

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 June 2023

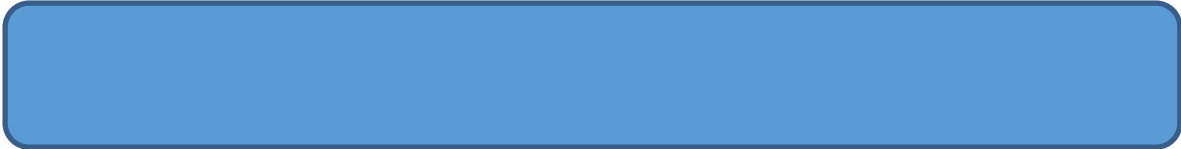
Beginning at 6.00pm for the purpose of considering and determining matters included in this agenda.



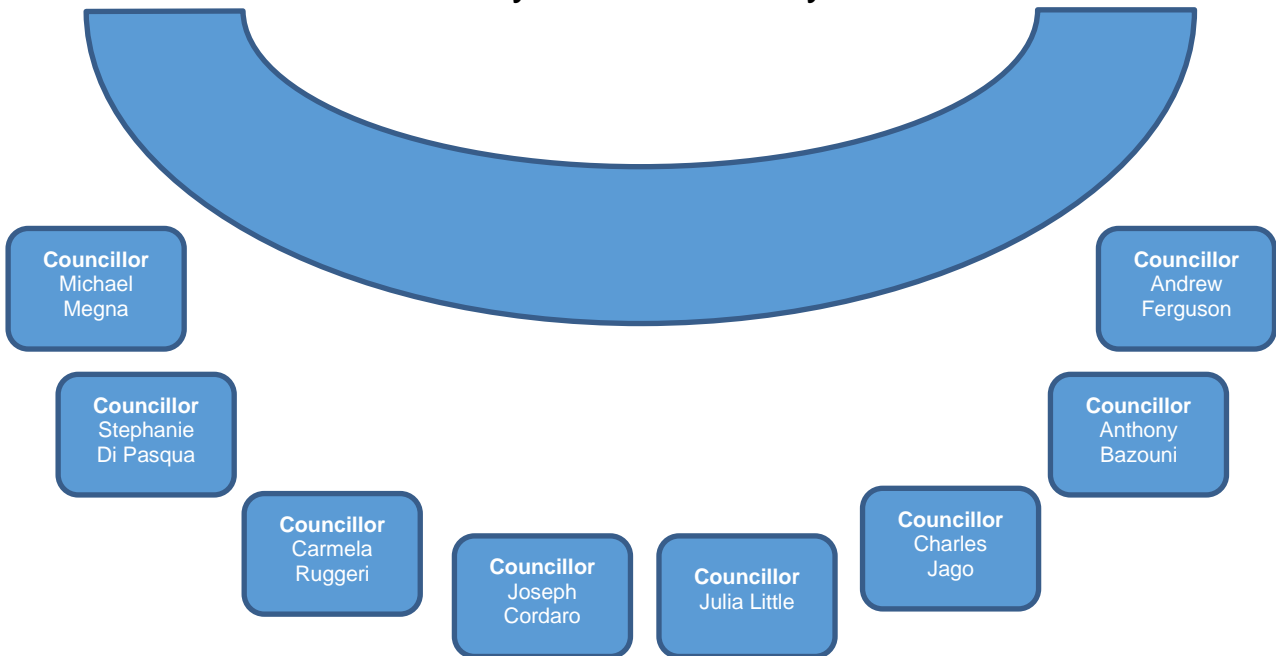
Evan Hutchings

Acting General Manager

- | | | | | | | |
|--|--|---|------------------------------|---|--|---|
| Melissa Lee
Manager
Governance &
Customer Services | Evan Hutchings
Director Corporate
Services & Strategy | John Clark
General
Manager | Mayor Angelo Tsirekas | Monica Cologna
Director Environment
& Planning | Russell Wolfe
Director Community,
Culture & Leisure | Greig Schuettrumpf
Director City Assets |
|--|--|---|------------------------------|---|--|---|



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 June 2023
at the Council Chambers, City of Canada Bay Civic Centre, Drummoyne
Commencing at 6.00pm**

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1 ACKNOWLEDGEMENT OF COUNTRY

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

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

2 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE BY COUNCILLORS

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

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 16 MAY 2023

RECOMMENDATION

That the minutes of the Ordinary Council Meeting of 16 May 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)

Nil

6 PUBLIC FORUM

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

7 ITEMS RESOLVED BY EXCEPTION

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

8 EXECUTIVE SERVICES DIRECTORATE REPORTS

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 1 May 2023 and 31 May 2023.

PURPOSE

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

EXECUTIVE SUMMARY

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

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

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

BACKGROUND/DISCUSSION

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

Items for CBLPP Meeting on 31 May 2023

The following applications were listed for consideration at the CBLPP meeting held on 31 May 2023:

- DA2023/0018 - 3-7 King Street, Concord West - Demolition of existing structure and construction of a five-storey mixed-use development with basement car parking 18 car spaces, including 3 disabled spaces and 2 visitor spaces and 17 x 1 bedroom units and 5 x 3 bedroom units – *Refused as per recommendation.*
- DA2023/0061 – 2P Teviot Avenue, Abbotsford – Alterations and additions to the existing boat shed to include an awning located on the side elevation – *Approved subject to conditions.*
- DA2022/0348 - 27 Walton Crescent, Abbotsford - Upgrade existing residential flat building, replace balustrades and balcony doors – *Approved subject to conditions.*
- DA2022/0329 - 109 Henley Marine Drive, Drummoyne - Demolish a retaining wall, excavate elevated landscaped area, construct 2nd double garage with new roof terrace and lawn above, 2nd driveway, vehicular crossing, new gross floor area on Henley Marine Drive – *Refused as per recommendation.*

Items for CBLPP Meeting on 28 June 2023

The following applications are listed for consideration at the CBLPP meeting to be held on 28 June 2023:

- DA2022/0337 – 13 Lyons Road, Drummoyne – Alterations and additions to Oxford Hotel including change of use from an exercise studio and office to pub. Extension of trading hours between 6am and 4am the following day, Monday to Saturday, and 10am to 12 midnight, Sunday to match the Oxford Hotel's trading hours.
- DA2023/0031 - 56 Bowman Street, Drummoyne – Alterations and additions to an existing dwelling resulting in a change of use to an attached two storey dual occupancy with strata subdivision.
- DA2023/0015 – 21-23 Victoria Avenue, Concord West - Demolition of the existing two commercial buildings and the construction of three storey mixed use strata building above two basement parking at 21 - 23 Victoria Avenue, Concord West (Lot 49 DP1675 and Lot 50 DP 105531).
- DA2023/0064 – 30-34 Leicester Avenue, Strathfield - Proposal 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.
- DA2023/0019 – 75 Renwick Street, Drummoyne - Alterations and Additions to existing two storey residence.

Development Applications – Determined

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

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2023/0035	24.02.2023	19 McDonald Street, Mortlake	Construction of a roof over a existing balcony	Approved 03.05.2023
DA2023/0030	15.02.2023	1-11 George Street, North Strathfield	Demolition of existing internal elements and the refurbishment of the existing Kingpin Bowling Centre to upgrade the internal appearance and provide a new internal features and furniture	Approved 04.05.2023
DA2021/0364	21.12.2021	1 Rawson Avenue, Drummoyne	Use of site as an outdoor play area in conjunction with an existing educational establishment including associated landscaping works	Approved 05.05.2023
DA2022/0311	09.11.2022	63 Byrne Avenue, Russell Lea	Proposed Ground Floor and First Floor alterations and additions to existing dwelling including use of western portion of roof area for a proposed terrace	Approved 05.05.2023

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2023/0062	28.03.2023	1 Cecil Street, Wareemba	Demolition of existing structures and the construction of a two-storey, attached dual occupancy with basement car parking	Refused 05.05.2023
DA2023/0003	01.02.2023	131 Lower St Georges Crescent, Drummoyne	Alterations and additions to existing building to convert into a dual occupancy	Approved 08.05.2023
DA2022/0327	24.11.2022	5 Corby Avenue, Concord	Demolition of existing structures and construction of two storey dwelling, associated landscaping, pool and spa	Approved 10.05.2023
DA2023/0078	24.04.2023	4/31 Marlborough Street, Drummoyne	Pruning of 4 x Lilly Pilly Trees in backyard	Approved 12.05.2023
DA2023/0059	24.03.2023	39 Tait Street, Russell Lea	Alterations to an existing detached garage and replacement of existing front boundary fence	Approved 12.05.2023
DA2022/0240	23.08.2022	13 Hezlet Street, Chiswick	Construction of a dwelling house over basement parking with associated landscaping and swimming pool, cabana as well as the replacement of an existing boat shed and construction of sea wall	Approved 15.05.2023
DA2023/0026	14.02.2023	24 Cumming Avenue, Concord West	Proposing boundary adjustment between 24 and 26 Cumming Avenue	Refused 17.05.2023
DA2021/0266	05.10.2021	29 Lenore Street, Russell Lea	Demolition of structures and construction of a two storey dwelling with basement parking and swimming pool	Approved – Court 18.05.2023
DA2023/0057	24.03.2023	15 Queen Street, North Strathfield	Construction of a secondary dwelling	Refused 18.05.2023
DA2022/0248	13.09.2022	116 Lower St Georges Crescent, Drummoyne	Alterations and Additions to Existing Dwelling	Approved 19.05.2023
DA2023/0025	14.02.2023	12 Dorking Road, Cabarita	Demolition of existing structure and construction of a new two storey dwelling with a basement garage and associated landscaping	Approved 19.05.2023

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2023/0082	02.05.2023	7 Beaconsfield Avenue, Concord	Demolition of all existing structures and construction of a new two storey dwelling house, with a basement level and front fence	Approved 23.05.2023
DA2023/0029	21.02.2023	52 Gipps Street, Drummoyne	Alteration and addition to existing house	Approved 23.05.2023
DA2023/0098	16.05.2023	19-19A Roseby Street, Drummoyne	Proposed fit-out for Shop 209 (Elka Collective)	Approved 24.05.2023
DA2023/0086	02.05.2023	4 The Drive, Concord West	Proposed stormwater control system	Approved 24.05.2023
DA2023/0093	18.05.2023	19-19A Roseby Street, Drummoyne	Alterations and renovation of Level 3 north amenities at Birkenhead Point Outlet	Approved 26.05.2023
DA2022/0329	01.12.2022	109 Henley Marine Drive, Drummoyne	Demolish a retaining wall, excavate elevated landscaped area, construct 2nd double garage with new roof terrace and lawn above, 2nd driveway, vehicular crossing, new gross floor area on Henley Marine Drive	Refused – LPP 31.05.2023
DA2022/0348	17.01.2023	27 Walton Crescent, Abbotsford	Upgrade existing residential flat building, replace balustrades and balcony doors	Approved – LPP 31.05.2023
DA2023/0018	10.02.2023	3-7 King Street, Concord West	Demolition of existing structure and construction of a five-storey mixed-use development with basement car parking 18 car spaces, including 3 disabled spaces and 2 visitor spaces and 17 x 1 bedroom units and 5 x 3 bedroom units	Refused – LPP 31.05.2023
DA2023/0061	28.03.2023	Sea Scout Hall, 2P Teviot Avenue, Abbotsford	Construction of an awning to west side of existing boat shed	Approved – LPP 31.05.2023

Total Number of DAs Determined = 24

Development Applications - Lodged

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

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2023/0076	02.05.2023	11 The Crescent, Russell Lea	Proposal to enclose existing balconies
DA2023/0082	02.05.2023	7 Beaconsfield Avenue, Concord	Demolition of all existing structures and construction of a new two storey dwelling house, with a basement level and front fence
DA2023/0086	02.05.2023	4 The Drive, Concord West	Proposed stormwater control system
DA2023/0085	03.05.2023	371B Great North Road, Wareemba	Construction of an in-ground concrete swimming pool
DA2023/0087	05.05.2023	223 Lyons Road, Russell Lea	Demolition of existing dwelling and constructions of an attached double storey dual occupancy with Strata Subdivision
DA2023/0088	05.05.2023	161 Thompson Street, Drummoyne	Partial demolition and construction of alterations and additions to the existing dwelling including a new attached garage and new swimming pool
DA2023/0089	10.05.2023	22 Sutton Street, Five Dock	Proposed new carport to existing single dwelling
DA2023/0090	10.05.2023	39 Janet Street, Russell Lea	Demolition of existing structures on site and construction of a double storey dwelling with basement, swimming pool and outbuilding
DA2023/0094	15.05.2023	15 Harrabrook Avenue, Five Dock	Construction of a new garage at rear of property
DA2023/0092	16.05.2023	70 Tennyson Road, Mortlake	Retrospective approval of use of premises as a recreation facility (indoor)
DA2023/0095	16.05.2023	36 Plunkett Street, Drummoyne	Alterations and additions to existing dwelling house including partial demolition of the rear of dwelling and a first floor addition
DA2023/0098	16.05.2023	19-19A Roseby Street, Drummoyne	Proposed fit-out for Shop 209 (Eika Collective)
DA2023/0091	16.05.2023	65 Byrne Avenue, Russell Lea	Demolition of existing structures and construction of a new two storey dwelling
DA2023/0097	17.05.2023	115 St Georges Crescent, Drummoyne	Alterations and additions to existing dwelling including partial demolition, basement excavation, relocation of lift, stairs and new entry foyer, extension of balcony to the east at lower ground and ground floor in area of

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
			former lift, changes to external colours and materials and associated landscaping works
DA2023/0073	17.05.2023	155 Victoria Road, Drummoyne	New blade wall to rear of property and change of use
DA2023/0093	18.05.2023	19-19A Roseby Street, Drummoyne	Alterations and renovation of Level 3 north amenities at Birkenhead Point Outlet
DA2023/0096	22.05.2023	30 Collingwood Street, Drummoyne	Proposed replacement of all balustrades on the balconies of an existing residential flat building
DA2023/0099	23.05.2023	9 Arcadia Avenue, Drummoyne	Demolition of existing buildings, construction of a two storey dwelling, swimming pool and related landscaping
DA2023/0100	24.05.2023	21 Lamrock Avenue, Russell Lea	Alterations and additions to existing dwelling including rear amendment to kitchen and windows
DA2023/0101	24.05.2023	24 Lancelot Street, Concord	Demolition of existing dwelling and Construction of a new two storey dwelling
DA2023/0104	29.05.2023	62 Mepunga Street, Concord West	Proposed construction of an attached dual occupancy including strata subdivision, swimming pools and associated works
DA2023/0102	30.05.2023	4 Drummoyne Avenue, Drummoyne	Proposed rear alfresco and removal of tree
DA2023/0103	31.05.2023	12 Bayswater Street, Drummoyne	Rear addition to ground floor including new bathroom/laundry and kitchen

Total Number of DAs Lodged = 23

Variations to development standards

There was one variation made to a development standard (e.g. Building Height, Floor Space Ratio) under the provision of Clause 4.6 of the *Canada Bay Local Environmental Plan, 2013* for the period 1 May 2023 and 31 May 2023:

DA NO	PROPERTY	LEP DEVELOPMENT STANDARD	JUSTIFICATION	EXTENT	DATE APPROVED
DA2022/0348	27 Walton Crescent, Abbotsford	Building Height, Clause 4.3	Replacement of balcony balustrades to comply with the NCC, will not result in any amenity impacts	1.7m (20%)	31.05.2023 LPP Approval

Land and Environment Court Appeals

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

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
DA2022/0129	19/203-211 Great North Road, Five Dock	Class 1 Appeal to the deemed refusal of development application for the alterations and additions including demolition, for the purpose of a childcare centre, for ninety-six (96) children with sixteen (16) staff, to operate 7:00am and 6:00pm Monday to Friday, and thirty-four (34) car spaces	No agreement reached at the conciliation conference. Matter is listed for a hearing on 5 and 6 June 2023.
DA2021/0260	15-17 Cooper Street, Strathfield	Class 1 appeal against the refusal of development application for demolition of existing dwelling houses, Consolidation of two lots and proposed new boarding house with 29 rooms and a manager's room	No agreement reached at the conciliation conference. Applicant is considering preparing amended plans in response to the matters raised during the proceedings.
DA2021/0266	29 Lenore Street, Russell Lea	Class 1 appeal against the refusal of development application for demolition of structures and construction of a two-storey dwelling with basement parking and swimming pool	18 May 2023, Court approved the construction of the two-storey dwelling over basement carpark.
DA2022/0125	40-44 Tennyson Road and 5-15 Bertram Street, Mortlake	Class 1 appeal against the deemed refusal of development application for the demolition of existing structures and improvements and construction of four 4-storey residential flat buildings containing 50 apartments including basement car parking and associated landscaping	No agreement reached at the conciliation conference. Applicant is considering preparing amended plans in response to the matters raised during the proceedings.
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	Matter listed for conciliation conference 27 and 28 July 2023

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
DA2023/0064	1A Watkin Street, Mortlake	Class 1 appeal against the deemed refusal of development application for the construction of a two-storey single dwelling house with basement.	Matter listed for first directions hearing on 9 June 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.	Matter listed for first directions hearing on 15 June 2023.
DA2022/0316	52-56 Ramsay Rad, Five Dock	Class 1 appeal against the deemed refusal of development application for the Demolition of existing structures and construction of a new shop top housing development containing two basement levels, ground level commercial tenancies, 4 levels of residential apartments, and related landscaping.	Matter listed for first directions hearing 28 June 2023

Of the above 8 listed matters before the Land and Environment Court, there are currently 7 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 25 BATTERSEA STREET, ABBOTSFORD AS A LOCAL HERITAGE ITEM**Reporting Manager** Manager Strategic Planning

- Attachments:**
1. **Planning Proposal** (*Provided in Attachment Booklet*) [⇒](#)
 2. **Heritage Assessment** (*Provided in Attachment Booklet*) [⇒](#)
 3. **Heritage listing and development history** (*Provided in Attachment Booklet*) [⇒](#)
 4. **Heritage Referral Response** (*Provided in Attachment Booklet*) [⇒](#)
 5. **Local Planning Panel Minutes** (*Provided in Attachment Booklet*) [⇒](#)
-

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That the Planning Proposal to remove 25 Battersea Street, Abbotsford as a heritage item in the *Canada Bay Local Environmental Plan 2013*, be refused as the site continues to satisfy:

- (a) Criterion (a) of the Heritage NSW guideline Assessing Heritage Significance as the property demonstrates the suburbanisation of Abbotsford following improvements in public transport and employment opportunities, which is a significant aspect of the history of the Canada Bay local government area.
 - (b) Criterion (c) as it remains a substantial Inter-War house that makes a notable contribution to the streetscape. The house retains key original features and is an interesting example of a transitional design with both Federation and Inter-War stylistic influences. The late twentieth century addition is sympathetic.
 - (c) Criterion (g) as it remains a good example of a substantial Inter-War house representative of the style of residential development at Abbotsford Point in the Inter-War period.
-

PURPOSE

To report on the outcome of the assessment of a Planning Proposal relating to 25 Battersea Street, Abbotsford.

EXECUTIVE SUMMARY

A Planning Proposal has been received seeking to remove the heritage listing of a house at 25 Battersea Street, Abbotsford (Item no. I17) from Schedule 5 of the *Canada Bay Local Environmental Plan 2013* (LEP).

A detailed assessment of the heritage significance of the site and the documentation provided by the proponent has been undertaken. The site continues to satisfy relevant criteria for heritage listing and makes a significant contribution to the streetscape.

It is recommended that the planning proposal be refused.

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 2 March 2023, Council received a Planning Proposal for a site known as 25 Battersea Street, Abbotsford, legally referred to as Lot 79 DP 3790. The Planning Proposal is seeking to remove the land as being identified as a heritage item pursuant to the *Canada Bay Local Environmental Plan 2013*.

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

Site Details

The site accommodates a detached dwelling house, originally single storey in construction, on a regular shaped allotment.

The land has a primary frontage to Battersea Street (north-west) and secondary frontage to Reserve Street (north-east). The front boundary is approximately 15.09 metres wide, and the side boundary is approximately 40.38 metres in length, with a total site area of 607sqm. Refer to Figure 1

There is a topographical fall on the land towards the front the of site, nearest to Parramatta River, of approximately 4.0 metres.



Figure 1: Aerial image

The site is listed as a local heritage item (Item no. I17) in Schedule 5 of the LEP (see Figure 4).



Figure 4: Heritage map

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

A good example of a substantial Inter-War house representative of the style of residential development at Abbotsford Point in the Federation and Inter-War periods.

Opposite the site is Battersea Park which is also listed as a local heritage item (Item no. I16) and described as:

The terracing and steps cut into the rock faces on the southeast side of Battersea Park are important evidence of the former baths constructed on this site. This evidence demonstrates the emphasis placed on leisure activities early in the century and the affluence of the area at the time. It is one of few legible sites of public baths in existence around the harbour.

The sea walls along the edge of Battersea Park are believed to be part of work undertaken by unemployed workers in The Great Depression.

Battersea Park is notable also for its remnant indigenous vegetation (trees) particularly one large blackbutt (20m) and five old cheese trees (one possibly 60 years old).

About the Heritage Item

The original house was constructed c. 1924 and was a single storey bungalow with a hipped roof and wrap around verandah under a large spreading roof. Gables terminate the verandah at either end. The walls are face brickwork and the roof tiled. The roof has exposed rafters and the gables vertical battens forming a regular pattern. The brick walls of the verandah dip down between the piers. The stub piers of the verandah are topped with pairs of timber posts supporting the verandah beam. The original detached single car garage remains.



Figure 5: Current view of dwelling from Battersea Street



Figure 6: Current view of dwelling from cnr Battersea Street and Reserve Street

Changes made to the dwelling house

Over the years, a number of changes have been made to the dwelling house.

The fall to the front of the site means the ground floor level is significantly elevated above street level. The original garden assisted in minimising the dominance of the elevation, and enabled the viewer to focus on the large original balcony/verandah, which extends along two thirds of the front facade and approximately half of the side façade. The front yard has since been excavated and a wide garage door has been constructed below the verandah facing Battersea Street.

Construction of a first-floor addition, over the rear part of the original dwelling makes it evident that the dwelling is now two storeys when viewed from the side street (Reserve Street). The addition is however partly within the new roof form, and as such, visibility from Battersea Street is generally limited and does not create an appearance of a third storey.

Vehicular access is provided from Reserve Street to an original detached single car garage and from Battersea St to the new lower ground level double garage. Pedestrian access is maintained from Reserve St to the original front door which also faces Reserve Street.

The front yard has been excavated and landscaped, including artificial grass and paving. The rear yard mostly comprises paving and artificial grass, with some small raised garden beds.

The site is surrounded by a masonry fence constructed of a similar brick to the dwelling and which includes metal palings between piers for half of the side and all of the Battersea Street frontage.

Planning Proposal and Heritage Impact Statement

The Planning Proposal is accompanied by a Heritage Impact Statement (Statement) prepared by Weir Phillips Heritage and Planning. The Statement recommends removal of the item from Schedule 5.

The Planning Proposal has been lodged with Council to initiate a process whereby the property would no longer be listed as a heritage item. If Council was to follow this approach, then the property would no longer benefit from the protection of the heritage listing and could potentially be modified further or completely demolished.

The Heritage Impact Statement submitted with the application (Attachment 2) states:

While the building does exhibit some characteristics of the Inter-war Bungalow the dwelling has a mixed level of external integrity and a low level of internal integrity owing to the extensive modifications undertaken over time. There are better examples of more intact Inter-war period dwellings in the locality, for example the Inter-war era dwellings to the east of the site on at Battersea Street on the opposite side of Reserve Road.

