

# 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, 15 November 2022**

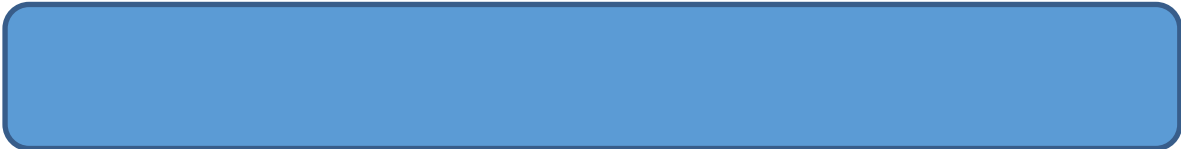
Beginning at 6.00pm for the purpose of considering and determining matters included in this agenda.



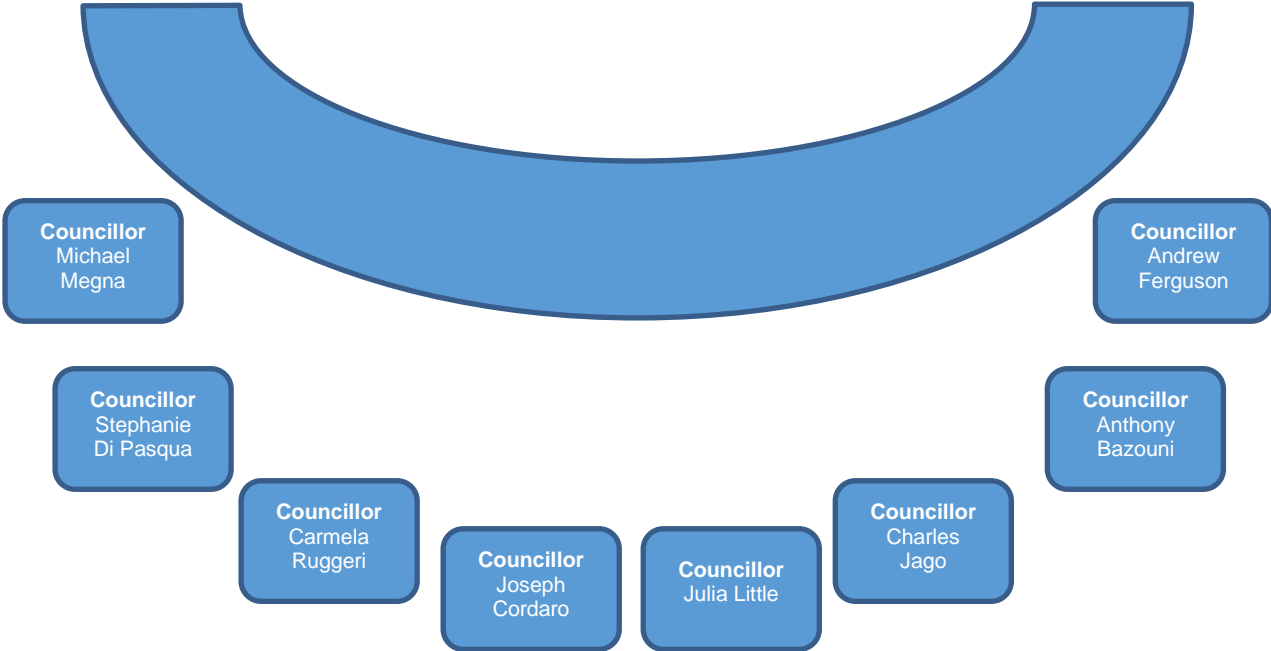
**Evan Hutchings**

**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 Community  
 & Environmental  
 Services
- Russell Wolfe**  
 A/ Director City  
 Services & 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.

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**Agenda for an Ordinary Council Meeting  
to be held on Tuesday 15 November 2022  
at the Council Chambers, City of Canada Bay Civic Centre, Drummoyne  
Commencing at 6.00pm**

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## **1 ACKNOWLEDGEMENT OF COUNTRY**

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

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

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

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

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## **3 CONFIRMATION OF MINUTES**

### **3.1 MINUTES OF ORDINARY COUNCIL MEETING HELD 18 OCTOBER 2022**

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#### **RECOMMENDATION**

That the minutes of the Ordinary Council Meeting of 18 October 2022 copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

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## **4 DISCLOSURES OF INTERESTS**

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

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**5 MAYORAL MINUTE(S)****ITEM 5.1 MAYORAL MINUTE - VALE ALAN WRIGHT**

Submitted by: Councillor Angelo Tsirekas (Mayor)

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**MOTION**

That Council receive and note the report.

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**BACKGROUND**

I would like to bring to Council's attention the recent passing of a tireless community stalwart and former Mayor of Concord Council, Alan Wright OAM.

Alan was born in Concord in 1930 and dedicated his life to serving and advocating for his local community. Elected to Concord Council in 1968, Alan served as Deputy Mayor from 1970 to 1971 and as Mayor from 1972 to 1973.

His community service stretched far beyond his time as a Councillor, Deputy Mayor, and Mayor, with numerous community roles and leadership positions on local charity, advocacy and sporting groups to his name.

Alan served as Chairperson of the Concord and Canada Bay Heritage Societies, Chairperson for Concord Community Food Services Inc., President of the Society for Providing Service to Needy and Neglected Children (Ardill House) and Deputy Chairperson of Integricare.

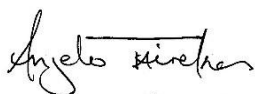
My colleagues on Council will be aware that for the better part of the last century Alan has been instrumental in local charity initiatives, having served his first of many meals for Meals on Wheels in 1972, Alan organised local door-knock appeals for the Salvation Army, Red Cross and Freedom from Hunger.

Since joining in 1949 Alan was a permanent figure at Holy Trinity Anglican church, serving in the capacities of Superintendent Chorister, Treasurer, Secretary, Parish Councillor, Church Warden, Synod Representative, Parish Nominator and organiser of the Senior Fellowship's monthly luncheon.

Alan also served as a representative on the Strathfield North Public School Council, President of the Rotary Club of Concord, and was a life member of the Cabarita Swimming Club.

Alan's dedication to his local community was acknowledged with an Order of Australia medal in 1990, and in 2008 he was named our City of Canada Bay Citizen of the Year.

Alan's extraordinary life of public service is one that should inspire every one of us, and I ask Council to join me in a moment's silence to commemorate the passing of this significant figure in our Council's and our community's history.



**Angelo Tsirekas**

MAYOR

**6 PUBLIC FORUM**

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

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**7 ITEMS RESOLVED BY EXCEPTION**

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

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**8 EXECUTIVE SERVICES DIRECTORATE REPORTS**

NIL

## 9 COMMUNITY AND ENVIRONMENTAL PLANNING DIRECTORATE REPORTS

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

**Reporting Manager** Manager Statutory Planning

**Attachments:** Nil

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#### RECOMMENDATION OF DIRECTOR COMMUNITY AND ENVIRONMENTAL PLANNING

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

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#### PURPOSE

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

#### EXECUTIVE SUMMARY

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

#### STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

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

#### BACKGROUND/DISCUSSION

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

#### Items for CBLPP Meeting on 26 October 2022

There were no applications identified for referral to the CBLPP meeting on 26 October 2022.

#### Items for next CBLPP Meeting on 30 November 2022

The following applications are listed for consideration at the CBLPP meeting to be held on 30 November 2022:

- DA2022/0189 – 43 Walton Crescent, Abbotsford - Demolition of existing structures and construction of a multi unit residential flat building consisting of 9 apartments and 3 basement levels of parking.
- DA2022/0100 – 340 Victoria Place Drummoyne - Alterations and additions to existing dwelling including new pool and alfresco area within the harbour foreshore area.
- DA2022/0223 – 1 Nullawarra Avenue, Concord – Refurbishment and extension of Registered Club.



### Development Applications – Determined

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

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT	DATE DETERMINED & DECISION
DA2022/0254	07.09.2022	52 College Street, Drummoyne	Remove two branches of a Jacaranda for increased property clearance as branches are damaged	Approved 05.10.2022
DA2022/0180	30.06.2022	9 Bayview Street, Concord	Demolition of all structures and construction of a new two storey dwelling with basement and front fence	Approved 05.10.2022
DA2021/0290	26.10.2021	25 Abbotsford Parade, Abbotsford	Major alterations and additions existing dwelling	Approved – Court 11.10.2022
DA2022/0216	03.08.2022	65 Myall Street, Concord West	Construction of a carport at side of dwelling and construction of a patio cover at rear of dwelling	Approved 12.10.2022
DA2022/0246	07.09.2022	14 Kentwell Avenue, Concord	Ground floor alterations and first floor addition to existing semi-detached dwelling	Approved 12.10.2022
DA2022/0168	02.06.2022	15 Archer Street, Concord	Installation of a new pylon sign structure and digital LED school sign panel	Approved 13.10.2022
DA2022/0224	10.08.2022	62 Henry Street, Five Dock	Alterations and first floor addition to existing dwelling	Approved 14.10.2022
DA2022/0242	31.08.2022	25 Myall Street, Concord West	Removal of tree and replacement planting in a heritage conservation area	Approved 14.10.2022
DA2022/0268	23.09.2022	6 landra Street, Concord West	Pruning of a Lilly Pilly	Approved 14.10.2022
DA2022/0276	30.09.2022	6 Mitchell Street, Five Dock	Removal of two Lilly Pillies and replacement with a Callistemon salignus and Acacia fimbriata	Approved 14.10.2022
DA2022/0198	13.07.2022	20 Chiswick Street, Chiswick	Alterations and additions to existing dwelling including new garage, changes to balcony, landscaping and new pool	Approved 15.10.2022
DA2022/0024	31.01.2022	23 Turner Avenue, Concord	Demolition of existing structures and construction of a new two storey dwelling with basement, pool and associated landscaping	Approved 19.10.2022

<b>DA NO</b>	<b>DATE LODGED</b>	<b>PROPERTY</b>	<b>DESCRIPTION OF DEVELOPMENT</b>	<b>DATE DETERMINED &amp; DECISION</b>
DA2021/0222	30.08.2021	15 Alton Avenue, Concord	Demolition of existing structures and construction of a new two storey dwelling with basement with swimming pool and associated landscaping	Approved 21.10.2022
DA2022/0032	03.02.2022	64 Burnell Street, Russell Lea	Demolition of existing structures and construction of a two storey dwelling with basement parking	Approved 21.10.2022
DA2022/0038	07.02.2022	7 Wareemba Street, Wareemba	Construction of a two storey dwelling house	Approved 21.10.2022
DA2022/0131	06.05.2022	125 Parramatta Road, Concord	Alterations and additions to existing residence and retention of commercial use	Approved 21.10.2022
DA2022/0239	23.08.2022	31 Hezlet Street, Chiswick	Extend existing detached carport by 2.0m and change roof from tile to flat metal roof	Approved 21.10.2022
DA2022/0235	17.08.2022	28 Walton Crescent, Abbotsford	Remove existing awning to unit 1 and replace with a new awning	Approved 21.10.2022
DA2022/0173	09.06.2022	14 Augusta Street, Concord	Proposed construction of a swimming pool and deck	Approved 21.10.2022
DA2022/0244	30.08.2022	32 West Street, Five Dock	Partial demolition of existing carport and addition to the rear of the carport	Approved 25.10.2022
DA2022/0264	21.09.2022	35 Noble Street, Five Dock	Alterations and first floor additions to existing dwelling	Approved 27.10.2022
DA2022/0260	21.09.2022	12 Coronation Avenue, Five Dock	Alterations and first floor additions to existing dwelling	Approved 28.10.2022
DA2022/0274	04.10.2022	12 Bowman Street, Drummoyne	Remove paperbark tree in front yard due to poor structure from Ausgrid pruning for service line clearances and replacement planting	Approved 28.10.2022
DA2022/0286	12.10.2022	42 Wrights Road, Drummoyne	Maintenance prune Jacaranda and Eucalyptus to reduce property overhang	Approved 28.10.2022
DA2022/0287	18.10.2022	19-19A Roseby Street, Drummoyne	Fitout of tenancy 184 and 185 as Glassons	Approved 28.10.2022

