-24 anticipates investment earnings of \$6.2M and is based on current interest rates being maintained for the remainder of the financial year.

The Reserve Bank, at its meeting of 6 February 2024, decided to leave the cash rate target unchanged at 4.35 per cent. This was in consideration of easing inflation during the December quarter. Despite this progress, inflation remains high at 4.1 per cent. While there are encouraging signs, the economic outlook is uncertain and the Board remains highly attentive to inflation risks.

While recent data indicate that inflation is easing, it remains high. The Board expects that it will be some time yet before inflation is sustainably in the target range. The path of interest rates that will best ensure that inflation returns to target in a reasonable timeframe will depend upon the data and the evolving assessment of risks, and a further increase in interest rates cannot be ruled out.

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.

ITEM 12.2 SIX MONTHLY REPORT ON PROGRESS - JULY TO DECEMBER 2023**Reporting Manager Corporate Planner****Attachments:** 1. **Six-monthly report on progress - July to December 2023
(Provided in Attachment Booklet) [⇨](#)****RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY**

That the six-monthly progress report for the period July to December 2023 be received and noted.

PURPOSE

To submit to Council the six-monthly progress report for the period July to December 2023 in accordance with section 4.9 of the Integrated Planning and Reporting Guidelines provided by the NSW government under section 406 of the Local Government Act 1993.

REPORT

The Local Government Act 1993 requires that the General Manager must provide a progress report to Council, 'with respect to the principal activities detailed in the Delivery Program, at least every six months.' The report on progress ensures that Council and the community are kept informed of the activities that Council is undertaking to deliver its commitment towards achieving the community's aspirations, as articulated in the Community Strategic Plan (CSP), Our Future 2036.

The six-monthly report on progress for July to December 2023 is attached to this report. It documents the status of the capital infrastructure projects and operational activities for 2023-24 that are listed in the Delivery Program 2022-2026 and Operational Plan 2023-24.

As at 31 December 2023, 95% of Council's overall program was either complete (11%) or on schedule (84%). Commentaries are provided in the report for projects that are being delivered on an amended schedule as a result of delays.

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

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

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

There are no risk considerations associated with this report.

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

The six-monthly report on progress is made to fulfil the Integrated Planning and Reporting requirements of the Local Government Act 1993.

ITEM 12.3 SECOND QUARTER BUDGET REVIEW - JULY TO DECEMBER 2023**Reporting Manager Chief Financial Officer****Attachments:**

1. **Quarter Budget Review Statement December 2023 (*Provided in Attachment Booklet*)** [⇒](#)
2. **Capital Expenditure December 2023 (*Provided in Attachment Booklet*)** [⇒](#)

RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That the Second Quarter Budget Review for 2023/24, including the variations as identified in the report and attachments be adopted.

PURPOSE

To inform Council on the results of the second quarter budget review and what material changes to the annual budget have occurred from July to December 2023. Revised year end forecasts are based on financial performance and trends over the period 1 July 2023 to 31 December 2023.

EXECUTIVE SUMMARY

As at the end of Quarter 2, Council is forecasting an operating budget surplus of \$316k.

The Quarterly Budget Review Statement, compiled for information of Council and the community, provides a summary of Council's financial position at the end of each quarter as to its progress against both the original Operational Plan and the last revised budget, as well as any recommended revisions identified as part of the budget review process. The Operating Budget deficit has improved from the adopted budget deficit of \$928k to a surplus of \$316k, excluding capital income and reserves movements. Overall, the consolidated budget position incorporating the Capital Budget has changed from the approved deficit of \$941k to a revised deficit of \$636k.

Significant material Operational Plan revisions arising in the December 2023 quarter forecast are as follows:

Reduction in Income:

- Forecast decrease in Rates and Annual Charges of \$36k due to reduction in supplementary rates from anticipated growth in rateable properties of \$56k and increase in domestic waste charges of \$20K.

Increases in Expenditure:

- Forecast Materials & Services have increased by \$2,436m. Increases are mainly attributable to costs associated with accelerated LED street lighting roll out - \$753k, offset by carbon certificates of \$200k, and reductions in future asset management and electricity charges estimated at \$80K per year. Increase in software license costs, up (\$326k). Agency and contractor costs up (\$503k), offset by reduction in Employee benefits and on-costs.
- **Budget improvement:**
- Forecast increase in Interest and Investment Revenue of \$500k, resulting from favourable market conditions and more funds available to invest than anticipated. The Investment portfolio held \$155m at the end of December 2023. Average investment returns on the portfolio of 4.0% are being achieved.
- Forecast increase in User Charges of \$60k was mainly attributable to permit to stand plant fees, up (\$60k).