The Statement assessed the site for significance against 6 criteria from the *Assessing Heritage Significance, NSW Heritage Manual Update* and concluded that the dwelling does not meet the threshold for listing. See the left hand column of the table below for the proponent's reasons for delisting.

Heritage Assessment

Section 4.9 of the applicants Heritage Impact Statement provides a summary discussion for why the item should be delisted. Council's Heritage Coordinator has reviewed the discussion and a response is provided below:

Proponent Reasons for Delisting	Council Heritage Response
<p>Inter-War bungalows are prevalent in Australian suburbs.</p>	<p>The prevalence, or not, of a particular building type or buildings from a particular era, is not a sound reason to state that a building should not be heritage listed. Churches are common for instance, but also important buildings that often warrant heritage listing.</p>
<p>Listing an item because it was part of the suburban development of Abbotsford in the early 20th century applies to most dwellings in the area.</p>	<p>The heritage consultant's report did not state how many houses in Abbotsford were built in the early 20th century. Nevertheless, because a heritage item may have been built at the same time as other unlisted buildings, this is not a sound reason on which to argue that a building should be delisted. There are about five Inter-War houses in Abbotsford that are listed heritage items (including that at 25 Battersea Street).</p> <p>The date of construction of a house is only one aspect of heritage significance.</p>
<p>The original Inter-war era California bungalow has undergone unsympathetic and arbitrary changes. The house has a mixed level of external integrity and a low level of internal integrity.</p>	<p>The advice of the applicant's current heritage consultant contradicts that of their previous heritage consultant who stated that minor alterations proposed to the approved DA295/2005 "neither add to or takeaway from the pleasant Interwar bungalow form" and that the proposed interior changes "have less of an impact on the interiors than the approved plans".</p> <p>The original form of the Inter-War bungalow remains evident for much of the main body of the original house - sufficient to warrant retention of the heritage listing. This view is in accordance with the advice of Council's heritage advisor who assessed the 2005 development application for the rear addition and considered it acceptable with regard to its heritage impacts. While the entirety of the original roof is unlikely to ever be reinstated, the opportunity remains to modify some unsympathetic works and reverse unauthorised works.</p> <p>The internal alterations have resulted in changes to the original configuration as well as the loss of original building fabric. The unauthorised works have had the greatest adverse impact and an opportunity exists to reverse the impact of these works.</p>
<p>The second storey addition to the house, as well as the modern developments in the immediate vicinity have impacted the previous</p>	<p>The house remains a substantial element in the streetscape due to its design, siting, the natural topography and its corner location.</p>

substantial presence of the house.	In particular, it is the front section of the original house which is most prominent, with the later two storey addition being visually recessive.
Remaining original fabric has modest architectural detailing which is extremely common in the locality.	Modest detailing is not a reason for a place not to have heritage values, e.g. Cadmans Cottage, Elizabeth Farm house.
The house is not architecturally distinctive.	The house is of its time and place. It was not a trophy house for a wealthy person, but this does not devalue it. The house demonstrates the suburban history of Canada Bay local government area, and it is an interesting transitional building having both Federation and Inter-War design features.
The house does not have landmark qualities.	The house is prominent, and it is agreed not a landmark building. This does not detract from its heritage values.
The house is not by an important architect or designer.	Many heritage items are not by an important architect or designer. Only valuing those places that are designed by someone important is contrary to good contemporary heritage practice and is not a sound reason for delisting a heritage item.
The house has lost its context, neighbouring development being inappropriate.	The nature of the area has changed, as is the case for most historic buildings e.g. the area around Sydney Town Hall has changed immensely since it was built, but this does not detract from its heritage value.

Previous application for demolition and letter from Mr Davies

The applicant has also provided a letter dated 1 April 2004 from Mr Paul Davies, who was the heritage consultant who prepared the original inventory sheet and recommended the heritage listing of 25 Battersea Street, Abbotsford in 1995/96.

The letter, was lodged in support of the demolition of the building as part of DA204/04 and stated that Mr Davies recommended listing of the house as he was of the understanding that the item was as a pair of semi-detached dwellings. Mr Davies then goes on to state that as the building is actually a single house rather than a pair of semi-detached dwellings, it should not be a heritage item.

Mr Davies' statement in his letter is inconsistent with the information on the heritage inventory sheet he prepared for the house in 1995 that states:

House built c.1915 - A fine large late Federation house in a commanding position overlooking the Parramatta River with a verandah extending across the frontage set on a high base to take advantage of the views. The house is face brick with good detailing and is a fine example of the period. A very good example of the later Federation style of residential development.

As part of the assessment process for the Development Application, Council obtained independent heritage advice from Noel Bell Ridley Smith & Partners, heritage consultants. The consultant's work included a review of the letter from Paul Davies and following careful consideration recommended the continued listing of the house as a local heritage item.

Numerous submissions were also received objecting to the demolition of the house, including a submission from the National Trust of Australia, that stated *inter alia*:

No. 25 Battersea Street is a single storey inter war bungalow and a fine example of the late federation style. The property has been identified as a local heritage item under Drummoyne Local Environmental Plan 1996 for its architectural and cultural importance as the contribution it makes to the character of the area. It is in good condition, occupies a prominent corner site with views to Battersea park and the Parramatta River and is fundamental to the character of the area.

The Heritage Impact Statement supports demolition, basing its conclusion on the opinions of the heritage consultant responsible for the listing of the building as a local heritage item, and his belief in hindsight, that the property does not warrant heritage listing. The Trust considers this to be an inadequate argument, and would like to emphasise that the building is of architectural significance, both in its own right and, in the contribution it makes to the identity of the local area. Furthermore, the building retains its status as a local heritage item and is subject therefore to the aims and objectives of the Drummoyne Local Environmental Plan in conjunction with the Development Control Plan. Permitting its demolition contradicts the planning frameworks that exist to preserve local heritage items and enhance the built environment, and, sets a poor precedent.

The application for demolition was withdrawn.

Alterations to the Heritage Item

The property has been altered over time, both with and without consent. Please see Attachment 3 for further discussion regarding development history.

The works that Council consented to were determined to be sympathetic to the heritage item by both consultants working on behalf of the landowner and by Council's Heritage Advisor.

A recent site inspection and review of previous approvals has identified that a range of modifications have been made to the site, both inside and outside the dwelling. These modifications have a detrimental impact upon the item, however they are generally reversible. Council could require the owners to reverse all of the unauthorised works (refer to Council's Heritage Consultant report for a review of potential unauthorised works). The reversal of unsympathetic works would reinstate many of the heritage values lost by the works.

Outcomes of Planning Proposal Assessment

Council's Heritage Coordinator has provided a summary of the reasons why the heritage listing should remain:

Heritage listing does not mean that a place must be fixed in time. Rather, it aims to allow change in a way that conserves its heritage values while meeting the needs of owners and, more broadly, the community. It is important that change is allowed as buildings that are not fit for purpose, or which cannot find a new use, are at risk of lack of maintenance leading to irreversible decay. The extent and nature of acceptable change then becomes the issue.

The approved changes to the original Inter-War bungalow at 25 Battersea Street, Abbotsford, are sympathetic to the original house and have retained key features of the original house, including most of the main body of the house and the main roof, the front façade with its wrap-around verandah, its presentation to Battersea Street, its relationship to the topography, as well as original materials, finishes and detail elements. There is the opportunity to enhance heritage values by removing detracting elements and by creating a more sympathetic garden.

The subject site continues to satisfy:

Criterion (a) of the Heritage NSW guideline Assessing Heritage Significance as the property demonstrates the suburbanisation of Abbotsford following improvements in public transport and employment opportunities, which is a significant aspect of the history of the Canada Bay local government area.

Criterion (c) continues to be satisfied as it remains a substantial Inter-War house that makes a notable contribution to the streetscape. The house retains key original features

and is an interesting example of a transitional design with both Federation and Inter-War stylistic influences. The late twentieth century addition is sympathetic.

Criterion (g) continues to be satisfied as it remains a good example of a substantial Inter-War house representative of the style of residential development at Abbotsford Point in the Inter-War period.

The heritage listing of 25 Battersea Street in Schedule 5 of Canada Bay Local Environmental Plan 2013 should be retained. Unauthorised works should, in general, be reversed.

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

Whilst a number of unauthorised works appear to have been undertaken that diminish the heritage significance of the property, they do not warrant removal of its heritage listing.

It is recommended that the planning proposal be refused, and the existing heritage listing be retained.

Local Planning Panel

On 26 April 2023, 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 and their representatives in their address to the Panel, and the matters observed during a site inspection.

The Panel advised:

1. *The Panel agrees with the conclusions in the Planning Proposal assessment report, in that, the subject site continues to satisfy:*
 - a. *Criterion (a) of the Heritage NSW guideline Assessing Heritage Significance as the property demonstrates the suburbanisation of Abbotsford following improvements in public transport and employment opportunities, which is a significant aspect of the history of the Canada Bay local government area.*
 - b. *Criterion (c) continues to be satisfied as it remains a substantial Inter-War house that makes a notable contribution to the streetscape. The house retains key original features and is an interesting example of a transitional design with both Federation and Inter-War stylistic influences. The late twentieth century addition is sympathetic.*
 - c. *Criterion (g) continues to be satisfied as it remains a good example of a substantial Inter-War house representative of the style of residential development at Abbotsford Point in the Inter-War period.*
2. *The Panel considers that the building contributes significantly to the streetscape and should not be demolished.*

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

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

The Planning Proposal was lodged on 2 March 2023. It is categorised as a 'standard' application with a 95 day assessment timeframe requiring a Council resolution no later than 13 July 2023 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 EV CHARGING STRATEGY AND ACTION PLAN - POST EXHIBITION**Reporting Manager** Manager Sustainability and Waste**Attachments:**

1. **Draft Electric Vehicle Strategy - for Adoption** (*Provided in Attachment Booklet*) [⇒](#)
2. **Summary of submissions received during exhibition** (*Provided in Attachment Booklet*) [⇒](#)

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That:

1. Council adopt the *Electric Vehicle Charging Strategy and Action Plan*, attached to the report.
 2. The General Manager be authorised to make minor editorial amendments for clarity or correction of drafting errors to the *Electric Vehicle Charging Strategy and Action Plan*.
-

PURPOSE

To establish a strategic framework for electric vehicles (EVs) and electric vehicle infrastructure to guide, regulate and advocate for the delivery of this infrastructure on both public and private land.

EXECUTIVE SUMMARY

The draft *Electric Vehicle (EV) Charging Strategy and Action Plan* (Strategy) outlines the City of Canada Bay Council's (Council) priorities and actions to support a transition to EVs. The transition to EVs over time will help realise Council's greenhouse gas (GHG) emissions reduction targets of net zero for Council operations by 2030 and for the community by 2050. It is important that the provision of EV infrastructure is carefully guided and regulated to ensure all relevant environmental, aesthetic, functional, and other land use requirements are properly considered.

The draft *EV Charging Strategy and Action Plan* (Strategy) was on public exhibition from 28 March to 26 April 2023. Council received 21 responses to the Collaborate Survey, three emails and two formal submissions.

Feedback was positive and constructive. Minor revisions have been made to the draft Strategy post-exhibition to address the feedback. Key changes include strengthening advocacy to State Government on charging in strata buildings; addition of an action on disbenefits of EVs; and more detail around targets and evaluation, along with some additional actions outlined below.

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
- Direction 2: Sustainable and Thriving Environment
- Goal STE 1: Reduce greenhouse gas emissions
- Direction 3: Vibrant Urban Living
- Goal VUL 1: Creative vibrant local village centres and community hubs
- Goal VUL 3: Promote the City as an attractive, welcoming place to do business

- Goal VUL 4: Ensure the built environment respect the unique neighbourhood character and responds deftly to evolving community needs
- Direction 4: Infrastructure and Transport
- Goal IT 1: Manage local assets to ensure they continue to meet community needs and address climate adaptation
- Goal IT 2: Manage traffic and parking to minimise congestion and increase road safety
- Goal IT 3: Encourage active and accessible transport opportunities
- Direction 5: Civic Leadership
- Goal CL 1: Council is accountable, efficient, and ready to meet future challenges
- Goal CL 3: Council works with partners to actively shape the City's future
- Goal CL 4: The City of Canada Bay community is well informed and eager to engage in issues and decisions that impact them

BACKGROUND/DISCUSSION

The draft *Electric Vehicle (EV) Charging Strategy and Action Plan* (Strategy) was on public exhibition from 28 March to 26 April 2023. Feedback was positive and constructive. Minor revisions have been made to address the feedback. Key changes include:

- Strengthen action to advocate to NSW Government to streamline process for approving EV chargers in strata.
- Include text on disbenefits (space, congestion, injury) in section 2.1 Transport Resilience.
- Include an action to consult Local Emergency Management Officers about risk of battery fires.
- Include text on disruptive technologies such as battery swap services and that *Transport Infrastructure State Environmental Planning Policy* (TISEPP) permits with consent.
- Add a section on evaluation metrics and include tracking of the metrics proposed by Ausgrid.
- Include an action to review and update the target for the number of EV chargers as part of the Environment Strategy review process.
- Include an action to do place-based analysis on numbers of strata dwellings to create more fine scale assessment of likely local demand for on-street charging.

Analysis of feedback responses is included in the Public Exhibition Report (attached). Council received 21 responses to the Collaborate Survey, three emails and two formal submissions (from Ausgrid and Jolt). On 27 April 2023, Transport for NSW contacted Council staff acknowledging receipt of Council's request for feedback and noting the exhibition period had closed. Transport for NSW advised that it will take them some time to prepare a response as they need to liaise with their colleagues in Office of Energy and Climate Change for some matters. A response from Transport for NSW has not yet been received to date. Council staff also sought in-person feedback from residents at the Sustainable Saturday event as part of Concord Carnival.

The Strategy outlines the City of Canada Bay Council's (Council) priorities and actions to support a transition to EVs. As both a planning authority and a landowner, it is important that the provision of EV infrastructure is carefully guided and regulated through Council policy to ensure all relevant land use requirements are properly considered in the context of the Canada Bay community.

RISK CONSIDERATIONS

There are minimal risks associated with the Strategy, which sets the strategic direction for Council in planning for and regulating EV infrastructure. It provides the principles and modelling to inform decisions on how EV charging infrastructure is delivered, as well as identifying areas for further investigation to inform decisions around Council's fleet, sites and other assets.

The new Transport and Infrastructure SEPP provisions and recently released National EV Strategy may prompt a surge in requests for the installation of EV charging infrastructure.

FINANCIAL CONSIDERATIONS

The Strategy has a strong regulatory and advocacy focus and identifies a number of areas requiring further research. The infrastructure options for Council-owned sites discussed within the draft Strategy are not fully funded and require further investigation. There are substantial grant funding opportunities through the NSW and Federal Governments which can be explored.

As discussed in the Strategy, there is also the opportunity for Council to consider and facilitate third-party charging infrastructure on public land using different business funding models. Under section 611 of the *Local Government Act 1993*, Council can charge within the leasing agreement for the use of public land.

LEGISLATIVE AND POLICY CONSIDERATIONS

City of Canada Bay Council Electric Vehicle Charging Infrastructure Policy

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

City of Canada Bay Environmental Strategy and Emissions Reduction Action Plan

City of Canada Bay Local Movement Strategy

ITEM 9.4 ELECTRIC VEHICLE CHARGING INFRASTRUCTURE POLICY**Reporting Manager** Manager Sustainability and Waste**Attachments:** 1. **Draft Electric Vehicle Policy for Exhibition 2023** [↓](#)

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That:

1. Council endorses the draft *Electric Vehicle Charging Infrastructure Policy*, attached to the report, for public exhibition for a period of at least 28 days.
 2. Following the public exhibition period, a report be prepared and submitted to Council on any submissions received, and any subsequently proposed amendments to the draft *Electric Vehicle Charging Infrastructure Policy*.
 3. Authority be delegated to the General Manager to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft *Electric Vehicle Charging Infrastructure Policy*.
-

PURPOSE

To establish a policy framework for electric vehicle charging infrastructure (EVCI) on Council property.

EXECUTIVE SUMMARY

The draft *Electric Vehicle Charging Infrastructure Policy (EVCI Policy)* attached to this report sets out Council's proposed role in regulating and evaluating the installation of Electric Vehicle (EV) infrastructure. The recent NSW Government amendment to *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the TISEPP) on 24 February 2023 allows public authorities, electricity supply companies and residents to install Electric Vehicle charging equipment under various conditions (with consent, without consent and through exempt provisions).

It is important that Council carefully guides and regulates provision of EV infrastructure on public land to ensure environmental, aesthetic, functional, and other land use requirements are properly considered. The TISEPP allows public authorities and, in some cases, electricity supply authorities (such as Ausgrid) to install EVCI on a wide range of Council property and assets, for example street furniture and light poles.

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

This report seeks Council's approval to exhibit the draft EVCI Policy for public comment for a minimum period of 28 days. Following exhibition, community input received will be reviewed, and reported to Council, including any recommended changes to the draft EVCI Policy.

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
- Direction 2: Sustainable and Thriving Environment
- Goal STE 1: Reduce greenhouse gas emissions
- Direction 3: Vibrant Urban Living
- Goal VUL 1: Creative vibrant local village centres and community hubs
- Goal VUL 3: Promote the City as an attractive, welcoming place to do business
- Goal VUL 4: Ensure the built environment respect the unique neighbourhood character and responds deftly to evolving community needs
- Direction 4: Infrastructure and Transport
- Goal IT 1: Manage local assets to ensure they continue to meet community needs and address climate adaptation
- Goal IT 2: Manage traffic and parking to minimise congestion and increase road safety
- Goal IT 3: Encourage active and accessible transport opportunities
- Direction 5: Civic Leadership
- Goal CL 1: Council is accountable, efficient, and ready to meet future challenges
- Goal CL 3: Council works with partners to actively shape the City's future

BACKGROUND/DISCUSSION

This draft EVCI Policy supports Council in implementing its draft Electric Vehicle (EV) Charging Strategy and Action Plan (Strategy) which outlines the City of Canada Bay Council's (Council) priorities and actions to support a transition to EVs.

Transport and vehicle market analysts expect a rapid surge in purchase of electric vehicles, driving demand for electric vehicle charging infrastructure. NSW policies and funding, together with the new *TISEPP* provisions, may prompt a surge in local interest in installing EV charging infrastructure.

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

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

- Planning and development approvals under the *Environmental Planning and Assessment Act 1979* and relevant instruments (noting that *TISEPP* allows EVCI to be installed in some locations by public authorities or electricity supply authorities without or consent or as exempt development).
- Amendments to Plans of Management under the *Local Government Act 1993* where the land is community land.
- Approvals under the *Roads Act 1993* for use of the road for construction works and/or designation of dedicated parking for electric vehicles.
- Payment of fees and charges relating to any remediation works to restore Council property following installation of ECVI and/or installation of line marking and signs.

- Establishment of a contractual agreement with Council which may take the form of a lease, licence or other contract with Council for use of public property for private use which may include a lease fee.
- Fees and/or charges pursuant to the *Local Government Act 1993*.

CONSULTATION AND RISK CONSIDERATIONS

It is proposed that the draft *Electric Vehicle Charging Infrastructure Policy* be placed on public exhibition for a period of 28 days. Following the exhibition period a report will be provided to Council including a summary of feedback received and any proposed changes.

In this absence of this draft EVCI Policy, there is a risk of unplanned installation of EVCI that reduces public amenity through opportunistic land grabbing of public assets for private use and operations. The draft EVCI Policy helps mitigate risks and implications for Council as a landowner and as a planning authority, particularly in regulating locations, aesthetics, and revenues for provision of EV charging equipment installed on public land.

There are minimal risks associated with the draft Policy, which articulates Council's position in regulating EVCI on Council property and providing principles for decisions on how Council property may be used for EVCI.

The new *TISEPP* provisions may prompt a surge in interest in installing EV charging infrastructure.

FINANCIAL CONSIDERATIONS

The draft *Electric Vehicle Charging Infrastructure Policy* articulates Council's position that ratepayers should receive revenue for private use of public property owned by Council.

Council may consider and facilitate third-party charging infrastructure on public land using different business funding models. Council will determine the fee or charge payable pursuant to the *Local Government Act 1993*. Council may require a charge based on the nature and extent of benefit derived from the installation of the ECVI by the installer, or impose a fee listed in its schedule of fees and charges.

LEGISLATIVE AND POLICY CONSIDERATIONS

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

Roads Act 1993

Local Government Act 1993

City of Canada Bay Environmental Strategy and Emissions Reduction Action Plan

City of Canada Bay Local Movement Strategy

ELECTRIC VEHICLE CHARGING INFRASTRUCTURE POLICY

Date of Adoption: DRAFT for EXHIBITION
Effective Date:



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DRAFT

1. Objectives of this Policy

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

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

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

2. Review

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

3. Scope

a) Applicable locations

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

b) Applicable persons

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

c) Types of electric vehicle charging infrastructure

EV charging infrastructure includes:

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

d) Relevant legislation

Relevant legislation includes:

- *State Environmental Planning Policy (Transport and Infrastructure) 2021 (TISEPP)* dealing with planning consent or exemptions for installation of electric vehicle charging units on public land (installed with consent, without consent or as exempt development) under the *Environment Planning and Assessment Act 1979* and relevant environmental planning instruments.
- The *Roads Act 1993* and the *Local Government Act 1993* require that a person shall not carry out any activity on a public road or place without the approval of Council. Section 138 of the *Roads Act 1993* requires consent from Council as the roads authority for any works or activities in a public road which includes all parts of the road reserve such as the footpath (nature strip or verge);
- In addition to the *Roads Act 1993*, the *Work Health and Safety Act (2011)* and the *WH&S Regulation (2011)*, place specific requirements in relation to working in or near vehicular or pedestrian traffic.

- Section 611 of the *NSW Local Government Act 1993*, which allows Council to make an annual charge on the person for the time being in possession, occupation or enjoyment of a rail, pipe, wire, pole, cable, tunnel or structure laid, erected, suspended, constructed or placed on, under or over a public place.
- Section 203B of the *Road Rules 2014*, introduces fines of up to \$2,200 for drivers who are not in an electric powered vehicle and stop in spaces designated for electric vehicles and Section 203C provides that drivers of electric charged vehicles can only stop in those spaces for the purposes of charging their vehicle.

e) **Relevant Council policies and plans**

- [City of Canada Bay Electric Vehicle Strategy and Action Plan](#)
- [City of Canada Bay Environmental Strategy and Emissions Reduction Action Plan](#)
- [City of Canada Bay Local Movement Strategy](#)
- [Canada Bay Pedestrian Access and Mobility Plan](#)

4. Policy and Procedure

a) **Policy**

Council is a land and property owner, planning authority, and public domain manager. Council supports the transition to electric vehicles and will facilitate installation of EVCI in line with City of Canada Bay's *Electric Vehicle Strategy and Action Plan*, relevant legislation and Council policies and plans.

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

- Facilitating access to EV charging across the City of Canada Bay in line with City of Canada Bay's *Electric Vehicle Strategy and Action Plan*.
- Requiring that EVCI integrates with the surrounding transport network and respects the unique neighbourhood character and responds deftly to evolving community needs.
- Maintaining public amenities, for example pedestrian access, public carparking, functional street furniture and Council owned streetlighting poles.
- Limiting the costs to ratepayers arising from use of public property for EVCI and that ratepayers receive revenue for private use of public property owned and managed by Council.
- Allocating parking spaces fairly between EV users and other users.
- Managing impacts of EVCI on neighbours and adjoining premises.