Total Number of DAs Determined = 25

## Development Applications - Lodged

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

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2022/0274	04.10.2022	12 Bowman Street, Drummoyne	Remove paperbark tree in front yard due to poor structure from Ausgrid pruning for service line clearances
DA2022/0278	04.10.2022	5 Marceau Drive, Concord	Alterations and additions to existing dwelling including pool
DA2022/0273	06.10.2022	1-11 George Street, North Strathfield	Change of use to indoor recreation facility (indoor screen golf) with fit-out work
DA2022/0280	10.10.2022	15 Undine Street, Russell Lea	Reconstruction/Reinstatement of fire damaged area of the existing dwelling house
DA2022/0279	11.10.2022	2 Duke Avenue, Rodd Point	Alterations and additions to existing dwelling and carport
DA2022/0284	11.10.2022	20 Currawang Street, Concord West	Construction of a two storey dwelling
DA2022/0286	12.10.2022	42 Wrights Road, Drummoyne	Pruning of trees
DA2022/0281	13.10.2022	69 Thompson Street, Drummoyne	Alterations and additions to rear of existing dwelling
DA2022/0283	13.10.2022	1 Ramsay Road, Five Dock	Proposed motor repair shop (motor mechanic shop)
DA2022/0285	18.10.2022	277 Concord Road, Concord West	Torrens Title Subdivision 1 to 2 lots and demolition of garage
DA2022/0287	18.10.2022	19-19A Roseby Street, Drummoyne	Fit out and use as a shop at Shop 184/185
DA2022/0288	18.10.2022	7 Trafalgar Parade, Concord	Demolition of an existing structure and construction of a two-storey dwelling with basement parking and pool
DA2022/0289	18.10.2022	2 Duchess Avenue, Rodd Point	Demolish existing dwelling and construct new two storey dwelling with basement and pool
DA2022/0290	18.10.2022	5 Rickard Street, Rodd Point	Demolition of the existing structure, construction of a new two storey dwelling and a swimming pool
DA2022/0296	20.10.2022	11A George Street, North Strathfield	The application seeks development consent for the change of use of tenancy 3 from commercial premises to Recreation Facility (indoor). Tenancy 3 is currently vacant and has a floor area of 386sqm
DA2022/0269	21.10.2022	21 Phillips Street, Cabarita	Remove pool, and replace with new lawn
DA2022/0298	24.10.2022	109 Henley Marine Drive, Drummoyne	Earthworks/change in levels garages, carports and car parking spaces.

DA NO	DATE LODGED	PROPERTY	DESCRIPTION OF DEVELOPMENT
DA2022/0292	25.10.2022	14 Renwick Street, Drummoyne	Removal of existing stand along studio, rear extension of existing single story dwelling, addition of new garage and loft at rear lane, addition of pool and landscaping
DA2022/0294	26.10.2022	34 Walker Street, Rhodes	Use of the ground level tenancy on the north-east corner of the site for a pub with gaming area. Internal fit out and external façade treatment works to facilitate the pub. Inclusion of six signage zones. Hours of operation 10.30am to midnight (7 days a week). Maximum patron capacity 140 (excluding 29 staff and security)
DA2022/0299	27.10.2022	26 Nullawarra Avenue, Concord West	Addition and alterations to existing dwelling
DA2022/0295	28.10.2022	13 George Street, North Strathfield	Use and fitout of the approved commercial tenancy on the lower ground floor of Building M to create a food and drink premise, specifically dark kitchens
DA2022/0301	28.10.2022	38 Myall Street, Concord West	Ground floor alterations and additions, new carport and associated garage
DA2022/0297	29.10.2022	45 Duke Avenue, Rodd Point	Demolition of existing structures and construction of a two storey dwelling and swimming pool
DA2022/0302	31.10.2022	287 Concord Road, Concord West	Strata Subdivision for the 2 existing Torrens title lots. x4 subdivision

Total Number of DAs Lodged = 24

### Variations to development standards

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

DA NO	PROPERTY	LEP DEVELOPMENT STANDARD	JUSTIFICATION	EXTENT	DATE APPROVED
DA2021/0282	59 St Albans Street, Abbotsford	Maximum Building Height, Clause 4.3	Proposal is consistent with the surrounding built form and desired future character of the area. The breach arises primarily due to the steep topography of the site.	0.32metres (3.8%)	21.10.2022
DA2021/0282	59 St Albans Street, Abbotsford	Maximum Floor Space Ratio, Clause 4.4	Proposal is consistent with the surrounding built form and desired future character of the area. The breach is contained to the lower undercroft level of the proposal	33m <sup>2</sup> (3%)	21.10.2022

## Land and Environment Court Appeals

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

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
DA2021/0167	34 Bayview Road, Canada Bay	Class 1 Appeal against the deemed refusal of the Demolition of existing structures and construction of a 48-place childcare facility, basement parking for 12 vehicles	Matter relisted for hearing on 13 and 14 December 2022. Previous September dates vacated due to Public Holiday.
DA2021/0290	25 Abbotsford Parade, Abbotsford	Class 1 Appeal against the deemed refusal of the development application for Major alterations and additions existing dwelling	Agreement reached between the parties on a revised development scheme. Awaiting judgement by the Commissioner.
DA2021/0082	71-75 Victoria Road, Drummoyne	Class 1 Appeal against the deemed refusal of the development application for:  Demolition of existing structures, site consolidation and construction of a new mixed use development comprising basement carparking, two (2) retail tenancies, four (4) live/work tenancies and twenty-nine (29) residential apartments. The proposal incorporates the removal of three (3) existing driveways and construction of a new driveway accessing the site from Day Street, and approval will be required pursuant to S138 of the Roads Act 1993	Agreement reached between the parties on a revised development scheme. Awaiting judgement by the Commissioner.
DA2021/0179	2 Swan Avenue Strathfield	Class 1 Appeal against the deemed refusal of the development application for: Demolition of the existing dwelling house and associated structures and construction of a three (3) storey x eighteen (18) room boarding house (incl. Manager's room) with parking for one (1) car, four (4) motorcycles and four (4) bicycles under <i>State Environmental Planning Policy (Affordable Rental Housing) 2009</i>	Council awaiting submission of amended plans following recent conciliation conference.
DA2022/0065	13-15 and 21-23 Parramatta Road, Five Dock (Illinois Hotel)	Class 1 Appeal against the deemed refusal of the development application for Change of use external area and extension of opening hours at the Illinois Hotel	Council awaiting submission of amended plans following recent conciliation conference.

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
DA2022/0095	13-15 and 21-23 Parramatta Road, Five Dock (Illinois Hotel)	Class 1 Appeal against the deemed refusal of the development application for Alterations and Additions to existing Pub "The Illinois Hotel"	Council awaiting submission of amended plans following recent conciliation conference.
DA2021/0218	41 St Georges Crescent, Drummoyne	Class 1 Appeal against the refusal of the development application for alterations and additions to a heritage listed dwelling	Awaiting judgement by the Commissioner.
DA2021/0254	33 Dorking Road, Cabarita	Class 1 Appeal against the deemed refusal of the development application for alterations and additions to a dwelling house	Matter listed for conciliation conference 14 and 15 November 2022
DA2022/0039	53 Davidson Avenue, Concord	Class 1 Appeal against the deemed refusal of the development application for the construction of a new two-storey dwelling	Matter listed for conciliation conference 24 and 25 November 2022
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	Matter listed for conciliation conference 8 November 2022
DA2022/0016	13 Collingwood Street, Drummoyne	Class 1 appeal against the deemed refusal of development application for alterations and additions to a contributory dwelling in a heritage conservation area	Matter listed for conciliation conference 17 and 18 November 2022
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	Matter listed for conciliation conference 3 February 2023
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	Matter listed for conciliation conference 1 and 2 February 2023

DA/APPEAL NO	PROPERTY	DESCRIPTION OF DEVELOPMENT	CURRENT STATUS
DA2022/0116	134-140 Tennyson Road, Mortlake	Class1 appeal against the deemed refusal of development application for demolition of the existing site structures including tree removal, construction of a 4-storey residential flat building of 20 x 3-bedroom apartments, basement carparking for 44 vehicles (40 residential and 4 visitor spaces) access via a ramp to Palace Lane. concurrently with the application is a voluntary planning agreement for the creation of 8metre wide public foreshore access.	Matter listed for conciliation conference 19 December 2022
DA2021/0096	7 Burnell Street, Drummoyne	Class1 appeal against the refusal of development application for alteration and extension to existing residential dwelling	Matter listed for conciliation conference 16 and 17 February 2023

Of the above 15 listed matters before the Land and Environment Court, there are currently 12 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 CITY OF CANADA BAY ENVIRONMENT ADVISORY COMMITTEE MINUTES - 27 OCTOBER 2022****Reporting Manager** Manager Sustainability and Waste**Attachments:** 1. **EAC Meeting Minutes - 27 October 2022** [↓](#)

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**RECOMMENDATION OF DIRECTOR COMMUNITY AND ENVIRONMENTAL PLANNING**

That:

1. The minutes of the City of Canada Bay Environment Advisory Committee meeting held 27<sup>th</sup> October 2022, attached to the report be received and noted.
  2. Council endorse Sahar Khalili for membership of the Environment Advisory Committee for the period from November 2022 for the remainder of the current Council.
- 

**PURPOSE**

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

**REPORT**

This report provides Council with the minutes of the City of Canada Bay Environment Advisory Committee from the meeting held on 27<sup>th</sup> October 2022.

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

**EAC committee – vacant position**

A report of proposed nominees for the Environment Advisory Committee was brought to Council on 19 July 2022. At this meeting, Council endorsed 12 nominees for the committee and supported Mavis Clements to be placed on the eligibility list. Due to one of the endorsed nominees declining the offer to be on the committee, there is a vacant position. It is proposed that a new nominee Sahar Khalili is put forward to fulfill the remaining role. Sahar Khalili was omitted from the initial Council report by mistake however they had applied for the position within the advertised timeframe. Council officers have contacted Sahar to explain the error and she has expressed her interest in participating. Mavis Clements will remain on the eligibility list should a position become vacant.

**STRATEGIC DIRECTION**

This report supports Our Future 2036 outcome area:

Direction 5: Civic Leadership

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

**FINANCIAL CONSIDERATIONS**

There are no financial considerations associated with this report.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

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





## Environment Advisory Committee Agenda

Thursday 27 October 2022 6.30pm – 8.30pm

Drummoyne Civic Centre - Halliday Room

Dinner Provided from 6.15pm

**DISTRIBUTION LIST:** David Mansford (DM), Danny Ruspandini (DR), Sally Ash (SA), Rolf Muller (RM), Robyn Lindner (RL), Tailoi Ling (TL), Kate Egan (KE), Alyssa Brown (AB), Christina Rojas (CR)

**APOLOGIES:** Kylie Tang (KT), Daniel Yi (DY)

**COUNCIL COMMITTEE STAFF:** Belinda Koytz (BK), Robert Adamson (RA), Gabriella Love (GL), Darin Wills (DW) and Ju'eta Amir (JA)

**CHAIR:** Councillor Charles Jago (CJ), Councillor Joe Cordaro (JC)

### ITEMS:

<b>6.30pm</b>	<b>Acknowledgement of Country</b>	<b>Clr Jago</b>
<b>6.32pm</b>	<b>Announcements and Introductions</b>	<b>Clr Jago/Gabriella Love</b>
<b>6.35pm</b>	<b>General Business - Final Committee member</b>	<b>Gabriella Love</b>

GL advised the committee that a new member will be presented in the Council report for approval at the next Council meeting.

<b>6.45pm</b>	<b>Urban Forestry Presentation (30 mins)</b>	
	<b>Street tree planting</b>	<b>Darin Wills</b>
	<b>Private Planting and Education</b>	<b>Ju'eta Amir</b>

Committee members asked questions about heat mapping, whether the tree inventory would cover public and private land, what the process was for tree removal, and what is the DA process. CJ asked that a larger discussion regarding trees on private property was performed at another committee meeting.

**ACTION: RA to send slides from Urban Canopy Presentation to Committee members.**

**ACTION: CJ requested a statement regarding what other issues impact a suburb's median temperature (BK).**

<b>7.30pm</b>	<b>Planning Workshop - Priorities (45 mins)</b>	<b>Belinda Koytz</b>
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A workshop was carried out with Committee members to identify the top two issues for the group to focus on in the next year.

The two key areas are:

1. Urban Canopy and Biodiversity Protection/Natural Habitat Preservation
2. Solar and Gas Conversions for houses and Multi Unit Dwellings



BK explained that, during the next meetings, the group can further explore priorities and expectations in the key areas will occur to identify specific areas of interest. Specific targets and goals discussed included protection of trees on private property, measuring productivity of trees, tree metrics, leaf litter and maintenance programs, plant giveaways and programs that focus on young people.