- Forecast increase in Other Revenues of \$395k was mainly attributable to contributions received from the lessee at Concord Oval for operational costs, up (\$227k), and Carbon Credit certificates from the installation of LED lights, up (\$238k), offset by reduction in Waste recycling income, down (\$86k).
- Forecast increase in Other Income – Revenue share from large format advertising signs, up (\$342k).
- Forecast increase in Grants and Contributions – Operating of \$699k due to funding received from Dept of Planning for the Parramatta River Projects (\$271k), Childcare subsidies and programs, up (\$167k), Drummoyne Oval Master Plan, up (\$92k) .

Budget adjustments proposed in this review will positively impact the forecast operating result (excluding capital items) by \$61k. Operating income has been revised up by \$2,000k with additional Operating Expenditure of \$1,939k being brought to account. Details relating to material revisions are provided in the report attachments.

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

The quarterly review of the 2023/24 Budget for the period July to December 2023 has been completed. Actual results for the second quarter are assessed to determine the need for revisions to the original budget. Explanations are included for recommended changes and any impact on Council's original Operational Plan, Delivery Program or Long Term Financial Plan.

The Budget is comprised of two components:

- Continuing Operations Budget
- Capital Budget

A copy of the Quarterly Report is attached to this report.

Council's Original Budget for 2023/24, provided for an Operational Deficit of \$928k.

The Second Quarter Review of Council's 2023/24 Budget forecasts a projected year end result of a surplus of \$316k.

A summary of the Budget along with variations associated with the "Proposed September Variations" recommended as part of this review are included in the report attachment.

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

Not later than 2 months after the end of each quarter, the responsible accounting officer of a council must prepare and submit to the council a budget review statement that shows, by reference to the estimate of income and expenditure set out in the management plan that the council has adopted for the relevant year, a revised estimate of the income and expenditure for that year.

FINANCIAL CONSIDERATIONS

The consolidated budget summarised below incorporates the Operational Budget and Capital Budgets. The Funding movements section details transfers to and from Cash Reserves.

		Original Budget	QBR1 - September Changes	QBR2 - December Changes	December Quarter Budget
Operational					
Income	<i>Rates and Annual Charges</i>	67,471,043	(69,085)	(36,435)	67,365,523
	<i>User Fees and Charges</i>	20,532,055	(227,139)	60,477	20,365,393
	<i>Interest</i>	4,715,000	1,153,000	540,000	6,408,000
	<i>Other Revenue</i>	6,973,442	(420,068)	395,074	6,948,448
	<i>Other Income/Rental Income</i>	3,989,904	0	341,969	4,331,873
	<i>Grants and Contributions-Operation</i>	6,888,937	521,146	698,651	8,108,734
	Total operating income	110,570,381	957,854	1,999,736	113,527,971
Expense	<i>Employee Costs</i>	47,230,512	(454,134)	(470,356)	46,306,023
	<i>Borrowings</i>	632,084	0	0	632,084
	<i>Materials & Services</i>	40,552,213	229,485	2,436,767	43,218,465
	<i>Depreciation</i>	16,251,301	(0)	0	16,251,301
	<i>Other Expenses</i>	6,832,468	(423)	(27,907)	6,804,138
	<i>Net Loss from disposal of assets</i>	0	0	0	0
	Total operating expenditure	111,498,577	(225,071)	1,938,505	113,212,012
Operational result - surplus/(deficit)		(928,197)	1,182,925	61,231	315,959
Capital					
Income	<i>Grants And Contributions-Capital</i>	27,748,215	685,415	103,123	28,536,753
	<i>New Loans</i>	0	0	0	0
	<i>Proceeds From The Disposal Of Assets</i>	501,000	0	0	501,000
Total Capital Income		28,249,215	685,415	103,123	29,037,753
Expense	<i>Capital Expenditure</i>	63,457,752	3,036,736	649,114	67,143,602
	<i>Capital Expenditure - Principal Loan</i>	1,173,605	0	0	1,173,605
	<i>Capital Expenditure - Other</i>	150,000	340,500	0	490,500
Total capital expenditure		64,781,357	3,377,236	649,114	68,807,707
Capital result - surplus/(deficit)		(36,532,142)	(2,691,820)	(545,992)	(39,769,954)
Funding Movements					
<i>Add Back Depreciation & Amortisation</i>		16,251,301	(0)	0	16,251,301
<i>Transfer From Reserve</i>		30,046,313	2,057,390	586,642	32,690,345
<i>Transfer To Reserve</i>		9,778,799	32,000	312,357	10,123,156
Total Funding Movements		36,518,815	2,025,390	274,285	38,818,490
Net result - surplus/(deficit)		(941,524)	516,495	(210,476)	(635,505)