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

Council may require:

- Planning and development approvals under the *Environmental Planning and Assessment Act 1979* and relevant instruments (noting that TISEPP allows EVCI to be installed in some locations by public authorities or electricity supply authorities without consent or as exempt development).
- Amendments to Plans of Management under the *Local Government Act 1993* where the land is community land.
- Approvals under the *Roads Act 1993* for use of the road for construction works and/or designation of dedicated parking for electric vehicles.
- Payment of fees and charges relating to any remediation works to restore Council property following installation of ECVI and/or installation of line marking and signs.

- Establishment of a contractual agreement with Council which may take the form of a lease, licence or other contract with Council for use of public property for private use which may include a related fee.
- Payment of an annual charge under Section 611 of the *Local Government Act 1993*.

b) Applicable Regulations

The applicable regulations are set out in Table 1 below.

Table 1: Applicable Regulations

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

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

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

6. Fees and Charges

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

7. Enforcement

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

Revision History

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

ITEM 9.5 UPDATE TO THE CITY OF CANADA BAY AFFORDABLE HOUSING POLICY**Reporting Manager** Manager Strategic Planning**Attachments:**

1. **Affordable Housing Policy** [↓](#)
2. **Affordable Housing Management Guideline** [↓](#)

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That the updated *City of Canada Bay Affordable Housing Policy* and *Affordable Housing Management Guideline*, attached to the report, be adopted.

PURPOSE

This report outlines minor changes to the *City of Canada Bay Affordable Housing Policy* to align with the NSW Government's principles for affordable housing, a requirement of a Gateway Determination issued by the Department of Planning and Environment to Council in April 2020.

EXECUTIVE SUMMARY

A Gateway Determination was issued by the Department of Planning and Environment in April 2020 requiring Council to review and align the *City of Canada Bay Affordable Housing Policy* (Policy) with the principles of the *State Environmental Planning Policy 70 – Affordable Housing (Revised Schemes)*.

The review resulted in a wording update to the Policy to include the 'very low' household income group into Council's definition of Affordable Housing, to align with the NSW Government's principles.

Other minor amendments included the separation of Annexure 1 of the Policy into a standalone Affordable Housing Management Guideline (Guideline), as well as incorporation of Annexure 2 into the main body of the Affordable Housing Policy. The separation of Annexure 1 enables the Guideline to be reviewed and updated more frequently to respond to changing needs and circumstances.

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

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

Council submitted a Planning Proposal to the Department of Planning Environment in December 2019 seeking to include a requirement for affordable housing in the *Canada Bay Local Environmental Plan 2013*.

A Gateway Determination was issued in April 2020 requiring Council review and align its *City of Canada Bay Affordable Housing Policy* (Policy) with the principles of the *State Environmental Planning Policy 70 – Affordable Housing (Revised Schemes)*, which was recently repealed and consolidated into *State Environmental Planning Policy (Housing) 2021*.

The Gateway Condition required Council to:

1. (b) *Include a review of the rental lifting strategy in Council's Affordable Housing Policy in relation to the principles in Schedule 2 of State Environmental Planning Policy 70 – Affordable Housing (Revised Schemes)*

Responding to this Gateway Condition, a review and update of the Policy has been undertaken and changes made to accommodate the outcome sought by the Gateway Condition.

The wording changes made to the Affordable Housing Policy include:

- The definition of 'Affordable Housing' updated to align with the *State Environmental Planning Policy (Housing) 2021*. That is, the 'very low' household income group was added.
- Requirement that the quality of affordable housing dwellings are equivalent to other dwellings provided on the same site or within its proximity.

The primary effect of the above changes is that Council's affordable housing portfolio will need to accommodate households on a 'very-low' income, in addition to low and moderate income households.

Other housekeeping amendments to the Policy were of no financial or operational consequence, they include:

- Updated the phrase 'Affordable Housing Units' to 'Affordable Housing Dwellings'
- Updated reference to the former 'Section 93F, 94F' of the *Environmental Planning and Assessment Act (Act)* to the new clause numbers '7.32 and 7.33' of the amended Act.
- Annexure 1 separated into a standalone Guideline. It is anticipated that in 2024, Council will need to update the Guideline upon the conclusion of Council's involvement in the National Rental Assistance Scheme (NRAS) which the Commonwealth Government has ceased.
- Annexure 2 of the Policy has now been integrated into the body of the Policy under a new sub-title 'Affordable Housing Management'.
- The Laws and Standards section updated to reference new legislation.

A minor amendment was made to the separated Guideline to align with the definition contained in the *State Environmental Planning Policy (Housing) 2021* by inclusion of 'very low' household income group to the eligibility criteria.

RISK CONSIDERATIONS

The update to include 'very-low income households will require consideration to be given to the future management of Council's affordable housing stock. The composition of the Affordable Housing portfolio will need to be calibrated to ensure the financial sustainability of the portfolio and its management over time.

There is no legislative requirement for the Policy to be publicly exhibited. The amendments made are to align with Legislation and the Gateway Conditions issued by the NSW Government.

There are no other risk considerations associated with this report.

FINANCIAL CONSIDERATIONS

There are no financial implications relating to the minor updates made to the Policy. In the coming two years however, updates are anticipated to be made to the standalone Guideline to reflect the conclusion of the National Rental Affordability Scheme (NRAS).

It is noted that prior to the enactment of the *State Environmental Planning Policy 70 (SEPP 70)*, very-low income household groups were serviced by Social Housing provided by the NSW Government.

However, the NSW Government had expanded the role of local government to support low and middle income groups through Affordable Housing Schemes, when it set out the definition for affordable housing in the SEPP 70 to include the very-low income households. Therefore, it is imperative that Council to continue to advocate for Social Housing in addition to Affordable Housing.

LEGISLATIVE AND POLICY CONSIDERATIONS

The updates to the Affordable Housing Policy respond to a Gateway Condition of the NSW Government and aligns with the principles of the *State Environmental Planning Policy 70 – Affordable Housing (Revised Schemes)*, recently repealed and consolidated into the *State Environmental Planning Policy (Housing) 2021*.

Affordable Housing Policy



AFFORDABLE
HOUSING
POLICY

AFFORDABLE HOUSING POLICY

Date of Original Adoption: 7 August 2007

Dates Revised: 12 August 2009, 7 February 2012, 19 April 2016, 15 August 2017 and TBC

DRAFT

AFFORDABLE HOUSING POLICY

Council is committed to enabling affordable housing in the City of Canada Bay to maintain a diverse, vibrant and healthy community and to alleviate housing stress experienced by some individuals and families in the private rental housing market.

Purpose

The purpose of this policy is to establish the City of Canada Bay's (Council) approach to affordable housing. The policy:

- Defines the type of housing referred to in this policy
- Outlines Council's principles (role and approach) to affordable housing
- Clarifies the intent of Council's involvement in affordable housing
- Provides management guidelines for the ongoing operation of affordable housing units owned by Council (refer to Annexure 1).

Definitions

Affordable Housing	Housing for very low income households, low income households or moderate income households, if the household has a gross income within the range of percentages set out in clause 13 of the <i>State Environmental Planning Policy (Housing) 2021</i> .
Affordable Housing Dwellings	Dwelling that has been obtained by Council through planning mechanisms or purchase, for the purpose of affordable housing
Local Environmental Plan (LEP)	A legal document prepared by Council and approved by the State Government to regulate land use and development
Development Control Plan (DCP)	A plan to provide detailed planning and design guidelines to support the planning controls in the Local Environmental Plan
Inclusionary Zoning	Statutory planning controls requiring affordable housing to be incorporated in a development project, or the proponent makes cash contribution for the obligation to be discharged off-site

Types of Housing

The policy applies to housing types in the categories **bolded and highlighted** below:

THE HOUSING SUPPLY CONTINUUM							
Emergency shelters/ crisis accommodation	Transitional/ supported housing	Social housing (including public housing)	Affordable (community rental) housing	Affordable home ownership/ shared ownership	Private market affordable rental housing (including boarding houses and student accommodation, which may be government subsidised)	Private market rental housing	Home ownership
Government subsidised housing (including housing provided by the government and the community sector)			Non-market housing (community housing sector)		Market housing		

Principles

The policy provides a set of principles to guide Council's endeavours in support of affordable housing. This includes Council's position when working with other levels of government; the management of Council owned affordable housing dwellings; and the development of plans, strategies and actions relating to affordable housing and their implementation.

The policy does not address general housing needs and housing targets for the local government area.

The following principles encapsulate Council's role and approach to affordable housing:

Produce	Council supports the production of affordable housing stock; whether through inclusionary zoning, voluntary planning agreements or working with developers to encourage appropriately designed affordable housing
Promote	Council aims to provide increased flexibility for a diverse range of housing types and sizes for varying stages of life. Council may achieve this by updating the LEP and DCP following detailed community engagement and analysis in order to understand needs
Retain	Council undertakes the role of advocacy, and where possible, undertake mitigation to reduce further loss to affordable housing stock

Rationale for Council Involvement in Affordable Housing

Council's involvement in affordable housing is intended to contribute towards:

- Maintaining a diverse community to ensure a socially, economically and environmentally vibrant and healthy community;
- Promoting affordable housing provision by private, government and non-government sectors; as well as the production of diverse housing types and sizes;
- Improvements to affordable housing policy at all levels of government.

Ownership of Affordable Housing

Affordable Housing dwellings dedicated to Council under the *Environmental Planning and Assessment Act* clauses 7.32 and 7.33 or any other means, are to be transferred in property title to the City of Canada Bay Council.

Affordable Housing Management

Affordable Housing properties under ownership of City of Canada Bay Council, or a Council nominated recipient, are to be managed by a registered Community Housing Provider endorsed by Council.

Where monetary contributions are received by the City of Canada Bay Council in lieu of affordable housing dwellings, the contribution funds are to be held by Council for the purpose of maintaining or increasing the affordable housing portfolio.

Affordable Housing Management Guideline

Council has adopted an *Affordable Housing Management Guideline* which aims to assist local residents and/or local employees on very low, low or moderate weekly incomes to access affordable rental housing in the Local Government Area by:

- Improving access to rental housing that is affordable for very low to moderate income households, and in turn alleviate housing stress;
- Ensuring the affordable rental housing mix is appropriate to the changing needs of households with regard to size and type, location, sustainability and community connectedness;
- Ensuring that the quality of affordable housing dwellings is generally equivalent to other dwellings provided on the site or in the area;

Related documents

City of Canada Bay Affordable Housing Position Paper
Affordable Housing Management Guideline

Affordable Housing Policy

Laws and standards

Local Government Act 1993
Environmental Planning and Assessment Act 1979
City of Canada Bay Local Environmental Plan 2013
State Environmental Planning Policy (Housing) 2021

Policies and plans

Greater Cities Commission Eastern City District Plan
City of Canada Bay Local –Strategic Planning Statement
City of Canada Bay Affordable Housing Contribution Scheme
City of Canada Bay Community Strategic Plan

Variations to this policy

Council reserves the right to review, vary or revoke this policy.

Review

Strategic Planning Department will review this policy as required.

DRAFT

AFFORDABLE
HOUSING
MANAGEMENT
GUIDELINE

AFFORDABLE HOUSING
MANAGEMENT GUIDELINE

Date of Original Adoption: 7 August 2007

Date Revised: TBC

DRAFT

Affordable Housing Management Guideline

Council has recognised the need to facilitate affordable rental housing to help alleviate housing stress experienced by some individuals and families in the private rental housing market in the City of Canada Bay.

Affordable rental housing in the City of Canada Bay will be made available to individuals and families who meet the eligibility criteria. This will assist very-low to moderate income households by providing enhanced rental housing security whilst enabling them to establish savings for the private rental market or home ownership.

Identification of Strategic Sites

To maximise the viability of affordable rental housing in the City of Canada Bay, Council will identify strategic sites close to public transport hubs and/or employment areas in the City of Canada Bay Local Government Area as potential affordable rental housing sites, enabling affordable housing residents' easy access to public transport, employment and services.

Eligibility Criteria

Recipients of affordable rental housing in the City of Canada Bay will be required to meet the income criteria as set by the Australian Government National Rental Affordability Scheme and/or eligibility criteria as set out in Council's Affordable Housing Policy.

Income

As determined annually under the National Rental Affordability Scheme. This would be reviewed annually by the Australian Government in accordance with the National Rental Affordability Scheme (NRAS) tenant income index.

Additional Criteria

- Permanently employed and meeting the gross weekly income criteria as set out above.
- Australian citizen or permanent resident who is not in living in subsidised housing (NSW Department of Housing or Community Housing Managed Accommodation).
- Does not own property or assets which could be used to assist their housing needs.
- Priority will be given to applicants working in the City of Canada Bay LGA and who are permanently employed in the following sectors in the City of Canada Bay or surrounding regions.

Employment

- Health Services (including support and ancillary staff)
- Childcare
- Public Primary or Secondary Education (including support and ancillary staff)
- Emergency Services (including support and ancillary staff)
- Public Transport
- City of Canada Bay Employee
- Retail
- Labourers
- Manufacturing
- Hospitality
- Others

Note: National Rental Affordability Scheme income levels will affect the type of position held with these industries. For example a nurse may earn over the initial income limit and may therefore be ineligible. However ancillary health workers are more likely to meet the income eligibility criteria.

Concord Hospital

Six (6) of the twenty four (24) affordable housing dwellings to be owned by Council are to be accessible to Concord General Repatriation Hospital staff who meet the eligibility criteria, as resolved by Council on 16 August 2005.

In the event that any of these six (6) units are not taken up by Concord General Repatriation Hospital staff they will then be offered to other recipients who meet the eligibility criteria as stipulated within this Policy.

Management of Affordable Housing Stock

Council will outsource the management of the affordable rental housing dwellings to a Housing manager with demonstrated experience and expertise in the management of affordable housing. Selection of the Housing manager to manage the dwellings will be conducted in accordance with Council's Procurement Policy. The affordable housing dwellings will be offered for rental at below market rental prices in accordance with National Rental Affordability Scheme regulations.

Council will enter into a management agreement for the affordable rental housing dwellings with the successful Housing manager following the selection process. This will be a fixed term contract to be reviewed annually. A Council inter-departmental project group will be involved in the ongoing management of the Affordable Housing program and management agreement. The management agreement will clearly delineate the responsibilities of both Council and the Housing manager including but not limited to the following:

- Tenant selection and interview process;
- Management of the affordable housing rental dwellings, including tenure;
- Setting of rental and rental review mechanisms;
- Determination of tenants' ongoing eligibility;
- Payment of management fees by Council;
- Conduct and frequency of dwelling inspections;
- Payment of rental by Housing manager to Council;
- Privacy and confidentiality of Council and tenant information;
- Representation on the Owners Associations;
- Conflict resolution;
- Representation at Residential Tenancy Tribunal;
- Maintenance and capital works;
- Variation to tenant eligibility criteria;
- Maintenance of a register of eligible applicants;
- Housing manager to report to Council in accordance with the Management Agreement; and
- Housing Manager and Council to report in accordance with National Rental Affordability Scheme criteria.

A standard residential tenancy lease will be entered into between the tenant and the Housing manager pursuant to the provisions of the Residential Tenancies Act 1987.

Setting of Rent

Weekly rent for each affordable housing dwelling will be set at no more than 75% of weekly market rent for a comparable dwelling or 30% of National Rental Affordability Scheme eligible income amount. A mix of rental income at 75% market rent and 30% National Rental Affordability Scheme eligible income will be implemented to ensure the Affordable Housing Program is financially sustainable.

The housing manager will endeavour to implement a rental lifting strategy that incorporates:

- targeted promotion following some vacancies to dual income and or higher income couples or families (within the bands of the eligibility criteria) for placement in 2 or 3 bedroom properties;
- targeted income assessment for some dual and higher income earners (within the bands of the eligibility criteria) to select the higher rental amount of 30% income or 75% market rent ; and
- that properties be tenanted, as usual, in the absence of applicants for which a rental lifting strategy would apply.

Asset Management

The affordable rental housing dwellings owned by Council will be classified as 'operational' for the purposes of allowing Council to conduct ongoing consolidation of its affordable housing stock .

The affordable housing portfolio will be reviewed every 5 years to determine whether dwellings should be disposed of and replaced or retained and further funds provided for their maintenance or renewal.

The five year review term considers:

- Timeframes for asset renewals such as painting and replacing floor coverings
- Tenancy terms
- Changes in market trends and values

Consideration will also be given to the results of the program to date and the type and size of dwelling considered most suitable to deliver the objectives of the program.

This strategy aims to minimise Council's ongoing maintenance and renewal obligations and costs as the dwellings age.

Fund Management

Rental income received from affordable housing stock will be managed in accordance with National Rental Affordability Scheme criteria. Rental income will be directed to investment fund holdings to earn interest to benefit future purchase of affordable housing stock and will be re-invested in existing affordable housing stock in the form of property maintenance and renewal and replacement.

Review and Project Evaluation

The City of Canada Bay Affordable Housing Management Guideline is to be reviewed annually to ensure that it is consistent with National Rental Affordability Scheme requirements and other developments associated with the provision of Affordable Housing and to ensure that the program is operating efficiently.

Some of the factors to be taken into consideration in the evaluation may include but not be limited to:

- Size, type and locational appropriateness of dwellings;
- Maintenance and management issues;
- Retention and use of affordable housing revenue by Council;
- Social capital objectives – community building and connectedness;
- Access to and use of support services by tenants;
- Economic impacts on local business;
- Performance of the Housing Manager in accordance with the Management Agreement;
- Internal management issues for Council; and
- Economic improvement of tenants.

DRAFT

ITEM 9.6 CANADA BAY LOCAL HERITAGE GRANTS PROGRAM 2022/2023**Reporting Manager** Manager Strategic Planning**Attachments:** Nil

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That:

1. Council notes the completed projects of the 2022/2023 Local Heritage Grants Program.
 2. The 2023/24 Local Heritage Grants Program be commenced.
-

PURPOSE

To report on the outcome of the 2022/23 Local Heritage Grants Program and to seek endorsement for the commencement of the 2023/24 Program.

EXECUTIVE SUMMARY

This report outlines the completed projects for the 2022/23 Local Heritage Grants Program. The fund was originally established in 2008 as part of Council's commitment to the conservation and promotion of local heritage through the financial support for small conservation projects.

Council has continued to provide funding for this program since it was introduced, and in the 2022/2023 budget, allocated \$25,000.00 to fund the program. The budget amount included a grant of \$5,500 from the Heritage NSW.

This report recommends that Council note the completed projects for the 2022/2023 Local Heritage Grants Program and commence the 2023/2024 Local Heritage Grants Program.

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

Council established the Local Heritage Grants Program in 2008 and since this time numerous applications have been received for projects, making it a popular and successful initiative.

The budget for the Local Heritage Grants Program for 2022-2023 was \$25,000.00, which included a grant of \$5,500 from Heritage NSW.

Council launched the 2022-2023 Local Heritage Grants Program in July 2022. The maximum level of funding per project is \$2,000.00 for works to a contributory property in a Heritage Conservation Area, and \$3,000.00 for works to a Heritage Item. Council's contribution is required to be matched dollar for dollar by the applicant, although in many cases the applicant contributed a greater percentage of the cost of the works.

Review of Applications

The Guidelines for the Heritage Grants Program include the following criteria on which applications were assessed:

- The work has been completed and paid for.
- The work is for sympathetic repairs of historic built fabric.
- Previously lost architectural features have been reinstated.
- The work has enhanced public amenity and is to a part of the place that is highly visible to the public.
- The works are to a place which has high public accessibility, e.g. local museum or church;
- The work has been undertaken by a non-profit organisation, community group or church.
- The work is to a heritage item or to a property of heritage value in a conservation areas.
- Work has been carried out in accordance with good conservation practice, preferably by tradespersons experienced in conservation work.

Summary of completed projects for 2022/2023

Below is a summary table on the twelve (12) heritage projects with a total value of \$84,242.00 which were successfully completed and received funding under the Local Heritage Grants Program. Of this amount, Council allocated grants totalling \$23,345.00.

No.	Property	Project Description	Total Project cost	Grant approved
1	78 Concord Road NORTH STRATHFIELD	Stabilisation of the ground under the front verandah	\$4,218.50	\$2,000.00
2	10 Cambridge Road, DRUMMOYNE	Tuck-pointing.	\$13,200.00	\$3,000.00
3	32 Formosa Street, DRUMMOYNE	Restoration of leadlight windows	\$1,554.00	\$770.00
4	95 Patterson Street, CONCORD	Window repairs	\$2,755.50	\$1,378.00
5	46 Tranmere Street, DRUMMOYNE	Tuck-pointing.	\$8,305.00	\$2,000.00
6	24 Bowman Street, DRUMMOYNE	Tuck-pointing front and side façade near the entry	\$6,100.00	\$2,000.00
7	26 Bowman Street, DRUMMOYNE	Tuck-pointing front and side façade near the entry	\$7,503.00	\$1,250
8	177 Queen Street, CONCORD WEST	Repainting timberwork	\$9,800.00	\$3,000.00
9	55 Zoeller Street, CONCORD	Repainting	\$17,963.00	\$3,000.00

No.	Property	Project Description	Total Project cost	Grant approved
10	29 Moore Street DRUMMOYNE	Replacement of concrete block front fence with timber picket front fence	\$3,001.00	\$1,500.00
11	25 Westbourne Street, DRUMMOYNE	Replacement of front fence and gates	\$2,912.00	\$1,456.00
12	74 Renwick Street, DRUMMOYNE	Replacement of deteriorated timber elements of the front verandah.	\$6,930.00	\$2,000.00
Total			\$84,242.00	\$23,345.00

2023/24 Local Heritage Grants Program

The Local Heritage Grants Program has been a successful program running for over 10 years. The continuation of the program would assist in the conservation of the heritage of Canada Bay LGA.

The Local Heritage Grants Program provides valuable support for property owners of heritage items and buildings in heritage conservation areas. This funding can make the difference between saving a highly significant historic building in the Canada Bay LGA, and it is falling into disrepair. Therefore, it is recommended that Council acknowledge the completed projects of the 2022/2023 Local Heritage Grants Program and proceed with the 2023/2024 fund.

FINANCIAL CONSIDERATIONS

A total of \$25,500 has been allocated in the 2023/2024 budget for the continuation of the Local Heritage Grants program. This amount includes a grant amount of \$6,500.00 from Heritage NSW.

LEGISLATIVE AND POLICY CONSIDERATIONS

The Local Heritage Grants program was undertaken in accordance with Council's 2022 – 2023 Local Heritage Grants Program guidelines.

ITEM 9.7 UPDATE TO CLOTHING BIN POLICY**Reporting Manager** Manager Sustainability and Waste**Attachments:** 1. **Clothing Bin Policy** (*Provided in Attachment Booklet*) [⇒](#)

RECOMMENDATION OF DIRECTOR ENVIRONMENT AND PLANNING

That Council:

1. Adopt the amended Clothing Bin Policy, attached to the report.
 2. Note that an expression of interest process will be undertaken for the clothing bin operators following adoption of the policy.
-

PURPOSE

To seek to make minor amendments to Council's Clothing Bin Policy.

REPORT

The existing Clothing Bin Policy supports the placement of clothing bins on public land for both for-profit and registered charity organisations. The policy has the strategic objective to support clothing reuse and recycling as well as improve the management of clothing bins to preserve amenity in the City of Canada Bay.

The policy was designed to preference charitable organisations in the selection process for clothing bin operators. The selection also takes into consideration criteria around the frequency of servicing the bins, installation of signage to prevent illegal dumping and requirement for a 24-hour contact number for customer enquiries. Additionally, organisations approved to operate in the area are required to report on the tonnage of material collected each month and identify the pathways for the materials collected.