**ACTION: RA to send out the Urban Canopy and Biodiversity Strategies for members to read prior to the next meeting.**

TL asked for a transport presentation focusing on the Metro station and how the Committee can engage in the feedback process. The group would like to provide input from a sustainability perspective and understand what work is being done to address this.

**ACTION: BK to organise speaker to talk on Sydney Metro**

BK asked committee members what presentation they would be interested in for the next meeting. The committee agreed a presentation on the planning process for trees and tree removals would be beneficial.

**ACTION: RA/BK to organise a speaker from Planning to discuss the planning process for trees.**

BK enquired if any members were subscribed to the sustainable living e-zine that Council sends out. Several committee members were not and requested to be included.

**ACTION: RA to sign all committee members up to the sustainable living e-zine.**

RA asked if committee members would like invites sent out to EAC meetings in the calendar moving forward which the committee agreed to.

**ACTION: RA to send invites via the calendar to all committee members for upcoming meetings.**

**8.35pm Meeting Closed**

1. Meeting dates for 2022/2023

- Thursday 8<sup>th</sup> December
- Thursday 23<sup>rd</sup> February
- Thursday 27<sup>th</sup> April
- Thursday 29<sup>th</sup> June
- Thursday 31<sup>st</sup> August

**Standing Items**

**Next Meeting – Thursday 8<sup>th</sup> December 2022**

**ITEM 9.3 SERVICE NSW PARTNERSHIP AGREEMENT FOR SMALL BUSINESSES****Reporting Manager** Manager Place Management**Attachments:** 1. **Proposed Service NSW Partnership Agreement (Provided in Attachment Booklet)** [⇒](#)

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**RECOMMENDATION OF DIRECTOR COMMUNITY AND ENVIRONMENTAL PLANNING**

That Council authorises the General Manager to enter into the Partnership Agreement with Service NSW, as attached to the report and execute any related documentation.

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**PURPOSE**

This report outlines the benefits of Service NSW's Partnership Agreement for small businesses and seeks Council support to enter into this agreement with Service NSW.

**EXECUTIVE SUMMARY**

Service NSW have offered Council an opportunity to enter into a partnership agreement with Service NSW which would enable Council to better assist local business owners by ensuring they are aware of, and can access, the full range of business services offered by Service NSW for Businesses. These services include free personalised support for local businesses. Entering into this partnership agreement would also provide Council with access to a range of economic and business data which Council could use to guide further local business initiatives, and to support the local economy.

The support provided by Council to help individuals and businesses to access these services to date, has been invaluable, particularly during COVID. Council's Place Team are keen to progress these partnership opportunities in response to the current economic changes and uncertainties.

**STRATEGIC DIRECTION**

This report supports Our Future 2036 outcome area:

Direction 3: Vibrant Urban Living

Goal VUL 3: Promote the City as an attractive, welcoming place to do business

**BACKGROUND/DISCUSSION**

Service NSW for Business provides free, personalised support to small business owners, to help them understand industry regulations, to guide them through transactions, and to access support.

The services provided to business owners include:

- *Business Concierges* offering over-the-phone, email and face-to-face support and case management;
- an online *Business Profile* to make it faster and easier for business owners to transact with NSW Government;
- guidance and support for small business owners impacted by natural disasters or emerging issues to access a range of Government stimulus, support, and information; and
- online business information hubs, including how-to guides to help business owners understand key tasks and the support available when starting and running a business in NSW.

A Partnership Agreement has been developed by Service NSW to provide consistency across all councils, to reflect the broader focus of Service NSW for business and provide the opportunity for the City of Canada Bay to engage with all services across Service NSW, now and into the future.

The Partnership Agreement (Attachment 1) includes further detail and clarity about the roles and responsibilities of all agencies in relation to the collection, storage, and security of personal information.

The intention of the Partnership Agreement is to build local business awareness of specialist advice services available, ensure Council staff can direct enquiries to these services, and provide local business applicants with the skills to undertake research and be better informed prior to lodging any applications with Service NSW.

Entering into this Partnership Agreement will also allow Council access to Service NSW's Council Dashboard. The dashboard is currently being developed and will provide Council with the ability to forecast future economic development and growth opportunities by:

- providing access to, and oversight of, business activity within local government areas;
- allowing key contacts in Council to access real-time statistics for business activity outcomes specific to each LGA and businesses supported by Service NSW for Business program in the area;
- allowing reporting to be filtered by date range, industry type and Service NSW for Business events.

This agreement (Attachment 1) will replace Council's current standing agreement with Service NSW. Council endorsement to enter into this agreement with Service NSW sought.

### **FINANCIAL CONSIDERATIONS**

There is no cost associated with entering into the agreement with Service NSW. Entering into the agreement will enable Council to better assist local businesses in applying for and accessing support offered by Service NSW. It will also give Council officers access to local business and economic data available through the Service NSW Council dashboard.

### **LEGISLATIVE AND POLICY CONSIDERATIONS**

Relevant legislative considerations include:

- Privacy and Personal Information Protection Act 1998 (NSW) (PIIP Act)
- Privacy and Personal Information Protection Regulation 2014 (NSW) (PIIP Regulation)
- Privacy and Personal Information Protection Regulation 2005 (NSW) (PIIP Regulation) repealed on 1 September 2014 (NSW Legislation website)
- Privacy Codes of Practice made under PIIP Act (exemptions)
- Privacy Code of Practice (General) 2003 (NSW)
- Public Interest Directions made under PIIP Act (exemptions).

**ITEM 9.4 RHODES LUNAR NEW YEAR 2023 REIMAGINED PROPOSAL****Reporting Manager** Manager Place Management**Attachments:** Nil

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**RECOMMENDATION OF DIRECTOR COMMUNITY AND ENVIRONMENTAL PLANNING**

That:

1. Council endorse the proposed 2023 Lunar New Year Program in Rhodes, outlined in the report.
  2. The waiving of the fees for the use of Foreshore Park and The Amphitheatre at Rhodes by the General Manager, under his delegation, to an amount of \$8,644 be endorsed.
  3. The 2023 Lunar New Year Program in Rhodes be evaluated following its delivery, and recommendations regarding future event programming be submitted to Council for consideration by June 2023.
- 

**PURPOSE**

This report seeks Council endorsement of the proposed reimagined 2023 Lunar New Year program in Rhodes.

**EXECUTIVE SUMMARY**

Since the introduction of a Chinese New Year Cinema in the Park event in Rhodes in 2015, the event evolved into an annual Rhodes Lunar New Year Cinema in the Park event to reflect the diverse cultures in Rhodes who observe the lunar calendar. This annual event has been hosted by Communities for Communities in previous years and sponsored by Council. In 2020, the annual event experienced significant disruption due to COVID-19, and the opportunity to review and reimagine Lunar New Year with the current community of Rhodes was identified.

This report outlines a reimagined proposal for Lunar New Year celebrations in 2023, together with the engagement and community feedback which has informed this proposal.

**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 3: Promote the City as an attractive, welcoming place to do business

**BACKGROUND/DISCUSSION**

In June 2022, Council considered a report [Item 9.5] on the proposed delivery of events to be delivered at Five Dock (Carols in the Park) and Drummoyne (Community Fun Day) this financial year. This report indicated that the Rhodes Place Manager would work with the community to create a new Lunar New Year program that is focused upon the cultural significance of the festival, and how Council can support local business in Rhodes. Community consultation was undertaken by Council's Place Manager Rhodes between 25 July to 9 September 2022, seeking feedback on ideas for a reimagined program for Lunar New Year in January 2023.

Community feedback was provided through a dedicated Collaborate Canada Bay online survey; drop-in community workshop in The Amphitheatre at The Connection, supported by bilingual officers

(representing the community languages of Korean, Mandarin and Cantonese); the Business Connect NSW networking event held at The Connection; and discussions with Rhodes Central and Rhodes Waterside shopping centres. This community consultation opportunity was advertised widely through Council's communication channels, including Council's website, the Rhodes monthly e-news, Rhodes Community Committee, Collaborate Canada Bay, social media channels, and at Council's information stall at the Rhodes Moon Festival event held on Foreshore Park on Saturday 3 September 2022.

Over 100 people provided feedback to inform a reimagined Lunar New Year program in 2023.

Key Community Feedback:

- Lunar New Year is celebrated by many cultures who observe the Lunar calendar;
- is the most important event of the Lunar calendar year for friends and family to come together over reunion dinners and celebration, to start the year positively with luck and prosperity;
- it is a 15-day celebration, marked by different cultural significance and activities throughout;
- in 2023, the first day of Lunar New Year is Sunday 22 January;
- Lunar New Year is an opportunity to connect the whole of community, welcoming all cultures;
- important celebration traditions to include food, cultural performance, music, the colour red, and fireworks; and
- the majority of respondents requested a more diverse program than previously experienced across the Lunar New Year period.

The Proposed 2023 Lunar New Year Program:

1. Council to promote the diverse range of Lunar New Year program offerings in Rhodes as part of an umbrella promotion program, including: community events; Council library program; Lunar New Year TASTE of Rhodes food tour; and Rhodes Central and Rhodes Waterside shopping centre special programs. Council promotion to include print collateral, a dedicated webpage, and social media support.
2. Council to support two community-led Lunar New Year programs which will be delivered in a coordinated manner to bring a diverse multi-cultural series of free community events on Foreshore Park, celebrating cultural traditions, contemporary experiences, and inclusivity. The two community-led proposals (both from not-for-profit organisations) are outlined below:
  - **Australia Culture and Business Connect (ACBC) Association – Sunday 22 January 2023** whose proposal is to host an opening ceremony for Lunar New Year. This proposed one-day cultural program featuring lunar new year themed performances, food market and activities, would be held in Foreshore Park, launching the two-week program on the peninsula. The event organiser anticipates attendance by 5,000 people from the local area.
  - **Rhodes Multicultural Community Association (RMCA) - Friday 27 January to Sunday 29 January 2023.** This proposal involves hosting a day and night-time program across three-days, which celebrates the different elements of the Lunar Festival. This will include markets, alfresco dining, traditional and contemporary music, dance performances, and dragon dancing. Targeted programming for families, young people and seniors are a key part of this proposal.

Both proposals will require financial support from Council to cover Council's park hire and associated fees, and recommended safety and traffic control measures.

## RISK CONSIDERATIONS

There is minimal risk associated with the proposed program for Lunar New Year. The proposed community event organisers are highly experienced operators who have previously delivered successful community events in Foreshore Park in Rhodes. They have carefully considered the risks associated with delivering the events. The multi-day program responded to the community feedback back received, and supports best event delivery outcomes for the community.

## FINANCIAL CONSIDERATIONS

The cost of the proposed Lunar New Year program is as follows:

Cost	Park/Amphitheatre hire cost	Traffic control cost
ACBC	\$3,072	\$659 (TBC)
RMCA	\$5,572	\$659 (TBC)
Total	\$8,644	\$1318

For the proposed program to proceed, it is necessary for Council to provide financial support by way of the waiving of the park hire fees. Council's *Revenue Policy* includes the ability for the General Manager to waive fees for:

*Community recognition and community fundraising: excluding those fees or charges prescribed by legislation, fees or charges may be waived or reduced for initiatives that:*

- *Support the activities of registered not-for-profit and charitable organisations, community organisations and other organisations that provide identifiable social benefits that respond to community needs (e.g. venue hire).*

As outlined in the table above, the total cost of this is \$8,644. This approach is consistent with previous years, where park hire fees for the Luna New Year event have been waived. This proposal would see an increase of approximately \$5,500 of park hire fees forgone, as the proposed 2023 program would be delivered over a total of 4 days, rather than over a single day (as per previous years).

Traffic control costs associated with previous Lunar New Year events have been covered by Council's Place Team budget. As such, half of the total traffic control cost (approximately \$700) is already included in the existing Place Team budget. The cost shortfall for traffic control (approximately \$700) can be met from the Place Team budget in lieu of a Union Square activation previously budgeted for, but not launched.

In summary, the request for additional Council support is in alignment with the previous support given to the annual Lunar New Year event program in Rhodes by Council in past years.

## LEGISLATIVE AND POLICY CONSIDERATIONS

Relevant legislative considerations include Council's Revenue Policy.