This review recommends a number of changes to the Continuing Operations Budget and provides revised estimates for the full year. In some cases, the recommended changes to the budget are movements of funds across functions or activities of Council. The overall consolidated budget movement over the second quarter of a negative \$210k has resulted in a draw down on unrestricted cash reserves of \$635k.

Material variations highlighted during the quarter are detailed in the Quarterly Budget Review Statement attachment.

Capital Works Program

The Capital Budget includes the Capital Works Program comprising new and renewal infrastructure projects, planned purchases and disposals of major equipment, loan repayments and allocations to reserves. The capital expenditure program is funded from developer contributions, grants, funds drawn down from reserves and specific purpose income such as the Stormwater Management Charge.

The following table summarises variances to the original budget for Capital Expenditure:

Type	Original Budget	Carry Overs	September Variations	December Variations	Proposed Budget
Capital Expenditure	\$63,607,751	\$4,299,716	-\$922,479	\$649,114	\$67,634,102
Loans	\$1,173,605	0	0	0	\$1,173,605
Total Capital	\$64,781,356	\$4,299,716	-\$922,479	\$649,114	\$68,807,707

The above table shows the net movement in the Capital Expenditure Program, with an increase of \$649k.

Full details of the recommended variations to forecast budgets are shown in the second Quarter Budget Review Capital Works Program in Attachment 2 to the report.

Cash & Investments

The Statement of Investments as at 31 December 2023 will be presented at the Council Meeting of 20 February 2024. At the end of the second quarter, Council's Cash and Investments amounted to \$154,823,717.87. By comparison, at the end of the first quarter in December 2022, Cash and Investments amounted to \$139,534,979.47. These funds are invested in accordance with Council's Investment Policy.

A detailed Statement of Cash and Investments is incorporated in Attachment 1 to the report.

Cash flows from rate collections over the first six months of the 2023/24 financial year amount to approximately \$40 million of the \$70 million rate debtor. This represents 57% of the total collectible compared to 56% for the same period last year.

Financial Assistance Grant

The budget also accounts on the ongoing payment in advance of the Financial Assistance Grant. The advance payment of Financial Assistance Grant would usually be paid in June 2024.

Failure to receive this grant will result in the forecast result being unachievable.

Financial Impact

The second quarter review forecasts a revised operating budget surplus of \$316k.

The capital program has been updated to reflect current budget requirements, with an increase of \$649k in expenditure. The impact of these combined funding movements results in the revised capital works program being adjusted up from \$68.2m to \$68.8m

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2021.

It is my opinion that the Quarterly Budget Review Statement for City of Canada Bay Council for the quarter ended 31/12/2023 indicates that Council's projected financial position as at 30 June 2024 will be satisfactory at the year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure. This opinion focuses on Council's projected short-term liquidity position at year end. It does not extend to an opinion relating to Council's long-term financial position.

Evan Hutchings - Responsible Accounting Officer

LEGISLATIVE AND POLICY CONSIDERATIONS

Clause 203(2) of the Local Government (General) Regulation 2021 requires that at the end of each quarter, a Budget Review Statement be prepared and submitted to Council that provides the latest estimate of Income and Expenditure for the current financial year.

ITEM 12.4 CITY OF CANADA BAY AUDIT RISK AND IMPROVEMENT COMMITTEE - TERMS OF REFERENCE, CHARTER AND PROPOSED MEMBERSHIP**Reporting Manager** Manager Governance and Risk**Attachments:**

1. Draft Audit, Risk and Improvement Committee Terms of Reference (*Provided in Attachment Booklet*) [⇒](#)
2. Draft Internal Audit Charter (*Provided in Attachment Booklet*) [⇒](#)

RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That:

1. The Audit, Risk and Improvement Committee Terms of Reference attached to the report be adopted.
 2. The Internal Audit Charter attached to the report be adopted.
 3. The recruitment for the Audit, Risk and Improvement Committee Chairperson and other independent members be undertaken under the terms contained in the report.
 4. Following the recruitment process referred to in 3 above, recommendations for the appointment of the Chairperson and other independent members of the Audit, Risk and Improvement Committee be submitted to Council.
 5. A Councillor be nominated as a non-voting member of the Committee.
-

PURPOSE

The purpose of this report is to recommend the adoption of the draft Audit, Risk and Improvement Committee Terms of Reference and draft Internal Audit Charter and to recruit the Audit, Risk and Improvement Committee Chairperson and independent members. This will satisfy Council's compliance obligations under the *Local Government (General) Regulation 2021* and Office of Local Government's *Guidelines on Risk Management and Internal Audit for Local Government in NSW* (OLG's Guidelines).

EXECUTIVE SUMMARY

Amendments to the *Local Government (General) Regulation 2021* and the OLG's Guidelines require Council to have:

- an Audit, Risk and Improvement Committee that continuously reviews and provides independent advice to Council on how it is functioning and managing risk;
- a robust risk management framework that accurately identifies and mitigates the risks facing Council and its operations; and
- an effective internal audit function that provides independent advice as to whether Council is functioning effectively and Council's internal controls to manage risk are working.

Council currently has in place:

- an Audit, Risk and Improvement Committee operating under the existing Charter;
- an Enterprise Risk Management Framework; and
- a risk-based Assurance and Internal Audit Plan.

To ensure compliance with the new requirements under the *Local Government (General) Regulation 2021* and the OLG's Guidelines it is recommended that Council adopt the new draft Audit, Risk and Improvement Committee Terms of Reference and a new Internal Audit Charter and recruit the Audit, Risk and Improvement Committee Chairperson and independent members. Consideration should

also be given to the nomination of a Councillor to be a non-voting member of the Committee. It is further recommended that Council review the Enterprise Risk Management Framework to ensure it is robust in the identification and management of risks.

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

Council is required to consider the OLG's Guidelines in implementing the requirements prescribed under the *Local Government (General) Regulation 2021* relating to its Audit, Risk and Improvement Committee, risk management and internal audit.

The OLG's Guidelines consist of core requirements relating to:

- **The operation of a council's audit, risk and improvement committee** - modelled on the *Internal Audit and Risk Management Policy for the General Government Sector (TTP 20-08)* developed by NSW Treasury.
- **Risk management** - modelled on the current Australian risk management standard, *AS/NZS ISO 31000:2018 Risk Management – Guidelines*.
- **A council's internal audit function** - modelled on the Institute of Internal Auditors (IIA) *International Standards for the Professional Practice of Internal Auditing*.

Current state

Council currently has in place:

- an Audit, Risk and Improvement Committee operating under the existing Audit, Risk and Improvement Committee Charter dated 17 October 2017. The Committee consists of two Councillor representatives and two independent representatives, one of which is the Chair;
- an Enterprise Risk Management Framework, which includes the Enterprise Risk Management Policy that was adopted by Council at its meeting on 4 December 2018; and
- a risk-based Assurance and Internal Audit Plan 2022-25, which was prepared by an external consultant at InConsult and endorsed by the Audit, Risk and Improvement Committee at its meeting on 23 November 2021.

Proposed future state

It is proposed that the following actions be undertaken to ensure compliance with the requirements by 1 July 2024.

Operation of the Audit, Risk and Improvement Committee

- Adopt the new Audit, Risk and Improvement Committee Terms of Reference at **Attachment 1**, which is based on the *Model terms of reference for audit, risk and improvement committees* within the OLG's Guidelines.
- Recruit a Chairperson and 2 independent persons as voting members of the Audit, Risk and Improvement Committee.
- Consider the inclusion of a Councillor on the Audit, Risk and Improvement Committee as a non-voting member.
- Set the proposed fee for the Chairperson at \$1,700 and \$1,300 for independent members for each meeting. The fees proposed:
 - are comparable with other audit, risk and improvement committees;

- are exclusive of GST; and
- will have superannuation added.

Enterprise Risk Management Framework

- Review and update the Enterprise Risk Management Policy based on the *Example risk management policy* within the OLG's Guidelines.
- Review and update the Enterprise Risk Management Strategy based on the current Australian risk management standard, *AS/NZS ISO 31000:2018 Risk Management – Guidelines*.