Overall, the existing policy is effective to encourage textile reuse and recycling and manage illegal dumping incidents in the Canada Bay area. Therefore, the outcome of this revision is to propose that the Policy be amended with minor changes as follows:

- Removal of any mention to clothing bins located on private land, as this policy only relates to clothing bins placed on public land;
- Specifying the responsibility of the operator for cleaning up illegal dumping around the clothing bins. The updated policy specifies that a 5-metre radius area surrounding clothing bins are required to be maintained free of illegal dumping by the organisation; and
- Extension of length of agreement between Council and organisations from two (2) to four (4) years to increase efficiency and reduce the administrative costs to manage the policy. The payment period remains annual and aligned to Council's Fees and Charges.

Upon adoption of the amended Policy, it is proposed that an Expression of Interest (EOI) process be undertaken to invite organisations interested in installing and managing clothing bins in one of the seven (7) approved locations within the local government area.

Applicants will be assessed as per the minimum requirements and preferred criteria detailed in the EOI document in alignment with the adopted Clothing Bin Policy.

Clothing Bin Locations

The bin locations will remain as follows:

Clothing Bin Location	Maximum bins
Kokoda Track - Council car park	2
Hospital Rd Concord - Adjacent Hospitals main carpark	2
Cintra Park, Gipps St Concord – (Carpark Gipps St end)	2
Crane St Concord - St Lukes Oval carpark	2
Five Dock Leisure Centre – carpark	2
Kings Rd Five Dock - Council carpark	1
Henley Marine Drive Drummoyne - Council Carpark next to Swimming pool	1

Photos and overhead diagrams for each of these bin locations are provided in the updated 2023 Clothing Bin Policy attached to the report.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 2: Sustainable and Thriving Environment

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

FINANCIAL CONSIDERATIONS

Fees and charges for initial application and annual permits for placement of clothing bins are set in Council's Fees and Charges Report and reviewed annually in line with Council's budget cycle.

Any ancillary costs related to this program will be funded from the Domestic Waste Management budget.

LEGISLATIVE AND POLICY CONSIDERATIONS

- *Local Government Act 1993*
- Canada Bay Council's Resource Recovery and Waste Strategy 2021

RISK CONSIDERATIONS

There is low transparency in the supply chain for the textile markets for reuse and recycling. Both for profit and not for profit operators utilise international commodity markets to deal with surplus materials not sold in Australia. This leads to limited transparency around the end markets of such materials. To assist in mitigating these risks, Council runs an EOI process to select companies to operate in our public areas. The screening includes requests for documentation and proof of accreditation with schemes that support best practice export (e.g. CRA's Clothing Reuse Export Accreditation Scheme).

10 CITY ASSETS DIRECTORATE REPORTS

ITEM 10.1 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 25 MAY 2023

Reporting Manager Managaer Roads and Traffic

Attachments:

1. City of Canada Bay Local Traffic Committee Meeting Minutes - 25 May 2023 [↓](#)
2. Item 1 - Brays Road and Moore Street double centrelines [↓](#)
3. Item 2 - Clermont Avenue, Concord - No Stopping [↓](#)
4. Item 3 - Norman Street, Concord - Parking [↓](#)

RECOMMENDATION OF DIRECTOR CITY ASSETS

That the minutes and recommendations of the City of Canada Bay Traffic Committee Meeting held 25 May 2023, attached to the report, be adopted.

PURPOSE

To report the City of Canada Bay Local Traffic Committee minutes of 25 May 2023 to Council.

REPORT

This report contains the minutes for the City of Canada Bay Local Traffic Committee held on 25 May 2023 for Council's consideration and 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.



TRAFFIC COMMITTEE

25 May 2023

(VIA EMAIL)

MINUTES

Committee Members:

Cr Michael Megna	Chair
Sergeant S Tohme	NSW Police
Ms Kathryn Hawkins	Transport for NSW
Ms Stephanie Di Pasqua	Local Member of Parliament

Advisory Members:

Mr B MacGillicuddy	CCB Council
Mr L Huang	CCB Council
Mr S Lindsay	CCB Council
Mr S Pandey	CCB Council
Ms V Stamper	CCB Council
Mr M Takla	State Transit Authority, Sydney Buses
TBA	Access Committee
Mr D Martin	BayBUG – Canada Bay Bicycle Users Group
Mr S Lumley	Busways

Minute Taker: Ms Christine Di Natale CCB Council

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Traffic Committee Meeting 25 May 2023

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APOLOGIES

TBA	Access Committee
Mr S Lumley	Busways

DECLARATIONS OF PECUNIARY INTEREST

Nil

CONFIRMATION OF MINUTES

Traffic Committee Meeting – 27 April 2023

COMMITTEE RECOMMENDATION

THAT the minutes of the Traffic Committee Meeting of 27 April 2023 be confirmed.

**ITEM 1 BRAYS ROAD & MOORE STREET, CABARITA – DOUBLE
CENTRELINES****Department City Assets****Author Initials: LH**

REPORT

Council has received correspondence requesting the installation of double centrelines on Brays Road and Moore Street, Cabarita, where they intersect with Elphinstone Street.

Whilst Brays Road and Moore Street intersect with Elphinstone Street as ‘T’ intersections, they are only slightly off-set from each other. It has been reported that due to this configuration, motorists are cutting the corners and driving on the wrong side of the road and potentially into incoming traffic.

It is proposed to install double centrelines in both Brays Road and Moore Street to delineate and guide motorists through the intersections.

STAFF RECOMMENDATION

THAT double centrelines be installed in Brays Road and Moore Street, Cabarita at their intersection with Elphinstone Street as per the attached plan.

DISCUSSION

Items are in order.

COMMITTEE RECOMMENDATION

THAT double centrelines be installed in Brays Road and Moore Street, Cabarita at their intersection with Elphinstone Street as per the attached plan.

Attachments:

1. Brays Road and Moore Street double centreline

ITEM 2 CLERMONT AVENUE, CONCORD – NO STOPPING**Department City Assets****Author Initials: BM**

REPORT

Council has approved a Development Application which includes two separate car stackers, accessed near the intersection of Clermont Lane and Clermont Avenue in Concord. Car stackers work by storing vehicles on platforms that can be raised, lowered, and shuffled around, allowing more cars to fit into a smaller space.

The car stacker off Clermont Avenue is relatively small, accommodating 5 vehicles. The car stacker off Clermont Lane is larger and will be able to move vehicles both up and down and side to side to maximise capacity, accommodating up to 11 vehicles. To access the car stacker off Clermont Lane, vehicles will need to wait on-street for an average of 50 seconds.

This is not dissimilar to surrounding properties where people need to stop and open garage doors that directly adjoin Clermont Lane. This is facilitated with 'No Parking' restrictions on the west side of Clermont Lane which currently extend all the way to the Clermont Avenue intersection.

To prevent vehicles waiting near the intersection for the car stacker, it is proposed to signpost an approximately 15.5m long 'No Stopping' zone on the west side of Clermont Lane to the north of Clermont Avenue, as outlined in the attached plan. This corresponds with the operational plan for the car stacker which will require drivers access from the north.

Currently 'No Stopping' signage is installed on the north side of Clermont Avenue approximately 6.8m from Clermont Lane. It is proposed to extend this zone to approximately 12m as outlined in the attached plan.

STAFF RECOMMENDATION

THAT approximately 15.5m of 'No Stopping' be signposted on the west side of Clermont Lane to the north of Clermont Avenue as outlined in the attached plan.

THAT approximately 12m of 'No Stopping' be signposted on the north side of Clermont Avenue to the west of Clermont Lane as outlined in the attached plan.

DISCUSSION

Items are in order.

COMMITTEE RECOMMENDATION

THAT approximately 15.5m of 'No Stopping' be signposted on the west side of Clermont Lane to the north of Clermont Avenue as outlined in the attached plan.

THAT approximately 12m of 'No Stopping' be signposted on the north side of Clermont Avenue to the west of Clermont Lane as outlined in the attached plan.

Attachments:

1. Clermont Avenue, Concord – No Stopping

**ITEM 3 NORMAN STREET, CONCORD – PARKING
RECONFIGURATION AND EXPANSION****Department City Assets****Author Initials: BM**

REPORT

At the Traffic Committee meeting on 17 November 2022, a report was consider on the proposed creation of a new off-street carpark on Norman Street, Concord. This carpark featured 90 degree angled parking on one side and parallel parking along the other side. Along the adjoining section of Norman Street, the parallel parking between the existing kerb lines of Norman Street was proposed to be removed.

This arrangement was supported by Traffic Committee and adopted at the subsequent Council meeting. Since then, further investigation and design work has been undertaken. Due to a number of factors, including subsurface conditions in the park and minimising tree loss, the scope of the works has needed to change.

As outlined on the attached plan, it is now proposed to only construct 90-degree angled parking off-street and retain the existing on-street parallel parking. The length of the off-street carpark has also been reduced.

Like the previous proposal, a central median island is proposed in Norman Street across the entry to the proposed off-street carpark. This will prevent right turn movements into the carpark which may otherwise delay through traffic movements and/or result in through vehicles movements passing waiting vehicles via the cycle lane.

To access the carpark, westbound drivers will need to perform a U-turn at the roundabout approximately 90m further west at the intersection of Norman Street and Nullawarra Avenue. To discourage U-turn manoeuvres and passing manoeuvres on Norman Street itself, some sections of existing broken centreline marking are proposed to be changed to an unbroken double centreline.

Four mobility parking spaces are proposed within the new carpark as outlined in the attached plan. It is proposed that the carpark be signposted and enforced under Section 650 of the Local Government Act.

To highlight the potential presence of cyclists, green marking of the existing cycle lane is proposed across the entry and exit driveways. Cyclist warning signage is also proposed as outlined on the attached plan.

To assist in maintaining clear sightlines and vehicle manoeuvring areas, ‘No Stopping’ restrictions are proposed at both the entry and exit driveways.

STAFF RECOMMENDATION

THAT Norman Street be reconfigured as outlined in the attached plan, including 'No Stopping' restrictions and a new central median island.

THAT a new off-street parking be created on Norman Street as outlined in the attached plan, including four mobility parking spaces and signposting under Section 650 of the Local Government Act 1993.

DISCUSSION

The BayBUG representative suggested that a 'Stop' sign and line be installed at the exit driveway, noting that this would make it clear to drivers their responsibility to give way to walkers on the footpath and bicycle riders on Norman Street.

Council staff noted that under current Australian Standards, 'Stop' restrictions should only be installed at locations where sight distances are restricted. The use of 'Stop' signs where poor sight distance is not a factor can lead to driver disobedience, and lack of credibility of 'Stop' signs.

Council staff also noted that the configuration of the exit driveway and proposed 'No Stopping' signs will provide good sightlines between exiting drivers, pedestrians, and drivers. Noting this, the installation of a 'Stop' restriction does not appear appropriate at this stage.

COMMITTEE RECOMMENDATION

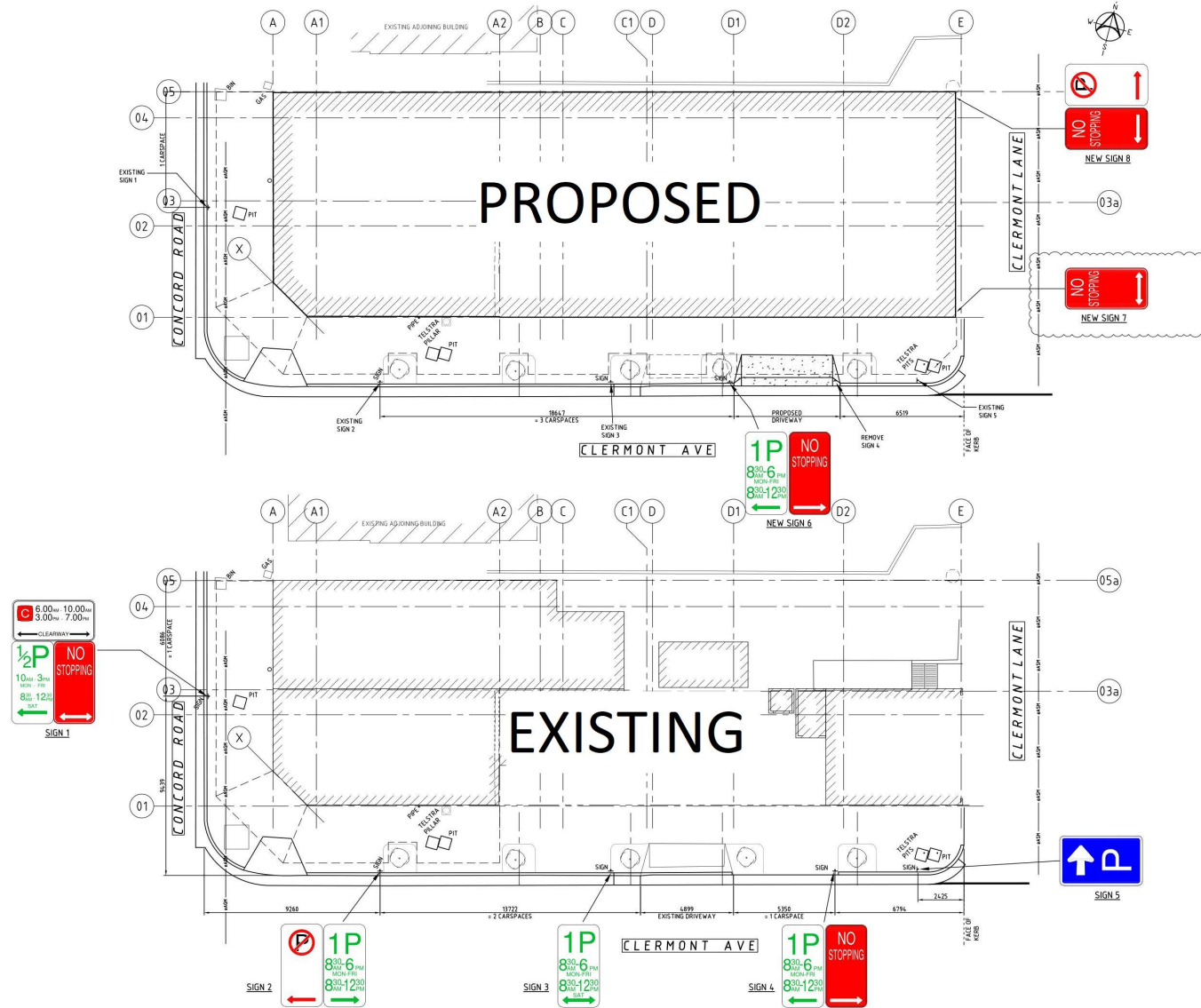
THAT Norman Street be reconfigured as outlined in the attached plan, including 'No Stopping' restrictions and a new central median island.

THAT a new off-street parking be created on Norman Street as outlined in the attached plan, including four mobility parking spaces and signposting under Section 650 of the Local Government Act 1993.

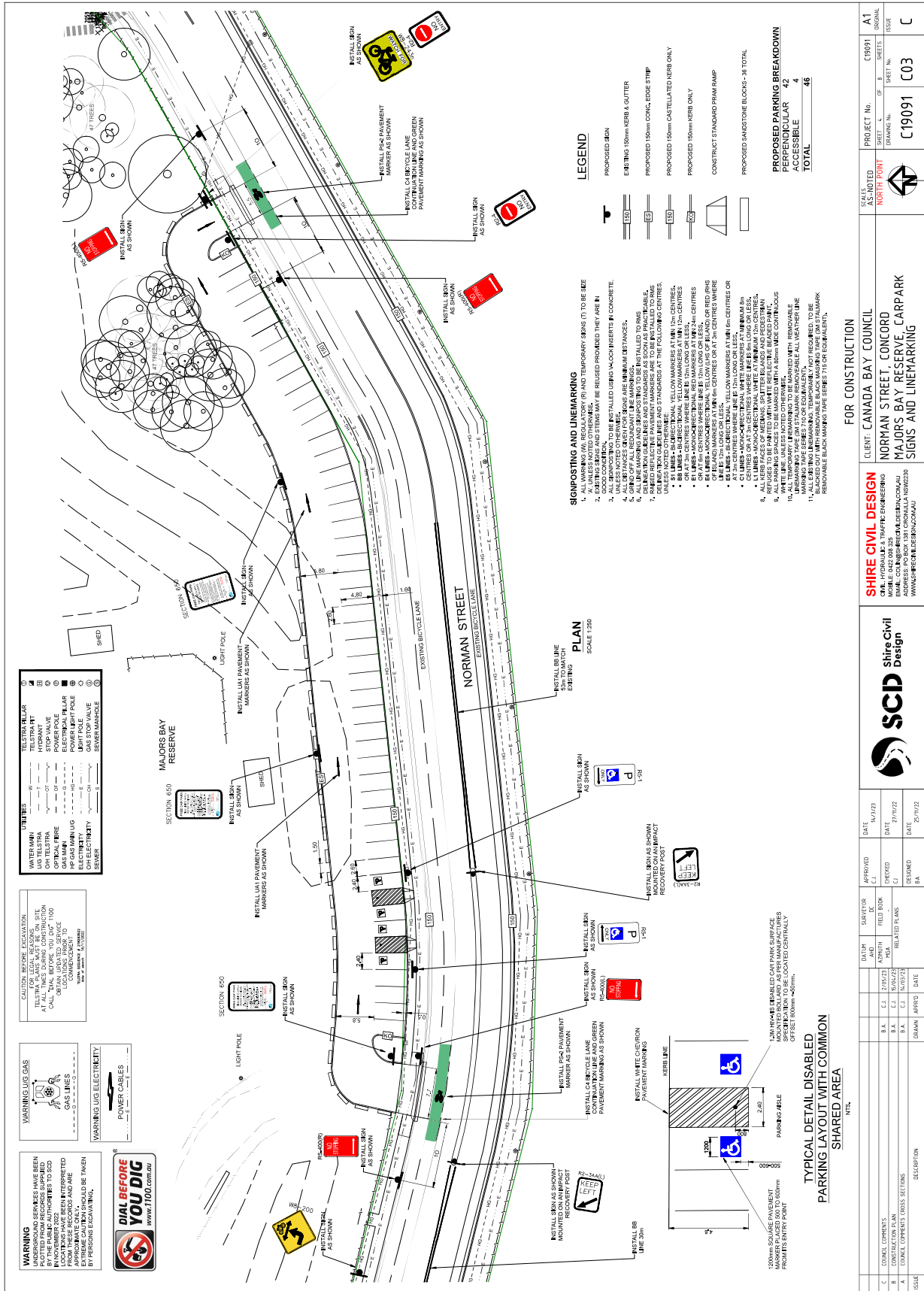
Attachments:

1. Norman Street, Concord – Parking





Document Set ID: 7868770
Version: 1, Version Date: 17/05/2023



Document Set ID: 7868129
Version: 1, Version Date: 17/05/2023

ITEM 10.2 CITY OF CANADA BAY COUNCIL FLOOD RISK MANAGEMENT COMMITTEE - MINUTES OF MEETING HELD ON 2 MAY 2023**Reporting Manager** Manager Strategic Asset Services & Innovation**Attachments:** 1. **City Of Canada Bay Council Flood Risk Management Committee - Minutes of Meeting Held on 2 May 2023** [↓](#)

RECOMMENDATION OF DIRECTOR CITY ASSETS

That the minutes of the Flood Risk Management Committee meeting held on 2 May 2023, attached to the report, be received and noted.

PURPOSE

To consider the minutes of the City of Canada Bay Council Flood Risk Management Committee meeting held on 2 May 2023.

REPORT

This report provides Council with the minutes of the City of Canada Bay Council Flood Risk Management Committee meeting held on 2 May 2023.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 4: Infrastructure and Transport

Goal IT 1: Manage local assets to ensure they continue to meet community needs and address climate adaptation

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

The Canada Bay Flood Plane Risk Management Committee operates in accordance with the NSW Government Flood Prone Lands Policy.

RISK CONSIDERATIONS

There are no risk considerations associated with this report.

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FLOOD RISK MANAGEMENT COMMITTEE - MINUTES**ON-LINE TEAMS MEETING**1:30pm – 3:25pm 2nd May 2023

Invitees:

Angelo Tsirekas – Mayor **(AT)**

Charles Jago – Councillor **(CJ)**

Stephanie Di Pasqua – Member For Drummoyne **(SDP)**

David Williamson – Resident **(DW)**

Phillip McKee – Resident **(PM)**

John Earls - Canada Bay Council Manager Strategic Asset Services & Innovation **(JE)**

Stephen Chow - Canada Bay Council Development Engineer **(SC)**

Mark Leong - Canada Bay Council – Infrastructure Project Manager **(ML)**

Bill Adamopoulos – Burwood Council, Manager Design **(BA)**

Pablo Barreto - Burwood Council Drainage Design Engineer **(PB)**

Patrick Wong - Strathfield Council Rep **(PW)**

Peter Giaprakas - Canada Bay Council Senior Town Planner Statutory Planning **(PG)**

Anthony Wynen - Canada Bay Council Senior Strategic Planner **(AW)**

Priom Rahman - Department of Planning and Environment (DPE) **(PR)**

David Grasby - Sydney Water - Senior Planner - Systems & Asset Planning **(DG)**

Dr Swapan Paul - Wetlands Manager, Sydney Olympic Park Authority (SOPA) **(SP)**

Hassan Narimani – Senior Manager Engineering Infrastructure & Assets, Sydney Olympic Park Authority (SOPA) **(HN)**

Bill Stavropoulos - Transport for NSW (TfNSW) Project Engineer **(BS)**

Sarath Dantanarayana - Transport for NSW (TfNSW) Corridor Asset Engineer Eastern Harbour City **(SD)**

David Johnsun - State Emergency Services (SES) Unit Commander **(DJ)**

Bradley Davoren - State Emergency Services (SES) **(BD)**

Stephen Gray - Consultants - GRC Hydro **(SG)**

Felix Taaffe - Consultants - GRC Hydro **(FT)**

Richard Dewar – Consultant – WMA Water **(RD)**

Apologies:

Stephanie Di Pasqua – Member For Drummoyne

David Johnsun - State Emergency Services (SES) Unit Commander

Sarath Dantanarayana - Transport for NSW (TfNSW) Corridor Asset Engineer Eastern Harbour City

Bill Adamopoulos – Burwood Council

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ITEM	Discussion / Action	Actions
1:30pm	<p>1</p> <p>Introduction - Mayor Angelo Tsirekas (AT) – Chair of Committee</p> <p>Welcomed and thanked the committee members for their involvement. Particular thanks given to State Member for Drummoyne Stephanie Di Pasqua and Councillor Charles Jago, for their interest. And a special welcome to our community representatives David Williamson and Phillip McKee.</p> <p>Also Thanks the SES for their care for the Australian Community.</p> <p>Noted Council has 2 Floodplain Risk Management Plans to deliver. Exile Bay and Powells Creek Catchments.</p> <p>The objectives of the committee are namely:</p> <ul style="list-style-type: none"> • Managing community risk and loss • Providing a planned emergency management response. <p>Council has engaged 2 separate Consultants for the separate catchments.</p> <ul style="list-style-type: none"> • Stephen Gray – GRC Hydro - Exile Bay Catchment • Richard Dewar – WMA Water – Powells Creek Catchment <p>Key to the success of these Plans is that they must be realistic, implementable and provide value for our community.</p>	N/A
1:50pm	<p>2</p> <p>Department of Planning and Environment – Priom Rahman (PR)</p> <p>Presented the Flood Risk Management (FRM) process in accordance with the FRM Committee Handbook.</p> <p>Also explained the different modes of flooding, the complexities of providing solutions for the community to reduce the risks and the different types of solutions. The community's input is vital to the process.</p> <p>Further details can be found in the attached presentation.</p>	The presentation (redacted / amended sensitive information) to be provided.
2:00pm	<p>3</p> <p>City Canada Bay Council – John Earls (JE)</p> <p>JE highlighted the finer points of the Flood Risk Management Committee Charter. In particular the objectives, explanation of Voting and Non Voting members, how Quorum is achieved, adherence to the Code of Conduct and the requirement to declare any conflict of interests and pecuniary interests.</p> <p>AT also reinforced the requirement for confidentiality of the meetings discussions and that members may not speak to the media in their capacity as Committee members.</p> <p>Further details can be found in the attached Committee Charter.</p>	N/A