**10 CITY SERVICES AND ASSETS DIRECTORATE REPORTS****ITEM 10.1 CITY OF CANADA BAY LOCAL TRAFFIC COMMITTEE MINUTES - 20 OCTOBER 2022****Reporting Manager** Manager Roads and Traffic

- Attachments:**
1. **Traffic Committee Minutes - 20 October 2022** (*Provided in Attachment Booklet*) [⇒](#)
  2. **Carols in the Park - Traffic Management Plan** (*Provided in Attachment Booklet*) [⇒](#)
  3. **Christmas Parties - Traffic Guidance Schemes** (*Provided in Attachment Booklet*) [⇒](#)
  4. **Drummoyne Swim Centre**(*Provided in Attachment Booklet*) [⇒](#)
  5. **Concord Oval site plan** (*Provided in Attachment Booklet*) [⇒](#)
- 

**RECOMMENDATION OF DIRECTOR CITY SERVICES AND ASSETS**

That the minutes and recommendations of the City of Canada Bay Traffic Committee Meeting held 20 October 2022 attached to the report be adopted.

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**PURPOSE**

To report the City of Canada Bay Local Traffic Committee Minutes of 20 October 2022 to Council.

**REPORT**

This report contains the minutes for the City of Canada Bay Local Traffic Committee held on 20 October 2022 for Council's adoption.

**STRATEGIC DIRECTION**

This report supports Our Future 2036 outcome area:

Direction 4: Infrastructure and Transport

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

**FINANCIAL CONSIDERATIONS**

The Traffic Committee recommendations are funded under the 2022/23 operating budget.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

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



**ITEM 10.2 CITY OF CANADA BAY ACCESS AND INCLUSION COMMITTEE MEETING MINUTES - 27 OCTOBER 2022****Reporting Manager** Manager Library and Community Services**Attachments:** 1. **Minutes of the City of Canada Bay Access and Inclusion Committee Meeting - 27 October 2022** [↓](#)

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**RECOMMENDATION OF DIRECTOR CITY SERVICES AND ASSETS**

That the minutes of the ordinary meeting of the City of Canada Bay Access and Inclusion Committee held on 27 October 2022 attached to the report be received and noted.

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**PURPOSE**

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

**REPORT**

This report presents the minutes of the City of Canada Bay Access and Inclusion Committee meeting held on 27 October 2022.

**STRATEGIC DIRECTION**

This report supports Our Future 2036 outcome area:

Direction 1: Connected Community

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

**FINANCIAL CONSIDERATIONS**

Administration of the Access and Inclusion Committee is provided for in the 2022/23 Operating Plan and Budget. There is no additional financial impact relating to this project.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

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

# **CITY OF CANADA BAY ACCESS AND INCLUSION COMMITTEE MEETING**

## **MINUTES**

Held in the Halliday and Hudson Rooms, City of Canada Bay Civic Centre,  
Drummoyne

**Thursday, 27 October 2022**



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**Minutes of a City of Canada Bay Access and Inclusion Committee Meeting  
Held on Thursday 27 October 2022  
At the Council Chambers, City of Canada Bay Civic Centre, Drummoyne  
Commencing at 10.00am**

**Present:**

Mayor Angelo Tsirekas	Chairperson	
Coral Arnold	Community Member	
Jill Hodder	Community Member	
Adam Clarke	Community Member	
Nicole Bradshaw	Community Member	(Teams)
Robyn Ryan	Community Member	
Nehmet Houssami	Community Member	(Teams)
Andrea Natoli	Participate Australia	(Teams)
Kim Becherand	Touched by Olivia Foundation	(Teams)
Jeanette O'Hara	Life Member	
Julia Little	Councillor	

**Officers in attendance:**

Philip Edney	Manager, Library and Community Services
Melissa Blain-Woodley	Community Development Co-ordinator
Isha Kariavasam	Library Officer, Administration
Zoe Chan	Community Development Officer (Teams)

**NOTES**

The meeting commenced at 10am and concluded at 11am.



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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

### APOLOGIES

Min Jung Cha	Ebenezer Mission
Jack Nolan	Life Member

## 3 DISCLOSURES OF PECUNIARY AND NON-PECUNIARY INTEREST

Nil

## 4 CONFIRMATION OF MINUTES

### 4.1 Minutes of City of Canada Bay Access and Inclusion Committee Meeting held on 31 August 2022

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#### RECOMMENDATION

That the minutes of the City of Canada Bay Access and Inclusion Committee Meeting of 31 August 2022, copies of which were previously circulated, are hereby confirmed as a true and correct record of the proceedings of that meeting.

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*Note: The minutes were adopted.*

## 5 REPORTS

### ITEM 5.1 DIAP WORKING GROUP ON ACTION 3.3 - 'WORK WITH LOCAL ORGANISATIONS TO RAISE AWARENESS OF THE BENEFITS OF EMPLOYING PEOPLE LIVING WITH DISABILITY'

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#### RECOMMENDATION

That the City of Canada Bay Access and Inclusion Committee Members note that this item will be ongoing till the actions are completed.

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*Note: Robyn informed the Committee of the following actions the working group came up with at the two meetings held by the group:*

- *Create a survey to collect feedback from the Employers/ Employees/ Organisations and Community on employing people with disability which will provide insights into the interest and knowledge of the community and what benefits/ barriers they face in employing people with disability.*
- *Contact the Chambers of Commerce (Concord/ Five Dock/ Drummoyne) to engage local business to distribute survey and raise awareness of employing people with disability*
- *Request to present the findings of survey at the Chamber of Commerce meetings*
- *Provide information to the potential employers on the support services available to employ people with disability*
- *Undertake case studies of employees with disability*

*Kim presented the draft survey to the Committee and discussed each question.*

*The Committee members to provide feedback on the survey by 1 November.*

#### **ITEM 5.2 INSUFFICIENT COMMUNITY TRANSPORT IN THE LGA**

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##### **RECOMMENDATION**

That the City of Canada Bay Access and Inclusion Committee members note there is insufficient transport in the LGA

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*Note: The Committee discussed the lack of community transport in the LGA. Council Officer to contact Drummoyne Community Centre (DCC) and support volunteer recruitment which may assist with individual transport.*

#### **ITEM 5.3 SUSTAINABILITY AWARDS**

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##### **RECOMMENDATION**

That the Access and Inclusion Committee Members note that the Committee was represented at the awards ceremony.

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*Note: Jeannette O'Hara and Jack Nolan were invited as honorary Life members of the Access and Inclusion Committee and had enjoyed the evening. Council's Sustainability Awards recognise local businesses, community groups and individuals who have made outstanding contributions to environmental, economic and social sustainability in the LGA.*

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**6 GENERAL BUSINESS****ITEM 6.1 POT HOLES IN THE LGA**

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Jeannette O Hara raised the issue of pot holes in the area. Mayor Angelo Tsirekas, Chairperson informed the Committee members that the Council is already dealing with the issue and requested members to contact customer service with specific street names and location to add the requests to the priority list.

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**ITEM 6.2 RESIGNATION OF ANDREA NATOLI – PARTICIPATE**

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Andrea informed the Committee she has resigned from Participate Australia and has requested her CEO for a replacement for the Committee.

The Chairperson thanked Andrea for her contribution.

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CHAIRMAN

## 11 CORPORATE SERVICES AND STRATEGY DIRECTORATE REPORTS

### ITEM 11.1 GENERAL PURPOSE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2022

Reporting Manager Manager Finance

Attachments: 1. Annual Financial Statements (*Provided in Attachment Booklet*) [⇒](#)

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#### RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY

That Council receive the audited Financial Statements for the year ended 30 June 2022 and the auditor's report from the Audit Office of NSW.

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#### PURPOSE

To present to Council the Annual Financial Statements for the year ended 30 June 2022 and audit reports from the Audit Office of NSW and to provide a summary of Council's financial performance and financial position at 30 June 2022

#### EXECUTIVE SUMMARY

On 16 August 2022 Council resolved to receive and certify the Draft Financial Statements for the 30 June 2022 and to refer them to the external auditor. Council also resolved to fix 15 November 2022 as the date for the public meeting to present the statements and audit reports in accordance with Section 419(1) and 419(2) of the Local Government Act.

The Financial Statements show an operating deficit of \$1.367m

#### STRATEGIC DIRECTION

This report supports Our Future 2036 outcome area:

Direction 5: Civic Leadership

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

#### BACKGROUND/DISCUSSION

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

On 16 August 2022, Council resolved to receive and certify the Draft Financial Statements for 2021/22 and to refer them to the external auditor. The following certifications were made by the Mayor, Deputy Mayor, the General Manager and Responsible Accounting Officer:

That Council's General Purpose Financial Statements have been prepared in accordance with:

- The Local Government Act 1993 (as amended) and Regulations made thereunder.
- The Australian Accounting Standards and professional pronouncements.
- The Local Government Code of Accounting Practice and Financial Reporting.

And that to the best of Council's knowledge and belief that the statements:

- present fairly the Council's operating result and financial position for the year; and
- are in accordance with Council's accounting and other records.



These Financial Statements have also been endorsed by the Audit, Risk & Improvement Committee (ARIC) on 8 November 2022.

Council's external auditor, the Audit Office of NSW has expressed an opinion on the financial statements based on their audit. The Auditor's letter forms part of the Annual Financial Statements and includes the following opinion:



## INDEPENDENT AUDITOR'S REPORT

### Report on the general purpose financial statements

#### City of Canada Bay Council

To the Councillors of City of Canada Bay Council

### Opinion

I have audited the accompanying financial statements of City of Canada Bay Council (the Council), which comprise the Statement by Councillors and Management, the Income Statement and Statement of Comprehensive Income for the year ended 30 June 2022, the Statement of Financial Position as at 30 June 2022, the Statement of Changes in Equity and Statement of Cash Flows for the year then ended and notes comprising a summary of significant accounting policies and other explanatory information.

In my opinion:

- the Council's accounting records have been kept in accordance with the requirements of the *Local Government Act 1993*, Chapter 13, Part 3, Division 2 (the Division)
- the financial statements:
  - have been prepared, in all material respects, in accordance with the requirements of this Division
  - are consistent with the Council's accounting records
  - present fairly, in all material respects, the financial position of the Council as at 30 June 2022, and of its financial performance and its cash flows for the year then ended in accordance with Australian Accounting Standards
- all information relevant to the conduct of the audit has been obtained
- no material deficiencies in the accounting records or financial statements have come to light during the audit.

The Annual financial statements were placed on public exhibition following the receipt of the Auditor's reports. Written submissions were invited, but at the time of writing this report none were received. Submissions received up to 4.30pm on 18 October 2022 will be circulated to Councillors on the night of the meeting. Section 420 of the Act requires that all submissions in respect of the audited Financial Statements must be in writing and must be lodged with the Council within 7 days after this meeting. Copies of all submissions received must be referred to Council's external auditor.

This is the final stage of the process of adopting the Financial Statements for 2021/22. The audited financial statements, together with the audited reports for the year ended 30 June 2022 are hereby presented to Council.

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

<b>Income Statement</b> <b>\$'000</b>	<b>Actual</b> <b>2022</b>	<b>Actual</b> <b>2021</b>
Income from Continuing Operations	148,510	151,878
Expenses from Continuing Operations	94,582	94,158
<b>Net Operating Result for the Year</b>	<b>53,928</b>	<b>57,720</b>
Net Operating Result for the year before grants and contributions provided for capital purposes	<b>(1,367)</b>	<b>(12)</b>
<b>Statement of Financial Position</b> <b>\$'000</b>	<b>Actual</b> <b>2022</b>	<b>Actual</b> <b>2021</b>
Current Assets	120,846	149,250
Non-Current Assets	2,411,769	1,915,627
<b>Total Assets</b>	<b>2,532,615</b>	<b>2,064,877</b>
Current Liabilities	54,034	60,746
Non-Current Liabilities	19,747	13,018
<b>Total Liabilities</b>	<b>73,781</b>	<b>73,764</b>
Net Assets	2,458,834	1,985,091
<b>Total Equity</b>	<b>2,458,834</b>	<b>1,991,113</b>
<b>Statement of Cash Flows</b> <b>\$'000</b>	<b>Actual</b> <b>2022</b>	<b>Actual</b> <b>2021</b>
Net Cash Flow from Operating Activities	45,809	103,459
Net Cash Flow from Investing Activities	(53,519)	(97,146)
Net Cash Flow from Financing Activities	14,255	(782)
<b>Net increase in Cash</b>	<b>6,545</b>	<b>5,531</b>
Plus: Cash at the beginning of the year	12,279	6,748
<b>Cash at end of year</b>	<b>18,824</b>	<b>12,279</b>
Plus: Investments on hand at end of year	133,350	163,846
<b>Total Cash and Investments</b>	<b>152,174</b>	<b>176,125</b>

**RESULTS FOR THE YEAR**
**Operating Result**

Council's operating result from continuing operations (\$53.9 million including depreciation and amortisation and impairment of non-financial assets expense of \$14.5 million) was \$3.8 million lower than the 2020/21 result. The decrease in operating result from continuing operations is mainly due to reduced grants and contributions revenue (\$63.7 million) which has decreased by \$0.9 million (2%) in 2021/22 due to a reduction in grant funding received for milestone capital projects. Further, this result includes an increase in rates and annual charges (\$1.6 million), offset by a decrease in user charges and fees (\$1.1 million), a decrease in other income of (\$1.7 million), and a decrease in other revenue (\$1.2 million). The decrease in other income is mainly due to there being no increment

in the fair value of investment property. In the prior year a \$2 million fair value increment on investment properties was recorded.