Internal Audit Function

- Adopt the new Internal Audit Charter at **Attachment 2**, which is based on the *Model internal audit charter* within the OLG's Guidelines.
- Establish an Internal Audit Function.
- Appoint the Manager Governance and Risk to direct and coordinate internal audit activities as Internal Audit Coordinator in addition to their existing responsibilities.

After adoption of the new Audit, Risk and Improvement Committee Terms of Reference and new Internal Audit Charter, it is recommended that the recruitment for the Audit, Risk and Improvement Committee Chairperson and independent members be undertaken. Following the recruitment process, recommended external membership of the Committee will be reported to Council for consideration for appointment.

The updated Enterprise Risk Management Framework, consisting of an Enterprise Risk Management Policy and Enterprise Risk Management Strategy, will be submitted to Council prior to 1 July 2024 for consideration and proposed adoption.

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

The amendments to *Local Government (General) Regulation 2021* come into effect on 1 July 2024.

There is a risk of non-compliance with *Local Government (General) Regulation 2021* if, by 1 July 2024, Council does not have:

1. The Audit, Risk and Improvement Committee adopted and operating under the new Terms of Reference;
2. The new Internal Audit Charter adopted and in operation; and
3. The updated Enterprise Risk Management Framework adopted and implemented.

FINANCIAL CONSIDERATIONS

The costs of the operation of the Audit Risk and Improvement Committee are included in the Operational Budget.

LEGISLATIVE AND POLICY CONSIDERATIONS

Council is required to comply with the *Local Government (General) Regulation 2021* and OLG Guidelines.

13 NOTICES OF MOTION**ITEM 13.1 NOTICE OF MOTION - CR FERGUSON - CANADA BAY COFFEE GROUNDS RECYCLING INITIATIVE**Submitted by: Councillor Andrew Ferguson

MOTION

That Council:

1. Congratulates Concord Rotarian Garry Ferguson and his wife Jennifer for initiating and coordinating the Concord Rotary Club - Canada Bay Coffee Grounds Recycling Initiative.
 2. Encourages local cafes in the Canada Bay Council area to meet with the Concord Rotary market day organisers to discuss ways to improve and expand this fantastic grassroots environmental initiative.
 3. Promotes the Concord Rotary Club - Canada Bay Coffee Grounds Recycling Initiative through Council's regular communication channels.
 4. Officers prepare a report for the consideration of Council on additional opportunities to support expansion of the Canada Bay Coffee Grounds Recycling Initiative.
-

BACKGROUND FROM COUNCILLOR ANDREW FERGUSON

Concord Rotary, under the initiative of Concord Rotarian Garry Ferguson and his wife Jennifer, has established a program titled the Concord Rotary - Canada Bay Coffee Grounds Recycling Initiative. The purpose of this initiative is to provide a medium to distribute coffee waste grounds to local residents and community groups for gardening purposes. Through this program, Concord Rotary has a coffee grounds stand at the twice monthly Concord Rotary Farmers Markets at Crane Street at which coffee waste is made available free to our local community. The enthusiastic support of local residents and businesses has been overwhelming. This initiative could not be moving forward without the help of the many volunteers and Rotary members, in particular Steph Parker and Roger Guerin. The grounds staff of Concord Golf Course have also been big supporters of this sustainability project.

**ITEM 13.2 NOTICE OF MOTION - CR FERGUSON - SUPPORT FOR THE WORKERS
OF MORTLAKE PUNT**Submitted by: Councillor Andrew Ferguson

MOTION

That Council express its support for the local workers who operate the Mortlake Punt in seeking a fair and just wage settlement in their present negotiations with their employer Birdon which contracts to Transport NSW.

BACKGROUND FROM COUNCILLOR ANDREW FERGUSON

Birdon is a global private contractor that operates a number of vehicle ferries, including the Mortlake Punt, on behalf of Transport for NSW. The dedicated service provided by Birdon's ferry workers on the Mortlake Punt is acknowledged, as is their status as an important part of our local community.

They work during heat waves, torrential rain and sometimes storms and furious wind gusts. However most significantly they navigate the Mortlake Punt across our Parramatta River safely ensuring the wellbeing of patrons many of whom are local families. Local workers and their representatives are presently in negotiations with Birdon regarding their wages. Wage justice and fairness is important, and it is my view that Council should add its support to these local workers in these endeavours.