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2:10pm	4	<p>GRC Hydro – Stephen Gray (SG) Provided an explanation of the FRM process, the types of Risk and appropriate mitigation options, the assessment of options and future consultation and an update on the work to date from the Exile Bay Flood Study. Also highlighted that the success of any increase in capacity of the canal in Massey Park is limited to the level of the tide in the Parramatta River/Sydney harbour. Further details can be found in the attached presentation.</p>	The presentation to be provided
2:40pm	5	<p>WMA Water – Richard Dewar (RD) Provided an overview of the nature of Powells Creek Catchment, the limited area covered in the study to cover the Canada Bay LGA only, and an update on Work to Date on Powells Creek Flood Study. The work to date included the determination of the Flood Planning Area, and highlighted areas where engineering mitigation solutions have been investigated. It was noted that engineering solutions such as dams, levees and channel widening were not viable options in this catchment. A solution that has been investigated was located at the Victoria Ave Underpass. This solution would involve works within SOPA land and potential TfNSW land. It potentially resulted in precinct wide benefits but is dependent on land outside Council’s care and management. Further details can be found in the attached presentation.</p>	The presentation to be provided.
3:15pm	6	<p>Open Discussions Q&A – All Members CJ – To what accuracy can we account for Sea Level Rise and Climate change so that any mitigation strategy we take will be appropriate? PR – The estimates of the impact of climate change are continually updated every few years. We can only use the best available data and best practice analysis at the time to estimate the impacts. This is an acceptable approach and there is no guarantee that the most appropriate action has been taken. HN – Requested a sharing of information from the City of Canada Bay Council’s (CCBC) Powells Creek Flood Study. JE – Agreed to sharing available information and suggested an exchange of information with SOPA. HN – Agreed to an exchange of information between SOPA and CCBC. Members – requested copies of presentations. ML – Would arrange copies to be distributed when available. Members – Where should and enquiries be directed? ML – I would be taking all enquires and directing them appropriately</p>	

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3:20pm	7	<p>Next Meeting – All Members AT- Requested the committee members proceed to resolve all technical issues in order to come back to the committee with a draft study to enable the committee to advise on whether more information is required or refer to committee to recommend to council to proceed to community consultation. SG – Suggested it may be 6 months for the Exile Bay FRMS to be in draft, ready for presentation. RD – Said it would be a shorter time frame for the Powells Creek FRMS to be in draft ready for presentation. AT – To wait and see when it will be appropriate to call the next meeting, when the technical details have been resolved. All Members – Agreed</p>	
3:25pm	8	Close	

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11 COMMUNITY CULTURE AND LEISURE DIRECTORATE REPORTS

ITEM 11.1 COMMUNITY GRANTS 2023-24

Reporting Manager Manager Library and Community Services

Attachments:

1. **2023-24 Community Grants - Funding Recommendations (Provided in Attachment Booklet)** [⇒](#)
2. **2023-2024 Community Funding Guidelines (Provided in Attachment Booklet)** [⇒](#)

RECOMMENDATION OF DIRECTOR COMMUNITY CULTURE AND LEISURE

That:

1. Council approve the recommendations for funding under the 2023-2024 Community Grants Program to a total amount of \$69,680, as specified in the 2023-2024 Community Grants – Funding Recommendations (Attachment 1).
 2. Funding recipients be invited to attend the City of Canada Bay Community Grants Presentation Ceremony on 19 July 2023.
 3. Council writes to unsuccessful organisations advising of the outcome of their applications, including the provision of feedback.
 4. Council staff undertake a review of the Community Grant Program and Guidelines and present the findings at a Councillor Workshop.
 5. Following the workshop referred to in 4 above, a report be prepared and submitted to Council.
-

PURPOSE

To provide Council with information regarding the 2023-2024 Community Grant applications and to recommend approval for funding applications.

EXECUTIVE SUMMARY

This report advises Council of the applications received under the 2023-2024 Community Grants Program and makes recommendations for funding allocations.

The Community Grants Program provides for two streams of funding: Community Support Grants up to the value of \$1,000; and Community Development Grants up to the value of \$5,000.

Council has received 42 applications seeking a total funding of \$115,742 and recommends the allocation of \$69,680 be provided to 35 organisations following assessment against the criteria.

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

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

BACKGROUND/DISCUSSION

The City of Canada Bay Community Grants Program aims to provide financial assistance to community groups and non-profit organisations for services, programs and projects. The 2023-2024 Program was open from 27 March to 28 April 2023.

The Community Grants Program provides for two streams of funding: Community Support Grants up to the value of \$1,000; and Community Development Grants up to the value of \$5,000.

Council has received 42 applications seeking a total funding of \$115,742 and recommends the allocation of \$69,680 be provided to 35 organisations following assessment against the criteria (contained in Attachment 2).

Assessment of Community Grant Applications

Applications for funding came from a wide range of community groups reflecting the broad appeal of this program and the diversity of initiatives underway that support and grow our community. Applications broadly covered all outcome areas in Our Future 2036.

All applications were reviewed and assessed by the following Council officers:

- Community Development Coordinator
- Manager Library and Community Services
- Director Community Culture & Leisure

The Community Development Coordinator declared a conflict of interest with one application and was excluded from assessing this application.

Each application has been assessed according to eligibility criteria including:

- All applicants must be non-profit groups or organisations that are either based within the City of Canada Bay area or provide services and activities for residents of the City of Canada Bay;
- Funding will be provided where services, programs and activities help to deliver community needs and priorities and the outcomes prioritised under Our Future 2036;
- Funding will be used only for purposes detailed in the original application; and
- Applicants shall, where possible, demonstrate evidence of attempting to gain funding from other sources and/or the ability of the applicant to contribute towards costs.

The criteria for each funding stream are set out below:

Community Support Grant - \$1,000:

- Minor capital works or costs supporting the ongoing operations of existing projects or programs.

Community Development Grant - \$5,000:

- To support the growth of community development projects and programs;
- Demonstrates expansion and broader community reach of an existing program;
- A new project or program that complements or builds on existing operations; and
- Applicants need to demonstrate that the funded activity will be delivered to completion through the grant, or how the project or program will be sustained beyond the grant funding.

The Community Development Stream aims to:

- Increase inclusive opportunities for people with disability, older people, young people, and people from culturally diverse backgrounds.
- Focus on delivering equitable social, community, recreational and cultural benefits to the community.

- Foster social participation, community connection and wellbeing projects in our community.
- Encourage increased skills and capacity of local groups to plan, develop and implement self-managed programs to address a local social issue or need.

Funding Recommendations

The attached table (Attachment 1) sets out details of each application, the recommended funding amount and requested fee waiver for use of a Council venue. A total of \$69,680 is allocated in the 2023-2024 budget for the program.

In total, 35 applications are recommended for funding. In each case, the applications meet eligibility criteria, will be of benefit to the local community and will help to deliver the outcome areas of Our Future 2036.

A total of seven applications were not awarded funds.

- One application was not recommended for funding as it was for a reprint of a book and is excluded under the community funding guidelines.
- One application was not recommended for funding as it was for a playground under Community Title and was excluded under the community funding guidelines.
- One application was not recommended for funding, as the organisation applied under a business ABN and was excluded under the community funding guidelines.
- One application was ineligible as the applicant submitted two applications. Organisations are limited to one Community Grant application.
- One application was ineligible due to the applicant having an outstanding grant from 2022-23.
- One application was from a community group who recently benefitted from Council in the form of a new facility.
- One application is a duplication of service and excluded under the community funding guidelines.

Eight community organisations requested venue fee waivers as part of the Community Grant Application. These have been approved by the General Manager under delegation pursuant to the provisions contained in Council's Revenue Policy, subject to Council resolving to approve the recommendations for funding.

The fee waivers are:

Community Group	Venue/ Park	Value
Australian Skateboarding Federation	Five Dock Skate Park	\$701
Concord Burwood United JRLFC Incorporated	Goddard Park	\$596
Ebenezer Mission Ltd	The Connection - Event Space 1&2	\$1,496
Sensory Concerts	Drummoyne Oval Meeting Room	\$700
The Australian Hokien Huay Kuan Arts Group	Drummoyne Civic Hall	\$756
City East Community College	The Connection - Event Space 2	\$584
Move and Groove	The Connection - Events Space 1&2 Senior Citizens Auditorium	\$1,140
Canada Bay Zero Carbon Community	Five Dock Library – Bay Room	\$258
Total		\$6,231

Presentation Ceremony

Funding recipients will be invited to a ceremony proposed to take place at the Canada Bay Club on 19 July 2023.

Review of Community Grants Program

Council received a slight decrease in community grant applications compared to previous years. The Community Grants Program is reviewed annually to ensure the Program continues to support the operation of community groups and non-profit organisations within the City while also providing support to help grow the skills and capacity of these groups.

This year, Council staff noted a reduction in the number of high-quality applications as compared to some of the previous years. Further, there is concern that the outcomes generated by a number of this year's projects and programs may not be at the level anticipated. To ensure City of Canada Bay's community grant program remains meaningful, it is recommended that a thorough review of the Community Grants Program be undertaken, including comparison to community grant programs provided by other councils.

This review would aim to ensure the Grant Program and Guidelines continue to reflect good governance practices and that Council's financial contribution delivers significant community benefit. It is proposed that the results of this review be presented at a Councillor Workshop. Following the workshop, a report would be prepared and submitted to Council prior to the next funding round in March 2024.

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

Funding approval is time sensitive to ensure community groups are funded as early as possible in the 2023-2024 financial year to enable completion of projects within the timeframes supplied in the grant timetable.

FINANCIAL CONSIDERATIONS

The total amount of funding recommended for the 2023-2024 Community Grant Program is \$69,680. This amount has been allowed for in the 2023-2024 Budget, which Council will consider in a separate report to the 20 June 2023 Council meeting.

LEGISLATIVE AND POLICY CONSIDERATIONS

Section 356 of the Local Government Act 1993 provides that a council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

ITEM 11.2 COMMUNITY SPONSORSHIP 2023-24**Reporting Manager** Manager Place Management**Attachments:**

1. **2023-24 Community Sponsorship - Funding Recommendations** *(Provided in Attachment Booklet)* [⇒](#)
2. **2023-2024 Community Funding Guidelines** *(Provided in Attachment Booklet)* [⇒](#)

RECOMMENDATION OF DIRECTOR COMMUNITY CULTURE AND LEISURE

That:

1. Council approve the recommendations for funding under the 2023-24 Community Sponsorship Program to a total amount of \$131,850, as specified in the 2023-2024 Community Sponsorship – Funding Recommendations (Attachment 1).
 2. An additional \$17,735 be allocated to the grants program for 2023-24, to be funded from the Community, Culture & Leisure divisional operational budget, to maintain community funding for Communities for Communities' major events program.
 3. Council writes to all applicants to advise the outcome of the 2023-24 Community Sponsorship Program.
 4. Council staff undertake a review of the Community Sponsorship Program and present the findings at a Councillor Workshop.
 5. Following the workshop referred to in 4 above, a report be prepared and submitted to Council.
-

PURPOSE

To provide Council with information regarding the 2023-2024 Community Sponsorship applications and to recommend approval for funding applications.

EXECUTIVE SUMMARY

This report advises Council of the applications received under the 2023-2024 Community Sponsorship Program and makes recommendations for funding allocations. The Community Sponsorship Program provides support and sponsorship for small, medium and large scale community events. Council has received 16 applications seeking a total funding of \$179,995 and recommends a total of \$131,850 be provided to 16 organisations following assessment against the criteria.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

Goal VUL 2: Improve access to local art, culture and creative activities

BACKGROUND/DISCUSSION

The City of Canada Bay Council is committed to supporting projects, events, services and activities through funding arrangements which provide benefit to the local community. A total of \$114,115 is available for support and sponsorship of community events for the 2023-24 financial year. This budget includes major event support previously provided to Communities for Communities through a Memorandum of Understanding.

Applications for the 2023-2024 Community Funding Program were open from 27 March to 28 April 2023. This Program was advertised by Council across a range of communication channels, including social media. Applications were received directly through Council's website, as an alternative to expensive subscriptions for grants administration software.

A total of 16 community groups and organisations applied for funding to the value of \$179,995. Applications covered a range of programs which support Council in achieving its Community Strategic Plan 2036 goals around community connection, sustainability and creating vibrant places.

There is an expectation on Council to provide high levels of funding to support organisations such as Communities for Communities and the Rhodes Multicultural Community Association to deliver large scale annual community events (including Carols in the Park, Drummoyne Family Fun Day, Rhodes Moon Festival and Lunar New Year) that are very well supported by the community. It should be noted that these organisations are requesting 96% of the available funding for community events.

This leaves a small amount of funding (\$4,115) for other community organisations to access support from Council to deliver their own events. The reason for this significant rise in funding requests is due to broader increases in the events industry post COVID-19, as well as broader inflationary pressures. To ensure the diversity of community events can be supported, it is recommended to increase the available budget this financial year by \$17,735, to be funded from the Community, Culture & Leisure divisional operational budget as a one-off approach.

To accommodate the emerging demand of community sponsorship, a review of the 2024-25 Program is recommended, which would include the following considerations:

- Funding arrangements and value;
- Opportunities for the creation of separate funding streams to protect major events but also improve transparency; and
- Targeting specific types of events to meet emerging community needs.

Community Sponsorship Program

The Community Sponsorship Program offers cash or in-kind support to a project, event, or initiative in return for a specified benefit. Unlike grants, in a sponsorship agreement, Council has an expectation of a return on investment, such as increased profile through the initiative's publicity, or delivery of programs identified by our community as desirable.

Council received 16 applications for a total of \$179,995 sponsorship funds for 2023-24, as follows:

- Fifteen (15) Community Sponsorship applications seeking a total funding of \$176,995.
- One (1) application from the Community Grants Program seeking a total funding of \$3,000 was considered under the Community Sponsorship Program as it relates to an event and is more closely aligned to this program.
- Eight (8) of these applications involve the use of a Council venue or facility, with the facility hire costs totalling \$38,230.

All approved recipients of Community Sponsorship funding are required to recognise Council's sponsorship through logo recognition, event invitations, banner displays and opportunity for a Council stall where appropriate.

Application Assessment Criteria

Applications for sponsorship funding came from a wide range of community groups reflecting the broad appeal of the Community Sponsorship Program. The applications received were assessed against the criteria outlined in Council's Community Funding Guidelines, including:

- Aligns with one or more of the five directions from Our Future 2036.
- Deliver community needs and benefits to the local area.
- Can be delivered within the 12-month program deadline (1 July 2023 – 30 June 2024).
- Capacity and experience to deliver the project effectively.
- Has a realistic budget based on substantiated quotes or assumptions including income and expenditure.
- Is cost effective and represents value for money.

Funding Recommendations

All the applications met the eligibility criteria, are of benefit to the local community and will help to deliver the outcome areas of Our Future 2036. A detailed breakdown of each application and recommended sponsorship funding is provided in Attachment 1. As the total value of the applications received exceeded the amount of funding available, part funding of applications has been necessary to ensure maximum project delivery. An additional \$17,735, to be funded from the Community, Culture & Leisure divisional operational budget is also recommended.

Funding over \$5,000 will be paid in instalments, as detailed in sponsorship agreements to ensure program delivery.

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

A condition of the funding agreement is that the initiative must be delivered within a 12-month timeframe (1 July 2023 – 30 June 2024), and applications are required to demonstrate that this can be achieved. Council's endorsement of the recommended sponsorship funding is time sensitive, as each applicant's planning assumes a commencement date of 1 July 2023.

FINANCIAL CONSIDERATIONS

Funding of \$114,115 is allocated in the draft operating budget for 2023-24 for the Community Sponsorship Program. It is proposed to allocate an additional \$17,735 to be funded from the Community, Culture & Leisure divisional operational budget, to fund a total of \$131,850 in the 2023-24 financial year.

Attachment 1 provides the detail of the total funding requested and the funding allocation recommended. It also details which projects and events will incur Council facility hire costs. Eight organisations requested venue fee waivers as part of the Community Sponsorship Program. These have been approved by the General Manager under his delegation pursuant to the provisions contained in Council's Revenue Policy, subject to Council resolving to approve the recommendations for funding.

The fee waivers are:

Community Group	Venue/ Park	Value
Associazione Isole Eolie Confraternita San Bartolomeo	Five Dock Library	\$508.20
Drummoyne Public School P&C Association	Rawson Ave	\$1,958
Embroiderers Guild NSW	The Connection	\$1,702.40
Russell Lea Public School P&C	Whittall St	\$1,958
Chiswick Community Activities Group	Campbell Park	\$1,458
Rotary Club of Drummoyne	Edwin St	\$1,958
Rhodes Multicultural Community Association	Foreshore Park & The Connection	\$19,698.75
Communities for Communities	Halliday Park, Drummoyne Oval & Taplin Park	\$8,796
	Total	\$38,037.35

LEGISLATIVE AND POLICY CONSIDERATIONS

This program relates directly to Council's Cultural Plan; and meets a range of objectives related to celebrating communities of culture.

The terms and conditions of the community sponsorship program can be found in Attachment 2.

Section 356 of the Local Government Act, 1993 provides that a council may, in accordance with a resolution of the council, contribute money or otherwise grant financial assistance to persons for the purpose of exercising its functions.

As the investment in the Community Sponsorship Program is recommended to exceed the original allocated budgeted amount, it is recommended that Council staff undertake a review of the program. The review would aim to ensure the Sponsorship Program and Guidelines continue to reflect good governance practices and that Council's financial contribution delivers significant community benefit. The results of this review will be presented at a Councillor Workshop. Following the workshop, a report will be prepared and submitted to Council prior to the next funding round in March 2024.

ITEM 11.3 RECONCILIATION ACTION PLAN - POST EXHIBITION**Reporting Manager** Manager Place Management**Attachments:**

1. **Draft Reconciliation Action Plan Public Exhibition - Summary of submissions** (*Provided in Attachment Booklet*) [⇒](#)
2. **Reflect Reconciliation Action Plan - For Adoption** (*Provided in Attachment Booklet*) [⇒](#)

RECOMMENDATION OF DIRECTOR COMMUNITY CULTURE AND LEISURE

That:

1. Council notes the outcome of the public exhibition of the draft Reconciliation Action Plan, provided in the Summary of Submissions, attached to the report as Attachment 1.
 2. The draft Reflect Reconciliation Action Plan, attached to the report at Attachment 2, be adopted.
-

PURPOSE

To report on the outcome of the public exhibition of the draft Reconciliation Action Plan and to seek its adoption.

Executive Summary

Council resolved to place the draft Reconciliation Action Plan on public exhibition at its meeting on 18 April 2023. The draft Plan was exhibited from 19 April to 17 May 2023. Five submissions were received during the public exhibition period: three in support, one against and one neutral. No changes to the draft are recommended as a result of the submissions received.

The report recommends Council adopt the draft Reconciliation Action Plan, which includes a 12-month action plan, running from June 2023 – June 2024. After June 2024, it is proposed that Council officers submit a new Reconciliation Action Plan to Council for endorsement for public exhibition.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 1: Connected Community

Goal CC 2: Celebrate, recognise, and honour Aboriginal and Torres Strait Islander Cultures

REPORT

Council has developed a Reconciliation Action Plan (RAP) to prioritise and progress reconciliation in our local area. The RAP is designed to provide a strong foundation for Council teams to promote reconciliation internally, create a safe environment for First Nations People, and celebrate First Nations cultures in our work.

Reconciliation Australia's RAP Framework provides organisations with a structured approach to advance reconciliation. There are four different types of RAP that an organisation can develop: Reflect, Innovate, Stretch and Elevate. Each type of RAP is designed to suit an organisation at different stages of their reconciliation journey and reflects a process that is not linear in nature.

Council has decided to start our RAP journey with a Reflect RAP, which provides time to build relationships, listen to the community and establish solid foundations for growth and increasing ambition. The RAP establishes all the work Council already does to progress reconciliation and includes 15 actions for teams across the organisation to deliver in the 12-month term of this first RAP.

The draft was developed in collaboration with First Nations stakeholders and was presented to the wider community through a public exhibition process.

Public Exhibition

The draft Plan was publicly exhibited on Council's community engagement platform, Collaborate, from 19 April – 17 May 2023. It was promoted to First Nations people, the Collaborate email database, key stakeholders and via social media. The Collaborate page was visited 349 times and the draft RAP was downloaded 80 times.

Review of Submissions

Five submissions were received during the public exhibition period:

- Three submissions supported the draft RAP and Council's commitment to reconciliation in our community.
- One submission opposed the draft RAP, stating that the document seeks to divide our community and position First Nations peoples as inferior. Council officers believe the draft RAP provides a culturally safe space for Aboriginal and Torres Strait Islander peoples within our organisation, as well as develops greater opportunity for connection, learning and understanding for non-Indigenous people.
- One submission asked questions regarding the cost of developing the RAP, the benefits to the wider community, and the ongoing costs associated with implementing the RAP. These questions were answered by staff. The submitter was impressed by the scope of the Plan and the number of staff who volunteered to participate in its development.

The draft RAP was not amended in response to the submissions received.

It is recommended that the draft RAP be adopted.

FINANCIAL CONSIDERATIONS

There are currently no financial implications as actions for this RAP will be undertaken using existing budgets. However, there is a mandatory action to develop a business case for increasing understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge, and rights within our organisation. It is proposed that this mandatory action be presented at the close of this RAP term and any associated financial considerations will be considered when the next RAP is drafted.

LEGISLATIVE AND POLICY CONSIDERATIONS

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

RISK CONSIDERATIONS

There are no significant risks associated with this report.

ITEM 11.4 PLACE MANAGEMENT FRAMEWORK - POST EXHIBITION**Reporting Manager** Manager Place Management**Attachments:** 1. Place Management Framework (*Provided in Attachment Booklet*) [↔](#)

RECOMMENDATION OF DIRECTOR COMMUNITY CULTURE AND LEISURE

That:

1. Council notes the outcome of the public exhibition of the draft Place Management Framework, provided in the report.
 2. The draft Place Management Framework, attached to the report, be adopted.
-

PURPOSE

To report on the outcome of the public exhibition of the draft Place Management Framework and to seek its adoption.

Executive Summary

Council resolved to place the draft Place Management Framework on public exhibition at its meeting on 18 April 2023. The draft Plan was exhibited from 19 April to 17 May 2023. Two submissions were received during the public exhibition period: one in support and one commenting on the written form of the Framework. Some minor edits to the draft have been made as a result of the submissions received.

The report recommends Council adopt the draft Place Management Framework.

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

REPORT

The draft Place Management Framework provides guidance on the practice of place management, and the approach taken at the City of Canada Bay Council, including current place making activities and opportunities.

The Framework is based upon nine principles, which serve as a guide when creating place plans:

1. Create a shared vision.
2. Agree actionable outcomes.
3. Address problem solving holistically.
4. Value a systems approach which recognises the interactions and how change impacts the culture in a place.
5. Collaborate across the community to lead the place approach.
6. Own the decisions.
7. Respond rapidly and follow through on commitments made.
8. Create value for the community by pooling public and private resources.
9. Iterate, evaluate and engage in local strategies and solutions.