The net operating result before capital grants and contributions was \$1.4 million lower than the 2020/21 result. This result includes an increase in total expenses of \$0.424 million, (0.45%) to \$94.5 million.

The operating deficit excluding revenue from capital grants and contributions of \$1.367m compared to \$0.012m in the previous year (2020/21) means that Council's expenditure on running its day to day operations together with the cost of depreciation of its assets exceeds operating income.

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

The Financial Statements are audited by the external auditors who, amongst other things, form an opinion on the Financial Statements as to whether:

- the Council's accounting records have been kept in accordance with the requirements of the Local Government Act 1993, Chapter 13 part 3 Division 2; and
- the Financial Statements:
  - have been presented in accordance with the requirements of this Division
  - are consistent with the Council's accounting records
  - present fairly the Council's financial position, the results of its operations and its cash flows; and
  - are in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia.
- all information relevant to the conduct of the audit has been obtained; and
- there are no material deficiencies in the accounting records or financial statements that the auditors have become aware of during the course of the audit.

**ITEM 11.2                      PROPOSED SPECIAL RATE VARIATION AND UPDATED DRAFT LONG TERM FINANCIAL PLAN - OUTCOMES OF COMMUNITY ENGAGEMENT****Reporting Manager      Director Corporate Services and Strategy****Attachments:**

- 1.      Community Engagement Outcomes Report (*Provided in Attachment Booklet*) [⇒](#)**
- 2.      Draft Long Term Financial Plan 2023/33 (*Provided in Attachment Booklet*) [⇒](#)**

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**RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY**

That:

- The feedback received through submissions received during the community engagement process relating to the updated Long Term Financial Plan (LTFP) and the proposed Special Rate Variation (SRV) be noted.
  - The updated Long-Term Financial Plan (2023/33) dated August 2022 attached to the report be adopted.
  - 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 32.5% 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).
  - The submissions received during the community engagement process relating to the proposed Special Rate Variation referred to in 1. above be included as part of the applications to IPART referred to in 3. above.
  - Two versions of the Operational Plan and Budget, one based on an approved SRV as proposed and the other based on the absence of the SRV, be presented to Council in conjunction with Council's consideration of the Delivery Program, Operational Plan and Budget for 2023/24.
- 

**PURPOSE**

To inform Council regarding the feedback received during the community engagement process relating to the updated Long Term Financial Plan (LTFP) 2023/33 and the proposed Special Rate Variation, and to recommend that the updated LTFP be adopted, and to proceed with an application for a section 508A (permanent) Special Rate Variation and application for increase in the Minimum Rate commencing in the 2023/24 financial year.

**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

At its meeting on 16 August 2022 Council considered a report on undertaking Community Engagement on a proposal for a permanent Special Rate Variation (SRV) and to undertake public exhibition of an updated draft Long Term Financial Plan and resolved as follows:

*That:*

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

The proposed Special Rate Variation is for a cumulative increase in Council's general income by 32.5% (including the rate peg) over for years from 2023/24, comprising 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). An increase in the minimum rate to \$1108.07 in 2026/27 from the current \$761.71 is also proposed and is a component of the overall proposed increase over the same four year period.

The total SRV increase over for years consists of the following components:

Forecast Rate Peg	12.72%
Additional revenue for services and assets	19.78%
Total	32.5%

The additional 19.78% in rates revenue totals \$8.28 million over the four year period which is proposed to fund the following services and asset renewals:

Service Area	Purpose of service increase	Operational per year (\$000)	Capital per year (\$000)
<b>Buildings and trade maintenance</b>	Increase maintenance and management of buildings	\$590	
<b>Cleansing operations for public areas</b>	Expand town centre cleaning and footpath sweeping	\$400	
<b>Community services</b>	Expansion of Community Development services	\$500	
<b>Environmental sustainability</b>	Enhanced biodiversity programs	\$155	
<b>Environmental sustainability</b>	Enhanced environmental sustainability services	\$130	
<b>Environmental sustainability</b>	Increase in funding to implement Climate Risk Strategy	\$120	
<b>Governance</b>	Increase in resources for Internal Audit, Risk and Governance	\$200	

Service Area	Purpose of service increase	Operational per year (\$000)	Capital per year (\$000)
<b>Information systems</b>	Renewal and systems expansion for Information Technology		\$250
<b>Other</b>	Business improvement programs - project management, systems and processes	\$400	
<b>Place Management</b>	Increase resources to deliver a Cultural Plan	\$150	
<b>Road maintenance services</b>	Expand Footpath Management program	\$220	
<b>Sports fields and golf courses/garden services and bushcare</b>	Increase resources for Open Space assets	\$670	
<b>Statutory planning</b>	Increase resources to reduce assessment times for Development Applications	\$300	
<b>Strategic planning</b>	Deliver commitments under State-led strategies (Rhodes and Parramatta Road corridor)	\$600	
<b>Strategic asset management</b>	Increased resources to renew assets including Roads, Footpaths and Seawalls		\$2,900
<b>Strategic asset management</b>	Increased resources to maintain and renew drainage assets	\$100	\$150
<b>Traffic and transport</b>	Increase resources for Strategic Traffic Management	\$200	
<b>Tree services</b>	Expand Tree Maintenance and Management service	\$245	
<b>Total</b>		<b>\$4,980</b>	<b>\$3,300</b>
		<b>Grand Total</b>	<b>\$8,280</b>

Comprehensive information on the proposed SRV is included in the report that was submitted to Council at its meeting on 16 August 2022 and has been available on Council's website from before commencement of the community engagement. That information remains on Council's website.

In addition to Frequently Asked Questions (FAQ's), the information on the website includes both high level and more detailed explanation of the purpose of the proposed SRV.

This report has been prepared and is submitted to Council in response the resolution of 16 August 2022 following the conclusion of the community engagement and public exhibition period.

#### Community engagement and public exhibition

In accordance with the resolution, community engagement on the proposed Special Rate Variation commenced on Monday 5 September 2022. It concluded on Tuesday 18 October 2022 (ie including one additional day than resolved). As also resolved, community engagement on the Proposed SRV was undertaken in accordance with the Community Engagement Plan with the following mediums utilised:

- Via the Collaborate Canada Bay online page (survey and feedback) – 3178 visits to 19 October 2022.

- Canada Bay Newsletter – Distribution of 33,900 in both September and October, meaning that all households in the Canada Bay Local Government Area were individually notified of the proposed SRV on two occasions.
- Stakeholders from groups with English as a Second Language (ESL) with the use of translated information on Collaborate website and utilising the Localize Canada Bay Newsletter published in September and October 2022.
- e-mails to resident and business subscribers on the Collaborate database and Business Newsletter – 3244 and 2936 respectively.
- Community forums on the SRV process were held both in-person and online across different dates and times to ensure maximum opportunity for the community to attend, with registration through Eventbrite.
- e-newsletters (September and October 2022):
  - CCB news online - 1,596 in September and 1,606 in October
  - Rhodes enews - 817 in September and 826 in October
  - What's On enews - 1,846 in September and 2,100 in October
  - Library enews (October) – 6,887
- CALD (culturally and linguistically diverse) communities targeted by translated advertisements in CALD newspapers (September and October 2022):
  - La Fiamma
  - Daily Chinese Herald
  - Sydney Korean Herald
- Postcards at various Council owned/operated venues – 1000 items
- Councillor information sessions.

The information provided through all these mediums and fully contained in the Collaborate Canada Bay webpage, in addition to the recorded SRV public forum presentation (available via the Collaborate webpage), clearly and thoroughly explained:

- The proposed cumulative SRV rate increases including the rate peg for each major rating category (in percentage and dollar terms)
- The annual increase in average rates (in percentage and dollar terms) that will result if the proposed SRV is approved
- The amount of the proposed minimum rate increase
- The achievement of productivity enhancements and cost containment strategies that have delivered \$1.7m of savings to relieve some of the pressure off the general rate.

This information allowed community members to understand why the SRV is proposed and how it will affect the rates they pay. It provided all relevant information to the community and clearly identified the impact of the proposed SRV on the various categories of ratepayers that will be affected.

Notification of the public exhibition of the updated Long Term Financial Plan occurred on Council's website during the same period. Summaries of the outcomes of the community engagement on the proposed SRV and public exhibition of the updated Long Term Financial Plan are contained in the following sections. A copy of the document titled 'Special Rate Variation – Community Engagement Outcomes Report' prepared by MorrisonLow dated November 2022 is attached to this report. This document provides detailed information on the various components of the related process, including the reach of the community engagement mediums utilised, and submissions received.

### Community Engagement Outcomes – SRV

In relation to the proposed SRV, 485 submissions were received through the following mediums:

- 60 emails
- 425 SRV online Collaborate submissions

Copies of these submissions have been provided to Councillors under separate cover.

Out of the 409 respondents who made online Collaborative submissions, 385 respondents' primary places of residence (94%) were within the City of Canada Bay and 24 (6%) were from outside the City of Canada Bay. In this regard it is noted that some respondents made more than one submission on the SRV.

The submissions received demonstrated awareness of the proposed SRV and the proposed process for implementation. Of the submissions received, only three provided conditional support for the SRV.

In relation to those submissions that did not support the proposed SRV, there were several common themes including concerns that the community may not be able to afford the size of the increase proposed, a lack of ability to pay relating to the current cost of living pressures, and the timing of introducing the SRV.

Review of the submissions made through Collaborate reveals that 215 of the 409 respondents (i.e. 52.5% of the respondents) were residents of Rhodes. These submissions included the following, with the related Council officer's response:

Comment: A disproportionate increase in rates for residents of Rhodes compared to other areas of the LGA.

Response: The percentage increase is consistent across all properties in the first year and applies to all minimum rated properties equally in years two to four.

Comment: Rates in Rhodes will end up being 50% more than Wentworth Point.

Response: Parramatta City Council's ratebase is significantly supported by its commercial rates having Sydney's second largest CBD.

Comment: Council already receives a growth in its rating base resulting from increased dwellings and development in Rhodes.