**ITEM 13.3 NOTICE OF MOTION - CR FERGUSON - CONCORD COMMUNITY CLUB
- PROPOSED INCREASE OF HOURS OF OPERATION**Submitted by: Councillor Andrew Ferguson

MOTION

That Council notes the concern of residents regarding the proposal for extended hours of operation from midnight to 2am Friday and Saturday night for the Concord Community Club.

BACKGROUND FROM COUNCILLOR ANDREW FERGUSON

The redevelopment of the former Concord RSL building is progressing, and Council welcomes the establishment of the Concord Community Club at that site. The vision of the Club to be a key stakeholder in our local community is also welcomed. I am however aware of the concerns of many residents in the immediate vicinity of the Club regarding noise and loss of amenity with the proposed significant increase of hours of operation from midnight to 2am Friday and Saturday night.

ITEM 13.4 NOTICE OF MOTION - CR CORDARO - PROVISION AND DELIVERY OF STATE INFRASTRUCTURE IN RHODES

Submitted by: Councillor Joseph Cordaro

MOTION

That Council:

1. Make representations to the Minister for Planning and Public Spaces and Treasurer of NSW to provide commitment for the delivery of State government infrastructure (including an infrastructure phasing strategy timeline) required by the Rhodes Place Strategy, to support the delivery of housing in this precinct.
2. Write to Transport for NSW, School Infrastructure NSW and the Department of Planning, Housing and Infrastructure seeking an update on infrastructure items in Rhodes that are to be delivered by each agency.

BACKGROUND FROM COUNCILLOR JOSEPH CORDARO

The Rhodes Place Strategy was finalised in late 2021. The Place Strategy will see the population of Rhodes double with an additional 4,200 new dwellings possible under the Strategy. In late 2022, the State government amended the Canada Bay Local Environmental Plan (LEP) to enable this future growth in Rhodes identified in the Strategy.

To support the growing population, the Strategy identifies infrastructure needed to support development in Rhodes, and Action 1.1 of the Strategy specifically requires the Department of Planning to work with agencies on a joint infrastructure phasing strategy:

- 1.1 Work with agencies on a joint infrastructure phasing strategy that considers:
 - the infrastructure schedule (local, regional and State items)
 - infrastructure staging and development thresholds linked to transport investment
 - short, medium and long-term priorities
 - costs
 - agency infrastructure budgets and funding options
 - responsibilities (public, private, joint)
 - timing
 - implementation mechanisms.

To date this action has not been completed.

A variety of the infrastructure items are the responsibility of state agencies, including Transport for New South Wales, School Infrastructure NSW and the Department of Planning, Housing and Infrastructure. These infrastructure items include:

- new and upgraded pedestrian and cycle links that will make it easier for people to connect within the precinct and surrounding areas, including:
 - Blaxland Road upgrade including pedestrian and cycle path
 - Rhodes Station to McIlwaine Park pedestrian bridge
 - Widening of railway underpass
- improvements to Rhodes rail station to increase its capacity and level of comfort, including the lengthening of the platforms and the addition of a fourth track;

- the new foreshore public park and promenade on the Parramatta River, referred to as the Leeds Street foreshore park and promenade;
- Intersection upgrades to the arterial road network including Concord Road/Averill Street and Concord Road/Homebush Bay Drive;
- New primary school; and
- Rhodes ferry wharf.

There has been limited progress made by NSW State Government agencies to deliver this infrastructure. Development applications for sites on the eastern side of the Rhodes Peninsula are progressing, with some already lodged with Council, and others at the preliminary or pre-lodgement stages. The State government infrastructure identified in the Rhodes Place Strategy is essential to support the development facilitated by this Strategy.

14 NOTICES OF MOTION OF RESCISSION

Nil

15 MATTERS OF URGENCY

Nil

16 QUESTIONS WITH NOTICE

Nil

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 LEASE - IRON COVE CAFE

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

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

ITEM 17.2 GENERAL MANAGER'S ANNUAL PERFORMANCE REVIEW

This matter is considered to be confidential under - .

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

BACKGROUND/DISCUSSION

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

- (a) Personnel matters concerning particular individuals (other than councillors).
 - (b) Personal hardship of any resident or ratepayer.
 - (c) Information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
 - (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of a person who supplied it: or
 - (ii) Confer a commercial advantage on a competitor of Council;
 - (iii) Reveal a trade secret.
 - (e) Information that would, if disclosed, prejudice the maintenance of law.
 - (f) Matters affecting the security of Council, Councillors, Council staff and Council property.
 - (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
 - (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
-

- (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440.

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

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

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.