Public Exhibition

The draft Framework was publicly exhibited on Council's community engagement platform, Collaborate, from 19 April – 17 May 2023. It was promoted to the Collaborate email database, staff and via social media. The Collaborate page was visited 345 times.

Review of Submissions

Two submissions were received during the public exhibition period:

Issue/comment raised	How this has been addressed
Policy written in some areas like an essay rather than a policy.	<p>Some minor edits have been made on page 6 and 10 to clarify approaches. Wording often reflects current community practice in the field of Place Management and therefore Officers have not sought to re-write further.</p> <p>The Place Management Framework is not a policy. Rather, it is a guide for Council practitioners and partners in the way to work rather than a binding policy. The Framework is transparent about principles and approaches which can be deployed as appropriate in different programs rather than direct works as a policy would do.</p>
Very comprehensive.	Noted.

Action plan

Council will continue to offer a Place Management approach across the City using the 9 principles outlined. Future place planning will be provided within this Framework.

FINANCIAL CONSIDERATIONS

The place management program is funded as part of the annual operating plan and budget. In addition, Council staff may seek grant funding and partnership opportunities to add value to the existing program.

LEGISLATIVE AND POLICY CONSIDERATIONS

Council is a signatory to the NSW Government's Public Spaces Charter which helps shape and inform Council's place management initiatives in the public domain.

RISK CONSIDERATIONS

There are no significant risks associated with this report.

ITEM 11.5 RHODES COMMUNITY COMMITTEE MEETING MINUTES - 25 MAY 2023**Reporting Manager** Manager Place Management**Attachments:** 1. **Rhodes Community Committee Meeting Minutes - 25 May 2023** [↓](#)

RECOMMENDATION OF DIRECTOR COMMUNITY CULTURE AND LEISURE

That the minutes of the Rhodes Community Committee meeting held 25 May 2023 be received and noted.

PURPOSE

This report contains the minutes of the Rhodes Community Committee meeting (attached), that was held on Thursday, 25 May 2023.

REPORT

This report provides Council with the Rhodes Community Committee minutes from the meeting held on Thursday, 25 May 2023. The Committee's role is to facilitate community representation, provide an avenue for two-way communication between Council and community representatives, 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

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

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

RISK CONSIDERATIONS

There are no risk considerations associated with this report.

Rhodes Community Committee 2022-24

When:	6-7:30pm, Thursday, 25 May 2023
Where:	Event Space 1, The Connection, Rhodes
Chair	Clr. Michael Megna
Attendees:	Harvey Baden, Christopher Castley, Sean (Hsuan-Hua) Chang, Geoff Coffill, Clr. Joseph Codaro, Elizabeth Golez, Jing Hong, Ruiqi Hu, Trevor Oates, Monita Patel, Uma Srinivasan, Chiral Yadava, Nazia Zabin.
Guest Presenters	<u>City of Canada Bay Council:</u> Franco Guerrisi – Manager, Roads & Traffic Brendan MacGillicuddy – Coordinator, Traffic and Transport
Minute Taker:	Stephanie Kelly, Manager Place Management

Meeting Minutes:

No.	Item	Action	Status
1.	Welcome/Acknowledgement to Country	Acknowledgement of Country completed by Chair	Completed
2.	Declaration of Conflicts of Interests	Jing Hong – Declaration, works for Sally Sitou, Member for Reid. No conflicts in meeting agenda.	Completed
3.	Apologies:	Rameses Florentino, John Kipritidis, Clr. Andrew Ferguson, Clr. Stephanie Di Pasqua	Completed
4.	Previous Minutes	RCC confirmed	Completed
5.	RCC Member Resignation: Daniel Kye Ho Yi	Resignation be accepted and the member be thanked for their contribution.	Completed
6.	Presentation: Rhodes Traffic Management	Brendan MacGillicuddy, Coordinator Traffic & Transport presented on Rhodes Traffic Management, including: <ul style="list-style-type: none"> • public domain plan implementation for station precinct • pothole program around Walker Street • traffic counts • Uhrs Point pedestrian and cycleway RCC requested any developments regarding the Walker Street footbridge be brought back to the RCC. RCC requested the outcome of traffic counts and Transport for NSW's review of speed limits be brought back to the RCC.	Feedback to a future meeting
7.	Update: Burwood Police Traffic Management	Stephanie Kelly, Manager Place Management presented information from Burwood Police Traffic Management, including: <ul style="list-style-type: none"> • Police are aware of the traffic problems that are occurring within the Rhodes area. • RCC asked for any specific information (e.g. times) to be passed on to the Police. • One area highlighted: start of Shoreline Drive on Friday and Saturday nights around 8pm 	Completed
8.	Place Management Update	Quarterly progress update provided by Stephanie Kelly, Manager Place Management, including: <ul style="list-style-type: none"> • Events & Activations: ANZAC Day Kokoda Track Memorial Walkway; Clean Up Australia 	Completed & Underway

		<p>Day; Youth Week: Movement & Dance Workshops in Rhodes; Learning Space School holiday programs; ANTAR Voice To Parliament Public Meeting; Chambers Summit for local businesses and training from Meta; Make Music Day (21 June); and Dragon Boat Festival (8-9 July).</p> <ul style="list-style-type: none"> • Projects: Parks furniture refresh; Concord West Train Underpass Mural; Graffiti Grant work on art and markets underway; Rhodes Lighting Project Switchboard upgrade; Uhrs Point Shared Pathway Upgrade. • Community Engagement Update: Rhodes Peninsula Place Plan Review; Concord Night Youth Survey; Bayview Park Swim Site; Building Manager & Strata Committee Network. • Trolley Management: Recognition and thanks to Wendy Bird; Notice of Motion to Council; Council undertaking a signage refresh; floor stickers to help reporting at dump sites; and enforcement letter to businesses. • Reporting Issues to Council – Improving reporting and collaborating to achieve more. • 	
9.	Next Meeting:	6-7:30pm, Thursday, 24 August 2023	
10.	Close		

12 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS

ITEM 12.1 ADOPTION OF DELIVERY PROGRAM 2022-2026, OPERATIONAL PLAN 2023-24 AND STATEMENT OF REVENUE, INCLUDING BUDGET AND SCHEDULE OF FEES AND CHARGES

Reporting Manager Manager Finance

- Attachments:
1. **Summary of Submissions and Changes to the Documents (Provided in Attachment Booklet)** [⇒](#)
 2. **Delivery Program and Operational Plan (Provided in Attachment Booklet)** [⇒](#)
 3. **Fees and Charges 2023-2024 (Provided in Attachment Booklet)** [⇒](#)
-

RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That:

1. Council consider the submissions received in response to the public exhibition of the draft Delivery Program 2022-2026 and draft Operational Plan 2023-24, as summarised in Attachment 1 to the report.
 2. The amendments to the documents following exhibition included in Attachment 1 be noted.
 3. Council note that IPART has approved Council's application to increase its general income by a cumulative 32.53% (including the rate peg) through a permanent special variation over 2023-24 to 2026-27 and to increase the minimum rates by a cumulative 45.5% over 2023-24 to 2026-27.
 4. The Delivery Program 2022–2026 and Operational Plan 2023–2024 at Attachment 2, with the budget option incorporating the Special Rate Variation and the amendments in 2 above, be adopted in accordance with Section 404 and 405 of the Local Government Act 1993 (the Act), respectively.
 5. The Schedule of Fees and Charges 2023-24 applying from 1 July 2023 to 30 June 2024 at Attachment 3 in accordance with Sections 535 and 608 of the Act be adopted.
 6. Council make the following ordinary rates and charges in accordance with Section 494 and 535 of the Act:
 - (a) Council's general income is increased by 15.49% in the 2023-24 financial year.
 - (b) Residential – Ordinary Rate**

An ad valorem rate in the \$ of 0.0646557 with a Minimum Rate of \$879.70.

The Residential – Ordinary Rate is to be applied to all land categorised as Residential throughout the whole City of Canada Bay Local Government Area.
 - (c) Business – Ordinary Rate**

An ad valorem rate in the \$ of 0.181728 with a Minimum Rate of \$879.70

The Business – Ordinary Rate is to be applied to all land categorised as Business throughout the whole City of Canada Bay Local Government Area.
 - (d) Residential - Stormwater Management Charge**

A stormwater management service charge amounting to \$25 per residential allotment.

A stormwater management service charge amounting to \$12.50 per residential strata allotment.
-

(e) Business - Stormwater Management Charge

A stormwater management service charge amounting to \$25 per business allotment per 350m² or part thereof.

For a lot in a strata scheme that is categorised as business - the greater of:

\$5 or

the relevant proportion of the maximum annual charge that would apply to the land subject to the strata scheme if it were a parcel of land categorised as business.

(f) Residential Domestic Waste Management Charge

The standard Domestic Waste Management Charge is set at \$439 for each residential property in the City of Canada Bay Local Government Area with further detail provided in the Schedule of Fees and Charges 2023-24 (Attachment 3).

7. Ordinary Rates and Charges included in 6 above are to be made in respect to the twelve month rating year commencing 1 July 2023 in accordance with Section 534 of the Local Government Act 1993.
 8. If the levying of a minimum rate would apply unfairly, or cause hardship to a rateable person who is rateable in respect of two or more separate parcels of land subject to the rate, then it may aggregate the land values of such of the parcels as it determines and levy the rate on the aggregated land values in accordance with sections 548A and 531B of the Local Government Act 1993.
 9. An interest rate of 9% per annum on overdue rates and charges for the period 1 July 2023 to 30 June 2024, be adopted in accordance with Section 566(3) of the Act, subject to Council reserving the right to vary the interest chargeable on overdue rates to accord with any variations made to the Act and regulations thereunder.
-

PURPOSE

To submit to Council the draft Delivery Program 2022-2026, and the draft Operational Plan 2023-24 (including the Statement of Revenue Policy, Budget and Schedule of Fees and Charges) and submissions received in response to the public exhibition of the documents, for consideration for adoption.

EXECUTIVE SUMMARY

This report presents submissions made during public exhibition of the draft Delivery Program 2022-2026 and the draft Operational Plan 2023-2024 (including the Statement of Revenue Policy, Budget and Schedule of Fees and Charges) for consideration. It provides a summary as to how the draft documents have been updated following the public exhibition period and presents them for consideration for adoption.

The documents were placed on public exhibition for 30 days from Friday, 21 April to Sunday, 21 May 2022.

In response to the public exhibition two submissions were received and Attachment 1 to the report provides a summary of the public submissions relating to the exhibited draft documents.

Two Budgets were included in the draft Delivery Program 2022-2026, and the draft Operational Plan 2023-24 placed on public exhibition.

The Base Case Budget reflected an increase to ordinary rate income in line with the IPART determined rate peg of 3.7%.

An alternate budget (referred to as the SRV budget) was prepared on the basis of Council's application to IPART to raise ordinary rate income by 15.49% for 2023-24. This budget built on the base case budget and incorporated additional income to:

- Improve Council's financial sustainability.
- Maintain infrastructure service standards for the growing population.
- Provide service improvements identified through community engagement over previous years. These service improvements included:
 - An expanded biodiversity and climate program
 - An enhanced and expanded town centres beautification program
 - A renewed greenspace and sportsfield program
 - More resources for maintaining and managing our growing tree canopy
 - An expanded community services team and resourcing to deliver our new cultural plan
 - Infrastructure and local asset renewal such as roads, foreshore, footpaths and buildings
 - Reducing processing times for Development Applications
 - Increased resources for strategic land use planning with a focus on our revitalisation precincts.

Advice has been received from IPART that Council's application for a Special Rate Variation (SRV), and increase in the minimum rate, has been approved in full. The two budgets that were exhibited are submitted to Council consideration for adoption. Council now has the opportunity to adopt either the Base Case Budget or the alternate (SRV) budget which incorporates the additional rate income to fund the SRV initiatives outlined in the Delivery Program 2022-2026 and Operational Plan 2023-2024.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 5: Civic Leadership

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

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

BACKGROUND/DISCUSSION

At its meeting of 18 April 2023, Council considered the draft Delivery Program 2022-2026 and Draft Operational Plan 2023-24 and resolved that:

1. The draft Delivery Program 2022-26, and draft Operational Plan, including the draft Statement of Revenue Policy incorporating the draft Budget and draft Schedule of Fees and Charges for 2023-24, attached to the report, be placed on public exhibition for a period of not less than 28 days in accordance with the requirements in the Local Government Act 1993.
2. The period of exhibition be from 21 April – 21 May 2023.
3. A further report be prepared and submitted to Council following the exhibition period.

Exhibition: Delivery Program 2022-2026 and Operational Plan 2023-24

The Delivery Program 2022-2026 and Operational Plan 2023-24 document is part of Council's Integrated Planning and Reporting framework, ascribing actions to the strategic directions and goals from the Community Strategic Plan Our Future 2036. The draft Delivery Program itemises what Council aims to achieve in the identified four-year period, and the draft Operational Plan identifies the deliverables that that Council will undertake in 2023-24. The draft Operational Plan also includes the Statement of Revenue Policy, Budget and Schedule of Fees and Charges for the 2023-24 financial year.

In line with the legislative requirement for a minimum 28 day exhibition period, the draft Delivery Program 2022–2026 and draft Operational Plan 2023-24, and the Schedule of Fees and Charges were placed on public exhibition as drafts for a period of 30 days from 21 April 2023 to 21 May 2022.

The exhibition and submission period was advertised in the printed City of Canada Bay news, and on social media. Hard copies of these documents were available for viewing at the Drummoyne Civic Centre and at Five Dock and Concord Libraries. The documents were also made available on Council's website and engagement site, Collaborate Canada Bay.

One member of the community made two separate submissions on the exhibited plan and these are shown in Attachment 1 to this report for Council's consideration.

The draft Delivery Program 2022-2026 and draft Operational Plan 2023-24, including amendments recommended through this report, is provided as Attachment 2.

Exhibition: Schedule of Fees and Charges 2023-24

The Schedule of Fees and Charges was placed on public exhibition as a draft for 30 days from 21 April 2023 to 21 May 2023. Individual fees and charges were increased by a modest amount and no community submissions were received.

Regulatory fees determined by the Office of Local Government and the Department of Planning and Environment after the draft Fees and Charges document was placed on public exhibition have been updated.

The Office of Local Government issued a circular (No 23-02 dated 8 May 2023) during the exhibition period that has impacted on the fees and charges for 2023-24. These changes are outlined below and presented in a table in Attachment 1.

- Boarding House Tariffs
 - In accordance with section 516 of the Local Government Act 1993 (the Act), it has been determined that for the purpose of the definition of 'boarding house' and 'lodging house', the maximum tariffs, excluding GST, that a boarding house or lodging house may charge tariff-paying occupants are:
 - a) Where full board and lodging is provided:
 - \$432 per week for single accommodation; or
 - \$713 per week for a family or shared accommodation
 - b) Where less than full board or lodging is provided:
 - \$291 per week for single accommodation; or
 - \$479 per week for family or shared accommodation
- Maximum Interest Rate on Overdue Rates and Charges
 - In accordance with section 566(3) of the Act, it has been determined that the maximum rate of interest payable on overdue rates and charges for the period 1 July 2023 to 30 June 2024 (inclusive) will be 9.0% per annum.
- Section 603 Certificate
 - Under section 603 of the Act, councils may issue a certificate as to the amount (if any) of rates, charges, etc. due or payable to the council for a parcel of land. Section 603(2) states the application must be accompanied by the approved fee. In accordance with the approved methodology, the approved fee for 2023-24 is determined to be \$95. This is an increase of \$5 from the 2022-23 fee and the fee exhibited.

The Department of Planning and Environment announced on 29 May 2023 that fees for planning services will be increased to reflect movements in the consumer price index (CPI). This includes development application fees contained in Schedule 4 of the Environmental Planning and Assessment Regulation 2021. Fees increased by 7.27% to better reflect the cost of providing planning services.

Submissions and amendments: Delivery Program 2022–2026 and Operational Plan 2023–24

As noted above, Council received two submissions on the draft Delivery Program 2022–2026 and draft Operational Plan 2023–24, including the draft Schedule of Fees and Charges. The submissions were made by the same person. The submission requested that signs across the City acknowledge traditional Aboriginal place names and that the accessibility of the Disability Inclusion Action Plan and other Council references be improved.

Council officers' responses to these submissions are contained in Attachment 1 for Council's consideration. It is noted that no changes to the exhibited Delivery Program and Operational Plan are recommended in response to these submissions.

The two circulars from the Office of Local Government that were received during exhibition of the Schedule of Fees and Charges 2023-24 have resulted in several amendments to the Schedule of Fees and Charges as detailed above and shown tabulated in Attachment 1. Advice received from the Department of Planning and Environment notifying of CPI adjustments to planning fees has also necessitated adjustments to the exhibited fees and are also shown in Attachment 1.

During the exhibition period, Council staff identified minor typographical errors that were corrected in Attachment 2 for Council to adopt.

IPART application results and amendments: Delivery Program 2022-2026 and Operational Plan 2023-24

At its meeting on 15 November 2022 Council resolved, in part, as follows:

That Council make application to the Independent Pricing and Regulatory Tribunal (IPART) for:

- *under section 508A of the Local Government Act 1993, increases to the ordinary rate income of 15.49% in 2023/24 (including the rate peg), 4.81% in 2024/25 (including the rate peg), 4.69% in 2025/26 (including the rate peg), and 4.58% in 2026/27 (including the rate peg), representing a total cumulative increase of 32.53% over the four-year period, with that increase to be a permanent increase retained within the rate base.*
- *the Minimum ordinary rate for residential and business categories to be set as follows:*
 - 2023/24 \$879.70 an increase of 15.49% (including the rate peg)*
 - 2024/25 \$953.95 an increase of 8.44% (including the rate peg)*
 - 2025/26 \$1,030.06 an increase of 7.98% (including the rate peg)*
 - 2026/27 \$1,108.07 an increase of 7.57% (including the rate peg)*

In response, IPART has advised that it has approved Council's application. Should Council proceed to implement this determination, the ordinary rate levy will increase by 32.53% over 4 years. For 2023-24 the increase of 15.49% would reflect an additional 11.79% over the rate peg of 3.7%.

Emergency services changes

Council's SRV budget as exhibited, forecast and operating surplus of \$13,326. This budget contained a provision for a 4% increase to the contribution to Emergency Services, with the amount allowed being \$2.316 million. Council subsequently received advice from Revenue NSW that Council's contribution had been determined at \$2.808 million, an increase of 26%. The budget impact of this decision will initially be reflected as a \$491,523 reduction to the proposed budget surplus. At the time of writing this report, there remains substantial concern that the state government may

cease payment of the Emergency Services Subsidy. This grant to Local Government commenced in 2018/19 and Council had estimated \$450,000 being received for 2023/24 in its publicly exhibited budget. Should it be withdrawn, the total impact on the exhibited budgets for 2023/24 will be an overall reduction of \$941,523.

Both the Base Case and SRV Budgets have been amended to account for Council's determined contribution to Emergency Services along with the likelihood of the Emergency Services Subsidy being withdrawn as summarised below.

Table 1. Base Case Option

	Forecast 2023-24	Forecast 2023-24	Forecast 2023-24
	<i>Base Case Exhibited</i>	<i>Base Case Proposed</i>	<i>Movement</i>
Operating Income			
<i>Rates and Annual Charges</i>	62,377,647	62,377,647	0
<i>User Fees and Charges</i>	20,532,055	20,532,055	0
<i>Other Revenue</i>	6,973,442	6,973,442	0
<i>Other Income/Rental Income</i>	3,989,904	3,989,904	0
<i>Grants and Contributions- Operational</i>	7,338,937	6,888,937	(450,000)
<i>Interest</i>	4,715,000	4,715,000	0
Total operating income	105,926,985	105,476,985	(450,000)
Operating Expenses			
<i>Employee Costs</i>	45,255,574	45,255,574	0
<i>Borrowings</i>	632,084	632,084	0
<i>Materials & Services</i>	38,447,150	38,447,150	0
<i>Depreciation</i>	16,251,301	16,251,301	0
<i>Other Expenses</i>	6,340,945	6,832,468	491,523
Total operating expenditure	106,927,054	107,418,577	491,523
Operational result - surplus/(deficit)	(1,000,070)	(1,941,593)	(941,523)

Table 2. Special Rate Variation Option

	Forecast 2023-24	Forecast 2023-24	Forecast 2023-24
	SRV Exhibited	SRV Proposed	Movement
Operating Income			
<i>Rates and Annual Charges</i>	67,471,043	67,471,043	0
<i>User Fees and Charges</i>	20,532,055	20,532,055	0
<i>Other Revenue</i>	6,973,442	6,973,442	0
<i>Other Income/Rental Income</i>	3,989,904	3,989,904	0
<i>Grants and Contributions- Operational</i>	7,338,937	6,888,937	(450,000)
<i>Interest</i>	4,715,000	4,715,000	0
Total operating income	111,020,381	110,570,381	(450,000)
Operating Expenses			
<i>Employee Costs</i>	47,230,512	47,230,512	0
<i>Borrowings</i>	632,084	632,084	0
<i>Materials & Services</i>	40,552,213	40,552,213	0
<i>Depreciation</i>	16,251,301	16,251,301	0
<i>Other Expenses</i>	6,340,945	6,832,468	491,523
Total operating expenditure	111,007,054	111,498,577	491,523
Operational result	-		
surplus/(deficit)	13,326	(928,197)	(941,523)

Capital Expenditure

The Capital works program as exhibited required amendments to account for works deferred from 2022-23 to 2023-24 along with adjustments to the program not envisaged when the draft budget was prepared. Re-phasing of budgets from the current year 2022-23 to next year, as reported in the 3rd Quarter Budget Review, considered by Council at its meeting of 16 May 2023 along with other expenditure adjustments necessitated to match grant funding approvals are detailed below.

The additional capital expenditure of \$3.541M is funded from the re-phasing of Capital grants in the amount of \$570K and use of reserves of \$2.971M.