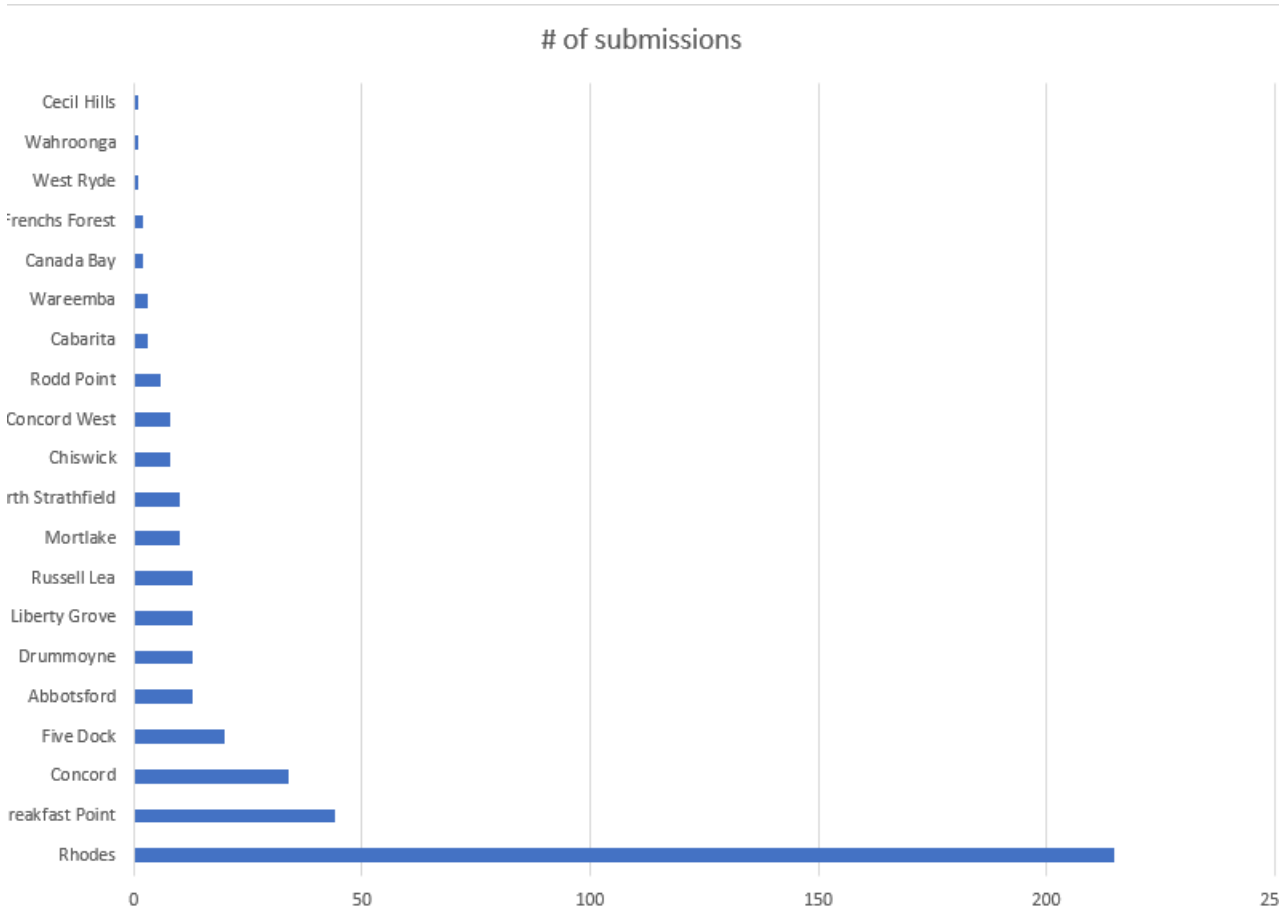
Response: Increased costs as a consequence of development are covered by rates to a level of approximately 75%. This means that new development creates more costs net of rates revenue.

The Breakfast Point Community Association made a submission in which they expressed a view that the proposed SRV, is unfair or inequitable as it would result in owners being expected to pay further increased rates which will not be used to improve or maintain their community infrastructure. A number of other submissions were received from individual owners/ residents of Breakfast Point.

Other submissions expressed a perception that increasing the minimum rate will have an unfair impact on apartment owners and that the elderly, pensioners and renters will be impacted by the rate increase.



The Community Engagement Outcomes report includes the following graph that shows the number of submissions received from the various suburbs within and outside the LGA:



**Public Exhibition Outcomes – Updated Long Term Financial Plan**

In response to the public exhibition of the updated Long Term Financial Plan, 10 submissions were received (all through Collaborate). Each of these submissions were authored by respondents who have a primary place of residence within the City of Canada Bay. Copies of these submissions have been provided to Councillors under separate cover.

Out of the 10 submissions received, 9 were opposed to the “Growth Scenario” of the LTFP which relies upon rate revenue from the SRV. One submission supported the plan.

The general theme relating to objections to the Growth Scenario has centred around a preference for the continuation of the existing Base Case Scenario and working within the rate peg and adjusting expenditure to match funding generated under the existing rate path.

It is recommended that the updated Long Term Financial Plan (2023/33) attached to the report, be adopted by Council.

**Community’s capacity to pay**

Concurrent to the community engagement process, MorrisonLow undertook an exercise to ascertain the community’s capacity to meet the financial impacts of the proposed SRV. This assessment is an integral component of IPART’s assessment of any SRV application. The assessment reviews the Index of Relative Socio-economic Advantage and Disadvantage (IRSAD)/ Socio-Economic Indexes for Areas (SEIFA) in Australia, which summarise information about the economic and social conditions of people and households within an area, including both relative advantage and disadvantage measures.

A low score indicates relatively greater disadvantage and a lack of advantage in general. For example, an area could have a low score if there are:

- many households with low incomes, or many people in unskilled occupations, and
- few households with high incomes, or few people in skilled occupations.

A high score indicates a relative lack of disadvantage and greater advantage in general. For example, an area may have a high score if there are:

- many households with high incomes, or many people in skilled occupations, and
- few households with low incomes, or few people in unskilled occupations.

The analysis observed that there is a high degree of wealth across the LGA in general. This is especially the case in the areas of Drummoyne-Chiswick, Abbotsford-Russell Lea-Five Dock (both ranked in the 99th IRSAD SEIFA percentile) and Rhodes Liberty Grove (ranking in the 98th percentile).

Even when considering the lower ranked areas, the lowest – Concord-Strathfield – ranks in the 91st percentile (IRSAD), indicating very high levels of advantage within this area.

It is relevant to note that over the past 5 financial years, 97% of rates have been paid within the respective period. Notwithstanding, it is also important to note that Council has a hardship policy to address and assist in situations where ratepayers are experiencing financial difficulties at any particular time. Relief can and is provided to those suffering hardship through mechanisms such as the waiving of interest and the deferment of payments due.

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

Should Council wish to make application for a Special Rate Variation, the Independent Pricing and Regulatory Tribunal (IPART) is to be advised prior of this intention by 25 November 2022. The application(s) are required to be lodged with IPART by 3 February 2023.

Details of Council's consultation regarding the proposed SRV and the public exhibition of the updated Long Term Financial Plan are provided earlier in this report.

### **FINANCIAL CONSIDERATIONS**

There are no financial considerations directly related to this report.

The work necessary to make application for an SRV can be completed within existing staff resources and budget allocation. Approval of such application would have a financial impact as outlined in this report.

### **LEGISLATIVE AND POLICY CONSIDERATIONS**

The report recommends actions necessary to achieve compliance with the Local Government Act 1993 and Office of Local Government Guidelines.

**ITEM 11.3 CASH AND INVESTMENTS REPORT FOR OCTOBER 2022**
**Reporting Manager** Manager Finance

**Attachments:** 1. **Investment Report October 2022 (Provided in Attachment Booklet)** [↔](#)
**RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY**

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

**PURPOSE**

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

**EXECUTIVE SUMMARY**

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

**STRATEGIC DIRECTION**

This report supports 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 end of October Cash and Investments Report for Council's consideration.

**Certification - Responsible Accounting Officer**

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

**TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS**
**Summary position as at end October 2022**

The Cash at Bank and Cash Investments are summarised below:

Month	Cash At Bank	Cash Investments	Total Cash
October 2022	\$2,490,526.99	\$139,758,583.00	\$142,249,109.99

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

**Statement of Investments October 2022**

STATEMENT OF CASH INVESTMENTS							
Maturity Date	Bank/Issuer	Long Term Rating	Fair Value	Term	Interest	Issue Date	Investment Type
03/11/22	Commonwealth Bank of Australia	AA-	\$2,000,000.00	64	2.54%	31/08/22	Term Deposits
08/11/22	National Australia Bank	AA-	\$2,000,000.00	270	0.70%	11/02/22	Term Deposits
10/11/22	Bank of Queensland	BBB+	\$3,000,000.00	210	1.50%	14/04/22	Term Deposits
25/11/22	Commonwealth Bank of Australia	AA-	\$2,000,000.00	78	2.87%	08/09/22	Term Deposits
30/11/22	National Australia Bank	AA-	\$2,000,000.00	89	3.00%	02/09/22	Term Deposits
08/12/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	216	2.43%	06/05/22	Term Deposits
23/12/22	Commonwealth Bank of Australia	AA-	\$3,000,000.00	88	3.50%	26/09/22	Term Deposits
05/01/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	244	2.62%	06/05/22	Term Deposits
12/01/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	216	3.06%	10/06/22	Term Deposits
20/01/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	133	3.31%	09/09/22	Term Deposits
27/01/23	National Australia Bank	AA-	\$3,000,000.00	108	3.55%	11/10/22	Term Deposits
17/02/23	National Australia Bank	AA-	\$1,500,000.00	126	3.56%	14/10/22	Term Deposits
02/03/23	Bank of Queensland	BBB+	\$2,000,000.00	216	3.50%	29/07/22	Term Deposits
09/03/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	223	3.45%	29/07/22	Term Deposits
16/03/23	Macquarie Bank	A+	\$2,000,000.00	365	1.20%	16/03/22	Term Deposits
21/03/23	AMP Bank	BBB	\$1,000,000.00	210	3.70%	23/08/22	Term Deposits
30/03/23	MyState Ltd	BBB+	\$2,000,000.00	181	4.10%	30/09/22	Term Deposits
06/04/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	169	3.83%	19/10/22	Term Deposits
20/04/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	182	3.94%	20/10/22	Term Deposits
26/04/23	Westpac Bank	AA-	\$2,000,000.00	180	4.00%	28/10/22	Term Deposits
27/04/23	National Australia Bank	AA-	\$1,000,000.00	181	4.00%	28/10/22	Term Deposits
02/05/23	AMP Bank	BBB	\$2,000,000.00	545	1.00%	03/11/21	Term Deposits
04/05/23	MyState Ltd	BBB+	\$2,000,000.00	365	2.93%	04/05/22	Term Deposits
04/05/23	Commonwealth Bank of Australia	AA-	\$2,000,000.00	363	3.18%	06/05/22	Term Deposits
08/06/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	307	3.69%	05/08/22	Term Deposits
23/06/23	National Australia Bank	AA-	\$3,000,000.00	365	0.60%	23/06/22	Term Deposits
06/07/23	Commonwealth Bank of Australia	AA-	\$2,500,000.00	335	3.74%	05/08/22	Term Deposits
17/07/23	Commonwealth Bank of Australia	AA-	\$3,000,000.00	381	0.60%	01/07/22	Term Deposits
28/07/23	National Australia Bank	AA-	\$3,000,000.00	364	0.65%	29/07/22	Term Deposits
03/08/23	National Australia Bank	AA-	\$2,000,000.00	367	0.65%	01/08/22	Term Deposits
16/02/26	National Australia Bank	AA-	\$2,000,000.00	1461	1.04%	16/02/22	Term Deposits
13/04/23	Westpac Bank	AA-	\$3,000,000.00	364	1.89%	14/04/22	Term Deposits
20/10/23	Westpac Bank	AA-	\$1,500,000.00	365	4.53%	20/10/22	Term Deposits
18/11/22	Westpac Bank	AA-	\$2,000,000.00	364	0.54%	19/11/21	ESG TD
02/12/22	Westpac Bank	AA-	\$2,000,000.00	364	0.58%	03/12/21	ESG TD
30/10/23	Westpac Bank	AA-	\$1,000,000.00	367	1.11%	28/10/22	ESG TD
19/02/24	Westpac Bank	AA-	\$1,000,000.00	550	2.32%	18/08/22	ESG TD
04/03/24	Westpac Bank	AA-	\$2,000,000.00	546	1.68%	05/09/22	ESG TD
14/11/24	Westpac Bank	AA-	\$1,500,000.00	825	1.62%	12/08/22	ESG TD
02/12/24	Westpac Bank	AA-	\$1,500,000.00	819	1.62%	05/09/22	ESG TD
17/02/25	Westpac Bank	AA-	\$2,000,000.00	914	2.02%	18/08/22	ESG TD
24/02/25	Westpac Bank	AA-	\$2,500,000.00	914	2.10%	25/08/22	ESG TD
20/11/25	Westpac Bank	AA-	\$1,500,000.00	1189	1.87%	19/08/22	ESG TD
17/02/26	Westpac Bank	AA-	\$2,500,000.00	1279	2.24%	18/08/22	ESG TD
24/02/26	Westpac Bank	AA-	\$2,000,000.00	1279	2.31%	25/08/22	ESG TD
03/03/26	Westpac Bank	AA-	\$2,000,000.00	1275	2.22%	05/09/22	ESG TD
03/02/23	Bank of Queensland	BBB+	\$2,000,000.00	1635	3.23%	13/08/18	Floating Rate Notes
06/02/23	Newcastle Permanent Building Society	BBB	\$2,000,000.00	1707	3.66%	05/06/18	Floating Rate Notes
24/02/23	RACQ Bank	BBB+	\$1,500,000.00	1096	3.32%	24/02/20	Floating Rate Notes
16/08/23	Commonwealth Bank of Australia	AA-	\$1,500,000.00	1826	3.23%	16/08/18	Floating Rate Notes
08/02/24	ANZ Bank	AA-	\$1,500,000.00	1826	3.36%	08/02/19	Floating Rate Notes
29/08/24	ANZ Bank	AA-	\$1,500,000.00	1827	3.20%	29/08/19	Floating Rate Notes
14/11/24	Citibank	A+	\$1,000,000.00	1827	3.20%	14/11/19	Floating Rate Notes
12/02/25	Macquarie Bank	A+	\$2,000,000.00	1827	3.14%	12/02/20	Floating Rate Notes
06/05/25	Royal Bank of Canada	AA-	\$1,000,000.00	1096	2.96%	06/05/22	Floating Rate Notes
09/12/25	Macquarie Bank	A+	\$2,000,000.00	1651	3.09%	02/06/21	Floating Rate Notes
15/06/26	Teachers Mutual Bank	BBB	\$850,000.00	1825	3.48%	16/06/21	Floating Rate Notes
19/08/26	ING Bank	A	\$500,000.00	1826	2.73%	19/08/21	Floating Rate Notes
18/08/27	Commonwealth Bank of Australia	AA-	\$1,100,000.00	1826	3.30%	18/08/22	Floating Rate Notes
17/10/25	Suncorp Metway	A+	\$1,000,000.00	1096	3.82%	17/10/22	Floating Rate Notes
23/12/26	Commonwealth Bank of Australia	AA-	\$2,000,000.00	1917	3.32%	23/09/21	ESG FRN
15/12/22	NTTC	AA-	\$2,000,000.00	808	0.90%	28/09/20	Fixed Rate Bond
15/12/23	NTTC	AA-	\$2,000,000.00	1186	1.00%	15/09/20	Fixed Rate Bond
15/12/24	NTTC	AA-	\$2,000,000.00	1206	1.00%	27/08/21	Fixed Rate Bond
15/06/25	NTTC	AA-	\$2,000,000.00	1496	1.10%	11/05/21	Fixed Rate Bond
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	A+	\$2,000,000.00	1587	3.25%	20/04/22	Fixed Rate Bond
	AMP Bank	BBB	\$1,006,631.33		3.05%		AMP 31Day Notice
	AMP Bank	BBB	\$853,470.00		0.50%		AMP Business Saver
	Macquarie Bank	A+	\$2,004,353.41		2.80%		Macquarie CMA
	Macquarie Bank	A+	\$3,444,128.26		2.60%		Macquarie CMA
	<b>31/10/22</b>		<b>\$139,758,583.00</b>		<b>2.49%</b>		
	TOTAL INVESTMENTS at 30/09/2022		\$142,871,887.70				
	Net Increase/(Decrease) in Investments		(\$3,113,304.70)				