Table 3. Capital Budget for the Base Case option

Capital	Forecast 2023-24	Forecast 2023-24	Forecast 2023-24
Capital Income	Base Case Exhibited	Proposed Base Case Option	Movement
<i>Grants And Contributions-Capital</i>	27,178,518	27,748,215	569,697
<i>New Loans</i>	0	0	0
<i>Proceeds From the Disposal of Assets</i>	501,000	501,000	0
Total Capital Income	27,679,518	28,249,215	569,697
Capital Expenditure			0
<i>Capital Expenditure</i>	59,767,000	63,307,752	3,540,752
<i>Capital Expenditure - Principal Loan</i>	1,173,605	1,173,605	0
<i>Capital Expenditure - Other</i>	150,000	150,000	0
Total capital expenditure	61,090,605	64,631,357	3,540,752
Capital result - surplus/(deficit)	(33,411,087)	(36,382,142)	(2,971,055)
Funding Movements			0
<i>Add Back Depreciation & Amortisation - Non Cash Item</i>	16,251,301	16,251,301	0
<i>Transfer From Reserve</i>	27,075,259	30,046,313	2,971,054
<i>Transfer To Reserve</i>	8,915,403	8,915,403	0
Total Funding Movements	34,411,157	37,382,211	2,971,054
Capital Result – surplus/(deficit)	1,000,070	1,000,070	0
Net Working Capital Result - surplus/(deficit)	0	(941,523)	(941,523)

Table 4. Capital Budget for the SRV option

Capital	Forecast 2023-24	Forecast 2023-24	Forecast 2023-24
Capital Income	SRV Exhibited	Proposed SRV Option	Movement
<i>Grants And Contributions-Capital</i>	27,178,518	27,748,215	569,697
<i>New Loans</i>	0	0	0
<i>Proceeds From the Disposal of Assets</i>	501,000	501,000	0
Total Capital Income	27,679,518	28,249,215	569,697
Capital Expenditure			
<i>Capital Expenditure</i>	59,917,000	63,457,752	3,540,752
<i>Capital Expenditure - Principal Loan</i>	1,173,605	1,173,605	0
<i>Capital Expenditure - Other</i>	150,000	150,000	0
Total capital expenditure	61,240,605	64,781,357	3,540,752
Capital result - surplus/(deficit)	(33,561,087)	(36,532,142)	(2,971,055)
Funding Movements			
<i>Add Back Depreciation & Amortisation - Non Cash Item</i>	16,251,301	16,251,301	0
<i>Transfer From Reserve</i>	27,075,259	30,046,313	2,971,054
<i>Transfer To Reserve</i>	9,778,799	9,778,799	0
Total Funding Movements	33,547,761	36,518,815	2,971,054
Capital Result – surplus/(deficit)	(13,326)	(13,326)	0
Net Working Capital Result - surplus/(deficit)	0	(941,523)	(941,523)

Table 5. Changes to Capital Works Program

Project	Exhibited	Final	Movement
Sustainability Program (Net Zero by 2030) - Buildings	\$0	\$80,000	\$80,000
Bayview Park Toilet - Design Phase -	\$80,000	\$163,125	\$83,125
Charles Heath Reserve Upgrade	\$3,000,000	\$3,020,000	\$20,000
Mcllwaine Park - River Activation	\$3,590,000	\$2,340,000	(\$1,250,000)
Timbrell Park Sportsfield Upgrade	\$700,000	\$800,000	\$100,000
Majors Bay Reserve Recreation Precinct	\$2,219,000	\$3,883,784	\$1,664,784
Buildings Renewal Program	\$2,226,700	\$2,976,700	\$750,000
Wangal Reserve and Punt Park POM Actions	\$150,000	\$250,000	\$100,000
Drummoyne Oval / Taplin Stormwater re-use	\$301,019	\$316,019	\$15,000
Urban Canopy Street Tree Masterplan	\$0	\$45,000	\$45,000
Greening our City 2020 Round 2	\$60,000	\$78,724	\$18,724
Howley Park East Upgrade	\$1,825,770	\$1,868,590	\$42,820
Greening our City Cooler Suburbs - Round 3	\$143,000	\$35,502	(\$107,498)
The Terrace - Embankment Stabilisation	\$100,000	\$150,000	\$50,000
Annual Bridge Renewal Program	\$46,000	\$126,315	\$80,315
Regional Cycleway Upgrade - RMS Grant	\$5,330,000	\$5,630,000	\$300,000
Greenlees Avenue - Design and Construct parking treatment	\$0	\$5,000	\$5,000
Phillip Street - Construct car parking treatment	\$100,000	\$390,000	\$290,000
Pedestrian facilities around Russell Lea public School	\$225,000	\$265,000	\$40,000
Harris Road Pedestrian Crossing	\$170,000	\$190,000	\$20,000
Llewellyn Street Shared Path	\$80,000	\$90,000	\$10,000
Moala Concord Hospital Culvert Renewal	\$50,000	\$410,000	\$360,000
Create a Swimsite at Bayview Park	\$0	\$180,000	\$180,000
St Lukes Oval Rebuild	\$0	\$119,156	\$119,156
Kerb Ramp Design at Burwood Rd and Crane St Concord	\$0	\$39,327	\$39,327
Clermont Lane - Parking Barrier	\$0	\$115,000	\$115,000
Road Rectification at Tranmere Street	\$0	\$200,000	\$200,000
Floodplains - Powells Creek East Catchment FS, FRMS, FRM	\$0	\$70,000	\$70,000
Floodplains - Exile Bay Catchment FRMPS	\$0	\$100,000	\$100,000
Movement			\$3,540,752

Statement of Revenue Policy – post exhibition and post IPART decision

Should Council implement the approved SRV, it will result in ordinary rate income increases of:

- 15.49% in 2023/24 (including the rate peg),
- 4.81% in 2024/25 (including the rate peg),
- 4.69% in 2025/26 (including the rate peg), and
- 4.58% in 2026/27 (including the rate peg),

representing a total cumulative increase of 32.53% over the four-year period, with that increase to be a permanent increase retained within the rate base.

That implementation would also result in the Minimum ordinary rate for residential and business categories being set as follows:

- 2023-24 \$879.70 an increase of 15.49% (including the rate peg)
- 2024-25 \$953.95 an increase of 8.44% (including the rate peg)
- 2025-26 \$1,030.06 an increase of 7.98% (including the rate peg)
- 2026-27 \$1,108.07 an increase of 7.57% (including the rate peg)

Should IPART's determination not be applied for 2023-24 ordinary rate income would increase by 3.7% and the Minimum rate would be \$789.89.

IPART's determination sets the maximum amount by which the Council can increase its rates revenue over the 4-year period. The approved SRV is the maximum permitted amount. IPART's determination includes that Council can choose to set its rates including deferring any increases for up to 10 years.

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

Adoption of the Operational Plan prior to 30 June 2023 is a legislative requirement of the Local Government Act 1993 that allows Council to levy rates and undertake expenditure from 1 July 2023.

FINANCIAL CONSIDERATIONS

The recommendation in this report is based on Council adopting the SRV Budget incorporating IPART's approval.

The 2023-24 SRV Budget is designed to deliver a range of projects and service improvements identified through earlier community engagement. As detailed in the report, the recommended SRV Budget forecasts an Operating Budget Deficit of \$928,197 reflecting the significant bottom line impact of the Emergency Services Levy increase along with the likely withdrawal of the Emergency Services Subsidy.

The alternative of not adopting the SRV Budget weakens Council's financial stability and delays the opportunity to deliver the range of expanded initiatives sought by the community.

LEGISLATIVE AND POLICY CONSIDERATIONS

The Integrated Planning and Reporting framework, a requirement of the Local Government Act 1993, requires Council to annually review and confirm the Council's four-year Delivery Program and adopt the annual Operational Plan, including the budget and rating structure. This report has been prepared to meet that obligation.

ITEM 12.2 LAND CLASSIFICATION - 8 HILTS ROAD, STRATHFIELD**Reporting Manager Manager, Property Strategy and Leasing****Attachments: Nil**

RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That:

1. Council notes that no submissions were received relating to the statutory advertising of an intention to classify 8 Hilts Road, Strathfield (Lot 2 DP 608034) as Operational land.
 2. The land being 8 Hilts Road, Strathfield (Lot 2 DP 608034) be classified as Operational in accordance with Section 31(2) of the Local Government Act 1993.
-

PURPOSE

This report relates to the proposed classification of 8 Hilts Road, Strathfield (Lot 2 DP 608034) which Council acquired on 21 April 2023 as Operational land.

Section 25 of the Local Government Act 1993 (the Act) requires all public land to be classified, the classification of which is prescribed by Section 26 of the Act, namely being either Community or Operational.

The public consultation process commenced on 24 April 2023 and submissions closed on 26 May 2023.

This report advises the outcome of the public consultation period, being that no submissions were received. To this end, this report also seeks to formally classify, by way of resolution pursuant to Section 31(2) of the Act, 8 Hilts Road, Strathfield as Operational land.

REPORT

At its meeting on 14 June 2022, Council resolved to purchase 8 Hilts Road, Strathfield. The acquisition has now finalised, and classification of this land as Operational is required prior to 21 July 2023 under the provision of the Act.

The Act requires all land to be classified as either Operational or Community. If a newly acquired lot is to be classified as Operational land (as the first classification) Council can resolve to do this within three months of receipt of the parcel of land and any time prior to its receipt. If a resolution of Council is not achieved within three months of property settlement the land will automatically revert to Community Land classification.

The settlement of this property was completed on 21 April 2023.

Pursuant to Section 34 of the Act the proposal to classify 8 Hilts Road, Strathfield as Operational land was placed on public notification for a period of 28 days.

The notification period commenced on 24 April 2023. During this period no submission were received.

It is therefore now appropriate for Council to confirm the reclassification of the land as Operational land under the Act.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 5: Civic Leadership

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

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

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

Below is a summary of the sections with the Act that are relevant to the classification process:

- (a) *Section 25 requires all public land to be classified as either community or operational.*
- (b) *Section 31 (2) permits Council to resolve to classify land prior to or within three months after its acquisition of the land.*
- (c) *Section 34 requires public notice to be given of classification or reclassification by Council resolution; including:*
 - *Terms of proposed resolution and description of the land concerned; and*
 - *A period of not less than 28 days during which submissions can be made to Council.*

RISK CONSIDERATIONS

Section 31 of the Act places a time restriction on the Council to classify the land.

ITEM 12.3 MAJORS BAY RESERVE SYNTHETIC FIELD - LICENCE FOR USE BY CANADA BAY FOOTBALL INSTITUTE PTY LTD AND PUBLIC ACCESS**Reporting Manager** Director Corporate Services and Strategy**Attachments:**

1. [Majors Bay Reserve Licence area - field](#) ↓
2. [Majors Bay Reserve Licence area - amenities](#) ↓
3. [CBFI Majors Bay Reserve HoA](#) ↓

RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That:

1. The submissions received in response to the public notification of Council's intention to Licence the synthetic field and associated amenities at Majors Bay Reserve to Canada Bay Football Institute Pty Ltd for the purpose of training, match play and associated activities for a term of 5 years, and the related responses contained within the report, be noted.
 2. Pursuant to s47A of the Local Government Act 1993, Council enter into a Licence agreement with Canada Bay Football Institute Pty Ltd for a period of 5 years commencing 1 July 2023, subject to the terms and conditions contained in the Heads of Agreement attached to the report, and other details contained within the report.
 3. The General Manager be authorised to finalise and execute the Licence agreement referred to in 2 above.
-

PURPOSE

To propose and recommend the granting of a 5 year Licence to Canada Bay Football Institute Pty Ltd (CBFI) for the use of the Majors Bay Reserve synthetic sports field and associated facilities, and to provide details of public access to the sports field.

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 1: Connected Community

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

BACKGROUND/DISCUSSION

The synthetic sports field and related amenities at Majors Bay Reserve were constructed in 2020 at a cost of \$6,875,000. Of this cost, \$2,200,000 was funded through a Stronger Communities Fund grant from the State Government that was secured by the Canada Bay Football Institute Pty Ltd (CBFI). CBFI is the 'umbrella' entity of Inter-Lions Soccer Club Inc and Concord Junior Soccer Club Incorporated. Majors Bay Reserve is Crown Land over which Council has care, control and management as Crown Land Manager.

Shortly after construction was completed, the onset of Covid-19 impacted on the activities of the two Clubs and the ability for a licence arrangement to be established with CBFI. As a consequence, and since that time, CBFI and the associated Clubs have utilised the field under seasonal hire arrangements.

Following the opening of the sports field, public access was provided during daylight hours when it wasn't being used by CBFI. As a consequence of several incidents of vandalism during Covid, an operational decision was made by Council to limit access to the sports field to the times at which it was being utilised by CBFI. In April 2023, with the pandemic over and in response to reasonable expectations of the community, public access to the sports field, and facility generally, was reinstated. So as to mitigate against increased risk of exposure to vandalism associated with the

increased public access, Council has assumed responsibility for ensuring the opening and closing of the gates to the sports field, and other security arrangements.

In view of the circumstances outlined above, it is considered timely to progress the request by CBFi for a Licence for the use of the synthetic sports field, and associated facilities. It should be noted that a licence provides non-exclusive use.

The proposed licence, for a period of 5 years commencing on 1 July 2023, is over the area represented on the attached plans and referred to as the ‘Premises’. It comprises the sports field and amenities building, except for the public toilets and Council storage space.

The proposed annual use by CBFi is estimated to be in the order of 1400 – 1500 hours. This use includes match play and club training for both Inter-Lions Soccer Club Inc and Concord Junior Soccer Club Incorporated, in addition to clinics, small-sided competitions, and social play targeting local participants. Based on a hourly hire fee of \$46.82 ex GST (contained in the draft 2023/24 fees and charges), it is considered that a fee of \$65,000 (ex GST) is appropriate.

CBFi has received and approved a Heads of Agreement (HoA) which is attached. Should Council resolve to enter into the Licence agreement, the Licence will incorporate the terms contained in the HoA.

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

In accordance with Section 47A of the Local Government Act 1993, public notification was given of Council’s intention to Licence the Synthetic Fields and associated amenities at Majors Bay Reserve to Canada Bay Football Institute Pty Ltd for the purpose of training, match play and associated activities for a term of 5 years. In response to this public notice, submissions from one person were received objecting to the proposed licence for several reasons. The grounds for the objections and Council’s responses are provided as follows:

Objection 1: Public access should be granted prior to and guaranteed in any agreement to license the facility.

Response: Public access outside of the operations of CBFi has been provided since April of this year. It is proposed that the licence include a clause specifying that the synthetic sports field will be available for informal public use when not in use for organised activities during daylight hours.

Objection 2: Management of the facility should remain with council – to open and close the gates as required outside the licence agreement.

Response: It is proposed that the licence include a clause specifying that the opening and closing of the facility is the responsibility of Council.

Objection 3: Canada Bay Football Institute (CBFi) is a commercial organisation making commercial profits from the public asset and any licence should be commercial at arms-length terms and conditions.

Response: The ‘business’ structure of the Canada Bay Football Institute Pty Ltd is noted and acknowledged. Notwithstanding, Council regards the ‘Institute’ as an associated entity of the two not-for-profit entities that comprise its current membership. So as to ensure that the acquisition of interest in the proposed Licensee (by way of sale or transfer of units in the proposed Licence) to a non-charitable/for profit organisation(s) cannot occur, it is proposed that a clause be included in the licence to the effect that any issue, sale or transfer of units in Canada Bay Football Institute Pty Ltd to any other party may only occur subject to Council approval, with such transfer only being able to be made to a not-for-profit entity.

Further, in entering into the proposed licence, CBFJ will be acknowledging that it is required to supply:

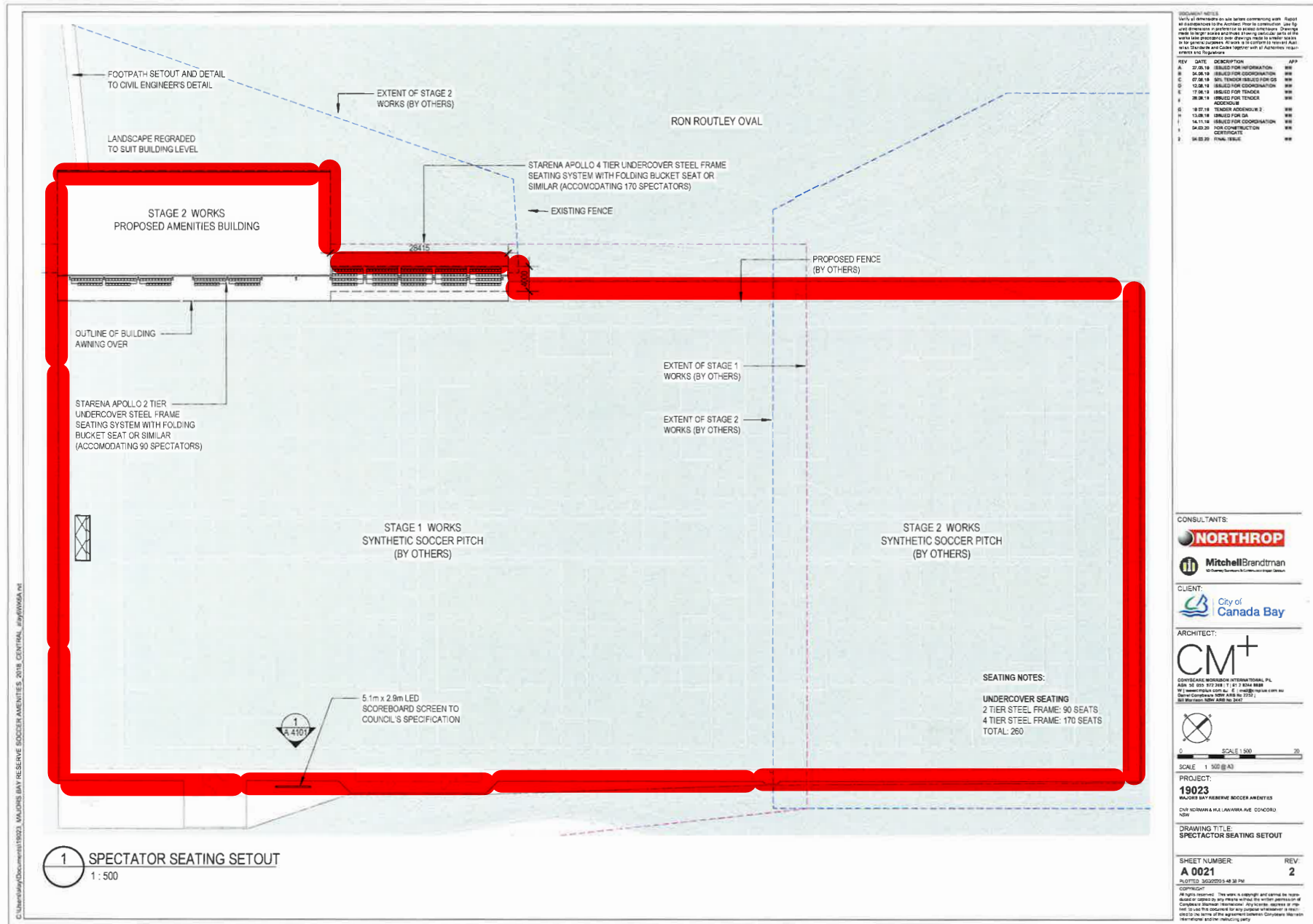
- a copy of its annual financial report for each financial year within the term of the licence following its publication.
- evidence to Council following the conclusion of each financial year within the term of the licence that the net profit (or loss) for that year has been distributed (or recouped) equally to Inter-Lions Soccer Club Inc and Concord Junior Soccer Club Incorporated.

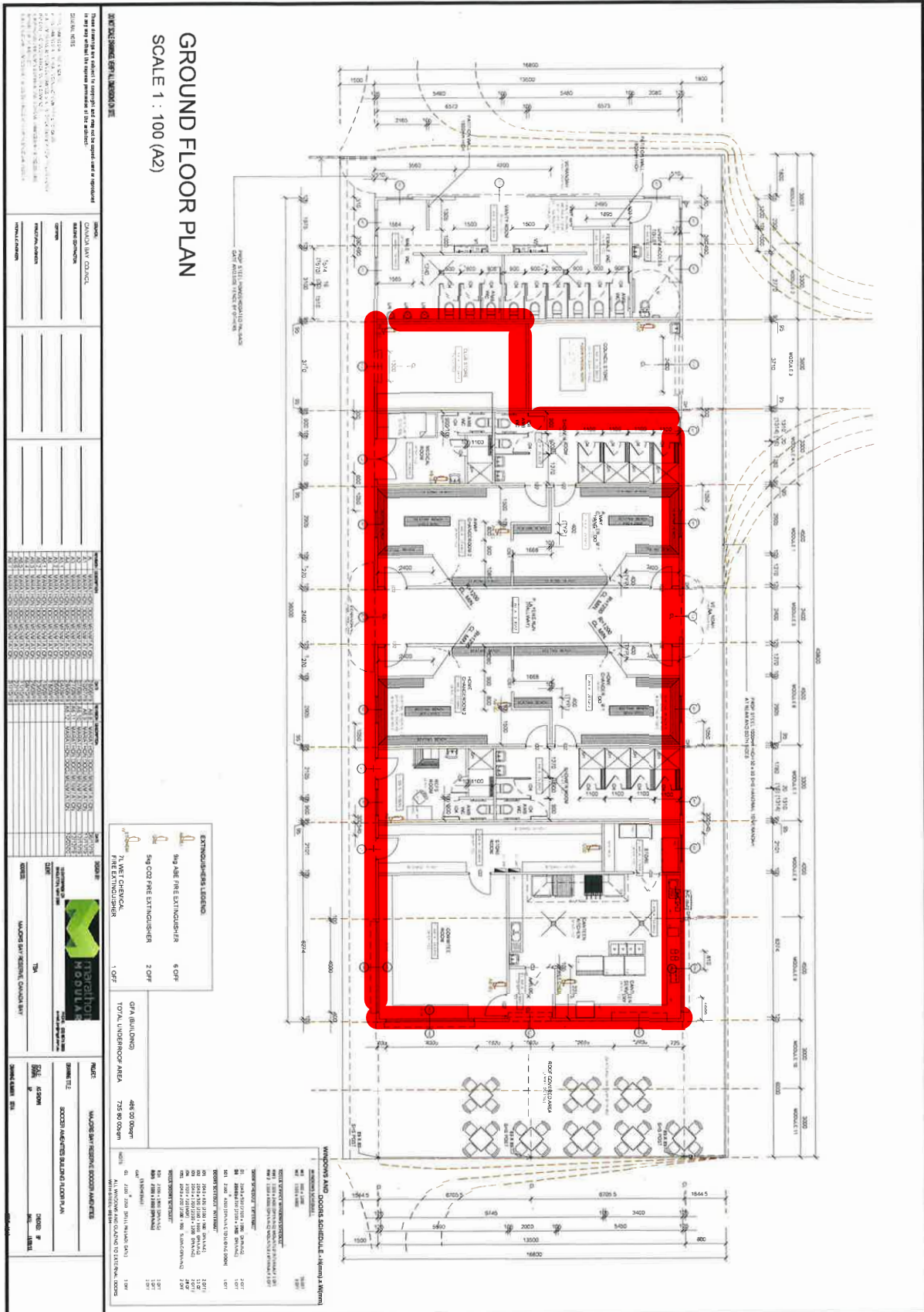
FINANCIAL CONSIDERATIONS

The terms of the proposed licence would generate approximately \$55,000 (Ex GST) of additional revenue for Council, noting this amount is less than Council's costs relating to the facility for maintenance and amortisation.

LEGISLATIVE AND POLICY CONSIDERATIONS

The recommendation contained in the report is in compliance with s47A of the Local Government Act 1993 and s70(2)(c) of the Crown Lands Act 1989.