**FINANCIAL CONSIDERATIONS**

The RBA has continued to increase the cash rates, the latest rise occurred on 1st November 2022, a further 0.25% increase, to 2.85%.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

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

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

**ITEM 11.4 FIRST QUARTER BUDGET REVIEW - JULY TO SEPTEMBER 2022****Reporting Manager** Manager Finance**Attachments:**

1. **Quarterly Budget Review Statement 1** (*Provided in Attachment Booklet*) [⇒](#)
2. **Capital Budget September 2022** (*Provided in Attachment Booklet*) [⇒](#)

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**RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY**

That the first Quarter Review Budget for 2022/23, including the variations as identified in the report and attachments be adopted.

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**PURPOSE**

To inform Council on the results of the first quarter budget review and what material changes to the annual budget have occurred from July to September 2022. Revised year end forecasts are based on financial performance and trends over the period 1 July 2022 to 30 September 2022.

**EXECUTIVE SUMMARY**

As at the end of Quarter 1, Council is forecasting an operating budget deficit of \$2.676m. This revised forecast is principally an acknowledged consequence of an unavoidable timing issue relating to the receipt of grant funding and specifically, grant funding received for projects to be undertaken in 2022/23 being received in 2021/22. This amount was therefore accounted for in the previous financial year, therefore reflecting favourably in that year. Similarly, expenditure relating to projects funded through those grants appears as an expenditure increase in the current year amounting to \$1.198m, reflecting unfavourably in this review. Further, the impact of the current high inflation (currently over 7%) has necessitated an adjustment to the expected cost of the domestic waste service in the amount of \$737k. This cost is to be funded from the waste reserve.

The impact of high inflation on other goods and services will be monitored and adjusted, if necessary, in future quarters. Where possible, savings will be identified to cover cost increases. The budget also accounts on the ongoing payment in advance of the Financial Assistance Grant. The advance payment of Financial Assistance Grant would usually be paid in June 2023 and is estimated at \$2m. Failure to receive this grant will exacerbate the current deficit forecast.

The QBRS, compiled for information of Council and the community, provides a summary of Council's financial position at the end of each quarter as to its progress against both the original Operational Plan and the last revised budget, as well as any recommended revisions identified as part of the budget review process. The Operating Budget deficit has increased from the approved budget deficit of \$805k to a deficit of \$2.676m, excluding capital income and reserves movements. Overall the consolidated budget position incorporating the Capital Budget has changed from the approved deficit of \$106k to a deficit of \$291k.

Significant material Operational Plan revisions arising in the September 2022 quarter forecast are as follows:

**Reduction in income:**

- Forecast decrease in Rates and Annual Charges of \$221k due to reduction in supplementary rates from anticipated growth in rateable properties.
- Forecast decrease in User Charges of \$111k was mainly attributable to golf course fees down due to wet weather(\$265k), with offset income improvement for Permits (\$91k), commercial waste fees (\$31k) and building and health inspection fees (\$50k).
- Forecast decrease in Grants and Contributions – Operating of \$774k was mainly attributable to the receipt of the “Greening our City – Cooler Suburbs” grant in June 2022 (\$860k).

Additional grant income from the Low Cost Loan Initiative subsidy for Concord Oval (\$86k) has been a favourable variation.

**Increases in Expenditure:**

- Forecast Materials & Services have increased by \$901k. Increases are mainly attributable to the higher than anticipated CPI and its impact on the cost of the Domestic Waste Service (\$737k). The FAST project has been included in the budget at a cost of \$250k, along with the Social Cohesion Program expenditure of \$88k. Matching grant funding for both projects, however, were received in June 2022.
- Forecast Other Expenses have increased by \$467k. Increases are mainly attributable to higher waste levies for both domestic and commercial waste (\$81k). Council's contribution towards the cost of Fire Services and SES Levies has increased by \$387k. This cost increase has been offset by a grant from the Office of Local Government although the budget impact is because of the grant being received in June 2022.

**Budget improvement:**

- Forecast increase in Interest and Investment Revenue of \$555k, resulting from successive interest rate rises. The Investment portfolio held \$143.5m at the end of September with reinvestment rates of between 3.5% and 4.5% being achieved.

Budget adjustments proposed in this review will adversely impact the forecast operating result (excluding capital items) by \$1,871,000. Operating income has been revised down by \$372,000 with Operating Expenditure increases of \$1,498,000 being brought to account. Details relating to material revisions are provided in the report attachments.

**STRATEGIC DIRECTION**

This report supports Our Future 2036 outcome area:

Direction 5: Civic Leadership

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

**BACKGROUND/DISCUSSION**

The quarterly review of the 2022/23 Budget for the period July to September 2022 has been completed. Actual results for the first quarter are assessed to determine the need for revisions to the original budget. Explanations are included for recommended changes and any impact on Council's original Operational Plan, Delivery Program or Long Term Financial Plan.

The Budget is comprised of two components:

- Continuing Operations Budget.
- Capital Budget.

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

Council's Original Budget for 2022/23, provided for an Operational Deficit of \$805k.

The First Quarter Review of Council's 2022/23 Budget forecasted a projected year end result of a deficit of \$2.676m.

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

## TIMING / CONSULTATION AND / OR RISK CONSIDERATIONS

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

## FINANCIAL CONSIDERATIONS

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

		Original Budget 2022/23	September Changes	September Quarter 2022/23
<b>Operational</b>				
<b>Income</b>	<i>Rates and Annual Charges</i>	60,462,030	(221,000)	60,241,030
	<i>User Fees and Charges</i>	20,222,948	(110,811)	20,112,137
	<i>Interest</i>	1,883,300	555,000	2,438,300
	<i>Other Revenue</i>	6,647,387	22,067	6,669,454
	<i>Rental Income</i>	3,545,569	156,115	3,701,684
	<i>Grants and Contributions-Operational</i>	7,706,832	(773,798)	6,933,034
	<b>Total operating income</b>	100,468,066	(372,427)	100,095,639
<b>Expense</b>	<i>Employee Costs</i>	41,999,418	130,314	42,129,732
	<i>Borrowings</i>	698,147	0	698,147
	<i>Materials &amp; Services</i>	37,539,749	901,014	38,440,763
	<i>Depreciation</i>	15,379,000	0	15,379,000
	<i>Other Expenses</i>	5,656,336	467,486	6,123,822
	<i>Net Loss from disposal of assets</i>	0	0	0
	<b>Total operating expenditure</b>	101,272,650	1,498,814	102,771,464
<b>Operational result - surplus/(deficit)</b>		<b>(804,585)</b>	<b>(1,871,240)</b>	<b>(2,675,825)</b>
<b>Capital</b>				
<b>Income</b>	<i>Grants And Contributions-Capital</i>	38,206,148	(2,510,767)	35,695,381
	<i>New Loans</i>	0	0	0
	<i>Proceeds From The Disposal Of Assets</i>	5,439,000	0	5,439,000
	<b>Total Capital Income</b>	43,645,148	(2,510,767)	41,134,381
<b>Expense</b>	<i>Capital Expenditure</i>	90,099,116	(3,335,693)	86,763,423
	<i>Capital Expenditure - Principal Loan</i>	1,340,615	0	1,340,615
	<i>Capital Expenditure - Other</i>	583,966	95,640	679,606
	<b>Total capital expenditure</b>	92,023,697	(3,240,053)	88,783,644
<b>Capital result - surplus/(deficit)</b>		<b>(48,378,548)</b>	<b>729,286</b>	<b>(47,649,263)</b>
<b>Funding Movements</b>				
	<i>Add Back Depreciation &amp; Amortisation - Non Cash Item</i>	15,379,000	0	15,379,000
	<i>Transfer From Reserve</i>	48,300,094	339,045	48,639,139
	<i>Transfer To Reserve</i>	14,602,370	(618,633)	13,983,737
<b>Total Funding Movements</b>		<b>49,076,724</b>	<b>957,678</b>	<b>50,034,402</b>
<b>Net result - surplus/(deficit)</b>		<b>(106,409)</b>	<b>(184,276)</b>	<b>(290,685)</b>

This review recommends a number of changes to the Continuing Operations Budget and provides revised estimates for the full year. In some cases, the recommended changes to the budget are movements of funds across functions or activities of Council. The consolidated budget movement over the first quarter projects an increased draw down on unrestricted cash reserves of \$184k.

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

### Capital Works Program

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



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

Type	Original Budget	Carry Overs	September Variations	Proposed Budget
Capital Expenditure	90,683,082	10,705,153	-13,945,206	87,443,029
Loans	1,340,615	0	0	1,340,615
Total Capital	92,023,697	10,705,153	-13,945,206	88,783,644

The above table shows the net movement in the Capital Expenditure Program, with a decrease of \$3.2M. This includes bringing forward budget allocations unspent last financial year for the Rhodes Recreation Centre of \$5.6M to reflect expenditure anticipated to 30 June 2023 and the rephasing of other projects to 2023/24.

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

### Cash & Investments

The Statement of Investments as at 30 September 2022 was presented at the Council Meeting of 18 October 2022. At the end of the third quarter, Council's Cash and Investments amounted to \$143,490,990.73. By comparison, at the end of the first quarter in September 2021, Cash and Investments amounted to \$178,851,991.68. These funds are invested in accordance with Council's Investment Policy.