Heads of Agreement

#	Heading	Content
1	Licensor	City of Canada Bay Council
2	Licensor Contact Details & Legal Address for Service	City of Canada Bay C/- Manager, Property Strategy and Leasing 1A Marlborough St Drummoyne NSW 2047 Telephone: (02) 9911 6555 Email council@canadabay.nsw.gov.au AND leasing@canadabay.nsw.gov.au
3	Licencee	Canada Bay Football Institute Pty Ltd ABN 640 561 379
4	Licencee Contact Details & Legal Address for Service	Position/Title: Canada Bay Football Institute Pty Ltd Address: Norman Street, Concord 2137 Telephone: 0417 445 794 Email: Santino.grieco@gmail.com / danny@daprojects.com.au
5	Premises	The area on the <u>attached</u> plan known as part of Majors Bay Reserve – Norman Street Concord 2137 Lot 6 DP 217073 Lot 1 DP 327309 Lot 1 DP 909052 Including Majors Bay Reserve synthetic sportsfield within the fenced area, and amenities building, with the exception of the public toilets and Council storage room.
6	Permitted Use	Sporting and recreational use of Majors Bay Reserve Synthetic Sports Field, and associated uses including but not limited to match play, club training, hosting of clinics, small-sided competitions and social play targeting local participants. Exclusive use of the Amenities Building, with the exception of the public toilets, and use of the change rooms, medical and referee's rooms by Council from time to time in consultation with Canada Bay Football Institute Pty Ltd.
7	Public Access	The Synthetic Sports Field will be available for informal public use when not in use for organised activities during daylight hours. Opening and closing of the facility is the responsibility of Council. Council will accept bookings from parties for the Synthetic Sports Field only on weekdays within school term, between 7am to 4.00pm, and at other times when the facility is not being used by CBFi (with such times agreed to in consultation with CBFi) except private football academies. Such bookings may include use of the change rooms, medical and referee's rooms in consultation with Canada Bay Football Institute Pty Ltd.
8	Licence Start Date	1 July 2023
9	Term	Five (5) years

#	Heading	Content
10	Licence End Date	30 June 2028
11	Holding Over	Not Applicable
12	Renewal Option	Not Applicable
13	Annual Licence Fee Amount	\$65,000 (ex GST) based on approximately 1500 hours per year
14	Licence Fee Due Dates	Council to invoice the club quarterly prior to the end of each quarter
15	Payment Method	By electronic funds transfer (EFT)
16	Licence fee adjustments	On the anniversary of the commencement of this license, the annual rent for the year shall increase by CPI (Sydney All Groups) on the annual rent payable for the immediately preceding year.
17	Licence and Field Hire Fees	The casual hiring of the facility is undertaken by Council in accordance with clause 7 with the hire fees for casual use of the playing fields being in accordance with Council's adopted Fees & Charges.
18	Security Deposit / Bank Guarantee	Not Applicable
19	Insurances – Public Liability	For not less than \$20M with the interests of the City of Canada Bay Council noted.
20	Insurances - Other	Other insurances required <u>by law</u> .
21	Premises	The licensee agrees to use of the premises 'as is'. An initial inspection is to be undertaken prior to Licence commencement by Council and the Licensee.
22	Repairs and Maintenance	As per the attached 'Maintenance Schedule'.
23	Utilities	As per the attached 'Maintenance Schedule'.
24	Termination	The Licensor may terminate the licence in the event that: <ul style="list-style-type: none"> • The Licensee breaches any term of the licence • The Licensee repudiates the licence • The land is removed from the licensor's management and control • The Licensee becomes insolvent
25	Make Good	Licensee must make good the premises upon vacating and reinstate the premises to its original condition from the commencement of the licence including but not limited too <ul style="list-style-type: none"> • Removal of all licensee's fixtures and fittings • Repair of any damages caused by the Licensee or the removal of their fittings • Leaving the premises in a clean and tidy condition
26	Licencee's obligations	Licencee must not: <ul style="list-style-type: none"> • Charge entry to the field without the licensor's approval • Create excessive noise, offensive behaviour, offensive language, and any other activity that may cause disturbance to both occupiers of the field and people living in the vicinity of the premises. • Do anything that is dangerous to both occupiers of the field and people living in the vicinity of the premises.

#	Heading	Content
		<ul style="list-style-type: none"> Do anything that is illegal <p>The Licencee is:</p> <ul style="list-style-type: none"> Liable for any damage caused by it or its members or users. Required to keep the buildings secure when they are not being used. To remove all rubbish generated by the Licencee and its guests, visitors, players, members, volunteers and employees. To ensure facilities are left in a similar condition to that in which they were found.
27	Ongoing use of the sports field	<p>The Licence for use of the Amenities Building is contingent on the ongoing use of the sportsfield. Evidence of this is to include but not limited to:</p> <ol style="list-style-type: none"> Club membership including demographics (age, gender, etc.) Quarterly reporting of participation levels detailing: <ul style="list-style-type: none"> Weekly hours of use by CBF Weekly hours of accessibility to the community
28	Bookings	All organised use of the Synthetic Sports Field, aside from use by the licencee under this agreement, will be booked through Council in accordance with Clause 7.
29	Public Address System	The public address system is only to be used in the event of an emergency for the purposes of patron and community safety.
30	Canteen	<p>The canteen is allowed to operate in conjunction with the use of the sportsfield.</p> <p>The Licencee is permitted to sub-let the canteen.</p> <p>The service of food must comply with all relevant food hygiene requirements.</p> <p>The Licencee is responsible for the up to date testing and tagging of all electrical equipment to be used in the canteen.</p> <p>The Licencee is responsible for the servicing of the grease trap as required but at least every 3 months.</p>
31	Advertising / Signage	Subject to compliance with any relevant legislation and withstanding this the Licencee must seek Licensor's approval prior to installation of any advertising or signage affixed to the externally facing boundary fence or within the facility and visible from outside of the facility.
32	GST	Unless otherwise stated, all dollar amounts stated in this proposal are exclusive of Goods and Services Tax (GST) which are payable in addition.
33	Legal Costs	Each party is to pay their own Legal costs associated with the preparation of the Licence agreement.
34	Special Conditions	<p>The terms and conditions of this proposal are subject to:</p> <p>Approval from Council Council approval of the proposed training and match schedules</p> <p>Special Events Majors Bay Reserve is subject to requests for special events. The Licensor undertakes to work with all facility users to facilitate such events and minimise the impact on the Licencee's activities and use of Majors Bay</p>

#	Heading	Content
		<p>Reserve.</p> <p>Hire for special events can be applied for at: https://cityofcanadabay.snapforms.com.au/form/event-booking-application-form</p> <p>Condition Precedent</p> <ul style="list-style-type: none"> This Licence does not confer a right to use any part of the Reserve or any Sporting Field until the Sporting Clubs Licence Agreement Application Form and any other required form has been completed by the Licensee and sent to the Council and the Council has, by notice in writing, stating the allocated dates and Hours of Use for the applicable Season, accepted and agreed to make the Sporting Field available to the Licensee <p>Financial Reporting In entering into this licence the licensee acknowledges that it is required to supply:</p> <ul style="list-style-type: none"> a copy of its annual financial report for each financial year within the term of the licence following its publication. evidence to Council following the conclusion of each financial year within the term of the Licence that the net profit (or loss) for that year has been distributed (or recouped) equally to Inter-Lions Soccer Club Inc and Concord Junior Soccer Club Incorporated. <p>Program of Usage The Licensee to issue Council with a detailed program of use three times each year following the progressive release of draws (currently January, March and August) for agreement of use.</p> <p>Change in Control Any issue, sale or transfer of units in Canada Bay Football Institute Pty Ltd to any other party may only occur subject to Council approval, with such transfer only being able to be made to a not-for-profit entity.</p> <ul style="list-style-type: none"> this agreement with the lease fee being changed and reset in accordance with the applicable fee contained in Council's Fees and Charges Should the Licensee not agree to relocate, the Licensee may terminate this agreement by providing one (1) months' written notice to Council <p>Sportsfield use</p> <ul style="list-style-type: none"> May be suspended due to upgrade or repair works as required from time to time. Such events will be scheduled in liaison with the Licensee with a notice period of eight (8) weeks provided wherever possible. Alternate facilities made available wherever possible.

#	Heading	Content
35	Confidentiality	The terms and conditions of this offer are strictly confidential and must not be disclosed by the Licencee to a third party without the prior consent of the Licensor. The information can be shared on a confidential basis with the professional consultants of the Licensor and Licencee.
36	Smoking	Smoking is prohibited throughout the premises.
37	Alcohol	The sale, presence and consumption of alcohol is prohibited on the premises without the appropriate Licensing
38	Child Protection	The Licencee acknowledges and warrants that where the Permitted Use of the premises involves children under 18 years that it has and will at all times comply with the requirements of the <i>Child Protection (Prohibited Employment) Act 1998</i> and the <i>Commission for Children and Young People Act 1998</i> .
39	Acceptance of heads of agreement	Acceptance of the terms and conditions of the heads of agreement does not constitute nor forms any legally binding agreement or licence and remains subject to final Licensor approval and execution of a formal licence agreement.
40	Definitions	Summer Season: 1 September to 31 March Winter Season: 1 April to 31 August Pre season: 1 February to 31 March (Limited dates and fields subject to availability from in season user) Council undertakes to make all efforts to accommodate requested dates

**ITEM 12.4 CITY OF CANADA BAY AUDIT RISK AND IMPROVEMENT COMMITTEE
- MINUTES OF MEETING HELD 30 MAY 2023****Reporting Manager** Manager Governance and Customer Services**Attachments:** 1. Minutes - Audit Risk and Improvement Committee - 30 May 2023

RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That the Minutes of the City of Canada Bay Audit Risk and Improvement Committee meeting held 30 May 2023, as attached to the report, be received and noted.

PURPOSE

To provide Council with the minutes of the City of Canada Bay Audit Risk and Improvement Committee meeting held on 30 May 2023.

REPORT

An Audit Risk and Improvement Committee Meeting was held on 30 May 2023. A copy of the minutes of the meeting is attached.

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

FINANCIAL CONSIDERATIONS

There are no financial considerations associated with this report.

LEGISLATIVE AND POLICY CONSIDERATIONS

Compliance with the Local Government Act 1993 and other relevant Acts.

RISK CONSIDERATIONS

There are no risk considerations associated with this report.

CITY OF CANADA BAY AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING

MINUTES

Held in the Council Chambers, City of Canada Bay Civic Centre, Drummoyne

Tuesday, 30 May 2023



Minutes of a City of Canada Bay Audit Risk and Improvement Committee Meeting

Held on Tuesday 30 May 2023

At the Halliday Room, City of Canada Bay Civic Centre, Drummoyne

Commencing at 4.30pm

Present:

Cr A Bazouni	Councillor
Mr D Vaccher	Independent Member (Chairperson)
Mr M Ellacott	Independent Member

Officers in attendance:

Mr E Hutchings	Acting General Manager
Mr M Wohlfiel	Acting Director Corporate Services and Strategy
Ms M Lee	Manager Governance and Customer Services
Mr M Nanuan	Acting Manager Information Systems (for Item 5.3 only)
Mr J Mantzios	Information Management – Project Lead (for Item 5.3 only)

Visitors:

Mr A Pather	External Auditor (Crowe)
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NOTES

The meeting commenced at 4.33pm and concluded at 5.50pm.



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1 WELCOME/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

Cr M Megna	Councillor
Ms M Yuen	External Auditor, NSW Audit Office

3 DISCLOSURES OF PECUNIARY AND NON-PECUNIARY INTEREST

Nil

4 CONFIRMATION OF MINUTES**4.1 Minutes of City of Canada Bay Audit Risk and Improvement Committee Meeting held 8 November 2022**

RESOLVED

Moved: D Vaccher

Seconded: M Ellacott

That the minutes of the City of Canada Bay Audit Risk and Improvement Committee Meeting of 8 November 2022 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

CARRIED

5 REPORTS

ITEM 5.1 ANNUAL ENGAGEMENT PLAN

Note: Mr M Wolfiel and Mr A Pather from Crowe presented on this item, noting that the timings are appropriate and expected deadlines will be met. It was also noted that Mary Yuen has taken over as audit director, and that the interim Management Letter would be issued by 30 June 2023.

RESOLVED

Moved: D Vaccher

Seconded: M Ellacott

That the Committee note the report and the associated timeline for the audit of the Financial Statements for the year ended 30 June 2023.

CARRIED

ITEM 5.2 TIMELINE FOR COMPLETION OF OUTSTANDING ITEMS AS AT JUNE 2022

Note: Mr M Wolfiel presented on this item and noted that many of the items will be completed between the interim and final audits.

RESOLVED

Moved: D Vaccher

Seconded: M Ellacott

RECOMMENDATION

That the Committee note the update report on outstanding items from the Audit for the year ended 30 June 2022

CARRIED

Note: The Committee requested that a report on the timeline for completing outstanding actions be a standing item on the agenda.

ITEM 5.3 APPLICATION CONTROLS AUDIT - UPDATE

Note: Mr J Mantzios presented on this item.

RESOLVED

Moved: D Vaccher

Seconded: M Ellacott

That the Committee note the update report on progress on implementing recommendations from the OCM Audit completed in late 2021.

CARRIED

Note: It was noted that when the ICT Governance Committee is established, a member of that Committee will attend ARIC/ report to ARIC on a regular basis.

ITEM 5.4 INTERNAL AUDIT PROGRAM – UPDATE

Note: Ms M Lee presented on this item.

RESOLVED

Moved: D Vaccher

Seconded: M Ellacott

That the Committee note the update report on the Internal Audit Program for 2022 and 2023.

CARRIED

Note: It was noted that the 2022-2025 Audit Schedule will be distributed to Committee members and an updated version will be presented to upcoming meetings.

ITEM 5.5 OPERATION PARAGON - UPDATE

Note: Ms M Lee presented on this item.

RESOLVED

Moved: D Vaccher

Seconded: M Ellacott

That:

1. The Committee note the report on the release of the NSW Independent Commission Against Corruption's Operation Paragon report.
2. A further report be submitted to the next meeting on Council's response to the recommendations of the Operation Paragon Report.

CARRIED

ITEM 5.6 RISK MANAGEMENT AND INTERNAL AUDIT FOR LOCAL GOVERNMENT IN NSW

Note: Ms M Lee presented on this item.

RESOLVED

Moved: D Vaccher

Seconded: M Ellacott

That the Committee note the report and Council's progress towards compliance with its statutory obligations under the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*, regarding the ARIC, Risk Management and Internal Audit.

CARRIED

ITEM 5.7 DRAFT DELIVERY PROGRAM 2022-2026 AND DRAFT OPERATIONAL PLAN 2023-2024

Note: Ms M Lee presented on this item.

RESOLVED

Moved: D Vaccher

Seconded: M Ellacott

That:

1. The Committee note the report on the draft Delivery Program 2022-2026 and draft Operational Plan 2023-2024.
2. A report be prepared and submitted to a future Committee meeting on the outcome of IPART's determination, and Council's SRV application and adoption of the draft Delivery Program 2022-2026 and draft Operational Plan 2023-2024.

CARRIED

Note: The Chairperson suggested that the Audit Risk and Improvement Committee should be mentioned in the Operational Plan in respect to its monitoring role.

6 GENERAL BUSINESS

Nil

CHAIRMAN

ITEM 12.5 CASH AND INVESTMENTS REPORT FOR MAY 2023
Reporting Manager **Manager Finance**
Attachments: **1. Investment Report May 2023 (Provided in Attachment Booklet)** [⇨](#)
RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That the Cash and Investments Reports for May 2023, attached to the report, be received and noted.

PURPOSE

To present Council's Investment portfolio performance for May 2023.

EXECUTIVE SUMMARY

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

STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 5: Civic Leadership

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

BACKGROUND/DISCUSSION

This report incorporates the May 2023 Cash and Investments Reports, for Council's consideration.

Certification - Responsible Accounting Officer

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

TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS
Summary position as at 31 May 2023

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

Month	Cash At Bank	Cash Investments	Total Cash
May 2023	\$9,791,290.49	\$140,946,697.56	\$150,737,988.05

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

STATEMENT OF CASH INVESTMENTS							
Maturity Date	Bank/Issuer	Long Term Rating	Fair Value	Term	Interest	Issue Date	Investment Type
08/06/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	307	3.69%	05/08/22	Term Deposits
15/06/23	Auswide Bank Ltd	BBB+	\$2,000,000.00	190	4.45%	07/12/22	Term Deposits
23/06/23	National Australia Bank	AA-	\$3,000,000.00	365	0.60%	23/06/22	Term Deposits
29/06/23	MyState Ltd	Baa2	\$2,000,000.00	56	4.40%	04/05/23	Term Deposits
29/06/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	188	4.31%	23/12/22	Term Deposits
29/06/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	133	4.37%	16/02/23	Term Deposits
05/07/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	63	4.19%	03/05/23	Term Deposits
06/07/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	335	3.74%	05/08/22	Term Deposits
06/07/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	160	4.36%	27/01/23	Term Deposits
13/07/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	188	4.41%	06/01/23	Term Deposits
17/07/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	197	0.60%	01/01/23	Term Deposits
20/07/23	National Australia Bank	AA-	\$2,000,000.00	90	4.35%	21/04/23	Term Deposits
28/07/23	National Australia Bank	AA-	\$3,000,000.00	364	0.65%	29/07/22	Term Deposits
03/08/23	National Australia Bank	AA-	\$2,000,000.00	367	0.65%	01/08/22	Term Deposits
10/08/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	202	4.25%	20/01/23	Term Deposits
28/08/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	90	4.78%	30/05/23	Term Deposits
07/09/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	216	4.39%	03/02/23	Term Deposits
14/09/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	197	4.75%	01/03/23	Term Deposits
21/09/23	Bank of Queensland	BBB+	\$2,000,000.00	203	4.63%	02/03/23	Term Deposits
28/09/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	209	4.63%	03/03/23	Term Deposits
05/10/23	National Australia Bank	AA-	\$2,000,000.00	210	4.65%	09/03/23	Term Deposits
23/10/23	AMP Bank	BBB	\$2,000,000.00	180	4.90%	26/04/23	Term Deposits
30/11/23	Bank of Queensland	BBB+	\$3,000,000.00	184	4.95%	30/05/23	Term Deposits
07/12/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	349	4.62%	23/12/22	Term Deposits
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	379	5.05%	01/03/23	Term Deposits
02/04/24	ING Bank	AAA	\$2,000,000.00	390	5.00%	09/03/23	Term Deposits
29/05/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	366	5.03%	29/05/23	Term Deposits
29/08/24	Commonwealth Bank of Australia	AA-	\$3,000,000.00	458	4.99%	29/05/23	Term Deposits
16/02/26	National Australia Bank	AA-	\$2,000,000.00	1096	1.04%	16/02/23	Term Deposits
20/10/23	Westpac Bank	AA-	\$1,500,000.00	183	4.53%	20/04/23	Tailored Deposits
30/10/23	Westpac Bank	AA-	\$1,000,000.00	367	1.11%	28/10/22	ESG TD
01/12/23	Westpac Bank	AA-	\$2,000,000.00	274	4.20%	02/03/23	ESG TD
19/02/24	Westpac Bank	AA-	\$1,000,000.00	277	4.92%	18/05/23	ESG TD
04/03/24	Westpac Bank	AA-	\$2,000,000.00	364	1.68%	06/03/23	ESG TD
14/11/24	Westpac Bank	AA-	\$1,500,000.00	552	1.62%	12/05/23	ESG TD
02/12/24	Westpac Bank	AA-	\$1,500,000.00	640	1.62%	03/03/23	ESG TD
17/02/25	Westpac Bank	AA-	\$2,000,000.00	641	2.02%	18/05/23	ESG TD
24/02/25	Westpac Bank	AA-	\$2,500,000.00	641	2.10%	25/05/23	ESG TD
20/11/25	Westpac Bank	AA-	\$1,500,000.00	916	1.87%	19/05/23	ESG TD
17/02/26	Westpac Bank	AA-	\$2,500,000.00	1006	2.24%	18/05/23	ESG TD
24/02/26	Westpac Bank	AA-	\$2,000,000.00	1006	2.31%	25/05/23	ESG TD
03/03/26	Westpac Bank	AA-	\$2,000,000.00	1096	2.22%	03/03/23	ESG TD
16/08/23	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1826	4.84%	16/08/18	Floating Rate Notes
08/02/24	ANZ Bank	AA-	\$1,500,000.00	1826	4.98%	08/02/19	Floating Rate Notes
29/08/24	ANZ Bank	AA-	\$1,500,000.00	1827	4.72%	29/08/19	Floating Rate Notes
14/11/24	Citibank	A+	\$1,000,000.00	1827	4.78%	14/11/19	Floating Rate Notes
12/02/25	Macquarie Bank	A+	\$2,000,000.00	1827	4.73%	12/02/20	Floating Rate Notes
06/05/25	Royal Bank of Canada	AAA	\$1,000,000.00	1096	4.58%	06/05/22	Floating Rate Notes
17/10/25	Suncorp Metway	AAA	\$1,000,000.00	1096	4.54%	17/10/22	Floating Rate Notes
09/12/25	Macquarie Bank	A+	\$2,000,000.00	1651	4.12%	02/06/21	Floating Rate Notes
13/01/26	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1096	4.54%	13/01/23	Floating Rate Notes
24/02/26	Members Banking (RACQ Bank)	BBB+	\$2,300,000.00	1096	5.42%	24/02/23	Floating Rate Notes
15/05/26	Bendigo and Adelaide Bank	BBB+	\$1,000,000.00	1096	5.15%	15/05/23	Floating Rate Notes
15/06/26	Teachers Mutual Bank	BBB	\$850,000.00	1825	4.34%	16/06/21	Floating Rate Notes
19/08/26	ING Bank	AAA	\$500,000.00	1826	4.33%	19/08/21	Floating Rate Notes
23/12/26	Commonwealth Bank of Australia	AA-	\$2,000,000.00	1917	4.10%	23/09/21	ESG FRN
18/08/27	Commonwealth Bank of Australia	AA-	\$1,100,000.00	1826	4.94%	18/08/22	Floating Rate Notes
13/01/28	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1826	4.79%	13/01/23	Floating Rate Notes
19/01/28	Cooperative RABOBank	A+	\$1,000,000.00	1826	4.86%	19/01/23	Floating Rate Notes
16/02/28	Westpac Bank	AA-	\$1,000,000.00	1826	4.89%	16/02/23	Floating Rate Notes
09/05/28	Bank of Queensland	AAA	\$1,250,000.00	1827	5.08%	09/05/23	Floating Rate Notes
15/12/23	NTTC	Aa3	\$2,000,000.00	1186	1.00%	15/09/20	Fixed Rate Bond
15/12/24	NTTC	Aa3	\$2,000,000.00	1206	1.00%	27/08/21	Fixed Rate Bond
15/06/25	NTTC	Aa3	\$2,000,000.00	1496	1.10%	11/05/21	Fixed Rate Bond
18/08/25	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1096	4.20%	18/08/22	Fixed Rate Bond
24/08/26	Suncorp Metway	AAA	\$2,000,000.00	1587	3.25%	20/04/22	Fixed Rate Bond
	AMP Bank	BBB	\$3,021,915.31		4.70%		AMP
	AMP Bank	BBB	\$1,000.00		2.10%		AMP
	Macquarie Bank	A+	\$2,006,687.66		3.85%		Macquarie CMA
	Macquarie Bank	A+	\$5,417,094.59		3.65%		Macquarie CMA
	31/05/23		\$140,946,697.56				
	TOTAL INVESTMENTS at 30/04/2023		\$132,790,314.07				
	Net Increase/(Decrease) in Investments		\$8,156,383.49				

FINANCIAL CONSIDERATIONS

Interest rates have increased by 4.00% since May 2022, to 4.10%. The RBA last met on 5 June 2023, and rates increased by a further 25 basis points. The return on Council's investment Portfolio for the current Financial Year has been revised up from \$1.883m to \$4.106m reflecting the current interest rate settings.

Council's cash and investments balance increased from \$134.9M as at 30 April to \$150.7M as at 31 May, an increase of \$15.8M. This increase is mainly the result of a contribution for affordable housing from Thirty Four Walker Street Pty Ltd in the amount \$14.643M. These funds are externally restricted for the purpose of providing affordable housing.

LEGISLATIVE AND POLICY CONSIDERATIONS

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

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

13 NOTICES OF MOTION

Nil

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 ABORIGINAL CULTURAL HERITAGE STUDY AND MANAGEMENT STRATEGY

This matter is considered to be confidential under Section 10A(2) - (h) of the Local Government Act, as it deals with information concerning the nature and location of a place or an item of Aboriginal significance on community land.

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 BULKY WASTE COLLECTION SERVICE

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 17.3 LEASE - SIENELLA PTY LTD T/A NIELD PARK CAFE

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

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

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

BACKGROUND/DISCUSSION

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

- (a) Personnel matters concerning particular individuals (other than councillors).
 - (b) Personal hardship of any resident or ratepayer.
-

- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of a person who supplied it: or
 - (ii) Confer a commercial advantage on a competitor of Council;
 - (iii) Reveal a trade secret.
- (e) Information that would, if disclosed, prejudice the maintenance of law.
- (f) Matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440.

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.