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

Cash flows from rate collections over the first three months of the 2022/2023 financial year amount to approximately \$23 million of the \$63 million rate debtor. This represents 37% of the total collectible compared to 37% for the same period last year.

### Financial Impact

The first quarter review forecasts a revised operating budget deficit of \$2.675m. As highlighted in the report, grants received in the previous financial year and reserved relating to "Greening our City" - \$860k, FASST project (DA's) - \$250k and Social Cohesion \$88k are now being drawn upon to fund programs being delivered in the current financial year. The timing impact of the receipt of these grants amounting to \$1.198m in 2021/22 is unfavourable in the current year whilst favourable to the final year end results reported for 2021/22.

The impact of the current high inflation (currently over 7%) has necessitated an adjustment to the expected cost of the domestic waste service in the amount of \$737k. This cost will be funded from the waste reserve.

The capital program has been updated to reflect funding brought forward from the previous financial year of \$10.7m. This review has also identified projects that will now be undertaken in 2023/24. The impact of these combined funding movements results in the revised capital works program being adjusted down from \$90.6m to \$87.4m.

Council's forecast Cash and Investments position as at 30 June 2023 is slightly down from the original forecast of \$102.9m to \$101.9m.

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

It is my opinion that the Quarterly Budget Review Statement for City of Canada Bay Council for the quarter ended 30/09/2022 indicates that Council's projected financial position as at 30 June 2023 will be satisfactory at the year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure. This opinion focuses on Council's

projected short-term liquidity position at year end. It does not extend to an opinion relating to Council's long-term financial position.

Evan Hutchings

Responsible Accounting Officer

### **LEGISLATIVE AND POLICY CONSIDERATIONS**

Clause 203(2) of the Local Government (General) Regulation 2005 requires that at the end of each quarter, a Budget Review Statement be prepared and submitted to Council that provides the latest estimate of Income and Expenditure for the current financial year.

**ITEM 11.5 STATE OF THE BAY ANNUAL REPORT 2021-2022****Reporting Manager Corporate Planner****Attachments:** 1. **State of the Bay Annual Report 2021-2022 (Provided in Attachment Booklet)** [↔](#)

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**RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY**That the State of the Bay Annual Report for 2021-2022, attached to the report, be endorsed.

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**PURPOSE**

To present the State of the Bay Annual Report for 2021-2022 for Council endorsement.

**EXECUTIVE SUMMARY**

Council's Annual Report for 2021-2022 is presented in accordance with the Local Government Act 1993 (the Act), the Local Government (General) Regulation 2021 (the Regulation), and the Integrated Planning and Reporting Guidelines for Local Government in NSW, issued in September 2021 by the Office of Local Government.

**STRATEGIC DIRECTION**

This report supports Our Future 2036 outcome area:

Direction 5: Civic Leadership

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

**BACKGROUND/DISCUSSION**

In accordance with section 428 of the Act and clause 217 of the Regulation, an Annual Report must be prepared and endorsed within five months of the end of the financial year.

The Annual Report outlines Council's achievements in implementing the Delivery Program and Operational Plan, it reports on legal requirements and includes the audited financial statements for the reporting year.

The Annual Report for the 2021-2022 period has been prepared in eight sections as outlined below:

1. Introduction - Provides the context for annual reporting and contains an introduction from the Mayor and General Manager.
2. Our City - Provides information about the City of Canada Bay and the Integrated Planning and Reporting Framework through which the annual report is prepared.
3. Year in review - Contains a high-level summary of Council's achievements for the reporting year 2021-2022.
4. Performance to achieve our goals - Provides more detailed information about our performance toward achievement of the goals of the CSP YOUR Future 2030. This is the last annual report of achievement on that CSP, as the new CSP our Future 2036 was adopted by Council in June 2022.
5. Community democracy - Information about Council's achievements in fostering local democracy.
6. Our organisation - Provides information about Council's Executive team, corporate structure and people.

7. Statutory reporting - This section of the report contains the statutory returns required across a range of legislation and regulations.
8. Audited financial report and special schedules - Council's final audited financial reports are included in the annual report, as per legislative requirements.

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

In accordance with the requirements of the Local Government Act 1993, the Annual Report must be endorsed by Council before 30 November 2022. The endorsed Annual Report must also be published on Council's website with a link to the report provided to the Office of Local Government prior to that date.

#### **FINANCIAL CONSIDERATIONS**

There are no financial considerations associated with this report.

#### **LEGISLATIVE AND POLICY CONSIDERATIONS**

In accordance with the requirements of the Local Government Act 1993, the Annual Report is presented for endorsement at the November 2022 Council meeting.

**ITEM 11.6 CITY OF CANADA BAY COUNCIL MEETING SCHEDULE FOR 2023**
**Reporting Manager** Manager Governance and Customer Services

**Attachments:** Nil

**RECOMMENDATION OF DIRECTOR CORPORATE SERVICES AND STRATEGY**

That the ordinary Council Meeting schedule for 2023 as contained in the report be adopted.

**PURPOSE**

Under Council's Code of Meeting Practice, clause 4.1 requires Council to adopt a schedule of its council meetings.

**REPORT**

Under Council's Code of Meeting Practice, clause 4.1 requires Council to adopt a schedule of its council meetings.

This report recommends a meeting schedule for 2023 whereby ordinary meetings are held on the third Tuesday of the month, with some exceptions as per the table below, commencing at 6.00pm, unless otherwise advertised.

The meetings proposed are as follows:

Meeting Type	Meeting Day	Meeting Date (2023)	Meeting Time	Location	Reason for exception
Ordinary	Tuesday	21 February	6.00pm	Drummoyne	
Ordinary	Tuesday	21 March	6.00pm	Drummoyne	
Ordinary	Tuesday	18 April	6.00pm	Drummoyne	
Ordinary	Tuesday	16 May	6.00pm	Drummoyne	
Ordinary	Tuesday	13 June (2 <sup>nd</sup> Tuesday)	6.00pm	Drummoyne	ALGA Conference 18-21 June 2023
Ordinary	Tuesday	18 July	6.00pm	Drummoyne	
Ordinary	Tuesday	15 August	6.00pm	Drummoyne	
Ordinary	Tuesday	19 September	6.00pm	Drummoyne	
Ordinary	Tuesday	17 October	6.00pm	Drummoyne	
Ordinary	Tuesday	21 November	6.00pm	Drummoyne	
Ordinary	Tuesday	5 December (1 <sup>st</sup> Tuesday)	6.00pm	Drummoyne	Christmas break

**STRATEGIC DIRECTION**

This report supports Our Future 2036 outcome area:

Direction 5: Civic Leadership

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

**FINANCIAL CONSIDERATIONS**

There are no financial considerations associated with this report.

**LEGISLATIVE AND POLICY CONSIDERATIONS**

Under Council's Code of Meeting Practice, clause 4.1 requires Council to adopt a schedule of its council meetings.

**12 NOTICES OF MOTION****ITEM 12.1 NOTICE OF MOTION - COUNCILLOR JAGO - CITY OF CANADA BAY  
BAN ON FOSSIL FUEL AND GAMBLING ADVERTISING**

Submitted by: Councillor Charles Jago

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**MOTION**

That:

1. Council notes:
    - (a) The City of Canada Bay endorsed a declaration of climate emergency in September 2019, in response to the risks of climate change and the need for strong action.
    - (b) Problem gambling contributes to major economic and social damage in the community.
    - (c) Advertising of gambling and/or fossil fuels on Council property or facilities is inconsistent with Council values.
  2. The General Manager investigate, prepare and submit a report to Council on the feasibility of, and options for, implementing a ban on advertising of fossil fuels and/or gambling on any Council controlled signage and on signage on any property owned or managed by Council, and at Council events.
  3. The report referred to in 2. above also include consideration of:
    - (a) Precluding the sponsorship of Council events by entities that sell fossil fuel or gambling products.
    - (b) Working with other councils, SSROC, Local Government NSW and the Australian Local Government Association to encourage a consistent approach across local government to ban fossil fuel and gambling advertising.
- 

**BACKGROUND FROM COUNCILLOR CHARLES JAGO****Fossil fuel advertising**

In 1992, Australia passed national laws that banned advertising of tobacco products because smoking was harmful to the health of people. Advertising these products was linked to an increase in tobacco use. Because of this, Council has restricted the advertising of tobacco and other harmful products on Council controlled land and events.

Australia now faces a similar challenge in climate change, driven especially by fossil fuels. Coal, oil and gas are affecting our health, environment and climate, with impacts in NSW and Greater Sydney including more intense and frequent heatwaves, storms, bushfires, floods and droughts. Air pollution from burning fossil fuels killed more than one million people globally in 2017 (Jefferson, 2021). A recent study in Nature Communications estimated an additional 83 million excess deaths by 2100 due to climate change (Bressler, 2021).

Just as the community supports restrictions and bans on tobacco advertising, support for restrictions and bans on fossil-fuel products has emerged. Currently, the 'Fossil Ad Ban' community campaign calls for a tobacco-style ban on advertisements and sponsorships for fossil fuels including coal, oil and gas (Fossil Ad Ban - Ban Fossil Fuel Ads and Sponsorships, n.d.). Also, an open letter from health professionals and organisations across Australia is calling on councils and other Australian

lawmakers to end promotions for coal, oil and gas, on the basis that these fossil fuels are damaging for our health, environment and the climate (Open Letter from Health Professionals, 2022).

Restrictions on fossil fuel advertising are in place in France, and at least seven local government areas in the UK and the Netherlands. Similar laws are being debated in the European Union, Germany, Sweden and Canada. Councils in Australia which have passed motions to explore a ban on fossil fuel advertising include:

- Victoria – Darebin, Maribyrnong, Merri-bek (Moreland), Yarra
- NSW – Sydney, Inner West, Lane Cove
- WA – Fremantle

### **Gambling advertising**

The average poker machine gambler in NSW lost \$4,500 per year (Koziol, 2022) The “interactive” or online gambling market (“online casinos”) may be even more dangerous, with a seven-fold growth in the last ten years, and Australia accounting for 5% of this form of gambling (Podesta & Thomas, n.d.).

The Alliance for Gambling Reform says that sports wagering is the fastest-growing form of gambling in Australia, doubling in the five years to 2017-2018, with losses now exceeding more than \$1.2 billion annually (and turnover about 10 times that) (Facts on Gambling Ads, n.d.), amounting to an average loss of \$1,324 pa for each Australian (“Mug Punters?,” 2018).

Gambling losses create severe personal consequences, including financial hardship, emotional difficulties, social impacts, employment difficulties and legal problems for families and communities (Dowling, n.d.).

### **Current advertising authorised by Council**

Three vendors conduct advertising on Council property: Adshel (Ooh!Media) – Bus shelters; QMS – Large Format Advertising signboards; and Adbooth – phone shelters. Council does not own the infrastructure used by these vendors, but currently has contracts in place with each one of them.

The actual extent of current gambling and fossil fuel advertising is unknown, but could potentially be introduced or increased at any time.

These advertising arrangements include provisions for acceptable advertising behaviour requiring compliance with community and industry standards, but those provisions do not refer to fossil fuel or gambling advertising.

Because of the complexities of the contractual arrangements, and the potential impact on Council income, further investigation would be required on options available to Council for proceeding. It is possible that some or all restrictions on unwanted advertising might have to wait until the term of an existing contract expires.

### **References**

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Podesta, J., & Thomas, A. (n.d.). *Betting restrictions and online wagering in Australia*. Retrieved November 4, 2022, from <https://aifs.gov.au/research/research-reports/betting-restrictions-and-online-wagering-australia>

**13 NOTICES OF MOTION OF RESCISSION**

Nil

**14 MATTERS OF URGENCY**

Nil

**15 QUESTIONS WITH NOTICE**

Nil

**16 CONFIDENTIAL MATTERS**

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**RECOMMENDATION**

That

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

**ITEM 16.1 PROPOSED LEASE OF STRATUM AIRSPACE - BAKE HOUSE BRIDGE OVER GEORGE STREET, NORTH STRATHFIELD**

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

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

**ITEM 16.2 REQUEST FOR ADDITIONAL RENT RELIEF - KNOWLEDGE GROUNDS CAFÉ – PREMISES INSIDE CONCORD LIBRARY - 60 FLAVELLE ST, CONCORD**

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

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

**ITEM 16.3 CREATION OF AN EASEMENT-FORESHORE WALK WAY - MORTLAKE**

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:

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

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

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

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**17 CONFIDENTIAL RESOLUTIONS**

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

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